



COMMUNITY EDUCATION COUNCIL DISTRICT 15
BROOKLYN, NEW YORK

November 1, 2021

CEC15 Statement on Brooklyn Urban Garden Charter School Renewal

CEC15 is a body that represents the interests of parents and students in District 15 schools. We weigh those interests thoughtfully with the merits of each Charter proposal in accordance with the New York State Charter Schools Act of 1998.

Historically and currently District 15 schools are working well, utilizing progressive and innovative methodologies and resources to meet the needs of our students. Our District has been responsive to the needs of D15 families and has a commitment to ensure seat capacity and programming availability for all populations. District 15 has expanded and increased 3K and PreK seats, as well as D75 seats, which offer opportunities for students requiring extra support for their special needs, some of which may be medical.

While we are seeking to enhance services to special education students through more ASD Nest, dyslexia-focused, and twice exceptional programs, at this time we know of no Charters in District 15, including Brooklyn Urban Garden Charter School, that service these specific populations.

We question the need to renew Brooklyn Urban Garden Charter School given enrollment declines and new capacity. According to the District 15 Data Summary, *“Middle school enrollment peaked in 2019 and is expected to continue decline over the next few years. Given enrollment trends and new school buildings opening in District 15, it is anticipated that capacity will exceed demand in the coming years.”* Additionally, District 15 is on track to add 555 seats at PS/MS 676 by 2025 and additional middle school/D75 seats at a site along Fort Hamilton Parkway. These district projections coupled with new capacity over the next five years, make it difficult to imagine that Brooklyn Urban Garden Charter School can sustain enrollment over the renewal period. This will prove detrimental to their ability to deliver services.

CEC15 cannot support any Charter that draws public funds and resources to the detriment of the surrounding District 15 schools. The New York State Charter Schools Act §2851(2)(q) states that charter applicants must *provide evidence of adequate*

community support and an assessment of the projected programmatic and fiscal impact of the school on other public and nonpublic schools in the area. Charters frequently provide evidence of community interest, but they neglect to consider the negative fiscal impact on the surrounding schools. In some areas of our district, small enrollment drops mean schools can no longer hire full-time arts and enrichment teachers. The bottom line is every student enrolled in a Charter school pulls funding from our District schools.

CEC 15 is also categorically opposed to any Charter school that co-locates within existing district schools or occupies any existing DOE space. While Brooklyn Urban Garden Charter School is not utilizing DOE-owned space, they do share a building with two DOE schools: a pre-kindergarten center, 15K280, and MS 442, which is over capacity at 117% according to the 2019-20 Blue Book.

CEC15 sees no evidence that Brooklyn Urban Garden Charter School fulfills any curriculum-based gaps already identified above, while MS 442, located in the same building, follows an inclusion model to support all learners' individual needs with an ASD NEST program. Under New York State Charter Schools Act §2852(9-a)(b), the Board of Regents and SUNY prioritize those Charters that *provide new alternatives within the local public education system that would offer the greatest educational benefit to students.* CEC15 cannot support any Charter school that seeks to draw District 15 resources without offering anything District 15 doesn't already have.

Additionally, according to the Charter Act, New York State prefers Charters that *partner with low performing public schools to share best educational practices and innovations.* Yet our district has not received any of these benefits to date from any of the charters in our district, including Brooklyn Urban Garden Charter School.

CSD 15 currently has 11 middle schools and 26 elementary schools. Many of them with diverse populations, and all with strong, professional, experienced and fully-certified teachers. Further, we are in our third year of an historic integration plan through the D15 Diversity Plan to remove barriers to diverse learning environments for the entire district.

Thus, CEC15 sees no need for a five-year renewal of Brooklyn Urban Garden Charter School. Out of a responsibility to serve currently enrolled students, CEC15 asks the Board of Regents to renew Brooklyn Urban Garden Charter School for only three years, rather than five.

We also ask that the Board of Regents reject renewal or expansion applications for any charters in District 15 that fail to satisfy all the standards laid out in the New York State Charter Schools Act of 1998.

Hearing notice:

<https://drive.google.com/file/d/1dpQJOO63GY9RHe1mpwfvkQirChn8T8TI/view>

<https://sites.google.com/osdcp.org/doecharterhearings/home>

Notes from New York State Charter Schools Act of 1998

S 2851

(q) Evidence of adequate community support for and interest in the charter school sufficient to allow the school to reach its anticipated enrollment, and an assessment of the projected programmatic and fiscal impact of the school on other public and nonpublic schools in the area.

S 2852 Issuance of Charter (As Amended)

9-a. (b) The board of regents and the board of trustees of the state university of New York shall each develop such request for proposals in a manner that facilitates a thoughtful review of charter school applications, **considers the demand for charter schools by the community, and seeks to locate charter schools in a region or regions where there may be a lack of alternatives and access to charter schools would provide new alternatives within the local public education system that would offer the greatest educational benefit to students.**

(c) The board of regents and the board of trustees of the state university of New York shall grant priority based on a scoring rubric to those applications that best demonstrate how they will achieve the following objectives, and any additional objectives the board of regents and the board of trustees of the state university of New York, may prescribe: (i) increasing student achievement and decreasing student achievement gaps in reading/language arts and mathematics; (ii) increasing high school graduation rates and focusing on serving specific high school student populations including, but not limited to, students at risk of not obtaining a high school diploma, re-enrolled high school drop-outs, and students with academic skills below grade level; (iii) focusing on the academic achievement of middle school students and preparing them for a successful transition to high school; (iv) utilizing high-quality assessments designed to measure a student's knowledge, understanding of, and ability to apply, critical concepts through the use of a variety of item types and formats; **(v) increasing the acquisition, adoption, and use of local instructional improvement systems that provide teachers, principals, and administrators with the information and resources they need to inform and improve their instructional practices, decision-making, and overall effectiveness;** (vi) **partnering with low performing public schools in the area to share best educational practices and innovations;** (vii) demonstrating the management and leadership techniques necessary to overcome initial start-up problems to establish a thriving, financially viable charter school; **(viii) demonstrating the support of the school district in which the proposed charter school will be located and the intent to establish an ongoing relationship with such school district.**