

School Receivership



Fact Sheet 26-02 (Updates & Replaces 19-08)

April 2026

New Receivership List

NYSED released a new list of receivership schools March 27, 2026. That list identified 29 schools in receivership in 10 school districts for receivership status. Of these, 12 schools were previously identified as receivership schools; 14 schools were newly identified. There are also 3 schools that will be removed from receivership on June 30, 2026. Newly identified schools enter receivership status immediately. The next list of receivership schools will not be generated until the 2028-29 school years.

Background

Under the school receivership law enacted by the Legislature in 2015, and the implementing regulations adopted by the New York State Board of Regents, the New York State Education Department (SED) established a process to place persistently low-performing schools into receivership, appoint a receiver to oversee their improvement, and require demonstrable annual progress.

There are two categories of receivership schools:

- **Previously identified receivership schools:** Schools that were already in the receivership program in the 2024–2025 school year and are re-identified as low performing (a Comprehensive Support and Improvement [CSI] school) remain in receivership. These schools must show improvement each year, or an independent receiver from outside the district may be appointed to run the school.
- **Newly identified receivership schools:** Schools that are identified as CSI schools for three years in a row enter receivership. These schools are among the lowest performing 5% of schools in the state or have a graduation rate below 67% over three years. In these cases, the district superintendent serves as the receiver for two years. During this time, the school must show improvement or an independent receiver from outside the district may be appointed to run the school.

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A school may exit receivership in one of the following ways:

- The school meets performance benchmarks established by SED for two consecutive years.
- The school is no longer identified as a CSI school on the next state accountability list (scheduled for 2028–2029).
- The school is closed or restructured.

Neither ESSA nor the Federal Government require a receivership law; however, New York State maintains the receivership law as an additional measure of accountability.

What is a Receiver?

A receiver is the individual or organization given authority to manage and operate a school that has been placed into receivership. The receiver follows a school continuation plan. Only the individual school is placed into receivership, not the entire school district.

There are two types of receivers: School receivers and independent receivers.

School Receiver: When a school is placed into receivership, the district superintendent becomes the school receiver. School receivers have many of the same powers as independent receivers, but there are some limits. They are not required to create or carry out a school continuation plan or convert the school into a community school, though they may choose to. They also cannot override decisions made by the Board of Education about their own employment.

Independent Receiver: An independent receiver is an individual or nonprofit organization approved by the NYSED Commissioner to manage and operate the school. Independent receivers must have a proven record of improving school performance and may be appointed if a school does not show enough progress while in receivership.

Receivership Process Overview

When a school is placed in receivership, the district must take steps to involve parents and the community, develop and implement an improvement plan, and report on progress. A new school receivership list is produced by SED every three years concurrently with the new list of Comprehensive Support and Improvement Schools (CSI), occurring again in 2028-29.

District Requirements

Once a school is designated for receivership, the district must take the following actions:

- Establish a Community Engagement Team (CET) within 20 business days to provide recommendations for school improvement
- Conduct at least one public meeting within 30 days of designation and at least once annually while the school remains designated
- Notify parents by June 30 each year if the school continues to be identified
- Submit a Community Engagement and Receivership Continuation Plan to the Commissioner to guide the development of a school continuation plan
- Obtain Commissioner approval of the plans prior to a superintendent assuming receiver powers
- Submit quarterly progress reports to the Commissioner, which must be publicly available

Decisions at the End of a Receivership Period

School continuation plans in schools with a receiver are approved for a three-year period. Once that period expires, the Commissioner conducts an evaluation and must choose one option:

- Remove the school from the list of receivership schools
- Continue to operate the school under the superintendent school receiver
- Place the school under an independent receiver. The independent receiver must be appointed by the district within 60 calendar days of the Commissioner’s determination. This period is shortened to 45 calendar days if SED revokes approval for a previously approved plan or model.

The Community Engagement Team (CET)

The purpose of the CET is to solicit input and develop recommendations for the continuation plan and to provide periodic feedback as the plan is implemented. This must be submitted to the Commissioner for approval before the school improvement plan receives final approval.

