

ELC Analysis of Senate School Code Bill

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Pennsylvania's public school funding crisis cannot be resolved by legislating new costs that will eventually exceed new revenues. Unfortunately, the [School Code bill](#) recently passed by the Pennsylvania Senate and under consideration in the House of Representatives would do just that.

Revenues provided under a bipartisan budget deal would be swallowed up by the new costs associated with rapid charter school expansion. Statewide, charter schools would be permitted to open new buildings, add new grades, and expand their enrollment with almost no limitations. In Philadelphia, where the district is already under state control and over a third of students already attend charter schools, the legislation would place numerous schools under a different state operator, this time the Pennsylvania Department of Education, and convert many of them into charter schools – all still without ensuring those schools have adequate funding.

The Senate bill removes important tools to ensure charter school accountability by:

- Permitting charter schools to amend their own charters without the permission of their authorizer.
- Permitting charter schools to add as many new schools and students as they please without permission of their authorizer.
- Stacking the Charter Appeals Board in favor of charter schools and against charter authorizers.
- Doubling the length of time, from five to ten years, before many charter schools and cyber charter schools undergo a thorough review of their performance by their authorizers.
- Permitting charter schools to create new Multiple Charter School Organizations (MCSOs) that can cross school district boundaries and expand across the entire state, all without any criteria for revocation or accountability for the MCSO.
- Perpetuating the perverse [financial incentives to underserve students with severe disabilities](#), by exempting charter schools from the rational and fair special education funding formula used by school districts.
- Skimming cyber charter school tuition off the top before school district authorizers receive state revenues.

The Senate bill implements a “State Opportunity Schools” program in Philadelphia that:

- Further disenfranchises families and communities by transferring up to 15 Philadelphia schools from one majority state-controlled entity (School Reform Commission) to a different entirely state-controlled entity (Pennsylvania Department of Education).
- Requires at least six charter conversions over three years which will have costly fiscal impact on the District.
- Fails to grant PDE any additional authority that the SRC does not already have.

- Fails to commit any additional resources to ensure that operators of the “Opportunity Schools” are able to actually provide the students in these schools additional opportunities.

Pennsylvania needs charter school reforms that empower local communities with the necessary legal authority to hold charter operators accountable. Authorizers should have the power to restrict charter growth to only high performing charter schools that have proven to successfully serve our most needy students – the kinds of students that the charter sector has [historically underserved](#) – and do so better than their local school district schools. In addition, charter growth should be used to increase opportunities without draining needed resources from our existing public school system. Only in this way can charter schools be a tool to *expand* opportunity and *improve* our system of public education for all communities.

Contact: David Lapp, dlapp@elc-pa.org, 215-238-6970 x. 309