



**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515**

March 4, 2019

Mr. Joseph Belluck  
SUNY Board of Trustees  
State University Plaza  
353 Broadway  
Albany, NY 12246

Dear Mr. Belluck:

I am writing to state my opposition to the application by KIPP Beyond Charter School to open a 5<sup>th</sup> to 8<sup>th</sup> middle charter school in Community School District 3 (CSD3) in Manhattan. My Congressional district includes a large part of CSD3 and I join the Community Education Council 3 (CEC3) in opposition to the application by KIPP Beyond Charter School to open a middle school charter school in CSD3.

The NYC Department of Education, in consultation with CEC3, parents and community advocates, approved the District 3 Middle School Diversity Plan in June 2018, which was the first district-wide plan of its kind in New York City. The plan reforms middle school admissions policies in the school district by reserving 25 percent of its school seats for students from low-income families with lower academic performance. This diversity plan is an important step in ensuring our public schools are continuing to improve and becoming more equitable for our city's families. Allowing KIPP to open a new charter school in the district before the diversity plan has been fully implemented (which is scheduled to commence in the 2019-2020 school year) would make it difficult to evaluate the results and efficacy of these reforms.

Additionally, I note that CSD3 is already home to 17 public middle schools and 5 charter schools who are already vying for a limited number of students who all begin their enrollment in 6<sup>th</sup> grade. KIPP's plan to open enrollment in the 5<sup>th</sup> grade would siphon off students from the elementary schools and adversely affect enrollment in the existing middle schools. CSD3 already has very good middle schools and a range of options for parents, adding another charter middle school is not wanted nor needed in the district.

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I urge you to heed the concerns of the parents, community leaders and elected officials in CSD3 and reject KIPP Beyond Charter School's application.

Sincerely,

A handwritten signature in black ink that reads "Jerrold Nadler". The signature is written in a cursive style with a large, sweeping initial "J".

JERROLD NADLER  
Member of Congress



1 March 2019

Senator Robert Jackson  
5030 Broadway, Rm #702  
New York, NY 10034

Charter Schools Committee  
SUNY Board of Trustees

Dear Committee Members,

My name is Robert Jackson, and I am the Senator for the 31st District. While I believe every parent has a right to choose the best educational options for their own child, I firmly and unequivocally stand against the expansion of charter schools in Districts 3, 5, and 6, all of which are situated within the confines of the senatorial district.

The merits of each individual charter school application is irrelevant against the backdrop of a severely underfunded school system, one that I have personally fought to remedy for more than 20 years via the Campaign for Fiscal Equity. When I walked 150 miles for each child, I did it so that every child could have access to a sound, basic education. It was and continues to be about equity.

The spirit of that struggle continues to through today as we fight on two fronts. First, for full funding according to the Foundation Aid formula: as of 2018, the State of New York remains in debt in the amount of \$1,459,181,316 Foundation Aid to New York City. Second, for greater accountability and regulation of charter schools: NYC seats 39% of the state students but houses 71% of the state charter schools, way more than a fair share of the impact from the charter school experimentation.

I recognize the need for a diverse ecosystem of schools to serve a community's diverse learners, but that diversity of schools cannot come at the expense of our public schools. As it stands, the charter system in New York State is rigged against public education, with charters receiving up to three times more taxpayer dollars per student than our public schools but facing no parallel accountability mechanisms or transparency requirements.

The charter school experiment was intended to use public dollars to spur innovation and academic gains benefiting all children's public education. It has failed. Instead its expansion has perpetuated the inequities in our public school system, siphoned precious funding from public schools, exploited parents' fears, and divided communities that would best be served united in building strong communities around strong public schools. Every charter application makes its case by providing misleading and discrediting information about district public schools' statistics and progress. They narrow in on an unhealthy over emphasis of test scores and omit information on their practices in counseling out those students with special needs, living in foster care or shelters, with a dominant in a language other than english, or needing additional interventions in positive guidance. These charter applications fail to mention the injury placed on the students left in a system deprived of resources due to a lottery that blindly effectuates winners and losers. The charter school applicants here of Amber, Minisink and KIPP are no exception.

These charter schools go to great lengths to undermine the district schools' efforts to provide sustainable learning environments for all students. They have incomparable access to marketing ads and promotional materials that land in families' mailboxes, luring parents to apply to their schools. As a result, enrollment drops at the district school and taxpayers' dollars travel to the charter school. When students are "counseled out," the district school absorbs the student while the charter school keeps the funding. Most of these students fall under the categories of ELLs, Special Needs, or both.

