

Fairness in Charter School Discipline



**EDUCATION
LAW CENTER**



What do we know:

- ❑ Charter schools are subject to the same federal and state laws and regulations surrounding school discipline as district schools
- ❑ Charter schools are not permitted to discriminate on any “basis that would be illegal if used by a school district.” 24 P.S. § 17-1723-A(b)(1).
- ❑ That charter schools feel the same pressures as traditional public schools
 - Underfunding and the school-to-prison pipeline
 - High-stakes testing
 - Powerful impact of high poverty and other vulnerable student populations

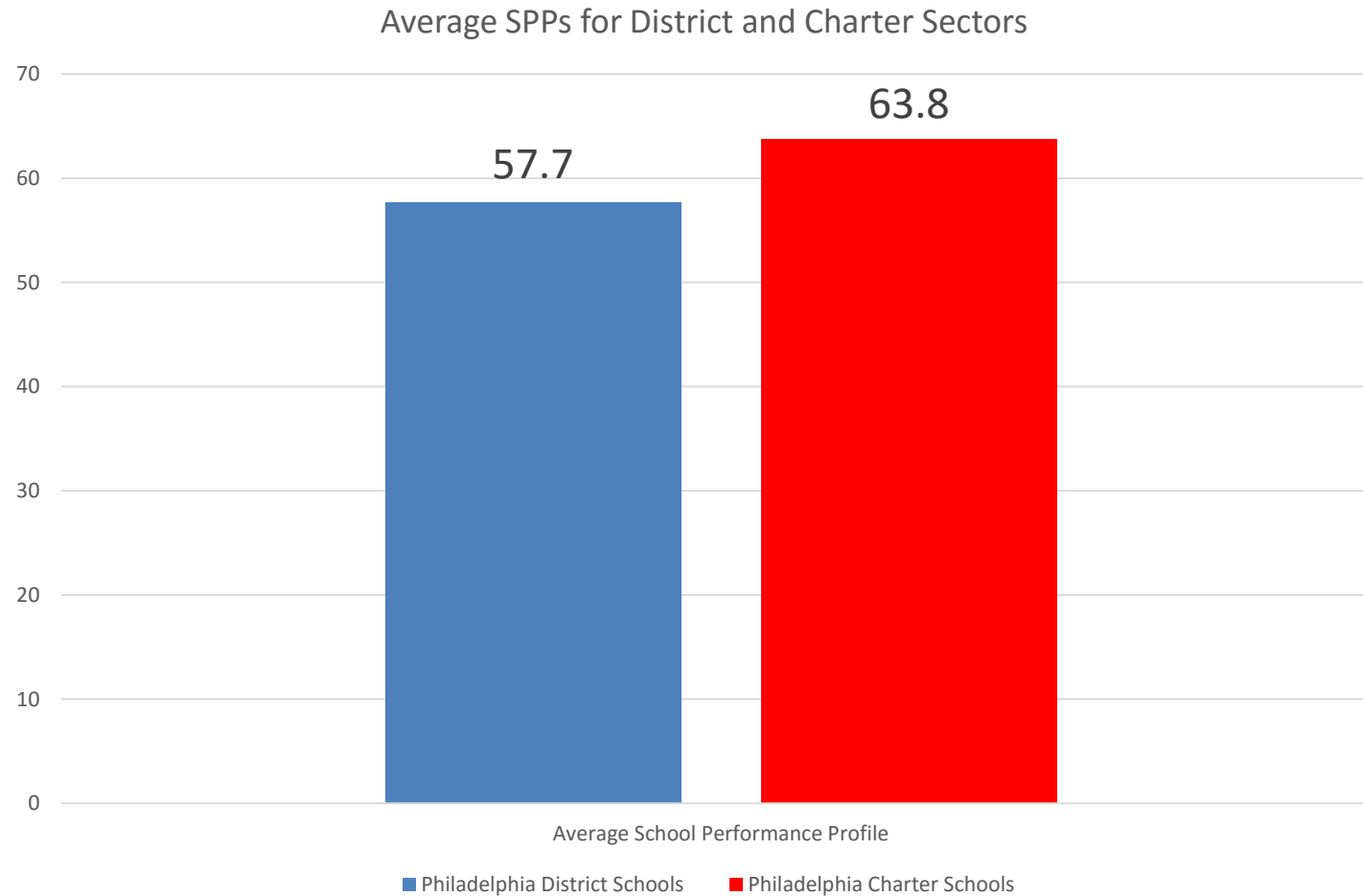
What do we know about exclusionary discipline in all public schools:

- ❑ That rates of exclusionary discipline are high.
- ❑ That African American and latino students, as well as students with disabilities and boys, are disproportionately over-represented in exclusionary discipline.
- ❑ That exclusionary discipline is generally ineffective at systemically reducing misbehavior and increasing safety.
- ❑ That exclusionary discipline harms children (even well-behaved children).

