

Education Law Center Analysis: Students with Disabilities in Pennsylvania Charter Schools

Fall 2013

The graphs below were created by the Education Law Center using publicly reported data on public school enrollment demographics. We focused on Pennsylvania's most heavily-chartered communities—Philadelphia, Pittsburgh, Chester-Upland, York City, and Erie City—and on students receiving special education services.

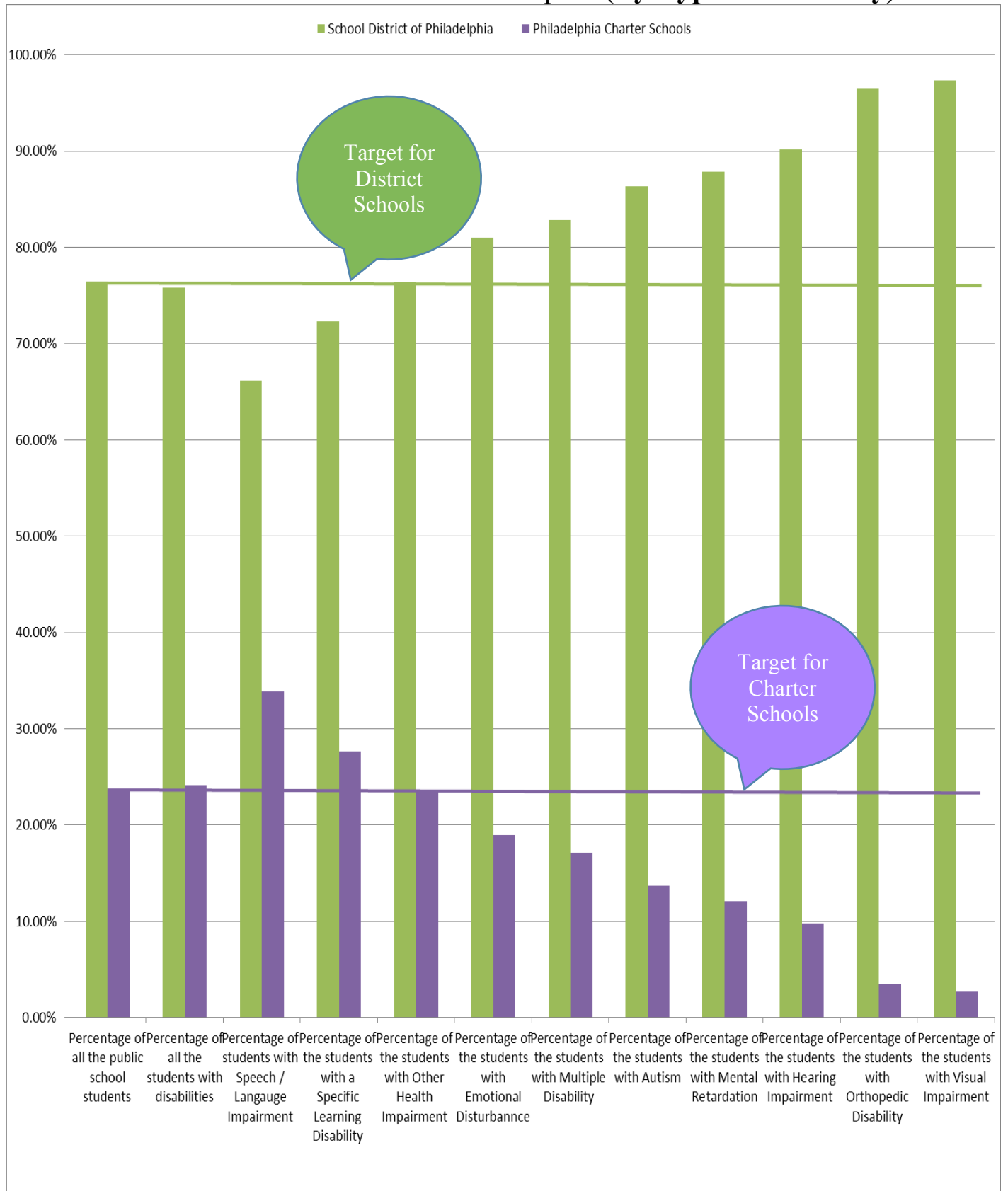
The data demonstrates that, while a number of individual charter schools equitably serve all students, the charter school sector taken as a whole generally underserves these vulnerable student populations. The result is that, with some notable exceptions, these students are often more heavily concentrated in the authorizing school district of residence.

