



BUFFALO
PUBLIC SCHOOLS

Resolution on District & Charter School Sustainability in the City of Buffalo

BOARD of Education

September 16, 2020

APPROVED

Introduced by:

Larry Scott (Member-at-Large)

SEP 16 2020

[Signature]
BOARD Office

Co-Sponsored by:

President Sharon Belton-Cottman (Ferry District)

Vice President of Student Achievement Kathy Evans-Brown (East District)

Terrance Heard (Member-at-Large)

Ann Rivera (Member-at-Large)

Hope Jay (North District)

Jennifer Mecozzi (West District)

Paulette Woods (Central District)

Whereas, New York State Legislature enacted the Charter School statute in 1998, and

Whereas, since the Charter Schools statute was enacted, the Buffalo City School District has worked enthusiastically and supportively with Charter School partners across our City, and

Whereas, our commitment to school choice for parents was notably demonstrated when in 2003, as permitted in the Charter School statute at the time, the District sponsored and authorized Enterprise Charter School, and

Whereas, the District went further in 2004 by converting Public School #68 into Westminster Charter School—again establishing a new standard nationally for embracing school choice for parents, and

Whereas, now, with the creation of Community Schools in state law, the Buffalo City School District stands second to none in delivering the broadest array of schooling options for discerning parents who want the best education and services for their children, and

Whereas by 2019, however, the Board of Education became increasingly concerned that its tradition of openness to supporting new start-up or expanded charters was becoming unsustainable for a variety of key reasons, namely:

1. The District now had 78% of its schools designated in Good Standing by the State Education Department; meaning that new charter schools were no longer essential to fulfilling an unmet need in Buffalo as originally contemplated in the Charter School statute;
2. Annual New York State Foundation Aid increases approved in the State budget were coming in one door of the District and going out entirely to funding increased charter school tuition costs;
3. A looming teacher shortage had accelerated nationally and in Buffalo as public schools, both traditional and charter, raced to hire a diminishing number of certified teachers—at times sacrificing the demand for quality in the classroom all parents expect;



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4. 26 of 60 traditional public schools became Community Schools, meeting the broad, diverse set of needs parents demanded for their children and eliminating almost altogether any unmet need in the Buffalo Public Schools;
5. The enrollment rate of charter students in the City of Buffalo surpassed 20% although the 1998 statute stipulated a maximum 5% rate unless a significant unmet need was established by the application or the District consented to the charter application, and

Whereas, it is now clear that funding new charter school seats in expanding or start-up Charter Schools directly results in underfunding and damaging the education of traditional public school students as a result of budget cuts to their programs and services, and

Whereas, growing BPS expenditures to charters will amount to approximately \$153 million in the 2020-21 Budget (\$138 million in tuition and \$15 million in other services), and

Whereas, new charter school approvals and expansions are now pitting one set of students against another with traditional public school students disproportionately and negatively impacted by having state aid increases set aside to fund newly approved or expanded charter schools, and

Whereas, the City of Buffalo has now reached its breaking point. The New York State Board of Regents and the SUNY Charter School Institute can no longer saturate the City of Buffalo with more and more charter schools without children in other public schools, both traditional and charter, paying an unacceptable price in a harmful teacher shortage, reduction in services and supports, and unwarranted redundancy, and

Whereas, affirmative votes cast by Board of Regents members and SUNY Charter School Institute Trustees approving these charter school applications will cause the children of the Buffalo City School District to face unrecoverable harm to their notably-improving education in traditional public schools; and

Whereas the Buffalo Board of Education has conducted public hearings on the proposed charter school applications, reviewed their school designs, and determined that the proposed applications do not fulfill an unmet need in the Buffalo City School District; and

Whereas the Buffalo City School District maintains ample available seats in both Elementary Schools in Good Standing and in distinct Secondary School programs that serve students who have withdrawn from schooling or are at risk of doing so;

Therefore, be it resolved:

That the Buffalo Board of Education, in unanimous agreement, requests that the following pending charter school applications be denied as a result of the considerations expressed herein;

- 1) **Buffalo Commons Charter School** making application to the SUNY Charter Schools Institute;



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- 2) **Ellington Preparatory Charter School** making application to the New York State Board of Regents;
- 3) **Learn4Life Charter** School making application to the New York State Board of Regents;
- 4) **Royal Academy of Buffalo Charter School** making application to the New York State Board of Regents.

Be it additionally resolved, that the Buffalo Board of Education authorizes the Superintendent of Schools to commence legal proceedings in order to fully and comprehensively remedy the demonstrated harm to students enrolled in the Buffalo City School District as a result of the saturation of charter schools in our community beyond the limits established in the original Charter School statute of 1998.