

SCHOOLS

Hoboken Charter School Worried About Move

The school is not taking legal action, contrary to comments made by Board of Education officials.

By **Amanda Staab** August 16, 2010

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At a recent Board of Education meeting, Interim Superintendent Peter Carter announced that the Hoboken Charter School has hired an attorney to handle issues between the Board and the school.

"During the past several months," said Carter, "the streets and computers of Hoboken have been abuzz about the Hoboken Charter School, which entity, by the way, has chosen to procure legal counsel against the Board."

However, school representatives said they have not filed a lawsuit against the Board and currently have no plans to do so, despite feelings that the Board might have broken its agreement to allow the school to lease space at A.J. Demarest Alternative High School, near the corner of Fourth Street and Garden Street.

"The only thing that's happened is that we've communicated to the Board our feeling that we've had to leave Demarest for the next two years and had to find quarters elsewhere," said Sean Kelly, the Hoboken Charter School's attorney. "We feel that's a breach of our lease with the Hoboken Board of Education." Kelly explained that the lease requires the Board to provide alternative space under certain circumstances and he believes this applies to the school's recent eviction.

Last fall, school officials received notice from the Board that they had to vacate the third and fourth floors of the Demarest building by June 30, the day after the school's graduation. Students from Thomas G. Connors School on Monroe Street were going to need the space for at least two years while their own school underwent renovations. But, since then, [funding for the Connors renovations has been postponed](#), and those students will not be moved.

"We were faced with a crisis that threatened the existence of the school," said Hoboken Charter School Board President Helen Cuning. She added that 200 local families rely on sending their children to the school the following year. After realizing the Connors students would not need the fourth floor, said Cuning, the Board allowed the charter school's high school class to stay at the Demarest building. However, the school had nowhere to put its 198 kindergarteners and first through eighth graders.

School officials, said Cuning, offered to pay for a space audit to determine whether there would be enough room for their elementary classes in another building in the district. She said the Board agreed to have it done by the winter holidays, but the charter school never heard about it actually happening.

"It may have happened," said Cuning, "but we weren't privy to it."

Cuning said the Hoboken Charter School was fortunate enough to find space without any help from the Board at the Academy of the Sacred Heart on Washington Street. Charter school officials signed a lease for the new location, which will cost the school more than the rent at Demarest, this past April, two months before funding for the Connors renovation was cut.

So, when it became known that the Connors students would not need to move to the Demarest building after all, the charter school had already signed a new lease. And now, Cuning said, the third floor in the Demarest building has been given to another charter school.

The move will cost the Hoboken Charter School a lot of money, said Kelly. Renovations to bring the building at Sacred Heart up to code, including improvements to fire escapes and the installation of ramps where they're required, are currently underway. Kelly said, "These are all required renovations in order to get a certificate of occupancy." The school has to have the certificate before it can open in the fall, so school officials have opted for a delayed start date for the school year, Sept. 13, to give them more time in case they need it.

For the summer, Carter said he would allow the charter school to "occupy the Demarest building for the entire month of July and the first part of August rent free, as a gesture of good will and class."

Cuning said she is now more worried about what will happen when the school's new lease ends in two years. The school is still negotiating its lease with the Board for the fourth floor in the Demarest building, where the high school will be, for the coming year. Cuning said the school has also not received anything in writing regarding whether the elementary grades will ever be welcomed back to Demarest. "We need to know what happens and where we stand within the system," she said.

Since its inception in 1997, said Cuning, the Hoboken Charter School has been a "good tenant" with no previous issues with the Board. She added that over the school's tenure in the district, it has even spent about \$300,000 to renovate its facilities. However, school officials, she said, have now had to hire an attorney to help them get the meeting they've wanted with the Board. "The Board of Education members refuse to meet with us and say it lies in the office of the interim superintendent," said Cuning. But, the superintendent, she added, has not been helpful.

Kelly said that despite letters that have been exchanged between the school and the Board, Carter has not yet agreed to meet in person. However, at the recent Board of Education meeting, Carter said he would be interested in a talk. "I am eager and have always been willing to meet with the officials of the school to settle whatever misunderstandings may have risen over the past several months," he said, "by their not coming forward to discuss their situation directly with me, given that the situation is an administrative, not a political, issue."

Kelly said that that is not what has been communicated to him, but school officials are still hopeful they can come to an agreement with the Board in an amicable manner.

"Nobody wants litigation," said Cuning. "The Hoboken Charter School is not interested in litigation. It's counterproductive when we are talking about public funds, public buildings, and public school children."

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