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Committee of the Whole
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Public Oversight Hearing:
Charter School Review and Renewal in the District

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Introduction

Good morning, Chairman Mendelson, members of the Committee, 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 testify today regarding oversight of the charter sector in the District of Columbia. Children's Law Center represents DC students who regularly face barriers in accessing their education. Through our medical-legal partnership, Healthy Together, we represent parents whose children are facing school attendance challenges related to chronic health conditions, lack of access to special education, housing conditions, among other concerns. We also represent children in foster care who face myriad challenges accessing their education. My testimony and recommendations today arise from our experience representing students who are often

furthest from opportunity and, as a result, would be most acutely impacted by the educational disruptions inherent in school closures.

We appreciate the Committee holding a hearing on this important issue. At last year's hearing on the abrupt closure of Eagle Academy, we testified about the need to increase transparency of DC charter schools to ensure that students in these schools are not caught off guard by future school closures or other education disruptions.¹ Since that hearing, we have seen two more charter schools relinquish their charters and close their doors.² Moreover, the Public Charter School Board's (PCSB) oversight of the SEED School of Washington (SEED) has "indicate[d] persistent ineffective systems regarding routine functions and communications" and found "concerning evidence related to the school's capacity to meet the programmatic standards in its charter agreement."³

The situation at SEED raises two questions about PCSB's oversight. First, how can PCSB ensure they identify and address concerns more quickly? And second, how can oversight practices engender meaningful improvement in struggling schools to prevent closure? To prevent future school closures and student displacement, PCSB must proactively monitor for signs of distress and employ oversight mechanisms that inspire schools to remedy the underlying concerns. Further, PCSB must grapple with the catch-22 of closing struggling schools, especially those schools with non-traditional programs. No DC student should have to attend a struggling school. However, shuttering such schools creates separate harms for students and families which PCSB must find a way to

mitigate to the greatest degree possible. As DC's sole charter authorizer, PCSB must develop policies and procedures that quickly identify concerns, incentivize schools to remedy concerns, and adequately protect students when a charter is revoked or relinquished.

PCSB Should Complete Charter Reviews on a Timeline That Allows Displaced Students to Participate in the MySchoolDC Lottery

There is no easy answer to the question of whether and when to close a struggling school. However, there are procedural tools that the PCSB can implement to minimize the negative impact of school closures. When Eagle Academy PCS closed just days before the start of the school year, families were left scrambling to find a new school in time for the first day. The closures of I Dream PCS and Hope Community PCS were less frantic but still occurred after the close of the MySchoolDC lottery application.⁴ As such, students displaced by the closure of these schools were left with few choices for the next school year. To minimize the harm of school closure on displaced students, PCSB should amend their charter review timeline to ensure charter relinquishment decisions are made prior to the annual MySchoolDC lottery application window.

The recent charters closings have occurred because the charter operators decided to relinquish their charters. In the cases of I Dream and Hope Community, their decisions followed charter reviews that imposed various conditions that the schools felt they would be unable to meet.⁵ In these cases, PCSB's oversight identified urgent areas for growth and set conditions for improvement. However, when the schools did not feel that they

could meet the conditions, they decided to relinquish their charter. Unfortunately, the timeline of PCSB's oversight meant that the schools' decisions to close were announced after the close of the MySchoolDC lottery for the following school year. With earlier notice from the school, families can make the most of DC's system of school choice when seeking a new school. At a recent public meeting, Dr. Michelle Walker-Davis acknowledged that timing issues are a lesson learned from last year's review and renewal cycle.⁶ Additionally, she noted that the Board's "cycle will be earlier than it was in the past" but did not indicate a specific timeline.⁷ As PCSB evaluates their review and renewal timeline, we urge them to ensure that schools receive the outcome of their review and any proposed conditions for renewal early enough that schools can decide whether to relinquish their charter prior to the opening of the lottery application.

PCSB Needs Additional Enforcement Tools to Ensure Their Ability to Effect Meaningful Change in Struggling Charter Schools

Oversight of DC's charter sector is governed by the DC School Reform Act which was first imposed on the District by Congress in 1995 and is codified locally at DC Code § 38-1800.01 *et seq.*, largely mirroring the federal statutory text. PCSB, as the District's sole charter authorizer, is responsible for monitoring charter operations and student achievement and for ensuring compliance with applicable laws and reporting requirements.⁸

The School Reform Act also outlines when PCSB can revoke a charter. Notably, PCSB *may* revoke a charter if the school violates the law or conditions of their charter or

fails to meet the achievement goals.⁹ However, PCSB *shall* revoke a charter if the school engages in a pattern of nonadherence to generally accepted accounting principles, engages in a pattern of fiscal mismanagement, or is no longer economically viable.¹⁰ This makes revocation mandatory when a school is in fiscal distress, but discretionary when a school violates the law or demonstrates poor academic achievement. Additionally, when a school applies to renew their charter, the law creates a presumption in favor of renewal except where a school has committed a violation of law or charter conditions or has failed to meet the achievement expectations in their charter.¹¹

