

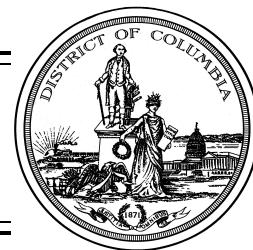
---

---

**COMMITTEE ON EDUCATION**  
DAVID GROSSO, CHAIRPERSON  
FISCAL YEAR 2015 COMMITTEE BUDGET REPORT

---

---



**TO:** Members of the Council of the District of Columbia

**FROM:** Councilmember David Grosso  
Chairperson, Committee on Education

**DATE:** May 14, 2015

**SUBJECT:** DRAFT Report and Recommendations of the Committee on Education on the Fiscal Year 2016 Budget for Agencies under Its Purview

The Committee on Education (Committee), having conducted hearings and received testimony on the Mayor's proposed Fiscal Year 2016 (FY16) operating and capital budgets for the agencies under its purview, reports its recommendations for review and consideration by the Committee of the Whole. The Committee also comments on several sections in the FY16 Budget Support Act of 2014, as proposed by the Mayor.

**TABLE OF CONTENTS**

**I. EXECUTIVE SUMMARY**

**II. AGENCY FISCAL YEAR 2016 BUDGET RECOMMENDATIONS**

Introduction .....	2
A. District of Columbia Public Schools.....	5
B. Office of the State Superintendent of Education.....	21
C. District of Columbia Public Charter Schools .....	28
D. District of Columbia Public Library .....	31
E. D.C. Public Library Trust.....	37
F. District of Columbia Public Charter School Board.....	38
G. Non-Public Tuition.....	45
H. Special Education Transportation.....	47
I. State Board of Education.....	49
J. Deputy Mayor for Education.....	52

**III. FISCAL YEAR 2016 BUDGET REQUEST ACT RECOMMENDATIONS..... 57**

<b>IV. FISCAL YEAR 2016 BUDGET SUPPORT ACT RECOMMENDATIONS.....</b>	<b>58</b>
A. Recommendations on Budget Support Act Subtitles Proposed by the Mayor .....	58
B. Recommendations for New Budget Support Act Subtitles.....	58

**V. COMMITTEE ACTION AND VOTE ..... 78**

**VI. ATTACHMENTS ..... 80**

# I. EXECUTIVE SUMMARY

The following is a summary of the Committee's recommendations for the FY16 operating budget, full-time equivalents (FTEs), and capital budgets for the agencies and programs under its purview.

	FY 2015 Approved	FY 2016 Mayor Proposed	Committee Variance	FY 2016 Committee
Total Fund				
100 LOCAL FUND	1,747,639,344	1,767,389,051	(3,340,056)	1,764,048,995
110 DEDICATED TAXES	4,266,000	4,305,561	0	4,305,561
150 FEDERAL PAYMENTS	59,999,999	80,000,001	0	80,000,001
200 FEDERAL GRANT FUND	249,429,128	244,706,796	0	244,706,796
400 PRIVATE GRANT FUND	117,147	103,679	0	103,679
450 PRIVATE DONATIONS	0	28,300	0	28,300
600 SPECIAL PURPOSE REVENUE FUNDS	15,273,333	16,668,563	0	16,668,563
620 ENTERPRISE AND OTHER FUNDS - O TYPES	17,000	17,000	0	17,000
700 INTRA-DISTRICT FUNDS	147,445,410	141,715,834	0	141,715,834
<b>GROSS FUNDS</b>	<b>2,224,187,361</b>	<b>2,254,934,785</b>	<b>(3,340,056)</b>	<b>2,251,594,729</b>

	FY 2015 Approved FTE	FY 2016 Mayor Proposed FTE	Committee Variance FTE	FY 2016 Committee FTE
100--Local Funds	9,533.90	9,468.42	0	9,468.42
110--Dedicated Taxes	10.90	10.90	0	10.90
150--Federal Payments	15.10	192.50	0	192.50
200--Federal Grant Fund	525.40	339.25	0	339.25
400--Private Grant Fund	0.90	0.93	0	0.93
600--Special Purpose Revenue Funds	14.50	12.50	0	12.50
700--Intra-District Funds	561.20	501.56	0	501.56
<b>GROSS FTES</b>	<b>10,661.90</b>	<b>10,526.06</b>	<b>0</b>	<b>10,526.06</b>

	FY 2015 Approved	FY 2016 Mayor Proposed	Committee Variance	FY 2016 Committee
NPS--Nonpersonal Services	1,423,258,020	1,417,315,032	(1,880,028)	1,415,435,004
20--SUPPLIES AND MATERIALS	16,429,085	17,841,865	0	17,841,865
30--ENERGY, COMM. AND BLDG RENTALS	25,679,358	26,576,232	0	26,576,232
31--TELEPHONE, TELEGRAPH, TELEGRAM, ETC	4,795,699	4,734,276	0	4,734,276
32--RENTALS - LAND AND STRUCTURES	14,506,157	13,949,488	0	13,949,488
33--JANITORIAL SERVICES	38,500	0	0	0
34--SECURITY SERVICES	1,791,811	670,265	0	670,265
35--OCCUPANCY FIXED COSTS	408,680	280,294	0	280,294
40--OTHER SERVICES AND CHARGES	34,105,729	34,356,665	959,776	35,316,441

41--CONTRACTUAL SERVICES - OTHER	164,213,378	156,445,517	0	156,445,517
50--SUBSIDIES AND TRANSFERS	1,141,747,894	1,143,111,638	(2,419,804)	1,140,271,834
70--EQUIPMENT & EQUIPMENT RENTAL	19,541,729	19,348,792	0	19,348,792
PS--Personal Services	800,929,341	837,619,753	0	837,619,753
11--REGULAR PAY - CONT FULL TIME	598,263,962	636,086,632	0	636,086,632
12--REGULAR PAY - OTHER	64,133,575	59,836,130	0	59,836,130
13--ADDITIONAL GROSS PAY	20,782,300	24,397,455	0	24,397,455
14--FRINGE BENEFITS - CURR PERSONNEL	113,313,573	112,528,263	0	112,528,263
15--OVERTIME PAY	4,435,931	4,771,273	0	4,771,273
<b>GROSS FUNDS</b>	<b>2,224,187,361</b>	<b>2,254,934,785</b>	<b>(3,340,056)</b>	<b>2,251,594,729</b>

## A. INTRODUCTION

Pursuant to Council Rules for Council Period 21, the Committee on Education is responsible for reviewing and making recommendations regarding the budgets for the following agencies and programs:

- District of Columbia Public Schools
- Office of the State Superintendent of Education
- District of Columbia Public Charter Schools
- District of Columbia Public Library
- District of Columbia Public Charter School Board
- Non-Public Tuition
- Special Education Transportation
- D.C. State Board of Education
- Deputy Mayor for Education

On April 2, 2015, Mayor Muriel Bowser submitted to the Council of the District of Columbia a proposed operating budget and financial plan for the upcoming fiscal year. The Committee held the following hearings to review the proposed FY16 budgets for those agencies under its purview:

April 21, 2015	Deputy Mayor for Education and District of Columbia Public Library
April 22, 2015	Public Charter School Board
April 23, 2015	District of Columbia Public Schools – Public Witnesses
April 28, 2015	District of Columbia Public Schools – Government Witnesses
April 30, 2015	State Board of Education, Office of the State Superintendent of Education, Non-Public Tuition, Special Education Transportation, and Public Charter School Payments

In preparation for these hearings, the Committee submitted a series of questions to the agencies in order to better understand the proposed budget as submitted to the Council. Responses submitted to the Committee have been made public on the D.C. Council website ([www.dccouncil.us](http://www.dccouncil.us)) and at the Committee on Education office (Suite 116) located in the John A. Wilson Building. A video recording of the hearings can be obtained through the Office of Cable Television or at <http://dccouncil.us/videos/archive/>.

Information offered in the agency submission, along with public testimony offered at the hearings, provided the Committee with critical guidance as it review the Mayor's FY16 budget request and developed recommendations contained in this report.

## A. DISTRICT OF COLUMBIA PUBLIC SCHOOLS

The mission of the District of Columbia Public Schools (DCPS) is to provide a world-class education that prepares all students, regardless of background or circumstance, for success in college, career, and life.

The DCPS budget is organized into three main divisions: Central Office, School Support, and Schools. Each of these three divisions is broken down into separate activities, all of which align to both the agency's spending plan and its organizational chart.

### FISCAL YEAR 2016 OPERATING BUDGET

#### *Mayor's Proposed Budget*

The Mayor's FY16 budget proposal included \$884,744,375 in gross operating funds for DCPS, a 2 percent increase from the FY15 approved budget. The proposed budget supports 8,114.9 FTEs, a 5.3 FTE decrease from FY15.

#### *Local Funds (100)*

The proposed FY16 budget for DCPS included \$726,294,000 in local funds, a \$24,149,000 increase from the FY15 approved budget. This increase is due to an increase in projected enrollment. The FY16 UPSFF at \$9,492 is the same level as in FY15.

#### *Federal Grants (200)*

The proposed FY16 budget for DCPS included \$31,230,000 in federal grants, a \$7,227,664 decrease from the FY15 approved budget. This decrease is due to expiring grants in fiscal year 2015 and projected award amounts.

#### *Federal Payments (250)*

The proposed FY16 budget for DCPS included \$20,000,000 in federal payments, a \$5,000,000 increase from the FY15 approved budget. This increase is due to the need to align with the President's budget request.

#### *Private Grants (400)*

The proposed FY16 budget for DCPS included \$0 in private grants, which is the same as the FY15 approved budget.

#### *Special Purpose Revenue (600)*

The proposed FY16 budget for DCPS included \$7,138,000 in special purpose revenue, a decrease of \$406,231. This decrease is primarily due to a reduction in the Non-Resident Tuition fund responsible for collecting tuition payments made by non-District residents parents and the Department of Health and Human Services Afterschool Parent Copay fund that provides District-funded child care services to eligible District residents.

#### *Intra-District Funds (700)*

The proposed FY16 budget for DCPS included \$100,083,000 in intra-district funds, a decrease of \$4,175,577 from the FY15 approved budget. This decrease is due to projected Memorandum of Understanding (MOU) agreements with Office of the State Superintendent of Education, Department of Youth Rehabilitation Services, and the Department of Human Services.

#### *Committee Comments & Analysis*

### At-Risk Funding

The proposed FY16 budget for DCPS includes a funding allocation for at-risk students within the UPSFF. The Fair Student Funding and School Based Budgeting Act of 2013 (“Fair Funding Act”) defines “at-risk” as any DCPS student or public charter school student who is identified as one or more of the following: (1) Homeless; (2) In the District’s foster care system; (3) Qualifies for the Temporary Assistance for Needy Families program or the Supplemental Nutrition Assistance Program; or (4) A high school student that is one year older, or more, than the expected age for the grade in which the student is enrolled.

The Fair Funding Act also requires that DCPS distribute its at-risk allocation proportionally based on where the at-risk students actually attend school. During FY15, DCPS did not distribute the funds based on the requirement of the law. Instead, DCPS used its allotment of at-risk funds to support a variety of initiatives, some of which support at-risk students generally, while others aligned to the Chancellor’s goals of improving middle grades and boosting student satisfaction. Many public witnesses raised their concerns about how at-risk funds were distributed during the Committee’s performance oversight hearing for DCPS. Data showed that some schools with high numbers of at-risk students got relatively little funding, while others with small numbers of at-risk students got more. Capitol Hill Montessori @ Logan, for instance, had 33 at-risk students this school year, but received \$636,800 in at-risk dollars versus the \$68,607 indicated by the funding formula.

In response to the concerns, at the government portion of the DCPS budget hearing, the DCPS Chancellor Kaya Henderson made a commitment to invest “at-risk” funds in school proportionately to the student population for school year 2015-2016. The proposed FY16 budget reflects this commitment. Schools with the greatest at-risk populations received the most funding and those with the smallest populations received the least.

Since at-risk funds were not allocated as outlined in the law in FY15, some schools that received a larger share of at-risk funds last year than their student population dictated saw reductions in their school budgets, while other schools saw increases. While some of these cuts were a bit of a shock to certain school communities, the Committee remains committed to at-risk funding and providing additional resources to schools with large at-risk student populations.

One change to the Fair Funding Act that the Council made earlier this year through emergency legislation was provide the Chancellor with more discretion on how at-risk funds can be spent. In the original law, at-risk funds were to be spent at the discretion of the principals in consultation with their Local School Advisory Team (LSAT). With this change, DCPS was able to provide schools with large at-risk allocations a menu of options for which they could choose to invest funds. Other schools were not afforded this similar flexibility.

After reviewing how some at-risk allocations are proposed to be spent for FY16, the Committee is concerned that perhaps there has not been enough money invested through the UPSFF to ensure that at-risk funds are being used solely to supplement investments in schools rather than supplant. For instance, several schools are using at-risk funds for general education teachers, related arts teachers, and even custodial supply investments. When the Council approved the Fair Funding Act, these were not some of the things members of the Council felt at-risk funds would be spent on. The Committee has required that DCPS submit an annual report on how at-risk funds will be spent and will continue to monitor and work with DCPS on this issue for the FY17 budget.

### Extended Day and Afterschool Programming

For yet another year, DCPS' proposed budget prioritizes investments in Extended Day programs. DCPS strongly believes that the additional instructional time has the potential to dramatically increase student performance. As a result, funds were allocated to expand Extended Day sites to all of the middle schools and to the lowest-performing schools. Since Extended Day programs will extend the school day in most cases only until 4:15pm, the proposed FY16 budget for DCPS continues to fund out-of-school programming for students. In FY15, DCPS allocated \$9,200,000 in afterschool and Extended Day, and in FY16 allocated \$9,100,000.

During the budget hearing, several community based organization (CBOs) that currently provide afterschool services shared testimony about the impact that these cuts would have on them and the current service level to families. In written questions and during the budget hearing, the Committee questioned DCPS about the development of its proposed FY16 budgets with regard to after school and Extended Day at individual schools. DCPS maintains that the reduction of \$100,000 is reflection of the efficiencies that can be reached a school offers *both* Extended Day and afterschool. Further, DCPS has assured the Committee and school communities that there will be no reduction in service levels to families in FY16.

While the Committee is supportive of DCPS' efforts to provide additional instructional time to students, we are concerned about the potential impact the proposed reduction in the DCPS budget for afterschool *combined* with the Mayor's proposed budget reduction for the D.C. Trust will have on CBOs ability to continue to provide out-of-school time services to DCPS. Although the D.C. Trust is under the jurisdiction of the Committee on Health and Human Services, the Committee urges the Council and the Mayor to restore the funding to the D.C. Trust. The Committee also encourages DCPS to monitor this situation throughout the summer and utilize reserve funds, if necessary, to fill any gaps to service to families that may arise as a result of funding challenges for CBOs.

#### Per Pupil Funding Minimum

In FY09, DCPS began to allocate school budgets using a comprehensive staffing model rather than on a strict per student basis. The staffing model allocates teachers, staff positions, and as a result funding, based on a number of factors including student enrollment, school type, make-up of the student population, and the courses DCPS believes all schools should offer. The goal behind the staffing model was to ensure that all schools offer comparable programming across DCPS regardless of size.

While the comprehensive staffing model benefited smaller schools, one of its drawbacks was that regardless of enrollment growth, larger schools often lost programming so that smaller schools could still offer full programming. Therefore, in 2010, DCPS instituted a payment known as the per pupil funding minimum (PPFM) to larger schools to prevent this from happening.

Due to the cost of the new initiatives and the relatively small increase in the proposed budget this year (2 percent), DCPS was unable to offer the PPFM. Therefore, schools such as Wilson High School and Ballou High School that both benefited from the PPFM saw net reductions in their initial school budget allocations. Since the initial school budget allocations were released in March, the Committee has heard from numerous students and members of the community about the impact of these reductions. The Committee questioned DCPS about the impacts of not offering the PPFM this year. Although those schools saw reductions in staff positions that were not instructional, they provided critical academic and administrative support to those school communities. The entire PPFM could not be restored this year, however, DCPS was able to internally identify funds to increase the school budget allocation to Ballou High School by \$200,000. With the additional funds provided to DCPS due to overall projected enrollment increases, the Committee strongly recommends and anticipates that DCPS increase the school budget allocation to Wilson High School as well.

As long as DCPS continues to use the comprehensive staffing model, the Committee feels as though the PPFM should be incorporated. We recognize that the use of PPFM as an equity tool is only as good as the funds available, and therefore, the Committee encourages the Mayor and DCPS to consider this when crafting future budget proposals for schools.

### Empowering Males of Color

In January, DCPS announced a plan to invest \$20 million in new support programs for Black and Latino males students known as the Empowering Males of Color (EMOC) initiative. Currently, male students of color make up 43 percent of the overall DCPS student population. By fourth grade, nearly 50 percent of Black and Latino males are reading below grade level. According to the National Assessment of Education Progress (NAEP), although D.C.'s scores improved overall in 2013, 8<sup>th</sup> grade Black and Latino students had an average reading score that 54 and 49 points, respectively, lower than White students. Further, only 48 percent of Black male students and 57 percent of Hispanic male students graduate in four years, compared with 66 percent of their peers.

Over three years, DCPS plans to focus certain funds on enhancing the academic, and social-emotional development of black and Latino male students, implement a volunteer-based mentorship program for 500 students focused on literacy, and more aggressively recruit males of color to be teachers. Under EMOC, DCPS also plans partner with the Chicago-based charter school, Urban Prep Academies, to open an all-boys college preparatory high school in the Deanwood neighborhood of Ward 7.

While much of EMOC will be privately financed, it has received much attention this budget season due to its singular gender focus. During the budget hearing for DCPS, some witnesses questioned the legality of a public school system opening a single-sex school and the plan to offer educational opportunities and benefits only to boys. Other public witnesses contend that data shows that Black girls are struggling just as much as their male counterparts and therefore DCPS should broaden its approach. The Committee questioned DCPS about its plans for EMOC during the budget oversight hearing with DCPS government witnesses. Chancellor Henderson acknowledged that while the outcomes for young women are not all perfect, there is validity to why EMOC is needed for D.C. at this time.

“To be frank, this is not just about CAS scores. If you go to any DCPS graduation and you count the number of girls graduating versus the number of boys who are graduating, there is a stark difference. If you look at our jail, our college campuses—if you look at all of these places down the line. [...] Our women are struggling for sure, but they are not struggling with the same issues. And we should absolutely figure out what their issues are and how to help support them through it. But, our young ladies are somehow or another, despite their circumstances, figuring out how to navigate the system that our young men still cannot. Why? Because the system is not designed to support them. And I can't preside over a system that continues to marginalize our young men, to cut off their opportunities. I mean, everything you read in the paper today – 1.5 million black men missing because they are in jail or because they died early. And we just want to keep on doing the same thing that we're doing? I can't do that.”

The Committee recognizes that there are severe racial disparities in educational outcomes in the District of Columbia, and supports thoughtful approaches and solutions that will address those disparities. EMOC is one. While the Committee appreciates the legal debate regarding EMOC, it is also confident that this government can craft an initiative to provide targeted support to groups of students within the bounds of the law. The expressed support of EMOC in no way suggests that DCPS should not provide intervention and supports for young women. Over the next year, the Committee urges DCPS to study and understand the specific challenges facing young women of color in its schools, and develop an appropriate strategy



to address those needs and ensure that proposed programs or interventions are properly resourced. The Committee will continue to monitor the implementation of EMOC and will follow-up with DCPS later this year on its progress in that endeavor.

### ***Committee Recommendations***

The Committee recommends a gross operating budget of \$885,438,345. This is an \$693,970 increase from the Mayor's request. The Committee also recommends 8,114.9 FTEs for the District of Columbia Public Schools. This increase is a result of updated enrollment information for the public education system that yields an additional 45 students to DCPS, and thus an adjustment to overall enrollment and funding.

### ***Fiscal Year 2016 Operating Budget, by Revenue Type***

	FY 2015 Approved	FY 2016 Mayor Proposed	Committee Variance	FY 2016 Committee
<b>GA0 - DISTRICT OF COLUMBIA PUBLIC SCHOOLS</b>				
100 LOCAL FUND	702,144,819	726,293,846	693,970	726,987,816
150 FEDERAL PAYMENTS	15,000,000	20,000,000	0	20,000,000
200 FEDERAL GRANT FUND	38,458,030	31,230,382	0	31,230,382
600 SPECIAL PURPOSE REVENUE FUNDS	7,543,916	7,137,686	0	7,137,686
700 INTRA-DISTRICT FUNDS	104,257,123	100,082,527	0	100,082,527
<b>GROSS FUNDS</b>	<b>867,403,888</b>	<b>884,744,441</b>	<b>693,970</b>	<b>885,438,411</b>

### ***Fiscal Year 2016 Full-Time Equivalents, By Revenue Type***

	FY 2016 Approved FTE	FY 2016 Mayor Proposed FTE	Committee Variance FTE	FY 2016 Committee FTE
<b>GA0 - DISTRICT OF COLUMBIA PUBLIC SCHOOLS</b>				
100 LOCAL FUND	7,137.70	7,195.03	0	7,195.03
150 FEDERAL PAYMENTS	0	176.00	0	176.00
200 FEDERAL GRANT FUND	412.30	234.00	0	234.00
600 SPECIAL PURPOSE REVENUE FUNDS	13.50	12.50	0	12.50
700 INTRA-DISTRICT FUNDS	558.00	497.41	0	497.41
<b>GROSS FTES</b>	<b>8,121.50</b>	<b>8,114.94</b>	<b>0</b>	<b>8,114.94</b>

### ***Fiscal Year 2016 Operating Budget, By Comptroller Source Group (Gross Funds)***

	FY15 Approved	FY16 Mayor's Proposed	Committee Variance	FY16 Committee
<b>GA0 - DISTRICT OF COLUMBIA PUBLIC SCHOOLS</b>				
<b>Personal Services (PS)</b>	<b>639,808,091</b>	<b>672,422,283</b>	<b>0</b>	<b>672,422,283</b>
11--REGULAR PAY - CONT FULL TIME	527,171,088	559,877,168	0	559,877,168
12--REGULAR PAY - OTHER	10,874,545	8,540,252	0	8,540,252
13--ADDITIONAL GROSS PAY	20,207,875	23,482,725	0	23,482,725
14--FRINGE BENEFITS - CURR PERSONNEL	80,419,652	79,139,115	0	79,139,115

15--OVERTIME PAY	1,134,931	1,383,023	0	1,383,023
<b>Nonpersonal Services (NPS)</b>	<b>227,595,797</b>	<b>212,322,158</b>	<b>693,970</b>	<b>213,016,128</b>
20--SUPPLIES AND MATERIALS	14,432,519	16,154,884	0	16,154,884
30--ENERGY, COMM. AND BLDG RENTALS	20,886,312	22,021,483	0	22,021,483
31--TELEPHONE, TELEGRAPH, TELEGRAM, ETC	3,477,235	3,602,044	0	3,602,044
32--RENTALS - LAND AND STRUCTURES	6,894,661	7,108,122	0	7,108,122
33--JANITORIAL SERVICES	38,500	0	0	0
34--SECURITY SERVICES	697,528	90,841	0	90,841
40--OTHER SERVICES AND CHARGES	15,853,774	17,919,760	693,970	18,613,730
41--CONTRACTUAL SERVICES - OTHER	130,486,909	120,035,883	0	120,035,883
50--SUBSIDIES AND TRANSFERS	22,660,280	11,937,042	0	11,937,042
70--EQUIPMENT & EQUIPMENT RENTAL	12,168,079	13,452,099	0	13,452,099
<b>GROSS FUNDS</b>	<b>867,403,888</b>	<b>884,744,441</b>	<b>693,970</b>	<b>885,438,411</b>

### Committee Adjustments to the Operating Budget

The Committee makes the following adjustments to the proposed FY16 operating budget for DCPS:

PROGRAM: *Enrollment Reserve*

APPROPRIATION TITLE: *Local Funds*

*CSG50 (subsidies and transfers)*

The Committee recommends an increase of \$693,970 in subsidies and transfers for DCPS' Enrollment Reserve. This additional \$693,970 was identified as savings in the Public Charter Schools. The Committee directs that a portion (at least half) of these funds be directed to the schools impacted by the DCPS' decision not to offer the Per Pupil Funding Minimum this year.