Community Engagement Plan

The district must produce a community engagement plan, which details how members of the CET are selected and how membership changes will be addressed. It must explain how all parties will be involved in the process, how meetings will be conducted, and how recommendations will be made. The CET must coordinate with other shared-decision making/school-based management teams.

Membership of the CET

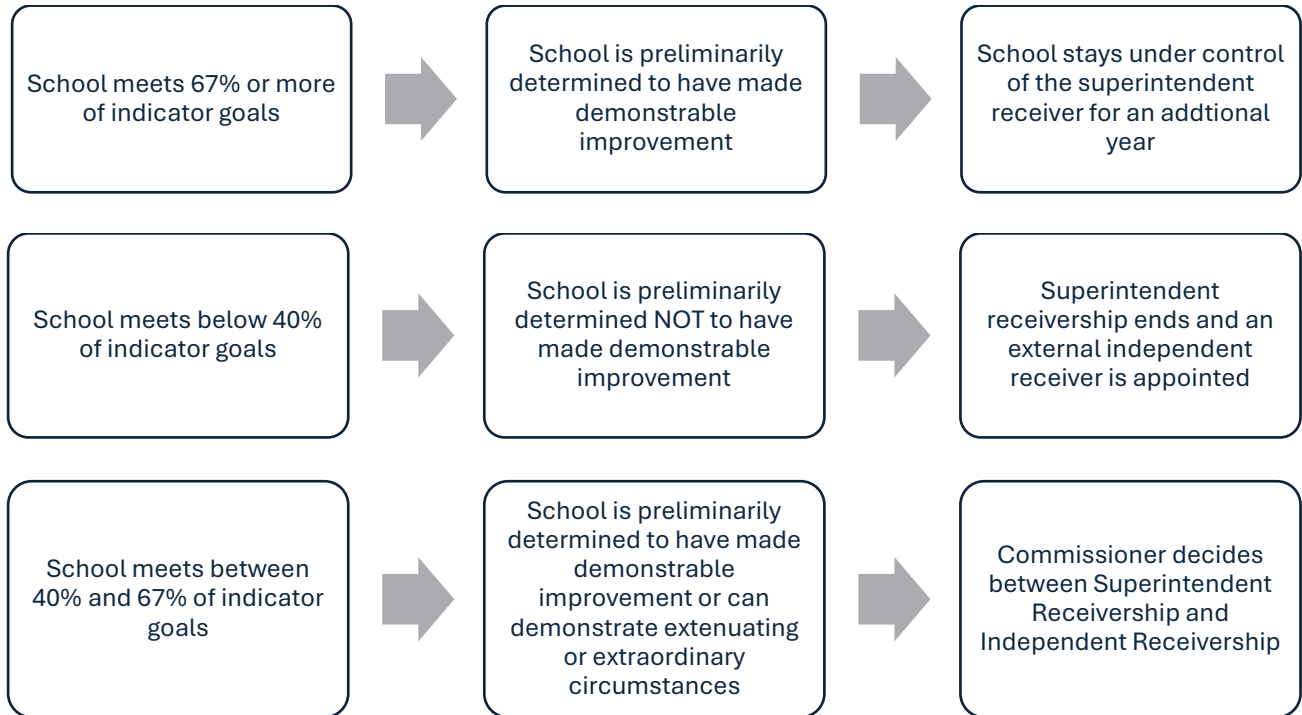
- Members must be stakeholders with direct ties to the school in receivership.
- Members must include at least the principal, parents or persons in parental relationships to students, teachers and other staff.
- Schools that serve students under grade 7 may include student representation on the CET. Schools that serve students in grade 7 and above must include student representation on the CET.
- Teachers are selected through a shared decision-making process that involves the collective bargaining unit.
- The CET must be a distinct team, but some members can also serve on other school teams.
- Members may change at any time, but representation of all stakeholder groups must remain intact.

