



February 2017

DISTRICT OF COLUMBIA CHARTER SCHOOLS

Multi-Agency Plan Needed to Continue Progress Addressing High and Disproportionate Discipline Rates

GAO Highlights

Highlights of [GAO-17-165](#), a report to congressional committees

Why GAO Did This Study

D.C. charter schools served about 45 percent of D.C.'s public school students in the 2015-16 school year. The District of Columbia School Reform Act of 1995 established PCSB to authorize and oversee charter schools. PCSB also oversees charter schools' use of suspensions and expulsions.

The District of Columbia Appropriations Act, 2005, as amended, included a provision for GAO to conduct a periodic management evaluation of PCSB. This report examines (1) what is known about suspensions and expulsions in D.C. charter schools, and (2) to what extent PCSB oversees charter schools' use of suspensions and expulsions. GAO analyzed the most recent national federal data (school years 2011-12 and 2013-14) and D.C. data (school year 2015-16) on suspensions and expulsions; reviewed relevant laws, regulations, and agency policies and documentation; and interviewed officials at PCSB and other D.C. agencies, as well as other stakeholders selected to provide a range of perspectives. GAO also visited three charter schools that had high discipline rates.

What GAO Recommends

GAO is making two recommendations, including that D.C. education agencies collaborate on a plan to further reduce discipline rates and make explicit agency roles, responsibilities, and authorities regarding charter school discipline. The agencies did not explicitly agree or disagree with our recommendations and indicated they could deepen their collaboration.

View [GAO-17-165](#). For more information, contact Jacqueline M. Nowicki at (617) 788-0580 or nowickj@gao.gov.

February 2017

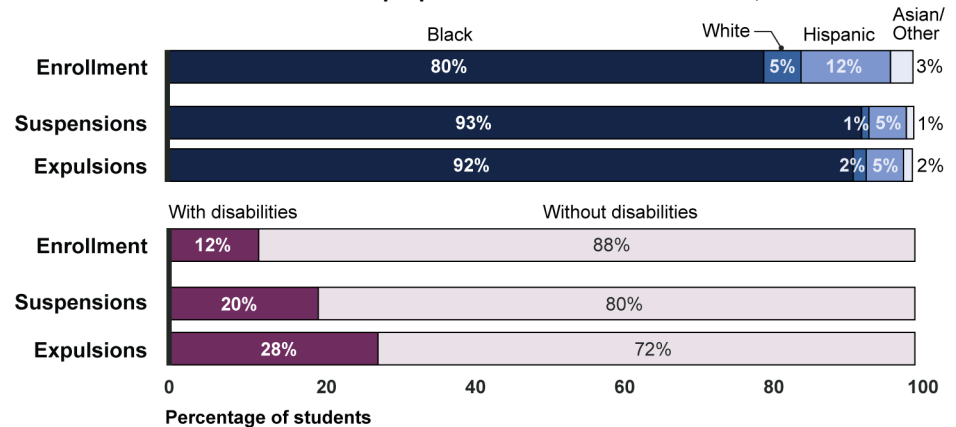
DISTRICT OF COLUMBIA CHARTER SCHOOLS

Multi-Agency Plan Needed to Continue Progress Addressing High and Disproportionate Discipline Rates

What GAO Found

Discipline rates (out-of-school suspension and expulsion rates) at District of Columbia (D.C.) charter schools dropped from school years 2011-12 through 2013-14 (the most recent years of national Department of Education data available). However, these rates remained about double the rates of charter schools nationally and slightly higher than D.C. traditional public schools and were also disproportionately high for some student groups and schools. Specifically, during this period, suspension rates in D.C. charter schools dropped from about 16 percent of all students to about 13 percent, and expulsions, which were relatively rare, went down by about a half percent, according to GAO's analysis. However, D.C. Black students and students with disabilities were disproportionately suspended and expelled. For example, Black students represented 80 percent of students in D.C. charter schools, but 93 percent of those suspended and 92 percent of those expelled. Further, 16 of D.C.'s 105 charter schools suspended over a fifth of their students over the course of school year 2015-16, according to D.C. data.

Suspensions and Expulsions of Black Students and Students with Disabilities in District of Columbia Charter Schools Were Disproportionate Relative to Enrollment, School Year 2013-14



Source: GAO analysis of U.S. Department of Education Civil Rights Data Collection. | GAO-17-165

Note: Numbers may not add to 100 due to rounding.

The Public Charter School Board (PCSB) regularly uses several mechanisms to oversee charter schools' use of suspensions and expulsions. For example, PCSB reviews school-level data and schools' discipline policies to encourage schools to reduce reliance on suspensions and expulsions to manage student behavior. Several D.C. agencies have roles in overseeing charter schools and reported collaborating on other issues, but we observed a lack of consensus around roles and responsibilities regarding charter school discipline. Further, a plan to issue regulations addressing discipline disparities among D.C. public schools was unsuccessful because the D.C. agency that planned to issue the regulations was unsure of its authority to do so. Absent a coordinated plan to continue progress in reducing discipline rates in charter schools, as well as clarified roles, responsibilities, and authorities of D.C. agencies with respect to oversight of discipline in charter schools, continued progress may be slowed.

Contents

Letter		1
	Background	4
	Suspension and Expulsion Rates in D.C. Charter Schools Are Down, but Are About Twice the National Charter School Rates	12
	PCSB and Other D.C. Agencies Oversee Charter Schools, but Have Not Created a Coordinated Plan to Help Schools Continue to Bring Down Discipline Rates	24
	Conclusions	32
	Recommendations for Executive Action	33
	Agency Comments and Our Evaluation	33
Appendix I	Objectives, Scope, and Methodology	37
Appendix II	Regression Analysis	47
Appendix III	Public Charter School Board Responsibilities	49
Appendix IV	Public Charter School Application Process	51
Appendix V	Summary of Public Charter School Board 2016 Annual Report Contents	56
Appendix VI	Public Charter School Board Revenues and Expenditures	58
Appendix VII	Public Charter School Board's Discipline and Demographic Data	59
Appendix VIII	Comments from the Public Charter School Board	65

Appendix IX	Comments from the Office of the State Superintendent of Education	72
-------------	---	----

Appendix X	GAO Contact and Staff Acknowledgments	74
------------	---------------------------------------	----

Tables

Table 1: Race and Ethnicity Variables Used in Analysis of Civil Rights Data Collection (CRDC)	39
Table 2: Characteristics of the Three Charter Schools Selected for Interviews	45
Table 3: Association of Regression Model Variables with District of Columbia Public Schools' Suspension Rates, School Year 2013-14	47
Table 4: PCSB Responsibilities As Specified in the District of Columbia School Reform Act of 1995	49
Table 5: Types of Charter School Applicants and Charter Schools Specified in the PCSB Application Process	51
Table 6: PCSB's Fall 2016 Charter Application Timeline	52
Table 7: PCSB Application Review Elements	52
Table 8: PCSB's Application Review Criteria	54
Table 9: PCSB Annual Reporting Requirements and Components of 2016 Annual Report	56
Table 10: PCSB Revenues and Expenditures, Fiscal Years (FY) 2011—2015	58
Table 11: PCSB School-Level Discipline and Demographic Data, School Year 2015-16	59
Table 12: PCSB Charter School Discipline Rates, School Years 2012-13 through 2015-16	64

Figures

Figure 1: Demographic Composition of Students in Charter and Traditional Public Schools in the District of Columbia (D.C.) and Nationally, School Year 2013-14	7
Figure 2: D.C. Public Education Governance Structure	10
Figure 3: Suspension and Expulsion Rates in Pre-K and K-12 District of Columbia Charter Schools, School Years 2011-12 and 2013-14	14

Figure 4: Suspension Rates in K-12 D.C. Charter Schools Were Twice the National Rates and Slightly Higher than D.C. Traditional Public Schools in School Years 2011-12 and 2013-14	16
Figure 5: Black Students and Students with Disabilities Were Disproportionately Suspended and Expelled in District of Columbia Charter Schools, School Year 2013-14	18
Figure 6: Black Students and Students with Disabilities Had the Highest Suspension and Expulsion Rates in District of Columbia Charter Schools, School Year 2013-14	19
Figure 7: Suspension Rates for Black Students and Students with Disabilities Are Higher Compared to Other Student Groups in District of Columbia (D.C.) Charter and Traditional Public Schools and Nationally, School Year 2013-14	20
Figure 8: Suspension and Expulsion Rates Are Distributed Unevenly across 105 District of Columbia Charter Schools, School Year 2015-16	21
Figure 9: PCSB Discipline Monitoring Mechanisms	25
Figure 10: Excerpt from One Public Charter School's Equity Report for School Year 2014-15	27

Abbreviations

CRDC	Department of Education Civil Rights Data Collection
D.C.	District of Columbia
DCPS	District of Columbia Public Schools
DME	Deputy Mayor for Education
Education	U.S. Department of Education
ESEA	Elementary and Secondary Education Act of 1965
IDEA	Individuals with Disabilities Education Act
IEP	individualized education program
Justice	U.S. Department of Justice
LEA	local educational agency
OSSE	Office of the State Superintendent of Education
PCSB	Public Charter School Board
Pre-K	Pre-Kindergarten
School Reform Act	District of Columbia School Reform Act of 1995

This is a work of the U.S. government and is not subject to copyright protection in the United States. The published product may be reproduced and distributed in its entirety without further permission from GAO. However, because this work may contain copyrighted images or other material, permission from the copyright holder may be necessary if you wish to reproduce this material separately.



February 9, 2017

The Honorable Shelley Moore Capito
Chairman
The Honorable Christopher Coons
Ranking Member
Subcommittee on Financial Services and General Government
Committee on Appropriations
United States Senate

The Honorable Tom Graves
Chairman
The Honorable Mike Quigley
Ranking Member
Subcommittee on Financial Services and General Government
Committee on Appropriations
House of Representatives

In school year 2013-14, 2.8 million U.S. public school students were suspended from school, with disproportionately higher rates of discipline for students of color and students with disabilities, according to the most recent available data from the U.S. Department of Education (Education). The large and disproportionate numbers of suspensions and expulsions for some students in our nation’s K-12 schools has received national attention. This matter has prompted Education, in conjunction with the U.S. Department of Justice (Justice), to issue guidance encouraging states, school districts, and public schools, including charter schools, to limit the use of suspensions and expulsions, as these practices—known as exclusionary discipline—remove students from the classroom and reduce their instruction.¹

In the District of Columbia (D.C. or the District), which has the fourth-largest proportion of its students enrolled in charter schools of any U.S.

¹ See, for example, U.S. Department of Education, *Guiding Principles: A Resource Guide for Improving School Climate and Discipline*, (Washington, D.C.: January 2014); U.S. Department of Justice, Civil Rights Division and U.S. Department of Education, Office for Civil Rights, Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline, January 2014; and U.S. Department of Education, Office for Civil Rights, Dear Colleague Letter – Charter Schools, May 2014. See <http://www2.ed.gov/policy/gen/guid/school-discipline/index.html> for Education’s web page on school discipline.

city, the U.S. Secretary of Education has raised questions about the rates of suspensions and expulsions at some charter schools—public schools established under charters that are granted autonomy from certain state and local laws and regulations in exchange for increased accountability. The entity with primary oversight of charter schools in the District, the Public Charter School Board (PCSB), was established by the District of Columbia School Reform Act of 1995.² The District of Columbia Appropriations Act, 2005, as amended, includes a provision for GAO to conduct a management review of PCSB every 5 years, including its oversight of charter schools.³ In this report, we examine 1) what is known about suspensions and expulsions in D.C. charter schools, and 2) to what extent PCSB oversees the use of suspensions and expulsions at charter schools.

To determine what is known about suspensions and expulsions in D.C. charter schools and compare them to national rates, we analyzed Education’s biennial Civil Rights Data Collection (CRDC) for school years 2011-12 and 2013-14, the most recent years for which national data are available. The CRDC is a comprehensive source of data on suspensions and expulsions that collects comparable data across the nation’s public school districts, schools, and students. As such, we used the CRDC to make comparisons between D.C. charter schools, D.C. traditional public schools, and traditional and charter schools nationally. PCSB also collects information on suspensions and expulsions in D.C. charter schools, but these data are not comparable to CRDC data on schools and students in other states. At the time we did our work PCSB had data that were more recent than data available through the CRDC (school year 2014-15 for PCSB versus 2013-14 for CRDC). We therefore chose to present PCSB’s data in selected analyses in the report, while also being careful not to make comparisons between the PCSB and CRDC data. In its written comments on a draft of this report, PCSB noted the recent availability of data for the 2015-16 school year. We updated our analyses accordingly to provide the most current picture of D.C. charter school discipline rates. Doing so did not materially change the findings in this report. PCSB provided us with these data on each charter school, which are part of data that the District collects annually on both charter schools

² Pub. L. No. 104-134, Title II, § 2214, 110 Stat. 1321, 1321-132 (codified at D.C. Code § 38-1802.14) (1996).

³ Pub. L. No. 108-335, § 346, 118 Stat. 1322, 1352 (2004), as amended by Pub. L. No. 112-74, Div. C, Title VIII, § 816, 125 Stat. 786, 943 (2011).

and traditional public schools.⁴ We determined that the data from both datasets were sufficiently reliable for the purposes of this report by reviewing documentation about the systems used to produce the data, conducting electronic testing, and interviewing Education and D.C. officials. As part of our data analysis, we also examined whether certain school characteristics—such as school type (charter versus traditional) and the racial composition of the student body—were associated with a higher incidence of suspensions in D.C. schools using a regression model based on the 2013-14 CRDC. In order to obtain charter school perspectives on reasons for high discipline rates in some schools, we conducted interviews with officials at three charter schools, selected because two had high discipline rates and one had reduced its formerly high discipline rates, according to D.C. data. These schools also represented variation on other school factors such as grades served and academic performance.

To determine the extent to which PCSB oversees suspensions and expulsions at D.C. charter schools, we reviewed documentation and guidance from PCSB as well as federal and District laws and regulations. We also reviewed documentation from other D.C. education agencies and Education. We interviewed PCSB officials, as well as officials at other D.C. agencies that have oversight responsibility for charter schools, including the Office of the State Superintendent of Education (OSSE), the District's state educational agency; the Deputy Mayor for Education; and the State Board of Education, including the Ombudsman for Public Education and the Chief Student Advocate. Further, to obtain additional context and insights, we selected and interviewed researchers and officials from advocacy groups and associations with different perspectives on charter schools and discipline. Finally, we reviewed selected research studies that provided further context and insight into school discipline in charter schools. For more detailed information on our scope and methodology see appendix I. See appendix II for the results of the regression model.

We conducted this performance audit from November 2015 to February 2017 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for

⁴ Throughout this report, we use "traditional" to refer to publicly funded schools other than public charter schools, consistent with the definition used by Education's National Center for Education Statistics.

our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

Background

Education and Justice have an initiative underway to support local and statewide school discipline initiatives that build positive school climates while keeping students in school. Education has made school discipline reform a priority and recently launched its #RethinkDiscipline campaign to increase awareness about the detrimental impacts of exclusionary discipline. As part of this awareness campaign, Education has developed a webpage where administrators, educators, students, parents and community members can find data and resources to increase their awareness of the prevalence, impact, and legal implications of suspension and expulsion. This webpage contains, among other things, guidance for addressing the behavior needs of students with disabilities and a directory of federal school climate and discipline resources available to schools and districts.⁵

Characteristics of D.C. Charter Schools

Of the approximately 87,000 public school students in D.C. in school year 2015-16, about 45 percent attended charter schools, while about 55 percent attended traditional public schools.⁶ Charter schools in D.C. serve students ranging from pre-kindergarten (pre-K) through grade 12. D.C. charter schools offer a range of focuses and specialized curricula, such as foreign language immersion or a focus on serving students who have not been successful in traditional public school settings. For the vast majority of public charter schools, students enroll through D.C.'s common lottery system, My School DC.

D.C. charter schools, like all public schools, must comply with various laws governing the education of children, including those pertaining to

⁵ Education's guidance on discipline and school climate related to this initiative can be found at: <http://www2.ed.gov/policy/gen/guid/school-discipline/index.html>.

⁶ Preliminary D.C. data for the 2016-17 school year show about 46 percent of public school students in D.C. enrolled in charter schools.

individuals with disabilities, civil rights, and health and safety conditions.⁷ Further, in January 2014 guidance, Education and Justice stated that school districts that receive federal funds must not intentionally discriminate on the basis of race, color, or national origin, and must not implement any policies that have the effect of discriminating against students on the basis of race, color, or national origin.⁸ In addition, charter schools are to be held accountable for their financial and educational performance,⁹ including the testing requirements under the Elementary and Secondary Education Act of 1965 (ESEA), as amended.¹⁰ In D.C., all charter schools are nonprofit organizations and are required to be governed by a board of trustees.¹¹ Members of the board of trustees are selected according to terms laid out in the school's charter, and the board assumes a fiduciary role and sets the overall policy for the school.¹²

Some D.C. charter schools are part of larger charter school networks that have schools in other states, such as KIPP or BASIS Schools. While some charter schools are managed by charter management

⁷ D.C. Code § 38-1802.04. Entities, such as traditional local educational agencies (LEA) and charter school LEAs, that receive federal financial assistance are prohibited from discriminating on the basis of race, color, or national origin, by Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d et seq., 34 C.F.R. Part 100, on the basis of sex by Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq., 34 C.F.R. Part 106, and on the basis of disability, by Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, 34 C.F.R. Part 104, in all of their operations. In addition, public entities, such as traditional LEAs and charter school LEAs, are prohibited from discriminating on the basis of disability in all of their operations, regardless of whether they receive federal financial assistance, by Title II of the Americans with Disabilities Act, 42 U.S.C. § 12131 et seq., 28 C.F.R. Part 35. See also U.S. Department of Education, Office for Civil Rights, Dear Colleague Letter – Charter Schools, May 2014.

⁸ U.S. Department of Justice, Civil Rights Division and U.S. Department of Education, Office for Civil Rights, Dear Colleague Letter on Nondiscriminatory Administration of School Discipline, January 2014.

⁹ D.C. charter schools must submit an annual report to PCSB which includes, among other things, audited financial statements. D.C. Code § 38-1802.04(c)(11)(B)(ix). In determining whether a school's charter will be renewed, PCSB will review all audited financial statements for the school, among other things. D.C. Code § 38-1802.12(b)(2).

¹⁰ D.C. charter schools receiving funds under Title I, Part A of ESEA are required to comply with most provisions of ESEA. D.C. Code § 38-1802.10(a)(5), (6).

¹¹ D.C. Code §§ 38-1802.02(9), 38-1802.04(c)(16).

¹² The Board of Trustees must have an odd number of members that does not exceed 15, of which a majority must be D.C. residents, and at least 2 must be parents of a student attending the school. D.C. Code § 38-1802.05.

