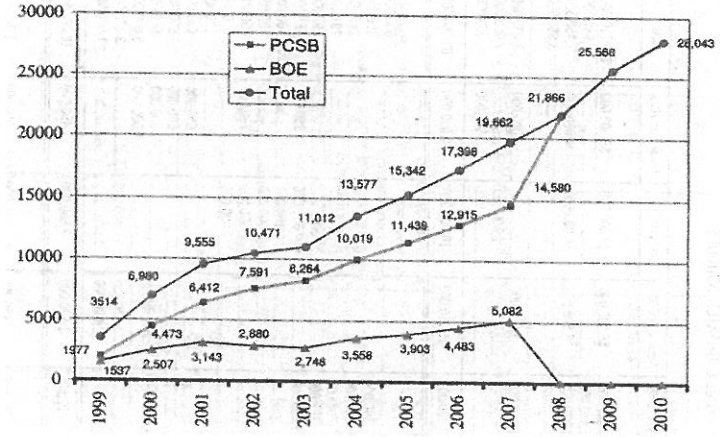


ATTACHMENT B—ANNUALIZED AUDITED ENROLLMENT FIGURES PCS

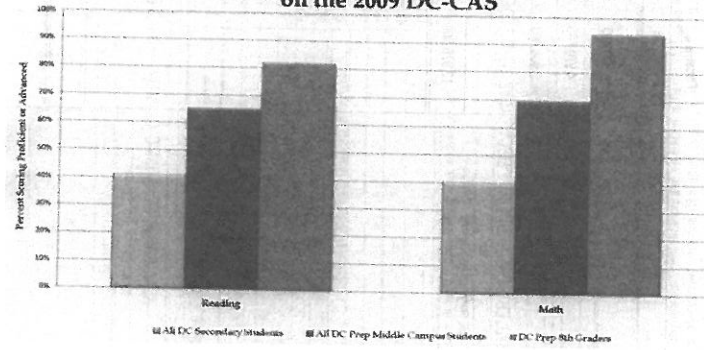
(Fiscal years 1999-2009)

School year	1998-1999	1999-00	2000-01	2001-02	2002-03	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10
Fiscal year	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
PCSB	1,977	4,473	6,412	7,591	8,264	10,019	11,439	12,915	14,580	21,866	25,568	28,043
BOE	1,537	2,507	3,143	2,880	2,748	3,558	3,903	4,483	5,082	.....	.....	.....
Total	3,514	6,980	9,555	10,471	11,012	13,577	15,342	17,398	19,662	21,866	25,568	28,043
Annualized growth (%)	.....	3,466	2,575	916	541	2,565	1,765	2,056	2,264	2,204	3,702	2,475
Annualized growth (percent)	.....	99	37	10	5	23	13	13	13	11	17	10



ATTACHMENT C

DC Prep Students Outperform their DC Peers on the 2009 DC-CAS



**ATTACHMENT D—SUMMARY OF FEDERAL PAYMENT ALLOCATION FOR DC PUBLIC CHARTER SCHOOLS**  
(Fiscal years 2004–2009)

	Fiscal year 2004	Fiscal year 2005	Fiscal year 2006	Fiscal year 2007	Fiscal year 2008	Fiscal year 2009	Total
<b>Facilities Financing:</b>							
Direct Loan Fund .....	\$6,000,000	\$2,750,000	\$3,960,000	\$6,000,000	\$2,500,000	\$3,500,000	\$24,710,000
Credit Enhancement Fund .....			1,980,000				1,980,000
City Build .....	4,970,500	2,000,000	1,980,000	3,500,000	5,000,000	4,000,000	21,450,500
Charter School Incubator Initiative .....	2,000,000	3,895,000					3,895,000
Charter School Facilities Fund .....							
Co-Location/Public Facilities .....							
Special Facilities .....			1,980,000	1,050,000	2,500,000	4,000,000	7,000,000
Facilities Technical Assistance Program .....							2,500,000
Subtotal Facilities Financing .....	12,970,500	8,645,000	9,900,000	10,550,000	10,000,000	12,000,000	62,065,500
<b>Unmet Needs and School Quality:</b>							
College Preparatory Program .....		2,000,000	395,000				2,000,000
College Access .....			247,500				395,000
Medicaid Billing .....			297,000				247,500
Tuition .....			297,000				297,000
Data Collection .....			1,485,000				2,185,000
Flexible Funds .....					350,000	350,000	2,185,000
Special Programs .....					100,000		100,000
School Improvement .....					500,000		500,000
Charter Integration .....					300,000		500,000
Revolving Loan Fund .....					1,000,000		550,000
DC PCS Association .....		100,000					1,000,000
Special Needs Compliance and Services .....							100,000
Sector Support Grants .....							650,000
Innovation Incentive Fund .....							600,000
Replication Fund .....							600,000
Incentive Awards .....		2,000,000		870,000		5,000,000	5,000,000
Quality Initiative .....				1,000,000	400,000		3,270,000
Subtotal, Unmet Needs and Quality .....		4,100,000	2,722,500	1,970,000	2,650,000	7,450,000	18,792,500
<b>Administration and Reversion:</b>							
Administrative Expenses .....		150,000	247,500	450,000	350,000	550,000	1,747,500

	Fiscal year 2004	Fiscal year 2005	Fiscal year 2006	Fiscal year 2007	Fiscal year 2008	Fiscal year 2009	Total
Federal Rescission .....	29,500	104,000	130,000	130,000			393,500
Total .....	29,500	254,000	377,500	580,000	350,000	550,000	2,141,000
	13,000,000	13,000,000	13,000,000	13,000,000	13,000,000	20,000,000	83,000,000

**ATTACHMENT E—PUBLIC CHARTER SCHOOLS CLOSED SINCE FISCAL YEAR 2004 1 2**

School name	Authorizer	Year closed	Primary reason for closure	Secondary reason for closure
Southeast Academy	PCSB	2005	Poor academics	None
Sasha Bruce	PCSB	2006	Poor finance/operations	None
New School	PCSB	2006	Poor academics	Poor governance
Jo-Az	BOE	2006	Poor finance/operations	None
Tri-Community	PCSB	2008	Poor academics	Poor governance
Hope Academy	PCSB	2008	Poor finance/operations	None
Barbara Jordan	BOE	2009	Poor finance/operations	Poor academics
City Lights	BOE	2009	Poor finance/operations	Poor academics
MEI Futures	PCSB	2009	Poor academics	Poor finance/operations
ABC	PCSB	2009	Poor finance/operations	None

<sup>1</sup>60 percent of PCS closed since 2004 where closed for financial reasons (rearing from mismanagement funds to insufficient cash balances).  
<sup>2</sup>40 percent of PCS closed since 2004 where closed for academic/programmatic reasons.

**ATTACHMENT F—DC PUBLIC CHARTER SCHOOL BOARD—FISCAL YEAR 2010 FEDERAL PAYMENT FOR PUBLIC CHARTER SCHOOLS PROPOSED SPENDING PLAN**  
(Spending plan by category)

Facilities:	Fund amount	Managing organization	Fiscal year 2009 amount	Variance
Revolving Direct Loan Fund: These funds will be used to provide public charter schools with low interest loans to assist them with facilities acquisitions and renovation.	\$4,500,000	OSSE	\$4,500,000	
City Build initiative: City Build is a joint neighborhood revitalization and education initiative that aims to build strong communities by providing quality school choices to strategic neighborhoods. The ultimate goal of City Build is to attract and retain residents to strengthen DC communities. These funds will provide grants to support the development of quality public charter school facilities in targeted DC neighborhoods.	1,750,000	OSSE	3,250,000	(\$1,500,000)

ATTACHMENT F—DC PUBLIC CHARTER SCHOOL BOARD—FISCAL YEAR 2010 FEDERAL PAYMENT FOR PUBLIC CHARTER SCHOOLS PROPOSED SPENDING PLAN—

Continued  
(Spending plan by category)

	Fund amount	Managing organization	Fiscal year 2009 amount	Variance
Facilities Technical Assistance Program (F-TAP): This program will provide public charter schools with support in the areas of new facility project planning and real estate finance. Support may be provided in the form of small grants to fund planning and pre-construction, and/or to qualified firms to provide direct technical support to schools.	750,000	OSSE	750,000	
\$5 million to help restore facilities funding	5,000,000	OSSE		5,000,000
Public Facility Grant Support: these funds will be provided to cover the costs of renovating public facilities leased to public charter schools.	2,000,000	OSSE	3,900,000	(1,900,000)
<b>Total facilities</b>	<b>14,000,000</b>		<b>12,000,000</b>	<b>2,000,000</b>
<b>Charter school quality:</b>				
Sector Support Grants: These funds will support uses that will enhance the quality of new and existing schools through: innovative human capital initiatives; performance measurement tools; school improvement activities; and improved school governance.	600,000	OSSE	600,000	
Innovative Incentive Fund: This fund will provide competitive grants to schools to adopt/implement an evidence-based model, program, or promising practice that will increase student achievement.	600,000	OSSE	600,000	
Replication Fund: The purpose of this fund is to induce existing Charter Management Organizations and entrepreneurial education initiatives to expand within and into the District charter sector by providing growth capital, program start-up grants, and/or investments through investment intermediaries.	1,750,000	OSSE	5,000,000	(3,250,000)
Governance: Funds will be used to assist schools with improving their governance practices				
Leadership: Funds will be used to provide leadership coaching and/or development				
NCLB Technical Assistance: The purpose of this funding initiative is to integrate PCSB practices (i.e., reviews and audits) with policy (i.e., corrective action and restructuring policies) to promote and facilitate a process for systemic reform within public charter schools. The goals of the project are to reduce the number of schools in improvement (as defined by NCLB) and increase the capacity of charter schools to effectively implement school-based management models. The initiative is designed to provide charter schools with a balanced and comprehensive approach to meeting the standards for school performance without imposing unrealistic, uniformed, and	145,000	PCSB		145,000
	130,000	PCSB		130,000
	450,000	PCSB		450,000
Incentives for high performing schools per result of the Performance Management Framework	400,000	PCSB		400,000
Financial Workshops—Platform: Funds will be used to develop as many as five (5) financial workshops to address the five fiscal management criteria outlined in the July 2008 edition of the PCSB fiscal policy handbook. One additional workshop would be created to address audited financial statements and guideline. The first workshop would be Accounting and Budget Processing which would focus on how planning, assessment, and budgeting are linked to achieve a school's vision and goals.	125,000	PCSB		125,000

Financial Systems Support: Funds will be used to aid in the improvement of certain operational capacities of selected charter schools. The services of auditors, CPAs, financial consultants, etc. would be obtained to assist the schools with monitor actual revenues and expenditures, long term financial planning process, development of internal controls and grants management.	100,000	PCSB		100,000
<b>Total charter school quality</b>	<b>4,300,000</b>		<b>6,200,000</b>	<b>(1,900,000)</b>
<b>Unmet needs:</b>				
Special Needs Compliance and Service: To provide technical assistance and professional development to schools, including but not limited to complying with local and Federal mandates, managing related services and providers, facilitation of shared itinerant service providers, and development of a clearinghouse for current research on innovative special education and ELL practices.	550,000	OSSE	650,000	(100,000)
Flexible Funds: These grants will be provided to campuses that have not received a prior "flexible funds" grant to pick from a menu of pre-approved uses. These funds may also be used to provide small competitive grants (\$250-\$1,000) based on proposals crafted at the classroom level.	300,000	OSSE	350,000	(50,000)
Charter School Integration: These funds will be used to seed and expand efforts to ensure that the charter school sector is able to access District-funded resources where shortages exist, and to develop increased awareness and participation of charter schools in District-wide initiatives.	225,000	OSSE	250,000	(25,000)
<b>Total unmet needs</b>	<b>1,075,000</b>		<b>1,250,000</b>	<b>(175,000)</b>
<b>Program administration:</b>				
OSSE Administration Costs: These funds will be allocated to the Office of Public Charter School Financing and Support within OSSE for the costs associated with administering and overseeing the above programs and funds.	500,000	OSSE	550,000	(50,000)
PCSB Administration Costs: These funds will be allocated to the Office of Public Charter School Financing and Support within OSSE for the costs associated with administering and overseeing the above programs and funds.	125,000	PCSB		125,000
<b>Total program administration</b>	<b>625,000</b>		<b>550,000</b>	<b>75,000</b>
<b>Total</b>	<b>20,000,000</b>		<b>20,000,000</b>	

Senator DUBIN. Gregory Cork is the CEO and executive director of the Washington Scholarship Fund.  
Please proceed.