Schools can also close when they voluntarily relinquish their charter.¹² This has been the case in each of the three charter closures we saw last school year. When a charter operator relinquishes their charter, the law provides little guidance about how PCSB can respond or hold the operator accountable for the closure's impact on students and families. The only legal requirements or responsibilities of charter operators is that their Board of Trustees must submit to PCSB an accounting of the school's liabilities and assets and consult with PCSB regarding the transfer and storage of student records.¹³ There are no guardrails related to timeline, notice to families, or supporting students find new schools – all that falls on PCSB.

While none of the recent charter closures in DC have occurred in the middle of a school year, there is nothing in the law that prevents an operator from relinquishing their charter at any time. The law does not indicate that PCSB could deny an operator's

voluntary relinquishment or require them to finish out a school year. In such cases, PCSB “may manage the school directly until alternative arrangements can be made for students at the school” and “may impose such interim conditions as it determines reasonably necessary to safeguard public funds, ensure positive outcomes for students, or provide for efficient dissolution and asset distribution.”¹⁴ It is unclear whether such “interim conditions” could include requiring a school to continue operating for any amount of time after relinquishment of the charter.

We urge PCSB to develop guardrails for the responsible winddown of a school when their charter has been revoked or relinquished. Such guardrails could include a protocol that charter operators must undertake prior to relinquishing their charter or deadlines by which an operator must submit notice of an intent to relinquish their charter. The intent of these guardrails is not to force a struggling school to keep its doors open. The District should not compel a charter operator to continue running a school. However, when the decision to close a school is made—whether by the charter operator or PCSB—there should be clear next steps to protect not only the financial assets of the school, but also the students who will be displaced. The current system does not adequately protect students from abrupt school closures. Children’s Law Center would be happy to work with the Committee and PCSB to think through what might be possible to support students and families during such transitions.

PCSB’s Current Oversight Mechanisms Do Not Ensure Meaningful Improvement at Struggling Schools

In furtherance of their oversight responsibilities, PCSB has several tools to evaluate charter schools including their ASPIRE academic accountability system, Financial Analysis Reports (FARs), Notices of Concern, and the 5-year charter reviews required by law.¹⁵ However, the ongoing concerns at the SEED School of Washington (SEED) demonstrate the limits of these tools to lead to meaningful improvement in struggling schools. Even when PCSB employs all the oversight tools at their disposal, they cannot compel schools to make specific operational changes. The threat of charter revocation is real and should motivate schools to address concerns. However, as we saw through the closures of I Dream and Hope Community, the PCSB's use of strict conditions for charter renewal can also lead a school to voluntarily relinquish their charter.¹⁶ We worry that SEED is headed toward a similar outcome. If they determine that they cannot reasonably or timely remedy the issues identified by PCSB, SEED could opt to relinquish their charter rather than have the Board revoke it.

There have been a number of red flags regarding SEED over the years.¹⁷ The attachments supporting PCSB's original Notice of Concern for SEED note that a community complaint was received in October 2022.¹⁸ Moreover, a PCSB audit from March 2023 highlighted concerning trends in the SEED's discipline practices for students with disabilities.¹⁹ Despite this, PCSB did not issue a Notice of Concern against SEED until October 2024 – two years after the initial community complaint. This Notice of Concern required SEED to satisfy four requirements: 1) submit a revised copy of its

handbook outlining discipline policies and practices in compliance with local law and regulations, 2) participate in OSSE trainings related to special education and discipline, 3) participate in a Qualitative Site Review (QSR) conducted by PCSB, and 4) submit accurate discipline data to OSSE and PCSB.²⁰

In the Spring of SY24-25, PCSB conducted the required QSR and identified concerns across many domains. For example, “[i]n the Classroom Environment domain, the average was 1.65, indicating an overall rating just below ‘basic’ and “[i]n the Instruction domain, the average was 1.69, indicating an overall rating just below ‘basic.’”²¹ For students with disabilities, the results were even worse – an average of 1.25 in Classroom Environment and 1.00 for Instruction, indicating respective overall ratings just above and right at ‘unsatisfactory.’²² Notably, students with disabilities made up approximately 27% of SEED’s enrollment at the time of the QSR.²³ Citywide, students with disabilities comprise only 18.3% of public school enrollment.²⁴ Overall, “DC PCSB found SEED PCS’s program was not effective in supporting the academic, social, or emotional development of students with disabilities.”²⁵

At their June 2025 public meeting, the Board considered whether to lift the Notice of Concern for SEED. Looking to the requirements of the original Notice, SEED met requirements 1-3 but, regarding the fourth requirement, PCSB found discrepancies between the discipline data submitted to OSSE and SEED’s records for students with disabilities.²⁶ Despite the concerning findings from the QSR, the requirement was to

participate in the review, not to meet any specific metric in that evaluation. Ultimately, the Board voted to maintain the Notice of Concern for SEED.²⁷ Additionally, PCSB announced that it would conduct an out-of-cycle review in SY25-26.²⁸ That review is presently ongoing. Now, we are three years out from the original community complaint, and it is still not clear what, if anything, has improved at SEED.

