



OFFICE OF THE SUPERINTENDENT OF SCHOOLS
ARCHDIOCESE OF NEW YORK

1011 First Avenue, New York, New York 10022 Phone: (212) 371-1000 Fax: (212) 317-9236

January 25, 2019

Dear Catholic School Families and Faculties,

National School Choice Week is celebrated throughout the country from January 20 – 26. Through celebratory events and activities, communities nationwide recognize the importance of preserving educational options for families and the contributions schools with different models and values-systems provide to our society.

Our Catholic schools are an essential component of the education system here in New York and across America, and we must always remain engaged in public policy dialogue to ensure our schools are respected and supported as independent institutions. To that end, I am using this opportunity to share with you an important policy issue developing in New York State.

This past fall, the New York State Education Department (NYSED) released guidance on a statutory measure known as Substantial Equivalency. These guidelines outline requirements religious and independent schools must meet to operate, as well as the process by which “equivalency” to public school instruction will be determined.

The educators and families that comprise the Catholic schools in the Archdiocese of New York know better than anyone that our schools provide a depth and quality of instruction above and beyond any other system in New York. We are happy to demonstrate our academic rigor, because we know our schools far surpass any barometer for “equivalent” instruction.

The problem with NYSED’s guidance, however, lies not in the need to verify programmatic quality, but in how the state has proposed to conduct such reviews. Rather than dispatching an impartial team from NYSED’s central offices to visit our schools, they have decided to deputize both local public school districts and their school boards to determine whether or not nonpublic school instruction is “substantially equivalent” to that of public schools.

This structure presents a clear conflict of interest for local public school districts, which would benefit from less competition from nonpublic schools. Determining the quality of instruction based on its similarity to that of public schools threatens the autonomy of private, faith-based institutions to provide families with an educational model that truly differentiates itself from what public schools have to offer. No process that leaves such determination in the hands of local officials can provide a legitimate, unbiased determination; a point made clear to NYSED by nonpublic school stakeholders in conversation over the past two years.

After multiple, unsuccessful efforts to have NYSED consider other alternatives we have recommended – including using accreditation, state exam scores (which outpace our public counterparts in raw score and growth), graduation statistics and attendance rates as qualifying



OFFICE OF THE SUPERINTENDENT OF SCHOOLS
ARCHDIOCESE OF NEW YORK

1011 First Avenue, New York, New York 10022 Phone: (212) 371-1000 Fax: (212) 317-9236

metrics – we are asking the New York State Board of Regents to facilitate additional discussions and to consider the various options by which our schools can demonstrate their success. I will keep you apprised as this issue evolves and may subsequently encourage you to contact your local representative in state government if the need arises.

As partners in Catholic education, we must work in concert to protect your right to select the school that you determine is best for your children. I look forward to staying in communication together as this critical issue further develops.

Sincerely,

Timothy J. McNiff, Ed.D.
Superintendent of Schools
Archdiocese of New York

CC: His Eminence Timothy Michael Cardinal Dolan, Archbishop of New York
Fr. Joseph LaMorte, Chancellor and Vicar General, Archdiocese of New York