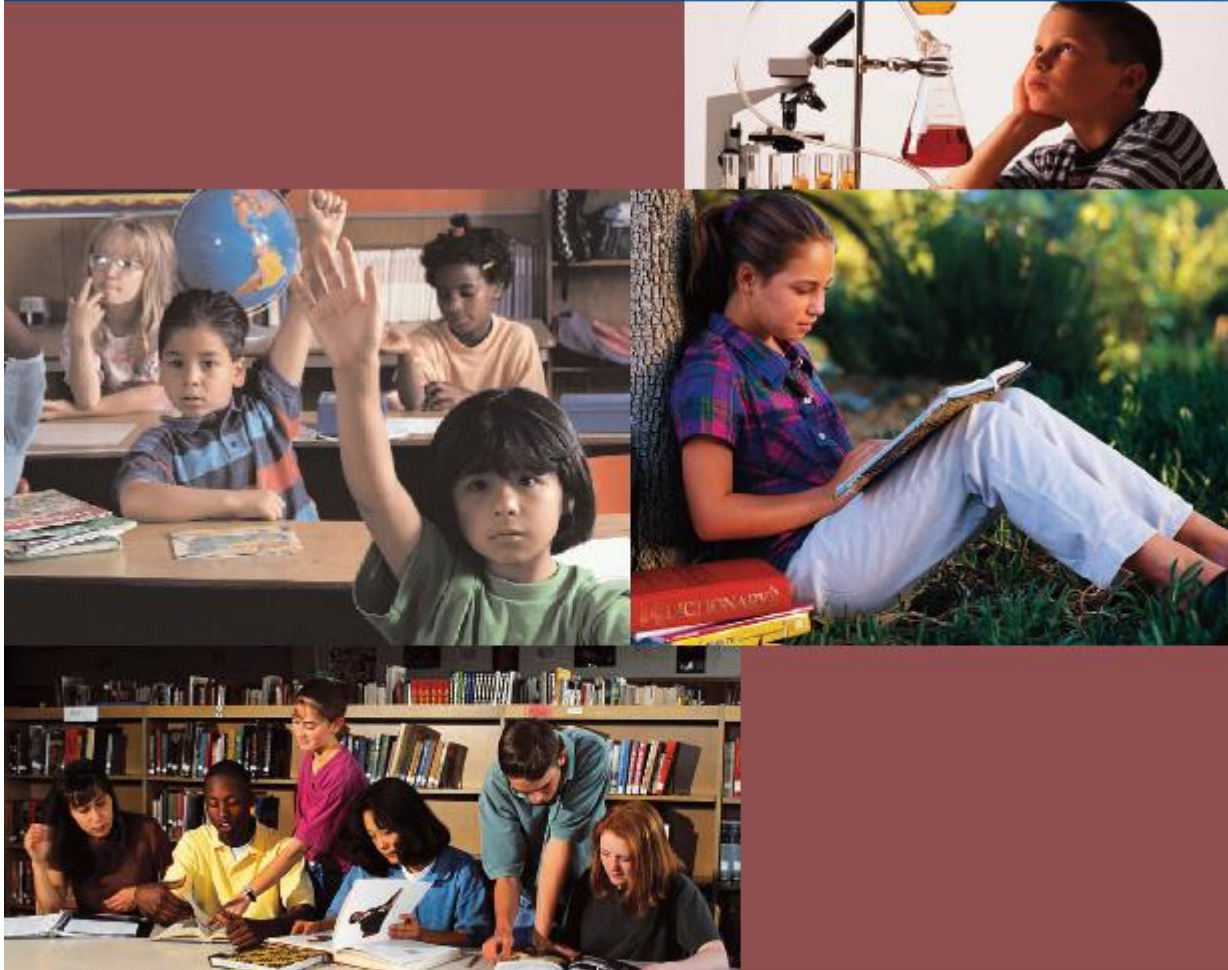


# English Language Learner Students and Charter Schools in New York State: Challenges and Opportunities



Report from the NY Governor's Leadership Team  
for High Quality Charter Public Schools

# English Language Learner Students and Charter Schools in New York State: Challenges and Opportunities

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## Executive Summary

Schools today must meet increasingly rigorous standards while serving a more racially, ethnically, socio-economically, and linguistically diverse student population than ever before. The new academic demands coupled with the rapid growth in the number and proportion of children of immigrants and students who are English language learners<sup>1</sup> (ELL) require that schools find new ways to educate their students and prepare them to take full advantage of the opportunities in the twenty-first century knowledge economy and for civic participation in society. Charter schools are one of a range of educational reform strategies that school districts across the country use, in part, to respond to these demands. In New York State, students classified as English language learners and students from certain racial/ethnic backgrounds are underrepresented in the current charter school population. These enrollment data indicate a failure on the part of many New York charter schools to react to the changing student demographics.

Some schools, including some charter schools in New York, serve as exemplars of how to effectively meet the needs of ELL students. Focusing on language development, creating a school culture of shared engagement and responsibility for ELL students, developing structures for collaboration among teachers and staff, using student data to inform intervention decisions, and investing in efforts to engage families are some of the practices that these schools have developed and adopted. Policy-makers and educators should seek out these schools as thought partners, mentors, and models whose practices can be customized to fit each school and student population.

In order to rectify the current broader inequities of ELL under-representation in New York charter school enrollments, stakeholders must commit to investigating the roots of the issue, developing policies and strategies to address it, and allocating sufficient resources and human capital to execute the necessary changes. New provisions in the recently passed *New York State charter schools bill (S.7678/A.10928)* mark a first step in policy-makers' formal recognition of the need to address the ongoing disparities in ELL student enrollment in New York charter schools. The real test comes, however, with implementation and enforcement of these provisions. An arduous task lies ahead, but charter schools must take the steps necessary to embrace diverse student populations and adapt to the challenges and opportunities of education in the twenty-first century.

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<sup>1</sup> In this paper we use the term ELL to refer to students who are now or were in the past English language learners. These students are more than simply English language learners—they are multifaceted young people who should not be classified in just one way. Their full strengths, the complex texture of their lives, and their full potential should be acknowledged along with the fact our schools are tasked with the job of, among other things, teaching them English.

## **Introduction**

Children in immigrant families, that is, children who have at least one foreign-born parent, are the fastest-growing sector of the school-age population in the United States. Between 2000 and 2007, the number of children of immigrants age 17 and younger grew 22.3 percent, from 13.1 to 16 million. According to the most recent estimates from the National Center for Education Statistics (NCES 2009a), these youth are projected to account for roughly thirty percent of the primary and secondary school-age population in the United States by 2018. In 2007, an estimated 84.6 percent of the 16 million children of immigrants was U.S. born (second generation). The remaining 15.4 percent (2.5 million) were first generation children born outside of the United States (Terrazas and Batalova, 2008).

Immigrants have long played an influential role in the historical narrative and development of the United States. The most recent data released from the U.S. Census Bureau's 2007 American Community Survey estimated the number of immigrants in the United States to be at 38 million, representing 12.6 percent of the total U.S. population. By the start of the second decade of the new century the total number of immigrants has well surpassed the 40 million mark.

The past two decades have been characterized by both the rapid growth in the immigrant-origin student population in U.S. schools and the dramatic expansion in the number and geographic location of the states that receive immigrants. While the largest foreign-born populations continue to reside in the traditional immigration hubs of California (10,024,352), New York (4,205,813), Texas (3,828,904), Florida (3,440,918), and Illinois (1,768,518), none of these states was among the top five with the largest percentage growth of the foreign-born population between 2000 and 2007. Instead, the "new" receiving states of South Carolina (63.8

percent), Arkansas (60.7 percent), Nevada (57.2 percent), Tennessee (56.9 percent), and Alabama (56.4 percent) topped the list (Terraza and Batalova, 2008).

Between fifty-five and sixty percent of children of immigrants enrolled in school in the United States today have geographic origins in Latin America, approximately forty percent of them in Mexico (Hernandez et al., 2007). Never before “in this country’s history has a minority ethnic group [Latinos] made up so large a share of the youngest Americans” (Pew Hispanic Center, 2009, p. 1). On average, adult immigrants from Latin America tend to have less education and lower skill levels than both the native U.S. born population and the Asian immigrant groups, and this has implications for their children’s living conditions, resources, and academic outcomes (Camarota, 2007; Suárez-Orozco, 2005). Given that children of Latin American immigrants make up the largest proportion of the immigrant-origin student population in the United States, aggregate data on children of immigrants tend to reflect the Latin American immigrant parents’ lower levels of human capital. For example, children of immigrants are more likely to live in low income families than children of natives. According to a report from the Urban Institute (2006), in 2003, fifty-four percent of children of immigrants lived in families whose income was below twice the federal poverty level whereas thirty-six percent of children of natives lived in similar conditions. In a separate, but related, vein, more than half of immigrant parents reportedly have difficulty speaking English, and this may complicate their ability to fully participate in their children’s schooling (Urban Institute, 2006).

It should also be noted, however, that a substantial number of highly skilled, highly educated immigrants make the United States their home as well. Although U.S. immigration policies are not geared toward creating a pipeline for highly skilled migrants to the same extent as those of other countries—Canada and Australia, for example, which use a point system to

determine eligibility for entry—many immigrants to the United States are among the best-educated and most skilled people in the United States (see Suarez-Orozco, 2005 for a longer discussion). The children of these highly educated and skilled immigrants tend to achieve well above the norm of their native born peers, far outpacing them as winners of the most competitive scientific awards and entry into the most competitive colleges

The relationship between limited English proficiency and student academic achievement is one of the most pressing concerns regarding the education of children of immigrants. In fact, limited English proficiency also impacts second and even third generation students. U.S. born children, including both second generation children of immigrants and third generation students, comprise the numerical majority of English language learner (ELL) students in schools today (Batalova, Fix, and Murray, 2007; Fix and Capps, 2005). Between 1996 and 2006, the share of ELL students in U.S. schools rose almost sixty percent while total student enrollment essentially did not change. During this period the proportion of the total U.S. student population classified as ELL increased from 6.8 percent in 1995-1996 to 10.3 percent in 2005-2006 (Terrazas and Batalova, 2008). Nationally, seventy percent of ELLs in grades 6-12 speak Spanish, followed by Vietnamese, which represents 3 percent of the total (Batalova, Fix, and Murray, 2007).

