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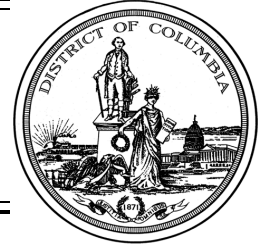
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## COMMITTEE ON EDUCATION

DAVID GROSSO, CHAIRPERSON  
FISCAL YEAR 2019 COMMITTEE BUDGET REPORT

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

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

**DATE:** May 4, 2018

**SUBJECT:** Report and Recommendations of the Committee on Education on the Fiscal Year 2019 Budget for Agencies Under Its Purview

The Committee on Education (“Committee”), having conducted hearings and received testimony on the Mayor’s proposed operating and capital budgets for Fiscal Year 2019 (“FY 2019”) 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 Fiscal Year 2019 Budget Support Act of 2018, as proposed by the Mayor.

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## I. SUMMARY

### A. FISCAL YEAR 2019 AGENCY OPERATING BUDGET SUMMARY

<i>Fund Type</i>	<i>FY 2017 Actual</i>	<i>FY 2018 Approved</i>	<i>FY 2019 Proposed</i>	<i>Sum of Committee Variance</i>	<i>Committee Approved</i>
<b><i>District of Columbia Public Schools</i></b>					
PRIVATE DONATIONS	\$200,874	\$0			\$0
FEDERAL GRANT	\$31,904,477	\$14,711,596	\$16,172,828		\$16,172,828
FEDERAL PAYMENTS	\$0	\$15,000,000	\$15,000,000		\$15,000,000
LOCAL FUND	\$777,577,078	\$789,566,469	\$846,633,839	\$1,301,678	\$847,935,517
PRIVATE GRANT	\$2,704,221	\$1,411,240	\$644,373		\$644,373
SPECIAL PURPOSE REVENUE (O'TYPE)	\$3,392,784	\$9,263,257	\$10,131,557		\$10,131,557
OPERATING INTRA-DISTRICT	\$148,822,055	\$107,049,532	\$104,371,989		\$104,371,989
GROSS FUNDS	\$964,601,490	\$937,002,094	\$992,954,586	\$1,301,678	\$994,256,264
<b><i>Office of the State Superintendent of Education</i></b>					
DEDICATED TAXES	\$4,596,541	\$4,675,765	\$4,675,765		\$4,675,765
SPECIAL PURPOSE REVENUE (O'TYPE)	\$1,034,424	\$1,047,018	\$1,000,974		\$1,000,974
PRIVATE GRANT	\$186,237	\$0			\$0
PRIVATE DONATIONS	\$153,148	\$0			\$0
OPERATING INTRA-DISTRICT	\$42,832,271	\$37,802,382	\$37,763,671		\$37,763,671
LOCAL	\$136,061,691	\$165,386,544	\$161,587,213	\$4,676,464	\$166,263,677
FEDERAL GRANT	\$183,495,093	\$234,317,038	\$260,918,809		\$260,918,809
FEDERAL PAYMENTS	\$32,839,917	\$45,000,000	\$15,000,000		\$15,000,000
GROSS FUNDS	\$401,199,321	\$488,228,748	\$480,946,432	\$4,676,464	\$485,622,896
<b><i>District of Columbia Public Charter Schools</i></b>					
LOCAL	\$779,669,063	\$813,738,500	\$891,905,275	(\$2,526,581)	\$889,378,694
GROSS FUNDS	\$779,669,063	\$813,738,500	\$891,905,275	(\$2,526,581)	\$889,378,694
<b><i>District of Columbia Public Library</i></b>					
SPECIAL PURPOSE REVENUE (O'TYPE)	\$701,935	\$1,515,000	\$1,355,878		\$1,355,878
PRIVATE DONATIONS	\$0	\$17,000	\$17,000		\$17,000
OPERATING INTRA-DISTRICT	\$700,910	\$17,300	\$17,300		\$17,300
FEDERAL GRANT	\$939,753	\$931,362	\$1,113,061		\$1,113,061
LOCAL	\$55,887,071	\$59,323,376	\$60,701,334	\$614,352	\$61,315,686
GROSS FUNDS	\$58,229,669	\$61,804,038	\$63,204,573	\$614,352	\$63,818,925
<b><i>District of Columbia Public Charter School Board</i></b>					
LOCAL	\$721,164	\$0			\$0
SPECIAL PURPOSE REVENUE (O'TYPE)	\$0	\$9,109,827	\$8,524,878		\$8,524,878
GROSS FUNDS	\$721,164	\$9,109,827	\$8,524,878		\$8,524,878
<b><i>Non-Public Tuition</i></b>					
LOCAL	\$64,751,650	\$70,021,295	\$67,000,000	(\$3,500,000)	\$63,500,000
GROSS FUNDS	\$64,751,650	\$70,021,295	\$67,000,000	(\$3,500,000)	\$63,500,000

<i>Fund Type</i>	<i>FY 2017 Actual</i>	<i>FY 2018 Approved</i>	<i>FY 2019 Proposed</i>	<i>Sum of Committee Variance</i>	<i>Committee Approved</i>
<b><i>Special Education Transportation</i></b>					
OPERATING INTRA-DISTRICT	\$19,000,549	\$10,000,000	\$12,000,000		\$12,000,000
LOCAL	\$89,300,242	\$92,292,335	\$90,090,207	(\$51,561)	\$90,038,646
GROSS FUNDS	\$108,300,790	\$102,292,335	\$102,090,207	(\$51,561)	\$102,038,646
<b><i>District of Columbia Athletics Commission</i></b>					
LOCAL	\$0	\$0	\$1,189,207		\$1,189,207
SPECIAL PURPOSE REVENUE (O'TYPE)	\$0	\$0	\$100,000		\$100,000
GROSS FUNDS	\$0	\$0	\$1,289,207		\$1,289,207
<b><i>State Board of Education</i></b>					
LOCAL	\$1,267,318	\$1,711,267	\$1,750,066		\$1,750,066
PRIVATE DONATIONS	\$0	\$0			\$0
PRIVATE GRANT	\$0	\$0			\$0
GROSS FUNDS	\$1,267,318	\$1,711,267	\$1,750,066		\$1,750,066
<b><i>Office of the Deputy Mayor for Education</i></b>					
PRIVATE DONATIONS			\$0	\$75,000	\$75,000
LOCAL FUND	\$3,503,676	\$7,519,731	\$16,116,423	\$550,000	\$16,666,423
OPERATING INTRA-DISTRICT FUNDS	\$1,117,065	\$0			\$0
GROSS FUNDS	\$4,620,741	\$7,519,731	\$16,116,423	\$625,000	\$16,741,423

## B. FISCAL YEAR 2019 AGENCY FULL-TIME EQUIVALENT

<i>Fund Type</i>	<i>FY 2017 Actual</i>	<i>FY 2018 Approved</i>	<i>FY 2019 Proposed</i>	<i>Sum of Committee Variance</i>	<i>Committee Approved</i>
<b><i>District of Columbia Public Schools</i></b>					
FEDERAL GRANT	318.66	127.70	127.00		127.00
FEDERAL PAYMENTS	191.20	0.00	149.71		149.71
LOCAL	7,334.92	7,625.01	8,043.26	-1.00	8,042.26
OPERATING INTRA-DISTRICT	491.54	556.00	506.56		506.56
PRIVATE DONATIONS	0.30	0.00			0.00
PRIVATE GRANT	18.00	16.00	4.00		4.00
SPECIAL PURPOSE REVENUE (O'TYPE)	27.97	17.80	18.70		18.70
<b>TOTAL</b>		<b>8,342.51</b>	<b>8,849.23</b>	<b>-1.00</b>	<b>8,848.23</b>
<b><i>Office of the State Superintendent of Education</i></b>					
DEDICATED TAXES	12.00	19.91	21.85		21.85
FEDERAL GRANT	81.59	108.35	115.50		115.50
FEDERAL PAYMENTS	17.80	19.05	0.00		0.00
LOCAL	245.92	295.65	291.80	2.00	293.80
OPERATING INTRA-DISTRICT	3.50	2.40	0.40		0.40
PRIVATE DONATIONS	0.00	0.00			0.00
PRIVATE GRANT	0.00	0.00			0.00
SPECIAL PURPOSE REVENUE (O'TYPE)	0.20	3.40	4.40		4.40
<b>TOTAL</b>		<b>448.76</b>	<b>433.95</b>	<b>2.00</b>	<b>435.95</b>
<b><i>District of Columbia Public Charter Schools</i></b>					
LOCAL	1.00	1.00	1.00		1.00
<b>TOTAL</b>		<b>1.00</b>	<b>1.00</b>		<b>1.00</b>
<b><i>District of Columbia Public Library</i></b>					
FEDERAL GRANT	5.51	4.50	5.50		5.50
LOCAL	532.45	558.30	558.30	1.00	559.30
OPERATING INTRA-DISTRICT	0.00	0.00	0.00		0.00
PRIVATE DONATIONS	0.00	0.00	0.00		0.00
SPECIAL PURPOSE REVENUE (O'TYPE)	0.00	0.00	0.00		0.00
<b>TOTAL</b>		<b>562.80</b>	<b>563.80</b>	<b>1.00</b>	<b>564.80</b>
<b><i>District of Columbia Public Charter School Board</i></b>					
LOCAL	0.00	0.00			0.00
SPECIAL PURPOSE REVENUE (O'TYPE)	0.00	0.00	0.00		0.00
<b>TOTAL</b>		<b>0.00</b>	<b>0.00</b>		<b>0.00</b>
<b><i>Non-Public Tuition</i></b>					
LOCAL	18.00	18.00	18.00		18.00
<b>TOTAL</b>		<b>18.00</b>	<b>18.00</b>		<b>18.00</b>
<b><i>Special Education Transportation</i></b>					
LOCAL	1,295.13	1,362.28	1,363.54	-1.00	1,362.54
OPERATING INTRA-DISTRICT FUNDS	0.00	0.00	0.00		0.00
<b>TOTAL</b>		<b>1,362.28</b>	<b>1,363.54</b>	<b>-1.00</b>	<b>1,362.54</b>

<i>Fund Type</i>	<i>FY 2017 Actual</i>	<i>FY 2018 Approved</i>	<i>FY 2019 Proposed</i>	<i>Sum of Committee Variance</i>	<i>Committee Approved</i>
<b><i>District of Columbia Athletics Commission</i></b>					
LOCAL	0.00	0.00	6.00		6.00
SPECIAL PURPOSE REVENUE FUNDS (O'TYPE)	0.00	0.00	0.00		0.00
<b>TOTAL</b>		<b>0.00</b>	<b>6.00</b>		<b>6.00</b>
<b><i>State Board of Education</i></b>					
LOCAL	22.02	23.00	29.00		29.00
PRIVATE DONATIONS	0.00	0.00			0.00
PRIVATE GRANT	0.00	0.00			0.00
<b>TOTAL</b>		<b>23.00</b>	<b>29.00</b>		<b>29.00</b>
<b><i>Office of the Deputy Mayor for Education</i></b>					
LOCAL	21.00	19.00	19.00		19.00
OPERATING INTRA- DISTRICT	0.00	0.00			0.00
<b>TOTAL</b>		<b>19.00</b>	<b>19.00</b>		<b>19.00</b>

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## C. FY 2019 - 2024 AGENCY CAPITAL BUDGET SUMMARY

