

**Congress of the United States**  
**Washington, DC 20515**

May 16, 2019

The Honorable Betsy DeVos  
Secretary  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202

Dear Secretary DeVos:

We write today to express deep concern over the lack of oversight of the U.S. Department of Education's Charter Schools Program (CSP). A recent report on the CSP found that "hundreds of millions of federal taxpayer dollars have been awarded to charter schools that never opened or opened and then shut down."<sup>1</sup>

The three main goals of CSP Funding are: 1) to ensure that CSP funds are directed toward the creation of high-quality charter schools; 2) to strengthen public accountability and oversight for authorized public chartering agencies; and 3) to support and improve academic outcomes for educationally disadvantaged students<sup>2</sup>. We believe the CSP has not accomplished these goals.

An analysis of CSP data from 2006-2014 indicates that nearly one out of three CSP grant awardees were not currently in operation by the end of 2015<sup>3</sup>. It is also unknown what happens to CSP grant funds when an awardee fails to open or opens and closes within one academic year.

It is clear that oversight of CSP grant awardees is significantly lacking. Reviewers are only allowed to look at the grant application and are not permitted to verify if any of the information presented in the application is accurate. This encourages false or selective reporting of data as applicants know that the reviewers cannot verify or dispute any of the information presented in the application.

Lastly, despite repeated indications from the Department of Education's Office of Inspector General that there was a lack of supervision of federal funds once released at state and local levels, the agency has failed to address these shortfalls. The CSP grant database has not been updated since 2015, even though the site posted in 2018, "Periodically, the CSP posts information and datasets related to CSP's grant programs."<sup>4</sup> This lack of relevant information

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<sup>1</sup> Carol Burris and Jeff Bryant, *Asleep at the Wheel: How the Federal Charter Schools Program Recklessly Takes Taxpayers and Students for a Ride*, (New York, Network for Public Education, 2019), 2.

<sup>2</sup> Department of Education, *Federal Register/Vol. 80, No. 114*, (Washington, D.C., National Archives and Records Administration, 2015), 34202.

<sup>3</sup> Burris and Bryan, *Asleep at the Wheel*, 2.

<sup>4</sup> U.S. Department of Education, "Office of Innovation & Improvement: Charter Schools," Accessed March 28, 2019. <https://innovation.ed.gov/what-we-do/charter-schools/>

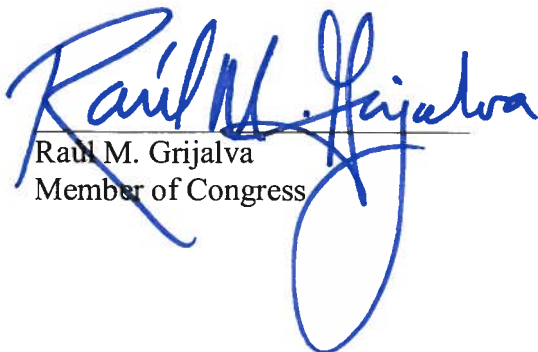
leaves the public without an opportunity to verify the efficacy of the charter schools program, student demographics, and academic outcomes.

To assure the American people of the use of these federal funds, we request written responses to the below questions no later than June 30, 2019:

- 1) How is your Department monitoring CSP grant funding to awardees that never open, open and close within the same academic school year, or fail to open for a second academic school year?
- 2) How do you receive information from the states that informs the department of awardees that have not opened, closed or that are under investigation?
- 3) If a charter school receives funding and does not open, or, closes after grant money is disbursed, what is the process for the return of federal funds?
- 4) How is your Department ensuring that CSP grant awardees are following federal civil rights guidelines and are not engaging in discriminatory admissions practices?
- 5) How do you ensure that the state programs only award federal money to charter schools that comply with federal guidelines and have sound fiscal plans for opening and for continuance?
- 6) Do you require that the applicant provide an impact statement that provides information regarding the number of charter and public schools that already exist in the catchment area?
- 7) How does your Department verify that the information presented in CSP grant applications is accurate?
- 8) How is your Department reviewing and implementing recommendations from the Office of Inspector General?
- 9) What progress has been made in your Department's corrective action plans following the OIG's audits over the last five years?
- 10) Why has there been a lapse in updates to the CSP award database of all charter schools that have been awarded federal SEA, non-SEA, CMO, or other program grant money since 2015 and what steps will your Department take to ensure the public record is updated annually?

Thank you for your prompt attention to this matter.

Sincerely,



Raul M. Grijalva  
Member of Congress



Suzanne Bonamici  
Member of Congress

Madeleine Dean

Madeleine Dean  
Member of Congress

Marcia L. Fudge

Marcia L. Fudge  
Member of Congress

Jesus G. "Chuy" Garcia

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