

DC Public Charter School Board

Hearing and Meeting Minutes: December 16, 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); Barbara Nophlin; Scott Pearson (Ex-Officio); Don Soifer; Herbert Tillery.

Not in attendance: Emily Bloomfield and Sara Mead

Mr. McKoy called the public hearing to order at 7:35 PM.

I. **2013-14 PMF Technical Guide with New Floors and Targets**

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

B. **Discussion**

- Ms. DeVeaux detailed that PCSB introduced the proposed 2013-14 PMF Technical Guide public comment on November 18, 2013, and the window for public comment will close on December 16, 2013. She added that the PCSB Board was scheduled to vote on the policy at its January meeting.
- Ms. DeVeaux reviewed the contents of the proposed policy.
- Mr. McKoy asked if PCSB received any public comment, and Ms. DeVeaux replied that, at this point, PCSB had not.
- Mr. McKoy asked if anyone wanted to provide public comment on the proposed Technical Guide. No one volunteered.

II. **Charter Amendment Requests, Creative Minds International Public Charter School (“Creative Minds PCS”) and Mundo Verde Public Charter School (“Mundo Verde PCS”)**

A. **Representatives**

1. **PCSB Representative:** Monique Miller, Senior Manager
2. **School Representatives:** Dr. Golnar Abedin, Executive Director and Principal, Creative Minds International PCS; Kristin Scotchmer, Executive Director, Mundo Verde PCS

B. Discussion:

- Ms. Miller introduced the proposed charter amendment requests for Creative Minds PCS and Mundo Verde PCS to increase their respective enrollments, and added that the PCSB Board was scheduled to vote on the policy at its January meeting.
- Ms. Abedin stated that Creative Minds PCS has high parent demand because it is the only pre-kindergarten and elementary school with an international curriculum. The school would like to increase its enrollment ceiling so that the school would have the flexibility to meet parent demand by having up to 17 students in each classroom.
- Mr. McKoy asked if there would be an impact on teachers, students, or available space at the school. Ms. Abedin stated that school's current staff would accommodate the increased enrollment. The school already has two teachers in each classroom, but the impact will depend on the student characteristics in each classroom.
- Dr. Woodruff asked if Creative Minds PCS will be in the same location for the 2014-15 school year, and Ms. Abedin replied that the school would be in the same location.
- Dr. Woodruff asked about the maximum capacity of the school's building, and Ms. Abedin replied that the maximum capacity of the building is 350 students, which is larger than the school plans to grow.
- Mr. Soifer asked if Creative Minds PCS met all of its accountability targets, and Ms. Abedin replied that the school had met all of its targets.
- Ms. Nophlin asked Ms. Abedin to explain what she meant by "student characteristics." Ms. Abedin stated that part of the school's mission is to be inclusive, including meeting the needs of students with special needs. As a result, there are some classrooms where it would not make sense to increase the class size, and the decision on whether to increase class size will depend on students' needs.
- Ms. Scotchmer reviewed the contents of Mundo Verde's proposed charter amendment.
- Mr. Soifer asked what impact the enrollment increase would have on District of Columbia International Public Charter School ("DCI PCS") enrollment. Ms. Scotchmer replied that the school had originally projected to send 60 students to DCI, but now projects that it would send 80 students to DCI.
- Mr. Soifer asked for clarification that any action the Board would take would already have been worked out with DCI PCS. Ms. Miller stated that Mary Shaffner, President of DCI PCS' Board of Trustees, meets with her weekly to talk about conditions that the Board attached to the school's approval, and they have looked closely at how the school's model will be impacted by the enrollment

increase. A change in Spanish classrooms at DCI PCS will have a lesser impact on the school than other language classrooms.

- Dr. Woodruff asked if the school anticipates losing any families in moving from Wards 1 to 5. Ms. Scotchmer stated that the school is considering this issue, and that it anticipates that transportation will be an issue because 60% of families come from Wards 1 and 4. The school is looking at a transportation option where families would pay for student transportation on a sliding scale.
- Ms. Miller said that PCSB was contacted by an ANC commissioner in support of Mundo Verde PCS's proposed expansion, and that the commissioner had worked with the school to address concerns about increased traffic in the area.
- Ms. Scotchmer stated that the primary neighborhood concern was traffic, and that collective transportation options will address this concern.

The public hearing was adjourned at 7:48 PM.

Public Meeting

Board Members in attendance: John "Skip" McKoy (Chair); Darren Woodruff (Vice Chair); Barbara Nophlin; Scott Pearson (Ex-Officio); Don Soifer; Herbert Tillery.

