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Facts vs. Fiction

The Truth About New York State Yeshiva Education

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Introduction

Negativity and sensationalism sell papers.

But leaders and truth seekers need facts. Not selective interviews. Not cherry-picked “data.” Not innuendo.

Here, Agudath Israel of America directly addresses some misconceptions perpetuated against Hasidic and Orthodox Jewish education by the New York Times beginning with its nearly 8,000 word, September 11th, front-page hit-piece. And, unlike the New York Times, this document provides sources.

Make no mistake, the inaccuracies and innuendo spouted are not harmless – they defame hundreds of thousands of parents and scandalize how they choose to raise their children.

Agudath Israel undertook this task not simply to address the offensive front-page article. But, as has been said, a lie, oft repeated, becomes true. Agudath Israel cannot allow these inaccuracies to “become true.” Thus, this document also debunks related misconceptions that have been repeated surrounding this issue. In fact, in a sense, by spouting so many inaccuracies, an opportunity was presented to describe a side and beauty of New York’s yeshivas that has not been appreciated.

The purpose of this paper is not to assert that every yeshiva is flawless or that every Orthodox Jew is faultless. But the allegations and tone in this campaign of articles are so biased; the anecdotes so selectively sourced; and the data so faulty, that this undertaking was deemed essential.

This will be a work in progress, with chapters being added as additional research comes in and as the need arises.

For many in the Hasidic and broader Jewish and private school community, overreach by government into their private schools strikes at the core of their existence. Hundreds of thousands of formal opposing comments – shattering records – submitted during both Regulation comment periods, made that clear. So many parents were frightened that the institutions they value and trust to educate their children would be imperiled.

Let’s find out why.

How many articles has the New York Times published on Orthodox Jews and Hasidim in the past few months?
How many were positive?

Orthodox Jews and the NYT's Obsession with Them, A Summary.

The NYT has placed inordinate resources and emphasis on vilifying the Jewish and Hasidic community in recent months.

A summary:

Date	Article Title	Synopsis	Author(s)
Apr. 26, 2022	<i>At a Place Where He Was Supposed to Be Safe, He Was Molested¹</i>	A book review about an orphaned Jewish boy whose molestation in a summer camp is graphically retold.	Bruce Feiler
Aug. 5, 2022	<i>Please, God, Help Me Stop Missing Her²</i>	An emotional account of an Orthodox Jewish girl who sublimated her attraction to females due to her religious upbringing.	Sara Glass
Sep. 11, 2022	<i>In Hasidic Enclaves, Failing Private Schools Flush With Public Money³</i>	The subject of this paper. Front page, 8,000-word hit piece.	Eliza Shapiro & Brian M. Rosenthal

¹ <https://www.nytimes.com/2022/04/26/books/review/chosen-stephen-mills.html?searchResultPosition=42>

² <https://www.nytimes.com/2022/08/05/style/modern-love-orthodox-jewish-gay.html>

³ <https://www.nytimes.com/2022/09/11/nyregion/hasidic-yeshivas-schools-new-york.html>

Date	Article Title	Synopsis	Author(s)
Sep. 11, 2022	<i>Share Your Stories About Hasidic Schools</i> ⁴	Direct outreach to former Hasidic students, parents, and teachers (few of whom still in the community read the NYT) to weigh in on the NYT's findings. Specifically, that Hasidic schools deny a basic education by teaching religion, received a billion dollars, and regularly utilize abusive corporal punishment. ⁵	Eliza Shapiro & Brian M. Rosenthal
Sep. 11, 2022	<i>N.Y. State Vote Could Raise Pressure on Officials Over Hasidic Schools</i> ⁶	Rehash of above.	Eliza Shapiro & Brian M. Rosenthal
Sep. 12, 2022	<i>New York Lawmakers Call for More Oversight of Hasidic Schools</i> ⁷	The NYT reached out to politicians to solicit their reactions to the NYT's accusations. After describing that some politicians solicited disagreed with the NYT's assertions, the article describes the vast political power of Hasidic Jews.	Eliza Shapiro, Brian M. Rosenthal & Nicholas Fandos
Sep. 13, 2022	<i>New State Rules Offer Road Map for Regulating Private Hasidic Schools</i> ⁸	Regulations enacted. Rehash of the same, one-sided accusations.	Eliza Shapiro & Brian M. Rosenthal
Sep. 15, 2022	<i>A Closer Look at The Times's Report on Hasidic Schools</i> ⁹	A Q&A with Brian M. Rosenthal to expand upon the failures of Hasidic schools, how Hasidim control NY politics, and a regurgitation of the initial article.	James Barron interviewing Brian M. Rosenthal

⁴ <https://www.nytimes.com/2022/09/11/reader-center/new-york-hasidic-schools-experience.html>

⁵ Incidentally, the office of Agudath Israel has received emails from hundreds of parents, furious about the articles being written against them. Many completed the above survey denying the claims of the NYT, but were never responded to by the NYT.

⁶ <https://www.nytimes.com/2022/09/11/nyregion/hasidic-schools-nyc-officials.html?searchResultPosition=27>

⁷ <https://www.nytimes.com/2022/09/12/nyregion/lawmakers-hasidic-schools.html?searchResultPosition=24>

⁸ <https://www.nytimes.com/2022/09/13/nyregion/new-york-rules-yeshivas.html?searchResultPosition=23>

⁹ <https://www.nytimes.com/2022/09/15/nyregion/a-closer-look-at-the-times-report-on-hasidic-schools.html?searchResultPosition=19>

Date	Article Title	Synopsis	Author(s)
Sep. 16, 2022	<i>It Is Long Past Time to Help New York's Hasidic Children¹⁰</i>	Rehash of the September 11 th article. The NYT then adds its recommendation that private schools should be subjected to more draconian oversight than the new Regulations require, including that private school children should be cut off from food and other services, and that the state should specify the precise minutes required in each subject.	The Editorial Board
Sep. 23, 2022	<i>Zeldin Sees a Path to Becoming Governor. It Runs Through Brooklyn.¹¹</i>	A description of how the gubernatorial candidates are competing and pandering for the Hasidic vote, and how Mr. Zeldin is “capitalizing on the yeshiva issue.”	Nicholas Fandos & Eliza Shapiro
Oct. 3, 2022	<i>Why Polio, Once Eliminated, Is Testing N.Y. Health Officials¹²</i>	A discussion of polio, and its circulation in the wastewater of several NY counties. That the solitary victim of polio is a Hasidic man is prominently mentioned.	Sharon Otterman
Oct. 7, 2022	<i>A Dance Floor That Transcended Tradition¹³</i>	A recounting, in the Vows section, about a well-connected Chabad Hasidic couple who were wed in Hilton Abu Dhabi Yas Island hotel, United Arab Emirates. Not overtly offensive.	Valeriya Safronova
Oct. 12, 2022	<i>Hasidic School Is Breaking State Education Law, N.Y. Official Rules¹⁴</i>	A discussion of how State Education Commissioner Betty Rosa overruled the NYC Department of Education and found a Hasidic school not substantially equivalent. ¹⁵ Then the article rehashes the vitriol of prior articles.	Eliza Shapiro & Brian M. Rosenthal

¹⁰ <https://www.nytimes.com/2022/09/16/opinion/hasidic-schools-new-york.html?searchResultPosition=18>

¹¹ <https://www.nytimes.com/2022/09/23/nyregion/zeldin-governor-hasidic-jews.html?searchResultPosition=13>

¹² <https://www.nytimes.com/2022/10/03/nyregion/polio-new-york-eradication.html?searchResultPosition=12>

¹³ <https://www.nytimes.com/2022/10/07/style/lea-hadad-levi-duchman-wedding.html?searchResultPosition=11>

¹⁴ <https://www.nytimes.com/2022/10/12/nyregion/hasidic-yeshiva-mesivta-arugath-habosem-secular-education.html>

¹⁵ This Commissioner’s ruling finding the school as not substantially equivalent is notable from a legal perspective. Specifically:

- Employing an aggressive legal loophole, the Commissioner overruled the Local School Authority (in this case the NYC DOE), which the statute empowers to be the arbiter of a finding of equivalency.

Date	Article Title	Synopsis	Author(s)
Oct. 24, 2022	<i>Hasidic School to Pay \$8 Million After Admitting to Widespread Fraud</i> ¹⁶	The gleeful retelling of a yeshiva that was required to pay a significant fine. The article then rehashes the prior accusations, and specifically the large sums of money Hasidic yeshivas receive.	Eliza Shapiro & Brian M. Rosenthal
Oct. 30, 2022	<i>How the Hasidic Jewish Community Became a Political Force in New York</i> ¹⁷	A detailed discussion of the “outsized political clout” of Hasidic Jews, and their “bloc vote.” The New York political system cowers in fear from the powerful Hasidics. Moreover, the American right to vote, while lauded when exercised by other Americans, is somehow scandalous when exercised by Jews. ¹⁸	Emma G. Fitzsimmons, Bianca Pallaro, Brian Rosenthal & Eliza Shapiro contributed.
Nov. 4, 2022	<i>Kyrie Irving’s Links to Antisemitism Horrify His Many Jewish Fans</i> ¹⁹	A description of the antisemitic statements of Nets player Kyrie Irving and its impact on Jewish fans. Not an offensive article.	Troy Closson

- In addition to this legal novelty, from an educational perspective, the NYC DOE visited the school several times (SED did not) and produced a voluminous report of positive findings. The Commissioner writes that she afforded the findings of the independent DOE “minimal weight” because it contradicted or did not sufficiently address “the sworn allegations submitted by Ms. Weber.”
- Beatrice Weber initiated the lawsuit against the yeshiva as part of divorce and custody proceedings. Ms. Weber is the incoming Director of Yaffed.
- The Commissioner writes that she flunked the school, in part, because it showed “little evidence” of conformity with instruction in patriotism, citizenship, the New York Constitution, New York State history, highway safety and traffic regulation, and instruction around alcohol, drugs, tobacco abuse, and the detection of certain sexual cancers. This was a review of a lower elementary school.

