

New York Charter Schools Association Testimony on the Fiscal Year 2021 Executive Budget

Submitted to the New York State Joint Legislative Budget Hearing on Elementary and Secondary Education

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Chairwoman Mayer, Chairman Benedetto and distinguished members of the legislature, thank you for the opportunity to provide testimony today. My name is Yomika S. Bennett. I am the Executive Director of the New York Charter Schools Association (NYCSA), the statewide organization that represents hundreds of public charter schools as well as their students and families across New York State.

Thanks to New York's charter school law, families are empowered to choose the free, public education option that they believe is right for their child. Whether a parent chooses a public charter school or public district school for their child, the right to do so should be respected and preserved. However, this right is under constant threat. There are forces at work spending millions of dollars and exerting tremendous pressure to portray these parents' choices as a threat to public education writ large. Nothing could be further from the truth. Parents choose charter schools for their children for a variety of reasons – school model, quality, curriculum, environment, among others. Every child has unique educational needs and interests. Our job as parents and guardians, as educators, and as decision makers is to provide high quality educational options that meet all of our children's needs. For many children, charter schools meet those needs. Charter schools provide a high quality educational option for students throughout the state. Currently, there are over 160,000 students enrolled in more than 300 charter schools in New York State.

The majority of charter school students come from low income families, as measured by free and reduced lunch eligibility. Many families see education as the key to improving their children's futures. These students and their families do not need more barriers to quality education. An estimated 90% of students in charter schools are Black, Latina/Latino/Hispanic. In 2020, it is outrageous to think students of color and their families should have to beg for free and equal access to quality schools of their choice. As adults, we should not allow nor support the actions of anyone who attempts to block these students' access to the quality school of their choice.

EDUCATIONAL FUNDING

The New York Charter Schools Association supports Governor Cuomo's proposal to increase education funding by \$826 million and to provide charter schools in New York City with \$24.9 million in bullet aid. We urge you to provide an equivalent increase for the 56 charter schools upstate. The total additional increase would be approximately \$6 million, or less than 1% of the \$826 million increase.

Respectfully, I will also remind members of this committee of the 2017 report from the New York City Independent Budget Office that showed charter schools received anywhere from approximately \$700 to as much as \$4800 less per pupil than district schools.¹ This persistent funding inequity, faced by charter schools across the state, needs to be addressed.

In addition, we support fully funding the Foundation Aid formula. Although it is convenient for others to point fingers at charter schools and for special interests to spread myths and misinformation about charter schools, we stand with all the public school children of the state, whether they attend charter or district schools. We look not to tear down quality educational options for students. Rather, we support increasing options and strengthening schools so that all children can harness their potential.

PREVAILING WAGE

Charter schools should be exempted from the prevailing wage proposal in the Executive Budget. With the exception of rent payments for some schools located exclusively in New York City, charter schools do not receive any facility funding. State aid to charter schools is essentially operating aid calculated on a per pupil basis. A prevailing wage requirement would divert even more of the limited funding charter schools receive toward capital costs and away from the classroom. The state should not deny children who attend public charter schools money for the buildings in which they are educated and then add costly construction mandates as well. It is simply unfair.

Moreover, as smaller class sizes and access to a variety of high quality schools is a priority for parents and other stakeholders across the state, we should incentivize school construction and avoid increasing costs. If charter schools are subject to prevailing wage mandates, schools could see millions of dollars in cost increases for a school construction project, especially upstate schools. As an example, a school in western New York currently planning an expansion so that elementary students can continue their education into middle school would see their construction costs increase by an estimated 15-20%. That amounts to a \$2-3 million dollar increase which jeopardizes the project. More importantly, it jeopardizes the students' option to continue their education in their quality school. This prevailing wage proposal is especially harmful when it would prevent construction of new schools in some of the highest-need areas of the state.

Just as affordable housing projects are excluded from the proposed prevailing wage requirements to encourage construction of housing units, charter school projects should be excluded to encourage the construction of schools.

