



**NEW YORK CITY COUNCIL FINANCE DIVISION**

**New York City Council**

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**Term and Condition(s) (T&C) – Charter Schools:**

Fiscal 2015 Term and Condition relates to the demographics of students enrolled in the City’s charter schools.

**Rationale:**

The Department of Education (“DOE”) spends more than \$1 billion on charter schools each year. Council Members and advocates have frequently voiced their concern that charter schools receive such a large amount of funding and are often viewed as successful schools, but these institutions do not serve the same student populations as non-charter schools. This report allows Council Members and the public to view student enrollment and compare certain demographics to non-charter schools, while the funding information provided increases the transparency of the charter school budget.

**Overview:**

The City Charter authorizes the Council to attach terms and conditions to any unit of appropriation in either the expense budget or the capital budget that impose certain requirements as a condition of spending. As part of the budget negotiation process, the City Council can propose terms and conditions to be included in the adopted budget. These requirements often consist of reporting on indicators related to the progress of spending the appropriated funds, or certain programmatic aspects of the spending.

In Fiscal 2015, the Council and the Administration have agreed to apply two terms and conditions to the \$20.8 billion budget of the Department of Education.

**Frequency of Reporting:**

The required information shall be provided to the Council on a semiannual basis, on or before December 1, 2014 and June 1, 2015. The first report due to the Council was delivered three weeks after its deadline, on December 19, 2014.

**T&C:**

As a condition to the expenditure of funds appropriated to unit of appropriation 406, the Department shall provide a semiannual list to the City Council detailing the total number of charter schools, listed by name and address, funded in such unit of appropriation. Such list shall also contain the total number of enrolled students in each charter school, disaggregated by grade. The semiannual list shall also contain the following information for all charter schools funded in such unit of appropriation, in the aggregate:

- 1) the total number of enrolled students, disaggregated by grade;
- 2) the total number of enrolled Special Education students, disaggregated by grade;
- 3) the total number of enrolled General Education students, disaggregated by grade;
- 4) the total number of enrolled English Language Learner students, disaggregated by grade;
- 5) the total number of students provided free or reduced price school lunches, disaggregated by grade; and
- 6) the total sum of year-end projected payments, disaggregated by payments for General Education students and payments for special education students with the payments for Special Education students further disaggregated by tuition payment category.

**Analysis of the T&C:**

The Department’s report includes a list of 197 charter schools, in addition to each school’s corresponding invoiced enrollment data, both in total and disaggregated by grade, as it relates to each of the following criteria: 1) General Education students; 2) Special Education students; and 3) the total sum of year-end projected payments, disaggregated by payments for general education students and payments for special education students. The following table summarizes the data provided:

<b>Overall Student Population*</b>	<b>Number of Applicable Schools</b>
0-100	3
100-300	57
301-500	70
501-999	64
> 1,000	11

It is important to note that the total enrollment figures provided here represent estimates by Council staff: because schools serving fewer than ten Special Education students did not report exact figures (in order to comply with FERPA regulations) and because total enrollment figures were not provided, the Council does not have the exact number of students served by each school. The only exception to this is the New York Center for Autism Charter School, which only serves Special Education students and therefore has reported an exact figure representing its total enrollment.

**Missing Information:**

The report failed to include the following requested information:

- 1) the overall number of enrolled students, both in total and disaggregated by grade (please see above);
- 2) the number of English Language Learner students, both in total and disaggregated by grade;
- 3) the number of students provided free or reduced price school lunches, both in total and disaggregated by grade; and
- 4) a disaggregation of projected payments for Special Education students by tuition payment category.

While the Council understands the need of the Department to protect student privacy with regard to school-specific disaggregated figures on the number of Special Education students served, total enrollment figures for each school would provide a clearer picture of the overall number and demographics of New York City students served by charter schools.