



New York Charter Schools Association Testimony on the Fiscal Year 2024 Executive Budget  
Submitted to the NYS State Joint Legislative Budget Hearing - Elementary & Secondary Education  
Yomika S. Bennett, Executive Director February 8, 2023

Chairs Kreuger, Weinstein, Mayer, 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). NYCSA is a non-profit organization that serves the charter community which includes more than 350 public charter schools serving more than 170,000 students and their families 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 school choices range from schools that emphasize STEM, STEAM and college prep to sports, the arts and special education, and more. The overwhelming majority of students enrolled in public charter schools are students of color (over 90%) 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.

Charter schools deliver for students. 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. (<https://data.nysed.gov/>)

NYCSA applauds Governor Hochul for her vision in proposing a number of proposals to support students and families – social support programs, child care subsidies, increases to School Aid, and maintaining the commitment to fully fund Foundation Aid; and, of course, we are thrilled to see the proposals to open access to charter schools by removing the regional limit and authorizing the reissuance of returned charters. There is more work to be done, however, including increasing funding for charter school students, providing facility funding and transportation aid for charter schools, and allowing charter schools to receive charter school aid directly instead of having charter school aid pass through school districts. We urge you to take the following actions in the FY2024 Enacted State Budget to improve educational opportunities for students:

**FAIR FUNDING FOR PUBLIC CHARTER SCHOOL EDUCATION**

**Increase per pupil charter school funding and expand eligibility for building aid and transportation aid to include charter schools.** The per pupil charter aid formula provides funding for students at public charter schools at a rate deeply discounted compared to funding districts

receive for students. **In fact, Foundation Aid, the largest portion of school aid, is calculated including the number of students who attend charter schools. However, School Aid money does not fully pass through to support students at charter schools.** All State and local school funding, which includes Foundation Aid is sent to school districts, not charter schools. In turn, the per pupil school aid passed through to charter schools is less than the per pupil funding the district receives. Not only does a portion of the funding remain with the districts, districts also receive additional funding for those charter schools students. Supplemental Basic Charter Tuition and Charter School Transitional Aid, two categories of School Aid, are paid to districts for each student who attends a charter school. **That is, this portion of School Aid is paid to districts for NOT educating charter school students. Meanwhile, charter school students do not receive the full per pupil funding that was allocated to the districts in the first instance. This “double-dipping” policy should end. Increase per pupil charter funding to be equitable to per pupil funding for school districts.**

In addition, this year with the final phase-in of \$2.7 billion, Foundation Aid will be fully funded. **All districts will receive a minimum funding increase of 3% - even districts that already receive their fully funded share of Foundation Aid. Per pupil charter aid should include the same provision of receiving a minimum 3% year to year increase.** The funding disparities result in underfunding for charter schools students. Charter schools are forced to do more with less and to rely on philanthropy for support for public schools. New York State should fairly fund public charter school education.

Charter schools are not eligible for Building Aid (while some charter schools in NYC are eligible for rental reimbursement, not all are, and no schools outside of NYC receive any form of State facility funding. Some charter schools are eligible to compete for federal CSP start-up grants.) Charter school buildings need to be built and maintained just as district school buildings do. There is no good policy reason to deny facility funding for charter schools. New York State should do its part to provide funding for well built, well maintained and safe schools for all students. Similarly, charter schools are not eligible for Transportation Aid. Some school districts are struggling to address transportation issues. They are overburdened trying to manage bussing. As a result, district and charter students are at bus stops very early in the morning and arrive home late in the evening, or some students go without any bus transportation at all. Too often, charter schools have to step in to provide transportation services, covering district expenses without any reimbursement (because charters are not eligible for transportation funding), spending hundreds of thousands of dollars or more each year. This occurred before the pandemic and the current driver shortage has exacerbated the problem. Making charter schools eligible for Transportation Aid will help alleviate the administrative burden, streamline bussing logistics, and relieve students and families from having to endure cold, dark mornings at the bus stop and hours long bus rides to and from school. Funding for facilities and transportation should be provided for all public schools, including charter schools. Charter school families and students

should not have to deal with the burden nor the impact of unfair funding policies that divert money away from the classroom.

