



**Testimony of Scott Pearson
Executive Director, District of Columbia Public Charter School Board**

**Public Oversight Roundtable
Options Public Charter School**

**The Honorable David Catania, Chairman,
DC Council Committee on Education
January 22, 2014**

Good morning Chairman Catania and members of the Committee. I am Scott Pearson, Executive Director of the DC Public Charter School Board (PCSB). I appreciate the opportunity to testify today about Options Public Charter School.

Chairman Catania, thank you for holding this roundtable. As you know, charter schools continue to play an increasingly important role in the education of our children. For that reason, we believe – as you do – that we must both celebrate their successes while, at the same time, honestly examine areas in which they fall short. This is particularly important with Options Public Charter School (Options PCS).

The overall news about charter schools is very positive. DC residents can choose from 60 charter schools operating 109 campuses that serve 44% of DC's students – with charter schools being part of the District's revitalization. The proficiency rates of charter school students have improved every year since DC CAS was introduced. Charter school performance was a significant reason why DC showed the fastest-growing results in the nation on the National Assessment of Educational Progress, or NAEP.

Moreover, District families have a greater choice than ever before – as evidenced by the DC Education Festival held on January 11 at the Convention Center. Thousands of students and their families attended this one-stop educational shopping event. This event used to be called the Charter Expo. This year the rebranded Festival featured both charter and DCPS schools, another of many examples of how the two sectors are collaborating to make DC's vibrant educational choice market easier to navigate for DC's families.

At PCSB, our role is to ensure that charter schools are well run and that students get an outstanding education. We're proud of the many great schools with students who are testing above the District average.

As I discussed at the October 25, 2013 roundtable of the Education Committee, what has happened at Options PCS is quite troubling. Throughout it all, we have been focused on the students and families at the school.

As you know, we are taking steps to revoke the charter of Options PCS on the basis of fiscal mismanagement. Throughout this process, we have worked very closely with Joshua Kern, the court-appointed receiver for the school. In fact, at Mr. Kern's request, we delayed the initiation of revocation proceedings to give him more time to assess conditions at the school. Yet despite Mr. Kern's excellent work, we were unable to find any cause for PCSB to further defer revoking Options PCS' charter, which we believe is required by a plain reading of the School Reform Act.

It is important to remember that the revocation proceedings that the Board voted to commence on December 16, 2013 are underway. The PCSB Board will likely vote on this matter at our February 19 board meeting. While I am discussing in this testimony the hypothetical steps that would come after a vote to revoke, this in no way presupposes the outcome of this vote. The seven members of the PCSB Board will make that decision and only after the school has been afforded its full due process rights.

Revocation is not a step we ever take lightly. Given the unique population at Options PCS, we are particularly sensitive to the transition challenges posed by school closure. In fact, we began discussions about student transition well before the December vote. These discussions included our colleagues at DCPS, OSSE, and the DC Special Education Cooperative. They were, and continue to be driven by three main objectives:

- First, it is vitally important that the short-term transition – that is, the possible closure of Options PCS and the placement of Options students in appropriate educational settings – be as well-managed as possible, and result in the least disruption and best possible educational match for each student.

- Second, we need to find a long-term solution as well. Options PCS fills a niche in the DC educational landscape, serving students – 60% of whom have disabilities – who have for many reasons been unsuccessful in other educational settings. We cannot simply close Options without thinking hard about what schools, programs, services and capabilities should exist to serve the students who are at Options, and students like them.
- Finally, from the start we have worked to answer these two questions in partnership with our educational colleagues from across the city, including DCPS. This is not because the charter sector shrinks from its obligation to serve all children. Indeed we are proud that charter schools serve virtually the same percentages – and levels – of students with disabilities as the city average. Rather, it is the importance of making sure students with special needs are served well that requires we consider it from a city-wide perspective.

Our discussions around both the short- and long-term solutions have been robust and ongoing.

With respect to the short-term solution: PCSB has sent Options PCS a revocation letter that sets the charter revocation as taking effect at the end of the 2014-15 school year. This means that the school could continue to operate for the rest of this school year and for the next school year, thus providing for sufficient time to develop and manage the transition for the students. The receiver is here today to discuss how the school will be managed for the remainder of this year and next year. Such a transition will certainly be helped by what I expect to be the implementation of a longer-term solution, which should provide a wider range of placement alternatives for the Options students than exist today.

With respect to the long-term plan, a working group consisting of PCSB, OSSE, charter leaders, the Special Education Cooperative, and DCPS has already begun to consider long-term solutions. I am pleased to report that PCSB has hired Ms. Tami Lewis, the former head of Special Education at OSSE, to coordinate this effort.

This working group is exploring many approaches, including:

- Seeking new charter school applicants with expertise in serving students with emotional and/or learning disabilities or students who succeed better in alternative settings.
- Exploring the expansion of capabilities within our existing charter schools, including more capacity building and use of self-contained classrooms.
- Expanding the use of satellite classrooms, which allow a self-contained classroom at one charter school to serve students from several charter schools.
- Using cooperative or collaborative structures, such as BOCES in New York or SELPA's in California, to allow the pooling of resources and expertise to better serve students.
- Exploring needed changes to payment structures, so that, for example, a school that takes an expelled student mid-year can be compensated for doing so.

Some of the group's work may require legislation and we look forward to working with you on this, Mr. Chairman and with members of the Committee.

It is possible that out of this planning effort will come a new charter school, located in the Options building, with a mission similar to Options PCS, that can serve the students there. This will depend on many things, but I for one do not consider it a foregone conclusion that a large, comprehensive Ward 6 charter middle/high school serving students with both emotional and learning disabilities along with non-disabled but alternative students is the best educational outcome.

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Let me also report on PCSB's progress in strengthening our oversight of public charter school governance and compliance with applicable laws. This has been an ongoing process that started immediately after I became Executive Director. My objective, and that of the PCSB Board, is to have PCSB be a model for charter school authorizing practices around the country. I am proud to say that we have made great progress in achieving this goal.

While PCSB moved quickly, as soon as we detected problems at Options PCS, it is essential that we all use this as a learning opportunity and a call to do better.

I reported in October on the steps PCSB had taken in response to the Options PCS incident. These steps were in three categories: internal improvements to our policies and procedures; revisions to our policies as they apply to schools; and legislative recommendations. This is a brief update on the progress we have made since then.

- We have distributed and conducted training on our updated employee handbook. Because PCSB employees are also subject to District government ethics laws, all employees and board members have attended training by the Board of Ethics and Government Accountability (BEGA).

- We published for public comment our revised contract and charter school board meeting minute submission policy. Given the volume of comments and the subsequent revisions, we have elected to put the revised policy out for another round of public review and comment.

We expect to vote on this policy at our February meeting.

- We hired PriceWaterhouseCoopers (PWC) to look at our internal processes for reviewing school-submitted contracts and financials and make recommendations for improvements. This work is largely complete.
- PWC is also assessing PCSB's review of charter school contracts over the past two years to determine whether there were any other anomalies regarding other charter schools, which if found, will be forwarded to the Attorney General and the Inspector General.

In conclusion, thank you for your interest in and oversight of this important issue.

We are pleased to answer any questions.