

DC Public Charter School Board

Hearing and Meeting Minutes: November 18, 2013 7:30 PM

Meeting Location:
DC Public Charter School Board
3333 14th Street, NW, Suite 210
Washington, DC 20010

Public Hearing

Board Members in attendance: John “Skip” McKoy (Chair); Darren Woodruff (Vice Chair); Emily Bloomfield; Sara Mead; Barbara Nophlin; Scott Pearson (Ex-Officio); Don Soifer; Herbert Tillery.

Mr. McKoy called the public hearing to order at 7:39 PM.

I. **Charter Participation in *My School DC***

A. **PCSB Representative:** Mr. Scott Pearson, Executive Director

B. **Discussion**

- PCSB introduced the proposed Charter Participation in *My School DC* Policy for public comment on October 16, 2013, and the window for public comment on the policy closed on November 18, 2013. The Board will vote on the policy at its meeting on December 16, 2013.
- Mr. Pearson reviewed the contents of the proposed policy.

II. **Revised Policy for Submitting Contracts and Board Minutes**

A. **PCSB Representative:** Mr. Scott Pearson, Executive Director

B. **Discussion**

- PCSB introduced the proposed policy addressing schools’ submission of contract information, salary information, and Board of Trustees’ meeting minutes on October 16, 2013 for public comment, and the comment period closed on November 18, 2013. The Board will vote on the proposed policy at its meeting on December 16, 2013.
- Mr. Pearson reviewed the contents of the proposed policy.

The public hearing was adjourned at 7:43 PM.

Public Meeting

Board Members in attendance: John “Skip” McKoy (Chair); Darren Woodruff (Vice Chair); Emily Bloomfield; Sara Mead; Barbara Nophlin; Scott Pearson (Ex-Officio); Don Soifer; Herbert Tillery.

Mr. McKoy called the public meeting to order at 7:43 PM.

- I. **Approval of the Agenda.** Dr. Woodruff moved to approve the agenda, and Ms. Mead seconded. The agenda was unanimously approved.
- II. **Public Comments.**
 - A. Dr. Soner Tarim, Superintendent, HPS, stated that because of Harmony Public Schools’ (“HPS”) commitment to transparency, Harmony DC Public Schools (“Harmony DC”) will contract with a third party auditor.
 - B. Mr. Issac O’Neal, Parent of HPS Students, stated that Harmony values diversity and provides a consistently strong quality education because it has high expectations of students, and teachers are willing to spend time to invest in their students. Mr. O’Neal urged the Board to vote in favor of awarding HPS a charter.
 - C. Ms. Nevine Smith, Parent of HPS Students, stated that she feels that HPS teachers are committed to their students, and HPS has a positive impact not only on her children, but also her community.
 - D. Ms. Asli Koksai, DC Resident, stated that she wanted to reiterate three issues she raised at the Board’s meeting on October 16, 2013 regarding HPS: (1) whether HPS brings in uncertified teachers from Turkey on visas reserved for highly skilled workers; (2) whether, according to a speech by a former HPS teacher Mary Addie at a Loudon County, MD hearing on February 13, 2013, 99% of HPS teachers are young, Turkish, male, and uncertified; and (3) the outcomes of federal investigations of HPS schools, including for violations of civil rights and procurement laws.
- III. **Approval of the October 16, 2013 Board Minutes.** Mr. Soifer moved to approve the revised minutes, and Ms. Mead seconded. The minutes were unanimously approved.
- IV. **Administrative Contracts over \$25,000.** Mr. McKoy stated that the contracts would be read into the minutes unless an objection was raised. No objection was raised.
- V. **Discussion about 2012-13 Public Charter School Discipline**
 - A. PCSB Representative: Ms. Rashida Kennedy, Manager, Equity and Fidelity Assurance
 - B. Discussion:

