

**Testimony from the New York City Charter School Center on the Executive Budget  
Proposal Fiscal Year 2025-2026**

**New York State Legislature Joint Budget Hearing  
Senate Finance Committee  
And  
Assembly Ways and Means Committee  
January 29, 2025**

The New York City Charter School Center (Charter Center) respectfully submits the following testimony regarding the FY 2025-2026 New York State Proposed Executive Budget (PEB). The Charter Center, which provides technical support and advocacy on behalf of New York City (NYC) charter schools, thanks the Senate Finance Committee and the Assembly Ways and Means Committee for providing the opportunity to comment.

The New York State Charter Schools Act was passed by the Legislature over 25 years ago, and in the 2024-25 school year, there are 281 public charter schools operating in the five boroughs of NYC. These public schools educate an estimated 149,000 students, representing about 15% of public school students, of which 89% are Black/African American or Hispanic. New York's public charter schools are serving primarily low-income NYC families (82% are economically disadvantaged).<sup>1</sup>

More NYC families continue to choose charter schools as the right public school for their children. In the 2023-24 school year, nearly 39% of NYC's Black kindergarteners (enrolled in a public school) enrolled in a public charter school. Charter school enrollment growth for grades K to 12 increased 12% between the 2019-20 and 2023-24 school years (enrollment numbers for 2024-2025 school year have not been released by New York State Education Department (NYSED)), even as the NYC district schools have seen historic drops in enrollment (11% drop in the same time period).<sup>2</sup> Differences in enrollment between district and charter schools are even more stark in certain areas of NYC.<sup>3</sup> For example, in the Bronx charter enrollment has increased 33% between 2019-20 and 2023-24. In this same period, district schools in the Bronx have lost 16% of students.

As the lawyers say, these facts speak for themselves. Yet it is still worth pointing out that the above enrollment trends are directly aligned with charter schools continuing to offer a higher quality of education than many students would otherwise have access to. The 2024 Math and ELA 3-8 test scores confirmed once again that

---

<sup>1</sup> Figures based on NYSED Enrollment Data for 2023-24 School Year available at <https://www.p12.nysed.gov/irs/statistics/enroll-n-staff/home.html>.

<sup>2</sup> *Id.*

<sup>3</sup> See New York City Department of Education data, available at <https://infohub.nyced.org/reports/school-quality/information-and-data-overview>.

students in charter schools experience higher rates of proficiency than their district counterparts.<sup>4</sup> In ELA, Black and Hispanic charter school students outperformed district students by 19 percentage points (58% vs. 39%), and 18 percentage points (55% vs. 37%), respectively. In math, Black and Hispanic charter school students outperformed their district counterparts by 27 percentage points (66% vs. 39%), and 24 percentage points (64% vs. 40%), respectively. The rates of proficiency become even more pronounced if you look at achievement in the Bronx: 59% of Bronx charter school students scored proficient on the 2024 NYS ELA exam, while only 35% of Bronx district students scored proficient. In Math, there is a similar gap with 67% of Bronx charter school students scoring proficient on the 2024 NYS Math exam, while only 39% of Bronx district students scored proficient. Bronx charter school performance remains significantly higher than their Bronx counterparts and Bronx charter schools continue to enroll some of the city's most historically underserved populations: 88% are economically disadvantaged, 95% are Black or Hispanic, 18% are students with disabilities, and 12% are multilingual learners.<sup>5</sup>

The per-pupil tuition amount that charter schools will receive for the 2025-26 school year will be determined by the statutory formula outlined in Education Law Section 2856(1). While we support the rationale behind this funding formula, which links charter school funding to changes in district expenditures over a three-year rolling average, it is important to remember that charter school students in New York City continue to be underfunded in comparison to their district counterparts. The most recent Independent Budget Office of New York City (IBO) analysis, conducted in 2017, found that NYC charter schools were underfunded between more than \$1,000 to up to almost \$5,000 per student.<sup>6</sup> The magnitude of the disparity differed on whether the school was co-located, received rental assistance, or no rental assistance. For example, a charter school operating without rental assistance that enrolled five hundred students would have received almost \$2.5 million less than a comparable district school. Since the implementation of the new charter school tuition formula in 2017, there has been no updated comparative analysis of funding between New York City district and charter schools. However, based on funding trends since 2017, there is no evidence to suggest that the funding gaps have narrowed; in fact, they are likely to have widened, particularly for students who do not receive rental assistance. Without an updated analysis, it is impossible to accurately determine the specific per-pupil funding required to align funding levels. The disparity is unacceptably large. We strongly support changes in state law that would eliminate these gaps; as a matter of simple equity, this should be a priority.

With respect to the students who receive no rental assistance, these students are the most underfunded public school students in New York City. The initial 2014 Facilities Access Law (Education Law Section 2853(3)(e)) provided co-locations or rental assistance to all new charters or charters with expanding grades in the 2014-15 school year and beyond. While this legislation has been instrumental in supporting NYC charter schools, there

---

<sup>4</sup> 2024 Math and ELA grades 3-8 test score data is publicly reported by the New York City Department of Education (<https://infohub.nyced.org/reports/academics/test-results>).

<sup>5</sup> NYC Enrollment Data for 2023-24 School Year available at <https://infohub.nyced.org/reports/students-and-schools/school-quality/information-and-data-overview>.

<sup>6</sup> See *With State Formula for Charter School Funding Likely to Change, City Costs to Grow More Than Budgeted*, March 2017, available at <http://www.ibo.nyc.ny.us/iboreports/with-state-formula-for-charter-school-funding-likely-to-change-city-costs-to-grow-more-than-budgeted-march-2017.pdf>.

are approximately 27,000 charter students (attending over seventy schools) who are not eligible for such funding. As such, schools that serve these students must divert a significant portion of their per-pupil allocation to rent. The 2017 IBO analysis estimated charter students who do not receive rental assistance or co-located space are underfunded by \$4,863 compared to district students. Again, there is every reason to believe that gap has increased some nine years later. The 2026 budget should provide rental assistance to all charter schools students. Recognizing the current fiscal challenges, we support a phase in of that funding over the next several years.

Charter school opponents predicted, when the law first permitting charter schools passed in December 1998 that they would fail. They didn't. They predicted that charter schools would be a flash in the pan, ignored by parents once the novelty wore off. They weren't. They predicted that they would never serve a meaningful portion of public school students. They do—and would serve more if there were not artificial caps on the number of schools that can be opened. Finally, when charter school results were so much better than their district counterparts, they forecast that once charter schools had grown to scale those disparities would disappear. They didn't. They've gotten larger. Charter school leaders and teachers, charter school students and their families deserve not just your support, not just equal funding, but your attention and your gratitude. To the extent they still do not receive the full measure of it, is a shameful testament to putting the interests of adults over students.