

Charter schools want NY to change funding

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ASSOCIATED PRESS

BUFFALO — Lawyers for New York state asked a judge Thursday to throw out a lawsuit claiming its education-funding formula shortchanges charter schools.

The suit, brought by five Buffalo and Rochester families and the Northeast Charter Schools Network, calls the funding system unconstitutional because it allots less per-pupil aid for charter school students than those in traditional public schools and does not include funding for charter school buildings.

“Students don’t give up their constitutional rights when they leave a traditional public school,” Leah Kelman, an attorney for the charter students, said. But Assistant Attorney General Alissa Wright said the state is not obligated to fund two “parallel” education systems. She said the charter schools’ claims of inadequate funding are contradicted by the schools’ own assertions that their students outperform those in district schools. “They know going in what kind of funding they will receive,” Wright said during a state Supreme Court hearing on the state’s motion to dismiss the suit. Judge Donna Siwek made no immediate decision.

Charter school advocates said the fact that charter schools are established knowing they will receive less funding does not mean the formula is fair. Making charter schools, which are publicly funded but privately run, pay for rent or leases forces them to divert money from libraries, science labs and other necessities, they said.

“We have two buildings a mile and a half apart because we don’t have the facilities funding to pay to have one building for us to be together,” said Jeff Halsdorfer, school leader at Eugenio Maria de Hostos Charter School in Rochester. “I can only imagine what we could do if we had equitable funding.”

In Rochester, charter students see 68 cents on the dollar compared to other public school students, according to the lawsuit. Buffalo charter students receive about 60 percent of what their district peers receive.

The lawsuit seeks to have the funding formula declared unconstitutional and rewritten by the state Legislature.

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LEAH KELMAN, ATTORNEY FOR CHARTER STUDENTS

