



WASHINGTON LAWYERS' COMMITTEE
FOR CIVIL RIGHTS AND URBAN AFFAIRS

July 27, 2020

Council of the District of Columbia
John Wilson Building
1350 Pennsylvania Ave NW
Washington, DC 20004
Via email

Dear Councilmembers:

The Washington Lawyers' Committee for Civil Rights and Urban Affairs urges you to support Councilmember Charles Allen's amendment this Tuesday to strengthen the Open Meetings Act language in the Budget Support Act to ensure that all of our public schools that receive public funding allow the same level of transparency to their teachers, students and families.

In DCPS, students, teachers, parents and community members can take part in monthly school planning by being part of the LSAT team that advises on academic programming, the budget and more. LSAT meetings are required to be open to the public. But in our public charter schools, those decisions happen at Board of Trustee meetings which currently are not subject to the Open Meetings Act and leave school community members without a seat at the table and an opportunity to be heard.

The existing Budget Support Act provision dealing with open meetings, as written, allows charter schools a vague "operations" meeting exemption that essentially nullifies the entire rule. This exemption won't allow the community to truly be part of critical discussions on, for example, a school's budget, their academic priorities, or even a decision to close their doors permanently (which can send families scrambling to find another school at the last minute – something DC students and parents have faced too often in recent years).

The Committee seeks to ensure every student's right to an excellent public education. Public school accountability and transparency issues are inherently civil rights issues: when public schools are accountable to the communities they serve, community members are more likely to keep schools focused on achieving equity and providing quality education opportunities for students. Ensuring broad public access to the same types of information across all of our public schools is key in understanding, assessing, and closing the persistent achievement and opportunity gaps among students, particularly with respect to students of color, our At-Risk student populations, students with disabilities, and English Language Learners. The National Research Council's 2015

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Evaluation of the Public Schools of the District of Columbia repeatedly emphasized this point.

Community input is a critical component of ensuring that DCPS and the public charter school LEAs are accountable to the students and parents that they serve. DC's Open Meetings requirements help to turn parents, students, journalists and education advocates into a powerful frontline of oversight that can expose civil rights violations, physical and mental abuse, or waste and fraud, often earlier than formal government action can; and that also can save the city both time and money. Transparency through Open Meetings alone will not repair the truly profound and persistent legacy of racial discrimination in public education. It is, however, a powerful tool if we are serious about achieving equitable opportunities for all DC public school students.

The Committee's stance on charter school transparency is straightforward: since they take public dollars, they should be fully public institutions. This amendment makes sure that there is not an exemption to the Open Meetings provision in the Act that nullifies the rule and allows un-transparent practices to continue.¹ It will not place any cost burden on charter schools to comply fully with the Open Meetings Act, and it will only strengthen their ability to serve their students by ensuring that parents and students have a voice in determining school community decisions. Transparency builds trust and accountability. The Committee urges you to support Councilmember Allen's amendment on Tuesday.

Sincerely,

Kent Withycombe

¹ While the Committee also has consistently supported subjecting charter schools to the same DC Freedom of Information Act requirements as DCPS and will continue to do so, that issue is not part of Councilmember Allen's pending amendment that will be voted on tomorrow.