



COMMUNITY EDUCATION COUNCIL DISTRICT 15
BROOKLYN, NEW YORK

March 19, 2019

RESOLUTION ON EVALUATION
OF NEW CHARTER APPLICATIONS IN DISTRICT 15

Community Education Council District 15 (CEC15) held a meeting on Tuesday, March 19, 2019. After reviewing all the evidence and facts, CEC15 passed the following resolution:

WHEREAS, CEC15 hereby resolves to evaluate Charter applications according to the requirements specified in the [New York State Charter Schools Act of 1998](#)¹ (As Amended) pursuant to §2851 and §2852, and District 15's own educational priorities. In order to secure CEC15's support for a Charter application, the Charter applicant must provide detailed evidence that it meets the criteria established herein;

WHEREAS, the members of CEC15 present at this meeting consisted of Camille Casaretti, Kathy Park Price, Antonia Ferraro Martinelli, Charles Star, Mark Bisard, and Scott Powell;

WHEREAS, Charter applicants must provide *evidence of adequate community support for and interest in the charter school sufficient to allow the school to reach its anticipated enrollment* in accordance with §2851(2)(q);

WHEREAS, Charter applicants must provide *an assessment of the projected programmatic and fiscal impact of the school on other public and nonpublic schools in the area* in accordance with §2851(2)(q);

WHEREAS, Charter applicants soliciting the CEC will be required to both show evidence of community support and state the fiscal impact of their Charter school on surrounding schools;

WHEREAS, Charter applicants must locate their school *in a region or regions where there may be a lack of alternatives and access to charter schools would provide new alternatives within the*

¹ http://www.nyccharterschools.org/sites/default/files/resources/NYSCharterSchoolsActof1998_with2014amendments_0.pdf

local public education system that would offer the greatest educational benefit to students in accordance with §2852 (9-a)(b);

WHEREAS, Charter applicants must demonstrate the ability to *increase student achievement and decreasing student achievement gaps in reading/language arts and mathematics* in accordance with §2852 (9-a)(c)(i);

WHEREAS, CEC15 will consider Charter applicants that focus *on the academic achievement of middle school students and preparing them for a successful transition to high school* in accordance with §2852 (9-a)(c)(iii);

WHEREAS, CEC15 will oppose middle school Charter applicants that fail to meet the admissions criteria established in the [D15 Diversity Plan](#)², with a particular focus on adherence to the 52% admissions priority for students from low-income households, students in temporary housing, and/or Multilingual Learners (MLLs/ELLs);

WHEREAS, CEC15 will consider Charter applicants that utilize *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* in accordance with §2852 (9-a)(c)(iv);

WHEREAS, CEC15 will not support any Charter applicants that choose not to accept new students for each grade the Charter School offers instruction;

WHEREAS, CEC15 will not support any Charter applicants that choose not to backfill new students due to attrition;

WHEREAS, CEC15 will not support any Charter applicants that choose to retain and recruit only high performing students and push out challenging students;

WHEREAS, CEC15 will not support any Charter applicants that choose to employ a No Excuses disciplinary style, and/or use suspension policy to push out challenging students;

WHEREAS, CEC15 will consider Charter applicants that demonstrate the ability to increase *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* in accordance with §2852 (9-a)(c)(v);

² <http://d15diversityplan.com>

WHEREAS, Charter applicants must demonstrate intent to partner *with low performing public schools in District 15 to share best educational practices and innovations* in accordance with §2852 (9-a)(c)(vi);

WHEREAS, Charter applicants must demonstrate *the management and leadership techniques necessary to overcome initial start-up problems to establish a thriving, financially viable charter school* in accordance with §2852 (9-a)(c)(vii);

WHEREAS, Charter applicants must demonstrate *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* in accordance with §2852 (9-a)(c)(viii);

WHEREAS, district support includes the D15 Superintendent, D15 Principals, teachers, and parents;

WHEREAS, CEC15 will oppose any Charter applicants that choose to co-locate within existing district schools or take any existing DOE space;

WHEREAS, CEC15 will not support any Charter applicants that choose not to enroll a supermajority of students who reside within District 15, in alignment with our district's need to alleviate overcrowding;

WHEREAS, CEC15 values fully-certified teachers and will not support any Charter applicants that choose not to hire fully-certified teachers under Part 80 of the [Regulations of the Commissioner of Education](#)³;

WHEREAS, CEC15 values the free and appropriate education of every student, and as Charter schools are not legally obligated to perform DOE intake assessments and can choose not to identify MLL/ELL students, CEC15 will not support any Charter applicants that choose not to identify MLL/ELL students through DOE assessments;

