

# A TALE OF TWO SYSTEMS: EDUCATION REFORM IN WASHINGTON D.C.

BY DAVID OSBORNE



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## EXECUTIVE SUMMARY

**A**n important contest is taking place in Washington, D.C.—a race between two vehicles designed to carry children into the future with the habits and skills they need to live productive, meaningful lives.

The older of the two, the District of Columbia Public Schools (DCPS), uses a “unified governance model” that emerged more than a century ago, in which the district operates all but one of its 113 schools and employs all their staff, with central control and most policies applied equally to most schools. Since 2007, when Michelle Rhee became chancellor, DCPS leaders have pursued the most aggressive reform effort of any unified urban district in America.

Racing against them—and carrying 44 percent of D.C. public school students—is a very different vehicle, designed and built largely in this century. This model does not own or operate any schools. Instead, it contracts with 62 independent organizations—all of them nonprofits—to operate 115 schools. It negotiates contracts with operators, lets parents choose their schools, shuts down those that repeatedly fail to achieve their performance goals, and replicates those that are most effective. We know these as charter schools, authorized by the Public Charter School Board (PCSB), which Congress legislated into existence in 1996. Like DCPS, the Charter Board is a leader in its field, considered by experts one of the best authorizers in the nation.

Under both models, student performance is improving. Comparisons are tricky, because their demographics are different. DCPS students are not as poor: 75 percent qualify for a free or reduced price lunch, compared to 82 percent in charter schools. DCPS has more white students: 12 percent compared to charters’ 5 percent. And DCPS schools get \$7,000 to \$9,000 more per student each year than charters—particularly for their buildings and pensions.

On the other hand, all charter families make an active choice of schools, while only about half of DCPS families do, so some believe charter students are more motivated. Most experts agree that DCPS has more students “in crisis”—homeless, coming out of jail, former dropouts, and so on—because families in crisis don’t usually make the effort to apply for charters. And many charters don’t accept students midway through the school year or “backfill” seats after students leave, while most DCPS schools do. Far more students leave charters for DCPS during the school year than the reverse, and sometimes the new entrants set back schools’ test scores, graduation rates, and attendance rates.

It is hard to say just how these realities balance out. Fortunately, there are two independent studies that try to compensate for student demographics (but not for other factors). Stanford University’s Center for Research on Education Outcomes (CREDO) is a respected academic organization that has published extensive studies comparing charter and traditional public school performance on standardized tests. Its methodology compares charter students to demographically similar students in traditional public schools who have had similar test scores in the past.

CREDO found that, between 2007-2008 and 2010-2011, D.C. charter students gained an average of 72 more days of learning per year in reading than traditional school students and 101 more days in math—more than half an academic year.

Another study compared students’ actual progress on test scores to their expected progress, given their income levels and race. Among middle schools, only seven of 27 DCPS schools produced higher proficiency levels than predicted in math and only six of 27 did in reading. At the same time, 24 of 33 charters produced higher proficiency than predicted in math and 25 did so in reading.

These studies use the district's DC CAS test results, which also show charter students performing better and improving faster:

- DCPS schools have moved from composite (math and reading) scores of 31 percent proficient or advanced in 2006 to 49 percent in 2014—an increase of 18 points.
- Charters have moved from 36 to 57 percent—an advance of 21 points.
- But in Ward 5, Ward 7, and Ward 8—D.C.'s poorest—charters perform dramatically better than DCPS.

On the other standardized test, the National Assessment of Educational Progress, both sectors have made roughly equal progress. On the last test, in 2013, D.C. scored lower than any state—after all, it is 100 percent urban—but it also improved faster than any state. DCPS's white and nonpoor students performed well, while charters did better among African-American and low-income students.

- DCPS's low-income eighth graders still ranked 21st out of 21 large cities tested in reading, while their white students ranked first.
- Low-income fourth graders in DCPS ranked 19th in reading—ahead of only Detroit and Cleveland.
- In math, DCPS's low-income eighth graders ranked 20th—ahead of only Detroit—and fourth graders bested only Cleveland and Detroit.

The most important measures by which to compare schools are not test scores, however. They are long-term outcomes such as college enrollment, college graduation, and future employment. Unfortunately, there is no data on employment, and any data on college completion is, by its nature, at least seven years old, because it measures rates of college graduation within six years of enrollment. Hence, it would not capture the impact of DCPS reforms since Michelle Rhee arrived in mid-2007.

There is data on high school graduation, but its meaning is less than clear, because many students leave charters for DCPS schools between ninth grade and graduation, and no one knows how many of them later graduate and how many drop out. On top of that, few charters accept new students after ninth grade, as most DCPS high schools do. That said, charters graduated 80 percent within five years in 2014, while DCPS graduated 63 percent. Among black and low-income students, charters outperformed DCPS by more than 20 percentage points.

**When all is said and done—when all test scores have been compared, along with attendance, graduation rates, college enrollment, parental demand for each type of school, and independent studies—charters are outperforming DCPS schools.**

On college acceptance, charters clearly outperform DCPS. Ninety percent of charter graduates were accepted into college in the spring of 2014, while DCPS does not yet track such data. Not all accepted students enroll, of course. The latest enrollment data comes from 2012, and, though it was incomplete, charters outperformed DCPS by about 10 percentage points.

When all is said and done—when all test scores have been compared, along with attendance, graduation rates, college enrollment, parental demand for each type of school, and independent studies—charters are outperforming DCPS schools. The difference is particularly dramatic with African-American and low-income students.

### **WHY CHARTERS ARE STRONGER**

Charters excel not because their people are somehow better than those in DCPS. They excel because their governance framework—which includes

school autonomy, full parental choice, and serious accountability for performance—is superior to the more traditional DCPS approach. It creates an environment in which the extraordinary measures necessary to effectively educate poor, minority children are not only easier to implement, they are virtually required if schools are to survive.

Perhaps the biggest governance difference is that the Charter Board contracts with organizations to operate schools, rather than employing all school staff. This gives it the political freedom to do what is best for the children, even when that conflicts with adult interests. Since 2009, it has closed almost five schools a year, for instance. Some of those school communities have resisted. But when DCPS contemplates closing schools and laying off teachers, the entire system pushes back: employees, their unions, parents, and neighborhood activists. Since all those people vote, the mayor feels the pressure. Indeed, it cost Adrian Fenty his reelection in 2010. DCPS was very lucky that Vincent Gray, who defeated him, did not undo most of Rhee’s reforms. You can be sure that current mayor Muriel Bowser remembers what happened to Fenty and will act to avoid that fate herself, however. If Chancellor Kaya Henderson were to make changes fast enough to anger her employees again, as Rhee did, a typical mayor would rein her in.

The second key difference is school-level autonomy. Charters were invented in part to counter the common human tendency to assume there is one best way to run a school. Different children learn differently and flourish in different environments, but to teach them differently, schools need autonomy. Being empowered also helps motivate school leaders and staff, while removing the usual excuse used by low-performing schools: We’re trying hard, but the central office ties our hands.

Henderson and Rhee have given DCPS schools more autonomy than they had traditionally but less than charters enjoy. DCPS still has a union contract, for instance, which limits principals’ ability to lengthen their school day or demand other adjustments from their teachers. DCPS principals can’t hire or control their budgets as freely as charter leaders do. And most DCPS schools have to use services provided by

the central office, such as professional development, whereas charters can purchase them when and where they get the best value.

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Charters are also free to offer a greater diversity of choices, which helps them serve a greater variety of students. DCPS is working hard to create diverse schools, but the majority are neighborhood schools, which have to appeal to everyone. Charters are all schools of choice, so they are freer to specialize—to create bilingual schools, residential schools, schools for overage students, schools for students in foster care.

A fourth difference is the entrepreneurial drive many charters demonstrate. Educating poor kids in the inner city is so challenging that it often requires leaders to redesign the traditional educational process. Those who open charters tend to be driven by such bold visions, whether it is for residential schools for kids whose home lives are difficult or for internships for high school students, which often help them develop greater motivation. When their visions succeed, most want to replicate their schools. The charter sector creates new schools constantly—four to five a year for the past five years. To its credit, DCPS also creates new schools, but less often. And it rarely replicates successful schools.

In sum, DCPS’s leaders are doing excellent work, and their schools are definitely improving, but their model is outdated. To use a metaphor, they are like race car drivers piloting a 1930 Model T, when their competitors drive a 21st-century model. The Model T still works for most middle-class students—particularly



after the district upgraded its engine and transmission in recent years. But for those with greater needs—particularly poor, minority kids—schools need innovative designs and extraordinary commitment from their staffs.

## CONCLUSION

A few weeks after Michelle Rhee resigned, Richard Whitmire, who was writing a book about her, asked her what she would have done if she had another four years. “I would go to D.C. Prep, E.L. Haynes, KIPP, and other great charters in the city and ask them to take over some of our failing schools,” she said.

Rhee’s successor has expressed a similar desire to authorize charters. Two years ago, testifying before the City Council, Chancellor Henderson said, “I sit here at this table and people tell me that charters are eating my lunch. Why can’t I have the authority to do

that, too?” Last June, at a hearing of the Council’s Education Committee, she said, “Why is it that the rules under which we allow this other system that is supposedly operating so much better than DCPS to continue to operate—and not provide those same rules and opportunities for DCPS—is, I think, a question that we all have to ask of ourselves. If we believe that the kinds of autonomies and flexibilities that [charters have are] producing better results for lower income kids, then I should have those flexibilities and freedoms as well.” David Grosso, the Education Committee chairman, agreed.

This is D.C.’s most promising path forward. The Council should empower DCPS to transform a handful of schools each year into contract or charter schools, with autonomy, choice, closure if they fail, and the opportunity to replicate if they succeed. For struggling schools in poor neighborhoods, no strategy has been more effective.

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Racing against them—and carrying 44 percent of D.C. public school students—is a very different vehicle, designed and built largely in this century. This model does not own or operate any schools. Instead, it contracts with 62 independent organizations—all of them nonprofits—to operate 115 schools.<sup>1</sup> It negotiates contracts with operators, lets parents choose their schools, shuts down those that repeatedly fail to achieve their performance goals, and replicates those that are most effective. We know these as charter schools, authorized by the Public Charter School Board (PCSB), which Congress legislated into existence in 1996. Like DCPS, the Charter Board is a leader in its field, considered by experts one of the best authorizers in the nation.

Under both models, student performance is improving. Their demographics are slightly different: charters have generally focused on serving poor and minority students, so only 5 percent of their students were white in 2014-15, compared to 12 percent in DCPS.<sup>2</sup>

Yet experts believe DCPS serves more students whose lives or families are in crisis, because those families are unlikely to apply for charters. This complicates comparisons, but, when all is said and done—when all test scores have been compared, along with attendance, graduation rates, college enrollment, parental demand for each type of school, and independent studies—one model is clearly winning. The charter sector has higher test scores, higher attendance, higher graduation and college enrollment rates, and more demand, and it is improving faster than the traditional district. The difference is particularly dramatic with African-American and low-income students. This is true despite the fact that charters have received significantly less money per year—some \$7,000 to \$9,000 less per student per year—than DCPS schools.<sup>3</sup>

Charters excel not because their people are somehow better than those in DCPS. They excel because their governance framework—which includes school autonomy, full parental choice, and serious accountability for performance—is superior to the more traditional DCPS approach. It creates an environment in which the extraordinary measures necessary to effectively educate poor, minority children are not only easier to implement, they are virtually required if schools are to survive.

There are caveats, of course. As you read about them, however, keep in mind the question Washington’s leaders should be mulling: Which vehicle will carry D.C.’s children into a better future?

## **HISTORY AND CONTEXT**

For years, Washington, D.C. had one of the poorest performing urban school districts in the nation. When



AN IMPORTANT CONTEST IS TAKING PLACE IN WASHINGTON, D.C.—A RACE BETWEEN TWO VEHICLES DESIGNED TO CARRY CHILDREN INTO THE FUTURE WITH THE HABITS AND SKILLS THEY NEED TO LIVE PRODUCTIVE, MEANINGFUL LIVES.

Congress finally let D.C. residents elect their own school board—in the politically tumultuous year of 1968—it gave the board power to approve every hire made by the superintendent, down to the last custodian. This highly unusual move triggered widespread patronage hiring at the behest of board members, who often used the school board as a stepping stone to higher office. “Whenever a new superintendent was hired, it was understood that he or she would have to do political favors for board members whose political aspirations and path had been calculated far in advance,” says Kevin Chavous, former chairman of the City Council’s Education Committee. Board members “got involved with every nitty-gritty detail,” steering contracts to supporters and jobs to friends and relatives.<sup>4</sup>

By the 1990s, DCPS kept two sets of books to hide its rampant corruption. A 1992 investigation found a payroll full of “ghosts”—people drawing paychecks who had no responsibilities. Auditors were unable to track millions of dollars.<sup>5</sup> Two of every three schools

had faulty roofs, heating or air conditioning problems, and inadequate plumbing, according to the General Accounting Office (GAO).<sup>6</sup>

In 1995, Congressman Newt Gingrich (R-Ga.) became Speaker of the House. Marion Barry had emerged from prison, after a conviction for possession of crack cocaine, to win a fourth term as mayor, and his administration had run up a \$500 million deficit. Appalled, Congress put a Control Board in place to run D.C.’s government, and that board commissioned a review of the school district.

The resulting report labeled DCPS “educationally and managerially bankrupt.” Half of all students dropped out before graduation.<sup>7</sup> Only 9 percent of ninth graders in the city’s public high schools would go on to college and graduate within five years.<sup>8</sup> Almost two-thirds of teachers reported that violent student behavior interfered with their teaching.<sup>9</sup> “The longer students stay in the District’s public school system, the less likely they are to succeed educationally,” the report declared.

In 1996, the Control Board stripped the elected school board of its authority over DCPS and handed the reins to an appointed Board of Trustees.

Gingrich had asked one of his lieutenants, Rep. Steve Gunderson (R-Wis.), to come up with an education reform bill for D.C., and education reform activists had begun lobbying for a charter school law. The City Council passed a bill but neutered it, giving the DCPS superintendent—whose schools would compete against any future charters—the power to authorize all charter schools. Gunderson, a charter supporter, wrote a strong charter bill that included a private school voucher program. The bill passed the House but stalled in the Senate, where Sen. Ted Kennedy (D-Mass.) led the opposition to vouchers. With President Clinton a firm supporter of charters, that portion of the bill had bipartisan support. Finally, in March 1996, Gingrich agreed to strip vouchers out of the bill, and it passed easily.<sup>10</sup>

The new law allowed both the traditional Board of Education and a new Public Charter School Board to authorize charters, and it insulated the new Charter Board from local electoral politics. The U.S. Secretary of Education nominated possible members of the board, who were then chosen from the list by the mayor. (In 2010 the City Council passed a law removing the Secretary from this role, and Congress did not object, so the mayor now appoints board members alone, with the consent of the City Council.) This political insulation turned out to be indispensable, allowing the board to make decisions based on the merits rather than participate in political horse trading.

Under the new law, an astonishing variety of schools sprang up. Because DCPS had eliminated its funding for adult-education schools during D.C.'s 1996 fiscal crisis, one of the first schools authorized was a former DCPS school that taught adult immigrants English and workforce skills—Carlos Rosario Public Charter School. Other adult-education charters followed, then preschool charters. Leaders from the Latin American Youth Center founded the Latin American Bilingual Montessori Charter School, which educates three-year-olds to fifth graders and now has two campuses. Over time, others created five more bilingual elementaries. An African-American woman opened Roots Public

Charter School, an elementary school with an Afrocentric curriculum. Two young men launched the nation's first public boarding school, for sixth through twelfth graders. "Expeditionary learning" schools used project-based learning and experience outside their buildings to engage their students. A new high school in the city's poorest section—named for former Supreme Court Justice Thurgood Marshall—focused on the law. Another, named for former United Farm Workers leader Cesar Chavez, concentrated on public policy. A year-round alternative school for at-risk teenagers, many of whom had been arrested or suspended, included paid vocational work in its curriculum and had overnight residences for those who needed them. Several charters opened for overage youth, ages 16-24, who had dropped out or were far behind in school. Another opened to serve students with intellectual disabilities or autism. The Knowledge is Power Program (KIPP), the nation's largest nonprofit charter group, opened one school after another; today, it has 16 campuses in the city.

The law allowed both district schools and private schools to convert to charter status if two-thirds of their faculty and parents signed a petition in favor of converting. This quickly led to the first significant tensions between DCPS and the nascent charter sector. When several DCPS schools expressed interest in converting, Superintendent Arlene Ackerman, who served from May 1998 to July 2000, did everything in her power to block them. Two parents who had led one aborted conversion effort created Capital City Public Charter School,<sup>11</sup> and one leader who ran a school within a school left and created Washington Math, Science and Technology Charter High School. But only one school persevered through actual conversion, Paul Junior High.

DCPS worked hard to stop the conversion—even trying to take away Paul's building, in violation of a DCPS policy that allowed converted schools to remain in their district-owned buildings. "DCPS's central office was not going to make it easy and thereby possibly open the floodgates for other neighborhood schools to leave the city's school district," says Josephine Baker, then chair of the Charter Board.<sup>12</sup> Nor would the teachers' union, whose members organized a student walk-out to protest Paul's conversion. Union representatives

accused the principal of intimidating teachers into signing the petition, though neither the Charter Board nor the Inspector General found any evidence to that effect. The union then sought an injunction to stop the conversion, which the court denied.

When the school finally converted, in 2000, the district refused to sign a lease giving the charter “site control,” as required to allow city funds to flow. The Charter Board could not make its first payment to the school, so a banker who would later join and chair the board, Tom Nida, extended a line of credit to allow the school to open. Finally the district backed down and signed a lease, but neighborhood activists sued, and it took a court decision to establish the principle that schools converting to charter status could keep their buildings. After witnessing such resistance, no other school ever tried to convert.<sup>13</sup>

In D.C.’s expensive real estate market, finding suitable facilities was the charters’ biggest problem. To take but one example, the Latin American Bilingual Montessori Charter School has moved six times in search of decent facilities. Yet DCPS also resisted the law’s requirement that vacant district buildings be made available to charters. Under pressure from the charter community, Mayors Anthony Williams and Adrian Fenty each leased a few empty buildings to charters. But, as Williams told me recently, community pressure to support DCPS made it politically difficult.

Given all the resistance, the Charter Board had to be vigilant to protect its new charters. Josephine Baker and her allies fought hard to force DCPS, the Control Board, and the mayor to give charters their rightful share of school funding and buildings and their rightful place at the decision making table. “I started off in ’97 with boxing gloves on,” Baker told me. “I became known as the push-back person. Then I became a little more selective about what I did; some things you could just massage, and some you really had to put your gloves on.”

The movement got two big breaks during its early years. First, despite hostility from many members of the local political establishment, the Control Board ran the city from 1995 to 2000, and it was generally supportive. Second, soon after the Control Board went

out of existence, the teachers’ union was distracted by a scandal. In 2001, a union member tipped off the American Federation of Teachers that its Washington local was overcharging members for dues. An AFT audit discovered that the local president, her assistant, and her treasurer had overcharged members for six years—stealing \$5 million and using it for everything from flat-screen televisions and luxury clothing to Cadillacs and political contributions.<sup>14</sup> The president and her associates went to prison, and the AFT put the local in receivership for two years. “The union’s dysfunction and implosion in the beginning of the sector’s evolution gave the burgeoning charter school sector an opening to blossom,” says Baker.<sup>15</sup>

### **MICHELLE RHEE BRINGS IN HER BROOM**

The steady growth of charters brought DCPS’s problems to a head. It had been shrinking for years—from 150,000 students in the late 1960s down to 78,648 when charters first opened. By 2007, it was down to 52,645, and it operated far too many school buildings, many half full or less.<sup>16</sup> The board had been timid about closing schools, because closures always drew protests from parents, teachers, and their union. But, with charters growing rapidly—and other parents moving to Maryland or Virginia in search of better schools—DCPS was bleeding both students and dollars.