¹⁶ <https://www.nytimes.com/2022/10/24/nyregion/hasidic-yeshiva-fraud-central-united-talmudical-academy.html>

¹⁷ <https://www.nytimes.com/2022/10/30/nyregion/hasidic-political-power-new-york.html?searchResultPosition=4>

¹⁸ Particularly disturbing was the quote regarding the Crown Heights riots, murders, and looting of Jewish stores in 1991, justified by “longstanding grudges over what they saw as the Hasidic Community receiving preferential treatment from the police and city.”

¹⁹ <https://www.nytimes.com/2022/11/04/nyregion/kyrie-irving-jewish-fans.html?searchResultPosition=2>

Date	Article Title	Synopsis	Author(s)
Nov. 5, 2022	<i>Questions for Kathy Hochul and Lee Zeldin</i>	Rehash of the Sep. 11 th initial accusations. Among the primary issues facing the candidates and New Yorkers, the article closes by stating that “Mr. Zeldin has vowed to protect the schools from governmental interference as he seeks to win over Orthodox Jewish groups.”	Troy Closson
Dec. 12, 2022	<i>Why Some Hasidic Children Can’t Leave Failing Schools</i>	A detailed account by Ms. Beatrice Weber and other Yaffed members of how, in a divorce proceeding, they were not always allowed to remove children from their “failing” yeshiva. That all the interviewees have left their communities and that many are Yaffed members, is not disclosed. That Ms. Weber is the Executive Director of Yaffed is disclosed near the end of the article. The article includes significant misrepresentations of Jewish law and Jewish courts.	Eliza Shapiro
Dec. 15, 2022	<i>A Look Inside New York’s Swirling Kaleidoscope of Faiths</i>	A glowing description of the religious diversity of New York City. The lengthy article respectfully describes the religious practices of the Catholic Church, Buddhist and Jain temples, Sikh, Greek Orthodox, Black Baptist, Antioch Baptist, Yoruba spiritual practices of West Africa, witchcraft, Albanian Islamic, Lutheran, Coptic Orthodox Church, Hindu and other practices. The only references to Jews are regarding a “queer-friendly synagogue” in Manhattan.	Liam Stack

Put another way, the Times has engaged in nothing short of a crusade against the Orthodox and Hasidic community.²⁰



Eliza Shapiro

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Dec. 12, 2022

Why Some Hasidic Children Can't Leave Failing Schools

Parents who try to withdraw their children from yeshivas over a lack of secular education often cannot do so, hampered by social pressure and a rabbinical court system.

By ELIZA SHAPIRO and JONAH MARKOWITZ

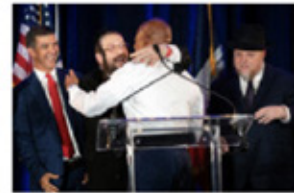


Oct. 30, 2022

How the Hasidic Jewish Community Became a Political Force in New York

Elected officials rarely embrace positions that could antagonize Hasidic leaders, who typically encourage their community to vote as a unified bloc.

By EMMA G. FITZSIMMONS



Oct. 24, 2022

Hasidic School to Pay \$8 Million After Admitting to Widespread Fraud

The Central United Talmudical Academy, which operates the largest all-boys yeshiva in New York State, acknowledged illegally diverting money from federal food aid and other programs.

By BRIAN M. ROSENTHAL and ELIZA SHAPIRO



Oct. 12, 2022

Hasidic School Is Breaking State Education Law, N.Y. Official Rules

Issued amid a lawsuit brought by a parent who left the community, the determination could signal challenges for scores of Hasidic Jewish schools.



²⁰ <https://www.nytimes.com/by/eliza-shapiro>

In fact, the New York Times has launched an entire section dedicated to negative coverage of Hasidic Yeshivas in New York.²¹

Hasidic Yeshivas in New York



Hasidic School to Pay \$8 Million After Admitting to Widespread Fraud

The Central United Talmudical Academy, which operates the largest all-boys yeshiva in New York State, acknowledged illegally diverting money from federal food aid and other programs.

October 24, 2022 • By BRIAN M. ROSENTHAL and ELIZA SHAPIRO



JONAH MARKOWITZ FOR THE NEW YORK TIMES

In Hasidic Enclaves, Failing Private Schools Flush With Public Money

New York's Hasidic Jewish religious schools have benefited from \$1 billion in government funding in the last four years but are unaccountable to outside oversight.

September 12, 2022 • By ELIZA SHAPIRO, BRIAN M. ROSENTHAL and JONAH MARKOWITZ

Hasidic School Is Breaking State Education Law, N.Y. Officials Say

Issued amid a lawsuit brought by a parent who left the community, the determination could signal challenges for scores of Hasidic Jewish schools.

October 12, 2022 • By ELIZA SHAPIRO and BRIAN M. ROSENTHAL

Share Your Stories About Education in Orthodox and Hasidic Schools

The New York Times is researching yeshivas in New York City, Kiryas Joel and Rockland County. Tell us about your experiences.

November 10, 2022



New State Rules Offer Road Map for Regulating Private Hasidic Schools



החידוש מביא לראשונה את המעורבות של משרד החינוך, אגודת ישראל ומועצה אזורית חסידיקה, אגודת ישראל ומועצה אזורית חסידיקה, אגודת ישראל ומועצה אזורית חסידיקה



New York Lawmakers Call for More Oversight of Hasidic Schools



N.Y. State Vote Could Raise Pressure on Officials Over Hasidic Schools



Why New York's Inquiry Into Yeshivas Mysteriously Stalled

To be clear, Agudath Israel of America is supportive of public schools. The point here is not to say the New York Times should be criticizing them.

But when a paper has little negativity in any of its coverage of public schools, and engages in targeted, continuous, condemnatory pieces about one group of religious schools and religious practices, there is something wrong with this picture.

²¹ <https://www.nytimes.com/spotlight/hasidic-yeshivas>

Over more than a year, the reporters interviewed more than 275 people... for a rare look inside a group of schools that is keeping some 50,000 boys from learning...

- New York Times

This is Research?

In fact, the New York Times reporters sent a synopsis of their story to Agudath Israel and certain school leaders before the story printed,²² in which they admitted that they stepped foot into only a single Hasidic school in their extended research on Hasidic schools. Moreover, they wrote, of the more than 275 interviewed, “dozens of the people we interviewed are still in the Hasidic community.”²³ In other words, while the New York Times is opaque about precisely how many “dozens” were interviewed, clearly the Times only spoke to a small percentage of the community it so heavily censured. These key points regarding their sources were omitted from the published article after being heavily criticized in prebuttals penned by Assemblyman Simcha Eichenstein²⁴ and others.²⁵

In addition, the negative, sensational

anecdotes so salaciously retold by the New York Times often emerged from members of Yaffed,²⁶ an organization founded to fundamentally upend Orthodox and Hasidic education.

Yaffed, it should be known, openly awards college scholarships. Unlike most scholarships or fellowships, however, Yaffed’s scholarships do not prioritize the recognition of academic achievement or financial need. Rather, their criteria for awarding funds are if the individual is sufficiently compelling in his or her promise to evangelize Yaffed’s mission. According to Yaffed’s website, college scholarship awardees must:

- Host two on-campus events to raise awareness of our issue amongst peers.
- Engage in advocacy with elected officials by writing letters and conducting meetings.

²² Reproduced in Addendum I.

²³ *Id.*

²⁴ <https://www.nysun.com/article/all-the-news-about-yeshivas-that-the-times-deems-unfit-to-print>

²⁵ <https://www.tabletmag.com/sections/news/articles/plot-against-hasidic-education-new-york-times>

²⁶ Specifically, a quick Google search of individuals the NYT quotes:

Shlomo Noskow - who, in the words of the NYT, “struggled to earn a medical degree” is a YAFFED board member: <https://yaffed.org/who-we-are/>

Chaim Fishman – YAFFED Advisory Council: <https://yaffed.org/who-we-are/>

Chaim Wigder – YAFFED Changemaker Awardee: <https://yaffed.org/category/haredi-changemaker-award/>

- Attend at least one press conference or rally.
- Sign up a minimum of 15 peers to Yaffed's newsletter.
- Provide evidence of an effective social media presence.
- Amplify Yaffed's message and promote updates and events on social media channels.²⁷

In short, *Yaffed literally pays people to spread negative messages about yeshiva education and engage elected officials*. Many quoted in the New York Times are known Yaffed operatives. This is not to say that those individuals are lying about their experiences. But legislators should be aware that when they

receive impassioned letters or appeals against yeshivas from Yaffed members – who may or may not disclose their affiliation – those individuals may be paid to do so. And the better job they do, the more likely they are to receive repeat scholarships.

This is all publicly available information that a team of New York Times investigative journalists knew, or should have known.