Operations and Responsibilities

- The CET is expected to solicit input from the community through various methods such as public hearings, meetings, and surveys.
- All CET recommendations must be addressed in the continuation plan, including a description of how they were incorporated or why they were not.

Demonstrable Improvement

All schools in receivership have a series of improvement goals that must be met and are measured by a series of indicators. These outcomes have a direct impact on the governance structure of the school. The Commissioner will make these determinations about newly identified receivership schools after two school years. The illustration below provides a high-level explanation of the impacts:



Monetary Support

Districts will be provided with funding to support schools under Receivership to implement their 2026–2027 Continuation Plan. Schools under Receivership will be eligible for a SIG Targeted Grant to directly support the needs of the school. See [2026–2027 Receivership Planning Resources and Support | New York State Education Department](#)

Districts with schools in the High School Redesign and Receivership programs will also receive the allocation based on the support model of those schools (i.e. CSI, ATSI). The Department will make available Targeted Grants of \$20,000 in funding per eligible school to support two allowable activities to extend the school’s participation in the Supplemental Support program: professional learning identified by the school participant(s), or initiative development identified by the school participant(s). Districts/schools ineligible for 2025-26 Title I, 1003 SIG Basic funding include districts identified for Local Support and Improvement (LSI), schools identified for LSI, and charter schools.

Authority, Power, and Responsibility of Receivers

Receivers are an ex-officio member of the Board of Education (BOE), vested with significant authority. Receivers are given considerable autonomy to make changes to receivership schools. This authority is outlined in the table below.

Authority	Examples/ Actions
Supersede BOE decisions	Override any decision, policy, or regulation related to the school's continuation plan
Modify Curriculum and Instruction	Make curriculum changes; expand the school day or year; add pre-K or full-day K to a school that offers Grade 1 (as applicable)
Manage Personnel	Replace teachers and administrators; approve hiring decisions; increase salaries; abolish and rehire positions
Organizational and Operational Control	Change induction and professional development plans; reorganize school structure; reallocate the school budget
School Transformation	Convert the school to a community school (required for independent receivers; optional for superintendent receivers); order conversion to a charter school (with parental approval)
Collective Bargaining	Require the collective bargaining unit to negotiate a "receivership agreement" that modifies specific elements of the collective bargaining agreement for staff in the receivership school

Abolishing Positions

A receiver may abolish all or selected teaching and administrative positions at a school and require affected staff to reapply. However, any such action must follow required procedures and be supported by a clear justification. In order to abolish positions, the receiver must:

- First, conduct a comprehensive needs analysis that includes (1) a review of the professional development provided to the staff during the preceding two school years and (2) an analysis of how the planned abolition will result in improved student performance.
- Provide at least 90 days notice to affected staff, their collective bargaining representatives, the superintendent (if not the receiver), and the BOE. The notice must include: the positions to be abolished; the timeline; the rehiring process; the needs assessment and analysis supporting the decision; the expected impact; and a description of efforts to minimize disruption to the educational program.
- Provide 14 calendar days for notified parties to submit a request in writing to the receiver for reconsideration.
- Inform the BOE of their final determination within 30 calendar days.
- Provide all correspondence to the Commissioner.
- Seek approval from the Commissioner if they seek to abolish additional positions once this process has been undertaken in a receivership school.

Rehiring Process

The receiver is required to form a staffing committee to determine if staff who chose to re-apply are qualified. The committee must be comprised of the receiver, two members appointed by the receiver, and two members appointed by the collective bargaining unit. The guidelines dictate:

- Any teacher with two ineffective ratings, at any time in their career, is not qualified to be re-hired. The law does not specify that these need to be consecutive years.
- At least 50 percent of abolished positions must be filled with the most senior, qualified staff from the receiver school.
- Teachers and staff not re-hired at the receiver school do not have "bumping" rights in the district that they would otherwise have pursuant to current regulations (they may have other rights under the collective bargaining agreement).
- Teachers and staff not re-hired at the receiver school are placed on a Preferred Eligibility List (PEL). The PEL rights and benefits are consistent with existing PEL statutory requirements.