Despite the challenges offered by their demographics, Districts 5 and 6, collectively, have experienced steady academic gains, increased the number of dual language programs, successfully implemented restorative justice programs, provided administration and teacher professional development, increased partnerships with community based organizations to provide wrap around services, implemented progressive pedagogy, peer mentoring, and district wide community events such as District 6's United at the Palace event showcasing students' artistic talents and District 5's Super STEM Saturday where students work all year on innovative and advanced projects to present them at one of the prominent educational events in the community. District 6 serves the highest number of students who are both english language learners and have IEPs. District 5 has the highest rate of students living in foster care or shelters and a significant special needs student population.

It is ironic to see yet another application for funding for a charter school in District 6, the original home of CFE activism. Authorizing Amber Charter school would only add to the incursion of charters accompanying a wave of displacement and housing insecurity, different symptoms of the same gentrifying impulse.

The aggressive expansion of charters within District 5 has left children with special needs and those experiencing homelessness with fewer and fewer viable options, given the charter schools' strategic "counseling out" of children who don't serve their bottom line. Minisink Charter

school, already rejected by the Board of Regents in 2018, will lead to greater disparity, not greater choice.

Specifically, the application before us from KIPP Beyond poses to correct the existing flaws of Middle School admission process by providing an unscreened admission to high-quality educational opportunity to families who reflect the racial and socioeconomic diversity of the district. This claim has a major flaw. How can this district-wide problem be fixed when many families who end up on their allegedly long wait list together with those who are "counseled out" are absorbed into a district whose funding would be drastically reduced? District 3 has worked diligently and valiantly for over two years to develop a plan that would address racial and socio-economic inequalities among its schools to ensure every school has a proportional number of students with diverse abilities and socio-economic background. KIPP's timing, location, and proposed application is highly suspect and gives credence to the concern that charter school operators exploit the needs of districts. In District 3, the community has come together numerous times to listen, inform and research a plan to integrate and bring diversity to the schools within the district. The plan is informed by public school parents and educators and is scheduled to be implemented in 2020. There is no evidence that KIPP can do it better. A responsible and conscientious operator would step away from disrupting this public process in the works. Approving the KIPP application would reward an opportunistic approach that is more at home in corporate America than in our public schools where children's education are not part of a bottom line.

I have grown increasingly concerned at the lack of due diligence and cavalier approach the SUNY Charter School Committee takes in approving applications that will have a detrimental impact on school districts. There is also a distinct lack of accountability and transparency that is allowed to go rampant among approved SUNY charter schools. Ultimately, these practices hurt all children. I ask you to consider the impact of your decision on public education in the affected districts. Districts 6, 5, and 3 are doing very good work. I recommend the Committee begin to change its reputation of towing the line to privatize public education; reject the applications for Amber, Neighborhood and KIPP in districts 6, 5, and 3, respectively.

In Unity,



Robert Jackson  
New York State Senator  
District 31

CHAIRMAN MAJORITY MEMBER  
JUDICIARY

COMMITTEES

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**SENATOR**  
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March 3, 2019

Mr. Joseph Belluck  
Member of the Board of Trustees  
Chairman of the Charter School Committee  
State University of New York  
State University Plaza  
353 Broadway  
Albany, NY 12246

Dear Mr. Belluck:

As the State Senator representing the 27<sup>th</sup> District in Manhattan, I urge you not to approve the application by KIPP Beyond Charter School to open a 5th-8th grade middle school in Community School District 3 (CSD3).

As you have heard from the Community Education Council 3 (CEC3), parents and my colleagues in government, I have serious concerns about the opening of such a school. First, Manhattan already hosts a disproportionate number of charter schools. In CSD3, 5 existing charter middle schools and 17 public schools are competing for a limited pool of students. If this application is approved, the budget and enrollment of our public schools will once again be negatively affected and the families across our district who depend on those schools will be harmed.

Second, this application undermines the Middle School Diversity Plan that CSD3 developed after years of input from parents, educators and our community. The NYC Department of Education signed off on the reforms, and schools across the district have been working to prepare for the first class of students to enter under these changes in 2019-2020. It doesn't make sense to add another charter middle school before these reforms have been evaluated.