Finally, many individuals have gone public in stating that they attempted to tell their firsthand, *positive* stories about their personal or observed Hasidic yeshiva experiences to the New York Times. The New York Times refused to listen – let alone print – such stories.

Bottom line: *The New York Times story is constructed, in part, upon a deck of anecdotes; the New York Times visited one yeshiva in preparation for a virulent, front page, 8,000-word story about yeshivas; just “dozens” of the hundreds interviewed were actually from the community; a simple Google search reveals that the anecdotes were often from known Yaffed operatives or others who left the community; and the New York Times rebuffed competing narratives. These facts undermine much of what follows in the piece.*

²⁷ <https://yaffed.org/the-yaffed-fellowship/>

The Hasidic system fails most starkly in its more than 100 schools for boys. Spread across Brooklyn and the lower Hudson Valley, the schools turn out thousands of students each year who are unprepared to navigate the outside world, helping to push poverty rates in Hasidic neighborhoods to some of the highest in New York.

- New York Times

Poverty Rates Are an Obviously Flawed Metric

Assuming, for arguments sake, that academic success necessarily equates with high income, **employing federal poverty rates as a metric to measure income is deeply flawed.**

Here's why:

A. The federal poverty guidelines are based on family size.

Below are the 2022 federal poverty guidelines.²⁸

2022 Federal Poverty Guidelines				
Household Size	100%	130%	185%	400%
1	\$13,590	\$17,667	\$25,142	\$54,360
2	\$18,310	\$23,803	\$33,874	\$73,240
3	\$23,030	\$29,939	\$42,606	\$92,120
4	\$27,750	\$36,075	\$51,338	\$111,000
5	\$32,470	\$42,211	\$60,070	\$129,880
6	\$37,190	\$48,347	\$68,802	\$148,760
7	\$41,910	\$54,483	\$77,534	\$167,640
8	\$46,630	\$60,619	\$86,266	\$186,520
9	\$51,350	\$66,755	\$94,998	\$205,400
10	\$56,070	\$72,891	\$103,730	\$224,280

The reporters at the New York Times were particularly bothered that, “schools got roughly \$100 million through antipoverty programs to provide free breakfast, lunch, dinner and snacks every school day to virtually all Hasidic boys...”²⁹

Eligibility for free lunch, to use the New York Times' example, is for families below 130% of the poverty guidelines. Eligibility for reduced lunch is below 185% of poverty guidelines.³⁰

Hasidic communities tend to have larger families – seven or more children in a family is not uncommon. Let's look at an average Hasidic family – we'll call them the Kleins. The Kleins are happily married, blessed with seven children. Mr. and Mrs. Klein jointly earn \$94,000.³¹ As a family of nine, per the table above, the Kleins are below the eligibility threshold for purposes of reduced lunch.

To be clear, it may indeed be difficult for the Kleins to make ends meet supporting a large family on \$94,000, but \$94,000 is 33% higher than the median U.S income of \$70,784.³² Thus, poverty guidelines are an inaccurate indicator of educational attainment or actual income.

²⁸ <https://aspe.hhs.gov/sites/default/files/documents/4b515876c4674466423975826ac57583/Guidelines-2022.pdf>

²⁹ This does not even address the offensiveness of suggesting that the “schools got money” when this is food for children to receive a small, nutritious meal (and funding is actually quite low per child) and follows the child.

³⁰ <https://otda.ny.gov/workingfamilies/schoollunch.asp>

³¹ See below. This number approximates the median Hasidic income found by the Nishma Research study.

³² <https://www.census.gov/library/publications/2022/demo/p60-276.html>

Put more starkly, certain antipoverty programs are available to individuals earning below 400% of the federal poverty guidelines. Returning to our hypothetical Klein family, they would be eligible for these programs even if their income increased to \$205,400! Would anyone argue that, objectively, the Kleins, earning \$205,400, are poorly performing breadwinners?!

Hence the dishonesty of employing federal poverty guidelines – used to determine eligibility for government programs like Medicaid and free school lunch – to measure absolute income, especially for a population with known, large family sizes.

This factor is even more dramatic when accounting for the fact that:

B. Federal poverty guidelines are based on household income, NOT the income of the primary breadwinner.

This is a major flaw.

Mrs. Klein worked full-time as a speech therapist after her first three children were born. When her fourth child was born, she shifted to part-time work. After her sixth child was born, Mrs. Klein decided her priority was to care for her family and ceased her employment as a speech therapist.

This is typical.

Thus, the \$94,000 household income that the Kleins earn is even more impressive considering that for the Kleins, like many large families, both spouses may not be working full-time. In other words, if we are looking to evaluate the earning capacity of male Orthodox Jewish yeshiva graduates, we should do that, instead of utilizing family income, which includes a spouse who may or may not be working for other reasons

C. Poverty rates do not account for the age of the earner.

As described by Yossi Gestetner in the Wall Street Journal,³³ describing the exclusively Hasidic community of Kiryas Joel, New York:

Younger workers earn less on average than older ones, and Kiryas Joel is a youthful community. Eighty-two percent of adults in Kiryas Joel are under 45, compared with 47% of adults in New York state. According to 2017 census data, the median income for 25-year-old married male household heads in New York state was \$37,200 – less than half the \$78,700 median income for comparable 45-year-olds.

While the poverty rate for 18- to 34-year-old Kiryas Joel residents is 52%, it's only 16.8% for those 60 and over – lower than the 18% rate for New York City.

Bottom line: *The New York Times uses federal poverty rates to prove that Hasidic families are poor, thus justifying the need for their educational system and way of life to be forcibly overhauled (on pain of jail) by the state. This metric is sloppy at best, and intentionally misleading at worst, as a measure of actual income. This is because A) federal poverty guidelines are based on family size, when Hasidic families are known to be far larger than average; B) poverty guidelines are based on family income, not individual income; C) poverty guidelines do not adjust for the age of the earner, and Hasidic families are younger.*

³³ <https://www.wsj.com/articles/dubious-stats-fuel-attack-on-jewish-schools-11576107404>

Yeshiva Educated Jews Do Well by Any Objective Financial Measure

So, is there any other data available on the income of Hasidic Jews that is more accurate?

Here is a snapshot from the 2021 Pew Research Study:³⁴

Half of Jews live in households earning at least \$100,000 % of U.S. Jews with a family income of...						
	Less than \$30,000	\$30K - \$49,999	\$50K - \$99,999	\$100K - \$149,999	\$150K - \$199,999	\$200,000 or more
Orthodox	12	14	35	17	6	16
Conservative	8	11	28	15	11	27
Reform	6	10	22	19	16	26
U.S. adults	26	22	32	11	4	4
Protestant	29	21	32	11	4	3
Catholic	21	22	35	12	5	4
Unaffiliated	27	24	29	10	4	5

While these metrics do not control if both spouses are employed or for age (flaws discussed in the previous section), this study measured total income, not income related to family size (addressing the first flaw).

As is clear, 22% of Orthodox Jewish households earned more than \$150,000, compared to 8%

of the general public, and 26% of Orthodox Jews earned less than \$50,000, compared to 48% of the general public.³⁵

To drill down to the Hasidic sector of Orthodoxy, see the below from the December 2021 Nishma Research study:^{36 37}

	M.O.	Hasidic	Yeshivish
Median Household Income	\$188K	\$102K	\$164K

While Hasidic families did not earn quite as much as their Modern Orthodox and Yeshivish Orthodox Jewish brethren, Hasidic families

³⁴ <https://www.pewresearch.org/religion/2021/05/11/economics-and-well-being-among-u-s-jews/>

³⁵ See also Jason Bedrick and Jay P. Greene's excellent treatment of the NYT article here: <https://www.washingtonexaminer.com/opinion/the-new-york-times-botched-attack-on-jewish-schools>

³⁶ <https://nishmaresearch.com/assets/pdf/REPORT%20-%20Nishma%20Research%20-%20The%20Finances%20of%20Orthodox%20Jewish%20Life%20Dec%202021.pdf>

³⁷ While the Nishma Research study did not control for geography, in the United States, Hasidic Jews overwhelmingly live in New York.

earned a **median household income of \$102,000**, far better than the median U.S income of \$70,784.

In a paper submitted in conjunction with Yaffed's (unsuccessful) lawsuit, *Yaffed v. Andrew Cuomo, Betty Rosa et al*, Dr. Awi Federgruen was asked to mathematically analyze several of Yaffed's claims surrounding income and funding, now being regurgitated by the New York Times.

For reference, Dr. Federgruen is the Charles E. Exley Professor and Chair of the Decision Risk and Operation Division of the Graduate School of Business of Columbia University.³⁸

His conclusions, from his sworn, legal Declaration were:

However, even to the extent that income distributions are used as a proxy for the adequacy of educational systems, it is absolute income levels that should be considered, rather than how these levels compare with federally specified poverty levels. The latter increase rapidly with household sizes, and, as stated repeatedly in the YAFFED report, itself, household sizes are very large in the Hasidic community...

The US Census Bureau reports on income distributions in the 59 Community Board Districts in New York City. Its source is the 2010-2014 American Community Survey 5-Year Estimates>People>Income & Earnings: income/Earnings.

What this data demonstrates is that the Williamsburg and Borough Park Districts – where the vast majority of New York City Hasidic families reside – rank in the top or second quartile of the 59 districts, respectively. More specifically, Williamsburg has the 14th largest percentage of males with an annual income in excess of \$100,000, and Borough Park has the 27th largest in this ranking.