## **FISCAL YEAR 2016 CAPITAL BUDGET**

### ***Mayor's Proposed Budget***

The Mayor's proposed budget for DCPS includes \$334,802,500 in capital funds for fiscal year 2016 with a six-year total for fiscal years 2016 through 2021 of \$1,268,587,000.

### ***Committee Comments & Analysis***

When the capital modernization process started in earnest in 2008, the Master Facilities Plan was designed to prioritize improvements that will enhance the learning environment, improve student performance, and advance educational outcomes within 5 years rather than pursuing more capital-intensive building programs that could require more than a decade for all schools to be addressed. The public was told that every school's academic components would be modernized in 5 years.

Even after spending over a billion dollars thus far, the Committee was surprised to learn that 24 schools still have not been touched. Thirteen of those are elementary schools, of which 7 are East of the River. Over the years, projects have gotten more and more expensive, many saw expansion in their scopes of work beyond the traditional Phase I scope of work, and the ordering of school projects became progressively more political. School communities that were able to mobilize and effectively lobby the government went first. Communities that were not as organized had their projects delayed.

During the performance oversight hearing for DCPS earlier this year, the Committee questioned DCPS about the state of the capital improvement plan (CIP). To DCPS' credit, they were honest in their assessment when Chancellor Henderson stated in response: "My very honest assessment is that the whole CIP process is jacked up." At the time, the Committee and DCPS discussed establishing objective business rules with regard to school modernizations. That process was to take place over the course of this year and be implemented for the FY17 budget; however, after seeing the Mayor's proposed FY16 capital budget for DCPS, the Committee could not in good conscience approve the budget as is and sought to implement more objective rules this year.

Since the release of the budget, the Committee has engaged and worked with DCPS, the Deputy Mayor for Education (DME), and the Department of General Services (DGS) to develop an objective tool and plan for the CIP going forward. Our objectives for possible changes were the following:

1. Ensure that the CIP reflects equity focused planning, aligns investments with student demand, upholds the values of community centered schools, and builds facilities to support quality educational programs;
2. Exercise greater discipline in managing the scope and budget for the projects; and
3. Increase transparency in the capital funding process, including delineating general stabilization fund categories such as roof repairs, boiler repairs, ADA compliance, and electrical upgrades to school specific projects.

In April, the Committee released draft measures and factors centered on equity, student demand, community centered schools, and educational effectiveness it would consider for prioritizing projects in the 6-year CIP. The Committee received 297 responses of feedback. The majority of respondents agreed or strongly agreed that we were considering the right factors and measures. However, after reviewing public comments, assessing the availability of certain data and the value of certain points, and much discussion with DCPS, the DME, and DGS, the Committee did edit its rules.

#### Methodology

The Committee crafted a tool that orders schools based on the following measures.

<b>Equity (50%)</b>	<b>Date and Type of Last Major Construction (17.5%)</b> - Evaluates date and type of last major construction. (Source: DGS/DCPS)
	<b>FY08-FY15 Investments (15%)</b> - Capital expenditures for modernization and small capital/stabilization for FY2008-FY2015 (as of May 20, 2015). (Source: DGS/ Office of Budget and Planning)
	<b>Facility Condition (17.5%)</b> - Evaluation of the facility condition based on the assessment submitted by DGS/DME for the 2014 Master Facilities Plan Supplemental. This does not take into account modernization or stabilization work planned or ongoing in FY15. (Source: DGS)
<b>Demand (25%)</b>	<b>Enrollment Growth (12.5%)</b> - Percentage of enrollment growth over the past three school years based on audited enrollment. (Source: DCPS/OSSE)
	<b>Building Utilization (12.5%)</b> - Percent of building utilization. (Source: DGS/DCPS)
<b>Community (25%)</b>	<b>By Right Need (11.5%)</b> - Evaluates in-boundary school age children as compared to building capacity. (Source: DME)
	<b>Child Population Growth (11.5%)</b> - Percent change in projected number of school age children in neighborhood cluster from 2014 to 2020. The different age range for each type of school was used. (Source: Office of Planning)

For most categories (FY08-FY15 Investments; Facility Condition; Enrollment Growth; Building Utilization; By Right Need; and Pre-K), each school currently open in DCPS' inventory was provided a standard score of 1 to 5 based on the normal distribution or "bell curve" of the data. The score for Date and Type of Last Major Construction was calculated based on time elapsed since construction and construction type. The index was created in consultation with DCPS recognizing that the scope of work for earlier phased modernization projects were limited in compared to the Phase I projects for the past 3 years. The standard score for Child Population Growth was based on the normal distribution within the school type cluster (elementary school, middle school, high school, and education campuses not slated to convert to an elementary school). See [Attachment XX](#) for a complete index.

The maximum base score is 5. After calculating the base score, there are two bonus categories: (1) whether or not there are currently portables on the site of the school; and (2) whether or not 75 percent or more of the student population is classified as "at-risk" as defined by the Fair Funding Act. Each school was provided a score of 1 if either category was true weighted at 25%. Therefore, the final maximum score is 5.5. Application and alternative high schools, as well as schools with citywide enrollment have an alternative score in recognition that several categories such as By-Right Need do not apply. Further, we acknowledge that DCPS Central Office rather than actual demand controls Enrollment Growth for these schools. See [Attachment XX](#) for a complete ranking of the schools.

#### Other Considerations

There are other factors the Committee considered outside of the analytical tool when considering recommendations for the CIP. The first was whether or not a school was currently under construction. In a similar vein, the Committee considered if a school would have already been under construction if there had not been the need for additional planning. The Committee also considered the scope and sequence of projects, particularly with regard to education campuses. Based on the recommendation of the Student Assignment and School Boundaries Review Process, schools such as Raymond Education Campus and West Education Campus are slated to become elementary schools after the opening of a new Ward 4 middle school. It is the Committee's recommendation that the modernizations of those education campuses should follow the completion of the new middle school despite where they fall in the rankings to ensure the modernization is for the appropriate age group that will be in that building for the next 30 years.

There were also financial considerations that the Committee analyzed. During the DCPS budget hearings, public witnesses advocated for 20 different schools to begin construction in FY16. Each testimony and situation was compelling; however, that was just not possible with the overall proposed budget allocation for school modernizations. In FY15, there was a total of \$426,179,000 approved to spend on school modernization and stabilization projects. For FY16 in the Mayor's proposed budget, there is a total of \$334,803,000. By FY18, the proposed total spend on school modernization and stabilization projects reduces to \$122,715,000. That is a reduction in investment of over \$300 million in three years for school modernization. Unfortunately, the Committee was only able to slightly increase capital funds available for FY16 through utilizing the unspent allotments in certain closed projects. Recognizing that funds are limited and that there are still 24 schools that still have not seen modernization, the Committee is recommending that DCPS revert back to phased modernizations for elementary schools unless the school is an "open-concept" floor plan, the school is co-located with another agency whose facility is also being modernized, or the complexity of the project makes phasing almost impossible or cost prohibitive.

#### ***Committee Recommendations***

The Committee recommends a 6-year total capital budget of \$1,268,587,000 for DCPS, of which \$348,473,747 and 14.7 FTEs will be allocated for FY16. This is an increase of \$13,671,247 in the 6-year capital budget and increase of \$13,671,247 from the Mayor's FY16 request. The increase of \$13,671,247 is due to a transfer from certain projects with unspent allotments within DCPS.

## **[INSERT CHARTS]**

Below is a breakdown for each capital project adjusted by the Committee:

### **YY101C – Banneker HS Modernization / Renovation (Citywide)**

	Source	FY16	FY17	FY18	FY19	FY20	FY21	TOTAL
Proposed	GO Bonds	0	0	0	2,157,000	17,745,000	47,172,000	67,074,000
Committee	GO Bonds	0	0	0	12,157,000	17,745,000	47,172,000	77,074,000
Variance	GO Bonds	0	0	0	10,000,000	0	0	10,000,000

The Committee directs an increase of \$10 million in FY19 in order to enhance the project. Although Banneker ranks high in the Committee's objective analysis tool, the Committee was unable to accelerate the project fully beyond FY19 due to budget constraints. There is also the issue of swing space for Banneker during its construction. DCPS anticipates that Banneker will use the Meyer campus during its modernization, and that campus will not be vacant until the Ellington project is complete.

### **YY159C – Ellington Modernization / Renovation (Citywide)**

	Source	FY16	FY17	FY18	FY19	FY20	FY21	TOTAL
Proposed	GO Bonds	56,132,000	13,164,000	0	0	0	0	69,296,000
Committee	GO Bonds	52,197,271	13,164,000	0	0	0	0	65,361,271
Variance	GO Bonds	(3,934,729)	0	0	0	0	0	(3,934,729)

The Committee directs a reduction of \$3.9 million in FY16 in order to accelerate 3 capital projects in FY16. The Mayor's proposed budget enhanced the Ellington project and the Committee does not feel as though this reduction would delay this project from being completed on time.

### **YY183C – Garrison Modernization / Renovation (Ward 2)**

	Source	FY16	FY17	FY18	FY19	FY20	FY21
Proposed	GO Bonds	25,229,000	15,622,000	0	0	0	40,851,000
Committee	GO Bonds	20,000,000	0	0	0	0	20,000,000
Variance	GO Bonds	(5,229,000)	(15,622,000)	0	0	0	(20,851,000)

The Committee directs a reduction of \$5.2 million in FY16 and a reduction of \$15.6 million in FY17. Recognizing that funds are limited and that there are still 24 schools that still have not seen modernization, the Committee is recommending that DCPS revert back to phased modernizations for elementary schools unless the school is an "open-concept" floor plan, the school is co-located with another agency whose facility is also being modernized, or the complexity of the project makes phasing almost impossible or cost prohibitive. The remaining \$20 million in FY16 provides Garrison with funds for a full Phase I enhanced modernization.

**YY108C – Eaton ES Modernization / Renovation (Ward 3)**

	Source	FY16	FY17	FY18	FY19	FY20	FY21	TOTAL
Proposed	GO Bonds	0	0	0	0	0	11,052,000	11,052,000
Committee	GO Bonds	0	0	0	0	0	15,552,000	15,552,000
Variance	GO Bonds	0	0	0	0	0	4,500,000	4,500,000

The Committee directs an increase of \$4.5 million in FY21 to enhance this project. After working with DGS and DCPS, the Committee believes that the project costs for projects in FY19 and beyond will increase due to the increase costs of material and labor.

**YY181C – Eliot Hine JHS Modernization / Renovation (Ward 6)**

	Source	FY16	FY17	FY18	FY19	FY20	FY21	TOTAL
Proposed	GO Bonds	0	0	0	12,500,000	21,622,000	0	34,122,000
Committee	GO Bonds	0	0	0	16,500,000	21,622,000	0	38,122,000
Variance	GO Bonds	0	0	0	4,000,000	0	0	4,000,000

The Committee directs an increase of \$4 million in FY19 to enhance this project. After working with DGS and DCPS, the Committee believes that the project costs for projects in FY19 and beyond will increase due to the increase costs of material and labor.

**YY182C – Garfield ES Modernization / Renovation (Ward 8)**

	Source	FY16	FY17	FY18	FY19	FY20	FY21	TOTAL
Proposed	GO Bonds	0	0	0	9,516,000	0	0	9,516,000
Committee	GO Bonds	0	0	0	12,516,000	0	0	12,516,000
Variance	GO Bonds	0	0	0	3,000,000	0	0	3,000,000

The Committee directs an increase of \$3 million in FY19 to enhance this project. After working with DGS and DCPS, the Committee believes that the project costs for projects in FY19 and beyond will increase due to the increase costs of material and labor.

**GM120C – General Miscellaneous Repairs**

	Source	FY16	FY17	FY18	FY19	FY20	FY21	TOTAL
Proposed	GO Bonds	5,050,000	5,773,000	5,016,000	3,910,600	3,056,130	0	22,805,730
Committee	GO Bonds	4,600,000	4,773,000	4,466,000	3,910,600	3,056,130	0	20,805,730
Variance	GO Bonds	(450,000)	(1,000,000)	(550,000)	0	0	0	(2,000,000)

The Committee directs a reduction of \$450,000 in FY16 in order to accelerate the modernization project of Kimball Elementary that was anticipated to receive those funds for stabilization work. The Committee also directs reduction of \$1 million in FY17 and \$550,000 in FY18 in order to accelerate and/or enhance certain projects.

**YY144C – Houston Modernization / Renovation (Ward 7)**

	Source	FY16	FY17	FY18	FY19	FY20	FY21	TOTAL
Proposed	GO Bonds	0	0	0	12,710,000	0	0	12,710,000
Committee	GO Bonds	0	15,693,000	0	0	0	0	15,693,000
Variance	GO Bonds	0	15,693,000	0	(12,710,000)	0	0	2,983,000

The Committee directs a shift of \$12.7 million from FY19 in order to accelerate this project for a Phase I modernization. The Committee also directs an increase of \$ 2.9 million to this project. Houston is an elementary school in Ward 7 that based on the Committee’s objective analysis tool is one of the top elementary schools (behind the education campuses) with the most need for immediate modernization.

**YY164C – Hyde Addison Modernization / Renovation (Ward 2)**

	Source	FY16	FY17	FY18	FY19	FY20	FY21	TOTAL
Proposed	GO Bonds	0	22,811,000	0	0	0	0	22,811,000
Committee	GO Bonds	8,473,976	13,811,000	0	0	0	0	22,284,976
Variance	GO Bonds	8,473,976	(9,000,000)	0	0	0	0	(526,024)

The Committee directs a shift of \$8,473,976 to FY16 from its project line in FY17 in order to accelerate the modernization project. The Hyde Addison project is at a critical stage in completing its modernization work. Delaying this project wholly to FY17 would require DGS to go back to through the design approval process of the historic Georgetown Board further delaying this work. This \$8.4 million will allow construction to continue as soon school year 2015-2016 is complete.

**YY165C – Jefferson MS Modernization / Renovation (Ward 6)**

	Source	FY16	FY17	FY18	FY19	FY20	FY21	TOTAL
Proposed	GO Bonds	0	0	0	11,990,000	11,990,000	0	23,980,000
Committee	GO Bonds	0	3,000,000	0	15,993,000	17,000,000	0	35,993,000
Variance	GO Bonds	0	3,000,000	0	4,003,000	5,010,000	0	12,013,000

The Committee directs increases of \$3 million in FY17, \$4 million in FY19, and \$5 million in FY20. Although Jefferson Middle School ranks high in the Committee’s objective analysis tool, the Committee was unable to accelerate the project fully beyond FY19 due to budget constraints. The Committee does, however, anticipate that more funds will become available in next year’s budget for the 6 year CIP. By providing planning money in FY17 this will allow for Jefferson’s modernization to move ahead more quickly should those funds become available.

**YY185C – Kimball ES Modernization / Renovation (Ward 7)**

	Source	FY16	FY17	FY18	FY19	FY20	FY21	TOTAL
Proposed	GO Bonds	0	0	0	17,696,000	0	0	17,696,000
Committee	GO Bonds	17,696,000	0	0	0	0	0	17,696,000

Variance	GO Bonds	17,696,000	0	0	(17,696,000)	0	0	0
----------	----------	------------	---	---	--------------	---	---	---

The Committee directs a shift of \$17.6 million from FY19 in order to accelerate this project for a Phase I modernization. Kimball is an elementary school in Ward 7 that based on the Committee's objective analysis tool is one of the top elementary schools (behind the education campuses) with the most need for immediate modernization.

#### **YY107C – Logan ES Modernization / Renovation (Citywide)**

	Source	FY16	FY17	FY18	FY19	FY20	FY21	TOTAL
Proposed	GO Bonds	0	0	0	7,666,000	0	2,959,000	10,625,000
Committee	GO Bonds	0	0	0	11,952,000	0	0	11,952,000
Variance	GO Bonds	0	0	0	4,286,000	0	(2,959,000)	1,327,000

The Committee directs an increase of \$4.3 million in FY19 to enhance this project. After working with DGS and DCPS, the Committee believes that the project costs for projects in FY19 and beyond will increase due to the increase costs of material and labor.

#### **GM121C – Major Repairs/Maintenance – DCPS**

	Source	FY16	FY17	FY18	FY19	FY20	FY21	Total
Proposed	GO Bonds	5,000,000	3,720,500	2,640,375	3,018,098	3,168,998	0	17,547,971
Committee	GO Bonds	5,000,000	3,720,500	2,190,375	3,018,098	3,168,998	5,000,000	22,097,971
Variance	GO Bonds	0	0	(450,000)	0	0	5,000,000	4,550,000

The Committee directs a reduction of \$450,000 in major repairs/maintenance in FY18 in order to accelerate certain projects. The Committee also directs an increase of \$5 million in FY21 for major repairs and maintenance at DCPS/

#### **MR337C – Maury ES Modernization / Renovation (Ward 6)**

	Source	FY16	FY17	FY18	FY19	FY20	FY21	Total
Proposed	GO Bonds	0	0	0	0	5,844,000	0	5,844,000
Committee	GO Bonds	5,844,000	0	0	0	0	0	5,844,000
Variance	GO Bonds	5,844,000	0	0	0	(5,844,000)	0	0

The Committee directs a shift of \$5.8 million from FY20 in order to accelerate the addition to Maury Elementary in Ward 6. Based on the recent recommendations from the Student Assignment and Boundary Review Process, the boundary for Maury Elementary has expanded even though the school is currently over capacity. The school currently uses portables on the blacktop for its upper grades. The expected population growth in its boundary over the next 2-3 years alone provides a compelling case for the need to advance this project.

#### **YY190C – Murch ES Modernization / Renovation (Ward 3)**

	Source	FY16	FY17	FY18	FY19	FY20	FY21	Total
Proposed	GO Bonds	39,329,000	23,827,000	0	0	0	0	63,156,000
Committee	GO Bonds	30,400,000	32,756,000	0	0	0	0	63,156,000
Variance	GO Bonds	(8,929,000)	8,929,000	0	0	0	0	0



The Committee directs a shift of \$8.9 million from FY16 to FY17 for this project. DGS and DCPS confirmed that only \$30.4 million is needed for this project in FY16. The overall budget from this project has not changed.

#### **YY170C – Orr ES Modernization / Renovation (Ward 8)**

	Source	FY16	FY17	FY18	FY19	FY20	FY21	Total
Proposed	GO Bonds	0	26,359,000	14,636,000	0	0	0	40,995,000
Committee	GO Bonds	1,000,000	26,359,000	14,636,000	0	0	0	41,995,000
Variance	GO Bonds	1,000,000	0	0	0	0	0	1,000,000

The Committee directs an increase of \$1 million in FY16 for Orr Elementary. Orr is an elementary school in Ward 8 that based on the Committee's objective analysis tool was the top DCPS school with the most need for immediate modernization. Unfortunately, the Committee was unable to fully advance this project since no planning has been done yet, even though \$3 million was allotted in FY15. Orr Elementary is an open-concept building that will require a full modernization. The Committee urges DCPS and DGS to begin planning for this project immediately.

#### **YY193C – Raymond ES Modernization / Renovation (Ward 4)**

	Source	FY16	FY17	FY18	FY19	FY20	FY21	Total
Proposed	GO Bonds	0	0	0	0	0	16,567,000	16,567,000
Committee	GO Bonds	0	0	3,000,000	16,567,000	0	0	19,567,000
Variance	GO Bonds	0	0	3,000,000	16,567,000	0	(16,567,000)	3,000,000

The Committee directs an increase of \$3 million in FY18 for Raymond Education Campus, and shifts \$16.5 million in FY19 from FY21 to accelerate the modernization. Raymond is an education campus in Ward 4 that based on the Committee's objective analysis tool was the second ranked DCPS school with the most need for immediate modernization. Due to scope and sequencing, the Committee did not accelerate this project further as Raymond is slated to convert back to an elementary school once the Ward 4 middle school is complete.

#### **GM101C – Roof Repairs**

	Source	FY16	FY17	FY18	FY19	FY20	FY21	Total
Proposed	GO Bonds	2,575,000	2,163,000	816,000	2,185,000	2,125,000	0	9,864,000
Committee	GO Bonds	1,775,000	2,163,000	816,000	2,185,000	2,125,000	0	9,064,000
Variance	GO Bonds	(800,000)	0	0	0	0	0	(800,000)

The Committee directs a reduction of \$800,000 in FY16 in order to accelerate the modernization project of Houston Elementary that was anticipated to receive those funds for stabilization work. The Committee also directs reduction of \$800,000 in FY21 in order to enhance certain projects.

#### **YY195C – Smothers ES Modernization / Renovation (Ward 8)**

	Source	FY16	FY17	FY18	FY19	FY20	FY21	Total
Proposed	GO Bonds	0	0	0	0	9,679,000	0	9,679,000
Committee	GO Bonds	0	0	0	0	12,679,000	0	12,679,000
Variance	GO Bonds	0	0	0	0	3,000,000	0	3,000,000

The Committee directs an increase of \$3 million in FY20 in order to enhance the project. After working with DGS and DCPS, the Committee believes that the project costs for projects in FY19 and beyond will increase due to the increase costs of material and labor.

#### **SG106C – Window Replacement**

	Source	FY16	FY17	FY18	FY19	FY20	FY21	Total
Proposed	GO Bonds	2,600,000	3,683,000	0	7,650,000	4,300,000	0	18,233,000
Committee	GO Bonds	2,600,000	3,683,000	0	3,200,000	4,134,000	5,000,000	18,617,000
Variance	GO Bonds	0	0	0	(4,450,000)	(\$166,000)	5,000,000	384,000

The Committee directs a shift of \$4.4 million in FY19 to FY21 for window replacements, and a shift of \$166,000 in FY20 to FY21.

