

## FOR IMMEDIATE RELEASE

September 15, 2011

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## Parents Sue To Make Charter Schools Comply with State Law and Pay Rent

### ***Bloomberg must stop subsidizing charter schools on the backs of public school students and working people***

Today at a morning press conference, public school parents said "Enough is enough", vowing to fight to ensure that the New York City Department of Education ("DOE") complies with New York State education law and charges co-located charter schools for their space and services in public school buildings. The plaintiffs are represented by Arthur Schwartz of Advocates for Justice. The press conference was followed by court hearings presided over by Judge Feinman in the State Supreme Court. Citing the law below, the plaintiffs said that Mayoral control does not give Mayor Bloomberg the authority to violate state law. .

Article 56, Section 2853, Part 4(c): *A charter school may contract with a school district or the governing body of a public college or university for the use of a school building and grounds, the operation and maintenance thereof. Any such contract shall provide such services or facilities at cost.*

New York State Education Law requires that when a district provides space or services to a charter school it shall do so "at cost." Yet the DOE provides free space and services for nearly 100 co-located charter schools. Using figures from the New York City Independent Budget Office, parents estimate that the space and services these charter schools currently receive is worth more than \$100 million *annually*.

This also contributes to the fact that co-located charter schools receive significantly more public funding per student than traditional public schools, according to the IBO.

This lawsuit, brought by parents, seeks to stop the DOE from violating the law. The illegal provision of free space and services has created a separate and unequal school system across the city, sparked divisive battles between parents and community members, and encouraged rapid charter school expansion at the expense of our other public schools.

Mayor Bloomberg's abuse of Mayoral control has allowed this illegal practice to continue unchallenged until now. Throughout history, many inequalities, abuses of power and atrocities were allowed until the people rose up and said "Enough is enough".

**Mariama Sanoh, a public school parent and Vice-President of the New York City Parents Union stated:** "Mayor Bloomberg is slashing school budgets, increasing class sizes, laying off school staff workers, cutting childcare programs, shutting after-school programs, cutting rental assistance programs, and refusing to support a millionaire's tax, but giving freebies to friends who operate privately-managed charter schools on the backs of our children using our tax

dollars. In Mayor Bloomberg's bizarro world, it's okay to cheat our school children of a quality education and layoff their parents while hiring unqualified millionaire friends like Cathie Black and giving away \$100 million dollars in city revenue to charter schools managed by his millionaire friends."

**Leonie Haimson, a public school parent and Executive Director of Class Size Matters stated:** "Co-located charter schools receive an illegal subsidy from the DOE in the form of free services and space, though state law said this should be provided at cost. This illegal subsidy amounts to more than \$100 million this year. This means that co-located charter schools receive more per student in public funding than our public schools, which allows the charter schools to provide smaller classes, a better student/teacher ratio, more tutoring and give more attention to their students.

This is highly inequitable, especially as our public schools have suffered five years of budget cuts, and four years of rising class sizes, leading to the largest class sizes in the early grades in 11 years. With the open complicity of the DOE, the charter schools have become parasites that are sucking the resources and space from our public schools. This has got to stop, and this is why we sued and are here today: to protect the rights of all New York City public school children."

**Faye Hodge, a public school and charter school parent stated:** "The law is clear, the New York City Department of Education is supposed to charge charter schools rent. That is what 'at cost' means. My charter school has been in private space since it opened eight years ago and pays rent to our landlord just as all other charter schools do who are in private space in the rest of country. It is not fair that co-located charters pay no rent, giving them \$2,000 more per child."

"My children who attend a public school and a charter school, in their own space, are each being cheated of smaller classes, academic intervention support, teachers, and school aides because Mayor Bloomberg is illegally subsidizing charters on their backs with our tax money. As Chancellor Merryl Tisch said to former Chancellor Klein, 'The charters are supported by billionaires. Let them buy buildings.' I agree with Chancellor Tisch. The least charters can do now is follow the law and pay for their space and services."

**Noah E. Gotbaum, a public school parent of three and a member of Community Education Council District 3, commented:** "Every co-located charter student takes away almost \$3000 in legally-mandated taxpayer funds from our public school kids. Additionally, hundreds of millions dollars in private sector and foundation money is showered on the charter schools. All while our ravaged public schools face massive layoffs and budget cuts while educating increasing numbers of the most impoverished and vulnerable students largely neglected by charters – the homeless, the serious special needs, the English Language learners. When will our top elected officials, our business community, and the New York City Department of Education focus on and invest in the 96% of children in our traditional public schools, rather than continue to favor and subsidize the one out 25 students attending the quasi-private charters?"

For a fact sheet about the estimates made in the case, see <http://bit.ly/p7sAJD>

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