

My name is Valerie Jablow, and I am a DC resident of 27 years and a DCPS parent of 13 years. I was unable to attend the November 8 hearing on the nomination of Paul Kihn as deputy mayor for education (DME), so I am submitting this as my testimony.

During the November 8 hearing for Paul Kihn, many people spoke about a lack of planning in our public schools.

But in my experience, there is a **lot** of planning! The problem is that it is often completely disconnected from the public.¹

From his work in Philadelphia, and how he responded during the November 15 hearing (on Banneker locating at the Shaw junior high site), this appears in accord with Paul Kihn's approach to public education.

After Kihn's nomination was announced, I spoke with public education advocates in Philadelphia, including city council member Helen Gym. They told me that in Kihn's short tenure in Philadelphia, networks of public schools were destroyed; neighborhoods disenfranchised; and millions of dollars of public money was wasted in school privatizing that did not advance the rights, interests, or desires of the public in their schools.

At the November 15 hearing on Banneker at Shaw, Kihn cited the need to use data to demonstrate whether a middle school of right was needed in Shaw. He then cited population forecasts as well as boundary participation rates to conclude that there is no need for a Shaw middle school of right—and yet held out the possibility that there could be a citywide middle school there! Kihn's supposedly data-driven analysis of need ignored the fact that schools of right also participate in the lottery—and ignored **his own office's data** that show that boundary participation rates are not indicative of enrollment².

Also by way of ruling out a middle school of right in Shaw, Kihn noted that DCPS neighborhood schools already have excess capacity. While that is true, Kihn did not mention that this metric was completely unexamined in the feasibility study done for Banneker, which also

1. did not include any analysis about the wisdom of expanding Banneker in light of that excess capacity; and
2. ignored other locations for Banneker other than its current building or the Shaw site (a strange omission for a city-wide school, especially given that excess capacity at two high schools near Shaw); and
3. omitted an accurate cost estimate for Banneker at Shaw.

Oddly for someone valuing data, Kihn did not explain any of that in his testimony. Nor did he explain the poor engagement of both the Banneker and Shaw communities on

the Banneker at Shaw plan before it was announced³. Nor did he explain any plans for the current Banneker building or Garnet-Patterson except to say that both would remain in DCPS's portfolio.

On the other hand, Kihn did admonish advocates for a Shaw middle school of right for not being "fiscally responsible," while citing no data to support his assertion that pausing Banneker at Shaw to examine any of that would be bad for both city and community.

Kihn thusly made his position (against a middle school of right at Shaw and for moving an expanded Banneker to Shaw without pause) not data-driven, but political.

To be sure, Kihn is a political appointee working for a political figure.

But as DME, Kihn also has a responsibility to uphold education rights in our city, including ensuring a thriving network of neighborhood schools of right and equity in modernizations and resourcing for all schools.

For someone in that position to so openly advocate for a school plan without accurate cost estimates; without consideration of other sites; without open dialogue with affected communities before any decision was made; and without any apparent consideration of its effects on existing schools diminishes the role of the public in school governance and vitiates school planning investments made by our city—including the PACE Act and the recent enrollment study.

Kihn's work in Philadelphia was similarly situated against the public and its voice. I have put below some examples stakeholders there shared with me:

—As deputy superintendent in Philadelphia, Kihn presided over district school budget cuts and their aftermath—including the death of a child at a school that lacked a school nurse⁴; attempts to change teacher compensation⁵; and staff upheaval at the central office⁶.

—At the same time, Kihn presided over district school closures whose costs appear to have been underestimated⁷, while new schools were created⁸ and two elementaries reconstituted without evidence that the reconstitution would be effective⁹.

—In an apparent attempt to increase public engagement, Kihn also presided over a practice in which parents could vote to turn their district school into a privately run charter school—without accounting for the negative effect of protracted deep cuts to district schools and the fact that the charters cost the city an extra \$4000 per student¹⁰ in stranded costs. Perhaps worse, the conversions have not been an unalloyed improvement¹¹. (Closer to home, this resembles the attempt by the cross sector task force to create by right charter schools.¹²)

–Kihn is a proponent of the portfolio model of schools, by which public schools with low test scores are either closed or converted to charters. (During Kihn’s tenure, a Philadelphia school official called the portfolio model “dumping the losers.”¹³) DC’s charter board has embraced this practice, overseeing dozens of closures in a decade¹⁴. Both school closures as well as conversions could be enabled by DC’s ESSA plan, which calls for another operator to take over any school with low test scores for 3 or more years running¹⁵.