Not in attendance: Emily Bloomfield and Sara Mead; both voted by proxy as detailed below.

Mr. McKoy called the public meeting to order at 7:48 PM.

- I. **Public Comments by Elected Officials.** No elected officials addressed the Board.
- II. **Approval of the Agenda.** Mr. Tillery moved to approve the agenda, and Dr. Woodruff seconded. The agenda was approved 5-0.
- III. **Public Comments.**
 - A. Ms. Amy Jones-Little, President, Options Public Charter School's ("Options PCS") Parent Teacher Organization, expressed her concern that Options PCS students believe they are responsible for the closing of Options PCS. She noted that Options PCS is one of the oldest DC charter schools, and had no model to follow in establishing the school. She said the staff at Options PCS loves the students, and the students did not cause the financial problems at the school, and discussed how the school assisted her stepson.
 - B. Ms. Markkee Coleman, a parent of Options PCS students, noted that her students previously attended other schools, and she felt that they made the greatest educational gains at Options PCS. She asked the Board not to close Options PCS.

- C. Ms. Brenda Monroe, parent of two Options PCS students, stated that she feels that the staff at Options PCS supports their students. She is not sure where her son will go if the school closes.
- D. Mr. Brendan Thompson, social studies teacher at Options PCS, stated that the staff remains committed to the school and its students. He noted staff outreach to student, including the front office's outreach program to homeless students. He stated that his students read media coverage about Options PCS as part of their current events project, and asked why they are being punished for the mistakes of others.
- E. Ms. Danette Fredericks, parent of an Options PCS student, credited the school with helping her son be accepted to college. She stated that other schools are not as well equipped to work with students with disabilities.
- F. Ms. Tonya Gladden Nash, parent of two Options PCS students, noted that the school worked with her son, who demonstrated hyperactive behavior, so that he would be successful. She feels that the school is a resource for families of students with special needs, and is not sure where these students would go if the school closes.
- G. Mr. Shawrod Loftin, student at Options PCS, stated that Options PCS helped him adopt a positive attitude after he was forced to leave other school settings, and said that the school helped him get accepted to college. He presented a petition to keep the school open to the Board, and noted that the petition received significant student support. He stated that he felt that Options PCS students have no other place to go to school because it is the only school focusing on severe behavioral disabilities.
- H. Mr. Carlton Powell, student at Options PCS, said that Options PCS deserves a second chance, and that the students should not be punished for others' actions. He stated that he was asked to leave other school settings, but now he is very involved with student activities at Options PCS. He further stated that he is not sure where he would go if Options PCS closes its doors.
- I. Ms. Tahja Powell, a student at Options PCS, stated that the school has helped her gain confidence in her own success as well as helped her foster positive relationships.

IV. **Approval of the November 18, 2013 Board Minutes.** Dr. Woodruff moved to approve the revised minutes, and Mr. Soifer seconded. The minutes were approved 5-0.

V. **Administrative Contracts over \$25,000.** Mr. McKoy noted that Caesar Chavez Public Charter School disclosed a potential conflict of interest, but there does not appear to be an actual conflict of interest. He stated that the contracts would be read into the minutes unless an objection was raised. No objection was raised.

VI. **Renewal Vote for Meridian Public Charter School (“Meridian PCS”)**

A. **Representatives**

1. School: Frank Pagett, Jr., Member, Board of Trustees; Darren Knicely, Chief Officer of Accountability

2. PCSB: Sarah Medway, Charter Agreement Specialist

B. Discussion

- Ms. Medway stated that PCSB recommends Meridian PCS for a 15-year charter renewal. She reviewed the standard for charter renewal and as well the staff analysis of Meridian PCS' performance as discussed in the renewal report for the school.
- Dr. Woodruff asked in what areas the school has seen significant progress. Mr. Knicely noted that the school has moved toward closing the achievement gap among students with diverse backgrounds, but that the school also continues to push itself forward.
- Mr. McKoy asked the Meridian PCS representatives to discuss the test integrity issues raised in the school's renewal report. Mr. Pagett stated that the Board of Trustees reacted immediately to the test integrity allegations and conducted its own internal investigation. As a result, the Board put new controls in place. Mr. Knicely said the school worked with OSSE to make sure that the school met all standards. The school conducted a self-assessment, and also will have an outside auditor look at testing practices.
- Mr. Soifer asked the school to speak to its pattern of substantial growth and progress. Mr. Pagett stated that the school's goal is to make sure students have the best opportunities and to make sure proper testing protocols are in place. The Board also strives to be one of the best schools in the city.
- Mr. Soifer noted that Meridian PCS is located in the Harrison building, and asked if the building will be the school's home for the future. Mr. Pagett stated that the school will remain in that building, and it looks forward to continuing to play an effective role in the community.
- Mr. Tillery asks what steps Meridian PCS takes to ensure students meet the school's diversity goal. Mr. Knicely replied that a significant part is to build a culture of acceptance in the building. The school has a bilingual center and resources in Spanish as well as Amharic. Meridian PCS hopes to eliminate language and economic barriers to student attendance as well as parent involvement.

