



Advocates for Justice and Education, Inc.

The Parent Training and Information Center for the District of Columbia

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Good morning. Thank you Chairperson Mendelson, and members of the Committee of the Whole for the opportunity to testify today. My name is Amelia French, and I am the Director of Advocacy at Advocates for Justice and Education (AJE). I am a proud parent of a high schooler and middle schooler in a public charter school in DC. I am also a third generation Washingtonian and Ward 5 resident. Today I am testifying on behalf of AJE.

AJE is the Parent Training and Information Center in the District of Columbia. This is a federal designation AJE has maintained since 1999. Every state is required to have at least one, under the Individuals with Disabilities Education Act.¹ As a result of this chief designation, AJE is expressly required to provide resources, training, and supports to help parents of children with disabilities understand the nature of their child's disability and the special education process in Washington, DC.²

In addition to supporting families through direct services and training, we support families through advocacy programs. In my role at AJE, I seek to amplify the voices and interests of parents of children with disabilities and special health care needs, most of whom are Black and Latino, so that our lives and interests are valued at all levels of policy and decision-making. I manage our advocacy programs Parents Building Bridges, Health Equity Project, and Parent Ambassadors. The overarching goals of these programs are to:

1. Improve academic achievement for children with disabilities by fortifying the relationship between school leadership and parents;
2. Reduce barriers in accessing healthcare in DC for Black and Latino children and youth with disabilities and special health care needs; and
3. Provide a space where parents can build community with one another and get the necessary emotional support they need.

¹ 20 U.S.C. § 1471(e)(1)(A).

² 20 U.S.C. § 1471(b).

Today, I am going to testify about the continued lack of transparency in the business of Local School Advisory Teams, despite their status as public bodies under the Open Meetings Act. (D.C. Official Code §§ 2-571, *et seq.* (2015)).

LSATs were created according to a Directive of former Superintendent Franklin Smith under Directive Number 200.28³ as part of school reform measures to delegate more decision-making authority to those most affected by DCPS decisions, such as parents, teachers, and school administrators, with the creation of Local School Advisory Teams (LSATs), formerly called Local School Restructuring Teams (LSRTs).⁴ In fact, he testified before Congress in 1995, before the Committee on Economic and Educational Opportunities' Subcommittee on Oversight and Investigations⁵ about this new policy with the undercurrent of promoting “high expectations and high achievement for all students.”⁶

The existence of LSATs is further reinforced by the WTU Collective Bargaining Agreement; however, that agreement expired on September 30, 2023. The D.C. Code incorporates LSATs by reference in four places indicating the role LSATs play in engaging with different agencies.⁷ However, there is no statute that expressly establishes LSATs, even though most public bodies in DC, like the Boards and Committees under the Mayor’s Office of Talent and Appointments, are established through statute.

LSATs Are Public Bodies Under the OMA

LSATs are public bodies within the meaning of the Open Meetings Act.⁸ Therefore, they chiefly have an obligation to provide the public with: 1) notice and opportunity to be present for meetings; 2) access to the agendas, minutes, governance structure, and policies; and 3) documents reviewed and relied upon during meetings and by the LSAT to make its recommendations to the Principal of the school. In my engagement with parents, these are the primary complaints: 1) elections are not happening; the Guidelines state that the entire board is supposed to be elected, except for the Community Representative, who is supposed to be decided upon by elected members of the LSAT;⁹ 2) parents are not engaged

³ [See OOG’s August 5, 2019 Advisory Opinion “Complaint Concerning LSAT Compliance with the OMA, Complaint #OOG-2019-0002-M at 2.](#)

⁴ [See OOG’s August 5, 2019 Advisory Opinion “Complaint Concerning LSAT Compliance with the OMA, Complaint #OOG-2019-0002-M at 3.](#)

⁵ Before the Subcommittee on Oversight and Investigations of the H. Comm. on Econ. and Educ. Opportunities, 104th Cong. 1-2 (1995) (statement of Franklin L. Smith, Superintendent and Chief State School Officer of the District of Columbia Public Schools).