Overall, ELL students demonstrate alarmingly poor average academic outcomes, particularly as compared to their English-dominant peers. Testing data reveal disturbing inequalities. For example, scores from the 2007 National Assessment of Educational Progress (NAEP) showed that almost half (forty-four percent) of fourth grade students who are ELL scored at the lowest level (“below basic”) in math, and nearly three quarters (seventy percent) scored “below basic” in both reading and math. Results from the middle grades were no less heartening with sixty-9 percent of ELL students in eighth grade scoring at the lowest level in

math and seventy percent scoring “below basic” in reading. Only 7 percent of fourth grade students who are ELL and 5 percent of eighth grade ELL students scored at or above proficiency in reading compared to thirty-six percent and thirty-three percent of English speakers respectively (Batalova, Fix, and Murray, 2007). Recently released data from the 2009 administration of the NAEP reveal continued alarming gaps with seventy-one percent of ELL students still scoring “below basic” in fourth grade reading (and only 6 percent of them scoring “at or above proficient”) and seventy-five percent of ELL students scoring “below basic” in eighth grade reading (and only 3 percent scoring “at or above proficient”) (NCES, 2009b, pp. 60 and 69).

School completion rates for ELL students also tend to be dramatically lower than those for English-speaking students. For example, thirty-one percent of those 18-24 year old language minority students not enrolled in secondary school in 1999 had not completed high school<sup>2</sup> (ELL Working Group, 2009). By contrast, only ten percent of English-dominant students in this category had not completed high school. These disparities in graduation rates are echoed in a number of national studies as well as in state and district-level reports (Fix and Capps, 2005; Lutz, 2007; MacDonald, 2004; NYCDOE, 2008; Perreira, Harris and Lee, 2006; Rampey, Dion and Donahue, 2009; Swail, Cabrera and Lee, 2006).

Children of immigrants and English language learners have become an important and permanent fixture in the American schooling landscape. However, the evidence suggests that schools across the United States are not currently meeting these students’ academic, social, and emotional needs. As a result, it is imperative to examine the educational challenges that ELL students face and identify innovative practices in response. Charter schools are one of a series of

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<sup>2</sup> In this study “language minority students” were defined as youth who came from homes in which a language other than English was primarily spoken.

educational options that may hold promise in providing English language learners with access to the type of high quality education they need and to which every child in an advanced cultural democracy is entitled.

School choice is an umbrella term that refers to educational policies offering some degree of family-based school selection. This may range from charter and magnet schools to voucher programs and open enrollment policies. Policy-makers have increasingly turned to school choice as part of a portfolio of education reform strategies to address persistent racial, ethnic, and income-based disparities in academic achievement and outcomes. According to the Education Commission of the States (2007) and the Center for Education Reform (2007), forty states and the District of Columbia have charter school laws, and all but four states have some form of inter- or intra-district open enrollment policies. In addition, data from the National Center for Education Statistics (2006) showed that between 1993 and 2003, the percentage of children enrolled in assigned public schools declined from eighty to seventy-four percent while the percentage of students enrolled in chosen public schools increased from eleven to fifteen percent. This trend away from assigned public schools and toward chosen public schools was consistent across sex, grade, poverty, and geographic groupings and also for both white and black students, but notably not for Hispanic students in their sample.

New York State is no exception to the growth in charter schools seen across the country, and the number of charter schools in the state has dramatically expanded in the past decade. According to the Charter Schools Institute (n.d.), the first five public charter schools in New York opened in September 1999. By 2001, the number increased to thirty-two with approximately 9,000 students enrolled in charter schools. During the 2009-2010 academic year 140 charter schools were operating in New York and served more than 40,000 students. The

recent change to the charter school legislation in New York State cleared the way for 260 new charter schools to open statewide by 2014. Despite this rapid growth in charter schools, the large majority of children across New York State still attend district public schools.

New York State enrollment data from the 2006-2007, 2007-2008, and 2008-2009 school years provide a window into charter schools and the students who are attending them<sup>3</sup>. Analysis of student demographic data reveals that certain groups, particularly students classified as English language learners and students from certain racial/ethnic backgrounds, are under-represented in the current state-wide charter school population. Given this paper's focus, the discussion of data will center primarily on trends in ELL student enrollment in public charter versus district public schools in New York. Additional data tables and discussion can be found in the appendix. Notably, longitudinal trends in enrollment indicate that the degree to which ELL students are under-represented in charter schools changes, and in most cases, decreases, over time.

Identifying the causal mechanisms responsible for the changes in ELL and other students' enrollment in charter schools is beyond the scope of this report. Possible factors may include the expanded enrollments of a number of charter schools between 2006-2007 and 2008-2009 as more schools began to reach full capacity or the opening of new charter schools that possibly attracted greater numbers of ELL students in their initial years. Some researchers have begun to investigate trends and changes in charter school enrollments in New York (see Buckley and Sattin-Bajaj, 2010; Hoxby, Murarka and Kang 2009), and the positive trends that have been identified merit further exploration. Policy-makers and charter school operators stand to benefit

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<sup>3</sup> At the time of analysis, the latest school report cards available through NYStart were for these three academic years.



from better understanding the policies, strategies, and practices that contribute to increased ELL enrollments in charter schools and greater equity in serving all students in charter schools.

**New York State Data**<sup>4</sup>

*Trends in Charter School Enrollments across New York State 2006-2009*

Charter school enrollments grew consistently across the three academic years studied. The total number of students enrolled in charter schools across New York State reached a high of 36,667 during the 2008-2009 school year (see Table I below). The English language learner student population in charter schools grew concomitantly with the overall increase in charter school enrollments<sup>5</sup>. State-wide ELL students comprised 3.63 percent of the total charter school population in 2008-2009, up from 2.08 percent in 2006-2007; the largest increase was seen in New York City where ELL enrollments jumped from 2.29 percent in 2006-2007 to 4.6 percent of the charter school total in 2008-2009. New York City also experienced the most significant growth in charter schools during this three year period: the total number of charter schools expanded from fifty-seven in 2006-2007 to seventy-eight in 2008-2009.

**Table I. Charter School and ELL Enrollments for New York State and the Five Largest School Districts 2006-2009**

	<b>2006-2007</b>		<b>2007-2008</b>		<b>2008-2009</b>	
	<b>School Enrollment</b>	<b>% ELL</b>	<b>School Enrollment</b>	<b>% ELL</b>	<b>School Enrollment</b>	<b>% ELL</b>
<b>State Total</b>	26,070	2.08	30,773	2.89	36,667	3.63
<b>Rochester</b>	844	0.36	985	1.02	1,245	1.85
<b>Syracuse</b>	756	0.00	887	0.00	913	0.00
<b>Yonkers</b>	282	3.19	341	2.93	357	3.36
<b>Buffalo</b>	5,932	0.74	6,387	0.85	6,419	1.6
<b>NYC</b>	14,766	2.29	18,259	3.86	23,540	4.60

<sup>4</sup> See technical appendix for a more extensive review of data, additional data tables, and a more thorough discussion of data sources and limitations

<sup>5</sup> In state reports, the term “Limited English Proficient” or LEP is used to refer to those students who receive additional school-based supports and instruction to learn English. The authors prefer the term “English language learners” or ELLs to refer to the same student sub-population and will employ it rather than LEP in this report.

*Comparing Charter School and District Public School Enrollments across New York State 2006-2009*

Charter school enrollment constituted approximately 1 percent of the entire state-wide school enrollment in public district and charter schools in the 2006-2007 school year. This percentage continued to grow through the 2008-2009 school year (see Tables II-IV below). When disaggregated by key demographic factors, enrollment figures show that ELL students remained under-represented in charter schools across the state during the three academic years reviewed. In 2006-2007, 7.33 percent of students enrolled in all public schools in New York State, including district and charter schools, were classified as ELL. However, while 7.38 percent of students in district public schools were classified as ELL only 2.08 percent of charter school students were. This means that charter schools only served 0.27 percent of ELL students state-wide despite the fact that nearly 1 percent of all students enrolled in public schools attended charter schools. The figures improved slightly in the 2007-2008 and 2008-2009 school years; however, significant enrollment gaps persist (see tables II, III, and IV)

**Table II. New York State Charter and District Public School Enrollments 2006-2007**

	<b>School Enrollment</b>	<b>Total % Free &amp; Reduced Lunch</b>	<b>% ELL</b>	<b>% Am. Indian</b>	<b>% Black/ African American</b>	<b>% Hispanic</b>	<b>% Asian/ Pac Island</b>	<b>% White</b>	<b>% Multi-racial</b>
<b>NY State* TOTAL</b>	2,741,258	44.35	7.33	0.49	19.49	20.41	7.14	52.22	0.25
<b>NY State District Public Schools</b>	2,715,188	44.04	7.38	0.49	19.04	20.41	7.19	52.61	0.24
<b>NY State Charter Schools</b>	26,070	75.86	2.08	0.33	66.53	20.46	1.30	11.23	0.93
<b>Charters as % of NY State total</b>	0.95	1.63	0.27	0.63	3.25	0.95	0.17	0.20	3.60

