



Legislation Text

File #: Res 0518-2014, **Version:** *

Res. No. 518

Resolution calling upon the New York State Legislature to pass and the Governor to enact an amendment to the New York State Charter Schools Act requiring charter schools to fill any vacancies created by departing students, at any grade level, if students remain on the charter school's wait-list, or alternatively, to pass legislation allowing New York City to enact such a law locally.

By Council Members Chin, Cumbo, Gentile and Palma

Whereas, In 1998, the New York State Legislature adopted the New York State Charter Schools Act in part to “[i]ncrease learning opportunities for all students, with special emphasis on expanded learning experiences for students who are at-risk of academic failure” and to “[p]rovide parents and students with expanded choices in the types of educational opportunities that are available within the public school system”; and

Whereas, According to the New York City Department of Education, New York City is home to 197 charter schools for the 2014-2015 academic year; and

Whereas, According to the New York City Charter School Center, more than 95 percent of charter schools in New York City receive more applications each year than the number of spots they make available for new students, and thousands of students are placed on wait-lists; and

Whereas, Every year in New York City, thousands of students leave or transfer out of their current school placements, including students at charter schools; and

Whereas, New York State Education Law does not require charter schools to fill every vacancy created by student attrition with a new or wait-listed student (a practice often referred to as “backfilling”); and

Whereas, The New York City Charter School Center's 2012 “State of the Sector Report”

suggested that New York City charter schools vary substantially in their backfilling policies, and reported that New York City charter schools' attrition rates exceeded their backfill admission rates for third through eighth grades in 2010-2011; and

Whereas, Some charter schools in New York City stop backfilling vacant spots above a certain grade level; and

Whereas, A May 2014 report from the Annenberg Institute for School Reform at Brown University entitled *Public Accountability for Charter Schools: Common Sense Regulation and Oversight for the Future* recommended that New York City mandate backfilling as a way to make the distribution of educational opportunities in New York City more equitable; and

Whereas, In order to fulfill the original goals of the New York State Charter Schools Act and maximize the number of educational choices available to New York City families, New York City charter schools should be obliged to fill every available seat, in every grade, if students remain on the wait-list; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass and the Governor to enact an amendment to the New York State Charter Schools Act requiring charter schools to fill any vacancies created by departing students, at any grade level, if students remain on the charter school's wait-list, or alternatively, to pass legislation allowing New York City to enact such a law locally.

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LS# 2060
10/21/2014 5:00 PM