**STATEMENT OF GREGORY M. CORK, PRESIDENT AND CHIEF EXECUTIVE OFFICER, WASHINGTON SCHOLARSHIP FUND**

Mr. CORK. Thank you, Senator.

Good morning, Chairman Durbin, Ranking Member Collins, and distinguished members of the subcommittee.

My name is Gregory M. Cork, and I'm president and chief executive officer of the Washington Scholarship Fund, the nonprofit organization that administers the D.C. Opportunity Scholarship Program, otherwise known as the OSP.

It's my honor and privilege to appear before you today to discuss the profoundly positive impact of the OSP on the lives of the low-income D.C. students and families served through this landmark program.

I'm particularly grateful for this opportunity to sit alongside others from the D.C. education community who share a commitment to providing District children with genuine educational access and to addressing whatever challenges stand in the way of affording D.C. children the best possible education. We're supporters of options, after all, whatever works—whatever education works for a child and his or her family.

Simply stated, Mr. Chairman, the OSP has been a success, and of indisputable and lasting value to program participants. In fact, since the OSP's inception in 2004, several independent reports have confirmed that the program is working for low-income students—D.C.—low-income D.C. students and families.

In April of this year, the U.S. Department of Education released the latest in a continuing series of evaluation reports prepared by DOE's Institute of Education Sciences. This much-anticipated report builds on previous positive findings and confirms what parents and the OSP have known for years: OSP students are performing at higher academic levels than their peers who are not in the program, and are better off, by virtually every important measure, in their chosen schools.

Taken together, the DOE reports to date reflect that the OSP, as intended, is serving the District's most economically and educationally disadvantaged students and families, and shows that the choices afforded by the OSP are not only improving students' academic performance, but redefining their futures.

Also this year, the School Choice Demonstration Project, formerly within Georgetown University's School of Public Policy and now operated through the University of Arkansas, released its fourth and final report on the OSP. Once again, this report, using focus groups of low-income scholarship families to learn about their experiences in the program, showed that families are extremely satisfied with the OSP and the schools they have chosen, and with being given opportunities, in most cases for the first time ever, to choose schools they judged to be the best fit for their children.

According to the report, scholarship parents have "moved from the margins to the center of their child's academic development," and are finding improved safety in their chosen schools, stricter

discipline, smaller classes, values-based environments, enhanced curriculum, and effective support services such as tutoring and mentoring.

Perhaps most compelling: for the parents in the School Choice Demonstration Project study, participation in the OSP is providing benefits to families that "transcend their children's education." The report states that for most parents the OSP is an opportunity to lift the next generation of their family out of poverty.

Turning to WSF's administration of the OSP, pursuant to the Choice Act, I'd like to highlight the fact that, in its implementation of the OSP since 2004, WSF has met each of the Choice Act's or the authorizing statute's three central priorities.

First, the OSP has prioritized students coming from schools identified as in need of improvement (SINI), or otherwise known as SINI schools. If not for the OSP, 86 percent of scholarship students would be attending D.C.'s lowest performing schools; that is, those in need of improvement, corrective action, or restructuring, as designated under No Child Left Behind.

Second, the OSP has served the needs of the lowest income D.C. families. To be initially eligible for the OSP, as the subcommittee knows, a family must be at or below 185 percent of the Federal poverty level, or about \$40,790 for a family of four in 2009, and must be at or below 200 percent of the poverty level, or about \$44,100, for a family of four in 2009, for their second and subsequent years of OSP participation. The—notwithstanding the eligibility requirements, the average income of participating families in the 2008–2009 school year was only \$24,312, far below the eligibility requirement.

Third and finally among the priorities outlined in the statute, WSF has provided students and families with the widest range of educational options. In the course of WSF's administration of the OSP, 78 of the 86 nonpublic schools in the District of Columbia, or about 80 percent, participated in the program.

Regarding WSF's sound fiscal management of the OSP, I should emphasize that WSF received clean A–133 audits for each of the first 4 years of the OSP's implementation—that is, 2005 through 2008—and fully anticipates a clean A–133 audit for the program's fifth year, 2009.

In closing, Mr. Chairman, I'd like to add that it's been my great privilege to serve as WSF's president and CEO for the past 2-plus years. What we and our families together have accomplished through the OSP doubtless will resonate along the generational arcs of many hundreds of low-income D.C. families, families who, frankly, in the absence of the OSP, would have had few, if any, genuinely promising educational options.

I truly believe that education, after all, is everything. It is my great hope that we, as a city and a society, will continue to explore every available means of providing real educational opportunity to all of our children, regardless of their means or where they came from.

Thank you again, Mr. Chairman, for permitting me to address the subcommittee regarding WSF's work in service to OSP students and families, who have benefited tremendously from the educational opportunities afforded them by this groundmaking pro-



gram. I look forward to continuing this discussion with the subcommittee, and would be pleased to take any questions you have—you might have now.

Senator DURBIN. Thank you, Mr. Cork.  
[The statement follows:]

PREPARED STATEMENT OF GREGORY M. CORK

INTRODUCTION

Good morning, Chairman Durbin, Ranking Member Collins, and distinguished members of the subcommittee: My name is Gregory M. Cork, and I am president and chief executive officer of the Washington Scholarship Fund ("WSF"), the non-profit organization that administers the D.C. Opportunity Scholarship Program (the "D.C. OSP" or the "OSP").

It is my honor and privilege to appear before you today to discuss the profoundly positive impact of the D.C. OSP on the lives of the low-income D.C. students and families served through this landmark program. I am particularly grateful for this opportunity to sit alongside others from the D.C. education community who share a commitment to providing District children with genuine educational access, and to addressing whatever challenges stand in the way of affording D.C. children the best possible education.

The D.C. School Choice Incentive Act of 2003 (the "Choice Act"), the D.C. OSP's authorizing legislation, was enacted in January 2004 as part of a \$40 million "three-sector" education reform package that allocated equal funding to traditional D.C. public schools, to D.C. public charter schools, and to the D.C. OSP. The Choice Act—designed "to assist low-income parents to exercise choice among enhanced public opportunities and private educational environments"—targets D.C.'s lowest-income families (those at or below 185 percent of poverty), with a specific priority on students attending D.C. "schools in need of improvement" ("SINI" schools). A critical element of the Choice Act is the law's mandate for a rigorous Federal evaluation, which measures the OSP's impact in terms both quantitative (i.e., students' academic progress) and qualitative (i.e., participating families' satisfaction with the program).

The results of the Federal evaluation, conducted by the U.S. Department of Education's ("DOE") Institute of Education Sciences ("IES"), have established that students participating in the D.C. OSP are making real and significant academic gains. The IES and other independent studies also report that parents are overwhelmingly satisfied with the schools they have chosen for their children and with the scholarship program itself, and that they see marked improvements in their children's attitudes towards school, approaches to homework, and general learning habits. These same studies further report that OSP parents are learning to evaluate schools not just on criteria related to safety, but also on the content of the schools' academic programs—that is, OSP parents are meaningfully participating in their children's educations, and they are making good choices on behalf of their children. Indeed, according to these reports, parents view the D.C. OSP as a way to lift the next generation of their families out of poverty.

Overall, in its implementation of the D.C. OSP since 2004, WSF has met each of the three priorities set forth in the Choice Act: Through the OSP, WSF has prioritized and served students coming from schools identified as in need of improvement; targeted resources toward the lowest-income D.C. families; and provided students and families with the widest range of educational options.

ELIGIBILITY FOR AND FUNDING OF THE D.C. OSP

Under the Choice Act, scholarships of up to \$7,500 per year are awarded by lottery to eligible students for tuition, transportation, and other academic-related fees to attend non-public schools in the District. To be initially eligible for OSP scholarships, parents or guardians must be D.C. residents and they must be at or below 185 percent of the Federal poverty level (about \$40,793 for a family of four in 2009). Families renewing their scholarships must be at or below 200 percent of the Federal poverty level (\$44,100 for a family of four in 2009) for their second and subsequent years of OSP participation.

The Choice Act allocates annually about \$12.1 million directly to scholarships. Financial support for WSF to operate the program is capped at 3 percent of the funding authorized under the Federal statute (or about \$362,000 for the OSP's administration in 2008–2009).

D.C. OSP STUDENTS, FAMILIES, AND PARTICIPATING SCHOOLS

Nearly 20 percent of eligible District students applied for OSP scholarships in the program's first 4 years of operation. Key data on OSP students, families, and schools for the past school year (2008–2009) include:

- The average income for participating families was \$24,312.
- The average family size of scholarship users was a single mother with two children.
- Of the 1,716 students participating during the 2008–2009 school year, 1,050 lived in D.C.'s most economically-challenged Wards (5, 7, and 8).
- If not for the OSP, 86 percent of scholarship students would be attending D.C.'s lowest performing schools (Schools In Need of Improvement, Corrective Action or Restructuring, as designated under No Child Left Behind).
- The average K–12 scholarship award was \$7,000—just below the \$7,500 cap.
- The average tuition for OSP students at participating schools was \$6,000 for grades K–8 and \$9,668 for high school.

INDEPENDENT REPORTS CONFIRM THAT THE D.C. OSP IS WORKING FOR LOW-INCOME D.C. STUDENTS AND FAMILIES

*The U.S. Department of Education's Institute of Education Sciences' Evaluation of the D.C. OSP: Impacts After Three Years (April 2009)*

This much-anticipated report released by the U.S. Department of Education—the latest in the continuing series of IES evaluation reports—builds on previous positive findings and confirms what parents in the D.C. OSP have known for years: D.C. OSP students are performing at higher academic levels than their peers who are not in the program, and are better off by virtually every important measure in their chosen schools.

The DOE report offers the most unambiguous academic proof yet that the D.C. OSP is working for low-income D.C. students and families. Overall, scholarship students are performing at statistically higher levels in reading—over 3 months ahead of their peers who did not receive scholarships. In addition, the report shows that some scholarship students are as many as 2 years ahead in reading compared to their peers without scholarships.

The report also finds that using a scholarship significantly increases parents' satisfaction with their children's schools in every measurable area. About 75 percent of scholarship parents give their children's schools an "A" or "B" grade, and view their chosen schools as safer and more orderly.