–Kihn helped lead public meetings concerning test-heavy school report cards¹⁶ that closely resemble the report cards slated to take effect for DC’s schools in December. As in DC, parents expressed concern that schools would be effectively penalized for having poor resources and poor students¹⁷.

–Kihn also participated in secret meetings about a universal lottery for Philadelphia schools that would be operated by a private company¹⁸.

–Kihn helped create a “mystery shopping” program, in which officials posed as parents, to ensure charters were not denying admission to students¹⁹. It closely resembles what DC public school charter board executive director Scott Pearson instituted in DC in 2012²⁰.

--Indeed, that program represents yet another tie between Kihn and Pearson, whose wives work together²¹. More specifically, Kihn’s wife works **for** Pearson’s wife at the JPMorgan Chase Institute, which was founded by Pearson’s wife and does economic analyses for, among other clients, JPMorgan Chase, which has invested hundreds of millions of dollars in charter schools. And both women and Kihn worked at McKinsey, a consulting firm that, among other things, works with school districts on privatizing public schools²².

Acting DME Kihn clearly embraces the major tenets and failures of education reform: that all publicly funded schools are interchangeable; that rights are subordinate to choice; that test scores tell all; and that public schools are not valuable civic institutions that confer rights, but mere products, like toilet paper or cars or pens—endlessly replaceable.

Such a bleak vision does not align with respecting rights, communities, or the voice of the public that DC citizens expect and need in our public schools.

Much of your time on the council’s education committee under mayoral control has been taken up with the disenfranchisement of DC taxpayers from the schools run in our name, with our money.

I urge you now to understand that what this nominee represents is more of the same.

As you know well, under mayoral control and education reform, we have faced a stubborn achievement gap²³; segregation²⁴; and vicious problems resulting from each, including misuse of at risk funds²⁵ as well as inadequate provisioning of schools with the greatest needs²⁶. We also face serious issues concerning the adults in our schools, including graduation scandals²⁷ and high teacher turnover rates²⁸.

What we need now, more than ever, is a greater voice of the public in our public schools; more targeted funding; and a deep understanding and acceptance of municipally run schools as vital civic institutions that secure rights. We know that closures²⁹ and conversions³⁰ are not solutions; that test scores tell stories of socioeconomics³¹; and that choice never happens in a vacuum, but has decreased diversity in our schools³², while closures have devastated our neighborhoods and feeder patterns of right.

Please vote for the public in our public schools and against this nominee. Thank you.

¹ For example:

A. On October 31, 2018, the DC public charter school board (PCSB) held a closed meeting. The website for the meeting announcement is here:

<https://www.dcpccb.org/event/closed-meeting>

The reason given to close the meeting was this: "Vote to close the public meeting and move to a closed executive session pursuant to DC Code 2-575(b)(13) to deliberate upon a decision in an adjudication action or proceeding by a public body exercising quasi-judicial functions." In a space below the statement about the meeting being closed, the web page said this: "Deliberate upon 2018-19 charter reviews and renewals."

Indeed, of its 26 public meetings listed on its website in a little over 1 year (October 18, 2017 through October 31, 2018), PCSB has closed 7 of those meetings (27%) to the public:

10/18/17, closed executive session
11/15/17, closed executive session
12/13/17, closed executive session
12/17/17, closed emergency meeting
1/27/18, closed emergency meeting
7/27/18, closed executive session
10/31/18, closed meeting

Dates are available here: <https://www.dcpcsb.org/factsheet/board-meetings-and-public-hearings>)

Three of those meetings in addition to the one on 10/31/18 were closed via DC Code 2-575(b)(13):

10/18/17, closed executive session
11/15/17, closed executive session
12/17/17, closed emergency meeting

(There was also a closed PCSB meeting on 12/13/17, but no reason is visible on the website as to why it was a closed executive session.)

Those meetings closed via DC Code 2-575(b)(13) all occurred in the fall, at a critical time for charter reviews and renewals. This suggests that information about charter reviews and renewals is not being communicated to the public by PCSB in a timely manner and that the public is not considered a partner in this process, because there is no opportunity for feedback from the public on discussions that the public is excluded from.

B. I and other DCPS parents never heard about the new Bard high school until it was announced, and then never directly from DCPS (I was notified via email by a private group, PAVE, whose emails I never signed up for).