The two districts assume very similar positions when ranking the districts by the percentage of males with an annual income in excess of \$50,000. The percentages are computed with respect to the total population of males, 18 years or older.

To summarize my conclusion: the income distributions in Williamsburg and Borough Park, far from signaling inadequate educational preparation, compare favorably with the majority of New York City community's board districts.

Bottom line: *Multiple, reputable data sources demonstrate that Hasidic Jews are stalwart breadwinners with higher incomes than the general population by any evenhanded measure other than the wildly misleading metric the NYT selected.*³⁹

³⁸ <https://www8.gsb.columbia.edu/cbs-directory/detail/af7#biography>

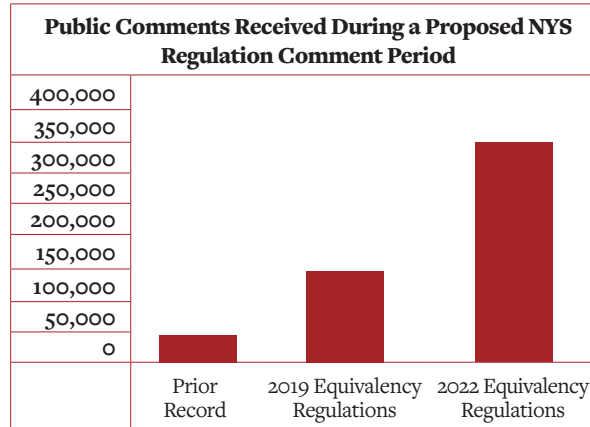
³⁹ It should be noted that the above sources still likely understate the case for Orthodox and Hasidic attainments. This is because the above sources use absolute income, which controls for the first significant error - that poverty guidelines are based on family size. They do not, however control for the second error (that in larger families, one spouse may be employed for fewer, if any, hours); or the third error (that Hasidic heads of households skew younger than the general population and are at more junior stages of their careers).

For many, the consequences of attending Hasidic schools can ripple across time... Some leave the community and end up addicted to drugs or alcohol. Others remain and feel they have little choice but to send their children to the schools.

- New York Times

It Is Misinformed and Insulting to Call Yeshiva Families Victims; They Sacrifice Tremendously to Live This Way

Here are the facts.



Hundreds of thousands of parents in New York send their children to private schools. Tuitions range from \$5,000 to \$25,000 per child. Especially in large families, this amounts to a **significant familial expense**, often requiring parents to work two or three jobs and/or forgo luxuries (and perhaps necessities) to afford private school

tuition. Parents endure this *tremendous hardship* because they are passionate about ensuring their children receive an excellent education, at whatever price.

In fact, when the New York State Education Department (NYSED) first proposed new substantial equivalency regulations for the state to monitor and control private schools, NYSED received a torrent of 140,000 comments during the mandated public comment period. This unexpected (by NYSED) response in 2019 required NYSED to redraft the regulations. When NYSED proposed another iteration of substantial equivalency regulations in 2022, it received over 350,000 comments.

As NYSED has stated in writing:

“The vast majority of comments expressed philosophical opposition to State regulation of non-public schools.”⁴⁰

⁴⁰ Proposed Addition of Part 130 of the Regulations of the Commissioner of Education Relating to Substantially Equivalent Instruction for Nonpublic School Students, p.10. <https://www.regents.nysed.gov/common/regents/>

The sheer volume and ferocity of opposing comments received when the NYSED attempted to control private schools shattered records for any proposed New York regulation,

on any topic. These sins of omission by the New York Times, not discussing the critical elements that shaped the current status of this issue today, are telling.

Bottom line: *Yeshiva-educated parents generally send their children to yeshiva because their deepest desire is to offer a similar experience to their own children that they were privileged to receive. Parents sacrifice mightily to send their children to yeshiva, like all private school parents. The visceral response - twice now - when the state attempted to interfere with that parental right demonstrates how intentional and passionate that choice is.*

During religious study, teachers in many of the boys' schools have regularly smacked, slapped and kicked their students.

Over the past five years, the New York City Police Department has investigated more than a dozen claims of child abuse at the schools, records show.

12 vs. 16,671

- New York Times

The next sensational claim the NYT makes is that child abuse is a “regular” feature of Hasidic education. What is this accusation based on? More anecdotes from the same few individuals who left the community?

The only concrete data set the NYT can point to is that “Over the past five years, the New York City Police Department has investigated more than a dozen claims of child abuse at the schools, records show.”

More than a dozen claims, in unaffiliated schools serving 50,000 students each year, over five years.

While even one incident of abuse is one too many, in the spirit of “substantial equivalence,” let’s examine how this figure compares to reports of abuse in New York City public schools over the same period.

According to a recent Times Union investigation:⁴¹

“From January 2016 through June 2021,

the New York City Department of Education’s Office of Special Investigations received **16,671** complaints alleging corporal punishment, state records show. These complaints only involved New York City Public Schools...” (emphasis added)

Following this report, state lawmakers said they had no idea that this volume of corporal punishment incidents are regularly reported.⁴²

Or, as Assemblyman Eichenstein put it:⁴³

Corporal punishment is not a feature of Hasidic schools. And if it happened as an aberration, decency demands not painting an entire school system with it. In the past few months alone, a Brooklyn public school teacher was convicted⁴⁴ of targeting children to have them send sexually explicit videos of themselves.

In the same period, a Queens gym teacher was arrested after being videotaped beating a 14-year-old;⁴⁵ and a Long Island public

⁴¹ <https://www.timesunion.com/news/article/corporal-punishment-new-york-schools-17459890.php>

⁴² <https://www.timesunion.com/news/article/Shocking-corporal-punishment-cases-in-public-17470131.php>

⁴³ <https://www.nysun.com/article/all-the-news-about-yeshivas-that-the-times-deems-unfit-to-print>

⁴⁴ <https://www.justice.gov/usao-edny/pr/brooklyn-high-school-teacher-convicted-production-child-pornography>

⁴⁵ <https://nypost.com/2022/02/18/video-shows-nyc-teacher-attacking-teen/>

school teacher was charged with raping a 15-year-old he was tutoring in his home.⁴⁶ Sensational stories can always be found by someone digging for dirt.

Never, though, would I ever say that it is common for public school teachers to be child pornography watchers, pedophiles, physically abusive or rapists. Why does the Times refuse to extend the same basic integrity to Hasidic schools?

When the Times Union report regarding the prevalence of teacher-on-child violence emerged, the reporter attempted to link it back to his own article, posting “our reporting found it still happens in **many** Hasidic Jewish schools. And, according to this new investigation, it **also happens** in **some** NY public schools:” (emphasis added)



Suffice it to say, many slammed the uneven analogy, which directly contradicted the cited article.

Bottom line: *Once we tease out the selectively sourced anecdotes - however lengthy and passionately recounted by the New York Times - the sole metric marshaled supporting the wild accusation of “regular” abuse in yeshivas is the report of “more than a dozen claims of child abuse.”*

While even a single case of physical abuse or corporal punishment demands serious attention, these figures lack context, and are comically low compared to the 16,671 complaints in New York City public schools in the same five-year period. Even accounting for the larger population size of New York City public schools as compared to yeshivas, these numbers only speak to the positive environment found in yeshiva classrooms.

⁴⁶ <https://people.com/crime/long-island-teacher-accused-of-giving-15-year-old-student-alcohol-sexually-abusing-her-in-his-home/>

Tropes that Boggle the Mind

Does this even require elaboration? Which antisemitic trope are we pushing here? Make up your mind!

Hasidic Jews are simultaneously politically savvy, and backwards. They are powerful, but beaten in the streets. They are wealthy, but uneducated and unable to survive in modern society.

The Regulations' Demands on Private Schools Are Educationally Bizarre

Math, English and the basics!
This is demonstrably wrong.

Here are some items that the Regulations require. For clarity, legal sections referenced are listed, with citations. (Emphases added.)

- “Whether instruction is given only by a **“competent”** teacher or teachers”⁴⁸
- “Instruction in patriotism and citizenship”⁴⁹
- “Instruction in the history, meaning, significance and effect of the provisions of the...Constitution of the State of New York **and the amendments thereto**,”⁵⁰
- “Instruction in New York State history and civics”⁵¹

“The New York State Board of Regents on Tuesday voted for the first time to require private schools to prove they are teaching English, math and other basic subjects or risk losing government funding.”⁴⁸
- New York Times

- “Instruction in physical education and kindred subjects pursuant to Education Law §803(4)”
- “Such courses shall be designed to aid in the well-rounded education of pupils and in the development of character, citizenship, physical fitness, health and the **worthy use of leisure**.”⁵²
- There shall be experiences of sufficient variety in each of the following:
 - basic and creative movement;
 - rhythm and dance;
 - games;
 - perceptual-motor skills;
 - individual and team sports;
 - gymnastics;
 - aquatics, where possible;
 - lifetime sports activities;
 - outdoor living skills; and

⁴⁷ <https://www.nytimes.com/2022/09/13/nyregion/new-york-rules-yeshivas.html?searchResultPosition=23>

⁴⁸ 8 NYCRR Part 130.9(a). See also Section 130.1 which attempts to define “competent” for purposes of substantial equivalency as one who can “demonstrate the appropriate knowledge, skill, and dispositions to provide substantially equivalent instruction.” This is a tautology.