The DOE reports to date reflect that the D.C. OSP, as intended, is serving the District's most economically and educationally disadvantaged students and families—and shows that the choices afforded by the OSP are not only improving students' academic performance, but redefining their futures.

*The School Choice Demonstration Project's Fourth and Final Report on the D.C. OSP (January 2009)*

The latest report on the D.C. OSP by the School Choice Demonstration Project (formerly within Georgetown University's School of Public Policy and now operated through the University of Arkansas) shows that families are extremely satisfied with the program and the schools they have chosen, and with being given opportunities—in most cases for the first time ever—to choose schools they judge to be the best fit for their children.

The latest report is the fourth and final publication compiled by the School Choice Demonstration Project, which uses focus groups of low-income scholarship families to learn about their experiences in the program. According to the report, scholarship parents have moved "from the margins to the center of their child's academic development," and are finding improved safety in their chosen schools, stricter discipline, smaller classes, values-based environments, enhanced curriculum, and effective support services such as tutoring and mentoring. "I was looking for a different environment for [my child]," explains one parent involved in the report. "My thing was he will follow Sally and Sally [is] not into her work, [in private school] he will follow John who gets better grades and that's exactly what's happening now."

The report states that "[p]erhaps the single most consistent response voiced in the focus groups was the high levels of satisfaction reported by each subgroup and cohort. Even in situations where parents complained or expressed disappointment with some aspect of their experience . . . they still gave the program high marks."

According to the School Choice Demonstration Project report, D.C. OSP parents cite many factors that contribute to their satisfaction with the program, including noticeable improvements in their children's attitudes about learning, better dispositions toward school, and more productive homework and learning habits. Says one

parent in the report, "[My child] is doing good in school, and she says 'Mommy I want to continue . . . and when I finish I want to go to a university.' She's very interested in college. She starts to do her homework, and she's doing it on the computer . . . she's learning, learning, learning."

For the parents in the School Choice Demonstration Project study, participation in the D.C. OSP is providing benefits to families that "transcend their children's education." According to the report, "[f]or most parents, [the D.C. OSP] is an opportunity to lift the next generation of their family out of poverty."

#### WSF'S ADMINISTRATION OF THE D.C. OSP

##### *Meeting the Choice Act's Priorities*

As noted, in its implementation of the D.C. OSP since 2004, WSF has met each of the three priorities set forth in the Choice Act:

The D.C. OSP has prioritized students coming from schools identified as in need of improvement ("SINI" schools):

—If not for the D.C. OSP, 86 percent of scholarship students would be attending D.C.'s lowest-performing schools (Schools In Need of Improvement, Corrective Action or Restructuring, as designated under No Child Left Behind).

The D.C. OSP has served the needs of the lowest-income D.C. families: —As indicated, all families must be at or below 185 percent of the Federal poverty level (\$40,793 for a family of four in 2009) to be initially eligible for the D.C. OSP, and must be at or below 200 percent of the poverty level (\$44,100 for a family of four in 2009) for their second and subsequent years of OSP participation.

—The average income of participating families in 2008–2009 was \$24,312—far below the eligibility requirement.

WSF has provided students and families with the widest range of educational options:

—In the course of WSF's administration of the D.C. OSP, 78 of the 86 non-public schools in the District (80 percent) participated in the program.

##### *Fiscal Management and Internal Controls*

WSF received clean A–133 audits for each of the first 4 years of the D.C. OSP's implementation—2005, 2006, 2007, and 2008. WSF anticipates a clean A–133 audit for the program's fifth year, 2009.

Further, WSF has implemented the financial processes, procedures, and controls necessary to maintain compliance with all Federal and generally accepted accounting standards, rules, and regulations, and with apposite recommendations made by government agencies. WSF also has fortified its financial infrastructure and IT security protocols—e.g., by installing upgraded financial software, updating written financial policies and procedures, and augmenting accounting staff.

#### DISTRICT FAMILIES, LAWMAKERS, AND OTHER RESIDENTS WANT THE D.C. OSP TO CONTINUE

Nearly 20 percent of eligible District students applied for OSP scholarships in the program's first 4 years of operation, reflecting high demand for the program from D.C.'s low-income families.

In 2009, District Mayor Adrian Fenty once again asked Congress for continued funding of the three-sector education reform initiative that includes the D.C. OSP.

In June 2009, seven D.C. City Council Members asked Secretary Duncan and Mayor Fenty to continue the D.C. OSP.

President Obama has expressed his support for continuing the D.C. OSP in service to the low-income District students who already have benefited from participation in the program.

A July 2009 poll of D.C. residents found that 74 percent have a favorable view of the D.C. OSP, and that 79 percent of parents with school-age children oppose ending it.

#### WHAT FAMILIES AND STUDENTS SAY ABOUT THE D.C. OSP

"This program works. I believe every parent should have the opportunity to send their child where they feel they should go. I want to make sure my children can get the best educations offered, making sure they can get the best out of life." —Malcolm Jordan, OSP Parent

"My kids' educations mean the world to me. You saw what happened with Obama, right? I'm looking for the next President right here, right Donae? Right Dayonte? This should have been here when I was in school; I would have been so much more

today. In fact, I'm thinking about going back to school myself." —Anquanette Williamson, OSP Parent

"Today, I wouldn't know where he'd be, but looking at today, I'm proud and I'm glad at where he's at right now. The scholarship program has helped us tremendously." —Radcliffe Fairclough, OSP Parent

"The scholarship has made me feel more secure in my child's education. Her going to a good school will open doors for her in the future . . . This would not have been possible without the scholarship." —Linda Bernard, OSP Parent

"He has become inspired, gained self-esteem, and he's proud of his school. He is very smart and [the teachers at Sacred Heart] recognize his learning style. Not all children learn the same way. It's important that the environment they are learning in is best for their needs." —Patricia William, OSP Parent

"It has affected me in a good way, and without the scholarship, I wouldn't be here at St. John's. This experience keeps me humble because without it, I don't have to see my mom struggle to give me a good education. I'm getting one, and this has helped me for the better." —Zachary Tanner, OSP Student

"If I didn't have the scholarship, it would be hard on [my father]. The scholarship gives me a chance to go to a good school with a good education. I appreciate the scholarship." —Guillermo Aburto, Jr., OSP Student

"How are they going to take the scholarship away from me and my friends? They didn't ask us. I don't understand, because the scholarship has helped me." —DeCarlos Young, OSP Student

"I like the teachers. They actually care about the students and they are there to help. I like how diverse and challenging it is." —Fullumusu Bangura, OSP Student

"My private school offers an atmosphere where students strive to succeed because of their surroundings. I strive to make killer grades every quarter and turn in all of my work because it is expected of me and because I have support from my friends and classmates to do so." —Sanya Arias, OSP Alumna (2009), St. Johns University (2013)

#### CONCLUSION

Mr. Chairman, again, it is an honor and a privilege to address the subcommittee regarding WSF's work in service to D.C. OSP students and families, who have benefited tremendously from the educational opportunities afforded them by this groundbreaking program. I look forward to continuing this discussion with the subcommittee, and would be pleased to take any questions you have at this time.

Senator DURBIN. Chancellor Rhee, your personal life story, about your becoming an accidental educational expert, is a great story. It's about Teach For America and your taking over a failing classroom, and showing dramatic results, and then committing your life to education. And so, this challenge that you've taken—the District of Columbia—is consistent with your life's work, and your goals are the right goals.

What we've heard here is parents and students voting with their feet, and leaving the D.C. public schools. We have seen the increased enrollment in charter schools, and the interest and support of voucher schools. And though I'm going to leave to Senator Collins to question some of the numbers, which obviously are in contrast between what she has presented and what you've presented, if I were to say, "All right, I want to take your position. I believe in public education first. And I don't think we ought to walk away from our responsibility to public education." What could you say in response to the parents who say, "But, public education is failing?" How soon do you really believe that public education in the District of Columbia will reach a level of at least equality, if not superiority over, the charter schools in the District of Columbia?

Ms. RHEE. So, I think we are well on our way. If you look at the gains that we've seen over the last 2 years, they have been incredibly significant. And I think that they have outpaced the gains that the District has seen in, you know, the 10 years prior to us coming in. So, we feel like we're heading in the right direction.

## DCPS TRI-SECTOR APPROACH

But, if the question is, you know, "How much longer do we need before I can honestly say that we—you know, I believe that we are serving all children well, and that we have the highest performing urban school district in the country?" I think that is going to be a longer time horizon. And what the Mayor and I talk about is probably 5 more years, by the end of his second term. And that's part of the reason why I continue to support so vehemently the tri-sector approach. You know, it's counter to what I think most urban superintendents believe. They, you know, usually like to, kind of, be a little defensive, and try to maintain their market share and that sort of thing. But I believe that part of my job is to try to make sure that every single school-age child in the city gets an excellent education. And I'm not really as concerned with what kind of school, whether it's a private school, a D.C. charter school, or DCPS school. As long as they're in an excellent school, getting a great education, then I'm happy.

## SCHOOL VOUCHERS

I don't believe that vouchers are the answer to our urban education problems. For a variety of reasons. You know, with \$7,500, you can't buy yourself admission to a lot of the best private schools in the city. And just because you have a \$7,500 voucher doesn't mean that a private school has to accept you into their school. And so, for that reason, vouchers aren't going to be the end-all/be-all solution to the public education problems.

That said, I will tell you that, on a regular basis, I have parents from wards 7 and 8, which are our highest-poverty wards, which also are the home of our lowest-performing schools, who come to me—and they've done everything that a parent should. They say, "I've looked at all of the data, I know that my neighborhood school and the schools surrounding it are not performing at the level that I want it to. So, I participated in the out-of-boundary process, and I went through the lottery, and I didn't get a slot at one of the schools I wanted." So, they look at me and they say, "Now what? What are you going to do?"

And I cannot look those parents in the eye right now, at this point, and offer every single one of them a spot in a school that I think is a high-performing school. And I think, until we're able to do that, which again I think is on that 5-year time horizon, then I believe that we do need to have choice for our families, and I think they do have to have the ability to participate, either to move into a charter school or to use the opportunity scholarships.

Senator DURBIN. Mr. Cork, this chart—I'm sure you can't see, because it's so far away—it's hard enough for me to see it—but it shows, since fiscal year 2004, that we have put about \$348 million into added Federal contributions for the D.C. Public Charter and Opportunity Scholarships Programs. And the amount going to the program that you administer has been in the range of \$13 to \$14 million—Federal tax dollars—to benefit some 1,700 students and their families.

I'm troubled. When we contacted your office and said, "Send us"—not the names of the students. We're not asking you to violate

any confidentiality. But, "Send us the names and addresses of the schools that participate in the voucher program; how many students you acknowledge are part of that program in each of the schools—just by number; how many of the teachers in each of the schools have college degrees; how many of the schools have been judged safe, in terms of the fire safety code, for example, by the District of Columbia"—that you declined, and said, "I won't provide that information."

So, we said, "Well, if Mr. Cork won't provide it, the District won't provide it, we'll go to the Department of Education. They'll give it to us." They don't have it, either. Can you imagine that? Thirteen or fourteen million dollars a year that we're spending on your program, and we can't even get basic information about how many students are in each school? Something that basic?