⁶ [See OOG’s August 5, 2019 Advisory Opinion “Complaint Concerning LSAT Compliance with the OMA, Complaint #OOG-2019-0002-M at 3.](#)

⁷ D.C. Code § 38–2851.04; § 10–551.07e; § 38–409; and § 38–2803.

⁸ [See OOG’s August 5, 2019 Advisory Opinion “Complaint Concerning LSAT Compliance with the OMA, Complaint #OOG-2019-0002-M.”](#)

⁹ *Id.*

to be a part of the LSAT; and 3) the identities of the specific members of the LSAT are not made publicly available.

LSATs Are Public Bodies Because Their Policies Convey an Intent to Be Transparent and the Responsibilities Charged to Them Are Public Business

A public body under the OMA is “any government council, including the Council of the District of Columbia, board, commission, or similar entity, including a board of directors of an instrumentality, a board which supervises or controls an agency, or an advisory body that takes official action by the vote of its members convened for such purpose.”¹⁰ The LSAT Guidelines state that meetings are “open to observers,” and require that meeting minutes be “posted” to the school website.¹¹ The insertion of this language in the Guidelines conveys DCPS and WTU’s value of transparency. In the creation of LSATs, DCPS delegated its authority to LSATs to conduct, advise, recommend, and vote on matters that constitute public business.”¹² In addition to the authority DCPS delegated to it, the D.C. Code requires that LSATs advise the principal on the school budget,¹³ advise the Mayor on the citywide public education facilities plan,¹⁴ and work alongside the Principal to advise the Department of General Services on assessing school security compliance.¹⁵ LSATs function as an advisory body, and during meetings they vote and recommend on these public business matters that have been charged to them. Therefore, the public has an interest in the affairs of LSATs, and they are considered public bodies under the OMA.

Additionally, the OOG previously held that the Cross-Collaboration Task Force established by DME, was a public body subject to OMA because its decisions had far-reaching policy implications affecting all DCPS campuses, and Open Meetings Act Complaint Procedures Facilitate Parent Engagement.¹⁶ LSATs have a “similar composition” to and the same “far-reaching policy implications” affecting all DCPS campuses, as did the Cross-Collaboration Task Force established by DME. The delegation of this authority and responsibility to the public to advise on public affairs, the far-reaching implications of these actions, and DCPS’ policy to keep these meetings open and transparent led OOG to previously hold that LSATs are public bodies and subject to the OMA.¹⁷

¹⁰ D.C. Code § 2-574(3).

¹¹ *Guidelines* (DCPS Off. of Family and Pub. Engagement, Washington, D.C.), at 12.

¹² [See OOG’s August 5, 2019 Advisory Opinion “Complaint Concerning LSAT Compliance with the OMA, Complaint #OOG-2019-0002-M at 5.](#)

¹³ D.C. Code § 38-2851.04(b).

¹⁴ D.C. Code § 38-2803.

¹⁵ D.C. Code § 10-551.07e(e)(1).

¹⁶ [See OOG’s August 5, 2019 Advisory Opinion “Complaint Concerning LSAT Compliance with the OMA, Complaint #OOG-2019-0002-M at 9.](#)

¹⁷ *Id.*

Under the OMA, Public Bodies Must Provide Broad Access to the Public of Their Affairs

The Office of Open Government has a longstanding opinion that both the plain language and spirit of the Open Meetings Act indicate the DC Council's intent to "provide the public greater access to meetings, and the ability to be present when public bodies are discussing and deciding upon matters affecting government operations and policy."¹⁸ The Open Meetings Act¹⁹ was enacted to communicate the District's intent to provide DC residents with broad access to the practices and actions of the government and their representatives.²⁰ Specifically, the OMA requires that public bodies have an obligation to provide the public with open meetings,²¹ an opportunity to be present for the meetings,²² and access to these meetings.²³