Mayor Williams had twice tried to get the City Council to give him control of the school district. After he was first elected, they had agreed to a compromise, giving him four appointees on the Board of Education to go with five elected members. In his later attempt to get full control, he lost by one vote—that of future mayor Adrian Fenty, then a council member.<sup>17</sup>

But, by 2007, there had been few signs of improvement in DCPS and two major corruption scandals. That year, DCPS tied for the worst reading scores among the 11 big cities tested under the National Assessment of Education Progress (NAEP); yet it spent more per child than almost every other big city.<sup>18</sup>

Charters now educated almost 20,000 children—27 percent of all public school students in D.C.<sup>19</sup>—and they were outperforming DCPS. Most observers agree with Josephine Baker, who says this competition

“forced the traditional school system to change or die.”<sup>20</sup> Charters were not the only factor, according to former mayors Anthony Williams and Vincent Gray, but they helped create a climate in which city councilors were ready to vote for drastic change in DCPS. They also weakened the teachers’ union, taking away a quarter of its members. (No charters in D.C. are unionized, though unions are allowed by law.)

During his campaign for mayor in 2006, Adrian Fenty said nothing about taking control of the schools, but after he won a decisive victory in the Democratic primary—which in D.C. historically has determined the eventual winner—he announced that he wanted control. In a changed political environment, his bill passed the Council nine votes to two.<sup>21</sup>

Fenty surprised everyone by hiring nonprofit leader Michelle Rhee as chancellor, and she began perhaps the most publicized district reform effort in the country. She convinced the City Council to convert her central office staff to at-will employees, then began laying people off.<sup>22</sup> She concluded that the district needed only about 70 of the 144 schools it was operating, so she closed 23 in her first year and a few more thereafter.<sup>23</sup> Because this cost hundreds of teachers their jobs, the moves triggered huge protests. “I attended hundreds of meetings in that time period and everywhere I went it was the same,” Rhee told journalist Richard Whitmire, who wrote a book about her tenure. “I was called every name in the book, things were thrown at me, people picketed my office. It was intense.”<sup>24</sup>

Rhee also began firing principals and assistant principals. By the time she left, only half the principals who had been there when she arrived were still in place.<sup>25</sup> She worked hard to negotiate a teachers’ contract that would allow her to fire teachers, but the union refused. Only 8 percent of her eighth graders were proficient in math, and only 12 percent in reading, yet 95 percent of teachers received satisfactory or better ratings.<sup>26</sup> So she created a new system to evaluate teachers, called IMPACT, that used student growth on test scores and observations by principals and master teachers as the most important rating factors. Those rated “ineffective” would be subject

to immediate termination; those rated “minimally effective” would have one year to improve or lose their jobs.<sup>27</sup> At the time, Whitmire wrote, “No schools superintendent anywhere in the country was dismissing more than a handful of teachers for ineffectiveness.”<sup>28</sup>

In her negotiations with the union, Rhee offered a tempting carrot: huge pay increases and performance bonuses, financed in the early years by \$64 million from the Eli and Edythe Broad Foundation, the Laura and John Arnold Foundation, and the Robertson and Walton Family Foundations. (This project is also funded by the Walton and Broad Foundations., although they have no control over the content of any of its products, including this report.) She offered a contract under which each teacher could choose between the status quo and a new track that stripped away tenure protections but offered big pay boosts based on performance. But the union refused.

Finally, Rhee began firing teachers for performance without the union’s approval. Thousands rallied at protests organized by the AFL-CIO, the American Federation of Teachers (AFT), and the Washington Teachers Union, holding up signs with statements like, “This is not Rheeistan!” But Rhee refused to back down.

Firing teachers for performance changed the game. “It made the rank and file realize they did not have the protections they thought they had,” Rhee explained. “It made them feel, ‘My God, this woman is willing to go further than anyone else. She’s not playing around.’ They thought, ‘If this is going to be reality, then we might as well get some money, too.’”<sup>29</sup>

So, in 2010, the union ignored Rhee’s offer of two tracks and agreed to performance pay for all teachers. According to Rhee, the new contract raised average teacher salaries from \$67,000 to \$81,000, put annual bonuses of \$20,000 to \$30,000 in place for teachers rated “highly effective,” ended the practice of forcing unwanted teachers on principals, ended the use of seniority (last-in, first-out) during layoffs, and created new policies desired by teachers to deal with student discipline and professional development.<sup>30</sup>

Within months, Rhee handed out \$45 million in pay increases to 650 educators who had been rated

highly effective. She also fired 165 teachers rated ineffective and put another 737 rated minimally effective on notice.<sup>31</sup> Overall, she fired about 400 teachers for performance during her three and a half years as chancellor. Roughly half the district's teachers departed, through terminations, layoffs, resignations, or retirements.<sup>32</sup>

With significantly higher pay to offer, Rhee aggressively recruited new principals and teachers. She “reconstituted” 18 schools<sup>33</sup>—closing the old school, hiring a new principal with freedom to hire all or mostly new staff, even opening some of the new schools a year at a time, as most successful charters do. She recruited high-performing principals—some from the charter sector—and gave them renovated buildings when she could. In effect, the reconstituted schools operated a bit like charter start-ups, although they were still bound by the union contract. Existing teachers rated less than effective lost their jobs if the new principal did not want them. Those rated effective or higher who were not hired had three options: they could retire, with added years to qualify for their pension if they were close; they could take a \$25,000 buy-out; or they could remain on salary for a year, assigned to another job temporarily while they looked for a permanent position in the district. If they failed to secure one, they were out of a job—though they could always reapply.

Meanwhile, Rhee increased foreign language courses, Advanced Placement courses, and International Baccalaureate programs.<sup>34</sup> Using funds provided by a universal preschool bill City Council Chairman Vincent Gray had pushed through in 2008, she created more than a thousand new preschool seats in district schools.<sup>35</sup> And, beginning in 2008, the city began to spend \$300 million to \$400 million a year to renovate and rebuild schools.

Rhee also launched 13 “Catalyst Schools,” with foundation funds. These included schools that intensively integrated the arts; “world cultures” schools that promoted foreign languages and a global perspective; and “STEM” schools focused on science, technology, engineering, and math. She contracted with charter schools to operate four failing district schools. And she empowered 16 principals—in

“autonomous schools” and a new DC Collaborative for Change—to make more of the key decisions about budgeting, staffing, curriculum, and professional development.<sup>36</sup>

**In Washington, race is a powerful underlying reality, and Rhee—a Korean American—had fired hundreds of African Americans. She seemed to revel in it: she posed for the cover of *Time* with a broom, and she volunteered to fire someone on camera for the documentary, *Waiting for Superman*.**

By the time she left, the 50-year enrollment decline had ended and DCPS was growing, thanks to the new preschool enrollments.<sup>37</sup> Scores on the DC CAS tests were moving up, but a cheating scandal involving the 2008 and 2009 tests undermined confidence in the numbers. And, though scores improved on the 2009 and 2011 NAEP tests, most of the progress was in math, not reading. Low-income students (eligible for free or reduced price lunches) made almost no progress in reading, and their progress in math was dwarfed by that of nonpoor students.<sup>38</sup>

### THE POLITICAL BACKLASH

In Washington, race is a powerful underlying reality, and Rhee—a Korean American—had fired hundreds of African Americans. She seemed to revel in it: she posed for the cover of *Time* with a broom, and she volunteered to fire someone on camera for the documentary, *Waiting for Superman*. Many black residents were angry, and the teachers' union was furious.

When Adrian Fenty ran for re-election in 2010, both groups vented their fury. The union activated its members and spent more than \$1 million to defeat him.<sup>39</sup> According to Whitmire, however, race was the more powerful factor. By election day, he reports, only 25 percent of African-American women in the district

viewed Rhee positively.<sup>40</sup> “The disdain for Rhee’s reforms was about jobs,” he wrote. “In the midst of a recession and gentrification pressures, seeing DCPS employees fired struck many voters as black removal and no explanation could have convinced them otherwise.”<sup>41</sup>

Fenty’s opponent, City Council Chairman Vince Gray, had supported mayoral control of the schools, along with most other aspects of reform. But he could not stand the gusto with which Rhee fired black employees. “She had such disdain for the people here,” he told me recently. “The way she handled those teachers that got fired—that created a maelstrom that washed up on Fenty, certainly washed up on her, as it should. It created a level of hostility and anger, some of which lasts until today.” Still, Gray explained to the union that he supported most aspects of reform and would continue them, then asked them not to endorse him. But he was Fenty’s opponent, so they did anyway.

Fenty and the *Washington Post* wrongly portrayed Gray as a man who would turn back the clock on reform. Gray tried to reassure those who supported reform, while also courting the pro-charter vote. Fenty had largely ignored the charters, and their boards and employees had few warm feelings for him. Twice, he tried to cap charter facilities funding at \$2,800 per child, when the agreed-upon formula called for almost \$3,300. Gray convinced the council to raise the cap to \$3,000.

On primary day, Fenty lost by 10 percentage points. He won 53 of 58 majority-white census tracts, but Gray won 108 of 118 majority-black tracts.<sup>42</sup> Fenty blamed his loss on his school reforms but said he would do it all again if he could.

Then came the biggest surprise, at least to those who thought they had stopped reform in its tracks: Gray appointed Rhee’s deputy, Kaya Henderson, as his chancellor. “We cannot and will not revert to the days of incrementalism in our schools,” he announced.

Most insiders understood how close Henderson and Rhee were. Both were veterans of Teach for America—Henderson not only as a Spanish teacher in the South Bronx for two years, but then as a recruiter, national

admissions director, and D.C. executive director. In 2000, Rhee—the founder and leader of The New Teacher Project (TNTP)—had hired Henderson as her vice president. TNTP helped school districts improve the way they recruited, hired and trained new teachers, and also helped professionals from other fields become teachers in high-need schools without returning to college for a credential.<sup>43</sup>

At DCPS, Henderson had helped Rhee craft all her reform initiatives, particularly IMPACT and the new union contract. She had publicly called Rhee her “best friend.”<sup>44</sup> But there are three differences between the two women that matter a great deal in Washington, D.C. First, Henderson is African American. Second, she had lived in D.C. for almost 15 years when Gray named her chancellor. Third, Henderson’s style is different from Rhee’s. She reaches out to the community, listens, and adjusts her plans based on what she hears. And, as she told me, “We don’t do press releases around firing teachers anymore.”

Mayor Gray “was never an opponent of school reform,” Henderson says. “In fact, he was the one who led the council to support mayoral control, and to support a lot of the things we did even while Michelle was here.” But “his perception was that Michelle’s style was one that trampled on people instead of building them up. And, as a native Washingtonian, he felt it was really important to do this difficult work with people.”

Henderson continued all of Rhee’s reforms, though she slowed the pace of school closings and reconstitutions and modified IMPACT a bit. In 2012, she proposed 20 more school closures due to overcapacity. But she proceeded much differently than Rhee had. “I spent a year talking about why we needed to close schools, making the case for what I could provide on the other side if we closed schools,” she says. “I told them, ‘We could have a library in every building if we weren’t spending so much money supporting such small schools.’ Then I put out a proposal publicly, and I asked people to give feedback and tell us what was wrong, what was right, what was otherwise. My philosophy is, when you have a hard problem to solve, you involve the community in solving it with you. That way, it’s our problem, and our solution. And you don’t get to point at Kaya Henderson



at the end and say, ‘I don’t like your school closing proposal,’ because we did this together.”

After months of community meetings, Henderson pared the list to 15. She made changes based on what the community had said. When the schools closed in 2013, other big cities were doing the same. In Chicago, she points out, teachers struck, and in Philadelphia they took over the district headquarters. “And we had no protest, no nothing. It was calm; it was quiet.”

Henderson continued using IMPACT to terminate about 100 teachers a year,<sup>45</sup> and she implemented a separate IMPACT system for principals. But she modified the system for teachers, shifting value-added measures based on student DC CAS scores from 50 percent of a teacher’s score to 35 percent, allowing teachers facing dismissal to appeal directly to her if they felt their evaluation was unfair, and adding a fifth category to the ratings. (The five are “highly effective,” “effective,” “developing” (the new one), “minimally effective,” and “ineffective.”) She also hired school-based coaches to help teachers improve between evaluations.

IMPACT gives teachers five detailed evaluations per year (typically five to seven pages each)—three by the principal and two by “master educators” from the teacher’s academic specialty, who do evaluations and mentor teachers full time for a few years. Previously, “it was very rare that a teacher would get observed by their administrator, and certainly never by someone from outside the school,” says Jason Kamras, a former DCPS and national teacher of the year who, as deputy chancellor, helped design both IMPACT systems.

A minority of teachers teach math, reading, or English language arts, the subjects covered by D.C.’s standardized tests. So a majority are scored based on learning goals and assessments suggested by teachers and agreed to by their principals. However, these are given less than half the weight of the value-added measures in the overall evaluation formulas.<sup>46</sup>

Teachers rated highly effective receive bonuses of up to \$27,000, and those with consecutive ratings of highly effective are also eligible for salary increases of up to \$25,000. If they work in schools where at least

60 percent of students are eligible for free or reduced price lunch, they get additional bonuses. Those rated ineffective once, minimally effective two years in a row, or “developing” three years in a row lose their jobs.<sup>47</sup>

A study published in late 2013 by professors from Stanford and the University of Virginia suggests that IMPACT is working.<sup>48</sup> James Wycoff and Thomas Dee found that it helped drive the lowest-performing teachers out of DCPS (both through dismissal and voluntary attrition), helped retain the high performers, and incentivized those in the middle to improve. Those with one rating of “minimally effective” sought coaching and other help to avoid another and subsequently raised their average score. Those near the top of the effective category sought help to move up to highly effective.

Henderson also continued Rhee’s practice of firing principals at failing schools, recruiting promising candidates to replace them, and firing them if their schools didn’t show improvement within two years. Along with retirements, this produced roughly 25 percent annual turnover in principals.<sup>49</sup> Critics have harped on this instability, but Henderson is unapologetic. Effective leadership is the single toughest thing to find in inner-city schools, according to many seasoned experts. “Given how much leadership matters, if we’re going to fail, we have to fail fast and move forward,” Henderson says. “We can’t allow a leader who’s not going to be successful to just sit there. What it takes to be a leader in an urban district that is in the midst of reform is very different. You might have been a successful leader in another place, and you might not be able to lead successfully here. You might not be the right fit for a particular kind of school, and we might need to move you to a school that is a better fit. I think we’ve gotten much better at finding the right people to lead our kinds of schools.”

The district has also worked hard to develop its own principals. “Early on, most of the new principals we were hiring were from other school districts,” Henderson says. “So they had a set of values and culture and ways of doing things that worked for those other school districts. Sometimes they worked here; sometimes they didn’t. So I think we realized you’ve got to grow your own leadership.”

To provide the best possible guidance and oversight, Henderson handpicked her instructional superintendents and cut the number of principals each one supervised from 25 to 10. She increased professional development for principals. And she launched a fellowship that identifies rising stars, puts them through an 18-month program run by Georgetown University’s Business School and other partners, and gives them experience working for successful leaders in DCPS. The fellowship is graduating a dozen new school leaders a year, Henderson says, and they are outperforming the district’s other principals.

District leaders are also trying to make the principal’s job less demanding. “This year we’re taking a page out of the charter sector by piloting a director of operations in ten schools,” says Kamras. This allows the principal to focus on academics while the director runs the business operations. “And we’re tinkering around with the idea of a director of school culture to handle all the social-emotional challenges.” Traditional public schools, Kamras points out, often have 30 people reporting directly to the principal. “No other industry has that,” he says. “It’s very bizarre.”<sup>50</sup>

Recently, Henderson announced she would sign multi-year contracts with some of her principals—giving them more security than the one-year contracts of the past. “We’re also looking at the principalship in a very different way than we have ever before,” she says. “What we’re asking principals to do today is much more grueling than the principalship ten years ago. I don’t think being principal is any more a job you can do for 20 years. I actually think the demands of the job mean you can do it very well for five or seven years on average. So we have to create leadership entry ramps and exit ramps”—such as promoting the best principals to instructional superintendent.

Henderson’s highest priority has been the development of a more demanding and varied curriculum, aligned with the Common Core standards and including enrichment through art, music, physical education, and Spanish for all students. Until she changed matters, every school was free to set its own curriculum. “What we chose to say was that autonomy might be nice, but we want to set a standard for the

district where every kid—whether you’re in Ward 3 or Ward 8—is getting a particular caliber of instruction. The curriculum is the anchor of that. There is still flexibility within the curriculum for teachers to be free and do what they want to do, but there is a very high floor. You can go above all you want to”—but not below.

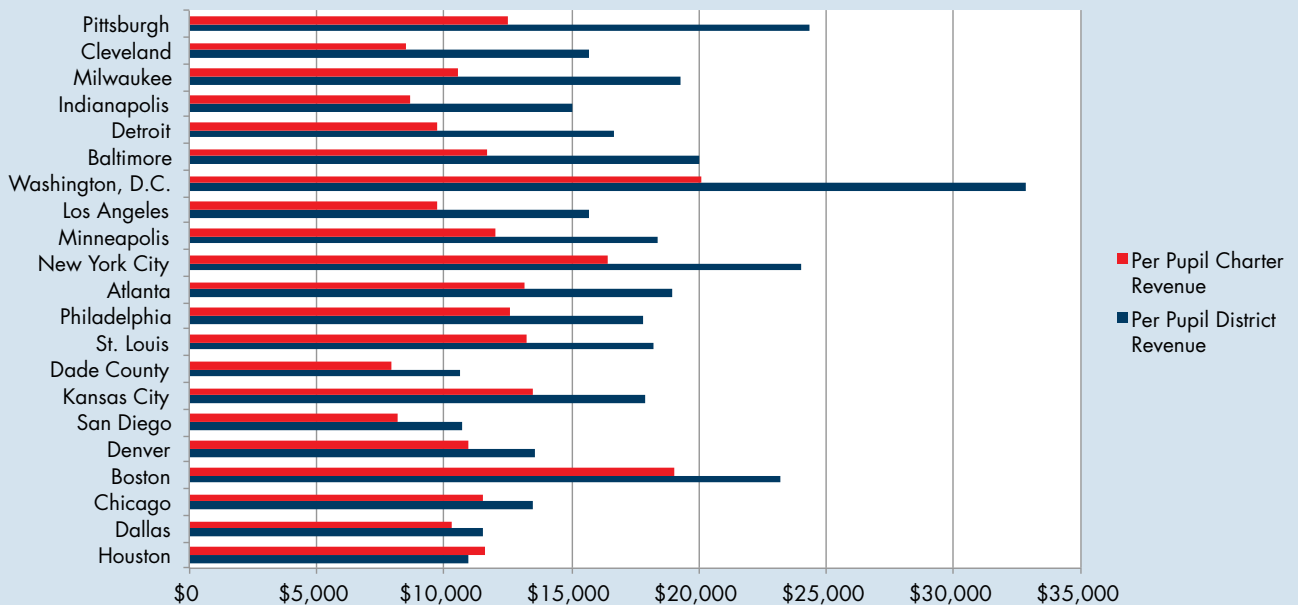
**Much of this agenda was expensive: the teacher salary increases and bonuses, the extended school days, the new schools, and the renovated buildings. By 2011, DCPS had per-pupil revenue of \$32,822 for K-12 students.**

Though Henderson pulled back curriculum-related autonomy, she and Rhee gave principals more control over their budgets and personnel. In general, those whose schools are succeeding are given quite a lot of autonomy, while struggling schools are kept on a shorter leash.

