



WASHINGTON LAWYERS' COMMITTEE
FOR CIVIL RIGHTS AND URBAN AFFAIRS

Testimony of the Washington Lawyers' Committee for Civil Rights and Urban Affairs
Budget Oversight Hearing
of the Committee on Education and the Committee of the Whole
Of the Council of the District of Columbia

June 16, 2020

The Washington Lawyers' Committee for Civil Rights and Urban Affairs ("The Committee") urges the DC Council to take bold steps to invest in young people, to reverse the effects of generations of systemic racial discrimination and poverty, and to fund a racially just education system in DC. As a nation, we stand at a crossroads. We can either choose to face the racial injustice that is woven deep in the fabric of our history, our institutions, our culture, and our lives and fight for fundamental change or we can make changes around the edges in the hope that the crisis will pass and we can return to business as usual. Justice lies down the first path and continued pain and inequity down the second.

The recent uprising in response to violence against Black people at the hands of the police have served to only underscore the need to address historic, unmitigated systemic racism that has decimated investment in Black and Brown communities in DC. The COVID-19 pandemic, and resulting economic downturn, has highlighted the effects of decades of failures to invest in neighborhood schools, economic opportunities, and our health and mental health care systems, and has had - and will continue to have - a profound impact on students of color, students who are poor, and students with disabilities.

The Council must rise immediately to the challenge of reducing structural inequities in our schools by ensuring that the District's budget reflects our values as a community including a commitment to provide all students with a high-quality education, ensuring that all students have full access to their schools and the opportunities that schools should provide, and holding public schools accountable to the communities they serve.¹ The District's budget must reinvest money from criminalizing young people into supportive services for our school communities, students, and families.

¹ The Washington Lawyers' Committee was founded in 1968 to address civil rights violations, racial injustice and poverty-related issues in our community through litigation and other advocacy. The Committee has a long history of working to address racial and other inequity in the DC public schools, which includes its Parent Empowerment Program and its School Partnerships among law firms, businesses and 60 DCPS Title I schools. We work closely with the private bar to bring litigation, pursue policy initiatives and support the academic enrichment and other goals of our DC public school communities.

Five key things that DC needs to do to create greater equity in education are:

(1) Close the digital divide immediately so that all students have appropriate devices and adequate broadband access in their schools and homes by the start of the 2020-21 school year and create a comprehensive city-wide digital equity plan to ensure all families and teachers have the training and standards needed to close the digital divide.

(2) Divert funding from the school security and policing budget and reinvest in increased support to address mental health needs of students, including trauma caused by the COVID-19 pandemic. Increase investments in teachers to build strong, anti-racist, social emotional support in schools and classrooms.

(3) Ensure that students have sufficient before and after school programs and Safe Passage support to and from school to promote attendance, academic enrichment, parental support and safety.

(4) Dedicate sufficient funding to ensure that students with disabilities receive a free appropriate public education (“FAPE”) throughout School Year 2020-2021 and funding to compensate all students with disabilities for any deprivation of FAPE during the COVID-19 pandemic.

(5) Help existing DCPS neighborhood schools of right flourish by freezing the opening of new charter schools and new DCPS schools, except where a DCPS school is overcrowded; and address structural inequities in facilities funding that disadvantage DCPS as compared to charter LEAs.

While we appreciate that the Mayor’s Proposed Budget increases funding for schools by 3%, that budget does not address ongoing inequality or the new challenges schools will face in School Year 2020-2021 given the COVID-19 pandemic. The COVID-19 pandemic highlights the intrinsic value that our neighborhood public schools provide our communities. They are not only places of learning and relationship building; at their best, they also function as community centers providing food, health care and other wrap around services. Our budget choices must support school communities to be at their best.

Programmatic Investments in the Education & Well-Being of DC Students

To Ensure Equitable Access to Education Opportunities, Close the Digital Divide by This Fall at Schools and at Home.

COVID-19 has put a spotlight on racial, economic, and social divides in our city, exposing harmful gaps in student experiences and learning outside school. At the beginning of the COVID-19 crisis, the D.C. public school system estimated that 30 percent of its 52,000 students lack Internet access or computers at home. In light of the economic fallout of the pandemic, the number of students without sufficient internet access likely continues to rise. To ensure all students can access their education remotely this Fall and for the foreseeable future, the Council must invest significant funds into DCPS to ensure that every student in K-12 has a working device and adequate broadband access at home as well as at school. The District's obligation to provide a quality public education for students requires nothing less.