Under the OMA, open meetings mean meetings²⁴ must be "open to the public."²⁵ That requires that the "public is permitted to be physically present."²⁶ Said another way, the public must have the opportunity to be present, and that opportunity to be present means the public must be notified of the meetings in advance. Notice of meetings must be provided at least 48 hours or two (2) business days in advance of the meeting, whichever is greater.²⁷ The notice must be made by posting²⁸ in a "readily accessible"²⁹ location, and on the public body's website or DC government's website,³⁰ and in the DC Register.³¹ The notice must state the "date, time, location, and planned agenda."³² If the meeting or any portion of the meeting is to be closed, the notice must state the reason for the closure of the meeting and cite the specific Code provision under D.C. Code § 2-575(b) permitting this closure.³³

Access requires that the public body has the responsibility to create the space to permit the public to exercise its right to attend these public body meetings. That is, the public body must make "reasonable arrangements...to accommodate the public's right to attend."³⁴ The

¹⁸ OOG's October 7, 2015 Advisory Opinion "Complaint #OOG-002_8.31.15.

¹⁹ D.C. Code § 2-571. The "Open Meetings Amendment Act of 2010" may be cited as the "Open Meetings Act."

²⁰ D.C. Code § 2-572. "The public policy of the District is that all persons are entitled to full and complete information regarding the affairs of the government and the actions of those who represent them;" D.C. Code § 2-573. (closure of meetings construed narrowly, and closed meetings only as permitted by the OMA.)

²¹ D.C. Code § 2-575(a).

²² D.C. Code § 2-576(1)-(3), and (5).

²³ D.C. Code § 2-577(a)(1)-(a)(2); D.C. Code § 2-578(a); and D.C. Code § 2-578(b)(1)-(2).

²⁴ D.C. Code § 2-574(1). Meetings under OMA are defined as gatherings where a quorum of public body members is present and public business is taking place.

²⁵ D.C. Code § 2-575(a).

²⁶ D.C. Code § 2-575(a)(1).

²⁷ D.C. Code § 2-576(1).

²⁸ D.C. Code § 2-576(2).

²⁹ D.C. Code § 2-576(2)(A).

³⁰ D.C. Code § 2-576(2)(B).

³¹ D.C. Code § 2-576(3).

³² D.C. Code § 2-576(5).

³³ D.C. Code § 2-576(5).

³⁴ D.C. Code § 2-577(a)(1).

meetings must be recorded,³⁵ and if recordation is not feasible, then detailed meeting minutes must be taken.³⁶ Then, after the meeting, the public must be able to inspect what transpired at the meeting. Therefore, the minutes must be provided as soon as practicable, but within 3 business days,³⁷ and the “full record” within 7 business days.³⁸

Despite the Requirements Under the OMA, LSATs Are Not Open or Accessible To The Public

The current practices of LSATs and DCPS obfuscate how parents can get involved in LSATs, what the role of LSATs is at their child’s school, the budget process of the school, and the other obligations that the LSATs must discharge. A central theme of the OMA is that procedures should be avoided that “obscure the issues and confuse the public.”³⁹ The LSAT Toolkit contains information useful to the public and current LSAT members discharging their responsibilities as LSAT members, including what LSATs are, the Guidelines, and procedures utilized by the LSAT. Before I testified on February 28, 2024, at the DCPS Performance Oversight Hearing before the Committee of the Whole, the LSAT Toolkit link on DCPS’s website required a DCPS login, something most parents won’t have.⁴⁰ However, now on the website, the page references the “LSAT Toolkit,” but the link at the bottom of the page to the toolkit has been removed.⁴¹

Since it is unclear what the procedures of the LSAT are, it is inaccessible to the public. Additionally, DCPS reports in its Responses to FY23 Performance Oversight Questions that the LSAT Newsletter disseminated by the Community Action Team has a main objective “to provide key updates and information on LSAT elections and budget updates and webinars,”⁴² but this newsletter *only* gets sent to current LSAT members. FY23 DCPS disclosures indicate a workload measure for family engagement that says “active LSATs who meet regularly with school leadership,”⁴³ but they don’t disclose what “active” means, and whether the board seats have to be full in order to be considered active. Again, the LSAT procedures are obscured, which leads to the LSAT body itself being inaccessible to the public.

