

Interview of Josephine (Jo) Baker and Tom Nida

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SPEAKERS

Ember Reichgott Junge

Josephine Baker

Tom Nida

Ember Reichgott Junge 00:08

Hello, and welcome to living history for the National Charter Schools Founders Library. My name is Ember Reichgott Junge. Today we're going to do the 25th anniversary of public charter schools in Washington D.C. It's a momentous occasion. And this day happens to be a very special day because on this day 30 years ago, the first charter school law in America was passed in Minnesota and signed by Governor Arne Carlson. What we're going to do today is look at the history of chartering and also reflect on the future as well.

I have two guests today who are dear friends and real pioneers. One is Jo Baker, who is an icon in the D.C. community in her work in chartering, and the other is Tom Nida and he has been an expert, if you will, in facilities financing. I'm going to come back to those introductions in just a moment, but I want to tell you a little bit about the National Charter Schools Founders Library. You can check it out at www.charterlibrary.org. Jim Goenner of the National Charter Schools Institute had a vision several years ago that we wanted to collect the documents and living histories of the pioneers while they were still here; we can celebrate that and inform the future of chartering. There are no other people better to do that for Washington, D.C. and that's why I'm so glad to welcome our guests today.

Let me give you some background. Josephine Baker led the charter school sector in D.C. from 1997 to 2011. She was a founding member of the D.C. Public Charter School Board (DCPCSB). She was elected as its first chair and later served as executive director. Her work in D.C. became known as an authorizer model nationally and internationally. At the national level, she was also a founding member and chair of the National Association of Charter School Authorizers, known as NACSA, and she's a member of the Charter Schools Hall of Fame. What is a little surprising about her background is that Josephine Baker is a teacher who came out of the D.C. public schools and she was a beloved award-winning teacher who taught generations of students so she was a perfect person to lead chartering into Washington, D.C. Now, what's ironic is that along the way, Jo Baker became executive director of the D.C. Public Charter School Board, and they need another chair and that chair happened to be someone by the name of Tom Nida. He was appointed to the PCSB, as we call it, in 2003, and was chair from 2004 and 2010. Now, Tom Nida is a banker and in his banking career of over 50 years, he has helped hundreds and hundreds of charter schools to either develop their facilities or to renovate

them. Nida was a trailblazer in charter school lending, was one of the first bank lenders to charter schools, and he was recognized nationally for his expertise. He lent that financial expertise, which is so important to the success of charter schools, to the board by developing a model system and ranking the financial benchmarks to evaluate just how financially sound the charter school was. This system, branded as the financial GPA, became a model for financial accountability for other charter school founders around the nation. Tom Nida, also chaired until yesterday, the Charter Schools Development Corporation Board of Directors. As full disclosure, I'm vice chair of that board and I've had the opportunity to work with Tom for many years and have seen him in action. So, I can't think of two better people to be interviewing on the 30th anniversary of charter schools. Welcome both of you.

Now, it might be 30 years nationally, but in D.C., you came along pretty quickly and you had a very unusual history around that time. But before we get to that, let's just talk about 25 years anniversary in D.C. and you folks really shaped that history. Now, as you look back, what do you think have been the best successes for chartering in DC and what makes you proud of it today?

Josephine Baker 05:02

Well, when I think back to what we started with 25 years ago, which was really zero. There was nothing. I mean we know that there was a small effort on the part of the Board of Education to begin the chartering process, but nationally, there was no information. There weren't that many charter authorizers across the country and so basically, you started with a blank page. You started with a blank page and with the law. The law was written and I'm sure that at some point in our conversation, we'll talk about how we came to that law. What this board did, initially, before we were even sworn in, was to get together and go through the law, line by line, paragraph by paragraph, to begin to try to understand because no one got to really tell us what is it we want you to do, because it hadn't been done before. So that was what we did. We met at a couple of offices that were available to us, among the appointed members, 25 years ago, that's how we began and we knew that if we were going to do this job, and it was a job for children, then it had to be something that we did well. We were not interested in any hiccups. We wanted to make sure that we served our families in the District of Columbia well.

Ember Reichgott Junge 06:31

And talk about what the sector is like today...

Josephine Baker 06:34

Well, the sector is what, 40-some percent, close to 50% of the children in the District of Columbia go to charter schools. I don't keep track anymore of the number of charter schools because I've not been involved now for a number of years. But I have charter in my blood I say when people will call me; it's there, it will be with me because there was so much that we did that I think made a difference in the lives of so many children and so many families here in Washington, DC. So, it is an evolution and, as you know, that's a part of the title of my book because it did evolve. We started really with nothing other than a smattering of things. We knew that we did not want to have the experience that the Board of Education had, because they actually started charters a couple of years before we did, and they had a number of failures. It was not good.

Ember Reichgott Junge 07:35

Well, let's bring Tom Nida in here. And, Tom, you've been involved in the charter sector all of this time, virtually all this time, for 25 years. And I should just mention the date June 4 of 2021. That's the date that we are talking today. What are you most proud of in D.C.? What have been the biggest successes do you feel in chartering here?

