

MYTHS VS. FACTS | NYC Charter Schools are public schools that operate independently of the New York City Department of Education. Charter schools are held accountable for student achievement; if they do not meet their goals, charter schools can, and will, be closed. The combination of freedom and accountability for results allows charter schools to try new approaches, respond to community needs and put student learning first.

MYTH: Charter schools are not public schools.

FACT: Charter schools, as defined by law, are a type of public school.¹ Charter schools are free public schools open to all students, including English language learners and students with disabilities (in fact, many charters offer preferences for these special populations). There are never any admission tests or interviews, and no fees or tuition is ever charged.

MYTH: No one holds charter schools accountable.

FACT: Charter schools are not only held accountable by their Authorizing entity, but also by numerous government agencies.² Annually, charter schools must provide extensive reporting on their student outcomes and operations, as well as conduct financial audits and publicly post annual reports on the school's progress. The NYC Comptroller exercises audit authority over them as well. Every 3-5 years charter schools are subject to a renewal process in which they must demonstrate their value to their students and communities. If a charter school fails to meet its obligations to its students, it will be closed.

MYTH: Charter schools do not serve students with special needs.

FACT: NYC charter schools serve comparable numbers of students with disabilities as the district and ELL enrollment in charter schools has grown by 63% in the last 5 years.³ Charter schools are required by law to serve all students and must define their services for students with IEPs and English learners in their charter agreements. For years, charter schools have enrolled comparable numbers of students with disabilities as the district (18.1% and 21.8% respectively). While enrollment of ELLs has lagged the district, families are increasingly selecting the charter option. ELL enrollment in charter

schools has increased 63% in the last 5 years and now totals 9% of charter overall enrollment (district ELL enrollment is 15%). Over a third of all NYC charter schools also offer preferences for these special populations.

MYTH: Charter schools take students and money away from district schools.

FACT: It's up to families to choose the best school for their children – the school they select receives a per-pupil amount to educate the child. Families want, and should have, choices when it comes to their child's education (wealthy families do, why not everyone else?). Wherever a child enrolls, that public school – whether it be district or charter – receives public funding to cover the expenses of educating that child. The fact is charter schools "cost" districts less money as their per-pupil allocation is lower than what district schools receive per student.⁴ (It is, therefore, no surprise that no one has documented that district school students suffer when a charter school has opened.)

MYTH: Charter schools keep the per-pupil money even after a student leaves.

FACT: The money follows the child – charter schools do not get to keep funding for students who leave during the middle of the school year.

Each year on BEDS Day (October 31), all public schools must report their enrollment data to New York State. When a charter school student transfers to a district school either before or after this date, funding for that student returns to the NYC Department of Education (through weekly reconciliations).⁵ The NYC DOE makes their own determination as to where the money goes from there. Presently, it appears, NYC DOE does not distribute the funds to the receiving district school after January. The Charter Center continues to urge the DOE to distribute the money.

¹ Education Law Section 2854(2).

² Education Law Sections 2851, 2857.

³ NYSED Preliminary Enrollment Data for 2021-22 School Year. Percent Change in Student Enrollment by ELL Subgroup for 2020-2021 School Year is based on NYSED Preliminary Enrollment Data for 2020-21 School Year, available at <https://www.p12.nysed.gov/irs/statistics/enroll-n-staff/home.html>.

⁴ See With State Formula for Charter School Funding Likely to Change, City Costs to Grow More Than Budgeted, March 2017, available at <http://www.ibo.nyc.ny.us/iboreports/with-state-formula-for-charter-school-funding-likely-to-change-city-costs-to-grow-more-than-budgeted-march-2017.pdf>.

⁵ 8 NYCRR 119.1