

*Charis hearing Sept. 1999*

**Good afternoon. I am Josephine Baker, Chair of the DC Public Charter School Board, and I am joined at the witness table by the Vice-Chair of the Board, Tom Loughlin. We appreciate this opportunity to share the Board's views on the proposal for a State Education Organization, and on the larger topic of governance.**

**The District of Columbia is now a city with twenty-eight "LEAs" or local education agencies: one large public school system and 27 independent public schools. The large system is one incorporated entity, with 146 branches. It is run by a single central administration, has a single budget, a single personnel system.**

**This traditional system has now been joined by another group of public schools – and for these public charter schools, the discussion of governance must start at the school itself.**

**Under District law, each charter school is organized as an independent nonprofit corporation -- not as a branch office of a larger system. Each is governed by its own board of trustees. The school itself is where decisions get made about curriculum, budgets, and personnel. The school itself is accountable for results – so much so that failure will put it out of business.**

**Around the country, charter schools are overseen in a variety of ways: by local school boards, state boards of education, or in some cases, state universities. In only two jurisdictions, DC and Arizona, are charter schools authorized and monitored by boards created solely for that purpose.**

**The District's charter law prescribes a structure of accountability including annual public reports, standardized testing, and financial**

**audits. It requires our two chartering authorities to monitor the operations of each school we create, and provides us with the ultimate leverage: the power to revoke a charter in case of malfeasance, financial mismanagement, or violation of the charter.**

**This law has provided the scaffolding on which we have created a strong structure of accountability. Each school has its own accountability plan providing specific goals and benchmarks by which its progress can be measured and reported. The schools' first annual reports are due to our Board in early November, and will contain their first accountability reports.**

**I have recounted this structure in some detail because governance is not an abstraction. It is a mechanism for seeing that schools deliver what they promise, for ensuring that tax dollars are being well-spent, for providing resolution of conflicts, and for protecting the rights of students and school personnel.**

**The DC School Reform Act vests our Board with responsibility to do many of these things. Any proposal for reordering the governance of public schools in the District must take into account both the autonomous nature of charter schools and the existing oversight responsibilities of the chartering authorities.**

**It is in this context that we address the current proposal for a "State education office" or SEO. On its face, the idea has much merit. No other local school system in the country has concurrent responsibility to act as a "state" agency. Even though the current administration has made a commendable effort to clarify "state" functions and to deliver them more efficiently, there are some inherent and unavoidable conflicts built into the existing arrangement.**

**Last April, the Board provided you, Mr. Chairman, with some initial views on the question of a “state” education agency. I would like to submit that letter for the Committee record, and will briefly recap its most important points.**

**First, the oversight powers of the chartering authorities must be maintained, and no “State” agency should have direct oversight of schools or students. This would reflect common practice in states that have both a single state agency and an assortment of local and state chartering authorities. Typically, the state agency role is limited to setting standards, ensuring compliance with federal laws and regulations, and acting as arbiter of disputes that cannot be resolved locally.**

**Second, the SEO should have no direct role in the chartering process, and any appeals function should be strictly limited in scope, and restricted to procedural review. The DC School Reform Act is explicit that “no governmental entity, elected official, or employee of the District of Columbia” is to intervene in the chartering process. This suggests strong reservation about a mayoral appointee exercising any direct role in this matter.**

**Third, a state agency must not impose any additional burdens upon schools. These are small organizations, already required to prepare a number of reports to our Board, DCPS, the CFO, the Control Board, and private funders. They are also required to undergo an annual financial audit. Especially in their difficult startup phase, charter schools must be free to concentrate more on teaching than on paperwork.**

**Fourth, an SEO should not simply replicate DCPS functions in a different shell. On this point, the latest draft proposal shows serious improvement, as it recognizes that an SEO should avoid service-delivery functions altogether. But it imports a whole new audit function more suited to the Inspector General of the Defense Department than to independent public schools.**

**The DC Public Charter School Board welcomes the Council's initiative to create an impartial monitor for all public education in the District. Yet we remain apprehensive that any new agency could complicate accountability rather than clarifying it.**

**Now I will ask my colleague Tom Loughlin to discuss in more detail the current legislative proposal, and to offer the Board's views on the essential functions needed in a "state" agency.**