Project No.	Project Title	Scenario	Unspent Allotment	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	6-year total
District of Columbia Public Schools										
AFM04C	TECHNOLOGY MODERNIZATION INITIATIVE	Mayor's Submission	638,000	1,500,000	1,500,000	-	-	1,300,000	1,000,000	5,300,000
		Committee Markup	638,000	1,500,000	1,500,000	-	-	1,300,000	1,000,000	5,300,000
GI5PKC	EARLY ACTION PRE-K INITIATIVES	Mayor's Submission	3,200,000	1,500,000	1,500,000	-	2,000,000	1,500,000	1,500,000	8,000,000
		Committee Markup	3,200,000	1,500,000	1,500,000	-	2,000,000	1,500,000	1,500,000	8,000,000
GM101C	ROOF REPAIRS - DCPS	Mayor's Submission	1,529,686	4,250,000	2,500,000	-	1,500,000	3,900,000	6,625,000	18,775,000
		Committee Markup	1,529,686	4,250,000	2,500,000	-	1,500,000	3,900,000	6,625,000	18,775,000
GM102C	HVAC REPLACEMENT - DCPS	Mayor's Submission	1,658,263	4,250,000	2,500,000	500,000	-	7,420,312	7,466,327	22,136,639
		Committee Markup	1,658,263	4,250,000	2,500,000	500,000	-	7,420,312	7,466,327	22,136,639
GM120C	GENERAL MISCELLANEOUS REPAIRS - DCPS	Mayor's Submission	11,558,567	4,000,000	2,500,000	-	1,750,000	9,845,601	10,337,881	28,433,482
		Committee Markup	11,558,567	4,000,000	2,500,000	-	1,750,000	9,845,601	10,337,881	28,433,482
GM121C	MAJOR REPAIRS/MAINTENANCE - DCPS	Mayor's Submission	8,036,070	3,000,000	2,000,000	-	2,000,000	4,254,272	4,466,985	15,721,257
		Committee Markup	8,036,070	3,000,000	2,000,000	-	2,000,000	4,254,272	4,466,985	15,721,257
GM303C	ADA COMPLIANCE - DCPS	Mayor's Submission	7,944,509	3,550,000	1,000,000	-	500,000	2,500,000	4,370,000	11,920,000
		Committee Markup	7,944,509	3,550,000	1,000,000	-	500,000	2,500,000	4,370,000	11,920,000
GM304C	LIFE SAFETY - DCPS	Mayor's Submission	57,692	1,500,000	1,500,000	500,000	500,000	1,500,000	4,442,471	9,942,471
		Committee Markup	57,692	1,500,000	1,500,000	500,000	500,000	1,500,000	4,442,471	9,942,471
GM311C	HIGH SCHOOL LABOR - PROGRAM MANAGEMENT	Mayor's Submission	4,398,687	4,000,000	2,000,000	750,000	-	-	-	6,750,000
		Committee Markup	4,398,687	3,750,000	1,900,000	750,000	-	-	-	6,400,000
GM312C	ES/MS MODERNIZATION CAPITAL LABOR - PROG	Mayor's Submission	13,772,085	7,000,000	6,000,000	5,500,000	6,500,000	8,000,000	10,000,000	43,000,000
		Committee Markup	13,772,085	6,625,000	5,875,000	5,500,000	6,500,000	8,000,000	10,000,000	42,500,000
GM313C	STABILIZATION CAPITAL LABOR - PROGRAM MG	Mayor's Submission	2,524,777	2,000,000	2,000,000	1,500,000	2,000,000	1,500,000	2,000,000	11,000,000
		Committee Markup	2,524,777	2,000,000	2,000,000	1,500,000	2,000,000	1,500,000	2,000,000	11,000,000
GR337C	GREEN ES MODERNIZATION/RENOVATION	Mayor's Submission	1,556,842	-	-	-	-	-	1,061,376	1,061,376
		Committee Markup	1,556,842	-	-	-	-	-	1,061,376	1,061,376
MR337C	MAURY ES MODERNIZATION/RENOVATION	Mayor's Submission	17,457,095	18,000,000	-	-	-	-	-	18,000,000
		Committee Markup	17,457,095	18,000,000	-	-	-	-	-	18,000,000
N8005C	DCPS IT INFRASTRUCTURE UPGRADE	Mayor's Submission	1,225,528	1,500,000	1,500,000	1,500,000	1,500,000	4,000,000	5,000,000	15,000,000
		Committee Markup	1,225,528	1,500,000	1,500,000	1,500,000	1,500,000	4,000,000	5,000,000	15,000,000
NP537C	THOMAS ELEMENTARY	Mayor's Submission	-	-	-	-	-	-	2,640,288	2,640,288
		Committee Markup	-	-	-	-	-	-	2,640,288	2,640,288
NX238C	THADDEUS STEVENS RENOVATION/MODERNIZATION	Mayor's Submission	-	10,000,000	-	-	-	-	-	10,000,000
		Committee Markup	-	10,000,000	-	-	-	-	-	10,000,000
NX837C		Mayor's Submission	14,929,229	74,782,000	-	-	-	-	-	74,782,000

	COOLIDGE MODERNIZATIO N/RENOVATION	Committee Markup	14,929,229	74,782,000	-	-	-	-	-	74,782,000
OA737C	STODDERT ELEMENTARY SCHOOL MODERNIZATIO N	Mayor's Submission	-	-	-	-	-	500,000	20,000,000	20,500,000
		Committee Markup	-	-	-	-	-	500,000	20,000,000	20,500,000
PL337C	TRUEDELLE MODERNIZATIO N/RENOVATION	Mayor's Submission	-	-	-	-	-	-	2,648,879	2,648,879
		Committee Markup	-	-	-	-	-	-	2,648,879	2,648,879
PW337C	JO WILSON MODERNIZATIO N/RENOVATION	Mayor's Submission	-	-	-	-	-	-	3,242,946	3,242,946
		Committee Markup	-	-	-	-	-	-	3,242,946	3,242,946
SG106C	WINDOW AND DOOR REPLACEMENT - DCPS	Mayor's Submission	4,051,338	4,250,000	1,000,000	1,000,000	1,500,000	5,500,000	4,260,000	17,510,000
		Committee Markup	4,051,338	4,250,000	1,000,000	1,000,000	1,500,000	5,500,000	4,260,000	17,510,000
SG403C	KEY ELMENTARY SCHOOL MODERNIZATIO N	Mayor's Submission	-	-	500,000	10,000,000	10,000,000	-	-	20,500,000
		Committee Markup	-	-	500,000	10,000,000	10,000,000	-	-	20,500,000
SK120C	ATHLETIC FACILITIES	Mayor's Submission	3,413,820	2,700,000	1,000,000	-	-	1,000,000	2,000,000	6,700,000
		Committee Markup	3,413,820	2,700,000	1,000,000	-	-	1,000,000	2,000,000	6,700,000
T2247C	DCPS DCSTARS- ASPEN/ENTERP RISE APPLICATIO	Mayor's Submission	909,025	3,022,000	-	-	-	-	-	3,022,000
		Committee Markup	909,025	3,022,000	-	-	-	-	-	3,022,000
TA137C	TUBMAN MODERNIZATIO N	Mayor's Submission	-	-	-	-	-	-	3,194,997	3,194,997
		Committee Markup	-	-	-	-	-	-	3,194,997	3,194,997
YY101C	BANNEKER HS MODERNIZATIO N/RENOVATION	Mayor's Submission	1,165,000	9,707,000	38,325,000	84,946,000	-	-	-	132,978,000
		Committee Markup	1,165,000	9,707,000	38,325,000	84,946,000	-	-	-	132,978,000
YY103C	FRANCIS/STEVE NS EC MODERNIZATIO N/RENOVAT	Mayor's Submission	91,279	-	-	-	2,969,173	37,114,664	34,145,491	74,229,328
		Committee Markup	91,279	-	-	-	2,969,173	37,114,664	34,145,491	74,229,328
YY105C	ANNE M. GODING ES	Mayor's Submission	-	-	1,740,390	21,754,874	20,014,484	-	-	43,509,748
		Committee Markup	-	-	1,740,390	21,754,874	20,014,484	-	-	43,509,748
YY106C	WASHINGTON- METRO MODERNIZATIO N/RENOVATIO	Mayor's Submission	-	-	-	-	-	-	1,811,247	1,811,247
		Committee Markup	-	-	-	-	-	-	1,811,247	1,811,247
YY107C	LOGAN MODERNIZATIO N/RENOVATION	Mayor's Submission	750,000	2,022,422	25,780,279	23,250,000	-	-	-	51,052,701
		Committee Markup	750,000	2,022,422	25,780,279	23,250,000	-	-	-	51,052,701
YY108C	BROWNE EC MODERNIZATIO N	Mayor's Submission	2,527,178	-	-	-	-	2,788,282	34,853,519	37,641,801
		Committee Markup	2,527,178	-	-	-	-	2,788,282	34,853,519	37,641,801
YY144C	HOUSTON ES RENOVATION/M ODERNIZATION	Mayor's Submission	2,655,000	24,146,163	21,072,623	-	-	-	-	45,218,786
		Committee Markup	2,655,000	24,146,163	21,072,623	-	-	-	-	45,218,786
YY160C	ADAMS ES MODERNIZATIO N/RENOVATION	Mayor's Submission	4,250,000	-	-	-	-	-	2,503,691	2,503,691
		Committee Markup	4,250,000	-	-	-	-	-	2,503,691	2,503,691
YY164C	HYDE ES MODERNIZATIO N/RENOVATION	Mayor's Submission	13,691,125	6,500,000	-	-	-	-	-	6,500,000
		Committee Markup	13,691,125	6,500,000	-	-	-	-	-	6,500,000



YY165C	JEFFERSON MS MODERNIZATIO N/RENOVATION	Mayor's Submission	29,371,177	49,521,000	-	-	-	-	-	49,521,000
		Committee Markup	29,371,177	49,521,000	-	-	-	-	-	49,521,000
YY170C	ORR ES MODERNIZATIO N/RENOVATION	Mayor's Submission	1,817,705	2,037,991	-	-	-	-	-	2,037,991
		Committee Markup	1,817,705	2,037,991	-	-	-	-	-	2,037,991
YY173C	WEST ES MODERNIZATIO N/RENOVATION	Mayor's Submission	919,000	7,500,000	35,000,000	35,000,000	-	-	-	77,500,000
		Committee Markup	919,000	7,500,000	35,000,000	35,000,000	-	-	-	77,500,000
YY176C	AITON ES RENOVATION/M ODERNIZATION	Mayor's Submission	999,534	-	-	-	2,151,031	26,887,886	24,736,855	53,775,772
		Committee Markup	999,534	-	-	-	2,151,031	26,887,886	24,736,855	53,775,772
YY178C	CW HARRIS ES RENOVATION/M ODERNIZATION	Mayor's Submission	1,543,000	23,709,069	20,863,080	-	-	-	-	44,572,149
		Committee Markup	1,543,000	23,709,069	20,863,080	-	-	-	-	44,572,149
YY180C	EATON ES RENOVATION/M ODERNIZATON	Mayor's Submission	22,897,800	12,000,000	20,000,000	-	-	-	-	32,000,000
		Committee Markup	22,897,800	12,000,000	20,000,000	-	-	-	-	32,000,000
YY181C	ELIOT-HINE JHS RENOVATION/M ODERNIZATION	Mayor's Submission	4,083,211	38,331,000	41,075,000	-	-	-	-	79,406,000
		Committee Markup	4,083,211	38,331,000	41,075,000	-	-	-	-	79,406,000
YY182C	GARFIELD ES RENOVATION/M ODERNIZATION	Mayor's Submission	1,787,413	-	-	-	1,945,440	24,317,998	22,372,558	48,635,996
		Committee Markup	1,787,413	-	-	-	1,945,440	24,317,998	22,372,558	48,635,996
YY185C	KIMBALL ES MODERNIZATIO N/RENOVATION	Mayor's Submission	12,505,072	4,000,000	-	-	-	-	-	4,000,000
		Committee Markup	12,505,072	4,000,000	-	-	-	-	-	4,000,000
YY193C	RAYMOND ES MODERNIZATIO N/RENOVATION	Mayor's Submission	749,000	-	-	2,503,447	31,293,085	28,789,639	-	62,586,171
		Committee Markup	749,000	-	-	2,503,447	31,293,085	28,789,639	-	62,586,171
YY195C	SMOTHERS ES MODERNIZATIO N/RENOVATION	Mayor's Submission	490,239	-	1,727,138	21,589,223	21,626,340	-	-	44,942,701
		Committee Markup	490,239	-	1,727,138	21,589,223	21,626,340	-	-	44,942,701
YY1DHC	DOROTHY HEIGHT ES MODERNIZATIO N	Mayor's Submission	-	-	-	-	2,647,699	33,096,232	30,448,534	66,192,465
		Committee Markup	-	-	-	-	2,647,699	33,096,232	30,448,534	66,192,465
YY1SPC	CENTRALIZED SWING SPACE	Mayor's Submission	33,758,194	4,921,000	-	-	1,800,000	-	-	6,721,000
		Committee Markup	33,758,194	4,921,000	-	-	1,800,000	-	-	6,721,000
District of Columbia Public Schools Total			234,912,142	334,574,645	234,358,510	210,293,544	114,197,252	205,714,886	247,129,045	1,346,267,882
Office of the State Superintendent of Education										
EMG16C	EDUCATIONAL GRANT MANAGEMENT SYSTEM II	Mayor's Submission	(88,687)	500,000	-	-	-	-	-	500,000
		Committee Markup	(88,687)	500,000	-	-	-	-	-	500,000
GD001C	DATA INFRASTRUCTU RE	Mayor's Submission	3,316,178	1,000,000	-	-	-	2,500,000	-	3,500,000
		Committee Markup	3,316,178	1,000,000	-	-	-	2,500,000	-	3,500,000
Office of the State Superintendent of Education Total			3,227,491	1,500,000	-	-	-	2,500,000	-	4,000,000
District of Columbia Public Schools										
ASF18C	SHARED TECHNICAL SERVICES CENTER	Mayor's Submission	900,000	1,500,000	-	-	-	-	-	1,500,000
		Committee Markup	900,000	1,500,000	-	-	-	-	-	1,500,000
ITM37C		Mayor's Submission	209,279	350,000	350,000	-	-	-	-	700,000

	INFORMATION TECHNOLOGY MODERNIZATION	Committee Markup	209,279	350,000	350,000	-	-	-	-	700,000
LAR37C	LAMOND RIGGS LIBRARY	Mayor's Submission	4,936,660	15,000,000	-	-	-	-	-	15,000,000
		Committee Markup	4,936,660	15,000,000	-	-	-	-	-	15,000,000
LB310C	GENERAL IMPROVEMENT- LIBRARIES	Mayor's Submission	10,710,292	1,500,000	1,000,000	-	-	1,500,000	3,750,000	7,750,000
		Committee Markup	10,710,292	1,500,000	1,000,000	-	-	1,500,000	3,750,000	7,750,000
MCL03C	MARTIN LUTHER KING JR. MEMORIAL CENTRAL	Mayor's Submission	(66,231,792)	61,250,000	18,000,000	-	-	-	-	79,250,000
		Committee Markup	(66,231,792)	61,875,000	18,125,000	-	-	-	-	80,000,000
SEL37C	SOUTHEAST LIBRARY	Mayor's Submission	150,000	4,750,000	18,600,000	-	-	-	-	23,350,000
		Committee Markup	150,000	4,750,000	18,600,000	-	-	-	-	23,350,000
SWL37C	SOUTHWEST LIBRARY	Mayor's Submission	13,311,869	2,750,000	-	-	-	-	-	2,750,000
		Committee Markup	13,311,869	2,750,000	100,000	-	-	-	-	2,850,000
District of Columbia Public Library			(36,013,691)	87,725,000	38,175,000	-	-	1,500,000	3,750,000	131,150,000
Special Education Transportation										
BRM15 C	1601 W STREET NE BUILDING RENOVATION	Mayor's Submission	4,000,000	10,800,000	4,000,000	-	-	-	-	14,800,000
		Committee Markup	4,000,000	10,800,000	4,000,000	-	-	-	-	14,800,000
BRM16 C	2215 5TH STREET NE BUILDING RENOVATIONS	Mayor's Submission	4,000,000	1,500,000	-	-	-	-	-	1,500,000
		Committee Markup	4,000,000	1,500,000	-	-	-	-	-	1,500,000
BU0B0 C	BUS-VEHICLE REPLACEMENT	Mayor's Submission	9,351,515	1,207,463	2,237,175	301,411	1,949,309	7,194,762	5,700,000	18,590,120
		Committee Markup	9,351,515	1,207,463	2,237,175	301,411	1,949,309	7,194,762	5,700,000	18,590,120
Special Education Transportation Total			17,351,515	13,507,463	6,237,175	301,411	1,949,309	7,194,762	5,700,000	34,890,120

