



To: Charter School Friends and Supporters

From: Malcolm Peabody

Date: August 24, 2001

RE: SPECIAL BULLETIN REGARDING THE THREATENED CLOSURE OF  
THREE D.C. PUBLIC CHARTER SCHOOLS

As you may know, the D.C. Board of Education has threatened to close three D.C. Public Charter Schools. This will be a watershed event for the charter school program because of the impact it will have over all the charter schools and the public at large and because of the precedent it will set for school accountability.

FOCUS strongly supports closing schools that are not delivering good education, but just as strongly supports doing so in accordance with the provisions set forth in the law governing charter schools.

However, the initial action of D.C. Board of Education members indicates they do not understand the law and are prejudicing the rights of the three schools to a fair hearing as well as their ability to operate if after a hearing their charters are not revoked.

FOCUS is responding to the issue in the following ways:

1. We are informing the D.C. Board of Education by letter and various contacts what the law requires.
2. We are counseling the three schools as to how they should respond.
3. We are working with the media to shape public perception of this issue.

It is important the the public understands the key role school closures play in ensuring charter school accountability and that such closures do not indicate weakness in this education reform movement, but strength. Accordingly, FOCUS is working through its media contacts and through letters to the editor and a proposed Op-ed piece to make the case.

We are enclosing some of the pieces we have generated as well as some of the news articles appearing concerning the D.C. Board of Education action for your information.

We are also enclosing a recent Washington Post editorial that particularly pleased us. It is the first time the Post has publicly stated support for the Charter Schools as they now agree that these schools are indeed forcing reform of the traditional public school system.

Enclosures: Draft Op-Ed piece authored by FOCUS  
Memo from Robert Cane to Charter School Leaders  
Letter to BOE President, Peggy Cooper Cafritz from FOCUS  
Washington Post Editorial dated August 11, 2001  
Washington Post article/Debi Wilgoren/dated August 9, 2001

*Handwritten signature: Debi Wilgoren*

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*Draft – Op-Ed piece*

### **Public Charter School Closure: Real Accountability Comes to Public Schooling**

The Board of Education, as practically everyone in the District knows by now, is seeking to revoke the charters of three of its public charter schools. Not so well known, perhaps, is that each of the three schools has the right to defend itself at a hearing, and all three are preparing to do so. The last school to face a revocation hearing before the Board did not lose its charter, and some or all of these schools may survive as well. All have strong proponents among their parents and staff and can point to successes; only through a careful sifting of the evidence can the merits of the proposed Board action be ascertained.

Although the outcome of this process is of great moment to the students, parents, and staffs of these three schools, the general public should not lose sight of the larger issue: the key role that school closure plays in ensuring public charter school accountability.

The law under which the three schools now being examined by the Board of Education were granted their charters provides the District's public charter schools with absolute independence from D.C.P.S. But in exchange for this freedom the law imposes on these schools the burden of continually proving to parents and the public that they should be trusted with the education of the District's children.

No student is assigned to a public charter school; parents must *choose* to enroll their children and can remove them at will if the school is not performing to their satisfaction. Schools that do not attract and hold sufficient numbers of students will close for lack of funding, which is based entirely on enrollment. These very real market pressures are a powerful incentive to public charter schools to pay close attention to the needs of their students and the desires of their parents.

The life and death power of parental choice is intended to be the primary way of ensuring that public charter schools perform well. But even if a school's enrollment is high the chartering board can revoke its charter when there is a pattern of fiscal mismanagement, failure to comply with the law, material violations of the charter, or insufficient improvement in student academic performance over time.

As we see from the action of the Board of Education, the threat of closure for such reasons is not an idle one. In combination, the three schools are accused of a wide variety of sins: having poor fiscal controls, providing inadequate special education services, even lacking teachers for some promised classes. None of these has yet been

proved (and the schools strongly dispute the charges and criticize the Board for the poor quality of its oversight), but all represent the sorts of failings that can lead to revocation.

Whether or not any of these three Board of Education public charter schools loses its charter, it is clear that the ability to close public charter schools that are not performing makes it much more likely that this brand of school reform will succeed where attempts at school system reform have failed. In traditional systems, bad schools are permitted to miseducate generation after generation of students. Because these usually are neighborhood schools, parents who cannot afford private schools have no choice but to condemn their children to years of educational neglect. With public charter schools, however, only the strong survive. Weak schools are killed off by parental choice or the action of the chartering boards. Those that make it bring good schooling to children who have had precious little of it before and light the way for others seeking to reform the public schools. Traditional public school systems competing with the public charter schools for students would be well advised to include this weapon in their school reform arsenals.