



May 7, 2012

Ms. Anita Walls



Dear Ms. Walls,

Thank you for submitting an application to establish a public charter school in the District of Columbia. The District of Columbia Public Charter School Board (“Board”) has completed the 2012 Application Review process and I regret to inform you that at its public meeting held April 23, 2012, the Board did not approve your application to establish DC Flex Public Charter School in the District of Columbia.

The Board’s decision was based on a thorough evaluation of the written application by Board, staff, and information gathered from the applicant interview and the public hearing. The following findings were the basis for the Board’s denial:

- The founding group did not show a full understanding of the Flex school model that K¹² runs in other states and that was mentioned in the application, raising serious questions about its ability to act as an independent fiduciary overseeing the design and operation of the school and managing its contract with K¹² or any other vendor of educational services.
- The education plan identified K¹² as the education management organization selected to provide the curriculum and virtual instruction. Due diligence revealed that K¹² has mixed results for its existing blended-learning and virtual public schools in other states. Data analysis of similar program models revealed significant achievement gaps for specific student subgroups such as economically disadvantaged students. K¹² schools typically do not serve high percentages of at-risk students, such as English language learners, students with disabilities, and students receiving free or reduced price meals. The plan did not address how additional support will be offered to at-risk populations so they could be successful at the school. The high school component of the plan is severely underdeveloped with concerns regarding course trajectory, alignment, and expectations for graduation.
- The business and operations plans did not sufficiently outline the oversight responsibilities for partnering with a management organization to provide educational services, and there appears to be inequity in the roles of the Board of Trustees and K¹². K¹² can terminate the contract for a variety of causes, while the board can only terminate for material breach, subject to remedy and mediation. Disturbingly, there is no evident standard of performance; it is not clear that the board could easily terminate the contract for poor academic performance. The application states that “a proposed plan to operate the school if the relationship with K¹² is terminated” is contained in the services agreement between K¹² and the Board. However this agreement contains no well-developed plan, and indeed makes it highly difficult for the Board to manage the school upon termination. For example, licenses to K¹² intellectual property terminate within

30 days of contract termination. And it is not clear why a board plan to operate a school absent a management agreement with K¹² should be contained in the management agreement with K¹². As a general matter the PCSB is uncomfortable with for-profit management contracts that do not allow a board to terminate annually, for any reason.

We recognize the hard work and effort that went into the development of your application. If you wish to receive additional feedback as it relates to the Board's denial decision, please e-mail Monique Miller at [REDACTED] by Thursday, May 18, 2012 to schedule an appointment. This feedback can be useful should you decide to revise your application for submission in upcoming review cycles.

Thank you for your interest in public charter schools and your commitment to improving public education in Washington, DC.

Sincerely,

[REDACTED]

Brian Jones
Chair

cc: Scott Pearson, Executive Director