WHEREAS, CEC15 values the free and appropriate education of every student and will not support any Charter applicants that choose not to refer special needs students to CSE for IEP evaluation and provide the recommended services;

WHEREAS, CEC15 values student safety, and as Charter schools are not legally obligated to follow DOE safety protocols, such as notifying surrounding schools in the case of lockdowns, CEC15 will not support any Charter applicants that choose not to follow DOE safety protocols;

³ <http://www.highered.nysed.gov/tcert/regulations.html>

WHEREAS, CEC15 values public accountability and will not support any Charter applicants that choose to employ Charter Management Organizations (CMO), pursue mergers or any framework that enables the creation of Charter school networks and/or parallel Charter school districts;

WHEREAS, CEC15 values public accountability and will not support any Charter applicants that choose not to establish themselves through an elected government entity. Such Charter applicants are private contractors, and not public schools in line with decisions rendered in [*Pennsylvania Virtual Charter School*, 364 NLRB No. 87 \(2016\)](#) and [*Hyde Leadership Charter School – Brooklyn*, 364 NLRB No. 88 \(2016\)](#)⁴; and

WHEREAS, CEC15 values public accountability and will not support any Charter applicants that choose not to subject their executive administrators and finances to public oversight. Such Charter applicants are private contractors, not public schools in line with decisions rendered in *Pennsylvania Virtual Charter School*, 364 NLRB No. 87 (2016) and *Hyde Leadership Charter School – Brooklyn*, 364 NLRB No. 88 (2016).

Community Education Council District 15 therefore,

RESOLVES, to not support new Charter applications that fail to satisfy any of the relevant standards in the New York State Charter Schools Act of 1998 (As Amended) or any District 15 priorities or values stated herein.

CEC15 is a body that represents the interests of parents and students in District 15 public schools. We weigh those interests thoughtfully with the merits of each proposed Charter school under the guidance of the New York State Charter Schools Act. This process has led CEC15 to conclude that **District 15 currently has no need for Charter schools as the law is written.**

Historically and currently our schools are working well, utilizing progressive and innovative methodologies and resources to meet the needs of all of our students. District 15 currently has 26 elementary schools, 11 middle schools and 1 high school. Many of them in diverse settings, and all with strong, professional, experienced and fully-certified teachers. Further, we are embarking on a historic integration plan through the D15 Diversity Plan to remove barriers to diverse learning environments for middle school students across the entire district. District 15 is also on track to add approximately 2,300 seats by 2022. The majority of those seats will be located in areas of our district with the greatest seat need.

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 Charter applicants that service these specific populations.

⁴ <https://www.nlr.gov/cases-decisions/weekly-summaries-decisions/summary-nlr-decisions-week-august-22-26-2016>

We respectfully request that the Chancellor, the Board of Regents and the Board of Trustees of the State University of New York support D15 public schools by denying new Charter applications in District 15 that either fail to satisfy the standards of the New York State Charter Schools Act of 1998 or fail to conform with our district's stated needs and priorities.

CC:

The Honorable Governor Andrew M. Cuomo
The Honorable Mayor Bill de Blasio
New York City Comptroller Scott M. Stringer
Brooklyn Borough President Eric L. Adams
Senate Democratic Majority Leader Andrea Stewart-Cousins
Education Committee Chair, State Senator Shelley Mayer
State Senator Zellnor Myrie
State Senator Kevin S. Parker
State Senator Velmanette Montgomery
State Senator Brian Kavanaugh
Member of Assembly Robert C. Carroll
Member of Assembly Felix W. Ortiz
Member of Assembly Jo Anne Simon
Member of Assembly Walter T. Mosley, III
New York City Council Member Brad Lander
New York City Council Member Carlos Menchaca
New York City Council Member Stephen Levin
New York City Council Member Laurie A. Cumbo
New York State Commissioner of Education MaryEllen Elia
New York State Board of Regents Chancellor, Dr. Betty A. Rosa, Ph.D.
New York City Schools Chancellor Richard A. Carranza
Deputy Chancellor of Community Empowerment, Partnerships, and Communications
Hydra Mendoza
Department of Education, Office of School Design and Charter Partnerships, Melissa Harris
Brooklyn North Executive Superintendent Karen Watts
District 15 Superintendent Anita Skop
Education Council Consortium
SUNY Board of Trustees, Chairman H. Carl McCall
SUNY Charter Schools Institute, Executive Director Susie Miller Carello
UFT President, Michael Mulgrew
NAACP President and CEO Derrick Johnson
AQENY Legislative Director & Statewide Education Advocate Jasmine Gripper

Brooklyn Community Board 2
Brooklyn Community Board 6
Brooklyn Community Board 7