Even when PCSB's oversight process identifies concerns, the process is painfully slow leaving students and families in limbo while they wait for change. This is not to say that PCSB should have already revoked SEED's charter. Rather, the recent history of PCSB oversight of SEED highlights the limitations of their current practices to effectuate meaningful improvement in schools, even where concerns are well-documented. Under the School Reform Act, the primary enforcement tool available to the Board is revocation of a school's charter. The threat of revocation or non-renewal underlies all oversight of charter schools. Any system of accountability relies on the threat of consequences for failing to meet expectations. However, closing a school is a drastic choice that necessarily displaces students and disrupts their education. Closing SEED would displace the 200+ students who reside on campus from Sunday evening through Friday afternoon. The unique model at SEED makes it even harder to consider closure.

If PCSB's oversight cannot engender meaningful improvements at SEED, the Board will be left with the unenviable decision of whether to allow a struggling school to remain open or to revoke their charter and displace 200+ students from a residential

program. We have been glad to see the Board increase their focus on accountability and oversight over the past year. However, PCSB's current oversight mechanisms do not reliably ensure implementation of the changes needed for the school to meet expectations. The threat revocation may communicate to a school that change is needed but does not create clear processes regarding how schools can remedy the identified concerns. Instead, as demonstrated by the closures of I Dream and Hope Community, the fear of imminent revocation can lead to abrupt closure of schools and the displacement of DC students. PCSB must develop oversight mechanisms and internal processes that effectuate improvements at struggling schools.

PCSB Must Increase Oversight of Special Education in Light of Reductions-in-Force at the Department of Education

The Trump Administration has been clear about their intent to dismantle the Department of Education.²⁹ Since March, the agency has lost approximately half its workforce.³⁰ Most recently, amidst the shutdown of the federal government, a reduction-in-force (RIF) at the Department of Education saw terminations of another 466 employees which reportedly includes nearly all staff in the Office of Special Education and Rehabilitative Services (OSERS) which provides oversight of special education programs.³¹ Within OSERS, the Office of Special Education Programs is responsible for reviewing state plans "to ensure consistency with federal requirements and to ensure that states and other public agencies continue to implement programs designed to improve results for infants, toddlers, children, and youth with disabilities."³² Without this federal

monitoring, there will be diminished oversight of planning for and implementation of special education in the District. Given the long-standing achievement gap between students with disabilities and their nondisabled peers, DC cannot follow the federal government's lead in deprioritizing special education.

While the legal questions regarding these terminations make their way through the courts,³³ the disruptions will undoubtedly impact federal monitoring of and support for the education of students with disabilities. To ensure that District students continue to receive the services to which they are entitled under the IDEA, more oversight responsibility will fall on OSSE and PCSB. We look forward to this Committee's hearing in December focusing on oversight of special education. In the meantime, we urge the education sector as a whole and PCSB, in particular, to be proactive in their planning to ensure that LEAs offer consistent, high-quality support for students with disabilities despite decreased federal oversight.

Thank you for this opportunity to testify, and I welcome any questions.