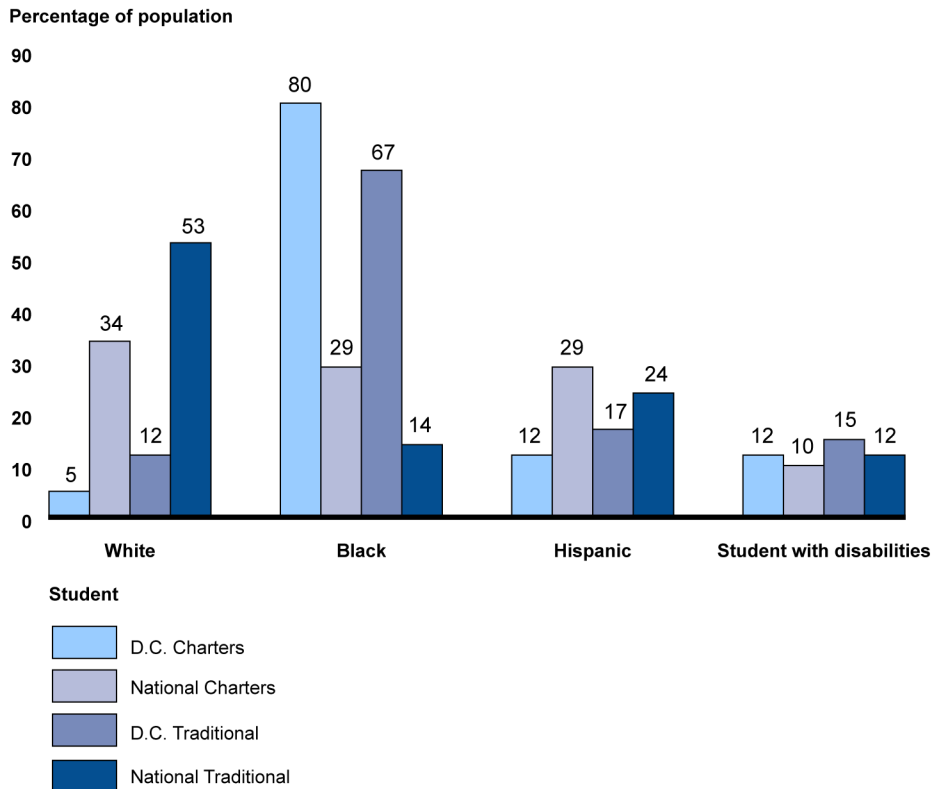
organizations—which may handle, for example, curriculum development, teacher recruitment and training, and operational support services for the charter school—other charter schools are single-school networks and operate without such an entity. In the 2015-16 school year, there were 114 charter schools in D.C., run by 65 different organizations.¹³ In the District, each charter school or group of charter schools functions as its own local educational agency (LEA), both for purposes of Title I of ESEA,¹⁴ and other purposes. As such, each charter school or group of charter schools is responsible for a wide range of functions associated with being an LEA, such as applying for certain federal grants and acquiring and maintaining facilities. PCSB officials told us that each charter LEA also has the autonomy to establish its own discipline policies and suspend and expel students. Officials from the State Board of Education also told us that, unlike D.C. traditional public schools, charter LEAs are not subject to the discipline policies and procedures in D.C. municipal regulations.

As shown in figure 1, charter schools and traditional public schools in D.C. both serve a largely Black population. In the 2013-14 school year, 80 percent of the students in charter schools were Black, compared to 67 percent in traditional public schools in the District. Both charter and traditional public schools in D.C. serve much higher percentages of Black students compared to schools nationally, reflecting D.C.'s large Black population.

¹³ PCSB's annual report for 2016 stated that there were 115 charter schools in that year, but their discipline data included only 114 schools and PCSB officials later confirmed that 114 was the correct count. In the 2016-17 school year there are 118 schools run by 65 organizations.

¹⁴ D.C. Code § 38-1802.10(a)(1)(A).

Figure 1: Demographic Composition of Students in Charter and Traditional Public Schools in the District of Columbia (D.C.) and Nationally, School Year 2013-14



Source: GAO analysis of U.S. Department of Education Civil Rights Data Collection. | GAO-17-165

With respect to students with disabilities, D.C. charter schools serve slightly lower percentages of these students than D.C. traditional public schools, but D.C. charter schools and D.C. traditional public schools both serve slightly higher percentages of these students than their national counterparts (see fig. 1). The Individuals with Disabilities Education Act (IDEA) contains specific procedures that govern the discipline of IDEA-eligible students with disabilities.¹⁵ In 2016, Education issued two pieces of “significant guidance” relevant to these students. The first emphasizes the importance of using IDEA’s individualized education program (IEP) and placement provisions to provide needed positive behavioral interventions and supports and other strategies to address the behavior of

¹⁵ 20 U.S.C. § 1415(k) and 34 C.F.R. §§300.530-300.536.

a student whose behavior impedes his or her learning or that of others.¹⁶ The guidance explains that these supports are especially important in light of research showing the detrimental effects of disciplinary suspensions, both short- and long-term, on students with disabilities.¹⁷ The second guidance document emphasizes that charter schools have the same obligation as other public schools to provide IDEA-eligible students with these supports, as well as all other protections under the law. In addition, Education noted in this guidance that it expects that a charter school authorizer will be able to ensure that any charter school that it authorizes complies with the terms of its charter, as well as applicable federal and state laws, including IDEA and other civil rights laws.¹⁸ Examples of covered disabilities under IDEA include intellectual disabilities, hearing or visual impairments, emotional disturbance, autism, and specific learning disabilities.¹⁹

Charter School Governance Structure

In the District, traditional public schools and charter schools have different oversight structures. The Chancellor of D.C. Public Schools oversees the traditional public schools, which operate as a single LEA. In contrast, each charter school or group of charter schools operates as its own LEA. The District of Columbia School Reform Act of 1995 (School Reform Act) established PCSB, an independent agency which provides the primary

¹⁶ Each child with a disability under IDEA receives an individualized education program, which is a written statement for each child that includes academic and functional goals for the child and that is approved by an individualized education program team consisting of the child's parents, teachers, representatives of the LEA, and other experts. See 20 U.S.C. § 1414(d).

¹⁷ U.S. Department of Education, Office of Special Education and Rehabilitative Services, Dear Colleague Letter on Ensuring Equity and Providing Behavioral Supports to Students with Disabilities, August 2016. This guidance is available at <https://www2.ed.gov/policy/gen/guid/school-discipline/files/dcl-on-pbis-in-ieps--08-01-2016.pdf>. Significant guidance is defined in the Office of Management and Budget's Final Bulletin for Agency Good Guidance Practices, 72 Fed. Reg. 3432 (Jan. 25, 2007).

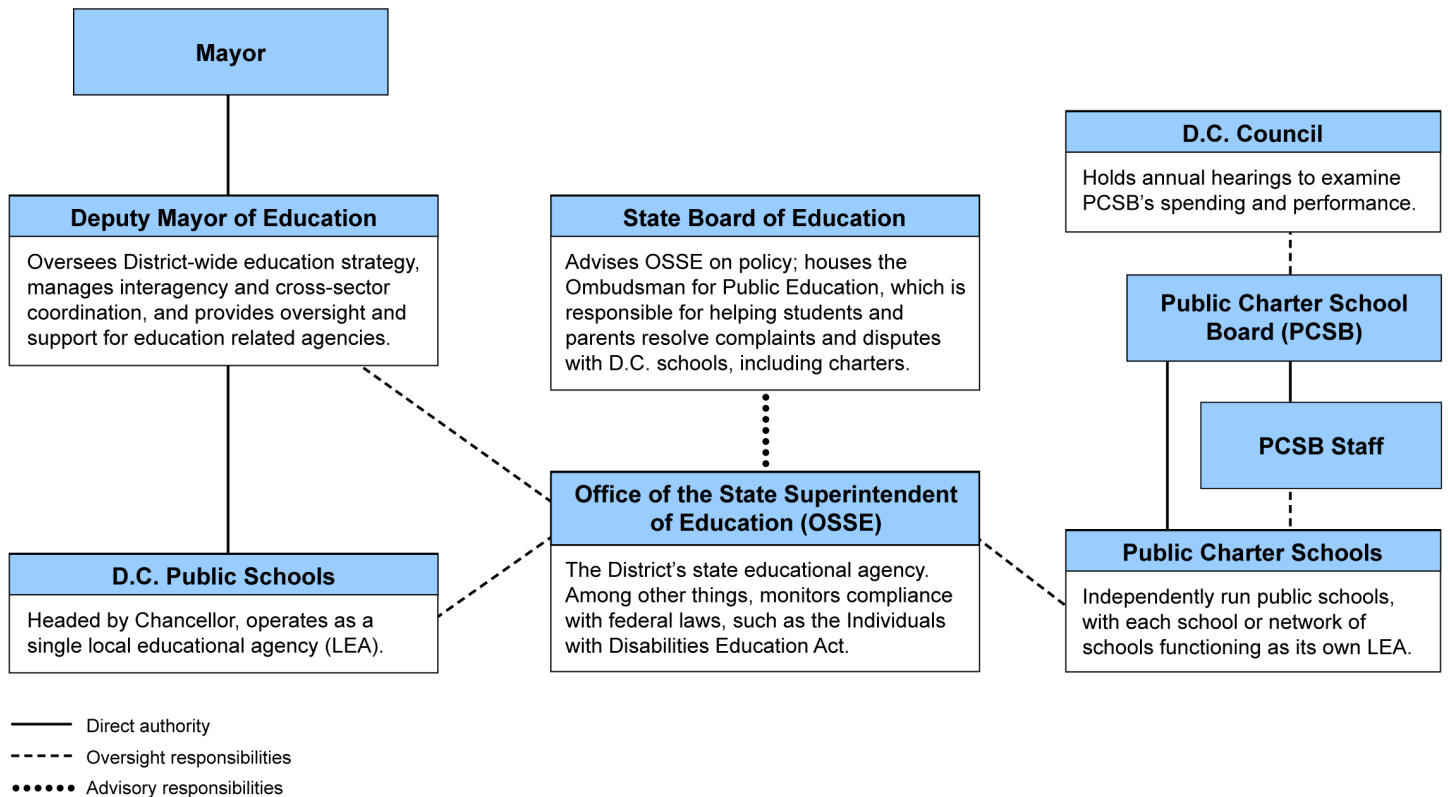
¹⁸ U.S. Department of Education, Office of Special Education and Rehabilitative Services, Frequently Asked Questions about the Rights of Students with Disabilities in Public Charter Schools under the Individuals with Disabilities Education Act (December 28, 2016). This guidance is available at <https://www2.ed.gov/policy/speced/guid/idea/memosdcltrs/faq-idea-charter-school.pdf>.

¹⁹ 20 U.S.C. § 1401(3)(A).

oversight of D.C. charter schools.²⁰ However, as in the states, general oversight of federal education program funding requirements—including requirements for serving students with disabilities and those related to federal civil rights—is the responsibility of the state educational agency, which in D.C. is OSSE. In addition, other D.C. education agencies are to coordinate with PCSB and interact with charter schools in various ways (see fig. 2).

²⁰ Pub. L. No. 104-134, Title II, § 2214, 110 Stat. 1321, 1321-132 (codified at D.C. Code § 38-1802.14) (1996). The School Reform Act also designated the D.C. Board of Education as a chartering authority. However, in 2007, the D.C. Council passed the Public Education Reform Amendment Act of 2007 (D.C. Law 17-9). This law transferred oversight responsibility for charter schools previously authorized by the Board of Education to PCSB, making PCSB the sole charter school authorizer in the District. The 2007 Act also placed D.C. public schools under the governance of the Mayor, moved the state education functions into a new state superintendent's office (Office of the State Superintendent of Education), established a separate public education facilities office, and created the D.C. Department of Education headed by the Deputy Mayor for Education. Moreover, the 2007 Act eliminated the Board of Education and created a new State Board of Education with responsibility for advising the State Superintendent of Education on educational matters, including state academic standards, policies, and regulations for traditional public schools, as well as charter schools.

Figure 2: D.C. Public Education Governance Structure



Source: GAO analysis of District of Columbia (D.C.) laws, other documents, and interviews with D.C. government officials. | GAO-17-165

Note: The D.C. Mayor appoints PCSB's members with the advice and consent of the D.C. Council.

PCSB, as the sole chartering authority in D.C., has the power to approve, oversee, renew, and revoke charters.²¹ (See app. III for a list of PCSB's responsibilities.) PCSB reviews applications for new charters, as described in appendix IV, and then is responsible for monitoring charter schools' academic achievement, operations, and compliance with applicable laws.²² PCSB is also required to submit an annual report that includes information on charter renewals, revocations, and other actions

²¹ See generally, D.C. Code §§ 38-1802.11 - 38-1802.14.

²² D.C. Code § 38-1802.11(a)(1).

related to public charter schools.²³ (See app. V for more information on PCSB's annual reporting.) The School Reform Act allows PCSB to grant up to 10 charters per year.²⁴ Each charter remains in force for 15 years. After 15 years in operation, if a school desires to renew its charter, it is required to submit a renewal application requesting to renew its charter for another 15-year term.²⁵ Charters may be renewed an unlimited number of times. PCSB is also required to review each charter at least once every 5 years to determine whether the charter should be revoked.²⁶

PCSB itself is comprised of seven unpaid board members who are appointed by the Mayor, with the advice and consent of the D.C. Council, and who are to be selected so that knowledge of specific areas related to charter schools is represented on the board.²⁷ In addition, there are 37 employees who implement the board's policies and oversee charter schools. PCSB's main source of revenue is administrative fees from charter schools, and its main expenditures are for its personnel and for other costs related to its monitoring activities (see app. VI for more information on PCSB's revenues and expenditures).

Rights of Students Suspended or Expelled from Charter Schools

Students who are suspended or expelled from any public school have certain rights. These rights are derived from a number of sources, including state and federal constitutional and statutory law and court decisions interpreting them.²⁸ For instance, the U.S. Supreme Court has held that all students facing temporary suspension have interests qualifying for protection under the Due Process Clause of the U.S. Constitution and that due process requires, in connection with a

²³ D.C. Code § 38-1802.11(d). The report must be submitted to the Mayor, the District of Columbia Council, the Board of Education, the Secretary of Education, and the appropriate Congressional committees.

²⁴ D.C. Code § 38-1802.03(h)(2)(i)(2)(A).

²⁵ D.C. Code § 38-1802.12(a).

²⁶ D.C. Code § 38-1802.12(a)(3). PCSB may revoke a charter for fiscal mismanagement, if the school has committed a violation of applicable laws or the terms of its charter, or if the school has failed to meet the student academic achievement goals in its charter. D.C. Code § 38-1802.13(a) and (b)

²⁷ D.C. Code §§ 38-1802.14(a)(2), 38-1802.14(c).

²⁸ GAO did not conduct an exhaustive examination of the rights afforded D.C. public school students as this was outside the scope of this report.

suspension of 10 days or less, that a student be given oral or written notice of the charges against them and an explanation of the evidence the authorities have and an opportunity to present the student's side of the story.²⁹ Further, students with disabilities under IDEA have specific rights afforded under that statute.³⁰ In particular, if a school proposes suspending a student served under IDEA for more than 10 days, the LEA, the student's parents, and relevant members of a child's IEP team must conduct a review to determine whether the behavior in question is a manifestation of the student's disability. If so, the suspension cannot proceed. Students with disabilities also have rights to educational services while suspended.³¹

Suspension and Expulsion Rates in D.C. Charter Schools Are Down, but Are About Twice the National Charter School Rates

District of Columbia Charter School Discipline at a Glance

- Discipline rates for charter schools overall dropped from school year 2011-12 through school year 2013-14 according to federal data, and continued to drop through school year 2015-16, according to D.C. data.
- According to federal data, in school year 2013-14:
 - Both charter and traditional public schools in D.C. had suspension rates that were about double the rates for schools nationally.
 - D.C. charter school suspension rates were slightly higher than D.C. traditional public school suspension rates overall.
 - Discipline rates remain disproportionately high for Black students and students with disabilities.
- Rates for individual charter schools varied widely in 2015-16, according to D.C. data.

Source: GAO analysis of U.S. Department of Education's Civil Rights Data Collection and Public Charter School Board data. | GAO-17-165

Note: Federal and D.C. data are not comparable.

²⁹ *Goss v. Lopez*, 419 U.S. 565, 581 (1975).

³⁰ In addition, the U.S. Supreme Court also held that IDEA's predecessor prohibits school authorities from unilaterally removing students with disabilities from the classroom for more than ten school days for dangerous or disruptive conduct stemming from their disability. *Honig v. Doe*, 484 U.S. 305 (1988).

³¹ 20 U.S.C. § 1415(k)(1)(D). 34 C.F.R. § 300.530(d).

Discipline Rates of Students in D.C. Charter Schools Have Dropped

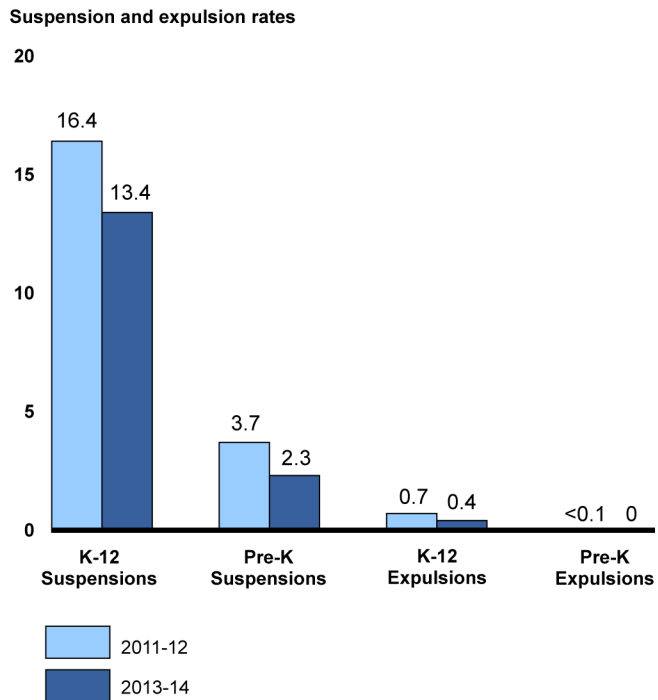
Discipline rates—that is, out-of-school suspensions and expulsions—at D.C. charter schools dropped from school year 2011-12 through school year 2013-14, but remained disproportionately high for Black students and students with disabilities, as well as at some schools.³² The overall suspension rate for K-12 students dropped from 16.4 percent of all students to 13.4 percent, a 3 percentage point drop from school years 2011-12 to 2013-14, the most recent years for which national data are available (see fig. 3).³³ The number of students suspended similarly dropped from 4,465 to 3,980 students over that same period. D.C.'s own data, which is collected annually and is more recent, also indicated that suspension rates for D.C. charter schools dropped from school year 2012-13 through school year 2015-16. (See app. VII for PCSB's data on D.C. charter school discipline rates for school years 2012-13 through 2015-16).³⁴

³² To compare D.C. public charter school data with D.C. traditional public school data, as well as national data for both charter and traditional public schools, we primarily analyzed data from school year 2013-14, the most recent for which national data are available. In addition, PCSB's data are not comparable to Education's data.

³³ While rates went down, absent more data points we cannot say definitively whether this is part of larger trend.

³⁴ PCSB's data are not comparable to Education's data in part because they do not distinguish between pre-K and K-12 rates, and also included three adult-serving schools not included in the CRDC. In addition, we found 12 K-12 charter schools that were in operation in 2013-14 that were not captured in Education's data. All except 1 of the 12 schools closed by the end of the 2014-15 school year, which likely prevented them from submitting data.

Figure 3: Suspension and Expulsion Rates in Pre-K and K-12 District of Columbia Charter Schools, School Years 2011-12 and 2013-14



Source: GAO analysis of U.S. Department of Education Civil Rights Data Collection. | GAO-17-165

Note: Pre-K = Pre-Kindergarten. The 2013-14 pre-K expulsion data presented here differ from the Civil Rights Data Collection publicly available at the time GAO did its work. One group of charter schools did report pre-K expulsions in that year, but later said they did so in error and were working with the Department of Education to correct the data. The Public Charter School Board reported zero pre-K expulsions in 2013-14, which is what we present here.

