



# East Brunswick Public Schools

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**Statement of East Brunswick Board of Education urging the Commissioner to reject the East Brunswick (*single district*) Hatikvah International Academy Charter School’s request to again **change and expand** its enrollment of the school.**

- Hatikvah 2013 Renewal application approved for five years 2014-2019: K-5 enrollment 2014-2019 was set for the five year period at 50 students per grade level and a total school enrollment of 300. An enrollment expansion request denied. (Commissioner 3/5/14)

*“I confirm the school’s maximum approved enrollment is in accordance with  
The following configuration:*

Grade Level	2014-15	2015-16	2016-17	2017-18	2018-19
<b>K</b>	50	50	50	50	50
<b>Grade 1</b>	50	50	50	50	50
<b>Grade 2</b>	50	50	50	50	50
<b>Grade 3</b>	50	50	50	50	50
<b>Grade 4</b>	50	50	50	50	50
<b>Grade 5</b>	50	50	50	50	50
<b>Total</b>	<b>300</b>	<b>300</b>	<b>300</b>	<b>300</b>	<b>300</b>

*(March 5, 2014 NJDOE extension of Charter provisions)*

- **Hatikvah Request November 2014 (for 2015) was to change and increase** enrollment from 300, as previously approved by the Commissioner, to 450 either by **Option 1** increase to 75 students per grade K-5 or **Option 2** expand the school to grades K-8 with 50 students per grade. Either option was equally acceptable to the school as to meeting its needs, primarily “strengthening their financial position” and increasing their enrollment from non-East Brunswick residents. The Commissioner approved **Option 2 the K-8 expansion** over strenuous opposition by East Brunswick Board [6A:11 2.1 d.1) and (without status) 22 other districts negatively impacted by the change (including a lawsuit). The Commissioner rejected **Option 1**, 75 per grade level.
- **Hatikvah’s New Request dated November 2015 (for 2016) After implementing the improved Option 2 from last year, is AGAIN proposing Option 1 which was rejected last year, to INCREASE the school’s enrollment from 450 to 675 K-8. The October 15, 2015 report shows that the school has not fully enrolled the 350 students approved under Option 2 for 2015.**



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## Hatikvah's Justification submitted for increase:

- To meet “community demand” Hatikvah proposes to increase enrollment to 75 students per grade level and a total enrollment of 675. The official October 5, 2015 report shows that Hatikvah's enrollment is only 335 students, 14.5 students below the 350 approved for this year. They justify the proposed increase by 1 kindergarten age child and 3 first grade residents their “waiting list”. All other reported “demand/waiting list students” reported by Hatikvah are from reportedly 27 non-East Brunswick districts located in multiple counties.
- To strengthen their financial condition
- To increase student diversity
- Expansion *wouldn't harm* East Brunswick financially
- To deliver a unique high quality alternative program to the ten of eleven East Brunswick Blue Ribbon Public Schools.

## East Brunswick Justifications for appealing to the Commissioner to Reject Hatikvah's 2015 Proposal:

There is no increased “community demand or need.” Hatikvah International Academy Charter School was approved as a *single district* (N.J.A.C.6A:11 2.1-6.) to serve East Brunswick Township residents. Fewer than 50% of the Hatikvah enrolled students now reside in East Brunswick. They justify a new expansion based on a reported wait list of 4 East Brunswick students. (These must be new residents, since Hatikvah must take East Brunswick students.) The official October 15, 2015 report shows that Hatikvah's K-6 enrollment is only 335 students, 15 below the 350 approved for this year. The chart below shows that East Brunswick enrollment in Hatikvah as in the past is nowhere near the current 50 student per grade approved threshold for any grade level.



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## East Brunswick Enrollment in Hatikvah Charter School, October 15, 2015

	Commission Approved Enrollment 2015-16	East Brunswick Resident <u>Actual</u> Enrollment 2015-16
<b>K</b>	50	19
<b>1</b>	50	23
<b>2</b>	50	32
<b>3</b>	50	21
<b>4</b>	50	25
<b>5</b>	50	31
<b>6</b>	50	18
<b>Total</b>	350	169

The “need” for increasing enrollment from 50 to 75 students per level is justified based on a “reported” waitlist of residents from 27 other districts, some non-contiguous scattered across multiple counties. Hatikvah has continually argued that the school is a “*single district Charter School*” under Title 18 and the Administrative Code 6; therefore, other impacted districts should not be considered by the Commissioner in review by the Commissioner. They posit that the court in 2013 affirmed that it had been acceptable for the charter school to fill its “approved enrollment slots in 2011, with some students from outside the *single district*, since they were unable to fill in East Brunswick. However, this is a far cry from petitioning the Commissioner in 2015 to increase enrollment by 200 students solely to serve other residents in other districts.

