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11/6/2013

Dear Education Committee,

I feel like the 21CSF should have been better able to educate and advocate for a facilities bill that will advance the interests of all citizens and both sectors. In our and your defense, as Evelyn Boyd Simons likes to say, "It is not rocket science, it is more complicated." I have restricted my comments on the "Comprehensive Planning and Utilization of School Facilities Amendment Act of 2013" to the disposition provisions, clarifying planning requirements and extending them so that they apply to all public schools. Doing this will be progress, as the District's responsibility is to ensure that *all* children are in healthy, safe, educationally adequate facilities.

Perhaps one of the most revealing items is the proposed definition of "excess school facility" as "no longer needed for current or future operational purposes of DCPS".

How is it possible that a public school facility which could be needed for public education purposes by a public charter school could no longer be needed for current or future operational purposes for public education by a different LEA that has the same mission?

By definition, a public school that is needed by a charter operator could also be needed by a different charter operator or by DCPS in the future, because it is needed for public education. So this law is just a taking from DCPS. Unless it is your intention to eliminate DCPS within the next 5-10 years, you would come up with a very different fix.

So what is the fix that will advance the interests of all citizens and both sectors, not just at this moment, but for generations to come?

Facility improvements to any District of Columbia owned public school facilities, whether the facility is operated by DCPS or by another LEA should be part of the city capital budget. Horrors! Then the government would have a say in the capital improvements? Yes! Nearly 100% of the funds for charter acquisition and purchase are from the citizens of DC. Should decisions go through a public process, have to compete with other funding for capital spending? Seems right. Public school facility infrastructure—the current land and buildings—built over the decades for and more recently by the citizens of DC should be retained in ownership by the city and the public should have a say in the allocation of its capital investments, through the capital budget process.

Administrative systems should be in place to allocate the public school buildings, public school land and under-utilized public school space for co-location, fairly, efficiently and expeditiously. The city should be leasing for terms based on each situation. Putting lease terms in law, as though each situation is the same is poor asset management for the city and repeats the problems that currently exist with

DCPS—the ability to lock up space (think the years that Harrison ES was highly under-utilized for schooling, but under control of the Children’s Studio School public charter).

If the real estate division of DGS cannot manage the public school portfolio, or the authority is not clearly spelled out in legislation, then legislate this. DGS can then contract with one or (more than one) of the many world class real estate firms in the city to manage this complex portfolio of public schools on behalf of the District citizens.

Mary Filardo
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