And so, we took what information we had, and we went out on our own, contacting each school and saying, "Will you volunteer the same information?" All but five schools responded. We added up the number of students they said attended, under your program, last school year—2008–2009. We came up short just under 400 students, unaccounted for. That's about \$2 to \$3 million being sent to your program for students we can't find. I don't think they're all in those five schools.

I don't understand how you can expect us to send Federal taxpayers' dollars to your program, and you refuse to cooperate with even the most basic information. So, my question to you is, Why won't you give us that information, if the schools will volunteer it? Second, have you visited all of these schools? Do you know that they are in safe buildings, that they actually operate as they say they do?

I'm going to show you some pictures, in the second round of questions, of what is supposedly a D.C. opportunity scholarship school, with scores of students. You're going to find it hard to believe that there are students going to school in some of these places.

So, tell me about your supervision and management of this program, and why you don't think it's any of our business to know how many students are in each of your schools.

Mr. CORK. First, fortunately, I had lasik surgery. I can make out the chart.

Senator DURBIN. Congratulations.

Mr. CORK. We—first, I should say that we very much appreciate the Federal Government's provision of these funds toward what is a very worthy program.

You've outlined several issues. I would like to break them down, if I may.

First, you did request information from our office a couple of months ago. We provided information in regard to every point you cited. The one item of information we were unable to respond to at the time was the identification of students in participating schools—

Senator DURBIN. By number.

Mr. CORK. Right. Well, I should say, Senator Durbin, that we continue to be fully willing to comply with all of your information requests, and are happy to provide information about schools, insofar as the schools themselves are willing to cooperate in that, as



well. I think what we did was defer to the schools, because we have a longstanding agreement, that is approved by the Department of Education, with the schools, that guards very carefully the confidentiality of student-specific information.

Senator DURBIN. Really? And so, the Department of Education has given you permission to deny to Congress the information about how many students under your program, by number, are in each school. Is that what you're saying?

Mr. CORK. No, I did not say that DOE has given us permission to deny you anything, and, in fact, we will comply fully with your information request.

Senator DURBIN. Why did it take 2 months?

Mr. CORK. I simply said that we have agreements with the schools to be very careful about the private information of participating students.

Senator DURBIN. Well, you're talking in circles. Why wouldn't you provide me with the information—and this subcommittee—with the information about the number of students in each school?

Mr. CORK. As I understand it, you sent the same information request to the schools, and—

Senator DURBIN. Yes.

Mr. CORK [continuing]. They provided you the information you sought.

Senator DURBIN. Yes, after you refused to provide it.

Mr. CORK. And we specifically said, in our letter to you, that we would defer to the schools on their willingness to give you student-specific information.

Senator DURBIN. Doesn't work this way. I'm not going to send any money to your program unless you can give me the basic information.

Mr. CORK. And, Senator, we're happy to provide information about the number of enrollees in certain schools.

I should say, the concerns have always been about, for example, a school that has very few students enrolled, providing the number of students enrolled in that school essentially might be tantamount to providing the specific identities of the students.

Senator DURBIN. I'm sorry, you can't take the Federal money and then refuse to give us the information.

And let me ask you, have you visited all of the D.C. opportunity scholarship schools?

Mr. CORK. I want to emphasize again, we're happy to comply with all of your requests, and will follow up with your staff.

So, yes, we do visit schools on a regular basis. And the goal is to visit each school—every school once every 2 years. We often have opportunity to visit each of the schools in a school year.

Senator DURBIN. In a second round of questions, I'm going to show you some pictures of your schools, and I'm going to ask you about the number of students in these storefronts, townhouses, and apparently very small settings.

Senator Collins.

Senator COLLINS. Thank you, Mr. Chairman.

Mr. Cork, I'm a supporter of the D.C. scholarship program. I don't think it should be capped; if anything, I think it should be expanded. But, I've got to tell you that I completely agree with the

chairman that you cannot impede our ability to see whether Federal funds—we're not talking about D.C. money or private money—are being used appropriately.

Surely you, as the administrator of this program, should be able to tell us how many students there are in each school. We're not seeking the identities of those students, we are simply trying to get the aggregate numbers. So, I encourage you to be more forthcoming so that we can do our job in evaluating the expenditure of Federal funds. Otherwise, we don't know if the money is being lost to fraud. What if there's a storefront that's pretending to be a school, and Federal money is going to it? If you're not visiting each of those schools, or if we can't get an accounting, there may be out-and-out fraud involved. And I say this as someone who's working very hard to extend what I believe to be a worthwhile program.

Chancellor, I just want to follow up on some of the questions that Senator Durbin started asking you, and also to talk about some conflicting data.

#### DCPS THREE SECTOR APPROACH

First, from what I understand from your exchange with Senator Durbin, but just to get you very clearly on the record, you do support the reauthorization of the D.C. scholarship program as part of the three-pronged strategy?

Ms. RHEE. Yes, both the Mayor and I continue to support the tri-sector approach. But I will also reiterate that I absolutely agree with a number of the things that Senator Durbin has brought up as concerns around accountability. I do believe that it is going to be necessary, in the long term, over the course of the next 5 years, for us to be able to do apples-to-apples comparisons of how the various programs are doing. And that necessitates all of the participants, and all of the students, taking the same test.

Senator COLLINS. And that's a great lead-in to my next question. But first let me say on the record that the reason that I think it would be a tragedy if this program were eliminated at this point—maybe 10 years from now we can eliminate it in good conscience—but, at this point 84 percent of the students would be returned to failed schools. And we just cannot consign them to going to failed schools.

#### DCPS TESTING DATA

Let me talk to you about the data, because it is important that we be able to assess how students are doing in the three different settings. The Department of Education, the Federal Department of Education, uses the National Assessment of Education Progress test to determine reading and math proficiency of fourth and eighth graders. And according to that assessment, only 14 percent of D.C.'s fourth graders are reading at a proficient level. Yet the DC-CAS test indicates that 49 percent of the fourth graders are proficient in reading. That is a huge difference, and makes it extraordinarily difficult for us to understand what's going on.

Ms. RHEE. Yeah.

Senator COLLINS. So, why is there such a difference?

Ms. RHEE. Okay.

Senator COLLINS. And second, why does the District use a test that does not meet the No Child Left Behind standards?

Ms. RHEE. So, to answer that question first, actually our test does meet the No Child Left Behind standards. We actually have one of the most rigorous tests—standardized tests of any State in the country.

Senator COLLINS. We have letters from the Federal Department of Education saying that it does not meet the standards. Are those letters—

Ms. RHEE. No, those—

Senator COLLINS [continuing]. Out of date?

Ms. RHEE. Actually, no, they're—they are referring to different things. For example, there is a letter that was written to the OSSE, the Office of the State Superintendent of Education, specifically about read-aloud accommodations for special education students. That had nothing to do with our test. What that had to do with was the fact that too many of the children in the District, across all the sectors actually, were using the read-aloud accommodation, so we have actually stepped that down, according to the U.S. Department of Education's plan. But, again, that has nothing to do with the validity of the test.

The second piece was about a—the science test. And again, what happened was—there's no problem with the validity of the actual test. What the U.S. Department of Education was saying was that there was an unclear mandate about how we were going to ensure that all of the ninth graders were taking a science test.

So, it's about the administration of the test, and how that had occurred over prior years; and none of those things from the Department of Education questioned the actual validity of those tests.

Senator COLLINS. I want to pursue this further, but I'm concerned about—

Ms. RHEE. Okay. I'm going to—

Senator COLLINS [continuing]. Getting an explanation of the difference. But, let me just say, I don't read the Department's June 25, 2009, letter that way. So, perhaps you could go through this—

Ms. RHEE. Okay.

Senator COLLINS [continuing]. Letter for the record and provide us with—

Ms. RHEE. Sure.

Senator COLLINS [continuing]. Your explanation, because it seems to say very clearly that there are outstanding issues with the District of Columbia's general assessments in reading, language arts, and mathematics, and it goes through other issues. But—

Ms. RHEE. Yeah. Let me—

Senator COLLINS [continuing]. Explain—

Ms. RHEE [continuing]. Let me address the NAEP issue.

Senator COLLINS [continuing]. The disparity.

Ms. RHEE. Sure. So, first of all, this is actually one of the arguments for the use of a standard national test. Because right now you have 50 different States, with 50 different sets of standards and 50 different tests. And if you look at any of the 11 urban school districts that participate in TUDA, which is taking the NAEP ex-

amination, you'll see wide discrepancies between how they perform on the NAEP and how they perform on their own State test. So, that's an issue and one of the reasons why I think we need to standardize this.

The main, I think, discrepancy, though, is because that data that we have—the last time that we have NAEP data is from 2007. We will be receiving our 2009 NAEP data in October for the math scores, November for the reading scores, and that new NAEP data will give you an assessment of how the District of Columbia schoolkids have grown over the last 2 years since the Fenty administration has taken control of the schools.

So, the 2007 NAEP data was actually an assessment of the prior 2 years, from 2005 to 2007.

Senator COLLINS. Thank you.

Senator DURBIN. Senator Alexander.

Senator ALEXANDER. Thanks, Senator Durbin.

Mr. Cork, one reason private schools are private is so that they don't have to put up with all the meddling that the Federal Government, the teachers unions, the State government, and the local governments sometimes impose on schools in the name of well-meaning efforts, and there's a natural resistance from nonpublic schools to providing a lot of information.

But, if all Senator Durbin's asking for is how many students do you have, and whether your school is safe, I mean, I'd be happy to join with him and ask that of you, and of the 59 schools, to provide the information. I think that's a reasonable request. I think maybe there was some feeling that, "Well, if they ask these questions, then they're going to ask more questions, and after a while it's just going to be—getting to be a burdensome interference." But, I don't think that's the intent, here. I think the intent, here, is—I hope—is simply to say, "We want to make sure that the charter schools are working, that the vouchers are—money's being properly spent, as we decide whether we continue to spend that money," which I very much hope that we do.

Second, Mr. Cork, are all of the 59 schools that opportunity scholarship students attend accredited?

Mr. CORK. There's not an accreditation—as I understand it, there's not an accreditation process, per se, in the District. Certainly, the authorizing statute requires that schools be operating lawfully.

I want to emphasize that we are perfectly willing to provide all information regarding safety. And no one could want the schools to be safe more than we do, on behalf of our families.

Senator ALEXANDER. But, how do you determine whether they're a real school or not a real school?

Mr. CORK. We rely on—for example, on the issues of safety, we rely on the District of Columbia—

Senator ALEXANDER. No, I mean on issues of whether they're learning.

Mr. CORK. Well, as to whether students are learning in the schools their families have chosen for them—

Senator ALEXANDER. Right.

Mr. CORK [continuing]. The results of the evaluation are indicating that they're making substantial progress. The school's also



required to provide parents, on an annual basis, with comparisons of their child's academic achievement with others in the school.

Senator ALEXANDER. So, the parent can choose any place that calls itself a school?

Mr. CORK. It can choose any educational—nonpublic educational institution that's operating lawfully in the District, yes. The choice is the parents', given the scholarship funds.

#### DCPS TESTING

Senator ALEXANDER. Ms. Rhee, I'd like, on the—well, one other question. Is it not true that, when this program started, the U.S. Department of Education required the Stanford Achievement Test as a part of its evaluation?

Mr. CORK. Yes, as I recall, at that time—

Senator ALEXANDER. And is it not true that, at that time, the District of Columbia was using that test, itself?