With regard to students eligible for special education, the data demonstrates that, even when charter schools are serving high numbers of students receiving special education overall, those students are disproportionately students with stereotypically “mild” and less costly-to-serve disabilities (speech and language impairment or specific learning disabilities).

The students with disabilities that are typically more severe and more costly (mental retardation, autism, multiple disabilities, etc.) are disproportionately served by the local school district. Others have noted that this disparity is rooted in the charter school law, which provides charter schools the same amount of funding for any student receiving special education, regardless of the severity of the student's disability or the cost of the services the student requires. This creates a perverse incentive for charter schools to over-identify students with relatively mild disabilities and to underserve students with more severe or costly-to-serve disabilities.¹ This trend of the charter school sector serving high numbers of mild disabilities and low numbers of severe disabilities is found *in every single highly chartered community examined below*.

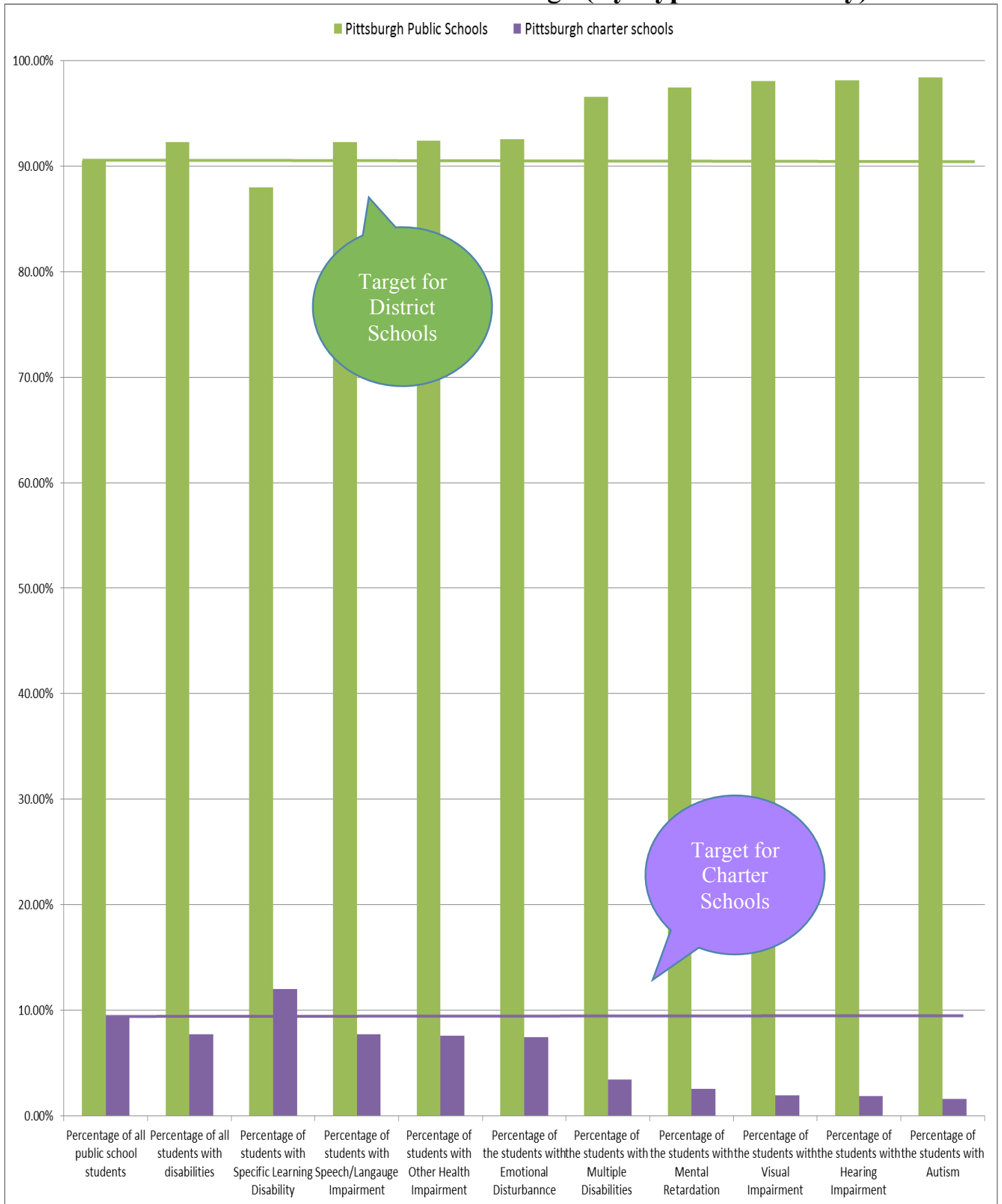
¹ See, e.g., Bruce Baker, *The Commonwealth Triple-Screw: Special Education Funding & Charter School Payments in Pennsylvania*, School Finance 101 (June 5, 2012), <http://schoolfinance101.wordpress.com/2012/06/05/the-commonwealth-triple-screw-special-education-funding-charter-school-payments-in-pennsylvania>.