Receivership and Collective Bargaining

The receiver may ask teachers and administrators' collective bargaining units to negotiate a new bargaining agreement specific to the receivership school during the period of receivership. The scope of bargaining includes these topics:

- Length of the day
- Length of the year
- Professional development for teachers and administrators
- Class size
- Changes in program, assignments and teaching conditions

The agreement must provide for a proportionate increase in compensation where the day or year is extended. The receivership agreement shall not provide any reduction in compensation unless there shall also be a proportionate reduction in hours. The Regulations require that the receiver make a written request to the union to negotiate a receivership agreement and that bargaining over that receivership agreement be completed within 30 calendar days of that request. The agreement must then be ratified by the union within 10 business days.

In "persistently struggling" schools, if an agreement is not reached, the parties shall submit any remaining unresolved issues to the Commissioner who shall within five calendar days settle such issues by unilaterally determining if changes in the collective bargaining agreement will be imposed.

In schools designated as "struggling," the process is slightly different. A conciliator will be selected to help resolve any outstanding issues, but if these are not resolved, the Commissioner is given final authority in a manner consistent with the persistently struggling schools provisions.

Timeline for Bargaining a Receivership Agreement

- The receiver must make a written request. The bargaining shall be conducted in good faith as set forth in Education Law section 211-f(8)(b) and (c).
- Bargaining must be completed within 30 calendar days of the request.
- The 30 days may be extended for an additional 30 days by mutual consent.
- If extended or if the receiver withdraws the request, the parties must send notice to the Commissioner.
- If agreement is reached, the agreement must be ratified by the union within 10 business days.
- If an agreement is not reached:
 - In “persistently struggling” schools, any unresolved issues are submitted to the Commissioner. The Commissioner shall unilaterally determine what changes will be imposed within 5 calendar days.
 - In “struggling” schools, unresolved issues must first be submitted to a conciliator. The conciliator will resolve any remaining issues within 5 calendar days of his/her selection. If any issues remain unresolved, they must be submitted to the Commissioner who will respond with a resolution within 5 calendar days

Appointment and Qualification for Independent Receivers

If the Commissioner determines that a receivership school has not made “demonstrable improvement” and orders the appointment of an independent receiver, the district appoints the independent receiver with the approval of the Commissioner. The initial term for an independent receiver shall not exceed three years. The employment contract is with the Commissioner, not the district.

An independent receiver may be a non-profit, another school district, or an individual with experience in improving school performance. If the receiver is another district, it must be in good standing under the state accountability system; if a non-profit, the individual designated to oversee the implementation must have NYS certification as a school district administrator or equivalent.

SED will maintain a list of approved independent receivers, but districts may submit their own choice for approval. Districts may have more than one receiver in districts with multiple schools under receivership. A district submitting an independent receiver that is not on the list must submit their request within 40 calendar days. Failure to meet the department’s deadlines or qualifications will result in a direct appointment by the Commissioner.

Additional qualifications for independent receivers include:

- A proven track record of at least five years of successful experience in improving academic performance in low performing schools and/or raising achievement of high needs students in moderate to high performing schools
- Successful experience with at risk student populations
- A demonstrated record of success forming collaborative relationships with school stakeholders, including teachers and their unions
- Ability to convert a school to a community school

Compensation for the receiver:

- The Commissioner will determine whether the receiver is paid through a state appropriation or by the school district.
- A district may pay the receiver only if there is an available administrative staffing line available and the receiver assumes the responsibilities of that position.
- The law and regulations do not specify the receiver’s compensation or benefits.
- The receiver is entitled to defense and indemnification by the school district.

Receiver’s Power to Supersede

Both School Receivers and Independent Receivers have the authority to supersede decisions, policies, and district regulations that the receiver believes conflict with the approved plan for turning around the school. The receiver also has the authority to override employment decisions, such as new appointments, transfers, and tenure decisions.