Please heed the concerns of our community and reject this application. Thank you for your attention to this important matter. If you have any questions, feel free to contact me.

Sincerely yours,

A handwritten signature in cursive script that reads "Brad Hoylman".

Brad Hoylman  
New York State Senator



THE ASSEMBLY  
STATE OF NEW YORK  
ALBANY

CHAIR  
Committee on Tourism, Parks, Arts  
and Sports Development

COMMITTEES  
Codes  
Education  
Environmental Conservation

DANIEL O'DONNELL  
Member of Assembly  
69<sup>th</sup> Assembly District

February 11, 2018

Joseph W. Belluck  
Chair, Charter Schools Committee  
SUNY Charter Schools Institute  
353 Broadway  
Albany NY, 12246

Re: Request for a moratorium on new charter schools in New York City Community School District 3

Mr. Belluck,

I am writing to request a moratorium on approving new charter schools for New York City Community School District 3. District 3, which includes 32 schools across the Upper West Side and Harlem, is already saturated with 11 charter schools. The recent application for a charter middle school by KIPP has left parents across the district worried that the potential further encroachment of new charter schools will threaten the sustainability of our local public schools while we are making historic progress in integrating and improving them.

Although District 3 has one of the most racially and economically diverse student bodies in New York City, most of our schools have largely remained segregated. Last year, the Department of Education launched a plan with the support of the parent advocates across the district to increase diversity in the district by requiring all middle schools to accept at least 25 percent of students from low-income families with lower academic performance. This plan will go a long way in ensuring that our middle schools are accessible to all students, no matter what their family's income is, which block they live on, or how well they score on a state test in elementary school.

I am worried that approving any new charter middle schools in the district will only serve to make the diversity plan difficult to implement and track. Further, KIPP's plan to enroll students beginning in the fifth grade will make the application process even more challenging for families who are already adjusting to the new admissions changes under the Diversity Plan. I urge you to listen to the parents in our district and establish a moratorium on approving any new charter schools in District 3.

Very truly yours,

Daniel O'Donnell



LINDA B. ROSENTHAL  
Assemblymember 67<sup>th</sup> District

THE ASSEMBLY  
STATE OF NEW YORK  
ALBANY

CHAIR  
Committee on Alcoholism & Drug Abuse

COMMITTEES  
Agriculture  
Codes  
Health  
Housing

MEMBER  
Task Force on Women's Issues  
Legislative Women's Caucus

**Testimony of Assemblymember Linda B. Rosenthal on the New Charter School Application KIPP Beyond Charter School (CSD 3) to the New York City Department of Education (DOE) and the SUNY Charter Institute**

February 28, 2019

I am Assemblymember Linda B. Rosenthal and I represent the 67th Assembly district, which includes many of the schools in Community School District 3 (CSD3). I would like to thank the New York City Department of Education (DOE) as well as the SUNY Charter Institute for the opportunity to comment on KIPP Beyond Charter School's (KIPP) application to operate a 451-seat middle school serving grades 5-9 in CSD3. I stand with the Community Education Council 3 (CEC3), parents and the CSD3 school community in opposition to KIPP's application to locate a charter school in CSD3 at this time.

CSD3 is in the first year of implementing a comprehensive integration plan designed to address the lasting effects of institutionalized racism in housing and education. New York City is home to the most segregated school system in the nation, and the CSD3 community worked with DOE for months to create and implement in June 2018 the first district-wide middle school integration plan in the City of New York. By reserving 25 percent of middle school seats for students from low-income backgrounds or with lower academic performance, CSD3 committed to making a meaningful and intentional change that will help improve the quality and equity of middle schools across the district. At the time of announcement, I joined the DOE, the community, and many local elected officials to herald the plan.

If CSD3's plan is to be used as a model for other districts across the City, we must carefully control the environment in which it operates to understand and scale its implementation.

KIPP will not be required to participate in the CSD3 middle school integration plan, and instead will use its own lottery system with a 60% set aside for students eligible for free and reduced lunch. While KIPP's admissions plan is laudable, introducing a new charter within our district that specifically targets the very same population that the middle school integration plan is intended to target will endanger the success of the DOE plan. By the time all five grades have been populated, KIPP will have pulled 451 students from traditional public schools, thereby decreasing the pool of students with diverse backgrounds from which traditional public schools can draw.

