

April 22, 1997

Mr. Richard Parker  
O'Melveny & Myers  
555 Thirteenth Street, NW  
Suite 500 West  
Washington, DC 20004

Dear Mr. Parker:

Thank you for offering the pro bono services of O'Melveny & Myers to the District of Columbia Public Charter School Board. The Board requires legal counsel on a wide range of matters; some of which warrant immediate attention because of timelines established in law and because of the proposed schedule for the Board's application review process.

Board members were sworn in by the Mayor in late February. The Board was created by the U. S. Congress. Its members were appointed by the Mayor of the District of Columbia from a list of nominees provided by the U. S. Secretary of Education. The Board is responsible for helping to improve educational opportunities for children and youth in the District of Columbia by chartering independent public schools that work. More specifically, responsibilities of the District of Columbia Public Charter School Board include:

1. Establishing a schedule for receiving petitions to establish a public charter school and publish the schedule in the District of Columbia Register and newspapers of general circulation;
3. Managing a thoughtful and responsible review process that provides sound evaluation data for decision making;
2. Holding public hearings in order to gather information necessary to make a decision to approve or deny the petition
4. Approving or denying petitions to establish a public charter school .
5. Monitoring progress being made by each school chartered toward meeting student academic achievement expectations and other provisions specified in the charter granted to each school;
6. Helping each school for which a charter is granted take full advantage of available resources and technical assistance;

7. Ensuring that each such school complies with applicable laws and the provisions of the charter;
8. Reviewing and making decisions on requests from public charter schools for revisions of charters;
9. Receiving and reviewing annual reports from each school the Board charters;
10. Approving or denying requests for the renewal of charters for such schools; and
- 11-7, 13. Submitting an annual report, as provided for in the authorizing legislation, on or before July 30 of each year to the Mayor, the District of Columbia Council, the Board of Education, the Secretary of Education, and appropriate congressional committees.

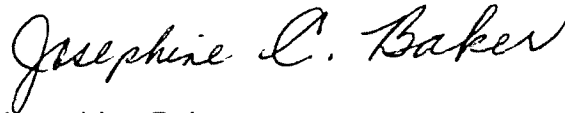
In response to your request for examples of the types of matters on which the District of Columbia Public Charter School Board needs legal advice, the following are offered:

1. Advice as to whether or not the Board has authority to promulgate its own rules and regulations;
2. Certification of sufficiency of any regulations or rules that may be promulgated by the Board;
3. Review and advice on draft regulations proposed for issuance by the Emergency Board of Trustees, acting as the state education agency, to determine implications of those regulations for the work and status of the District of Columbia Public Charter School Board;
4. Advice as to what, if anything, must be done to protect the Board and what must be put in place to allow the Board to operate, given the Board's "independent" status;
5. Identification of and advice on problems the Board may encounter if an application package is released without regulations; Advice as to whether the Board can go beyond what is specified in the law in the Board's requirements of applicants; Determination as to whether the law is sufficient to protect the Board and the public;
6. Review of the draft application package to determine accuracy of legal citations and consistency of content with the law;

7. Review of District of Columbia law and regulations governing education at both the state education and local education levels to determine what is required of schools chartered by this Board and where there are areas in which the Board can exercise its discretion;
8. Review draft(s) of the Board's by-laws;
9. Advice and assistance in the drafting of charter documents;
10. Advice to the Board at critical decision making points, e.g., award of a charter, denial of an application for a charter, revocation of a charter, etc;
11. Representation of the Board during judicial review of the Board's decision to either revoke a charter or to deny an application to renew a charter; and
12. Review of lease or purchase agreements for space or facilities.

I hope these examples are useful to you. We look forward to hearing from you soon.

Sincerely,



Josephine Baker  
Chairperson,  
District of Columbia Public Charter School Board

cc: Kenneth Campbell  
Eunice Henderson

For Richard Parker - Here is the address information of the charter authoirty person in Arizona.

Nancy Helm  
1535 W. Jefferson Street  
Phoenix, AZ 850007  
(602) 542-5968

Work after 5/19 - (602) 855 - 0550  
The Ball Foundation (She's leaving AZ Chartering Authority)

e mail - [nhelm@mail1.ade.state.az.us](mailto:nhelm@mail1.ade.state.az.us)