Tom Nida 07:57

Perhaps the success that I see most evident traces back way before the 25 years ago and that is, I'm a product of the D.C. public education system. I graduated from D.C. schools way back and what I noticed after I graduated was what seemed to be a steady, downhill slide, in terms of overall performance, the D.C. population was shrinking steadily. The educational system just mirrored kind of a decline over the decade of the 70s and the 80s, maybe early 90s. When I first got involved with charter schools in D.C., it was not at the 25th year mark way back when. Jo and her counterparts were the real pioneers in helping create the framework for the charter school system and beginning the process of authorizing, approving schools and kind of nurturing the ones that were in that first class. I came on the scene in 1999. But that was the time when schools were beginning to have to search for facilities that they could find that were affordable. And so I was looking at the landscape in D.C. and I've looked at the notion of charter schools, understood the concept, have always been a fan of education, but I'm also a bigger fan of looking at educational opportunity, which translates to educational equality. And what I saw was a serious need for improvement in the D.C. education, particularly in the part of the city, which tends to be the least affluent and where school institutions often represent the largest public investment in a given neighborhood. And so there had been a total lack of that investment. And so I saw charter schools as being a potential support for improving the those neighborhoods that needed the most. And since I'm a banker, I was looking at from the standpoint of the impact potential and community development. And I think the success that we've seen is that with the charter schools, and the start that they got, and then when Jo and I were working together to help reach kind of a viability level that was going to be sustainable. Because it was not that case, at the beginning, it was very much perceived as a fad or experiment, or whatever. And so, when I've looked at what's happened in the last 25 years here in D.C., what I see is a rising tide has lifted all the boats of public education, that we forced the traditional public school system to compete to be able to be on better footing against these upstart charters. And as a result, the school system has rebounded, and it has come at the same time that the population has also rebounded here. So, it's really contributed to the revitalization of the nation's capital in ways that we've probably none of us could have imagined 25 years ago.

Ember Reichgott Junge 11:03

That was one of the things we had hoped for in Minnesota when we passed the first law, is that it would help and impact the community, but more than that it also would allow the district public schools to improve, that it would cause change in the entire public education sector. Jo, why don't you go in on that, because I think this is one of the most important successes in Washington is the impact it has had, as you say, in lifting all boats.

Josephine Baker 11:33

Yes, we did lift the boats, but it wasn't easy. It wasn't easy for a number - there was a lot of resistance. We all know that across the nation, there was a great deal of resistance. It was sort of like turf, and education turf was what they expected school systems to do and anybody else was not wanted. And so

I fought many battles, some verbal, some just by resisting, I always went in to meetings with my armor on because I knew that I was gonna meet resistance. But nevertheless, once the board took on the job, we were determined that we would certainly come out with a product that was meaningful for families and children. That's the thing, I think, that really made a difference in how we approached chartering. Our schools, our children, it was all about what can we do, to make, to provide for them and in that atmosphere in which they could be surviving and thriving, and so forth. So, it was not easy. I have one example: early on, Arlene Ackerman was the superintendent, and someone in the Department of Education asked for a meeting with me and Ackerman and a couple other people and they were using the old law, just to show you how the Department of Education really didn't know, what we were about. The old law was the first law that the Board of Education actually wrote, but that wasn't the law, if that were the case, we wouldn't exist. They were not aware of that and we had a meeting and we got nowhere and Ackerman, I recall her saying she didn't need any more schools to have oversight over. And I said, what you don't understand is that you don't have any oversight over these schools, they are separate, they are under this board. It was a hard understanding for both the Department of Education and this particular individual as well as Ackerman, to understand that, so those are the kinds of battles that we fought, even at the national government level, the Department of Education is a national part of our national government and yet, they too, did not truly understand how this worked.

Ember Reichgott Junge 13:56

You had a big job in educating people, but here's the thing, your pathway to charter schools in D.C. is different than any other place in the country because you have these different levels and you've referenced this. By the way, I love the fact that you have this book, which has the history of D.C. called The Evolution and Revolution of D.C. Charter Schools and in this book, you talk about how there were two laws, just like you said. There was the city law first, but then Congress entered the picture and amended the law. So, what I'd love you both to do, if you can, is to really set that history for me and talk about the first law, why they even were looking at that first law in the city and then how Congress got involved and all of the educating you folks had to do at all these levels of government. So why don't you go ahead?

Josephine Baker 14:51

Well, the first law was actually written by the Board of Education. They saw the handwriting on the wall. They knew that charters schools and vouchers because remember, vouchers were a big part of this whole package, were off the table. Well, Eleanor Holmes Norton, who's our representative in the Congress, wasn't having vouchers. She wasn't sure about- in fact, we grew up in the same neighborhood - so when she called me and said tell me about this, because I don't know why you're involved, I said, well, I'm involved because it's about education and so on, but I convinced her the charter schools were okay. I didn't go with the voucher concept either, so we were at least on the same page in that regard. So, we had to really look at how we were going to, or we had to look at the laws, the law that was written by the Board of Education and as I said, they did it for survival and they started- (Ember: why survival, Jo, talk about that) Survival was that it was happening in the rest of the country, not in great detail, but it was happening and they were having a hard time convincing the Congress, which many people don't know is in our hair all the time, because while we have a law that says we are an independent city, nevertheless, there's a clause that says, you have to go by Congress for anything to be final so this was a constant pull and they knew that because education was doing so

poorly, the children were doing so poorly, that they had to do something so charter schools were going to make the difference. However, the law was not a strong law. They didn't do anything really to improve how they were doing things and so the schools, I think they did about five that first time and three of them opened, and none of them managed to survive over a period of three or four years. But Tom may have some other thoughts...

Tom Nida 16:57

Well, I think that you look at D.C. and of course, D.C.'s biggest industry, in some respects, is politics and so the educational system is not immune from politics. If you're turning the clock back to the 70s, what you find is that D.C. kind of did its baby steps into home rules such as this and the very first baby step was actually the Board of Education, which became the first elected group of folks that the D.C. residents could elect and that Board of Education became the springboard for many of the politicians, including Marion Barry, who emerged later with bigger roles. So, you have the Board of Education with that bit of history in terms of independence from Congress to an extent that it did, but as I mentioned, with that decline of the D.C. economy, population, education, everything else, one of the problems was D.C.'s finances, by the 90s had gotten so problematic, that the federal government, because their budgetary oversight effectively took control of the city's finances for a period of time. And it was during that federal control, that the second law where the charter school legislation that created the D.C. Public Charter School Board came into being and so you have this federal element versus the local element, which sort of set the stage for some of the competition that came in later and as Jo was trying to convince legislators and other educators that chartering was a good thing. As I came into the city, and was looking at working with charter schools, as something that was new to me, I realized there were no bankers, who were interested in charter schools, because they clearly thought it was something new, something different, Congress is mandating it, the D.C. government's fighting it, this is never gonna last and so there was no underpinning for the success that followed. It just, I think, was a combination of the dogged persistence and patience of those that were into this, and made it clear that this was not going to be a political battle. This is an educational battle. And unlike a lot of other things in this fine city, which is always centered on the adults, this had to be centered on the kids.