The Mayor's budget proposal incorrectly assumes that DCPS's plan to provide one device to each student by School Year 2022-2023 should remain unchanged despite the new reality of required capacity for all students to do distance learning during the COVID-19 pandemic. The current budget only implements year 2 of the Empowered Learners initiative by adding \$6.9 million for devices and other support for three grade levels (grades 3,6, and 9), with a goal of reaching a 1:1 student-device ratio by 2022. That timetable is far too slow and is not acceptable now. Also, DCPS's initiative does not explicitly address technology for young learners (below grade 3). However, even our youngest learners use online math and reading programs that can only be accessed on a tablet or laptop.

The Committee is a part of and supports Digital Equity in DC Education's recommendation to provide an additional \$11 million to DCPS this year (in addition to the \$6.9 million the Mayor's proposed budget provides), which would provide a device to an additional 9,000 students in grades 3-12 and a device to approximately 13,000 students in kindergarten through 2nd grade.²

By adding \$11 million to the DCPS budget, Council can ensure that every student from kindergarten to 12th grade begins the next school year with the technology needed for in-school and at-home learning. This investment would support an additional 22,000 computers.³

Technology will be a critical tool to providing instructional continuity as students transition between in-school and at-home learning and will reduce the inevitable regression students will

² This model assumes younger students could use a less expensive device than the current Microsoft Surface Go computers being used by students in grades 3-12.

³ The testimony of Digital Equity in DC Education, submitted for the June 4 Budget Oversight Hearing, provides a detailed breakdown of the budget on page 2.

experience due to COVID-19 during the upcoming academic year. But, students and families need more than just devices. Teachers will require professional development that is interactive, practical, and provides them with working knowledge of the content delivery platforms and applications that DCPS Central Administration is choosing to support distance learning. Robust IT support will be critical to supporting student learning at home and maximizing the investment in computer hardware. The hybrid learning model will require students to learn at home for a significant portion of time.

Families and communities will also require internet access. While DC public schools worked to provide access to students through wifi hotspots, it was insufficient, in part because of wifi “dead zones,” particularly in Wards 7 and 8. The Council must ensure that internet access is a public utility and provide adequate broadband access across the city. There are both short and long-term steps the Council should fund to make this a reality.

In the short term, to get all students access by this Fall, DC will need to boost public wifi at DCPS schools, community centers, and public libraries. DC should also put wifi hotspot signal relay devices on buses, as school districts in Arizona,⁴ New York,⁵ Michigan,⁶ South Carolina and Austin, Texas have done.⁷ DC should form a broad Technology Task Force of representatives from DC government, technology companies, and service providers, and families to address service and device needs. Service Providers should put up more wifi signal relay towers in areas such as Wards 7 and 8 that have so few now.

In the longer term, over the next 1-2 years, DC must work with the Technology Task Force and local service providers to provide broadband internet access directly in homes, apartments and public housing on truly affordable plans, with adequate download and upload speeds to support the number of broadband users in each household.

Divest from Police in Schools

DC students are policed in their school by security guards, special police officers, and the Metropolitan Police Department. The presence of police furthers the school-to-prison pipeline, and, when police are in our schools, Black students are more likely to be arrested. In DC, 92%

⁴ Lily Altavena, “This Arizona School District is Putting Buses with Wi-Fi Around the Community,” Arizona Republic, April 6, 2020, <https://www.azcentral.com/story/news/local/arizona-education/2020/04/06/sunnyside-unified-using-buses-wifi-hotspots-around-tucson-area/2945179001/>

⁵ Cassie Hudson, “School District Turns Buses into WiFi Hotspots for Students,” News10 ABC, April 14, 2020, <https://www.news10.com/news/albany-county/school-district-turns-buses-into-wifi-hotspots-for-students/>

⁶ Michael Martin, “District Deploying School Bus Wifi Hotspots to Help Students Connect,” Fox 17, April 14, 2020, <https://www.fox17online.com/district-deploying-school-bus-wifi-hotspots-to-help-students-connect>

