

**RESOLUTION REQUESTING AN INVESTIGATION INTO  
CIRCUMSTANCES SURROUNDING THE CLOSURE OF THE  
ARK COMMUNITY CHARTER SCHOOL**

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**WHEREAS**, the Ark Community Charter School (“THE ARK”), an elementary school operating at 762 River Street in the City of Troy, NY, was ordered closed by the Charter Schools Institute of New York State (CSI) in March of 2014; and

**WHEREAS**, concerns have been raised about the procedural steps taken by CSI in the closing of THE ARK, including failure to visit the site, failure to provide a warning notice, and altering performance metrics in violation of the charter agreement with THE ARK; and

**WHEREAS**, the Executive Director of the SUNY Charter Schools Institute, Susan Miller Barker, was Founding Chairperson of True North Troy Preparatory Charter School (“TROY PREP”), the only other charter school in Troy, NY, and a school in competition with THE ARK for students and funding; and

**WHEREAS**, Ms. Barker, according to a Times Union investigative report dated April 12, 2014, has recused herself in official matters regarding TROY PREP, but did not recuse herself in the closing of THE ARK; and

**WHEREAS**, CSI authorized a charter renewal for The King Charter School in Buffalo, NY, despite nearly identical performance ratings as THE ARK.

**NOW THEREFORE BE IT RESOLVED**, that the City Council of the City of Troy finds reason to believe that the circumstances surrounding the closure of THE ARK warrant further inspection; and

**BE IT FURTHER RESOLVED**, that the City Council of the City of Troy hereby requests that New York State Attorney General Eric Schneiderman, Inspector General Catherine Leahy Scott, and Comptroller Thomas P. DiNapoli investigate potential illegalities, improprieties, and/or procedural failures in the closing of THE ARK by CSI.

Approved as to form, April 17, 2014

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*Ian H. Silverman, Esq.*, Corporation Counsel