

(D R A F T)

WHEREAS: The Superintendent recommended and a majority of the Buffalo Board of Education approved a “Resolution for Lafayette School Phase-In/Phase-Out” stating that “**Whereas:** Lafayette High School is now considered by New York State Education Department (“NYSED”) to be an “out of time” school because it has not achieved the level of academic progress required to remove it from Priority School status in the three years since identification as PLA/SURR and is not Implementing the EPO contract with Johns Hopkins University; “ and also stated that the phase-out of Lafayette High School “will not provide instruction to 9th graders except those who had been enrolled in the 2015-16 school year, and will not accept any new students in other grades” and;

WHEREAS: Lafayette students are making extraordinary progress despite the fact that forty-one languages are spoken by students, requests for additional support e.g., ESL teachers and materials have not been fulfilled, and class sizes for these students are, in some cases, over 30 and;

WHEREAS: Contrary to stating Lafayette... “is not implementing the EPO contract with Johns Hopkins University” the teachers were working closely with Johns Hopkins and are in no way responsible for
Johns Hopkins ending its contract and;

WHEREAS: The statement “will not provide instruction to 9th graders except those who had been enrolled in the 2015-2016 school year” makes no sense and;

WHEREAS: The resolution, although calling for the last day of any instruction at Lafayette High School be June of 2017, said resolution provides no information as to where students speaking forty-one different languages would be placed, what would happen to the current 7th and 8th grade students at Lafayette High School and where graduating students who currently attend School #45 would go, and;

WHEREAS: The Administration and Staff, in consultation with the Distinguished Educator and District Personnel, have reached completion on a Phase-In/Phase-Out Plan that would, without detrimentally displacing students, phase in an entirely new school structure consisting of specialized academies for students -- a future teacher tract, a hospitality and tourism tract, a prospective interpreter academy and a Career and Technical Education tract, and;

WHEREAS: Said newly envisioned school would become a model for other schools and school districts and;

WHEREAS: Similar resolutions, passed by the Board, have begun the disruptive and ill-advised process of ending instruction (emptying the school) at Bennett High School and Martin Luther King Multicultural Institute instead of providing assistance to develop programs that would prevent said disruptive and ill-advised student elimination and;

WHEREAS: The students, teachers and staff at Bennett High School are being punished as a result of the year-long assignment of a principal who was incompetent and destroyed the school and ;

WHEREAS: The teachers and staff worked diligently on a turn-around proposal that would not have required the emptying of Bennett High School only to have their efforts ignored and;

WHEREAS: This year, under a new administration leadership, a new era of excellence and a positive and safe-learning environment has occurred at Bennett High School and;

WHEREAS: The students, teachers and staff at Martin Luther King Multicultural Institute have for years continually requested additional staff and programs for their students but are being wrongly blamed for NYSED's and the District's failures to provide same and;

WHEREAS: East High School staff has worked tirelessly to develop a Phase-In/Phase-Out plan that would not require the emptying of East High School and;

WHEREAS: The Board passed the following motion made by Mr. Quinn, seconded by Mr. McCarthy, "that the Buffalo Board of Education approve a third round of charter school applications for start-up in the 2015-16 school year with the intent of securing charter applications for any of the four Buffalo schools which are in phase-out/phase-in: Bennett High School, Martin Luther King Jr. Multicultural Institute, East High School and Lafayette High School or any other location in Buffalo" (emphasis added). The roll call vote resulted as follows: 5 – Ayes (McCarthy, Paladino, Pierce, Quinn and Sampson), 3 – Noes (Belton-Cottman, Kapsiak, and Nevergold), 1 – Absent (Harris-Tigg). Motion Carried.

WHEREAS: Based upon a BTF analysis:

1) The local Buffalo area charters who are having some success do so because of their selected population. They are quick to point out that they don't believe in selective admissions and that they have a fair structured way of recruiting students because both types (district and charter) of schools are free and open to all. **But New York State statistics show that in fact this is not the case.**

2) Charter schools can expel students excessively with little oversight, shedding disruptive students who then end up enrolling mid-year in our Buffalo Public School System, which is legally bound to accept them. **One staggering statistic is that unlike Buffalo Public Schools where the overall suspension rate is 18% (2011-12), 7 of 13 charter schools reporting have shown suspension rates from 27% to 52% for the same period.**

3) **While for 2011-12, Buffalo had 20% of its students classified as students with special needs of the remaining 14 charter schools for which we have information, twelve or 86% of the charter schools only had between 6%-13% of their students classified as students with special needs.** The remaining three only had between 14%-16% (still much less than Buffalo) of their students identified as students with special needs.

4) With the exception of Enterprise Charter, with 11% of its population, of the 15 charters reporting 9 of 15 or 60% enroll 1% or less ELL students, and 4 of 15 or 27% to 5% ELL students, i.e. 87% of charter schools reporting enroll 0-5% ELL students while the 2011-12 Buffalo Public School ELL enrollment is 11%.

5) **In addition 9 of 15 or 60% of the charter schools reporting have fewer students than the Buffalo Public schools who were eligible for free lunches (with two (2) having less than 35% eligible for free lunches!) while in the Buffalo Public Schools, 72% of the students qualify for free lunches.**

6) There were 15 of 17 charter schools reporting or partially reporting in the City of Buffalo in 2011-12. Of the 15 schools reporting, 11 of the 15 or 73% had **over 50% of their students fail** one or more of the 4th or 8th grade State assessments.

Indeed 5 of the 15 or 33% of the Charter School's had between **70%-87% of their students fail** one or more of the 4th or 8th grade State assessments.

7) **Such poor charter school performance in light of the overwhelming under-representation of students with special needs, English Language Learners, and students in poverty, as well as the horrific suspension rates, is an indictment of not only the charter schools, but also the State legislature and NYSED who allow such discrimination to continue.**

WHEREAS: The resolution was presented to the Board just a few hours before the scheduled Board meeting at which it was to be voted on and,

WHEREAS: Efforts to have the resolution tabled to enable a thorough discussion of said resolution were defeated,

THEREFORE BE IT RESOLVED: That the BTF calls for the Board to rescind said resolutions to allow time for input from parents, students, teachers, the community and all interested parties and ,

BE IT FURTHER RESOLVED: That the BTF in conjunction with other interested parties will take all necessary actions including but not limited to legal, legislative and public actions to reverse this resolution's passage and to protect our students from the damage that said resolution and similar past resolutions will cause and;

BE IT FURTHER RESOLVED: That the BTF call for a solidarity rally of all Buffalo teachers opposing this resolution and other similar Board actions and publicize the damage that said resolutions and actions have had and will have on all B.P. S students. Said rally to also invite legislators and members of the community.

DATE: Wednesday, October 15, 2014 (before the Board Committee Meeting & before the October 20th deadline for the District to submit a proposed "Timeline")

WHERE: City Hall

TIME: 4:00 – 5:00 p.m.