



COMMUNITY EDUCATION COUNCIL DISTRICT 15
BROOKLYN, NEW YORK

April 5, 2022

CEC15 Statement on PAVE Academy Charter School Renewal

CEC15 opposes a five-year renewal of PAVE Academy Charter School.

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.

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 fourth year of an historic integration plan through the D15 Diversity Plan to remove barriers to diverse learning environments for the entire district.

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

CEC15 cannot support any Charter school that seeks to draw District 15 resources without offering anything District 15 doesn't already have. 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 sees no evidence that PAVE Academy Charter School fulfills any curriculum-based gaps already identified above. In fact, a new public middle school, located within a few blocks of PAVE, will house both MS 676, which will have a maritime-based STEM curriculum, and a D75 school.

We also question the need to renew PAVE Academy Charter School for five years given enrollment declines, greater school choices and new capacity in CSD15. District 15 has expanded choices for families in Red Hook through the new elementary school zoning. Those that were previously zoned for PS 676 can access PS 15, as well as all the elementary schools in subzone 3 through the priority set-asides at each school, which include PS 29, PS 58, PS 261, PS 38, and the newly renovated and expanded PS 32. Additionally, Red Hook has always had access to the Brooklyn New School and the Children's School through similar application mechanisms to a charter.

There is also no need for a PAVE with grades 6-8. District 15 is on track to add 555 seats at MS 676, home of the future Harbor Middle School by 2025. District 15 has also made significant changes to the admissions process for middle schools through the D15 Diversity Plan creating more equitable access. These choices are available to all families in Red Hook. Unlike charters, the DOE spends money on teaching, not on marketing. As a consequence, families may not have always known the full scope of their options. It is imperative to share them here today.

Furthermore, enrollment is in decline. 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.*" These district projections coupled with new capacity over the next five years, make it difficult to imagine that PAVE Academy Charter School can sustain enrollment in grades 6-8 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. PAVE has in fact negatively impacted the surrounding schools. Despite efforts to improve PS 676 including hiring a new principal and imbedding a new curriculum, PAVE's presence siphoned students and funds away from the local public elementary school which is now being phased out. PAVE currently enrolls approx. 360 general education students and 113 special education students in grades K-8; of which approximately 246 general education students and 69 special education students are enrolled in grades K-5. As a result, PS 676 and surrounding schools have had to pay PAVE over \$4 million per year in tuition for those students enrolled in PAVE with no Transitional Aid compensation from the state. PS 676 was left trying to educate the remaining district students with one hand tied behind its back.

Ultimately, the district had to rezone the entire area for PS 15 and provide a true mechanism for choice, as there would have been no choice, only PAVE. Where there were two traditional zoned public schools for Red Hook, now there is one. In this way PAVE's presence limited the choices of Red Hook families rather than expanding them.

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 PAVE Academy Charter School.

Thus, CEC15 opposes a five-year renewal of PAVE Academy Charter School. Owing to a responsibility to serve currently enrolled students, CEC15 asks SUNY for a two year renewal of PAVE Academy Charter School in order to initiate a phase-out of grades K and 6.

We also ask that SUNY 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/16N_3GDaD-s9m84Vq4cdry_YJ90T-DGcv/view

If any parents or community members are unable to attend the hearing, public comment can be submitted to the authorizer directly at charters@suny.edu.

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.**