What follows in the text are citations from pertinent sections of the enacted “Regulations,” as they are colloquially referred to. More formally, they are termed as above, or as the “Regulations of the Commissioner of Education Relating to Substantially Equivalent Instruction for Nonpublic School Students.”

⁴⁹ 8 NYCRR Part 130.9(f)(1)

⁵⁰ 8 NYCRR Part 130.9(f)(2). How many New York lawyers can enumerate the “history, meaning, significance and effect of the provisions of the... Constitution of the State of New York and the amendments thereto”? It is neither part of the standard law school curriculum, nor a part of the New York Bar Exam.

⁵¹ 8 NYCRR Part 130.9(f)(3)

⁵² Education Law §803(4)

- other appropriate activities which promote the development of boys and girls.⁵³
- “Instruction regarding alcohol, tobacco, and other drugs shall be included in the health education provided for all elementary school pupils.”⁵⁴
- “Instruction regarding methods of prevention and detection of certain cancers, including but not limited to breast cancer, skin cancer, testicular cancer.”⁵⁵
- “Instruction in highway safety and traffic regulation...If such courses are not so established and maintained in a private school, attendance upon instruction in such school shall not be deemed substantially equivalent to instruction given to pupils of like grade in the public schools in the city or district in which such pupils reside.”⁵⁶

Perhaps the Regulations are simply referring to recommendations, aspirations that will not be strictly enforced?

The recent case of Yeshiva Mesivta Arugath Habosem, the first school to be evaluated by the state for equivalency, unfortunately negates this line of thinking. Yeshiva Mesivta Arugath Habosem (YMAH) is a Hasidic, Williamsburg elementary school.

This school was cast into the limelight when a divorced, formerly Hasidic mother sued the school after a court decided she must continue sending her child there, per his father’s wishers. She alleged that her son’s yeshiva was not providing an education that is substantially equivalent to that provided in a public school.

While the NYC Department of Education visited the school multiple times, and drafted a comprehensive report approving the school for purposes of substantial equivalency, the state’s Commissioner overrode that decision.

The Commissioner afforded the findings of the independent Department of Education “minimal weight” because it contradicted or did not sufficiently address “the sworn allegations submitted by the child’s mother who filed suit.”

In fact, the Commissioner also flunked the school, in part, because it showed “little evidence“ of conformity with instruction **in patriotism, citizenship, the New York Constitution, New York State history, highway safety and traffic regulation, and instruction around alcohol, drugs, tobacco abuse, and the detection of certain sexual cancers.**

⁵³ 8 NYCRR 135.4(c)(1)

⁵⁴ EDN § 804(3).

⁵⁵ EDN § 804(5).

⁵⁶ EDN § 806(1). Mind you, this seems to be required for elementary school children. It is unclear if highway safety and traffic regulation courses are required for preschool children in private schools.

Bottom Line: *Perhaps it's useful to teach elementary school children about highway and traffic regulation or the amendments of the New York State Constitution. Perhaps not. But the Regulations state, and the Commissioner has ruled, that NOT teaching such ancillary subjects will effectively fail a private school for equivalency purposes, meaning its children can be deprived of bread, milk and transportation to school, and more.⁵⁷*

Presumably then, a private school excelling in the instruction of math, literature, STEM, coding, etc., can be deemed non-equivalent if not properly focusing on one of the ancillary subjects described above. Put another way, the Regulations place every private school in New York State at the whim of SED, which is empowered to invalidate and shut down any private school on technicalities. This is absurd.⁵⁸

⁵⁷ See later in this document where the consequences of a private school being deemed not equivalent are more fully explored.

⁵⁸ And likely a violation of the US Constitution. See Professor Michael Helfand's analysis of the Regulations in *Can the state tell yeshivas what they can teach? Here's what the courts may decide*.

SEPTEMBER 21, 2022. For reference, Professor Helfand is the Professor of Law and Vice Dean for Faculty & Research, Pepperdine Caruso School of Law and Visiting Professor and Oscar M. Ruebhausen Distinguished Fellow at Yale Law School.

<https://www.jta.org/2022/09/21/opinion/can-the-state-tell-yeshivas-what-they-can-teach-heres-what-the-courts-may-decide>

“At the same time, some of New York’s rules veer beyond these core objectives. For example, New York’s Education Law requires students to study “patriotism, citizenship, and human rights issues,” including “the study of the inhumanity of genocide, slavery ... the Holocaust, and the mass starvation in Ireland from 1845 to 1850.” This sort of very particular curricular list, while undeniably providing important educational lessons, is far more vulnerable to constitutional challenge because it is less connected to the essential skills that typically justify limitations on parents’ 14th Amendment rights. The same goes for numerous other requirements under New York’s guidelines, such as highway safety, arson prevention and health education. To many, these will seem essential to any well-rounded education. But under the demanding eye of the 14th Amendment, New York may ultimately need to allow parents more freedom in choosing whether or not — or in what manner — their children receive instruction on such subjects.”

The Consequences for Private Schools that Don't Toe the Line are Swift and Severe

The consequences of non-compliance with the new Regulations are draconian, and impose harsh penalties on schools, students, and parents.⁵⁹

If a local school authority decides that a school is not substantially equivalent, that “nonpublic school shall no longer be deemed a school which provides compulsory education fulfilling the requirements of Article 65 of the Education Law.”⁶⁰ That is a death sentence for a school, and is the functional equivalent of a government directive shutting down the school.

Nor are private schools given much time to get in line with the state’s requirements. Specifically, a “non-equivalent” private school, must:

collaboratively develop, within sixty days, a timeline and plan with the

What exactly are the consequences to a private school being found not equivalent?

nonpublic school for attaining substantial equivalency in an amount of time that is reasonable given the reasons identified in the review, provided that such timeline shall not exceed the end of the next academic year following the year in which the preliminary determination is made⁶¹

At the conclusion of this timeline, the Regulations afford private school a short period before a “final determination” is made, along with dire consequences:

No later than sixty days after the end of the timeline described in paragraph (1) of this subdivision, including any extensions granted pursuant to paragraph (3) of this subdivision, the LSA shall render a final determination in accordance with the provisions of subdivision (b) of this section.⁶²

The impact on the students educated at a school deemed non-equivalent is severe. In

⁵⁹ Local school authorities are also at risk. The new Regulations provide that “the Commissioner may withhold public moneys” from local school authorities that do “not make sufficient progress,” in review of nonpublic schools.

⁶⁰ 8 N.Y.C.R.R. 130.06(c)(2)(i)

⁶¹ 65 N.Y.C.R.R. 130.06(a)(1)(iii)

⁶² 8 N.Y.C.R.R. 130.06(a)(2)

addition to interrupting the students' course of study abruptly in the middle of the school year and forcing them to enroll elsewhere, the new Regulations explicitly allow the state to cease providing otherwise "legally required services" to the affected students.⁶³

Worse still are the penalties faced by parents whose children attend such a school. The new Regulations declare that parents whose children are enrolled at a nonpublic school are no longer in compliance with New York's compulsory education requirements.

The Regulations further provide that "any violation of the compulsory education requirements" are subject to the following penalties under Education Law §3233.

Those penalties are:

For the first offense by a fine not exceeding ten dollars or ten days' imprisonment; for each subsequent offense by a fine not exceeding fifty dollars, or by imprisonment not exceeding thirty days, or by both such fine and imprisonment.

Bottom Line: *A private school found non-equivalent by the state faces extreme legal consequences, as do all children and parents associated with that school. The state can forcibly enroll children at a different school, shut down services to the school, and fine, and even jail, parents. And the timeline for a school to reorient its teaching to align with the state is unforgiving: schools are given little more than until the next school year to potentially radically alter their school, or else.*

⁶³ 8 N.Y.C.R.R. 130.06(c)(2)(iv)

While Public Schools Have Little Accountability

Section 100.2 of the New York Regulations of the Commissioner of Education details the accountability requirements for public schools.

While there is guidance for what the evaluation shall include, there do not appear to be any unified state standards for public school teachers to adhere to.

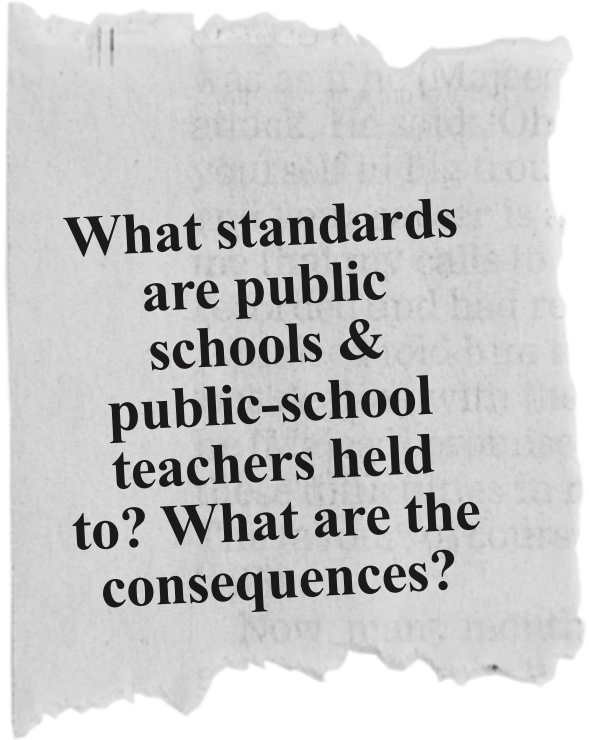
Instead, the Regulations detail the requirement to have an annual “professional performance review.” What does this entail?