Community Education Council 3 (CEC3) has made clear its opposition to approving the plans of additional charter schools in the district. The district is saturated with eight charter schools, the second highest in Manhattan. This problem is acute given the fact that charter schools, unlike their traditional public school counterparts, have large marketing budgets that enable them to target desired families in ways that traditional public schools simply cannot. At a time when we need families to work together



with their peers and elected leaders toward the successful implementation of the integration plan, approving an additional charter school will interfere with that process.

The DOE, CEC3, local elected officials and members of the school community worked together for many months to create a middle school integration plan that is both responsive to the community's needs today and flexible to accommodate the needs of tomorrow's students. Throwing a new charter school into the mix at this delicate juncture would be a mistake; we must not allow any new schools to operate outside the bounds of the integration plan. At this critical point in the implementation of the CSD3 integration plan, a KIPP middle school in CSD3 would further complicate an already intrinsically complicated matter. Thank you.



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THE CITY OF NEW YORK

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**Gale A. Brewer, Borough President**

TESTIMONY BEFORE THE SUNY CHARTER INSTITUTE  
FEBRUARY 28, 2019 PUBLIC HEARING  
FOR CHARTER APPLICATIONS IN DISTRICTS 3, 5, & 6  
  
MANHATTAN BOROUGH PRESIDENT GALE A. BREWER

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My name is Gale A. Brewer and I am the Borough President of Manhattan. Thank you for the opportunity to testify at tonight's public hearing. Based on the concerns expressed by my constituents, current research on charter schools, oversaturation of charters in Manhattan, and the divisive history of charter school expansions in school districts 3, 5, and 6, I urge the SUNY Charter Institute to deny these applications.

Over the years we have seen far too many students suffer from charter school policies of religious intolerance, dogmatic discipline codes, and inappropriate special education services. The Civil Rights Project of UCLA found that charter schools are even more racially and economically segregated than traditional public schools. Furthermore, whereas district schools follow the philosophy of educating the whole child, charter schools tend to treat young people as mere test scores. When students do not comply or are not able to conform to these degrading requirements, they are often “counseled out” – leaving families to scramble for new schools in the middle of the school year and crushing the spirits of some of the most vulnerable learners. The practice of counseling out also means that district schools do not get the appropriate funding to support incoming students because charters tend to force students back into the district after the deadline for funds to transfer has passed.

I recognize that all charter schools are not the same and some avoid the harmful practices that I have mentioned. However, the negative impact of having a parallel school system will never end unless we stop creating more charters schools in areas that already have too many. We should consider the original intention behind the charter system. When former president of the United Federation of Teachers, Al Shanker, spoke about creating charter schools within the public school system, he envisioned a small number of schools that served as laboratories for teachers to test innovative pedagogical practices. These charter schools would share their findings with district schools in order to improve the school system at large.

The current system is nothing like Al Shanker’s vision. For the most part, charter schools do not innovate and they do not collaborate with district schools. Yet, what may be most significant is the sheer number of charters. There are 6 school districts in Manhattan but 51 charter schools. Manhattan has 22% of all charters in New York City even though the borough only serves 15% of students. If you consider the number of charters in the affected districts – that is districts 3, 5, and 6 – you will find that these districts have a much greater share of charter schools than other

districts in the borough. For example, half of all students in District 5 attend charter schools. Clearly, this is not what Al Shanker intended.

Because of the proliferation of charters, district public schools face a funding crisis. The State of New York mandates that charters are funded at a base level of \$14,000 per student, but district public schools receive a base level of per pupil funding that is roughly \$4,100. That is a disparity of \$10,000 per student. The Fair Student Funding formula adjusts the amount of funding that goes toward district public school students based on needs and grade level, but that is true for charter schools as well. If you also consider that the public school system is mandated to provide space to charter schools in public school buildings or lease space for charters schools at the expense of tax payers, it becomes evident just how inequitable this education system has become as result of favoring charters.

I believe that all students deserve to attend fully-funded, high performing schools – not just the ones that attend charters. Today, there are numerous district public schools without the funds for afterschool, arts programming, and technology. Many schools operate in dilapidated buildings that need renovations and lead remediation. Given the current state of affairs in the New York City school system, we cannot allow a desire for charter schools to facilitate the suffering of district public school students. It is unfair, inequitable and does harm to children.

The SUNY trustees should listen to reason, heed the voices of communities that are affected by their decisions, and deny these requests to further undermine district public schools.

