

To: Rockefeller Institute of Government

From: The New York City Charter School Center

Date: September 5, 2024

Re: Submission of Comments as to the New York State Foundation Aid Formula Study

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The New York City Charter School Center (“Charter Center”) respectfully submits the following comments to inform the Rockefeller Institute’s upcoming report to the Governor and Legislature on potential modifications to the Foundation Aid formula. The Charter Center is a non-profit support and advocacy organization that has worked with charter schools in New York City for twenty years. We appreciate the opportunity to provide feedback on behalf of New York City’s charter school sector.

For over twenty-five years, public charter schools have been an integral part of the public education system in New York City. In the 2024-25 school year there will be 281 public charter schools operating in the five boroughs serving approximately 149,000 students. This represents 15% of public school students, of which nearly 90% are Black/African American or Latinx. New York’s public charter schools are serving primarily low-income New York City families (82% are economically disadvantaged), offering additional high-quality educational options for families.<sup>1</sup> Charters in New York City also serve comparable numbers of students with disabilities (19%), multilingual learners (10%), and students in temporary housing (9.6%).

Unlike districts, charter schools do not receive Foundation Aid or other state aid directly; instead, school districts are required to transfer a per pupil “tuition” to a charter school, with the amount set by state law. See Education Law Section 2856(1). That amount is pegged to district expenditures and changes thereto over a running three-year average. Districts, of course, receive foundation aid funding for every charter student that lives in their district. In New York City, the amount of Foundation Aid received per pupil, even when fully funded, is far less than the amount that the New York City Department of Education is required to transfer to charter schools. However, the per pupil tuition amount that a charter school receives is a fraction of what the district spends on students it directly educates. It is in that context that the Charter Center strongly urges that no changes should be made to the Foundation Aid formula that would decrease the amount of funding for New York City, which, in turn, would decrease funds available to educate students in New York City whether in traditional district schools or in charter schools. To the contrary, New York City’s share of Foundation Aid should increase. Such increase should be sufficient to return at the very least New York State to being an equal funding partner with New York City, as historically it has been. At present New York State’s share of K-12 New York City funding has dwindled to only 37%. In addition, we suggest the following changes be made:

1. **Foundation Aid Support for Students in Temporary Housing and Foster Care:** As NYC’s number of asylum seekers has increased, so has the number of students in temporary housing. These students require additional support, and the current Foundation Aid formula does not provide

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<sup>1</sup> Enrollment figures and demographics based on NYSED Preliminary Enrollment Data for 2023-24 School Year.

any additional funding for students in temporary housing or foster care. It is essential that the Foundation Aid formula be revised to address the needs of these vulnerable populations.

2. **Adjust the Weights for Students with Disabilities and Multilingual Learners:** The current formula applies uniform weights to all students with disabilities, regardless of their special education needs. This approach is outdated and does not address the diverse needs within each group. Similarly, there needs to be differed levels of funding for Multilingual learners. The weights for students with disabilities and ELLs must be adjusted to accurately reflect the costs of legally required, high-quality services and supports.
3. **Update Regional Cost Indices:** The high cost of living in NYC necessitates competitive salaries to attract and retain quality educators. The regional cost indices must be revised to reflect the current cost of living and doing business in NYC. Just like the Building Aid formula is updated to account for these changes, the Foundation Aid formula needs to be updated now, with a mechanism for making more regular updates.

In closing, we reiterate that we are in full agreement with the New York City's Department of Education's call for a more equitable and transparent formula. The current system is outdated and does not adequately address the needs of our students or the realities of operating in NYC. We urge you to consider these necessary changes to ensure that Foundation Aid supports all students effectively and fairly.