



COMMUNITY EDUCATION COUNCIL DISTRICT 3

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October 7, 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, New York 12246

Ms. Susie Miller Carello
The State University of New York
Charter School Institute
41 State Street
Albany, New York 122077

Re: KIPP Beyond Charter School Revision Public Hearing

Dear Ms. Carello and Mr. Belluck,

On March 4, 2019, the SUNY Charter School Committee (the “Charter Committee”) approved the KIPP Beyond Middle School application for a middle school charter in Community School District 3 (“CSD 3”). In granting this charter, the SUNY Charter School Committee blatantly disregarded the opposition from the community as well as elected officials. Public opposition collected in the form of over 700 signatures on an on-line petition created by the Community Education Council, District 3 (“CEC 3”) was not considered during the original approval process for KIPP’s proposed charter school. In addition, the Charter Committee received letters of opposition from the following elected officials: (i) Congressman Jerrold Nadler, (ii) State Senator Robert Jackson, (iii) State Senator Brad Hoylman, (iv) State Assembly Member Linda Rosenthal, (iv) State Assembly Member Danny O’Donnell, (v) New York City Council Member Helen Rosenthal and (vi) Manhattan Borough President Gale Brewer. The official report of the Charter Committee fails to take into account and overlooks the importance of such public opposition. There are no better stakeholders in CSD 3 than the community members and elected officials chosen to represent the public school students in CSD 3. However, the Charter Committee clearly disregarded all opposition to KIPP’s proposed Charter.

On February 15, 2019, CEC 3 delivered a letter to Mr. Belluck that outlined our reasoning for our request that KIPP’s application be rejected. Without rehashing the details set forth in our prior letter, let us remind you of the reasoning. First, District 3 is in the infancy of the District’s middle school admissions plan. The first cohort of middle school students participating in the new admissions process just entered 6th grade. The proposed 451 students KIPP plans to enroll at their new middle school will have a significant impact on the development of District’s middle school admissions plan. Second, the New York City Department of Education (the “DOE”) has started a new initiative, the “Harlem/El Barrio Visioning Project” to ensure that all public schools in the Harlem and El Barrio neighborhoods have equitable access to educational opportunities. The addition of any new schools, charter or otherwise, will negatively impact the ability of the DOE to adequately study and analyze the schools in these neighborhoods.

In its decision to grant KIPP’s application, the Charter Committee failed to properly take into account the current state of facts in District 3. District 3 is currently home to 17 middle schools and the Harlem portion of CSD 3 (“CSD 3 Harlem”) contains 7 charter schools and 6 public elementary schools. According to DOE

retention data from 2016, more than 300 kindergarten students residing in CSD Harlem were enrolled in 61 different schools. In New York City, there are 113,528 students enrolled in charter schools, which is approximately 9.9% of the New York City's total student population. Shockingly, the percentage of students enrolled in charter schools in CSD 3 is significantly higher than the New York City percentage. As of the 2017-2018 school year, 16% of CSD 3's students were enrolled in charter schools. The disparity between the New York City percentage and CSD 3's average is unacceptable. Clearly, CSD 3 is bearing a burden when it comes to charter schools that most districts in the New York City are not required to undertake. Given these facts, it is unconscionable that the Charter Committee would grant KIPP (or any other charter school) the right to open a charter school in CSD 3. In its quest to fill the charter quota, the Charter Committee has completely overlooked what is actually happening in CSD 3 and has failed to listen to the community stakeholders.

The Charter Committee is aware that New York Consolidated Laws, Education Law, Section 2852, requires among other things, that "in a school district where the total enrollment of resident students attending charter schools in the base year is greater than five percent of the total public school enrollment of school district in the base year (i) granting the application would have a significant educational benefit to the students expected to attend the proposed charter school or (ii) the school district in which the charter school will be located consents to such application." In its application, KIPP has not identified a location for its proposed middle school, nor has it announced a location as of the date of this letter. Without such information, how can the Charter Committee honestly and effectively analyze whether or not there would be a significant educational benefit to any student.

We now come to find out that KIPP has requested a revision to their charter application. The public outcry regarding KIPP's plan to enroll 5th graders in its new middle school was heard loud and clear. As such, KIPP now seeks to change its grade structure to part middle school, part high school. The new proposal would enroll students from 6th through 10th grade. It is notable that the document KIPP shared with the community in the Winter of 2019 only referred to creating a 5th-8th-grade middle school with no mention of their intention to expand into high school. Without any public discussion, KIPP is demonstrating its desire to expand to high schools grades. No public input has been sought nor has the change been effectively communicated to the stakeholders in CSD 3. The lack of public discussion is disheartening, to say the least. Although it is preferable that KIPP starts intake at 6th rather than 5th grade we cannot condone the placement of this school in District 3 at this time.

We, the members of CEC 3, call upon the Charter Committee to reject KIPP's requested charter application revision. Furthermore, we call upon the Charter Committee to rescind its approval of KIPP's application to open a middle school in CSD 3 or move the proposed middle school to a location with demonstrable need and interest.

Sincerely,

Community Education Council District 3

cc: Governor Andrew Cuomo
Mayor Bill DeBlasio
DOE Chancellor Richard A. Carranza
DOE Executive Superintendent, Manhattan, Marisol Rosales
DOE District 3 IA Superintendent Christine Loughlin
Manhattan Borough President Gale Brewer
NYSED Interim Commissioner Elizabeth R. Berlin
Board of Regents Chancellor Betty A Rosa
NYC Public Advocate Jumaane Williams
NYC Comptroller Scott Stringer
NYS Regents Member, 1st District, Nan Eileen Mead
Panel for Educational Policy Member, Michael Kraft
City Councilmember Mark Treyger, Chair, Committee on Education
City Councilmember Helen Rosenthal
City Councilmember Bill Perkins

City Councilmember 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