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COUNCIL MEMBER  
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February 15, 2019

Mr. Joseph Belluck  
Member of the Board of Trustees  
Chairman of the Charter School Committee  
The State University of New York  
State University Plaza  
353 Broadway  
Albany, NY 12246

Dear Mr. Belluck,

I write in opposition to the application by KIPP Beyond Charter to open a 5<sup>th</sup> – 8<sup>th</sup> grade charter middle school in School District 3. This school district sits in my City Council District 6 in the Upper West Side of Manhattan.

School District 3 recently added a public middle school – West End Secondary School – and it is very successful and has filled capacity needs. D3 has also recently implemented, and I have supported, admission reform for its middle schools. The district is making important strides in academic and admissions equity. I feel strongly that adding a charter middle school at this point would undermine our existing schools and set back integration, academic and enrollment equity efforts throughout the district significantly.

The Middle School Plan of School District 3 was developed and coordinated through a years-long effort with Community Education Council 3 (CEC3) as they engaged parents, teachers, school administrators and district leaders in community discussions around reform proposals for middle school admissions. The NYC Department of Education has accepted those reform proposals and new admissions criteria have been instituted with the first class to start in the 2019-20 school year. The goal of these criteria is to better integrate our schools and bring academic equity and supports to all our schools.

The district and its families deserve the opportunity for their Middle School Plan to succeed. The timing, and frankly the language of the charter school proposal which plays on the district's work to address integration, is disingenuous and disruptive. This charter school proposal will not only disrupt the very plan carefully conceived to address integration but will also impact the

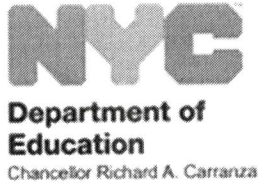
enrollment of our local elementary schools. The KIPP proposal to serve ages 5th-8<sup>th</sup> grade will pull students from our elementary schools and negatively affect enrollment and budget for those schools. This would be an unacceptable outcome for our community.

I urge SUNY to recognize the important work and strides of School District 3 and support the public school families, schools and school leaders by disapproving the application from KIPP Beyond Charter.

Sincerely,

A handwritten signature in cursive script that reads "Helen Rosenthal".

Helen Rosenthal



**ILENE ALTSCHUL**

COMMUNITY SUPERINTENDENT  
COMMUNITY SCHOOL DISTRICT 3  
154 West 93<sup>rd</sup> Street, Room 122  
New York, N.Y. 10025

TELEPHONE 212-678-5857  
FACSIMILE 212-222-7816

February 26, 2019

We have engaged in discussions with the KIPP in public CEC forums, as well as, in private meetings regarding their school proposal within District 3. Based on those conversations and after analyzing their written proposal we do not believe that KIPP Beyond is right for the District 3 community.

Their written report has some fundamental misunderstandings about our community and where it is currently at, and it also wholly admits that KIPP doesn't currently have a plan to address the needs of the students they intend to attract, but rather would only work towards that goal in the future.

The first fundamental misunderstanding is the intentions of our District diversity initiative and the data used to support it. While the mathematics within the proposal are accurate, they do not capture the purpose or context of those figures. For instance, KIPP goes into detail about the number of students affected based on simulation data. This data was only meant to give our community a sense of the possibility but was based applications completed without any additional safeguards for fairness. Applications for middle schools have changed significantly during this year's process due to the safeguards put in place such as blind admissions and priority for low socio-economic low performing students. It is also far from the only effort District 3 has put in place to support all students.

We have provided, and continue to provide, training for all school leaders in addressing disproportionality and implicit bias. We have established teams in every school to look at underlining systems and processes that impact student achievement. We are providing implicit bias training for every single staff member in District 3 through the end of the year. Through grants from the State of NY and grassroots efforts, we have been able to engage our community on the topic of diversity and actually address some of the underlining causes of our own disparities.

Whereas KIPP in their proposal believes they can "over time... provide opportunities for us all to learn from each other on what it takes to provide a high-quality education in diverse settings." Our community is already currently deeply engaged in this learning. We have parents, school leaders, and community stakeholders all collaborating on the evolution of our District. We believe that after looking at KIPP'S proposal that they are intentionally crafting their message to the portions district who spoke out against our own proposals.