Expulsions for K-12 students were also down, with 188 students expelled in 2011-12 (a rate of 0.7 percent) compared to 133 students expelled in D.C. charter schools in 2013-14 (a rate of 0.4 percent), according to Education’s data (see fig.3). D.C.’s data similarly show expulsion rates for D.C. charter schools dropping over the 4-year period from 2012-13 through 2015-16 (see app. VII). Expulsions for pre-K students remained very low—there were zero pre-K expulsions in 2013-14 compared to two expulsions in 2011-12—an expulsion rate of less than .01 percent.³⁵

³⁵ In 2015, the D.C. Council passed a law restricting suspensions and disallowing expulsions for pre-K students, which took effect during the 2015-16 school year. (Pre-K Student Discipline Amendment Act of 2015, D.C. Act 21-50)

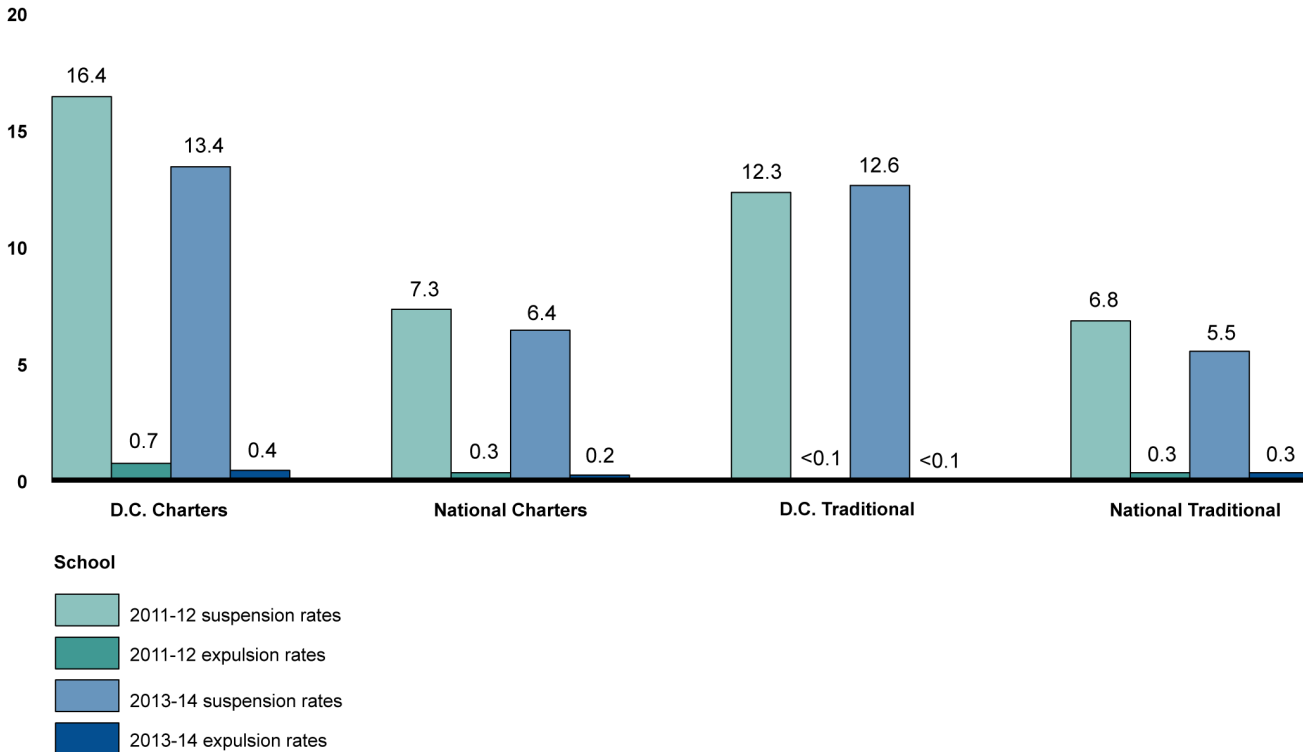
Suspension Rates in D.C. Schools Are About Twice the National Rates

In both 2011-12 and 2013-14 both D.C. charter schools and traditional public schools had suspension rates that were about double the rates for schools nationally, according to Education's data (see fig. 4). For example, in 2013-14, D.C. charter schools had about a 13 percent suspension rate, while the national rate for all charter schools was about 6 percent. This was also true for expulsions, with charter schools in D.C. reporting double the rate of charter schools nationally. Within D.C., charter schools' suspension rates were slightly higher than D.C. traditional public schools. In the same year, D.C. charter schools expelled 133 K-12 students (a rate of 0.4 percent). D.C. charter school students who are expelled are not permitted to return to their charter school. They typically return to their traditional public school for the remainder of the school year but may re-enter the D.C. school lottery for a different charter school the next year. In contrast, D.C. traditional public schools generally do not expel students. Instead, D.C. traditional public schools generally use long-term suspensions (greater than 11 days) and temporarily transfer these students to an alternative middle and high school.³⁶

³⁶ D.C. traditional public schools only expel students for extreme circumstances, such as violence, and such students are expected to attend the alternative school for 180 days and then return to their original school. In 2014-15, 266 students in D.C. traditional public schools were transferred to the alternative school, and 3 of these students had been issued 1-year expulsions.

Figure 4: Suspension Rates in K-12 D.C. Charter Schools Were Twice the National Rates and Slightly Higher than D.C. Traditional Public Schools in School Years 2011-12 and 2013-14

Suspension and expulsion rates



Source: GAO analysis of U.S. Department of Education Civil Rights Data Collection. | GAO-17-165

Note: Expulsion rates for District of Columbia (D.C.) charter and traditional public schools reflect differences in policy. D.C. traditional public schools generally use long-term suspensions instead of expulsions and temporarily transfer these students to an alternative middle and high school. D.C. traditional public schools only expel students for extreme circumstances, such as violence, and such students are expected to attend the alternative school for 180 days and then return to their original school.

Further, for both charter and traditional public schools in D.C., some stakeholders we spoke with had concerns about schools removing students from school without issuing them formal suspensions—a practice they said occurs in some schools. Both the Ombudsman for Public Education and officials from a legal advocacy group for children told us they had worked on cases in which students were sent home for part or all of a school day for behavior-related reasons without being formally suspended. The three D.C. charter schools we visited all engaged in these practices to some extent. For example, at one of the three schools, officials said a student may be asked to stay home, but not

formally suspended, while the school investigates a behavior incident. Such full-day removals from school should be reported as suspensions under D.C. law, which defines out-of-school suspension as removing a student from school for disciplinary reasons for 1 school day or longer.³⁷ At this school and the two others we visited, officials also said that when a behavioral incident occurs, they may send a student home for the remainder of the school day without issuing a formal suspension. Based on D.C.'s legal definition of suspension and PCSB reporting requirements, these partial day removals would only be tracked in the D.C. data if the student had a disability and was sent home for at least half of the school day. PCSB officials told us they require charter schools to follow the law in reporting suspensions and have discouraged schools from using partial day removals as a way to avoid formal suspensions. Frequent partial or full day removals from school can contribute to a significant amount of missed instruction time that is currently not fully captured, tracked, or monitored by PCSB or other D.C. education agencies, despite their stated goals of using data to reduce exclusionary discipline practices.

Discipline Rates Varied Widely Among Student Groups and Schools in D.C.

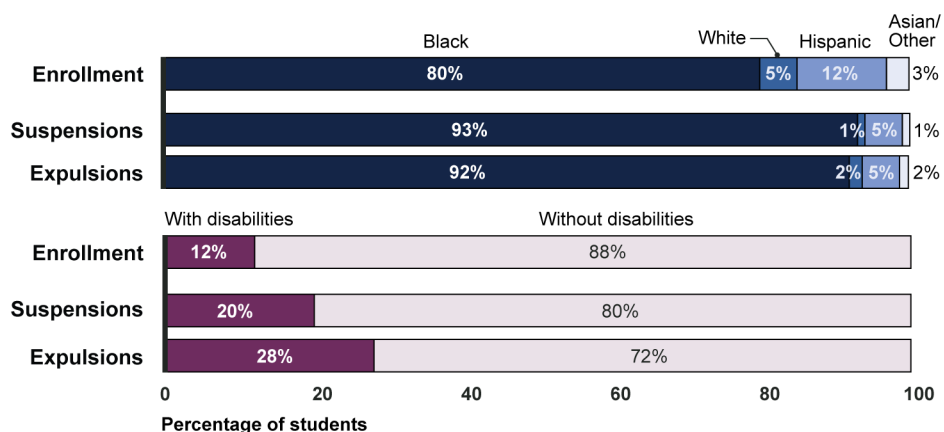
Although suspension and expulsion rates at D.C. charter schools have dropped overall and across most student groups, rates varied widely among groups of students and among individual D.C. charter schools. Specifically, Black students and students with disabilities were disproportionately suspended and expelled from D.C. charter schools, according to Education's 2013-14 data.³⁸ As shown in figure 5, although Black students represented 80 percent of charter school enrollment, they represented 93 percent of those suspended and 92 percent of those expelled. Black boys, who represented 39 percent of enrolled students, were 56 percent of those suspended and 55 percent of those expelled over this period (not shown). Similarly, students with disabilities

³⁷ D.C. Code § 38-271.01(5A). In contrast, in 2013-14, the federal Civil Rights Data Collection required schools to report removals of at least half a day as suspensions.

³⁸ Our analysis of students with disabilities included only those students receiving services under the Individuals with Disabilities Education Act, and not those receiving services under Section 504 of the Rehabilitation Act of 1973, as amended, because Section 504 students were not reported by race and ethnicity. Section 504 is a civil rights statute which prohibits discrimination on the basis of disability in any program or activity receiving federal financial assistance. 29 U.S.C. § 794. Students only receiving services under Section 504 represented 8 percent of the population of all students with disabilities in D.C. public school students in 2013-14.

comprised 12 percent of D.C. charter school enrollment but represented 20 percent of those suspended and 28 percent of those expelled.

Figure 5: Black Students and Students with Disabilities Were Disproportionately Suspended and Expelled in District of Columbia Charter Schools, School Year 2013-14

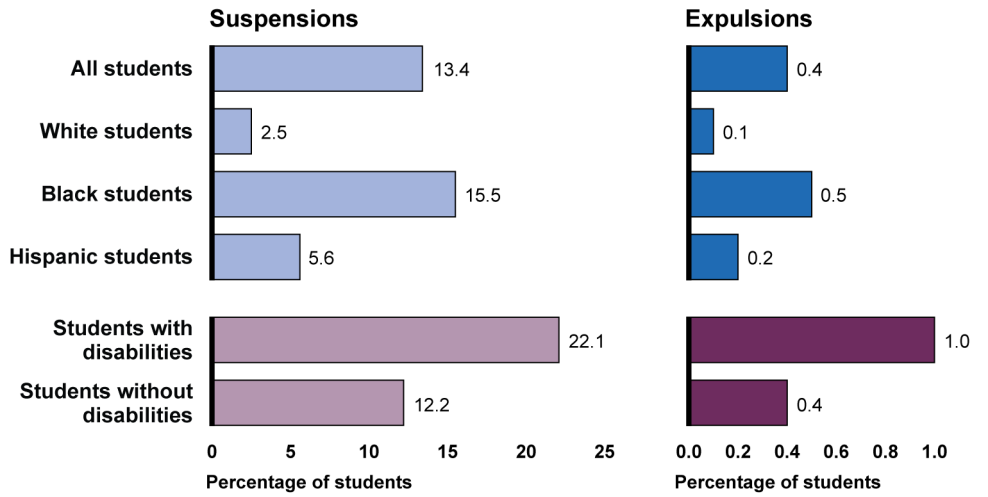


Source: GAO analysis of U.S. Department of Education Civil Rights Data Collection. | GAO-17-165

Note: Numbers may not add to 100 due to rounding.

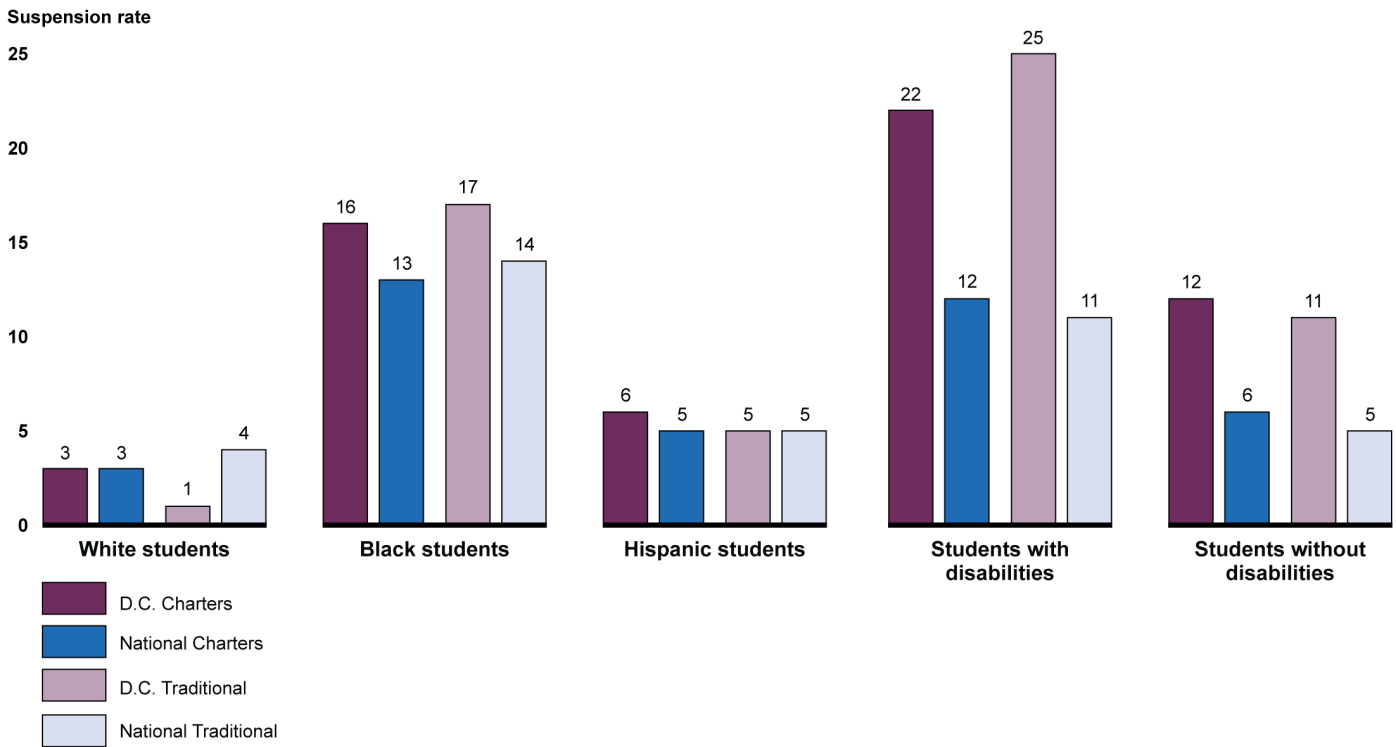
Our analysis also found that the rates of suspension for Black students in D.C. charter schools were about six times higher than the rates for White students and the rates for students with disabilities were almost double the rates for students without disabilities, as shown in figure 6. In addition, male students in D.C. charter schools had suspension rates that were approximately 65 percent higher and expulsion rates that were two times higher than female students (not shown). The pattern of higher rates of discipline for Black students, students with disabilities (as shown in fig. 7), and male students (not shown) also occurred in D.C. traditional public schools, as well as charter and traditional public schools nationally. Further, our regression model found an association between some student characteristics and a higher incidence of suspensions. Specifically, schools that served upper grades (grade 6 and up), or served higher percentages of Black students or English Learners were associated with higher rates of suspensions. This effect existed for both types of public schools in D.C. but was larger for traditional public schools than charter schools. (See app. I for a full discussion of the regression analysis and app. II for the results.)

Figure 6: Black Students and Students with Disabilities Had the Highest Suspension and Expulsion Rates in District of Columbia Charter Schools, School Year 2013-14



Source: GAO analysis of U.S. Department of Education Civil Rights Data Collection. | GAO-17-165

Figure 7: Suspension Rates for Black Students and Students with Disabilities Are Higher Compared to Other Student Groups in District of Columbia (D.C.) Charter and Traditional Public Schools and Nationally, School Year 2013-14

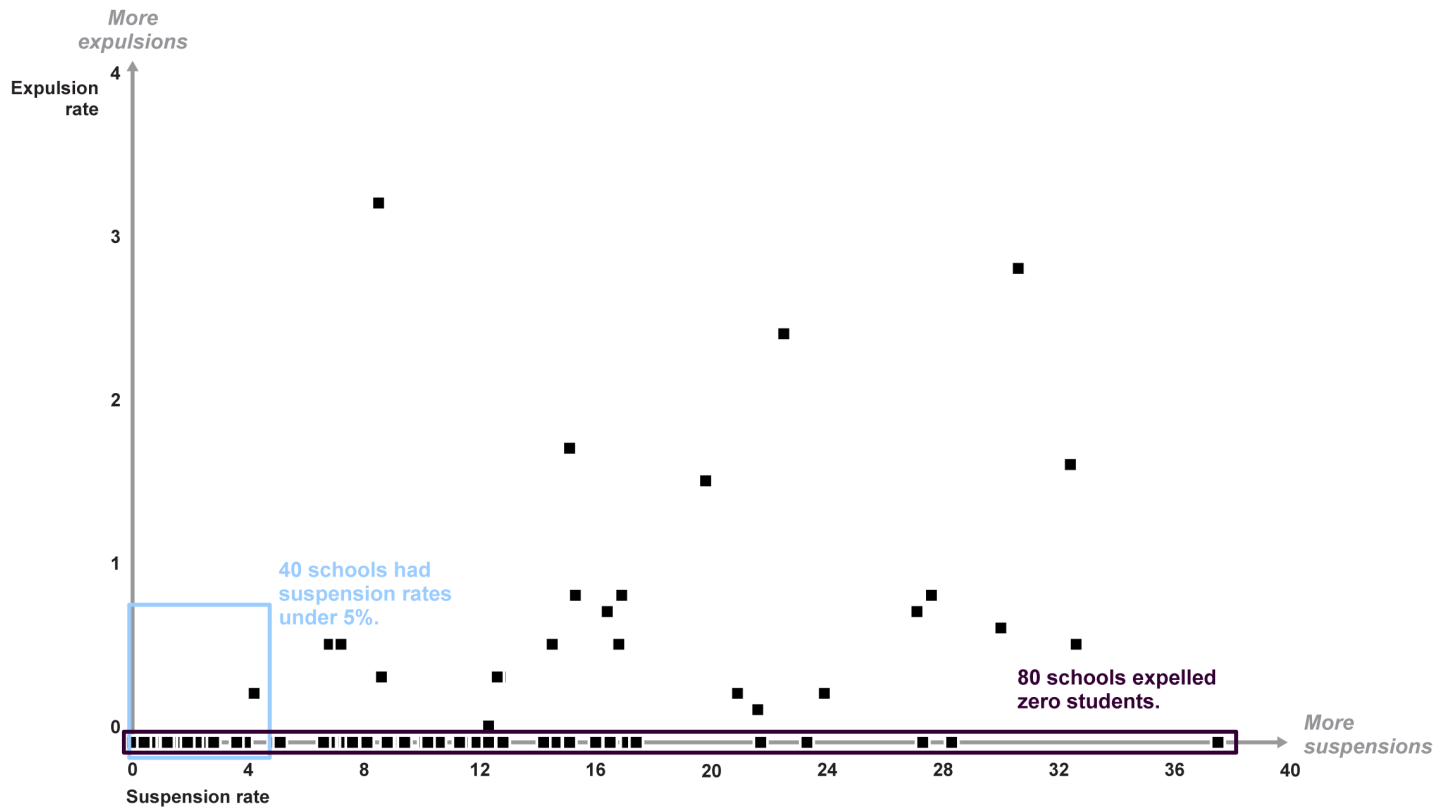


Source: GAO analysis of U.S. Department of Education Civil Rights Data Collection. | GAO-17-165

When we looked at suspensions and expulsions for individual D.C. charter schools for school year 2015-16, we found wide variation in rates. In particular, 16 of the 105 D.C. charter schools suspended 20 percent or more of their students, with 5 schools suspending 30 percent or more of their students over the course of that school year.³⁹ With respect to expulsions, 6 charter schools expelled more than 1 percent of their students, and these 6 schools accounted for over half of all charter school expulsions. (See fig. 8; see app. VII for a full list of D.C. charter schools and their school year 2015-16 discipline rates.) The schools with the highest suspension rates tended to serve middle school students (grades 5-8), while the schools with the highest expulsion rates varied in the grades they served.