Mr. CORK. I would defer to Chancellor Rhee, but, yes, as I understand it, at that—

Senator ALEXANDER. So, it was the same test then, and then the District changed, for—

Ms. RHEE. That's correct.

Senator ALEXANDER [continuing]. Good reasons, I'm sure. So, that's how we got in this—

Ms. RHEE. Yes.

Senator ALEXANDER [continuing]. Situation.

Ms. RHEE. I think the original intention was always for the students to be taking the same test. The issue was just that D.C. changed the test that it—

Senator ALEXANDER. Yeah.

Ms. RHEE [continuing]. Took.

Senator ALEXANDER. But, isn't it possible that the test tests what's being taught in your curriculum, which might be a different sort of curriculum that—for example, one thing might be taught in the third grade in Sidwell Friends, and in the fourth grade in—or second grade in one of your schools, and that might make a difference?

Ms. RHEE. You know, if you look across national standards, particularly at the tested grades, you don't see a tremendous amount of variance from one State to another. And certainly there would be a tremendous amount of overlap, in terms of the tested standards on the Stanford 9 and on the DC-CAS.

That said, there are some differences, and that's why I do think it's important—and I do believe it was the original intention of all of the participants—to have kids taking the same test. But, I think, in all fairness, in order to do that apples-to-apples comparison, you have to have the students taking the same test.

Senator ALEXANDER. I'd like to ask—thank you—I'd like to ask you to look down the road a little bit, 5 years from now. Some people have said—and this is my last question—that one way to think of a "public education system" is that it's the responsibility of the community to provide an educational opportunity for every student. And that could be at any lawfully operating accredited educational institution. It might be a church school, it might be a private school, it might be a school operated by the government, it might

be a school chartered by the government, might be any one of a number of different kinds of schools. But, the job of the chancellor might be simply to make sure that every child within the District of Columbia had that opportunity.

Would it be a good system for the District of Columbia, 5 or 10 years from now, to have a single chancellor for every child in the school district, and let that chancellor look among the array of schools, which might be public charter schools, private charter schools, schools where private—that are private, where vouchers are perhaps available—and be responsible for ensuring that every child has a good educational opportunity, rather than simply operating a certain number of the schools which those children attend?

#### DCPS REFORMS

Ms. RHEE. Well, I certainly think that's one direction that we could potentially head. I would want to make sure, though, that in moving to that kind of a structure, that we could still maintain a broad base of schools, and also competition between the schools, which I think is incredibly important.

For me, you know, as it pertains to the various sectors, we had a huge effort to close down low-performing schools, and to restructure low-performing schools. I've closed about 30 schools overall. When I got to this position there were 144 schools. Now, you know, we've closed down more than 15 percent of those schools. The charter school network is also looking at how to aggressively hold schools that are not performing accountable.

I think, on the private school side, with the vouchers, though we certainly can't close down a private school, we can certainly ensure that, as Federal dollars are potentially being utilized for tuition, that we are only allowing the Federal dollars to be used in schools that are meeting certain standards. Because I don't think we want choice for choice sake. I think we want choice so that children can opt into better situations that ensure their learning is going on.

Senator ALEXANDER. Thank you.

Thank you, Mr. Chairman.

Senator DURBIN. Mr. Cork, I'm going to show you some photographs, here, of some of your schools, the ones that did not respond.

And incidentally, one of the reasons you stated in your letter, why you couldn't tell us about the number of students, was, the schools, and I quote you, "were considering participation in the program expressed concern about the disclosure of the number of the students." Yet all but five of them made the disclosure, voluntarily. So, I don't think that that really is a good argument.

This is the best photograph we can give you, based on Marianne driving by with her small camera, of Bridges Academy. They tell us that 87 of their 153 students are voucher recipients—more than 50 percent of the student body. That's over \$650,000 in Federal funds going to this building. I know, from their Web site, the school was founded over 20 years ago, but I can't tell you what the test scores are at this school. Are you—have you visited this school?

Mr. CORK. I have not personally visited that school. I know several of our staff have, Senator.

Senator DURBIN. And what kind of report have they given you about the school and its competency to teach 87 students?

Mr. CORK. I want to emphasize, before I move to your question, Senator, that no school will receive Federal funds this year that does not have a certificate of occupancy issued by the District of Columbia—

Senator DURBIN. Okay, that's good.

Mr. CORK [continuing]. Indicating its safety.

Senator DURBIN. That's good.

Mr. CORK. We couldn't support more fully that policy.

Senator DURBIN. Even though the amendment was defeated when the program was created, we now generally agree it's a good idea. Go ahead.

Mr. CORK. I think it's a great idea. I knew nothing about that, but I think it's a wonderful idea to ensure the safety of students.

Now, as to Bridges, I can only speak anecdotally and from secondhand reports, that actually the school is described as quite good, and that parents seem very satisfied with the school and the progress of their students at the school.

Senator DURBIN. So, do you have reports for each of these schools, that are available for public inspection?

Mr. CORK. We do have reports on each of the schools, we share with the Department of Education on a regular basis actually, yes.

Senator DURBIN. Are they available for public inspection?

Mr. CORK. I—yeah, we'd—we're happy to make them available to you, and anybody else who wants to see them, certainly.

Senator DURBIN. So, the next one I want to show you is the Academy for Ideal Education. This was one of the schools highlighted in the 2007 Government Accountability Office (GAO) report for operating without a certificate of occupancy, so there was a question about safety. On this one because of Marianne's photographic skills, we show one entrance to this school. I can't tell you how much Federal funding this school receives each year through the vouchers, because the school has not disclosed that. They haven't responded to us. Can you tell us how many voucher students are in the Academy for Ideal Education?

Mr. CORK. Senator, I don't have that information directly before me. I—it is a participating school, I know that. I'd be happy to provide the specific number.

[The information follows:]

WASHINGTON SCHOLARSHIP FUND—DC OPPORTUNITY SCHOLARSHIP FUND

[As of October 14, 2009]

Participating school	Students placed in schools for the 2009–2010 school year
Academia de La Recta Porta .....	30
Annunciation School .....	15
Archbishop Carroll High School .....	125
Beauvoir—The National Cathedral Elementary School .....	1
Blessed Sacrament Elementary School .....	5
Bridges Academy .....	75
Calvary Christian Academy .....	105
Clara Muhammad School .....	14
Cornerstone School .....	47

WASHINGTON SCHOLARSHIP FUND—DC OPPORTUNITY SCHOLARSHIP FUND—Continued

[As of October 14, 2009]

Participating school	Students placed in schools for the 2009–2010 school year
Dupont Park Seventh Day Adventist School .....	78
Edmund Burke School .....	3
Emerson Preparatory School .....	5
Episcopal Center for Children .....	1
Georgetown Day School .....	2
Georgetown Visitation School .....	5
Ganzaga College High School .....	4
Holy Redeemer Catholic School .....	60
Holy Trinity School .....	7
Kingsbury Day School of Kingsbury Center, Inc. ....	2
Kuumba Learning Center (MLK Campus) .....	8
Metropolitan Day School .....	32
Monroe School .....	1
Muhammad University of Islam .....	13
Nannie Helen Burroughs School .....	41
National Cathedral School .....	1
National Presbyterian School .....	1
Naylor Road School .....	86
New Macedonia Christian Academy .....	2
Our Lady of Victory School .....	19
Preparatory School of DC .....	16
Roots Activity Learning Center .....	22
Sacred Heart School .....	80
San Miguel Middle School .....	6
Sheridan School .....	1
Sidwell Friends School .....	2
St. Ann's Academy .....	48
St. Anselm's Abbey School .....	3
St. Anthony Catholic School .....	51
St. Augustine School .....	99
St. Francis Xavier Academy .....	72
St. John's College High School .....	10
St. Peter's Interparish School .....	9
St. Thomas More Catholic School .....	94
Washington Jesuit Academy .....	10
Washington Middle School For Girls (ARC) .....	8
Total .....	1,319

Senator DURBIN. Now—but, keep in mind, after we added up all those voluntarily disclosed students there's a shortage of 384 students, about \$3 million worth of voucher students, unaccounted for, in all of the schools that self-reported. So, of the five schools failing to report, including the Academy for Ideal Education, we're looking for 384 students that we sent you money for. So, there are some accountability questions here.

Mr. CORK. We have a very comprehensive, very detailed database that keeps close track, student by student, family by family, of everyone participating in the program. We're happy to provide you with detailed information about all of the students.

Senator DURBIN. Without disclosing their identities, we want to see that.

Mr. CORK. Absolutely, Senator, we're happy to give you that. [The information follows:]

D.C. OPPORTUNITY SCHOLARSHIP FUND—STUDENTS PLACED IN SCHOOLS FOR THE 2009–2010  
SCHOOL YEAR  
[As of October 14, 2009]

Participating school and grades of 2009–2010 OSP students	Number of OSP students placed
Academia de La Recta Porta	30
4th Grade	2
5th Grade	4
6th Grade	2
7th Grade	3
8th Grade	4
9th Grade	5
10th Grade	4
11th Grade	5
12th Grade	1
Annunciation School	15
1st Grade	2
2nd Grade	2
3rd Grade	1
4th Grade	4
5th Grade	2
6th Grade	2
8th Grade	2
Archbishop Carroll High School	125
9th Grade	35
10th Grade	36
11th Grade	24
12th Grade	30
Beauvoir—The National Cathedral Elementary School	1
2nd Grade	1
Blessed Sacrament Elementary School	5
5th Grade	1
6th Grade	1
7th Grade	2
8th Grade	1
Bridges Academy	75
Kindergarten	1
1st Grade	8
2nd Grade	11
3rd Grade	10
4th Grade	9
5th Grade	10
6th Grade	10
7th Grade	7
8th Grade	9
Calvary Christian Academy	105
1st Grade	7
2nd Grade	14
3rd Grade	14
4th Grade	8
5th Grade	16
6th Grade	16
7th Grade	14
8th Grade	16
Clara Muhammad School	14
1st Grade	1
2nd Grade	2
3rd Grade	4
4th Grade	4
5th Grade	3
Cornerstone School	47
1st Grade	2
2nd Grade	5
3rd Grade	2
4th Grade	6
5th Grade	10

D.C. OPPORTUNITY SCHOLARSHIP FUND—STUDENTS PLACED IN SCHOOLS FOR THE 2009–2010  
SCHOOL YEAR—Continued  
[As of October 14, 2009]

Participating school and grades of 2009–2010 OSP students	Number of OSP students placed
6th Grade	8
7th Grade	5
8th Grade	9
Dupont Park Seventh Day Adventist	78
Kindergarten	1
1st Grade	7
2nd Grade	8
3rd Grade	4
4th Grade	5
5th Grade	12
6th Grade	6
7th Grade	12
8th Grade	10
9th Grade	12
10th Grade	1
Edmund Burke School	3
8th Grade	1
9th Grade	1
11th Grade	1
Emerson Preparatory School	5
9th Grade	4
11th Grade	1
Episcopal Center for Children	1
4th Grade	1
Georgetown Day School	2
9th Grade	1
12th Grade	1
Georgetown Visitation School	5
9th Grade	2
11th Grade	2
12th Grade	1
Gonzaga College High School	4
9th Grade	1
10th Grade	1
11th Grade	1
12th Grade	1
Holy Redeemer Catholic School	60
1st Grade	5
2nd Grade	7
3rd Grade	13
4th Grade	10
5th Grade	6
6th Grade	7
7th Grade	7
8th Grade	5
Holy Trinity School	7
2nd Grade	1
4th Grade	2
7th Grade	2
8th Grade	2
Kingsbury Day School of Kingsbury Center, Inc.	2
3rd Grade	2
10th Grade	1
Kuumba Learning Center (MLK Campus)	1
3rd Grade	8
4th Grade	1
5th Grade	2
6th Grade	2
Metropolitan Day School	3
Kindergarten	32
1st Grade	1
	4

