

January 28, 2015

Ms. Peggy Young  
Education Division Director  
Buckeye Community Hope Foundation  
3021 E Dublin-Granville Rd  
Columbus OH 43231

Dear Ms. Young:

We are writing to you on behalf of the taxpayers, teachers, parents, community members and students of Ohio to ask you not to renew the charters of 11 schools operated by Concept Schools, Inc. The FBI [raided](#) Concept in June as part of an investigation into “white-collar crime,” self-dealing, and the apparent misuse of federal money meant for the neediest students.<sup>1</sup>

Our understanding of state law is that you must inform the schools that you are not renewing their charters by February 1. We ask that you take this step immediately.

The 11 Concept-run schools operate under the Horizon Science Academy (HSA) and Noble Academy brands: HSA Cleveland Elementary, HSA Columbus Middle, HSA Columbus Elementary School, HSA Dayton High, HSA Dayton Downtown (formerly Columbus West), HSA Denison Elementary, HSA Lorain, HSA Toledo Downtown, HSA Youngstown, Noble Academy Cleveland, and Noble Academy Columbus.

When a charter school is not serving students or taxpayers well, Buckeye has a duty not to renew the school when its charter expires. In fact, when a school’s operations are especially poor, Buckeye can, and arguably should, cancel contracts *before the* renewal date. But the renewal date provides a unique opportunity for Buckeye to step up, assert its authority, and protect taxpayers and students from poorly run schools. By taking this action at the end of the contract, Buckeye can hold the school’s operator and its board accountable without needlessly disrupting children’s lives by closing a school in the middle of the school year.

For at least the past year, the schools have been beset with well-documented problems that justify their closure. Former teachers at Ohio’s Dayton-area Concept Schools [testified](#) before the state department of education and made allegations about sexual harassment, covering up sexual activities of children that took place at school, attendance inflation, test tampering and racism.<sup>2</sup> A former teacher testified that a principal took no action against another teacher who referred to African-American students as “monkeys” and “dogs.” Concept schools have a history of being [insensitive to African-American students](#). One school’s dress code banned “Afro puffs.”<sup>3</sup> Following the allegations of test tampering, Innovation Ohio analyzed test scores at a Concept-run school and found a [huge disparity](#) between student scores on the independently administered ACT exams and their scores on state tests.

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<sup>1</sup> “[FBI Raided Local Charter School](#)” Cincinnati Enquirer, July 30, 2014.

<sup>2</sup> “[Charges of cheating and sexual harassment of students spark investigation of the Horizon Science Academy network](#),” The Plain Dealer, July 15, 2014.

<sup>3</sup> “[Ohio School Bans African American Hairstyles](#),” Daily Kos, June 21, 2013.

Innovation Ohio labeled the disparity a “red flag” and called for additional investigation by state auditors.<sup>4</sup> A September 2014 [ProgressOhio study](#) documented a pattern of cheating, as well as the hiring of felons and other unqualified teachers.<sup>5</sup>

Progress Ohio also highlighted the poor academic performance of many of Concept’s schools, including Buckeye-sponsored schools with contracts expiring this year. [HSA Cleveland Elementary](#), [HSA Columbus Middle](#), [HSA Columbus Elementary School](#), [HSA Dayton High](#), [HSA Dayton Downtown](#) (formerly Columbus West), [HSA Denison Elementary](#), [HSA Lorain](#), [HSA Toledo Downtown](#) and [HSA Youngstown](#), received an F on “key indicators met,” an important measure on the state’s report card. [Noble Academy Cleveland](#) and [Noble Academy Columbus](#) received a D.

The 2014 FBI raid was not Concept’s first run-in with federal and state investigators. In 2011, the FBI and the Departments of Education and Labor began [an investigation into Concept’s use of the H1B visa program](#) to recruit foreign nationals for teaching positions.<sup>6</sup> In Ohio schools alone, [at least 474 foreign teachers](#) arrived at Concept schools between 2005 and 2013.<sup>7</sup> Ohio state auditors found that a number of schools had hired teachers without proper certification and had “[illegally expended](#)” public funding on legal fees, immigration fees, and air travel costs for nonemployees.<sup>8</sup>

Under normal circumstances, it might be enough for Buckeye to require the schools to sign a contract rider forbidding them from contracting out operations to Concept, Inc. However, the schools are so closely tied to Concept that it is impossible for them to continue operating without Concept. That means the only way to remove Concept and address the ethical charges and possible legal violations is to end the school’s contract and close the school.

Closing a school is not an easy decision. Concept, Inc. has bused people to the State Capitol (apparently at taxpayer expense) and certainly will fight to keep the tax dollars flowing. But Buckeye must take responsibility for wrongdoing at schools you sponsor.

The National Association of Charter School Authorizers, which recommends that authorizers move aggressively to shut down poorly operated schools, has developed [best practices](#) for authorizers that must close a school. NACSA’s closure process focuses on “keeping the school open through the end of the school year, assisting students and parents in exploring and applying to new schools, and securing student records.”<sup>9</sup>

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<sup>4</sup>[Test Score Irregularities Raise More Questions about Embattled Horizon Academies](#), Innovation Ohio, July 29, 2014.

<sup>5</sup>[Concept Schools: Poor Results, Worse Oversight](#), ProgressOhio, September 15, 2014.

<sup>6</sup>[Money Trail of Jobs, Illegal Immigration Fees](#), Channel 5 (Cleveland), May 16, 2011.

<sup>7</sup>[Charter schools use Turkish ties, visas to get teachers](#), Cincinnati Enquirer, October 6, 2014.

<sup>8</sup>[Ohio taxpayers provide jobs to Turkish immigrants through charter school](#), Akron Beacon Journal, July 5, 2014.

<sup>9</sup>[Issue Brief: Navigating Closure](#), National Association of Charter School Authorizers, accessed December 4, 2014.

As you make this decision, please consider the possibility, or even likelihood, that the FBI investigation, the state's investigation, or lingering questions about H1B visas could lead to midyear closures of Concept-operated schools—an outcome that would disrupt children's and parents' lives. If Buckeye fails to take appropriate action in the face of the school's many problems, we will petition the Ohio Department of Education and the State Board of Education to revoke Buckeye's authority to sponsor charter schools in the future.

Respectfully,

Common Good Ohio  
In the Public Interest  
Ohio AFL-CIO  
Ohio Coalition for Equity and Adequacy of School Funding  
Ohio Federation of Teachers  
Ohio PTA  
Ohio Retired Teachers Association  
Policy Matters Ohio

cc: State Board of Education, Ohio Department of Education