## **POLICY RECOMMENDATIONS**

The Committee recommends the following policy changes based on the analysis and discussion above and issues brought up during DCPS performance and budget oversight hearings this year.

### *1. Budget Transparency*

DCPS has certainly made a lot of progress over the last two year with efforts to demystify its budget formulation process. The Committee commends the agency for launching a new site [dcpsdatacenter.com](http://dcpsdatacenter.com) that allows the public to track the inputs that goes into a school budget allocation. However, there is always room for improvement. The Committee recommends that in the future DCPS provide more communication to school communities on the nuance of average teacher salary and the other Washington Teachers Union (WTU) contract components that may cause the information printed in the budget books and the information presented online to be different. Additionally, more education around the definition of an “at-risk” student and how that percentage is calculated would also be helpful for school communities to understand their student populations.

The Committee also recommends that DCPS launch a “Budget 101” style seminar specifically designed for new school leadership. Throughout the budget process this year, the Committee recognized that school communities with new principals are in need of much more support from Central Office during the budget formulation process. Proactively informing school leaders about the ins and outs of the budgeting process would help minimize miscommunication later in the process.

### *2. Food Ambassadors Program*

During the Committee’s performance oversight hearings for DCPS, the number one compliant from students who testified was regarding the taste and quality of school lunch. Now, satisfying students is no easy feat for any school district as federal law now requires the use of healthier ingredients in the school lunch program. This is an adjustment for students who may not eat things like whole grain pasta at home. A couple of years ago, DCPS was encouraged to use students to try out new recipes and provide feedback on how to improve the program.

The Committee applauds DCPS for launching the Food Ambassadors program at 109 schools. This has provided a unique leadership opportunity for students of all grade levels. While there are still some complaints, participation across DCPS in the school lunch program has increased this year. The Committee recommends that DCPS to expand the Food Ambassadors program so that students are not just weighing in on menu options but also issues related to food service like recycling and composting. At this time, the Committee does not believe such an initiative requires a separate budget item, but rather can be absorbed in to the existing budget for DCPS.

### *3. Targeted Support for Young Women of Color*

During the budget oversight hearings for DCPS and in subsequent communications from witnesses unable to testify, many have urged DCPS to expand the already launched Empowering Males of Color initiative to include young women as well. The Committee recognizes that that approach may not be the best. During the hearing, many of the young women who testified brought up issues and challenges that are very different than that for young men. And as Chancellor Henderson said during the hearing: “Any good teacher doesn’t just apply a one size fits all approach for their students.” Therefore, the Committee recommends that over the next year DCPS study and understand the specific challenges facing young women of color in its schools, and develop an appropriate strategy to address those needs and ensure that proposed programs or interventions are properly resourced. The Committee will follow-up with DCPS on this matter at the performance oversight hearing next year.

#### *4. Reducing Suspensions and Expulsions*

The Committee has engaged in an ongoing conversation about the need to reduce student suspensions and expulsions across our public schools. Since looking at this issue in earnest, the Committee is pleased that overall suspension and expulsion numbers for DCPS are down. The Committee also applauds DCPS for proactively implementing parts of B21-1, the “Pre-K Student Discipline Amendment Act of 2015” by internally issuing guidance to end the suspension of students in its pre-kindergarten program. As many know, that legislation passed earlier this year and included a robust data component with the first comprehensive report of that data to be issued by OSSE in October. The Committee asks that DCPS fully comply with the data requests of OSSE on this matter. This report will guide the Committee’s future work on further reducing suspensions and expulsions for upper grades.

#### *5. School Boundaries*

Enrollment is a serious budget driver within our public schools. Much of the increased funds DCPS saw in its budget this year came as a result of increased enrollment. The Committee is encouraged by DCPS efforts to provide additional resources to schools to help with recruitment efforts, but many students still follow their by-right feeder pattern, which makes school boundaries important. The Committee is concerned about the impacts of the tweaks announced earlier this year to recommendations from Student Assignment and School Boundaries Review Process. In particular, the Committee is concerned about the future of H.D. Woodson High School since students at its one feeder middle school, Kelly Miller, have been provided a right to both Woodson and to Eastern High School in Ward 6. While the Committee recognizes that the mounting capacity issues at Eastern and the STEM investments at Woodson will help steer more students toward Woodson, the Committee recommends that DCPS complete a feasibility study for opening a new standalone, comprehensive middle school in Ward 7 in part of the old Ron Brown Middle School site. Similarly, the Committee recommends that DCPS complete a feasibility study for a public-private partnership in redeveloping the Shaw Middle School site in Ward 6.

#### *6. Capital Budget Formulation*

The Committee appreciates DCPS engagement and assistance as we crafted an objective tool to make proposed changes to the 6-year CIP this year. Although the CIP is a 6-year document, all parties acknowledged that cost estimates for schools listed in years FY18-21 are likely to change subject to the market price of materials and labor of that time. This may cause the need for reprogrammings to ensure projects are appropriately resourced, but it is the Committee’s hope that for the next two fiscal years, the CIP will not see major changes. Going forward, the Committee recommends that DCPS use this tool with updated data to inform changes in the future. The Committee also recommends that each year DCPS specifically outline which schools will see stabilization work in that fiscal year. This transparency helps

to reassure school communities that even though a modernization is not occurring, larger maintenance needs of the school are being met.

The Committee is aware of DCPS' plans to engage in a conversation on Educational Specifications (Ed Spec) this summer that will set a master Ed Spec for each school type (elementary, middle, and high school). The Committee applauds this work as it will help significantly with modernization planning. Once this process is complete, Committee recommends that DCPS more proactively engage with the Department of General Services (DGS) in managing school projects to ensure that "scope creep" does not occur and that DGS (and its contractors) is exercising greater fiscal discipline with regard to the costs of future projects (i.e., design, contracting, and construction). While DGS is the implementing agency for capital school modernization projects, ultimately, responsibility is shared with DCPS as well.

### *7. Fixed Costs*

There is a lack of transparency with regard to fixed costs, particularly utility costs, across the District of Columbia government. Utility payments are all centralized in DGS and agencies provide an intradistrict transfer to cover their share. However, it is hard to determine what is really an agency's "share" since agencies are not provided the actual bills from Pepco; they just receive a "bill" from DGS. The Committee learned about this during the performance oversight hearings. DCPS explained that they actually sent staff down to Pepco to get the bills for their inventory of buildings, went out to check meters at school sites, and then provided their findings to DGS to reconcile accounts. While the Committee is appreciative of DCPS initiative on this matter, it should not take this much effort. The Committee is concerned that even with investments in energy efficient fixings in school modernization projects, the costs do not seem to be going down. Further, the Committee is concerned that DCPS is paying utility costs for school sites that are actually closed (Spingarn High School and Shaw Middle School) at a rate that rivals those of schools that actually have students in them daily. The Committee recommends that DCPS bring this matter to the attention of the Mayor's Executive team so that the overall policy can be changed. In the age of online billing and monitoring, there should be no reason that each agency cannot manage and pay its own utility costs directly to the companies in a timely fashion.

### *8. Human Capital*

In FY13, 17 percent of teachers in the 40 lowest-performing schools were rated Highly Effective. In FY14, the number of teachers rated Highly Effective was 20 percent. While the Committee is pleased that this number is going in the right direction, it is concerned that schools with the greatest need still are not staffed with the most effective teachers. During the performance oversight hearing for DCPS, the Committee questioned DCPS about what initiatives and tools they are using to improve these numbers. In addition to providing more professional development and the fact that teachers in high poverty schools already make more through IMPACT, DCPS also mentioned they were open to considering transfer bonuses. The Committee understands that such an incentive would require funding; therefore, the Committee recommends that DCPS looks into this matter further.

## **B. OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION**

The mission of the Office of the State Superintendent of Education (OSSE) is to remove barriers and create pathways so District of Columbia residents receive an excellent education and are prepared for success in college, careers, and life.

OSSE serves as the District of Columbia's State Education Agency (SEA). In this role, OSSE manages and distributes federal funding to education providers and exercises oversight responsibility over federal education programs and related grants administered in the District of Columbia to ensure quality and compliance.

In addition to its responsibilities as the SEA, OSSE has responsibility for developing and setting state-level standards and annually assessing student proficiency, ensuring universal access to childcare and pre-k programs, and providing funding and technical assistance to adult education providers and Local Education Agencies (LEAs) in achieving objectives. OSSE further ensures that the District of Columbia collects accurate and reliable data, and assesses meaningful interventions to ensure quality improvements and compliance with state and federal law.

OSSE is organized into the following divisions:

- Office of the Director
- Office of the Chief of Staff
- Office of the Chief Operating Officer
- Division of Early Learning
- Division of Elementary, Secondary, and Specialized Education
- Division of Postsecondary and Career Education
- Division of Data, Accountability, Assessment, and Research
- Division of Student Transportation
- Division of Statewide Athletics
- Systems Technology

NOTE: OSSE also administers the budgets for Special Education Transportation; Non-Public Tuition; and District of Columbia Public Charter School payments.

### **FISCAL YEAR 2016 OPERATING BUDGET**

#### ***Mayor's Proposed Budget***

The Mayor's FY16 budget proposal included \$448,030,086 in gross operating funds for OSSE, a \$12,112,000 (2.8%) increase from the FY15 approved budget. The proposed budget supports 366 FTEs, a 16.0 FTE decrease from FY15.

#### ***Local Funds (100)***

The proposed FY16 budget for OSSE included \$131,956,000 in local funds, a \$5,875,000 decrease from the FY15 approved budget. This decrease is due to a realigning of agency resources with operational goals to assist with the overall budget gap of the District budget.

#### ***Dedicated Taxes (110)***

The proposed FY16 budget for OSSE included \$4,306,000 in dedicated taxes, a \$40,000 increase from the FY15 approved budget. This increase is due to the projected salary and fringe benefits costs in the Wellness and Nutrition's division for the Healthy Schools Act.

#### *Federal Grants (200)*

The proposed FY16 budget for OSSE included \$212,558,000 in federal grants, a \$2,490,000 increase from the FY15 approved budget. This increase is due to projected grant awards and carryover from existing grants.

#### *Federal Payments (250)*

The proposed FY16 budget for DCPS included \$60,000,000 in federal payments, a \$15,000,000 increase from the FY15 approved budget. This increase is due to the need to align with the President's budget request.

#### *Private Grants (400)*

The proposed FY16 budget for DCPS included \$104,000 in private grants, a \$13,000 decrease from the FY15 approved budget. This decrease is due to projected salary and fringe benefits estimates within the Office of the Director's division.

#### *Special Purpose Revenue Funds (600)*

The proposed FY16 budget for OSSE included \$991,000 in special purpose revenue funds, a \$543,000 increase from the FY15 approved budget. This increase is due to enhancements in the Elementary and Secondary Education division and the Office of Wellness and Nutrition services.

#### *Intra-District Funds (700)*

The proposed FY16 budget for DCPS included \$38,116,000 in intra-district funds, a decrease of \$72,000 from the FY15 approved budget. This decrease is due to reductions in the Early Childhood Education division to align contracts with projected costs.

### ***Committee Comments & Analysis***

#### Early Literacy Intervention

One of OSSE's stated goals for FY16 is to have 75 percent of third graders be proficient or advanced in reading by 2016-2017. In 2013-2014, 43.9 percent of third graders in the District of Columbia scored proficient or advanced on the DC CAS assessment. This was only a 0.2 point increase than the year before. Across both DCPS and public charter schools, third grade proficiency scores have remained the lowest for all of the tested grades. While the Committee applauds the goal of OSSE, it was unable to identify any targeted investments included in the OSSE operating budget that would provide additional support to LEAs to make strides towards the 75 percent proficiency goal.

The Committee was able to identify \$1,600,000 in FY16 for OSSE to implement an early literacy grant program targeting third grade reading success. A successful program will provide a full continuum of early literacy intervention services for all grades Pre-K through 3rd and must consist of developmentally appropriate components for all of these grades. This funding is intended to build capacity and may not be used to supplant existing services.

#### Community Schools Initiative

Pursuant to the Community Schools Incentive Act of 2012, OSSE provided funding to six grantees in order to create Community Schools. A Community Schools is a place as well as a set of partnerships between the school and other community resources. The goal of a Community Schools is to integrate academics, health and social services, youth and community development, and community engagement, in order to improve student outcomes.

In FY15, the Council found \$1,000,000 in local funding to make the Community Schools initiative whole after the Mayor's proposed budget eliminated the funding for the initiative. For FY16, the Mayor's proposed budget increases funding for the Community Schools initiative by \$200,000 to add an additional grantee. The Committee was able to identify an additional \$200,000 for the Community Schools Initiative which would increase the grantees by two. During the grant process, the Committee encourages OSSE to specify that at least one of the additional grantees partner with a public school that has a significant student population that is identified as homeless. The District of Columbia experienced a 60 percent increase in the number of homeless students since 2009, and certain schools would benefit from this additional local investment and support.

At the OSSE FY16 budget hearing, several public witnesses testified that the Community Schools initiative is at a critical stage where a program evaluation is necessary. The Committee agrees and has identified an additional \$66,000 in funding to support this effort.

#### Wellness and Nutrition

In 2014, the Healthy Tots Act of 2013 was passed as part of the Budget Support Act of 2014. The Healthy Tots program provided subsidies to early childhood education centers for each healthy meal served and reimburses schools for additional meals that are not covered under federal school food programs. This allowed early childhood education providers to provide students with healthy food alternatives and additional meals. The Mayor's proposed FY16 budget not only eliminates funding for the Healthy Tots program, but also repeals the legislation on which is based. The Committee on Transportation and the Environment identified operating funds that it transferred to the Committee for OSSE in order to continue the program. The Committee also recommends that the Mayor's proposed BSA language to repeal the Healthy Tots Act not be approved. The Committee on Transportation and the Environment also transferred funds to OSSE to provide four environmental literacy specialists to eight public elementary schools and public charter elementary schools to help maintain school gardens and promote environmental literacy.

#### Post-Secondary Education and Workforce Readiness

OSSE's office of Post-Secondary Education and Workforce Reading creates opportunities for residents to attend a post-secondary education, among other things. Central to their work in this regard is the Higher Education Financial Services and Preparatory Programs which the Committee finds very valuable. For over a year, the Committee has examined the District's efforts to provide more college preparatory activities to students. For instance, although the District pays for every public school student to take the SAT as a result of it being a high school graduation requirement, we do not similarly provide robust access for students to take SAT prep courses which are known to improve outcomes for students. OSSE, however, has been able to fill this gap in many ways. The Committee is concerned that the Mayor's proposed budget does not restore the funding loss by the ending of the federal College Access Challenge grant. This was used to fund programs like OSSE Scholars, the FAFSA Completion tool, and the College Fact Finder. The Committee was able to identify money restore some of that funding.

#### Statewide Longitudinal Education Data System (SLED)

The Committee continues to support the development of a single District-wide Statewide Longitudinal Education Data System (SLED) that is accessible to both charter schools and DCPS, as well as relevant District of Columbia agencies like Child and Family Services Agency (CFSA). SLED collects data needed for better planning, trend analysis, performance projections, program evaluation, and data quality improvement. Therefore, the Committee is concerned that the Mayor's proposed FY16 budget does not allocate funds either in operating or capital to continue to support this system. The Committee questioned OSSE about this during the budget oversight hearing. OSSE said that much of the funds needed to operate SLED are personnel-related going forward, and that through efficiency and prioritization, they

will be able to identify the funds internally that are needed to continue the operation of the data system. The Committee will continue to monitor OSSE's efforts to ensure the work on SLED continues.

#### Residency Fraud

One of OSSE's stated goals for FY15 was centralizing residency verification. This would satisfy several recommendations in the FY13 non-resident student audit; however, OSSE would need to receive the non-resident tuition payments from DCPS. The FY16 budget does finally transfer non-resident tuition payments to OSSE. The Committee anticipates that this will greatly improve residency fraud investigations.

#### ***Committee Recommendations***

The Committee recommends a gross operating budget of \$448,030,086 and 366 FTEs for OSSE. This is an \$2,256,806 increase over the Mayor's proposed budget.

#### **[INSERT CHARTS]**

#### Committee Adjustments to the Operating Budget

The Committee makes the following adjustments to the proposed FY16 operating budget for OSSE:

PROGRAM: *Wellness and Nutrition Services*

APPROPRIATION TITLE: *Local Funds*

##### *CSG40 (other services and charges)*

The Committee recommends an increase of \$40,806 in other services and charges for the Division of Wellness and Nutrition Services. These additional funds were reallocated from savings in Public Charter Schools. The Committee directs that these funds be used to support the work of the Office of Athletics.

##### *CSG50 (subsidies and transfers)*

The Committee recommends an increase of \$3,322,000 in subsidies and transfers for the Division of Wellness and Nutrition Services. This additional \$3,322,000 was identified as savings by the Committee on Transportation and the Environment and transferred to OSSE. The Committee directs that \$3,322,000 of these funds be used to support programs outlined in the Healthy Tots Act.

PROGRAM: *Elementary and Secondary Education*

APPROPRIATION TITLE: *Local Funds*

##### *CSG 41 (contractual services)*

The Committee recommends an increase of \$66,000 in contractual services for the Division of Elementary and Secondary Education for Community Learning. These additional funds were reallocated from savings in Public Charter Schools. The Committee directs that these funds be used to support a program evaluation for the Community Schools grant program.

##### *CSG 50 (subsidies and transfers)*

The Committee recommends an increase of \$1,700,000 in subsidies and transfers for the Division of Elementary and Secondary Education. These additional funds were reallocated from savings in Public Charter Schools. The Committee directs that \$200,000 of these funds be used to support an additional site for Community Schools grant program. The Committee directs that \$1,500,000 of these funds be used early literacy grant program targeting third grade reading success as described in the policy recommendations.



PROGRAM: *Post-Secondary Education and Workforce Readiness*  
APPROPRIATION TITLE: *Local Funds*

*CSG 40 (other services and charges)*

The Committee recommends an increase of \$225,000 in other services and charges for the Office of Post-Secondary Education and Workforce Readiness. These additional funds were reallocated from savings in Public Charter Schools. The Committee directs that these funds be used to support a programs impacted by the loss of the College Access Challenge grants.

*CSG 50 (subsidies and transfers)*

The Committee recommends an increase of \$225,000 in subsidies and transfers for the Office of Post-Secondary Education and Workforce Readiness. These additional funds were reallocated from savings in Public Charter Schools. The Committee directs that these funds be used to support a programs impacted by the loss of the College Access Challenge grants.

Committee Adjustments to the FTE Authority

The Committee makes no changes to the proposed FTE authority for OSSE.

## **FISCAL YEAR 2016 CAPITAL BUDGET**

***Mayor's Proposed Budget***

The Mayor's proposed budget included \$0 in capital funds for OSSE.

***Committee Recommendations***

The Committee recommends a capital budget of \$0 in capital funds for OSSE. This is no change from the Mayor's request.

## **POLICY RECOMMENDATIONS**

The Committee recommends the following policy changes based on the analysis and discussion above and issues brought up during OSSE performance and budget oversight hearings this year.

*1. Early Literacy Grant Program*

The Committee recommends that OSSE launch an early literacy grant program targeting reading success. A successful grantee will provide a full continuum of early literacy intervention services for all grades Pre-K through 3rd and must consist of developmentally appropriate components for all of these grades. The literacy program is to be delivered by professionally coached interventionists. Students must receive direct services daily and data on student progress must be collected at least monthly. The proposed intervention model must be comprehensive and present an evidence base consisting of positive findings in one or more experimental studies. This funding is intended to build capacity and may not be used to supplant existing services. LEAs are not eligible for this funding. This grant should be made available for use immediately in FY16; therefore, the Committee encourages OSSE to release the grant application this summer.

*2. Review of Annual Reporting Requirements*

OSSE is responsible for submitting several reports to the Council and other agencies throughout the year. Consistently, however, OSSE has experienced challenges in providing these documents in a timely fashion. For instance, the 2014 report on Pre-K was submitted to the Council in May of 2015 when it was

due several months earlier. The Committee is open to reviewing the statutory reporting requirements, and if necessary, reducing the reporting burden on OSSE, especially those that are dated. Therefore, the Committee recommends that OSSE submit a report to the Committee on all of OSSE's current reporting requirements as required by local statute. The report shall include at a minimum:

- The law establishing the reporting requirement;
- The frequency with which the report must be published; and
- A brief summary of what information and/or data the report is required to include.

### *3. Funding Mechanism for Schools*

During the performance oversight hearing for OSSE, the Committee discussed with the government witnesses the need to improve the way in which we fund schools, particularly charter schools with the quarterly payment system. Money does not follow the child in the case of midyear transfers, withdrawals, or expulsions. The current mechanism has created a disincentive for an LEA to continue to work with a challenging student because as long as the student is enrolled on the date of the enrollment count in October, that LEA still gets funded for that student. There are several other jurisdictions like California, Kentucky, Illinois, and Texas that use average daily attendance as a basis of the funding formula. Places like New York have a mid-year adjustment process whereby schools have to pay back owed funds after a loss in their rosters. As the agency charged with distributing public charter school funds, the Committee recommends that OSSE work with the Deputy Mayor for Education and other stakeholders to explore alternatives. This presents a perfect opportunity for innovation and cross-sector collaboration.

### *4. Reducing Suspensions and Expulsions*

The Committee has engaged in an ongoing conversation about the need to reduce student suspensions and expulsions across our public schools. As many know, B21-1, the Pre-K Student Discipline Amendment Act legislation passed earlier this year and included a robust data component with the first comprehensive report of that data to be issued by OSSE in October. This report will guide the Committee's future work on further reducing suspensions and expulsions for upper grades. The Committee has asked that LEAs fully comply with the data requests of OSSE on this matter. The Committee recommends that OSSE proactively work with LEAs and ensure that the data collection/submission tool is not overly onerous. Further, the Committee recommends that OSSE finally release its proposed suspension and expulsion guidelines.

### *5. Community Schools*

With the anticipated growth of the Community Schools program, the Committee has provided OSSE with funds to conduct an evaluation of the program thus far. It is important to know what is working, what is not, and truly measure the impact of Community Schools on a range of different factors including the impact to student achievement, attendance, and disciplinary issues. The Committee recommends that OSSE complete this evaluation next year. The Committee also recommends that one of the future grantees selected for the Community Schools have a partnership with a school that has a significant population of students that are homeless. The District of Columbia experienced a 60 percent increase in the number of homeless students since 2009, and certain schools would benefit from this additional local investment and support.

