



**POSITION STATEMENT: SUPPORT for HB21-1295
REBUTTABLE PRESUMPTION IN CHARTER SCHOOL APPEALS**

Advocates for Public Education Policy supports HB21-1295. We believe that current law fails to address the fact that charter schools can have a negative impact on traditional public schools, especially those with declining enrollment. We support the proposed requirement that the success of existing schools and the fiscal health of the school district should be an integral part of the review of a charter application.

We support HB21-1295 because it will allow authorizers to include the following considerations in the review of charter applications:

Likelihood of conflict with the local school board’s existing long-term plans

- “Charters established within districts operate primarily in competition, not cooperation, with their host, to serve a finite set of students and draw from a finite pool of resources.” EPI
- “As charter schools bloomed, the laboratory theory largely gave way to the reality of a parallel education system.” ITPI
- “We advocate for their eventual absorption of charters into the public school system. We look forward to the day when charter schools are governed not by private boards, but by those elected by the community.” NPE

Impact on student enrollment among the schools of the district

- “Expansion of charter schooling is exacerbating inequities across schools and children, because children are being increasingly segregated by economic status, race, language, and disabilities, and further, because charter schools are raising and spending vastly different amounts, without regard for differences in student needs. Often, the charter schools serving the least needy populations also have the greatest resource advantages.” NPE
- “The expansion of charter schools would harm district students by diverting money to the charter schools, further concentrate students with special needs in traditional schools, and intensify racial segregation across all schools.” Education Law Center

Effects on school district financial considerations

- “Public officials at both the local and state levels should be empowered to take fiscal and educational impacts on neighborhood schools into account when deciding whether to authorize a new charter school. State charter authorization law must be amended to empower elected officials to act as effective stewards of the community’s education budget, by balancing the value of charter schools against the needs of traditional public school students.” ITPI
- Charter schools really do divert money from school districts. Those districts can make up for that by cutting costs over time but the process of doing so is often fraught, especially because the most straightforward way to reduce costs is to close schools. As charters grow, the fixed costs of educating district students haven’t gone anywhere, even though the students have. To close the

gap, the schools might cut an art teacher, cancel an after school program, or increase class sizes.”
Chalkbeat

- “Nearly half of district leaders perceived that charter schools had negatively affected their budget. Administrators reported that they were forced to make “tough” budget cuts that affected their district operations. Some district leaders, for example, attributed laying off staff, closing a school, and/or having facilities under capacity at least in part to charter school. In most districts (65 percent), interviewees reported that central office workload had increased due to charter–related activities (e.g., renewal hearings, ongoing assistance with charter school implementation).” USDE
- “Each school district should produce an annual economic impact report assessing the cost of charter expansion in its community. To do that, we compare each district’s current finances with what there would be if there were no charter schools. What should not be policy is pretending that the expansion of charter schools comes without a price.” ITPI

EPI (Education Policy Institute) - <https://educationalpolicy.org/>

ITPI (In The Public Interest) – inthepublicinterest.org

NPE – Network for Public Education – www.edupolicy.net

Education Law Center - <https://edlawcenter.org/>

USDE (U.S. Dept. of Ed.) - Report of the National Study of Charter Schools

Chalkbeat – www.chalkbeat.org