- iii. Professional performance review plan.
 - a. Development and adoption of the plan.
 - 1. Except as otherwise provided in subparagraph (ii) of this paragraph, by September 1, 2011, the governing body of each school district and BOCES shall adopt a plan, which may be **an annual or multi-year plan**, for the annual professional performance review of its teachers providing instructional services or pupil personnel services...⁶⁴

⁶⁴ 8 NYCRR 100.2(o)(1)(iii)(a)(1)

⁶⁵ 8 NYCRR 100.2(o)(1)(iii)(b)(4)

⁶⁶ AYP stands for Adequate Yearly Progress



**What standards
are public
schools &
public-school
teachers held
to? What are the
consequences?**

And even if a teacher is, by whatever standards are locally imposed, found to be incompetent, the Regulations state:

Teacher improvement. The plan shall describe how the school district or BOCES addresses the performance of teachers whose performance is evaluated as unsatisfactory, and shall require the development of a teacher improvement plan for teachers so evaluated, which shall be developed by the district or BOCES in consultation with such teacher.⁶⁵

Similarly, the terms are generous for public school accountability:

- a. Accountability phases.
 - 1. Improvement phase.
 - i. A school that **fails to make AYP⁶⁶ for two consecutive years** on the same accountability

performance criterion in paragraph (14) of this subdivision or the same accountability indicator in paragraph (15) of this subdivision shall be designated in the next school year as a school in improvement (year 1) for that accountability performance criterion/accountability indicator.⁶⁷

2. Corrective action phase.

i. A school that is designated as a school in improvement (year 2) that fails to make AYP on the same accountability performance criterion or accountability indicator for which it has been identified as a school in improvement (year 2) shall be designated in the next school year as a school in corrective action (year 1) for that accountability performance criterion/accountability indicator.⁶⁸

3. Restructuring phase.

i. A school that is designated as a school in corrective action (year 2) that fails to make AYP on the same accountability performance criterion or accountability indicator for which it has been identified shall be designated in the next school year as a school in restructuring (year 1) for that accountability performance criterion/accountability indicator.⁶⁹

So, to summarize, a public school can fail standardized exams and not make adequate yearly progress for four years before it becomes categorized in the Restructuring

Phase category.

The Regulations then proceed to describe years of interventions, additional assistance, and corrective action plans for schools in the Restructuring phase category.

Failing these measures, those in the Restructuring phase, enter the Registration Review status.

Specifically:

A school placed under registration review shall be given three full academic years to show progress. If, after three full academic years of implementing a restructuring plan, the school has not demonstrated progress as delineated by the commissioner in the warning pursuant to subparagraph (i) of this paragraph, the commissioner shall recommend to the Board of Regents that the registration be revoked and the school be declared an unsound educational environment, except that the commissioner may upon a finding of extenuating circumstances extend the period during which the school must demonstrate progress. The board of education of the school district which operates the school (in New York City, the chancellor) shall be afforded notice of such recommendation and an opportunity to be heard in accordance with subparagraph (iv) of this paragraph. Upon approval of revocation of registration by the Board of Regents, the commissioner will develop a plan to ensure that the educational welfare of the pupils of the school is protected.

⁶⁷ 8 NYCRR 100.2(p)(6)(i)(a)(1)

⁶⁸ 8 NYCRR 100.2(p)(6)(i)(a)(2)

⁶⁹ 8 NYCRR 100.2(p)(6)(i)(a)(3)

Such plan shall specify the instructional program into which pupils who had attended the school will be placed, how their participation in the specified programs will be funded, and the measures that will be taken to ensure that the selected placements appropriately meet the educational needs of the pupils. The commissioner shall require the board of education to implement such plan.⁷⁰

Finally, there are multiple layers of due process to ensure that a school that (somehow) reaches this status is adequately protected.

vii. Decisions to revoke the registration of a public school shall be made in accordance with the following procedures:

a. The commissioner shall provide written notice of his recommendation and the reasons therefor to the board of education, which operates the school (in New York City, both the New York City Board of Education and any community school board having jurisdiction over the school). Such notice shall also set forth:

1. the board of education's right to submit a response to the recommendation and request oral argument pursuant to clause (b) of this subparagraph;
2. the place, date and time the matter will be reviewed and if requested, argument heard by a three-member panel of the Board

of Regents for recommendation to the full Board of Regents; and

3. notification that failure to submit a response will result in the commissioner's recommendation being submitted to the Board of Regents for determination.
- b. Within 15 days of receiving notice of the recommendation to revoke registration, the board of education may submit a written response to the commissioner's recommendation. The response shall be in the form of a written statement which presents the board of education's position, all evidence and information which the board of education believes is pertinent to the case, and legal argument. If the board of education desires, it may include in its response a request for oral argument. Such response must be filed with the Office of Counsel, New York State Education Department, State Education Building, Albany, NY 12234.
- c. Within 30 days of the date of notice of the commissioner's recommendation, a panel comprised of three members of the Board of Regents, appointed by the chancellor, shall convene to consider the commissioner's recommendation, review any written response submitted by the board of education and, if timely requested by the board of education, hear oral argument.⁷¹

⁷⁰ 8 NYCRR 100.2(p)(10)

⁷¹ 8 NYCRR 100.2(p)(10)

Bottom Line: *There are no unified standards for public school teachers. If a teacher is deemed incompetent, the law only requires “an improvement plan.”*

Moreover, a public school must demonstrably fail for nearly a decade before facing closure. It must fail consistently to progress from the Improvement Phase, to the Corrective Action Phase, to the Restructuring Phase, and then fail through numerous levels of interventions and additional support. It is subsequently afforded three years to show improvement. At that point, the law erects extensive due process protections to protect the school, requiring rounds of hearings and the involvement of the Commissioner, the Board of Education, and Board of Regents, so that no one can single-handedly close a school.

Yet a non-equivalent private school would be forcibly shut down within a year or two.

How can private schools be held to significantly more exacting standards than the very public schools the law requires them to be equivalent to?

What Yeshivas Teach

In its attempt to “civilize”⁷² Orthodox Jews, the NYT and yeshiva critics fail to investigate or appreciate what yeshivas teach, and, more importantly, what they produce.

Clearly, Orthodox Jewish parents send their children to Yeshiva primarily to instill within them a solid grounding in Jewish learning and Jewish identity.

That said, academics have marveled over the educational value - from a purely secular perspective - that Orthodox Jewish education fosters.

Dr. Moshe Krakowski is a tenured professor at Yeshiva University's Azrieli Graduate school of Jewish Education and Administration, where he directs the doctoral program in Jewish education, and researches Haredi and Hasidic yeshiva education.

Dr. Krakowski has been studying this form of education for nearly 20 years, far before reforming yeshiva education became a cause célèbre by some.

In his 11/21/2022 sworn affidavit to the Supreme Court of the state of New York, he described the education that occurs in a yeshiva from an academic perspective:

Most of the discussion about Haredi and Hasidic education presumes, implicitly or explicitly, that students whose school day focuses primarily on Jewish studies are uneducated or undereducated. Nothing could be farther from the truth...

⁷² Rudyard Kipling's poem, "**The White Man's Burden**" (1899), which exhorts the United States to assume colonial control of the Filipino people and their country to "civilize" them is a classic exemplar of the imperialistic and jingoistic ethos of the time.

Take up the White Man's burden—
Send forth the best ye breed—
Go bind your sons to exile
To serve your captives' need;
To wait in heavy harness
On fluttered folk and wild—
Your new-caught, sullen peoples,
Half devil and half child...

History today records that period as an embarrassing blot on American history, disrespectful to cultures other than the Western one. One cannot help but see analogs of that sentiment to those who disparage rigorous yeshiva education as backwards, and that Western civilization must, once again, rescue these poor Orthodox and Hasidic children.

Yeshiva education promotes most of the critically important learning principles that I studied as a doctoral student, to a degree that would put many college and graduate students to shame.

Then, after detailing his observation of a middle school class studying a complex passage of Talmud, he summarized:

This type of cognitive transfer of structural similarities in different content domains is something that is known in the cognition literature to be particularly important to reasoning, and particularly difficult. Yet yeshiva elementary school students do this every single day, in classrooms across New York State.

The skills inherent to this form of Talmud study are exactly those that professional educators view as necessary for deep learning in a wide variety of domains. In science education, researchers work on designing curricula so that students will learn key argumentation practices, such as how to argue from evidence, make inferences from data, and support hypotheses. In English, history and social studies educators look for precisely the reading comprehension skills that yeshiva students develop. In math, the education literature has moved beyond the simple memorization of math facts to focus on mathematical reasoning and thinking, where students are able to understand how proofs work and to generate mathematical argumentation on their own.

All of these skills are not only present in yeshiva education, they occupy a more central role in yeshiva education than in other school systems. And all this is in

in addition to the multilingual nature of yeshiva education.

Professor Aaron D. Twerski is the Irwin and Jill Cohen Professor of Law at Brooklyn Law School, where he has been teaching since 2007. From 2005 to 2007, he served as the Dean and a Professor of Law at Hofstra University Law School, after teaching law at numerous prestigious posts.