The current system only reinforces the marginalization of certain communities and leads to decreased educational outcomes for these populations. The Every Student Succeeds Act (ESSA) seeks to protect students with disabilities and other student populations that are

³⁵ D.C. Code § 2-577(a)(2).

³⁶ D.C. Code § 2-578(a).

³⁷ D.C. Code § 2-578(b)(1).

³⁸ D.C. Code § 2-578(b)(2).

³⁹ CDCR 3-10408.1.

⁴⁰ The link used to be here, but it has since been removed from the page. [DCPS Webpage Linking to the LSAT Toolkit, Which Has Been Removed Since 2.28.24](#)

⁴¹ *Id.*

⁴² [DCPS Responses to FY23 Performance Oversight Questions at 136.](#)

⁴³ [DCPS Attachments to Responses to FY23 Performance Oversight Questions at 363, 367.](#)

furthest from opportunity.⁴⁴ Also, a close reading of ESSA implies a lack of parent engagement leads to missed opportunities for increased academic achievement for these student populations, including children with disabilities, who are among our most vulnerable students.⁴⁵ This is the same position OSSE takes in its 2019 Landscape Analysis.⁴⁶ To be clear, only 6% of students with disabilities in DC were performing on grade level in Math and 8% in English, according to the 2022 PARCC.⁴⁷ Therefore, DCPS should not be missing opportunities to fully engage parents, in particular parents of children with disabilities, by continuing practices that avoid and block parent engagement.

Conclusion

It is my recommendation that DCPS collaborate more with AJE. By virtue of AJE's connection to parents, we are uniquely positioned to assist schools with both parent engagement and their Child Find obligations. Our theory of change is built on a community of trust, the value of parent voices, parent participation, and parent leadership. In our Parents Building Bridges Program, we utilize parent engagement as a driver for academic achievement for students with disabilities. In addition to the underlying themes articulated in ESSA, this target area is based on OSSE's 2019 Landscape Analysis that described parent engagement as a barrier to educating children with disabilities and their educational outcomes.⁴⁸ However, I wish to highlight that when parents attempt to be involved in their child's school, the barriers are not in the parent's willingness to connect with the school but rather in the impenetrable processes of entities such as Local School Advisory Teams.

I recognize that some of the difficulties in DCPS engaging with families include long-term effects of COVID-19 inequities that have been felt across the nation, teacher retention, and budget constraints, but there is a natural alignment between AJE's parent engagement work and DCPS's goals and strategies that should be explored more through AJE-DCPS collaboration. In fact, we worked with a team of parents from a school in DC to highlight the positive correlation between parent engagement and effective teacher retention strategies. A school culture that is brainstormed, created, and executed with the inclusion of parents, where a school invests its time, resources, and people in creating a school that teachers don't want to leave, is an effective teacher retention strategy.⁴⁹ This sparked a conversation between those parents and the principal that has deepened the bond between them, a step in the right direction to making parents' voices a valued input and key component of school policy.

⁴⁴ Every Student Succeeds Act, 20 U.S.C. §§ 6301 *et seq.*

⁴⁵ ['A lost generation': Surge of Research Reveals Students Sliding Backward, Most Vulnerable Worst Affected](#)

⁴⁶ [OSSE's 2019 Landscape Analysis.](#)

⁴⁷ [All In Press Release](#); [All In Final Report](#).

⁴⁸ [OSSE's 2019 Landscape Analysis](#)

⁴⁹ [Parent Voice Integration into School Culture and Policy Development As An Effective Teacher Retention Strategy](#)

I also specifically request that the Council of the District of Columbia to codify the creation of Local School Advisory Teams to make the roles and responsibilities of LSATs and their inclusion as public bodies clear and distinct.

Thank you for the opportunity to testify today about the barriers parents face in trying to engage in the affairs of their children's school and its impact on student achievement for students with disabilities. I am happy to address any questions that Councilmembers may have or to provide any supplemental information.