



## COMMUNITY DISTRICT EDUCATION COUNCIL 30

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### RESOLUTION #160

#### REGARDING FOUNDATION AID AND CHARTER SCHOOL FUNDING FOR FY 2023

WHEREAS, in April 2021, the New York State Legislature and Governor committed to fully phasing-in the Foundation Aid formula owed to NYS school districts by FY 2024 as a consequence of an almost three-decades-long campaign for equitably funded public education by students, parents, advocates, activists, organizations and elected officials<sup>1</sup>; and

WHEREAS, in October 2021, Governor Hochul settled the case of New Yorkers for Students' Educational Rights v. New York State, further promising this aid<sup>2</sup>; and

WHEREAS for FY 2023, an additional \$345 million in Foundation Aid will go to NYC Public schools, but New York City is obligated to increase aid to charter schools by \$200 million. This means 57% of the total state aid increase will go to charter schools; and

WHEREAS, from 2019 to 2021, New York City's public schools have received an average increase in this state aid of \$471 per student, while New York City's charter schools have received an average increase of \$2,325 per student; and

WHEREAS, in New York City, public schools enroll 1,033,669 students, while charter schools enroll 145,000 students - just 14% of all NYC students<sup>3</sup>; and

WHEREAS, 14% of students receiving 57% of the total aid increase is an imbalance; and

WHEREAS, State law mandates that local school districts pay tuition, based on a per pupil formula established by the State, to charter schools in their districts; and

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<sup>1</sup> [https://www.nydailynews.com/new-york/education/ny-budget-foundation-aid-fully-funded-20210406-t4anq\\_cb5bvduvdmuto765ranei-story.html](https://www.nydailynews.com/new-york/education/ny-budget-foundation-aid-fully-funded-20210406-t4anq_cb5bvduvdmuto765ranei-story.html)

<sup>2</sup> <https://www.governor.ny.gov/news/governor-hochul-announces-settlement-nyser-v-nys-case-fully-fund-fo-undation-aid-new-yorks>

<sup>3</sup> <https://www.aqeny.org/2022/01/31/the-majority-of-nycs-school-aid-increase-should-go-to-the-majority-ofstudents/>

WHEREAS, the tuition for charter schools in NYC for the school year 2021–22 will be \$16,844, not including facilities funds; and

WHEREAS, payments to charter schools are already diverting more than \$2 billion annually from NYC public schools, not including facilities funds<sup>4</sup>; and

WHEREAS, State law mandates New York City pay rent for Charter schools sited in private facilities, making New York City the only school district in the state and the nation with this financial burden, costing more than an additional \$100 million per year with the amount rising fast<sup>5</sup>; and

WHEREAS, the New York City school district is the only district in the state that is excluded from state Transitional Aid<sup>6</sup>, which helps local school districts offset the costs of charter schools. Consequently, NYC has lost more than \$2 billion in state aid since the 2012–2013 school year; and

WHEREAS, charter schools across the country have taken advantage of Covid-19 Paycheck Protection Program and Economic Injury Disaster Loans to acquire bailout aid, including NYC charter schools, who received approximately \$1.12 million per school<sup>7</sup>; and

WHEREAS, five charter schools are currently located in District 30, enrolling approximately 3,600 or 9% of the 38,000 3K–12 students in District 30; and

WHEREAS, unlike other city school districts in the state, District 30 is not compensated through Transition Aid for the \$60 million in per pupil tuition lost to charter schools; and

WHEREAS, Community Education Council District 30 is committed to advocating for equitably and sufficiently funded public schools for the children of the district and beyond; therefore be it

RESOLVED, that CEC 30 urges Governor Hochul and the State Legislature to take action in the 2022–2023 budget to ensure that the majority of the school aid increase is allocated to public schools serving the majority of students, including the 86% of students in traditional public

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4 <https://council.nyc.gov/budget/wp-content/uploads/sites/54/2021/03/DOE-Expense-.pdf>, pp.38

5 <https://secureservercdn.net/198.71.233.31/3zn.338.myftpupload.com/wp-content/uploads/2019/10/Charter-School-Facility-Costs-10.21.19.pdf>  
[https://classsizematters.org/wp-content/uploads/2021/03/CSM\\_DOE-Spending\\_Charter-Schools-Facilities\\_FINAL-3.21.pdf](https://classsizematters.org/wp-content/uploads/2021/03/CSM_DOE-Spending_Charter-Schools-Facilities_FINAL-3.21.pdf)

6 [https://stateaid.nysed.gov/publications/handbooks/handbook\\_2021.pdf](https://stateaid.nysed.gov/publications/handbooks/handbook_2021.pdf)

7 <https://covidbailouttracker.com/>  
<https://www.nytimes.com/2021/01/13/us/private-schools-ppp-fundiq.html>

schools; and that the Foundation Aid awarded to our district public schools as a result of the CFE case is not eaten up by increased payments to charter schools; and be it further

RESOLVED, that the state provide greater supplemental tuition payments to school districts impacted by charters; and be it further

RESOLVED, that the charter school tuition formula is revised to prevent adverse impacts on public schools; and be it further

RESOLVED, that the State eliminates the requirement of NYC to pay rent for the charter school or provide space; and be it further

RESOLVED, that State law makes New York City eligible for Transitional Aid that other districts receive, as well as retroactively compensate NYC for the funding lost over the last ten years; and be it further

RESOLVED, that the New York State Legislature *not raise* the statutory limit on the number of charter schools permitted in NYC, because any increase in the number of charter schools would further divert funding from our district public schools

**APPROVED: March 14, 2022**