Our principals and schools are thoughtful in their process and this report neglects to accurately inform the public about changes schools have made to their screening process and misleads on the impact screening has across the student body in most of our schools. Just because a school has a screening process does not necessarily mean anything about the eventual population of



students that attend. Furthermore, most of our schools have significantly reduced their screening processes given the new metrics and systems involved in admissions this year.

The report consistently misrepresents current enrollment patterns within our district and the space available to accommodate another middle school. The report uses overall geographic enrollment in K-12 as a figure to support their size when that number in no way adds any relevance to their proposal. Nor are the enrollment patterns for middle school and the number of middle schools relevant to their proposal because their proposal is for a 5-8 school that attempts to lure in students a year before our process. There is only 1 school, The Center School, that is a 5-8 model and they accept approximately 60 students each year into their 5th-grade class. The KIPP proposal would more than double the number of students leaving their elementary school in 5th grade and accept over 30% more students than our single 5-8 school. Current space for an additional middle school within DOE buildings is also of concern as we have no current building with the capacity to house an additional 365 students.

Were the KIPP Beyond proposal be approved it would undermine the efforts of our community and our schools in addressing the current issues facing our students. It would place misguided trust in an outside organization as the solution to a problem when our dedicated, existing public schools have done so much already to address the same issues. Adding another school to our current options of schools is not something our district needs to address the issue of diversity. Our path forward in this work lies in the hands of our amazing community and not with an outside organization making promises they admit they don't currently know how to keep.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ilene Altschul".

Ilene Altschul  
District 3 Community Superintendent



# COMMUNITY EDUCATION COUNCIL DISTRICT 3

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Deirdre Garrett-Scott Vacant, ELL Member Vacant, Student Member District 3 Community Superintendent

February 15, 2019

Mr. Joseph Belluck  
Member of the Board of Trustees  
Chairman of the Charter School Committee  
The State University of New York  
State University Plaza  
353 Broadway  
Albany, NY 12246

Dear Mr. Belluck,

The members of Community Education Council, District 3 ("CEC 3"), which represents Manhattan's Upper West Side and lower Harlem ("District 3"), respectfully request that you reject KIPP Beyond Charter School's ("KIPP") application to establish a 5<sup>th</sup> – 8<sup>th</sup> grade charter middle school in District 3. Approval of this application would directly undermine two initiatives recently approved by CEC 3 after a lengthy and thoughtful stakeholder engagement process that informed our policy analysis, deliberation, and final determination of a course of action most beneficial to our students and families in our mission to provide equitable educational opportunities in our district: District 3's Middle School Plan, and the New York City Department of Education's ("NY DOE") Harlem/El Barrio Visioning Project. Furthermore, to protect the stability of enrollment at all our current schools, members of CEC 3 call for a moratorium on the expansion, extension or creation of any new charter schools into District 3 until such time as the results of District 3's new middle school admissions program and the NY DOE's Harlem/El Barrio Visioning Project have completed each of their stated objectives.

## **District 3's Middle School Plan**

The first cohort of students participating in District 3's Middle School Plan just completed their applications and will be matriculating to District 3 middle schools in September 2019. Roughly three years ago, CEC 3 recognized the necessity to discuss the lack of diversity at many of District 3's middle schools. The Middle School Committee of CEC 3 worked tirelessly to engage District 3 stakeholders and held countless meetings to discuss proposals to reinvent the middle school admissions process in District 3. In 2018, the NY DOE enacted a middle school admissions plan at the recommendation of CEC 3 which is meant to address the lack of diversity at District 3 Middle Schools (the "D3 Middle School Plan"). In essence, each middle school will be required to provide twenty-five percent of its offers to children that qualify for free or reduced price lunch and are academically lower-performing.

CEC 3 would like to point out some troubling aspects of KIPP's application – performance statistics and other data is misrepresented, and does not accurately reflect a true need for an additional middle school in our district. CEC 3's analysis of marketing materials presented to District 3 families shows that the data KIPP includes regarding school integration and the achievement gap in District 3 is outdated, accumulated before the start of the D3 Middle School Plan. Furthermore, the majority of District 3 middle schools remain under-enrolled and the D3 Middle School Plan will provide for a rebalancing of enrollment at these schools. The KIPP proposal submitted to the SUNY Charter School Institute presents itself as a modest-sized school of