³⁹ This analysis, based on PCSB's data, excludes the 9 charter schools that served adults or that were exclusively online in 2015-16.

Figure 8: Suspension and Expulsion Rates Are Distributed Unevenly across 105 District of Columbia Charter Schools, School Year 2015-16



Source: GAO analysis of Public Charter School Board data. | GAO-17-165

Note: This analysis excludes the 9 charter schools that served adults or that were exclusively online in 2015-16.

PCSB officials said that the D.C. charter schools with the highest rates either served high percentages of at-risk students or had strict discipline policies. According to these officials, some of these charter schools serve a high percentage of students with risk factors associated with behavioral problems—such as being formerly incarcerated or expelled—and these schools may struggle to manage their behavior while maintaining a safe school environment. One charter school we visited fell into this category and officials told us that their rates were high because they served many students who had been encouraged to leave their previous schools because of bad behavior. In addition, charter school officials in all three schools we visited said that managing the behavioral issues of some students with disabilities was one of the key discipline challenges they

faced. Officials at these schools also said that many of their students have experienced trauma, which can manifest as behavior issues in the classroom. All of these schools had hired or planned to hire more mental health experts to better address these issues. However, officials at two schools said they have had challenges obtaining additional mental health resources and added that their staff could benefit from further training on working with traumatized students.

With respect to school discipline policies, PCSB officials also said that many of the schools with high discipline rates are part of networks with reputations for strict policies. For example, they said that one network started with a “no excuses” discipline philosophy that encouraged punishment for minor offenses, although their approach to discipline is now changing. PCSB officials described another network that runs D.C. charter schools with high suspension rates as having an “elaborate” behavior management system, which uses 1-day suspensions as an anchor of their discipline system. The network does not see their high suspension rate as a problem because their policy does not keep students out of school for a long time, and, according to school officials, helps correct student behavior. PCSB officials said they conducted an analysis which found no correlation between 1-day suspensions and withdrawal rates. However, several other stakeholders we interviewed told us that some parents have withdrawn their children from so-called “no excuses” charter schools out of frustration because of the multiple suspensions their child received. Further, the Ombudsman for Public Education said that her office had heard from some charter school parents who were frustrated with such discipline practices, but felt they had no option but to keep their child at the school for the remainder of the school year because the school lottery had closed.

Efforts to Reduce Discipline Rates Have Met with Some Success, but Charter Schools We Visited Continue to Face Challenges

According to officials we interviewed, charter schools have made a concerted effort to reduce discipline incidents but continue to face challenges. According to PCSB and other stakeholders, most D.C. charter schools have been motivated to address discipline issues in their schools. At the three charter schools we visited, all of the officials said they took steps to reduce their suspension rates and create a more positive environment to reduce behavior problems. For example, one charter school official described an approach that incorporates empathy and problem solving skills to address discipline, while keeping the student in school. This school is part of an OSSE pilot program in which five D.C. traditional public and charter schools receive on-site technical assistance to implement such practices. An official at a second charter school said

that they were using interventions and supports that emphasize positive behaviors to reduce incidences of discipline.⁴⁰ (See text box.) An official from the third school said that they have implemented an alternative to in-school suspensions when a student is disruptive, giving the student an opportunity to reflect and continue classwork in a separate environment.⁴¹ D.C. data for school year 2015-16 showed that discipline rates in these three schools had declined from 2014-15, although suspension rates at all three remained above the public charter school average, with one school's suspension rate remaining above 30 percent.⁴²

Alternatives to Exclusionary Discipline

Restorative Justice Practices: An alternative disciplinary approach which uses non-punitive disciplinary responses that focus on repairing harm done to relationships and people. The aim is to teach students empathy and problem solving skills that can help prevent the occurrence of inappropriate behavior in the future. For example, officials at one school we interviewed described asking a student who stole a laptop to “restore” his community by writing a reflection paper, as well as attend Saturday school, instead of being suspended.

Positive Behavior Intervention and Supports: A schoolwide framework, which focuses on positive behavioral expectations. By teaching students what to do instead of what not to do, the school can focus on the preferred behaviors. At one school implementing this practice, officials told us they instruct teachers to note three positive behaviors for every negative behavior, for each student.

Source: U.S. Department of Education guidance. | GAO-17-165

Note: Education's Guiding Principles: A Resource Guide for Improving School Climate and Discipline and Positive Behavior Intervention and Supports website hosted by Education's Office of Special Education Programs at <http://www.pbis.org>.

School officials told us that implementing changes to their discipline practices and creating a more positive environment is time and resource intensive and that full implementation would take several years. In implementing these changes, schools officials told us they faced resistance from both staff and parents. Some teachers may not fully adhere to these new practices, finding it easier to remove students from

⁴⁰ These strategies for reducing harsh discipline practices in schools are identified as leading practices by Education, Justice, and the Department of Health and Human Services.

⁴¹ The in-school suspension rate for D.C. charter schools as a group went up between 2011-12 and 2013-14, from 4.0 percent to 5.3 percent, according to Education's data.

⁴² The decrease in these schools' suspension rates from school year 2014-15 to 2015-16 ranged from 6 to 14 percentage points, and the decrease in their expulsion rates ranged from less than 1 to nearly 2 percentage points.

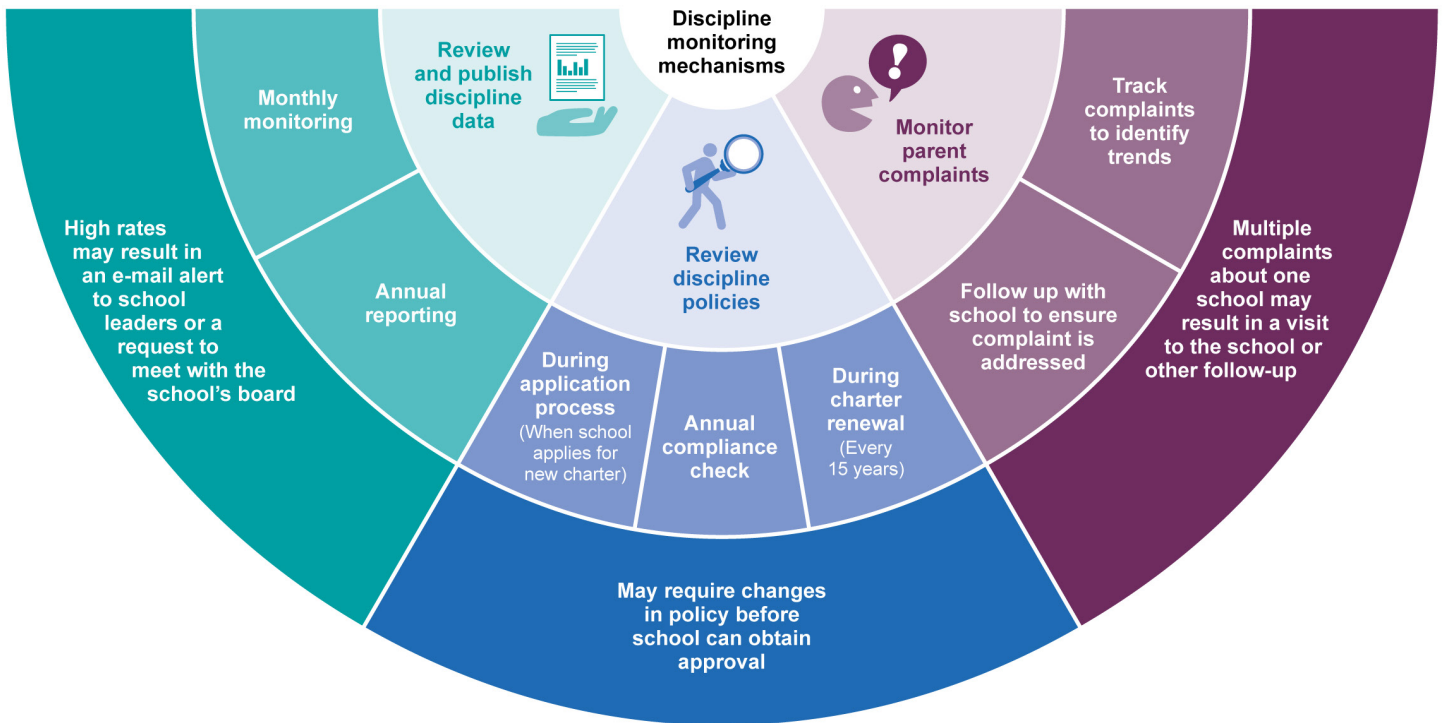
class when they are misbehaving, according to charter school officials. Officials at two schools said they had recently hired new principals to more effectively implement their new discipline philosophies, and all three of the schools had hired more staff to focus on school climate issues. In addition, school officials told us that some parents protested the changes, preferring a strict discipline culture that they perceive as keeping their children safe.

PCSB and Other D.C. Agencies Oversee Charter Schools, but Have Not Created a Coordinated Plan to Help Schools Continue to Bring Down Discipline Rates

PCSB Collects and Publishes Discipline Data by School and Alerts Schools of Concerns

PCSB has increased its focus on school discipline in recent years and uses several mechanisms to oversee charter schools' use of suspensions and expulsions (see fig. 9).

Figure 9: PCSB Discipline Monitoring Mechanisms



Source: GAO analysis of Public Charter School Board (PCSB) monitoring processes. | GAO-17-165

Specifically, PCSB officials said that in 2012, PCSB began reviewing discipline data it collected from each charter school on a monthly basis. They told us they use the data to focus schools' attention on suspension and expulsion rates and encourage schools to address high rates. In these monthly reviews, PCSB officials said they examine year-to-date suspension and expulsion rate averages, including averages by grade band (pre-K, elementary, etc.), and also identify outlier schools that have the highest suspension and expulsion rates, highest number of days students were suspended, and highest suspension rates for students with disabilities.⁴³ PCSB officials said they communicate with schools regularly about the patterns they see in their discipline data and that they request meetings with charter school officials of outlier charter schools to discuss their schools' rates and how they compare to other charter schools.

⁴³ PCSB also reported examining data on mid-year withdrawals, attendance, and truancy as part of these reviews.

PCSB officials told us they use this approach because charter school officials will usually choose to make changes when they are provided with this information. Officials from the three schools we interviewed said that PCSB has generally been active in sharing information and data, highlighting issues, and encouraging schools to reduce suspension and expulsion rates. Further, PCSB has offered training and professional development opportunities to charter school officials on topics related to school discipline, including conferences on classroom management and multiple quarterly meetings for school officials devoted to the topic.

PCSB and OSSE work together to annually publish discipline data by school in Equity Reports, which are reports that PCSB officials said drive schools to lower their suspension and expulsion rates. The Equity Reports are also meant to provide school leadership, school boards, families, and the community with information that will allow them to compare data on both charter schools and traditional public schools in D.C.⁴⁴ See figure 10 for an excerpt from one charter school's 2014-15 Equity Report.

⁴⁴ Equity Reports can be found at <http://osse.dc.gov/equity-reports>.

Figure 10: Excerpt from One Public Charter School's Equity Report for School Year 2014-15



Source: Excerpt from one public charter school's equity report for school year 2014-15, retrieved from <http://osse.dc.gov/equity-reports> on September 6, 2016. | GAO-17-165

PCSB officials told us that they also review schools' discipline policies during the charter application and renewal processes. These officials said that they use the application process to shape new charter schools' discipline policies. According to PCSB officials and application guidance, PCSB is unlikely to approve an application whose discipline policy will result in frequent removal of students from the school (see text box). PCSB officials said that this process is their opportunity to ensure that

charter school policies limit the use of suspensions and expulsions. For example, in a May 2015 letter explaining the reasons for denying a new charter school application, PCSB noted that the “demanding behavioral program may result in high percentages of students being suspended or expelled and the founding team has not developed realistic supports to meet the needs of all learners. When asked about how the school will support students who struggle with strict behavior expectations, the founding group...did not provide a cohesive and deliberate approach.”

Excerpts from PCSB Policy Documents

“Discipline plans that provide for expulsion for minor offenses such as possession of tobacco or insubordination will not be approved.” –PCSB Discipline Plan Policy

“PCSB is unlikely to approve applications for schools with discipline policies that rely on school exclusion to manage student behavior and/or that are likely to result in high rates of suspensions and expulsions.”
–PCSB 2016 Charter Application Guidelines

“PCSB expects that schools will only expel students for federally-recognized reasons.”^a –PCSB 2016 Charter Application Guidelines

Source: Public Charter School Board (PCSB) policy and guidance. | GAO-17-165

^aAccording to PCSB officials, federally-recognized reasons include drug and alcohol incidents, weapons possession, and violent acts.

With respect to charter renewals, which occur every 15 years, PCSB officials said that recently they have begun to use this process to, among other things, renegotiate parts of schools’ discipline policies. Officials said that if PCSB and the charter school board fail to reach agreement, the school’s funding will cease, which according to PCSB officials provides a strong incentive for charter schools to comply.⁴⁵

In addition, PCSB conducts higher-level reviews of schools’ discipline policies on an annual basis. Officials told us that these reviews are meant to confirm that schools’ discipline policies include three key elements: due process and appeals procedures, clearly outlined reasons for suspensions and expulsions, and adherence to federal protections for

⁴⁵ PCSB officials told us that Board members typically vote on charter renewals during the school year. After the Board has approved a charter renewal typically in the spring, they will begin to work with the school on a new charter agreement. PCSB generally begins making payments to schools on July 15 each year. According to PCSB officials, schools without a signed charter agreement in place are not eligible to receive payments.

students with disabilities in the discipline process. (See text box below for the full list of discipline policy elements PCSB requires of charter schools.) If a school’s policy does not include one or more of these elements, PCSB officials said they will give the school 2 weeks to revise the policy and, if the school fails to fix the issue, PCSB will send a “notice of concern”— a formal, written notification alerting a school of issues that need to be addressed. If the school still fails to fix the issue, PCSB will send a charter warning letter indicating that the charter could be subject to revocation. PCSB officials told us they have never had to send a warning letter for issues related to discipline policies.

Required Elements of Charter School Discipline Policies

- Parent, student, and staff rights and responsibilities;
- Clear explanation of infractions, what specific acts are not tolerated in the school, tiered consequences and interventions, and a clearly outlined basis for suspensions and expulsions;
- Due process and appeals procedures;
- Provisions to ensure that all rules are enforceable and applied consistently by all staff; and
- All Individuals with Disabilities Education Act (IDEA) guidelines and requirements, which concern services for students with disabilities.

Source: Public Charter School Board Discipline Plans Policy. | GAO-17-165

Finally, PCSB also monitors parent and stakeholder complaints. PCSB officials told us that if they notice a trend or pattern in these complaints they will follow up with schools. They said that they have never had a pattern of complaints against a school related to suspensions or expulsions.⁴⁶

⁴⁶ PCSB’s Community Complaint Policy is available for download at <http://www.dcpsb.org/policy/community-parent-engagement/community-complaint-policy>. The website includes the following description of PCSB’s role with regard to complaints: “When a parent or community member reaches out to the D.C. Public Charter School Board (“PCSB”) with a complaint against a school, the primary goal is to ensure that the school has (a) followed its complaint process in order to address the parent’s concern (See D.C. Code § 38- 1802.04(c)(13)); (b) is in compliance with its charter and charter agreement; and (c) has not violated any applicable laws.”

Several D.C. Agencies Oversee Charter Schools but We Observed a Lack of Consensus around Roles, Responsibilities, and a Key Agency’s Authority

While other D.C. education agencies also have oversight responsibility with respect to charter schools (see fig. 2), plans to further bring down discipline rates have been hampered by agencies’ lack of consensus regarding roles and responsibilities, and by one agency’s stated lack of clarity around its own authority. In interviews, the Deputy Mayor for Education (DME), OSSE, and PCSB officials described different views regarding agency roles in overseeing charter schools and providing guidance and training. In particular, officials described differing views on the appropriate scope of PCSB’s role with respect to charter schools. For example, the DME—whose role is to oversee District-wide education strategy—said that PCSB could issue further guidance on certain discipline-related topics and place additional requirements on schools. In contrast, officials from PCSB—the entity charged with overseeing charter schools—told us that providing additional or more specific guidance would be inconsistent with their role as authorizer. PCSB officials said that they interpret certain provisions of the School Reform Act as providing “a strong legal bulwark against the District government, including [PCSB itself], mandating school disciplinary processes,” thereby limiting the actions that D.C. agencies, including PCSB, may take.⁴⁷ In addition, officials from these three agencies differed in their views regarding charter schools’ needs with respect to discipline, including whether charter schools needed additional guidance on due process procedures, training, or other resources.

Further, OSSE officials said that the agency’s current view of its authority to regulate charter schools on discipline differs from previous administrations’ interests in that area, and that they still lacked clarity on their authority in some areas. Specifically, in a 2014 report, OSSE—the agency with general oversight of federal education funding requirements—stated its intent to issue regulations applying to both D.C. traditional public and charter schools that would address high discipline rates.⁴⁸ In the report, OSSE said that this effort would address potential discipline disparities across D.C. charter and traditional public schools and help ensure that all public school students in the District are treated fairly. However, OSSE never issued the regulations, and OSSE officials told us in 2016 that, in contrast with previous administrations’ interests,

⁴⁷ In particular, PCSB officials cited D.C. Code §§ 38-1802.02(10), 38-1802.04(c)(3)(A), and 38-1802.04(c)(3)(B).

⁴⁸ District of Columbia, Office of the State Superintendent of Education, *Reducing Out-of-School Suspensions and Expulsions in District of Columbia Public and Public Charter Schools*, 2014.

the current administration does not interpret the School Reform Act as providing them with clear authority to issue such regulations. OSSE officials also stated that the complexity of the D.C. regulatory framework, combined with the fact that some regulations were promulgated prior to the creation of D.C. charter schools, resulted in a lack of clarity around their oversight authority over charter schools in some areas. OSSE did, however, issue non-regulatory guidance in June 2016, which provides high-level descriptions of federal and D.C. laws relating to school discipline and cites some leading practices. It is unclear whether this guidance will lead to any changes in charter schools' discipline rates. Subsequent to releasing this guidance, OSSE released a new report in 2016, concluding that further progress is still needed on discipline policy, implementation, and disproportionality across all D.C. public schools.