- Ms. Kennedy reviewed short- and long-term suspension data.
- Ms. Kennedy noted that a short-term suspension is defined as one day in length, and a long-term suspension is defined as eleven or more days.
- Ms. Kennedy stated that the charter sector average for lost instructional time due to out-of-school suspensions is 0.4%, and Mr. McKoy asked if there is a national comparison. Mr. Pearson stated that the national average is 0.2%, which includes rural, suburban, and urban districts.
- Ms. Kennedy noted that proficiency on DC CAS has little correlation with expulsion.
- Mr. Pearson observed that high-suspensions schools are in lower half of the proficiency range.
- Dr. Woodruff noted that the higher rates of suspensions are in Ward 8, and asked, if the schools with high rates of lost instructional time are also schools serving least-resourced students, whether PCSB should be looking at potentially broader solutions. Ms. Kennedy stated that PCSB's philosophy is for schools to create their own solutions based on their mission instead of implementing a plan dictated by PCSB. Dr. Woodruff remarked that this issue might be worth addressing in a broader conversation about potential solutions.
- Ms. Kennedy stated that PCSB is in process of analyzing 2013-14 discipline policies, so that the analysis presented before the board is based on discipline policies before the schools revised the policies.
- Ms. Kennedy noted that overall expulsion rates down and more schools using short-term than long-term suspensions.
- Mr. McKoy asked if PCSB could compare by neighborhood or by ward suspensions in charter and DCPS schools. Ms. Kennedy stated that PCSB could do that, and it would be helpful for schools to see.
- Ms. Bloomfield noted that the transparency in tracking and showing schools suspension data is benefitting students. She observed that because a small percentage of students are suspended or expelled, it is difficult to draw correlations. Ms. Bloomfield inquired if schools can track what then happens to students who experience long-term suspensions and expulsions.
- Ms. Bloomfield asked if the staff could produce a report at the end of the cycle assessing schools' compliance with non-optional civil rights policies as well as the consequences for noncompliance.

VI. 2013-14 Experienced Operators Vote for Approval

A. Harmony DC Public Schools (Harmony DC)

1. PCSB Representative: Ms. Naomi DeVeaux, Deputy Director
2. Discussion:

- Ms. DeVeaux stated that PCSB staff recommends the Board vote to approve HPS’ charter application with conditions, and provided a summary of HPS school performance.
 - Ms. DeVeaux noted that the management contract described in the written application contains clear language about termination of management contract by HPS or the local board, but the provisions do not include termination by the HPS Board for poor academic performance. Additionally, the sample agreement contains a support service fee schedule, but it is unclear if this is part of the 5% management fee.
 - Ms. DeVeaux noted that PCS examined HPS’ track record in its review, which included discussions with the Texas Education Agency, the U.S. Department of Education (“US DOE”), the Texas State Board of Education, and the National Association of Charter School Authorizers. The Texas Education Agency did not find that Harmony violate Texas law in its procurement practices. Although Harmony repaid \$186,000 following an audit by the Texas State Education Agency, the finding did not prevent the US DOE from awarding a grant to HPS.
 - Ms. DeVeaux noted that PCSB did not find evidence that an HPS application was turned down in another jurisdiction.
 - Ms. DeVeaux reviewed the list of conditions for charter approval, summarized in the Board Decision Memo.
 - Mr. McKoy stated in response to allegations of HPS misconduct, that many charters do not have certified teachers, and the nationality of teachers is irrelevant.
 - Mr. McKoy emphasized that the Board requested that PCSB staff follow up on allegations of HPS misconduct. Ms. DeVeaux reviewed the steps PCSB staff took to investigate these allegations, but noted that staff did not find evidence that the allegations of misconduct were continuing or valid.
 - Mr. Soifer noted that PCSB received over two dozen letters speaking favorably of HPS from elected officials, community groups, and the League of United Latin American Citizens that presented compelling picture of academics as well as HPS’ community engagement.
 - Ms. Bloomfield stated that she would stress the importance of serving students with disabilities with all levels of needs.
3. Vote: Mr. Tillery moved to approve HPS’ charter application, and Ms. Nophlin seconded. The Board approved with motion 6-0, with Ms. Mead recusing herself from the vote.

