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**VIA EMAIL**

Dear Deputy Chancellor Ahmed,

I want to thank you for your full and fast response to my query as to whether the New York City Department of Education ("DOE" or the "Department") will be issuing a request for proposals to charter schools to provide a universal pre-kindergarten program for four-year-olds ("UPK") in the 2023-24 school year ("UPK RFP"). I appreciate your and DOE's attention to this sensitive matter and hope we can work together to find a solution that is mutually agreeable.

By this letter, the New York City Charter School Center ("Charter Center") is requesting that DOE reconsider and reverse its decision to not issue the Charter School UPK RFP. Our reasons for this request are set forth below.

First, there have already been expectations created this year that the Charter School UPK RFP would be issued this fall for next year. As you may know, charter schools typically start their planning to provide UPK in the spring of the year before they will first offer UPK. They bring on staff at that point and plan in earnest over the summer in order to be ready to complete their response to the UPK RFP, which has historically been released in the fall. In our conversations with Department staff in early 2022, we received no indication that there would not be a Charter School UPK RFP. Indeed, this was consistent with later conversations we had with the Department in early fall.

As you can imagine, schools spend considerable time preparing to respond to the RFP and hire new staff to start and run the program. We know of at least one charter network that has hired a Director of Pre-K this year who re-located to NYC this fall to oversee preparing the network's response to the Charter School UPK RFP as well as the startup of their program next fall. In sum, with expectations already set that the Charter School UPK RFP would be released for next year, we believe it unfair, at this very late stage, to change direction.

Second and more importantly, we disagree with the position that DOE should provide charter schools with a way to operate a UPK program only if there is a need for seats. If this logic was extended, then DOE would not allow any charter school to open its door in any grade. Instead, we see New York State's statutory decision to allow charters to offer UPK (particularly with the requirement that the authorizer oversee/monitor the program) as a right to offer a UPK program that is at least the size of its



kindergarten. See Education Law Section 3602-ee. The reason for providing the alternative of a new charter school is not to relieve overcrowding (though at times charter schools have done that), but to provide parents with options and better ones than existing options if the school is successful. It is to give parents choice and improve student outcomes. UPK should be no different. In addition, it is clear that parents benefit when the charter they want to send their child to has UPK, as they avoid having to transfer from another school/program to the charter school of their choice.

Over the last 8 years, UPK has become the new kindergarten in NYC and every year new charters have come online as UPK providers. While there are many barriers to charters starting these programs (e.g., inequity in funding that you are well aware of), charters are investing in UPK programs because they not only see the benefit of educating students for more years, but they are also committed to responding to family's requests for their charter to offer this important program. We hope the DOE sees value in adding more charter partners to the UPK portfolio given the excellent work our schools are already doing in the K-12 space, not to mention the strong current charter UPK providers. In light of the above, we ask the DOE to issue a Charter School UPK RFP for charters who do not currently provide UPK but that are seeking to in the 2023-24 school year.

In closing, let me thank you again for engaging with us on this important issue. We look forward to working with you in partnership as you endeavor to improve the early childhood options for NYC's children.

Sincerely,

James Merriman  
CEO, New York City Charter School Center

Cc: Daniel Weisberg  
First Deputy Chancellor  
Erin Cochran  
I.A. Senior Executive Director, Charter Schools Office