## D. TRANSFERS IN FROM OTHER COMMITTEES

<i>Sending Committee</i>	<i>Amount</i>	<i>FTEs</i>	<i>Receiving agency</i>	<i>Amount</i>	<i>FTEs</i>	<i>Program</i>	<i>Purpose</i>	<i>Recurring or One-Time</i>
Transportation and the Environment	\$200,000		DCPS	\$200,000		C100	To fund a 2-year self operated school food services pilot program to cover 10 schools iwthin DCPS that already have kitchens, per the proposed BSA Subtitle "Self Operated School Food Service Amendment"	Recurring
Business and Economic Development	\$50,000		DME	\$50,000		2000	To fund the Office of Out of School Time Grants and Youth Outcomes	One-Time
Labor and Workforce Development	\$500,000		OSSE	\$500,000		E700	Literacy training for beginning Readers	Recurring
Labor and Workforce Development	\$500,000		DME	\$500,000		2000	To fund the Office of Out of School Time Grants and Youth Outcomes	One-Time
Transportation and the Environment	\$114,352	1	DCPL	\$114,352	1	L300	To fund one FTE for proposed BSA Subtitle "Voter Registration Agency Amendment Act of 2018	Recurring

<i>Sending Committee</i>	<i>Amount</i>	<i>FTEs</i>	<i>Receiving agency</i>	<i>Amount</i>	<i>FTEs</i>	<i>Program</i>	<i>Purpose</i>	<i>Recurring or One-Time</i>
<b>Total</b>	\$1,364,352			\$1,364,352				

## E. TRANSFERS OUT TO OTHER COMMITTEES

<i>Receiving Committee</i>	<i>Amount</i>	<i>FTEs</i>	<i>Receiving agency</i>	<i>Amount</i>	<i>FTEs</i>	<i>Program</i>	<i>Purpose</i>	<i>Recurring or One-Time</i>
Human Services	\$300,000	0	DHS	\$300,000		5000	\$300,000 in one-time dollars to CSG 50 Program 5000 (Family Services) 5022 (Youth Services): To fund the addition of certain wraparound services at the 24 hour drop-in center. \$90,000 in recurring dollars to CSG 50 Program 5000 (Family Services) 5022 (Youth Services): To fund 3 additional units of Permanent Supportive Housing for youth experiencing homelessness. \$135,000 in recurring dollars to CSG 50 Program 5000 (Family Services) 5022 (Youth Services): To fund 3 additional units of transitional shelter for youth experiencing homelessness. Across the financial plan, this means an enhancement of \$300k for the drop-in center, \$360k for PSH youth, and \$540k for transitional beds for youth.	Recurring
<b>Total</b>	\$300,000			\$300,000				

## F. REVENUE ADJUSTMENT

Revenue Adjustments				
<i>Agency</i>	<i>Fund Type</i>	<i>Amount</i>	<i>Use</i>	<i>BSA subtitle</i>

## G. BUDGET SUPPORT ACT SUBTITLE FUNDING

<i>Subtitle</i>	<i>Agency</i>	<i>Program</i>	<i>Amount</i>	<i>FTEs</i>
Student Fair Access To School Subject To Appropriations Repeal And Technical Amendment Act Of 2018	DCPS	DCPS/DCPCS via UPSFF	DCPS	
		at-risk weight increase to	\$1,187,615	0
	DCPCS	.224	DCPCS	
			\$1,041,768	0
	OSSE	OSSE		
		TBD (new fund)(NPS)	\$2,193,071	0
		E200/E203 (PS)	\$115,843	1
		F100/F103 (PS)	\$231,685	2
		E600/E605 (NPS)	\$1,347,404	0

<i>Subtitle</i>	<i>Agency</i>	<i>Program</i>	<i>Amount</i>	<i>FTEs</i>
Self-Operated School Food Service Amendment Act of 2018	DCPS		\$200,000	0

**H. FUNDING OF BILLS PREVIOUSLY PASSED  
SUBJECT TO APPROPRIATION**

<i>Law Number</i>	<i>Section</i>	<i>Agency</i>	<i>Program</i>	<i>Amount</i>	<i>FTEs</i>
B22-594	All except 204(a) and 206(a)(4)	OSSE, DCPS, DCPCS	See Table I	See Table I	3

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## **I. SUMMARY OF COMMITTEE BUDGET RECOMMENDATIONS**

The following summarizes the Committee’s recommendations for the FY19 operating budget, full-time equivalents (FTEs), and capital budgets for the agencies and programs under its purview.

### **DISTRICT OF COLUMBIA PUBLIC SCHOOLS**

#### *Operating Budget Recommendations*

The Committee recommends the following changes to the FY19 operating budget as proposed by the Mayor:

- Decrease 1 FTE to transfer to OSSE Office of Enrollment and Residency Fraud
- Increase the UPSFF at-risk weigh to .224, resulting in an addition of \$1,187,615 to DCPS’ budget, to fund the Committee’s proposed subtitle “Student Fair Access to School Subject to Appropriations Repeal and Technical Amendment Act of 2018.”
- Increase of \$200,000 to fund a 2-year self-operated school food services pilot program to cover 10 schools within DCPS that already have kitchens, per the proposed Committee on Transportation and the Environment subtitle “Self Operated School Food Service Amendment.”

#### *Policy Recommendations*

The Committee recommends the following policy changes:

1. Implementation of DCPS Strategic Plan. Given the need for transparency brought by recent events, the Committee recommends that DCPS immediately make public the most detailed version of the DCPS Strategic Plan to include specific details of the budgets, FTEs, timelines, specific initiatives to accompany each goal and divisions responsible for the implementation.

2. Create a publication working with OSSE and public input on a plan to support and expand multilingual immersion programs. Given the significant demand for multilingual immersion programs, the Committee recommends that the plan to support and expand multilingual immersion programs be fast-tracked and made public as a priority. In addition, DCPS should engage in cross-sector collaboration on multilingual programs. The Committee recommends that all efforts be made by DCPS to encourage, facilitate and support cross-sector collaboration among public charter and DC Public Schools multilingual immersion programs.

3. At-Risk Accounting. DCPS shall analyze adding an accounting line item in the central office and school budgets that allows for more detailed tracking of at risk dollars and DCPS shall provide a report outlining how this budgeting change will happen, including timing, to the Committee on Education by October 1, 2018.

4. Incorporate questions about LGBTQ student experiences into school climate surveys.

### *Capital Budget Recommendations*

## **OFFICE OF THE STATE SUPERINTENDENT FOR EDUCATION**

### *Operating Budget Recommendations*

The Committee recommends the following changes to the FY19 operating budget as proposed by the Mayor:

- Reallocating 3 FTEs and appropriate funding within the agency to fund the Committee’s proposed subtitle “Student Fair Access to School Subject to Appropriations Repeal and Technical Amendment Act of 2018.”
- Receiving 1 FTE from Special Education Transportation and allocating sufficient funds to fund the establishment of the new Office of Multilingual Education at OSSE.
- Receiving 1FTE from DCPS for the Office of Enrollment and Residency Fraud
- Increase of \$2,193,071.62 in contractual services-other to establish the School Safety and Positive Climate Fund to fund the Committee’s proposed subtitle “Student Fair Access to School Subject to Appropriations Repeal and Technical Amendment Act of 2018” including \$450,000 to support Restorative Justice Programs, \$537,000 to support training and technical assistance and \$175,875 to support a data collection contractor
- An increase of \$250,000 in contractual services-other for the Office of Training and Technical Assistance within the Division of Teaching and Learning program, to fund the establishment of the new Office of Multilingual Education at OSSE.
- An increase of \$500,000 in subsidies and transfers for Office of Adult and Family Education within the Post-Secondary and Career Education program, as a result of a transfer from the Committee on Labor and Workforce Development.

### *Policy Recommendations*

The Committee recommends the following policy changes:

1. Update the DCMR to accurately account for alternative schools to receive funding by October 1, 2018.
2. Integrate multilingual education into OSSE’s FY19 strategic planning.

3. Improve researcher access to MySchoolDC and Common Lottery data.
4. Audit and report on MOUs and Transfers between Department of Health Care Finance and education sector agencies for reimbursements.

#### *Capital Budget Recommendations*

The Committee recommends adoption of FY19-FY24 capital budget as proposed by the Mayor with no changes.

### **DISTRICT OF COLUMBIA PUBLIC CHARTER SCHOOLS**

#### *Operating Budget Recommendations*

The Committee recommends the following changes to the FY19 operating budget as proposed by the Mayor:

- Decrease the DCPCS enrollment projections resulting in a savings of \$3,569,052, which the Committee redirects into increasing the UPSFF at-risk weight to .224 and adding supports at OSSE to fund the Committee’s proposed subtitle “Student Fair Access to School Subject to Appropriations Repeal and Technical Amendment Act of 2018” as well as to fund the difference in the shift of the Maya Angelou Young Adult Learning Center enrollment from the adult categorization to the alternative categorization. These changes result in a net reduction of \$2,526,581 for DCPCS.

#### *Policy Recommendations*

The Committee has no policy recommendations.

#### *Capital Budget Recommendations*

There is no proposed capital budget for FY19-FY24 for public charter schools.

### **DISTRICT OF COLUMBIA PUBLIC LIBRARY**

#### *Operating Budget Recommendations*

The Committee recommends the following changes to the FY19 operating budget as proposed by the Mayor:

- An increase of \$500,000 for Equipment for Collections to fund opening day collections at Martin Luther King Central Library.
- An increase of 1 FTE and accompanying dollars to fund the Committee on the Judiciary and Public Safety’s proposed subtitle “The Voter Registration Agency amendment act of 2018” due to a transfer from the Committee on Transportation and the Environment.

#### *Policy Recommendations*

The Committee has no policy recommendations.

#### *Capital Budget Recommendations*

The Committee recommends the following changes to the FY19-FY24 capital budget as proposed by the Mayor:

- An increase of \$500,000 in FY19 to MCL03C, the Martin Luther King Jr. Memorial Library modernization to restore the cut proposed in the Mayor's FY19-24 CIP.
- An increase \$125,000 in FY19 to MCL03C, the Martin Luther King Jr. Memorial Library to support additional interim space cost for the Washingtonia Collection.
- An increase of \$125,000 in FY20 to MCL03C, the Martin Luther King Jr. Memorial Library to support additional interim space cost for the Washingtonia Collection.
- An increase of \$100,000 in FY20 to SWL37C, the Southwest Library to support opening day operating impact on capital costs associated with that project.

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

#### *Operating Budget Recommendations*

The Committee recommends adoption of the FY19 operating budget as proposed by the Mayor.

#### *Policy Recommendations*

The Committee recommends the following policy changes:

1. Continue to engage with DOH and DBH on the issues of school-based health professionals and how to best meet the mental health needs of students to place them in the best position to succeed.
2. Ensure all policies relating to sexual harassment, sexual assault, and child sexual abuse are public and improve monitoring of these policies.
3. Continue to engage with OSSE and LEAs in support of full implementation of the Enhanced Special Education Services Act of 2014, to include encouraging LEAs to fulfill obligations under the law ahead of OSSE's deadline of July 2018.
4. Better monitor the exclusion of students with disabilities and report on practices of LEAs in complying with Individuals with Disabilities Education Act.
5. Develop a proposal for an alternative placement option that LEAs can use while keeping the student enrolled.
6. Report on change in approach to reviewing school finances
7. Greater focus on attendance and chronic absenteeism
8. Promote multilingual education, including cross-sector collaboration



### *Capital Budget Recommendations*

There is no proposed capital budget for FY19-FY24 for the D.C. Public Charter School Board.

## **NON PUBLIC TUITION**

### *Operating Budget Recommendations*

The Committee recommends the following changes to the FY19 operating budget as proposed by the Mayor:

1. Reduce \$3,500,000 from subsidies and transfers.

### *Policy Recommendations*

The Committee has no policy recommendations.

### *Capital Budget Recommendations*

There is no proposed capital budget for FY19-FY24 for the Non-Public Tuition.

## **SPECIAL EDUCATION TRANSPORTATION**

### *Operating Budget Recommendations*

The Committee recommends the following changes to the FY19 operating budget as proposed by the Mayor:

- Reduce 1 FTE and accompanying dollars within the Terminal Operations: 5<sup>th</sup> Street Place – drive and attend students program due to historic underspending.

### *Policy Recommendations*

The Committee has no policy recommendations.

### *Capital Budget Recommendations*

The Committee recommends adoption of the FY19-FY24 capital budget as proposed by the Mayor with no changes.