What do we know about charter schools:

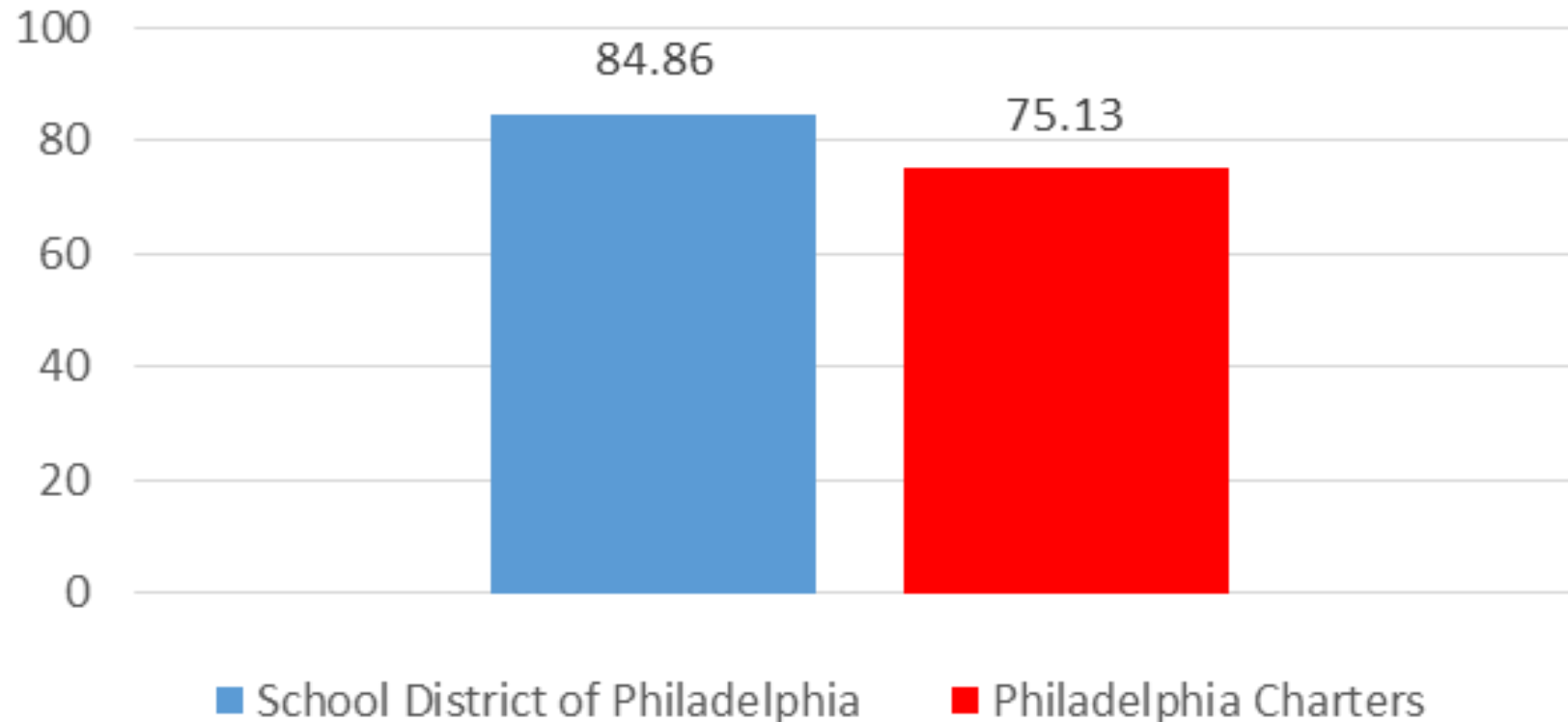
- That there are unique funding disincentives to serving students with severe disabilities
- As schools of “choice,” charter schools have more control over student enrollment:
 - Enrollment barriers
 - Many do not “backfill” (Stop enrolling students after particular times of the year, even when space is available).
 - That many “counsel out” misbehaving students or students who are struggling academically, rather than provide due process or appropriate services
- That charter schools (taken as a whole) have higher performance ratings, but that they underserve “vulnerable students.”

What do we know about “performance?”

