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Testimony Before the District of Columbia Council  
Committee of the Whole  
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Public Hearing:  
The Closure of Eagle Academy

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Good afternoon, Chairman Mendelson, Committee members, and staff. My name is Danielle Robinette, and I am a Senior Policy Attorney at Children's Law Center. Children's Law Center believes every child should grow up with a strong foundation of family, health and education and live in a world free from poverty, trauma, racism and other forms of oppression. Our more than 100 staff – together with DC children and families, community partners and pro bono attorneys – use the law to solve children's urgent problems today and improve the systems that will affect their lives tomorrow. Since our founding in 1996, we have reached more than 50,000 children and families directly and multiplied our impact by advocating for city-wide solutions that benefit hundreds of thousands more.

Thank you for the opportunity to provide testimony regarding the closure of Eagle Academy Public Charter School. Children's Law Center represents DC students who regularly face barriers in accessing their education. Our work often centers on removing barriers or supporting families in overcoming them. However, this work is made significantly more difficult by the general lack of transparency within the charter sector. Eagle Academy's decision to relinquish their charter just days before the start of the school year was highly disruptive to students, families, and educators. Students were without a school. Educators were suddenly unemployed. And hundreds of DC families had to navigate the fallout. It seems that the writing was on the wall regarding the financial distress at Eagle Academy.<sup>1</sup> However, the opaque oversight of charters meant

that the school community was largely unaware of the precarious state of their school. The Council must find ways to increase transparency of charter schools to ensure that students and families do not continue to be caught off guard by future school closures or other educational disruptions.

The abrupt closure of Eagle Academy is just one example of how insufficient oversight of charter operations impacts students and families. Through our work representing DC children and families, we regularly see how policies and practices at charter schools do not meet the standards required by local and federal law.

The Public Charter School Board (PCSB) recently issued a “notice of concern” to the SEED School of Washington, DC “for failing to adhere to federal and local special education compliance regulations” regarding discipline of students with disabilities.<sup>2</sup> While we are glad to see PCSB take action now, this is another example of a school that has had a number of red flags over the years that should have raised concern.<sup>3</sup> The attachments supporting PCSB’s proposal to issue a “notice of concern” include evidence that a community complaint on this issue was received in October 2022.<sup>4</sup> Moreover, a PCSB audit from March 2023 highlighted concerning trends in the SEED’s discipline practices for students with disabilities.<sup>5</sup> Despite this, PCSB did not vote to issue a “notice of concern” to SEED until October 2024 – two years after the initial community complaint. Even when PCSB’s oversight process manages to identify and address concerns, the process is painfully slow while students and families continue to suffer in the meantime.

In past testimonies, Children’s Law Center has raised concerns about the compliance with local law and regulations across LEAs in the District. During FY22 Performance Oversight, we noted a review of school discipline policies demonstrated varied levels of compliance with the Student Fair Access to School Amendment Act of 2018 (SFASAA).<sup>6</sup> Our review of written policies from every charter LEA with a campus in Wards 5, 7, or 8 found that only 6 out of 43 policies were fully compliant with SFASAA at that time.<sup>7</sup> DC law charges PCSB, as the sole charter authorizer in the District, with the duty of ensuring that each charter school “complies with applicable laws.”<sup>8</sup> As such, the PCSB must ensure not only that charter LEAs have the required policies, but that those policies are compliant with the relevant law. This does not seem to be happening.

For example, SFASAA prohibits the use of out-of-school suspensions for students in violation of the dress code or uniform rules.<sup>9</sup> However, in our 2022 review, we found that that three schools with policies that explicitly permit the use of out-of-school suspension for students not in dress code.<sup>10</sup> In spite of these clear violations of SFASAA, the PCSB found each school to be “compliant” with the Student/Family Policies requirement.<sup>11</sup> It is unclear what qualifies a school as “compliant” if the policy does comport with the law. The oversight conducted by PCSB is not enough to ensure that DC students in the charter sector are attending schools that meet the standards set for by local and federal law.