Ember Reichgott Junge 19:11

Well, talking about politics, I just want to follow up with that - the Congress at this time was Republican controlled and Speaker Newt Gingrich was in charge, if you will, and so you have the D.C. charter law that was created by the Council now being looked at, and in a sense, overruled by Congress, right? Talk about that. That's a very interesting dynamic that you don't find anywhere else.

Josephine Baker 19:38

No, and I don't think people nationally understand when D.C. says they want state rights, it's partly because no matter what law you pass, they've loosened it up a little bit over time, but when the council passes the law, it doesn't really become law until it gets the approval of the Congress. So it means that you have home rule, but you don't really have home rule because you can make a law and if they don't give it sanction, then it's no longer a law, so that whole interference kind of or that whole, you know, it's sort of like not letting a kid grow up. Well, that's kind of what we've had here in Washington, D.C. And I think nationally, people don't really understand that. So when we say we want statehood, we need statehood in order to be independent, and in order to run this city, because the Congress is not going to

run the city for the needs of the city so it would only run it for the needs of the congressmen who were there, because they don't really care that much about who we are what we're doing. So it's a very convoluted process.

Ember Reichgott Junge 20:42

How did that interact into the charter situation?

Tom Nida 20:45

Well, I mean, the thing here is, if you think about education across the country, education is primarily a local option, a local mandate, a local control at the city or the county level, primarily, and to a lesser degree at the state level. So it's all with people with their local school boards, and their local school bond financing, and all this sort of thing. And you'll get state mandates, and occasionally federal, either mandates or encouragement to do different things. But that fundamental control has always been at the grassroots level. And so what we have here is a situation where, for some, the perception was that this congressionally mandated charter business was not grassroots. And somehow, the perception was reflected in the fact that, well, all the dollars going to charter schools are taking money away from the public schools, ignoring totally the fact that it's public charter schools, it's two different sets under the same basic system that are hopefully competing for the best results for the kids involved. And providing the children involved more options than maybe they've ever had before. And parents respond to, you know, where their kids are going to do the best. I mean, if you're in a affluent, suburban area, I mean, one of the big factors of where a person decides to buy a home, is what school district we're going to be in, unless they're just going to up the ante to go to private school. And so that's never been an option. It's almost been the reverse in D.C., well, it's, I'm not going to buy a home there, because that's the worst school. But the choices are much more limited. So what has happened over the years with charter schools, particularly high performing charter schools in some of the toughest neighborhoods, it's changed that dynamic and it has really helped balance the scales educationally, in a way that once upon a time, all the high performing schools from the far western end of the city and all the under-performing schools for the eastern end and now we've leveled the playing field so that there was more equity in terms of the investment being made, but also the outcomes.

Ember Reichgott Junge 22:53

And so when Congress intervened here, it created basically two sectors, if you will, two overseers of charter schools, right? Please explain that.

Josephine Baker 23:04

Yeah well what you had then was a law that allowed three authorizers; authorizers being that organization that actually approves an application for a group to become the overseers of the charter school and so this whole concept was really sort of convoluted in the minds of people because, as Tom was saying, a lot of people probably to this day say, oh, that's the law that the Congress, that's not a D.C.- it's not a law that the city actually developed, it's a law that the Congress developed. Well, the law was there and Newt Gingrich had particularly tinkered with it a little bit to then make it a federal law and with that became the D.C. public charter schools. There were three possibilities for authorizers: one was the Board of Education, the DC Public Charter School Board, and there could be a third, and that third they thought maybe the Smithsonian or some other large entity would take it on, no one took a

bite. Even the Council, the DC Council, they had the sense to leave it alone. They don't always do that, but they did because it was more than a governing body could handle successfully.

Ember Reichgott Junge 24:24

So, the DC charter school board was created by the congressional law, not by the city law, because they were more geared to the D.C. Board of Education and now you were appointed to this thing and that was also part of the Congressional law. You were one of the original appointees, talk about that...

Josephine Baker 24:42

That was a weird situation. The process was that Department of Education would nominate, or would recommend to the mayor 15 names from which he was to choose seven and those seven would then be accepted as possible. So, we got calls, and so I get a call but it was would you do this? And I said, well tell me what this is. Well, he didn't tell me very much, so then I was trying to find out what it was that he was asking me to do. I wanted to be sure that it was not something that was designed to destroy D.C. public schools because that's not what I'm about. I taught at the DCPS for 25 years, I loved teaching children, I loved what it did for our city so there's no way in the world I'm going to do something that's hopefully that I can help but not destroy it. So I thought about it, I tried to find information and of course, there was very little, because there was not that much going on at that point. And told him yes, I would and out of that then the 15 names were sent to the mayor, and he chose seven of those. And then we were invited to become the board and that's how the initial board was actually assembled.

Ember Reichgott Junge 26:13

And Tom, you came along later, as an appointee, but you have an interesting story about how you got appointed...

Tom Nida 26:19

Well, yeah, I guess I was the first of the second wave of the board, that as terms were beginning to expire, that they apparently were looking to cast around to get other folks to come onto the board. I was sitting in my office at the bank one day and the phone rings and there is a voice on the other end of the phone and I can still remember very distinctly the voice said, this is the West Wing calling can you hold? But I'm thinking to myself sure, you know, and I'm looking around at my associates to see who is playing the game. And sure enough, it was a staffer in the West Wing, she was the liaison with the U.S. Department of Education and she called and said, your name has come up in several circles about the possibility of being a nominee to the D.C. Public Charter School Board and if you're a nomination-would you allow your name to go into nomination and if you were nominated, would you consider serving? Okay, sure. Because at that point, I had already started the banking side of lending to charter schools, I was serving on the board of a charter school that had been struggling initially, we got that straightened around so I was ready for whatever the next step might be, but I had no expectations of being appointed. So, this was in September of '02. Didn't hear another word. But I got a phone call the following March, another voice said, can you be at the Wilson Building tomorrow afternoon at four o'clock? (Ember: That's the city building.) That's the D.C.'s Town Hall and so I said, well, sure what for? Well, you're being sworn into the D.C. Public Charter School Board. I said really? okay, I'll be there. And so I'm hoping that in the time since, the process is a little more refined, and maybe a little more

detailed than it might have been at that point, I don't what sort of due diligence was going on in the background...

