

# DISTRICT OF COLUMBIA

(Law passed in 1996; the strongest of the nation's 43 charter laws)



D.C. has the strongest charter school law in the country largely due to their strong, independent authorizer, the D.C. Public Charter School Board (DCPCSB). The DCPCSB holds charters to stringent performance targets and accountability metrics, which it is able to do because of its autonomy. Despite the law, which says charters should receive nearly identical funding as their district peers, a recent lawsuit asserts that the district has shortchanged charters by millions for years. Charters also receive some per-pupil facilities funding, but it has been difficult finding suitable space and funding is still not equitable.

## INDEPENDENT OR MULTIPLE AUTHORIZERS - YES

APPROVAL	The D.C. Public Charter School Board (DCPCSB), an independent board, and the D.C. Board of Education are legally permitted to authorize. However, the D.C. Board relinquished its authority in 2006, and the DCPCSB assumed authority over their charter schools. The D.C. City Council may designate additional entities by enactment of a law, but has not done so yet. Some believe a little competition from additional authorizers, like universities, would guarantee D.C.'s reign at the top for years to come.
APPEAL	None.

## OPERATIONAL AUTONOMY

STATE	Yes. There is a blanket waiver from all public school rules and regulations. OSSE, the Office of the State Superintendent of Education and the DCPCSB continue to impose additional paperwork and compliance requirements on schools, which has begun to compromise the charters' autonomy. Virtual schools are permitted. Law does not restrict management contracts with ESPs, however the charter application requires additional information about the ESP including past performance data, management success, financials, capacity for growth, etc. The DCPCSB reviews any contract between a school and ESP over \$25,000.
LOCAL	Yes. Charters have control over most of their operations, including budgeting, operations and personnel. Charter schools are considered their own local education agency (LEA) except regarding special education where they can choose to be part of the district LEA.
TEACHER FREEDOM	Yes. Teachers may negotiate as a separate unit, or work independently. Employees transferring from a district school to a charter school are able to stay in the retirement system, if they choose. All other charter employees are not eligible.

## NUMBER OF SCHOOLS ALLOWED

CAP	Yes. Up to 20 charter schools per year may be authorized; unused charters roll over to the following year.
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(Continued)



## EQUITY

<b>STUDENT FUNDING</b>	<p>Funds pass through the District. Public charter school students and district students should be funded the same under the Uniform Per Student Funding Formula. This applies to operating funds, and district schools receive additional operating funds that charter schools cannot access, creating funding inequity.</p> <p>In July 2014, a group of charter schools filed a lawsuit alleging that the D.C. government shortchanges charters by \$1,600-\$2,600 per pupil, which accumulated to \$770 million since FY2008.*</p> <p>“The DC Council in 1998 passed the Uniform Per Student Funding Formula for Public School and Public Charter Schools Act, which is the foundation of the funding formulas. The Act provides a foundation amount that increases annually to account for inflation, plus additional amounts depending on grade levels, limited English proficiency, summer school, special education and residential schools.” D.C. Official Code § 38-2901 to 2912</p> <p>“The foundation level or cost of providing public education services is \$9,306 per student for fiscal year 2014 and subsequent fiscal years” D.C. Code § 38-2903. The funding formula will be reviewed and revised every two years for cost of living and similar increases D.C. Code § 38-2911.</p>
<b>FACILITIES FUNDS</b>	<p>Yes. Charter schools receive a facilities allowance of \$2,940 per pupil, even though the D.C. Public Schools capital budget is set at \$7,992 per student. There is also a credit enhancement fund and a direct loan fund for construction, purchase, renovation or maintenance of facilities. [D.C. Official Code § 38-2908]</p>

## IMPLEMENTATION POINTS

+ 1	<p>One point is awarded for the D.C. Public Charter School Board’s responsible authorizing - opening strong charter schools while holding current charters accountable to their contracts and closing them as necessary.</p>
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*\*Disclosure: CER filed an amicus brief with three other organizations in support of the charter schools that filed this lawsuit.*

LINK TO THE DISTRICT OF COLUMBIA CHARTER SCHOOL LAW