Henderson has made a priority of turning around the 40 lowest scoring schools, by recruiting high-performing teachers and principals, awarding grants ranging from \$10,000 to \$450,000, and reconstituting nine more schools. With the National Academy Foundation, she has also launched seven career academies at six high schools. Working with university and industry partners who provide student internships, they focus on engineering, the hospitality business, and information technology, and they provide industry-recognized certifications. Finally, Henderson and her principals have convinced the faculty at 25 schools to lengthen their school days—an expensive move, because the union contract requires that teachers be paid for overtime.

Much of this agenda was expensive: the teacher salary increases and bonuses, the extended school days, the new schools, and the renovated buildings. By 2011, DCPS had per-pupil revenue of \$32,822 for K-12 students (excluding preschools and adult schools), though about \$5,000 of that went for tuition at private institutions and transportation for severely disabled

FIGURE 1: PER-PUPIL REVENUE IN URBAN SCHOOL DISTRICTS AND CHARTER SCHOOLS, 2011



Source: Meagan Batdorff, Larry Maloney, Jay F. May, Sheree T. Speakman, Patrick J. Wolf, Albert Cheng, Charter School Funding: Inequity Expands (Fayetteville, AR: University of Arkansas Department of Education Reform, April 2014), pp. 16-17.

students, neither of which is really DCPS spending. The total was more than any other city among 50 studied in a decade-long research project sponsored by the University of Arkansas Department of Education Reform, as Figure 1 shows.

### THE CHARTER SECTOR MATURES

The drama surrounding Michelle Rhee took attention away from the charter sector for several years. Controversy did erupt in 2007, when the Roman Catholic diocese of Washington decided to convert eight K-8 schools it could no longer afford into charters. The American Civil Liberties Union and Americans for Separation of Church and State objected, fearing public funding for religious education.

By then, Tom Nida was chair of the Charter Board. Just before its hearing on the diocese’s request, he got

a call from Mayor Fenty’s deputy mayor for education, who asked him not to approve the conversion, because the new students would cost the city too much money. “I told him, ‘Go straight to hell,’” Nida remembers. “We were going to make our decision based on the merits of the case, and I was not going to take any outside influence.” Most of the students would end up in public schools if the board turned down the request, he pointed out, so the taxpayers would be funding them anyway.

Nida dismissed the worries about publicly financed religion. “The reality was, in the entire system of seven schools that came over, there was a total of two nuns. Most of the teachers were not even Catholic, and most of the kids weren’t. They just wanted to have a safe, affordable school to go to because the neighborhood school was awful, and they couldn’t get into a charter.” Politically free to vote based on the interests of the

children, the board approved the conversions. Though it later closed one of the seven for low performance, the others—known as the Center City Public Charter Schools—have thrived.

Another big change took place when Mayor Fenty’s reform bill transferred all surviving Board of Education (BOE) charters to the Public Charter School Board. Thanks to a tip from a DCPS staff member, the BOE had discovered that the director of its charter oversight office was stealing hundreds of thousands of dollars and directing no-bid contracts to her friends. The board fired her, and she was convicted and sent to prison.<sup>51</sup> Embarrassed, board members voted in late 2006 to stop authorizing charters.

The BOE had been a bit schizophrenic about its charters; some members were clearly hostile, others supportive. It focused most of its attention on DCPS, not on chartering. Its predecessor had rushed its first charters into place—with predictable consequences—and by 2006 the BOE had been forced to close seven schools, some after scandals or financial troubles. Its schools performed less well than the Charter Board’s, on average.<sup>52</sup>

“There were some doozies,” remembers Josephine Baker, who in 2002 had moved from PCSB chair to executive director. “We had one we had to close in January when they ran out of money.” Baker put out an RFP to other charter operators, she says, and three of them competed to step in and take over the school.

Up to that point, the Charter Board had closed only a few schools.<sup>53</sup> Inheriting the BOE charters forced it to pick up the pace, mostly due to schools’ financial problems. But all schools encountering financial difficulties were also struggling academically; the two were linked, because charters were funded based on their number of students. Poorly performing schools attracted fewer students, so they often ran short of money.

Some in the charter world believe Baker and her staff were, if anything, too lenient with schools that were struggling academically. Robert Cane, who from 1998 to 2015 ran Friends of Choice in Urban Schools (FOCUS)—the principal advocacy group for

charters in D.C.—puts it this way: “She and the people surrounding her were extremely reluctant to close schools. Instead, they made the school system mistake and started getting intimately involved with these schools in an attempt to fix them.”

To be fair, the board had good reasons to avoid closures. PCSB was underfunded: it received 0.5 percent of its charters’ public funding, compared to 3 percent for authorizers in several other states, and every year it had to raise extra funds from philanthropists and/or the city to make ends meet. Closures can be expensive: debts have to be paid off, students need help to find appropriate new schools, and occasionally lawsuits have to be fought. “Our staff had angst,” Baker told me. “If we close three schools this year, how’s that going to work? How do we pay for it? And how do we handle the workload?”

After they inherited the BOE charters, board members began to feel the need for more rigor in holding schools accountable for student learning. “When I came on the board we were only closing schools for financial reasons,” says Skip McKoy, who joined the board in 2008 and became chair in 2013. “That’s one of the two criteria in the reform act. The other is not meeting goals” set out in schools’ charters. “But so many of the goals were apple pie and fluff. And the schools weren’t doing the measuring against those goals, and the PCSB was not requiring them to do it. So it was hard to close a school for academic reasons.”

In 2008 the Charter Board decided to create a Performance Management Framework (PMF)—a common yardstick for all charter schools—so it could compare them and would have more ammunition to close the laggards. Baker raised money from the Gates and Dell Foundations, and Gates funded the Boston Consulting Group to do some of the technical work. But when the consultants presented their proposed framework in 2010, the charters revolted.

The biggest issue was the methodology used to measure students’ academic progress. The charter leaders also argued that some of the benchmarks were not appropriate for such diverse schools. And they felt the framework rested too much on inputs—such as



OVERALL, ABOUT A THIRD OF ALL CHARTER SCHOOLS OPENED IN D.C. HAVE BEEN CLOSED OVER THE PAST 18 YEARS—SOME 48 BY JUNE 2015.

whether schools had student and staff handbooks and a school leader succession plan—rather than student outcomes.

After a meeting with angry charter leaders, the board decided to hit the pause button. They set up working groups, made up of PCSB staff and charter leaders, to explore the issues. As they completed the first PMF, for “normal” K-12 charters, Josephine Baker retired and the board hired Scott Pearson, a former business executive who had helped found a group of charter high schools in the San Francisco area, then had run President Obama’s charter support office in the Department of Education.

Nationally, charter sector leaders such as the National Association of Charter School Authorizers were shining a spotlight on school quality, putting a new priority on closing failing schools. In tune with this sentiment, Pearson and his staff used the PMF to close an average of five schools a year.<sup>54</sup> The PCSB divided schools into three performance tiers, so everyone could see where they stood. Tier three schools were on

the road to closure if they could not improve. (See the sidebar on pp. 13-15 for more on the PMF.)

By law, the Charter Board can close a school for performance only if it is failing to meet the goals laid out in its charter—not for being in tier three for several years. To resolve that problem, Pearson and his staff are pushing charters to include a score on the PMF as one of their goals.

An early amendment to the charter law established 15-year charters in D.C., to make it easier for schools to secure mortgages and buy buildings. Every five years schools undergo a serious review. The PCSB looks at their academic performance, their financial performance, and their compliance with legal requirements. (In addition to the PMF, it rates schools on a 100-point Financial and Audit Review Framework.) If, at its review, a school is performing well in all three categories, and achieving the goals in its charter, PCSB staff encourage it to expand or replicate so it can serve more students. “If they aren’t meeting their goals at 15 years they close,

# PERFORMANCE MANAGEMENT FRAMEWORKS AT PCSB AND DCPS

The Charter Board developed its Performance Management Frameworks (PMFs) over several years, working with charter school leaders. The toughest issue was how best to measure academic performance. If one simply measures test scores, schools full of middle-class kids look strong and schools full of poor kids look weak. The goal should be for all students to experience significant academic growth—a year or more of growth in a year’s time—no matter where they start. There are different ways to capture this, and each has its strengths and weaknesses.

After much debate, the Charter Board chose a method pioneered by Colorado, called the Colorado Growth Model. As adopted in D.C., it compares each student’s growth to a peer group of students who had similar test scores in the previous year. Next year, if the student performs the same as this peer group, they are at the 50th growth percentile. If they perform better, they are above 50; if worse, below 50. If they are at the 75th percentile, they performed as well as or better than 75 percent of their peer group. The staff then ranks each student at the school by their growth percentile, and the student in the exact middle gives the school its “median growth percentile.” The Charter Board uses two years of data to calculate this, when it is available, to iron out year-to-year variability.

This method has several weaknesses. If a school is doing well, it will tend to revert to the mean, because its students will all be rated against a strong peer group that has done well in the past. The better the school does, the tougher it will be to improve its median growth percentile in the future. On the other end, Colorado’s method tends to hide poor performance. If John has tested poorly in the past, he is only compared to those who have tested just as poorly. Next year, he may make only five months of academic progress—but, if his peer group makes only four months of progress, he will have a growth percentile above 50 percent and look like a success. If a school is filled with students like John, it may have a high median growth percentile while its students are falling ever farther behind their grade levels.

Fortunately, the Charter Board balances the measurement of growth with at least equal weight for actual test

scores, which create a bias in the opposite direction. For the majority of schools, 40 percent of their performance score is from student growth, 40 percent is from student achievement (current test scores levels), and 20 percent is from attendance and re-enrollment rates. The Board periodically adjusts the PMFs to make them more effective, to address problems the schools identify, and to gradually raise the bar.

As one example, here is the formula for middle schools last year, on a scale of zero to 100:

**Student Progress:** Academic Improvement Over Time—40 points:

- Growth in English Language Arts over time—20 points
- Growth in Math over time—20 points

**Student Achievement:** Meeting or Exceeding Academic Standards—25 points:

- English Language Arts: percentage of students scoring proficient or above—10 points
- English Language Arts: percentage of students scoring advanced—2.5 points
- Math: percentage of students scoring proficient or above—10 points
- Math: percentage of students scoring advanced—2.5 points

**Gateway:** Outcomes in Subjects that Predict Future Educational Success—15 points:

- Percentage of students scoring proficient and advanced in eighth-grade math

**School Environment** (formerly called “Leading Indicators”)—20 points:

- Attendance rates—10 points
- Re-enrollment rates (of those eligible to re-enroll)—10 points

The framework for elementary school last year was the same as that for middle school, except the “Gateway” indicator was the percentage of third graders scoring proficient or advanced on English Language Arts (mostly reading). Going forward, elementary and middle schools

that include preschool will also reflect the early years in their PMFs.

High schoolers take the PARCC (formerly DC CAS) tests only once—in tenth grade—so their formula is a bit different. Student progress on that test accounts for only 15 percent of the total. Gateway indicators are awarded 35 points, rather than 15, and include these:

- Four-year adjusted cohort graduation rate—3 points
- Five-year adjusted cohort graduation rate—4.5 points
- Performance on PSAT test: percentage of 11th graders scoring at least 80 on the PSAT—7.5 points
- Performance on SAT or ACT test: percentage of 12th graders scoring at least 800 on SAT or 16 on ACT—7.5 points
- College acceptance: percentage of 12th graders accepted to a full-time college or university—7.5 points
- College readiness: number of Advanced Placement and International Baccalaureate exams passed by students at any grade level and number of students enrolled in college-level courses under “dual enrollment” who receive a passing grade, divided by the number of 12th graders—5 points

“School Environment” is worth 25 points rather than 20; the extra five points are for the percentage of ninth graders who have completed sufficient credits to be on track to graduate within four years.

If a school’s results on any indicator are at or above the 90th percentile for all charters of its type (elementary, middle, high, or adult school), it normally receives the maximum number of points possible. If it is at or below the 10th percentile, it receives no points. In between, it receives more points the higher its score.

If its point total reaches 65 to 100, it is in tier one; if 35 to 64.9, tier two; and zero to 34.9, tier three.

The Charter Board created separate PMFs for early childhood education (schools with pre-K and up to third grade) and adult education; but, if they are part of a larger school, preschool years will now be included in the larger school’s PMF. The early childhood indicators include attendance and an assessment of the quality of

teachers’ interaction with students, but they also allow schools to use a broad array of assessments of their own choice to measure math skills, literacy, and social and emotional growth.

The adult education framework includes:

- Student progress on adult basic education or English as a second language
- Student achievement: percentage of students earning a General Education Development (GED) degree or a state-recognized equivalent
- College and career readiness: employment and postsecondary outcomes, such as the percentage of students who entered employment or postsecondary education
- School environment: attendance and student retention
- And “Mission-Specific Goals” unique to the particular school

Adult schools will be assigned to tiers for the first time November 2015.

Finally, work is underway on a PMF for “alternative schools,” which have a mission of serving—and a high percentage of—at-risk students, such as high-needs special education students or those who have dropped out or are under court supervision. For now, the Board simply negotiates performance goals with each alternative school and judges its performance based on whether it achieves those goals.

#### D.C. PUBLIC SCHOOLS

The DCPS chancellor negotiates annual performance goals with each principal, which are used as part of their evaluations. Accountability in DCPS is less focused on closing failing schools than on removing weak principals and teachers when schools are failing.

DCPS’s “Comprehensive Assessment System” provides public scorecards on each school, but they do not add up to any rating or tiering; they are simply used to give parents and others comprehensive information about each school. The scorecards include the following indicators for relevant schools (for instance, graduation rates are obviously only relevant in high schools):

(CONTINUED)

## PERFORMANCE MANAGEMENT FRAMEWORKS AT PCSB AND DCPS (CONTINUED)

### Student Performance

- Math performance: the percentage of students who are proficient or above on DC CAS (now PARCC)
- Reading performance: the percentage of students who are proficient or above on DC CAS (now PARCC)
- Graduation rate: four-year adjusted cohort graduation rate
- Five-year graduation rate: five-year adjusted cohort graduation rate
- Advanced Placement performance: percentage of students passing AP exams

### Student Progress

- Student growth in math and reading: median growth percentile
- First-time ninth grade completion: percentage of first-time ninth grade students who earned enough credits to be on track for graduation in four years

### Safe and Effective Schools

- Student in-seat attendance: average percentage of students attending school daily
- Truancy rate: percentage of students with 10 or more unexcused absences while still under the age when school is compulsory

- Out-of-school suspensions: percentage of students who received at least one out-of-school suspension
- Long-term suspensions: percentage of students who received at least one suspension of 11 or more days
- Student safety: student ratings of safety and order at the school, from a survey, on a scale of 0 to 100
- Student satisfaction: student ratings of satisfaction with the school, based on a survey, on a scale of 0 to 100
- Student re-enrollment: percentage of students not in the school's highest grade who returned to school the following year
- Retention of effective and highly effective teachers: percentage of teachers rated effective or highly effective who return the following year

### Unique School Indicators

- Here, schools include their own measures of success.

no questions asked,” Pearson says. “If they aren’t meeting their goals at five or 10 years, depending on the degree to which they’ve missed their goals, we either close the school right away or put them on a strict improvement plan under which they close if they don’t meet the plan targets in future years.”

If a school is performing well in some areas but not in another, they put it on notice and monitor it until the problem is resolved. Those succeeding with some grade levels but not others may find their charter revoked, say, for middle school, but not for elementary.<sup>55</sup>

Overall, about a third of all charter schools opened in D.C. have been closed over the past 18 years—some 48 by June 2015.<sup>56</sup> Pearson has continued the practice Baker began of finding thriving charters willing to take over those that are failing, when possible, as long as the board of the failing school approves.

To attract strong charter management organizations to D.C., Pearson has created a more streamlined approval process for successful, experienced operators than for those with less than three years of experience operating a charter. The board has also been quite careful about who gets a charter in the first place. In



Pearson's first four years, it approved only 13 of 41 applications by inexperienced operators.<sup>57</sup>

Pearson and the board have also attacked some of the system-wide problems in the charter sector. For instance, most administrators and principals I interviewed in DCPS are convinced that some charters screen out particularly difficult students and drive out troublesome students, who then arrive at DCPS schools. "The day after the enrollment audit"—which secures charter funding based on the number of children enrolled—"three or four kids came into the ten [DCPS] schools that I manage," says Eugene Pinkard, an instructional superintendent who has run both a charter and a DCPS school.

PCSB helped launch a computerized assignment system, called My School D.C., in part to make it hard for charters to "select" their students. In addition, Pearson and his staff have prohibited anything that might dissuade a family from applying, such as requiring that applicants submit essays, or transcripts, or reveal whether they have a disability. They screen charters' marketing material to remove anything that might discourage applicants. PCSB staff even telephone charters posing as parents, to detect any efforts to screen out challenging students. If they find such efforts, Pearson says, they bring the school before the board and give it a warning.

Meanwhile, Pearson and his staff came up with the idea of "equity reports" for each school, to reveal any efforts to push students out. The deputy mayor for education, the Office of the State Superintendent of Education (OSSE), and DCPS embraced the idea and worked together to create reports for all schools. They report midyear entries and withdrawals. And for each of six racial/ethnic groups, plus special education students and low-income students, they report enrollment, attendance rates, disciplinary actions such as suspensions, and academic proficiency.

Pearson also convinced the City Council to double the PCSB's budget, to 1 percent of charter schools' public funding, which has done away with the need to scramble for extra appropriations or philanthropic support for basic operations.

Over the years, many groups have grown up to help charters succeed in D.C., and they too are an important element of charters' success. They include:

- Groups that help both sectors recruit and train good teachers, such as Teach for America, TNTP, and the Urban Teaching Center;
- The Achievement Network, which helps both sectors improve their teaching by using diagnostic tests every six to seven weeks, then analyzing the data and handcrafting responses to help students who are falling behind;
- Reading Partners and the Literacy Lab, which provide volunteer tutors for children reading below grade level in elementary school;
- Charter Board Partners, which helps train charter school boards and recruit strong members;
- Ed Ops, which provides back-office services for charters;
- Building Hope, which provides financing and space to new charters;
- Ten Square, a consulting firm that helps with charter school turnarounds;
- The Flamboyant Foundation, which helps teachers and administrators in both sectors learn how to engage families in their children's education;
- New Schools Venture Fund, which invests in charter schools, CMOs, and the city's support network;
- The D.C. Special Education Cooperative, which pools charters' resources to provide training, technical assistance, and other services for schools and special education teachers, to improve education for students with disabilities;
- The Capital Teaching Residency, which has trained 400 people to teach in high-need charters by working with a high-performing mentor teacher at one of its founders' (KIPP and E.L. Haynes) schools, full time, for a year;
- FOCUS, an aggressive advocacy organization that helps schools with data analysis, has published a 600-page manual for charters, and has put

performance data on all D.C. public schools on its website, broken down by ward, race, and other categories; and

- many organizations dedicated to increasing access to college for D.C. graduates from both sectors.

All this effort appears to be paying off. The percentage of charter students enrolled in tier one schools continues to rise, while the percentage in tier three falls. In 2014-2015, only five schools were in tier three, down from eight the year before.<sup>58</sup>

Meanwhile, Washington’s extraordinary level of innovation in school models continues. In 2006, Briya Public Charter School opened—perhaps the only school in the nation that serves both infants and adults. According to its website, Briya “provides English, computer skills, parenting, and civics training to parents while preparing their children ages 0-5 for future school success.” With three campuses and almost 500 students, Briya “engages the whole family in learning.”

Creative Minds International opened in 2012, offering a project- and arts-based curriculum as well as foreign language classes in Spanish and Mandarin to elementary students, beginning with preschool. The next year, Ingenuity Prep opened in a very poor neighborhood. It uses educational software and employs master teachers, lead teachers, associate teachers, and resident teachers—all paid differently, so it can afford to have three teachers per classroom and teach in small groups of eight. Also in 2013, Sela Public Charter School opened the city’s first English-Hebrew language immersion elementary school; 60 percent of its students are African American. And five other bilingual elementary charters worked together to create a bilingual middle school, which will grow into a high school.

