



**Testimony on Revoking the Charter of Franklin Towne Charter High School
School District of Philadelphia Board of Education Meeting
August 17, 2023
Donna Cooper, Executive Director, Children First**

I am Donna Cooper, the Executive Director of Children First. Our organization has a forty-three-year track record of advocating for public policies that improve the lives of children of color and children being raised in poverty.

We have come before this board often to advocate for specific charter schools to be closed where the schools were clearly failing their students or acting in a discriminatory manner.

Children First has also asked this board to avoid closing charter that might have weak internal management controls but are demonstrating that their students are getting a quality education and their rights are respected.

We support state charter legislation reform that gives school boards clearer powers to shut down failing charter schools and for reforms that protect charters from arbitrary oversight or unwarranted terminations or non-renewal decisions.

Suffice it to say we are not an ideological or pro-charter or anti-charter organization.

Tonight, I am here to unequivocally ask this board to revoke the charter of Franklin Towne Charter High School. The corrupt and discriminatory enrollment processes of the school are nothing short of shameful.

They have flouted the spirit and letter of the Pennsylvania School Code, specifically section 1723-A, which outlines permissible enrollment processes including the requirement that:

“If more students apply to the charter school than the number of attendance slots available in the school, then students must be selected on a random basis from a pool of qualified applicants.”

And it goes on to say:

“A charter school shall not discriminate in its admission policies or practices on any basis that would be illegal if used by a school district.”

The data clearly shows that Franklin Towne Charter High School intentionally suppressed the enrollment of students of color in clear violation of that state law.

Whether you are pro-charter, anti-charter, or somewhere in between, the egregious efforts by the school to deny Black and Hispanic students access to this school is a clear indication that those in charge of Franklin Towne Charter High School see themselves as above the law.

You are the first line of enforcement of the laws that protect the educational rights of all public schools students, including students of color in this city.

I urge you to exercise your solemn oath to uphold the laws of this city and the state and to decisively revoke Franklin Towne's charter. Every charter school operator must know that if they subject Philadelphia public school students to discrimination, this board will do all that is in its power to protect and defend our children's rights.

PA School Code of 1949

Section 1723-A. Enrollment.--(a) All resident children in this Commonwealth qualify for admission to a charter school within the provisions of subsection (b). If more students apply to the charter school than the number of attendance slots available in the school, then students must be selected on a random basis from a pool of qualified applicants meeting the established eligibility criteria and submitting an application by the deadline established by the charter school, except that the charter school may give preference in enrollment to a child of a parent who has actively participated in the development of the charter school and to siblings of students presently enrolled in the charter school. First preference shall be given to students who reside in the district or districts.

(b) (1) A charter school shall not discriminate in its admission policies or practices on the basis of intellectual ability, except as provided in paragraph (2), or athletic ability, measures of achievement or aptitude, status as a person with a disability, proficiency in the English language or any other basis that would be illegal if used by a school district.

(2) A charter school may limit admission to a particular grade level, a targeted population group composed of at-risk students, or areas of concentration of the school such as mathematics, science or the arts. A charter school may establish reasonable criteria to evaluate prospective students which shall be outlined in the school's charter.

(c) If available classroom space permits, a charter school may enroll nonresident students on a space-available basis, and the student's district of residence shall permit the student to attend the charter school. The terms and conditions of the enrollment shall be outlined in the school's charter.

(d) (1) Enrollment of students in a charter school or cyber charter school shall not be subject to a cap or otherwise limited by any past or future action of a board of school directors, a board of control established under Article XVII-B, a special board of control established under section 692 or any other governing authority, unless agreed to by the charter school or cyber charter school as part of a written charter pursuant to section 1720-A.

(2) The provisions of this subsection shall apply to a charter school or cyber charter school regardless of whether the charter was approved prior to or is approved subsequent to the effective date of this subsection.

((d) added July 9, 2008, P.L.846, No.61)

(1723-A amended June 26, 1999, P.L.394, No.36)