

CASE NO. 06-06EXHIBIT NO. 56**Public Hearing on CASE No: 86-06****COMMENTS TO THE DISTRICT OF COLOMBIA ZONING BOARD
REGARDING THE SITING OF CHARTER SCHOOLS IN WASHINGTON, DC:
IN OPPOSITION TO THE PROPOSED TEXT AMENDMENT TO THE ZONING
BOARD REGULATIONS****Submitted by**

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We are submitting this statement to express our strong opposition to the proposed text amendment to the DC Zoning Board regulations that seek to establish procedures related to the siting of charter schools in Washington, DC.

We support the concept of charter schools, but strongly believe that their operations must have balanced against neighborhood rights and interests. We therefore believe that land use decisions involving all charter schools should have the type of review that is only provided through the special exception review process. As we understand it, the proposed language does not ensure neighborhood involvement in the in the siting process for all proposed charter schools.

We believe that the proposed approach would establish an arbitrary and irrational standard based on lot size. As we read the proposed regulations, a small charter school would need to seek and obtain a special exception, which would clearly also require neighborhood involvement in the siting process. In contrast, larger schools – with more students and more activities, and thus having an even greater impact upon a neighborhood – would not be required to obtain a special exception; which means there would be no requirement for neighborhood involvement.

It makes no sense whatsoever to permit the largest charter schools to begin operations without review, and require such a review only of smaller schools. It is common sense that larger schools are more likely to have a disruptive impact than would smaller schools.

Further, the proposed amendment would not provide an adequate level of oversight and supervision of charter school land-use decisions. Such decisions can have a very significant impact upon the quality of life in residential communities in Washington DC.

Our understanding is that a principal role of the DC Zoning Board is to review and address land use issues. There is no question, in our view, that the siting of a charter school that can have dozens and in some cases over one hundred or two hundred students

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is a development that is disruptive, and has a major impact upon the quality of life in the affected neighborhood.

District Law must provide adequate regulatory oversight of land use for charter schools. Public schools are fully subject to the political process. Private schools are subject to an officially established process, which includes the Zoning Board, ANC and, potentially the City Council. Communities need similar processes and protections with respect to privately operated charter schools. We believe that this is an issue that can affect any neighborhood in Washington, DC.

Our concerns are not just theoretical. We have first-hand experience with the negative impact of a charter school on a neighborhood, and the problems that arise when there is no review of such sitings.

Christ Church of Washington (Massachusetts and Idaho Aves., NW) has entered into a commercial lease of its facilities worth more than \$1 million for three years to a new public charter school. There was no advance consultation with the community and there are no binding commitment, or even meaningful efforts, to protect the community against adverse effects, including increased traffic, vandalism, drug use, and other effects similar to those experienced last year when the church entered into a one-year lease with a different school (again with no notice or advance consultation). The church maintains that it has an unfettered right to lease its facilities for any charter school use regardless of community impacts.

Were this a private school being established in DC (or merely seeking to expand or relocate), there would be an officially established process, which includes the Board of Zoning, the ANC and ultimately the City Council to review those plans and give appropriate consideration to the interests and views of the surrounding community prior to the establishment or expansion of the school. As a part of the review process, there would also be some consideration given as to how the project would comport with long-range land use plans in the District.

In the case of Christ Church, there has been no such review process. The only official involvement and review has been by the DC Board of Charter School, which simply reviewed Hope Community's proposal. This review was narrowly focused on whether the school meets certain educational requirements and not any of the factors described above that are considered in the case of a private school.

Based upon our first-hand experience, it is clear that the establishment of charter schools must be subject to review. In sum, we are asking for a voice in the political and legal process of establishing a local school via a process that factors in neighborhood interests and concerns; a process that requires a special exception review for any charter school in order to establish itself or expand anywhere in the city of Washington, DC.

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FAX COVER SHEET**TO: Office of Zoning****Subject: Statement Submitted regarding
Public Hearing on Case No. 06-86
Land-Use and Charter Schools in
Washington, DC****FROM: Violanda Botet and Bruce
Weinrod****Tel: 202 262 3191****Fax: 202 363 3191****Total Fax: 3 pages (including this cover
page)**