C. People in and around Shaw, Banneker, and Bard were not meaningfully included in decision making around those school plans. Right now, we have no idea what sites were discussed for any of those schools; what is the plan for any of the buildings involved (Banneker, Garnet-Patterson); nor what the effect of the current plans are on other schools or their enrollments, despite our city's investment in planning mechanisms (i.e., the PACE act, the enrollment study).

For example, in an email to me about Bard on October 24, interim DCPS chancellor Amanda Alexander said the following:

“DCPS met with Bard last year to learn about their model and begin exploration of a partnership, but only late this spring did Bard receive a provisional approval from the Higher Education Licensure Commission at OSSE [office of the state superintendent of education] to come to DC, at which point DCPS started more robust community engagement. Below are a few of the key meetings and engagements my team held during 2018:

“--Targeted conversations with key Ward 7 and 8 stakeholders, including Councilmember White, State Board of Education Markus Batchelor, ANCs, civic and

education leadership, faith-based leadership, schools, and family members **(Spring and Summer)**;

“--Bus Tour to Bard in Baltimore with key Ward 8 stakeholders and DCPS and Mayoral Staff **(May)**;

“--Meeting with key Ward 7 and 8 stakeholders around school transformation and Bard **(August)**; and

“--Launch of Anacostia Community Working Group with Ward 7 and 8 school leadership, community members, ANCs, families, and civic and education leadership around school transformation, ESSA, and Bard **(October)**.”

Valerie here again: In August, the Ward 7 education council and SHAPPE asked for a meeting with the mayor on Bard. Nothing happened. See here:

<https://twitter.com/ward7edcouncil/status/1052923148121849856?s=11>

Right now, the public does not know what sites for Bard are being considered nor what the school will offer; at a high school fair at my daughter’s DCPS middle school, Bard representatives offered few details on either.

The Banneker/Shaw plan was announced without any apparent consideration for, or explanation of, alternative sites for Banneker; without any explanation as to the effect of expanding Banneker and/or relocating it on existing DCPS high schools; and without any good outreach to either the Shaw or Banneker communities, as the November 15 council hearing on Banneker/Shaw made clear. (See here:

<https://educationdc.net/2018/11/18/this-is-what-democracy-doesnt-look-like-banneker-shaw-edition/>)

D. The recent public feedback sessions for the MFP (run by the DME’s office) never mentioned anything about any of these new schools—nor anything about other new schools or closures—even though both Bard and Banneker were announced shortly after the last MFP public feedback session on October 13. This suggests that the meetings were a waste of time for the public, while checking off a box of engagement for the officials involved from the office of the DME.

E. A recent survey from DCPS on Bard asks for responses to questions the public cannot possibly answer intelligently because the information required to do so is not being shared publicly. The survey is here:

<https://docs.google.com/forms/d/e/1FAIpQLSctlNNzjqcRY-yikbnEgWm03vTL7vVpCy480t6MboroNvHZrA/viewform>

The survey appears premised on an agreement that the new Bard HS is a great idea, while the public is not given enough information to be able to give a sensible response to questions.

For instance, we are asked whether Bard should be co-located with another school. Any co-location would depend on

- where the co-location is and
- what people in that area think and want and
- what the co-location space is currently being used for or is suitable for and
- what other co-location or stand-alone spaces are available and
- the costs involved in whatever choices are available/made and
- how the public has been and will be involved in any of that before a decision is made

All of which are, of course, not elaborated anywhere publicly, so answering this intelligently is rendered impossible.

Ironically, I never knew about this survey until someone in Ward 3 forwarded me a link to it from the Cleveland Park listserv. I have not received it in any other way from any DC agency or official.

F. The recent cross sector task force report refers to DCPS as different from charter LEAs only through "its size, its legacy commitments, [and/or] the special esteem in which it is held by many in DC." Two members resigned in protest. See the resignation letter here: <https://educationdc.net/2018/11/12/cross-sector-task-force-releases-report-members-resign/>

² For instance, DCPS's Sousa middle school has a 68% boundary participation rate—and is under-enrolled—while Stuart-Hobson middle school had a 25% boundary participation rate and has been fully enrolled for decades. See the DME's website here with this data: <https://dme.dc.gov/node/1265461>

³ For instance, there was minimal engagement with the Banneker community itself (a parent there told me that neither the Banneker PTO nor the principal knew about the decision ahead of the mayor's announcement)—and apparently no engagement with the neighborhood around that school as to the disposition of the Banneker building should Banneker move. There was also no engagement with the Shaw community until after the feasibility study was underway—and even then it appeared minimal at best.