Despite these challenges, officials from these three agencies and D.C. traditional public schools have collaborated together on a key effort to address discipline rates by publishing the Equity Reports for each charter and traditional public school in the District. In addition, officials told us that the other key D.C. education agencies reviewed OSSE's draft non-regulatory guidance on discipline, and that officials from these agencies also work together along with officials from other D.C. agencies that support families and young people through regular meetings convened by the DME. OSSE and PCSB officials said that they also promote and support each other's training programs on classroom management and discipline. Further, they work together on education-related issues as participants on a number of city-wide task forces and other collaborative efforts. However, while some of those task forces focus on issues related to discipline, such as bullying or truancy, none specifically address discipline rates or disparities in a comprehensive manner.

Leading practices on interagency collaboration state that to achieve a common outcome, agencies should agree on roles and responsibilities and create mutually reinforcing or joint strategies that align the agencies' activities, processes, and resources.⁴⁹ Similarly, standards for internal control state that to achieve an entity's objectives management should

⁴⁹ GAO, *Managing for Results: Key Considerations for Implementing Interagency Collaborative Mechanisms*, [GAO-12-1022](#) (Washington, D.C.: Sept. 27, 2012); and *Results-Oriented Government: Practices That Can Help Enhance and Sustain Collaboration among Federal Agencies*, [GAO-06-15](#) (Washington, D.C.: Oct. 21, 2005).

establish an organizational structure and assign responsibilities.⁵⁰ The agencies differing views on roles and responsibilities, and OSSE's stated lack of clarity on its authority around the issue of discipline in charter schools makes it difficult for them to leverage resources and the collective expertise of other agencies in the District to develop plans and strategies to address D.C.'s high discipline rates. Absent such a plan, as well as explicitly stated roles and responsibilities, charter schools may face challenges in continuing to bringing down rates.

Conclusions

PCSB and the District's charter schools have made notable progress in bringing down discipline rates in recent years. However, rates remain troublingly high, at twice the national rate for school year 2013-14—the most recent year for which nationally comparable data are available—and particularly for certain schools and for Black students and students with disabilities. PCSB has taken steps to address this issue by using school-level discipline data to focus schools' attention on reducing reliance on those practices that remove students from school. However, some schools are removing students from school for partial or even full school days without fully reflecting these actions in the discipline data or consistently documenting them. As a result, PCSB does not have a clear sense of how widely these practices are used or what strategies might help it best address the problem.

PCSB, the DME, and OSSE all play key roles in charter school oversight. While these agencies communicate regularly and have worked together in a number of areas, including making data on school discipline across all District schools more available through the Equity Reports, we observed a lack of consensus around their roles and responsibilities, and OSSE's view of its authority to regulate charter schools on discipline differs from previous administrations' interests in that area. This has contributed to inertia around creating and implementing a coordinated plan that could help further address high discipline rates. Absent such a plan, continued progress in bringing down discipline rates may be slowed.

⁵⁰ GAO, *Standards for Internal Control in the Federal Government*, [GAO-14-704G](#) (Washington, D.C.: Sept. 2014).

Recommendations for Executive Action

1. PCSB should further explore ways to more accurately measure behavior-related time out of school—both partial and full day removals—not captured under current reporting procedures.
2. The D.C. Mayor should direct the DME and OSSE to deepen collaboration with PCSB and other relevant stakeholders, such as charter school LEAs, to develop a coordinated plan to continue progress in reducing discipline rates and, as part of this process, make explicit their respective roles, responsibilities, and authorities with regard to discipline in D.C. charter schools. This plan could include developing additional guidance, training, or resources, consistent with the unique autonomy of charter schools.

Agency Comments and Our Evaluation

We provided a draft of this report to PCSB, the D.C. Mayor's Office, and Education for review and comment. PCSB's written comments, which also include technical comments, are reproduced in appendix VIII. OSSE provided written comments on behalf of the D.C. Mayor's Office, which are reproduced in appendix IX. Education and the D.C. State Board of Education provided technical comments on the report. In each case, we incorporated their comments into the report, as appropriate.

In its written comments, PCSB said that by not focusing our analysis on D.C. data, we reached inaccurate conclusions. Specifically, it stated that by focusing on CRDC data, which are most recently available for school years 2011-12 and 2013-14, the report failed to acknowledge the more recent reductions in D.C. charter schools' suspension and expulsion rates shown in D.C.'s own data for school years 2014-15 and 2015-16. PCSB also commented on our analysis that used CRDC data to make comparisons between D.C. charter school rates to those of charter schools nationally. These data showed that suspension rates at D.C. charter schools were double the national rates for school years 2011-12 and 2013-14. In its comments PCSB presented a table with its own data for all 4 of these school years and stated that its data show that D.C. charter schools' discipline rates have moved closer to national rates. PCSB asked that our report prominently incorporate D.C.'s 2014-15 and 2015-16 data throughout.

As stated in our draft report, the most recent available PCSB data at the time we did our work was for school year 2014-15, which we presented in selected analyses where appropriate throughout the draft report. We have updated these analyses with PCSB's recently available 2015-16 data. PCSB's 2015-16 data continue to show modest declines in D.C. charter school discipline rates, compared to previous years of PCSB data.

However, as stated in our draft report, PCSB's data are not comparable to other states' data collected by CRDC. Further, because school year 2013-14 is the most recent year for which national comparable CRDC data are available, it is not possible to know whether D.C. charter school rates have moved closer to national rates, which may have also changed since 2013-14.

PCSB agreed that D.C. charter schools' discipline rates remain higher than PCSB would like, and that they remain disproportionate with respect to race and disability status. PCSB also stated that steady progress seen in D.C. charter schools is the right way to reduce discipline. We applaud PCSB's efforts in steadily bringing down rates, as noted in the draft report, and continue to believe that a coordinated multi-agency plan is needed to continue this progress.

In addition, PCSB said in its comments that our draft report failed to acknowledge the autonomy granted to D.C. charter schools under the School Reform Act, which it interprets as preventing any D.C. agency from mandating charter school disciplinary processes. We believe that the report clearly states that each charter LEA has the autonomy to establish its own discipline policies and suspend and expel students, and that unlike D.C. traditional public schools, charter LEAs are not subject to the discipline policies and procedures in D.C. municipal regulations. However, as also stated in the draft report, PCSB exercised its authority by putting some requirements and oversight mechanisms in place for charter schools, including regularly reviewing charter schools' discipline data and policies. Moreover, Education's recent guidance highlights its expectation that charter school authorizers ensure that the schools they authorize comply with federal and state laws, including those pertaining to the discipline of students with disabilities.

PCSB did not comment on our first recommendation (that PCSB further explore ways to more accurately measure behavior-related time out of school—both partial and full day removals—not captured under current reporting procedures). However, PCSB said that a related statement in the report—that it has no official policy on partial day removals of students for disciplinary reasons—was erroneous. We have removed this statement in the final report.

PCSB and OSSE both disagreed with our characterization of their collaboration around charter school discipline, but both indicated that they look forward to deepening their collaboration to continue progress made in reducing discipline rates. We have added additional information to our

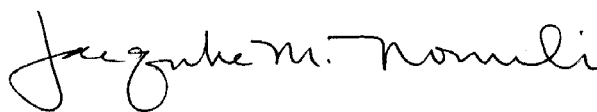
report to more fully reflect new information both entities provided in their comments regarding the level of collaboration between these two entities.

Finally, OSSE, in commenting on the report, agreed that there is some ambiguity around its authority with respect to D.C. charter schools. Specifically, OSSE stated that the complex D.C. regulatory framework is unclear regarding oversight authority in some instances. As such, the agency's current view of its authority to regulate charter schools on discipline differs from previous administrations' interests in that area. Specifically, OSSE stated that its current conclusion is that the D.C. code does not provide OSSE clear authority to regulate charter schools with respect to discipline. Such views about D.C.'s regulatory framework are an example of the importance of clarifying agency roles and responsibilities with respect to D.C. charter school discipline.

In light of PCSB's and OSSE's comments around collaboration and their respective authorities around discipline, we modified our second recommendation slightly. We now specify that these agencies should deepen their collaboration in order to continue progress in reducing discipline rates, and that in doing so they should make explicit their respective oversight authorities, in addition to roles and responsibilities. We also specify that the multi-agency plan to continue progress reducing discipline rates should be consistent with the unique autonomy of charter schools.

We are sending copies of this report to the D.C. Mayor, the Chairman and Executive Director of the Public Charter School Board, and the U.S. Secretary of Education. In addition, the report will be available at no charge on the GAO website at <http://www.gao.gov>.

If you or your staff should have any questions about this report, please contact me at 617-788-0580 or nowickij@gao.gov. Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this report. GAO staff who made key contributions to this report are listed in appendix X.

A handwritten signature in black ink that reads "Jacqueline M. Nowicki". The signature is written in a cursive style with a large initial 'J' and 'N'.

Jacqueline M. Nowicki
Director, Education, Workforce,
and Income Security Issues

Appendix I: Objectives, Scope, and Methodology

The objectives of this study were to examine: (1) what is known about suspensions and expulsions in District of Columbia (D.C. or District) charter schools, and (2) to what extent the Public Charter School Board (PCSB) oversees the use of suspensions and expulsions at charter schools. To address these objectives, we used a variety of methods, including analyzing federal and D.C. data; reviewing published reports and monitoring documentation from PCSB and other D.C. agencies; and interviewing officials from these agencies, representatives from associations and advocacy groups, and officials from three charter schools.

Data Analysis

To determine the out-of-school suspension and expulsion rates at charter and traditional public schools, both in D.C. and nationally, we analyzed federal data from the U.S. Department of Education's (Education) Civil Rights Data Collection (CRDC) for school years 2011-12 and 2013-14, the 2 most recent years available. The CRDC is a comprehensive source of data on suspensions and expulsions that collects comparable data across the nation's public school districts, schools, and students. As such, we used the CRDC to make comparisons between D.C. charter schools, D.C. traditional public schools, and traditional and charter schools nationally. PCSB also collects information on suspensions and expulsions in D.C. charter schools, but these data are not comparable to CRDC data on schools and students in other states. At the time we did our work PCSB had data that were more recent than data available through the CRDC (school year 2014-15 for PCSB versus 2013-14 for CRDC). We therefore chose to present PCSB's data in selected analyses in the report, while also being careful not to make comparisons between the PCSB and CRDC data. In its written comments on a draft of this report, PCSB noted the recent availability of data for the 2015-16 school year. We updated our analyses accordingly to provide the most current picture of D.C. charter school discipline rates. Doing so did not materially change the findings in this report.

Analysis of Federal Civil Rights Data Collection

The Civil Rights Data Collection is a biennial survey that is mandatory for every school and district in the United States. Conducted by Education's Office for Civil Rights, the survey collects data on the nation's public schools, including student characteristics and enrollment; educational and course offerings; disciplinary actions; and school environment, such as

incidences of bullying.¹ From school years 2000 through 2010, the CRDC collected data from a representative sample of schools, but in school years 2011-12 and 2013-14, the CRDC collected data from every public school in the nation (approximately 17,000 school districts, 96,000 schools, and 50 million students in school year 2013-14). The dataset includes traditional public schools (pre-K through 12th grade), alternative schools, magnet schools, and charter schools.

For school years 2011-12 and 2013-14, the most recent years of data available, we calculated aggregate discipline rates. To determine the extent to which discipline rates varied by student demographic groups and school type, we calculated aggregate discipline rates by student demographics and for all charter and traditional public schools in D.C. Further, we calculated discipline rates for each school in D.C.—both charter and traditional—to determine the extent of variation in rates by school and school type. We also compared the aggregate rates in D.C. charter and traditional public schools to rates for charter and traditional public schools nationally.

We analyzed the following discipline and demographic variables:

- Total out-of-school suspensions, calculated by combining the CRDC variables:²
 - Students receiving only one out-of-school suspension
 - Students receiving more than one out-of-school suspension
- Total expulsions, calculated by combining the CRDC variables:
 - Expulsions with educational services
 - Expulsions without educational services

The CRDC has seven race and ethnicity variables, which we combined into five categories, as shown in table 1.

¹ Section 203(c)(1) of the Department of Education Organization Act (Pub. L. No. 96-88 (1979)) authorizes the Assistant Secretary for Civil Rights in the Department of Education “to collect or coordinate the collection of data necessary to ensure compliance with civil rights laws within the jurisdiction of the Office for Civil Rights [OCR].” OCR has been collecting this data since 1968.

² We also examined students receiving one or more in-school suspensions, separately.

Table 1: Race and Ethnicity Variables Used in Analysis of Civil Rights Data Collection (CRDC)

GAO category	CRDC category
Black	Black
Hispanic	Hispanic
White	White
Asian	Asian
	Native Hawaiian / Other Pacific Islander
Other	American Indian/Alaska Native
	Two or more races

Source: GAO analysis. | GAO-17-165

We also analyzed rates for students identified as English Learners and students with a disability. Our analysis of students with disabilities included only those students served under the Individuals with Disabilities Education Act. We excluded Section 504 students because the CRDC does not collect discipline data for Section 504 broken out by race and ethnicity.³ In school year 2013-14, students only receiving services under Section 504 represented 8 percent of public school students with disabilities in D.C.

To analyze the poverty levels of schools with different suspension and expulsion rates, we matched schools in both years of the CRDC with data on free or reduced-price lunch (FRPL) eligibility from the Common Core of Data, which is administered by Education’s National Center for Education Statistics, and which annually collects non-fiscal data about all public schools in the nation. These data are supplied by state education agency officials for their schools and school districts. However, we determined that the school year 2013-14 FRPL data for D.C. were not sufficiently reliable for our purposes. These FRPL data differed dramatically from the school year 2011-12 data and when we asked officials from the Office of the State Superintendent of Education (OSSE), the state educational agency responsible for reporting these data, to corroborate these data, they reported having no confidence in the data they had reported. Therefore, we did not use this FRPL data in any of our analyses.

³ Section 504 of the Rehabilitation Act of 1973, as amended, is a civil rights statute which prohibits discrimination on the basis of disability in any program or activity receiving federal financial assistance. 29 U.S.C. § 794.

To assess the reliability of the federal data used in this report, we reviewed technical documentation about the survey and dataset and interviewed officials from Education's Office for Civil Rights about their procedures for checking the data. We also conducted electronic testing and logic checks of our analysis. Based on these efforts, we determined that the CRDC data were sufficiently reliable for our purposes. We used the version of the 2013-14 CRDC data that was publicly available as of September 30, 2016 because it corrected errors in the original data previously submitted by Florida.

Regression Analysis

We also analyzed the data using a generalized linear regression model to determine (1) whether and the extent to which certain school level characteristics are associated with a higher incidence of suspensions and (2) whether and the extent to which an association exists between high incidences of suspension and school type in the District (charter schools versus traditional public schools).⁴ For our regression model, we used the CRDC for school year 2013-14, limiting our analysis to suspensions because expulsions are a rare event and therefore difficult to model.⁵ We included demographic variables in our model that Education's Office for Civil Rights has identified as key drivers of suspension. We used these variables in our model as follows:

- Outcome: number of students with one or more out-of-school suspensions
- Independent variable: Charter school status (Yes/No)
- Adjustment variables: Percent of student population that is male, Black, students with disabilities, and English Learners; whether school offers upper grades (grades 6 and above) (Yes/No)

⁴ A negative binomial regression was used instead of a Poisson regression, since negative binomial models are appropriate for count analyses with observed over-dispersion – that is, when the variance of the count variable is much larger than the mean of that variable (see Generalized Linear Models, 2nd Edition, by McCullagh and Nelder, pp. 198-199, for example).

⁵ Although the data are available for the full population and not based on a statistical sample, they can be thought of as realizations generated from an underlying process of interest: out of school suspensions for different school types (charter versus traditional), within the District. Such an approach is sensible if the phenomenon has more than a one-time interest, beyond what happened in the one specific year in these specific schools, with these specific students. By assuming these data are one realization from an underlying super-population of schools, generated by a process, we use statistical tests to determine whether any observed association is beyond what would be expected by chance alone.

Some variables that were thought to be important were not included in our model due to estimation or reliability issues. Specifically, we excluded:

- FRPL in school year 2013-14, due to reliability issues as indicated by OSSE, the agency responsible for reporting the data;
- percent of students within a school who are Hispanic, due to collinearity with English Learners; and
- alternative school designation, due to lack of variability and sparseness in data.

We used the number of students enrolled as an exposure variable to account for different school sizes. Our analysis included K-12 schools. We excluded pre-Kindergarten (pre-K) schools because pre-K suspensions are rare and reported differently in the data. This resulted in dropping 8 schools that offered only pre-K. Additionally, for schools that offered both pre-K and later grades we excluded out-of-school suspension and student counts for pre-K students. We also excluded 5 magnet schools because they are too dissimilar to the other schools in our model, since students are admitted to such schools based on the merits of their application. With these schools excluded, the 2013-14 CRDC data resulted in 191 D.C. Public Schools in our analysis file, where 105 were traditional and 86 were charter.⁶

All models are subject to limitations. For this model, the limitations included:

- The data we analyzed are at the school level, rather than student level. Ideally, data would be analyzed at the student level in order to describe the association between a charter versus traditional public school student's suspension rate, controlling for characteristics of the individual students suspended, such as gender, race/ethnicity, and grade level. Instead, the school-level nature of the CRDC data limited what we could ascribe to the association between these schools' suspension incidence, controlling for the characteristics of the entire

⁶ The number of D.C. charter schools included in our regression analysis differs from the 102 D.C. charter schools shown in figure 8 for several reasons. First, figure 8 shows PCSB data, while our regression used the CRDC data. Second, figure 8 shows data from school year 2014-15, while the regression data are from school year 2013-14. Finally, figure 8 includes some schools that serve only pre-K students, while we excluded such schools from our regression analysis.

school's population, such as percent of students who are male, Black, etc.

- Some variables that may be related to out-of-school suspensions are not available in the data. For example, in this context, it could be that parent education or household type (single- versus multiple-headed household) could be related to student behavior, such as those that lead to out-of-school suspensions.
- These data were not gathered through a randomized control trial in which students would be randomized to attend either a traditional or a charter school. Although there is some randomness inherent in the lottery for oversubscribed charter schools, this is not systematic and, for students who were offered the option to attend charter schools, the students' families decide whether to accept or not.

Typically, a generalized linear regression model provides an estimated incidence rate ratio, where a value greater than 1 indicates a higher or positive association, in this case, between suspensions and the variable of interest, such as being a charter school or having a higher percentage of Black students.⁷ An estimated incidence rate ratio less than 1 indicates a lower incidence of suspensions when a factor is present. Given the limitations of our model as described above, in appendix II we present a general summary of association by providing the direction, rather than an estimated rate (incidence) of suspensions of charter versus traditional public schools in the District.

Analysis of D.C. Data

To analyze more recent data on D.C. charter schools, we obtained aggregate data from PCSB for school years 2012-13 through 2015-16. In addition, we obtained more detailed school-level data on charter school suspensions and expulsions from PCSB for school years 2013-14, 2014-15, and 2015-16 which are part of data that the District collects annually on both charter schools and traditional public schools. The data included published reports on discipline from PCSB, and Equity Reports for each school. Equity Reports contain data on:

- total enrollment;

⁷ We use statistical tests that account for the possibility of observing an incidence rate ratio different than 1, when in fact the null hypothesis of no association (incidence rate equal to 1) is really true. The level of significance is a measure of type I error and is the probability of rejecting the null hypothesis when the null hypothesis is true. Unless otherwise noted, we use the 95 percent level of confidence to test whether estimates from our model differ from 1 at a statistically significant level (i.e., there is an association).

