

COMMUNITY EDUCATION COUNCIL DISTRICT 3

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Resolution to Prioritize Space for Public School Students

Co-Sponsors: Noah Odabashian, Jill Rackmill, Wendyliz Martinez, Felicia Reese Amos

WHEREAS, the Office of District Planning defines District #3 (D3) as spanning from the Hudson River to 5th Avenue, and from West 59th Street to 122nd¹ and which is comprised of two neighborhoods: the Upper West Side and West Harlem;

WHEREAS, in D3 there are eleven Charter Schools, with nine being located in West Harlem²

WHEREAS, In West Harlem there are also six D3 New York City Public Schools (NYCPS): PS185, PS241, PS149, PS180, PS242 and Mott Hall II;

WHEREAS, of these six NYCPS public schools, four are co-located with one or more Charter Schools³;

WHEREAS, in the 4 NYCPS co-located with Charters there can be a wide range of grades and ages in one building. For example, P.S.241 STEM Institute is co-located with two charter schools, creating a campus where Pre-K to Highschool students share hallways, staircases, entrances, and exits;

WHEREAS, a NYCPS's budget is based primarily on the Fair Student Funding formula, which in turn is determined primarily on enrollment and can be impacted by many factors, including a school's physical space limitations, and emphasizes the need to grow NYCPS through increased enrollment;

WHEREAS, in part due to their autonomous operation, Charter school enrollment and space utilization data is often confusing⁴ ⁵ and fails to communicate a complete picture of Charter school enrollment and attrition⁶

¹ <https://schoolsearch.schools.nyc/>

² https://pwsblobprd.schools.nyc/prd-pws/docs/default-source/default-document-library/district-3-data-summary-2025.pdf?sfvrsn=de182e22_2

³ <https://insideschools.org/>

⁴ <https://nepc.colorado.edu/blog/hidden-attrition>

⁵ <https://www.chalkbeat.org/newyork/2017/8/29/21101021/winning-the-lottery-enrolling-in-success-academy-produces-math-gains-for-students-new-study-shows/>

⁶ <https://www.nytimes.com/2015/10/30/nyregion/at-a-success-academy-charter-school-singling-out-pupils-who-have-got-to-go.html>

WHEREAS, Evidence points to, like NYCPS, Charter schools expand and contract⁷ ⁸ leaving underutilized Charter school space out of reach to the New York City public school students that need the space;

WHEREAS, there is no established procedure in Section 2590-H of the state law by which a co-located NYCPS or a Community Education Council (CEC) can petition the Department of Education for use of underutilized Charter school classrooms⁹;

WHEREAS, given the class size legislation passed by the State Legislature and signed into law by the governor in 2022, requiring all NYCPS to lower class sizes, there is also a need for more classroom space in many NYCPS buildings, creating a tension between the need to increase enrollment and meet class size law requirements all with a fixed amount of space;

BE IT RESOLVED, that the Community Education Council of District 3 (CEC3) calls on the New York State Legislature to amend Section 2590-H to require the regular re-evaluation of the distribution of classroom space within co-located buildings and also provide a pathway through which NYCPS can regain access to underutilized Charter school space;

BE IT FURTHER RESOLVED, that CEC3 calls on the New York State Legislature to revise Section 2590-H so that this re-evaluation occur whenever a Community Education Council of the relevant school district requests it from the District Superintendent, and if the District Superintendent decides such a redistribution of classroom space is justified, the Chancellor will order it;

BE IT FURTHER RESOLVED, that CEC3 calls on the New York State Legislature to also amend Section 2590-H to require that an analysis be made before any additional co-locations, school closures, grade expansions or other changes in school utilization are proposed, an analysis shall be done as to how this proposal would affect the ability of existing public schools to lower class size to mandated levels within the time frame set out by the law, as well as provide a pathway for NYCPS expansion should enrollment rates require it, and that this analysis be explicitly included in every Education Impact Statement from now on;

BE IT FURTHER RESOLVED, that CEC3 calls on the Panel for Educational Policy (PEP) to elevate the content of this resolution to the New York State Legislature so that changes can be made for the benefit of Public Schools throughout the state.

⁷<https://www.chalkbeat.org/newyork/2023/2/22/23611179/nyc-charter-school-enrollment-slows-kathy-hochul/>

⁸ <https://nycpublicschoolparents.blogspot.com/2020/09/student-discontent-and-high-attrition.html>

⁹ <https://nyccharterschools.org/resources/new-york-state-charter-schools-act-1998-amended/>

Votes

Noah Odabashian -Yes

Wendyliz Martinez -Yes

Jonathan Zacks- Abstain

Kristin Savov- Abstain

Sequoia Bilal-Yes

Anna Quinones GreenField-Yes

Michelle Lee-Yes

Sharon Meiri Fox-Yes

Jill Rackmill- Yes

7 Yes and 2 Abstain