451 students with a negligible impact on D3 schools. However, in the D3 middle school landscape, this is a significant size – of the existing 17 schools that serve Middle School grades, only one has a current enrollment larger than that: MS 54 at 869 Students. Mott Hall II (429 Students) and Computer School (403 Students) are significantly smaller, and currently rank at 2nd and 3rd in terms of enrollment

KIPP's application also indicates that their proposed middle school will intake students starting at 5<sup>th</sup> grade, with an expected enrollment of 95. With the exception of the Center School, no middle schools in District 3 have 5<sup>th</sup> grade enrollment. At the outset, Center School's enrollment of about 60 students in the 5<sup>th</sup> grade may seem to be a modest number. However, it is a significant concern for our elementary school leadership, presenting challenges in effective programming and sustainability. More than doubling the number of students leaving our elementary schools after 4th grade would create a destabilizing effect on the entire district.

### **NY DOE Harlem/El Barrio Visioning Project**

In addition to the D3 Middle School Plan, the New York City Department of Education has recently proposed its Harlem/El Barrio Visioning Project. One of the stated goals of this project is to make sure that all public school students in the Harlem and El Barrio neighborhoods have equitable access to educational opportunities. In order to fully measure the quality of educational opportunities that students in these neighborhoods are receiving, the Department of Education must provide that the current status not be changed or impacted by the addition of any new schools. These communities need to be able to fairly assess what resources are available to help improve their neighborhood public schools without the added burden of having resources allocated to additional charter schools.

At the present time, the Harlem portion of District 3 ("District 3 Harlem") already contains 7 charter schools and 6 public elementary schools all crammed into the equivalent of approximately 2 school zones located on the Upper West Side. In this small geographic region, District 3 Harlem currently has 12 schools that are enrolling kindergarten children. As a result, according to DOE retention data from 2016, more than 300 kindergarten students residing in District 3 Harlem were enrolled in 61 different schools. This is simply unacceptable. The oversaturation of available seats in District 3 Harlem makes it impossible to sufficiently enroll students in the public schools in order to allow them to thrive and be successful. D3 Harlem public schools simply cannot survive if more charter schools are allowed to open or expand in District 3. Furthermore, District 3 middle schools will be negatively impacted if KIPP or any new charter middle school is approved at this time.

The members of CEC 3, parents and advocates for public education in District 3, believe that all efforts must be made to ensure that the expansion, creation or extension of any charter school must be scrutinized to prevent undue burden on long-standing public schools. As such, CEC 3 renews its call for a moratorium on the extension, expansion or creation of any charter school in District 3 so that the D3 Middle School Plan and Harlem/El Barrio Visioning Project have an opportunity to succeed, and we request that you reject KIPP Beyond Charter School's application to establish a 5<sup>th</sup> – 8<sup>th</sup> grader charter middle school in District 3.

Respectfully,  
Members of the Community Education Council for District 3

CC: Governor Andrew Cuomo  
Mayor Bill DeBlasio  
DOE Chancellor Richard A. Carranza  
DOE Executive Superintendent, Manhattan, Marisol Rosales  
DOE District 3 Superintendent Ilene Altschul  
Manhattan Borough President Gale Brewer  
NYSED Commissioner MaryEllen Elia  
Board of Regents Chancellor Betty A Rosa

NYC Acting Public Advocate Corey Johnson  
NYC Comptroller Scott Stringer  
NYS Regents Member, 1<sup>st</sup> District, Nan Eileen Mead  
Panel for Educational Policy Member, Michael Kraft  
City Council Member Mark Trayger, Chair, Committee on Education  
City Council Member Helen Rosenthal  
City Council Member Bill Perkins  
City Council Member Mark Levine  
State Assembly Member Michael Benedetto, Chair, Standing Committee on Education  
State Assembly Member Linda Rosenthal  
State Assembly Member Daniel J. O'Donnell  
State Assembly Member Inez Dickens  
State Assembly Member Richard N. Gottfried  
State Assembly Member Robert J. Rodriguez  
State Senator John Liu, Chair, Subcommittee on NYC Education  
State Senator Shelley Mayer, Chair, Committee on Education  
State Senator Brian Benjamin  
State Senator Brad Hoylman  
State Senator Robert Jackson  
State Senator Jose M. Serrano  
U.S. Congressman Jerrold L. Nadler  
U.S. Congressman Adriano Espaillat  
United Federation of Teachers President Michel Mulgrew  
Community Board 7 Chair Roberta Semer  
Community Board 10 Chair Cicely Harris