

**Testimony from the New York City Charter School Center on the Executive  
Budget Proposal Fiscal Year 2022-2023**

**NYS Legislature Joint Budget Hearing  
Of the Senate Committee on Finance  
And  
The Assembly Committee for Ways and Means  
January 26, 2022**

The New York City Charter School Center (Charter Center) respectfully submits the following testimony regarding the FY 2022-2023 New York State Proposed Executive Budget (the “PEB”). The Charter Center, which provides technical support and advocacy on behalf of New York City (NYC) charter schools, thanks the Senate Finance Committee and the Assembly Ways and Means Committee for providing the opportunity to comment.

The New York State Charter Schools Act was passed by the Legislature over 20 years ago, and today there are 272 public charter schools operating in the five boroughs of New York City. These public schools educate an estimated 145,000 students, representing about 14% of public school students, of which 90% are Black/African American or Latinx. New York’s public charter schools are serving primarily low-income NYC families (over 79% are economically disadvantaged).<sup>1</sup>

More and more NYC families continue to choose charter schools as the right public school for their children. In the 2020-21 school year, 38% of NYC’s Black kindergarteners enrolled in a charter school. Enrollment growth during the pandemic has remained steady at 7% between the 2019-20 and 2020-21 school years (enrollment numbers for 2021-2022 school year have not been released by New York State Education Department (NYSED) but we estimate charter growth at 5%), even as the NYC district schools have seen historic drops in enrollment (4% drop in 2020-2021 school year).<sup>2</sup> However, a parent choosing a charter school still knows their student is attending a school that receives much less public funding than their fellow New York counterparts in district public schools. There is nothing in the PEB that will erase the disparities that make NYC charter schools the least well-funded public in schools in NYC by thousands of dollars on a per pupil basis. NYC district students are categorically better funded and will

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<sup>1</sup> Figures based on NYSED Enrollment Data for 2020-21 School Year available at <http://www.p12.nysed.gov/irs/statistics/enroll-n-staff/home.html> and Estimated Teachers Data for 2019-20 based upon NYSED Personnel Master File (PMF) available at <http://www.p12.nysed.gov/irs/pmf/>.

<sup>2</sup> *Id.*

remain so under this proposal.<sup>3</sup> Charter school students will receive a modest 4.7% increase in per pupil funding (much lower than the statewide state aid increase of 7.1%) that is equivalent to NYC's 4.5% increase in state aid funding. Note that the NYC district's 4.5% increase in state aid does not represent the full total of increase for NYC district students. NYC has been increasing its local contribution to NYC DOE per pupil expenditure on average by 5.6% over the last three years for which data is available.<sup>4</sup> We still need to make charter school funding equitable to district funding, but the PEB's funding proposal is reasonable and will allow charter schools to provide the essential educational and associated services that tens of thousands of families in New York City count on.

The Charter Center was disappointed that the PEB did not include a proposal to make more charters available for NYC. Since 2019, neither statewide authorizer has been able to provide authority for groups to open a new charter school, no matter the group's qualifications to do so or that many of the current applicant groups include charters already operating successful independent charters. This simply does not make sense. NYC charters serve families from some of the communities hit hardest by the COVID-19 pandemic in New York State (NYS). Families are continuing to choose NYC charters in part because these schools were able to prove that they could not only meet the challenges of educating students during the pandemic, but weather them as students return to full-time in-person schooling and receive the remediation needed. The time is now to lift the cap and provide more great public school options so families do not leave NYS's public school system. At minimum, the Legislature and Governor should support a proposal that allows the re-issuance of closed and revoked charters. This would immediately make approximately twenty charters available to qualified and community-based groups.

The Charter Center is also supportive of legislation package entitled the Public Education Racial Equity and Diversity Act (the "READ Act") that was drafted by a group of charter school leaders of color that make up the Black Latinx Asian Charter Collaborative (BLACC). The READ Act is designed to among other things promote equity in diversity in educational leadership, increase the number of education leaders from historically underrepresented communities and increase the number charters available in NYS. This proposal demands careful consideration, and the Charter Center fully supports the charter leaders that are providing solutions for and highlighting these disparities that exist in all public education.

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<sup>3</sup> The most recent analysis done by the Independent Budget Office of the City of New York (IBO), an arm of New York City's government, found that NYC charter schools were underfunded between more than a thousand dollars to up to \$4,863. See *With State Formula for Charter School Funding Likely to Change, City Costs to Grow More Than Budgeted*, March 2017, available at <http://www.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>.

<sup>4</sup> Education Spending Since 1990 by Independent Budget Office of the City of New York, available at <https://ibo.nyc.ny.us/iboreports/education-spending-since-1990.html>.