The Committee also recommends that OSSE work with the Mayor and Deputy for Education to reconvene the Community School Advisory Committee. This Advisory Committee was first convened when the Raising the Expectations for Education Outcomes Omnibus Act of 2012 (DC Law 19-345) that started the Community Schools initiative in the District was signed into the law. The Advisory

Committee advised on developing the results-based framework, participated in the selection process for grantees, helped identify potential funding sources, and much more. If the District is to truly invest and commit to the Community Schools program, this Advisory Committee would improve invaluable in ensuring its being implemented with fidelity.

*6. New Budget Support Act Language*

The Committee recommends for inclusion in the Budget Support Act the following reporting requirements for OSSE:

By October 1, 2015, OSSE shall provide to the Council:

- A report on the status and implementation of its new automated teacher licensure system.

## C. DISTRICT OF COLUMBIA PUBLIC CHARTER SCHOOLS

The mission of the District of Columbia Public Charter Schools (DCPCS) is to provide an alternative free education for students who reside in the District of Columbia. Each charter school is a publicly funded, fully autonomous school and serves as its own local education agency. This budget represents the total amount of local funds provided to the charter schools as set forth by the uniform per student funding formula (UPSFF).

DCPCS is organized into the following program(s):

- DC Charter Schools

### FISCAL YEAR 2016 OPERATING BUDGET

#### *Mayor's Proposed Budget*

The Mayor's FY16 budget proposal included \$682,665,961 in gross operating funds for DCPCS, a \$7,258,000 increase from the FY15 approved budget which reflects a 1.1% change. The proposed budget supports 1 FTEs, which is a change of 1 from FY15.

#### *Local Funds (100)*

The proposed DCPCS budget includes \$682,665,961 in local funds, a \$7,258,000 increase from the FY15 approved budget. This increase is primarily due to an increase in enrollment and increases in both the foundation level per pupil and the non-residential facilities allotment in the uniform per student funding formula. It also reflects an increase of \$155,496 to support the salary and fringe benefits for 1 FTE for a Financial Management position, previously paid for by the D.C. Public Charter School Board.

#### *Committee Comments and Analysis*

##### Enrollment Projections for FY16

The FY15 budget for public charters included \$675,407,996 in gross operating funds for 61 public charter schools on 112 campuses serving an estimated 39,076 number of students, of which 37,647 were verified in the state education agency's audited enrollment count. To date in FY15, the Council has approved reprogramming requests amounting to \$12,935,280 from PCS enrollment and there is another reprogramming for \$2,500,000 currently pending in the FY15 supplemental. For the proposed FY16 budget, the DC public charter schools initially projected to enroll 39,448 students in 62 public charter schools and 115 campuses that was a proposed \$682,665,961 in gross enrollment funds. The Committee was concerned about these projected numbers due to a trend in decreased enrollment of DCPCS students, the recent revocation of three charter operators, and the Office of the State Superintendent's trend of previous percentage projections that lead to million dollar reprogramming during the year.

During the Office of State Superintendent's Budget Oversight Hearing the Committee expressed concerns about these enrollment projections being inflated and Acting Superintendent Kang stated that she was looking further into the Committee's concerns regarding the projected enrollment numbers. After the initial Committee inquiry, OSSE responded with their reasoning for the enrollment projection increase of 4.7%. OSSE stated that the projected increase is the result of the closure of six campuses and an addition of nine more and the de-authorization of three LEA charters and the authorization of four new

LEAs; the Office of Planning's projected growth of children ages three to seventeen increasing by 4.8%; and previous trends of DCPCS growth.<sup>1</sup>

The Chairman of the Committee responded with follow-up questions regarding the equating for the projections based on OSSE's stated reasoning. The issues specified were with three specific calculations: projected enrollment versus audited enrollment trends; differentials in OSSE's audited enrollment from year to year; and local education agency closings and openings. The Committee determined that based on the trend of high projections and lower audited enrollment, the methodology for calculated enrollment increases, and the closure of three charter schools, the overall number of enrolled students in charter schools for school year 2015-2016 would decrease.<sup>2</sup>

After meeting with OSSE and the Deputy Mayor for Education (DME), the Committee agreed to wait until Round 2 of the MySchool DC lottery closed on Friday, May 8, 2015 to ascertain closer projections by May 11, 2015. On May 11, 2015, OSSE responded that based on additional data and information from the second round of common lottery applications and after additional conversations between the their office, the Deputy Mayor for Education (DME), the Chief Financial Officer (OCFO), and the Public Charter School Board (PCSB), they proposed an updated FY16 public charter enrollment projection.<sup>3</sup>

Specifically, OSSE proposes an updated projection of 38,962 students, which is 486 students fewer than the original budget projection of 39,448. This would represent enrollment growth of 3.4 percent from the 2014-15 audited enrollment figure, rather than the 4.7 percent originally projected.

### ***Committee Recommendations***

The Committee recommends a gross operating budget of \$675,735,157 and 1 FTEs for DCPCS. Due to the decrease in projected of enrollment by 486 students for PCS the Committee recommends a variance of \$8,630,804. From this savings, the Committee recommends the following:

- \$1,700,000 for PCS enrollment reserves
- \$2,000,000 to increase the facility allotment for public charter schools
- \$693,9710 transferred to DCPS due to projected enrollment increases
- \$266,000 transferred to OSSE for the Community Schools Program
- \$1,600,000 transferred to OSSE for an early literacy grant program targeted at third grade reading success
- \$40,806 transferred to OSSE for the Athletics program
- \$450,000 transferred to OSSE for college readiness programs
- \$321,000 transferred to DCPL for the library collections
- \$300,000 transferred to DCPL for the public service technology program
- \$300,000 transferred to the Committee on Health and Human Services for teen pregnancy prevention grant programs at the Department of Health
- \$759,028 transferred to the Committee of the Whole for the University of the District of Columbia

---

<sup>1</sup> See Attached Memorandum from the Office of the State Superintendent, Acting State Superintendent Hanseul Kang to Committee on Education Chairman, Councilmember David Grosso RE: FY16 Public Charter School Enrollment Projections on Wednesday, May 6, 2015.; Memorandum from the Office of the State Superintendent, Acting State Superintendent Hanseul Kang to Committee on Education Chairman, Councilmember David Grosso RE: FY16 Public Charter School Enrollment Projections Document Clarification on Wednesday, May 6, 2015

<sup>2</sup> See Attached Memorandum from Chairman David Grosso to Office of the State Superintendent, Acting State Superintendent Hanseul Kang RE: FY16 Public Charter School Enrollment Projections, Thursday May 7, 2015.

<sup>3</sup> See Attached Memorandum from the Office of the State Superintendent, Acting State Superintendent Hanseul Kang to Committee on Education Chairman, Councilmember David Grosso RE: Updated FY16 Public Charter School Enrollment Projections on Wednesday, May 11, 2015

## **FISCAL YEAR 2016 CAPITAL BUDGET**

The proposed FY16 budget included no capital funds for DCPCS. The Committee has no recommended changes.

## **POLICY RECOMMENDATIONS**

The Committee has no policy recommendations.

## **D. DISTRICT OF COLUMBIA PUBLIC LIBRARY**

The District of Columbia Public Library (“DCPL”) supports children and adults with books and other library materials that foster success in school, reading and personal growth. DC Public Library includes a central library and 25 neighborhood libraries that provide services to children, youth, teens, and adults. “Space is the service” is new and enhanced library facilities that provides inspiring destinations for learning, exploration, and community. “Libraries are not their buildings” is how DCPL strives to reach users in increasingly surprising and convenient ways outside of the library buildings. Libraries are also engines of human capital development and libraries must plan for the rapidly evolving informational and educational needs of the residents of the District of Columbia.

### **FISCAL YEAR 2016 OPERATING BUDGET**

#### ***Mayor’s Proposed Budget***

The Mayor’s FY16 budget proposal included \$55,651,144 in gross operating funds for DCPL, a \$2,077,164 decrease (-3.6%) from the FY15 approved budget. The proposed budget supports 596.1 FTEs, the same number approved in FY15.

#### ***Local Funds (100)***

The proposed DCPL budget included \$54,175,000 in local funds, a \$2,110,000 decrease from the FY15 approved budget. This includes reductions in employee training, computer training, and the elimination of Tutor.com allocations across various programs. Additional decreases include personal services based on salary lapse savings, and reductions in the Library Services program for furniture and book purchases.

#### ***Federal Grants (200)***

The proposed DCPL budget included a net increase of \$15,059, or an increase of 1.7%. The increase is attributable to an increase of \$46,046 in the Library Services division to fund projected increases in equipment costs provided by the Library Services and Technology Act Grant from the Institute of Museum and Library Services. Additionally, DCPL will realize reductions for personal services costs related to salary steps and fringe benefits in the amount of \$30,987 within the Library Services division.

#### ***Special Purpose Revenue (600)***

The proposed DCPL budget included \$540,000 in special purpose revenue funds, which is no change from the FY15 approved budget.

#### ***Intra-District Funds (700)***

The proposed DCPL budget included \$17,300 in intra-district funds, which is an increase over the FY15 approved budget of \$0. The proposed intra-district funds is based on a Memorandum of Understanding with the D.C. Department on Disability Services’ Rehabilitation Services Administration to provide blind or low-vision individuals access to state and national papers, magazines, and wire feeds, as well as television listings.

### ***Committee Comments and Analysis***

#### ***FY 2014 Performance Oversight Hearing***

The Performance Oversight Hearing for the District of Columbia Public Library was held on March 10,

2015. Numerous advocates from varying Friends of the Library organizations spoke about the value of the recent expansions of library hours. Effective October 1, 2013, the Martin Luther King Jr. Memorial Library began operating 66 hours per week; 22 neighborhood libraries began operating 63 hours per week, with three neighborhood libraries co-located with other District of Columbia agency facilities (Deanwood, Northwest One, and Rosedale) began operating 52 hours per week. Many witnesses testified that uniform hours of operation across the board for the neighborhood libraries would provide valuable services to library patrons. Public witnesses also testified regarding the collections budget. The witnesses urged for consideration of increasing the collections budget to make it 10% of the overall library budget. Finally, many witnesses also testified on the importance of modernizing the Martin Luther King Jr. Central Library.

Testifying on the behalf of the Library was the Executive Director, Richard Reyes-Gavilan, and Gregory McCarthy, President of the Board of Library Trustees. The President spoke about the vision of a 21<sup>st</sup> century central library located at the Martin Luther King Jr. Central Library open 24 hours a day, 7 days a week in the heart of downtown.

The Executive Director noted that in FY 2014 the Library system had over 4 million visitors. Put into prospective, he noted that was more than the home attendance for the Washington Nationals, the Washington Wizards, and the Washington Capitals combined. Over 1 million computer sessions were logged in FY 14; 4 million items were borrowed from the catalogue; 22,000 individuals participated in the summer reading program; and meeting room use increased by 27%. The virtual offerings at the library continue to expand with over 300,000 ebooks downloaded in FY14—when streaming video and music, online circulation represents 20% of the library’s overall circulation.

The Executive Director also noted that in February 2015 the Library launched services at the D.C. Jail and in the short amount of time between launch and the performance, 219 inmates had borrowed materials from the mobile library there. Additionally, DCPL had also recently piloted a public library services at DC Prep Benning Public Charter School and plans to ultimately have a collection of 5,000 books at the school. DCPL would like to expand the DC Prep model in to District of Columbia Public Schools. DCPL is undertaking a feasibility study of shared technical services to create one central department responsible for ordering, buying, cataloging, and distributing books and other materials for both public libraries and school libraries.

Finally, DCPL also noted that it would be advantageous for the library to have the ability to retain generated revenue, through either fines, fees, or other revenue generating sources. Currently, all fines and fees collected by the library are directed to the general fund of the District of Columbia.

### *Proposed FY16 Budget*

#### Collections

During the budget oversight hearing for DCPL, numerous advocates representing Friends of the Library organizations voiced concern over the proposed cut in the collections budget citing that the current (FY15) collection budget is less than that of comparable systems and cities. The Mayor’s proposed FY16 budget includes a \$950,000 reduction for the collections budget. The Committee questioned the executive witness for DCPL regard the impact of the cuts. The Executive Director expressed that the cuts to the collections budget, compounded with the cuts in FTEs through attrition could mean that patrons may experience longer wait times for materials (print books, dvds, ebooks), an inability to support multiple formats (digital selections), longer wait times for assistance at branches, fewer programs, and fewer new or expanded services. The Executive Director also noted that the reductions in collections could affect the DCPL’s ability to expand programs such as the partnership with the D.C. Jail and public charter school



libraries. He noted that the proposed budget will not allow the Library to meet its performance goals for FY16.

The Committee is similarly concerned about the proposed collections budget. The effects of this cut will reduce the number of new books and library materials available for residents of the District, as well as causing longer wait times and reducing the use of library materials. The limitations of the collections budget due to the reduction could also impact the ability of the library to adequately service the library services at the D.C. Jail, as well as the potential expansion of school library shared technical services. The Committee worked with the Committee on the Judiciary and the Committee on Transportation and the Environment, and collectively have identified \$950,000 to restore the collections budget.

#### Employee Training and Development

The Mayor's proposed FY16 budget includes a \$552,000 reduction in employee training and development. The impact of the reduction will result in DCPL's inability to continue to support 15 employees currently enrolled in graduate and undergraduate programs. Additionally, DCPL will be unable to honor pending requests for four new enrollees. Further, DCPL will not be able to provide critical employee training related to diversity, hostile work environment, and public safety. Finally, staff development aimed at improving service delivery in areas of technology, human resources, library services and facilities management would be eliminated. The Committee on Education does not support cuts to continuing education reimbursement and employee training and development. Employee training and development should be prioritized for restoration if funds become available, with priority given to tuition reimbursement. Therefore, the Committee urges the Mayor and the Council to restore these funds to the DCPL budget.

#### Neighborhood Libraries

The Mayor's proposed FY16 budget includes a \$948,000 reduction in neighborhood libraries. Of the total reduction, \$320,329 is realized through reductions in the public computer training program. This cut translates into 500 fewer digital readiness computer classes provided through partnerships with local non-profit organizations. During the budget oversight hearing for DCPL, several public witnesses shared personal stories about how this program was beneficial in them receiving full time employment. The Committee recognizes the importance of digital literacy and public computer training, given the demand for such programs, and has identified additional funds to restore \$300,000 for public computer training.

#### ***Committee Recommendations***

The Committee recommends a gross operating budget of \$57,372,377 and 598.1 FTE for DCPL. This is an increase of \$1,721,233 in local funds and an addition of 2.0 FTE.

#### **[INSERT CHARTS]**

#### Committee Adjustments to the Operating Budget

The Committee makes the following adjustments to the proposed FY16 operating budget for DCPL:

PROGRAM: *Library Services*

APPROPRIATION TITLE: *Local Funds*

*CSG11 (Regular pay –continuing full time)*

The Committee directs \$110,784 in recurring funds transferred from the Committee on Transportation and Environment to L310 Young Adult Services to support one grade 12 librarian and one grade 9 administrative support FTE to support the Books from Birth Establishment Amendment Act of 2015 (Subtitle XXX of the Budget Support Act).

*CSG14 (Fringe benefits)*

The Committee directs \$26,588 in recurring funds from the Committee on Transportation and the Environment to L310 Young Adult Services support fringe benefits for FTEs supporting the Books from Birth Establishment Act of 2015 (Subtitle XXX of the Budget Support Act).

*CSG20 (Supplies and materials)*

The Committee also directs \$313,862 from the Committee on Transportation and Environment in FY 2016 funds to L310 Children and Youth Services until the Books from Birth Fund established by (Subtitle XXX of the Budget Support Act) is operational in order to fund necessary supplies and materials for the Books from Birth Establishment Amendment Act of 2015 (Subtitle XX of the Budget Support Act). Less than half of third graders in the District scored proficient or advanced in reading skills in 2014. Research shows that literacy gaps show up well before kids start taking standardized tests – preschoolers who have access to books and adults who read to them will have heard 30 million more words at home by the age of four than children who do not. This is what educators call the “word gap” and it is a predictor of educational achievement throughout the student’s academic career and beyond. Books are direct building blocks for learning but children must be exposed to them to use them. Through the Books from Birth initiative, the D.C. Public Library would deliver an age-appropriate book each month in the mail to every child in the District of Columbia from birth until his or her 5th birthday. The Committee is funding the growth of this initiative with total costs in FY 2017: \$630,074; FY 2018: \$820,864; and FY 2019: \$969,819. The NPS breakdown is as follows: FY FY16: \$ 313,862 recurring; FY17: \$488,582; FY18: \$675,127; FY19: \$819,710. The difference between the NPS breakdown and annual totals will fund the aforementioned FTE costs in CSG11 and CSG14.

*CSG70 (Equipment and equipment rentals)*

The Committee directs that \$100,000 transferred from the Committee on Judiciary, \$549,000 transferred from the Committee on Transportation and the Environment, and \$321,000 identified through savings in the Public Charter School enrollment projection within the Committee on Education shall be utilized to restore the collections budget, L380 Collections. This will ensure DCPL can provide new and popular books for children, teens, and adults, as well as materials for world language and special collections.

*CSG040 (other services and charges)*

The Committee also directs \$300,000 in identified savings from Public Charter School enrollment projection to be dedicated to NPS Costs to L300 > L330 Neighborhood Libraries, for public computer training.

## **POLICY RECOMMENDATIONS**

The Committee recommends for inclusion in the Budget Support Act legislative language to grant the District of Columbia Public Library the authority to permit and provide revenue generating services for the benefit of the public on library property owned by the District, and to create a designated fund to receive generated revenues and establish the purposes for which such funds may be used.

## **FISCAL YEAR 2016 CAPITAL BUDGET**

### ***Mayor’s Proposed Budget***

The Mayor's proposed budget for DCPL includes \$19,695,000 in capital funds in FY16 with a six-year total for fiscal years 2016 through 2021 of \$260,645,000.

### ***Committee Comments and Analysis***

#### Martin Luther King, Jr. Memorial Library

The Mayor's proposed six-year CIP provides resources toward the complete modernization of the D.C. Public Library system, including accelerated funding for the Martin Luther King, Jr. Memorial Library. The MLK Jr. Memorial Library is in need of substantial renovation and modernization. Capital funding for this project has been accelerated with construction beginning in FY 2016 and project completion in FY 2020. In the FY 2015 6-year CIP, the capital funding was allocated in FY19 and FY20. In the FY15 CIP, the total for this project was \$208,000,000. The Mayor's proposed FY16 CIP represents a decrease of \$9.4 million in total project budget authority financed through general obligation (GO) bonds. The minor reduction was explained as savings from escalation costs associated with moving the funding to FY17 from FY19.

During the budget oversight hearing for DCPL, the Executive Director expressed absolute support for the capital budget. He stated that the acceleration of funds for the Martin Luther King Jr. Main Library renovation represents a commitment to the most important capital project in the district, in his opinion. The Committee is supportive of this investment in the central library; however, is concerned about spreading the cost over four years instead of two or three. The Committee plans to revisit the 4-year allotment during the FY17 budget process.

#### Cleveland Park Library

Cleveland Park Library is set to begin renovation in FY16 with construction starting in March 2016 and completing in May 2017. The majority of construction costs are allotted in FY16 with only \$450,000 available in FY17. The total allotment in the FY16 6-year CIP is \$13,045,000 with a total budget authority of \$18,670,000 financed through GO bonds. The Committee supports this project.

#### Lamond Riggs Library

In previous Capital Improvement Plans Lamond Riggs was financed through the sale of assets. The current 6-year CIP includes \$20,000,000 in total budget authority financed through GO bonds--\$5 million in FY20 and \$15 million in FY21. In previous Capital Improvement Plans Lamond Riggs was financed through the sale of assets. The current 6-year CIP includes \$20,000,000 in total budget authority financed through GO bonds--\$5 million in FY20 and \$15 million in FY21. The Committee supports the reclassification from sale of assets to GO bonds and the project.

#### Palisades Library

In the proposed Capital Improvement Plan the Palisades library will be renovated to become a state-of-the-art 21<sup>st</sup> century LEED Silver certified facility. The existing building will be rehabilitated for \$1,500,000 in FY16 financed through GO Bonds. This does represent a \$13,500,000 decrease in total budget authority from the previous CIP, however, it accelerates improvements to FY16 from FY19 and FY20. The Executive Director noted that there was concern among the Palisades community about the length of time the library would be closed for a complete modernization. The proposed project reduces the amount of time the library is closed and allows for significant interior renovations. The Committee supports capital investments in Palisades Library.

#### Southeast Library

The Southeast Library is scheduled for reconstruction in FY19 and FY20 with a budget of \$23,500,000 financed through GO bonds. This represents no change from the previous CIP. The Committee supports this project.

#### Southwest Library

Previous Capital Improvement Programs financed Southwest's construction through sale of assets. The Mayor's proposed FY16 CIP finances Southwest through GO Bonds with design beginning in FY17, construction in FY18 and target completion for June 2019. The total budget authority is \$18,000,000. The Committee supports the financing change from sale of assets to GO bonds and the project.

#### General Maintenance

In FY 15, the Library received \$5 million in capital funding for maintenance and repairs. The Mayor's proposed FY16 budget did not include a capital budget for maintenance. During the budget hearing and performance oversight hearing for DCPL many witnesses testified that although a number of neighborhood libraries have been renovated, maintenance is needed to ensure that the buildings last for several decades. Furthermore, the Board of the DCPL has a policy in place that new construction projects do not begin unless a maintenance budget is in place. The Committee strongly agrees that funding for maintenance and repairs is absolutely necessary for our library capital assets. During the budget hearing, the Executive Director cited that over the last two fiscal years, DCPL has spent an average of \$1.7 million per year in capital dollars on facilities maintenance. Projects that were funded with this budget in FY15 included unforeseen incidents such as the Georgetown Library when a frozen sprinkler pipe burst due to cold weather. The Committee on Transportation and the Environment has transferred \$1.4 million in capital funds to the DCPL to restore a portion of this budget.

#### ***Committee Recommendations***

The Committee recommends a 6-year total capital budget of \$262,045,000 for the District of Columbia Public Library, of which \$21,095,000 will be allocated for FY16, which includes an increase of \$1.4 million for general maintenance.

#### **[INSERT CHARTS]**

The General Improvements budget enables the library to move forward on critical improvements to library buildings that have not yet been renovated, and improvement work scheduled for Shepherd Park and Chevy Chase libraries. The Committee supports an increase of \$1.4 million in FY16 for general maintenance.

## **E. D.C. PUBLIC LIBRARY TRUST**

The District of Columbia Public Library Trust Fund includes two bequests that are administered by the District of Columbia Public Library and enables the Fund's budget presentation to conform to that of the District's Comprehensive Annual Financial Report. The agency trust funds are classified as fiduciary funds that show assets held by the District in a trustee capacity or as an agent for individuals, private organizations, and other governments. Such trust funds are custodial in nature, reporting only assets and liabilities. Since fiduciary funds cannot be used for the operations of the government, they are not included in the District's government-wide financial statements.