⁷ EdWeek, “S.C. to Send Wi-Fi Enabled Buses Around State for Online Learning,” March 23, 2020, <https://blogs.edweek.org/edweek/DigitalEducation/2020/03/school-buses-wifi-hotspots-coronavirus.html>

of school-based arrests are of Black youth.⁸ Higher discipline rates for Black youth are not due to higher rates of misbehavior.⁹ Rather, Black students are more likely to be arrested because they are more likely to encounter police and because those police view their normal, adolescent behavior as more criminal than the same behavior in white students.¹⁰

Over the last school year, our city spent about \$25 million dollars a year on school security within DCPS alone, and about another \$10 million on MPD officers to patrol DCPS and charter schools.¹¹ This amount of money is obscene. DC's students deserve this kind of investment in programs that help them thrive and not in those designed to criminalize. At this moment, in particular, we must strengthen our mental health infrastructure and ensure our young people have increased access to mental health professionals to address the trauma caused by COVID-19, police violence, and racism. Our students also deserve an investment in the continued training of D.C. educators to practice anti-racist education, social-emotional learning, transformative justice approaches. They also deserve an investment in the well-being and continued development of D.C. educators to reduce the reliance of long-term substitutes and enhance the overall learning experience. Our money can be spent in better ways.

The Council must defund and remove police from schools, and invest that money in critical supports for education in the form of college counselors, social workers, school nurses, and behavioral health professionals. Mayor Bowser is proposing adding \$2.5 million dollars to MPD's School Safety Division. This is unacceptable at any time, but especially now. The police officers who criminalize Black and Brown students at school are the same officers targeting their communities by the police violence protested across this city. At a minimum, the Council should reject the Mayor's proposed budget of a \$2.5 million increase for new School Resource Officers (SROs) and instead use this money to support the Department of Behavioral Health's

⁸ 2019 School Report Card indicates that there were 338 total arrests of students across the District – 312 of the arrests were of Black students and 26 of the arrests were of Latino students. (104 of the arrests were for students with disabilities).

⁹ See, e.g., Russell J. Skiba, et al. "The Color of Discipline: Sources of racial and gender disproportionality in school punishment." *Urban Review*, 34, 317-342 (2002).

¹⁰ See, e.g., Goff, P.A., Jackson, et.al. "The Essence of Innocence: Consequences of Dehumanizing Black Children," *Journal of Personality and Social Psychology* (February 2014); Epstein, Rebecca, Jamilia J. Black & Thalia Gonzalez. "Girlhood Interrupted: The erasure of Black Girls' Childhood," Georgetown Law Center on Poverty and Inequality (2012), available at <http://www.law.georgetown.edu/academics/centers-institutes/poverty-inequality/upload/girlhood-interrupted.pdf>.

¹¹ DC Public Schools Responses to FY2019 Performance Oversight Questions, Q11, at https://dccouncil.us/wp-content/uploads/2020/02/dcps_Part1.pdf

("The DCPS school security contract for security officer personnel in FY2020 is projected to be \$23,458,808.27. The non-personnel costs in FY2020 are projected to be \$1,619,061.00"); MPD FY2021 Proposed Budget Plan, Table FA-04, Division 2300. Total budget for that division is for FY2020 was \$34 million but approx. \$23 million is the DCPS security contract.

School-Based Mental Health program and hire 30 additional counselors for schools. We also call on the Council to remove police from D.C. public and charter schools and terminate MPD's contract with DCPS.

Ensure Out of School Time Funding and Safe Passage Support

Families need more than just a high-quality school day to thrive and we urge the Council to protect out of school time funding and funding and support for safe passage to and from school that does not rely on the police.

First, the Council should protect funding for out-of-school time programs because working families need safe, high-quality childcare.¹² Funding must provide sufficient flexibility to account for new health and safety needs in light of COVID-19, including social distancing, reduced program size, and supplies. Better collaboration between DCPS, the Department of Parks and Recreation, and nonprofit organizations to ensure adequate before- and after-school programming must be considered. Families are already in a perilous economic position; before and after care options support parent and caregiver employment.

Second, the Council should support the Safe Passage initiative of the Office of the Student Advocate and ensure its work with DCPS continues and expands, so all children responsible for making it to and from school on their own can do so safely. An investment to support community-driven safe passage programs will support regular attendance and school engagement, which is critical following the extended Spring 2020 COVID-19 induced out-of-school time and learning loss.