In recent years, the Charter Board has approved four highly acclaimed schools from other states: Democracy Prep, a successful charter operator from Harlem; BASIS Charter Schools, whose high-academic-expectations model has been astonishingly successful in Arizona and now in D.C.; Harmony Public Schools, an award-winning network of STEM charter schools

that boasts a 100 percent college acceptance record in Texas; and Rocketship Education, the Silicon Valley network that uses educational software as a core part of its curriculum in elementary schools. The board has also approved a fourth Montessori school and a boarding school for children in foster care or at risk of placement.

All is not perfect in the charter world, however. Financial scandals occur from time to time, including some in which schools have paid exorbitant management fees to for-profit firms owned by their founders. The Charter Board has revoked two charters for this reason in the past five years, usually finding other charter groups (or DCPS) to take over the schools involved. In one case, the courts appointed a receiver for the school, who ran it until another permanent operator was chosen.

It is a sad truth: wherever public money is involved, someone will try to steal it. Both PCSB and DCPS have endured their share of financial scandals, and both are working to tighten up their financial oversight.

## COMPARING THE TWO SECTORS

The most important measures by which to compare charter and DCPS schools are long-term outcomes, such as high school and college graduation and future employment. Unfortunately, there is no data on employment, and any data on college completion is, by its nature, at least seven years old, because it measures rates of college graduation within six years of enrollment. Before 2007, only an estimated 9 percent of D.C. public school ninth graders—charter and DCPS—graduated from college within five years, compared to 23 percent nationwide.<sup>59</sup> We lack good data on college cohorts since then, though college persistence rates are improving, according to OSSE.

There is data on high school graduation, but its meaning is less than clear, because many students leave charters for DCPS schools between ninth grade and graduation, and no one knows how many of them later graduate and how many drop out. On top of that, few charters accept new students after ninth grade, as most DCPS high schools do. That said, charters

graduated 80 percent within five years in 2014, while DCPS graduated 63 percent. Among black and low-income students, charters outperformed DCPS by more than 20 percentage points.<sup>60</sup>

Charters clearly outperform DCPS high schools when it comes to college acceptance. DCPS has no data available on college acceptance rates; they told us they were not yet confident in the data they were collecting from high schools. We called each high school and discovered why: with two exceptions (both high-performing schools), the schools either had no idea how many of their students had been accepted to college or simply ignored our repeated messages. In contrast, every charter high school had an answer, because the Charter Board not only publishes the number as part of its PMF, it requires proof in the form of actual college acceptance letters. About 90 percent of charter graduates were accepted to college in 2014.<sup>61</sup>

Not all students who are accepted enroll, however. The most recent data available about actual enrollment is from 2012. The Charter Board’s Manager for Finance, Analysis, and Strategy, Mikayla Lytton, reports that—according to OSSE’s data, which is not complete—college enrollment from all public high schools increased from 47 percent in 2006 to 57 percent in 2012. Charter schools improved from 44 percent to 63 percent during those years, while DCPS did not reach 55 percent.

**About 90 percent of charter graduates were accepted to college in 2014.**

Attendance data is problematic as well, because different schools may define “unexcused” absences differently.<sup>62</sup> For what it’s worth, DCPS reported average attendance of 88.5 percent in 2013-2014, while PCSB reported 91.5 percent.<sup>63</sup> Yet 56 percent of DCPS high schoolers were considered “chronically truant”

in 2013-2014, because they had 10 or more unexcused absences. Eighteen percent of all district students were chronically truant (8 percent of elementary students and 10 percent of middle schoolers),<sup>64</sup> compared to 15 percent of charter students.<sup>65</sup>

Data on parental demand also favors charters. More than 8,500 students were on waiting lists for charter schools in the district last year, while only 7,000 were on waiting lists for DCPS schools.<sup>66</sup> In recent years, charters have grown by about 2,000 students per year, while DCPS schools have grown by about 1,000. (These are net gains, after losses.)

Finally, we come to test scores, which get the most attention. Test score data is important, but it has many limits: cheating scandals have occurred in both sectors, the tests have changed in recent years, and tests are an imperfect proxy for outcomes. They should never be used as the sole measure of school quality.

With that caveat, let’s examine the results of two standardized tests. Both DC CAS, which began in 2006, and PARCC, which took its place in 2015, have high stakes attached; hence, there are incentives to cheat and to teach to the test. (OSSE has tightened test protocols and monitoring, so—while cheating goes on in any high-stakes testing—OSSE officials believe it is now rare and quickly detected.<sup>67</sup>) NAEP, which comes with no stakes attached, is therefore considered by most a more reliable gauge.

On the DC CAS test, charter students have performed better and improved faster, with a particular advantage in the poorest wards. DCPS schools have moved from composite (math and reading) scores of 31 percent proficient or advanced in 2006 to 49 percent in 2014, an increase of 18 points. Charters have moved from 36 to 57 percent, an advance of 21 points.<sup>68</sup> But, in wards 5, 7, and 8, which are D.C.’s poorest and blackest,<sup>69</sup> charters perform dramatically better than DCPS, as the graphs on the following pages show. (There are no graphs for Ward 3 because there are no charters in Ward 3, an affluent area.)

FIGURE 2: WARD 1—PERCENT PROFICIENT AND ABOVE IN MATH ON THE 2014 DC CAS

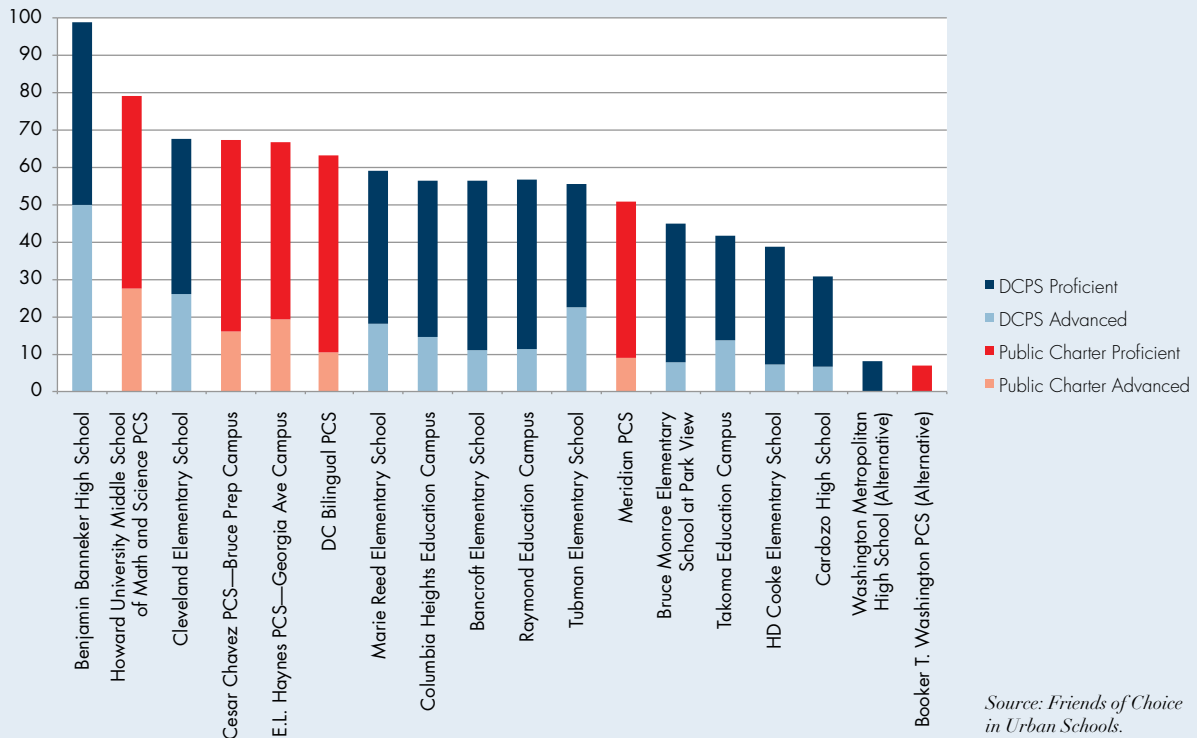


FIGURE 3: WARD 1—PERCENT PROFICIENT AND ABOVE IN READING ON THE 2014 DC CAS

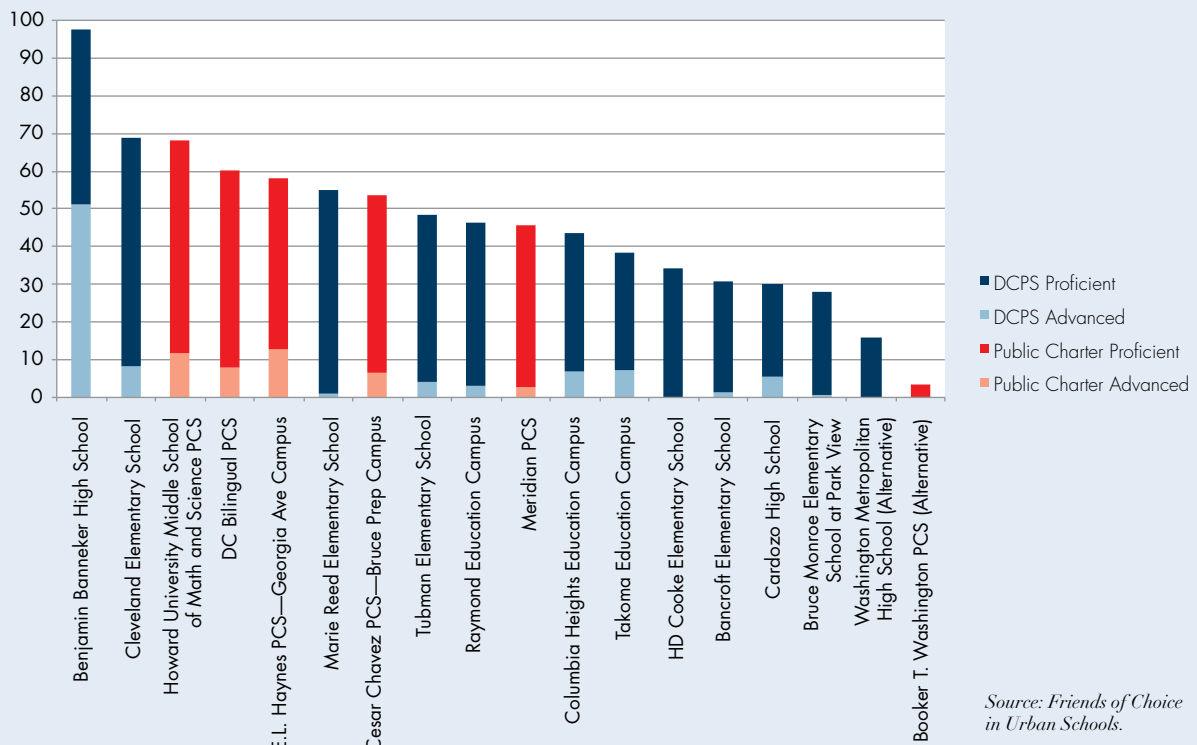


FIGURE 4: WARD 2—PERCENT PROFICIENT AND ABOVE IN MATH ON THE 2014 DC CAS

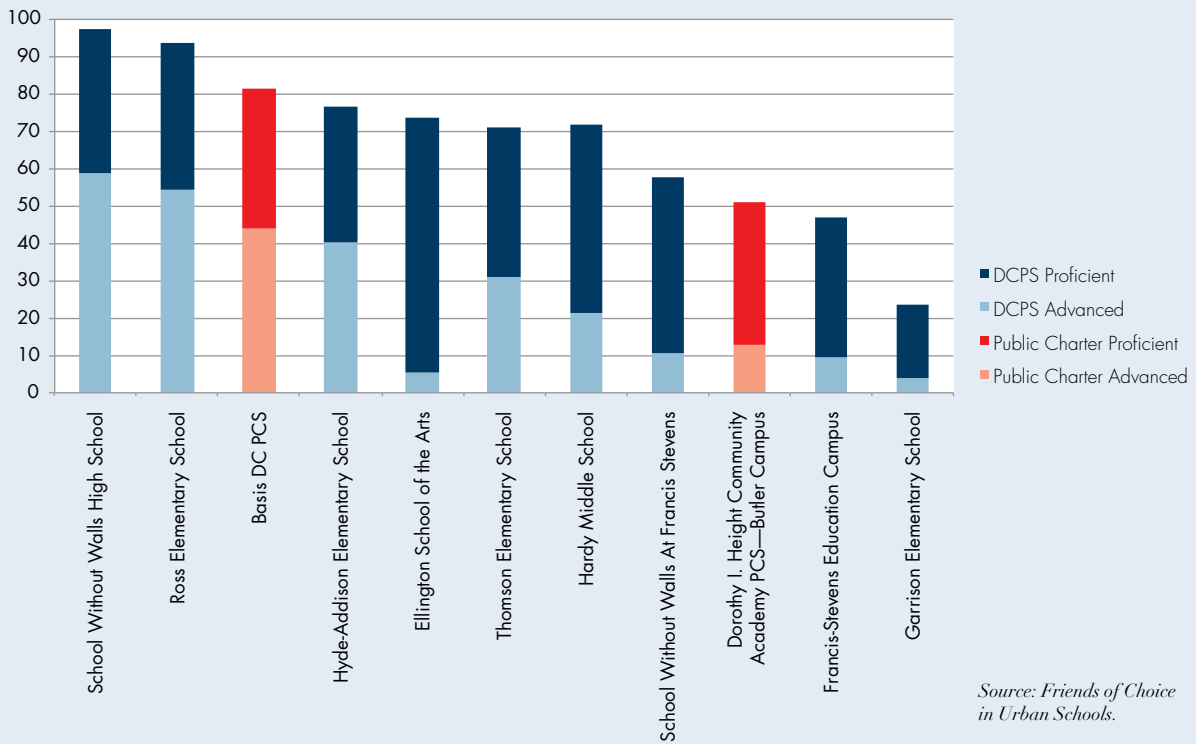


FIGURE 5: WARD 2—PERCENT PROFICIENT AND ABOVE IN READING ON THE 2014 DC CAS

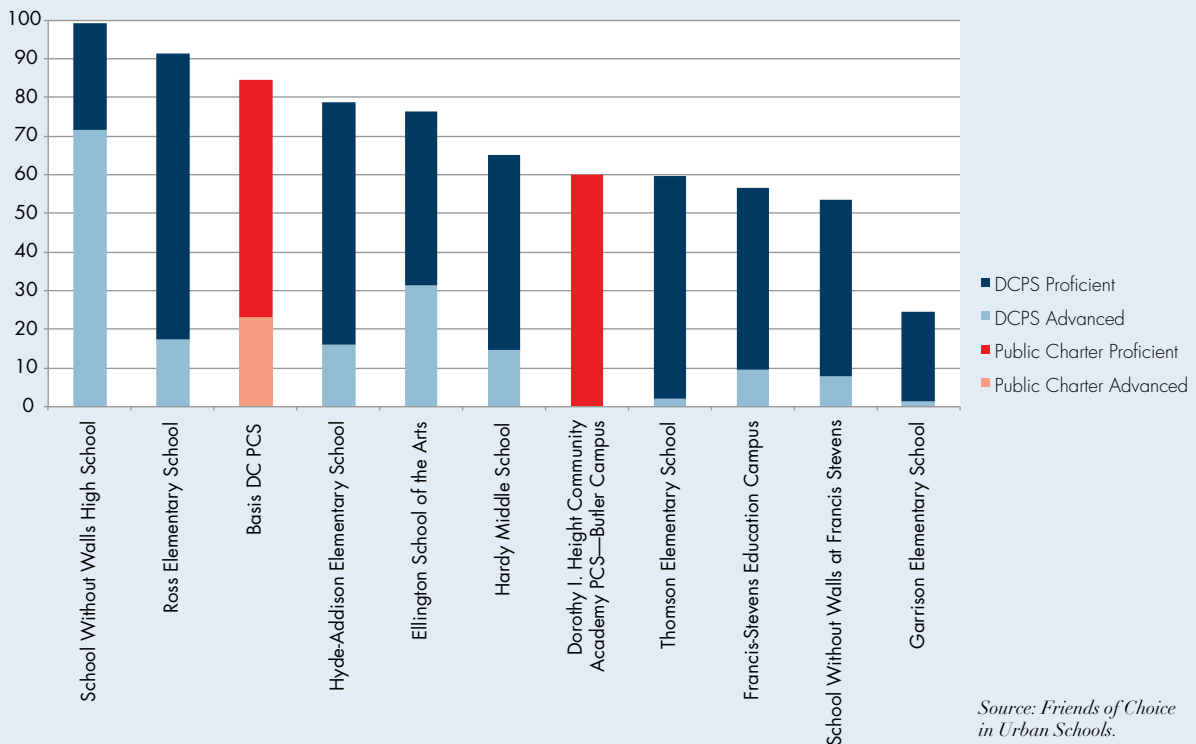
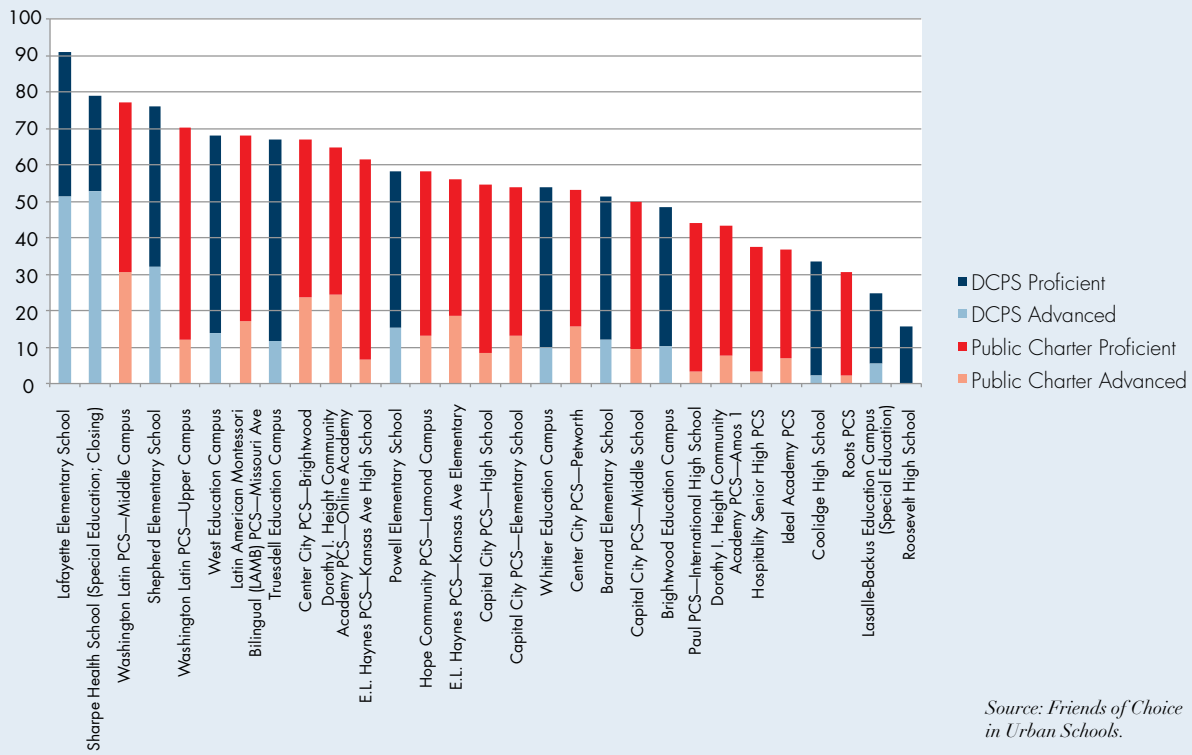
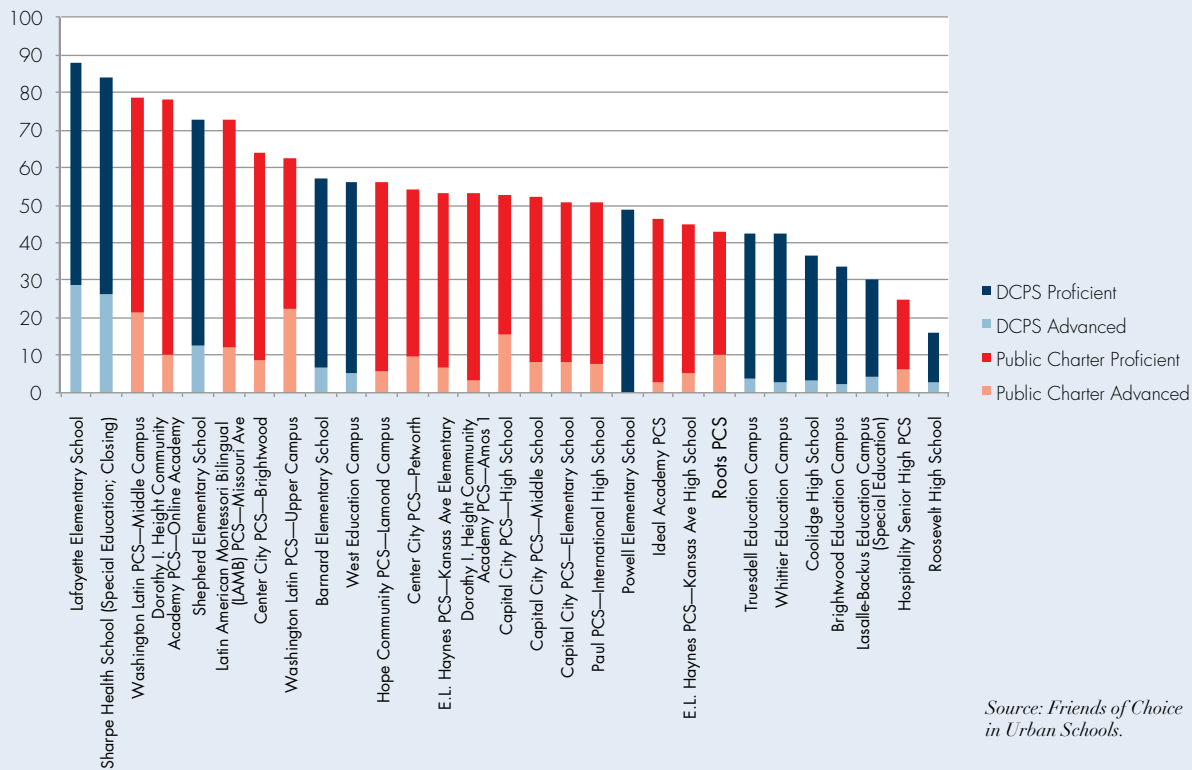