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

Allow charter schools to opt-in to receive direct school aid. In consideration of the need to get funding to schools quickly and efficiently, and to alleviate an administrative burden on districts and charters, the current mandatory school district pass-through process for charter school funding should be replaced with one that provides charter schools the option to choose to receive state aid directly. At times, districts have unduly withheld funding from charter schools. **Charter schools have been forced to file intercepts or file lawsuits to try to get the reimbursements they are legally due. School funding is not an entitlement that belongs to the district. It is funding provided for the education of the students. Therefore, the funding should follow the student. Eliminate the pass through requirement so that it is clear that the funding does not belong to the district and to ensure that charter school students get the full funding they deserve.**

#### **EQUAL ACCESS TO PUBLIC EDUCATION PROGRAMS FOR PUBLIC CHARTER SCHOOL STUDENTS**

Allow charter school students equal access to programs intended to benefit public school students. Many state funded public education programs that are open to school districts and district school students prohibit charter schools and charter school students. **Charter schools are public schools. Public education services and programs such as My Brother's Keeper, P-Tech, Smart Transfer Early High School, student mental health support, school based trauma mitigation, extended school day, violence prevention, teacher diversity pipeline, pre-K, BOCES, and more should not exclude charter school students.** Excluding charter school students from these programs and services is harmful and wrong. The State should do the right thing and end this inequity now.

#### **PROMOTE DIVERSITY IN SCHOOL LEADERSHIP AND FACULTIES**

We know that academic outcomes, as measured by the data available from the New York State Education Department website ([data.nysed.gov](http://data.nysed.gov)), are shockingly low in city school districts across the state. The data for students of color are truly devastating. However, we know that the same data show that academic outcomes for students in charter schools, especially Black and Brown students, are significantly better, exceeding local district and statewide averages. We also know that Black and Brown students are likely to have better outcomes when educators look like them, respect their culture, and develop academically rigorous educational spaces. Moreover, the same focus on inclusivity in the school workplace can help attract and retain educators of color as well. With public charter schools, people of color can start schools and change the trajectory of education and the future for many students, especially Black and Brown students, in New York State. It is time for the State to fully support public charter schools, in its policies, practices and funding decisions. **To that end, establish the \$200 million Education Equity Fund to provide financial support to people who open and operate charter schools. An important goal, among**

others, of the Education Equity Fund would be to assist and encourage members of historically disadvantaged communities to start public charter schools in cities throughout the state. The State recently created the \$200 million Social Equity Cannabis Investment Fund to assist members of historically disadvantaged communities to open cannabis retail shops. Given that, the State must support the Education Equity Fund. Not doing so sends a clear message that the State thinks Black and Brown people should open weed shops but not schools. The Education Equity Fund is a necessary and long overdue step toward education equity.

Finally, the public charter school community is not the enemy of school districts or the destroyers of public education that spin doctors, misguided and uninformed critics make it out to be. We want GOOD PUBLIC SCHOOLS FOR ALL STUDENTS – districts and charter schools. It is clear that there are many very good public schools. However, there is a fee for access that many public school families cannot afford (think zip code and income). We want the public school system to change so good schools flourish and all kids have free and equal access to good schools. **Students carry the burden of miseducation throughout their lives – to their jobs, overworked and underpaid, or unemployed, substandard housing, inadequate health care, and a front seat in the school-to-prison pipeline. More often than not, students from low income communities and students of color are the ones who are relegated to failing schools. We want to end that now. No more stomping the promise out of children's futures. No more school choice shaming for parents who just want the best for their child. No more gaslighting families telling them there are no failing schools. We are equity warriors standing up for education equity - #StandUP4EdEquity. Make no mistake - this is about civil rights. Children cannot afford for us to give up the fight for equal access to high-quality schools. So we won't.**

Again, thank you for opportunity to present my testimony today. I will answer questions you may have.

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