There are some limitations to this authority. Receivers cannot override building usage plans, co-locations of other programs, or transportation of students that may impact other schools in the district. There are procedures the receiver must use to exercise this authority, and all correspondence related to supersession must be provided to the Commissioner.

Policy and/or Regulation Changes in Supersession Process

Step	Action and Responsible Parties	Timeline
1	Receiver may submit a written notice to the BOE, Superintendent, and school principal that includes policy/regulation being superseded, the rationale, and the timeframe.	At least 10 business days before the change takes effect
2	BOE, Superintendent and School principle must submit written responses to the proposed change to Receiver.	No less than 5 business days after receiving notice
3	Subsequent to supersession, BOE, Superintendent and School principle may request the Receiver to reconsider implementing the change.	May occur at any time after implementation
4	Receiver must review the request to reconsider and provide a written decision and rationale.	Within 15 business days of receiving the request

Employment Decisions in Supersession Process

Step	Action and Responsible Parties	Timeline
1	BOE provides notice of employment decision to the Receiver.	Within 10 business days of the decision
2	Receiver notifies BOE, Superintendent, impacted staff, and collective bargaining unit with intent to modify or dispute the action. The notification must explain the reason for the modification and justify how it will not impact other schools.	Within 10 business days of receiving notice
3	BOE reviews modification and accepts it or returns it to Receiver for reconsideration.	Within 10 business days
4	Receiver withdraws the modification, revises the modification, or overturns the decision by resubmitting the modification.	After BOE response
5	All correspondence related to employment decisions is submitted to the Commissioner	Ongoing requirement

Review of School Budgets

The receiver has the authority to review the district budget at least 30 business days prior to the public budget vote, or five business days prior to the date that a superintendent in a Big 5 city school district presents the budget to the school board. The information provided must include all funds and resources that the receiver has available to manage and operate the school and services and resources that the district will provide. The receiver has five business days to respond with any modifications that must be made to implement the approved plan. However, the receiver cannot ask for a modification that would increase the tax levy beyond the tax cap. The BOE can accept the changes or return it to the receiver for reconsideration. The receiver can withdraw, revise, or overturn the BOE by resubmitting the modification.

School Continuation Plan

Purpose

The school continuation plan, formerly known as the intervention plan, must be based upon a recent comprehensive school and community needs assessment, outlining an actionable strategy for school improvement. Placement in receivership gives the superintendent receiver the ability to make changes outside the typical purview of a superintendent. These powers give more latitude for changes deemed necessary for implementation of the school's continuation plan in order to make demonstrable progress. Powers of the Receiver can be found [here](#).

Plan Development

In creating and implementing the school continuation plan, both short-term strategies to improve student learning and a three-year strategy must be addressed. The plan must include research-based components to ensure continued improvement in student achievement after the period of the school receivership has ended.

In developing the plan, the receiver must consult with all school-based stakeholders (not just CET members): state and local agencies, community-based organizations, career and technical education providers, higher education, workforce development agencies, the local business community, prekindergarten programs, and recommendations from the CET.

Approval and Timeline

A superintendent school receiver will not be vested with the powers of a receiver without an approved plan. An independent receiver must issue a final school continuation plan, approved by the Commissioner, within six months of his/her appointment.

Implementation Requirements

There must be a plan for evaluating/reviewing program implementation and progress.