Ensure Students with Disabilities Receive a FAPE

The District's obligation to provide a FAPE to students with disabilities has not changed due to COVID-19.¹³ Conversely, the needs of the District's students have increased as a result of the trauma caused by COVID-19 and the fact that they have missed appropriate, necessary educational services during the pandemic. In order to ensure that our students with disabilities have a meaningful opportunity to make educational progress, the District's budget should allocate funding to address both students' mental health needs and to compensate all students

¹² Afterschool Alliance, "America After 3PM: Afterschool Programs in Demand", October 2014, https://www.afterschoolalliance.org/documents/AA3PM-2014/AA3PM_Key_Findings.pdf

¹³ The U.S. Department of Education declined to request waiver authority for "any of the core tenets" of the IDEA, including FAPE. See Report to Congress of U.S. Secretary of Education Betsy DeVos, Recommended Waiver Authority Under "Cares Act", April 27, 2020: <https://www2.ed.gov/documents/coronavirus/cares-waiver-report.pdf>

with disabilities for the educational and related services they were deprived of due to the COVID-19 pandemic.

Fair Funding for DCPS Neighborhood Schools

High quality, fully resourced DCPS schools of right in every neighborhood are key to the recovery of communities from COVID-19, as they could provide stability, excellent education, food, and consistent resources. DCPS neighborhood schools serve the highest percentages of our “at-risk” students; nearly 75% of the public schools in DC with the highest concentrations of those students are DCPS neighborhood schools.¹⁴ There are significant steps the Council can take to ensure that these schools flourish.

Stop the Wasteful Dual Sector Competition for Resources & Ensure DCPS Neighborhood Schools Have the Resources They Need

It is critical that every student has access to a neighborhood school that is a hub for education and support. DC taxpayers have stressed the importance of having very good schools in a municipally run system of DCPS schools of right in every neighborhood.¹⁵ We can ensure educational experiences and resourcing are excellent and equitable, and save money, by stabilizing, filling and adequately funding our DCPS system of neighborhood schools of right. We are paying far too much on a per student basis to maintain buildings and related infrastructure and administrative costs, and not enough, on a per student basis, to directly benefit students and their learning.

DC’s current dual system of neighborhood DCPS schools of right and charter schools is costly, with duplicative offerings, dispersed enrollment, many schools in each sector with under enrollment, a few with over enrollment, and instability in openings and closures, creating both family uncertainty and inadequately resourced schools. The lottery and magnet school applications reveal that, for that subset of parents/guardians who actually have the time and access to enter the school lottery, everyone is chasing after the top schools in DCPS, and the

¹⁴ Office of the DC Auditor Report, “D.C. Schools Shortchange At-Risk Students,” June 25, 2019, at 9, <http://zd4l62ki6k620lqb52h9ldm1.wpengine.netdna-cdn.com/wp-content/uploads/2019/06/At-Risk.Funding.6.25.19.pdf>.

¹⁵DC Advisory Committee on Student Assignment, Final Recommendations on Student Assignment Policies and DCPS Boundaries, August 2014, at 6, <https://dme.dc.gov/sites/default/files/dc/sites/dme/publication/attachments/Final%20Recommendations%20on%20Student%20Assignment%208-18-14%20with%20links%20%28rev8-22-14%29.pdf>; Belden Russonello Strategists LLP for the Office of the District of Columbia Auditor, “Shopping for Schools in the District of Columbia,” July 10, 2011, at 18: <http://zd4l62ki6k620lqb52h9ldm1.wpengine.netdna-cdn.com/wp-content/uploads/2018/09/DCPS.Parent.Survey.7.10.18.pdf>.

top charter schools.¹⁶ While this system may have resulted in a few students receiving the education of their dreams, many more students' and parents' dreams are crushed each year when the school down the street (or the school of their choice) is closed, or when schools lose critical funding for teachers, counselors, and popular arts and other programs. Moreover, the DC Auditor's January 9, 2020 Report demonstrated that, through the lottery system, parents of means and access are moving their children away from schools with high "At-Risk" populations to schools with significantly lower ones, draining neighborhood schools of needed resources.¹⁷