FIGURE 6: WARD 4—PERCENT PROFICIENT AND ABOVE IN MATH ON THE 2014 DC CAS



Source: Friends of Choice in Urban Schools.

FIGURE 7: WARD 4—PERCENT PROFICIENT AND ABOVE IN READING ON THE 2014 DC CAS



Source: Friends of Choice in Urban Schools.

FIGURE 8: WARD 5—PERCENT PROFICIENT AND ABOVE IN MATH ON THE 2014 DC CAS

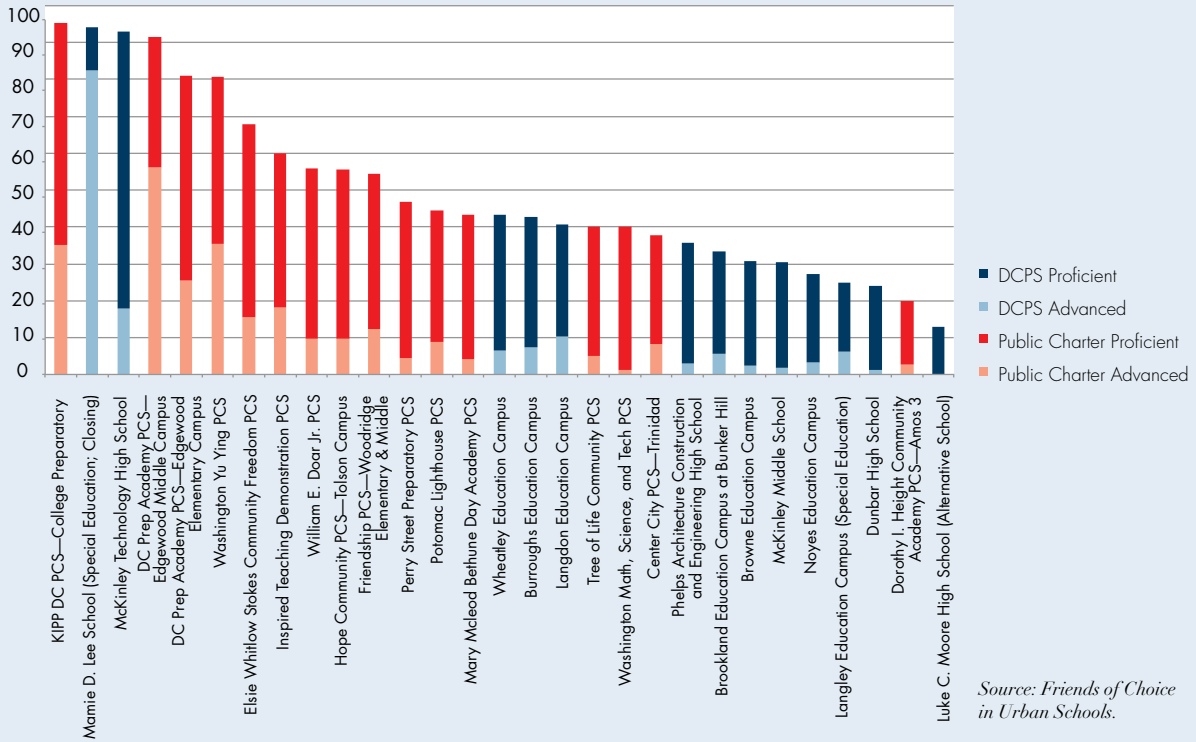


FIGURE 9: WARD 5—PERCENT PROFICIENT AND ABOVE IN READING ON THE 2014 DC CAS

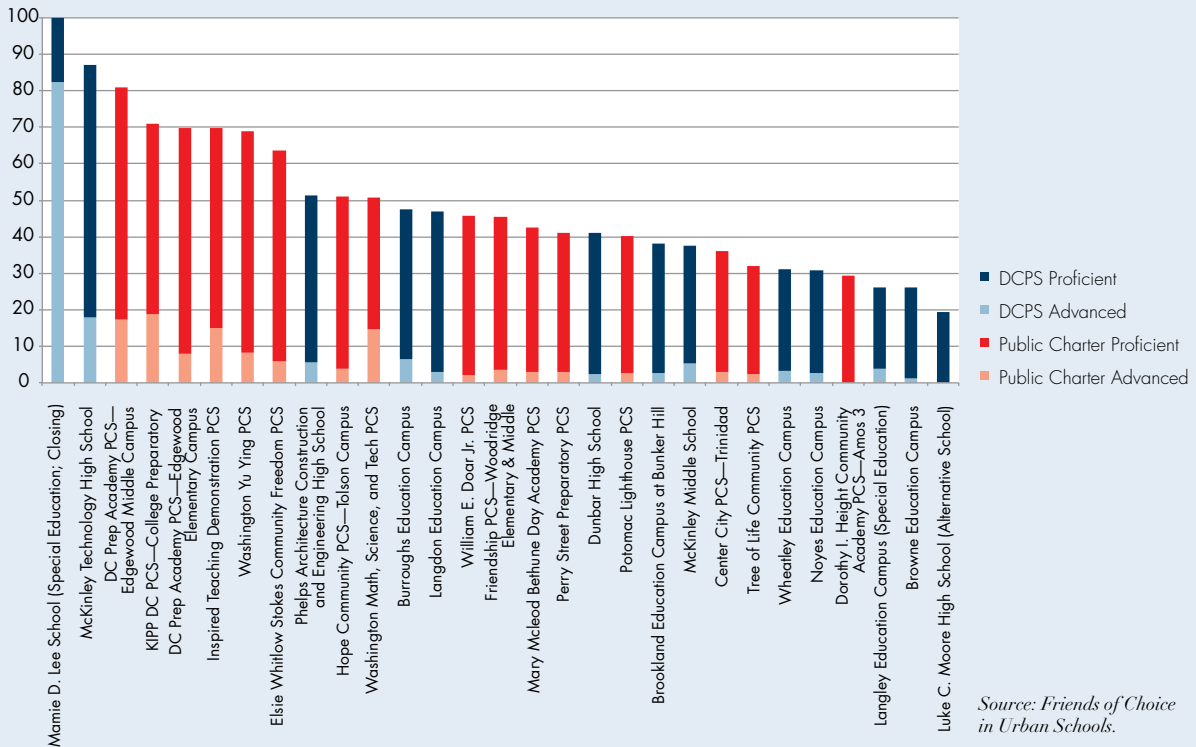
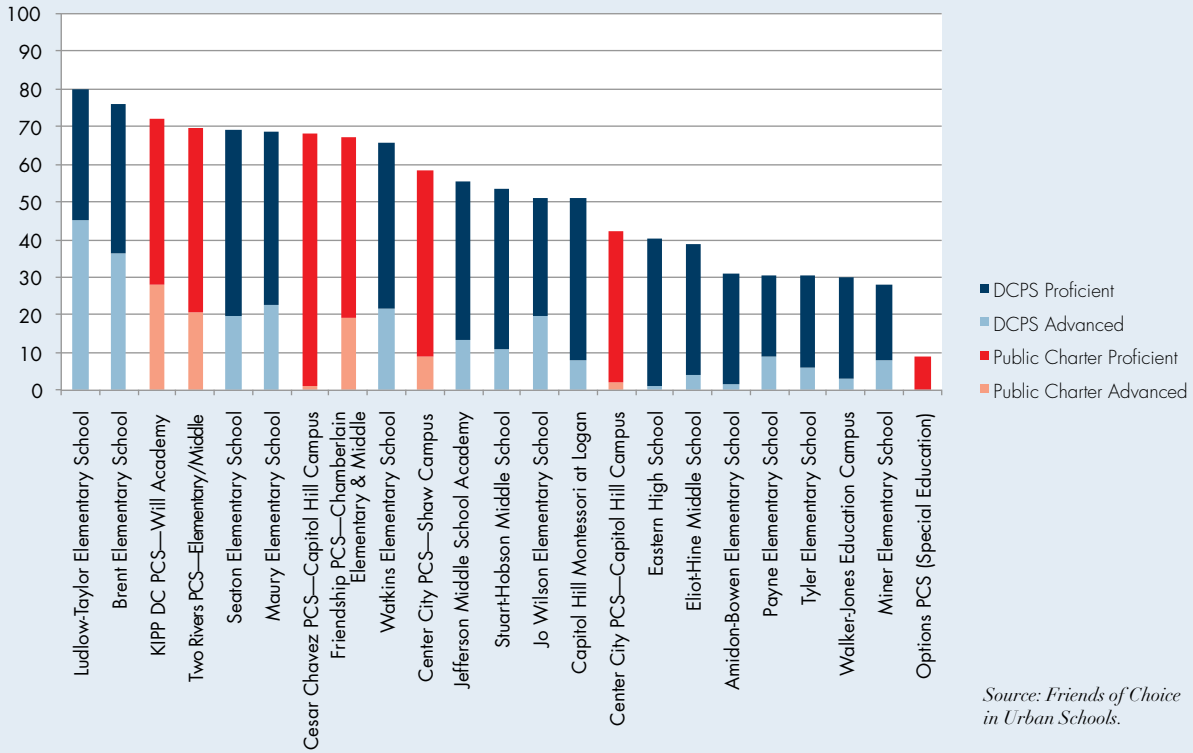
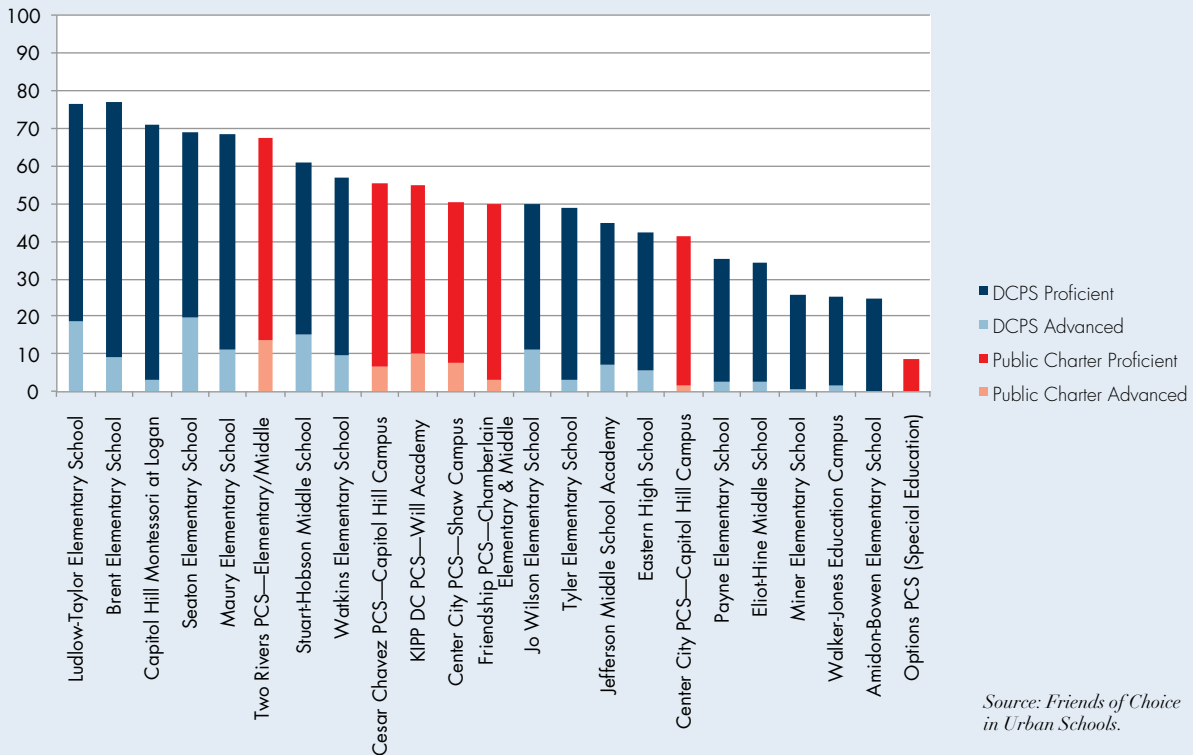


FIGURE 10: WARD 6—PERCENT PROFICIENT AND ABOVE IN MATH ON THE 2014 DC CAS



Source: Friends of Choice in Urban Schools.

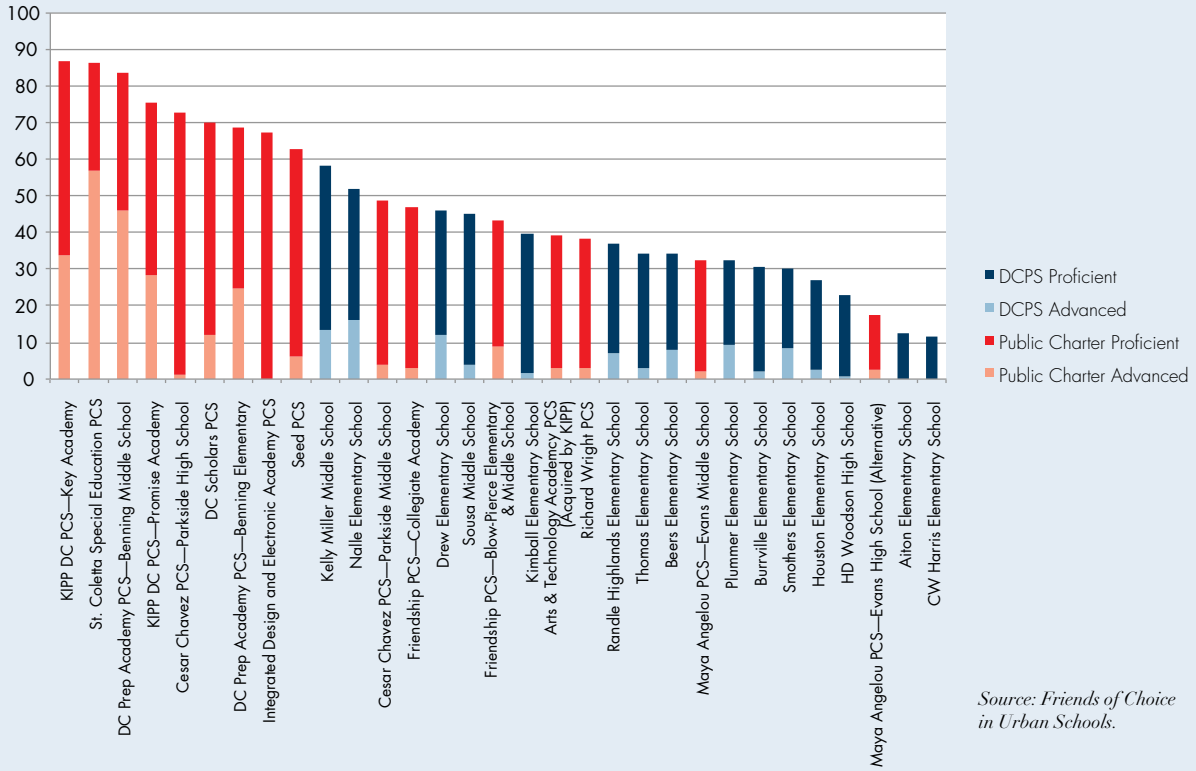
FIGURE 11: WARD 6—PERCENT PROFICIENT AND ABOVE IN READING ON THE 2014 DC CAS



Source: Friends of Choice in Urban Schools.