**Table III. New York State Charter and District Public School Enrollments 2007-2008**

	<b>School Enrollment</b>	<b>Total % Free &amp; Reduced Lunch</b>	<b>% ELL</b>	<b>% Am. Indian</b>	<b>% Black/ African American</b>	<b>% Hispanic</b>	<b>% Asian/ Pac Island</b>	<b>% White</b>	<b>% Multi-racial</b>
<b>NY State* TOTAL</b>	2,714,385	44.13	7.31	0.48	19.41	20.83	7.37	51.72	0.19
<b>NY State District Public Schools</b>	2,683,612	43.79	7.37	0.49	18.89	20.82	7.43	52.19	0.18
<b>NY State Charter Schools</b>	30,773	74.48	2.89	0.39	65.08	21.95	1.46	10.39	0.75
<b>Charters as % of NY State total</b>	1.13	1.91	0.45	0.91	3.80	1.19	0.22	0.23	4.51

**Table IV. New York State Charter and District Public School Enrollments 2008-2009**

	<b>School Enrollment</b>	<b>Total % Free &amp; Reduced Lunch</b>	<b>% ELL</b>	<b>% Am. Indian</b>	<b>% Black/ African American</b>	<b>% Hispanic</b>	<b>% Asian/ Pac Island</b>	<b>% White</b>	<b>% Multi-racial</b>
<b>NY State* TOTAL</b>	2,691,267	46.28	7.51	0.48	19.25	21.24	7.64	51.08	0.25
<b>NY State District Public Schools</b>	2,654,600	45.93	7.57	0.49	18.62	.21.21	7.72	51.67	0.30
<b>NY State Charter Schools</b>	36,667	71.52	3.63	0.38	64.31	23.70	1052	8.54	1.27
<b>Charters as % of NY State total</b>	1.36	2.11	0.66	1.08	4.55	1.52	0.27	0.23	5.58

**New York State in Context**

New York is not alone in its anemic representation of ELL students in charter schools. Data gathered for the 2008-2009 academic year by the National Alliance for Public School Charter Schools reveal similar patterns in Delaware where ELLs represented 6.1 percent of the non-charter student population but only 0.8 percent of students in state charter schools. Likewise New Jersey’s non-charter ELL student population was 4 percent yet 0.7 percent of students in charter schools were ELLs. Data from other states suggest a somewhat different picture. For example, nearly 9 percent of public charter school students in Rhode Island were English language learners compared to just 4.6 percent of the students in traditional district public schools. In Louisiana, 2.3 percent of students in charter schools represent ELL students, compared to 1.8 percent of students in district public schools. Minnesota leads the way in

enrolling ELLs in charter schools. In 2008-2009, 18.8 percent of students in the Minnesota's public charter schools were ELL students, while 7.2 percent of the students in district public schools were ELL students (National Alliance, 2010). The extensive use of charter schools in Minnesota and Rhode Island by ELL populations suggest that charter schools are equipped to serve this population. Their work further substantiates the need to identify and examine the factors that account for the underrepresentation of ELLs in charter schools in New York and elsewhere.

### **Innovative Practices and New York Highlight: Family Life Academy Charter School**

Increasingly rigorous academic demands coupled with the rapid growth in the number and proportion of children of immigrants and ELL students requires that schools find new ways to educate their students and prepare them all for the twenty-first century knowledge economy. Many schools that have had limited experience working with immigrant-origin students are now receiving large immigrant and ELL student populations. All stakeholders need to better understand the challenges that schools are facing and to promote an exchange of ideas about how to best serve these students.

The discussion of effective practices for working with ELL students that follows includes reference to one such exemplary model: Family Life Academy Charter School, an elementary school in the South Bronx that serves grades Kindergarten – 5. The school's student body is comprised of over forty percent ELL students. Through visionary leadership, dedication, creativity, community engagement, and commitment to serving all students, Family Life Academy Charter School—a statistical anomaly in the current New York State charter school landscape—is nevertheless meeting the challenges and opportunities of working with ELL

students and forging a new direction for culturally responsive, inclusive, and high quality education in the twenty-first century.

In addition to Family Life Academy, there are a number of promising examples of schools across the country and internationally – charter/district as well as private schools – that are successfully serving large numbers of ELL students (See Lazarin and Ortiz-Licon, 2010 for additional examples.) Policymakers and educators alike should seek out these schools as thought partners, mentors and exemplary models whose practices can be adopted and customized to fit other schools and different student populations.

#### *Focus on Language Development*

Effective strategies to educate and support English language learners must begin by including a targeted focus on meeting their specific language, cultural, and social needs. This focus must be part of a broader initiative designed to ensure that ELL students receive the type of rigorous, high-quality twenty-first century education that all students deserve. As a point of departure, schools must recognize the value of ELL students' existing language fluency and build on their language skills when helping them to develop English-language fluency (August and Hakuta, 1997; Christensen and Stanat, 2007; Snow, 1992). The ability to communicate in multiple languages is a prerequisite for advancement in the globally linked economies and societies of today, and bilingualism should be fostered in schools (August and Hakuta, 1997; Bialystok et al., 2004; Cummins 1981; Genesee, et al., 2006; Suárez-Orozco and Suárez-Orozco, 2001). English-only instruction that fails to capitalize on immigrant-origin students' native language fluency may in fact slow down their second language development. It may also impede their general academic progress because students miss important academic content when they are

solely focusing on grammar and vocabulary (August and Hakuta, 1997; Bialyotk et al., 2004; Maxwell-Jolly, Gandara, and Mendez-Benavidez, 2006).

School systems working with ELL students must train and attract high-quality language instructors and provide their students a host of language options that include maintenance of native language fluency and English language development (Wong-Fillmore and Snow, 2000). Poor quality instruction abounds in both English-as-a-Second Language (ESL) and bilingual education classrooms, and this is an issue that requires immediate and intensive attention. ELL students often languish in ESL or bilingual classes without developing academic English skills or mastering content, and as a result, they may have greater difficulty passing high stakes tests. Therefore, investing in flexible, research-based instructional practices should be a key component in efforts to improve the education of English language learners in all schools.

Furthermore, students who are learning English must have extensive exposure to English-speaking peers and should not be linguistically isolated (Gándara and Contreras, 2009; Suárez-Orozco, Suárez--Orozco and Todorova, 2008). Ultimately, schools must equip all students with the language skills, cognitive and meta-cognitive tools, and cultural awareness they will need to live in the multicultural, multilingual, globally interconnected world of the 21st (Suárez-Orozco and Sattin, 2007). Hiring well-trained teachers who build on students' existing fluency to develop new language skills represents an important step in working to achieve this.

At Family Life Academy Charter School, ELL students spend most of their school day in a mainstream grade-level classroom. An ESL teacher or paraprofessional joins the lead teacher in these classrooms to work with individual students or with a small group of English language learners. The students receive the same instruction as their English-speaking peers with the added benefit of personalized support. When ELL students do leave the mainstream classroom

to receive extra language instruction, the ESL teacher works hand-in-hand with grade-level teachers to ensure that the language lessons include the same topics as those covered in class so that students do not miss important content matter. This collaboration among teachers is a key part of the school's approach to ESL instruction and it helps to foster a culture of cooperation and shared responsibility for student learning.

Developing standardized practices for communication and coordination among personnel working with ELL students is especially important in schools with smaller numbers of ELL students since these schools are frequently unable to offer "push-in" services and instead students spend longer periods of time outside of the mainstream classroom.

#### *Shared Responsibility for the Education of English Language Learner Students*

The education of English language learners must be recognized as a school-wide priority for which every educator and support staff member in the school building is responsible. School personnel too often view the instruction of ELL students as belonging primarily in the domain of a small cohort of ESL teachers. In addition to specific language development classes, ELL students also attend classes taught by subject-area teachers who all too often have received little training on how to work with students who are learning English. Furthermore, these students' needs transcend solely English language development and may include cultural adaptation, social support, and assistance in general academic subjects. Therefore, schools should provide ongoing professional development to all faculty and staff in the building on how to work with ELL students in their classrooms. Just as teachers across the academic disciplines are being called on to expand their role from "content-area specialists" to include literacy instruction and to incorporate literacy-building activities into their lessons, the same must be true for taking on the education of ELL students as a school-wide endeavor (Spaulding, Carolina, and Amen, 2004).



At Family Life Academy Charter School teachers and school staff receive workshops throughout the year on research-based instructional practices for students learning English. These workshops aim to equip educators with both an awareness of ELL students' unique needs and the skills to successfully teach them. The workshops cover topics such as the stages of language acquisition, myths about second language acquisition, and specific classroom activities that correspond to each stage of language development. The school's principal views good pedagogy for ELL students as good pedagogy for all students, and as a result, teachers are encouraged to apply what they learn in workshops about students who are ELL to their practice more generally. In this way, ELL instruction is understood throughout the school as an enhancement for all students' learning rather than a watered-down version of traditional teaching and learning methods geared solely to a specific subset of students.

#### *School-Based Structures to Promote ELL Student Achievement*

ESL teachers are frequently relegated to a corner of the school building where they have few occasions to interact with colleagues who also have ELL students in their classrooms. Instead, teachers should be provided or required to participate in a certain number of weekly common planning hours to work together to discuss students' progress and weaknesses, develop joint lessons, or make modifications to existing lessons with ELL students in mind.

School administrators have a variety of tools at their disposal, beyond school-wide professional development activities, to encourage all teachers to take ownership of the academic development and educational outcomes of English language learners. For example, principals can include common planning time in teachers' schedules in order to create additional opportunities for collaboration between ESL and subject area teachers. Other structural changes that stand to benefit ELL students include block scheduling (so that students have more

concentrated time to work on projects and assignments), additional credit-earning opportunities for students such as summer school and after-school classes, and comprehensive tutoring (Spaulding, Carolina, and Amen, 2004).

