



The District's Dime

Going Beyond the Budget Book

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Not Enough Comprehensive Planning in Council's School Facilities Proposal

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This Wednesday, the DC Council will hold a hearing on a bill that would make it much easier for public charter schools to gain access to facilities not being used by the DC Public Schools system. The District's charter schools, which enroll more than 40 percent of DC students, have a great demand for adequate buildings, but advocates say the current process of trying to transfer unused DCPS facilities to charter schools is difficult and lacks transparency.

The [Comprehensive Planning and Utilization of School Facilities Act of 2013](#) calls for an annual review of school facilities and establishes a process for surplus DCPS properties no longer needed for classroom, instruction, swing space or administrative purposes. The bill would require the Chancellor to submit an "Educational Facilities Plan" every year to describe DCPS facility needs for the next five years and offer recommendations on whether or not vacant properties will be needed in the near future. The District's Department of General Services would determine which DCPS properties are considered surplus and keep a list of such properties online. The proposed bill would begin this process by declaring 12 DCPS properties, many of which were closed this past year, as surplus.

Many public charter schools say they are unable to secure suitable facilities to meet their needs due to the high cost of real estate in DC. According to this bill, "high-performing and financially sound" public charter schools would be one of the types of entities given the "right of first offer," or the first pick of surplus DCPS facilities to buy or sign a long-term lease. The proposed bill also would allow the Public Charter School Board to sue the District on behalf of a public charter school if the District does not comply with the first-offer requirement.

The intent of this legislation is to promote better planning and use of school facilities – a good goal addressing a real need – but it falls short. While it tries to resolve the issue of getting surplus facilities in the hands of charter schools, the proposal needs to establish more flexibility for DCPS to reclaim properties in the future after they are leased to private entities, if there is a need. For example, what if a public charter school obtains a long-term lease for a DCPS building next year, but five years from now is using only half of the facility? The legislation should allow the District to reclaim the unused space under these conditions.

The bill will need to set more specifics on how to make the disposition process more transparent, beyond requiring the list of surplus properties to be published. What's more, the bill appears to streamline the process only for charter schools – without addressing other potential uses. For

residents who are worried about the loss of community assets – the parks, grounds, and other public spaces within school facilities that would no longer be accessible to residents – there should be an appropriate avenue to express how a vacant DCPS property should be used, and a thoughtful process to determine how the city might use the surplus facilities to meet a neighborhood’s most pressing needs.

The bill also would expand litigation and in a way that puts the burden mostly on DCPS. A comprehensive facilities plan for both sectors should address the potential consequences of such a policy and examine what is ultimately in the public’s interest, rather than in the interest of one school sector.

Councilmember Catania, the bill’s sponsor, has acknowledged that these proposals are intended to spark a conversation on important issues and that the final legislation is open to change based on community input. We hope DCFPI’s issues will be considered as the bill moves forward.