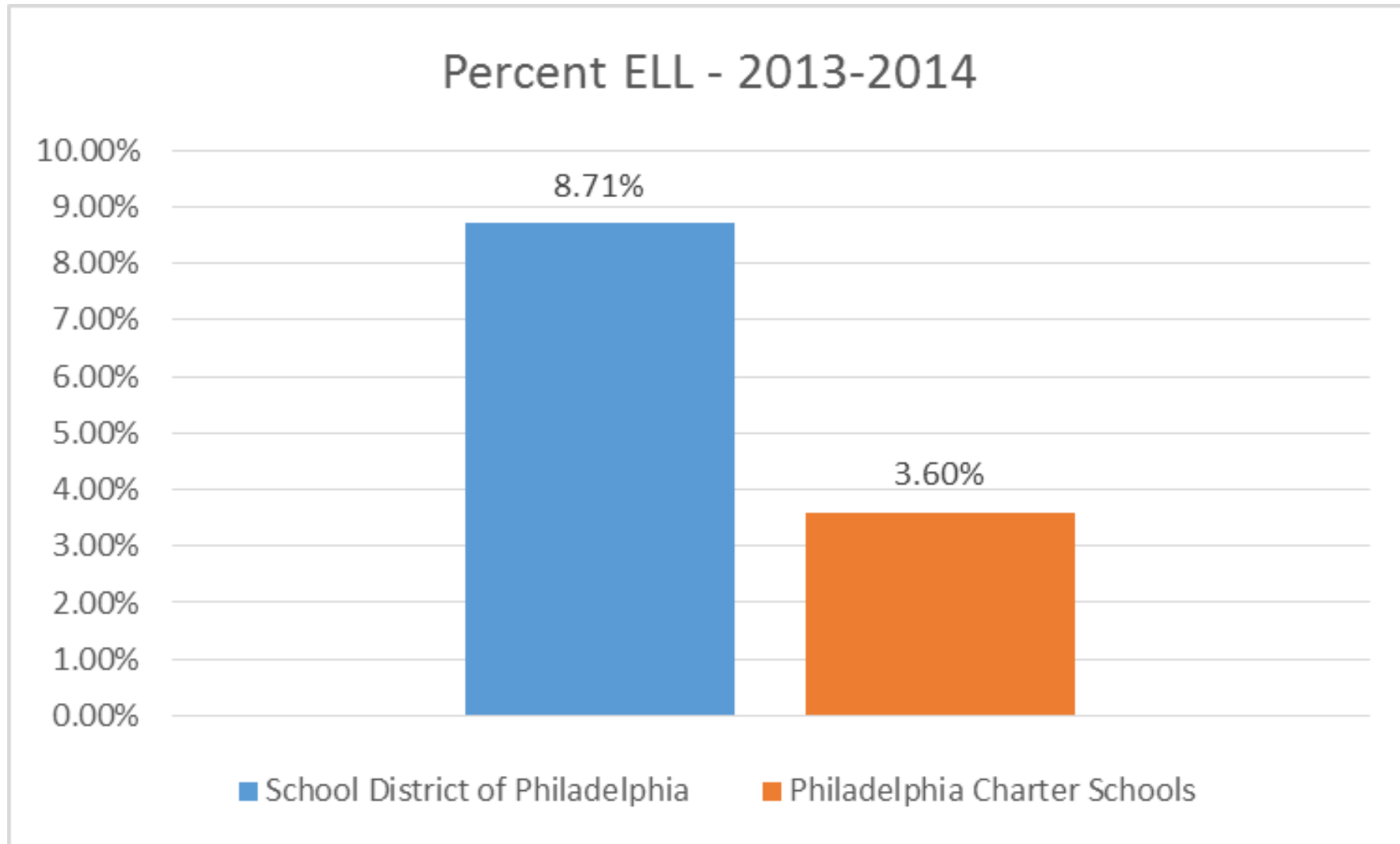


What do we know about “low income” students?

