



Durham Public Schools Board of Education
511 Cleveland Street
P.O. Box 30002
Durham, NC 27702

January 24, 2019

North Carolina State Board of Education
301N. Wilmington Street
Raleigh, NC 27601

Re: State Board of Education Meeting February 6-7, 2019 - Discovery Charter School

Dear State Board of Education,

Thank you for your dedicated service to North Carolina. Members of our Board previously wrote to you to express our concerns about two amendments for the proposed Discovery Charter School (Durham County) considered during the January 15th meeting of the NC Charter Schools Advisory Board. These changes to Discovery Charter School's application are significant and require thorough transparency and oversight by the State Board of Education. This oversight is required by state statute because the proposed school anticipates relocating 1) greater than 5 miles from their original proposed location and 2) with a significant decrease in student enrollment projections. We regret that the NC Charter Advisory Board did not respond to our letter and according to media reports recommended approval of these changes to the State Board of Education. As elected members representing the residents and taxpayers of Durham, we are asking your Board to carefully review and deny these proposed amendments.

Discovery Charter School was originally considered by the State Board of Education during the 2016 application process for planned opening in the 2017-18 academic year. If opened Discovery Charter School would be the 14th brick and mortar charter school operating in Durham County in addition to two virtual charter schools. In addition, local Durham County taxpayer funds support students in 34 additional charter schools that are located outside of Durham County with limited transparency and accountability to the public.

In our local community there has been significant controversy surrounding the proposed Discovery Charter School. Concerns include but are not limited to the lack of transportation for students and the lack of diversity on the Board of Directors of the proposed school. Furthermore, Discovery Charter School is currently involved in two pending lawsuits based on their proposed location in an environmentally sensitive watershed near the Little River, a main drinking water source in Durham. From the Board minutes from Discovery Charter School the lawsuits are still pending and resolution is unclear. "The first case that was held last year has moved on to Appellate Court. The 2nd case held in Superior Court in September has not been allowed to move forward because the judge in that case still has not signed the Order."

Board Members

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| <i>Mike Lee, Chair</i> District 1 919.241.8009 mike.lee@dpsnc.net | <i>Steven Unruhe, Vice Chair</i> At Large 919.475.7918 steven.unruhe@dpsnc.net | <i>Natalie Beyer</i> District 4 919.382.2823 natalie.beyer@dpsnc.net | <i>Xavier Cason</i> Consolidated Dist. B 919.323.1691 xavier.cason@dpsnc.net | <i>Bettina Umstead</i> District 2 984.219.2332 bettina.umstead@dpsnc.net | <i>Minnie Forte-Brown</i> Consolidated Dist. A 919.452.2177 minnie.forte-brown@dpsnc.net | <i>Matt Sears</i> District 3 919.389.1867 matt.sears@dpsnc.net |
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Despite these ongoing complex legal challenges, it is alarming that Discovery Charter School is proceeding to market and recruit students before consideration by or approval from the State Board of Education. From records submitted to your Board it appears that Discovery's Board of Directors voted at their November 26, 2018 meeting to approve a two-year lease at a site nine miles from the site identified in their original application. On November 29th, 2018 Discovery Charter began posting on social media that they will open in the Fall of 2019. Their website indicates they are currently taking applications and will hold a public lottery on March, 9 2019 despite the fact that your Boards have not considered or taken action on these proposed amendments.

In addition, they modified their plan to open with 125 sixth graders and 75 seventh graders in year one for a total of 200 students (total school capacity). Their plan indicates they will operate in year 2 by adding eighth grade but still only serving a total of 200 students in grades 6, 7 & 8. This is not a sound strategy for a healthy school community and seems to rely on significant negative student attrition.

Lastly the temporary site is located less than 1.4 miles from an existing middle school (Brogden Middle School) that currently has capacity for additional students and is operating under new leadership as an innovative, equity-focused middle school. Our district already has numerous middle schools focused on STEM and the arts.

Previously the State Board of Education let Discovery Charter School delay their opening until the 2018-19 school year due to its legal issues. Those legal issues and community concerns remain. As such we urge your Board to recognize the significant material changes in these proposed amendments and deny them. At a minimum we request that your Board table this item until you have an opportunity to visit our local community and understand these complex issues. We would be happy to meet with you or provide you with additional information as you consider these amendments.

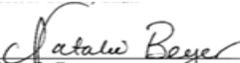
Sincerely,



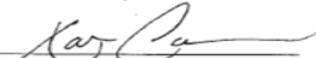
Mike Lee, Chair



Steve Unruhe, Vice-Chair



Natalie Beyer, Board Member & Legislative Liaison



Xavier Cason



Minnie Forte-Brown



Matt Sears



Bettina Umstead