



New York Charter Schools Association Testimony on the Fiscal Year 2023 Executive Budget

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Yomika S. Bennett, Executive Director, New York Charter Schools Association

Chairperson Kreuger, Chairperson Weinstein, Chairperson Mayer, Chairperson 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 New York Charter Schools Association (NYCSA) is a non-profit organization that serves the charter community of more than 300 public charter schools serving more than 170,000 students across the state. Charter schools are public schools that offer the opportunity for families to access high-quality schools of their choice regardless of income level or zip code. Charter schools choices range from schools that emphasize STEM, STEAM and college prep to sports and special education. The overwhelming majority of students enrolled in public charter schools are students of color and students from low income households in high needs communities. NYCSA is proud to support and advocate for charter schools as a choice for free, public schools open to all students.

Students in low income communities disproportionately have faced the trauma of the loss of loved ones due to the pandemic and the lack of access to technology for remote learning. These students were more likely to be on the wrong side of the opportunity gap even before the pandemic. In charter schools, students have demonstrated that in the right school environment all students can thrive and succeed academically. In fact, students in public charter schools regularly exceed the statewide averages in reading, writing and math proficiency rates, according to the school report card data available on the New York State Education Department website. In addition, despite the myriad challenges to schooling during the pandemic, charters schools throughout the state pressed on to deliver quality education as well as support the social, emotional, health and safety needs of students and staff. Charter schools throughout the state were able to adapt their learning options to the needs of their particular school family, with many charter schools offered in-person learning when surrounding schools were closed or remote.

Governor Hochul's FY2023 Executive Budget includes many provisions that are good for all New Yorkers. NYCSA applauds Governor Hochul for her vision in proposing a number of proposals to support students and families – social support programs including tax relief, child care subsidies, increases to public assistance, gun violence prevention and, of course, the increase in School Aid and maintaining the commitment to fully fund Foundation Aid. In addition, we support the fiscally prudent decision not to use one-time funding for reoccurring expenses. There is more work to be done, however, including removing the limit on the number of high-quality charter schools allowed in New York State and increasing funding for charter school students. We urge you to take the following actions to improve educational opportunities for students as you review and finalize the FY2023 State Budget.

INCREASE CHARTER SCHOOL FUNDING

The charter tuition formula provides funding for students at public charter schools at a lower rate compared to funding that would be provided for attending district schools. Even when transportation and other similar costs are accounted for, the charter tuition formula is not on par with district school per pupil funding. The funding disparity unfairly penalizes students who exercise their right to choose a public charter school. This must be addressed.

STATE AID PAYMENTS TO PUBLIC CHARTER SCHOOLS – ELIMINATE THE DISTRICT PASS THROUGH

Unfortunately, some school districts - including those with State appointed fiscal and academic monitors, with schools that are under receivership or that have otherwise been identified as underperforming - frequently target charter schools to blame for the district's performance or fiscal problems. This is true even though the problems *pre-date the existence of charter schools*. The current funding process sets up an "us vs them" paradigm where school districts wrongly perceive public charter school students as pilferers of school district money. The reality is that school aid is not an entitlement of the school district. The funding follows the students to support their education. Distressingly, however, districts have in fact withheld funding for charter school students' tuition, resulting in the need for charter schools to file intercepts with the New York State Education Department (NYSED) to enforce payments.

In consideration of the need to get funding to schools quickly, efficiently and fairly, the current payment process of school district pass through for charter school funding should be revised. Charter schools should have the option to choose to receive state aid directly in lieu of receiving reimbursements from school districts. Similarly, charter schools should be permitted to receive direct funding for transportation. Too often, charter school families are subject to extremely difficult bus schedules or charter schools take on the district responsibility and pay for transportation costs without reimbursement. The result has been that funding is diverted away from the classroom, students are on buses very early in the morning or late in the evening, or students go without any bus transportation at all. This occurred before the pandemic. The current bus driver shortage has exacerbated an already miserable situation for students and families. Your support in streamlining funding for public charter school students is greatly needed.

INCREASE ACCESS TO QUALITY SCHOOLS – REMOVE THE LIMIT ON CHARTERS AND PROVIDE FACILITY FUNDING

As a matter of equity and to show its commitment to quality education, New York State must remove the limit on the number of charter schools allowed by law and provide facility funding for charter schools. Removing the limit on the number of charter schools expands the opportunities for families to choose the best school for their child, regardless of family's zip code or income. Importantly, removing the limit on charters also opens the pathway for people of color to start schools. Providing facility funding for public charter schools outside of New York City and for the schools in New York City that currently are not eligible for rental reimbursement will expand opportunities for new and innovative public charter school spaces statewide. Ultimately, this also can help achieve the goal of reducing class sizes to improve education.

PROMOTE DIVERSITY IN SCHOOL LEADERSHIP AND FACULTIES

The stark reality is that educational outcomes, as measured by the data available from the NYSED website (<https://data.nysed.gov>) are extremely low in some school districts. The data for Black and Brown students in those districts are truly devastating. Data has shown that Black and Brown students are likely to have better outcomes when educators look like them, understand and can well reflect and respect their culture, and develop inclusive academically rigorous educational spaces. In fact, all students benefit from having diverse faculty in their classrooms. As we know, however, people of color are underrepresented as educators and school leaders throughout the entire education sector. Public charter schools offer the unique and powerful opportunity to change that.

New York's charter school law which states that "teachers, parents, school administrators, community residents or any combination thereof" can apply to start a charter school. The law offers people of color a much needed opportunity to start schools and change the trajectory of education for students, particularly students of color. To facilitate and encourage people of color to start and operate charter schools, we urge you to create an educational equity fund. Similar to the proposal in the Executive Budget to establish the cannabis Social Equity Fund, an education equity fund to provide members of communities disproportionately impacted by education inequity, opportunities to start and operate charter schools. This is a necessary and long overdue step toward education equity.

ACCESS PARITY FOR PUBLIC EDUCATION SERVICES AND PROGRAMS

The FY2023 Executive Budget includes proposals for programs and services for the benefit of public education. However, the programs either exclude charter schools or it is not evident that charter schools or their students and families are eligible to participate. In some cases, details are not yet available for the programs. In other cases, bill language states "school districts" instead of language that is clearly inclusive of ALL public schools. For example, the budget includes \$100 million for the New York State Recover from COVID School Program (RECOVS) which would help address learning loss and trauma resulting from the pandemic. There is also a proposal to create a two-year teacher residency to increase the teacher pipeline. In addition to proposed programs, existing programs such as BOCES OLAS program, an online application system to recruit teachers, is not open to charter schools. Charter schools are public schools. There should be access parity for funding, services and programs intended for public school children.