## **STATE BOARD OF EDUCATION**

### *Operating Budget Recommendations*

The Committee recommends adoption of the FY19 operating budget as proposed by the Mayor.

### *Policy Recommendations*

The Committee recommends the following policy changes:

1. The Committee recommends that the State Board continue its focus on broad engagement with families, students, and school communities to drive change regarding the challenges students face with attendance and school climate, along with its broader policy objectives on high school graduation requirements, ESSA compliance, and academic standards.

*Capital Budget Recommendations*

There is no proposed capital budget for FY19-FY24 for the State Board of Education.

**OFFICE OF THE OMBUDSMAN FOR PUBLIC EDUCATION**

*Operating Budget Recommendations*

The Committee recommends adoption of the FY19 operating budget as proposed by the Mayor.

*Policy Recommendations*

The Committee recommends the following policy changes:

1. Collaborate and Communicate to Further Systemic Change

*Capital Budget Recommendations*

There is no proposed capital budget for FY19-FY24 for the Office of the Ombudsman for Public Education.

**OFFICE OF THE STUDENT ADVOCATE**

*Operating Budget Recommendations*

The Committee recommends adoption of the FY19 operating budget as proposed by the Mayor.

*Policy Recommendations*

The Committee recommends the following policy changes:

1. Collaborate and Communicate to Further Systemic Change

*Capital Budget Recommendations*

There is no proposed capital budget for FY19-FY24 for the Office of the Student Advocate.

## **OFFICE OF THE DEPUTY MAYOR FOR EDUCATION**

### *Operating Budget Recommendations*

The Committee recommends the following changes to the FY19 operating budget as proposed by the Mayor:

- An increase of \$500,000 in one-time funds and \$50,000 in recurring funds for subsidies and transfers for Office of Out of School Time Grants and Youth Outcomes to increase the funding in grants, as a result of a transfer of \$500,000 in one-time funds from the Committee on Labor and Workforce Development and a transfer of \$50,000 in recurring funds from the Committee on Business and Economic Development.
- Increase of \$102,791 in one-time funds for subsidies and transfers for Office of Out of School Time Grants and Youth Outcomes to increase the funding in grants, as a result of a transfer from the Public Fund for Drug Prevention and Children at Risk.

### *Policy Recommendations*

The Committee recommends the following policy changes:

1. Comply with the Planning Actively for Comprehensive Education Facilities Amendment Act of 2016.
2. Follow up on Adult Learner Transportation Pilot.
3. Report on next steps for LEA payment initiative and budget transparency
4. Collaborate with the District Department of Transportation to analyze student transportation times, options, and routes for chronically absent students with a particular focus on Safe Passage.

### *Capital Budget Recommendations*

The Committee recommends adoption of the FY19-FY24 capital budget as proposed by the Mayor with no changes.

## **INTER-COMMITTEE TRANSFERS**

### *Operating - Transfers In*

- The Committee accepts a transfer from the Committee on Judiciary and Public Safety
  - \$114,352 recurring and 1 FTE authority

- D.C. Public Librar-CE0 for an increase of 1 with \$91,045.00 in CSG11 (Regular Pay – Full Time Continuing) and \$23,307 in CSG14 (Fringe) for Adult Services (L335) within the Library Services program (L300) to fund the Committee on the Judiciary and Public Safety’s proposed subtitle “The Voter Registration Agency Amendment Act of 2018,” which makes DCPL a voter registration agency.
- The Committee accepts a transfer from the Committee on Labor and Workforce Development:
  - \$500,000 recurring and \$500,000 one-time
  - Deputy Mayor for Education-GW0 for an increase of \$500,000 in one-time funds for CSG50 (subsidies and transfers) for Office of Out of School Time Grants and Youth Outcomes (2011) to increase the funding for out-of-school time grants.
  - Office of the State Superintendent of Education-GD0 for an increase of \$500,000 in recurring funds in CSG50 (subsidies and transfers) for the Office of Adult and Family Education (E703) within the Post-Secondary and Career Education program (E700) to fund community-based organizations providing education and literacy skills building to illiterate and low-literacy adults.
- The Committee accepts a transfer from the Committee on Business and Economic Development:
  - \$50,000 recurring
  - Deputy Mayor for Education-GW0 for an increase of \$50,000 for CSG50 (subsidies and transfers) for Office of Out of School Time Grants and Youth Outcomes (2011) to increase the funding for out-of-school time grants to organizations in Ward 5.
- The Committee accepts a transfer from the Committee on Transportation:
  - \$200,000 recurring
  - D.C. Public Schools
  - To fund BSA Subtitle XXX Self-Operated School Food Service Amendment Act of 2018, to require the Mayor to operate a self-operated school food service pilot in 10 DCPS schools that have operational kitchens.

#### *Operating - Transfers Out*

- The Committee directs a transfer to the Committee on Human Services
  - \$300,000 recurring
  - Department of Human Services-JA0 for CSG50 (subsidies and transfers) for Youth Services (5022) in the Family Services Program (5000) to fund:
    - \$300,000 one-time in FY19 for wrap-around services at drop-in center;
    - \$90,000 in recurring starting in FY20 for the remainder of the financial plan for youth permanent supportive housing; and

- \$135,000 in recurring starting in FY20 for the remainder of the financial plan for youth transitional shelter.

## II. AGENCY FISCAL YEAR 2019 BUDGET RECOMMENDATIONS

### A. INTRODUCTION

Pursuant to the Council Rules of Organization and Procedure for Council Period 22, 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
- Office of the Ombudsman for Public Education
- Office of the Student Advocate
- Deputy Mayor for Education

On March 21, 2018, 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 FY19 budgets for those agencies under its purview:

March 28, 2018	District of Columbia Public Schools – Public Witnesses
March 29, 2018	State Board of Education, Office of the Ombudsman for Public Education, and Office of the Student Advocate
April 11, 2018	Deputy Mayor for Education and the Public Charter School Board
April 18, 2018	DC Public Library
April 19, 2018	District of Columbia Public Schools – Government Witnesses

April 24, 2018	Office of the State Superintendent of Education, Non-Public Tuition, Special Education Transportation, and Public Charter School Payments
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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 reviewed the Mayor's FY19 budget request and developed recommendations contained in this report.

DRAFT

## B. DISTRICT OF COLUMBIA PUBLIC SCHOOLS

### 1. AGENCY MISSION AND OVERVIEW

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.

### 2. FISCAL YEAR 2019 OPERATING BUDGET

	<i>FY 2017 Actual</i>	<i>FY 2018 Approved</i>	<i>FY 2019 Proposed</i>	<i>Sum of Committee Variance</i>	<i>Committee Approved</i>
<b>Operating Budget by Fund Type</b>					
PRIVATE DONATIONS	\$200,874	\$0			\$0
FEDERAL GRANT	\$31,904,477	\$14,711,596	\$16,172,828		\$16,172,828
FEDERAL PAYMENTS	\$0	\$15,000,000	\$15,000,000		\$15,000,000
LOCAL FUND	\$777,577,078	\$789,566,469	\$846,633,839	\$1,301,678	\$847,935,517
PRIVATE GRANT	\$2,704,221	\$1,411,240	\$644,373		\$644,373
SPECIAL PURPOSE REVENUE (O'TYPE)	\$3,392,784	\$9,263,257	\$10,131,557		\$10,131,557
OPERATING INTRA-DISTRICT	\$148,822,055	\$107,049,532	\$104,371,989		\$104,371,989
GROSS FUNDS	\$964,601,490	\$937,002,094	\$992,954,586	\$1,301,678	\$994,256,264
<b>FTE by Fund Type</b>					
FEDERAL GRANT	318.66	127.70	127.00		127.00
FEDERAL PAYMENTS	191.20	0.00	149.71		149.71
LOCAL	7,334.92	7,625.01	8,043.26	-1.00	8,042.26
OPERATING INTRA-DISTRICT	491.54	556.00	506.56		506.56
PRIVATE DONATIONS	0.30	0.00			0.00
PRIVATE GRANT	18.00	16.00	4.00		4.00

	<i><b>FY 2017 Actual</b></i>	<i><b>FY 2018 Approved</b></i>	<i><b>FY 2019 Proposed</b></i>	<i><b>Sum of Committee Variance</b></i>	<i><b>Committee Approved</b></i>
SPECIAL PURPOSE REVENUE (O'TYPE)	27.97	17.80	18.70		18.70
<b>TOTAL</b>		8,342.51	8,849.23	-1.00	8,848.23
<b><i>Operating Budget By Comptroller Source Group</i></b>					
11	\$574,583,796	\$578,465,474	\$625,270,121	\$855,152	\$626,125,273
12	\$31,993,623	\$35,230,090	\$36,360,877		\$36,360,877
13	\$53,195,711	\$29,698,113	\$25,938,631		\$25,938,631
14	\$94,484,205	\$93,934,962	\$94,638,345	\$206,140	\$94,844,485
15	\$3,220,998	\$1,138,442	\$1,342,097		\$1,342,097
20	\$13,590,794	\$11,447,030	\$13,514,555		\$13,514,555
30	\$21,272,685	\$26,279,186	\$23,784,764		\$23,784,764
31	\$3,685,804	\$3,922,886	\$3,350,092		\$3,350,092
32	\$6,798,947	\$7,529,301	\$7,037,349		\$7,037,349
33	\$0	\$0			\$0
34	\$68,772	\$110,158	\$206,718		\$206,718
40	\$21,569,954	\$13,297,706	\$17,012,861		\$17,012,861
41	\$116,919,238	\$123,231,690	\$126,446,020	\$240,386	\$126,686,406
50	\$6,912,624	\$6,707,944	\$8,114,640		\$8,114,640
70	\$16,304,338	\$6,009,113	\$9,937,516		\$9,937,516
<b>TOTAL</b>	\$964,601,490	\$937,002,094	\$992,954,586	\$1,301,678	\$994,256,264
<b><i>Operating Budget By Program</i></b>					
7000	\$5	\$0			\$0
100F	\$0	\$0			\$0
SS00	\$153,262,999	\$123,176,521	\$126,403,017	(\$86,323)	\$126,316,694
S100	\$782,490,312	\$783,676,624	\$830,487,256		\$830,487,256
C100	\$29,129,972	\$30,148,949	\$36,064,312	\$1,388,001	\$37,452,313
9980	\$0	\$0			\$0
9090	(\$272,328)	\$0			\$0
6000	\$0	\$0			\$0
5000	\$0	\$0			\$0
4000	\$0	\$0			\$0
3000	\$0	\$0			\$0
1500	\$0	\$0			\$0
1000	(\$10,018)	\$0	\$0		\$0
2000	\$548	\$0			\$0
<b>TOTAL</b>	\$964,601,490	\$937,002,094	\$992,954,586	\$1,301,678	\$994,256,264

## **Committee Analysis and Comments**

### **Education Budget Transparency and Uniform Per Student Funding Formula**

The Uniform Per Student Funding Formula (“UPSFF”) system of funding was established by the District of Columbia School Reform Act of 1995 and was designed to ensure that all public schools receive the same level of funding on a per-student basis, regardless of what neighborhood the school is in or where a student lives. The UPSFF is intended to cover all local education agency operational costs for D.C. traditional and public charter schools, including school-based instruction, student classroom support, utilities, administration, custodial services, and instructional support, such as curriculum and testing. The UPSFF is based on a foundation amount, which is then enhanced according to different weights for higher-cost grade levels and supplemental funding weights for students with particular needs.



Section 112(a)(2) of the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998 (UPSFF Act)<sup>1</sup>, requires that the Office of the State Superintendent of Education, on behalf of the Mayor, submit every 2 years to the Council a report that reviews the UPSFF formula and includes recommendations for revisions to the formula. Section 112(c) of the UPSFF Act requires that OSSE convene a working group to solicit input and recommendations regarding revisions to the formula.<sup>2</sup> In 2016, OSSE convened such a working group, which met repeatedly, and published in January 2017 its recommendation that the base rate of the UPSFF increase by 3.5%. The report did not recommend any changes to the substantive framework of the UPSFF.<sup>3</sup>

Although the OSSE working group reported that the Mayor would take their recommendations into account in developing the FY18 budget proposal last year, the Mayor's proposed budget included only a 1.5% increase to the base of the UPSFF, less than half of what was advised.<sup>4</sup> Due to a \$54M payment made to charters and DCPS from contingency reserves shortly before the Mayor's proposed budget was released, the Committee became concerned that not only did the Mayor's proposal fail to cover the costs of education, but that due to past failures to increase the UPSFF adequately, the working group recommendation of 3.5% might not be enough of an increase.