Since its inception Hatikvah has operated, in fact, as a *regional charter school* (N.J.A.C.6A:11 2.1-6.) not a single district charter school, drawing students from as many as 27 other districts (most *not contiguous* as required), in multiple counties. Under the *regional* designation each district impacted by the school would have the opportunity to review applications and officially comment on the impact to their district. Because of the misclassification of Hatikvah as a *single district charter school* these districts must resort to legal action (dismissed by Hatikvah as irrelevant since such lawsuits take too long to be relevant to their operation).

Following is a chart that shows total 2015-16 enrollment for Hatikvah (335.5), East Brunswick (169.9), contiguous districts [*regional charter school definition*] (57) and **nineteen non-contiguous district from multiple counties (110.6)**. Considering the East Brunswick enrollment of 170 and even with the contiguous districts with enrollment of 57 the current enrollment is only 227 eligible students, 127 students below the current Commissioner approved enrollment. There is no legal justification to further expand Hatikvah’s enrollment in order to draw students from 19 other ineligible districts.



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County	DISTRICT	K-12 Actual Enrollment Oct 15, 2015 DOE Fall Report	% of Enrollment Oct 15, 2015
Charter	Hatikvah International Academy	335.5	96%
	<i>Single District Charter School (N.J.A.C. 6:</i>		
Middlesex	1170-EAST BRUNSWICK TWP	167.9	50%
	<i>Regional Charter School (Contiguous Districts N.J.A.C. 6:)</i>		
Middlesex	3220-MILLTOWN BORO	5	
Middlesex	3530-NEW BRUNSWICK CITY	8	
Middlesex	3845-OLD BRIDGE TWP	10	
Middlesex	4660-SAYREVILLE BORO	4	
Middlesex	4920-SOUTH RIVER BORO	22	
Middlesex	4970-SPOTSWOOD	3	
Middlesex	4860-SOUTH BRUNSWICK TWP	5	
<b>Total</b>		<b>57</b>	<b>17%</b>
	Non- Contiguous Districts and Counties with students attending Hatikvah ( There are no provisions in Title 18 orN.J.A.C.6 for non-contiguous districts to attend a charter school.)		
ESSEX	2730-LIVINGSTON TWP	2	
Mercer	1245-EAST WINDSOR REGIONAL	1	
Middlesex	0750-CARTERET BORO	1	
Middlesex	1290-EDISON TWP	23	
Middlesex	2150-HIGHLAND PARK BORO	21	
Middlesex	2370-JAMESBURG BORO	4.9	
Middlesex	3120-METUCHEN BORO	2	
Middlesex	3290-MONROE TWP	8	
Middlesex	3620-NORTH BRUNSWICK TWP	15	
Middlesex	4130-PISCATAWAY TWP	1	
Middlesex	4830-SOUTH AMBOY CITY	1.8	
Middlesex	4910-SOUTH PLAINFIELD BORO	2	
Monmouth	2430-KEYPORT BORO	1	
Monmouth	2920-MANALAPAN-ENGLISHTOWN REG	7	
Monmouth	3030-MARLBORO TWP	5	
Monmouth	3160-MIDDLETOWN TWP	1	
Morris	1530-FLORHAM PARK BORO	1	
Somerset	1610-FRANKLIN TWP	11.9	
Union	4290-RAHWAY CITY	1	
<b>Total</b>		<b>110.6</b>	<b>33%</b>



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**To strengthen Hatikvah’s financial condition:** Under last year’s proposed expansion, Hatikvah stated that approval of either Option 1 OR Option 2 would solve their financial situation. The Commissioner approved their Option 2, which they implemented. Now one year later they posit that they need to also be approved for Option 1 from last year for financial reasons.

