

VIA ELECTRONIC MAIL and U.S. MAIL

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DeKalb Board of Education
1701 Mountain Industrial Boulevard
Stone Mountain, Georgia 30083

October 15, 2014

Re: Withdrawal of Druid Hills Charter Cluster Petition

Dear Members of the DeKalb County Board of Education:

On behalf of the proposed Druid Hills Charter Cluster (DHCC), and with a sense of despair for DeKalb County, we the Board of Directors of DHCC hereby withdraw our petition to become a charter cluster. The DeKalb Board of Education has again failed and refused to put our petition on its agenda for a vote, despite the Georgia Legislature clearly and unambiguously requiring such action in the event of a re-file such as ours.

We believe that the DeKalb County Superintendent and his staff are so invested in the denial of our petition, the maintenance of fiscal and policy control, and preservation of certain central office budget requirements that our efforts are and will continue to be fruitless. As long as the Superintendent and his staff are allowed unfettered access to the Board of Education and permitted to provide inaccurate and misleading information, the Board will continue to vote on topics presented in a misinformed manner such that the employees rather than the duly elected officials control our schools.

Thousands of diverse hands nursed the idea of the charter cluster from a dream to the single best, most well-reasoned, and compelling petition for a charter cluster ever seen in Georgia. Community support was incredible with 92% of those who voted approving of the petition. Nevertheless, when presented with our petition, which the Georgia Department of Education stated “met all” requirements of law, was in the public interest, and should be approved, the DeKalb County School District (DCSD) actively opposed the petition, and the Board of Education voted against it based on the false and misleading information provided by the Superintendent and his staff.

The DCSD, an institution charged with protecting the best interest of the children, instead protected only its own status quo and budget through the basest of gamesmanship and bureaucratic nonsense. The DCSD responded to the petition with obvious disdain evidenced by its written commentary that was internally redundant, inconsistent, and expressly contradicted by the petition and applicable law. DCSD’s alleged “clarification meeting” meeting was a sham given that DCSD refused to answer any of our substantive questions.

Shockingly, the DCSD and the Superintendent actively mischaracterized material facts, the law, and statutorily mandated budget calculations to you, the partially-elected and partially-appointed DeKalb

County Board of Education. These misrepresentations should be investigated and, if determined by relevant authorities to be appropriate, prosecuted to the fullest extent of the law.

For example, staff acting as counsel for DCSD sought to conceal documents from the public and DHCC by fraudulently claiming they were protected by the attorney-client privilege. Similarly, staff members provided false documents to the Board indicating DCSD had implemented curriculum that it never has had, specifically Science, Technology, Engineering, Arts, and Math (STEAM); and further falsely implied that the DCSD had other curriculum in place that it does not.

DCSD staff further actively misrepresented budget items to you, the elected and Governor-appointed Board of Education. In particular, advocating that that the Board not approve the petition unless the Board deduct funds from the seven schools in an amount violating state statutes (O.C.G.A. § 20-2-2068.1), representing a withholding significantly higher than the lawful per pupil amounts from the schools, children, and educators, so that DCSD could keep those funds in its control and presumably fund central office activities. Ironically, while some staff criticized the DHCC for requesting too much funding (even though funding is specifically directed and mandated by the Charter Schools Act), other staff criticized DHCC for not having enough funds and positions in administration, comparing DHCC to Decatur City Schools, suggesting that more money should be taken from classroom instruction and directed to administration.

DCSD falsely claimed to the Board that the DHCC petition was not in the public interest and implied that the thousands of volunteers and hours put into the petition fell short of the required effort for granting such a petition. Only when specifically asked by the Board did DCSD's Charter Schools Director finally admit that the DHCC petition met all legal requirements, despite his office's recommendation that the petition be denied.

DCSD refused to meet with DHCC during the pendency of the petition, except for the single one-hour 'clarification' meeting. In contrast, DHCC offered to meet repeatedly with the Board, of which most offers were denied or went without answer. DHCC was not permitted to respond to DCSD's recommendation for denial of the Petition, and despite submitting open records requests, face to face requests to the DCSD's Charter Schools Office, and written requests for information on the recommendation, DHCC was unaware of the DCSD recommendation for denial until it was presented at the November 11 board meeting. DHCC requested opportunity to be present and speak at the November 11 Board meeting, but such request was denied (after being invited, then disinvited, then permitted to attend but not speak until spoken to regarding specific limited questions).

On behalf of DHCC, we request that the DeKalb County Board of Education institute an independent investigation of the allegations raised herein. These misrepresentations should not be tolerated by the Board, but must be investigated and addressed through Board action, including disciplinary action, censure, and report to proper authorities addressing licensing, fraud and misrepresentation of public resources. No representative of DCSD should ever be allowed to misstate law or fact to the Board of Education, a constitutional actor under Georgia law. Absent complete truth from DCSD, the Board will forever be unable to vote on any matter with full knowledge and confidence.

At the same time DCSD actively denies our efforts to create and implement a true, locally controlled charter cluster, it moves for system-wide charter status. Such a system-wide charter status under the control of DCSD is, we fear, a pretense useful only for DCSD to obtain more waivers and divert

more funds to the central office. Nothing from our now substantial experience with DCSD evidences a true desire to allow meaningful autonomy or local control at the cluster or school level.

We, the Board of Directors of the Druid Hills Charter Cluster, hereby withdraw our petition. DHCC reserves all rights with respect to this withdrawal, including but not limited to the right to re-file and avail the community of the right to a conversion charter, and all claims, demands, and other rights provided by law.

Beyond our conviction that the DeKalb County School District is irreversibly opposed to the DHCC, we step away from our efforts in order to give life to other active processes underway in our communities that affect our constituency, such as annexation and city-hood. Our cluster neighborhoods are involved in many of these alternative efforts to stimulate reform in our county school system, and the DHCC effort has always been about empowering local constituencies to act. We owe our parents the opportunity to get fully involved in those of their choosing that have a far greater likelihood of success than the DHCC has within the DeKalb County School District.

Sincerely,

Matthew S. Lewis /s/

Chair, Board of Directors, Druid Hills Charter Cluster, Inc

cc: Michael L. Thurmond, Superintendent, DeKalb County School District (via U.S. Mail only)
Samuel S. Olens, Attorney General, State of Georgia (via U.S. Mail only)
Robert D. James, Jr., DeKalb County District Attorney (via U.S. Mail only)
Garry McGiboney, Deputy Superintendent, External Affairs & Policy, Georgia Department of Education (via U.S. Mail only)
Louis J. Erste, Associate Superintendent, Charter Schools, Georgia Department of Education (via U.S. Mail only)
Lisa Kinnemore, Georgia Board of Education (4th Congressional District) (via U.S. Mail only)
Kenneth Mason, Georgia Board of Education (5th Congressional District) (via U.S. Mail only)
Barbara Hampton, CPA, Georgia Board of Education (6th Congressional District) (via U.S. Mail only)