The FY18 proposed increase of 1.5% did not keep up with inflation, which in March of 2017 was at 2.38% according to the Bureau of Labor Statistics. The UPSFF was even farther behind the Employment Cost Index than general inflation, which may be the more realistic comparison point, since the major cost for schools is personnel. When reviewing past increases to the UPSFF, the Committee discovered that not only had Mayors Bowser, Gray, and Fenty each failed to increase the rate at least once during their administrations, the increases each year did not always keep up with inflation. This realization was in keeping with the findings of the Deputy Mayor for Education's comprehensive education adequacy study from January 2014, *Cost of Student Achievement: Report of the DC Education Adequacy Study*.<sup>5</sup> That report found that the funding through the UPSFF had not kept up with the cost of educating students in DCPS and public charter schools. Thus, the study team recommended that the proposed UPSFF base funding level should reflect a combined cost of \$10,557 per student for instructional purposes and \$1,071 per student for facility maintenance and operations, totaling \$11,628.<sup>6</sup> As noted by this Committee in its 2016 budget report, this recommendation was developed after local educators came

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<sup>1</sup> D.C. Law 12-207; D.C. Official Code § 38-2911(a)(2)) effective March 26, 1999

<sup>2</sup> *Id.*

<sup>3</sup> OSSE's Report on the Uniform Per Student Funding Formula January 2017. *See* [https://osse.dc.gov/sites/default/files/dc/sites/osse/release\\_content/attachments/OSSE%20Report%20on%20UPSFF%20to%20Council%20Jan%202017.pdf](https://osse.dc.gov/sites/default/files/dc/sites/osse/release_content/attachments/OSSE%20Report%20on%20UPSFF%20to%20Council%20Jan%202017.pdf)

<sup>4</sup> *Id.*

<sup>5</sup> Cost of Student Achievement: Report of the DC Education Adequacy Study Final Report Prepared by: The Finance Project Cheryl D. Hayes, Shawn Stelow Griffin, Nalini Ravindranath, Irina Katz Augenblick, Palaich, and Associates Justin Silverstein, Amanda Brown, John Myers. December 20, 2013. *See* [https://dme.dc.gov/sites/default/files/dc/sites/dme/publication/attachments/DC%20ADEQUACY%20STUDY\\_FULL%20REPORT.pdf](https://dme.dc.gov/sites/default/files/dc/sites/dme/publication/attachments/DC%20ADEQUACY%20STUDY_FULL%20REPORT.pdf)

<sup>6</sup> The Finance Project, *Cost of Student Achievement: Report of the DC Education Adequacy Study*, December 20, 2013. <http://dme.dc.gov/node/766112>

together to identify, from the “ground up,” the resources required to meet the needs of students today. The study also recommended adding a new at-risk weight of 0.37 for students at risk of academic failure. While the at-risk weight was added for FY2015, it was set at only 0.219, and the Committee in its historical review identified that the following year there was no increase to the base rate. The at-risk funding essentially replaced the general funding that should have come in FY2016, resulting in charter LEAs and DCPS being forced to use it in ways other than was originally intended.

In response to concerns raised by Chairperson Grosso about the decision to not fund the UPSFF Working Group’s recommendation, the Mayor and members of her administration stated that 1.5% was the correct number to include in the budget. As part of the Budget Support Act for 2018 the Mayor proposed language that would place a portion of unanticipated revenues into a fund for “workforce development” which was meant to cover the costs of the Washington Teachers Union contract, but it was only additional revenue that the city was set to receive after the next round of tax cuts would be triggered in February 2018. The Committee believed that there should have been ample consideration given to making those tax cuts contingent on the additional revenue after February, and more fully funding education in the FY18 budget. After an adequacy study in 2014 and a new recommendation in 2017 proposing an increase to the UPSFF, it was clear that the level of funding was not keeping up with the need. Accordingly, for FY18, the Committee increased the DCPS budget by \$6,725,706 from the Mayor’s request as a result of the Committee’s increase to the UPSFF foundation by 2.38%.

In August 2017, the Washington Teachers Union (“WTU”) and the Bowser Administration came to an agreement settling a five-year stalemate for a teacher contract.<sup>7</sup> The new contract covers October 1, 2016 through September 30, 2019. The new contract provides for increased compensation for all WTU bargaining unit members, with a 4 percent payment for Fiscal Year 2017, 3 percent in Fiscal Year 2018, and 2 percent in Fiscal Year 2019. WTU bargaining unit members received retroactive pay for Fiscal Year 2017 after the contract was ratified and approved by D.C. Council. WTU members saw a 4 percent increase in their base salary.<sup>8</sup>

The negotiated salary increases amounted to more than \$110 million in funding for DC Public Schools from Fiscal Year 2017 through Fiscal Year 2021, which also impacts the UPSFF. In FY17 and FY18, DCPS saw a \$38.3 million increase. The UPSFF rose to \$10,257 in FY18, a 5.9 percent increase over the FY17 adopted UPSFF of \$9,682. In FY19, DCPS will see another \$23.2 million increase in funding over what has already been adopted in the budget, as a result of the new contract.<sup>9</sup>

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<sup>7</sup> [https://mayor.dc.gov/sites/default/files/dc/sites/mayormb/publication/attachments/2017-08-14\\_ContractFAQ.pdf](https://mayor.dc.gov/sites/default/files/dc/sites/mayormb/publication/attachments/2017-08-14_ContractFAQ.pdf).

<sup>8</sup> The Office of the Chief Financial Officer forecasts the cost of funding this bill to be \$174.5 million between the fiscal years 2017 through 2019.

<sup>9</sup> Over Fiscal Year 2017 and Fiscal Year 2018, DC Public Charter Schools will see a \$31.5 million increase, and in Fiscal Year 2019 they will see a \$19.7 million increase.

It is the opinion of this Committee that the negotiation of this agreement increases compensation for teachers in DCPS, values a positive work environment, and provides opportunities for educators' professional growth. The contract builds on DCPS' strong system of educator support by providing teachers with additional professional compensation and benefits. It also cements the District's national leadership on advances in teacher pay and represents a promising new era of collaboration between DCPS and its educators for the benefit of the educators and their families, as well as DCPS students.

Despite these gains, through the remainder of FY18 and during Committee analysis of the proposed FY19 budget for DCPS, the concern persisted that lack of transparency in the DCPS central office and school budgets prevents the public from truly identifying the impacts of the WTU contract cost on schools. This state of affairs inhibits public engagement and represents bad government.

#### At-Risk Funding

On December 17, 2013, the Council passed B20-309, the "Fair Student Funding and School Based Budgeting Act of 2013" ("Fair Funding Act"), which provided for an at-risk weight to the UPSFF. The 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 who is one year older, or more, than the expected age for the grade in which the student is enrolled.

In addition to requiring that the at-risk allocation for DCPS and public charter schools be "provided on the basis of the count of students identified as at-risk,"<sup>10</sup> the legislation also required very specifically of DCPS that the at-risk funds be used "for the purpose of improving student achievement among at-risk students"<sup>11</sup> and that the at-risk funds allocated be "supplemental to the school's gross budget and shall not supplant any Formula, federal, or other funds to which the school is entitled."<sup>12</sup> The provision regarding at-risk funds being used to "supplement, not supplant" is similar to the requirements for most of the federal K-12 programs including Title I, Title III and IDEA, which expressly state that educational services provided with those federal funds must be *in addition to* those services that the LEA and school provides to all of its children using local or state funding.<sup>13</sup>

The law became effective on February 22, 2014, in the midst of the executive's budget formulation process. That year, the UPSFF increased by \$186 per student, and the DCPS budget increased by \$57,042,524. Of that total increase, \$41.3 million was dedicated to at-risk funding. In FY16 there was no increase to the UPSFF. Because the effective date of

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<sup>10</sup> D.C. Code § 38-2905.01(a).

<sup>11</sup> D.C. Code § 38-2907.01 (b)(1).

<sup>12</sup> D.C. Code § 38-2907.01 (b)(3).

<sup>13</sup> U.S. Department of Education. "Title I Fiscal Issues: Maintenance of Effort; Comparability; Supplement, not Supplant; Carryover; Consolidating Funds in Schoolwide Programs; and Grantback Requirements" (February 2008) <http://www.ed.gov/programs/titleiparta/fiscalguid.doc>

the law occurred as the executive was formulating the budget for that fiscal year, DCPS allocated designated at-risk funds not based on the number of at-risk students in each school, but on schools and programs that supported priorities of DCPS at the time. While the second year of the law's implementation brought no funding increase to the UPSFF, at-risk funding did follow students but was utilized for programs that both supplanted and supplemented the base funding due to the budget crunch.

Because of the improper way the first two years of at-risk funding were executed, DCPS continues to be in a situation where there is a dual use of at-risk funds that both supplement the base and supplant funds or programs that are also a part of the base budget. This was not the original intention of at-risk funding. Reading the Committee Report on B20-309, it is clear that the at-risk weight was intended to provide *additional* support to assist economically disadvantaged students and to narrow the achievement gap through “individualized academic interventions, home visitation programs, and enhanced before and after school programming – all of which require additional resources.”<sup>14</sup> A more recent report by the D.C. Auditor on a sampling of eight elementary schools looked to determine whether staffing complies with DCPS's Comprehensive Staffing Model (“CSM”) for elementary schools; examine the schools' use of funds provided through the UPSFF, including supplemental funding for students at-risk; and compare and contrast budgeting and staffing among the schools. The report found that all eight schools reallocated resources to support a variety of instructional, resource, and operational needs and that the DCPS Strategic Plan needs to more accurately reflect school spending.<sup>15</sup>

Chairperson Grosso began the FY19 Budget Oversight Hearing by asking DCPS to pick up on this theme, reiterating that the year at-risk was first implemented, there was no increase to the UPSFF, which framed the conversation for the hearing. Without an increase, DCPS had to figure out how to use the at-risk funds, and in some cases, it filled gaps in funding for general school activities. In FY15 there were 31 different items funded through at-risk; in FY16 there were only 19; in FY17 there were 40; in FY18 there were 26; and in FY19 there are 46. The Committee continues to try to understand why this number varies so greatly from year to year. Grosso noted that the variation must be confusing for school communities, including teachers and principals, pointing to the need to change the system to be more reliable and consistent. Deputy Chancellor of Innovation and Systems Improvement Michael Gaal stated that with at-risk, the question is how does a school fund to what it needs when it does not have a student population that represents that need exactly. He said these decisions are confused as a core requirement, but it is actually in addition to that core requirement. Where the math becomes more difficult to manage for schools is that the need rarely equals an exact FTE amount. The only example DCPS can use is the student to teacher ratios and provide those guidelines to schools.

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<sup>14</sup> Committee on Education, Report on B20-0309, the “Fair Student Funding and School-Based Budgeting Amendment Act of 2013,” November 25, 2013. <http://lims.dccouncil.us/Download/29465/B20-0309-CommitteeReport.pdf>

<sup>15</sup> Office of the District of Columbia Auditor Budgeting and Staffing at Eight DCPS Elementary Schools October 30, 2017. See [http://www.dcauditor.org/sites/default/files/DCPS.Staffing.Report.Final\\_.10.30.17.pdf](http://www.dcauditor.org/sites/default/files/DCPS.Staffing.Report.Final_.10.30.17.pdf)

Chairperson Grosso asked Interim Chancellor Dr. Amanda Alexander to speak about the plans for how the at-risk dollars will be spent for FY19 and how the agency's spend plan aligns with DCPS' *Excellence Through Equity*<sup>16</sup> model. Both Interim Chancellor Alexander and Deputy Chancellor Gaal answered that first they wanted to speak to the Comprehensive Staffing Model at DCPS and how the process works for school-based budgeting.<sup>17</sup>

The Committee and the public find that it is hard for the system to bring \$50 million into the DCPS, but then have no way to account for the dollars and how they are spent on the school level. Chairperson Grosso stated that he believes there is a solution to this and it includes having the Office of the Chief Financial Officer ("OCFO") add additional program codes to require accounting for at-risk spending, which is common practice in other jurisdictions. Deputy Chancellor Gaal stated that DCPS could do this breakdown on its own rather than creating a separate accounting line item. He stated that how DCPS looks at at-risk dollar spending is much like how they use and analyze Title I funds from the federal government and this stems from the change from what happened between No Child Left Behind and Every Student Succeeds ("ESSA") reauthorization. ESSA allows for school districts to make their own school budget decisions with less input from a central office or district. He contended that the public education system has reached a saturation point where the requirement to track all funding types is overly burdensome for schools, particularly due to limited justifications given for how to use dollars lack creativity or flexibility for what is good for a specific school. Deputy Chancellor Gaal stated that if everyone in the system is spending time trying to track and chase where these dollars go then there will be limited ability to focus on achieving outcomes for kids.

Chairperson Grosso mentioned that there are ideas of having different funding formulas; the UPSFF is a student weighted formula and at-risk could be pulled out from that completely. Then the Committee and the public could have conversations about how the weighted rate could actually follow the child. It is the intention of the Committee that there be a robust accounting model for how these investments can be tracked, perhaps not this budget year but in the coming year. It is not the intent of the Committee to put limitations on the creativity of a school community or a principal to fund for the needs of their school, but instead to accurately depict what the needs are so that the Mayor and the Council can target and fund to those needs. Deputy Chancellor Gaal said that in partnership with the Committee and the OCFO, DCPS is willing to do this if the city is moving towards a student-based funding formula. He noted that this is a nationwide trend and that DCPS would like to move in this direction because it is the way the pendulum is swinging. Chairperson Grosso stated that it is important to fund using both approaches and if the focus is only on student-based funding, then we risk ignoring lower performing schools that are chronically underfunded, causing enrollment to further drop, and the cycle continues. He said that we are no longer in the position of closing schools, so there must

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<sup>16</sup> DCPS Excellence through Equity Funding Chart for FY18  
[https://dcps.dc.gov/sites/default/files/dc/sites/dcps/publication/2017-10-06\\_EtEFundingChart\\_Final.pdf](https://dcps.dc.gov/sites/default/files/dc/sites/dcps/publication/2017-10-06_EtEFundingChart_Final.pdf)

<sup>17</sup> DCPS allocates staff to schools based on many factors, including school type, projected student enrollment, and programmatic offerings. See [http://dcpsdatacenter.com/budget\\_process.html](http://dcpsdatacenter.com/budget_process.html)

be a focus on helping low-enrollment and struggling schools. He also noted the importance of accurate student headcounts for projected enrollment.