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- ¹ See Danielle Robinette, Children’s Law Center, Testimony Before the Council of the District of Columbia, Committee of the Whole, Public Hearing on the Closure of Eagle Academy (Dec. 5, 2024), available at: <https://childrenslawcenter.org/resources/testimony-the-closure-of-eagle-academy/>.
- ² See D.C. Public Charter School Board, “I Dream PCS Relinquishes Charter, School Will Close at the end of the School Year,” (April 7, 2025), available at: <https://www.dcpsb.org/i-dream-pcs-relinquishes-charter-school-will-close-end-school-year>; see also D.C. Public Charter School Board, “Hope Community PCS to Close at the End of the 2024–25 School Year,” (April 28, 2025), available at: <https://www.dcpsb.org/hope-community-pcs-close-end-2024-25-school-year>.
- ³ D.C. Public Charter School Board, Transcript of Public Hearing and Public Meeting (June 2, 2025), p. 37, line 14-19, available at: <https://dcpsb.egnyte.com/dl/bGmhC8B7xRRQ>.
- ⁴ CITE – show dates of closures and compare with date for lottery deadline
- ⁵ CITE – letter from school saying why they are relinquishing
- ⁶ See D.C. Public Charter School Board, Transcript of Public Hearing and Public Meeting (Sept. 15, 2025), p. 112, line 8-9, available at: <https://dcpsb.egnyte.com/dl/RyHBP3xTmqf7>.
- ⁷ Id., p. 112, line 9-11.
- ⁸ See DC Code § 38-1802.11(a)(1).
- ⁹ See DC Code § 38-1802.13(a).
- ¹⁰ See DC Code § 38-1802.13(b).
- ¹¹ See DC Code § 38-1802.12(c).
- ¹² See DC Code § 38-1802.13a(a)(3).
- ¹³ See DC Code § 38-1802.13a(d)(3), (e).
- ¹⁴ DC Code § 38-1802.13(b).
- ¹⁵ See DC Code § 38-1802.12(a).
- ¹⁶ See Chantè Chambers and Janine Gomez, I Dream PCS, Letter to Dr. Michelle Walker-Davis, D.C. Public Charter School Board (March 26, 2025), available at: <https://dcpsb.egnyte.com/dl/hy93QEe3pH>.
- ¹⁷ 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/>
- ¹⁸ See DC Public Charter School Board, “Special Education (SPED) Audit Form: SEED PCS of Washington DC” (March 14, 2023), available at: <https://dcpsb.egnyte.com/dl/U2lSY529mY>.
- ¹⁹ 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/>
- ²⁰ See D.C. Public Charter School Board, Staff Recommendation regarding Notice of Concern – The SEED Public Charter School of Washington, D.C., (June 2, 2025), p. 1-3, available at: <https://dcpsb.egnyte.com/dl/cRmTXK4BxKTg>.
- ²¹ D.C. Public Charter School Board, Qualitative Site Review Report for The SEED Public Charter School of Washington DC, (August 1, 2025), p. 2-3, available at: <https://dcpsb.egnyte.com/dl/JfXC388GGPKQ>.
- ²² Id., at 4.

²³ Id., at 1 (noting that, at the time of the QSR, SEED’s enrollment of students with disabilities was 56 and total enrollment was 208. Therefore, students with disabilities made up approximately 27% of total enrollment ($56 / 208 = .269 \times 100 = 26.9\%$)).

²⁴ DC School Report Card, “DC Overall: Enrollment: Enrollment by Student Group,” available at: <https://schoolreportcard.dc.gov/state/report#measure-107> (accessed on October 21, 2025).

²⁵ PCSB, QSR Report for SEED, *supra* note 21, p. 4.

²⁶ See PCSB, Staff Recommendation regarding Notice of Concern – The SEED Public Charter School of Washington, D.C., *supra* note 20, p. 1-3.

²⁷ See PCSB, Transcript of Public Hearing and Public Meeting (June 2, 2025), *supra* note 3, p. 49-50.

²⁸ PCSB, Staff Recommendation regarding Notice of Concern – The SEED Public Charter School of Washington, D.C., *supra* note 20, p. 1.

²⁹ See e.g., The White House, “Fact Sheet: President Donald J. Trump Empowers Parents, States, and Communities to Improve Education Outcomes,” (March 20, 2025), available at: <https://www.whitehouse.gov/fact-sheets/2025/03/fact-sheet-president-donald-j-trump-empowers-parents-states-and-communities-to-improve-education-outcomes/> (last accessed on October 21, 2025).

³⁰ See Sarah Mervosh, et al., “White House Guts Education Department With More Layoffs,” NYTIMES (October 14, 2025), available at: <https://www.nytimes.com/2025/10/14/us/politics/trump-education-department-federal-layoffs.html>.

³¹ See Cory Turner, “Amid Shutdown, Trump administration guts department overseeing special education,” NPR (October, 13, 2025), available at: <https://www.npr.org/2025/10/13/nx-s1-5572489/trump-special-education-department-funding-layoffs-disabilities>.

³² See e.g., U.S. Department of Education, “OSEP: Monitoring and State Improvement Planning Division,” (rev. January 14, 2025), available at: <https://www.ed.gov/about/ed-offices/osers/osep/osep-monitoring-and-state-improvement-planning-division> (last accessed on October 21, 2025).

³³ See Order Granting Motion for Temporary Restraining Order; Enjoining Shutdown-Related RIFs; and Setting Schedule for Hearing on Motion for Preliminary Injunction, *American Federation of State County and Municipal Employees, AFL-CIO, et al. v. US Office of Management and Budget, et al.*, (N.D. Cal., October 15, 2025), available at: https://storage.courtlistener.com/recap/gov.uscourts.cand.457131/gov.uscourts.cand.457131.56.0_1.pdf.