D.C. OPPORTUNITY SCHOLARSHIP FUND—STUDENTS PLACED IN SCHOOLS FOR THE 2009–2010  
SCHOOL YEAR—Continued  
[As of October 14, 2009]

Participating school and grades of 2009–2010 OSP students	Number of OSP students placed
2nd Grade	6
3rd Grade	7
4th Grade	9
5th Grade	5
Monroe School	1
7th Grade	1
Muhammad University of Islam	13
3rd Grade	1
5th Grade	2
6th Grade	5
7th Grade	5
8th Grade	4
Nannie Helen Burroughs School	41
1st Grade	3
2nd Grade	6
3rd Grade	7
4th Grade	6
5th Grade	10
6th Grade	9
National Cathedral School	1
5th Grade	1
National Presbyterian School	1
6th Grade	1
Naylor Road School	86
1st Grade	9
2nd Grade	11
3rd Grade	13
4th Grade	14
5th Grade	10
6th Grade	11
7th Grade	11
8th Grade	7
New Macedonia Christian Academy	2
2nd Grade	2
Our Lady of Victory School	19
1st Grade	1
3rd Grade	1
4th Grade	4
5th Grade	4
6th Grade	1
7th Grade	3
8th Grade	5
Preparatory School of DC	16
2nd Grade	1
3rd Grade	1
4th Grade	4
5th Grade	2
7th Grade	1
8th Grade	1
9th Grade	1
Roots Activity Learning Center	6
2nd Grade	22
3rd Grade	4
4th Grade	5
5th Grade	3
6th Grade	2
7th Grade	1
8th Grade	3
Sacred Heart School	4
Kindergarten	80
1st Grade	3
	9

D.C. OPPORTUNITY SCHOLARSHIP FUND—STUDENTS PLACED IN SCHOOLS FOR THE 2009–2010  
SCHOOL YEAR—Continued  
[As of October 14, 2009]

Participating school and grades of 2009–2010 OSP students	Number of OSP students placed
2nd Grade	9
3rd Grade	11
4th Grade	9
5th Grade	15
6th Grade	12
7th Grade	6
8th Grade	6
San Miguel Middle School	6
6th Grade	2
7th Grade	2
8th Grade	2
Sheridan School	1
5th Grade	1
Sidwell Friends School	2
10th Grade	1
11th Grade	1
St. Ann's Academy	48
1st Grade	5
2nd Grade	3
3rd Grade	5
4th Grade	6
5th Grade	9
6th Grade	10
7th Grade	7
8th Grade	3
St. Anselm's Abbey School	3
8th Grade	1
10th Grade	1
12th Grade	1
St. Anthony Catholic School	1
1st Grade	51
2nd Grade	7
3rd Grade	4
4th Grade	13
5th Grade	6
6th Grade	5
7th Grade	5
8th Grade	4
St. Augustine School	7
1st Grade	99
2nd Grade	6
3rd Grade	8
4th Grade	14
5th Grade	13
6th Grade	16
7th Grade	16
8th Grade	13
St. Francis Xavier Academy	13
Kindergarten	72
1st Grade	2
2nd Grade	4
3rd Grade	10
4th Grade	9
5th Grade	7
6th Grade	8
7th Grade	11
8th Grade	13
St. John's College High School	8
9th Grade	10
10th Grade	2
11th Grade	2
	4



D.C. OPPORTUNITY SCHOLARSHIP FUND—STUDENTS PLACED IN SCHOOLS FOR THE 2009–2010  
SCHOOL YEAR—Continued  
(As of October 14, 2009)

Participating school and grades of 2009–2010 OSP students	Number of OSP students placed
12th Grade .....	2
St. Peter's Interparish School .....	9
1st Grade .....	1
3rd Grade .....	2
4th Grade .....	1
5th Grade .....	3
7th Grade .....	1
8th Grade .....	1
St. Thomas More Catholic School .....	94
1st Grade .....	10
2nd Grade .....	11
3rd Grade .....	14
4th Grade .....	10
5th Grade .....	15
6th Grade .....	11
7th Grade .....	11
8th Grade .....	12
Washington Jesuit Academy .....	10
6th Grade .....	3
7th Grade .....	2
8th Grade .....	5
Washington Middle School For Girls (ARC) .....	8
6th Grade .....	3
7th Grade .....	1
8th Grade .....	4
Total Students Placed .....	1,319

Senator DURBIN. The last one I want to show you is the Kuumba Learning Center, which is in a townhouse. They did not respond to our request for information. They report 10 of their 40 students receive vouchers, which means about \$75,000 a year, and they don't have a Web site. Have you visited this school?

Mr. CORK. Senator, no, I have not personally visited that school. Senator DURBIN. Has your staff inspected this school?

Mr. CORK. I—by memory—yes, I'm informed that, yes, staff have visited that school.

Senator DURBIN. I just think you need to provide better access to information. The voucher programs around the United States, some of them, have open Web sites, which provide this information about the performance. We have this information on the charter schools. I mean, and why there would be an exception created for voucher schools, I don't know.

Now, let me quickly add, in defense of—the Washington Archdiocesan schools made complete disclosure. They gave us exactly what we wanted, in detail. So, we have a good idea, going in, what they're doing. And there are other learning schools that—in your program that couldn't cooperate—we couldn't ask for any better cooperation. But, there is a quadrant, or—I shouldn't say "quadrant"—a cadre of these voucher schools really are going unaccounted for, and there are students missing in this program. About \$3 to \$4 million worth of students missing in the accountability for this program. That is unacceptable, that 20 percent of the amount of money we send to you we can't link up with actual students. As

Senator Collins said, how could I, in good conscience, ask for more money to be sent to your program without that kind of detailed information?

Mr. CORK. Senator, we can and will account for every dollar of Federal funds provided for the program.

Also, we—I agree about the Archdiocese, and the only concern we have is about the confidentiality and the protection of our students. Otherwise, we will share whatever information the subcommittee requests.

Senator DURBIN. Senator Collins.

Senator COLLINS. Mr. Chairman, I noticed that Senator Lieberman was here briefly, and I'm willing to forgo my questions if he intends to testify for us.

Senator DURBIN. I saw him there. I'm sorry. He's a senior member. I'd better be more sensitive to those things.

Senator COLLINS. I will just ask a couple of more questions, then.

#### DCPS TRI-SECTOR APPROACH

Chancellor, how important is the three-pronged approach to improving education in the District to the budget of the District? If it were to be terminated, or if one part of it were to be terminated, whether it's the D.C. opportunity scholarships or the charter schools, what would be the impact on D.C.'s budget?

Ms. RHEE. Well, I certainly think that if any one sector of the tri-sector—or the current tri-sector approach were to suddenly disappear, that we would be able to provide, you know, capacity to take additional students on. Clearly, on the charter school side, we'd have a little more difficulty with that. But, we certainly have enough school buildings, et cetera. I do—I can't attest to the total impact that it would have financially, but the money for the charter schools, all the per-pupil expenditures do flow directly through the city, so the budget wouldn't really change dramatically—

Senator COLLINS. Well, except D.C. would have to come up with the money.

Ms. RHEE. D.C. already—

Senator COLLINS. This is millions of—

Ms. RHEE. D.C. already—

Senator COLLINS [continuing]. Of dollars. No, but it's—

Ms. RHEE. The charter—

Senator COLLINS [continuing]. Federal money that you are spending now.

Ms. RHEE. Oh, I'm sorry. If—you were saying if the Federal money—

Senator COLLINS. Exactly.

Ms. RHEE [continuing]. Disappeared.

Senator COLLINS. That's correct.

Ms. RHEE. Well, I think that—well, certainly, speaking from our vantage point, if we were to stop receiving the Federal funds, I do think that it would have a pretty significant impact on our ability to move forward with the reforms as aggressively as we have been over the last 2 years.

Senator COLLINS. Ms. Baker, talk to us more about the level of interest in charter schools in the District. Do you have the capacity



to accommodate all of the students that would like to attend charter schools in the city?

Ms. BAKER. I would say that there is a capacity. But, of course, because it is a program of choice, parents often have a particular school that they would prefer to enroll a child. If that school is oversubscribed then, of course, they are not going to be able to get into that school. Sometimes they will make a second choice.

So, there is—there are seats, yes. Whether or not parents are, again, interested in going to where those seats do occur is, of course—could be, indeed, an issue. But, in the process, I think that, because of the accountability systems that we do have, and the upgrade of that system, parents are going to find that there are going to be more and more schools that maybe get less press, but nevertheless are providing substantial educational opportunities for children. And we are trying to make sure that we get that kind of information out to the general parent public.

Senator COLLINS. What percentage of the District schoolchildren are now enrolled in charter schools?

Ms. BAKER. We do not have our final count for this year, but it's anticipated that it will be about 38 percent.

Senator COLLINS. Thank you.

Thank you, Mr. Chairman.

Senator DURBIN. Senator Alexander.

Senator ALEXANDER. Thank you, Mr. Chairman.

#### CHARTER SCHOOLS

Mr. Cork, I think I asked you earlier, do you know how—well, let me ask this question of any member of the panel.

There is an accreditation process for elementary and secondary schools, correct?

Ms. BAKER. There is for charters. The law requires that—

Senator ALEXANDER. For public schools. But for independent schools. I mean, Sidwell Friends, or a school like that, or a Catholic school, there is an accreditation process—

Ms. BAKER. I don't know. I can't speak—

Ms. RHEE. Not a—

Senator ALEXANDER. Is there not?

Ms. RHEE. Not a D.C. specific one. Independent—

Senator ALEXANDER. But, generally speaking—

Ms. RHEE. Independent schools can be accredited through national—

Senator ALEXANDER. If they choose—

Ms. RHEE. Yeah.

Senator ALEXANDER. If they choose to.

Ms. RHEE. Yes.

Ms. BAKER. But the charter schools are required to become accredited, and there is no—in the law, there is no time given, so we have sort of created that.

Senator ALEXANDER. And by—accredited by whom?

Ms. BAKER. There's a list of organizations that is in the law, and then, if there are additional organizations that come forward, then we investigate whether or not they meet the criteria for—

Senator ALEXANDER. So, you can go to national accrediting associations and use some of those to determine whether the—

Ms. BAKER. Well, the school does this. The school does this—  
Senator ALEXANDER. The school may do this.

Ms. BAKER. The school will do it. And they—we do inquire—or, we keep tabs on who has begun the accreditation process, because it does take 2 to 3 years. They cannot—no accreditation organization will even begin the process until the school has been in—

Senator ALEXANDER. Yeah.

Ms. BAKER [continuing]. Existence 3 years.

Senator ALEXANDER. Yeah.

Now, we—Mr. Cork, do we not know whether any of these 59 independent or private schools are accredited or not?

Mr. CORK. Well, Senator Alexander, I believe that, on the oversight and quality-of-schools issue, the Federal statute that authorizes the OSP requires us to put in place a comprehensive oversight system. And we do have one.