### Budget Transparency

Chairperson Grosso raised public witnesses' testimony that the Committee heard from in FY18 and FY19 regarding the frustrations for school budgets and the perception of cuts on the school level. The Committee heard consistently from school communities that they are facing budget cuts for FY19. He noted that it creates confusion for the public after hearing from the Mayor that her budget proposal included a major investment in education. The Chairperson asked DCPS to again walk through the process of building a school budget.

Chief Business Officer Sara Goldband responded by reiterating the budgeting process for schools. She started by explaining how a budget begins with zero dollars and is built up based on the school enrollment and then the needs of the school. DCPS starts every year from scratch for every school, so many schools and communities analyze their budget based on cuts and increases from year to year, but central office does not compare budgets in this way. First, they start with enrollment and then the Comprehensive Staffing Model is used to look at the school and the leadership required for the projected and specific student population. This process is guided by the Budget Book for the specific fiscal year.<sup>18</sup> She also noted that individual schools will make changes when teachers are paid more, so the principal will choose to make small cuts all over the school to cover staff salaries. CBO Goldband said that if there is an unfunded need school leadership does not identify in the school budget, but for which DCPS believes there should be funding, then there will be a targeted infusion. It is not clear to the Committee if the "infusion" is new money or if the Principal is instructed to revise the appropriations.

All of this conversation lead into the broader topic of budget transparency and that in last year's budget report, the Committee on Education called on DCPS to increase its transparency in the budget process as well as increase public engagement with the budget. This included submitting a report to the Council on this process. In late 2017, the FY19 Budget Guide Book was not posted on the DCPS data center websites and did not become available until the budget oversight hearing, weeks after schools' budgets were submitted by schools. The public was vaguely instructed to use the FY18 budget guide. Chairperson Grosso asked how DCPS can claim that they are meaningfully engaging the public, LSATs, and parents when there was little to no transparency about the upcoming budgeting for FY19.

Chairperson Grosso ended this line of questioning stating that he intends to work on a way that the Council and DCPS can check in more publicly rather than closed-door meetings about the budget process. By the end of September or October, the Committee will hold a roundtable discussion about this same conversation and discuss what is happening purely on budget for the school year and FY20 plans.

### Enrollment

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<sup>18</sup> See DCPS Data Center.

The issue of enrollment was raised during the FY18 budget process. Councilmember Mary Cheh asked then-Chancellor Antwan Wilson about the feeder patterns in Wilson High School and if the enrollment was accurate. She did not agree with DCPS's approach to projected enrollment for Wilson HS and chose to fund an enrollment audit through the Office of the D.C. Auditor to assess the current methodology against best practices for student enrollment projections and estimate current and projected enrollment numbers for the District's public schools based on demographic trends.<sup>19</sup>

The D.C. Auditor commenced this work in January 2018 along with then-Deputy Mayor Niles and representatives from OSSE, DCPS, the State Board of Education, the PCSB, independent schools, Office of Planning, and the three partners from the independent contract team, Cooperative Strategies, Urban Institute, and 21<sup>st</sup> Century School Fund.

For the DCPS enrollment study, Cooperative Strategies will:

- Review and assess the processes by which DCPS, the Office of the State Superintendent of Education, and the Deputy Mayor for Education have predicted the enrollment in D.C. Public Schools with a focus on school years 2015-16, 2016-17 and 2017-18.
- Research and determine best practices in enrollment projections and assess the extent to which the District has utilized best practices in the last three school years, including how the District of Columbia enrollment projections have been utilized in making budget and facilities decisions.
- Conduct a demographic analysis of the District's population including reasons for and areas of growth and change in recent years, with a focus on school-age populations, including the historic trends in traditional public, public charter, and private school enrollment in the District.
- Provide a 5-year and a 10-year enrollment projection by grade level, pre-school through 12th grade and include a projected breakdown based on best-available data for DCPS, D.C. Public Charter Schools, and D.C. independent schools.
- Propose a replicable methodology for the District government to use going forward to projecting enrollment with the assumption that such projections will continue to be utilized in budgeting and facilities planning.<sup>20</sup>

A draft report will be submitted to the D.C. Auditor on July 16, 2018 and the full report will be submitted to the Council in August 2018.

Although this work is being done by Cooperative Strategies, the Committee remains concerned with the process of projecting enrollment for this coming school year and the

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<sup>19</sup> Report on Bill 22-242, May 30, 2017 at page 8. See <http://lims.dccouncil.us/Download/37845/B22-0242-CommitteeReport1.pdf>

<sup>20</sup> Office of the District of Columbia Auditor *ODCA Selects Cooperative Strategies to Conduct DCPS Enrollment Study*, January 18, 2018. <http://www.dcauditor.org/sites/default/files/DCPS%20Enrollment%20Press%20Release%2C%20Proposal%2C%20and%20Contract.pdf>

immediate impacts for FY19. The FY18 Budget Book submitted to Congress for the FY18 enrollment projections show a per pupil foundation level of \$9,972 and projected enrollment of 50,243 students. Of these numbers, 7,052 were projected special education IEP Levels 1 through 4, 6,280 are English Language Learners (“ELL”), and 25,023 are at-risk.<sup>21</sup> The FY19 Mayoral Budget Book submission for DCPS projected enrollment shows a per pupil foundation level of \$10,658 and a projected enrollment number of 50,243 students. Of those numbers, 7,080 are projected special education IEP Levels 1 through 4, 6,280 are ELL, and 25,023 are at-risk.<sup>22</sup> The only change projected by DCPS from FY18 to FY19 enrollments is the difference of 28 special education students. In the submission by DCPS for their budget oversight pre-hearing responses, the enrollment for DCPS is projected at 48,924 students, which is a variance of 1,319 students. Of those numbers, 6,983 are projected special education IEP Levels 1 through 4, 7,147 are ELL, and 24,573 are at-risk.<sup>23</sup> While the Committee understands that DCPS cannot fully account for enrollments as the school of right, it cannot determine why the budget book submitted to Congress and the projected enrollment for FY19 only has a variance of twenty-eight children and no other projection changes. It does not seem possible that Pre-K3 through 12, alternative, at-risk, and adult projected zero change in enrollment. When the Committee compares these stagnant numbers to the public charter sector it makes it even more difficult to understand the calculations process. The charter school grade level, ELL, and special education levels have both increased and decreased variances year over year. The projected enrollment for FY19 gives the Committee no sense of what the actual student make-up is in the schools, while the projected enrollment numbers submitted by DCPS for budget oversight paint a much different picture of who is in our schools at every level.

In analyzing the difference between the Mayor’s proposed FY19 budget for DCPS, which includes the funding for the alleged projected FY19 enrollment, and the enrollment estimates submitted by DCPS, the discrepancy of 1,319 students equates to about \$20M. The Committee examined the dollars that are proposed for allocation to each school and calculated that the total reflects the lower enrollment amount that schools were directed to budget for in FY19 (48,924). The higher projected enrollment that is in the Mayor’s proposed FY19 budget (50,243) is not what is allocated to schools. Upon further research, the Committee discovered that this \$20M is already allocated, to central office, ***although it has not yet been appropriated by the Council***. When the budget process is opaque and “commits” dollars in this way, there is very little that the Committee can do aside from making it clear to the public where the dollars are going. From FY18 to FY19, the UPSFF increase and the cost of the WTU contract is clearly having a impact on schools and it seems that no new investments were made to cover the deficits. The projected enrollment for FY19 equates roughly to the amount of the teacher contract settlement of \$20M and if the Committee attempts to follow the dollars it leads to Central Office and not to schools.

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<sup>21</sup> District of Columbia Public Schools (GA0) FY2018 Proposed Budget and Financial Plan Congressional Submission. D-14.

<sup>22</sup> District of Columbia Public Schools (GA0) FY2018 Proposed Budget and Financial Plan Congressional Submission. D-14.

<sup>23</sup> DCPS Pre-Hearing Responses to the Committee on Education; Q4.



As part of the post-hearing budget oversight hearing responses, the Deputy Mayor for Education (“DME”) analyzed DCPS’ projections from FY14 to FY17 compared to the October audited enrollment and the highest enrollment for each specific grade level. The highest enrollments typically occur sometime between March and May.<sup>24</sup> In the responses, the DME identified the highest enrollments for each grade level, stating that, as the school of right, DCPS needs to have the appropriate budget to receive additional student enrollments throughout the year.

**Table 1** Shows how DCPS’ total general education enrollments (grades PK3-adult students) compared to these two points in time during the school year. DCPS under-projected their general education enrollment in FY14, FY15, and FY16, but over-projected for FY17.<sup>25</sup>

**Table 2** Compares how DCPS’ total budget in all UPSFF grade level and special need categories compares to these two points in time for all grade levels and special need category enrollments. DCPS was under-budgeted due to the under-projections made for FY14, FY15, and FY16, but over-budgeted for FY17.<sup>26</sup>

**Table 1: DCPS Projected General Education Enrollment Compared to the October Audited Enrollment and Highest Enrollment Point of Year SY2013-14 (FY14) through SY2016-17 (FY17)<sup>27</sup>**

	Projected Gen Ed Enrollment	October Audited Enrollment	Comparison Projected Gen Ed to Oct Audited Enrollment	Highest Gen Ed Enrollment of Year†	Comparison Projected Gen Ed to Highest Enrollment
SY2013 - 14 (FY14)	46,059	46,393	underprojected 0.7%	47,771	underprojected 3.7%
SY2014 - 15 (FY15)	47,592	47,548	overprojected 0.1%	49,267	underprojected 3.5%
SY2015 - 16 (FY16)	49,190	48,439	overprojected 1.5%	49,432	underprojected 0.5%

<sup>24</sup> Deputy Mayor for Education Budget FY19 Post-hearing Responses, May 1, 2018.

<sup>25</sup> *Id.*

<sup>26</sup> *Id.*

<sup>27</sup> † Highest Enrollment for SY13 - 14, SY14 - 15, SY15 - 16, and SY16 - 17 was calculated from a monthly enrollment snapshot file (from the beginning of each month) and reflects the *month* with the highest enrollment for each UPSFF category.

SY2016 - 17 (FY17)	50,016	48,555	overprojected 2.9%	49,476	overprojected 1.1%
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**Table 2: DCPS Projected Budget Compared to October Audited Enrollment and Highest Enrollment During School Year SY2013-14 (FY14) through SY2016-17 (FY17)<sup>28</sup>**

School Year (Fiscal Year)	Projected Budget Compared to October Audit*	Projected Budget Compared to Highest Enrollment* †
SY2013-14 (FY14)	\$25,529,053	-\$1,480,452
SY2014-15 (FY15)	-\$4,159,766	-\$23,698,733
SY2015-16 (FY16)	\$11,715,230	-\$4,698,344
SY2016-17 (FY17)	\$33,244,348	\$5,756,336

In the DCPS pre-hearing responses the agency described spending money across a number of areas to help reach its enrollment goals and that DCPS has struggled to increase enrollment.

Chairperson Grosso noted that there is growth in existing schools, specifically five new Pre-K classrooms (Amidon-Bowen ES, Noyes ES, Miner ES, Takoma EC, and Thomson ES); and five schools are adding grades (Ron Brown HS, Van Ness ES, Houston Dual-Language, Roosevelt Dual-Language, and MacFarland MS). The Chairperson asked what this looks like in terms of increased enrollment numbers and DCPS said that this reflects 205 new Pre-K opportunities generally and for adding grades they use a very clear model for what the projected loss or addition will be with new programs or classes. The agency does not think it will have traditional drops in enrollment. The Chairperson inquired what the projected enrollment will be for DCPS take-over of the all-girls Excel charter school. Interim Chancellor stated that they are currently operating seven classrooms and DCPS intends to recruit as many students back for next school year.

In the DCPS pre-hearing responses the agency notes that “as we look to FY19, we are continuing our commitment to equity and excellence. We are providing twenty schools with ‘Targeted Stabilization’ funding to keep schools whole and to maintain existing programming. In the next year, our focus remains on the five strategic priorities outlined

<sup>28</sup> \* Estimated October and “highest” enrollment budgets assume that Summer School, Special Education Add - ons (ESY), and Residential (including Special Education and EL) allotments remain constant from the Projected Budget. For SY16 - 17, enrollment for SPED Levels 1 - 4, English Learners, and At - risk students were calculated as a proportion of the general education population.

† Highest Enrollment for SY13 - 14, SY14 - 15, SY15 - 16, and SY16 - 17 was calculated from a monthly enrollment snapshot file (from the beginning of each month) and reflects the *month* with the highest enrollment for each UPSFF category. Data Sources: SY13 - 14 through SY15 - 16 from OSSE monthly snapshot enrollment data collected to analyze mid - year mobility. SY16 - 17 data are Equity Report midyear withdrawal entry data provided by DCPS.

in our Five-Year Strategic Plan.”<sup>29</sup> The Chairperson asked DCPS to list which twenty schools are getting “Targeted Stabilization,” to explain what that means, how DCPS determines what those schools will get, how much funding is dedicated to this effort, and to provide details about how the schools will have access to those stabilizations funds.

### **DCPS Targeted Stabilization Schools**

<i>Anacostia HS</i>	<i>Kimball ES</i>
<i>Ballou HS</i>	<i>King, M.L. ES</i>
<i>C.W. Harris ES</i>	<i>Kramer MS</i>
<i>Cardozo EC</i>	<i>Luke Moore Alternative HS</i>
<i>Columbia Heights EC (CHEC)</i>	<i>Phelps ACE HS</i>
<i>Eastern HS</i>	<i>Randle Highlands ES</i>
<i>Eliot-Hine MS</i>	<i>Savoy ES</i>
<i>Hart MS</i>	<i>Thomas ES</i>
<i>Hendley ES</i>	<i>Turner ES</i>
<i>Inspiring Youth Program</i>	<i>Woodson, H.D. HS</i>

Interim Chancellor Alexander answered that it is based on the year over year change of school enrollment projections for schools. Previously, if there was a high drop in enrollment the school budget could not drop by more than 5% and the school did not have to do anything to get those dollars. The idea for the new targeted infusion of funds for FY19 is to reach the goals for turnaround enrollment therefore DCPS does not believe that simply putting teachers in the same positions will complete the goals for increasing enrollment. This will push schools to be creative and work to find solutions for changes in the school’s teaching and staff teams as well as programs to increase enrollment in neighborhood schools.