In May 2019, the Deputy Mayor for Education expressed concern about opening new charter schools when there were more than 10,000 empty seats among existing schools in the charter sector and DCPS in the middle and high schools. In March 2020, the DME again expressed concern about the inefficiency of "too many small schools," noting that there were 4,000 empty seats in elementary schools in Wards 6, 7, and 8 alone.¹⁸ The unregulated growth of DC charters in the last 20 years has been out of proportion to DC's student population. This has resulted in millions of taxpayer dollars spent on schools that closed, a 40% school closure rate, and thousands of unfilled seats, while 10 new schools opening in 2020 have a fraction of their seats filled.¹⁹ DC has more schools and school buildings than Fairfax County Public Schools,

¹⁶ Martin Austermule, Washington Post, "After Five Years, Is the DC School Lottery Working for Families?" March 28, 2019, <https://wamu.org/story/19/03/28/after-five-years-is-d-c-s-school-lottery-working-for-families/>; List of waitlisted DCPS schools for 2020-2021 School Year: <https://enrolldcps.dc.gov/node/61>; List of waitlisted DC Charter Schools for 2020 to 2021 School Year: <https://dcpcsb.org/waitlist-data>.

¹⁷ Office of the DC Auditor, "New Research Finds DC School Choice Results in Declining Resources for High Poverty Schools," Press Release Jan. 9, 2020, http://zd4l62ki6k620lqb52h9ldm1.wpengine.netdna-cdn.com/wp-content/uploads/2020/01/DC.My_School.Data_Enrollment.Study_Press_Release.1.9.20.pdf; The Center for Research and Reform in Education, "Enrollment Projections in DC Public Schools: Controls Needed to Ensure Funding Equity," A Report for the Office of the DC Auditor, Jan. 9, 2020, <http://dcauditor.org/report/enrollment-projections-in-d-c-public-schools-controls-needed-to-ensure-funding-equity/>.

¹⁸ Deputy Mayor for Education, Memorandum to the PCSB regarding A Facilities Assessment of New Public Charter Applications, Spring 2019 (May 15, 2019) at 4-5, <https://dme.dc.gov/sites/default/files/dc/sites/dme/publication/attachments/School%20system%20capacity%20assessment%20new%20public%20charter%20applications%20FINAL%20051519.pdf>; Deputy Mayor for Education, Memorandum to the PCSB regarding 2020 Charter Application Need Analysis (March 12, 2020) at 1-2. <https://dme.dc.gov/sites/default/files/dc/sites/dme/publication/attachments/School%20system%20capacity%20assessment%20new%20public%20charter%20applications%20FINAL%20051519.pdf>. See also March 2020 PCSB Chart comparing DC Charter School enrollment and DCPS enrollment, <https://educationdc.files.wordpress.com/2020/03/graphfrompcsb.pdf>.

¹⁹ See, e.g., "Where are These Kids Going to Go? 43 DC Charter Schools have been closed since 2009. This one is next." WUSA9, May 29, 2019, <https://www.wusa9.com/article/news/11000-dc-charter-school-students-displaced-since-2008/65-7dde2862-2da2-4c29-863b-6c04acf688d7>; Valeri Jablow, "The Education Costs that Shall Not be Named," EducationDC.net, May 16, 2017, <https://educationdc.net/2017/05/16/the-dc-education-costs-that-shall-not-be-named/> (citing data derived from the Deputy Mayor for Education's February 2017 Report on the

which has more than twice as many students as DC has. There are 190,000 students in 196 school buildings in Fairfax County.²⁰ According to the DC Master Facilities Plan published by the Deputy Mayor for Education in the spring of 2019, as of SY2017-18, 91,000 students in there 249 public schools (in 212 buildings) in DC.

Each empty seat means resources are spread more thinly across existing schools. That thin spread of resources translates into thin support, if at all, for music, arts, STEM opportunities and sports in all of our public schools. Significant municipal savings could be realized by investing in existing schools and better facilities planning between the sectors. Increased enrollment at DCPS schools of right provides a return on investment in existing infrastructure, reduces per pupil charter school facility allowances, and reduces public transit use, thereby saving money budgeted for the Kids Ride Free program.