We have a school agreement, with each school, that requires the school to provide certain information to parents, as specified in the authorizing statute. At the end of each year, the school is required to provide reports to each parent about the school's compliance with those requirements, as outlined in the statute. We do make school visits regularly and comprehensively, with—

Senator ALEXANDER. So, you do your own accrediting.

Mr. CORK. I can't call it an "accreditation" process—

Senator ALEXANDER. Well, I mean, you decide whether a school is a storefront or an attic or a school.

Mr. CORK. Well, Senator, I'm informed, for example, that each of the Archdiocese schools is accredited by the—

Senator ALEXANDER. That's what I would think.

Mr. CORK [continuing]. The Middle States accrediting body.

Senator ALEXANDER. So, how many of the 59 are Archdiocese schools?

Mr. CORK. I'd have to provide you that information.

Senator ALEXANDER. Ten, 20, 30?

Mr. CORK. Oh, I'm sorry, participating through the Archdiocese?

Senator ALEXANDER. Uh-huh.

Mr. CORK. Twenty.

Senator ALEXANDER. Twenty. About one-half the students.

Mr. CORK. And I should—

Senator ALEXANDER. About one-half the students are maybe going to 20 Archdiocese schools that are accredited by some accrediting institution.

Mr. CORK. The Archdiocese has a very heavy concentration of students—

Senator ALEXANDER. Yeah.

Mr. CORK [continuing]. So, yes, they're going to the accredited—

Senator ALEXANDER. Well, is—I mean, what I'm getting at—let me go over to Ms. Rhee.

#### DCPS TRI-SECTOR APPROACH

Ms.—as I hear you, Ms. Rhee, you're saying that, for the next few years, you support the three-pronged approach, here, to help children have educational choices, the extra support for the schools

that you're directly—supervise; the charter schools and the voucher program? Do I—did I hear that correctly?

Ms. RHEE. Yes, I—both the Mayor and I both support the continuation of the tri-sector approach, but we do also believe that accountability is necessary—

Senator ALEXANDER. Right.

Ms. RHEE [continuing]. For all three sectors, which means that we do believe that the private schools that are receiving Federal dollars through the vouchers should be held to a certain standard, in terms of levels of student achievement.

Senator ALEXANDER. And, in your view, that would be the same test that your students take?

Ms. RHEE. I think that's one measure that we should look at.

Senator ALEXANDER. What would other measures be?

Ms. RHEE. Well, I think—I absolutely am aligned with Senator Durbin on this one, that basic safety has to be taken into account, that we should be looking at student growth, and that we should also be looking at teacher quality.

Senator ALEXANDER. Uh-huh. Well, I'm trying to align myself with Senator Durbin, too, so that he'll put more money in for the Opportunity Scholarship Program.

I want to make sure that, say, for the next 5 years—and I agree that in—you know, in life I've learned to look ahead 3 or 5 years, instead of—

Ms Rhee: That's right.

Senator ALEXANDER [continuing]. 15 or 20, and then we can look—you know, after 3 or 5 years, we can see where we are, and what—

Ms. RHEE. That's absolutely—and that's—

#### OPPORTUNITY SCHOLARSHIP PROGRAM

Senator ALEXANDER [continuing]. Kind of form we might be. So, a more accountable—well, the proper accountability for the independent or private schools that D.C. opportunity scholarship students choose to attend would be important, in your view, for the next 3 to 5 years.

Ms. RHEE. Absolutely. And I've been very clear, with the opportunity scholarship advocates, on the fact that I think that, you know, 5 years from now, we will potentially be in a very, very different place as a school district.

Senator ALEXANDER. Yeah.

Ms. RHEE. I will be in a different position to offer these families better options. And so, I'm looking at it in the shorter term.

Senator ALEXANDER. Well, would—I would like to invite you to suggest—if you think of other measures of accountability that the independent or private schools ought to have in order to receive D.C. opportunity scholarship students for the next 5 years, I would appreciate having that. And one of my own thoughts is—I'd like to know, Mr. Cork—and maybe I can just get this from the Web site myself—but what measures of accountability, other than your own investigations, these 59 schools have. For example, if the schools—if the Catholic schools are accredited by some accrediting institutions, it would be helpful to know that. If the other schools are not,

or are, be helpful to know whether they are, and why they are, or why they are not.

Thank you, Mr. Chairman.

Senator DURBIN. Thank you very much.

Mr. CORK. I was going to say, but we have a great partnership with the Archdiocese, we'll be happy to provide you further information about what constitutes accreditation.

[The information follows:]





ATTACHMENT B—D.C. OPPORTUNITY SCHOLARSHIP PROGRAM—Continued  
 (Published enrollment benchmarks: 2004–2005 through 2008–2009)

Participating schools	2008–2009		2007–2008		2006–2007		2005–2006		2004–2005	
	September placements	June enrollment	September placements	June enrollment	September placements	June enrollment	September placements	June enrollment	September placements	June enrollment
Washington Science and Technology Academy										
Total	1716	1618	1903	1792	1802	1718	1705	1648	1017	978

Mr. CORK. We do have in place—I was—as I was saying, we have in place a whole set of accountability measures to ensure that these schools are operating legally in the District, and are financially responsible. And I'm happy to elaborate on that if you would like.

Senator ALEXANDER. Mr. Chairman, I hope you would—I was trying to do such a good job in encouraging accountability that I forgot to say that the principal investigator of the D.C. Opportunity Scholarship Program said that the D.C. voucher program has proven to be the most effective education policy evaluated by the Federal Government's official education research arm, so far. So that's a plus, and it's a feather in its cap.

Senator DURBIN. Unless my colleagues have any further questions of the Chancellor, she had a scheduling issue, and I'd like to allow her, if she wants, to leave. I do have a couple of other questions for those two other members.

Ms. Baker, I just don't want to let you off the hook this easily. Chancellor Rhee, thank you for being with us today.

Ms. RHEE. Absolutely. Anything else that you need from me?

Senator DURBIN. We'll be back probably with some written questions.

Ms. RHEE. Okay. Thank you.

Senator DURBIN. And so, Ms. Baker, I just got a report from my staff that your charter school board has closed 10 schools over the last 6 years.

Ms. BAKER. Right. Ten of them, yes, and—when we look at the list—

Senator DURBIN. Six were for financial reasons; four, for academic reasons.

Ms. BAKER. I'm sorry, six were for financial—yes, among other—

Senator DURBIN. Yes. At the bottom of the page, here, I think—

Ms. BAKER. Yes. Yes.

Senator DURBIN. In this part of your testimony.

And so, Mr. Cork, how many voucher schools have you closed over the last 5 years?

Mr. CORK. We haven't closed the schools ourselves, of course. We have prohibited Federal funds from being expended on at least one school, as I recall.

Senator DURBIN. One school?

Mr. CORK. This—as I was saying a moment ago, we have in place a school oversight process, under which we delineate triggers that raise our concerns about the school's financial responsibility. And when those are—when those triggers occur, we look into the school's financial situation, and, one case at least, have been—have been forced to tell a school that they could not participate further in the program.

Senator DURBIN. As you described it, the oversight of these voucher schools is basically by your agency, as I understand it. Is that correct?

Mr. CORK. It's—no. We have an oversight—we participate in an oversight process that includes, primarily, for example, the issuance, by the District of Columbia, of certificates of occupancy (COO). We've worked very closely with the Department of Con-



sumer and Regulatory Affairs in sharing information that leads to the issuance of COOs. We rely on the District to let us know whether certificates of occupancy have been legally issued. And we—

Senator DURBIN. So, this one school that we had here that failed to provide a certificate of occupancy in 2007, what happened? You let it continue to operate?

Mr. CORK. I—this might be the school, as I recall, that actually had a certificate of occupancy; the GAO said it did not, and we were able to provide it for them later on.

I think that, in some instances, it was simply a matter of clerical recordkeeping. But, again, I do want to assure the subcommittee that no Federal dollars will be permitted to go to schools that do not have certificates of occupancy.

Senator DURBIN. Now, let's go to the next level, which is more complex, and that is whether they are academically performing as we might expect them to. And four out of the D.C. public charter schools have been closed because they didn't meet the academic criteria.

So, in the last 5 or 6 years of this program, from what you've said, none of the schools participating in the D.C. voucher program were suspended from the program for academic reasons.

Mr. CORK. It's—we don't make determinations about policy around education. We permit parents full—to have access to full information about the schools available to them, participating in the program.

Senator DURBIN. And what would that full information include?

Mr. CORK. It—we have a school—a participating school directory that provides information about location—often, for example, proximity to the family's home will determine part of the—

Senator DURBIN. I'm trying to get to the educational aspect of this. I understand that—location and safety of the building. I'm trying to move it to the next level.

Mr. CORK. Okay.

Senator DURBIN. What do you tell a parent about, for example, the Kuumba Learning Center? Do they know in advance that your agency has reviewed whether or not this is a good academic institution? Do they have—

Mr. CORK. The first thing we do is, we very much encourage parents who are making educational choices to go visit the school themselves, and investigate precisely what the school's mission is, how it operates, who the teachers are, who the leadership is. And I should say, in many, many cases the parents take that opportunity themselves. It's been actually quite gratifying to see parents become more educated—

Senator DURBIN. This is all well and good, but I'm trying to get to the point where—for example, if—in the public school sector, I have a grandson who lives up in Montgomery County. He's headed for high school next year. His grandfather just went to the Web site, on the Montgomery County schools, and looked at test scores. And I'm, you know, naturally, giving his father all the advice he'd ever want about what he should do with my grandson.

But, what I'm trying to get to is, since we are sending you millions of dollars in Federal funds, what rigors, what standards, are

you setting for academic performance, for the schools that participate in the program?

Mr. CORK. I—first, I should say, the evaluation, which is a very rigorous one, has—is the chief mechanism through which our students' academic process be engaged. We couldn't be more supportive of that. We're all about results and accountability. We agree that the academic progress of these students is critical as to whether or not this program should even be here. I'm happy to say that, actually. We saw the evaluation as indicating that there really are substantial academic gains taking place.

As to determining what academic standards should be implemented by schools, we are not in a position to do that. And, in fact, the statute makes it clear that that is none of our business, as the administrators of the program—

Senator DURBIN. And so—

Mr. CORK [continuing]. To set academic policy for participating schools.

Senator DURBIN. I think you've made your position clear, and I won't dwell on it, other than tell you that we are now living in a world of accountability, under No Child Left Behind—and it's controversial—but, we are being told it'll be a different standard when it comes to voucher schools. And I think that that really is something we ought to question. Either we are being too tough on public schools, too tough on charter schools, and you're right, or, frankly, they're right, and we're not doing a good enough job to determine which schools are good and which aren't. I mean, to take the average test scores of the voucher schools is not fair. There are some schools, I'm sure, that are doing much better than others. And to deal with these average test scores doesn't tell us whether or not the Federal investment in voucher program is being well spent. We just don't know.

Mr. CORK. I have great faith in the evaluators' methodology. But, again, I would defer to them in determinations about whether these—there's academic progress.

Senator DURBIN. Can I ask one last question of Ms. Baker? I guess I can, because I'm the chairman. And what I found, in visiting charter schools in Chicago, was encouraging. There are good ones and bad ones. There are some very good ones, and not so good ones.