The Trust contains the following 2 activities:

- Theodore W. Noyes Trust Fund
- The Georgetown Peabody Trust Fund

### **FISCAL YEAR 2016 OPERATING BUDGET**

#### ***Mayor's Proposed Budget***

The Mayor's proposed budget for the Trust included \$17,000 in Enterprise and other funds and 0 FTEs. The activities of the Trust are broken down as follows:

- Theodore W. Noyes Trust Fund—comprised of a bequest of \$7,000; and
- The Georgetown Peabody Trust Fund—is comprised of a bequest of \$10,000. The Peabody Library Association of Georgetown provided the funds by deed, gift of securities, cash, and other valuables in 1979 to support the Georgetown library branch and for other designated purposes.

#### ***Committee Recommendations***

The Committee makes no changes to the budget as proposed.

## **F. DISTRICT OF COLUMBIA PUBLIC CHARTER SCHOOL BOARD**

As an independent authorizer of public charter schools, the Public Charter School Board (PCSB) is responsible for chartering new schools through a comprehensive application review process; monitoring the existing charter schools for compliance with applicable local and federal laws; and, ensuring public charter schools are held accountable for both academic and non-academic performance.

The PCSB has one division:

- Agency Management

### **FISCAL YEAR 2016 OPERATING BUDGET**

#### ***Mayor's Proposed Budget***

The Mayor's FY16 budget proposal included \$8,000,000 in gross operating funds for PCSB, a \$1,258,710 (18.7 %) increase from the FY15 approved budget. The proposed budget supports 0 FTEs, which reflects a decrease of 1 FTE from FY15. The budget is comprised entirely of Local Funds.

#### *Local Funds (100)*

The proposed PCSB budget includes zero dollars in local funds, a 100% decrease from the FY14 approved budget. This decrease is due to the elimination of the PCSB local appropriation as the result of a proposed increase in the allowable administration fee.

#### *Special Purpose Revenue (600)*

The proposed PCSB budget includes \$8,000,000 in special purpose revenue funds, an increase of \$1,258,710 or 18.7 % from the FY15 approved budget. This increase is the result of the authorization granted under Section 38-1802.11(b)(2) of the District of Columbia Official Code that assesses schools a fee to cover operational costs. There is a decrease of \$130,002 due to the decrease of 1 FTE.

### ***Committee Comments and Analysis***

#### *FY14 Performance Oversight Hearing*

On February 18, 2015 the Committee on Education held the 2014 Performance Oversight hearing for the Public Charter School Board. There were ten public witnesses and three government witnesses who gave testimony.

#### Residency Fraud

The Committee questioned the PCSB's statement that it is the role of OSSE to run investigations on residency fraud in DCPCS. The Chairman inquired about the process and how well the two agencies work together to share data. The PCSB testified that the more data that is collected it then allows them to analyze trends in where there are reports of residency fraud. Although, for the PCSB to do the investigation is costly and time consuming, therefore it is better for OSSE's legal team to handle investigations with full cooperation from the PCSB. The Committee noted that this will be an annual question because of the cost that it has on the District of Columbia government for student enrollment.

#### Equity Reports

The PCSB along with OSSE, DCPS, and the DME are working together on Equity Reports that share academic data with the public, policy makers, and schools from both sectors. The Committee inquired

what their reports do and what the intent is for the data. The PCSB stated that the Equity Reports help to align how data is measured from education stakeholders without interfering with the operation of the schools. With that data, the PCSB is able to compare it with new charter applications to have a more informed conversation about student population growth and overall performance. It also helps to inform future Performance Management Framework (PMF) data that ensures that work is being done that will have greater equity in all schools. The Committee inquired about the breakdowns of the data and what specifically is not being tracked like gender and mid-year withdrawal from school by gender. He noted that in the future being able to see this data and how it is used will give the Committee and the public a better vision of how equity is being driven in all D.C. public schools.

#### Mental and Behavioral Health

The Committee is dedicated to having more behavioral and mental health services in schools to help children meet needs that allow them to be more engaged and ready to learn in the classroom. The Committee asked the PCSB how many and what type of health professionals are in the schools. The PCSB noted that well over half of the LEAs have health professionals of some kind, they are not sure the exact number. The D.C. Department of Behavioral Health (“DBH”) has sixteen health professionals in DCPCS. The Chairman encouraged the PCSB to have set meetings with DBH in order to have better communication and documentation so that when great resources are needed the Council can support it in future budgets. He also encouraged them to talk with all of their LEAs to understand the need and how what resources are needed as part of the data collection process. It was further highlighted the work that the PCSB has done to increase school nurses in 70 of 112 of their LEAs and the PCSB noted that they need more resources in order to provide school nurses in each LEA.

#### Statewide Longitudinal Education Data System (“SLED”)

The Committee inquired with the PCSB about what their data collection systems are for the individual LEAs. The PCSB responded that they use a system “Pro-Active” for attendance, enrollment, and suspensions and this data that is collected is shared with OSSE. They also use “Epicenter” for the collection of all documents and compliance reports and “SharePoint” to share information between the PCSB and each LEA. The Chairman emphasized the importance of the SLED database and how it will only be effective if all of the stakeholders use and rely on the same system by sharing and inputting data. SLED can be the central location for all District public schools to track our most vulnerable students, homeless students and families, and track our children beyond graduation. If data is shared and SLED is appropriately resourced it will be one of the city’s greatest assets for determining need, failure, and success within our education system. The Chairman noted that this is a system he will be tracking closely and asking all of the involved stakeholders about their engagement and use with it as well as what supports the SLED team will need in the future.

#### Fiscal Transparency

Over the previous two budget years, the PCSB revoked the charters of three schools for fiscal mismanagement, and the day after the oversight hearing the PCBS is scheduled to vote on the charter for the Community Academy Public Charter School. The Chairman raised questions about the fiscal mismanagement and what the PCSB was doing to rectify it. The PCSB noted that they lack the authority to access the records of private management companies that individual LEAs hire to manage their schools. They noted that it is rarely a problem with non-profit management companies because their records are available for public analysis. The Chairman discussed the potential for legislation that could be introduced to give the PCSB this authority, although he emphasized the need for the PCSB, as the authorizer, to require that all LEAs be contractually obligated to report this information. The PCSB countered that they do require disclosure, although the issue is schools that are operating in a fiscally irresponsible way intentionally hide information from the PCSB. Unless they can compel the books and records there is no other way for them to find out information without a D.C. Superior Court order that

shows a pattern of fiscal mismanagement. The Chairman noted his dedication to working on this important issue to find a clear solution.

#### Disposition of Buildings and New Chartering

Three public witnesses testified about the unclear procedures for the disposition of former DCPS buildings for the utilization of DCPCS. The witnesses stated that it makes it difficult for the public to know where a charter will open because the process is not transparent. The PCSB also noted in their testimony that this is a problem for the charters they authorize because they cannot require community engagement prior to the charter being authorized if none of the involved parties know where their schools will eventually be located. This is problematic for planning purposes for the schools as well as the communities who want to have input about where schools open in their neighborhoods or within locations that are in close proximity to other DCPS schools. The Chairman stated that there needs to be an inclusive conversation between the DME, DGE, DCPS, and the PCSB to come to an understanding and create a business model approach to the disposition and utilization of buildings and this process must also include community engagement.

#### Alternative Education Settings and Special Populations

The Committee inquired with the PCSB about its role with students who are transitioning in and out of alternative education settings and how this adversely affects individual LEAs. The example was given of a student in an alternative setting who is then moved to a new charter school, and the question was asked how that student transitioned back into the traditional school setting. The Committee asked for an explanation of what support services are available for both the student and the school to ensure that there are as little disruptions as possible when a student is in an alternative education setting and then transferred back to a charter school. The PCSB stated that they work closely with OSSE and the individual LEAs to come up with an individualized per student plan, but they know that this system is not perfect. They noted that knowing who their populations of students are through the utilization of SLED data has helped to align the system for transportation services to make them better. The Chairman asked specifically why or how it is getting better and the PCSB said that communication with OSSE is better and using better technology has helped. The Executive Director of the PCSB noted that he believes that the PCSB can do better with enforcing special population's services because in the past they have relied on the individual schools, but it is time for them as authorizers to take a greater role. He noted that the goal is best life outcomes; therefore the PCSB can work by bringing schools together with the appropriate D.C. agencies to increase the standard of services. The Chairman agreed and stated that the Committee needs to know what exactly that will look like, so that the Committee is informed about what needs support and who is accountable. He noted that this will lead to follow-up questions during the Budget Oversight Hearing.

#### *Proposed FY16 Budget*

#### Fiscal Transparency

Over the previous two budget years, the PCSB revoked the charters of three schools for fiscal mismanagement. During the performance oversight hearing for the PCSB the issues of fiscal oversight was discussed. In the week after the performance oversight hearing, the Board voted to revoke the charter for the Community Academy Public Charter School. On March 3, 2015, Chairman Grosso introduced the "Public Charter School Fiscal Transparency Amendment Act of 2015." This legislation, if passed, would allow the PCSB to audit private management companies for individual LEAs. On March 17, 2015 the Office of the District of Columbia Auditor released the "Oversight Improvements Must Continue to Ensure Accountability in the Use of Public Funds by D.C. Public Charter Schools" audit



about the fiscal management of PCSB and DCPCS.<sup>4</sup> The audit outlines six recommendations for the PCSB to follow in order to continue to improve its fiscal management. During the budget oversight during, the Committee requested more information about the PCSB's future plans for monitoring and enforcing fiscal transparency. The Committee believes that this function of the PCSB operations should be improved.

#### Chartering New Schools & Community Engagement

The PCSB has the authority to charter schools through a rigorous application and review process. It was requested at the FY16 budget hearing that the PCSB explain to the Committee what type of community engagement they require of charter applicants. Currently, the PCSB requires applicants to engage with the community where they intend to locate, although that location is not always the finalized place where the school opens. Therefore, this has caused serious concerns among community members who feel they are not involved enough in the procedure of authorizing and opening new charters, specifically with the reopening of the Gibbs School and Washington Global in Ward 6 and the potential new charters in Ward 7 and elsewhere. The Committee recommends that the PCSB take greater steps toward building in public engagement and public hearing processes throughout the authorization and school opening process. It also recommends that the PCSB engage with the DME for Cross Sector Task Force meetings to create a unified plan for the disposition of buildings and the necessary public engagement in that process.

The Committee also raised concerns about what the PCSB is doing now and planning in the future for developing a strategy to make charter schools the best option rather than just the alternative to DCPS. The Chairman noted that at one time DCPCS were ahead of DCPS, but since then DCPS has implemented new policies and standards and is equally competing with DCPCS. He also inquired about how DCPS will focus on closing underperforming schools that consistently rank at the Tier 3 level and how they will raise the standards for Tier 1 schools. The PCSB answered that with the consistent tenure of leadership at the PCSB for the past three and a half years, they have been able to make the hard decisions to close eighteen (15%) of schools and of the Tier 3 schools, one-third have improved; one-third have closed; and one-third have taken some alternative approach and changed their model and mission. They also noted that each year, the Tier rating threshold increases and is adjusted for each measure that a school must reach. One of the PCSB's hurdles is that their adult and early childhood schools do not take the DC CAS, so the PCSB is unable to target and analyze them as easily, but they can look at other data and make individual school visits. The Board also testified that they adjust the PMF accordingly from year to year and they have completed fifteen "Board to Board" meetings this year with schools that are showing signs of issues.

#### Disposition of Buildings

The conversation from the performance oversight hearing regarding building disposition was continued during the budget oversight hearings to highlight the Deputy Mayor for Education's ("DME") verbal commitments to participating in a roundtable later this year with the Committee on Education to highlight a pathway forward for what steps must happen to make the building disposition process fair, transparent, and consistent. The Chairman expressed the importance of the PCSB collaborating with the DME on the Cross Agency Collaboration Taskforce and participating in these conversations. Currently, there are not statutory mandates that require this business model approach or the level of community engagement that is necessary, therefore the Committee will be looking to the Task Force members to convene as quickly as possible and make recommendations to the Council about how the process can be improved.

#### Alternative Education Settings and Special Populations

---

<sup>4</sup>Office of the District of Columbia Auditor released the "Oversight Improvements Must Continue to Ensure Accountability in the Use of Public Funds by D.C. Public Charter Schools" Kathleen Patterson, District of Columbia Auditor; Marshall Matsiga, Auditor-in-Charge. March 17, 2015 <http://dcauditor.org/sites/default/files/DCA162015.pdf>

During the performance oversight hearing, the Committee inquired about alternative education and what is currently being done in DCPCS for special populations. The PCSB witnesses testified that there is more work that they can do to engage with each individual LEA. The Committee heard reports after the oversight hearing from advocates and residents who were displeased with Americans with Disabilities Act non-compliance in charter schools buildings. The Chairman also toured schools that were not appropriately equipped for students in wheelchairs or in need of other alternative means of access. The Chairman noted that currently, DCPS is going school to school to ensure that there is ADA compliance and asked what the PCSB is doing. They stated that they survey schools and require them to provide information about ADA compliance. The Chairman also suggested that new information requests be added to this survey and to scrutinize schools that were authorized prior to the current board members who are sitting on the PCSB.

The Chairman also raised questions about what the PCSB is doing to ensure that the Individuals with Disabilities Education Act (IDEA) is being properly implemented and enforced in all education settings.<sup>5</sup> Specifically, he raised concerns about how students with developmental disabilities are treated during the assessment testing and what the government is doing to ensure that their treatment is fair and not discriminatory. The advocates who contacted the Committee stated that sometimes teachers or administrators view students with disabilities as a threat to good test scores, and underestimate those students' ability to excel academically. He inquired about what proactive efforts do they have to address such stereotypes about students with disabilities. The PCSB responded that this is an issue that mainly OSSE handles and PCSB has a Special Education Team that is comprised of experts who work with OSSE. Currently, OSSE focuses on compliance and the PCSB focuses on outcomes and providing technical assistance for individual schools. The Chairman recommended that in their surveys to LEAs regarding ADA compliance, the PCSB also engages with schools on how they are administering and handling testing for students with disabilities.

### ***Committee Recommendations***

The Committee recommends a gross operating budget of \$8,000,000 and 0 FTEs for PCSB.

### **[INSERT CHARTS]**

### **Committee Adjustments to FTE Authority**

The Committee makes no changes to the proposed FY16 operating budget for PCSB.

## **FISCAL YEAR 2016 CAPITAL BUDGET**

The proposed FY16 budget included no capital funds for PCSB. The Committee has no recommended changes.

## **POLICY RECOMMENDATIONS**

The Committee recommends the following policy changes based on the analysis and discussion above and issues brought up during PCSB performance and budget oversight hearings this year.

### ***1. At-Risk Funds***

The Public Charter Schools receives funding determined by the UPSFF that is distributed to individual LEAs to serve approximately 17,154 students who are identified as at-risk for academic failure. This

---

<sup>5</sup> The Individuals with Disabilities Education Improvement Act of 2004; PL 108-446. IDEA is a law ensuring services to children with disabilities throughout the nation. IDEA governs how states and public agencies provide early intervention, special education and related services to more than 6.5 million eligible infants, toddlers, children and youth with disabilities from birth through the age of twenty-one.

new weight for at-risk students was added in the FY15 proposed budget. DCPS, the other LEA that receives at-risk funding, is required to report exactly how this money is spent. Currently, the charter LEAs are not required to report to the PCSB how their at-risk funds are being spent, consequently there is no way for the Committee to track how these public dollars are being utilized.

The Committee recognizes the independence of the individual LEAs, but believes that in order to continue to support their receipt of at-risk funds they must report to the PCSB how that money is being apportioned. During the oversight and budget hearing process, the Committee received dozens of phone calls and notes of correspondence from concerned parents and residents regarding why summer school programs were cut and how at-risk dollars were allocated in their child's public charter school. The Committee has seen a pattern of lack of transparency and information about how these public dollars have been allocated in public charter schools, leaving no way to answer to the public as the appropriator how these dollars are accounted for in each school.

Therefore, by October 1, 2105 the Committee requires a report on the distribution of At-Risk funds to each LEA with a specific breakdown on how that money was spent, specifically on what programs, initiatives, and the enrichment activities it supported. Each LEA must report this information for School Year 2014-2016 to the PCSB in time for them to compile and submit the report to the Committee. Each LEA shall also include its projected plan for at-risk funds for School Year 2015-2106. The report does not have to include alternative and adult students because they are not considered "at-risk" and are provided a separate funding allocation via the UPSFF.

## *2. Fiscal Management*

The Committee has noted that the PCSB is working internally to increase their controls for fiscal management. The Committee recommends that the PCSB continue to take measurable steps toward implementing internal controls with current LEAs and charter applicants regarding financial management and transparency. As the authorizer, the Committee believes that they PCSB should be taking any and all steps it can to address poorly managed schools that are not transparent about their internal operations. It should be anticipated that during this Council Period 21 the Committee on Education will hold a hearing on B21-0115 "The Public Charter School Fiscal Transparency Amendment Act of 2015" and the PCSB should be prepared to answer detailed questions about their role and responsibility as the authorizer and their oversight of fiscal management.

## *3. Bullying Prevention*

During the performance oversight hearing, the Bullying Prevention Task Force reported to the Committee that eight public charter schools who have not submitted a bullying prevention policy, or have not submitted a compliant bullying prevention policy to the Bullying Prevention Task Force in accordance with D.C. Code § 2-1535.03. The Committee on Education emphasizes the value of providing learning environments in which no student feels harassed, bullied, or marginalized both within the District of Columbia Public Schools, and the District of Columbia Public Charter Schools. By October 1, 2015, the Public Charter School Board shall report back to the Committee on the status of the following schools who have never submitted a policy:

- IDEAL; and
- William Doar

The following schools still need revisions to be fully compliant:

- Basis;
- Briya;
- Excel;

- LAMB;
- SEED; and
- Somerset.

#### *4. Reducing Suspensions and Expulsions*

The Committee has engaged in an ongoing conversation about the need to reduce student suspensions and expulsions across our public schools. Since looking at this issue in earnest, the Committee is pleased that overall suspension and expulsion numbers for public charter schools are down. As many know, B21-1, the Pre-K Student Discipline Amendment Act of 2015 passed by the Council earlier this year included a robust data component with the first comprehensive report of that data to be issued by OSSE in October. The Committee asks that PCSB and public charter schools fully comply with the data requests of OSSE on this matter. This report will guide the Committee's future work on further reducing suspensions and expulsions for upper grades.

## **G. NON-PUBLIC TUITION**

The mission of the Non-Public Tuition agency is to provide funding, oversight and leadership for required special education and related services for children with disability who attend special education schools and programs under the federal Individuals with Disabilities Education Act (IDEA).

Non-Public Tuition funds a variety of required specialized services, including instruction, related services, educational evaluations, and other supports and services provided by day and residential public and non-public special education schools and programs. The agency also funds students with disabilities who are District residents placed by the Child and Family Services Agency (CFSA) into foster homes and attending public schools in those jurisdictions. The budget also provides for supplemental payments to St. Coletta's Public Charter School to cover the costs of students who require specialized services beyond what can be supported through the Uniform per Student Funding Formula (UPSFF).

Non-Public Tuition is organized into the following program(s):

- Non-Public Tuition

### **FISCAL YEAR 2016 OPERATING BUDGET**

#### ***Mayor's Proposed Budget***

The Mayor's FY16 budget proposal included \$74,414,869 in gross operating funds for Non-Public Tuition, a \$75,000 (0.1%) increase from the FY15 approved budget. The proposed budget supports 18 FTEs, a 1.0 FTE increase from FY15.

#### ***Local Funds (100)***

The proposed FY16 budget for Non-Public Tuition included \$74,415,000 in local funds, a \$75,000 increase from the FY15 approved budget. This increase is primarily due to a new Medicaid Recovery Director's position and an increase for general office supplies and travel.

#### ***Committee Comments & Analysis***

In the past, the Committee has continually expressed concern regarding over-budgeting in Non-Public Tuition, since surplus funds were regularly reprogrammed for non-educational purposes. However, after reviewing current (SY14-15) and projected (SY15-16) enrollments and subsequent conversations with OSSE, the Committee feels as though the proposed FY16 budget for Non-Public Tuition is appropriate.

As of May 2015, there have been a total of 1,345 unique students enrolled in non-public programs so far this fiscal year. However, enrollment in these programs is fairly fluid throughout the year as it is based on student need and the determination that those needs cannot be met by D.C. Public Schools or one of our public charter schools. For instance, in April 2015, there were 1,014 students in non-public programs, an increase of 11 students from the prior month. Based on a review of current data trends, OSSE anticipates that the enrollment numbers for non-public tuition will stay constant and the proposed budget is consistent with that point.

#### ***Committee Recommendations***

The Committee recommends a gross operating budget of 74,414,869 for Non-Public Tuition. This is no change from the Mayor's request.

**[INSERT CHARTS]**

Committee Adjustments to the Operating Budget

The Committee makes no adjustments to the proposed FY16 operating budget for Non-Public Tuition.

Committee Adjustments to the FTE Authority

The Committee makes no adjustments to the proposed FY16 FTE Authority for Non-Public Tuition.

## H. SPECIAL EDUCATION TRANSPORTATION

The mission of the Office of the State Superintendent of Education (OSSE)'s Special Education Transportation, also known as the Department of Student Transportation (DOT), is to support learning opportunities by providing safe, on-time and efficient transportation services to eligible District of Columbia students.

The OSSE-DOT is primarily responsible for processing student transportation requests from Local Education Agencies; maintaining the means to transport eligible students safely and on time; and improving service levels by collaborating with stakeholder groups that include parents, school staff and special education advocates.

The Special Education Transportation agency is divided into three major divisions:

- Director's Office
- Bus and Terminal Operations
- Fleet Maintenance

### FISCAL YEAR 2016 OPERATING BUDGET

#### *Mayor's Proposed Budget*

The Mayor's FY16 budget proposal included \$97,305,376 in gross operating funds for OSSE-DOT, a \$1,257,000 (1.3%) decrease from the FY15 approved budget. The proposed budget supports 1,396 FTEs, a 113.5 FTE decrease from FY15.

#### *Local Funds (100)*

The proposed FY16 budget for OSSE-DOT included \$93,805,000 in local funds, a \$243,000 increase from the FY15 approved budget. This increase is primarily due to increased FTEs to support Parent Call Center activities, investigation of operations, and Fleet Management services. Further, the increase can be attributed to increased Fixed Cost estimates to support rental property on New York Avenue.

#### *Intra-District Funds (700)*

The proposed FY16 budget for OSSE-DOT included \$3,500,000 in local funds, a \$1,500,000 decrease from the FY15 approved budget. This decrease reflects the projected Federal Medicaid Reimbursements within the Office of the Director program.