CHARTER SCHOOL FACILITY FUNDING

Upstate charter schools should receive equitable access to facility funding. These charter schools are required to pay for their facilities from per pupil operating aid. As a result, upstate charter schools are forced to use money that should go toward instruction and programming for facilities instead. Even though charter schools are public schools, they must ask for charity from foundations and philanthropists to help fund

¹ Source: <https://ibo.nyc.ny.us/iboreports/with-state-formula-for-charter-school-funding-likely-to-change-city-costs-to-grow-more-than-budgeted-march-2017.pdf>

school facility costs. While charter schools should be commended for being able to do more with less, it is unfair to deny facility funding to support students in upstate schools. Lack of facility funding also means charter schools too often cannot secure sufficient space for the schools to grow as needed. As enrollment at charter schools increase, schools scramble to find new space – and funding – to accommodate students. This unfairly makes nomads of charter school students when their schools have to move around a city. In addition, communities who host schools lose a good neighbor. While many incorrectly assume the problem is the instability of the school, the school is not the culprit. The anxiety and upheaval students, their families and communities face are caused by the state's current shortsighted facility funding model. We urge you to address this problem and provide equitable and predictable facility funding for charter schools statewide.

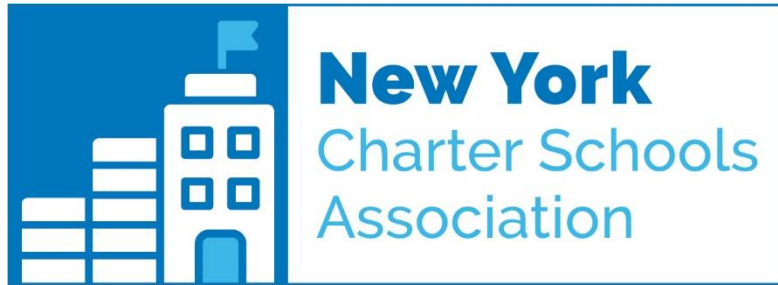
AUTHORIZATION TO RE-ISSUE CHARTERS

We support the Governor's proposal to authorize the re-issuance of charters (the so-called "zombie charters"). This fair proposal will allow educators to found good schools and provide diversity and innovation in education for the benefit of children in the state.

DISTRICT-CHARTER COLLABORATION

We encourage members of the legislature to join us in calling for robust district-charter collaboration – and cooperation – throughout the state. District and charter schools are both public schools funded with public dollars to educate students. This is a matter of fact and law. The tired, old district and union vs. charter schools fight does not help students and their families and local communities. In fact, it has served to divide communities. People who should be fighting side-by-side for quality education for all children instead are waging wars against free speech for those who support charter schools. Would be supporters who want what many families and communities want, educational justice for those who have been denied for far too long, are silenced. This harmful and misdirected political fight waged against charter schools distracts from the real fight: the fight for quality of education for ALL students. We hope to avoid being dragged into that mutually-destructive trap. We believe adults should hold themselves to a standard higher than our own self-interest when it comes to our children's education and their futures. We should be focused on what works best for the millions of children across the state, to carve out quality educational spaces for them within our great state where they can learn and build their character in an environment that best suits their needs.

As New Yorkers, we should strive to be leaders across the nation in focusing our energies, talents and resources for the betterment of our future – and our future lies in our children. We know that a one-size-fits-all approach to education does not work. It should not be so hard for us to recognize that diversity is our best resource: diversity of people who bring their unique perspectives, experiences, ideas and voices together to continuously improve and innovate education for the benefit of our children. At the New York Charter Schools Association, we are here to fight for that.



The Truth About Charter Schools in NYS

The Facts*: 317 schools. 160,00+ students. 90% Black and Latina/Latino/Hispanic. 76% economically disadvantaged. 15% students with disabilities.

The Results*: 34 days of additional learning in reading. 63 additional days of learning in math. "For Black and Hispanic students, the analysis indicated significant academic advantage from charter school enrollment." "Hispanic charter school students perform at the same level as their white district school peers representing no annual learning gap." "Charters serve ~6% of public school children but: 21% of US DOE Blue Ribbon Schools in NYS were charter schools."

Innovative, Specialized and Student Focused School Options: college prep, culturally responsive, dual-language, arts, STEM, over-age/under-accredited, autism, dyslexia and more

Autonomous and Accountable: public; non-profit; small independent and network schools; fair, open enrollment, lottery-based; subject to federal and state fiscal and academic reporting requirements; subject to the open meetings law; re-authorization review required every five years; poor performing schools subject to closure;

* Source: *Every Student Succeeds Act Financial Transparency Requirement: Impact on Charter Schools* New York State Education Department, October 25, 2019