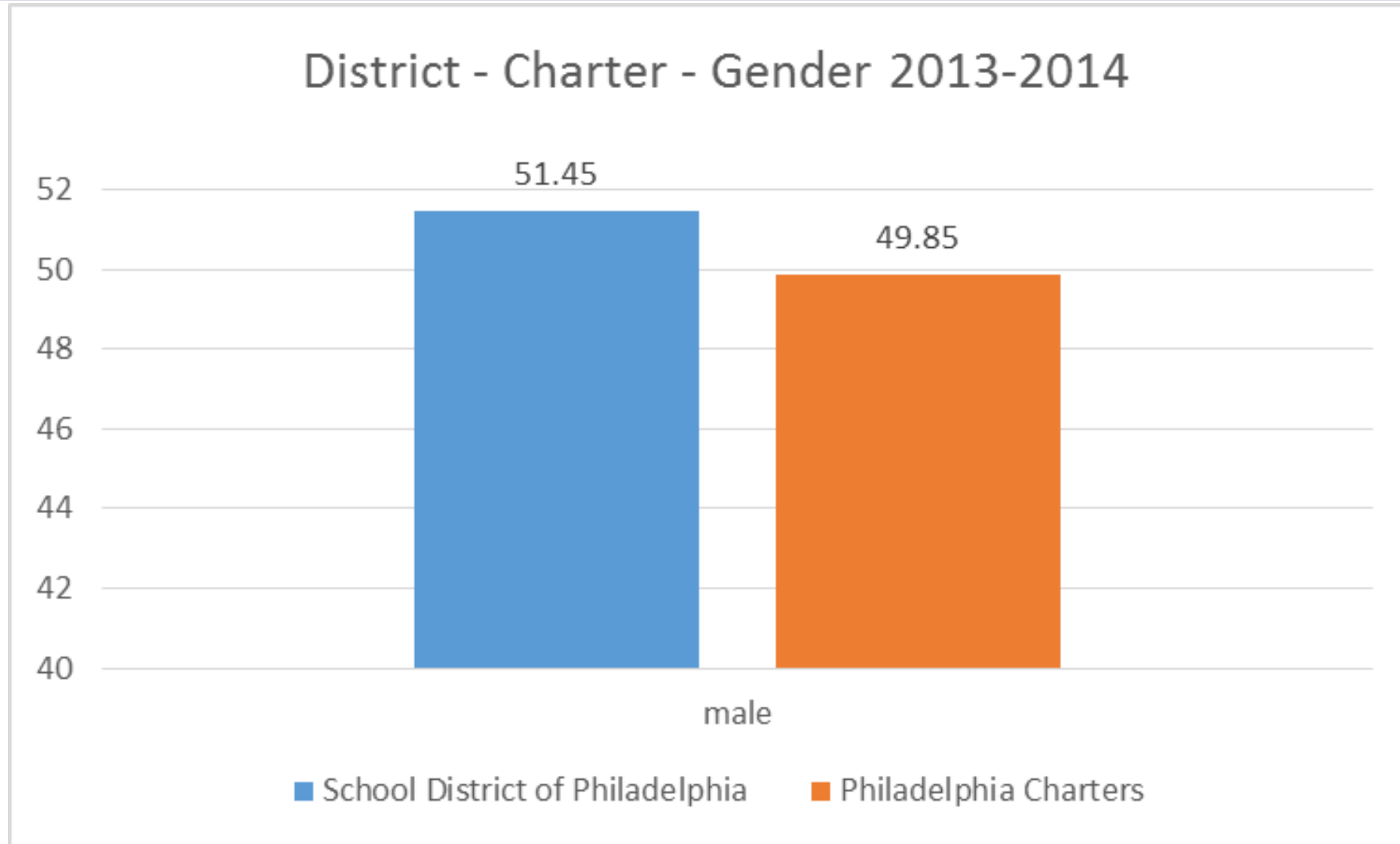
Percent Economically Disadvantaged
2013-2014



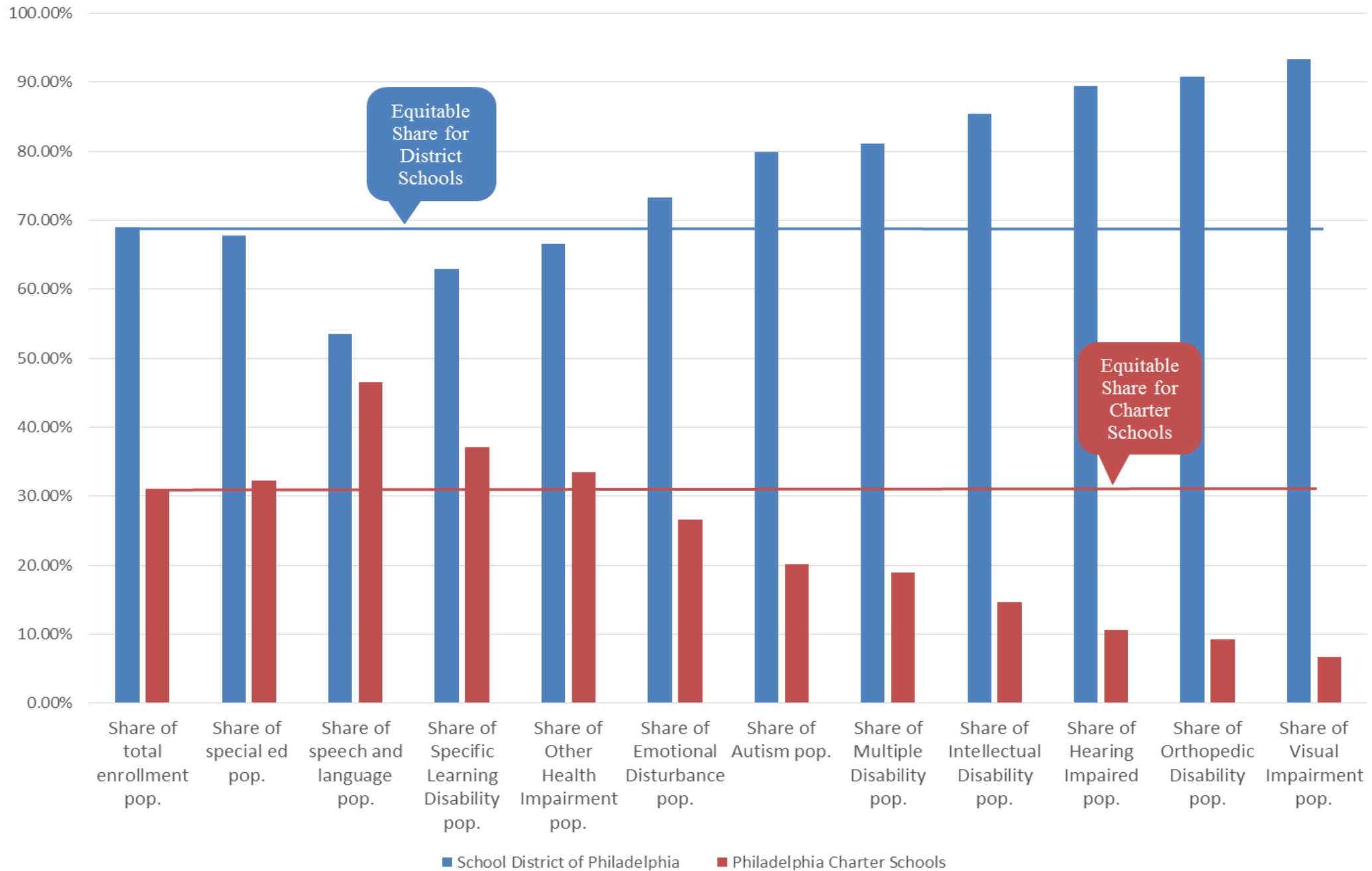
What do we know about “English Language Learners?”