#### *Committee Comments & Analysis*

Special education transportation is a service provided to students who have such a requirement included within their individualized education plan (IEP). The need for transportation could be based on medical necessity, behavioral health concerns, or a lack of specialized services at the student's neighborhood school. Currently, OSSE-DOT services over 3,300 students, in 225 schools utilizing approximately 732 vehicles that travel a cumulative 31,000 miles per day along 557 routes. Additionally, they provide transportation services in the form of metro fare cards for eligible students and parent reimbursement.

For years, much of OSSE-DOT complaints have centered on late arrivals and the lack of real-time communication with families. Investment in GPS technology for the bus fleet has allowed for tracking on-time arrival in the morning and to homes after school. The Committee commends OSSE-DOT for the early rollout of its new automated Parent Notification System (PNS), with a mass notification service provider Blackboard Connect. Now, with the push of a button the Division can notify the parents and

guardians of the students who use student transportation within a matter of minutes through automated voice and text messages. This tool has enhanced OSSE-DOT's parent outreach and engagement.

The Committee is concerned about the dramatic reduction FTEs (65.3) in the Terminal Operations program, including Bus Attendants. In response to Mayor Bowser's budget request, OSSE-DOT did a critical review of its budget and eliminated a number of vacant positions and several non-personnel line items. While the Committee applauds the Division for finally right-sizing, since there was no proposed increase in overtime pay, there is concern about the Division having enough staff and resources to cover scheduled and unscheduled leave, and long-term absences.

### ***Committee Recommendations***

The Committee recommends a gross operating budget of \$97,305,376 and 1,396 FTEs for OSSE DOT. This is no change from the Mayor's request.

### **[INSERT CHARTS]**

#### **Committee Adjustments to the Operating Budget**

The Committee makes no adjustments to the proposed FY16 operating budget for Special Education Transportation.

#### **Committee Adjustments to the FTE Authority**

The Committee makes no adjustments to the proposed FY16 FTE Authority for Special Education Transportation.

## **FISCAL YEAR 2016 CAPITAL BUDGET**

### ***Mayor's Proposed Budget***

The Mayor's proposed budget includes \$10,663,000 in capital funds for OSSE-DOT across FY16 and FY17. These funds have been dedicated to the vehicle replacement program for the bus fleet.

### ***Committee Comments & Analysis***

Typically, the useful life of a school bus is 8 years. Of OSSE-DOT's current fleet of approximately 800 buses, 308 are over 8 years, and some are as old as 15 years. Under this plan, OSSE-DOT would replace 100 vehicles per year in 5 tranches spaced evenly throughout the year. This would allow OSSE-DOT to replace each of their 800 vehicles over 8 years. The Committee supports the continued replacement of vehicles to reduce maintenance costs and increase operating efficiency.

### ***Committee Recommendations***

The Committee recommends a capital budget of \$10,663,000 in capital funds for OSSE-DOT. This is no change from the Mayor's request.



## I. STATE BOARD OF EDUCATION

The mission of the District of Columbia State Board of Education (“State Board”) is to provide policy leadership, support, advocacy, and oversight of public education to ensure that every student is valued and gains the skills and knowledge necessary to become informed, competent and contributing global citizens.

The State Board views its role in the achievement of this mission as one with shared responsibility, whereby it engages families, students, educators, community members, elected officials and business leaders to play a vital role in preparing every child for college and/or career success.

The State Board has only one program: the State Board of Education.

### FISCAL YEAR 2016 OPERATING BUDGET

#### *Mayor’s Proposed Budget*

The Mayor’s FY16 budget proposal included \$1,105,000 in gross operating funds for SBOE, a \$44,000 decrease from the FY15 approved budget. The proposed budget supports 18 FTEs, equal to the FY 15 approved budget. The SBOE’s FY16 budget is comprised of \$1,076,000 in local funds and \$28,000 in private donations.

#### *Committee Comments and Analysis*

##### *FY14 Performance Oversight Hearing*

The Performance Oversight Hearing for the State board of Education was held on March 6, 2015. No public witnesses testified. The Committee heard testimony from State Board of Education President, Jack Jacobson. The President spoke of some critical areas of need, including the desire for the State Board to initiate consideration and adoption of policy initiatives. The President highlighted that the current structure is unlike any other State Board of Education in the country. Additionally, the President spoke of the possible reauthorization of the Elementary and Secondary Education Act in Congress and the State Board’s desire to work with the Committee on Education to ensure that the District of Columbia’s education policy is responsive to any changes in Federal Legislation.

The Ombudsman for Public Education, Joyanna Smith, also spoke about the work of the Office of the Ombudsman. She highlighted several resolutions her office has been able to facilitate and significant cross-agency collaboration. The Ombudsman mentioned the need for an intake specialist, who could perhaps be shared with the Chief Student Advocate, to consistently handle intake calls. Currently, fellows and interns who are not consistently in the office perform this function, which often causes frustration for some parents who must leave a message on voicemail.

##### *Proposed FY16 Budget*

The Budget Oversight Hearing for the State Board of Education was held on April 30, 2015 and the Committee heard from one public witness expressing support for the Office of the Ombudsman. President Jack Jacobson, Vice President Karen Williams, and Ombudsman Joyanna Smith appeared before the Committee.

### Office of the Student Advocate

In FY15, the Committee funded the establishment of the Office of the Student Advocate within the State Board of Education. While the Committee is concerned that the position remained vacant for the first seven months of the fiscal year, a new Student Advocate is scheduled to begin work in May 2015. The Office of the Student Advocate will be a critical resource for parents and students in the District. There is significant demand for information regarding student support services, special education needs and resources, and student discipline. The Student Advocate will also support parents and students from both public and charter school systems working with the Office of the Ombudsman on complaint resolution proceedings. Combined with the work of the Ombudsman, the Committee anticipates that this will greatly help parents continue to navigate the public education system in the District of Columbia.

### Office of the Ombudsman for Public Education

During the Committee's budget hearing for the State Board, the witnesses for the State Board again testified about the need to hire an intake specialist to assist with the functions and duties of the Office of the Ombudsman and the Chief Student Advocate. This additional FTE was not included in the Mayor's proposed FY16 budget. The Ombudsman's caseload continues to grow, illustrating the success of her office as they strive to address the needs of public school families across the District of Columbia.

The Ombudsman for Public Education worked diligently and successfully in its first full year of operation. The office received 150 complaints through August 15, 2015 and resolved 94.6% of the cases—the remaining were dismissed as unfounded. The top three categories of complaints regard special education, discipline, and administrative matters. The Committee believes that the Office of the Ombudsman has proven to be a worthwhile investment worthy of continued support. It is only as successful as the capacity of its staff and therefore, the Committee on Transportation and the Environment has transferred one FTE to the State Board for the purposes of being shared by the Office of the Ombudsman and the Office of the Chief Student Advocate.

### Facilities

In FY15, the State Board of Education was authorized to spend \$80,000 to renovate space in a building owned by the District of Columbia located at 441 4<sup>th</sup> St NW. The space was renovated for the State Board of Education; however, the Mayor's transition team began to utilize the space before the Board was able to move in soon after the election in November 2014. Between the agency's performance oversight and budget oversight hearings the State Board of Education was notified that the space would be transferred to another agency, and that the State Board would not be reimbursed for the work performed at the State Board's expense.

The State Board made a compelling case for new facility space, including the need for confidentiality. The nature of the work of the Office of the Ombudsman requires space for parents and students to meet with the Ombudsman in a confidential manner. The current facilities do not provide the Ombudsman with confidential meeting space. Conference rooms have been turned into "bullpens" for fellows and interns, 9 elected Board of Education members share an office, and the government witnesses testified that the walls are "paper thin".

The Committee has significant concerns over the facilities situation with the State Board of Education. The Committee recommends that the Deputy Mayor for Education work with the State Board of Education and the Department of General Services to identify government-owned space for the State Board of Education, which provides the necessary confidentiality parameters required by the Ombudsman, and sufficient space for the elected members of the State Board of Education and their associated FTEs.

### ***Committee Recommendations***

The Committee recommends a gross operating budget of \$1,169,576, a \$65,000 increase from the Mayor's proposed FY16 budget. The Committee also recommends 19.0 FTE, an increase of 1.0 FTE over the proposed budget.

### **[INSERT CHARTS]**

#### **Committee Adjustments to the Operating Budget**

The Committee makes the following adjustments to the proposed FY16 operating budget for the State Board of Education:

PROGRAM: *State Board of Education*

APPROPRIATION TITLE: *Local Funds*

#### ***CSG11 (Regular pay)***

The Committee directs \$52,650 in funds transferred from the Committee on Transportation and the Environment to the State Board of Education to hire one additional FTE, an intake specialist shared between the Office of the Student Advocate and the Ombudsman for Public Education.

#### ***CSG14 (Fringe benefits)***

The Committee directs \$12,350 in funds transferred from the Committee on Transportation and the Environment to be use used to support the one additional FTE intake specialist shared between the Office of the Student Advocate and Ombudsman for Public Education.

#### **Committee Adjustments to FTE Authority**

The Committee recommends an increase of 1.0 FTE above the Mayor's FY16 proposal of 18.0 FTE to allow the State Board of Education to hire an intake specialist shared between the Office of the Ombudsman and the Office of the Student Advocate.

### **POLICY RECOMMENDATIONS**

The Committee has no policy recommendations for the State Board of Education at this time.

### **FISCAL YEAR 2016 CAPITAL BUDGET**

The Mayor's proposed budget did not include any capital funding for SBOE.

## **J. DEPUTY MAYOR FOR EDUCATION**

The Office of the Deputy Mayor for Education (“DME”) is responsible for developing and implementing the Mayor’s vision for academic excellence and supporting the education-related District Government agencies in creating and maintaining a high quality education continuum from early childhood to K-12 to postsecondary and the workforce.

The three major functions of the DME include: Overseeing a District-wide education strategy; Managing interagency and cross-sector coordination; providing oversight and/or support for the following education related agencies: DC Public Library (“DCPL”); DC Public Schools (“DCPS”); Office of the State Superintendent for Education (“OSSE”); Public Charter School Board (“PCSB”); and University of the District of Columbia (“UDC”).

DME has only one program:

- Department of Education

### **FISCAL YEAR 2016 OPERATING BUDGET**

#### ***Mayor’s Proposed Budget***

The Mayor’s FY16 budget proposal included \$3,001,327 in gross operating funds for DME, a \$3,915,992 decrease (-56.6 %) from the FY15 approved budget. The proposed budget supports 16 FTEs, which reflects no change from FY15. The budget is comprised entirely of Local Funds.

#### ***Local Funds (100)***

The proposed DME budget included \$3,001,327 in local funds, a \$3,915,992 decrease from the FY15 approved budget. This decrease is primarily due to the removal of \$4 million dollars for One-Time Funding for facilities planning grants for the D.C. Public Charter Schools. The DME’s budget increases by \$93,000 for non-personal services for programmatic needs and increases by \$29,444 to support projected salary steps and fringe benefits.

#### ***Committee Comments and Analysis***

##### ***FY14 Performance Oversight Hearing***

On March 10, 2015 the Committee on Education held a performance oversight hearing for the Deputy Mayor for Education. Seven public witnesses testified and one government witness. The public testimony included reports about truancy and the funding plans for individual schools. The Deputy Mayor for Education, Jennifer Niles, began in the role as DME in January 2015 and was reporting on actions by the office that occurred outside of her tenure.

#### **New School, Modernization, and Building Disposition**

The Committee inquired about the process that is currently in place for the disposition of former DCPS buildings to public charter schools. There was also a concern raised about the overcrowding of schools and questions about whether or not the boundary redrawing process will be effective in alleviating the pressure on schools that are at or exceeding capacity levels. The DME noted that she believes that there needs to a more formalized process for the disposition of buildings and that this can be accomplished through a convening of the Cross Agency Collaboration Task Force comprised of the DME, PCSB, DGS, and other education stakeholders. The Chairman emphasized that the entire chartering process for new schools being authorized needs to be clear and it is currently not, which is problematic. He stated that he

does not believe it is about there not being enough buildings or space, but again the emphasis is on the fact that the process is not clear, therefore no one knows how the process works.

The Chairman also raised concerns about the modernization plans for all schools across the city. He noted that at the DCPS oversight hearing, Chancellor Kaya Henderson agreed to want a more formalized approach with business model standards for how schools are timed for capital improvements. The DME agreed that she too would like to have a more formalized approach and agreed to work with the Chancellor and the Committee during the budget process for FY16 to formulate a process that is data based and consistent for six year periods.

#### Youth Re-Engagement Centers

The Chairman inquired about the number of youth that have been touched by the Youth Re-Engagement Center (REC). He noted that his concerns arise from the Committee approving to give the program additional funding during the FY15 budget and that he requested the benchmarks be met to show that the program was working. At the time of the oversight hearing, the DME was only able to give current numbers of students served – 48 youth and 19 intakes completed. The Chairman expressed his disappointment because the city has identified over 7,000 disconnected youth and programs that take this much time to launch and cannot serve youth quickly should not be funded. He noted that the Committee would be addressing this issue again at the Budget Oversight Hearing and would scrutinize the request for additional funding for this program.

#### Truancy

The day before the oversight hearing, the DC Lawyers for Youth and the Children's Law Center released a joint report "How DC's Truancy Policy Fails Students and Steps to Turn it Around"<sup>6</sup>. In the report, it listed six recommendations for how the city can reduce truancy without prosecuting students. The Committee inquired about the Student Support Teams (SST) who are operating in DCPS schools, but are not meeting enough due to staffing models. The Chairman asked the DME what her recommendation would be for strengthening school-based intervention. She answered that this difficult to answer because it is based on staff level availability and resources from school to school and also that SSTs do other work besides just truancy to assist students in need.

The Committee also noted that during the DCPS oversight hearing, the Committee heard from students and advocates who testified about how the 80/20 rule, the regulation that defines missing more than 20% of regular school hours as an absence, adversely affected them because when they were late, it counted against them as unexcused absences at the end of the year. The Committee asked if the DME recommends a legislative or policy fix to the 80/20 rule or the Attendance Accountability Act and she responded that she would need to look more closely at this and discuss it with the Truancy Task Force and determine if it will be one of their reported recommendations. Lastly, the Committee asked when is the Truancy Task Force meeting next and what are the priorities on the agenda will be and the DME stated they will meet at the end of April. The Chairman emphasized the need that this group meet as soon as possible and collaborate to align to a set of recommendations the Committee can support and assist with implementation if necessary.

#### *Proposed FY16 Budget*

On April 21, 2015, the Committee on Education held a budget oversight hearing for the Deputy Mayor for Education. There were six public witnesses and one government witness. The public witnesses testified about truancy and court pressures, after school program funding, and the need for the University

---

<sup>6</sup> <http://www.childrenslawcenter.org/sites/default/files/How-DC-Truancy-Policy-Fails-Students.pdf>

of the District of Columbia's Community College to have its own dedicated financial officer from the Office of the Chief Financial Officer.

#### Youth Reengagement Center

As a follow-up to the performance oversight hearing, the Committee inquired about the Reengagement Center's data changes. The DME reported in her testimony that the REC had served 171 youth and completed 94 intakes since the oversight hearing in February. The Committee's questions about the program were answered and the Chairman emphasized his understanding that using national best-practices is important and it is now clearer what models are being used. The DME noted that in order to reach more youth, this program will require greater funding commitments in future years to grow staff capacity.

#### Capital Improvement Plan Process ("CIP")

The DME is the entity with the final oversight authority of the Capital Improvement Plan ("CIP"). During the budget oversight hearing, residents and parents testified about the need for a more consistent and transparent process for the CIP. At both the FY14 agency oversight hearing and at the budget FY16 hearing, the DME agreed to work with the Committee, the Chancellor of the Public Schools, and other education stakeholders to develop business model best practices for ensuring a CIP that provides for fair and equitable funding of our public schools. The Chairman inquired about the priorities for this budget cycle of the DME and she responded that for the CIP it is a focus on enrollment, utilization, condition, and prior modernization. In the proposed budget, there are four schools that are "pushed-back" until the FY19 calendar. The decision matrix for this was that the Executive believes that they need to continue to pay for schools currently under construction; focus on Coolidge High School because it is the last high school on the list; the new application school in Ward 7; and a middle school in Ward 4. The DME explained that in previous years, there was \$400 million for capital improvements, but there is now a large debt payment due in FY18. Therefore, they recommend that some modernizations are begun in FY16; fewer in FY17; and none in FY18 because of the debt cap and debt service. She stated that she is dedicated to developing business rules to help alleviate the confusion about the CIP process in future years. The Chairman stated that he was glad to hear that she is committed to this and said that the process must be objective. He said that as a city we need to have a formalized plan and agree to stick to it.

#### Cross-Sector Collaboration Task Force

As the entity that is also responsible for the Master Facilities Plan and ensuring alignment with the Capital Improvement Plan, the Committee believes the DME holds a critical role in supporting and prioritizing facilities development. During the FY14 oversight hearing and the FY16 budget hearing, the Committee heard public testimony regarding the challenge of facilities in the public charter school sector. Due to the lack of equitable funding between the public education sectors and among individual schools, the charter schools expressed concerns with their ability to fund and support critical facility needs. Residents also testified about the lack of community input and engagement in the process for the disposition of buildings. Specifically, charters and residents noted that it is almost impossible to anticipate where a newly authorized school will be located in the city because the process is neither clear nor transparent. It was raised that an important role for the task force can also be equity and enhancing outcomes for students, practically those east of the river in Wards 7 and 8. The Committee has been hearing about this cross-sector collaboration task force for quite some time without any indication of movement from the Executive that it is actually happening. The Committee will continue to monitor the progress for convening of this body and subsequently, the work and discussions that will follow.

#### Truancy and the Truancy Task Force

During the FY14 agency oversight hearing and at the budget FY16 hearing, the DME discussed the office's role in combatting chronic absenteeism by reinvigorating the Truancy Taskforce. The Task

Force will be comprised of both government and public education stakeholders to use the EdStat model to collect and analyze data. The Task Force is slated to meet quarterly and present a report on absenteeism in the District of Columbia by the fall of 2015. The Chairman emphasized the importance that all of the stakeholders, both government and public, are involved in the Truancy Task Force and that goals are set out and followed to make this a worthwhile group. It was agreed by all parties that there is an issue with making sure parents understand that once your child is enrolled it is now vital that their child gets to school and this begins at Pre-K 3. Many schools have internal controls, but because Pre-K is not compulsory it can often skew attendance data and it is where the DME can focus reaching both parents and students. The DME stated that overall the focus needs to be on what gets children to school, who is absent and why are they absent, and if the programs that the government has in place are actually working to track and enforce attendance. The Chairman agreed and stated that he intends to be heavily involved in attendance policy in the future.

### ***Committee Recommendations***

The Committee recommends a gross operating budget of \$3,001,327 and 16 FTEs for the DME. This is no change from the Mayor's request.

	FY 2016 Approved FTE	FY 2016 Mayor Proposed FTE	Committee Variance FTE	FY 2016 Committee FTE
<b>GW0 - DEPUTY MAYOR FOR EDUCATION</b>				
100 LOCAL FUND	16.00	16.00	0	16.00
<b>GROSS FTES</b>	<b>16.00</b>	<b>16.00</b>	<b>0</b>	<b>16.00</b>

### ***Fiscal Year 2016 Operating Budget, By CSG***

	FY15 Approved	FY16 Mayor's Proposed	Committee Variance	FY16 Committee
<b>GW0 - DEPUTY MAYOR FOR EDUCATION</b>				
<b>Personal Services (PS)</b>				
11--REGULAR PAY - CONT FULL TIME	1,690,778	1,676,181	0	1,676,181
12--REGULAR PAY - OTHER	0	72,535	0	72,535
14--FRINGE BENEFITS - CURR PERSONNEL	263,045	299,030	0	299,030
<b>Total Personal Services</b>	<b>1,953,823</b>	<b>2,047,746</b>	<b>0</b>	<b>2,047,746</b>
<b>Nonpersonal Services (NPS)</b>				
20--SUPPLIES AND MATERIALS	10,000	15,000	0	15,000
31--TELEPHONE, TELEGRAPH, TELEGRAM, ETC	8,155	8,155	0	8,155
40--OTHER SERVICES AND CHARGES	40,272	92,665	0	92,665
41--CONTRACTUAL SERVICES - OTHER	890,906	787,761	0	787,761
50--SUBSIDIES AND TRANSFERS	4,000,000	0	420,000	420,000
70--EQUIPMENT & EQUIPMENT RENTAL	14,092	50,000	0	50,000
<b>Total Nonpersonal Services</b>	<b>4,963,425</b>	<b>953,581</b>	<b>420,000</b>	<b>1,373,581</b>
<b>GROSS FUNDS</b>	<b>6,917,248</b>	<b>3,001,327</b>	<b>420,000</b>	<b>3,001,327</b>

	FY 2015 Approved	FY 2016 Mayor Proposed	Committee Variance	FY 2016 Committee
<b>GW0 - DEPUTY MAYOR FOR EDUCATION</b>				
2000	6,917,248	3,001,327	420,000	3,421,327
<b>GROSS FUNDS</b>	<b>6,917,248</b>	<b>3,001,327</b>	<b>420,000</b>	<b>3,421,327</b>

## **FISCAL YEAR 2016 CAPITAL BUDGET**

The Mayor's proposed budget did not include any capital funding for the DME.

### **POLICY RECOMMENDATIONS**

The Committee recommends the following policy changes based on the analysis and discussion above and issues brought up during DME performance and budget oversight hearings this year.

#### *1. Cross Sector Taskforce*

As the entity that is responsible for the Master Facilities Plan and ensuring alignment with the Capital Improvement Plan, the Committee believes the DME holds a critical role in supporting and prioritizing facilities development. The Committee recommends that the Cross-Sector Collaboration Task Force lead by the DME convene immediately to begin working out business rules and best practices for the disposition of buildings, the right to first offer for public charter schools, and Managing the Request for Proposals ("RFP") Process for Excess Facilities. By October 1, 2015 the Committee requests a Report from the Cross Sector Collaboration Task Force on the strategic plan and timeline for the process for formalizing the disposition of former DCPS buildings to charter schools.



### **III. FISCAL YEAR 2016 BUDGET REQUEST ACT RECOMMENDATIONS**

On Thursday, April 02, 2015, Chairman Mendelson introduced, on behalf of the Mayor, the “FY 2016 Budget Request Act of 2015” (Bill 21-0157). The Committee makes the following recommendations:

## **IV. FISCAL YEAR 2016 BUDGET SUPPORT ACT RECOMMENDATIONS**

On April 2, 2015, Chairman Mendelson introduced, on behalf of the Mayor, the “Fiscal Year 2015 Budget Support Act of 2015” (Bill 21-157). The Committee has provided comments on those subtitles related to its purview in addition to recommending new subtitles for inclusion.