Furthermore, it is unclear what role, if any, the Office of the State Superintendent of Education (OSSE) plays in oversight of or intervention in compliance issues in the charter sector. OSSE's chief duty is to "serve as the state education agency and perform the functions of a state education agency for the District of Columbia under applicable federal law, including grant-making, *oversight*, and state educational agency functions for standards, assessments, and *federal accountability requirements* for elementary and secondary education" (emphasis added).<sup>12</sup> At a minimum, this duty includes ensuring that schools in the District are complying with federal law, including the Individuals with Disabilities Education Act (IDEA). Moreover, SFASAA charges OSSE with "provid[ing] an array of supports to assist local education agencies and schools to achieve the goals of [the legislation] and to adopt trauma-informed disciplinary practices."<sup>13</sup> As such, OSSE should have been aware of the issues at SEED and should have been working with the LEA to ensure they were meeting the requirements of the IDEA and SFASAA.

The examples from Eagle Academy and SEED demonstrate that there are gaps in oversight of charter schools. Both PCSB and OSSE need to do more. The Council must intensify its oversight in this area and work to increase the accountability of these agencies. Specifically, we urge the Council to increase transparency requirements to ensure that DC families have all the relevant information when they choose the school that is right for their student. The question of how to increase transparency in the charter sector is not new to the Council. In 2019, the Council considered four bills that sought to

increase transparency in the charter sector.<sup>14</sup> Notably, these bills were introduced after a flurry of charter closures that left more than 1,700 students in limbo.<sup>15</sup> Ultimately, only one of the four bills – B23-0281, the Public Charter School Closure Amendment Act of 2019 – became law, and five years later the District is again reckoning with what to do when charter school closures displace students.

Like in 2019, this hearing and the introduction of B25-1065, the Board of Trustees Training Amendment Act of 2024 have arisen as an effort to diagnose and address the issues that led to school closure and student displacement. However, this post-mortem review does not interrupt the pattern of practice that keeps bringing the District back to this moment. Rather than continue repeating this pattern, we urge the Council to examine how to increase transparency and accountability from charter schools and the PCSB. Proactive oversight by the Council and/or the Office of the State Superintendent of Education could bring issues to light earlier so that families can make informed decisions about where to send their children to school.

Thank you for this opportunity to provide testimony. I welcome any questions or follow up.

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<sup>1</sup> See Dr. Michelle J. Walker-Davis & Shantelle Wright, DC Public Charter School Board, Testimony Before the Council of the District of Columbia, Committee of the Whole, Public Hearing on the Closure of Eagle Academy (December 5, 2024), p. 7-9, *available for download at:*

<https://lims.dccouncil.gov/Hearings/hearings/572>

<sup>2</sup> See District of Columbia Public Charter School Board, “Special Education Notice of Concern – The SEED Public Charter School of Washington, D.C.,” (October 28, 2024), *available at:*

<https://dcpcsb.egnyte.com/dl/jku05E0Fnc>

<sup>3</sup> See e.g., FOX 5 DC, “Police investigate report of sexual abuse at SEED DC school” (September 16, 2022), *available at:* <https://www.fox5dc.com/news/police-investigate-report-of-sexual-abuse-at-seed-dc-school> and Pat Collins & Andrea Swalec, “‘I Sent My Baby There to Learn’: Mother of 12-Year-Old Girl Found Dead at DC School Speaks,” NBC WASHINGTON NEWS4 (January 24, 2018), *available at:*

<https://www.nbcwashington.com/news/local/i-just-cant-understand-it-mother-of-12-year-old-girl-found-dead-at-dc-school-speaks/54317/>

<sup>4</sup> See DC Public Charter School Board, “Special Education (SPED) Audit Form: SEED PCS of Washington DC” (March 14, 2023), *available at:* <https://dcpcsb.egnyte.com/dl/U2ISY529mY>.

<sup>5</sup> See id.; see also Lauren Lumpkin, “D.C. charter school accused of violating law for students with disabilities,” WASHPOST (November 3, 2024), *available at:*

<https://www.washingtonpost.com/education/2024/11/04/seed-dc-charter-school-students-disabilities/>

<sup>6</sup> Danielle Robinette, Children’s Law Center, Testimony Before the Council of the District of Columbia, Committee of the Whole, Public Oversight Hearing on Education Agencies (March 1, 2023), p. 17-19, *available at:* [https://childrenslawcenter.org/wp-content/uploads/2023/02/CLC\\_Education-](https://childrenslawcenter.org/wp-content/uploads/2023/02/CLC_Education-Agencies_PerformanceOversightTestimony_Final.pdf)

[Agencies\\_PerformanceOversightTestimony\\_Final.pdf](https://childrenslawcenter.org/wp-content/uploads/2023/02/CLC_Education-Agencies_PerformanceOversightTestimony_Final.pdf)

<sup>7</sup> Id.