2011-2012 Proportions of Special Education Students Served in Public Schools in Philadelphia (By Type of Disability)²

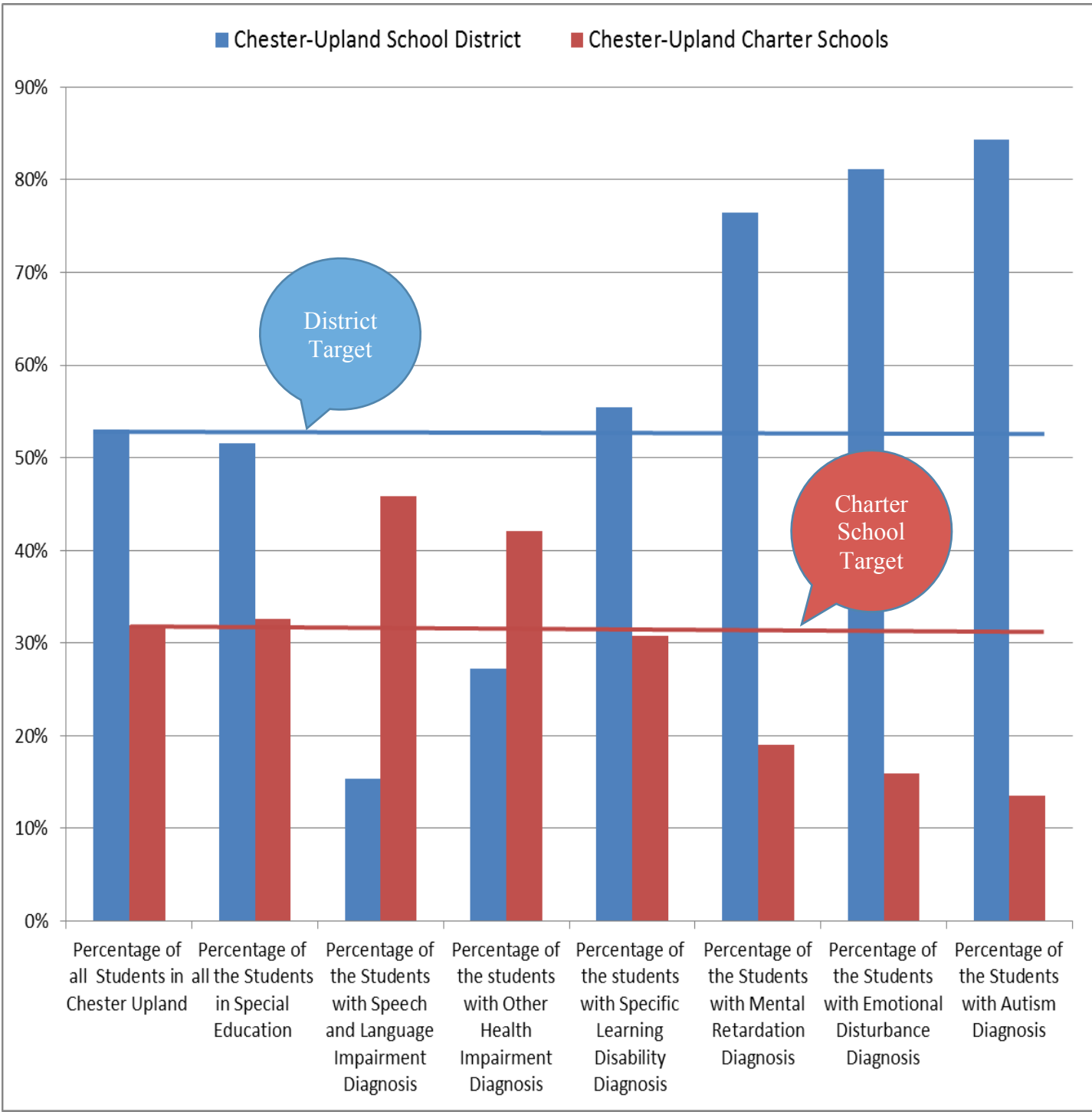


² Special education data comes from the Pennsylvania Department of Education, Bureau of Special Education (available at http://penndata.hbg.psu.edu/documents/PennDataBooks/Statistical_Summary_2011-2012_Final.pdf).