Josephine Baker 28:20

Plus we never knew. Eventually, I would hear and so I would go to welcome this new member, they didn't even call us to say we're about to recommend, or we're about to actually swear in a new member for your board. So that there was no welcoming to this person to say, you know, glad to have you on board, let's get busy, got a lot of work to do - nothing.

Ember Reichgott Junge 28:42

So you (*referring to Jo*) started out as chair and then became executive director, and then you (*referring to Tom*) became chair?

Tom Nida 28:47

Well, no, there was one chair between Jo and I, who served for that first year, I was on board as a board member. And frankly, the reason I was open to the possibility. I mean, I had already met Jo and the rest of the board and the executive director at that point because in doing my due diligence for the banking side of this and figuring out what am I going to finance, exactly, and how, how is this gonna be approached, I had to take the approach of simply saying, well, in my research, I need to talk to these two authorizers and get a sense of what are they all about and if they're the regulators. I want to know how they're regulating, because that's going to be very important to what I decided to do in terms of financing. And so I talked to Jo and Nelson Smith and some of the other board members at the time, I knew Joe Horning because he was connected with the bank. And then I went to the charter office of the Board of Ed and had a similar conversation. And I frankly came away from both discussions with the initial conclusion that if a school was authorized by the D.C. Public Charter School Board, I would have less work to do in approving a deal potentially than the other because I was very comfortable, they knew what they were doing, I wasn't quite so comfortable with the other shop. And so there was a line of demarcation that was said even then, and because that interaction, and then some follow up with the board, working with them in individual schools struggling to get financing, I got to know who they were. And so it wasn't a stretch in terms of what exactly is this public charter school, I knew who they were already and so it didn't take a whole lot from me to agree to be a part of that, if they wanted me to be

Ember Reichgott Junge 30:37

So, I want you two to have a conversation for a minute to talk about all you had to do to create this and to have it succeed, and just talk about how you started an application process and, of course, we don't want to get too much in the weeds here, but just really what kinds of things you needed to do and what challenges you had. I'll just leave it to the two of you to start that conversation.

Josephine Baker 30:58

I think one thing that is hitting my head here is that we want those who listen to this, at some point, to understand that D.C. had a unique situation, because our schools did have funds for school, to pay rent, to lease, whatever, what do we call that the facilities allowance. Most schools in the nation don't have that they've got to take whatever their per pupil expenditure is and carve out money for their facilities, D.C. actually has a percentage of money that goes and so that is a plus, it supports the

schools in a way that many charter schools across the nation are not supported. So we have that, but we still have to figure out how to juggle all these that's in the paper to make sure that the schools that we get, we eventually approved, understand what their responsibility is that those that banks that are willing to provide some, some support, nevertheless need some assurance from the board, that we are going to provide the kind of oversight. We had a financial report that had to be submitted every month, and with every school will post the law requires an audit. So we had the we got the audits and whether it was a good audit or not a good audit than if it was not a good audit there wasn't a probationary period under which they would then have to improve their practices in order to continue as a charter. Those are the kinds of things that the D.C. Public Charter School Board had in place. We didn't come back five years to see whether you've done what you said you were going to do in your charter or three years. Year one, they had to do a report that told us exactly what it was they were doing. We didn't expect they could do everything in a year. But tell me that you've got a charter, and you are doing these things. And here's how you plan to get the rest of them done. And then our staff evaluated, we again, have a staff and that staff grew as the schools, because you can't do oversight, unless you have someone to do that oversight. And the board, of course, is not equipped in terms of skills, because I mean, you are you, you come from all walks of life. So you have to have people who understand education in order to provide oversight. So all of these are things that have to happen if you're going to charter schools and charter successful schools. So that and of course, the fact that we then had some fun financial support, because as Tom said, at the beginning, when schools went divided, they said charter what? This is, you know, I'm not sure that we can put our bank our money into something that we just don't know what it is, and whether it's on whether it's going to be here this year, or next year or the year after. But we also as a board exemplified some civility, that supported we're as unfortunately for DCPS, there was not that sense of stability from that organization that gave those schools the same support. And that support was really very, very important in terms of the success of schools.

Tom Nida 34:06

I think, from my perspective, the issue was that it was critically important that the authorizer in this case, the D.C. Public Charter School Board, was looking at three basic elements continuously. Obviously, academic performance was uppermost in everybody's mind. But right behind it was financial performance, and the effectiveness or lack thereof of governance, you need to have all three. Now the bankers can follow the money into the financial side. But we were more dependent on what sort of evaluation the board, as the authorizer, was given for those academic measures and for the governance measures they put in place. And so it became critically necessary to have a good working relationship between the board and the financial community to get become financial community comfortable, because the biggest thing for charter schools for financing is to get a facility. And school facilities are special purpose facilities, which generally is tough to finance anyway. The other part of it is, as D.C.'s economy was rebounding, real estate cost and deceit continued to escalate far beyond his facility allowance limitations that were there. And so if I'm a banker, and I've got a school that Jo Baker's board had given a 15-year charter, and I'm thinking, I can't do a two year facility deal, it's gonna be long term too. So I need if I'm going to make a decision, as a banker to financial school, for the long term, I gotta have some sense that this authorizer is going to be there to look out for that school for the long term. And that if something starts to go a little off the rails, they're going to intervene, you know, actively and positively. So that in doing so, that protects my interest as a financial of these facilities.