An example of a school that was raised during witness testimony was Eliot-Hine Middle School, regarding the school’s needs and how the decision was made to cut the librarian and the City Year investment. Chairperson Grosso asked if this is an example of something for which the school could have used this stabilization money. Interim Chancellor Alexander said that Eliot-Hine did receive targeted stabilization and also will have a new allocation of \$100,000 and an additional \$137,000 for programs already happening in their building. She noted that there are roughly 200 students enrolled and the school has several special programs, specifically as an International Baccalaureate (“IB”) school plus the radio show. She said that with Eliot-Hine, and often other schools, there is a misalignment between the articulated focus of the school and where the school or the school community wants the dollars to go.

The Chairperson said that during all of his budget hearings for the past four years the topic of different approaches to education budgeting—student-based versus school-based—is at the core of all of those conversations. When the Committee is having the conversation about equity versus equality, it appears to him that schools that are Title I or have high at-

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<sup>29</sup> DCPS Budget Oversight Responses to the Committee on Education for FY19, Question 2.

risk populations are always articulating their struggles with losing positions. The Chairperson asked the Interim Chancellor to speak more to this issue, specifically the DCPS philosophy for approaching this budget. Chairperson Grosso reiterated his concern that when a school starts to lose enrollment, the approach of keeping the school funding flat and a staffing model that does not fully reflect the needed programs results in the community and city losing confidence in the schools, and enrollment continues to dip. The questions posed again this budget cycle reiterate: how does the city create a model of funding that actually gives schools the opportunity to thrive.

Deputy Chancellor Gaal stated that the school strategy drives the budget and that it is not that the budget drives the strategy. He said DCPS needs to better understand these disconnects when there are very limited resources. The issues at Eliot-Hine were raised again as an example, and he said that it can be a successful IB school and that was what the school and community wanted, so those investments in that program need to be made, but there are trade-offs. Deputy Chancellor Gaal made the point that when talking about turnaround efforts, everyone needs to understand that changes cannot be realized in just one year, but the Comprehensive Staffing Model does give everyone an understanding of what was done, what the resulting data is, and then determine if it makes sense for future year investments. He also said that this does not occur in a bubble because DCPS has a strong partnership with OSSE for the STAR reports through ESSA that federally mandate DCPS to create multi-year plans for turning around 1 STAR rated schools. Deputy Chancellor Gaal stated that if you start with student-based budgeting conversation and point of view, then the CSM is much harder for people to understand, but in truth it is not that far off from student-based funding. He admitted that what is missing is strong Local School Advisory Teams (“LSAT”) partnerships. The Committee believes that if DCPS does not help people understand what the plan is and if the community does not understand the plan, then increased enrollment in schools will never be realized.

#### Central Office

***Chart of DCPS Central Office and School Support for FY18-FY19***

<b>Program Title</b>	<b>Sum of FY 2019 Proposed Budget</b>	<b>Sum of FY19 % +/- FY18 Approved</b>	<b>Sum of FY18 Approved FTEs</b>	<b>Sum of FY19 Proposed FTEs</b>	<b>Sum of FY19 Proposed FTE % +/- FY18 Approved</b>	<b>Sum of Change from FY18 to FY19</b>
CENTRAL	\$24,484,494.78	+17.9%	112.00	110.00	(1.8)%	\$3,716,266.02
SCHOOL SUPPORT	\$70,852,280.03	+4.6%	437.40	378.00	(13.6)%	\$3,099,389.75
TOTAL	\$846,633,838.60	+7.2%	7,625.01	8,043.26	5.5%	\$57,067,369.57
CENTRAL	2.9%					

SCHOOL SUPPORT	8.4%					
CENTRAL+ SS TOTAL	11.3%					

Along this theme of budget transparency, Chairperson Grosso pivoted to talk specifically about the budget proposals and the policy changes that will occur with the cuts to central office. Interim Chancellor Alexander noted that the staffing models for DCPS central office and its role stemmed from Mayoral control of the public education sector and the need for human capital support in central office. DCPS now believes it is time to focus more directly on putting dollars and resources into schools. She noted that, as part of this new approach, DCPS is reorganizing its curriculum and professional development. Chairperson Grosso asked how this will affect certain programs like study abroad and the foreign language office. The Interim Chancellor replied that DCPS is still committed to this, despite the funding reduction. Currently, the study abroad program is offered at the 8th & 11th grade levels and DCPS will need to think about how this will operate going forward and take an assessment of which countries are less expensive for students to travel to as an example of right-sizing. DCPS cut \$1.5M from this program and moved \$1M to fund student programming in the D.C. Commission on the Arts and Humanities. The Chancellor and her team do not yet know what the money is going to be used for or how it will get to the students.

Interim Chancellor Alexander updated the Chairperson that the arts and music curriculum will still be implemented on the elementary school level. As for the LEAP teacher training model, she is confident that DCPS built this out appropriately at the school level and now central office needs to give the schools the ability to do their training and assessments on the school level. A total of fifty FTEs are being released from service in central office. 112 positions are no longer funded; DCPS hopes they will formally only separate 50 and the remainder will find their ways into schools. DCPS is working to match each person with a job on the school level. The Interim Chancellor stated that it is the natural evolution of building a strong central office that now can be slimmed down as they have built the leaders in schools over the past ten years.

Chairperson Grosso asked how many of these staff cuts are from the loss of federal grant funding versus the local dollar investment. The response was that there is a mix of funding changes. He asked to see the exact breakdown based on the funding stream and also requested an organizational chart that actually has the full staffing and specific changes in each division.

#### Teacher Retention and Turnover Trends

Chairperson Grosso raised the perennial topics of teacher retention and turnover. For the purposes of the budget, the Committee links the funding for teachers to the mobility of highly effective teachers in understanding the impact on school budgets and the long-term success of neighborhood schools. The Committee analyzed the data that DCPS provided in pre-hearing responses and came up with some basic statistics about teacher turnover. Teacher turnover is the highest in middle schools & special education-specific schools and concentrated in Wards 5 and 8.

**DCPS Teacher Retention by Ward (Note: “not retained” includes those promoted)**

Ward	Sum of Retained	Sum of Total	Total % Retained	Total % Not Retained
1	396	498	79.5%	20.5%
2	224	279	80.3%	19.7%
3	367	472	77.8%	22.2%
4	494	648	76.2%	23.8%
5	272	386	70.5%	29.5%
6	453	604	75.0%	25.0%
7	359	496	72.4%	27.6%
8	429	614	69.9%	30.1%
<b>Grand Total</b>	<b>2994</b>	<b>3997</b>	<b>74.9%</b>	<b>25.1%</b>

**DCPS Teacher Retention by School Type (Note: “not retained” includes those promoted)**

School Type	Sum of Retained	Sum of Total	Total % Retained	Total % Not Retained
Adult	18	29	62.1%	37.9%
Alternative	59	92	64.1%	35.9%
Application	146	193	75.6%	24.4%
Education Campus	542	714	75.9%	24.1%
Elementary School	1577	2008	78.5%	21.5%
High School	357	520	68.7%	31.3%
Middle School	276	404	68.3%	31.7%
Special Education	10	24	41.7%	58.3%
(blank)	9	13	69.2%	30.8%
<b>Grand Total</b>	<b>2994</b>	<b>3997</b>	<b>74.9%</b>	<b>25.1%</b>

(Note: Promotions account for roughly 7% of “not retained” across DCPS)

Chairperson Grosso asked what financial supports DCPS is giving middle schools and teachers east of the river and east of the park to help combat teacher turnover and to keep highly effective teachers in the schools that need them the most. DCPS stated that they retain over 90% of their highly effective educators. When the Committee delves into the actual schools and looks at the aggregate it looks good, but when looked at based on Ward,

it does not look good. Grosso asked how, in terms of particular dollar amounts, we invest to get teachers the supports they need to become highly effective and then keep them at their school. Deputy Chancellor of Social, Emotional, and Academic Development Wanda Legrand said that DCPS is planning to do Level Up and having a summer institute to accelerate leadership for teachers, and throughout the school year they will also provide more professional development. She pointed to C.W. Harris, which has nearly doubled their teacher retention (44% to 82%). This was from having a strong leader that is committed to the school, reviews the data, develops a plan, and then makes a budget that actually executes those things. Deputy Chancellor Gaal said that the second highest reason that teachers leave is because they do not believe in their school leaders. He stated that DCPS needs to look at leadership turnover on top of teacher turnover data to have a better assessment of what pushes teachers out. DCPS is developing pipelines with universities around the region to help expand their work and student teaching opportunities for higher education students.

#### Behavioral Health and Community Schools

Over the past two budget cycles, the Mayor has worked through the Department of Health (“DOH”) and the Department of Behavioral Health (“DBH”) for a planned overhaul to the school-based behavioral health program. Parents, teachers, and school-based clinicians all raised concerns with Chairperson Grosso during the spring of 2017 when DBH was due to deliver a copy of their plan prior to the agency’s budget oversight hearing on May 1, 2017. The plan was later delivered, but when the Committee reviewed the plan, the concerns remained with regards to implementation, core service agency capacity, and overall impact on clinicians and students.

DCPS testified during budget oversight for FY18 that they find the current model insufficient to meet the full breadth of needs, and then-Chancellor Wilson was optimistic about the work with DBH because the intention to have more services available for every student in every school was understood. The initial plan was released on May 9, 2017 by DBH and the Deputy Mayor for Health and Human Services. Following the plan's release, the Committee received calls and emails from DBH clinicians, Children's Law Center, FOCUS, and others expressing concerns about what DBH was proposing. Out of frustration over the lack of a clear plan or necessary funding, Chairpersons Grosso and Gray created the School-Based Behavioral Health Task Force in the FY18 budget. Names of the nominees for the Task Force were submitted by the Council in August 2017 and by the Mayor in November 2017. The first Task Force meeting was held in early November and it met regularly, culminating in the final report, released on March 26, 2018, with a budget ask of \$3 million.<sup>30</sup>

The report included the cost of “CBO—50% Non-billable” as several providers indicated that roughly 50% of their work in schools is non-billable. The cost projection is based on the following formula: \$40,000 per school for 33 schools (of the Top 25 percent highest needs schools, roughly 33 have no DBH clinician or CBO partner) for a total of \$1,320,000.

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<sup>30</sup> RC22-0152 - Correspondence from DMHHS - Report of the Task Force on School Mental Health  
<http://lims.dccouncil.us/Download/39963/RC22-0152-Introduction.pdf>

It should be noted that the calculation may or may not include the cost to hire additional personnel. DCPS stated during the Task Force meetings that they recently instituted a policy requiring that clinicians must be independently licensed, possessing an LICSW. Many CBOs would have to staff up quickly to meet this demand and hire the correct personnel. The total cost, which is reflected in the report, includes the cost of technical assistance.

In a similar vein, DCPS is part of Community Schools Advisory Board, which serves as an advisor in the community schools work at OSSE. Additionally, last year DCPS expanded its own community schools efforts to five new middle schools—Brookland, Sousa, Kelly Miller, Kramer, and Jefferson. DCPS has a partnership with the non-profit Communities in Schools, and while it coordinates with OSSE, DCPS does not feel that there will be duplication of services. During FY18, then-Chancellor Wilson stated his commitment to the community schools model and the desire to permeate it throughout the system. The Committee believes that through greater investments in school-based behavioral health clinicians and strong community schools the city will see results in closing the achievement gap and a decrease in student absenteeism across all grade levels and school sectors.

#### Multilingual Education

The Committee heard testimony during FY17 performance oversight and FY19 budget hearings about the need for more robust multilingual schools and programs in the city.<sup>31</sup> Former DCPS Chancellor Wilson expressed his support for multilingual programs as a “gap-closing strategy.” The *Washington Post* reported that multilingual education was “high on his list to get done.”<sup>32</sup> Under his leadership, DCPS published strategic goals in September of 2017 that included the expansion of multilingual programs and the increase in pipelines for multilingual teachers.

Public witnesses and advocates testified that the need for DCPS to lead on multilingual education has only become greater over the last year, and pointed to data on DCPS and DCPS waitlists, providing examples of school leaders in neighboring school districts who have shown leadership with significant expansions and support structures.<sup>33</sup> Testimonies pointed not only to the need for additional programs to satisfy the growing demand. They also asked DCPS to better support existing programs, such as at Cleveland ES and Tyler ES, schools with a multilingual “strand” and an English-only “strand”, and at Houston ES,

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<sup>31</sup>“Dual Language Immersion” is a commonly used term that includes one-way and two-way immersion and should be used instead of “dual language programs and immersion programs.” “Multilingual Education” has two advantages over “Bilingual Education” as it is considered to be more progressive as it conceives more than two languages being taught or learned, and it does away with the history of the term “bilingual education” which in the past was proxy for bilingual programs which aim was to eradicate the “other” language.

