

Resolution No. _____
District 11 Community Education Council

Resolution to Amend NYS Education Law 2853 subdivision 3. Facilities
Re: Charter School Co-locations in New Public School Buildings

The Community and Citywide Education Councils (CCECs) are composed of parents who have been elected or appointed to serve as stakeholders of NYC School Community Districts, and specific cohorts of students, representing NYC public school students and their families.

Approved on August 23, 2022, the following resolution offers CEC15's position to Amend NYS Education Law 2853 Subdivision 3. Facilities RE: Charter School Co-locations in New Public School Buildings.

WHEREAS, NYS Education Law 2853 subdivision 3. Facilities. (a)¹ details that:

A charter school may be located in part of an existing public school building, in space provided on a private work site, in a public building or in any other suitable location. Provided, however, before a charter school may be located in part of an existing public school building, the charter entity shall provide notice to the parents or guardians of the students then enrolled in the existing school building and shall hold a public hearing for purposes of discussing the location of the charter school. A charter school may own, lease or rent its space.

WHEREAS, an existing school building qualifies as a public school that is currently occupied by a school;

WHEREAS, newly constructed school buildings that may be slotted for a specific use, or specific schools and are not occupied do not qualify as an existing school building;

WHEREAS, charter schools can request space in any DOE building that qualifies as having available space, including new construction;

¹ <https://codes.findlaw.com/ny/education-law/edn-sect-2853.html>

WHEREAS, charter schools seeking space in an existing school building must provide public notice and hold a public hearing with the potentially impacted community members;

WHEREAS, charter schools seeking space in a new, unoccupied school building are not required to provide public notice nor hold a public hearing with the potentially impacted community members.

WHEREAS, clarifying the definition of the term "existing public school building" will allow for greater transparency and accountability in decision making within our communities and in collaboration with the DOE and SCA.

THEREFORE, BE IT RESOLVED THAT, a definition of *an existing school building* be added to the NYS Education Law 2853 subdivision 3. Facilities, clarifying that "*an existing school building is one that is currently occupied and/or unoccupied but designated for potential school use.*"

Vote on Resolution 1.10.23

NAME	APPROVE	DISAPPROVE	ABSTAIN
<i>Theresa Roberts</i>	X		
<i>Kim Famous</i>	X		
<i>Sahar Mohamed Osman</i>	X		
<i>Dawn Guglielmo</i>	X		
<i>Henry Ocasio</i>	X		
<i>Amy Fair</i>	X		
<i>Amira Ibrahim</i>			Absent
<i>Adeyemi Oloruntoba</i>	X		
<i>Melissa Rosado Taveras</i>	X		

COMMUNITY EDUCATION COUNCIL DISTRICT 11

RESOLUTION No. _____

OPPOSING THE PROPOSED FORCED CO-LOCATION OF A SUCCESS ACADEMY CHARTER SCHOOL ON THE RICHARD R. GREEN CAMPUS BUILDING X113

WHEREAS, The New York City Department of Education proposing of the opening and co-location of a New Success Academy Charter Elementary School (84XTBD) on the Richard R. Green Campus, Building X113, beginning in the 2023-2024 School Year, and

WHEREAS, North Bronx School of Empowerment (11X287) and Leaders of Tomorrow (11X370) are the schools currently in existence at this campus, and

WHEREAS, the schools currently existing in the Richard R. Green Campus are Community Schools that are partners with New York Edge to provide our community with educational choices for our children, and

WHEREAS, despite the challenges associated with overcrowded and under-resourced schools with disproportionately high concentrations of students living in poverty and temporary housing in the Olinville-Wakefield section of District 11, and the complexity of sharing space within the building, the schools in the Richard R. Green Campus have successfully implemented protocols that have improved the middle school and special education experiences of students, and

WHEREAS, on October 31st, 2022, the NYC Department of Education held a meeting with the Principals of Leaders of Tomorrow (11X370) and North Bronx School of Empowerment (11X287) to discuss the possible co-location and to gather input and feedback, and

WHEREAS, the Office of District Planning scheduled a meeting with the Principals and School Leadership Teams for both schools for November 1st, 2022, with only a single day's notice, and