Ember Reichgott Junge 35:58

And you developed a tool along those lines. Talk about that...

Tom Nida 36:01

Working with Jo and others in the field and individual schools, I realized I needed to have something I could put my hands around to create a set of metrics that will help me look at things not only the typical financial performance that comes out of financial statements, but looking at things like so how does this board evaluate their academic success? What are the trends in their attendance levels? What are the trends and their recruitment levels? What's their teacher turnover level, things that you don't think about as a banker, normally, but clearly you think of as an educator, and all of these types of measurements, then looking at how do I grade these? what's real success? And the point was, you had them collecting? Exactly. And so she was my resource for putting this stuff together. And then since this had an educational play roughly, well, let's just call it GPA. Although in this case, it's still for a general performance assessment, as opposed to grade point average. But it was a four-point scale, just like a report card. And so I made the metric that said, you had to have at least a C grade to be acceptable to the bank, you know, to 2.5, or better. And if you actually got into the three, we're going to be on Dean's list on a roll, whatever, then we probably cut you a better deal than we might have. But on the other hand, if you were a C minus and going downhill toward D and F, it's like not so fast. And you know, a lot of this stuff ended up over time kind of evolving as a natural expansion of this concept into what became the performance management framework, which is now the tool that folks use to evaluate how schools are doing overall.

Josephine Baker 37:41

And that was so important to facilities was also very important to us in terms of evaluating our schools. And of course, I tell anyone from year one, from year one to year two, we, maybe 10 years later, nationally, we were talking about looking at students' performance over time, we did that from here. I still have the documents that are the booklet that we published of the schools that we had that showed all students who were in this school, and this year, who were now tested in the next year. And it wasn't just testing, but testing was a part of it. What kind of progress did they make? You know, like I said, 10 years later, the nation that the nation got all excited about following the children? Well, we did that from year one, because it was important to understand whether our schools weren't serving children. Well, that's the whole point of this whole exercise is to make sure that we serve children well. So again, we had a publication that we put out, which I still have, I think I sent to you that actually showed the things that we tried to measure or that we did measure that told us that students who were here last year made a certain amount of progress, don't expect that to go on, you know, two to three grade levels over overnight, but we need to see some progress. And certainly, then the next year, the school should have even more influence, maybe to have a little diversity and certainly the next year. So you have that continuum. And that's how you measure success. You don't measure it from one year with and assume that this year is a great year, we got to see that that progress is continuous.

Tom Nida 39:19

And actually, that continuous progress also posed a different kind of challenge, because there was the temptation for some charter schools that enjoyed early success, to expand sometimes beyond their capacities to sustain that excellence. And so what many charter school operators managers, leaders

did not initially recognize is you can grow too fast. And what happens is if you open up your door to a whole bunch of new kids that do not know your school's environment, its culture, its traditions, and all that, you're looking to take a huge step backwards in terms of the academic results which will impact the financial results, which will probably put stress on the governance and all that. And so we became aware over time that the really successful schools were going to have to learn how to grow incrementally, under a long term plan, not just simply growing for the sake of growing that I must be a good school because I'm now bigger than everybody else. No, that wasn't the benchmark.

Josephine Baker 40:20

And the board along with the bankers clearly cooperated. I mean, we gave them the information, and we did not let the school automatically, they had to come to us for permission to add a grade. I mean, it wasn't in the original contract. And if it was, sometimes you would suggest that maybe they didn't want to yet add that next grade, because they, they were having some problems with the students that they had. But this is the kind of oversight that makes the difference between whether your schools, it doesn't mean that they can't do the job, it just means that they need the support system, to get the job done.

Tom Nida 40:54

I think the schools that ultimately became the most successful, were the ones that learned how to really work the system to their advantage. And the way you do that is you have an ongoing, open, honest dialogue between the school leadership, the authorizer, board and the lender. Because what the board didn't need was a lender to get upset about finances and foreclose and put a bunch of kids out on the street, what the bank didn't need was for the board to do that. And all of a sudden, we got an empty building. And so there was this collaboration that involved the both the public sector from the standpoint of the charter board and school and the private sector, which was the lenders involved.

Josephine Baker 41:34

And when you talk about putting kids out in the street, I'm thinking of the fact that charters and boards in general have had a great deal of trouble in psychologically in closing schools. And that was an issue I know, for a number of years. But it's a sin, to not close them if they're not doing the job that needs to be done. And so yeah, but if you have a process, a system, if you are looking at year to year, at the progress of students, and that they are being well served, that the finances are in good shape, you know, all of that, then you move them along. If not, you put them on probation, and they get a couple of years to fix it, or to show that they're fixing it, or if they are facing it, and then of course they are but the process has been just about the time I left we developed it even more precise process about how to evaluate the progress of school. So but the authorizers job, and NACSA has laid it out in many, many different ways. National Association of Charter School Authorizes, I hate acronyms, because often people don't know what you're talking about. But anyway, they have many, many tools to help authorizes, provide the oversight that is needed. And that flows down to the schools as well, because everybody needs help, the author has a nice help other schools need help the community needs help. And the only way you really make this work is that everybody is on the same page and doing the kinds of things that are supported.

Tom Nida 43:13

If you're in a situation where you have a school that just isn't going to make it whether Jo and her counterparts will tell them, you're not going to make it or they just fell on their own sword, which occasionally happens. It's even more important then for this collaboration. Because again, if the focus is all about the kids, then if you have a school that is not going to survive, it requires cooperation between the authorizer, who controls the chartering, the lender who controls the facility, in effect, because we provide the financing either for the leasing or for the mortgage for owning it. And the issue would be to get another operator to come in to take over the facility and the program and keep the kids in the classroom, maybe under new management. It's a process that cannot result in a good thing. If you end up with a closed school, and an empty building. And all those kids are now on the street or being parceled out to who knows what, in terms of whatever seats are available at the same time. So this collaboration works really well when things are going well. It works even better, when things are not going well.

