

January 5, 2015

Nadya Dabby
U.S. Department of Education
400 Maryland Avenue SW., Room 4W230,
Washington, DC 20202–5970.
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Re: Proposed Priorities, Requirements, Definitions, and Selection Criteria—Charter Schools Program Grants to State Educational Agencies

Dear Ms. Dabby,

On behalf of the undersigned members of the National Coalition on School Diversity we are writing to comment on the “Proposed Priorities, Requirements, Definitions, and Selection Criteria” for the Charter Schools Program Grants made to State Educational Agencies, set out at 79 Fed. Reg. 68821 (November 19, 2014).

The Coalition commends the Department’s decision to “encourage the meaningful incorporation of diversity into charter school models and charter school practices.”¹ Furthermore, the Coalition supports the emphasis on diversity in the regulation’s Executive Summary, where consideration of student diversity is recognized as a “critical component of serving all students.”² In addition to strong language on the importance of diversity in the Executive Summary, the Coalition commends the Department for including diversity as one of the specific factors to be considered under the *Dissemination of Best Practices*³ and *Oversight of Authorized Public Chartering Agencies*⁴ Selection Criteria.

In order to ensure that school diversity is routinely considered in future Charter Schools Program Grants to State Educational Agencies, we would urge the Department to also include a reference to school diversity in each of the remaining seven listed Selection Criteria, and to include school diversity and reduction of racial and economic isolation as a specific factor to be considered in the *Quality of Plan to Support Educationally Disadvantaged Students*⁵ criterion.

¹ 79 FR 68812, 68813.

² *Id.*

³ 79 FR 68812, 68818 (“[t]he quality of the SEA’s plan for disseminating information and research on best or promising practices used and benefits of charter schools that effectively incorporate student body diversity, including racial and ethnic diversity”).

⁴ 79 FR 68812, 68818 (“Secretary considers how well the SEA’s plan will ensure that authorized public chartering agencies are...[a]pproving charter school petitions with design elements that incorporate evidence-based school models and practices, including, but not limited to, school models and practices that focus on racial and ethnic diversity in student bodies and diversity in student bodies”).

⁵ 79 FR 68812, 68818.

In addition, to underscore the importance of inclusive diversity policies, we recommend adding to the Proposed Priorities examples of charter school practices that support inclusive student recruitment,⁶ as well as charter school practices that may undermine diversity and inclusion goals.⁷

Once again, we commend the Department for its inclusion of school diversity criteria in the Proposed Priorities, and stand ready to work with the Department to further emphasize the importance of school diversity goals in the charter sector going forward.

Sincerely,

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⁶ For example, the Department could expand factor 4 under the selection criterion "Quality of Plan to Support Educationally Disadvantaged Students" in the following way:

- (4) The quality of the SEA's plan for monitoring all charter schools to ensure educationally disadvantaged students' access to charter schools, including:
 - (a) compliance with Federal and State laws, particularly laws related to educational equity, nondiscrimination, and access to public schools for educationally disadvantaged students;
 - (b) broad-reaching marketing efforts, that are inclusive of all community subpopulations;
 - (c) streamlined application processes that place no obstacles in front of potential applicants and place no preconditions on enrollment;
 - (d) receptive processes that do not steer away educationally disadvantaged students;
 - (e) availability of services for students with special needs and those for whom English is a second language;
 - (f) positive practices to address behavioral issues, avoiding practices that encourage students to leave the charter school;
 - (g) sparing use of grade retention practices, recognizing that overuse will encourage lower-performing students to transfer out of the school;
 - (h) provision of services for disadvantaged students that are comparable to those offered in nearby public schools, including free- and reduced-price meals, recognizing that the unavailability of such services will encourage disadvantaged students to not enroll in, or to transfer out of, the charter school;
 - (i) addressing location and transportation in ways that are designed to serve a diverse community that includes educationally disadvantaged students; and
 - (j) comprehensive planning to ensure that charter school enrollment patterns do not contribute to increased racial and economic isolation in proximate schools within the same school district.

⁷ For a summary of some charter school practices that may limit diversity and inclusion in charters, see Kevin Welner, "The Dirty Dozen: How Charter Schools Influence Student Enrollment," *Teachers College Record*, April 22, 2013 (available at <http://nepc.colorado.edu/publication/TCR-Dirty-Dozen>).

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