He has also authored textbooks and numerous law review articles and served as the Co-Reporter for the American Law Institute's Restatement of Torts Third: Products Liability. In 2009, Dr. Twerski received the American Bar Association's Tort Trial & Insurance Practice Section Robert B. McKay Law Professor Award, which recognizes law professors who are committed to the advancement of justice, scholarship, and the legal profession in the fields of tort and insurance law. In 2015, he received the William L. Prosser Award from the American Association of Law School's Torts and Compensation System Section, which is presented to a professor who has made an outstanding contribution to the law of torts during his or her career.

Dr. Twerski's evaluation, in his affidavit:

There are two distinct elements of a yeshiva education that set it apart from schools and that, in my opinion and experience, make them superior to such schools. First, a yeshiva education provides students with critical thinking and analytical skills that far surpass those obtained by students at traditional schools. The length of the school day, the depth of the curricular material and the almost-Socratic method employed even in yeshiva elementary schools provide

students with training that is valuable to them as adults across disciplines and professions.

Second, a yeshiva education places a heavy emphasis on ethical and moral development, as well as cultural identity, traditions, and cohesion. These values may not impress our critics, who focus solely on material success, but they are what matters in life. More significantly, they matter to the thousands of parents who choose each year to enroll their children in yeshivas...

In any event, yeshiva education is remarkably effective in providing the tools necessary for success in the secular world. Indeed, I would challenge any large-scale secular educational system to match the results accomplished by our schools.

Dr. Krakowski and Professor Twerski are leaders in their fields, and can authoritatively assert their findings and compare secular didactic modalities and Jewish learning. Their conclusion can be summed up by Dr. Krakowski's statement in another context:

While law and educational policy is not my field — ultra-Orthodox, or Haredi, education is. I have been researching and writing about ultra-Orthodox education for the past 15 years. And while I have no idea how the legal term “substantially equivalent” ought to be applied to yeshiva education — having studied the education in these schools for many years, I have no doubt that apart from the core secular studies they do learn, what these students learn every day in religious classes is educationally more than equivalent to what they would be otherwise studying in public school.⁷³

Bottom Line: *Few are qualified to opine on Judaic studies from an academic perspective like Dr. Krakowski and Professor Twerski. While Judaic studies may seem foreign to the average American or legislator in Albany, that does not make them less valuable.*

While Jewish parents sacrifice financially to send their children to yeshiva primarily for moral and religious reasons, its academic value should not be overlooked. While its instruction is ancient, in a world where almost any raw fact is instantly accessible, perhaps yeshiva education is the most modern and human educational crucible of all: focusing on analytical reasoning, close reading, understanding varying conflicting data points and perspectives, inculcating grit and determination, and encouraging introspection into one's moral obligations to the world.

On the altar of educational homogeneity and the crusade for “equivalency,” this unique constellation of training ought not be slaughtered.

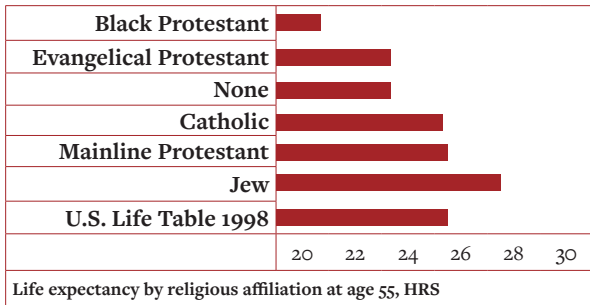
⁷³ <https://forward.com/life/416616/what-yeshiva-kids-are-actually-studying-all-day/>

Yeshivas Must Be Doing Something Right

In addition to receiving a unique educational experience, and earning significantly more than the median American salary, as described, Orthodox and Hasidic Jewish yeshiva graduates display a number of other positive sociological qualities.

Well-Being

Yeshiva graduates tend to live longer.⁷⁴



While data that include both religious affiliation and mortality in the U.S. are difficult to find because neither the Census nor vital statistics collect affiliation information, the Health and Retirement Study (HRS), is an excellent

source for such information. The HRS surveys a representative sample of approximately 20,000 people in America, supported by the National Institute on Aging and the Social Security Administration.

A review of this data tracked participants over the age of 50 and found that Jews had the lowest mortality of any religious group, and that mortality decreased as attendance in prayer increased.

Furthermore, a longitudinal study in Israel tracked 9,237 men for over 32 years, to see if there was any relationship between level of Jewish religiosity and coronary heart disease and all-cause mortality.⁷⁵ Based on the prevalence by more religious individuals to a) focus on scholarly rather than physical pursuits, b) have a more limited kosher diet, and c) be less financially well-off than their less observant peers, the researchers expected the yeshiva educated Haredim to exhibit shorter lifespans and higher rates of heart disease.

After 32 years, the results were the opposite. The Haredim fared best in all markers, followed by Jews who self-identified as “Religious,” followed by the “Traditionals,” followed by “Secular Jews,” and then by “Agnostics.”

Yeshiva-educated, more religious Jews tend to be happier as well.

⁷⁴ Sullivan A. R. (2010). Mortality Differentials and Religion in the U.S.: Religious Affiliation and Attendance. *Journal for the scientific study of religion*, 49(4), 740–753. <https://doi.org/10.1111/j.1468-5906.2010.01543.x>

⁷⁵ Eilat-Adar, S., Hellerstein, D., & Goldbourt, U. (2022). Religiosity Is Associated with Reduced Risk of All-Cause and Coronary Heart Disease Mortality among Jewish Men. *International journal of environmental research and public health*, 19(19), 12607. <https://doi.org/10.3390/ijerph191912607>. Full text available at file:///C:/Users/13474/Downloads/ijerph-19-12607-v3.pdf

As reported in the New York Times,⁷⁶ in a Gallup-Healthways Well-Being Index, culling the data of 372,000 interviews, the very religious Jews scored the highest in levels of well-being.

Crime

Historically, it was difficult to properly analyze relative rates of crime in different New York City neighborhoods. One of the most comprehensive such efforts sought to synthesize data from NYPD's Compustat and 2010 US Census Bureau findings.⁷⁷

A team of journalists and technology experts assembled a list of 69 neighborhoods that

<i>Well-Being Index Composite Score by Religiosity Within Each Religious Identity</i> <i>Controlling for age, income, education, gender, race/ethnicity, marital status, and region</i>			
	Very Religious	Moderately Religious	Nonreligious
Jewish	71.2	70.0	68.4
Mormon/Latter-Day Saints	70.5	64.3	65.4
No religion/Atheist/Agnostic	70.2	65.7	65.0
Roman Catholic	69.3	66.0	65.5
Other non-Christian	69.0	64.6	63.0
Protestant/Other non-Catholic Christian	68.3	63.1	63.2
Muslim/Islam	67.9	64.5	65.0

matched, as closely as possible, 76 New York City police precinct boundaries.

Below were the safest 15 neighborhoods in New York City using the 2010 data.

RANKINGS		Borough: All Boroughs	Rank by: SAFEST FOR TOTAL CRIMES
Rank	Neighborhood		
1	GREAT KILLS & TOTTEVILLE	Overall Safety Rank	1
2	NEW DORP & SOUTH BEACH	Overall Safety Rank	2
3	KENSINGTON & BOROUGH PARK	Overall Safety Rank	3
4	BENSONHURST	Overall Safety Rank	4
5	SHEEPSHEAD BAY	Overall Safety Rank	5
6	FOREST HILLS & REGO PARK	Overall Safety Rank	6
7	BAY RIDGE	Overall Safety Rank	7
8	BAYSIDE	Overall Safety Rank	8
9	FLUSHING & WHITESTONE	Overall Safety Rank	9
10	THE ROCKAWAYS	Overall Safety Rank	10
11	FRESH MEADOWS	Overall Safety Rank	11
12	ST. GEORGE	Overall Safety Rank	12
13	RIVERDALE	Overall Safety Rank	13
14	UPPER EAST SIDE	Overall Safety Rank	14
15	CORONA & ELMHURST	Overall Safety Rank	15

⁷⁶ <https://archive.nytimes.com/economix.blogs.nytimes.com/2011/01/07/american-jews-lead-the-happiest-lives/>