### **A. RECOMMENDATIONS ON BUDGET SUPPORT ACT SUBTITLES PROPOSED BY THE MAYOR**

The Committee provides comments on the following subtitles of the “Fiscal Year 2016 Budget Support Act of 2015”:

1. TITLE IV, SUBTITLE A. UNIFORM PER STUDENT FUNDING FORMULA FOR PUBLIC SCHOOLS AND PUBLIC CHARTER SCHOOLS AMENDMENT
2. TITLE IV, SUBTITLE B. SCHOOLS TECHNOLOGY FUND
3. TITLE IV, SUBTITLE C. STUDENT RESIDENCY VERIFICATION FUND
4. TITLE IV, SUBTITLE D. AT-RISK WEIGHT PRESERVATION FUND ESTABLISHMENT
5. TITLE IV, SUBTITLE E. CHANCELLOR OF DCPS SALARY ADJUSTMENT AMENDMENT
6. TITLE IV, SUBTITLE F. DCPS SPONSORSHIP OPPORTUNITIES AMENDMENT
7. TITLE IV, SUBTITLE G. EDUCATOR EVALUATION DATA PROTECTION AMENDMENT

The Committee provides comments on the following subtitles of the “Fiscal Year 2016 Budget Support Act of 2015”:

8. TITLE IV, SUBTITLE A. UNIFORM PER STUDENT FUNDING FORMULA FOR PUBLIC SCHOOLS AND PUBLIC CHARTER SCHOOLS AMENDMENT
9. TITLE IV, SUBTITLE B. SCHOOLS TECHNOLOGY FUND
10. TITLE IV, SUBTITLE C. STUDENT RESIDENCY VERIFICATION FUND
11. TITLE IV, SUBTITLE D. AT-RISK WEIGHT PRESERVATION FUND ESTABLISHMENT
12. TITLE IV, SUBTITLE E. CHANCELLOR OF DCPS SALARY ADJUSTMENT AMENDMENT
13. TITLE IV, SUBTITLE F. DCPS SPONSORSHIP OPPORTUNITIES AMENDMENT
14. TITLE IV, SUBTITLE G. EDUCATOR EVALUATION DATA PROTECTION AMENDMENT

#### **1. TITLE IV, SUBTITLE A. UNIFORM PER STUDENT FUNDING FORMULA FOR PUBLIC SCHOOLS AND PUBLIC CHARTER SCHOOLS AMENDMENT**

##### *Purpose, Effect, and Impact on Existing Law*

As introduced, this subtitle will amend the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools and Tax Conformity Clarification Amendment Act of 1998 to make certain adjustments to existing UPSFF weights while also eliminating some and adding others, including a weight for students at risk of academic failure. The increase in the foundation level has the effect of increasing the per pupil allocation for purposes of budget development for both DCPS and the public charter schools.

### *Committee Recommendation*

The Committee recommends adoption of the proposed subtitle with technical edits as suggested by the Office of the General Counsel.

### *Section by Section Analysis*

Sec. 4XX States the Short Title

Sec. 4XX States the Code section for amendment and sets the foundation level and various weighting factors for per pupil allocation for Uniform per Pupil Spending for FY16

### *Legislative Recommendations for the Committee of the Whole*

Sec. 401. Short title.

This subtitle may be cited as the “Funding for Public Schools and Public Charter Schools Amendment Act of 2015”.

Sec. 402. The Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code § 38-2901 *et seq.*), is amended as follows:

(a) Section 105 (D.C. Official Code § 38-2904) is amended by striking the tabular array and inserting the following tabular array in its place:

“Grade Level	Weighting	Per Pupil Allocation in FY 2016
“Pre-Kindergarten 3	1.34	\$12,719
“Pre-Kindergarten 4	1.30	\$12,340
“Kindergarten	1.30	\$12,340
“Grades 1-5	1.00	\$9,492
“Grades 6-8	1.08	\$10,251
“Grades 9-12	1.22	\$11,580
“Alternative program	1.44	\$13,668
“Special education school	1.17	\$11,106
“Adult	0.89	\$8,448

”.

(b) Section 106(c) (D.C. Official Code § 38-2905(c)) is amended to read as follows:

“(c) The supplemental allocations shall be calculated by applying weightings to the foundation level as follows:

“Special Education Add-ons:

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2016
“Level 1: Special Education	Eight hours or less per week of specialized services	0.97	\$9,207
“Level 2: Special Education	More than 8 hours and less than or equal to 16 hours per school week of specialized services	1.20	\$11,390

“Level 3: Special Education	More than 16 hours and less than or equal to 24 hours per school week of specialized services	1.97	\$18,699
“Level 4: Special Education	More than 24 hours per week of specialized services which may include instruction in a self-contained (dedicated) special education school other than residential placement	3.49	\$33,127
“Blackman Jones Compliance	Weighting provided in addition to special education level add-on weightings on a per-student basis for Blackman Jones compliance.	0.069	\$655
“Attorney’s Fees Supplement	Weighting provided in addition to special education level add-on weightings on a per-student basis for attorney’s fees.	0.089	\$845
“Residential	D.C. Public School or public charter school that provides students with room and board in a residential setting, in addition to their instructional program	1.67	\$15,852

“General Education Add-ons:

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2016
“ELL	Additional funding for English Language Learners.	0.49	\$4,651
“At-risk	Additional funding for students in foster care, who are homeless, on TANF or SNAP, or behind grade level.	0.219	\$2,079

“Residential Add-ons:

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2016
“Level 1: Special Education - Residential	Additional funding to support the after-hours level 1 special education needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	0.368	\$3,493

“Level 2: Special Education - Residential	Additional funding to support the after-hours level 2 special education needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	1.337	\$12,691
“Level 3: Special Education - Residential	Additional funding to support the after-hours level 3 special education needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	2.891	\$27,438
“Level 4: Special Education - Residential	Additional funding to support the after-hours level 4 special education needs of limited and non- English proficient students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	2.874	\$27,280
“LEP/NEP - Residential	Additional funding to support the after-hours limited and non-English proficiency needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	0.668	\$6,341

“Special Education Add-ons for Students with Extended School Year (“ESY”) Indicated in Their Individualized Education Programs (“IEPs”):

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2016
“Special Education Level 1 ESY	Additional funding to support the summer school/program need for students who require extended school year (ESY) services in their IEPs.	0.063	\$598
“Special Education Level 2 ESY	Additional funding to support the summer school/program need for students who require extended school year (ESY) services in their IEPs	0.227	\$2,155

“Special Education Level 3 ESY	Additional funding to support the summer school/program need for students who require extended school year (ESY) services in their IEPs	0.491	\$4,661
“Special Education Level 4 ESY	Additional funding to support the summer school/program need for students who require extended school year (ESY) services in their IEPs	0.489	\$4,642

”.

## 2. TITLE IV, SUBTITLE B. SCHOOLS TECHNOLOGY FUND

### *Purpose, Effect, and Impact on Existing Law*

This subtitle proposes to amend the D.C. Code to require that by November 15 of each year, each LEA receiving funds from the Schools Technology Fund shall submit to the Office of the State Superintendent of Education a report on all Schools Technology Fund expenditures for the previous fiscal year with detailed descriptions of what equipment and software was purchased and what technological improvements were made to the facilities with the funds.

### *Committee Recommendation*

The Committee recommends adoption of this proposed subtitle, with technical edits as suggested by the Office of the General Counsel.

### *Section by Section Analysis*

Sec. 4XX States the short title

Sec. 4XX This subtitle proposes to amend the D.C. Code to require that by November 15 of each year, each LEA receiving funds from the Schools Technology Fund shall submit to the Office of the State Superintendent of Education a report on all Schools Technology Fund expenditures for the previous fiscal year with detailed descriptions of what equipment and software was purchased and what technological improvements were made to the facilities with the funds.

### *Legislative Recommendations for the Committee of the Whole*

Sec. 4011. This subtitle may be cited as the “School Technology Fund Amendment Act of 2015”.

Sec. 4012. Section 10005 of the Revised Revenue Estimate Adjustment Allocation Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-325.251), is amended by adding a subsection (d) to read as follows:

“(d) By November 15 of each year, each LEA receiving funds from Fund shall submit to the Office of the State Superintendent of Education a report of all expenditures from the Fund for the preceding fiscal year. The report shall include the following information:

“(1) A detailed description of the equipment or software what was purchased by the LEA with funds from the Fund, including the cost associated with each piece of equipment or software; and  
“(2) A detailed description of the technological improvements that were made to the LEA’s school facilities using the funds from the Fund.”.

### **3. TITLE IV, SUBTITLE C. STUDENT RESIDENCY VERIFICATION FUND**

#### *Purpose, Effect, and Impact on Existing Law*

This subtitle proposes to amend the D.C. Code to require the payment of tuition on account of certain persons who attend the public schools of the District of Columbia if they are unable to verify residency in the District of Columbia.

#### *Committee Recommendation*

The Committee recommends adoption of this proposed subtitle.

#### *Section by Section Analysis*

Sec. 4XX States the short title.

Sec. 4XX Amends the D.C. Code to require the payment of tuition on account of certain persons who attend the public schools of the District of Columbia.

#### *Legislative Recommendations for the Committee of the Whole*

Sec. 4021. Short title.

This subtitle may be cited as the “Student Residency Verification Fund Amendment Act of 2015”.

Sec. 4022. Section 2(c) of An Act To require the payment of tuition on account of certain persons who attend the public schools of the District of Columbia, and for other purposes, approved September 8, 1960 (74 Stat. 853; D.C. Official Code § 38-302(c)) is amended to read as follows:

“(c) All non-resident tuition and fees collected under this section shall be deposited in the Student Residency Verification Fund, established by section 15b of the District of Columbia Nonresident Tuition Act, effective May 9, 2012 (D.C. Law 19-126; D.C. Official Code § 38-312).”.

### **4. TITLE IV, SUBTITLE D. AT-RISK WEIGHT PRESERVATION FUND ESTABLISHMENT**

#### *Purpose, Effect, and Impact on Existing Law*

The subtitle establishes a non-lapsing fund, the At-Risk Supplemental Allocation Preservation Fund for designated students who are at-risk as defined in section 102(2A) of the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code § 38-2901(2A))”. The fund shall be administered by the Chancellor of the District of Columbia Public Schools. At the end of each school year, the Chancellor shall work with the local school principals to determine if any non-personal services at-risk funding will be unspent by the end of the fiscal year. If funds will remain, the principal may request that they be deposited into the Fund to be carried over into the subsequent fiscal year for his/her school. At no point may an individual school carry over more than 50% of its current fiscal year at-risk allocation and the remaining at-risk funding available at the close of the fiscal year shall be deposited into the Fund and available to schools on a competitive basis to be spent on at-risk needs as determined by the Chancellor.

### *Committee Recommendation*

The Committee recommends that the 50% carryover be reduced to a 5% carryover to ensure that the at-risk spending dollars allocated are used in the timely manner each school year to maximize the impact of students. Further, the Committee recommends language that would cap the fund at 5% of the at-risk funds for any given fiscal year. There are other technical edits recommended by the Office of the General Counsel.

### *Section by Section Analysis*

Sec. 4XX      Short title.

Sec. 4XX      Establishes a non-lapsing fund, the At-Risk Supplemental Allocation Preservation Fund for designated students who are at-risk as defined in section 102(2A) of the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code § 38-2901(2A))”. The fund shall be administered by the Chancellor of the District of Columbia Public Schools. At the end of each school year, the Chancellor shall work with the local school principals to determine if any non-personal services at-risk funding will be unspent by the end of the fiscal year. If funds will remain, the principal may request that they be deposited into the Fund to be carried over into the subsequent fiscal year for his/her school. At no point may an individual school carry over more than 50% of its current fiscal year at-risk allocation and the remaining at-risk funding available at the close of the fiscal year shall be deposited into the Fund and available to schools on a competitive basis to be spent on at-risk needs as determined by the Chancellor.

### *Legislative Recommendations for the Committee of the Whole*

Sec. 4031 Short title.

Sec. 4031 Short title.

This subtitle may be cited as the “At-Risk Weight Preservation Fund Establishment Act of 2015”.

Sec. 4032. At-Risk Supplemental Allocation Preservation Fund.

(a) There is established as a non-lapsing fund the At-Risk Supplemental Allocation Preservation Fund (“Fund”), which shall be used for the purposes set forth in subsection (b) of this section. All funds deposited in the Fund shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time, but shall be continually available for the uses and purposes set forth in subsection (b) of this section without regard to fiscal year limitation, subject to authorization by Congress.

(b) The Fund shall be used solely to fund services and materials designed to assist at-risk students defined as those in foster care, who are homeless, on TANF or SNAP, or behind grade level.

(c) The Fund shall be administered by the Chancellor of the District of Columbia Public Schools.

(d)(1) Subject to the limitations set forth in paragraph (2) of this subsection, at the end of each school year, all unspent local funds in the District of Columbia Public Schools budget that are based on the at-risk add-on established by section 106(c) of the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools and Tax Conformity Clarification Amendment Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code § 38-2905(c)), shall be deposited in the Fund.

(2) The annual deposit required by paragraph (1) of this subsection shall not exceed 5% of the District of Columbia Public Schools budget associated with the at-risk add-on for the lower of:

(A) The school year in which the funds would be deposited; or

(B) The school year after the year in which the funds would be deposited.



## **5. TITLE IV, SUBTITLE E. CHANCELLOR OF DCPS SALARY ADJUSTMENT AMENDMENT**

### *Purpose, Effect, and Impact on Existing Law*

The Committee passed similar language on emergency because it found that there existed an immediate need to approve the salary adjustment for the Chancellor of the District of Columbia Public Schools. Over the past four years, DCPS under Chancellor Henderson's leadership has realized dramatic improvements towards the goals of increasing district-wide math and reading proficiency, improving the proficiency rates of the DCPS' 40 lowest-performing schools, increasing high school graduation rates, increasing student satisfaction, and increasing overall DCPS enrollment. DCPS has increased audited enrollment to the highest level in over five years, with three consecutive years of growth. In 2014, DCPS students reached their highest proficiency rates ever in reading and math. Graduation rates have been growing steadily each year with a goal of 75% in 2017. In seat attendance has increased to 89% and truancy has been reduced by 18%. Since 2011, the results of the National Assessment of Education Progress show DC students improved in math and reading and demonstrated the greatest growth of any state in the nation. Based on the dramatic improvements achieved under the steady leadership of the Chancellor over the last four years and the commitment to continuing the progress of DCPS, the Mayor has signed a new contract and made an adjustment to the Chancellor's present salary, which includes a less than 5% increase. This subtitle was passed on an emergency and temporary basis in March.

### *Committee Recommendation*

The Committee recommends adoption of this proposed subtitle.

### *Section by Section Analysis*

Sec. 4XX      Short title.

Sec. 4XX      Amends the D.C. Code to adjust the Chancellor of DCPS's salary to be \$284,000

### *Legislative Recommendations for the Committee of the Whole*

Sec. 4041. Short title.

This subtitle may be cited as the "Chancellor of the District of Columbia Public Schools Salary Adjustment Amendment Act of 2015".

Sec. 4042. Section 1052(b)(2) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective June 10, 1998 (D.C. Law 12-124; D.C. Official Code § 1-610.52(b)(2)), is amended by striking the phrase "the Chancellor of the District of Columbia Public Schools Kaya Henderson (\$275,000)," and inserting the phrase "the Chancellor of the District of Columbia Public Schools Kaya Henderson (\$284,000)," in its place.

## **6. TITLE IV, SUBTITLE F. DCPS SPONSORSHIP OPPORTUNITIES AMENDMENT**

### *Purpose, Effect, and Impact on Existing Law*

This subtitle would amend the D.C. Code for how contract for advertisements and sponsorships for athletics, community engagement events, or facilities improvements designed to generate resources for the District of Columbia Public Schools are deposited by the Chief Financial Officer.

### *Committee Recommendation*

The Committee recommends adoption of this proposed subtitle with the following change of adding “educational programs” to this list of approved activities for sponsorship and with technical edits as suggested by the Office of the General Counsel. This would allow for partnership with the major league sports teams or other organization that would involve some re-branding of the DCPS blending learning programs name to confirm with the sponsorship name. It also adds an addition Sec. 4XX to establish a new Fund that was not originally included in the proposed language.

*Section by Section Analysis*

Sec. 4XX States the Short title

Sec. 4XX Amends the D.C. Code for how contract for advertisements and sponsorships for athletics, community engagement events, or facilities improvements designed to generate resources for the District of Columbia Public Schools are deposited by the Chief Financial Officer. Adds in a section to create the appropriate non-lapsing fund.

*Legislative Recommendations for the Committee of the Whole*

Sec. 4051. Short title.

This subtitle may be cited as the “District of Columbia Public Schools Sponsorship Opportunities Amendment Act of 2015”.

Sec. 4052. The District of Columbia Public Schools Agency Establishment Act of 2007, effective April 23, 2007 (D.C. Law 17-09; D.C. Official Code § 38-171 *et seq.*), is amended by adding a new section 105(a) to read as follows:

“Sec. 105a Event sponsorships

“(a) The Chancellor may contract for advertisements and sponsorships for athletics, community engagement events, educational programs, or facilities improvements designed to generate resources for the District of Columbia Public Schools.

(b) The Chief Financial Officer shall deposit all proceeds received from advertisements and sponsorships pursuant to this section to the credit of the District of Columbia Public Schools in the same manner as that used for donations under section 115 of the District of Columbia Appropriations Act, 2003, approved February, 2003 (117 Stat. 123; D.C. Official Code§ 1-329.01).

Sec. 4054. District of Columbia Public Schools Advertisements and Sponsorships Fund; establishment.

(a) There is established within the General Fund for the District of Columbia a special non-lapsing fund, to be designated the “District of Columbia Public Schools Advertisements and Sponsorships Fund” (“Fund”) to be used for the support of the operations of the District of Columbia Public Schools.

(b) All revenue from contracts for advertisements and sponsorships for athletics and community engagement events shall be deposited into the Fund, beginning October 1, 2015.

(c) All funds deposited into the Fund, and any interest earned on those funds, shall not revert to the General Fund of the District of Columbia at the end of a fiscal year, or at any other time, but shall be continually available for the uses and purposes set forth in subsection (b) of this section without regard to fiscal year limitation, subject to authorization by Congress.

**7. TITLE IV, SUBTITLE G. EDUCATOR EVALUATION DATA PROTECTION  
AMENDMENT**

### *Purpose, Effect, and Impact on Existing Law*

The Committee passed similar language on emergency because it found that an immediate need existed to exempt individual educator evaluation data from public disclosure. Under current law, information of a personal nature of District of Columbia Public Schools (DCPS) educators, including personnel files which consist of individual educator evaluation data, are protected from public disclosure. However, such protection is not offered to teachers of the public charter schools since they are not employees of the District of Columbia government. This lack of protection for public charter school educators creates an inequity across sectors and prevents the sharing of information about the District's public charter school teachers. This subtitle was passed on an emergency and temporary basis in March.

### *Committee Recommendation*

The Committee recommends that this subtitle be adopted.

### *Section by Section Analysis*

Sec 4XX      Short title

Sec 4XX      Amends the D.C. Code to add language to protect charter school educator evaluation data from public disclosure

### *Legislative Recommendations for the Committee of the Whole*

Sec. 4061. Short title.

This subtitle may be cited as "Educator Evaluation Data Protection Amendment Act of 2015".

Sec. 4062. Section 204(a) of the District of Columbia Administrative Procedure Act, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-534(a)), is amended as follows:

(a) Paragraph (15) is amended by striking the word "and" at the end.

(b) Paragraph (16) is amended by striking the period and inserting the phrase "; and" in its place.

(c) A new paragraph (17) is added to read as follows:

"(17) Individual educator evaluations and effectiveness ratings, observation, and value-added data collected or maintained by the Office of the State Superintendent of Education. For the purposes of this paragraph, the term "educator" means a principal, assistant principal, school teacher, assistant teacher, or paraprofessional."

## **B. RECOMMENDATIONS FOR NEW BUDGET SUPPORT ACT SUBTITLES**

The Committee on Education recommends the following new subtitles to be added to the "Fiscal Year 2016 Budget Support Act of 2015":

1. Books From Birth
2. OSSE Reporting Requirements
3. At-Risk Fund
4. Environment Literacy Pilot
5. District of Columbia Public Library Revenue Generating Services Amendment
6. My School DC EdFest Sponsorship and Advertising
7. Youth Bullying Prevention

## 1. TITLE IV, SUBTITLE X. BOOKS FROM BIRTH

### *Purpose, Effect, and Impact on Existing Law*

This subtitle would amend An Act To establish and provide for the maintenance of a free public library and reading room in the District of Columbia (“Act”) to establish the Books from Birth program to mail monthly age-appropriate books to all registered children from birth to 5 years of age. The subtitle would also amend the Act to establish the Books from Birth Fund, which would allow the DC Public Library to accept donations and other funds for the program.

### *Committee Recommendation*

The Committee recommends including this new subtitle as part of the FY16 Budget Support Act. Less than half of third graders in the District scored proficient or advanced in reading skills in 2014. Research shows that literacy gaps show up well before kids start taking standardized tests – preschoolers who have access to books and adults who read to them will have heard 30 million more words at home by the age of four than children who do not. This is what educators call the “word gap” and it is a predictor of educational achievement throughout the student’s academic career and beyond.

Books are direct building blocks for learning but children must be exposed to them to use them. Through the Books from Birth initiative, the DC Public Library would deliver an age-appropriate book each month in the mail to every child in the District from birth until his or her 5th birthday.

Books from Birth programs elsewhere show a significant impact on this early achievement. There are the softer metrics -- that parents and caregivers participating in Books from Birth read more frequently to their children, the families go to the library more often, and talk about books and their ABC’s at an earlier age -- but there are also data-driven results that demonstrate children are better prepared and more successful at school with this type of early literacy program. Evaluations of Tennessee’s Imagination Library have found that children participating score 11 points higher on reading readiness tests. Not only do they come to kindergarten better prepared, but the impacts continue as they grow up. An evaluation of 2nd graders showed a continued and significant difference both in reading and in math skills, compared to children who did not participate in Books From Birth.

In addition to helping close the word gap and increase reading readiness, this initiative would create a direct link for families to the library’s early childhood programming and resources, especially DCPL’s outstanding Sing, Talk, & Read initiative. Mailings and outreach from DCPL would provide information to connect children and families to programs at their local libraries, and for adults with low literacy, would create a connection for adult literacy resources -- providing a stronger bridge between the home and the local library branch.

### *Section-by-Section Analysis*

Sec. 4XX      Short title.

Sec. 4XX      Adds two new sections to An Act To establish and provide for the maintenance of a free public library and reading room in the District of Columbia:

Sec. 15 establishes the Books from Birth program at the DC Public Library; provides that the program shall mail monthly age-appropriate books to all registered children from birth to 5 years of age; requires the DC Public Library executive director to make reasonable efforts to register eligible children and authorizes the executive director to enter into MOUs or MOAs as necessary with hospitals; sets parameters for the use of the registration list; sets requirements for

the book titles; and authorizes the executive director to enter into agreements to implement the program.