COVID-19's fiscal effect means we can no longer afford to open more charter schools to provide additional, unneeded choices. Simply put, we should stop opening more schools in each sector, and instead fill our existing neighborhood schools with our growing student populations. This would reduce the costs we are sinking into excessive building capacity and administrative overhead, and it would result in more funding going to the critical programs that keep students coming to school – arts, humanities, STEM and sports programs.²¹

We can continue to grow our neighborhood schools by providing stability with commitments to maintain budgets and not close schools in the middle of this crisis. The Council should commit to no FY21 budget cuts for schools educating the highest percentages of our “At-Risk” students, where nearly 75% of the public schools in DC with the highest concentrations of those students are DCPS neighborhood schools.²² The Council should also commit to no DCPS school closures for at least FY21; school closures, which happen usually after years of divestment and neglect,

Citywide Landscape of Formerly Closed DCPS Facilities, <https://educationdc.files.wordpress.com/2017/04/attachment-q29.pdf>); The National Research Council's 2015 Report on PERAA, “An Evaluation of the Public School of the District of Columbia: Reform in a Changing Landscape,” file:///C:/Users/Family%20Computer/Downloads/dbasse_165783.pdf; The 21st Century Schools Fund, DC charter applications, and a 2015 report by the Progressive Policy Institute on DC public schools file:///C:/Users/Family%20Computer/Downloads/dbasse_165783.pdf. The 10 newest schools are 53% full, with the lowest at 29%. Common Lottery Board Quarterly Meeting Presentation at Slide 14, <https://www.myschooldc.org/sites/default/files/dc/sites/myschooldc/page/attachments/CLB%20Meeting%205.7.20%20PUBLIC%20MEETING%20with%20Vote%20Ledger.pdf> (May 7, 2020).

²⁰ Fairfax County Public Schools, “About Us”, available at <https://www.fcps.edu/index.php/about-fcps> (last visited June 16, 2020).

²¹In the Public Interest, “Breaking Point: The Cost of Charter Schools for Public School Districts,” May 2018, https://educationvotes.nea.org/wp-content/uploads/2018/05/ITPI_Breaking_Point_May2018FINAL.pdf

²² Office of the DC Auditor Report, “D.C. Schools Shortchange At-Risk Students,” June 25, 2019, at 9, <http://zd4l62ki6k620lqb52h9ldm1.wpengine.netdna-cdn.com/wp-content/uploads/2019/06/At-Risk.Funding.6.25.19.pdf>

primarily affect Black and low-income communities, and result in students who are displaced and lose significant education time.

No Co-Location of Charter Schools at DCPS Schools

The amendment in the Budget Support Act providing for co-location of charter schools in DCPS buildings is the wrong way to go as DCPS expands and improves. Co-locations of charter schools in DCPS schools has failed in many other school districts for a host of reasons, including the divisions it often creates between two different school communities.²³ Any differences between resources and programming for students and teachers become painfully acute in co-locations, yet different class schedules and school philosophies create little incentive to cooperate and share resources.²⁴

Moreover, once school reopens, DCPS communities will need their entire school buildings to ensure safe COVID-19 prevention procedures. This will allow for necessary social distancing in the facilities, safer movement of students in small groups around the school grounds, and more time for necessary cleaning by custodial staff.

Finally, this co-location amendment to the budget should have been subject to full public disclosure and discourse in a hearing, rather than being buried in a budget document.

Address Structural Inequities that Disadvantage DCPS.

LEA funding structurally disadvantages DCPS. The DCPS budget is based its projected October enrollment plus a modest cushion over expected October enrollment to address midyear arrivals. Charter LEAs are funded based on October enrollment, despite the fact that more than 1300 students leave charter LEAs after the audit. While charter LEAs retain nearly \$25 million associated with those departing students, DCPS doesn't receive sufficient funds for the students it will serve throughout the year. And the cushion in DCPS to address midyear arrivals and churn is even smaller (1% vs. 2%) in the proposed FY21 budget.

²³ Tim Walker, "Neighborhood Schools Forced to Give Up Space to Charter Schools," NEA Today, June 18, 2019, <http://neatoday.org/2019/06/18/educators-fight-charter-school-co-location/>; Valerie Strauss, "What Can Happen When a Neighborhood School is Forced to Share its Space with a Charter", Washington Post, March 17, 2016, <https://www.washingtonpost.com/news/answer-sheet/wp/2016/03/17/what-can-happen-when-a-neighborhood-school-is-forced-to-share-its-space-with-a-charter/>.