The plan must

- Maximize rapid academic achievement and reduce achievement gaps
- Incorporate the tenets of the Diagnostic Tool for School and District Effectiveness (DTSDE)
- Provide student outcome data including: student achievement/growth data based on state assessments; other measures of student achievement; student promotion and graduation rates; student attendance; and long-term and short-term suspension rates
- Provide strategies to address the social, health, and mental health needs of students and families, including developing collaborative partnerships that strengthen and sustain the capacity of the local school community
- Ensure a safe and secure learning environment, including strategies to address school climate and positive behavior (e.g., mentoring and youth development programs) which may be measured through climate surveys
- Include a budget for the continuation plan with a grant application strategy, a sustainability plan, and assurances that any grant funds will not supplant district funding for existing programs
- Identify strategies to provide professional development and other supports to the staff of the school to ensure that they have the capacity to successfully implement the plan
- Expand learning opportunities (e.g., after-school, summer, STEM, mentoring and other youth development programs)
- Establish measurable annual goals that include: student attendance; student discipline; school safety; student promotion and graduation rates; dropout rates; academic achievement and growth; subgroups progress; college and career readiness (including at the elementary and middle levels); parent and family engagement, building a culture of academic success for students; and a culture of student support among faculty and staff
- Provide access to early childhood education and/or access to career and technical education and workforce development (as applicable)
- Use of developmentally appropriate assessments from pre-kindergarten through third grade (as applicable)

Additional locally selected measures may be submitted to the Commissioner for approval.

Annual Review

The Commissioner will provide the district with annual goals by September 1st for each school year that a school is under receivership, that must be met for the school to make demonstrable improvement. These goals will take into consideration the number of years a school has been identified as “struggling” or “persistently struggling” and the degree to which the school receiver (if applicable) has utilized the powers of a receiver to implement the school’s approved plan.

The Commissioner will review the school’s progress annually. The process will include consulting the school staff, the CET, and the receiver. A written evaluation will be provided to the superintendent and the BOE by no later than September 1st each year. If the Commissioner determines that the school has met the annual goals, the implementation of the approved plan will continue. If it has not, modifications may be required.

School continuation plans in schools with an independent receiver are approved for a three-year period. Once that period expires, the Commissioner will conduct an evaluation to determine whether the continuation plan with the independent receiver should be renewed for up to three years, terminate the contract with the independent receiver and appoint a new one, or remove the school from receivership.

Timeline for Receivership Schools

A new school receivership list will be produced by SED every three years concurrently with the new list of Comprehensive Support and Improvement Schools (CSI), beginning in 2028-29. The table below provides a timeline for schools in receivership.

November/December: Initial Identification
<ul style="list-style-type: none"> • The Commissioner preliminarily identifies CSI and receivership schools. • Districts are given the opportunity to provide evidence to dispute the designation.
January/February
<ul style="list-style-type: none"> • SED formally designates schools under receivership.
Within first 30 days of Designation
<ul style="list-style-type: none"> • Districts are required to hold a public hearing on the performance of the school and the receivership process. • Parents of student must be provided with a written notice within 20 calendar days of designation and within ten days of the public hearing. Parents must be notified of the designation and the reasons why the school has been designated. • Within 20 business days, the school must establish a Community Engagement Team.
Annually after Initial Designation
<ul style="list-style-type: none"> • By June 30th each year the school is identified, the district must provide written notification to parents. • By September 1st, the Commissioner completes the annual review and informs districts of the annual progress targets. • The district must conduct a public meeting within 30 calendar days of the first day of school. • On October 30/January 31/April 30/June 30, the receiver must provide a progress report to the BOE and the Commissioner. • SED conducts annual site visits and quarterly phone check-ins.

Additional Resources

- RA Resolution #17: <https://www.nysut.org/resources/all-listing/filtered-resources/topic/receivership?topic=Receivership>
- Receivership Law and Regulations: <https://www.nysut.org/resources/all-listing/2015/july/resources-receivership-schools-for-success>
- SED Resources: [Receivership Support Toolkit | New York State Education Department](#)
- SED: Needs Assessment and Continuation Plan: [Receivership Needs Assessment and Continuation Plan Development | New York State Education Department](#)
- NYSUT ESSA Fact Sheets:
 - ESSA Local Leaders' Guide to Accountability Measures and Requirements <https://www.nysut.org/resources/all-listing/research/fact-sheets/fact-sheet-essa-local-leader-guide-to-accountability>
 - Every Student Succeeds Act (ESSA) Overview <https://www.nysut.org/resources/all-listing/research/fact-sheets/fact-sheet-essa-overview>