Ember Reichgott Junge 44:24

What I'm hearing and the reason I wanted to interview you both together, is because I'm hearing the gold standard for authorizing for charter public schools. And that's what the D.C. Charter Public School Board did. Your expertise was recognized nationally and internationally by others and you became teachers of others. And authorizing has been a difficult thing in some states. So I would like you to use the next conversation, if you will, to talk to other authorizers about what it is they need to do from your experience. What were the lessons learned, what would you tell an authorizer in another state or city to have a successful sector, because I'm convinced that the reason you have nearly 50% of your schools now in Washington D.C., as charter public schools, is because you had a strong authorizing sector as well. And you did that oversight in a very thoughtful and supportive way. So talk about that. What's your advice to authorizers? What has been your lessons learned to inform the future?

Tom Nida 45:53

Well, I think from my perspective, if I see a lesson learned it is that authorizers can benefit from first keeping the focus on the kids. Secondly, keep politics out of it. Thirdly, is to look at the whole structure where your talking about the individual schools which are all individual nonprofit corporations, you look at the authorizing bodies, which are appointed in most cases, you look at the financial sector. And you look at this as a viable, ongoing, open, honest, public private partnership, that you have elements that the private sector brings to the table and elements that the public sector brings. And there is the need to achieve a balance in terms of everybody's interest being served. But everybody's interest has got to ultimately go to what's best for the kids involved.

Josephine Baker 46:26

Yeah, I think that one of the things that is terrifically important in authorizing is your application process. Yes, your application process, that when you invite people to organizations, individuals, or whatever to apply, first of all, you should have an application that gets the information that you need in order to approve, okay, and once you have that, then you have to use all the tools that you know, and that you get from others, because authorizes share, particularly if you don't have a lot of experience that at looking at applications, using get an application it is glorious. But then when you have that interview, because that interview process should be a part of your accepting an application, you find out they didn't write this, they don't really know how to run a school. You know, or you find that one individual

cannot run a charter school. I mean, you cannot be the founder and the director. And I mean, some people try it. But I mean, unless you have a real community of people beside you to help you along the way. So that application is essential. If you don't do that well, it's unlikely that you're going to have a good school going forward. And what we decided was that every school that accepted children needed to be a good school. And in order to do that, so many, many applications were not approved, and people would come back, sometimes they would do better. Sometimes they could do know better, because they didn't believe what we were trying to tell them. And they were set and they weren't moving off on their line, and if they don't move off their line, they're not going to get approval, no matter how many times they come. So I think the application is essential, the rest of things in the oversight, once they do get started, the reporting all of that, the monitoring, that's essential as well. But if you don't get a good application in the app, people who can, you can get good application. But if they can't, if your interview tells you, they don't really understand what it means to run a school, then then it's not a go.

Tom Nida 48:37

From my perspective, that same application process, particularly here in D.C., where it has become very rigorous, this is not something for the faint hearted, or the ill-informed and so the fact that there is so much rigor in the application process here in D.C., is really something that jumpstarts the application process for me if I'm going to look at a facility, because I've already done so much due diligence, dig into the things I would never have even thought to go ask for or look for and it just becomes the springboard for them. The financing that charter schools have approved in D.C., with D.C. Public Charter School Board generally don't fall on their face right out of the gate, they generally are going to get off to a good start and that gives comfort to folks like me that have to figure out what we're going to invest in as far as these facilities. And you know, the stronger their process, the more effective, the better my outcome is going to be in terms of doing the financing. We can't be doing things and not even talking to each other, that's just not going to work. And so it really kind of reinforced this notion of a partnership, that predated my time on the charter board and continued after.

Ember Reichgott Junge 49:48

So let's turn this conversation now to some of the charter schools that you actually authorized and that you created, all right, are approved. And in the beginning and I read in your book, luck, or Jo, Summer of 1997, your first year, your first sorry, you had 26 applications, a lot of work. You approved 10 schools, seven of which opened in the fall of 1998. So talk about some of the charter schools that you started out with, because you had some really interesting ones that dealt one with adult education. One was residential. I mean, very unique. But just talk about give me some examples of how you helped to start these charter schools.

Josephine Baker 50:35

Well, you mentioned the adult education, and it's so unique. And part of that was that this was a school that actually had been a part of the District of Columbia school system, before they decided they were no longer going to support adult education financially. Sonya Gutierrez, who was the founder, and was running that school, just didn't want to give it up because she knew that the Latino community really needed this in order to become viable citizens in the District of Columbia. And she had been trying to wing it, you know, in church basements and this kind of thing. In fact, when she actually got the charter,

she still did church basements, because she needed again, a facility. And so that was, but this was a population that needed to be served, so it was unique. The question was asked for that in early childhood, whether or not the law allowed it and Kevin Chavous, who was the chair of the council, said, the law does not prohibit it and so therefore, we allow it. And that was kind of how we were able to move that forward. So early childhood became an essential part of chartering as well. And we know that we get them early, you get the children, and three and four years of age, regardless to their home environments, you improve the home environment, as you improve the learning environment of children. So it transfers of course, the Latina, not just Latino, but those who speak a language other than English, and I've been to many, many great ceremonies at Carlos Rosario, where are the students make proclamations about, you know, how they came to the United States and spoke no English. And now they've gone to level three, or level four or level five in the program, how some of them go on to college, or to the District of Columbia University, or whatever. So those are two of the uniques, then, of course, we had the residential, which was a real challenge, from the standpoint that it was, I think it was only one other place in the nation that had sort of a public residential thing that was that was just regular education, they wanted to serve students whose home environments were such that being at home seven days a week was just counterproductive. And they were very, they had a lot of support, financial support and otherwise, and they were able to first, we were in the Children's Museum, where there was a section that they renovated with double rooms and so forth. It was not easy. It was a lot of work. And, of course, the early childhood, we had Vince Gray subsequently, who actually supported now we have what was something for all, they started like, three, now we are three and four-year-olds have automatic preschool, paid by the city, so that in itself provides just a tremendous amount of support for children and families in terms of educating the children. So, and with this, of course, the board actually did support the school, the applications looking for the same kinds of things we're looking at in other applications.