C. **Vote**: Mr. Soifer moved to approve the motion, and Mr. Tillery seconded. The Board approved the motion 5-0.

VII. Proposal to Commence Charter Revocation of Options PCS

A. Representatives

1. School: Josh Kern, Receiver for Options PCS; Ms. Maree Sneed, Hogan Lovells, Counsel to Receiver
2. PCSB: Scott Pearson, Executive Director

B. Discussion

- Mr. Pearson stated that PCSB recommends that the Board vote to initiate charter revocation proceedings against Options PCS.
- Mr. Pearson reviewed the contents of the proposed board action as well as the standard for charter revocation. He stated that the law does not give discretion to the Board, and that if the Board finds a pattern of fiscal mismanagement, it must revoke the school's charter.
- Mr. Pearson emphasized that should board move to begin revocation proceedings, every effort must be made to provide placement in a new school that is appropriate to individual students' needs.
- Mr. Kern stated that the court-appointed receiver has no intention of appealing any decision by the Board.
- Mr. Kern stated when he was appointed as Receiver on October 3, 2013, key administrative positions at the school were unstaffed, posing operational problems. All payments and financial transactions at the school were frozen. Because Options PCS was under-enrolled, nearly 15% of the staff was terminated. He needed to reconfigure a new leadership team and create a new master schedule.
- Mr. Kern noted that he was supported by staff members who assumed leadership responsibility. He stated that although the school had largely been stabilized, serious problems at the school remain. He emphasized that the school's academic program requires immediate improvement.
- Mr. Kern, noting that the School Reform Act ("SRA") requires the Board to close the school if a pattern of fiscal impropriety is found, stated that whether fiscal impropriety occurred at the school has not yet been determined by the Superior Court, and that the Board may not be required to close the school because the Receiver has broken the pattern of fiscal impropriety. He further stated that if the court finds that Options should be closed, he would assist in the orderly closure of the school.
- Mr. Kern suggested that the Board keep Options PCS open during the 2014-15 school year to ensure current students have appropriate educational placement. He submitted a plan for the continued operation of the school.
- Mr. Kern observed that finding appropriate placement for 251 disabled students may be extremely difficult, and expressed his concern that students would not have a stable school setting if Options PCS were closed.
- Mr. Kern stated that this situation is unique, and the Board would only set precedent for a school put into receivership by the court if it rejected the proposal to initiate charter revocation proceedings.
- Mr. Tillery noted that the student population is vulnerable, and asked, if the school's enrollment was reduced as proposed by the receiver, where students with

special needs would go. Mr. Kern acknowledged that there might be better placement alternatives for students instead of Options PCS. The school's population would be reduced to its current reenrollment rate, which is just over 70%.

- Ms. Nophlin asked if there are other charter operators who would be interested in running Options PCS. Mr. Kern stated that right now there is not an operator who is an obvious alternative, but the search for a new operator has not begun in earnest.
- Dr. Woodruff noted that Mr. Kern mentioned possibility of working with partners in DC to continue to operate the school, and asked what entities could be potential partners. Mr. Kern declined to name specific entities, but would want representatives from all DC government entities in the education sector involved.
- Mr. Soifer asked Mr. Kern to speak to the status of the review of student individualized education programs (“IEPs”). Mr. Kern stated that IEPs are internally consistent, but that they are not necessarily accurate, and all included services that are not necessarily being provided. He has put out a Request for Proposals for support.
- Ms. Nophlin asked how many seniors are at the school, and Mr. Kern replied that there are 61 seniors.
- Mr. McKoy stated that in his mind, the issue is still fiscal mismanagement, and the law does not offer an alternative to following the staff recommendation.
- Mr. Kern, stating that he was speaking for himself and not as a representative of the court, expressed his concern that such a strict construction of the SRA could establish troubling precedent for the future that would, for example, require revocation of a high-performing school's charter that had a pattern of fiscal mismanagement five years prior. He added that it is within the Board's discretion not to revoke the school's charter.
- Mr. Tillery stated that the Board's vote is on starting the procedure to revoke the school's charter, not on closing the school. Mr. Kern replied that there would not be a request for a public hearing.
- Ms. Sneed stated that the drafters of the SRA did not contemplate that there would be an additional entity besides the charter authorizer to intervene as there is in this situation with the intervention of the court. She noted that she did not find helpful legislative history on the SRA.
- Mr. Pearson stated that although he appreciates these points, the clearest reading of law is to vote to begin revocation proceedings. However, it is less clear how quickly the charter should be revoked, and he would like to discuss this issue with the Board as well as with Mr. Kern.
- Mr. Kern commented that there is a practical challenge with running a school with a defined end date, as recruiting high-quality staff will be difficult.

