

Re: Franklin Towne Charter High School; Notice of Revocation of Charter

WHEREAS, pursuant to the Charter School Law, 24 P.S. § 17-1701-A *et seq.*, the Board of Education of The School District of Philadelphia ("School District") granted a Charter to FRANKLIN TOWNE CHARTER HIGH SCHOOL ("FTCHS" or "Charter School") to operate a charter school for an initial four-year term commencing in 2000; and

WHEREAS, the School Reform Commission ("SRC") of the School District renewed the Charter School's Charter for five-year terms in 2004, 2009, and 2014; and

WHEREAS, the Board of Education renewed the Charter School's Charter for a five-year term in 2019 ("FTCHS 2019 Charter"); and

WHEREAS, in April 2023, members of the Charter Schools Office ("CSO") of the School District received initial outreach from the Chief Academic Officer ("CAO") of FTCHS alleging that the Charter School had implemented discriminatory lottery practices. The FTCHS CAO provided a file with information regarding students seeking to enroll at FTCHS for the 2023-2024 school year; and

WHEREAS, separately, upon request from the CSO, FTCHS provided student application and lottery files to the CSO for students applying to the Charter School for the 2020-2021 school year through the 2023-2024 school year; and

WHEREAS, the CSO analyzed all the files that had been provided by the FTCHS CAO and by FTCHS and focused on the distribution of applicants and accepted students across different zip codes, highlighting significant patterns and probabilities; and the CSO has concluded that there are grounds for the Board to commence revocation proceedings against the Charter School under Section 1729-A of the Charter School Law; and

WHEREAS, the following are causes for revocation of the FTCHS Charter and termination of

the charter agreement, pursuant to Section 1729-A(a) of the Charter School Law:

1. Under the FTCHS 2019 Charter, the Charter School agreed that it first would fill open enrollment slots with students having sibling or founder preferences. Then, the Charter School would give enrollment preferences to up to 50% of its incoming 9th grade students to rising 8th grade students from Franklin Towne Charter Elementary School (“FTCES”). If enrollment spots were still available thereafter, then the Charter School was required to fill remaining slots from applications throughout of the City of Philadelphia (“Citywide”) on a random basis in accordance with Section 1723-A(a) of the Charter School Law.

2. FTCHS has violated Section 1723-A(a) of the Charter School Law and the terms of the FTCHS 2019 Charter by failing to conduct a compliant admissions/lottery process and failing to enroll students on a Citywide basis for students applying for admission to the 9th grade for the the 2020-2021, 2021-2022, 2022-2023, and 2023-2024 school years based upon the following:

a. In the application and lottery processes for students applying for admission to the 9th grade for the 2020-2021, 2021-2022, 2022-2023, and 2023-2024 school years, there were 38 zip codes with at least one applicant for each of the four school years. There were four zip codes with zero offers of admission for three of the four school years. There was one zip code, 19139, that had nineteen applicants and zero offers of admissions for all four school years. From the five zip codes with zero offers of admission for at least three of the four school years, there were 88 applicants but only nine offers of admission. The offer of admissions rate across these five zip codes for four school years was ten percent (10%). For the same time period, the offer of admission rate was thirty-nine percent (39%) across all zip codes.

b. The 10% offer of admissions rate across these five zip codes for four school years is statistically improbable.

3. FTCHS has violated Section 1723-A(a) of the Charter School Law and the terms of the FTCHS 2019 Charter by failing to conduct a compliant admissions/lottery process and failing to enroll students on a Citywide basis for students applying for admission to the 9th grade for the 2023-2024 school year based upon the following:

a. For students applying for admission to the 9th grade for the 2023-2024 school year at FTCHS, 828 applicants from 39 different zip codes in Philadelphia remained after students with admission preferences (FTCHS siblings and 8th graders from FTCES) were given seats. Since there were more applications for admission to the 9th grade for the 2023-2024 school year at FTCHS than available seats, after the preferences in the FTCHS 2019 Charter were applied, students were to be selected on a random basis through a lottery process. Among the 828 applicants that did not receive a preference, such applicants resided in 39 zip codes. However, only 227 applicants from 22 different zip codes were offered admission to FTCHS. There were a total of 718 applicants from these 22 zip codes, reflecting an acceptance rate of approximately 32%.

b. For students applying for admission to the 9th grade for the 2023-2024 school year

at FTCHS, after students with admission preferences (FTCHS siblings and 8th graders from FTCEs) were given seats, none of the 110 applicants from 17 specific zip codes were offered admission by FTCHS, representing an acceptance rate of 0%.

c. The 0% offer of admissions rate across these 17 zip codes for the 2023-2024 school year is statistically improbable.

4. FTCHS has violated Section 1723-A(a) of the Charter School Law and the terms of the FTCHS 2019 Charter by failing to properly and completely comply with the sibling preference in the FTCHS 2019 Charter during the Charter Term. For students applying for admission to the 9th grade for the 2023-2024 school year at FTCHS, within the “Sibling” tab in an Enrollment file, there was a differentiated list separated from the general list under specific tab with a yellow highlighted note labeled, “Do not take” with a list of 11 students.

5. FTCHS has violated Section 1723-A(a) of the Charter School Law and the terms of the FTCHS 2019 Charter by failing to properly and completely comply with the FTCEs preference in the FTCHS 2019 Charter during the Charter Term. For students applying for admission to the 9th grade for the 2023-2024 school year at FTCHS, within the “FTCE” tab in an Enrollment file, there was a differentiated list separated from the general list under specific tab with a yellow highlighted note labeled “Not in good standing” with a list of 11 students.

6. FTCHS has violated Section 1723-A(a) of the Charter School Law and the terms of the FTCHS 2019 Charter by failing to properly maintain a waitlist after admissions lotteries were conducted during the Charter Term and failing to provide applicants seeking admission with documentation of his/her attempted registration, date of placement on the waiting list, and number on the waiting list.

7. FTCHS has violated Section 1723-A(a) of the Charter School Law and the terms of the FTCHS 2019 Charter because a statistically significant number of students, approximately thirty percent (30%) of the students enrolled at FTCHS, did not submit an application through the normal application process and were enrolled outside the lottery process;

so be it,

RESOLVED, that the Board of Education will conduct a public hearing on the revocation of the FTCHS Charter commencing on or about November 1, 2023, subject to rescheduling, at which hearing the School District will present evidence in support of the grounds for revocation of the Charter School’s Charter, and the Charter School will be given the reasonable opportunity to offer testimony and exhibits in support of why the Charter School’s Charter should not be revoked; and be it

FURTHER RESOLVED, that the Board of Education hereby delegates its authority to conduct such public hearing either to a single Board Member, to a Committee of two Board Members or to a Hearing Officer to be appointed by the President of the Board of Education; and be it

FURTHER RESOLVED, that the Board of Education will take formal action on the revocation of the FTCHS Charter following the hearing at a public meeting, after the public has had thirty (30) days to provide comments to the Board of Education.