But, what really troubled me was kind of the proprietary mindset. I said to them, "Do you get together? Do the principals and teachers of charter schools come together to discuss results and best practices?" And the answer was basically, "No, not much. We kind of do our own thing."

So, do you have your charter schools come together to talk about why KIPP knocks the ball out of the park, and others don't? I mean are you working toward a best-practices model, here?

Ms. BAKER. We definitely are. And I think that, through the collaboration that we continue to foster—we left a meeting, this morning in our conference room, it will continue tomorrow with a different set of schools—we do this at least quarterly—there are other opportunities for schools to actually meet together, based on common needs, to talk about what's working for them, demonstrations of the things that are happening in the school that can be shared,

and possibly—of course, KIPP is a model unto itself. It also has a support system that some charter schools don't have. And so, I think that there are other models that are independent, single-school models that share, who are very collaborative within their schools as well as outside of their schools.

Senator DURBIN. Thank you.

Senator Collins? Senator Alexander. We're, incidentally, on a rollcall. And if—Senator Alexander, do you have a question? Are you finished?

Senator ALEXANDER. Well, I have—

Senator DURBIN. Former Secretary of Education, Senator Alexander?

Senator ALEXANDER. The only—did—I just want to—Ms. Baker, did you say that all the charter schools are accredited?

Ms. BAKER. I did not. I said that they must become accredited.

Senator ALEXANDER. Must become accredited.

Ms. BAKER [continuing]. Accredited. And they must do it—they cannot begin the accreditation process until they have been open for at least 3 years.

Senator ALEXANDER. Right. So, the goal is that the children are attending accredited—

Ms. BAKER. Yes.

Senator ALEXANDER [continuing]. Not accredited by you, but by accredited association.

Ms. BAKER. Definitely.

Senator ALEXANDER. So, my question would be, Mr. Cork—and maybe, since we're toward a vote, you could answer it later—then why shouldn't that also be true—if we're going to try to persuade Senator Durbin and others to—interested in accountability—to extend the program for 5 years, why shouldn't that also be true of schools that voucher students attend?

Mr. CORK. We certainly will leave it to the legislature to determine whether accreditation is a requirement.

Senator DURBIN. Remember that.

Thank you very much. I want to thank this panel.

And I'm going to ask my colleagues if they want to go vote and come back. I will stick with this and try to elicit the testimony from some of the members of the panel.

Well, this may get a little fractured. But, thank—Ms. Baker and Mr. Cork, thank you for your testimony. We may be sending you some written questions.

And I'm going to invite the next panel up, and at least allow them to testify. And if we can—if we can't do a handoff, we may have to recess the subcommittee hearing. So, we'll try our best to do that.

So, thank you both very much.

Mr. CORK. Thank you very much.

Senator DURBIN. So, we're facing up to five votes on the floor, which is not good news for the next panel, but I do want to welcome them, nevertheless.

Mary Levy's here. She's with the Washington Lawyers' Committee for Civil Rights and Urban Affairs. Robert Cane is here, Friends of Choice in Urban Schools. Patricia Weitzel-O'Neill is here, Superintendent of Schools for the Archdiocese of Washington.

And Anthony Williams, Chairman and President of D.C. Children First.

So, if you would each take your place at the table, I'm going to ask—

Mayor Williams, welcome back.

Ms. Levy, please proceed.

**STATEMENT OF MARY LEVY, PROJECT DIRECTOR, WASHINGTON LAWYERS' COMMITTEE FOR CIVIL RIGHTS AND URBAN AFFAIRS**

Ms. LEVY. Good morning. I—is it now on? Thank you.

The statement I'm giving is not from the Washington Lawyers' Committee for Civil Rights. My project was eliminated, due to lack of funding, so it is a personal statement.

I am here because I have studied the D.C. public schools for 30 years as an education finance lawyer and as a parent whose children went through the system. I have worked on formulating and monitoring most of the major legislation and the reform plans that have been put in place over the last 20 years.

In response to your invitation and the questions there, on the subject of the Federal payment for reforms, I have put, in my testimony, a table that shows the total amount, in the context of the total spending and enrollment of the D.C. public schools.

I can tell you, from my study of the school system's documents, that the money was used for reforms, and good reforms, and that it enabled the school system to pursue those reforms without having to cut into allocations for the local schools. And for that, we are very grateful.

In terms of student outcomes, it's too early to tell. We really only have 1 year. The first year of any new administration, they don't have a chance to put into place anything that would make much of a difference, other than intensive test preparation, and I—if the scores go down, they shouldn't be blamed; and if they go up, they don't get the credit. So, we only have that 1 year. And I think, at this point, what we have to look at is what they're doing.

On that subject, the reforms since 2007 are a mix of enhancements and of elimination of most of what was going on in the system before. I have read the reports of the Government Accountability Office, and I agree with them. Their findings match my own observations and my judgment.

There's a table, attached to my testimony, that goes reform by reform, and talks about progress and also cautions. That table is a work in progress as events evolve and as I learn more about what's going on, which is not always easy.

The major activities and progress and cautions, I've put in my written testimony. I would cite that the GAO is right about the strategy of workforce replacement. I myself find this worrisome. I think that good people come in, but good people are also leaving, and this is unfortunate. It's been going on for 20 years, and that can be damaging.

We've had substantial increases in the money available to the school system on a per-pupil basis. It's gone up by about 25 percent over the last 5 years. A lot of the increase has gone into local schools, no question about that. But, it's very unevenly allocated.



There are differences of thousands of dollars in per-pupil spending, from—among schools with similar populations.

We have seen, in the terms of governance, the elimination of micromanagement, the elimination of divided authority, which really has been a problem. But, we've also eliminated almost all the checks and balances, and the only oversight comes from the D.C. Council, which is not really prepared or set up to do the kind of oversight that's necessary.

I will close with my graphic, which is in the testimony, of the cycle of change. This is what's happened over 20 years of continuous motion, but ultimately we haven't seen progress. And it's the same chain of events every time, in the past, where we start with the new leader; he found such a terrible mess, nothing is right; there's a shakeup; most of what's old goes, including some of the good reforms; and then we get the glowing reports of progress. And that's where we are now. We're at the 6 o'clock position.

What has followed, in the past, has been implementation, lack of funding, poor management, disillusion, and it's time to get a new superintendent. This usually happens in 3 years. And—it's been a problem. I just pray that it's going to be different this time.

Senator DURBIN. Thank you very much.  
[The statement follows:]

PREPARED STATEMENT OF MARY M. LEVY

My testimony today is based on my experience as an education finance lawyer and my study of the District of Columbia Public Schools (DCPS) over a period of 30 years. During that time as an analyst and a DCPS parent, I have done annual analyses of budget, expenditures, and staffing; participated in drafting most of the major legislation and school reform plans for DCPS; studied and wrote reports on DCPS governance, demographics, policies, and educational outcomes; and served in local school PTAs and citywide parent organizations. In response to your letter of invitation to testify:

*The Use and Impact of the Special Federal Appropriations ("Federal Payment").*—Below is a table showing the amount of the Federal payment each year since fiscal year 2006 in the context of enrollment change and all other DCPS spending. According to DCPS documents, funds were used for reform initiatives such as principal training, early childhood education expansion, literacy improvement, and supplemental allocations to schools receiving students from school closings. This funding enabled pursuit of these and other reform initiatives, while maintaining or improving per student funding at local schools. We are very grateful for this.

*Progress To Improve Student Outcomes.*—Outcomes such as test scores, attendance, dropout/graduation, and progress to work or post-secondary education may ultimately be affected by all reforms actually instituted. However, we have only 1 full year of reforms actually implemented; it is too early to determine their effect, in addition to which the quality of the data needed is quite problematic. At this point we can only judge the progress and quality of the work so far done.

*Reforms Instituted or Planned Under the Fenty Administration.*—These activities are a mix of enhancements and strong measures to eliminate the status quo in DCPS, including some swings to opposite extremes and reversions to earlier policies discarded as ineffective. Almost everyone in the District agrees that dramatic change in DCPS is necessary, but there is strong disagreement on specifics and strategies, most of it in good faith. Swings to opposite extremes arise partly from a backlash to years of frustration with practices such as the protection of incompetent or abusive teachers, bureaucratic ineptitude and insensitivity, and fragmented authority with multiple veto points that impeded needed reform. Such reaction is completely understandable—but not necessarily a guide to effective reform that actually improves student outcomes.

I have read and agree with the reports of the Government Accountability Office. The GAO findings on all subjects covered match my observations and experience.

DCPS OPERATING BUDGET: TOTAL FUNDS  
(Data re-analyzed for year-to-year comparability)

Description	Fiscal year 2006 actual expenditures	Fiscal year 2007 actual expenditures	Fiscal year 2008 actual expenditures	Fiscal year 2009 approved budget	Fiscal year 2010 budget request act
Local funds:					
Formula base per pupil	\$7,692	\$8,002	\$8,322	\$8,770	\$8,770
DCPS Appropriation	\$561,162,811	\$554,335,056	\$583,177,010	\$562,109,000	\$510,881,000
Federal:					
Stimulus—State stability replacing local funds					\$50,616,000
Stimulus—IDEA Title I	\$11,728,185	\$16,034,683	\$17,056,411	\$40,000,000	\$17,983,000
Special Federal payment	\$126,297,915	\$131,886,131	\$111,672,727	\$124,670,675	\$42,200,000
All other federal grant funding fiscal year 2010 only	\$5,703,874	\$5,216,280	\$6,194,008	\$3,784,000	\$120,906,000
Private grants	\$3,450,251	\$13,893,945	\$6,072,339	\$3,671,000	\$3,784,000
Fees, sales, reimbursements					\$4,005,000
Total	\$706,342,636	\$724,376,095	\$724,172,495	\$734,234,675	\$749,575,000
LEA Functions Transferred Out of DCPS: Facilities maintenance (OPEM 2008)	\$30,167,905	\$31,185,380	\$36,890,556	\$38,305,841	\$32,822,339
TOTAL DCPS LEA	\$738,510,541	\$755,561,475	\$761,055,051	\$772,540,516	\$782,397,339
EXCLUDED FOR PURPOSE OF COMPARABILITY					
D.C.-Wide Functions Transferred Out of DCPS:					
Non pub tuition, spec ed transport, art fees					\$254,221,582
SEA functions/pass throughs (OSSE 2008)	\$219,466,889	\$223,424,903	\$248,083,712	\$238,860,319	(1)
Federal grant carryover/advance (budget only) (estimate of re-appropriation)	\$32,856,360	\$51,089,534	(1)	(1)	\$30,000,000
Audited enrollment	Oct. 5, 2005	Oct. 6, 2006	Oct. 7, 2007	Oct. 5, 2008	Projected
DCPS (excludes special ed tuition students)	55,298	57,645	49,422	45,190	44,681
Local + Stabilization Per Pupil DCPS_LEA	\$10,148	\$10,530	\$11,800	\$12,439	\$12,567
Total Per Pupil DCPS LEA	\$13,355	\$14,352	\$15,399	\$17,095	\$17,511
Increase in UPSFF base (percent)	4.0	4.0	4.0	5.4	1.0
Increase in local per pupil (percent)	3.8	3.8	12.1	5.4	1.0
Increase in total per pupil (percent)	7.5	7.5	7.3	11.0	2.4

<sup>1</sup> Transferred.

Sources: Fiscal Year 2006-2009: D.C. congressional budget submissions; fiscal year 2010 final requested budget; September 2009.