**Denis Smith: Charter schools are withholding public records**

Posted at 12:01 AM Updated at 7:33 AM

Is the Public Records Act working in Ohio, particularly when it comes to receiving information about charter schools? If one recent example is typical of compliance with the statute, the answer is probably no.

According to the attorney general’s website, “When it receives a public-records request for specific existing records, the public office must provide inspection of the requested records during regular business hours or provide copies within a reasonable period of time.”

The key question, of course, is who provides the definition of a reasonable period?

On May 2, William Phillis, executive director of the Ohio Coalition for Equity & Adequacy of School Funding, filed a public-records request with three organizations that are central to the state’s charter-school industry. These entities include the Ohio Department of Education, which provides the overall legal oversight, and two of the largest charter-school sponsors, or authorizers, as they are also known.

The first sponsor addressed was the Educational Service Center of Lake Erie West. Like ODE, the ESC of Lake Erie West, formerly known as the Lucas County ESC, is a public agency fully accountable under the Public Records Act. Some readers may recall the ESC as the long-time sponsor of the now-defunct ECOT, the Electronic Classroom of Tomorrow.

Phillis also sent a records request to an additional sponsor, the Buckeye Community Hope Foundation, which, unlike ODE and the educational service center, is a nonprofit organization.

The nature of the public-records request was to examine correspondence between the sponsors, the Ohio Department of Education, and the schools regarding compliance, reviews by the sponsors, governance and overall school performance.

In particular, the two sponsors are responsible for providing oversight and ensuring legal compliance with a chain of 17 schools that operate under the names Horizon Science Academy and Noble Academy and are affiliated with the management firm Concept Schools, based in Chicago.

These schools, which are associated with the Turkish cleric Fethullah Gulen, have been the subject of controversy for years. For example, three of the Ohio schools in the Gulen chain were the targets of an FBI raid in 2014, and that investigation appears to be ongoing.

On a national level, the Gulen schools are known for their practice of hiring Turkish nationals to fill teaching positions at some of their schools. One investigation found that in Ohio alone, 657 H-1B visa applications, which are designed to enable the temporary use of skilled workers, were filed by the management organization in a 15-year period. In theory, every guest international teacher replaces a qualified American teacher, all at taxpayer expense.

In the area of management and governance, there are concerns, as the Akron Beacon-Journal reported earlier, that these “schools are run almost exclusively by persons of Turkish heritage, some of whom are not U.S. citizens,” of money transfers to individuals in Istanbul, Turkey, and other issues, some of which appeared in state audits. Additional questions involve a foundation with ties to the chain for its practice of offering trips to Turkey for public officials. Former Ohio Speaker Cliff Rosenberger was one individual awarded all-expense-paid travel prior to his accession to the House leadership.

The ever-developing ECOT scandal has validated the need for more-active oversight of all state charter schools, and the Horizon-Noble Gulen chain is a clear example of additional monitoring that must be performed by the state and the two authorizers, which receive millions in state tax dollars for such purposes.

An extended period of time has elapsed since the Ohio Coalition requested the public records. On June 4, the Buckeye Community Hope Foundation did respond through an attorney. “The Buckeye Community Hope Foundation is not a public entity subject to public records,” was part of its reply to Phillis. As of this writing, there has been silence from the two public entities. This is unacceptable and violates the spirit and the letter of the statute.

As the ECOT debacle has shown, there is a major problem with the management and governance of Ohio charter schools, and the public has a right to know more about questions surrounding one of the national charter school chains operating in Ohio.

For years, the American Society of News Editors has sponsored an event called Sunshine Week in honor of the public’s right to know about their government. Schools are a basic part of our system of self-governance. We cannot allow this public-records request to be ignored by those who otherwise benefit from the receipt of public funds.

“Sunlight is said to be the best of disinfectants,” Louis Brandeis once said. Ohio citizens need to insist that the Public Records Act must be the vehicle to provide answers to lingering questions about how our tax money is expended for what should be a proper public purpose.

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