#### *Data Usage as a Means to Support ELL Students*

The rigorous accountability structures under which charter schools, and, increasingly, all public schools, operate have placed student performance at the center of school evaluations. While the benefits and efficacy of the current reliance on quantitative outcomes for school assessments are up for debate, the value of examining student-level data to understand both a school's and individual students' strengths and weaknesses should not be discounted, particularly in schools serving high needs populations such as ELL students. At Family Life Academy Charter School, data-driven decision-making takes center stage. According to the principal, the school staff uses data as a way to "get to know every kid," and a full-time data specialist is on staff to provide teachers with individualized student reports, specifically for those students who are struggling. Grade-level and ESL teachers participate in regular "child study meetings" in which different students' performance on recent class assessments as well as state-mandated tests is reviewed and discussed. Decisions about interventions and support are derived in large part from what the team learns from these student-level data. Rather than fear data, the principal explains, she and her staff have chosen to embrace them and use them to empower them to better understand their students and how to help them achieve academically.

#### *Family Engagement Efforts*

Engaging immigrant parents in their children's learning process and providing linguistically and culturally-appropriate information to them about their children's schooling, school policies, and the college pathway is an important piece of the educational puzzle

(Auerbach, 2002; Andre-Becheley, 2005; Delgado-Gaitan, 1991; Gándara and Contreras, 2009). Hiring parent advocates as part of the school-based staff is one approach that has shown promise in improving connections between schools and immigrant families in a number of school systems across the country. Schools must ensure that professional translators are readily available for both scheduled and unscheduled parent visits to the school (Delgado-Gaitan, 1991; Stanton-Salazar, 2001; Valdes, 1996). Translators equipped to provide linguistic translations as well as cultural interpretation for immigrant parents are of particular importance during meetings with guidance counselors about post-secondary planning. For example, just translating the acronym SAT into parents' native language may not convey its underlying meaning and significance to parents who have had no exposure to or experience with this fundamental part of the college admissions process in the United States. In addition, schools should establish partnerships with community-based organizations that have long-standing relationships with the immigrant families in their community.

In sum, there are a host of possible avenues to improve communication and collaboration between immigrant parents and their children's schools. The most critical step is recognition by the school and the district that ongoing efforts to foster relationships with parents are worthwhile and valuable, even if this requires persistence, patience, and additional human and financial capital.

A central part of the mission of Family Life Academy Charter School is to cultivate strong home-school partnerships. As such, the school allocates a sizeable part of its budget to family engagement. The principal and school personnel understand there are different levels of parent involvement and that parents may participate in their children's education in multiple ways. Building on their knowledge of the hardships that many parents face in their daily lives,

the school administration employs a range of communication strategies to reach out to families and works to provide a variety of opportunities for parents to learn about their child's academic progress and how to support them. There is a part-time bilingual parent engagement officer who serves as an important point of contact for parents. In addition, the principal hosts parent workshops to offer tips on what parents can do to help their children at home. The workshops are scheduled to accommodate parents' work schedules. The school awards prizes such as books and CD players to families who attend the workshops in order to increase participation.

The success of schools like Family Life Academy Charter School in New York shows that public charter schools can serve ELL students well. One important way to engender increased interest, commitment, and belief in the possibility of providing more high-quality educational options for students who are ELL and their families is to widely disseminate the important work of this public charter school and similar schools across the country to educators, policy-makers, and the public at large. This represents one element of what must be a multi-pronged approach to addressing the broader issue at hand.

### **Moving Forward: Public and Political Responses**

The under-representation of English language learners in charter schools across New York State has increasingly garnered the attention of advocates, researchers, and policy-makers. A new report released by the Center for American Progress and National Council of La Raza highlights the progressively important role of charter schools in the national education landscape generally and in meeting the academic needs of ELL students specifically (Lazarin and Ortiz-Licon, 2010). Media outlets have also taken an interest in charter school enrollments. The *New York Times* recently featured a piece on the continued lag of Hispanic and ELL student enrollment in New York City's charter schools (Medina and Gebeloff, 2010). The *New York*

*Times* article echoed the findings in Buckley and Sattin-Bajaj's (2010) longitudinal empirical analysis on the same topic.

In the policy realm, the *New York State charter school bill (S.7678/A.10928)*, passed by the legislature in May 2010, identifies ELL students as a focal sub-population and includes specific policies and practices to promote increased attention to ELL students in an effort to expand their enrollment in charter schools. Provisions include (1) an enrollment preference for ELL students in charter schools; (2) mandatory ELL enrollment targets that charter schools must meet; (3) required annual reports on charter schools' efforts to attract and retain ELL students; (4) charter school authorizers' right to approve new charter schools designed specifically for ELL students; and (5) and the creation of a uniform charter school application available in the languages commonly spoken in a charter school's neighborhood. These policies imply considerable changes to charter schools' traditional approaches to student recruitment and enrollment and signifies awareness of the ongoing inequities in charter school enrollments, particularly as related to students receiving special education services and English language learner students.

## **Recommendations**

The recommendations below represent emerging ideas about the key questions to ask and the efforts needed to increase ELL enrollment in charter schools and improve existing supports for students who are ELL and immigrant families in charter schools.

### *Investigate Information Barriers for English Language Learner Students and Families*

The crux of the work to address the under-representation of English language learner students in some charter schools revolves around investigating the various underlying factors that contribute to this phenomenon. Inquiries about the barriers that ELL students and immigrant

families experience in accessing information about charter schools are a natural starting point. Next, a thorough examination of charter schools' advertising, outreach and recruitment efforts around enrollment is needed. Explorations of immigrant families' understandings and misconceptions about charter schools may also offer crucial insight into the current trends. Conversations with ELL students who are enrolled in charter schools may yield valuable information about what works for some families.

#### *Examine School-level Fears and Perceptions of Educating English Language Learners*

In order to comprehend the under-representation of ELL students in charter schools and to develop effective responses, it is critically important that policy-makers generate a deeper understanding of immigrant families' experiences and perspectives vis-à-vis charter schools. At the same time, however, the contributing roles of charter school leadership and school staff must not be overlooked. Therefore, an investigation of charter school principals', charter school boards' and teachers' perceptions of ELL students and what it would mean to increase their school's enrollment of students who are ELL is a key piece of the larger project. Specifically, by identifying existing knowledge about ELL students as well as fears and misconceptions, policy-makers may begin to develop a more accurate picture of some of the forces and sentiments that underlie current charter school enrollment patterns. As the visionary principal of the Family Life Academy Charter School advised, charter school administrators and staff must not be "afraid of English Language Learners" (interview 6/2/2009). Indeed, these students are a significant share of our future.

#### *Use Public Policy to Create Incentives for Charter Schools to Increase ELL Student Enrollment*

Finally, policy-makers must continue to examine and evaluate the existing incentive structures built into charter laws, contracts, and accountability frameworks. For example, if

charter school leadership believes that serving large numbers of ELL students will jeopardize their school's performance and long-term viability and if they do not receive adequate support to meet these students' needs, they have a disincentive to recruit or enroll them. Schools are often reluctant to change their practices without incentives or consequences. Therefore, establishing clear guidelines and ELL enrollment benchmarks for charter schools that are accompanied by positive incentives and strong support may be an important strategy to help charter schools embrace diverse student populations and adapt to the challenges and opportunities of education in the twenty-first century.

## **Conclusion**

Shifting demographics are sparking new institutional challenges and opportunities. In no social institutions are these challenges more obvious than in schools. However, schools are often the slowest to adapt. As a result, students, specifically those classified as English language learners, are frequently denied the educational supports and services they require to be successful, educated citizens. In some cases, these students may even be excluded from educational opportunities entirely.

The exclusion of ELL students is demonstrated in the systematic underrepresentation of ELLs in New York's charter schools. Comparative data on ELL student enrollments in district public versus charter schools in New York State provide strong evidence of this trend. Bringing these data to light represents a first, important step in the path to rectifying this inequitable situation. The next stage requires the commitment of stakeholders—policy-makers, researchers, and practitioners—to investigate the roots of the issue, develop policies and strategies to address it, and allocate sufficient resources and human capital to execute the necessary changes.

New provisions in the recently passed *New York State charter schools bill* (S.7678/A.10928) mark policy-makers' formal recognition of the need to reverse the ongoing disparities in ELL student enrollment in charter schools. Yet policies alone are insufficient to achieve the desired outcome of increased equity in enrollments; careful implementation and strict enforcement of these requirements are critical components to effecting substantive changes.

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Carolyn Sattin-Bajaj is a doctoral candidate in International Education at New York University. Her research focuses on immigrant integration and schooling across diverse national contexts, and her dissertation investigates immigrant families' experiences with school choice in New York City. She is co-editor with Marcelo Suárez-Orozco of the forthcoming book, *Educating the Whole Child for the Whole World: The Ross School Model and Education for the Global Era* (New York University press), and she has published and co-authored articles on immigrant education, globalization, and school choice. Carolyn has also contributed chapters to edited volumes including *School Choice and School Improvement: Research in State, District, and Community Contexts*, (M. Berends, M. Cannata, and E. Goldring (Eds.), (Harvard University Press, Forthcoming), and *Learning in the Global Era: International Perspectives on Globalization and Education*, (M.M Suárez-Orozco, (Ed.), (University of California press, 2007). Prior to pursuing doctoral studies, she worked on secondary school reform at the New York City Department of Education.