B. Democracy Prep DC Charter School (“DPDC”)

1. PCSB Representatives: Ms. Naomi DeVeaux, Deputy Director; Ms. Mikayla Lytton, Manager of Strategy and Analysis
2. Discussion:
 - Ms. DeVeaux stated that PCSB staff recommends the Board vote to approve DPDC's charter application with conditions, and provided a summary of DPDC school performance.
 - Ms. DeVeaux noted that the management contract described in the written application contains clear language about termination of management contract by DPDC or the local board, but the provisions do not include termination by the DPDC Board for poor academic performance.
 - Ms. DeVeaux reviewed the list of conditions for charter approval, summarized in the Board Decision Memo.
 - Mr. McKoy noted that the condition, "DPPS [Democracy Prep Public Schools] will operate no more than one school at one location in Washington, DC in the first year of operation," could be read to allow DPPS to operate one school per location, and asked if this was what was meant by this condition. Ms. DeVeaux clarified that this condition was intended to only allow DPPS to operate one school in DC in its first year of operation.
 - Dr. Woodruff noted that DPPS is strong in working with low-performing students and making progress with those students, but also expressed concern that DPPS has fewer strategies in place to work with advanced or gifted students. Dr. Woodruff encouraged DPPS to remember that some students will not need remediation.
 - Mr. McKoy visited New York to see DPPS schools and also noted the school is focused on working with low-performing students and shows impressive growth, but this does not relieve concerns about the overall dip in test scores.
 - Ms. Bloomfield stated that she supports the application, particularly because DPPS has experience in turnaround.
 - Mr. Soifer asked Ms. DeVeaux to remind him of the details of a rollout plan. Ms. Mikayla Lytton, Manager of Strategy and Analysis, stated that the plan was to begin with pre-kindergarten and kindergarten, and then increase one grade per year until the school serves pre-kindergarten through fifth grade students.
 - Mr. Soifer asked if the staff has considered adding to the termination language "termination without undue financial hardship." Mr. Soifer stated that he was concerned that a Board of Trustees could try to get out of a contract in a way that is extremely harmful to the instructional program and the students. He suggested adding the language, "terminate agreement without incurring undue financial hardship."

3. Vote: Dr. Woodruff, moved to approve DPPS application, and Mr. Soifer seconded. The Board approved the motion 5-1, with Ms. Mead abstaining.

VII. **Policy Vote: Data Access Security**

A. **PCSB Representative**: Ms. Mikayla Lytton, Manager of Strategy and Analysis

B. **Discussion**

- Ms. Lytton stated that the proposed policy would formalize the informal rules currently in place regarding third-party providers accessing student-level data., and then reviewed the contents of the proposed policy.
- Ms. Bloomfield asked if there are just a few third party providers. Ms. Lytton stated that she knows of two or three third party providers who have contracts with more than one school, but she did not believe there were are large number.
- Ms. Bloomfield asked if PCSB should let the third party providers know about the policy. Ms. Lytton replied that she let one third-party provider know, but providers should already be aware because the policy was public and schools were aware of the policy.

C. Vote: Ms. Mead moved to approve the policy, and Dr. Woodruff seconded. The Board approved the motion 7-0.

VIII. **Open for Public Comment: 2013-14 PMF Technical Guide with New Floors and Targets**

A. **PCSB Representative**: Ms. Naomi DeVeaux, Deputy Director

B. **Discussion**

- Ms. DeVeaux summarized the contents of the PMF Technical Guide.
- Ms. DeVeaux noted that there were some changes based on task force recommendations, on which the Board has already voted.
- Ms. DeVeaux stated that public charter leaders asked that floors be released earlier in the year, and PCSB has already released the floors and targets.
- Ms. DeVeaux stated that PCSB requests public comment on the floors.
- Ms. Mead asked for clarification about the attendance metric. Ms. DeVeaux stated that the floor for the the in-seat attendance was established by aligning the results to those of the average daily attendance. As a result, no school changed tier based on attendance rate.
- Dr. Woodruff asked if PCSB is seeing significant increases in math performance in elementary grades. Ms. DeVeaux stated that we are seeing this increase citywide in charter as well as DCPS schools.
- Mr. Woodruff asked when the new assessment test will be rolled out. Ms. DeVeaux stated that the PARCC test, which will replaced the DC-CAS, is expected to be implemented in 2014-15. At that point, the Board will need to

discuss how it will establish floors for that year. Setting floors and targets before the test is given is not advisable.

- Mr. McKoy asked Ms. DeVeaux to state the underlying rationale for moving floors and ceilings. Ms. DeVeaux replied that the PMF was developed to be reactive to test indicators and students. As schools have done better, floors have increased, meaning that charters as a sector have improved.
- Mr. Soifer noted that PCSB has a two-year weighted model for student growth, and asked how PCSB will approach that model. Ms. DeVeaux stated that this will be discussed with the task force members, but it is possible that this will continue to be the model.

C. **Vote:** Ms. Mead moved to approve the policy, and Mr. Tillery seconded. The Board approved the motion 7-0.

IX. **Public Comment.** No members of the public addressed the Board.

X. **Adjourn.** Ms. Bloomfield moved to adjourn, and Mr. Tillery seconded. The Board approved the motion 7-0. The meeting was adjourned at 9:05 PM.