

January 2, 2014

Brian Martin  
U.S. Department of Education  
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Re: CSP National Leadership Activities

Dear Mr. Martin,

We are writing to comment on the “Proposed Priorities, Requirements, and Definitions” for the Charter Schools Program Grants for National Leadership Activities, as set out in the Federal Register, Volume 78 at page 72600 (December 3, 2013).

We commend the Department for seeking to improve the civil rights record of federally supported charter schools by prioritizing new charter school models that expand access for English Language Learners and children with disabilities.

However, we are disappointed by the omission of school diversity and the reduction of racial and economic isolation as priority models for CSP grants for National Leadership Activities. As you know, charter schools have suffered from a lack of racial and economic diversity.<sup>1</sup> Yet this negative record belies their positive potential. Because of their independence from traditional school district structures, they have the capacity to bring children together from different racial and ethnic and economic backgrounds.<sup>2</sup>

The absence of a school diversity priority is especially troubling in light of the Department’s commitment to “promoting diversity” in its list of proposed priorities for discretionary grant programs (most recently updated at 76 Fed. Reg. 27637, May 12, 2011), and in its December 2011 “Guidance on the Voluntary Use of Race to Achieve Diversity and Avoid Racial Isolation in Elementary and Secondary Schools.”<sup>3</sup> The Department is also well aware of compelling research showing that racial and socioeconomic integration have a powerful impact on student academic success.<sup>4</sup>

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<sup>1</sup> Frankenberg et al, "Choice Without Equity: Charter School Segregation and the Need for Civil Rights Standards" (The Civil Rights Project, January 2010), <http://civilrightsproject.ucla.edu/research/k-12-education/integration-and-diversity/choice-without-equity-2009-report>; Frankenberg & Siegel-Hawley, "Equity Overlooked: Charter Schools and Civil Rights Policy" (The Civil Rights Project, November 2009), <http://civilrightsproject.ucla.edu/research/k-12-education/integration-and-diversity/equity-overlooked-charter-schools-and-civil-rights-policy>; Miron, et al, "Schools Without Diversity: Education Management Organizations, Charter Schools, and the Demographic Stratification of the American School System" (National Education Policy Center, February, 2010) <http://nepc.colorado.edu/publication/schools-without-diversity>.

<sup>2</sup> Kahlenberg and Potter, "Diverse Charter Schools: Can Racial and Socioeconomic Integration Promote Better Outcomes for Students?" (PRRAC and the Century Foundation, May 2012), [www.prrac.org/pdf/DiverseCharterSchoolsReport.pdf](http://www.prrac.org/pdf/DiverseCharterSchoolsReport.pdf); Mead and Green, "Chartering Equity: Using Charter School Legislation and Policy to Advance Equal Educational Opportunity" (National Education Policy Center, February 2010) <http://nepc.colorado.edu/publication/chartering-equity>.

<sup>3</sup> [www2.ed.gov/about/offices/list/ocr/docs/guidance-ese-201111.pdf](http://www2.ed.gov/about/offices/list/ocr/docs/guidance-ese-201111.pdf)

<sup>4</sup> See Rosyln Mickelson, *Twenty-first Century Social Science on School Racial Diversity and Educational Outcomes*, 69 Ohio St. L.J. 1173 (2008).

We urge the Department to bring the Charter School Program into conformance with the Department's announced commitment to school diversity – and to support racially and economically charter schools as a national model to be emulated. Specifically, we ask that the Department add a “Proposed Priority 6 – Promoting Racial and Economic Diversity” to the listed priorities in the final “Proposed Priorities, Requirements, and Definitions” for the Charter Schools Program Grants for National Leadership Activities.

Sincerely,

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