Marcelo M. Suárez-Orozco's research is on conceptual and empirical problems in the areas of cultural psychology and psychological anthropology with a focus on the study of mass migration, globalization, and education. He is author of numerous scholarly essays, award-winning books, and edited volumes published by some of the leading scholarly outlets in the world (including multiple books with Harvard University Press, Stanford University Press, the University of California Press, and Cambridge University Press), and over 150 scholarly papers appearing in such international journals as *Harvard Educational Review*, *Harvard Business Review*, *Harvard International Review*, *Harvard Policy Review*, *Ethos*, *International Migration*, *Anthropology*



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Professor Suárez-Orozco is the Courtney Sale Ross University Professor of Globalization and Education at New York University. At Harvard, he was the Victor S. Thomas Professor of Education and Culture. In 1997 along with Carola Suárez-Orozco he co-founded the Harvard Immigration Projects and co-directed the largest study ever funded in the history of the National Science Foundation's Cultural Anthropology division—a study of Asian, Afro-Caribbean, and Latino immigrant youth in American society. The award-winning book reporting the results of this landmark study, "Learning A New Land: Immigrant Students in American Society" (C. Suárez-Orozco, M. Suárez-Orozco, and I. Todorova) was published by Harvard University Press in 2008. At the Institute for Advanced Study, Princeton, New Jersey, he was the Richard Fisher Membership Fellow (2009-2010), working on education and globalization – including the forthcoming volume "Educating the Whole Child for the Whole World" with Carolyn Sattin-Bajaj, New York University Press, and on immigration, including the forthcoming volume, "Lifting the Lamp: Shedding Light on Immigration Dilemmas" with Carola Suárez-Orozco.

Professor Suárez-Orozco lectures widely throughout the world: at the Pontifical Academy of Sciences and the Pontifical Academy of Social Sciences, The Holy See, at the World Economic Forum, at the Germany Foreign Ministry and the Mexican Chancellery, at the 25th Anniversary Tällberg Forum in Sweden with Her Majesty Queen Silvia in attendance, at the UN Secretary, General's First Annual Global Colloquium of University Presidents, among others. In the Spring of 2005, under the auspices of The Bank of Sweden Tercentenary Foundation (Riksbankens Jubileumsfond, RJ) and the City of Stockholm, Professor Suárez-Orozco convened the First International Conference on Globalization and Learning in Sweden. He was twice elected Directeur d'Etudes Associe at the Ecole des Hautes Etudes en Sciences Sociales, Paris. He has delivered the Norbert Elias Lecture at the Amsterdam School for Social Sciences in the Netherlands. He has been Visiting Professor of Psychology at the University of Barcelona (Spain), Visiting Professor of Anthropology at the Catholic University of Leuven (Belgium), and Fellow at the Center for Advanced Study in the Behavioral Sciences, Stanford where he wrote with Carola Suarez-Orozco, the award-winning Transformations: Migration, Family Life and Achievement Motivation among Latino Adolescents (Stanford University Press, 1995). Professor Suárez-Orozco was educated in Argentina and at the University of California, Berkeley where he received his A.B. (Psychology, 1980), M.A. (Anthropology, 1981) and Ph. D. (Anthropology, 1986).

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## Technical Appendix

### Note on Data Sources:

The data used in this report come from the school-, district- and state-level report cards for the 2006-2007, 2007-2008, and 2008-2009 school years that are publicly accessible through the New York State Education Department (NYSED) website at <http://www.emsc.nysed.gov/irts/reportcard/>. We took great care to cross-check the demographic data provided in the State Report Cards with other publicly available sources of information on district and charter school enrollments. Few comprehensive reports exist and, as with most large, aggregated datasets, there are certain limitations to the data we used. To start, by relying on reports produced by the State Education Department rather than soliciting data directly from each individual charter school, there is a possibility that some of the State figures are marginally different from what the charter schools had on record, due to rounding or errors in data transfer.

For data regarding New York City's charter schools, Hoxby, Murarka and Kang (2009) describe what they believe to be “substantial problems in the recording of special education and English language learner student status” (p.13) that results from the New York City Department of Education's procedure for maintaining records on charter school enrollments. Charter schools in New York City are only required to maintain basic student enrollment information in ATS (the New York City database), and the authors hypothesize that many charter schools leave the indicator “flag” for special education and/or English language learner status blank. They argue that since many charter schools use another student information system as their primary database, the school administrators may leave those flags blank, prompting the city's database to record the student as not requiring special education or English language learner services when in fact the charter school just has not provided this information. Hoxby, Murarka, and Kang (2009) suggest that there is an eight percentage point underestimation of percentage of ELL students in charter schools for the years covered by their analysis (2000-2001 through 2007-2008). The range that the authors of this report have seen in the calculated percentage of English language learners in New York City charter schools (from 2.8 percent in official count reported by Hoxby, Murarka and Kang (2009) to 3.1 percent estimated in the CREDO (2009) study to 3.8 percent calculated by the UFT (2010) reflects a degree of uncertainty inherent in these data. We thus interpret our finding cautiously, aware of the challenges of using these data to estimate how well represented English language learners are in charter schools across New York State.

Another important question regarding comparisons between charter school and district public school student populations relates to the geographic location of charter schools and how the demographics of the neighborhoods in which charter schools operate compare to those of district public school catchment areas. A number of recent reports about New York City charter schools have raised this issue (Buckley and Sattin-Bajaj, 2010; Hoxby, Murarka, and Kang, 2009; Medina and Gebeloff, 2010; UFT 2010). For example, the United Federation of Teachers (2010), in its recent report on charter schools in New York City, compared ELL student enrollments in charter versus district public schools in Harlem, North-Central Brooklyn, and the South Bronx for 2007-2008. They found a substantial

enrollment gap for ELL's in charter schools compared to district public schools located nearby. In fact, the gap was larger in the South Bronx than the city-wide difference (21.6 percent ELLs in district public schools versus 9 percent in charter schools in the area) and consistent in the two other areas (11.6 percent versus 2.7 percent in Harlem and 11.2 versus 1.3 percent in North-Central Brooklyn respectively.) Buckley and Sattin-Bajaj (2010), who also relied primarily on NYSED report card data for their analysis, included an alternative reference comparison for the ELL students computed by taking the percentage of 5-17 year-olds reported as understanding English less than "very well" in the 2006-2008 estimate for New York City from the American Community Survey (ACS). The enrollment gaps they identified over a three-year period using State data were confirmed by the population estimate drawn from the American Community Survey.

Lastly, a recent analysis by the *New York Times* (Medina and Gebeloff, 2010) reports that "Charter schools have proportionately fewer Hispanic students — as well as fewer students learning English, regardless of their ethnicity — than nearby schools, including schools that share the same building.' Even representatives from the New York City Charter School Center acknowledge this trend and express frustration with it (Regnier, 2010). While these analyses were confined to New York City charter schools, it appears that for those schools, which comprise the largest share of charter schools in New York State, location cannot be held responsible for the persistent underrepresentation of English language learners charter schools.

### **Definitions of Data Sources**

State-wide data: Includes public school districts, charter schools, NYSED-operated programs, and BOCES (Boards of Cooperative Educational Services) programs.

Rochester District public school data: Includes district public schools and does not include charter schools.

Syracuse District public school data: Includes district public schools and does not include charter schools.

Yonkers District public school data: Includes district public schools and does not include charter schools.

Buffalo District public school data: Includes district public schools and does not include charter schools.

New York City Districts (combined) public school data: Includes 32 community school districts that comprise the New York City Department of Education and District 75 (Special Education district), and does not include charter schools. Data were not available for the New York City Alternative High School District or the Chancellor's District, and, thus, the totals for New York City do not include students enrolled in these two additional districts.

Charter School data: 2006-2007 figures include 92 charter schools across all school districts state-wide for which school report cards were publicly available; 2007-2008 figures include 96 charter schools across all school districts state-wide for which school report cards were publicly available; and 2008-2009 figures include 115 charter schools across all school districts state-wide for which school report cards were publicly available.

## **New York State Data**

CHARTER SCHOOL ENROLLMENT: Charter school enrollment constituted approximately one percent (0.95 percent) of entire state-wide school enrollment in public district and charter schools in the 2006-2007 school growing to 1.13 percent in 2007-2008 and reaching 1.36 percent in 2008-2009 (see Tables V-VII in appendix below).

### ENGLISH LANGUAGE LEARNER STUDENT ENROLLMENT

The total number of ELL students enrolled in charter schools across New York State in 2006-2007 was 543, accounting for 2.08 percent of the entire charter school enrollment. This is significantly lower than the statewide figure where approximately 7.33 percent of students enrolled in all public (district and charter) schools were classified as English language learner. Further, in New York State district public schools (excluding charter schools) 7.38 percent of students were English language learners. In 2007-2008, 900 of the 30,773 students enrolled in charter schools in New York State were classified as English language learner comprising only 2.92 percent of the total charter school population. Conversely, 7.37 percent of students in district public schools in New York State (excluding charter schools) were ELL. By 2008-2009, the percentage of charter school students who were English language learner grew to 1339 or 3.65 percent of the total. However, this figure continued to represent a disproportionately low share of ELL students since 1.36 percent of the public school population was attending charter schools in New York State yet only 0.66 percent of the state-wide ELL student population was enrolled in charter schools (see Tables VIII-X in appendix below).

Among the 92 charter schools for which data were available for the 2006-2007 academic year, the percentage of ELL students enrolled ranged from zero to 42 percent. It is important to note, however, that the mode ELL student enrollment percentage in a charter school was zero. Sixty-one schools or 66.3 percent of all charter schools state-wide had zero students who were ELL enrolled. In total, 84 schools or 91.3 percent of all charter schools in the state had an ELL student population lower than five percentage of the total school population. Only seven charter schools had ELL student populations at ten percent or greater. By 2007-2008 the number of charter schools with zero ELL students enrolled had dropped to 41 yet 77.08 percent of all charter schools still had ELL student enrollments of less than five percent of the total student population. Conversely, nine of the state's 96 charter schools had ELL enrollments of ten percent or greater. Finally, in 2008-2009, 38 out of 115 charter schools or 33 percent of the total had a zero percent ELL and 71.3 percent of charter schools had less than five percent ELL student enrollments. The number of charter schools with ELL populations of ten percent or greater grew to twelve or 10.4 percent of the total (see Tables XI-XIII in appendix below).