Tom Nida 53:58

Yeah, I think part of the issue here is, you know, from the financial perspective, you have these schools that have had these unique program approaches. And the first one I ever handled was one that focused on youngsters with special education needs, including adjudicated youth, that were in the legal system for the wrong reasons. And so the idea was to say, okay, well, if we have this demand, can we quantify it, and then what is being done to provide some supply to address this because in some cases, these were kids that did not have a home in the days traditional D.C. public school system, and they had nowhere else to go. And so the idea here was to create programs to meet that demand with a reasonable amount of supply. But really, the focus was the folks that were really prepared and able to provide meaningful education for those special needs, whatever they were.

Ember Reichgott Junge 54:56

Jo, you mentioned early childhood and that is something that really did sort of start here in D.C. but there are charter schools that are only early childhood schools, are they're not? (Jo: oh, yeah. I mean, just only and that's right). And they feed into some (Jo: that's right, exactly.)

Tom Nida 55:14

And you also have charter schools that are focused on language immersion, that are English is not their native language. But we have kids English is a native language that are really serious about learning

other languages. And so that's been a real plus too, and it's drawn a lot of parental support to recognizing that D.C. is such a multicultural community, why shouldn't we be able to provide programs that allow kids to be multilingual.

Josephine Baker 55:41

What we had happen just three or four years ago was that we have a number of elementary and high and junior high programs, middle school programs that were multilingual programs. But then what happened to the high school and then what they did was the three or four major multilingual schools actually helped to develop a high school. And it's actually on the grounds of Walter Reed, which you may know we did close the middle there. Well, they have a section, they have a building now, where they're actually there and so you now have foreign language high school as a part of the charter system.

Ember Reichgott Junge 56:22

So now what I want to do is take the conversation and again, have the two of you have a conversation together about today and there's a couple things that I find interesting about D.C. chartering today, and that is how the two sectors play well together that's a bit unusual across the country. So, you've got the district, public charter schools, and then the D.C. Public Charter School Board and they seem to work together. And as you said earlier, Jo, no politics, no politics in the authorizing part. But let's talk about that because this is a huge issue for charter schools around the country. So, talk about how the two of them are either working together or just basically doing their own thing and not worrying about the other one.

Josephine Baker 57:13

Well, now we have to go back to talk about that because right now, the Board of Education does not, it has no charter schools. In fact, we don't have a board of education because it was taken, we now have a mayoral actual handling of education in the District of Columbia that happened several years ago, when Fenty decided that he wanted to become the mayor of education. So, the whole picture has changed tremendously there, and I think somewhere along the way, you and I may have talked about the fact that we had a number of at least 11 charter schools from the Board of Education, that actually became schools that we had to supervise, even though they had not had the oversight that we were requiring.

Tom Nida 58:11

That was one of the things that was an interesting surprise was when Adrian Fenty was sworn in as mayor, it was his initiative to take mayoral control over the D.C. public school system, the traditional school system. So Jo and I are, you know, doing our thing with the charter board. And we awaken one morning to find out all of a sudden, we now have responsibility for all these schools that were chartered by the other authorizer that's no longer in business. And I don't remember anybody asking us if we wanted to do that we just awakened to we now have them. So we have to deal with this. And so but what happened was that by taking the chartering authority away from the Board of Education has that was being restructured. It took away the competition or a level of competition that existed between that authorizer and the authorizer represented by the D.C. Public Charter School Board. And so with all the charter schools under one umbrella now, for better or for worse, and that was a challenge for a while. I

think that helped take some of the tension in the competition that was all about the adults. And it was a matter of that now, the D.C. public schools could focus on their traditional programs. But it was interesting that to be competitive, they were having to take a few pages from the playbook as some of the successful charters in order to compete. And so what they didn't have to compete for was facilities, because D.C. clearly was, in their capital budget, providing either brand new facilities or major renovations of existing facilities. You know, my alma mater, Anacostia High School was completely renovated. That was not an option for the charter sector, and they had to kind of do their own thing stretching those facilities dollars to make something possible. And so I think the two bodies, the traditional system and the charters, have learned to coexist but I think they are looking at each other to see who's got what working and can we do that, too?

Josephine Baker 1:00:17

That was a unique thing, because what we received or the schools that we received, and the children that we received, and the programs that we received from the Board of Education had not had the kind of oversight that we provided for our schools. And so we thought, tried to be fair, we gave them three years to show us that they were willing to try to meet our standards, not that you would necessarily be there, we had a couple that put their hands up and said, you we don't like you, we don't want to do what you tell us to do. And those, of course, did not exist for very long, because they were not meeting does not because they wouldn't care what they liked it or not, you know, sometimes you don't like the person you're working for. But in order to stay alive, you do the work you do whatever it is that the standards, but that was what we did, and some of them, prospered and did well and are now very strong schools, most of them are, a few didn't last. So it was a challenging time. Because when we woke up one morning, we had 18, something like that, it was quite a few..

Tom Nida 1:01:22

It was at least 18. And the other thing too, is that, you know, in this notion of the mayoral control, you also saw the presence slow but steady, of this Office of the State Superintendent of Education, which had arms on both so whether it was you know, common benefit or a common problem, you know, you had some leveling of the playing field and a couple of different ways that took some of the politics away from us.

Josephine Baker 1:01:50

But we also had to remember that Fenty was not a charter school fan and so, thinking through this last night, about the fact that he would sometimes when there was an event or test scores have gone up or other things, he would have an announcement and he would show up at a school and say, the district scores have gone up, this charter school, too except we didn't hear about it. So then one of my staff was always checking daily, to see where the mayor was going, and what it was he was announcing. And when he got there, we were there. So he had to recognize that charter schools were a part of this growth and a part of this success. Because otherwise, it was it was just the DCPS. So this sort of fight continued in the sense and call it a fight, call it whatever you want. But we had to be on guard to be sure that people knew that a lot of success came about because charter schools were doing the work that needed to be done.