WHEREAS, the Office of District Planning held a meeting with the Principals and School Leadership Teams to discuss the possible co-location and to gather input and feedback on November 1st, 2022, and

WHEREAS, there were no impacted parent leaders in attendance because elections for the officers for the Parent Associations, Title I Parent Advisory Councils, and parent members for the School Leadership Teams had not yet been conducted for the 2022-2023 school year, and

WHEREAS, there were approximately 30 people in attendance at this meeting, consisting of mostly teachers, and not one person spoke in favor of this proposal, and

WHEREAS, the Office of District Planning scheduled a “Listening Session” with the District 11 Community Education Council to discuss the possible co-location and to gather input and feedback from the community on November 10th, 2022, and

WHEREAS, there were no parent leaders from School Leadership Teams from Leaders of Tomorrow (11X370) and North Bronx School of Empowerment (11X287) in attendance because elections for the officers for the Parent Associations, Title I Parent Advisory Councils, and parent members for the School Leadership Teams were being conducted at the same time as the Listening Session, and

WHEREAS, a walkthrough of the Richard R. Green Campus was conducted January 9th, 2023 with various School, District, and Community stakeholders present.

WHEREAS, members of the school community voiced grave concerns regarding the impact on equity and safety inside and outside of the campus the addition of this third school would cause, and

WHEREAS, members of the school community explained the addition of a third school to the campus would limit reasonable access for current students to shared spaces such as the cafeteria, gymnasium, auditorium and school library, and a very small outdoor courtyard, and

WHEREAS, members of the school community stated the DOE’s assessment of building utilization does not accurately describe how rooms and spaces within the existing schools at the campus are actually being used, and

WHEREAS, the DOE’s Building Utilization Plan does not account for the impact of future changes in utilization on the Richard R. Green Campus as a result of the recently signed class size reduction law, and

WHEREAS, members of the school community explained that adding a third school will undoubtedly hinder the progress Leaders of Tomorrow (11X370) and North Bronx School of Empowerment (11X287) have made to improve the overall academic, social and emotional experience of the current students at the campus, and

WHEREAS, members of the school community stated they have long advocated for the expansion of campus programs, including the expansion of Special Education classes, Integrated Co-Teaching (ICT) classes, the addition of a District 75 program in the neighborhood, and District school serving grades 6-12 within District 11.

BE IT RESOLVED, the District 11 Community Education Council strongly opposes the proposal to open and force co-locate a Success Academy Charter School School with Leadership Teams from Leaders of Tomorrow (11X370) and North Bronx School of Empowerment (11X287) on the Richard R. Green Campus X113; and, be it further

RESOLVED, we call on the Panel for Educational Policy to vote NO on the proposal to open and force co-locate a Success Academy Charter School School with Leadership Teams from Leaders of Tomorrow (11X370) and North Bronx School of Empowerment (11X287) on the Richard R. Green Campus X113; and, be it further

RESOLVED, we call on the NYC Department of Education to protect and further support our District 11 Community Public Schools by investing in the ICT, Special Education, and District 75 programs and teachers our community and North Bronx School of Empowerment (11X287) and Leaders of Tomorrow (11X370) need to educate our most vulnerable students rather than diverting resources to charter schools; and, be it further

RESOLVED, we call on the elected officials of our community for assistance, support, and protection against the forced co-location of charter schools within District 11; and, be it further

RESOLVED, we call on the NYC Department of Education to update Chancellor's Regulation A-190 to create a clear, transparent, and open process for parent and community input concerning changes in school utilization, including changes that prohibit any change in school utilization that does not have parental input from Parent Associations, Title I Parent Advisory Councils, School Leadership Teams, and Community Education Councils.

Approved By:

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Date: _____

Vote on Resolution 1.10.23

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<i>Theresa Roberts</i>	X		
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<i>Sahar Mohamed Osman</i>	X		
<i>Dawn Guglielmo</i>	X		
<i>Henry Ocasio</i>	X		
<i>Amy Fair</i>	X		
<i>Amira Ibrahim</i>			Absent
<i>Adeyemi Oloruntoba</i>	X		
<i>Melissa Rosado Taveras</i>	X		