*It is important to note that a number of charter schools in New York State included in these calculations were in the phase-in stage and had not yet reached full capacity in each of the three years for which data are reported. It is possible, then, that the under-representation of English language learner students in charter schools may in part be attributed to the fact that some of these*



*charter schools might not have had sufficient student enrollment to generate adequate funds to cover the additional costs of English language instruction and support for English language learners and, thus, were unable to serve this special population of students.*

### **Rochester School District**

CHARTER SCHOOL ENROLLMENT: Charter school enrollment constituted 2.52 percent of the entire district-wide school enrollment in public district and charter schools in Rochester during the 2006-2007 school year, growing to 2.97 percent in 2007-2008 and reaching 3.73 percent of the total student enrollment in 2008-2009 (see Tables XIV-XVI in appendix below).

ENGLISH LANGUAGE LEARNER STUDENT ENROLLMENT: ELL students were under-represented in charter schools in Rochester in 2006-2007. While 7.46 percent of students in Rochester district public schools were classified as ELL, only 0.36 percent of students across Rochester's four charter schools were ELL. This means that charter schools served only 0.12 percent of the entire ELL student population in Rochester public schools despite the fact 2.52 percent of all public school students were enrolled in charter schools. In 2007-2008, 9.17 percent of students in Rochester district public schools were classified as ELL. Conversely, although ELL student enrollment in charter schools grew to 1.02 percent, this figure represents only 0.34 percent of the entire district-wide ELL student enrollment. Since 2.97 of all students in the Rochester public school district (including district public and charter schools) attended charter schools in 2007-2008, the proportion of ELL students enrolled in charter schools is low. The district-wide ELL student population grew again in 2008-2009, with 9.33 percent of all students in Rochester classified as ELL. This includes 9.62 percent of students enrolled in district public schools and 1.85 of students enrolled in charter schools. Given that charter schools' share of the total student enrollment grew to 3.73 percent, data showing that charter schools serve only 0.74 percent of total ELL student population indicates persistent gaps (see Tables XIV-XVI in appendix below).

### **Syracuse School District**

CHARTER SCHOOL ENROLLMENT: Charter school enrollment constituted approximately 3.6 percent of the entire district-wide school enrollment in public district and charter schools in Syracuse during the 2006-2007 school year. In 2007-2008, 4.3 percent of students in the Syracuse school district attended charter schools, and this figure grew to 4.43 percent in 2008-2009 (see Tables XVII-XIX in appendix below).

ENGLISH LANGUAGE LEARNER STUDENT ENROLLMENT: ELL students were not served in either of the two charter schools in Syracuse during the 2006-2007, 2007-2008 or 2008-2009 school years. Conversely, the ELL student population in Syracuse district public schools grew from 7.51 and 7.52 percent in 2006-2007 and 2007-2008 respectively, it reached 8.77 percent in 2008-2009. During these same years there were no ELL students enrolled in Syracuse charter schools (see Tables XVII-XIX in appendix below).

### **Yonkers School District**

CHARTER SCHOOL ENROLLMENT: Charter school enrollment comprised 1.2 percent of the entire district-wide school enrollment in public district and charter schools in Yonkers during the 2006-2007 school year. This increased slightly in 2007-2008 to 1.48 percent and reached 1.54 percent by 2008-2009 (see Tables XX- XXII in appendix below).

ENGLISH LANGUAGE LEARNER STUDENT ENROLLMENT: ELL students were under-represented in Yonkers' one charter school in all three academic years surveyed. While 15.63 percent of students in Yonkers district public schools were classified as ELL in 2007-2007, only 3.19 percent of students in the Yonkers charter school were ELL. This means that charter schools served only 0.25 percent of the entire ELL student population in Yonkers public schools despite the fact 1.2 percent of all students enrolled in public schools in Yonkers attended the charter school. The disparities in ELL student enrollments in Yonkers continued in 2007-2008 when the ELL student population dropped to only 2.93 percent of the total charter school enrollment. While 1.48 percent of Yonkers' public school students attended the charter school that year, only 0.29 percent of the district-wide ELL student population was served in the charter school. Finally, in 2008-2009, the district public school ELL student population fell to 14.71 percent while the charter school population grew to 3.36 percent. Despite this apparent growth, the share of ELL students enrolled in Yonkers' charter school remained minimal at only 0.36 when 1.54 percent of all students in the district attended the charter school (see Tables XX- XXII in appendix below).

### **Buffalo School District**

CHARTER SCHOOL ENROLLMENT: Charter school enrollment constituted 14.64 percent of the entire district-wide school enrollment in public district and charter schools in Buffalo during the 2006-2007 school year. In 2007-2008, the charter school population in Buffalo grew to 15.93 percent of the district total and by 2008-2009 it had climbed to 16.4 percent (see Tables XXIII- XXV in appendix below).

ENGLISH LANGUAGE LEARNER STUDENT ENROLLMENT: ELL students were under-represented in charter schools in Buffalo across all three school years. In 2006-2007 6.93 percent of students in Buffalo district public schools were classified as ELL; however less than one percent (0.74 percent) of students in Buffalo's fourteen charter schools was ELL. This means that charter schools served only 1.8 percent of the entire ELL student population in Buffalo public schools despite the fact 14.64 percent of all students enrolled in public schools in Buffalo attended charter schools. In 2007-2008, the ELL student population grew in both district public schools and charter schools to 7.98 and 0.85 percent respectively. The share of the ELL student population being served in Buffalo's fourteen charter school increased only slightly to 1.97 percent. Given that more students were attending charter schools that year, or 15.93 percent of the total public school population in Buffalo, the underrepresentation remained severe. Finally, in 2008-2009 more

dramatic improvements were seen with 1.64 percent of students in Buffalo's fourteen charter schools classified as ELL comprising 3.66 percent of all ELL students attending Buffalo public schools. This increase in the ELL population in Buffalo charter schools occurred in a context of overall growth in ELL students across the district (8.45 percent of students in Buffalo district public schools were classified as ELL that year) and a rise in the share of students enrolled in charter schools to 16.4 percent of the total (see Tables XXIII- XXV in appendix below).

### **New York City School District (Combined Community School Districts)**

**CHARTER SCHOOL ENROLLMENT:** The most substantial growth in the number of charter schools and in the size of the charter school population over the course of the three years reviewed occurred in New York City. In 2006-2007, fifty-seven charter schools were operating in New York City and their enrollment constituted approximately 1.5 percent of the entire district-wide school enrollment in public district and charter schools in New York City that year. In 2007-2008 the number of charter schools grew to 60 and 1.85 percent of students in the district were attending charter schools. Finally, by 2008-2009 considerable expansion took place with 78 charter schools serving 2.39 percent of students across all New York City public school districts (see Tables XXVI- XXVIII in appendix below).

**ENGLISH LANGUAGE LEARNER STUDENT ENROLLMENT:** Students who are ELL were consistently under-represented in charter schools in New York City. While 13.98 percent of students in New York City district public schools were classified as ELL in 2006-2007, only 2.29 percent of students in the fifty-seven charter schools were ELL. This means that charter schools served only 0.25 percent of the entire ELL student population in New York City public schools despite the fact 1.5 percent of all students enrolled in public schools in New York City attended charter schools. Charter schools saw over one percentage point increase in the ELL student population in the 2007-2008 school year with 3.86 of students enrolled in New York City charter schools classified as ELL. The simultaneous growth in the district public schools' ELL student population to 14.29 percent meant that the share of ELL students attending charter schools remained low at 0.51 percent since the overall charter school student enrollment had increased to 1.85 percent of the district total. 2008-2009 marked a third year of increasing ELL student enrollment in charter schools and in district public schools in New York City. ELL students comprised 4.6 percent of the entire charter school population and 14.54 percent of the district public school student enrollment. Growth in the number of charter schools that year expanded the charter school population to 2.39 percent of the district total yet the share of ELL students served in charter schools remained only 0.77 percent (see Tables XXVI- XXVII in appendix below).

## State-wide Charter School Data

**Table V. New York State Total Public School Enrollment with Charter and District Public School Comparisons 2006-2007**

	School Enrollment	Total % Free & Reduced Lunch	% ELL	% Am. Indian	% Black/ African American	% Hispanic	% Asian/ Pac Island	% White	% Multiracial
<b>NY State* TOTAL</b>	2,741,258	44.35	7.33	0.49	19.49	20.41	7.14	52.22	0.25
<b>NY State District Public Schools</b>	2,715,188	44.04	7.38	0.49	19.04	20.41	7.19	52.61	0.24
<b>NY State Charter Schools</b>	26,070	75.86	2.08	0.33	66.53	20.46	1.30	11.23	0.93
<b>Charters as % of NY State total</b>	0.95	1.63	0.27	0.63	3.25	0.95	0.17	0.20	3.60

\* NY State total includes the sum total of all district public schools “NY State district public schools” and all charter schools “NY State charter schools” across the state.

**Table VI. New York State Total Public School Enrollment with Charter and District Public School Comparisons 2007-2008**

	School Enrollment	Total % Free & Reduced Lunch	% ELL	% Am. Indian	% Black/ African American	% Hispanic	% Asian/ Pac Island	% White	% Multiracial
<b>NY State* TOTAL</b>	2,714,385	44.13	7.31	0.48	19.41	20.83	7.37	51.72	0.19
<b>NY State District Public Schools</b>	2,683,612	43.79	7.37	0.49	18.89	20.82	7.43	52.19	0.18
<b>NY State Charter Schools</b>	30,773	74.48	2.89	0.39	65.08	21.95	1.46	10.39	0.75
<b>Charters as % of NY State total</b>	1.13	1.91	0.45	0.91	3.80	1.19	0.22	0.23	4.51

\* NY State total includes the sum total of all district public schools “NY State district public schools” and all charter schools “NY State charter schools” across the state.

