



COMMUNITY EDUCATION COUNCIL DISTRICT 3

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February 14, 2017

Chancellor Carmen Fariña
New York City Department of Education
52 Chambers Street
New York, N.Y. 10007

Dear Chancellor Farina,

Thank you for your leadership and partnership with District 3 on issues of importance. It is in that spirit of partnership that we write to you now to express our serious concerns about Success Academy Harlem 4's charter renewal process. Community Education Council 3 respectfully requests your immediate attention to make sure that the District 3 community is given ample and meaningful opportunities for engagement before any decision is made. Moreover, in consideration of glaring errors and inconsistencies in the renewal process – detailed below - that have deprived the public of any opportunity for engagement, CEC3 calls for the immediate and indefinite suspension of this process.

On February 7, 2017, the Department of Education (DOE) hosted a public hearing for the renewal of Success Academy Harlem 4, which is co-located with PS241 and Opportunity Charter School. CEC3 received little advance notice of this hearing. Despite this short notice, CEC3 researched this renewal to the best of its ability, prepared a statement, and attended the hearing to support PS241 Principal Hendricks and her school community, as well as to express our grave concern for the sustainability of public education in Harlem D3, which is home to a total of 12 schools that accept kindergarten children: 6 public and 6 charter.

Success Academy Charter Schools submitted its request for renewal of Harlem 4 in August of 2016, this request included a proposed expansion to high school grades from the current grades K-8. According to SUNY Charter School Institute (CSI) public record, a notice was posted on September 2, 2016 with the request for renewals from 33 charter schools in New York City. On November 7, 2016, another public memorandum was issued by CSI that all 13 of the Success Academy charters submitted – including Harlem 4 - were approved.

On October 20, 2016, SUNY Charter Schools Committee Chair Joseph Belluck wrote a recommendation that Harlem 4 be renewed through July 31, 2023. He wrote that the local school district had been notified and that no comments were received by October 12, 2016. However, no public notice was conveyed to District 3, and no public hearing was held in compliance with New York State Education Laws governing the renewal of charter schools (section 2857(1)).

Furthermore, the renewal of SACS Harlem 4 is accompanied by its request for expansion to grades 9-12. The email notice that the NYC DOE Charter School department disseminated to District 3 on January 27, 2017 wrote:

“Success Academy Charter School – Harlem 4, located at 240 W. 113TH street, 3rd Floor, NY, NY 10026 and 461 W. 131st street, NY, NY 10027 in CSD 3, currently serving approximately 647 students in grades K-8, seeks a five year renewal application of its authority commencing August 1 2018. According to the renewal application, the school would grow to serve approximately 861 students in grades K-9 and 11-12.”

461 W 131st Street NY, NY 10027 is not located in CSD3, and this inaccuracy is troubling on its own. This information about SACS Harlem 4 also conflicts with the understanding of the split site organization of this school. Grades K-4 of this school are located at the M113 building, and grades 5-8 are located one street to the north, at 215 West 114th St. the school that SACS calls “Harlem West.” The school located at 461 West 131st St, the school that SACS calls “Harlem Central” houses grades 6-8 and is located in CSD5.

Confusion about - and seemingly inaccurate reporting of - the location of these facilities raises a number of questions, specifically:

1. We understand that SACS requested an expansion within the M113 building where it is now currently co-located with PS241 and Opportunity Charter. DOE representatives at the hearing indicated that the DOE has denied this additional space but that SACS has appealed. What is the current disposition of this appeal?
2. Was a hearing conducted in CSD5 regarding the impact that this renewal will have on the school community within and around 461 West 131st St.?
3. Why is the 10th grade omitted from the request?
4. Since the expansion request was approved by SUNY CSI, is the DOE obligated to find space for the high school grades? And if so, what are the location parameters and will an additional hearing be held to include families in and around the possible location?

CEC3's own research on this situation also led us to learn the following:

- a. Of the 33 submissions for charter renewal to SUNY last fall, all 20 of the non-SACS schools expire in the summer of 2017. Two of them were approved. None of the SACS charters are set to expire in 2017 yet all were approved (SACS Harlem 4's charter does not expire until July 31, 2018).
- b. According to SUNY CSI, the NYC DOE has 30 days to schedule a public hearing after it has been notified of a charter renewal application, which is due August 1. Yet the DOE Charter School department waited until January to calendar the hearing at PS241.
- c. SUNY CSI's official renewal report on SACS Harlem 4 was issued after the vote apparently took place, but it is the data and insights from said data that are vital in the determination of a charter schools impact in the community.

