

East Brunswick Board of Education

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January 8, 2015

A.4 Resolution In Opposition Of The East Brunswick Hatikvah International Academy Charter School Expansion (Roll Call)

Recommendation: Move that the Board of Education approve the following resolution:

WHEREAS, East Brunswick Public Schools District's eleven successful, high-performing Blue Ribbon Schools of Excellence serve the education needs of its highly diverse community population of over 8,200 students and parents in grades pre-K through 12; and

WHEREAS, East Brunswick's taxpayers provide, through property taxes, nearly 85% of the funding to support the school district's day-to-day-operations; and

WHEREAS, on March 5, 2014, the New Jersey Commissioner of Education renewed the East Brunswick Hatikvah International Academy Charter School (hereafter "Charter School") as a K-5 "single resident district community charter school" with a "reaffirmed" maximum enrollment of 300 students for five years; and

WHEREAS, the Charter School now proposes two expansion alternatives to improve the "financial strength of the School", meet "excess community demand" and correct its student "ethnic diversity" and "at-risk of academic failure" imbalance by expanding its non-East Brunswick resident enrollment; and

WHEREAS, the Charter School's first expansion alternative is to increase one section each in Kindergarten through Grade 4 beginning in fiscal year 2016 through fiscal year 2019 resulting in an 425-student enrollment, a 125-student increase from the currently approved 300-student maximum; and

WHEREAS, the Charter School's second expansion alternative is to increase its grade configuration from a Kindergarten through Grade 5 school to a Kindergarten through Grade 8 school beginning in fiscal year 2016 through fiscal year 2019 resulting in a 450-student enrollment, a 150-student increase from the currently approved Kindergarten-through-Grade 5, 300-student enrollment; and

WHEREAS, such expansion would be "unfair" to the community in that the expansion would provide no benefit to the East Brunswick Township's taxpayers, residents, students, or East Brunswick Public School District staff, and would jeopardize the East Brunswick Public School District's ability to maintain its educational programs and meet its contractual obligations; and

WHEREAS, the Charter School falsely states in its current proposal that the proposed expansion would "have no financial impact on taxpayers in East Brunswick"; and

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WHEREAS, the East Brunswick Public School District is the Commissioner-designated host of a "single community of residence charter school" and, as such, is required to forward fund through its annual district budget any increase in the Charter School's approved maximum enrollment per grade notwithstanding that the increased enrollment may emanate from other communities; and

WHEREAS, the East Brunswick Public School District's is currently required to allocate more than \$2 Million annually from its budget to fund the actual East Brunswick resident attendance in the Charter School; and

WHEREAS, the Charter School's proposed enrollment increase would, in fact, require East Brunswick taxpayers fund an upfront amount in excess of \$1 Million over the East Brunswick Public School District's current Charter School budget; and

WHEREAS, such an increase in the required budget allocation equals 42% of the East Brunswick Public School District's 2% budget cap increase of \$2,330,364 from its fiscal year 2016 school-year budget, and a like amount or greater sum each subsequent year through fiscal year 2019; and

WHEREAS, the impact of requiring the East Brunswick Public School District to allocate 42% of its fiscal year 2016 allowable budget cap increase would seriously jeopardize the District's ability to meet its contractual obligations and maintain and promote competitive educational offerings; and

WHEREAS, it is unfair to all East Brunswick taxpayers that they be required to financially support the proposed non-district enrollment expansion in order to "improve the financial strength" of the Charter School, which would be wholly at the expense of the East Brunswick Public School District's students, staff and educational program; and

WHEREAS, the Charter School falsely states in its application that there exists "excess demand in the community by parents/guardians to enroll their children in the School"; and

WHEREAS, it is a fact there is not now nor has there ever been an "excess community enrollment demand"; and

WHEREAS, it is a fact that, in the Charter School's first year, it failed to meet its community target enrollment with only 74% of those attending drawn from East Brunswick; and

WHEREAS, it is a fact that East Brunswick resident interest and enrollment has dropped each year from the original 74% to the current 55% of enrollment, and that the percentage of East Brunswick resident enrollment would further drop to 35% if the expansion were to be approved; and

WHEREAS, the current enrollment cap for the K-5 community Charter School is for 50 students per grade, with a total enrollment of 300 students, the actual East Brunswick community grade-level enrollment in the Charter School as of October 15, 2014 is as follows:

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Kindergarten	23
1 st Grade	32
2 nd Grade	23
3 rd Grade	27
4 th Grade	31
5 th Grade	24
Total East Brunswick Resident Students	160

And

WHEREAS, there is no expectation that East Brunswick enrollment will increase; and

WHEREAS, it is a fact that, over the past four years, only 10 East Brunswick resident children have ever transferred from the East Brunswick Public School District to the Charter School while, conversely, 50 children originally attending the Charter School have transferred back to the East Brunswick Public Schools; and

WHEREAS, the Charter School's enrollment does not reflect the diverse ethnic, cultural or socio-economic status or special populations of the East Brunswick Public School District; and

WHEREAS, the Charter School falsely states that the proposed enrollment expansion will address the serious documented ethnic, racial, economic and special needs student imbalance between the Charter School and the resident East Brunswick Public Schools; and

WHEREAS, the Charter School's plan is to attempt to address the "*within the East Brunswick community diversity imbalance*" by recruiting and advertising in other districts and counties for at-risk and more diverse students to increase its overall enrollment; and

WHEREAS, this proposed strategy inappropriately attempts to circumvent the general requirement that charter schools must reflect the population diversity of their "resident community", which, in this case, is the East Brunswick community; and

WHEREAS, approval of the Charter School's expansion to solely serve other districts would be contrary to N.J.S.A. 18A:36A-16(e)3, and, as such, an approval 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

WHEREAS, the Commissioner of Education's approval of the extension and expansion of the Charter School would also be contrary to N.J.S.A.. 18-A:36A-16(e)1 by having "an overall negative impact on the

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resident district's students, staff, parents, educational programs and finances" of East Brunswick Public Schools.

NOW, THEREFORE, BE IT RESOLVED that East Brunswick Board of Education opposes the Hatikvah International Academy Charter School's two proposals to a) increase its maximum enrollment from 300 to 425 students with a Kindergarten through Grade 5 configuration, and b) increase its maximum enrollment from 300 to 450 students with a Kindergarten through Grade 8 configuration; and

BE IT FURTHER RESOLVED that the East Brunswick Board of Education reconfirms adherence to the Charter School's maximum five-year enrollment of 300 students as set by the New Jersey Commissioner of Education in his March 5, 2014 letter; and

BE IT FURTHER RESOLVED that the East Brunswick Board of Education urges the New Jersey Commissioner of Education to deny the Charter School's requested charter amendments; and

BE IT FINALLY RESOLVED that this resolution be certified and submitted to the New Jersey Commissioner of Education as soon as possible following approval by the East Brunswick Board of Education.