However, while they state that they need to expand yet again to strengthen their financial condition; they claim to have sufficient funds from a private network to build additional classrooms to house an expanded population.

**To increase student diversity:** Again, under last year’s proposal, Hatikvah asserted that either Option 1 OR Option 2 would result in the needed increase in student diversity. Now Hatikvah states that it also needs to expand to 75 (last year’s Option 1) students per grade level, the other option, to achieve the required diversity.

**Expansion wouldn’t harm East Brunswick financially:** As in the past, Hatikvah posits that increasing enrollment would not harm East Brunswick. They suggest that only approximately 9 students of the proposed expansion of 200 students would come from East Brunswick and this **would only** cost the district in year one an additional \$100,000 or so. (Think what it would cost the other districts that have no say in Hatikvah’s expansion into their districts.) Even another \$100,000 next year would harm East Brunswick. The East Brunswick Public Schools already spend a sum equal to **98% of the State imposed cap** to support Hatikvah. Another \$100,000 would make it more than 100% of the cap! The cost would increase each year as students move up through the grades.

There is no meaningful difference after next year between Hatikvah’s new proposed alternative options. Option 1 increases kindergarten next year and then all other grades year after year OR Option 2 increases kindergarten and first grade next year and all other grades as students move up more expensive for district in 2016). The proposal is to increase all grade levels from 50 to 75.

	FY2011	FY2012	FY2013	FY2014	FY2015	FY2016
<b>East Brunswick District Cap</b>	\$2,135,776	\$2,165,439	\$2,208,748	\$2,264,923	\$2,330,365	<b>\$2,390,649</b>
<b>Hatikvah Costs to District</b>	\$1,223,025	\$1,422,751	\$1,747,674	\$1,850,490	\$2,306,226	<b>\$2,341,397</b>
<b>% of Cap</b>	<b>58%</b>	<b>66%</b>	<b>79%</b>	<b>82%</b>	<b>98%</b>	<b>98%</b>



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***To deliver a unique high quality alternative program to the ten East Brunswick Public Schools.***

All ten of the East Brunswick Public Schools impacted by Hatikvah’s latest expansion provide high quality and high achieving educational experiences. Every East Brunswick Public School has been designated as a *National Blue Ribbon School of Excellence*, based on the quality of program and student achievement. Hatikvah over the past few years has adopted many of the best practices which had been embedded for many years in the programs of East Brunswick’s schools. The *key design* elements described by *Hatikvah* as “*distinctive*” now mirror the programs of our East Brunswick Public Schools. For example:

- 1) The DOE has designated our World Language programs as Models for the State. For over 20 years, world language instruction has been based on the *American Council for the Teaching of Foreign Languages’ Proficiency Approach*; immersing students from the first day of class in one of four world language offerings. Our students consistently exceed “ACTFL proficiency standards” at every level and hundreds of students go beyond even AP courses to study world business and medical applications;
- 2) Our schools use (and have used for 25 years) co-teaching models and research based *Columbia University Teachers College Reading and Writing Project’s Readers and Writers Workshop* for ELA instruction;
- 3) Our K-12 science instruction programs are hands-on and inquiry based starting in kindergarten; a program that develops student interest and confidence in science which leads over 40% of our graduates into scientific fields following high school;
- 4) Our K-12 broad, deep and data-based world cultural and history curriculum is designed to foster understanding and meet the needs of our diverse student body now and in the future. (English is not the first language of over 30% of East Brunswick students, who speak one of more than 60 languages);
- 5) Our award winning K-12 arts program is among the very top in the state;
- 6) Our educational professionals are supported through extensive in-service training. Over 900 teachers participated in summer workshops and in-service programs continue throughout the year. Full time academic “coaches” supported teachers in each elementary school.



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## **Approval of Hatikvah's new request for expansion would be:**

- 1) Contrary to N.J.S.A. 18A:36A-16(e)3 and as such would not be "fair" either to the district or taxpayers of East Brunswick and would have the "negative impact of reducing available resources and the ability of resident district(s) to promote competitive educational offerings";

And

- 2) Contrary to N.J.S.A. 18A:36A-16(e) 1 by having "an overall and serious negative impact on the resident district's students, staff, parents, educational programs and finances."

As such, we respectfully request the Commissioner deny Hatikvah's latest expansion request based on the factual evidence provided.