⁷⁷ <https://www.dnainfo.com/new-york/crime-safety-report/about/>

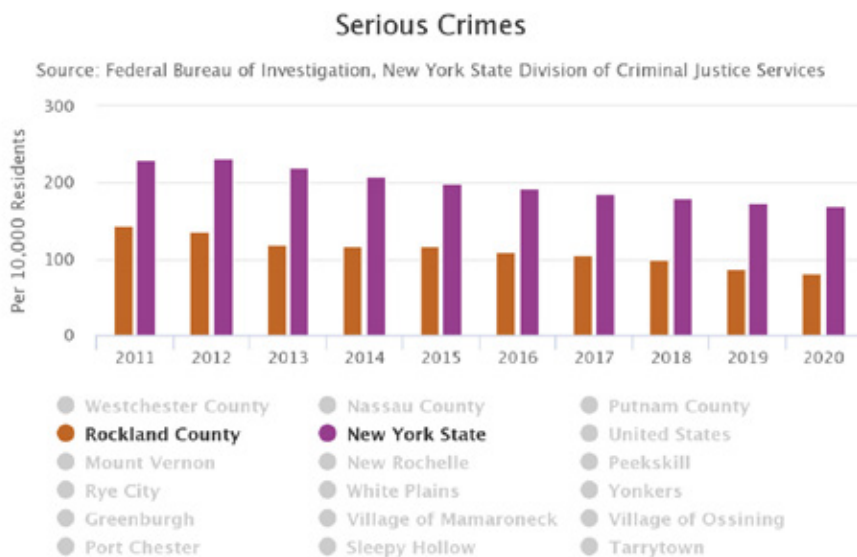
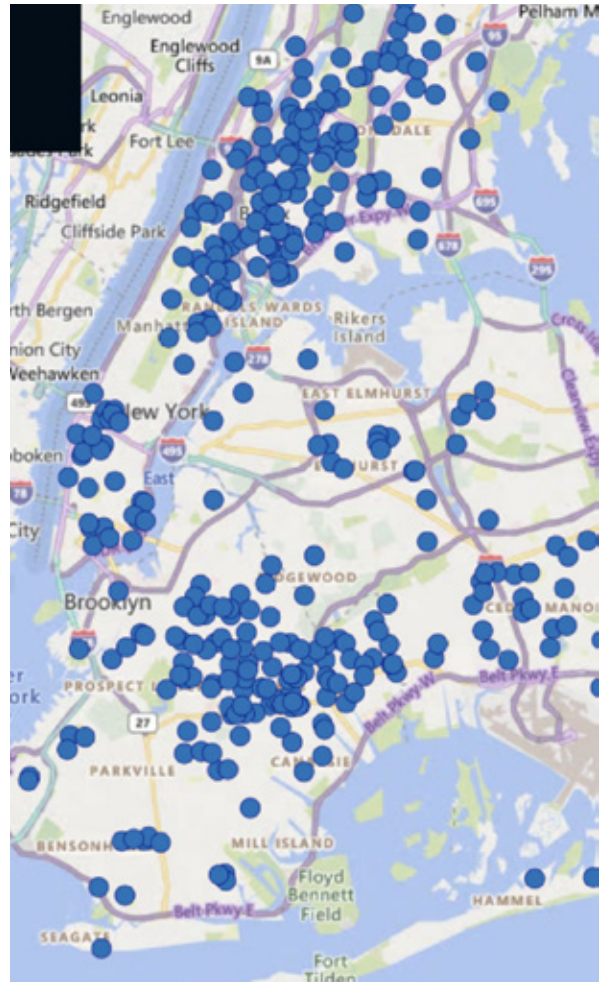
What emerges is that some of the safest neighborhoods in New York – Borough Park, Sheepshead Bay, Forest Hills, Flushing, the Rockaways, and Riverdale (numbers 3, 5, 6, 9, 10 and 13) are also some of the most heavily Orthodox Jewish neighborhoods in the city.

In 2016, Compustat 2.0 was released by NYPD, which more easily maps neighborhoods and crimes. To the right is a map of all murders in 2022.

Indeed, the 2022 map mirrors the findings of the 2010 study: predominantly Orthodox Jewish neighborhoods are consistently some of the safest in NYC.

Looking beyond NYC, Rockland County is home to a large Orthodox Jewish population. Using data from the FBI and the NYS Division of Criminal Justice Services, below is the crime rate in Rockland County (orange) as compared to the state average (purple).⁷⁸

In addition to the clear trend of crime in Rockland being significantly lower than the



state average, a review of the below chart reveals another interesting pattern. While crime both statewide and in Rockland has declined in recent years, as the Jewish population in Rockland has grown, the rate of crime has declined in Rockland at an even faster rate than the rest of the state.

⁷⁸ <https://westchesterindex.org/community/serious-crimes#:~:text=How%20is%20Westchester%20County%20performing,at%2041%20per%2010%2C000%20residents>

Civic Engagement

A word about kindness. Kindness and benevolence - an obligation that every yeshiva child learns from a young age - are built into the fabric of the community. This strength uplifts individual families and, by extension, whole communities.

Which is why there are organizations like Hatzolah, founded in Williamsburg, Brooklyn, New York, the largest volunteer ambulance corps in the United States.

Hatzolah provides free emergency medical services irrespective of religion, and its response time and dedication to human life are legendary.

But there are so many others. An Orthodox Jewish benevolent organization exists for nearly anything you could think of (and probably a few you never would think of), from free stroller loans to elder care, and everything in between.

Bottom Line: *Objective data shows that Jews, particularly Orthodox Jews who attend yeshiva, exhibit higher levels of well-being and live longer than any other group. Moreover, they foster peaceful, low crime communities in every area they are found, a fact reiterated wherever reliable statistics could be found. Moreover, yeshiva educated Jews are civically and charitably engaged.*

Dr. Martin Luther King Jr. said, “The function of education is to teach one to think intensively and to think critically. Intelligence plus character - that is the goal of true education.”

By that measure, and the findings above, Orthodox Jewish schools are doing quite well.

Appendix A

From: Eliza Shapiro <eliza.shapiro@nytimes.com>

Sent: Thursday, September 1, 2022, 12:43 PM

Subject: Upcoming New York Times article on Hasidic schools/seeking comment

I. Summary of the findings

To report the article, we interviewed more than 275 people, including 175 current or former students and parents and 50 current or former teachers, school employees and other educators. Dozens of the people we interviewed are still in the Hasidic community. We also obtained many school documents, like budgets, school rules and actual student work. We also toured the only school that let us inside. We analyzed numerous public documents, including data on more than 50 different funding programs as well as test scores for all schools in the state.

The article will focus on what is essentially the Hasidic boys school system, a network of about 150 all-male religious schools in Brooklyn and the lower Hudson Valley that our reporting identified as being operated by various Hasidic groups. Collectively, these schools serve about 50,000 students, a number that has risen in recent years.

The article will say that the leaders of New York's Hasidic community built this school network to educate children in Jewish law, prayer and tradition and to wall off students from the secular world. The schools provide intense religion-based instruction, which help the students to learn Yiddish, Hebrew and Aramaic, plus moral values, logic and legal principles.

The article will also say these schools provide almost no instruction in basic secular subjects such as history or science. Most schools teach English reading and math on four days a week, often for 90 minutes a day after hours of grueling religious lessons, and typically only for boys aged 8 to 12. The instructors for secular studies are often woefully unqualified teachers, and often earn as little as \$15 an hour. Some are hired off Craigslist or ads on lamp posts, and many cannot fluently speak English. The rules for some schools discourage further study at home (although some children do it nonetheless) and, in some cases, ban students from speaking English at home. Many textbooks are censored.

The article will say that, overall, students in these schools are deprived of education unlike students anywhere else in New York. One basis for that statement will be state standardized tests in grades 3-8. Our analysis found that, according to the data provided by the state

education department, 99 percent of students at Hasidic boys schools who took standardized tests in the last year with full data available for comparisons failed. At several Hasidic schools, every student failed. The scores came in lower than all public schools, including those primarily serving low-income students and English Language Learners. In fact, when we ranked all schools of all kinds in the state, the ones with the lowest scores were all Hasidic boys schools. The article will also quote teachers describing shortcomings and will show student work, as well. The article will say that these failures are happening by design, because the community feels that too much exposure to the secular world would harm students.

(The article will say that Hasidic girls schools provide more secular education, but its students are also struggling. About 80 percent of students at Hasidic girls schools who took tests in that last year with full data available failed)

The article will say that this has left many boys unable to speak English fluently, let alone read or write in English or perform math beyond multiplication and division. It also has helped push poverty rates in the Hasidic community to some of the highest in the state. The article will trace how this has affected former Hasidic students, including those who remained in the community and faced poverty, as well as those who left and struggled with drugs, alcohol or self harm.

The article will say that these Hasidic boys schools are private schools, and they collect tuition, but they also receive enormous sums of public money, more than \$1 billion in the last five years. That includes more than \$375 million annually through various government programs (and more than \$200 million additional pandemic stimulus funding). The article will say that Hasidic boys schools receive about \$50 million annually from city child care vouchers, which they access by labeling the end of their school day as child care, and \$30 million from financial aid programs, which they access by saying their oldest students are pursuing Bachelor's Degrees in religious studies. It will also say they receive \$100 million through nutrition programs and \$100 million in funding for secular education specifically (including Title 1, School Aid / MSA, attendance and academic intervention). \$15 million for books and instructional materials, \$30 million for transportation through a program created for yeshivas, and \$200,000 through E-Rate, even though they do not allow students and teachers to use the Internet.

The article will say that many religion teachers use severe corporal punishment, which creates an environment of fear that makes learning difficult. We've heard dozens of stories of teachers in the last 10 years hitting kids with belts, sticks and rulers. In the past few years, some Hasidic schools have asked their teachers to be less violent, but corporal punishment has remained common. Sometimes, it is so severe that boys call 911.

The article will say that, in New York, private schools are required by law to teach basic subjects and provide an education comparable with what is offered in public schools. And for years,

complaints have circulated about Hasidic schools: staffers at the State Education Department have raised red flags, news outlets have published stories and parents have filed legal cases and official complaints. But officials have failed to act, and have instead accommodated Hasidic leaders, who control a powerful voting bloc. The article will talk about the Hasidic community's political power, which we studied via voting records, and how the schools play a central role, including by sending sample ballots home and giving students prizes for bringing back "I Voted" stickers into school.

Finally, the article will discuss the proposed regulations on private schools that the State Education Department has been drafting, and how the regulations have been watered down after being challenged by the Hasidic community. The community has been rallying opposition to the new regulations.



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