**Table XVII. New York State Total Public School Enrollment with Charter and District Public School Comparisons 2008-2009**

	School Enrollment	Total % Free & Reduced Lunch	% ELL	% Am. Indian	% Black/ African American	% Hispanic	% Asian/ Pac Island	% White	% Multiracial
NY State* TOTAL	2,691,267	46.28	7.51	0.48	19.25	21.24	7.64	51.08	0.25
NY State District Public Schools	2,654,600	45.93	7.57	0.49	18.62	.21.21	7.72	51.67	0.30
NY State Charter Schools	36,667	71.52	3.63	0.38	64.31	23.70	1052	8.54	1.27
Charters as % of NY State total	1.36	2.11	0.66	1.08	4.55	1.52	0.27	0.23	5.58

\* NY State total includes the sum total of all district public schools “NY State district public schools” and all charter schools “NY State charter schools” across the state.

**Table VIII. Total State-wide Charter School Enrollments Disaggregated by 5 Largest Districts 2006-2007**

	# of Charter Schools	School Enrollment	Total % Free & Reduced Lunch	% ELL	% Am. Indian	% Black/ African American	% Hispanic	% Asian/ Pac. Island	% White	% Multiracial
State Total	92	26070	75.86	2.08	0.33	66.53	20.46	1.30	11.23	0.93
Rochester	4	844	63.98	0.36	0.12	56.40	20.85	0.71	20.73	1.54
Syracuse	2	756	80.69	0.00	0.66	72.75	6.75	0.13	18.25	1.46
Yonkers	1	282	68.44	3.19	0.71	61.35	34.75	0.35	2.13	1.42
Buffalo	14	5932	74.06	0.74	0.66	65.85	7.45	0.56	25.0	0.15
NYC	57	14766	73.99	2.29	0.16	65.57	28.22	1.75	3.75	n/a

**Table IX. Total State-wide Charter School Enrollments Disaggregated by 5 Largest Districts 2007-2008**

	# of Charter Schools	School Enrollment	Total % Free & Reduced Lunch	% ELL	% Am. Indian	% Black/ African American	% Hispanic	% Asian/ Pac. Island	% White	% Multiracial
<b>State Total</b>	96	30773	74.48	2.92	0.39	65.08	21.95	1.46	10.39	0.75
<b>Rochester</b>	4	985	64.48	1.02	0.10	57.36	21.42	0.61	18.98	1.52
<b>Syracuse</b>	2	887	84.33	0	1.01	76.55	6.88	0.56	15.33	0
<b>Yonkers</b>	1	341	75.95	2.93	0.59	56.01	36.95	0.88	0.29	4.69
<b>Buffalo</b>	14	6387	76.56	0.85	0.77	65.73	8.67	0.56	24.02	0.17
<b>NYC</b>	60	18259	73.55	3.86	0.19	64.41	29.86	1.80	3.09	0.69

**Table X. Total State-wide Charter School Enrollments Disaggregated by 5 Largest Districts 2008-2009**

	# of Charter Schools	School Enrollment	Total % Free & Reduced Lunch	% ELL	% Am. Indian	% Black/ African American	% Hispanic	% Asian/ Pac. Island	% White	% Multiracial
<b>State Total</b>	115	36667	71.52	3.65	0.38	64.31	23.70	1.52	8.54	1.27
<b>Rochester</b>	5	1245	71.81	1.85	0.08	61.20	19.84	0.48	15.58	2.49
<b>Syracuse</b>	2	913	85.76	0	1.31	77.55	5.48	0.77	13.69	1.20
<b>Yonkers</b>	1	357	69.19	3.36	.56	61.62	36.69	0.84	0.28	0.28
<b>Buffalo</b>	14	6419	74.26	1.64	0.76	63.58	9.95	1.07	23.74	0.95
<b>NYC</b>	78	23540	68.04	4.60	0.23	58.90	29.83	1.84	2.93	1.04

**Table XI. Charter Schools by District with Less than 5 percent of Students Classified as ELL 2006-2007**

<b>% ELL</b>	<b># Schools</b>	<b>Rochester</b>	<b>Syracuse</b>	<b>Yonkers</b>	<b>Buffalo</b>	<b>NYC</b>
<b>0</b>	62	3	2	0	11	36
<b>1</b>	8	1	0	0	1	6
<b>2</b>	5	0	0	0	1	3
<b>3</b>	4	0	0	1	0	2
<b>4</b>	5	0	0	0	1	4
<b>Total &lt;5</b>	84	4	2	1	14	51
<b>% of Total</b>	91.3%	100%	100%	100%	100%	91.1%

**Table XII. Charter Schools by District with Less than 5 percent of Students Classified as ELL 2007-2008**

<b>% ELL</b>	<b>Statewide # Schools</b>	<b>Rochester</b>	<b>Syracuse</b>	<b>Yonkers</b>	<b>Buffalo</b>	<b>NYC</b>
<b>0</b>	41	3	2	0	12	16
<b>1</b>	18	0	0	0	0	16
<b>2</b>	4	0	0	0	1	3
<b>3</b>	8	0	0	1	1	4
<b>4</b>	3	0	0	0	0	2
<b>Total &lt;5</b>	74	3	2	1	14	41
<b>% of Total</b>	77.08%	75.0%	100.0%	100.0%	100.0%	68.33%



**Table XIII. Charter Schools by District with Less than 5 percent of Students Classified as ELL 2008-2009**

<b>% ELL</b>	<b># Schools</b>	<b>Rochester</b>	<b>Syracuse</b>	<b>Yonkers</b>	<b>Buffalo</b>	<b>NYC</b>
<b>0</b>	38	3	2	0	10	16
<b>1</b>	8	0	0	0	0	6
<b>2</b>	22	0	0	0	1	18
<b>3</b>	8	0	0	1	1	6
<b>4</b>	6	0	0	0	1	4
<b>Total &lt;5</b>	82	3	2	1	13	50
<b>% of Total</b>	71.3%	60.0%	100.0%	100.0%	92.86%	64.10%

**Intra-district Comparisons: Charter School and District Public School Enrollments**

**Table XIV. Rochester School District 2006-2007**

	School Enrollment	Total % Free & Reduced Lunch	% ELL	% Am. Indian	% Black/ African American	% Hispanic	% Asian/ Pac Island	% White	% Multiracial
<b>Rochester Total</b>	33,430	77.94	7.28	0.31	65.22	20.69	1.60	12.12	0.04
<b>Rochester District Public Schools</b>	32,586	78.30	7.46	0.32	65.45	20.69	1.63	11.89	0.00
<b>Rochester Charter Schools</b>	844	63.98	0.36	0.12	56.40	20.85	0.71	20.73	1.54
<b>Charters as % of Rochester total</b>	2.52	2.07	0.12	0.95	2.18	2.54	1.12	4.32	100.0

**Table XV. Rochester School District 2007-2008**

	School Enrollment	Total % Free & Reduced Lunch	% ELL	% Am. Indian	% Black/ African American	% Hispanic	% Asian/ Pac Island	% White	% Multiracial
<b>Rochester Total</b>	33,132	80.32	8.93	0.32	65.18	21.10	1.72	11.42	0.25
<b>Rochester District Public Schools</b>	32,147	80.77	9.17	0.32	65.42	21.09	1.76	11.19	0.21
<b>Rochester Charter Schools</b>	985	65.48	1.02	0.10	57.36	21.42	0.61	18.98	1.52
<b>Charters as % of Rochester total</b>	2.97	2.42	0.34	0.95	2.62	3.02	1.05	4.94	17.86

**Table XVI. Rochester School District 2008-2009**

	<b>School Enrollment</b>	<b>Total % Free &amp; Reduced Lunch</b>	<b>% ELL</b>	<b>% Am. Indian</b>	<b>% Black/ African American</b>	<b>% Hispanic</b>	<b>% Asian/ Pac Island</b>	<b>% White</b>	<b>% Multiracial</b>
<b>Rochester Total</b>	33,368	81.79	9.33	0.32	64.61	21.63	2.25	10.88	0.34
<b>Rochester District Public Schools</b>	32,123	82.17	9.62	0.33	64.74	21.69	2.32	10.69	0.25
<b>Rochester Charter Schools</b>	1,245	71.81	1.85	0.08	61.20	19.84	0.48	15.58	2.49
<b>Charters as % of Rochester total</b>	3.73	3.28	0.74	0.94	3.53	3.42	0.80	5.35	27.68

**Table XVII. Syracuse School District 2006-2007**

	<b>School Enrollment</b>	<b>Total % Free &amp; Reduced Lunch</b>	<b>% ELL</b>	<b>% Am. Indian</b>	<b>% Black/ African American</b>	<b>% Hispanic</b>	<b>% Asian/ Pac Island</b>	<b>% White</b>	<b>% Multiracial</b>
<b>Syracuse Total</b>	21,117	74.75	7.25	1.42	54.67	10.39	2.71	30.75	0.05
<b>Syracuse District Public Schools</b>	20,361	74.52	7.51	1.45	54.00	10.53	2.80	31.22	0.00
<b>Syracuse Charter Schools</b>	756	80.69	0.00	0.66	72.75	6.75	0.13	18.25	1.46
<b>Charters as % of Syracuse total</b>	3.58	3.86	0.00	0.02	4.76	2.32	0.17	2.13	100.0