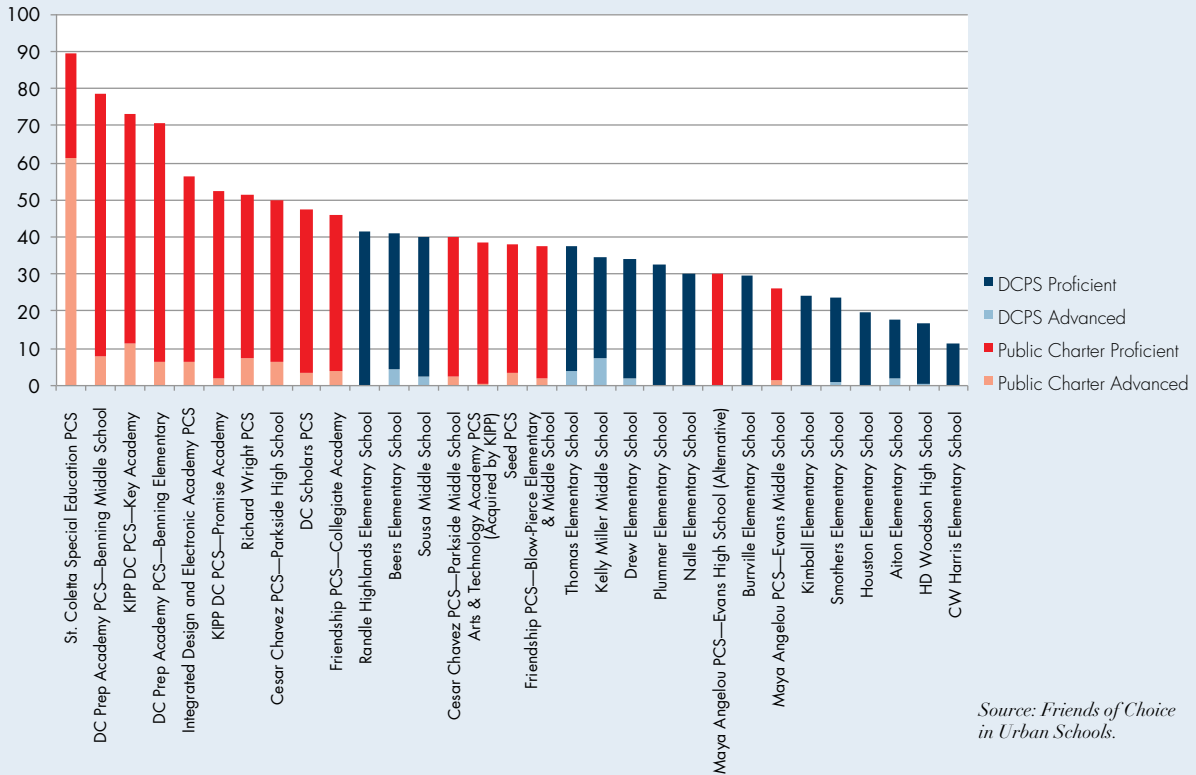


FIGURE 12: WARD 7—PERCENT PROFICIENT AND ABOVE IN MATH ON THE 2014 DC CAS



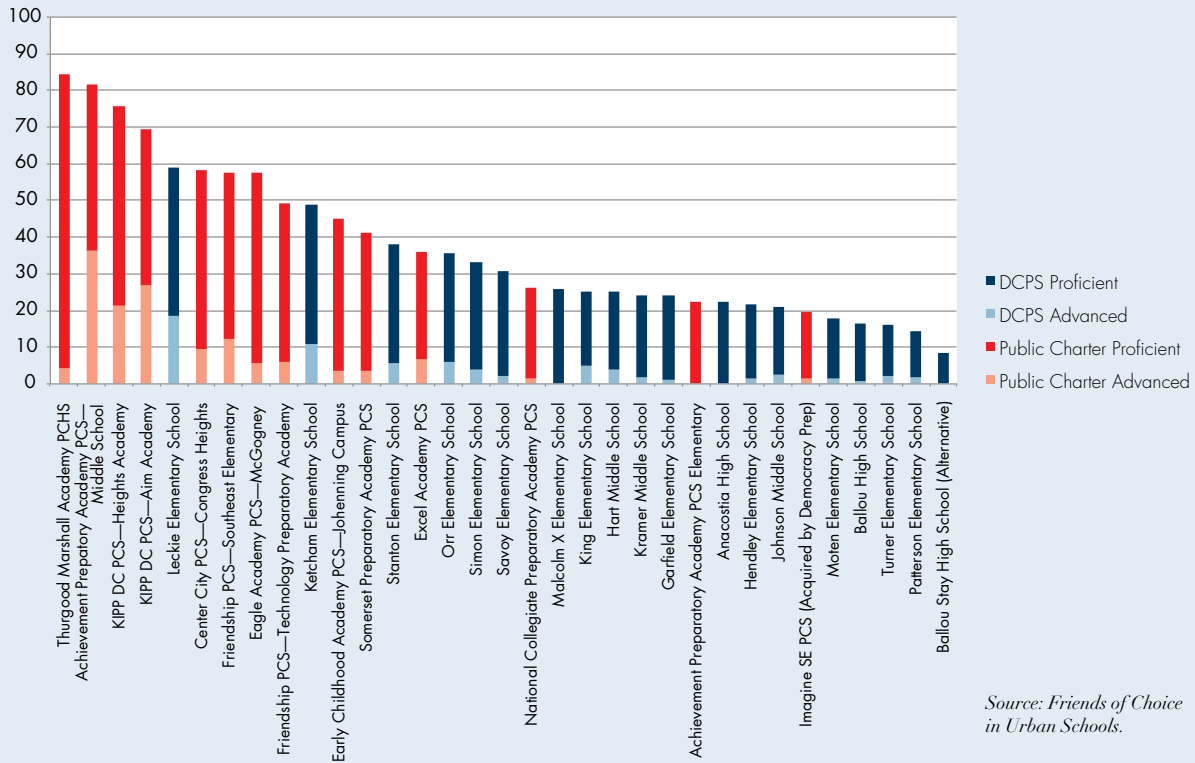
Source: Friends of Choice in Urban Schools.

FIGURE 13: WARD 7—PERCENT PROFICIENT AND ABOVE IN READING ON THE 2014 DC CAS



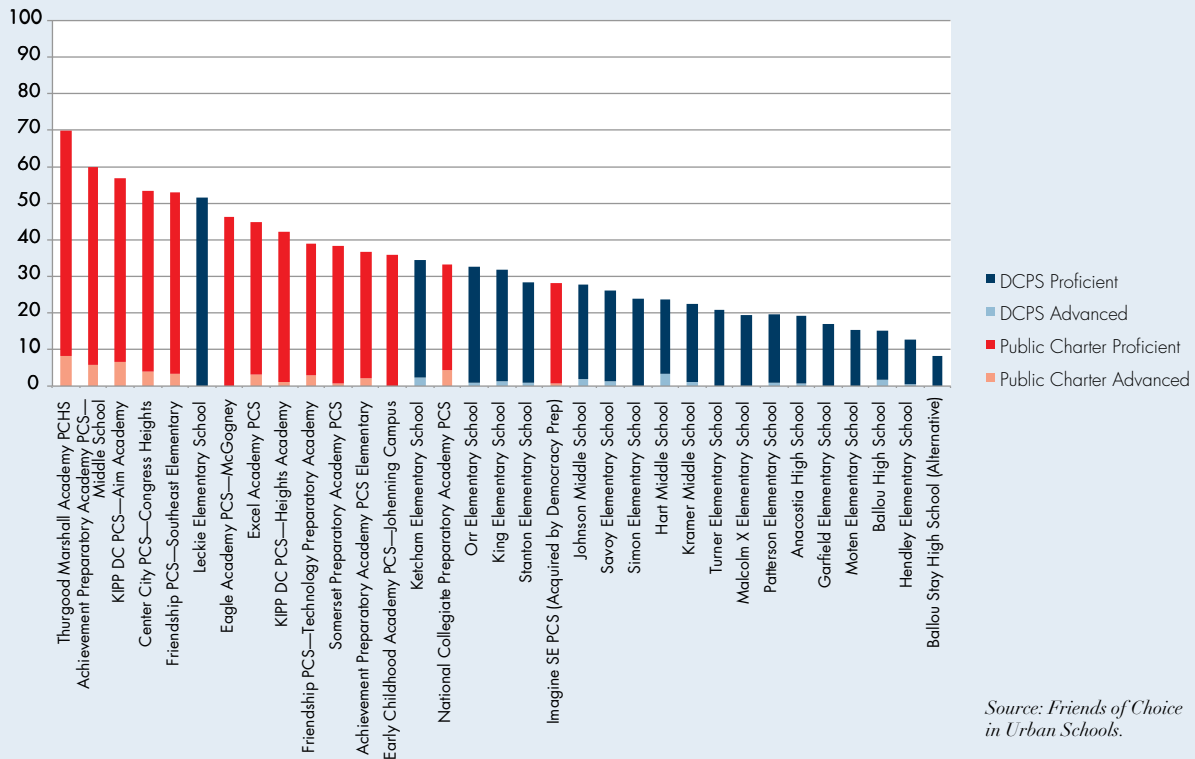
Source: Friends of Choice in Urban Schools.

FIGURE 14: WARD 8—PERCENT PROFICIENT AND ABOVE IN MATH ON THE 2014 DC CAS



Source: Friends of Choice in Urban Schools.

FIGURE 15: WARD 8—PERCENT PROFICIENT AND ABOVE IN READING ON THE 2014 DC CAS



Source: Friends of Choice in Urban Schools.



LUMPING ALL STUDENTS TOGETHER, BOTH SECTORS HAVE MADE ROUGHLY EQUAL PROGRESS ON NAEP. BUT CHARTERS HAVE PERFORMED FAR BETTER AMONG AFRICAN-AMERICAN AND LOW-INCOME STUDENTS, WHERE THEY ARE CONCENTRATED.

DCPS leaders prefer to use NAEP data. After years of abysmally low scores, D.C. has shown rapid improvement. In 2013, the two sectors combined scored lower than any state—after all, D.C. is 100 percent urban—but also improved faster than any state.<sup>70</sup> DCPS also made great progress on its own, moving from a tie for last among 11 urban districts tested in 2007 to 13th, 14th, 16th, and 17th—in fourth- and eighth-grade reading and math—among 21 urban districts tested in 2013.<sup>71</sup>

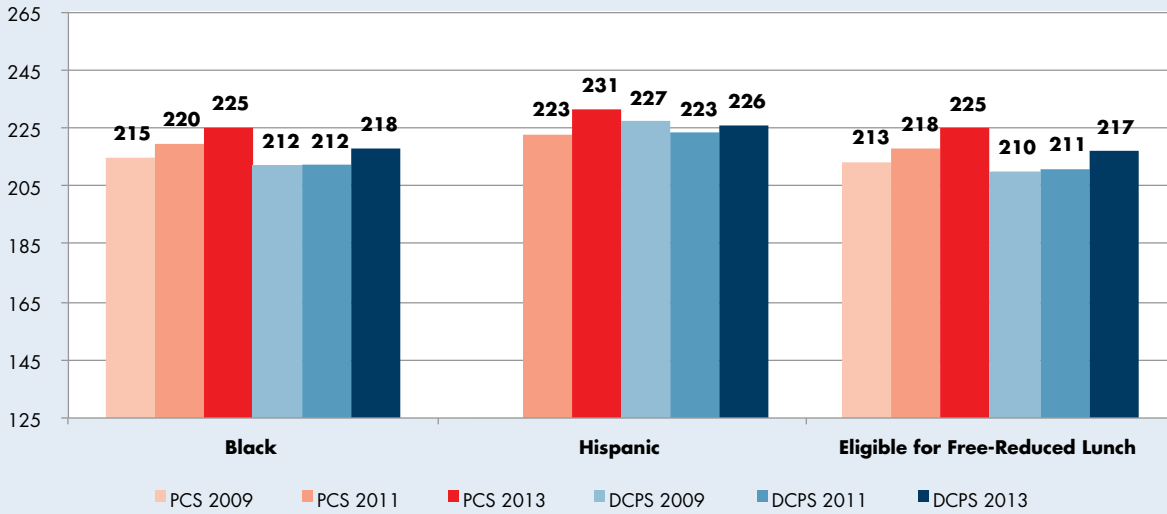
But DCPS’s greatest progress has come among white and nonpoor students. In 2013, DCPS’s low-income eighth graders still ranked 21st out of 21 large cities tested in reading, while their white students ranked first. Low-income fourth graders ranked 19th in reading, ahead of only Detroit and Cleveland.<sup>72</sup> In math, low-income eighth graders ranked 20th, ahead of only Detroit, and fourth graders bested only Cleveland and Detroit.<sup>73</sup>

This is probably the case for two reasons. First, NAEP exams are less tied to a particular curriculum than

DC CAS and are more focused on problem solving abilities and critical thinking. Middle-class students are generally better prepared than poor students for such exams, due to their home environments. And second, while DCPS schools do well with middle-class kids, they still struggle mightily with poor students. Consider Ward 8. In its three DCPS middle schools, only about a quarter of students read on grade level; at its two DCPS high schools, Ballou and Anacostia, only 17 percent read at grade level.<sup>74</sup>

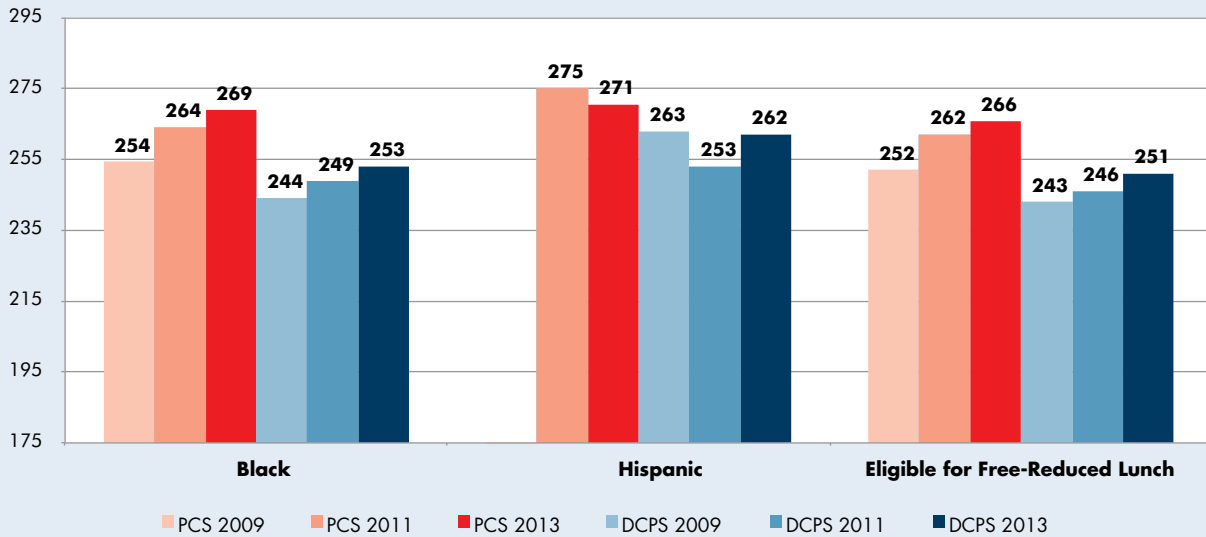
Lumping all students together, both sectors have made roughly equal progress on NAEP. But charters have performed far better among African-American and low-income students, where they are concentrated. (They have also performed better with special-education students, but because the sample is small and schools are allowed to exclude some students—and different schools apply this policy differently—the data is not considered reliable.<sup>75</sup>) The four graphs on the following pages tell the story.

FIGURE 16: NAEP 4TH GRADE MATH, CHARTERS & DCPS



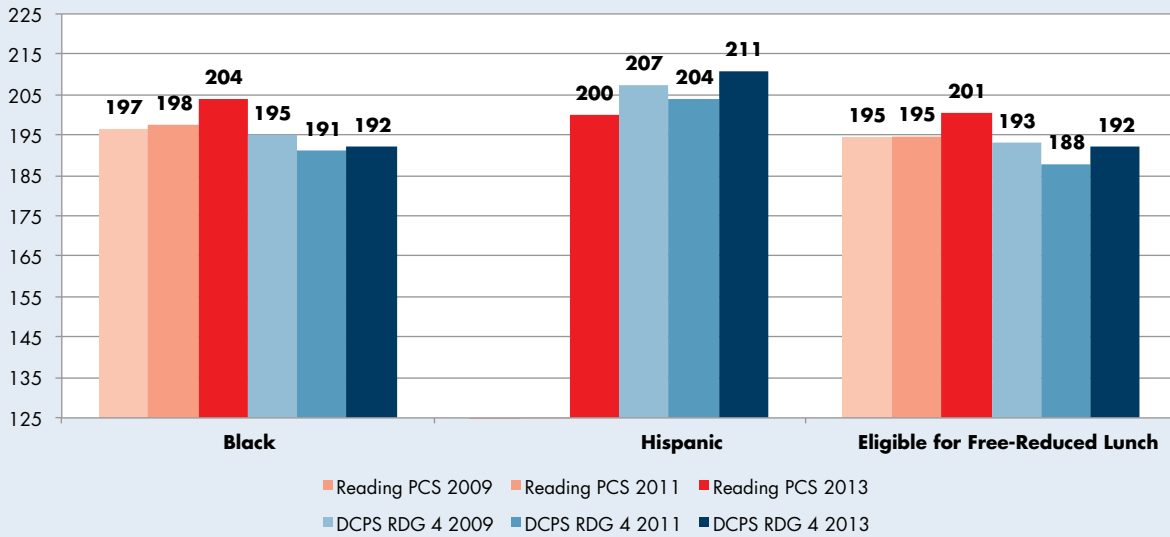
Source: For DCPS—NAEP Data Explorer, National Center for Education Statistics, <http://nces.ed.gov/nationsreportcard/naepdata/>; for charters—Public Charter School Board

FIGURE 17: NAEP 8TH GRADE MATH, CHARTERS & DCPS



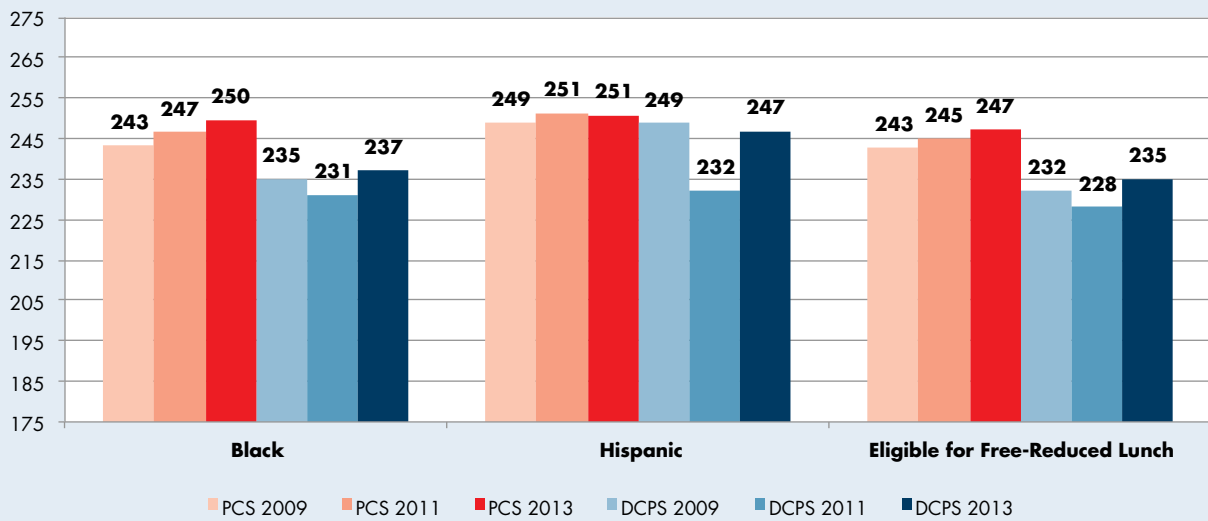
Source: For DCPS—NAEP Data Explorer, National Center for Education Statistics, <http://nces.ed.gov/nationsreportcard/naepdata/>; for charters—Public Charter School Board

FIGURE 18: NAEP 4TH GRADE READING, CHARTERS & DCPS



Source: For DCPS—NAEP Data Explorer, National Center for Education Statistics, <http://nces.ed.gov/nationsreportcard/naepdata/>; for charters—Public Charter School Board

FIGURE 19: NAEP 8TH GRADE READING, CHARTERS & DCPS



Source: For DCPS—NAEP Data Explorer, National Center for Education Statistics, <http://nces.ed.gov/nationsreportcard/naepdata/>; for charters—Public Charter School Board