- grade level;
- demographics;
- economic disadvantage;⁸
- Limited English Proficiency;⁹
- special education;
- suspension rate by student subgroup; and
- overall expulsion rate.

In addition, we obtained published reports on discipline, as well as data from OSSE on the numbers of students transferred to an alternate school for students who received long-term suspensions and expulsions in school year 2014-15.

To assess the reliability of the D.C. data, we reviewed documentation, interviewed relevant officials from PCSB and OSSE, and conducted logic checks. Based on these efforts, we determined that these data were sufficiently reliable for our purposes. D.C.'s data however, are not comparable to Education's data because they do not distinguish between pre-K and K-12 rates and because not all schools were captured in Education's data.

Review of Laws, Regulations, and Guidance and Interviews with D.C. Officials

To determine the extent to which PCSB oversees suspensions and expulsions at charter schools, we reviewed documentation and guidance from PCSB, as well as federal and District laws and regulations. We also reviewed documentation from other D.C. education agencies that also have a role in overseeing D.C. charter schools and reviewed discipline guidance from the U.S. Departments of Education and Justice. In addition, we interviewed PCSB officials and officials at other D.C. agencies that have oversight of charter schools. These other D.C. agencies were

- OSSE;
- Deputy Mayor for Education;

⁸ Economic disadvantage is PCSB's proxy for poverty level and is based on FRPL data.

⁹ Limited English Proficiency is the term D.C. uses for English Learners.

-
- State Board of Education, including the Ombudsman for Public Education and the Chief Student Advocate; and
 - D.C. Office of the Inspector General.

We evaluated PCSB's oversight of charter school discipline against federal standards for internal control for communicating quality information to external parties and establishing structure, responsibility, and authority,¹⁰ and evaluated D.C. education agencies' collaboration on this issue against leading practices for interagency collaboration.¹¹

We also reviewed selected research studies that provided further context and insight into school discipline in charter schools.

Interviews with Advocacy Groups and Associations

To obtain additional context and insights, we selected and interviewed researchers and officials from advocacy groups and associations with different perspectives on charter schools and discipline. The researchers and officials we interviewed were located at

- The Center for Civil Rights Remedies at the Civil Rights Project,
- The Center on Reinventing Public Education,
- The Children's Law Center,
- The Council for Court Excellence,
- The D.C. Association of Chartered Public Schools,
- D.C. Lawyers for Youth,
- The Dignity in Schools Campaign, and
- The National Association of Charter School Authorizers.

Charter School Interviews

In order to obtain the views of charter school officials with diverse perspectives on discipline policies and practices, reasons for high discipline rates, and experiences with PCSB oversight, we interviewed school and local educational agency (LEA) officials at three D.C. charter schools. We selected two schools that had high suspension and/or expulsion rates in school year 2014-15, as well as one school with

¹⁰ [GAO-14-704G](#)

¹¹ [GAO-12-1022](#)

formerly high discipline rates, according to D.C. data. In making our selections, we also took into consideration:

- the number of LEA campuses in D.C., to get perspectives from large and small charter school networks;
- grade levels served, because both research and stakeholders indicated that discipline rates are higher for middle and high school students than elementary school students;
- school location and demographics, to ensure that we spoke to schools serving similar populations of students; and
- rank in the 2014 Performance Management Framework (PMF), when available, to get perspectives from higher and lower performing schools. The PMF is PCSB’s rating system to measure school quality and includes three tiers. The highest performing schools are ranked as Tier 1, while the lowest are ranked Tier 3.

Table 2: Characteristics of the Three Charter Schools Selected for Interviews

School	1	2	3
Selection criteria	High suspension rate; high long-term suspension rate; small D.C. network	High suspension rate, high expulsion rate, high long-term suspension rate; large national network	Most improved expulsion rate; reduced suspension rate; small D.C. network
Grade level	9-12	5-8	6-8
Ward	7	8	7
PMF tier in 2014^a	Untiered	1	2

Source: GAO analysis of Public Charter School Board (PCSB) data. | GAO-17-165

^aPMF is PCSB’s Performance Management Framework. The highest performing schools are ranked as Tier 1, while the lowest are ranked Tier 3. Schools could be un-tiered in 2014 for a number of reasons. They could be: in their first year of operation; classified as an early childhood school; classified as an adult-education school; or classified as an alternative accountability school.

We conducted two interviews each for the three schools: we interviewed LEA staff from the school’s central office and school-based staff including the principal and other administrators with responsibility for implementing discipline policy. We asked officials to describe their school’s discipline policies and practices, how and why they have changed over the years, and discipline challenges they are facing. We also reviewed their discipline policies in their most recent student handbook, as well as other relevant documentation, such as annual reports, renewal reports, and Equity Reports which capture schools’ discipline data. Because we selected the schools judgmentally, we cannot generalize our findings about their policies, practices, and challenges.

We conducted this performance audit from November 2015 to February 2017 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

Appendix II: Regression Analysis

Using the school year 2013-14 CRDC data, we conducted a generalized linear regression model examining the association between District of Columbia (D.C.) schools' out-of-school suspensions and various school-level characteristics. For further discussion of our methodology for this analysis, see appendix I.

Our regression model found an association between certain school demographic characteristics and suspension, regardless of type of school (charter versus traditional public schools). Specifically, serving the upper grades (grades 6 and up) or having higher percentages of Black students or English Learners were associated with a higher incidence of suspensions. Further, our model showed that D.C. charter schools overall were associated with a higher incidence of suspensions than D.C. traditional public schools. However, our model also examined the interactions between school type and school demographic variables and found that the association between school type and suspension rate varied across several demographic variables. Specifically, while serving upper grades, higher percentages of Black students, or higher percentages of English Learners is generally associated with a higher incidence of suspensions, this effect was smaller for charter schools than for traditional public schools.

These relationships are shown in table 3, which presents coefficients from our model, where positive means that a particular variable was significantly associated with an increase in the suspension rate at the 0.05 level and negative indicates a decrease in the suspension rate. Insignificant indicates the variable is not significantly associated with suspensions at the 0.05 level.

Table 3: Association of Regression Model Variables with District of Columbia Public Schools' Suspension Rates, School Year 2013-14

School-level variable	Association with suspension rates
Percent Male	Insignificant
Percent Black	Positive
Percent Students with Disabilities	Insignificant
Percent English Learners	Positive
Grade Levels Served (6 and up)	Positive
School Type – Charter	Positive
Interaction: Percent Male and School Type – Charter	Insignificant
Interaction: Percent Black and School Type – Charter	Negative

School-level variable	Association with suspension rates
Interaction: Percent with Disabilities and School Type – Charter	Insignificant
Interaction: Grade Levels Served (6 and up) and School Type – Charter	Negative
Interaction: English Learners and School Type – Charter	Negative

Source: GAO analysis of Civil Rights Data Collection. | GAO-17-165

Note: Significance is indicated by a p value of less than .05, except for Grade Levels Served interaction, which has a p value less than 0.10.

Our model did not find an association between gender or the percentage of students with disabilities in a school and increased suspension rates. The absence of an association here may be due to the way that federal data is collected and reported at the school, rather than student, level.

Appendix III: Public Charter School Board Responsibilities

The District of Columbia School Reform Act of 1995 (School Reform Act) established the Public Charter School Board (PCSB) as an eligible chartering authority with specific powers and duties.¹ Under the School Reform Act, PCSB has specific responsibilities with regard to reviewing petitions (applications) for new charters, monitoring charter school operations, reviewing charter renewal applications, and revoking charters.² Table 4 provides the detailed requirements for these activities as specified in the School Reform Act. As required by the School Reform Act, PCSB must issue annual reports and financial statement audits. (See app. V for information on PCSB's 2016 annual report.)

Table 4: PCSB Responsibilities As Specified in the District of Columbia School Reform Act of 1995

Review public charter school applications	<ol style="list-style-type: none"> 1. Establish a schedule for receiving applications and publish it in the District of Columbia Register and newspapers 2. Hold public hearings on applications no more than 45 days after receiving an application <ol style="list-style-type: none"> a. Publish a notice of the hearing in the District of Columbia Register and newspapers of general circulation b. Send a written notification of the hearing date to the applicant 3. Approve or deny applications not later than 45 days after the conclusion of the public hearing 4. Specify in writing the reasons for denying an application and how the applicant may satisfy requirements for approval 5. Provide written notice of an application approval not later than 10 days after approval to the applicant and the Chief Financial Officer of the District of Columbia and publish a notice of the approval in the District of Columbia Register and newspapers of general circulation 6. Not approve more than 10 applications in any academic year
Monitor the operations of public charter schools	<ol style="list-style-type: none"> 1. Ensure schools comply with applicable laws and the provisions of their charters 2. Monitor the progress of schools in meeting student academic achievement expectations specified in the charter
Review charter renewal applications ^a (<i>Charters are in force for 15 years and may be renewed for an unlimited number of times.</i>)	<ol style="list-style-type: none"> 1. Provide school's Board of Trustees written notice of right to an informal hearing, not later than 15 days after receiving the application 2. Upon receiving a written request for a hearing, set a date and time for the hearing and provide reasonable notice of the date and time and procedures to be followed to the Board of Trustees 3. Hold the hearing no more than 30 days after receiving the request 4. Provide a written decision no more than 30 days after the hearing was concluded and no more than 30 days after the notice of right to a hearing was provided 5. Provide reasons for denial of a renewal application in the written decision

¹ Pub. L. No. 104-134, Title II, 110 Stat. 1321 (1996).

² Charters granted to public charter schools are in force for 15 years after which they may be renewed for an unlimited number of 15-year periods.

**Appendix III: Public Charter School Board
Responsibilities**

Revoke charters^b

1. Provide the charter school Board of Trustees written notice stating the reasons for proposed revocation and inform them of the right to an informal hearing
2. Schedule the hearing upon receiving a written request and provide reasonable notice of the date and time, as well as the procedures to be followed at the hearing
3. Hold the hearing not later than 30 days after receiving the request
4. Render a decision in writing, not later than 30 days after providing written notice of right to a hearing and not later than 30 days after the hearing is held
5. State in its decision the reason for the revocation

Source: GAO analysis of the District of Columbia School Reform Act of 1995. | GAO-17-165

^aThe School Reform Act specifies that the Public Charter School Board (PCSB) shall not approve a charter renewal if (1) the school committed a material violation of applicable laws or a material violation of the conditions, terms, standards, or procedures set forth in its charter, including violations relating to the education of children with disabilities, or (2) the school failed to meet the goals and achievement expectations in its charter.

^bThe School Reform Act specifies that PCSB may revoke a charter if the Board determines that the school (1) committed a violation of applicable laws or a material violation of the conditions, terms, standards, or procedures set forth in its charter, including violations relating to the education of children with disabilities, or had failed to meet the goals and student academic achievement expectations set forth in the charter; (2) engaged in a pattern of nonadherence to generally accepted accounting principles; (3) engaged in a pattern of fiscal mismanagement; or (4) is no longer economically viable.

Appendix IV: Public Charter School Application Process

The Public Charter School Board (PCSB) reviews all applications for new charter schools in the District of Columbia (D.C.), which can be submitted by parents, educators, nonprofit organizations, or other groups.¹ With some exceptions, applicants must generally adhere to the same guidance and must meet PCSB's standards for approval.² (See table 5.)

Table 5: Types of Charter School Applicants and Charter Schools Specified in the PCSB Application Process

Type of applicant
Experienced operators (<i>existing non-profit management organizations or charter school networks with at least 3 years of performance data</i>)
Management organizations (<i>new schools or experienced operators that plan to contract with an existing non-profit or for-profit management organization</i>)
New schools
Type of Charter School Proposed by Applicants
Conversion of an existing District of Columbia public school into a charter school
Conversion of an existing private or independent school into a public charter school
Establishment of a new public charter school

Source: Public Charter School Board (PCSB), 2016 Charter Application Guidelines: Application to Establish a Public Charter School in the District of Columbia. | GAO-17-165

PCSB provides application instructions and sample documents on the agency's website.³ Once PCSB receives an application, the review process generally takes 3 months. (For example, see table 6 for PCSB's fall 2016 charter application timeline.)

¹ General requirements for applicants to petition PCSB to establish a D.C. charter school are found in D.C. Code §§ 38-1802.01, 38-1802.02.

² Some questions in the application differ slightly for applicants categorized as experienced operators and management organizations.

³ Public Charter School Board, 2016 *Charter Application Guidelines: Application to Establish a Public Charter School in the District of Columbia*.

**Appendix IV: Public Charter School
Application Process**

Table 6: PCSB’s Fall 2016 Charter Application Timeline

Date	Action item
August 31, 2016	Deadline to submit electronic application for confirmation of completeness before printing
September 2, 2016	Deadline to submit paper copies of application
September 22-23, 2016	Interviews
September 26-28, 2016	Site visits (if applicable)
October 17, 2016	Public hearing
November 21, 2016	Board decision announced

Source: Public Charter School Board (PCSB) website (<http://www.dcpsb.org/report/start-charter-school>), accessed September 15, 2016. | GAO-17-165

PCSB’s charter school application review is a four-part process including written applications, site visits (if applicable), interviews, and public hearings (see table 7). Following the application review, PCSB votes on each charter application at a public meeting.

Table 7: PCSB Application Review Elements

Written applications	Applicants must provide a detailed academic and business plan, including the school’s academic focus, plans for community and parental involvement, a 2-year operating budget, and articles of incorporation and bylaws. Applications must demonstrate a need for the school; provide information on education, management, and finance plans; include curriculum samples; and provide information on the founding group.
Site visits	Site visits to an operator’s existing schools are scheduled following submission of the written application. Applicants eligible for site visits include all experienced operators, as well as some new schools, particularly those contracting with a management organization or conversion schools.
Interviews	Interviews with PCSB staff and the applicants (also referred to as the founding group) of the proposed school. Applicants may bring as many members of their group as they deem appropriate and are encouraged to include their special education expert. Interviews are transcribed and publicly available.
Public hearings	Public hearings to provide the PCSB Board and the public the opportunity to hear from charter school applicants. Applicants provide a brief introduction about the proposed school, such as its mission and target population, and may address the PCSB Board and public with prepared comments that are to be no longer than 5 minutes. The PCSB Board will ask questions of the applicant and members of the public may give testimony about the application.

Source: Public Charter School Board (PCSB), *2016 Charter Application Guidelines: Application to Establish a Public Charter School in the District of Columbia* and Public Charter School Board website (<http://www.dcpsb.org/report/start-charter-school>), accessed September 15, 2016. | GAO-17-165

Applications for a charter school follow a standard format and are required to include specific elements. (See text box.)

PCSB's Charter School Written Application Required Table of Contents

Table of Contents

Applicant Information Sheet

Executive Summary

A. Establishing a Need

1. Demonstrating a Need
2. Recruiting and Marketing

B. Education Plan

1. Mission and Philosophy
2. Charter Goals and Student Academic Achievement Expectations
3. Curriculum
4. Support for Learning

C. Management Plan

1. Founding and Leadership
2. Staffing Plan
3. Management and Internal Oversight
4. Management Organization (if applicable)
5. Student Policies and Procedures

D. Finance Plan

1. Facilities
2. Finance
3. Budget Workbook

E. Founding Group Supporting Documents

- Résumé
- Personal Statement

If the founding group member plans to join the founding board, also include:

- Board Member Agreement (in a separate file)
- Conflict of Interest Form

F. Additional Required Documents

1. Articles of Incorporation
2. Bylaws
3. Code of Ethics
4. Conversion Endorsement Certification (if applicable)
5. Letter of Intent for Facility (if applicable)
6. Research on Comparable Facilities (if applicable)
7. Draft Memorandum of Understanding, Letter of Intent, or Contract for Mission-Critical Partnerships
8. Assurances Form

If applicant is an experienced operator or management organization, also include:

9. Management Agreement and Related Documents
10. Financial Audits for the last three years
11. Annual Reports for the last two years
12. IRS filings for the last three years

G. Curriculum Samples

Source: Public Charter School Board (PCSB), 2016 Charter Application Guidelines: Application to Establish a Public Charter School in the District of Columbia. | GAO-17-165

**Appendix IV: Public Charter School
Application Process**

Criteria for Review of Applications

In addition to the written applications, site visits, interviews, and public hearings, PCSB evaluates charter school applicants against established criteria (see table 8).

Table 8: PCSB’s Application Review Criteria

Criteria	Description
Demonstrated need for the school	Has the applicant made a compelling case for why the school fills an unmet need in the District of Columbia (D.C.)?
Sufficient progress in developing the plan	Has the applicant made significant progress in designing a high quality school or in planning the replication of their existing school(s), and assessed the challenges they will face in opening and operating the school, and clearly described how they expect to address those challenges? Do the essential elements of the school’s academic and non-academic programming demonstrate how the school will fulfill its goals and mission? In cases where elements of the application are not yet fully developed, has the applicant presented an achievable timeline and framework? Has the applicant group planned for conservative growth (i.e., adding no more than two grades and 150 students per year)? Have applicants expecting more aggressive growth demonstrated existing local interest in the school, including recruitment/outreach staff on the ground by the time of the application submission, and a contingency budget that includes growth of no more than 150 students per year?
Consistency of the mission and philosophy	Are the essential elements of the mission, philosophy, and school program infused in each element of the application?
Inclusiveness	Is each element of the school program deliberately designed to be inclusive of all students, including students with disabilities, English language learners, students who are academically struggling or advanced, homeless students, and any other population(s) targeted in the mission? Further, can the school accommodate and serve students who do not fit into the school’s target population but who may be admitted through the enrollment lottery?
Founding group ability	Has the applicant demonstrated its ability to ensure that the proposed school can meet the educational objectives outlined in the application, including the following: <ul style="list-style-type: none"> • <i>For new schools:</i> having the experience, knowledge, and skill to implement innovative and/or research-proven strategies to effect strong academic and non-academic results with student populations similar to those found in D.C. public schools; • <i>For experienced operators or schools planning to contract with a management organization:</i> having a history of strong academic and non-academic results with student populations similar to those found in DC public schools; • understanding the D.C. educational landscape and how to attract students and families; • holding a strong commitment to the education of all students, including having a member of the founding group with deep special education expertise; • having effective controls in place to ensure financial stability and legal compliance; and • having members who have the combined skillset needed to build and implement its program, or an operational team with this skillset?

Source: Public Charter School Board (PCSB). 2016 *Charter Application Guidelines: Application to Establish a Public Charter School in the District of Columbia* and Public Charter School Board website (<http://www.dcpbs.org/report/start-charter-school>), accessed September 15, 2016. | GAO-17-165

Determination of
Applicants' Ability to
Operate a Charter School

PCSB may approve any application if it determines that the application (1) meets the legal requirements; (2) agrees to any condition or requirement set forth by the authorizer; and (3) has the ability to meet the educational objectives outlined in the application. If PCSB does not approve an application, it must provide written notice to the applicant explaining why the application was not approved. Based on all components of the application process, the PCSB Board votes on each charter school application at a public meeting. There are three possible outcomes for an application:

1. Full approval: Applicant has met all of the requirements.
2. Conditional approval/approval with conditions: Applicant is approved pending satisfaction of all requirements, wherein they are determined to have Full Approval.
3. Denial: Applicant does not meet all of the requirements and no further consideration is given to the application. Such applicants may address the shortcomings and reapply in a future cycle, though not in the same 12-month period.