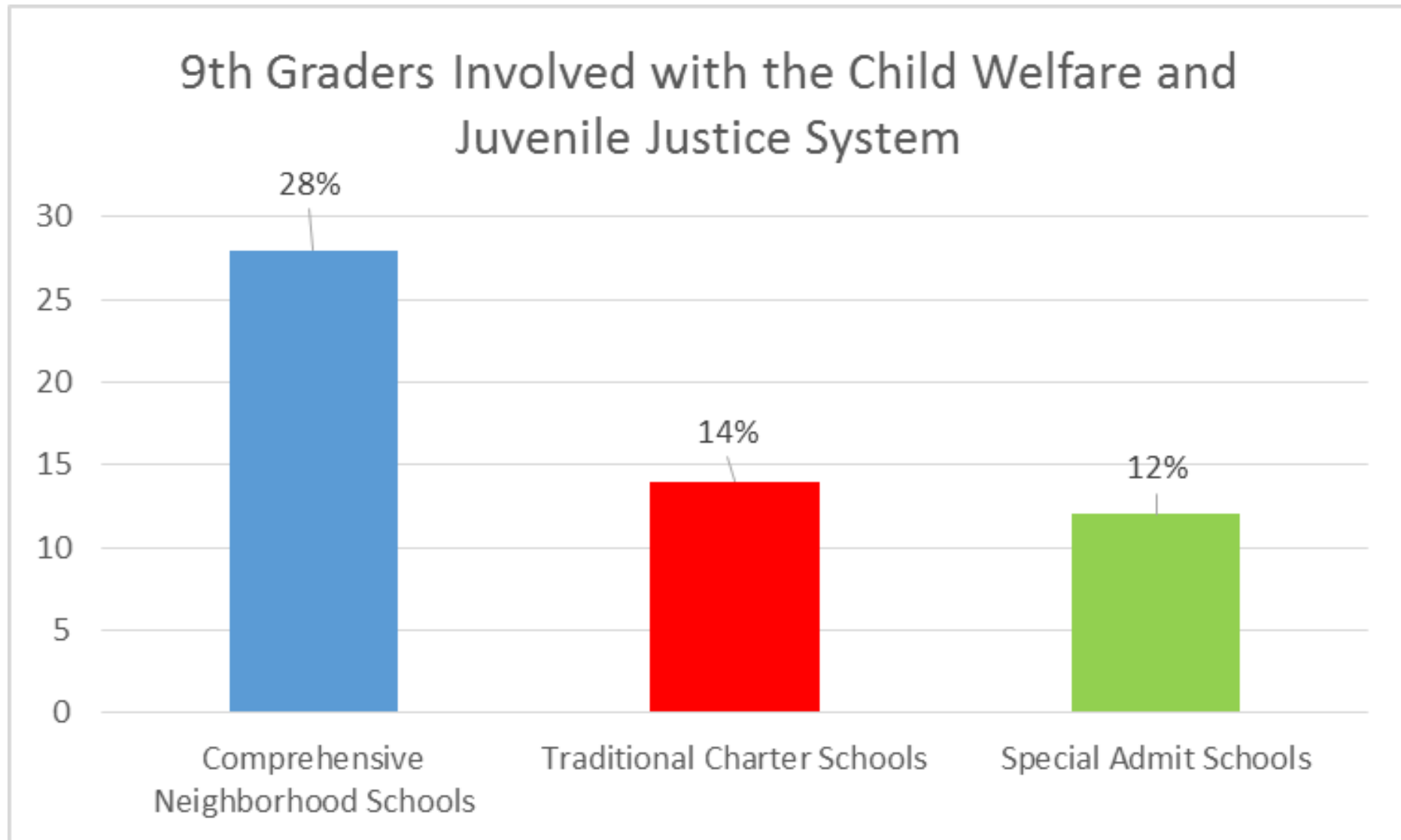
What do we know about “boys?”