Sec. 16 establishes the non-lapsing Books from Birth Fund to accept donations and other funds to implement and promote the program.

*Legislative Recommendations for Committee of the Whole*

Sec. 4XX . Short title.

This subtitle may be cited as the “Books from Birth Establishment Amendment Act of 2015”.

Sec. 4XX. An Act To establish and provide for the maintenance of a free public library and reading room in the District of Columbia, approved June 3, 1896 (29 Stat. 244; D.C. Official Code § 39-101 *et seq.*), is amended by adding new sections 15 and 16 to read as follows:

“Sec. 15. Books from Birth.

“(a) There is established the Books from Birth program as a program of the District of Columbia Public Library (“DCPL”), to be administered by the Executive Director of DCPL.

“(b) The Books from Birth program shall provide books to all children registered with the program, delivered to the residence of the child at the rate of one per month, from the month following the child’s birth or enrollment in the program to the child’s 5th birthday.

“(c)(1) The Executive Director shall make reasonable efforts to register every child under the age of 5 residing in the District who wishes to participate in the Books from Birth program.

“(2) The Executive Director shall be authorized to enter into such memoranda of agreement or understanding as necessary to ensure each family receives registration information upon the child’s birth.

“(d)(1) Except as provided in paragraph (2) of this subsection, the registration list shall be used solely for activities related to the Books from Birth program and shall not be sold or used for any other purpose.

“(2) The Executive Director may use the registration list to conduct outreach and provide information about library programs and services, including those related to children, adult, or family literacy, or other educational or literacy material as the agency deems useful to registered families.

“(e) Book titles for each age group shall be selected to reflect age-appropriate concepts and diversity of characters, culture, and authors.

“(f) The Executive Director may enter into such contractual and promotional agreements necessary to effectively implement the Books from Birth program.

“Sec. 16. Books from Birth Fund.

“(a) There is established as a special fund the Books from Birth Fund (“Fund”), which shall be administered by the Board in accordance with subsections (c) and (d) of this section.

“(b) Revenue from the following sources shall be deposited in the Fund:

“(1) Funds appropriated by the District;

“(2) Donations from the public;

“(3) Donations from private entities; and

“(4) Funds provided through a sponsorship agreement.

“(c) Money in the Fund shall be used to implement and promote the Books from Birth program, including:

“(1) Purchasing books for the Books from Birth program;

“(2) Handling and delivery costs;

“(3) Promotional costs; and

“(4) Appropriate overhead or administrative expenses related to the Books from Birth program and the Fund.

“(d)(1) The money deposited into the Fund, and interest earned, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time.

“(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.”.

## **2. TITLE IV, SUBTITLE X. REPORTING REQUIREMENTS**

### *Purpose, Effect, and Impact on Existing Law,*

As part of the FY16 budget review process, each of the agencies under the purview of the Committee submitted information on the record and testified at hearings about initiatives planned for the upcoming fiscal year, including associated costs or savings. In addition, agencies offered insights into ongoing planning efforts that will have direct impacts on service delivery and FY16. Requiring each of these agencies to submit report to the Council on these various efforts will not only ensure smooth implementation but will provide accountability and oversight with respect to agency spending.

### *Committee Recommendation*

The Committee recommends including this new subtitle as part of the FY16 Budget Support Act.

### *Section-by-Section Analysis*

Sec. 4XX. States the short title

Sec. 4XX. Sets forth reporting requirements for agencies under the purview of the Committee on Education.

### *Legislative Recommendations for Committee of the Whole*

Sec. 4XX. Short title.

This subtitle may be cited as the Education Reporting Requirements Act of 2015.

Sec. 4XX. Office of the State Superintendent of Education Reporting Requirements.

By October 1, 2015, the Office of the State Superintendent of Education shall submit to the Council a report on the status and implementation of its new automated teacher licensure system.

Sec. 4XX. Public Charter School Board Reporting Requirements.

By October 1, 2015, the Public Charter School Board shall submit to the Council the following:

(1) A report on the distribution of at-risk funds to each LEA for students Pre-K-12 grade for school year 2015-2016, which should include at minimum the allocation to each LEA, a specific breakdown on how that money was spent, including a description on what programs, initiatives, and the enrichment activities it supported;

(2) A report on the status of the eight public charter schools that have not submitted a bullying prevention policy, or have not submitted a compliant bullying prevention policy to the Bullying Prevention Task Force in accordance with D.C. Code § 2-1535.03.

Sec. 4XX. Deputy Mayor for Education Reporting Requirements.

By October 1, 2015, the Deputy Mayor for Education shall submit a report to the Council on the Cross Sector Collaboration Task Force’s strategic plan and timeline for the process for formalizing the disposition of former DCPS buildings to charter schools.

### 3. TITLE IV, SUBTITLE X. AT-RISK FUNDING

#### *Purpose, Effect, and Impact on Existing Law*

The Committee passed similar emergency language because it found that there exists an immediate need to amend the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998, to allow the Chancellor, in consultation with the principal and local school advisory team, to direct at-risk student funds. In 2013, the Council passed the Fair Student Funding and School-Based Budgeting Amendment Act of 2013 (D.C. Law 20-0087; D.C. Official Code § 38-2901 et seq.) establishing an at-risk funding supplement to existing foundation funding, to be dispersed at the school-level based on the projected enrollment of at risk students. The law also stated that at least 90% of the at-risk funds allocated to DCPS school-level budgets shall be spent at the principal's discretion, in consultation with the school's local school advisory team.

#### *Committee Recommendation*

The Committee recommends including this new subtitle as part of the FY16 Budget Support Act.

Over the past few years, DCPS has identified several programs, interventions, and initiatives that have proven successful in providing additional supports for students, resulting in gains in student achievement, growth in terms of DCPS' enrollment, and an increase in student and parent satisfaction. The current law would not enable the Chancellor to fully ensure that all students across DCPS continue to access programs and interventions that work. Further, the timeline for principals to make budget decisions after receiving their school budget allocations does not allow for sufficient time for them to fully research, analyze, and vet the efficacy of programs on their own. DCPS' central office will research, analyze, and vet the efficacy of programs and share that information with principals and school communities, and will help guide principals and Local School Advisory Teams through the identification and budgeting process. The Chancellor also may consider unique proposals from individual schools that do not draw from the list of programs approved by DCPS' central office.

Because individual school budgets for school year 2015-2016 are distributed once the MARC is determined by the City Administrator, this language is needed to allow the Chancellor to ensure only evidence-based programs will be implemented. The Council passed this measure on an emergency basis in March.

#### *Section-by-Section Analysis*

Sec. 4XX      States the Short Title

Sec. 4XX      Makes at-risk funds available for school utilization at the direction of the Chancellor in consultation with the principal and local school advisory team, for the purpose of improving student achievement among at-risk students.

#### *Legislative Recommendations for Committee of the Whole*

Sec. 4XX. Short title.

This subtitle may be cited as the At Risk Funding Amendment Act of 2015.

Sec. 4XX. Section 108a(b) of the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code § 38-2907.01(b)) is amended as follows:

(a) Paragraph (1) is amended to read as follows:

“(1) Funds provided to schools pursuant to subsection (a)(3) of this section shall be available for school utilization at the direction of the Chancellor in consultation with the principal and local school advisory team, for the purpose of improving student achievement among at-risk students. By October 1 of each year, the Chancellor shall make publicly available an annual report that explains the allocation of funds sorted by individual schools.”.

(b) Paragraph (2) is repealed.

#### **4. TITLE IV, SUBTITLE X. ENVIRONMENTAL LITERACY PILOT**

##### *Purpose, Effect, and Impact on Existing Law*

This subtitle would require OSSE to offer four environmental literacy specialists to eight public elementary schools and public charter elementary schools as a pilot program to help maintain school gardens and promote environmental literacy. The fiscal impact of this subtitle is \$324,634 in one-time funding. It includes \$265,224 for the four salaries and \$59,410 for the fringe benefits.

##### *Committee Recommendation*

The Committee recommends including this new subtitle as part of the FY16 Budget Support Act.

The Healthy Schools Act provides schools with assistance in establishing a school garden and requires implementation of an environmental literacy plan in schools. Reconnecting children to the earth by teaching them about their food sources will make them more likely to develop healthy taste preferences and lead healthy lives. But, schools are struggling to maintain their gardens and incorporate environmental literacy into their lesson plans.

Section 502 of the Healthy Schools Act requires the development of an environmental literacy plan for public schools and public charter schools. In 2012, the District released the DC Environmental Literacy Plan to integrate environmental education into schools’ curriculum. At the elementary school level, however, schools struggle to implement this framework due to staffing and time constraints.

From the Healthy Schools Fund established by the Healthy Schools Act, OSSE can distribute funds to schools to create and support a school garden. There are limitations on the grants, however. A school can only receive a \$15,000 grant for three years. Although this is sufficient for a school to build a new garden, it does not help the school maintain that garden at the end of those three years. Classroom teachers and administrators do not have time in their schedule to tend a garden.

This subtitle would create a pilot program for providing schools with additional staff support to maintain their gardens and to teach their students environmental literacy. Elementary schools could apply to OSSE for the program, and one Environmental Literacy Specialist (ELS) would divide his or her time between two elementary schools. The ELS would take on the responsibility of maintaining the school garden and ensuring it is a place of learning for the students. He or she would also teach lessons on environmental literacy and help teachers incorporate earth science into their lesson plans. This additional staff support will help schools better meet the mandates of the Healthy Schools Act and support healthy living in their students.

##### *Section-by-Section Analysis*



Sec. 4XX. Short title.

Sec. 4XX. This section would require OSSE to provide four environmental literacy specialists to eight public elementary schools and public charter elementary schools to help maintain school gardens and promote environmental literacy.

*Legislative Recommendation for the Committee of the Whole*

Sec. 4XX. Short Title

This subtitle may be cited as the “Environmental Literacy Specialist Pilot Program Amendment Act of 2015.”

Sec. 4XX. Section 502 of the Health Schools Act of 2010, effective July 27, 2010 (D.C. Law 18-209; D.C. Official Code § 38-825.02), is amended by adding a new subsection (d) to read as follows:

“(d)(1) The Office of the State Superintendent of Education (“OSSE”) shall establish a one-year pilot program that permits selected public elementary schools and public charter elementary schools to receive funds to employ environmental literacy specialists.

“(2) For the pilot program, OSSE shall make funds available for 4 environmental literacy specialists. Each environmental literacy specialist shall serve at 2 of the selected schools.

“(3) Only schools that have an existing school garden or plan to create a school garden with the assistance of an environmental literacy specialist may submit an application to participate in the pilot program. Upon receiving applications, OSSE shall select 8 schools to participate in the pilot program.

“(4) Each environmental literacy specialist shall have the following responsibilities:

“(A) Create, if applicable, and maintain the school garden;

“(B) Implement composting and recycling programs;

“(C) Implement the 2012 DC Environmental Literacy Plan required by this section; and

“(D) Assist teachers with incorporating earth science into lesson plans.”.

## **5. TITLE IV, SUBTITLE X. DISTRICT OF COLUMBIA PUBLIC LIBRARY REVENUE GENERATING SERVICES AMENDMENT ACT**

*Purpose, Effect, and Impact on Existing Law*

This subtitle would amend An Act to establish and provide for the maintenance of a free public library and reading room in the District of Columbia to grant the District of Columbia Public Library the authority to permit and provide revenue generating services for the benefit of the public on library property owned by the District, and to create a designated fund to receive generated revenues and establish the purposes for which such funds may be used.

*Committee Recommendation*

The Committee recommends including this new subtitle as part of the FY16 Budget Support Act.

Due to the age of the statute at DC Official Code §39-105, there exists an immediate need to provide the library with the authority to conduct a wider range of services that benefit the public while generating revenue for the District of Columbia Public Library (“DCPL”).

In January 2015, the Executive Director of the DCPL approved moving forward with multi-use and revenue generating services for a cost to benefit the DCPL. There exists a need to expand the authority of the DCPL with the responsibility and capability of being able to provide better services to the District of Columbia, and decrease the impact of public budget reductions.

Approval is necessary in order to expand DCPL's authority to increase the type of services that better benefit the District residents. Without this approval of expanded library authority, DCPL will not be able to offer services, although for a fee, which increase the use and visibility of the library. This approved authority will also allow DCPL to come into the 21<sup>st</sup> century by providing its citizens opportunities to receive modern-day services that are provided in other library systems throughout the nation.

### *Section-by-Section Analysis*

Sec. 4XX States the short title.

Sec. 4XX Adds a new section to An Act To establish and provide for the maintenance of a free public library and reading room in the District of Columbia which authorizes DCPL to issue permits to private users to allow generating activities on District of Columbia Public Library property; authorizes DCPL to promulgate rules and regulations for the issuances of short-term permits; authorizes a permittee to solicit donations if the permittee is a religious organization or has an official tax-exempt status from the Internal revenue Service under 26 U.S.C § 501; authorizes DCPL to conduct multi-use and/or revenue generating services that benefit the public; authorizes DCPL to deposit any and all revenue generated into a segregated fund designated as the DCPL Revenue Generating Services Fund;

Sec. 4XX Adds a new section An Act To establish and provide for the maintenance of a free public library and reading room in the District of Columbia which establishes the DCPL Revenue Generating Services Fund to be used for payment of any expenses associated with activities outlined in this Act, including expenses for space rental and special events as well as any nonpersonnel costs related to the library services mission of the Library. Unspent funds shall revert to the unrestricted fund balance of the General Fund of the District of Columbia.

### *Legislative Recommendations for Committee of the Whole*

Sec. 4XX. Short title.

That this subtitle may be cited as the "District of Columbia Public Library Revenue Generating Services Amendment Act of 2015".

Sec. 4XX. An Act to establish and provide for the maintenance of a free public library and reading room in the District of Columbia, approved June 3, 1896 (29 Stat. 244; D. C. Official Code § 39-101 *et seq.*), is amended as follows:

(1) A new paragraph 14 is added to subsection 5(a) (D.C. Official Code § 39-105(a)) to read as follows:

"(14)(A) Have the authority to issue permits to private users to allow revenue generating activities on District of Columbia Public Library property owned in fee simple by the District of Columbia. Revenue generating activities shall include activities that are or are not directly related to library services as described in this Act, are conducted by permit holders within or upon library facilities owned in fee simple by the District, are conducted after payment of a fee that reimburses the District of Columbia Public Library for any expenses incurred by the District as a result of the activities, and are of the type, in the discretion of the Board, that will benefit the public and further the library's mission.

"(B) Have the authority to promulgate rules and regulations for the issuance of short-term permits for the private use of library facilities as described in subparagraph (A). Any permit issued under this authority shall include a term that does not exceed one year, shall be revocable by the District of Columbia and shall only provide for use of library facilities owned in fee simple by the District.

“(C) Have the authority to allow a permittee to solicit donations if the permittee:

“(i) Will solicit funds for the sole benefit of a religion or a religious group while conducting permitted activities on District of Columbia Public Library property; or

“(ii) Has received an official ruling of tax-exempt status from the Internal Revenue Service under 26 U.S.C § 501, and such organization is conducting permitted activities on District of Columbia Public Library property.”.

“(D) Have the authority to conduct multi-use and/or revenue generating services that benefit the public, including services that generate revenues in excess of costs, on District of Columbia Public Library property owned in fee simple by the District, that are or are not directly related to library services as described in this Act.”.

“(E) Have the authority to deposit any and all revenue generated pursuant to this paragraph into a segregated fund designated as the DCPL Revenue Generating Services Fund and established pursuant to section 15 of this Act.”.

(2) A new section 15 is added to read as follows:

“Sec. 15. DCPL Revenue Generating Services Fund.

“(a) There is established a segregated fund designated as the DCPL Revenue Generating Services Fund into which shall be deposited any funds generated from revenue generating activities and services described in section 5(a)(14) of this Act.”.

“(b) All funds deposited into the DCPL Revenue Generating Services Fund shall be used for:

“(1) Payment of any expenses associated with activities and services described in section 5(a)(14) of this Act, including expenses for space rental and special events associated with the activities and services authorized in section 5(a)(14); and

“(2) Payment of any nonpersonnel costs related to the library services mission of District of Columbia Public Library.”.

“(c) All funds received but not expended in a fiscal year shall revert to the unrestricted fund balance of the General Fund of the District of Columbia.”.

## **6. TITLE IV, SUBTITLE X. MY SCHOOL DC EDFEST SPONSORSHIP AND ADVERTISING ACT OF 2015**

### *Purpose, Effect, and Impact on Existing Law*

This proposed subtitle will add language to the D.C. Code that allows the Adds language that allows the Deputy Mayor for Education to contract for advertisements and sponsorships to financially support EdFest.

### *Committee Recommendation*

The Committee recommends including this new subtitle as part of the FY16 Budget Support Act. This subtitle is necessary to allow the Deputy Mayor for Education to shift costs away from the District of Columbia by contracting for advertisements and sponsorships related to the MySchool DC EdFest. EdFest is held annually to provide educational information to District residents about the public school education options for public and public charter schools. Ideally, through private sponsorship, EdFest will be entirely by private sponsorships.

### *Section-by-Section Analysis*

Sect. 4XX States the short title

Sect 4XX Adds language that allows the Deputy Mayor for Education to contract for advertisements and sponsorships to support EdFest.

## *Legislative Recommendations for Committee of the Whole*

Sec. 4071. Short title.

This subtitle may be cited as the “My School DC EdFest Sponsorship and Advertising Act of 2015”.

Sec. 4072. Notwithstanding any other provision of law, the Office of the Deputy Mayor for Education may contract for advertisements and sponsorships for the My School DC EdFest, the annual citywide public school fair.

### **7. TITLE IV, SUBTITLE X. THE YOUTH BULLYING PREVENTION AMENDMENT ACT OF 2015**

#### *Purpose, Effect, and Impact on Existing Law*

This subtitle would amend the Youth Bullying Prevention Act of 2012 to extend the term of the Bullying Prevention Task Force, allow for the task force to engage parents and legal guardians in bullying prevention efforts, provide parents and legal guardians referrals to community based programs and resources that mitigate bullying, and provide consultation and review evidence-based school climate data to assess bullying prevention efforts.

#### *Committee Recommendation*

During the Performance Oversight Hearing for the Bullying Prevention Task Force, the Citywide Bullying Prevention Coordinator testified that eight public charter schools were non-compliant with bullying prevention policies. The Bullying Prevention Coordinator also testified that students often viewed adults as unhelpful when seeking relief from bullying. The Task Force also is currently unable to refer students who bully or are bullied to necessary community programs and resources that may assist in mitigating the bullying behavior, build confidence and resilience, and assist with mental and behavioral health needs. Further, while the Act requires data collection, the current data only provides a general overview on bullying prevention for students in the district, but the Bullying Prevention Coordinator testified that the data is not particularly meaningful for individual schools that are attempting to assess what is working and what needs improvement. The Bullying Prevention Task Force is set to expire in September 2015, however the Bullying Prevention Coordinator stated that the Task Force still intends to meet informally due to the amount of work left to accomplish. The Committee on Education believes that the Task Force should have formal legal support and support of the Council as it continues to ensure safe learning environments for students throughout the District of Columbia.

#### *Section-by-Section Analysis*

- Sec. - - The Youth Bullying Prevention Amendment Act of 2015
- Sec. - - Adds three new sections to the Youth Bullying Prevention Act of 2012 to sec (a):
  - Sec. (5A) allows the Bullying Prevention Task Force to engage parents and legal guardians of youth in covered entities;
  - Sec. (5B) allows the Bullying Prevention Task Force to provide referrals to parents and legal guardians of community based programs or resources that mitigate bullying and address behavioral health needs;
  - Sec (5C) allows the Bullying Prevention Task Force to provide consultation and review evidence-based school climate data;
- Amends sec (b) extending the Bullying Prevention Task Force to August 2018.

Sec. XX. Short title: The Youth Bullying Prevention Amendment Act of 2015.

Sec. XX. Section 3 of The Youth Bullying Prevention Act of 2012, effective September 14, 2012 (D.C. Law 19-167; D.C. Official Code § 2-1535.02), is amended as follows:

(a) Section (c) is amended as follows:

(1) Paragraph (5) is amended by striking the word “and”.

(2) New paragraphs (5A), (5B), and (5C) are added to read as follows:

“(5A) Appropriately engage parents and legal guardians of youth in covered entities in bullying prevention efforts;

“(5B) Provide to covered entities and parents or legal guardians a referral list of community based programs or similar resources that mitigate bullying and address identified behavioral health needs as necessary;

“(5C) Provide consultation and review evidence-based school climate data to ensure full implementation of the law; and”,

(b) Section (d) is amended by striking the phrase “2 years after its initial meeting” and inserting the phrase “by August 2018” in its place.

## V. COMMITTEE ACTION AND VOTE

May 14, 2015, at X:XX p.m., the Committee met in the XXX (Room XXX) of the John A. Wilson Building to consider and vote on the Committee's proposed FY16 operating and capital budgets for the following:

- District of Columbia Public Schools
- Office of the State Superintendent
- District of Columbia Public Charter Schools
- District of Columbia Public Library
- District of Columbia Public Charter School Board
- Non-Public Tuition
- Special Education Transportation
- D.C. State Board of Education
- Deputy Mayor for Education
- D.C Public Library Trust

The agenda also included a review and vote on the Committee's recommendations for the FY16 Budget Request and Support Acts and **three bills**. Committee Chairperson David Grosso determined the presence of a quorum consisting of himself and Councilmembers Allen, Bonds, and Alexander.

Statements for the Record:

Chairperson Grosso:

Councilmember Alexander:

Councilmember Allen:

Councilmember Bonds:

Committee Chairperson Grosso moved the Committee's recommendations for the FY16 Budget Request and Support Acts and opened the floor for discussion.

Members in favor:	XXX
Members opposed:	XXX
Members abstaining:	XXX
Members absent:	XXX

Committee Chairperson Grosso called for a vote on the Committee's recommendations for the FY16 Budget Request Act.

Members in favor:	XXX
Members opposed:	XXX
Members abstaining:	XXX
Members absent:	XXX

The Committee's FY16 Budget Request Act recommendations were adopted by a XXX vote.

Committee Chairperson Grosso called for a vote on the Committee's recommendations for the FY16 Budget Support Act.

Members in favor:	XXX
Members opposed:	XXX
Members abstaining:	XXX
Members absent:	XXX

The Committee's recommendations for the FY16 Budget Support Act were adopted by a XXX vote.

Committee Chairperson Grosso called for a vote on the recommended operating and capital budgets for the agencies under its purview as presented in the Committee's FY16 Committee Budget Report.

Members in favor:	XXX
Members opposed:	XXX
Members abstaining:	XXX
Members absent:	XXX

The Committee's recommended operating and capital budgets were adopted by a XXX vote.

## **VI. ATTACHMENTS**