²⁴ Kathy Schultz, Wagma Mommandi and Melia Repko-Erwin, "The Unintended Consequences of Forcing Schools to Share the Same Location," Washington Post, October 28, 2019, <https://www.washingtonpost.com/education/2019/10/28/unintended-consequences-forcing-schools-share-same-building/>; Amy Pereira and Trymaine Lee, "A Day in the Life of a Divided School", MSNBC, April 25, 2014: <http://www.msnbc.com/msnbc/harlem-charter-schools>.

The Council should provide at least a 2% allocation in the FY21 budget for DCPS midyear arrivals and churn, to enable DCPS to more fully serve its students with the greatest needs, who are often at schools experiencing the greatest churn.

If funding is available, the Council should also close the disparate funding gap for maintenance and operations (M&O). DCPS typically pays more than \$1000 per student in UPSFF funds for M&O, while charters pay \$500 per student. This disparate treatment fiscally disadvantages matter-of-right schools on which our communities rely.²⁵

The Committee, along with all of the community advocates and organizations of the C4DC, are ready to work with the Council to support these investments and address these inequities, so DC's students and schools will be on fiscally and educationally sound paths. Even more so than ever, it is time to strengthen, invest, and grow our neighborhood system of by-right DCPS schools.

In addition to these suggestions the Committee joins with coalition partners in the Coalition for DC Public Schools and Communities ("C4DC") and the Every Student, Every Day Coalition ("ESED") in calling for increased investments in our public schools. C4DC is a city-wide coalition of Ward Education Councils, DC education organizations and individual advocates that share our education justice values and work towards a goal of true equity in DC public education.²⁶ This includes ensuring a strong feeder system of neighborhood schools of right in every Ward, with only a reasonable, limited number of charter schools that serve to supplement the offerings of DCPS schools rather than replace them. ESED is a team of advocacy organizations, researchers, service providers, and concerned District residents engaged in issues that affect children's access to quality learning, including education, juvenile justice, child welfare, youth

²⁵ The charter sector claims its facility allocation is inadequate to cover its "occupancy" cost (see here at 2 claiming a \$21 million shortfall) <https://dcpcsb.egnyte.com/dl/qDfQOo8sSC/>. But, the charter LEA audits show that \$45.5 million of claimed occupancy cost is for M&O functions (see Charter Occupancy Breakdowns here: <https://docs.google.com/spreadsheets/d/1-3K2HsgpEkTazpDGSvdu3dRteR8kEJTogf3MrVAuEil/edit#gid=0>). If M&O cost were excluded from occupancy cost, the facilities allocation would overfund the charter sector by close to \$25 million a year. If M&O cost is properly covered under the facilities allocation, the \$21 million shortfall represents the amount the charter sector must draw on UPSFF funds to cover M&O cost -- just under \$500 per student, compared to over \$1000 for DCPS. See also Deputy Mayor for Education, "Cost of Student Achievement: the DC Education Adequacy Study," January 24, 2014 at 3, 66, 80-81, 95, 102-104; DC Fiscal Policy Institute, "An Imprecise Tool to Fix Maintenance Costs for DC Schools, Feb. 14, 2014 at 1-2; PCSB Fiscal Year 2018 Analysis Report, "A Study of DC Public Charter Schools Fiscal Year Financial Results, Introduction and Data Tables Exhibits 1 and 4; Assembled excerpts by Matt Frumin and attached to his written testimony for the Budget Oversight Hearing, <https://educationdc.files.wordpress.com/2020/03/exhibitstotestimony.pdf>.

²⁶ Coalition for D.C. Public Schools and Communities, <http://www.c4dcpublicschools.org/>.

empowerment, special education and civil rights advocating for the end of the school-to-prison pipeline in DC.

Next school year will be critical to re-engage families and students in a safe, healthy, and supportive school environment. Families – especially Black and Brown families – have born a disproportionate share of the burdens of COVID-19 and the stress and anguish of police violence in their communities. If DC can't meet the needs of the District's most vulnerable students, they and their families will face a number of cascading issues: Students will fall further behind in school or risk dropping out; parents may lose valuable work time further weakening DC's economy, and families will take longer and longer to recover from this crisis. Investing and prioritizing high-quality neighborhood schools that have the resources they need to flourish is a vital part of addressing racial inequity in our systems.