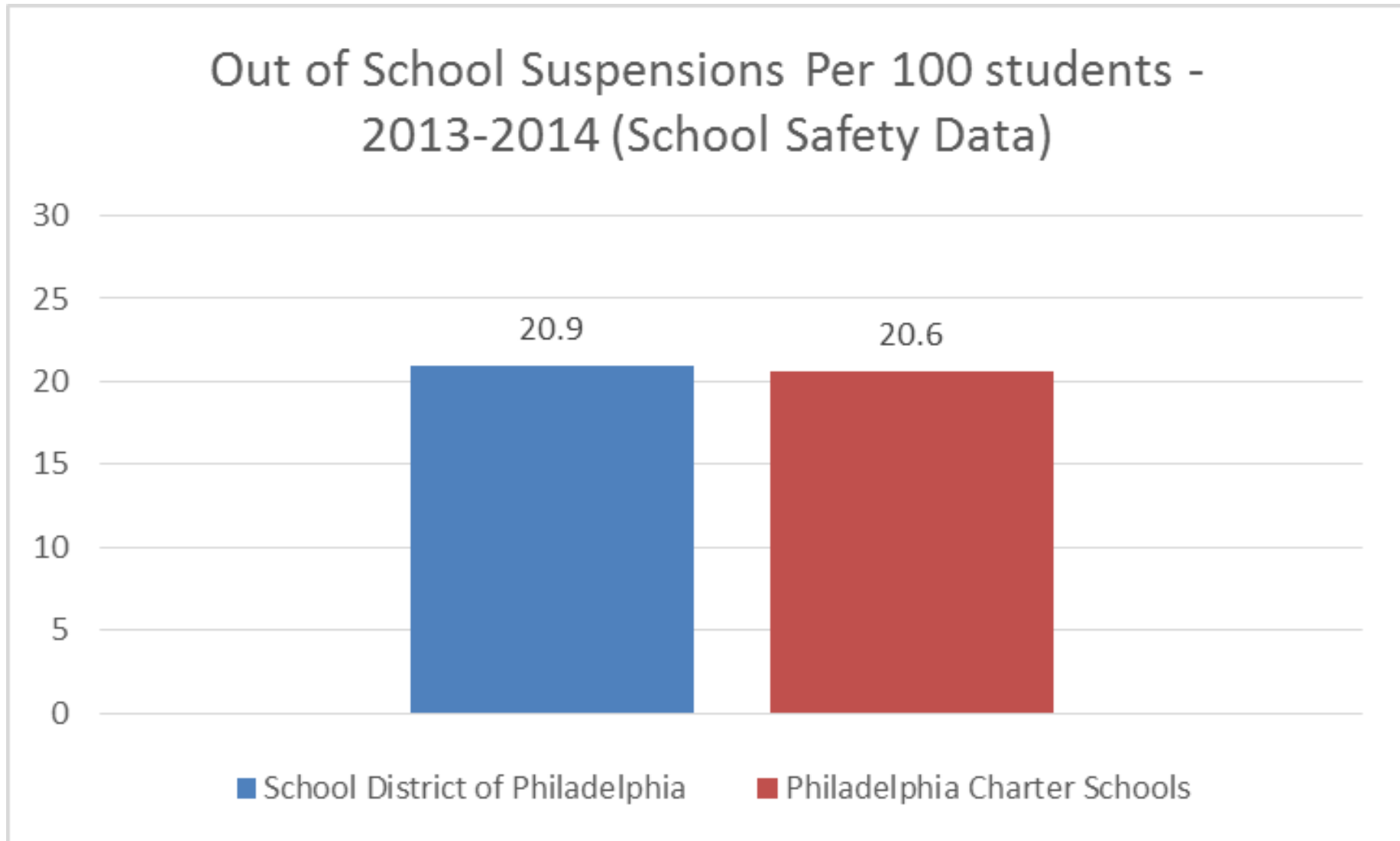
Disproportionality by Type of Disability - 2013-2014