Appendix V: Summary of Public Charter School Board 2016 Annual Report Contents

Table 9: PCSB Annual Reporting Requirements and Components of 2016 Annual Report

Annual Reporting Requirements ^a	Content Shown in Report ^b																										
A list of the PCSB members. ^c	<p>The seven members of the Board and their wards of residence:</p> <ul style="list-style-type: none"> • Darren Woodruff (Chair), Ward 4 • Don Soifer, Ward 2 • Steve Bumbaugh, Ward 3 • Sara Mead, Ward 6 • Rick Cruz, Ward 3 • Ricarda Ganjam, Ward 6 • Saba Bireda, Ward 8 																										
A list of the dates and places of each meeting of PCSB during the year preceding the report.	<p>Dates and locations of public meetings held between August 2015 and July 2016</p> <table border="1"> <tr><td>August 17, 2015</td><td>PCSB Office</td></tr> <tr><td>September 21, 2015</td><td>PCSB Office</td></tr> <tr><td>October 26, 2015</td><td>DC International School</td></tr> <tr><td>November 16, 2015</td><td>Carlos Rosario International PCS</td></tr> <tr><td>December 14, 2015</td><td>César Chávez Prep PCS – Kenyon Campus</td></tr> <tr><td>January 27, 2016</td><td>Washington Latin PCS</td></tr> <tr><td>February 10, 2016 (Special Meeting)</td><td>Gala Hispanic Theatre</td></tr> <tr><td>February 22, 2016</td><td>PCSB Office</td></tr> <tr><td>March 22, 2016</td><td>PCSB Office</td></tr> <tr><td>April 18, 2016</td><td>Carlos Rosario International PCS</td></tr> <tr><td>May 16, 2016</td><td>IDEA PCS</td></tr> <tr><td>June 20, 2016</td><td>PCSB Office</td></tr> <tr><td>July 18, 2016</td><td>PCSB Office</td></tr> </table>	August 17, 2015	PCSB Office	September 21, 2015	PCSB Office	October 26, 2015	DC International School	November 16, 2015	Carlos Rosario International PCS	December 14, 2015	César Chávez Prep PCS – Kenyon Campus	January 27, 2016	Washington Latin PCS	February 10, 2016 (Special Meeting)	Gala Hispanic Theatre	February 22, 2016	PCSB Office	March 22, 2016	PCSB Office	April 18, 2016	Carlos Rosario International PCS	May 16, 2016	IDEA PCS	June 20, 2016	PCSB Office	July 18, 2016	PCSB Office
August 17, 2015	PCSB Office																										
September 21, 2015	PCSB Office																										
October 26, 2015	DC International School																										
November 16, 2015	Carlos Rosario International PCS																										
December 14, 2015	César Chávez Prep PCS – Kenyon Campus																										
January 27, 2016	Washington Latin PCS																										
February 10, 2016 (Special Meeting)	Gala Hispanic Theatre																										
February 22, 2016	PCSB Office																										
March 22, 2016	PCSB Office																										
April 18, 2016	Carlos Rosario International PCS																										
May 16, 2016	IDEA PCS																										
June 20, 2016	PCSB Office																										
July 18, 2016	PCSB Office																										
The number of petitions received for the conversion of an existing school to a public charter school and for the creation of a new charter school.	<p>Four public charter school proposals received:</p> <ol style="list-style-type: none"> 1. Sustainable Futures 2. Interactive Academy 3. Pathways in Education 4. The Adult Career Technical Education 																										
The number of petitions that were approved and the number that were denied.	<p>One approved—Sustainable Futures One denied—Interactive Academy Two withdrawn—Pathways in Education and The Adult Career Technical Education.</p>																										
Summary of the reasons for which such petitions were denied.	<p>The Board denied the application of Interactive Academy for three reasons: (1) capacity of the founding group; (2) insufficient development of the plan for supporting students with disabilities; and (3) insufficient evidence of the success of the founding group in driving academic achievement.</p>																										

**Appendix V: Summary of Public Charter
School Board 2016 Annual Report Contents**

Annual Reporting Requirements^a	Content Shown in Report^b
A description of any new charters issued by PCSB during the year preceding the report.	Sustainable Futures will serve 131 students in its first year, growing to no more than 288 students by its third year of operation. The school seeks to serve disconnected youth in the District and will offer project-based learning, along with a competency-based approach to allow students to move through the curriculum at their own pace. The school will also offer social-emotional supports (e.g., mental health services) and wraparound services (e.g., on-site health clinic, transportation assistance, and three meals per day).
A description of any charters renewed by PCSB during the year preceding the report.	Two charters renewed: <ol style="list-style-type: none"> 1. KIPP DC PCS 2. Thurgood Marshall Academy PCS Four charters reviewed: <ol style="list-style-type: none"> 1. Inspired Teaching Demonstration PCS 2. Imagine Hope Community PCS 3. Washington Latin PCS 4. The Next Step PCS.
A description of any charters revoked by PCSB during the year preceding the report.	Potomac Preparatory PCS charter revoked for poor academic performance.
A description of any charters refused renewal by PCSB during the year preceding the report.	None listed
Any recommendations concerning ways to improve the administration of public charter schools.	No recommendations found.

Source: GAO analysis of the District of Columbia School Reform Act of 1995 and Public Charter School Board (PCSB), 2016 Annual Report. | GAO-17-165

^aAnnual reporting requirements as specified in D.C. Code § 38-1802.11(d). Although the law refers to “eligible chartering authority,” PCSB is currently the only chartering authority in the District of Columbia (D.C. or the District), and therefore we have only referred to PCSB in the table for simplicity. The annual reports must be issued by July 30; PCSB’s 2016 Annual Report was published on July 27, 2016.

The reports must also be submitted to the District of Columbia Mayor, District of Columbia Council, District of Columbia Board of Education, Secretary of Education, Consensus Commission, House and Senate Committees on Appropriations, House Committee on Education and the Workforce, Senate Committee on Health, Education, Labor, and Pensions, House Committee on Oversight and Government Reform, and Senate Committee on Homeland Security and Governmental Affairs.

^bThe 2016 report can be found online at <http://www.dcpsb.org/sites/default/files/2016.07.27-dcpsb-annual-report-single-page.pdf>. View previous years’ reports at <http://www.dcpsb.org/report/pcsb-annual-reports>.

^cThe law also requires the reports to include members’ addresses. D.C. Code § 38-1802.11(d)(1).

Appendix VI: Public Charter School Board Revenues and Expenditures

Table 10: PCSB Revenues and Expenditures, Fiscal Years (FY) 2011—2015

	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Revenues					
Total	\$4,931,630	\$4,782,429	\$5,534,067	\$7,047,554	\$7,987,091
Administrative Fees	\$2,065,105	\$2,509,209	\$3,130,224	\$3,509,078	\$7,343,934
Local Funds	\$1,201,000	\$951,656	\$947,806	\$1,016,650	\$0
Grants ^a	\$1,557,183	\$1,213,327	\$1,356,226	\$2,420,008	\$638,139
Other ^b	\$108,341	\$108,238	\$99,812	\$101,818	\$5,018
Expenditures					
Total	\$5,964,693	\$4,695,487	\$5,277,574	\$6,345,054	\$6,141,566
Personnel (Salary and Benefits)	\$2,697,745	\$2,478,255	\$2,983,415	\$3,715,796	\$4,114,329
Program (Non-Personnel)	\$2,507,320	\$1,368,839	\$1,077,779	\$1,237,428	\$644,719
Other ^c	\$759,628	\$848,393	\$1,216,380	\$1,391,830	\$1,382,518

Source: GAO Analysis of Public Charter School Board (PCSB) data. | GAO-17-165

^aGrants includes both federal and private grants. PCSB has not received any federal grant funds since FY 2014.

^bOther revenues include school closure funds and sponsorship income, among other sources.

^cOther expenditures include facilities costs, community events, website costs, and other overhead expenses.

Appendix VII: Public Charter School Board's Discipline and Demographic Data

Table 11: PCSB School-Level Discipline and Demographic Data, School Year 2015-16

School name	Number of students	Suspension rate (percent)	Expulsion rate (percent)	Grade levels served ^a	Percent Black students	Percent Hispanic students	Percent economically disadvantaged ^b	Percent students with disabilities
2015-16 D.C. charter average^c	341.3	9.1	0.2	NA	76.3	15.5	83.6	14.1
Achievement Preparatory PCS – Elementary	273	9.2	0.0	K-3	98.9	1.1	99.6	11.0
Achievement Preparatory PCS – Middle	383	12	0.0	4-8	99.2	0.8	85.1	16.2
AppleTree Early Learning PCS – Columbia Heights	158	0	0.0	PK3-PK4	55.1	19.0	68.4	8.2
AppleTree Early Learning PCS – Lincoln Park	60	0	0.0	PK3-PK4	33.3	8.3	26.7	1.7
AppleTree Early Learning PCS – Oklahoma	156	0	0.0	PK3-PK5	98.1	1.3	100.0	5.1
AppleTree Early Learning PCS – Southeast	177	0	0.0	PK3-PK4	94.9	3.4	99.4	6.8
AppleTree Early Learning PCS – Southwest	102	0	0.0	PK3-PK4	81.4	7.8	78.4	6.9
BASIS DC PCS	599	7.3	0.0	5-11	38.9	6.7	20.0	4.8
Bridges PCS	333	0.9	0.0	PK3-2	43.8	27.6	64.9	32.1
Capital City PCS – Middle	324	6.8	0.6	5-8	43.5	43.5	75.0	15.4
Capital City PCS – High	333	15.3	0.9	9-12	37.8	54.4	82.9	19.8
Capital City PCS – Lower	324	0.6	0.0	PK3-3	36.1	41.0	67.0	8.0
Cedar Tree Academy PCS	366	0	0.0	PK3-K	99.5	0.3	100.0	4.4
Center City PCS – Brightwood	252	0.8	0.0	PK4-8	42.9	50.0	76.6	11.9
Center City PCS – Capitol Hill	244	16.4	0.8	PK4-8	97.1	1.6	68.4	11.5
Center City PCS – Congress Heights	243	8.6	0.4	PK4-8	99.6	0.4	100.0	7.0
Center City PCS – Petworth	251	7.6	0.0	PK4-8	41.0	54.6	83.7	9.6
Center City PCS – Shaw	237	7.6	0.0	PK4-8	67.9	27.8	86.1	10.5
Center City PCS – Trinidad	211	8.5	3.3	PK4-8	97.2	2.8	99.1	12.8
César Chávez PCS for Public Policy – Capitol Hill	387	16.5	0.0	6-9	87.6	12.1	98.2	22.2
César Chávez PCS for Public Policy – Chavez Prep	357	10.6	0.0	9-12	42.6	55.7	98.0	12.6
César Chávez PCS for Public Policy – Parkside High	374	12.6	0.0	9-12	92.8	7.2	99.7	12.6

**Appendix VII: Public Charter School Board's
Discipline and Demographic Data**

School name	Number of students	Suspension rate (percent)	Expulsion rate (percent)	Grade levels served^a	Percent Black students	Percent Hispanic students	Percent economically disadvantaged^b	Percent students with disabilities
César Chávez PCS for Public Policy – Parkside Middle	302	10.6	0.0	6-8	96.4	3.3	99.3	16.9
Creative Minds International PCS	237	0.4	0.0	PK3-5	32.1	13.9	22.8	29.5
DC Bilingual PCS	403	2.7	0.0	PK3-5	18.1	56.3	82.9	16.9
DC Preparatory Academy PCS – Anacostia Elementary	141	0	0.0	PK3-PK4	89.4	3.5	82.3	6.4
DC Preparatory Academy PCS – Benning Elementary	444	14.6	0.0	PK3-3	94.6	3.4	100.0	7.9
DC Preparatory Academy PCS – Benning Middle	223	28.3	0.0	4-6	94.2	2.7	74.0	20.2
DC Preparatory Academy PCS – Edgewood Elementary	441	8.8	0.0	PK3-3	84.1	8.8	76.9	9.8
DC Preparatory Academy PCS – Edgewood Middle	310	23.9	0.3	4-8	90.0	3.2	74.8	16.5
DC Scholars PCS	446	10.1	0.0	PK3-6	100.0	0.0	100.0	13.0
Democracy Prep Congress Heights PCS	627	21.7	0.0	PK3-6	96.5	3.5	99.7	13.6
District of Columbia International School	404	4.2	0.3	6-8	37.1	40.3	56.2	16.6
E.L. Haynes PCS – Elementary	333	3.9	0.0	PK3-5	41.7	38.4	66.7	15.6
E.L. Haynes PCS – High	435	21.6	0.2	5-8	50.3	45.3	65.5	23.9
E.L. Haynes PCS – Middle	373	20.9	0.3	9-12	47.5	46.6	77.2	25.5
Eagle Academy PCS – Capitol Riverfront	141	0	0.0	PK3-3	93.6	2.8	99.3	11.3
Eagle Academy PCS – Congress Heights	785	2	0.0	PK3-3	99.1	0.1	100.0	16.2
Early Childhood Academy PCS	262	0.8	0.0	PK3-3	98.9	1.1	100.0	10.4
Elsie Whitlow Stokes Community Freedom PCS	350	0	0.0	PK3-5	41.4	27.7	52.9	9.4
Excel Academy PCS	731	12.3	0.1	PK3-7	98.6	0.5	99.9	6.4
Friendship PCS – Armstrong	432	4.9	0.0	PK-5	94.2	5.1	100.0	10.9
Friendship PCS – Blow-Pierce Elementary	408	9.3	0.0	PK3-3	98.5	1.2	100.0	6.4
Friendship PCS – Blow-Pierce Middle	187	16	0.0	4-8	98.9	0.5	100.0	19.8

**Appendix VII: Public Charter School Board's
Discipline and Demographic Data**

School name	Number of students	Suspension rate (percent)	Expulsion rate (percent)	Grade levels served^a	Percent Black students	Percent Hispanic students	Percent economically disadvantaged^b	Percent students with disabilities
Friendship PCS – Chamberlain Elementary	376	1.6	0.0	PK3-3	99.2	0.3	100.0	8.0
Friendship PCS – Chamberlain Middle	334	5.1	0.0	4-8	99.7	0.3	100.0	17.1
Friendship PCS – Collegiate Academy	810	12.7	0.4	9-12	99.9	0.1	100.0	21.5
Friendship PCS – Southeast Academy	546	11.4	0.0	PK3-5	100.0	0.0	100.0	9.3
Friendship PCS – Technology Preparatory Middle	543	16.8	0.6	6-8	99.3	0.4	100.0	22.1
Friendship PCS – Woodridge Elementary	281	3.6	0.0	PK3-3	96.1	3.2	100.0	7.8
Friendship PCS – Woodridge Middle	179	14.5	0.6	4-8	96.6	2.8	100.0	20.1
HarmonyDC PCS – School of Excellence	105	17.1	0.0	K-5	96.2	2.9	100.0	23.8
Hope Community PCS – Lamond	316	2.5	0.0	PK3-5	88.9	10.4	77.2	8.5
Hope Community PCS – Tolson	520	1.5	0.0	PK3-8	94.0	5.8	80.6	10.4
Howard University Middle School of Mathematics and Science PCS	266	12.8	0.0	6-8	94.7	4.9	77.1	9.4
IDEA PCS	281	30.6	2.9	9-12	97.5	2.1	100.0	23.5
Ideal Academy PCS	296	8.1	0.0	PK3-8	97.0	3.0	100.0	9.4
Ingenuity Prep PCS	288	17.4	0.0	PK3-2	98.3	1.4	100.0	19.1
Inspired Teaching Demonstration PCS	368	2.2	0.0	PK3-7	42.7	4.1	20.4	13.9
Kingsman Academy PCS	254	12.6	0.4	6-12	99.2	0.0	100.0	57.9
KIPP DC PCS – AIM Academy	350	32.6	0.6	5-8	99.7	0.3	100.0	27.4
KIPP DC PCS – Arts & Technology Academy	229	1.3	0.0	PK3-K	99.6	0.4	100.0	9.6
KIPP DC PCS – College Preparatory Academy	505	27.1	0.8	9-12	99.8	0.2	100.0	19.0
KIPP DC PCS – Connect Academy	315	0.3	0.0	PK3-K	98.4	0.3	100.0	8.9
KIPP DC PCS – Discover Academy	346	0.3	0.0	PK3-K	99.4	0.0	100.0	7.8
KIPP DC PCS – Grow Academy	327	0.9	0.0	PK3-K	97.2	0.6	100.0	9.8

**Appendix VII: Public Charter School Board's
Discipline and Demographic Data**

School name	Number of students	Suspension rate (percent)	Expulsion rate (percent)	Grade levels served^a	Percent Black students	Percent Hispanic students	Percent economically disadvantaged^b	Percent students with disabilities
KIPP DC PCS – Heights Academy	434	10.1	0.0	1-4	100.0	0.0	100.0	12.9
KIPP DC PCS – KEY Academy	341	27.3	0.0	5-8	98.8	0.3	100.0	15.0
KIPP DC PCS – Lead Academy	421	7.4	0.0	1-4	96.4	1.9	100.0	12.8
KIPP DC PCS – LEAP Academy	213	0	0.0	PK3-PK4	99.1	0.5	100.0	8.0
KIPP DC PCS – Northeast Academy	238	10.1	0.0	5-7	98.3	1.3	100.0	21.0
KIPP DC PCS – Promise Academy	515	6.8	0.0	K-4	99.0	0.6	100.0	14.6
KIPP DC PCS – Quest Academy	324	15.1	0.0	1-4	98.1	0.9	100.0	14.2
KIPP DC PCS – Spring Academy	216	2.8	0.0	1-2	96.3	2.8	100.0	10.6
KIPP DC PCS – Valor Academy	120	28.3	0.0	5-7	99.2	0.8	100.0	25.0
KIPP DC PCS – WILL Academy	303	30	0.7	5-8	98.7	0.7	100.0	23.4
Latin American Montessori Bilingual PCS	374	0	0.0	PK3-5	14.2	51.9	27.8	12.0
Lee Montessori PCS	104	1	0.0	PK3-2	44.2	2.9	36.5	18.3
Mary McLeod Bethune Day Academy PCS	420	7.6	0.0	PK3-8	90.0	7.1	99.5	7.5
Maya Angelou PCS – High School	225	16.9	0.9	9-12	99.6	0.0	100.0	40.0
Meridian PCS	724	9.4	0.0	PK3-8	61.7	35.1	98.9	10.4
Monument Academy PCS	40	37.5	0.0	5	100.0	0.0	100.0	55.0
Mundo Verde Bilingual PCS	538	1.1	0.0	PK3-4	22.7	39.0	35.3	8.4
National Collegiate Preparatory PCHS	280	22.5	2.5	9-12	100.0	0.0	100.0	22.1
Paul PCS – International High School	444	19.8	1.6	9-12	75.0	23.9	57.2	14.2
Paul PCS – Middle School	232	27.6	0.9	6-8	81.0	19.0	60.8	13.8
Perry Street Preparatory PCS	323	10.2	0.0	PK3-8	96.9	0.6	73.1	13.3
Potomac Preparatory PCS	427	1.9	0.0	PK3-8	96.7	0.9	100.0	15.7
Richard Wright PCS for Journalism and Media Arts	284	15.1	0.0	8-12	98.9	1.1	100.0	19.0
Roots PCS	106	0	0.0	PK3-5	100.0	0.0	95.3	3.0

**Appendix VII: Public Charter School Board's
Discipline and Demographic Data**

School name	Number of students	Suspension rate (percent)	Expulsion rate (percent)	Grade levels served^a	Percent Black students	Percent Hispanic students	Percent economically disadvantaged^b	Percent students with disabilities
SEED PCS of Washington, DC	352	32.4	1.7	6-12	99.7	0.3	98.9	17.6
Sela PCS	134	0.7	0.0	PK3-2	64.2	9.0	64.2	9.7
Shining Stars Montessori Academy PCS	160	0	0.0	PK3-4	52.5	12.5	50.0	11.3
Somerset Preparatory Academy PCS	279	15.1	1.8	6-10	99.3	0.0	100.0	25.8
St. Coletta Special Education PCS	251	1.2	0.0	ages 3-22	77.7	12.0	79.3	100.0
The Children's Guild DC PCS	326	23.3	0.0	K-8	98.8	0.3	96.3	38.7
Thurgood Marshall Academy PCS	387	14.2	0.0	9-12	99.7	0.3	74.4	12.1
Two Rivers PCS – 4th Street	526	7.6	0.0	PK3-8	59.9	10.1	50.8	22.4
Two Rivers PCS – Young	169	0.6	0.0	PK3-1	60.9	5.9	49.7	15.4
Washington Global PCS	101	11.9	0.0	6-7	98.0	2.0	100.0	25.7
Washington Latin PCS – Middle School	362	6.6	0.0	5-8	36.5	8.6	16.0	8.3
Washington Latin PCS – Upper School	321	7.2	0.6	9-12	55.5	12.5	24.9	14.0
Washington Mathematics Science Technology PCHS	310	12.3	0.0	9-12	99.4	0.6	98.7	23.2
Washington Yu Ying PCS	551	0.4	0.0	PK3-5	36.8	5.4	11.4	8.3
William E. Doar, Jr. PCS for the Performing Arts	467	11.3	0.0	PK3-8	96.8	2.6	98.5	10.1

Source: GAO analysis of Public Charter School Board (PCSB) data. | GAO-17-165

Note: Demographic percentages refer to percent of students in the school.