⁴ <https://thenotebook.org/articles/2014/05/22/school-district-leaders-should-take-a-stand-now-or-resign/>

⁵ <https://thenotebook.org/articles/2013/02/26/district-seeking-to-slash-restructure-teacher-compensation/>

⁶ <https://thenotebook.org/articles/2013/04/24/district-looks-to-restructure-top-management/>

⁷ <https://thenotebook.org/articles/2013/02/04/closure-savings-are-labor-savings/>

⁸ <https://thenotebook.org/articles/2013/09/11/district-seeks-design-leaders-to-craft-new-high-school-models/>

⁹ <https://thenotebook.org/articles/2014/03/10/2-north-philly-schools-to-undergo-massive-staffing-changes-in-hopes-of-turnaround/>

¹⁰ <https://thenotebook.org/articles/2014/04/08/kihn-it-s-a-misconception-that-renaissance-charters-will-get-extra-money/>

¹¹ <https://www.publicschoolreview.com/blog/philadelphia-renaissance-schools-initiative-readies-for-expansion-with-more-schools-cited-for-takeover>

¹² <https://educationdc.net/2016/10/03/the-cross-sector-task-force-orwellian-expertise/>

¹³ <https://thenotebook.org/articles/2014/04/09/dump-the-losers-where-do-city-and-district-leaders-really-stand/>

¹⁴ <https://www.dcpcsb.org/report/charter-school-growth-closures>

¹⁵ See p. 35-6 here:

https://sboe.dc.gov/sites/default/files/dc/sites/sboe/page_content/attachments/OSSE%20ESSA%20State%20Plan%20March%202017%202017%20Final.pdf).

¹⁶ <https://thenotebook.org/articles/2013/11/04/district-rounding-out-the-series-of-meetings-about-new-grading-system-for-schools/>

¹⁷

<https://web.archive.org/web/20131019161135/http://thenotebook.org/blog/136244/parents-angered-and-frustrated-new-school-report-card>

¹⁸ <https://thenotebook.org/articles/2014/04/30/missing-transparency-at-the-src-and-school-district/>

¹⁹ <https://thenotebook.org/articles/2014/05/29/src-renews-one-charter-postpones-two-others-goes-with-maramont-for-food-contract/>

²⁰ <https://www.dcpcsb.org/blog/review-washington-dc-mystery-shopper-program>

²¹ <https://educationdc.net/2018/09/29/speaking-of-odd-or-is-the-word-conflicted/>

²² <https://www.mckinsey.com/industries/social-sector/our-insights/why-us-education-is-ready-for-investment>

²³ <https://wamu.org/story/18/08/16/d-c-test-scores-show-improvement-achievement-gaps-continue/>

²⁴ <https://www.civilrightsproject.ucla.edu/research/k-12-education/integration-and-diversity/our-segregated-capital-an-increasingly-diverse-city-with-racially-polarized-schools>

²⁵ <https://educationdc.net/2018/05/04/do-they-or-dont-they/>

²⁶ <https://educationdc.net/2018/04/05/inequitable-funding-in-dcps-yes-it-is-as-bad-as-you-feared/>

²⁷ https://www.washingtonpost.com/local/education/fbi-us-education-department-investigating-ballou-graduation-scandal/2018/02/02/b307e57c-07ab-11e8-b48c-b07fea957bd5_story.html?utm_term=.2a38b1fb1257

²⁸

https://sboe.dc.gov/sites/default/files/dc/sites/sboe/publication/attachments/SBOE%20T-eacher%20Turnover%20Report%20-%20FINAL_0.pdf

²⁹ The auditor's study on enrollment showed that since 2008, 80 publicly funded schools in DC have been closed: 42 in DCPS and 38 charters. That works out to ***an average of 8 schools closed each year for a decade***. See p. 23 of the study here:

<http://dcauditor.org/report/a-study-of-enrollment-projections-for-d-c-s-public-schools-assuring-accuracy-and-transparency/> The closures have left entire neighborhoods without schools of right and saved millions of dollars less than believed, while children from closed schools often were forced to attend schools with even lower test scores.

³⁰ Anacostia, Dunbar, and Coolidge high schools all were taken over by charter schools, to disastrous results. They are now run by DCPS.

³¹ <https://educationdc.net/2018/08/27/how-did-dcs-parcc-scores-grow/>

³² <https://districtmeasured.com/2015/10/07/can-school-lotteries-make-schools-more-diverse/>