

May 29, 2012

SUNY Charter Schools Institute
Attn: Webinar Feedback
41 State Street, Suite 700
Albany, New York 12207
Email: TargetsWebinar@suny.edu

Re: Proposed Methodology for Establishing Enrollment and Retention Targets
<http://www.p12.nysed.gov/psc/enrollment-retention-targets.html>

Dear Colleagues,

The undersigned educational researchers are writing to express concerns regarding the proposed enrollment and retention targets for charter schools in New York. We are committed to the proposal's underlying goal of ensuring that our state's most vulnerable students have access to high quality schools. Requiring charter schools to provide greater access to Students with Disabilities by ensuring that such schools mirror the local school district average is consistent with this goal. However, the mandate that each charter school replicate the free and reduced price lunch rate for the district is not.

If all school districts were socio-economically diverse, the enrollment mandate would serve the laudable purpose of ensuring that charter schools are not segregated economically. But in districts where the public schools are serving predominantly poor children, the enrollment mandate will *require* that charter schools be as economically segregated as the district's schools. And in light of racially and economically segregated housing patterns in New York City, this regulation will increase rather than decrease the number of schools that are *both* racially isolated and economically homogenous.

This is a mistake. High-poverty schools do sometimes succeed, and where high-poverty schools are unavoidable, of course, every effort should be made to give students an excellent education in those schools, regardless of the demographics. However, where it is possible to create diverse rather than economically isolated schools, regulations ought to support such opportunities. Decades of social science research show that economically and racially integrated schools are educationally beneficial to children of all income levels.

- The preponderance of social science disseminated in the past 20 years indicates that the SES composition of schools significantly contributes to the quality of their educational opportunities, and when compared with their otherwise comparable peers who attend schools with high concentrations of low-income and /or disadvantaged youth, students who attend diverse schools are more likely:
 - To achieve higher test scores and grades;
 - To graduate from high school;
 - And to attend and graduate from college.

- Attending a diverse school promotes achievement in mathematics, science, language and reading.
- Achievement benefits accrue to students in all grades but most markedly those in middle and high school.
- Youth from all racial and SES backgrounds can benefit from diverse learning schools—including middle class whites.
- Low-income youth appear to benefit the most from diverse schools. (What Social Science Research from the Last 20 Years Says About the Effects of Integrated Education on Achievement Outcomes, (Roslyn Arlin Mickelson 2010)).

We support the general goal of inclusion embodied in the enrollment and retention targets, and we don't believe that public charter schools should be permitted to become enclaves for white and middle class flight (as some public schools have become). But inclusion need not be achieved at the expense of diversity. Public charter schools can be required to actively recruit very low income children and at the same time set diversity goals to ensure a racial and economic mix that reflects the diverse population of the city and region. Strict adherence to the existing profile of a poverty concentrated school district (and refusing to permit enrollment from beyond the district border) will only serve to create more segregated schools.

To best serve the educational and social needs of all students, both charter and traditional public schools should be attempting to diversify their student bodies and New York State laws and regulations should support this effort – not render it extremely unlikely except in areas that have already achieved some level of integration.

Sincerely,

Susan Eaton
 Research Director
 Charles Hamilton Houston
 Institute for Race and Justice
 Harvard Law School

James Forman Jr.
 Clinical Professor of Law
 Yale Law School

Rachel D. Godsil
 Eleanor Bontecou Professor of Law
 Seton Hall University Law School

Daniel Losen
 Director, Center for Civil Rights Remedies

James Ryan
 William L. Matheson & Robert
 Morgenthau Distinguished Professor of Law
 F. Palmer Weber Research Professor of
 Civil Liberties and Human Rights
 Director, Program in Law and Public
 Service
 University of Virginia School of Law

Civil Rights Project/Proyecto
Derechos Civiles
Univ. of California, Los Angeles

Gary Orfield
Professor of Education, Law, Political
Science and Urban Planning
Co-Director, Civil Rights Project/Proyecto
Derechos Civiles
Univ. of California, Los Angeles