^aPK3 and PK4 refer to Pre-Kindergarten for 3- and 4-year-olds, respectively. K refers to Kindergarten.

^bEconomic disadvantage is PCSB's proxy for poverty and is based on free or reduced-price lunch eligibility data.

^cThese are PCSB's published averages for all charter schools in 2015-16. Our analysis excludes the 9 charter schools that served adults or that were exclusively online in 2015-16. Therefore, the averages for the schools shown in this table may be slightly different than the averages we present here.

**Appendix VII: Public Charter School Board's
Discipline and Demographic Data**

Table 12: PCSB Charter School Discipline Rates, School Years 2012-13 through 2015-16

Rates	2012-13	2013-14	2014-15	2015-16
Suspension rate	14.7	11.9	10.9	9.1
Expulsion rate	.5	.4	.4	.2

Source: GAO analysis of Public Charter School Board (PCSB) data. | GAO-17-165

Appendix VIII: Comments from the Public Charter School Board



DARREN WOODRUFF, BOARD CHAIR
SCOTT PEARSON, EXECUTIVE DIRECTOR

December 21, 2016

Jacqueline Nowicki, Director, Education, Workforce, and Income Security Issues
Sherri Doughty, Assistant Director
Lauren Gilbertson, Analyst-in-Chart
U.S. Government Accountability Office
441 G St NW
Washington, DC 20548

By Email

RE: DC Public Charter School Board Comments to Draft GAO Report GAO-17-165 on District of Columbia Public Charter Schools

Thank you for providing us an opportunity to comment on the draft of GAO-17-165, District of Columbia Charter Schools: Multi-Agency Plan Needed to Address High and Disproportionate Discipline Rates.

We appreciate the thoroughness of your research into this matter. While the report does an admirable job of describing the public educational landscape in Washington, DC, we believe it would be improved with several changes. First, by basing its conclusions on data ending in school year (SY) 2013-14, as opposed to using more recent data, the report reaches some inaccurate conclusions and from these draws ill-advised recommendations¹. Second, the report at times mischaracterizes and understates the level of coordination and shared understanding between relevant DC agencies overseeing public education. Third, the report fails to fully describe the legal environment in which we operate, an environment that provides substantial operational autonomies to public charter schools and consequently limits the actions that may be taken by DC PCSB or other DC governmental agencies.

¹ The report uses SY 13-14 data as it is the most recent available on federal civil rights databases. More recent data is available on public databases of the Office of the State Superintendent of Education (OSSE). While the OSSE data does not perfectly align with the federal data due to slightly different business rules, it represents longitudinally consistent, state-verified data two years more recent than federal data. Moreover, the OSSE data is more complete: the draft report, at footnote 31, states that the federal data excludes 12 schools, whereas the OSSE data includes all schools.

3333 14th Street, NW, Suite 210, Washington, DC 20010 • (202) 328-2662 • spearsont@dpcsb.org

A. Failure to Incorporate Data Through 2015-16 Leads to Inaccurate Conclusions and Ill-Advised Recommendations

The draft report finds that DC public charter schools' suspension rates fell from SY 2011-12 to SY 2013-14 but that they remained high – “about double” the national rate – and that discipline rates remain disproportionately high for Black students and students with disabilities.

Based on this analysis, the report concludes that

...absent a coordinated plan to continue to reduce discipline rates in charter schools, and clear roles and responsibilities of D.C. agencies with respect to oversight of discipline in charter schools, *further progress may be slowed.*” (emphasis added).

Had the report considered data from SY 2014-15 and SY 2015-16, it would have found steady and significant progress has been made every year in reducing out-of-school discipline. This progress shows no sign of slowing, as evidenced by the following three charts.

1. *The percentage of children suspended and expelled from DC charters has declined each year.*

	2011-12	2012-13	2013-14	2014-15	2015-16
Suspensions	16.4%	14.7%	11.7%	10.7%	9.1%
Expulsions	0.80%	0.54%	0.36%	0.30%	0.21%

2. *As suspensions and expulsions have declined, DC charters have moved closer to national averages.*

	2011-12	2012-13	2013-14	2014-15	2015-16
Suspensions	16.4%	14.7%	11.7%	10.7%	9.1%
Suspensions vs 2011-12 US Average (6.8%)	2.4X	2.2X	1.7X	1.6X	1.3X
Expulsions	0.80%	0.54%	0.36%	0.30%	0.21%
Expulsions vs 2011-12 US Average (0.22%)	3.6X	2.4X	1.8X	1.3X	1.0X

3. Declines in suspensions and expulsions for Black students and students with disabilities have fallen in tandem with the overall decline.

	2011-12	2012-13	2013-14	2014-15	2015-16	Change from SY13 – SY16
Suspensions: Overall	16.4%	14.7%	11.7%	10.7%	9.1%	(5.6%)
Suspensions: Black	n/a	15.0%	14.2%	13.1%	11.1%	(3.9%)
Suspensions: students with disabilities	n/a	26.0%	21.8%	20.4%	16.7%	(9.3%)

The fact is that since the DC Public Charter School Board began aggressively focusing on reducing school discipline in SY 2011-12, charter school suspensions and expulsions have fallen steadily, and across all subgroups. And this decline has been aided by steadily improving cooperation across DC agencies

We agree that discipline rates remain higher than we would like, and that they remain disproportionate with respect to race and disability status. But, as the report notes in its interviews with school leaders, discipline reductions often happen slowly and steadily over time. Large, immediate reductions are often indicative of top-down mandates implemented without thoughtful changes to the overall school culture and classroom management procedures. The steady progress seen with DC charters is the right way to reduce out-of-school discipline.

Recommendations for the GAO report

We recommend that the GAO Report:

- a) Prominently incorporate 2014-15 and 2015-16 data throughout the report including the introduction, relevant charts, and the "Discipline at a Glance" table. This is essential given that the period of the report runs through January, 2017;
- b) Recognize that discipline rates at DC charters have shown steady, sustained, significant declines over the past four years;
- c) Incorporate 2015-16 data when making national comparisons. For example, if stating that suspensions in SY 2013-14 were "about double" national rates, also note that these rates have declined considerably since then.
- d) Change references from the risk of "further progress being slowed" to the "opportunity to continue the strong progress already shown".

B. Agency's coordination on school discipline issues is strong and continues to improve.

As the report notes, our agencies work together to produce our statewide Equity Reports. The day-to-day work on producing these reports has led to DC-wide common business rules for such matters as attendance, out-of-school suspension, and in-school suspension. Leaders of the key agencies generally meet every other week. This coordination has improved with each year and, under the current leadership of the Deputy Mayor for Education (DME) and OSSE, is stronger than ever with the Public Charter School Board.

The agencies' cooperation on discipline reduction extends beyond Equity Reports. We promote and support each other's training programs on classroom management and alternatives to exclusionary discipline. We cooperate closely in overseeing and enforcing special education laws and in the implementation of the South Capitol Street Memorial Act.

OSSE's issuance of non-regulatory guidance in the summer of 2016 was made in coordination with DC PCSB, the DME, and DC Public Schools. It reflected a common understanding that each local education agency (LEA) has significant operational flexibility that should be respected by the State, and that the focus on discipline reduction should be on support and guidance rather than regulation. There is no difference of opinion, which the report erroneously stated. Rather there is cooperation, coordination, and mutual respect.

Recommendations for the GAO Report

We recommend that the GAO Report:

- a) modify recommendation two on page 26 to read:

"DME, OSSE, and PCSB should deepen their collaboration with each other, and with relevant stakeholders, to continue progress to date in exclusionary discipline reduction. The parties should make explicit their common understandings about their relevant roles, and find further ways to cooperate on such matters as guidance, training, data, and other resources for schools."

- b) Change the report title to read "Deeper Agency Cooperation Can Continue Progress on Reducing High and Disproportionate Discipline Rates."

C. The report fails to acknowledge the autonomies guaranteed by Congress to charter schools.

The School Reform Act contains several provisions relevant to the issue of school discipline.

§38-1802.02(10) requires those petitioning to open a public charter school to provide "a description of the student enrollment, admission, suspension, expulsion and other disciplinary policies and procedures of the proposed school";

§38-1802.04(c)(3)(A) provides that a public charter school "shall exercise exclusive control over its expenditures, administration, personnel and instructional methods...";

finally, 38-1802.04(c)(3)(B) provides that a public charter school "shall be exempt from DC statutes, policies, rules, and regulations established for DC Public Schools by the Superintendent, Board of Education, Mayor, DC Council, or Authority..."

These provisions, taken together, provide a strong legal bulwark against the District government, including the Public Charter School Board, mandating school disciplinary processes.

When the report describes DC PCSB's actions, it often fails to describe these actions as being taken in the context of what the law does and does not permit. And when the report recommends possible statewide regulations, or implicitly criticizes OSSE for failing to promulgate such regulations in 2014, it ignores the law and thus the intent of Congress. Given that this report is being made to Congressional committees, this oversight is especially troubling.

Recommendation for the GAO Report

We recommend that the GAO Report:

- a) Explicitly cite the relevant provisions of the School Reform Act.
- b) Describe DC PCSB's actions as being taken in the context of these provisions.
- c) Remove references to OSSE being "unsure" as to whether it had the authority to issue regulations and instead state that OSSE concluded that the DC Code does not provide OSSE clear authority to regulate charter school discipline.
- d) Remove any recommendation for statewide regulations concerning school discipline.

D. There are other small changes we recommend in the report.

1. Figure 2 should represent that the Mayor appoints the members of the Public Charter School Board.

2. The description of the due process requirements under *Goss v Lopez* should include a requirement for a formal hearing for any expulsion or suspension of 10 days or more.
3. The description of DC PCSB's actions to reduce out of school discipline, should also mention the training and professional development opportunities it provides school leaders. These include two major conferences on alternatives in classroom management (the "Ahead of the Curve" conferences, jointly planned and sponsored with Fight for Children), and numerous quarterly school leader meetings devoted to the topic. It is worth noting that the full suite of DC PCSB's actions to reduce out of school discipline, including equity reports, board to board meetings, conferences, trainings, and revisions to school discipline plans, have been done with full board support as part of an intentional strategy to reduce out of school discipline while respecting charter school autonomies.
4. At page 13, the report erroneously states that "PCSB has no official policy on [partial day removal]". DC PCSB's official policy is to follow the law and business rules worked out jointly through collaboration with DCPS, DME, and OSSE. DC Act 21-50 (as amended on May 6, 2015) states that "'out-of-school suspension' means the removal of a student from school attendance for an entire school day or longer."
5. At page 17 the report states that "PCSB officials said they did not *think* this policy leads families to leave the school..." (emphasis added). DC PCSB staff conducted two analyses and demonstrated statistically that the policy does not lead families to leave school. The analyses found that multiple suspensions correlate with students withdrawing or not returning to the same school. The analyses found no correlation between short-term (one day) suspensions and withdrawal or re-enrollment rates compared to students who did not accrue a suspension.
6. The final sentence at the top of page 19 should include the italicized words: "...preferring a strict discipline culture that they perceive as keeping their children safe *and preserving an environment where learning can occur*"
7. The first sentence of the first full paragraph on page 20 should read "OSSE also annually publishes discipline data by school..." The second sentence should include the italicized words to read "the Equity Reports are also meant to provide *school leadership, school boards, families, and the community with information...*"
8. Finally, page 27 under "Data Analysis" refers to "unpublished data for school year 2014-15". As discussed, data for both 2014-15 and 2015-16 has been published and is available on the OSSE and DC PCSB websites.

DC PCSB Comments to Draft GAO Report 17-165

Page 7

Thank you for your consideration of these comments. We appreciate the time you took to understand the charter school landscape in Washington, DC.

Sincerely Yours,



Darren Woodruff
Board Chair



Scott Pearson
Executive Director

Appendix IX: Comments from the Office of the State Superintendent of Education



December 21, 2016

Jacqueline Nowicki, Director
Education, Workforce, and
Income Security Issues
US GAO

Dear Ms. Nowicki,

Thank you for providing OSSE an opportunity to comment on the draft of GAO-17-165, *District of Columbia Charter Schools: Multi-Agency Plan Needed to Address High and Disproportionate Discipline Rates*. We appreciate the time your staff took to engage OSSE in feedback about this important work. Below are OSSE's comments about the draft report.

Collaboration

OSSE believes that the draft GAO report overstates the lack of clarity and coordination between OSSE and PCSB. OSSE collaborates with PCSB regularly on innumerable policy, implementation and oversight issues, in a climate of cooperation, coordination, and mutual respect. OSSE looks forward to continuing to deepen our collaboration with PCSB and find further ways to cooperate on such matters as guidance, training, data, and other resources for schools.

Outcomes

As OSSE's own recently released *Report on School Discipline in 2015-2016* concludes, there is still significant progress to be made on discipline policy, implementation and disproportionality for student groups across all DC schools. However, we also believe that it is important to recognize the significant progress of charter school discipline rates over past several years (including in more recent years not included in this GAO report).

Clarity on Regulatory Oversight

OSSE requests that the language on Page 23 be amended. Rather than "they were unclear whether references in the regulations to 'public schools' also meant charter schools," OSSE proposes the following clarification: "OSSE staff acknowledged that the complex DC regulatory framework is unclear regarding oversight authority in some instances."

Secondly, OSSE requests revision of the explanation of why OSSE did not regulate, in the first full paragraph on Page 24. OSSE acknowledges that a 2014 OSSE report did state intent to regulate about discipline policies.

810 First St. NE, Ninth Floor, Washington, DC 20002 • Phone: (202) 727-6436 TTY: 711 • osse.dc.gov

However, OSSE would like to clarify that while previous administrations have stated interest in creating discipline regulations, OSSE's current conclusion is that the code does not provide OSSE clear authority to regulate. Thus OSSE chose a different manner in which to share critical non-regulatory guidance.

OSSE would again like to thank GAO staff for their dedication and diligence in collecting information for this report. We appreciate the opportunity to review and provide comment. For any further questions or clarifications, please reach out to Shana Young, Chief of Staff, at (202) 322-1734 or shana.young@dc.gov

Sincerely,



Hanseul Kang
State Superintendent of Education

cc: Scott Pearson, Executive Director, Public Charter School Board
Jennie Niles, Deputy Mayor for Education

Appendix X: GAO Contact and Staff Acknowledgments

GAO Contact

Jacqueline M. Nowicki, (617) 788-0580, nowickij@gao.gov

Staff Acknowledgments

In addition to the contact named above, Sherri Doughty (Assistant Director), Lauren Gilbertson (Analyst-in-Charge), Melinda Bowman, Jean McSween, John Mingus, James Rebbe, Alexandra Squitieri, and Sonya Vartivarian made key contributions to this report. Also contributing to this report were Deborah Bland, Grace Cho, Sara Daleski, Holly Dye, Lauren Kirkpatrick, Sheila R. McCoy, Mimi Nguyen, Sara Pelton, and Ronni Schwartz.

GAO's Mission

The Government Accountability Office, the audit, evaluation, and investigative arm of Congress, exists to support Congress in meeting its constitutional responsibilities and to help improve the performance and accountability of the federal government for the American people. GAO examines the use of public funds; evaluates federal programs and policies; and provides analyses, recommendations, and other assistance to help Congress make informed oversight, policy, and funding decisions. GAO's commitment to good government is reflected in its core values of accountability, integrity, and reliability.

Obtaining Copies of GAO Reports and Testimony

The fastest and easiest way to obtain copies of GAO documents at no cost is through GAO's website (<http://www.gao.gov>). Each weekday afternoon, GAO posts on its website newly released reports, testimony, and correspondence. To have GAO e-mail you a list of newly posted products, go to <http://www.gao.gov> and select "E-mail Updates."

Order by Phone

The price of each GAO publication reflects GAO's actual cost of production and distribution and depends on the number of pages in the publication and whether the publication is printed in color or black and white. Pricing and ordering information is posted on GAO's website, <http://www.gao.gov/ordering.htm>.

Place orders by calling (202) 512-6000, toll free (866) 801-7077, or TDD (202) 512-2537.

Orders may be paid for using American Express, Discover Card, MasterCard, Visa, check, or money order. Call for additional information.

Connect with GAO

Connect with GAO on [Facebook](#), [Flickr](#), [Twitter](#), and [YouTube](#).
Subscribe to our [RSS Feeds](#) or [E-mail Updates](#). Listen to our [Podcasts](#).
Visit GAO on the web at www.gao.gov.

To Report Fraud, Waste, and Abuse in Federal Programs

Contact:

Website: <http://www.gao.gov/fraudnet/fraudnet.htm>

E-mail: fraudnet@gao.gov

Automated answering system: (800) 424-5454 or (202) 512-7470

Congressional Relations

Katherine Siggerud, Managing Director, siggerudk@gao.gov, (202) 512-4400, U.S. Government Accountability Office, 441 G Street NW, Room 7125, Washington, DC 20548

Public Affairs

Chuck Young, Managing Director, youngc1@gao.gov, (202) 512-4800, U.S. Government Accountability Office, 441 G Street NW, Room 7149, Washington, DC 20548

Strategic Planning and External Liaison

James-Christian Blockwood, Managing Director, spel@gao.gov, (202) 512-4707, U.S. Government Accountability Office, 441 G Street NW, Room 7814, Washington, DC 20548



Please Print on Recycled Paper.