<sup>8</sup> DC Code § 38-182.11(a)(1)(B).

<sup>9</sup> DC Code § 38-236.04(a)(1) - (2)(a)

<sup>10</sup> The three schools in direct violation of the uniform provision of SFASAA in 2022 were Achievement Preparatory Academy PCS, Eagle Academy PCS, and the SEED School of Washington, DC.

Achievement Prep’s SY20-21 Scholar & Family Handbook noted that students who were not in dress code and whose family could not produce the uniform would be sent home. “Scholars who are out of dress code are NOT allowed to attend their classes. Families of Scholars who are not in dress code will be asked to bring the proper attire to school or *the scholar will need to be picked up from school*” (emphasis added) (pg. 8), *available at:* <https://achievementprep.org/wp-content/uploads/2021/01/FINAL-APA-ES-Scholar-Family-Handbook-2020-21-REVISED.pdf>

Eagle Academy’s SY21-22 Parent-Student Handbook allowed the use of out-of-school suspension (by preventing student from entering school) upon repeated infractions of the student uniform policy. “If a student is not in uniform, the parent/legal guardian will receive a letter of warning and parents/legal guardians will be asked to bring the appropriate clothing. *Multiple infractions will result in the child not being admitted into school* or the classroom” (emphasis added) (pg. 51), *available at:*

<https://4.files.edl.io/75bf/12/13/21/182925-a3fb5ee9-39f4-4142-834c-692503f66176.pdf>

SEED’s SY21-22 Scholar-Family Handbook noted that students not in uniform would be confined to the residence hall. As a boarding school, this policy is akin to preventing the student from entering school. “*Scholars will not be allowed off of the residence hall* floor without being in proper SEED uniform” (emphasis added) (pg. 85), *available at:*

<https://static1.squarespace.com/static/576a95eccd0f685b12c17343/t/61b38b96c62f6b452bc166b6/1639156631034/SY2021-2022+Scholar+Family+Handbook.pdf>

<sup>11</sup> See DC Public Charter School Board, Annual Compliance Reviews, *available at:*

<https://dcpcsb.org/annual-compliance-reporting>

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Achievement Preparatory Academy SY20-21 Compliance Review Report *available at:*  
<https://dcpcsb.egnyte.com/dl/bF39TtCyTy>

Eagle Academy SY21-22 Compliance Review Report *available at:*  
<https://www.livebinders.com/media/get/MjI5Njk1Mzk=>

SEED School of Washington SY21-22 Compliance Review Report *available at:*  
<https://www.livebinders.com/media/get/MjI5NzEzMjA=>

<sup>12</sup> DC Code [§ 38-2601.01](#).

<sup>13</sup> DC Code § 38-236.06(a).

<sup>14</sup> See B23-046, the At-Risk School Funding Transparency Amendment Act of 2019; B23-0199, the Public School Transparency Amendment Act of 2019; B23-239, the School Based Budgeting and Transparency Amendment Act of 2019; and B23-0281, the Public Charter School Closure Amendment Act of 2019.

<sup>15</sup> See Perry Stein, “Cesar Chavez Public Charter Schools announces it will close two campuses in D.C.” WASHPOST (January 23, 2019), *available at:* [https://www.washingtonpost.com/local/education/cesar-chavez-public-charter-schools-announces-it-will-close-two-campus-in-dc/2019/01/23/cbc4fdae-1f59-11e9-8e21-59a09ff1e2a1\\_story.html](https://www.washingtonpost.com/local/education/cesar-chavez-public-charter-schools-announces-it-will-close-two-campus-in-dc/2019/01/23/cbc4fdae-1f59-11e9-8e21-59a09ff1e2a1_story.html)