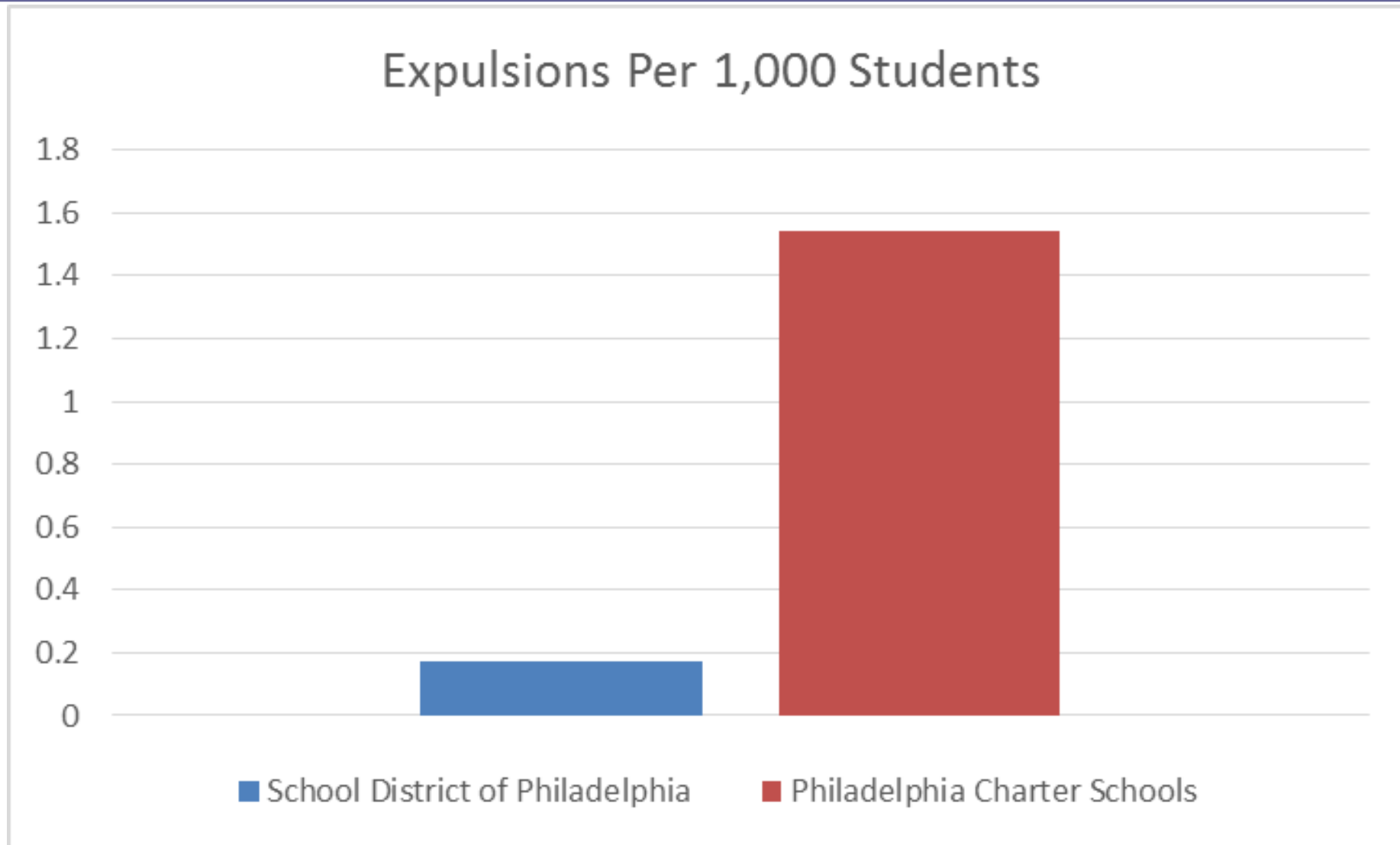
What do we know about “system involved” students? (see [Chop PolicyLab report](#))