Beyond these errors, confusion, and possible breakdowns in process, CEC3 asks you to consider the overall lack of sustainability in D3 Harlem. As mentioned above, 12 schools in

D3 Harlem – a geographic area roughly the same size of PS87 and PS9 combined - are currently enrolling kindergarten children. According to DOE retention data from the 2015-16 school year, more than 300 kindergarteners that reside in this geographic area, and they enrolled in a total of 61 public schools.

While CEC3 appreciates, and advocates for, smaller class sizes, the over-saturation of schools in Harlem makes it impossible to draw sufficient numbers to be successful. This is simply not a sustainable model for public education. The parents who live in D3 Harlem are unfairly burdened with this diaspora of educational choice, and four of the six elementary schools continue to experience an enrollment crisis. As CEC3 and the lower Harlem Community in District 3 continue to engage in discussions about possible solutions moving forward, we respectfully request the following:

- A complete moratorium on charter school expansion in District 3;
- That the DOE Enrollment Office mail all incoming kindergarten families residing in D3 Harlem promotional information about their neighborhood community public school(s) in the hope of bolstering short-term enrollment goals to stabilize each of these schools;
- That DOE Enrollment Office generate a report of submitted kindergarten applications at the six Harlem D3 community public schools on a monthly basis to CEC3 through October 2017;
- That the DOE immediately conduct a study and generate a report on long term demographic trends and enrollment trends in District 3 elementary schools in Southern Harlem. Specifically, we want to better understand over the long term how charter proliferation has impacted the percentage of students in zoned schools who are eligible for free and reduced price lunch with specific emphasis on the percentage who qualify for free lunch, the percentage of students in zoned schools who qualify for IEPs and with specific emphasis on the percentage who are classified with high cost disabilities such as Autistic Spectrum Disorder and other behavioral disorders, and the percentage of students who require instruction in English as a Second Language.
- That the DOE immediately conduct a study and generate a report on the long term fiscal impacts of charter schools on zoned school budgets and personnel needs. Specifically we need to know about how charter school enrollment of zoned children and return of those children to zoned schools impacts fiscal planning and stability at district schools and impacts the ability of those schools to hire and retain both teachers and para-professionals needed to best serve their student populations.
- That the DOE develop a comprehensive plan to help the superintendent and school principals in D3 to assist all schools to market and compete in the current school enrollment environment. Decisions made at the state and city level have placed our schools in direct competition for students, but little has been done at the DOE level to help those schools position themselves within that environment. It is past due for the DOE to develop comprehensive plans to sustain and grow student enrollment.

CEC3 is committed to working with the DOE, our Harlem D3 families, and the incredible public schools in Harlem as well as the small charter schools such as Harlem Hebrew, Sisulu Walker, French American Charter, and others who strive to educate children in Harlem with innovative and cultural programming. However, the mass penetration of SACS in Harlem

District 3 falls way outside the scope of the desire to experiment outside this basis of charter school existence and in fact continues to impart severe harm on the District 3 community. CEC3's desire to work towards a sustainable set of solutions is why we are hosting the first annual Harlem Schools Summit on Saturday, April 1, 2017. We hope that you will join us in our discussions before, during, and after this important community event.

Thank you for your consideration of the important requests regarding the immediate halt to the renewal process for SACS Harlem 4 until more information is provided. Thank you as well for providing answers to our questions above. We look forward to continuing to working in partnership with you. Please feel free to contact us directly to discuss this matter further.

Respectfully,

Community Education Council District 3

cc: Community Educational Council 5
Mr. Joseph W. Belluck, SUNY Board of Trustees
Ms. Susan Miller Carello, SUNY Charter Schools Institute
U.S. Congressman Adriano Espaillat
Assembly Member Inez Dickens
City Council Member Bill Perkins
NYC Comptroller Scott Stringer
Manhattan Borough President Gale Brewer