Facility Access Process for New York City Charter Schools

For the first time, state law now grants some NYC charter schools a right to public help in securing a school facility. Charter schools that are new, or adding grade levels, can go through a legally defined process that begins with a formal request to the NYC Department of Education (DOE). The process can result in the charter school receiving a co-location in a school district building; or a private building provided at no cost; or funding to cover rental expenses (up to $2,775 per pupil in 2015-16).

The new system preserves mayoral control over New York City school buildings, while helping charter schools respond to continuing demand from students and families. See the summary charter below, or download a detailed guide at www.nyccharterschools.org/newlaw.

Unfortunately, the new process does not cover existing NYC charter schools that are in private space at their own expense and are not adding grade levels—leaving these schools among the most under-funded public schools in the state.

**Facility Access Process for New York City Charter Schools 2014 2015**

START
Charter school submits written request to NYC DOE for co-located space

NYC DOE has 5 months* to offer a co-located space or other private or public facility (at no cost to the charter school)

*or until 30 days after the school's charter is approved by its authorizer, whichever is later

Does NYC DOE offer a space before the deadline?

YES

NO

Charter school may file an appeal

Charter school may move in to offered space

Does the charter school consider the offered space to be adequate**?

YES

NO

If the charter school is appealing a co-location offer, the deadline is 30 days after the PEP voted to approve it. If the charter school is appealing a private or public facility offer other than a co-location, or appealing after NYC DOE made no valid offer, the deadline is 30 days after the five-month offer period expired.

Is the appeal successful?

YES

NO

Charter school receives rental assistance

Charter school is not eligible for rental assistance, but may choose to accept space previously offered

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**Adequate = "reasonable, appropriate, and comparable"; in the charter school’s community school district; and "otherwise in reasonable proximity."
Co-Location: How Public Schools Share Space in New York City

What is school co-location?
New York City’s public schools are mostly small, but its public school buildings are mostly large. As a result, a majority of public schools – including charter schools – are “co-located” with at least one other school in a shared building. Each school is assigned a segment of classrooms and hallways to use as its own space, while major amenities such as gyms and libraries are shared.

Is co-location a “charter school thing”?
No, it’s a New York City thing. Over 1,000 NYC public schools, district and charter, are co-located (64% of all schools). Of these, only 9% are charter schools. Records show that co-locating schools in NYC dates back to the nineteenth century.

Why do charter schools need co-location?
Charter schools are public schools that are not guaranteed public funding for facilities. That’s a problem in the expensive NYC real estate market, so the Department of Education has historically allowed charter schools to use space in otherwise under-utilized buildings. (As of 2014, charter schools may be eligible for rental assistance as an alternative to co-location or a private lease. See reverse for details.)

Does co-location cause overcrowding in the school system?
No. City data show that school buildings with co-locations tend to be less crowded than buildings housing single schools. Overcrowding is an important issue, but co-location is not its primary cause.

Are there special rules for charter school co-locations?
Yes. When a charter school is considered for co-location, additional plans and public hearings are required. Once a charter school moves in, a “Shared Space Committee” is formed with a principal, teacher and parent from each school in the building.

Does co-location cause unfair disparities?
No. City data show that charter schools tend to be located in the more crowded portions of a co-located building. In addition, if a co-located charter school makes building improvements of at least $5,000 in value, a matching amount is provided to every other school in the same building.

Does co-location work?
Co-location works every day in buildings across New York City, sometimes even leading to cross-school collaborations. Although schools may prefer to have more room, they still find ways to share, compromise and stay focused on student learning.