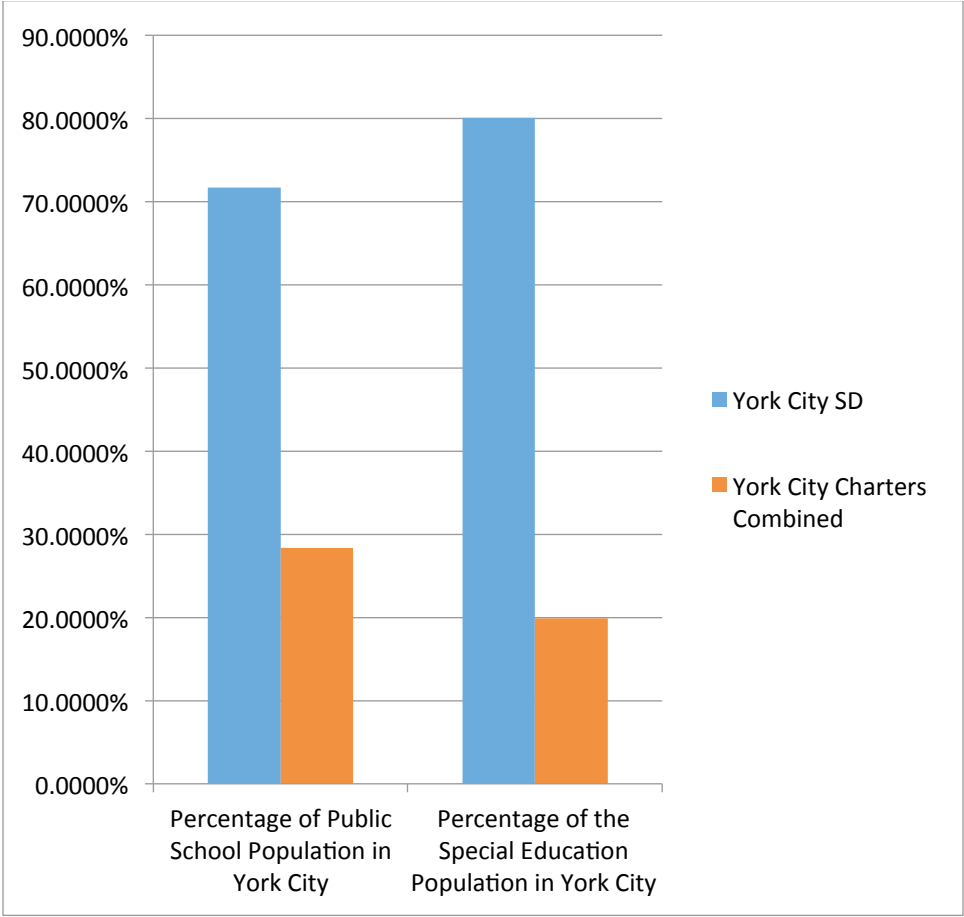
2011-2012 Proportions of Special Education Students Served in Public Schools in Pittsburgh (By Type of Disability)



2011-2012 Proportions of Special Education Students Served in Public Schools in Chester-Upland (By Type of Disability)