## HOW LEVEL IS THE PLAYING FIELD?

In making all these comparisons, it is important to understand the context. Since Michelle Rhee's reforms began, for example, D.C. has grown more affluent and whiter, so test scores have naturally improved. In 2007, 83 percent of DCPS students who took the DC CAS tests were African American; by 2014, that was down to 69 percent. In charters, the percentage fell from 91 to 81. White test-takers have grown from 5 percent to 11 percent in DCPS and from 2 percent to 4 percent in charters, while Hispanics have grown from 10 percent to 15 percent in DCPS and 6 percent to 11 percent in charters.<sup>76</sup> One recent study concluded that these demographic changes accounted for no more than 10 percent of the overall improvement in test scores, however.<sup>77</sup>

When comparing charters with traditional schools, demographics definitely tilt the playing field. Overall, fewer charter students are white: 5 percent compared with 12 percent in DCPS in 2014-2015.<sup>78</sup> And more are poor: In 2013-2014, 82 percent of charter students qualified for a free or reduced-price lunch—a typical gauge of poverty—while only 75 percent of DCPS students did.<sup>79</sup> These demographic differences are important because there is such a huge gap between the academic performance of white students and others in D.C. On the 2014 DC CAS exam, for instance, 92 percent of whites scored proficient or advanced in reading, compared to 50 percent of Hispanics, 44 percent of blacks, and 42 percent of low-income students.<sup>80</sup>

Charters also get significantly less money per student than DCPS schools. By law, operating expenditures are supposed to be equal, but two studies—one prepared for charter advocates in 2012 and one for the city in 2013—concluded that charters get less, in large part because the city provides some maintenance for DCPS buildings but not charter buildings.<sup>81</sup> The D.C. Association of Chartered Public Schools and several charters sued, claiming that charters get, on average, \$1,600 to \$2,600 less in annual per-pupil funding. According to Deputy Mayor for Education Jennifer Niles, the city has eliminated several of the inequities and is working on others, but the maintenance funding gap still exists. The law does not require equal expenditures for facilities or pensions,

and here everyone agrees that charters get far less—by my calculations, roughly \$7,500 less per pupil per year since 2008.<sup>82</sup>

All of this would suggest that DCPS schools should easily outperform charters. But other factors work in the opposite direction. Charter students' families actively choose their schools, while only about half of DCPS families do. Many believe this gives charters an advantage. And most experts agree that DCPS schools in the poorest wards have more students who are “in crisis” than charters, because families in crisis don't usually make the effort to apply for charters. D.C. created a new category of students who are “at risk of academic failure”: those whose families are on welfare (TANF) or food stamps (SNAP), those who are homeless or in foster care, and high school students who are at least a year overage for their grade.<sup>83</sup> Roughly half of all D.C. public school students fit this category, so it is broader than children “in crisis” but narrower than those who qualify for a free or reduced-price lunch. Charters and DCPS schools have almost identical percentages of these students. But, unlike charters, DCPS's distribution is bimodal: some DCPS schools have few at-risk students, while some have mostly at-risk students. According to Niles, 18 of the 19 schools with more than 80 percent “at risk” students are in DCPS. (This calculation excludes adult and alternative schools.) These 18 schools, in the poorest wards, struggle with concentrated poverty and high mobility. In Ward 8 high schools, says Jeffrey Noel, director of data management at OSSE, 40 percent of those enrolled at the end of the year didn't start there, and 20 percent who started have left. Making academic progress in these circumstances is extremely difficult.

**The law does not require equal expenditures for facilities or pensions, and here everyone agrees that charters get far less—by my calculations, roughly \$7,500 less per pupil per year since 2008.**

Charters also expel more students than DCPS, though the numbers are down since the Charter Board

began to address the issue in 2012. Nor do they have to accept students midway through the school year or “backfill” seats after students leave, though some do. Most DCPS schools accept students midyear, and most backfill empty seats when they can—although some selective high schools won’t take students after ninth or 10th grade.<sup>84</sup> Equity reports for the 2013-2014 school year showed that 3,175 students entered DCPS schools midyear and 2,226 left, while 1,306 entered charters and 3,164 left.<sup>85</sup> Most of this is because families are moving in or out of D.C., but it creates real problems, particularly in struggling DCPS high schools. Even elementary schools making progress can find their test scores set back by a new cohort of students that has suddenly arrived.

It is difficult to say how these realities balance out. DCPS has more extremely challenging students but also more middle-class and white students; charters can expel troublesome kids and refuse to accept kids midyear or backfill seats, but they get less money per child. Fortunately, there is one study that tries to compensate for student demographics (but not for the other factors). Stanford University’s Center for Research on Education Outcomes (CREDO) is a respected academic organization that has published extensive studies comparing charter and traditional public school test scores. Its methodology compares charter students to demographically similar students in traditional public schools who have had similar test scores in the past.

In 2013, CREDO published an eye-opening report on Washington, D.C. It found that between the 2007-2008 and 2010-2011 school years, charter students gained an average of 72 more days of learning per year in reading than traditional school students. In math, the difference was 101 days—more than half an academic year.<sup>86</sup> According to Jeffrey Noel, OSSE’s measurement expert, no one has seriously questioned CREDO’s conclusions. A further CREDO study published in 2015 confirmed the findings.<sup>87</sup>

Another independent study, which compared students’ actual progress on test scores to their expected progress, given their income levels and race, came to similar conclusions. Among middle schools, for instance, only seven of 27 DCPS schools produced

higher proficiency levels than predicted in math and only six of 27 did in reading. At the same time, 24 of 33 charters produced higher proficiency than predicted in math and 25 did so in reading.<sup>88</sup>

**D.C. charter students gained an average of 72 more days of learning per year in reading than traditional school students. In math, the difference was 101 days, more than half an academic year.**

Taking all this data together, it appears that charters are both outperforming DCPS schools and improving faster, despite receiving far less money. Kaya Henderson and her employees are doing excellent work, and their schools are definitely improving. But their model is outdated. To use a metaphor, they are like race car drivers piloting a 1930 Model T, when their competitors drive a 21st-century model. The Model T still works pretty well for most middle-class students—particularly after the district upgraded the engine and transmission in recent years. But for those with greater needs, a Model T will not suffice. To succeed with poor, inner-city youths, schools need academic designs shaped to the specific needs of their students; assembly-line models from the 20th century won’t do it. Schools in poor communities also need extraordinary leadership and commitment from their staffs. DCPS is racing to provide all of this, but a Model T will only go so fast.

### **WHY CHARTERS OUTPERFORM DCPS SCHOOLS**

DCPS leaders have implemented aggressive reforms, raised salaries dramatically, imported many charter practices, and produced rapid improvement in student performance. Yet charters continue to outpace them. Why?

If you talk with enough DCPS principals, the reason becomes clear: the constraints under which they operate limit their use of the most powerful levers that drive charters, such as school-level autonomy, parental choice, and the threat of closure.

Consider school-level autonomy. There is a common human tendency to assume there is one best way to run a school, which leads to uniform policies in every school. Charters were invented in part to counter this, because, in reality, different children learn differently and flourish in different environments. To tailor their efforts to their students' learning styles and behavior, though, schools need a fair amount of autonomy. Being empowered also helps motivate their leaders and staff, while removing the usual excuse used by low-performing schools: We're trying hard, but the central office ties our hands.

Charters in D.C. are protected from the one-best-way impulse by law, though City Council members often propose standardized solutions for all schools. "We never go more than a week or 10 days without a new battle," Robert Cane, former executive director of FOCUS, told me. "You'll get a council member who thinks children should be in uniform, so introduces a bill saying every child should be in uniform. We have to go tell them that violates the law."

District schools not only lack such protection, their leaders sometimes share the one-best-way view. Two years ago, for instance, the City Council appropriated \$80 million in new money for the kids who were most at risk of failure. It was intended to go straight to the schools so principals could decide how to use it, and that's what happened with charters. But Henderson decided she knew better than her principals, dedicating the money instead to specific initiatives. "We know what will help our neediest students—a longer school day, engaging content, parent engagement, social and emotional supports—and we want to ensure that our at-risk students receive these services," she wrote to the council. "Without clear guidelines, well-intentioned principals may be tempted to invest in test preparation or rote remediation, strategies that we know do not work."<sup>89</sup>

Henderson and Rhee have given DCPS schools more autonomy than they had traditionally but less than charters enjoy. DCPS still has a union contract, which limits principals' ability to lengthen their school day or demand more from their teachers in other ways. "At charter schools, they have the freedom to alter schedules as they need," says Justin Jones,

formerly of the Achievement Network, which works with 62 charter and district schools. For example, many charters set aside a full day after every periodic assessment for teachers to examine the data and figure out what to do to improve learning. Though some are beginning to emulate them, "many district schools don't have that option."

DCPS principals can now use IMPACT to fire ineffective staff—a huge improvement—but it takes much longer than in charters and is more labor intensive. And some principals complain that teachers are learning to game the IMPACT system. The district also has rules about who can be hired. These rules sometimes frustrate principals, because they find a strong candidate with the right experience but without the required degree, for instance.

Most DCPS schools have to use services provided by the central office—unlike charters, which can purchase them where they get the best value. And everyone in DCPS is frustrated with the procurement system, which makes it impossible to buy goods and services as soon as schools need them, as charters can. Henderson cites the example of a school that is using software to help teach math and gets 40 new students in the middle of the year. "If you want to procure 40 laptops in DCPS, you can't call up and get a laptop tomorrow. The procurement and budget stuff precludes you from all that. And you'll be tested on those kids who, for two or three months, were working without the appropriate materials."

Nor do DCPS principals have as much flexibility with their budgets as charters do. Their budgets are done with average teacher salaries, not the real salaries their teachers earn—which means principals can't get more bang for the buck by using newer teachers with lower salaries. In addition, "Each year, we have some positions that we cannot move off the budget, even though something else might be more important to us at the school," says Natalie Gordon, a successful charter principal Henderson recruited four years ago to turn around Jefferson Middle School. Gordon cites the example of librarians, who cost close to \$100,000 each. She might need a school counselor more than a librarian, because the humanities teachers can handle the library. "But, in order for me to get that librarian



off my budget, I have to petition. If I have a strong enough case, they may say yes. If my case is not in line with the chancellor's priorities, or if my case is not well worded, or if my instructional superintendent doesn't really get my vision somehow, then that petition is not going to be approved." Principals considered weaker by central headquarters staff often have their petitions denied, she says.

One of Henderson's priorities has been funding Spanish, art, music, and physical education classes in every school. Principals were seldom allowed to use any of that money for something else, such as extra reading instructors. "As a principal, I'm like, 'Hello! Those kids can't read!'" says Gordon. "I'm not going to put my kids in art when they can't read, so how do we do both? Those are the kinds of fights that we have that we didn't have to have in the charter world, and that's frustrating."

Though he was a successful DCPS principal at two different schools, Patrick Pope chose to leave and now runs a charter school. During his DCPS career he experienced a move towards greater centralized control, he says. He lacked "the autonomy to put staff and resources where they needed to be. They will say the words 'autonomy,' but the model is, you can have autonomy when you get to a certain level of student performance measures."<sup>90</sup>

Discipline policy offers yet another example. Charters are free to establish their own methods, but the district imposes standard policies. For instance, it discourages expulsions so strongly that they almost never occur. DCPS schools can transfer students or give them long-term suspensions, which send them to an alternative school for up to 90 days. But that process is time consuming, says Rachel Skerritt, principal of Eastern High School. "The long-term suspension process involves submitting the suspension, going to a hearing at Judiciary Square in front of an actual judge, presenting the case, and having them rule on it. If they deny it, it's completely denied. If they accept that it is something that warrants a long-term suspension, then it goes to your instructional superintendent, who determines the number of days. It's an extremely laborious process; I feel like a part-time lawyer when I go. It's a huge time away from your

building and it's considered to be used only for really serious offenses." Students "have to do something a lot more serious than fight to get a long-term suspension from DCPS."

Sometimes the slow pace of decisions endangers students, she says—for instance, when two kids need to be separated by transferring one to another high school. "When things are urgent and you know what this means for the safety of your building, it can be really challenging."

The central office also requires that schools participate in many initiatives, from reading programs to behavior management programs to professional development. Particularly for the 40 lowest performing schools, which are kept on tighter leashes, this is the greatest burden, says Maury Elementary Principal Carlyne Albert-Garvey. "I think the district is doing a great job in selecting high-quality programs—I think the leadership is very thoughtful about what's been proven," she says. "But I think it's the quantity. Have they really sat down with each school leader to figure out what the priority is, and where they should start?"

Natalie Gordon calls it "the DCPS monster. It's very challenging to manage all the very many initiatives that are taking place in the district. If I get an update that says, 'Oh, you need to choose a point of contact for testing, you need to choose a point of contact for the keyboarding initiative, you need to choose a point of contact for blah, blah, blah,' where am I going to find these people who are going to teach and also do all this other work? That, to me, is the biggest challenge."

Next to autonomy, the second big lever PCSB uses to drive quality is accountability for performance: if a charter is rated tier three for two years running, the board usually closes it. (Sometimes the board acts after just one year, and some lower tier two schools have even been closed.) Every charter employee knows that could happen, in which case they would all be out of a job—and that knowledge can be highly motivating. In addition, almost any charter employee can be terminated, immediately.

To its credit, DCPS has adopted its own versions of accountability, though it has not gone quite as far.

Thanks to Rhee’s insistence on IMPACT, teachers can be fired now, after a year of documentation, and outstanding teachers can be paid more. Rhee closed about 25 schools because their buildings were underutilized and reconstituted another 18 due to low performance; Henderson has closed 15 and reconstituted another nine.<sup>91</sup> When either happens, teachers rated less than effective lose their jobs.

These new realities can also be highly motivating. But experience and data both suggest that, when everyone in a school building knows their jobs are at risk if students are not learning enough, the effect is greater. The motivation is not just individual; it affects everyone. If good leaders are in place, the entire staff tends to pull together to do what’s necessary. CREDO studies show that, in cities and states where authorizers consistently close low-performing charters, charter students far outpace their district counterparts on standardized tests. Where they don’t do this, charters often underperform their district counterparts.<sup>92</sup> By weeding out the low performers, authorizers not only bring up the average, they motivate everyone working in the surviving schools. DCPS benefits from some of this dynamic—certainly far more than most districts—but probably not as much as the charter sector.

The third big lever driving charters is parental choice. All charters in D.C. are schools of choice, so their families tend to be more committed and more engaged than some in DCPS who have simply been assigned a school. Most DCPS schools are neighborhood schools; parents from outside the neighborhood can try to get in, but, if the school is in high demand, their chances are slim.

Charters also receive a set dollar amount for every child, so if they attract more families, they get more money, and if they lose students, they lose money—and may even have to close. This keeps them attuned to what parents want. Undersubscribed schools in DCPS sometimes close as well, but not always. Indeed, 19 of them still fill two-thirds or fewer of their seats.<sup>93</sup> So DCPS schools experience some of the same pressure to remain attractive to parents, but probably less than charters.

The charter sector also offers a greater diversity of choices, which helps them serve a greater variety of students. Being schools of choice, charters do not have to appeal to everyone. They can specialize, creating bilingual schools, residential schools, schools for overage students, schools for students in foster care. Cristina Encinas, principal of Latin American Montessori Bilingual Charter School, says it well: “To meet the needs of students, one size does not fit all. And equity is not everybody having a shoe, but having a shoe that fits.”

This handcrafting makes it easier for charters to build school cultures that produce success, even with students who arrive with neither motivation nor middle-class values and habits. Charters work hard to create motivation—setting college as the goal, using systems of rewards and sanctions, taking end-of-the-year trips to reward students who put in the effort required for success. And they resist things that will undermine their hard-won cultures, such as backfilling empty seats with new students.

DCPS has also worked hard to create specialized schools: it has seven bilingual immersion schools, four Montessori schools, two adult education schools, a handful of STEM schools, seven career academies within larger high schools, and five middle and high schools that participate in the International Baccalaureate program.<sup>94</sup> Some 30 schools in both sectors have worked with the Flamboyan Foundation to put genuine family engagement at the center of their strategies. Overall, D.C. probably has more diversity of school models than any other city its size. Still, the majority of DCPS principals know they have to meet the needs of all types of students and their parents. “Every charter school only has to satisfy their constituency,” says Henderson. “And, if you don’t like them, you can choose something else. We have to satisfy every constituency.” Hence, there is pressure to standardize school offerings and methods—pressure augmented by central office curriculum requirements.

The fourth big lever is the entrepreneurial drive many charters demonstrate. Educating poor kids in the inner city is so challenging that it often requires leaders to reinvent the educational process—the basic school design. Those who open charters tend



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to be driven by such a vision. It might be to build motivation by requiring students to serve internships in businesses and nonprofits. It might be to use educational software to let students learn at their own pace and free teachers to help those who are struggling. It might even be to give kids whose home lives are chaotic or threatening a residential school.

When these visionaries succeed, most want to replicate their schools. The charter sector creates new schools constantly—four to five a year for the past five years—including replications of successful schools.<sup>95</sup> To its credit, DCPS also creates new schools, but less often. And it rarely replicates successful schools. Entrepreneurial behavior is far more likely in a charter system than in a large bureaucracy like DCPS.

The final key driver of success is the political freedom to do what is best for the children—including closing failing schools—even when it conflicts with adult interests. Both the Charter Board and the DCPS chancellor are appointed by the mayor, not elected. Indeed, both offer proof that direct election of school

boards is a bad idea—particularly in big cities, where patronage politics and posturing to get elected to higher office are so common. Most developed democracies do just fine without elected school boards, and it is worth noting that, on international exams, the U.S. lags behind many of them.

D.C.’s experience suggests that we need a balance between the local democratic control Americans have long valued and insulation from political pressures. The Charter Board began with enormous insulation, because its members were selected by the mayor from nominations made by the U.S. Secretary of Education. This was critical in establishing the board’s political independence—hence its effectiveness. With the secretary no longer involved, the mayor now appoints members to staggered terms, and the City Council confirms them. This creates a degree of democratic control, but far less vulnerability to political pressures from interest groups than direct election of board members. So far, no mayor has tried to dictate to the board, which has been free to make decisions based on the interests of children. When the Charter Board

closes schools, Scott Pearson says, he gets calls from City Council members, but because his board is insulated, he can ignore them. In the future, if a mayor does seek to dictate to the board, staggered terms will limit how quickly he or she can control a majority of seats.

Because the chancellor is also appointed by the mayor, the more important difference between the two systems is DCPS's potential for political "captivity" by its thousands of employees. When the Charter Board considers closing schools, for instance, it gets pressure only from those school communities. But when DCPS contemplates closing schools, it gets pressure from across the system, including employees, their unions, parents, and neighborhood activists. Since all those people vote, the mayor feels that pressure. Indeed, it cost Adrian Fenty his job. DCPS was very lucky his successor did not undo most of Michelle Rhee's reforms. You can be sure the current mayor remembers what happened to Fenty and will act to avoid that fate herself, however. If Henderson were to make changes fast enough to anger her employees again, as Rhee did, a typical mayor would rein her in.

In sum, the charter sector outperforms DCPS because it has more autonomy, more accountability, more choice, more ability to handcraft schools that meet the needs of diverse students, more entrepreneurial drive, and more freedom to do what is best for the children. DCPS is now far stronger than most urban districts on all these counts, but on none can it go as far as the charter sector. Hence, it does well with motivated, middle-class students but struggles with more challenging kids.

## THE FUTURE

The good news is that the competition between the two sectors has pushed both to improve, which has helped the city of Washington immensely. Families are no longer leaving D.C. in droves when their children approach school age; indeed, enrollment climbed 15 percent between 2010 and 2014.<sup>96</sup> Having the nation's most robust preschool program—with free, full-day preschool available to all three- and four-year-olds and 82.9 percent enrolled—has also helped.<sup>97</sup>

Despite the competition, there is a surprising amount of collaboration between the two sectors. The

conventional wisdom says charters don't share what they've learned with traditional public schools, but that is not the case in D.C. District leaders have recruited talent from and learned a great deal from charters—and vice versa. Principals and teachers move between the sectors, and some district principals even take their teachers to charters to see new strategies in action. "D.C. operates like a small town—just about everybody knows everybody," says Justin Jones, until recently with the Achievement Network (ANet). "There's a lot of collaboration, and we try to help facilitate that." Through ANet, new innovations developed by both charters and district schools have spread.