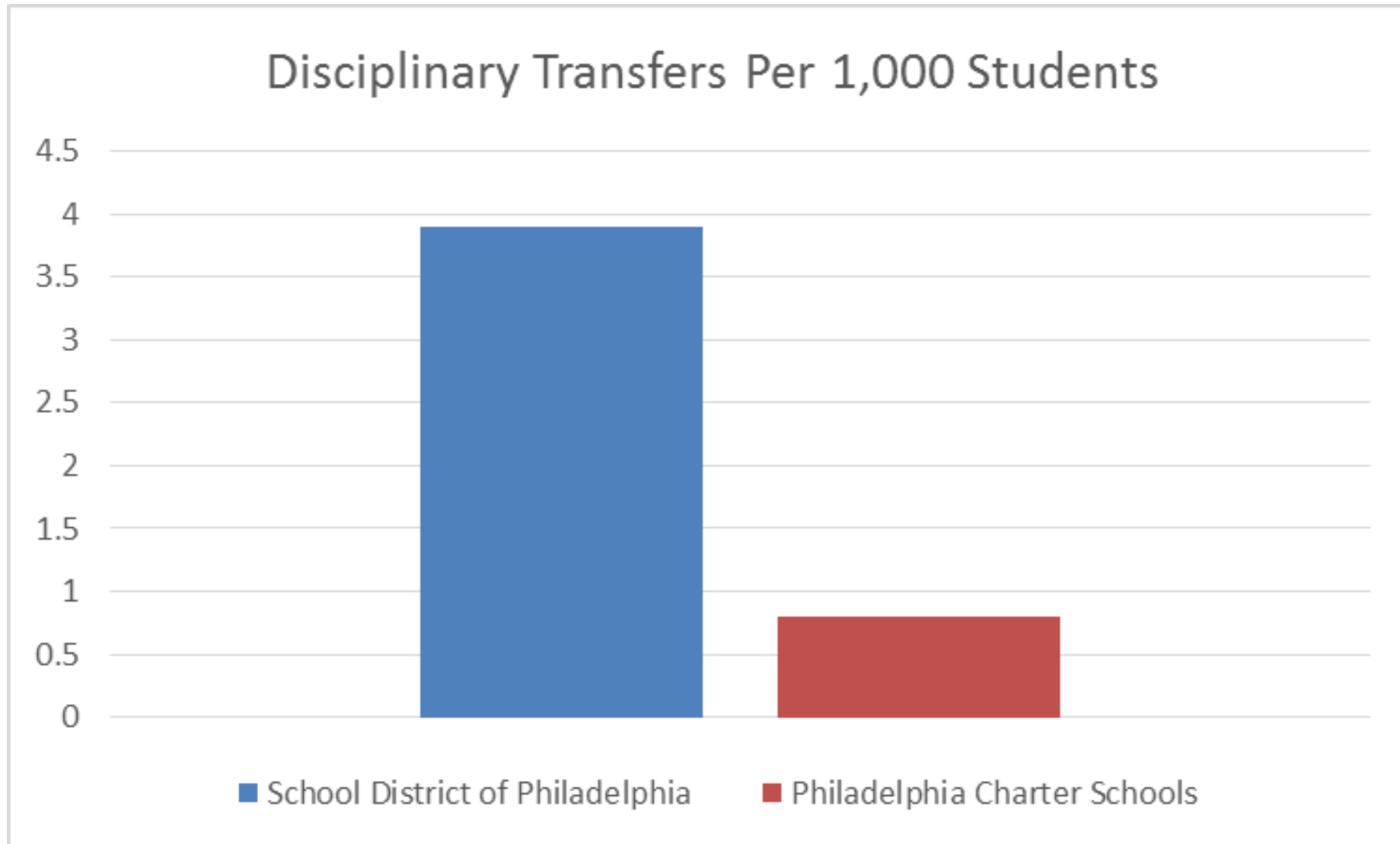
What do we know about suspensions?



What do we know about expulsions?



What do we know about *Alternative Education*?



What do we know about “access” reforms in the district:

- The School District of Philadelphia has made crucial reforms to its student Code of Conduct to:
 - Eliminate “zero tolerance”
 - Reduce vague and confusing language
 - Provide for additional in-school interventions prior to the use of suspension
 - Empower principals and central office staff to use common sense discretion.
 - That suspensions and alternative education placements have been declining.
 - That the district is expanding PBIS, Restorative Practices, and trauma-informed education
- That the District has a LONG way to go...

What do we know about “access” reforms in charter schools:

- That many Philadelphia charter schools are also recognizing the need to serve all students equitably:
 - Mastery implementing trauma informed education
 - Positive Behavior Supports at Young Scholars
 - KIPP electing to backfill all seats.
- That, as the charter authorizer, the district has started to consider access and other equity issues in decisions about whether to approve and renew charters.

Where do we go from here?

- Code of Conduct reforms in Philly Charter Schools
- Accountability for Implementing with fidelity
- Charter pledge to never counsel a student to withdraw.
- Data collection and public reporting on access issues:
 - Suspension / expulsion / transfer rates
 - Disaggregated by race / disability / gender
- Enrollment reforms
 - Mandate backfilling
 - Publicly post and update in real time the number of seats available in all charter schools