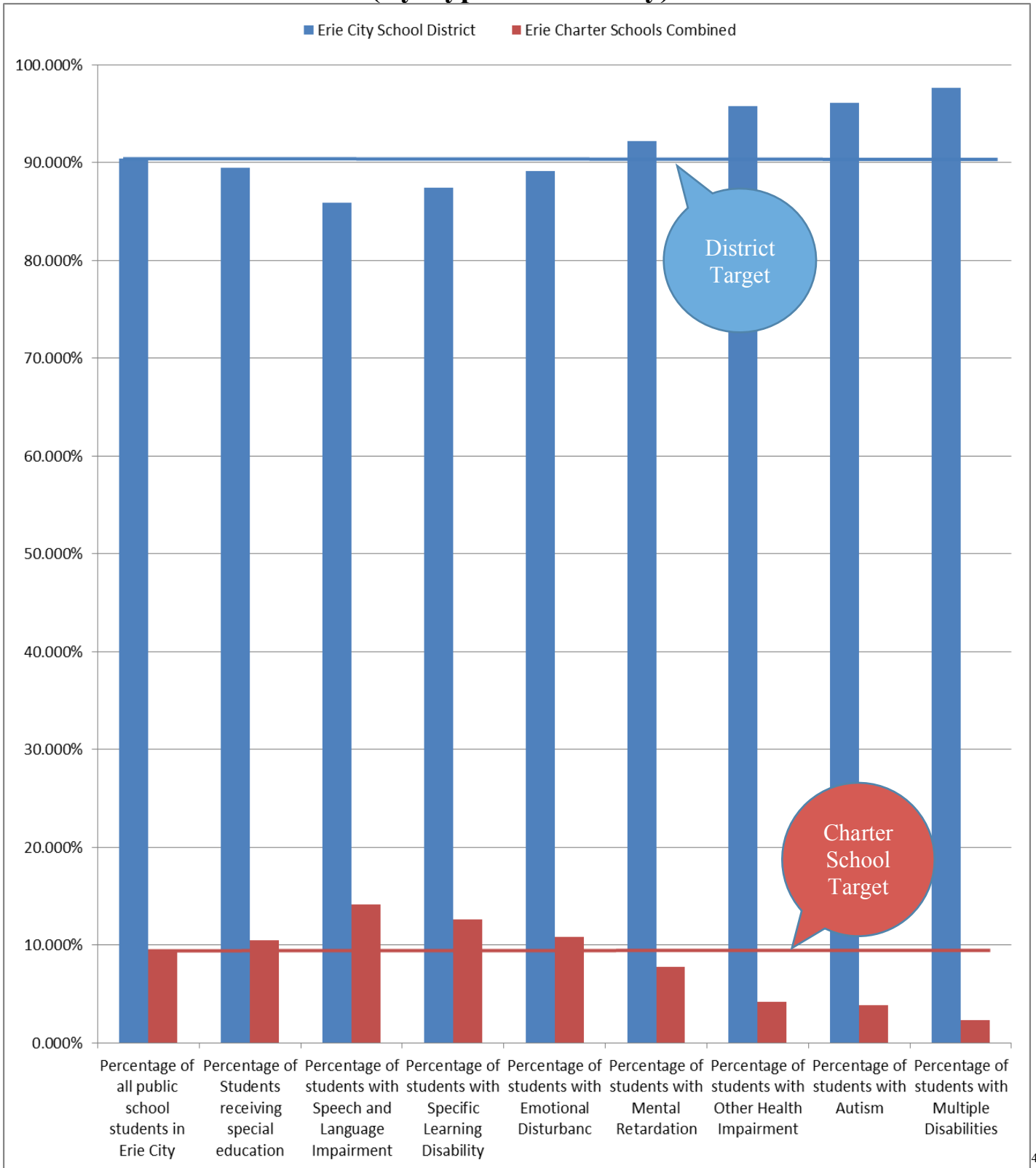


2011-2012 Proportions of Special Education Students Served in Public Schools in York City³



³ Because of the relatively small size of the York City School District and the charter schools in York City, much of the data is unavailable regarding the distribution of individual kinds of disabilities. However, consistent with all the other communities, the data indicates that the students with disabilities in York City charter schools are also disproportionately of the relatively “mild” variety. For example, while York City charter schools only serve 20% of the special education population, they serve 25% of total students diagnosed with a specific learning disability.

2011-2012 Proportions of Special Education Students Served in Public Schools in Erie City (By Type of Disability)



⁴ Because some of the Erie City special education data was incomplete due to small numbers, conservative estimations were made in favor of charter schools serving more severely disabled students. It is likely that the actual numbers would show the charter schools serving fewer severely disabled students.