Ember Reichgott Junge 1:02:50

I've observed that today you seem to be left alone, if you will. The mayor isn't bothering you too much. Congress isn't bothering you. I mean, have you just basically earned your way and your credibility in governing charter schools?

Josephine Baker 1:03:11

They still have to participate in the meetings around charter schools and show their reports as to how they are managing and they're still concerns about facilities allowances, and about the fact that the DCPS gets a lot more money. The law says that the charter schools will be financed equally, our law says that, but there are ways to give money to people that don't fit the normal pattern, and that's what they managed to do. But in spite of that, the charter schools do have to attend the hearings, they have to show the progress, they have to support the program, because it is money that comes out of the coffers of the District of Columbia's budget. So, you're right, you don't hear a lot about it. And I think some of those things now have a more, in the background, because the city is so concerned about a lot of other things, that as long as there are no big hiccups in the educational process, they seem to be willing to let you have a line of communication. Much of this was not there when I started. I mean, I had to bang on the door, put my foot in the door to keep them from closing it. Well, now the door is open for coming in. People are now at a level of having the kind of discussions that should have happened in the beginning. We were talking about educating children. This has nothing to do with the adults and when you can get to that place it makes a world of difference.

Tom Nida 1:04:46

The other issue too is that one of the challenges that Jo and I faced when we were working together was that we were trying to make sure that the standards were being set high, that the bar was set high for the quality of the schools that were being authorized and were being overseen. But there was also the recognition that the reality was that the charter school movement in D.C. had to reach a level of critical mass at some time to be able to ensure its survival. Because if only 10% or 15% of the kids were in charters, they were always going to be in jeopardy of the next budget round or what have you. Now, the charters are roughly equal in terms of attendance and enrollment to the traditional school system, you can't ignore that. And you can't do something that whacks half the system. So we've achieved parity, perhaps more so politically, even though financially, we're not quite there yet. I mean, that facility allowance, the banker in me will say, well, that's nice. But that facility allowance, if you look at D.C. real estate costs essentially equate to a rental rate, that's maybe \$15 a square foot where mediocre, poor commercial property rentals are twice that in D.C. or worse. And so you know, you have that challenge. Whereas the same time, the traditional schools might have a brand new facility, I pass one under construction every day when I drive home, you when it's a massive elementary school in the making. But you know, that school isn't going to have its budget driven by that capital cost. It's only going to be their operating costs.

Ember Reichgott Junge 1:06:29

You have given so much information today. This has been just a wonderful conversation. And I thank you for that. I want to close with one last question. As we look into the future, one that I think probably is most important to me right now. I'm from Minnesota, downtown Minneapolis, George Floyd was

murdered two miles from where I live. I've always thought that chartering is a way to really address racial and social justice. That some have said that education is a civil right. I'd really like to hear your thoughts. As we look at chartering in the future, what impact can chartering make, in the wake of George Floyd?

Josephine Baker 1:07:27

I think that while it can certainly have an impact, I think that the whole charter concept, or the implementation of chartering has always been being sure that there was equity: racial, as well as demographic as well as nationality, as well as... we had to do that, we had to be sure that there was no exclusion. That's why when you have your applications, parents who want to enroll their children where you have a lottery to make sure that that they don't pick students of all the same color, of all the same wealth or whatever, it has to be open. And so I think that you do a really reemphasize in this era of the George Floyds, and the many others whose lives have been taken, that we still have to be very, very sure in chartering that we there is equity in terms of attendance, in terms of availability, in terms of placement of schools, so that you will be able to serve those who most need it. And that can be a challenge anywhere because of the real estate that we have talked about here today and because of parental inability to transport children, so you encourage schools to open in areas of great need, where are you ensuring the children, but you want to have that school in such a place that it will not be just the children in that neighborhood, but that the children will have exposure to each other who live in various kinds of economic conditions. So it's a very difficult puzzle to solve. It can, in the George Floyd era, just make us more mindful of the fact that charter schools are a leveling process that you can help the total society to make an adjustment to if you really make sure that there is no cherry picking in the process of enrolling students.

Tom Nida 1:09:39

I mean, one of the issues that people may not recognize in the district is that while your traditional school system has these traditional neighborhood boundaries for the areas being served by the schools, and so schools in affluent neighborhoods only draw from the affluent neighborhood, unfortunately the schools in the poor neighborhoods only draw in the poor neighborhood. D.C. has no neighborhood boundaries for charter schools. Any child can go to any charter school, anyone who says now they got to figure out how to get there and to get back again. But the reality is that if there is a program like this language immersion in high school on the grounds of the old Walter Reed Medical Center, those kids come from all over the city. And so they are now mixing without regard to income, without regard to race, without regard to ethnicity, whatever, they're all there for a common purpose. Hopefully, to have a good educational experience that they will benefit from and then take back to their neighborhood, when the day is done. And so, there is a leveling of the playing field because of the fact there is not the typical boundary limitation that has handicapped so many school systems, and ended up having such great disparity where the wealthy schools and the wealthy neighborhoods with the wealthy parents get all this stuff and that kids on the other side of the railroad tracks get nothing.

Ember Reichgott Junge 1:10:59

This has been great. Thank you both. It has been my pleasure to hear from these living history pioneers: Jo Baker being a pioneer in authorizing. Tom Nida in charter school financing and authorizing as well. I want to just give you some resources here, first of all, Jo Baker's book, [The Evolution and](#)

Revolution of D.C. Charter Schools, which I found very interesting on the history here in D.C., their unique history. And I also want to give you the website for our National Charter Schools Founders Library, which is www.charterlibrary.org. I'm Ember Reichgott Junge. Thank you for joining us.