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E.L. Haynes Public Charter Schools, founded in 2004 by Jennifer Niles, has also worked diligently to spread best practices. For instance, Niles and her staff spurred creation of the D.C. Common Core Collaborative, through which 120 teachers from 22 schools—half charters and half DCPS—have worked together in grade-level groups to prepare for the transition to new standards.

There is also collaboration between PCSB, DCPS, and OSSE to solve citywide problems. Together they created My School DC, the computerized application system launched in 2012, and the Equity Reports, launched the following year. Last fall the charters invited DCPS schools to join their annual Ed Fest, where they show off their wares to interested parents. More recently, DCPS has agreed to take over two schools whose charters have been revoked,<sup>98</sup> and a DCPS Academy for Construction and Design at Cardoza High School—told by DCPS to find a new home—is merging with a charter school.<sup>99</sup> This kind of collaboration will no doubt continue with Niles as deputy mayor for education.

But there is conflict as well. With two systems side by side, solving citywide problems is more difficult. To do it well, someone has to have the power to steer the entire system. In D.C., that would be the deputy mayor for education—but only if DCPS and the PCSB are willing to work with her.

When charters were young, the Charter Board’s role was to demand their rights and protect them from hostile politicians and DCPS officials. Now that 44 percent of public school students attend charters, however, their leaders need to shift their thinking. If charters are contributing to system-wide problems, they have a responsibility to help solve them. They are no longer operating on the margins; their actions impact every child in the city.

Among the most pressing issues are the following:

### 1. ACCESS TO DCPS SCHOOL BUILDINGS

According to Abigail Smith, former deputy mayor for education, there are six empty DCPS buildings that have not been put out to offer for charters or scheduled to be put out. (A few buildings have been put out to offer but received no bids because they required too much renovation or were too small, Smith says, and in two cases, bidders did not have the finances to deliver on their bids, so the facilities are being offered again.)<sup>100</sup> Kaya Henderson testified recently before the City Council Education Committee that she wanted to keep all of her empty buildings for future use by DCPS, as enrollments expand.<sup>101</sup> Yet some charters struggle mightily to find facilities they can afford, while six DCPS school buildings sit empty, seven are less than half full, two are used for administrative purposes, and two are used by nonprofit organizations.<sup>102</sup>

As things are currently structured, DCPS effectively controls access to the buildings. But they belong to the city, not the district, and DCPS educates only 56 percent of the city’s public school students. If the children’s interests are paramount, school facilities should be leased to those who can provide the highest quality education—regardless of the sector in which they operate.

At a minimum, the current deputy mayor for education should create a more transparent process to review

empty and underutilized buildings and lease them to charters—for full or partial occupancy—unless specific plans are in place to use them for DCPS schools within three years.

Better yet, the city should create an independent public agency with a board appointed by the mayor to manage all public school buildings. One potential form might be a public real estate trust.<sup>103</sup> By creating a neutral organization with its own board, with staggered terms, the mayor and City Council could take the politics out of decisions about school facilities. The trust would lease facilities to school operators—both DCPS and charter boards. It would have a financial incentive to renovate buildings and keep them in good shape, because it would have trouble leasing run-down facilities. If it were allowed to operate in a businesslike manner, it could do a far better job than the city now does of managing and preserving this valuable real estate. And, if structured to be politically neutral, it could share these assets evenhandedly.

### 2. EQUAL FUNDING

Clearly, DCPS schools get more money per child than charters: more than \$3,000 per year for pensions that charter employees don’t receive; an average of \$7,400 per year over the past eight years for facilities, while charters averaged about \$3,000 per year; and roughly \$1,000 per year for maintenance.<sup>104</sup> Charters desperately need more capital for school buildings. As a 2012 study reported, the average charter school provided less than half the space per student that DCPS did, and “many charter schools lack cafeterias, gyms, and outdoor athletic facilities.”<sup>105</sup>

The mayor and city council should address this issue squarely. Maintenance spending by the Department of General Services should be paid by DCPS, not provided free, and DCPS schools should be allowed to contract with others for their maintenance work if they choose. The pension disparity should be eliminated, over time. And, since equalizing facilities spending would be even more expensive, perhaps there is a compromise to be made in this area: for those charters that agree to accept students midyear and backfill, the city could equalize facilities funding. There is a strong argument to be made that schools that do these things



“TO MEET THE NEEDS OF STUDENTS, ONE SIZE DOES NOT FIT ALL. AND EQUITY IS NOT EVERYBODY HAVING A SHOE, BUT HAVING A SHOE THAT FITS.”

should receive more money, because they are dealing with greater challenges. And by limiting the benefit to these schools, D.C. could limit the cost.

Legally, D.C.’s capital budget, called the Capital Improvements Plan, can be spent only on buildings owned by D.C. This is another good reason to put all the school facilities under a city-owned public real estate trust and lease them to operators, with no bias for either sector. Over time, as charters leased more city-owned buildings, the funding disparity would shrink.

### 3. SCHOOL LOCATION DECISIONS

Chancellor Henderson, who served as a founding board member of a D.C. charter school, has changed the anti-charter culture at DCPS’s central office. But her frustration with charters that open near DCPS schools and recruit their students has led her to argue for citywide coordination of charter location decisions. A group of parents and activists—the Coalition for D.C. Public Schools and Communities—is supporting her, pushing for collaboration on where charters open.<sup>106</sup> Not surprisingly, many charter supporters fear this.

“It’s a way to centralize important decision making so that the charter schools don’t take any more of DCPS’s market share,” says FOCUS’s Robert Cane.<sup>107</sup>

Scott Pearson says PCSB will not make such decisions jointly with DCPS, because 20 years of experience have shown that competition is the best medicine for traditional public schools. But PCSB and the deputy mayor’s office have begun working to identify neighborhoods that need particular kinds of schools, so the Charter Board can solicit charter applications to fill those gaps. The poorer wards clearly need more quality schools.

In the past, DCPS has contracted with a few charter organizations to manage DCPS schools in such neighborhoods, with some success and some failure. Henderson told me she wanted to do more of this, using the lessons learned from that experience. This would be a far better strategy for the children than trying to slow down charter expansion near DCPS schools. Competition is a faster route to improvement than slowing down the opening of new charters.

#### 4. CHARTERS “DUMPING” STUDENTS ON DCPS

A close analysis of the Equity Reports for 2014 shows that charters do not expel a huge number of students: for middle schools, the average was 1.44 per school in 2013-2014; for high schools it was 4.6 per school. But it also shows that 8.8 percent of the students at the average charter high school left during the year, while 4.4 percent left middle schools.<sup>108</sup> A new Mobility Study by OSSE reveals that about 600 students leave charter schools for DCPS schools during the course of each school year, while less than 50 move in the opposite direction.<sup>109</sup> Most of the midyear churn is because families are moving in or out of D.C., and about 700 students change schools within DCPS during the school year. But many DCPS principals—including those who have also run charters—say they receive challenging kids who have left charters. If this continues at a pace of 600 per year, some DCPS schools will always struggle, because they will inherit many of the toughest kids. (To be fair, they also inherit kids transferred out of other DCPS schools for disciplinary reasons.) For the good of all the children, the charters need strategies to retain more of those kids.

According to Deputy Mayor Niles, the city will restructure the way schools are funded over the next couple of years, so money follows each child, even at midyear. (Currently, charters are funded based on their enrollment audit in October, so, if a child leaves in January, the charter still has the money for the year. DCPS schools are funded based on their enrollment in the previous year.) Under the new system, charters will have a financial incentive to keep students and to accept students midyear.

That should help, but it's not likely to solve the entire problem. According to OSSE's Jeff Noel, students often experience high rates of suspension the year before they leave a school. Hence, one solution is for charter networks to develop alternatives to suspension and expulsion. For example, Mastery Charter Schools in Philadelphia and ReNEW Schools in New Orleans have developed special campuses for students who are suspended. ReNEW calls its campus ReNEW Interim Setting for Education, or RISE. Students who get in at least two fights spend three weeks or more there, continuing their schoolwork—in part, on computers—and working with psychologists who help staff it. The

goal is to help them learn to control their tempers, deal with conflict, and choose a different path. Not all turn around, but enough do to make the effort worthwhile. For those who don't, ReNEW launched an intensive therapeutic program for students with emotional and behavior problems, funded by a grant from the Institute of Mental Hygiene.<sup>110</sup> Foundations and other philanthropic organizations would probably be willing to fund such initiatives in D.C. as well.

Alternatively, DCPS could revitalize its alternative school for middle and high schoolers who have been given long-term suspensions, CHOICE Academy, add more psychological counseling, and allow charters to send students there as well.

The city also needs a system to track all student data over time, so it knows more about who is leaving charters and DCPS schools, where they are going, and what happens to them after they get there. Such a system would also make students' past records immediately available when they land at a new school. OSSE has been working on a longitudinal data system since 2007; it is time to deliver. Deputy Mayor Niles says she has made clear to OSSE's new superintendent that this is a priority. Increased funding for the effort would make sense.

#### 5. CHARTERS THAT DON'T TAKE KIDS MIDYEAR OR BACKFILL EMPTY SEATS

Another part of the solution is to convince more charters to accept kids midyear and to backfill when they lose students, so fewer problem kids land in DCPS schools. That doesn't mean every charter school should have to backfill and take kids midyear; at some, it obviously makes no sense, because they are bilingual, they require a particular skill set, or they have a particular culture that could be disrupted. But some already do this. If more charters shared this burden with DCPS schools, each school would have to take fewer midyear transfers, and the problem would be more manageable for all of them.

The new school funding system should help. In the long run, it would also help to make every school in D.C. a school of choice, so all schools are on an equal footing. Already, only 25 percent of public school students in the city attend their neighborhood school,

so three-quarters are exercising choices.<sup>111</sup> Since some parents will always want neighborhood schools, particularly in elementary school, D.C. might emulate New Orleans, where everyone chooses but half the seats in each K-8 school are reserved for families living in a fairly broad zone around the school. There would be massive resistance to this in D.C. from middle-class families in northwest Washington, who would fear losing the right to send their children to strong DCPS schools in their neighborhoods. But any student already in the system (beginning with three-year-olds) could be grandfathered into their neighborhood schools through eighth grade, so the transition would happen gradually, over 11 years.

With everyone choosing, students who left charter schools would not automatically wind up in their struggling neighborhood school. If both sectors continually replaced the weakest schools, a larger supply of quality schools would emerge in every ward, so everyone would have better choices nearby and fewer schools would become dumping grounds.

## 6. COMMON SCHOOL REPORT CARDS

Parents in D.C. need a common set of school report cards so they can judge all schools of each type—preschools, adult schools, vocational-technical schools, alternative schools, and more typical elementary, middle, and high schools—by the same criteria. Right now, PCSB has its performance management frameworks and ranks schools into three tiers, while DCPS publishes a different scorecard for each school, but does no tiering or ranking. Meanwhile, OSSE uses yet another set of data to rank all schools into five categories. The different systems share many indicators, however. And some of those DCPS uses, focused on student safety and satisfaction, would strengthen PCSB's Performance Management Framework.

The deputy mayor's office is working to create comparable information—using the same indicators for DCPS and charter schools—on the city's My School DC website. Before moving on from common indicators to a common rating system, however, Niles wants to develop better ways to measure schools that have the most challenging students, such as alternative schools and schools with more than 80 percent of students who are

classified “at risk.” She believes indicators that measure what percent of students are proficient or advanced miss out on measuring the progress being made by any student who is below proficient, and these schools have many such students. The Charter Board's PMF gives close to half its weight to student growth, to avoid this problem, so the question is more relevant to DCPS schools. This is important work, and Niles deserves credit for tackling it.

## 7. A STRONGER OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION (OSSE)

As noted above, data on important educational issues is hard to come by in D.C. The city needs a strong state agency to fulfill this role, but it has a weak one. A recent evaluation of progress from 2007 through 2013 by the National Research Council put it well: “Many of the top-level officials in other agencies whom we interviewed volunteered that they saw problems with OSSE. These critiques were noteworthy because they were unsolicited.”

The report concluded: “The Office of the State Superintendent of Education is not functioning effectively. The extent of OSSE's responsibility and authority are not clear and the agency has not yet established a strong reputation as an effective state education authority.”<sup>112</sup> The mayor and City Council should do everything in their power to rectify this situation, without giving OSSE more authority to set rules that infringe on charter autonomies.

## CONCLUSION

A few weeks after Michelle Rhee resigned, Richard Whitmire asked her what she would have done if she had another four years. “I would go to D.C. Prep, E.L. Haynes, KIPP, and other great charters in the city and ask them to take over some of our failing schools,” she said.<sup>113</sup>

Kaya Henderson has expressed a similar desire to authorize charters. Two years ago, testifying before the City Council, she said, “I sit here at this table and people tell me that charters are eating my lunch. Why can't I have the authority to do that, too?”<sup>114</sup> Last June, at a council education committee hearing, she said, “Why is it that the rules under which we allow



this other system that is supposedly operating so much better than DCPS to continue to operate—and not provide those same rules and opportunities for DCPS—is, I think, a question that we all have to ask of ourselves. If we believe that the kinds of autonomies and flexibilities that [charters have are] producing better results for lower income kids, then I should have those flexibilities and freedoms as well.”<sup>115</sup> David Grosso, the education committee chairman, agreed.

So Rhee and Henderson understand the value of the charter model. D.C.’s elected leaders should follow suit. Chartering is not privatization; charter schools are public schools. It is simply a better way of operating public schools in the 21st century—when we need innovation, accountability, and continuous improvement.

Fifteen years ago, Washington, D.C. had one of the worst performing collections of public schools in the

nation. Today, it has one of the fastest improving. Still, the city has a long way to go to ensure that every student is ready for a career or college. As its elected leaders contemplate that challenge, they should ask which governance model can take them the rest of the way. When New Orleans got to this point about five years ago, it chose the charter model. With 93 percent of public school students now in charters, experts believe it is the fastest improving city in the country.<sup>116</sup>

Such a choice would not mean abandoning DCPS. Like D.C., New Orleans still has two sectors. Nor has it converted every school; a few were already high performing and had no need for charter status. The same would no doubt be true in D.C. Instead, DCPS should transform a handful of schools each year into contract or charter schools—with autonomy, choice, closure if they fail, and the opportunity to replicate if they succeed. For struggling schools in poor neighborhoods, no strategy has been more effective.

## ENDNOTES

All quotations without endnotes are from interviews with the author.

1. Interview with Chelsea Coffin of Public Charter School Board staff, August 11, 2015.
2. Jessie Hartels, deputy chief of staff at OSSE, via email, July 28, 2015.
3. This funding disparity comes from five main sources. First, D.C. and the federal government fund pensions for DCPS teachers but not charter teachers (unless they have come from a DCPS school and the charter contributes to the pension fund); in fiscal 2013, this totaled \$150.7 million, or more than \$3,250 per student, according to Larry Maloney of Aspire Consulting, author of several studies comparing DCPS and charter funding. (The most recent is *District of Columbia Public Schools & Area Public Charter Schools: Fiscal Years 2012 & 2013 Financial Analysis*, prepared for the Walton Family Foundation in July 2015.) Second, D.C. launched a major capital investment drive to rebuild and renovate DCPS schools in 2008. Since then, it has spent an average of about \$7,400 per student each year on DCPS schools, while charters have received an average of about \$3,000 per student annually in facilities funding. (See The Finance Project and Augenblick, Palaich and Associates, *Cost of Student Achievement: Report of the DC Education Adequacy Study: Final Report* (Washington, D.C.: The Finance Project, prepared for the D.C. deputy mayor of education, Dec. 20, 2013), p. 82, Table 4.5 for figures on annual capital spending on DCPS schools.) Third, other DC agencies have spent money on DCPS schools—for maintenance, security, health services, and other services—that did not always go to charter schools. A 2012 study estimated the difference at \$40 million to \$60 million a year between 2008 and 2012. (Mary Levy, *Public Education Finance Reform in the District of Columbia: Uniformity, Equity, and Facilities* (Washington, D.C.: Friends of Choice in Urban Schools and D.C. Association of Chartered Public Schools, 2012), p. 13, at [http://dcacps.org/images/pdf/education\\_finance\\_reform.pdf](http://dcacps.org/images/pdf/education_finance_reform.pdf).) This number has been coming down as the city has equalized spending in several categories, but the Department of General Services still spends somewhere in the neighborhood of \$1,000 per student on maintenance for DCPS schools. Fourth, DCPS schools have been funded based on prior-year enrollments while charters have been funded based on current-year enrollment audits in October. (According to Deputy Mayor for Education Jennifer Niles, the city plans to change this so both systems are funded on the same basis.) And fifth, the City Council has occasionally made supplemental appropriations to DCPS but not to charters; however, that has not happened for several years. Maloney's recent study concluded that, if one does not include special education funding, DCPS spent \$26,604 per pupil in FY 2013, while charters spent \$19,644. Special education is best excluded from the comparison because a large portion of that spending actually goes to private institutions rather than DCPS or charters.
4. Kevin Chavous, *Serving Our Children: Charter Schools and the Reform of American Public Education* (Sterling, VA: Capital Books, 2004), pp. 19-20.
5. Two sets of books, 1992 investigation, and auditors' findings: Jeffrey R. Henig, Richard C. Hula, Marion Orr, and Desiree S. Pedescleaux, *The Color of School Reform: Race, Politics, and the Challenge of Urban Education* (Princeton: Princeton University Press, 1999), p. 69.
6. *Ibid.*, p. 67.
7. *Children in Crisis: A Report on the Failure of DC's Public Schools* (Washington, D.C.: District of Columbia Financial Responsibility and Management Assistance Authority, Nov. 12, 1996).
8. *Double the Numbers for College Success: A Call to Action for the District of Columbia* (Washington, D.C.: D.C. College Access Program, D.C. Education Compact, D.C. Public Schools, and D.C. State Education Office, 2006), p. 4, available at <http://www.newfuturesdc.org/wp-content/uploads/2009/03/double-the-numbers.pdf>.
9. Quotes from the Control Board: *From Children in Crisis: A Report on the Failure of DC's Public Schools*.
10. Sara Mead, *Capital Campaign: Early Returns on District of Columbia Charter Schools* (Washington, D.C.: Progressive Policy Institute, October 2005), p. 7.
11. Josephine Baker, *The Evolution and Revolution of D.C. Charter Schools: A Transformation of Public Education in Washington, D.C.* (Washington, D.C., self-published, 2014), p. 47.
12. *Ibid.*, p. 49.
13. Paul Middle School conversion: *Ibid.*, pp. 48-51; interview with Tom Nida; and Nelson Smith, *An Accident of History: Breaking the District Monopoly on Public School Facilities* (Washington, D.C.: National Association of Public Charter Schools, July 2012), p. 11.
14. Chavous, *Serving Our Children*, pp. 47-48; "D.C. Teachers' Union Plagued With Scandal," Fox News, Jan. 17, 2003, available at <http://www.foxnews.com/story/2003/01/17/dc-teachers-union-plagued-with-scandal/>; and Carol D. Leonnig, "Bullock Brazenly Recounts Embezzling," *Washington Post*, June 17, 2005, available at <http://www.washingtonpost.com/wp-dyn/content/article/2005/06/16/AR2005061601538.html>.
15. Baker, *The Evolution and Revolution of DC Charter Schools*, p. 116.
16. Enrollment numbers are from DCPS website, <https://data.dccpsb.org/Enrollment-/Historical-Enrollment-Public-Schools/3db5-ujzr>, and PCSB website, <http://www.dccpsb.org/report/charter-school-growth-closures>.
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