**Table XVIII. Syracuse School District 2007-2008**

	<b>School Enrollment</b>	<b>Total % Free &amp; Reduced Lunch</b>	<b>% ELL</b>	<b>% Am. Indian</b>	<b>% Black/ African American</b>	<b>% Hispanic</b>	<b>% Asian/ Pac Island</b>	<b>% White</b>	<b>% Multiracial</b>
<b>Syracuse Total</b>	20,646	74.90	7.19	1.42	55.38	10.49	2.72	30.01	0.00
<b>Syracuse District Public Schools</b>	19,759	74.47	7.52	1.44	54.43	10.65	2.81	30.67	0.00
<b>Syracuse Charter Schools</b>	887	84.33	0.00	1.01	76.55	6.88	0.56	15.33	0.00
<b>Charters as % of Syracuse total</b>	4.30	4.84	0.00	0.04	5.94	2.82	0.89	2.19	0.00

**Table XIX. Syracuse School District 2008-2009**

	<b>School Enrollment</b>	<b>Total % Free &amp; Reduced Lunch</b>	<b>% ELL</b>	<b>% Am. Indian</b>	<b>% Black/ African American</b>	<b>% Hispanic</b>	<b>% Asian/ Pac Island</b>	<b>% White</b>	<b>% Multiracial</b>
<b>Syracuse Total</b>	20,606	75.87	8.39	1.34	55.37	10.73	3.68	28.83	0.05
<b>Syracuse District Public Schools</b>	19,693	75.41	8.77	1.34	54.34	10.97	3.82	29.53	0
<b>Syracuse Charter Schools</b>	913	85.76	0.00	1.31	77.55	5.48	0.77	13.69	1.20
<b>Charters as % of Syracuse total</b>	4.43	5.01	0.00	0.06	6.21	2.26	0.92	2.10	100.0

**XX. Yonkers School District 2006-2007**

	<b>School Enrollment</b>	<b>Total % Free &amp; Reduced Lunch</b>	<b>% ELL</b>	<b>% Am. Indian</b>	<b>% Black/ African American</b>	<b>% Hispanic</b>	<b>% Asian/ Pac Island</b>	<b>% White</b>	<b>% Multiracial</b>
<b>Yonkers Total</b>	23,596	72.19	15.48	0.22	26.80	48.35	6.00	17.10	0.02
<b>Yonkers District Public Schools</b>	23,314	72.24	15.63	0.21	26.38	48.52	6.07	17.28	0.00
<b>Yonkers Charter Schools</b>	282	64.44	3.19	0.71	61.35	34.75	0.35	2.13	1.42
<b>Charters as % of Yonkers total</b>	1.20	1.13	0.25	3.85	2.74	0.86	0.07	0.15	100.00

**Table XXI. Yonkers School District 2007-2008**

	<b>School Enrollment</b>	<b>Total % Free &amp; Reduced Lunch</b>	<b>% ELL</b>	<b>% Am. Indian</b>	<b>% Black/ African American</b>	<b>% Hispanic</b>	<b>% Asian/ Pac Island</b>	<b>% White</b>	<b>% Multiracial</b>
<b>Yonkers Total</b>	23,077	73.81	14.72	0.19	27.10	49.30	5.99	17.33	0.07
<b>Yonkers District Public Schools</b>	22,736	73.78	14.90	0.18	26.67	49.49	6.07	17.59	0.00
<b>Yonkers Charter Schools</b>	341	75.95	2.93	0.59	56.01	36.95	0.88	0.29	4.69
<b>Charters as % of Yonkers total</b>	1.48	1.52	0.29	4.65	3.05	1.11	0.22	0.03	100.00

**Table XXII. Yonkers School District 2008-2009**

	<b>School Enrollment</b>	<b>Total % Free &amp; Reduced Lunch</b>	<b>% ELL</b>	<b>% Am. Indian</b>	<b>% Black/ African American</b>	<b>% Hispanic</b>	<b>% Asian/ Pac Island</b>	<b>% White</b>	<b>% Multiracial</b>
<b>Yonkers Total</b>	23,251	74.06	14.53	0.17	26.35	50.33	5.94	17.20	0.00
<b>Yonkers District Public Schools</b>	22,894	74.14	14.71	0.17	25.80	50.55	6.02	17.47	0.00
<b>Yonkers Charter Schools</b>	357	69.19	3.36	0.56	61.62	36.69	0.84	0.28	0.28
<b>Charters as % of Yonkers total</b>	1.54	1.43	0.36	5.00	3.59	1.12	0.22	0.03	100.00

**Table XXIII. Buffalo School District 2006-2007**

	<b>School Enrollment</b>	<b>Total % Free &amp; Reduced Lunch</b>	<b>% ELL</b>	<b>% Am. Indian</b>	<b>% Black/ African American</b>	<b>% Hispanic</b>	<b>% Asian/ Pac Island</b>	<b>% White</b>	<b>% Multiracial</b>
<b>Buffalo Total</b>	40,521	77.53	6.03	1.41	58.65	13.26	1.33	25.18	0.11
<b>Buffalo District Public Schools</b>	34,589	78.13	6.93	1.54	57.42	14.26	1.46	25.21	0.11
<b>Buffalo Charter Schools</b>	5932	74.06	0.74	0.66	65.85	7.45	0.56	25.00	0.15
<b>Charters as % of Buffalo total</b>	14.64	13.98	1.80	6.83	16.44	8.22	6.12	14.53	19.57

**Table XXIV. Buffalo School District 2007-2008**

	<b>School Enrollment</b>	<b>Total % Free &amp; Reduced Lunch</b>	<b>% ELL</b>	<b>% Am. Indian</b>	<b>% Black/ African American</b>	<b>% Hispanic</b>	<b>% Asian/ Pac Island</b>	<b>% White</b>	<b>% Multiracial</b>
<b>Buffalo Total</b>	40099	79.65	6.84	1.40	58.35	13.99	1.57	24.60	0.08
<b>Buffalo District Public Schools</b>	33,712	80.24	7.98	1.52	56.95	15.00	1.76	24.72	0.06
<b>Buffalo Charter Schools</b>	6,387	76.56	0.85	0.77	65.73	8.67	0.56	24.02	0.17
<b>Charters as % of Buffalo total</b>	15.93	15.31	1.97	8.72	17.94	9.87	5.73	15.55	35.48

**Table XXV. Buffalo School District 2008-2009**

	<b>School Enrollment</b>	<b>Total % Free &amp; Reduced Lunch</b>	<b>% ELL</b>	<b>% Am. Indian</b>	<b>% Black/ African American</b>	<b>% Hispanic</b>	<b>% Asian/ Pac Island</b>	<b>% White</b>	<b>% Multiracial</b>
<b>Buffalo Total</b>	39,151	80.37	7.33	1.34	57.88	14.07	2.48	23.94	0.29
<b>Buffalo District Public Schools</b>	32,732	81.57	8.45	1.45	56.77	14.88	2.75	23.98	0.16
<b>Buffalo Charter Schools</b>	6,419	74.26	1.64	0.76	63.58	9.95	1.07	23.74	0.95
<b>Charters as % of Buffalo total</b>	16.40	15.15	3.66	9.33	18.01	11.60	7.12	16.26	53.04

**Table XXVI. New York City School Districts (Combined Community Schools Districts) 2006-2007**

	<b>School Enrollment</b>	<b>Total % Free &amp; Reduced Lunch</b>	<b>% ELL</b>	<b>% Am. Indian</b>	<b>% Black/ African American</b>	<b>% Hispanic</b>	<b>% Asian/ Pac Island</b>	<b>% White</b>	<b>% Multiracial</b>
<b>NYC Total</b>	984,991	72.31	13.81	0.42	32.77	39.28	13.53	13.98	n/a
<b>NYC District Public Schools</b>	970,225	72.28	13.98	0.43	32.27	39.45	13.70	14.13	n/a
<b>NYC Charter Schools</b>	14,766	73.99	2.29	0.16	65.57	28.22	1.75	3.75	0.3
<b>Charters as % of NYC total</b>	1.50	1.53	0.25	0.55	3.00	1.08	0.19	0.40	n/a

**Table XXVII. New York City School Districts (Combined Community Schools Districts) 2007-2008**

	<b>School Enrollment</b>	<b>Total % Free &amp; Reduced Lunch</b>	<b>% ELL</b>	<b>% Am. Indian</b>	<b>% Black/ African American</b>	<b>% Hispanic</b>	<b>% Asian/ Pac Island</b>	<b>% White</b>	<b>% Multiracial</b>
<b>NYC Total</b>	987,127	71.06	14.09	0.43	32.38	39.47	13.75	13.86	n/a
<b>NYC District Public Schools</b>	968,868	71.01	14.29	0.43	31.78	39.65	13.97	14.06	n/a
<b>NYC Charter Schools</b>	18,259	73.55	3.86	0.19	64.41	29.86	1.80	3.09	0.69
<b>Charters as % of NYC total</b>	1.85	1.91	0.51	0.83	3.68	1.40	0.24	0.41	n/a



**Table XXVIII. New York City School Districts (Combined Community Schools Districts) 2008-2009**

	<b>School Enrollment</b>	<b>Total % Free &amp; Reduced Lunch</b>	<b>% ELL</b>	<b>% Am. Indian</b>	<b>% Black/ African American</b>	<b>% Hispanic</b>	<b>% Asian/ Pac Island</b>	<b>% White</b>	<b>% Multiracial</b>
<b>NYC Total</b>	984,507	74.69	14.30	0.43	31.66	39.56	14.12	13.98	n/a
<b>NYC District Public Schools</b>	960,967	74.85	14.54	0.44	31.00	39.80	14.42	14.25	n/a
<b>NYC Charter Schools</b>	23,540	68.04	4.60	0.23	58.90	29.83	1.84	2.93	1.04
<b>Charters as % of NYC total</b>	2.39	2.18	0.77	1.26	4.45	1.80	0.31	0.50	n/a