- Mr. Soifer said that the motion on the table is to begin a dialogue, and asked if the law provides for a fixed time frame for revocation procedures. Mr. Pearson replied that if the Board votes in favor of initiating revocation proceedings, there would be a maximum of 75 days before a final vote on closing the school if the school requested a hearing, and 45 days if the school did not request a hearing.
- C. **Vote:** Mr. Tillery moved to begin charter revocation proceedings against Options PCS, and Dr. Woodruff seconded. The Board approved the motion 7-0, with Ms. Bloomfield and Ms. Mead voting by proxy.

VIII. Policy Vote

A. **Adult Education Floors and Targets for 2013-14**

1. PCSB Representative: Naomi DeVeaux, Deputy Director
2. Discussion
 - Ms. DeVeaux summarized the contents of the proposed policy, and noted that PCSB would reevaluate the floors and targets once the data was finalized, and that Baltimore was used as a model for the floors and targets because it has a similar population to DC.
 - Mr. Woodruff asked if PCSB received any comments. Ms. DeVeaux replied that the policy was not open for public comment, but reiterated that all adult education schools were involved in creating the floors and targets through the task force.
3. Vote: Mr. Woodruff moved to approve the proposed policy, and Ms. Nophlin seconded. The Board approved the motion 6-0, with Ms. Mead voting by proxy.

B. **MySchoolDC**

1. PCSB Representative: Clara Hess, Director of Human Capital and Strategic Initiatives
2. Discussion
 - Ms. Hess summarized the contents of the proposed policy.
3. Vote: Mr. Soifer moved to approve the proposed policy, and Dr. Woodruff seconded. The Board approved the motion 6-0, with Ms. Mead voting by proxy.

IX. Open for Public Comment: Designation for Eligibility for Alternative Accountability Framework

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

B. **Discussion**

- Ms. DeVeaux reviewed the contents of the proposed policy, which she described as a system not with a framework like the other PMFs, but instead one that recognizes differences between alternative education schools and uses appropriate measures.

- Mr. Woodruff asked Ms. DeVeaux to clarify what she meant by “different measures.” Ms. DeVeaux replied that there should be more short-term measures.
- Ms. Nophlin asked if Maya Angelou Public Charter School (“MAPCS”) could use this as an alternative to the PMF. Ms. DeVeaux said that the Accountability Framework could be used by MAPCS, Options PCS, and St. Coletta of Greater Washington Public Charter School, as well as possibly by schools like Bridges Public Charter School, which serve a unique population.
- Mr. Soifer noted that getting good data on adjudicated youth is difficult, and that PCSB will get better at targeting measurements for this population as access to reliable data improves.
- Ms. DeVeaux noted that students who are incarcerated, in foster care, or are homeless fall within the definition of “adjudicated,” and asked Mr. Soifer what other groups may be included in this definition. Mr. Soifer said “adjudicated” may include a student who is in a court system and receives a ruling that is not in his favor, but is not a formal guilty ruling.
- Mr. McKoy stated that he found it difficult to understand how the floor of 70% was established. A school where 40% of the population is very disturbed students would need to perform as well on the PMF as a school where 10% of the student population is very disturbed. He remarked that he hopes someone else will raise this issue during public comment.
- Ms. DeVeaux that the number of 70% was influenced by policies from other states that PCSB has studies, as well as from a national working group run by NACSA that PCSB participates in. A study of DC charter school data shows that there are no schools who are just under the cut off – indeed schools that did not meet the 70% threshold were 40 or more percentage points below.
- **Vote:** Mr. Tillery moved to release the framework for public comment, and Ms. Nophlin seconded. The Board approved the motion 6-0, with Ms. Mead voting by proxy and Ms. Bloomfield not voting by reason of her absence.

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

XI. **Adjourn.** Mr. Soifer moved to adjourn, and Ms. Nophlin seconded. The Board approved the motion 5-0. The meeting was adjourned at 9:15 PM.