<sup>32</sup> Washington Post by Perry Stein *Dual language charter schools attract the longest waiting lists in D.C.* April 17, 2018 See [https://www.washingtonpost.com/local/education/dual-language-charter-schools-attract-the-longest-waiting-lists-in-dc/2018/04/17/b652312c-427c-11e8-ad8f27a8c409298b\\_story.html?utm\\_term=.06c225ade0aa](https://www.washingtonpost.com/local/education/dual-language-charter-schools-attract-the-longest-waiting-lists-in-dc/2018/04/17/b652312c-427c-11e8-ad8f27a8c409298b_story.html?utm_term=.06c225ade0aa)

<sup>33</sup> <http://schools.nyc.gov/Offices/mediarelations/NewsandSpeeches/2017-2018/Chancellor+Farina+Announces+33+New+Pre+K+Dual+Language+Programs.htm>



where implementation of the new multilingual program was not backed by the necessary investment in teaching materials.<sup>34</sup>

This Committee reached out to Interim Chancellor Alexander with a letter asking for further details on the outcomes of the strategic planning started in May 2016. Interim Chancellor Alexander replied that the plan was forthcoming but had not yet been finalized and did not provide any details as to the budget, number of schools encompassed, or timeline. The letter also asked about the strategy on supporting “strand” programs in going whole school. Chancellor Alexander’s reply put the onus of the decision on the leadership at the school.

The Chairperson asked Deputy Chancellor Gaal repeatedly about DCPS’ plans to expand multilingual programs. Mr. Gaal replied that an accessible, reliable and excellent K-12 continuum should include, if a family is interested in multilingual education, access to that in several parts of the city in a way that does not require excessive travel. The Chairperson stated that a deliberate plan and intent are needed if DCPS wants to recruit and retain families into the system, and that such a plan has to begin with more seats being offered in elementary programs. Given the significant unmet demand for multilingual education in D.C., Chairperson Grosso asked Interim Chancellor Alexander about the future of these programs within DCPS. She answered that DCPS wants to see more multilingual programs citywide. The public has demanded it and DCPS finds value in multilingual education as it is a competency that students will need to be successful in this world. The Chairperson asked how many people were working full-time on better supporting and expanding multilingual education within DCPS. DCPS offered to get back to the Chairperson with an exact number. Chairperson Grosso expressed concern over not having an office where someone is thinking about the expansion of multilingual education on a full-time basis.

Chairperson Grosso noted how multilingual programming is happening in different parts of the city—Houston ES has a new dual language program, Tyler ES parents question the logic of going to McFarland, and Elsie Whitlow Stokes PCS is opening a new campus next year in Ward 7. He asked if in FY19, DCPS will foster communications and potential partnerships between these schools to look at cross-sector ways to address their multilingual program needs and feeder patterns. Interim Chancellor Alexander said that DCPS is in discussions with how they can work on current Strategic School and Programmatic Design to help support multilingual programs. She noted that staffing is an issue because of the need for: 1) high quality teachers; 2) who are fluent in English and the language they will be teaching for whatever courses assigned. DCPS would need to do more for targeted recruitment of people who are both multilingual and competent teachers and this would require more support. The Chairman and Interim Chancellor discussed how DCPS needs central office support going forward if programs are going to grow. Chairperson Grosso said that leadership needs to look at the D.C. school lottery data and it would likely provide the evidence for DCPS to have a more dedicated focus on this work. Given the reporting and what we do know from the waitlists for SY18-19, there needs to

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<sup>34</sup> Jimell Sanders testimony of February 21, 2018.

be an expansion of seats to meet this demand.<sup>35</sup> If DCPS wants to be more competitive with the charter school sector and to boost enrollment, then this seems like a targeted way to be successful in that effort.

#### School Climate, Discipline, and Student Supports

In response to Chairperson Grosso's question about the plan for the school climate initiative for FY19, Chancellor Alexander indicated that the school climate work is very much connected to the social-emotional learning emphasis for DCPS. She stated that while academics and rigor are critical, the focus on social-emotional learning is what will allow students to thrive. Further, DCPS anticipates that the school climate initiative will improve positive school climates while decreasing negative discipline measures—an assumption that the Committee knows is supported by national research. For FY19, central office and schools are deepening the programming for social-emotional learning, including, at the school-level, advancing the specific programs they have chosen from pilot phase to embedding the work. The Interim Chancellor also indicated that DCPS will establish new common practice requirements regardless of what programmatic approach schools have selected. As for school climate surveys, DCPS central office has chosen the Panorama School Survey, which is used nationally for social-emotional learning, enabling DCPS to compare itself to other jurisdictions. The Committee was disappointed to learn that the survey does not include questions about lesbian, gay, bisexual, transgender, or questioning (LGBTQ) youth identity. In response to the Chairperson's question about this, DCPS referenced the Youth Risk Behavior Survey (YRBS), which is administered on a state-level every other year, as opposed to on the school-level yearly. As schools seek to identify strengths and challenges in their school climate, not including the specific experiences of LGBTQ youth is a major mistake.

While DCPS could not identify specific numbers in the budget for FY19 for social-emotional learning, they did point to the Office of Equity as central to the work, which has a budget of \$1.5M and 11 FTEs. At the school level, there are also staff and NPS dollars. Closely linked to this is the effort by DCPS to expand restorative justice implementation in schools, including training 10 more central office staffers and 30 school leaders. Chairperson Grosso asked what resources are available for schools to implement mindfulness programs, to which the Chancellor responded that several schools are implementing these approaches with existing staff. There is rarely a clear budget line item, instead schools take advantage of training opportunities and discretionary spending.

Chairperson Grosso noted that in the fall of 2017, OSSE issued findings that one DCPS high school was not properly following due process policy regarding documentation of out-of-school suspensions or for manifestation determination reviews for students with disabilities who were suspended. He asked what changes have been made or will be made in the coming year, as a result of this. DCPS has clarified policies and done trainings with all high schools and middle schools, Interim Chancellor Alexander stated, and expectations are very clear going forward. The new Office of Integrity is meant to help ensure that schools are meeting these expectations. The Chairperson also asked how DCPS tracks and

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<sup>35</sup> *Id.*

budgets for manifestation determination reviews, as part of compliance with federal law and ensuring equal educational access for students with disabilities. Chancellor Alexander stated that there is central office oversight staff who provide support to schools and that as part of the FY19 budget DCPS is seeking to align systems with how nuanced this work is and what needs to be done.

#### Graduation Accountability

On December 15, 2017 and February 8, 2018, the Committee held oversight roundtables on graduation accountability to publicly review the findings of OSSE's investigation, the independent audit by Alvarez & Marsal LLC<sup>36</sup>, and the Chancellor's internal report on DCPS high schools. On January 26, 2018, OSSE released its findings from the three-part independent audit and investigation into Ballou High School, graduation policies and procedures at the Public Charter School Board, and attendance and graduation at D.C. Public Schools. OSSE found that 63.8% of Ballou's 2017 graduating class should not have graduated due to policy violations, and that teachers at Ballou were pressured by administrators to pass and graduate students. OSSE also discovered that PCSB had substantially implemented the 12<sup>th</sup> grade transcript audits policy for the 2016-2017 school year but the audit lacked a review of student attendance or credit recovery.

In its review of high schools throughout the District of Columbia, OSSE revealed increasingly high numbers of profoundly or extremely chronically absent students each year, and that nearly half of those students graduated in school year 2016-2017. This issue was most profound in neighborhood/comprehensive DCPS high schools. In late January, OSSE, through a contract with Alvarez & Marsal LLC, released results of its system-wide audit and investigation of 2017 high school graduates in DCPS. They found that 34% of the 2017 senior class graduated with the assistance of a policy violation related to excessive absences, credit recovery, and grading.<sup>37</sup>

Additionally, DCPS began conducting its own internal investigation finding that: high schools had not followed DCPS grading and credit recovery policies; DCPS central office had not provided sufficient training and supports; and Ballou HS had a culture of implementing its own procedures to do whatever it took to graduate students. The Chairperson repeatedly asked DCPS how it plans to resolve the myriad of communication, training, and monitoring deficiencies in grading, attendance, and credit recovery policies. During the various oversight hearings, Chairperson Grosso emphasized that even if many of these changes are made it is not going to solve the serious issues we face with student absenteeism and teacher dissatisfaction in schools. The Alvarez & Marsal final report reflects a system-wide audit and investigation of DCPS high schools with data covering all SY2016-2017 DCPS graduates.

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<sup>36</sup> Alvarez & Marsal, Final Report District of Columbia Public Schools Audit and Investigation January 26, 2018. *See*

[https://osse.dc.gov/sites/default/files/dc/sites/osse/release\\_content/attachments/Report%20on%20DCPS%20Graduation%20and%20Attendance%20Outcomes%20-%20Alvarez%26Marsal.pdf](https://osse.dc.gov/sites/default/files/dc/sites/osse/release_content/attachments/Report%20on%20DCPS%20Graduation%20and%20Attendance%20Outcomes%20-%20Alvarez%26Marsal.pdf)

<sup>37</sup> *Id.*

During the budget oversight hearing for FY19, Chairperson Grosso stated that it is clear from the ongoing conversations that Interim Chancellor Alexander sees the connection between discipline, school supports, and attendance or truancy. In the pre-hearing responses DCPS gave a narrative description without a breakdown of the budget to the inquiry about how the Mayor's proposed FY9 budget supports graduation rates and graduation accountability. Interim Chancellor Alexander said that DCPS is making an investment at the central office level by adding a Deputy Chief of Graduation Excellence (paid approximately \$154,000). This person will be charged with monitoring graduation, credit recovery, and five key work streams that are essential to getting the graduation work right. DCPS is working on scheduling, summer school, and policies around grading and attendance, and the training for those policies.

The Chairperson then asked what DCPS is doing to ensure that students who are failing a class or a semester continue to attend class and stay in school. Interim Chancellor Alexander replied that she is very concerned about the neighborhood high schools that have a high number of students in all grades who have learned they will either not graduate or will not matriculate to the next grade (i.e. have to repeat a grade). Chairperson Grosso said that organizations on the ground and the administrations at those schools (Ballou, Anacostia, & Eastern HS) are anticipating a spike in the number of disconnected youth this summer and next year, therefore he wanted to know how the DCPS budget and planning reflects capturing these kids and helping them see the value of re-enrolling in school. Interim Chancellor Alexander answered that students can catch up with summer school and credit recovery. There will be meetings at the schools with students and parents and letters will also go home with the status of the student and sharing the support information with parents and families. She noted that DCPS is committed to making options clear. The summer will allow for credit recovery or earning new credit. DCPS is dedicating \$3.4M to set up all of this work for the summer and it is important to have the individual student meetings to show students who are struggling that there is an ability to map out and execute a turnaround plan. On attendance, DCPS has approximately \$7.7 million in the FY19 budget. At Central Office, Andrea Allen is the Director of Attendance and leads a team of seven (six attendance specialists and one assistant to the Neediest Kids program) to support the important work of attendance. However, critical work is completed at the school level and student-by-student.

On Friday, April 27, 2018, DCPS released information that showed 46 percent of the class of 2018 is on-track to graduate this June. This represented a slight increase over an earlier tally of this year's seniors, which showed 42 percent of the class was meeting graduation requirements. DCPS' graduation rate was 73% last year. If all 46% of students graduate as expected and all 21% of "moderately off track" students pass credit recovery/summer school, then the graduation rate will be 67% this year.

**On-Track to Graduation by School: Class of 2018 Cohort**  
**Adjusted Cohort Graduation Rate (ACGR) Estimates as of April 25, 2018**

School Name	Adjusted Cohort	On-Track	Moderately Off-Track	Significantly Off-Track	Certificate Track Students	Students with Data Anomalies	Transfer and Withdrawn Students
Anacostia HS	175	25%	26%	15%	2%	0%	32%
Ballou HS	296	33%	34%	9%	3%	1%	20%
Ballou STAY HS	106	3%	13%	41%	0%	2%	42%
Banneker HS	115	85%	4%	0%	0%	0%	10%
Cardozo EC	215	43%	16%	4%	3%	0%	34%
Columbia Heights EC (CHEC)	280	56%	24%	1%	1%	1%	19%
Coolidge HS	104	30%	22%	14%	3%	0%	31%
Dunbar HS	191	57%	24%	8%	1%	0%	12%
Eastern HS	208	51%	35%	2%	4%	0%	7%
Ellington School of the Arts	131	76%	13%	1%	0%	0%	11%
Luke C. Moore HS	159	19%	17%	40%	0%	0%	23%
McKinley Technology HS	156	80%	8%	1%	0%	0%	12%
Non-Public	108	0%	30%	45%	6%	4%	16%
Phelps ACE HS	80	46%	33%	3%	0%	0%	19%
Roosevelt HS	207	29%	33%	6%	5%	0%	28%
Roosevelt STAY HS	147	16%	18%	48%	0%	0%	18%
School Without Walls HS	173	76%	13%	0%	2%	0%	8%
Washington Metropolitan HS	80	21%	9%	36%	0%	0%	34%
Wilson HS	513	62%	15%	7%	0%	0%	16%
Woodson, H.D. HS	179	54%	20%	2%	1%	1%	23%
<b>DC Public Schools</b>	<b>3,623</b>	<b>46%</b>	<b>21%</b>	<b>11%</b>	<b>2%</b>	<b>0%</b>	<b>20%</b>

### New Heights

During budget oversight hearings for multiple agencies before the Committee, public witnesses testified that the New Heights Program, which works with pregnant and parenting students, was eliminated from the proposed FY19 budget. A report from the U.S. Department of Health and Human Services states that Evaluation of the New Heights program which showed it improved attendance and academic outcomes.<sup>38</sup> This program ensures Title IX compliance, so the Committee is concerned about what the impact will be. Interim Chancellor Alexander said she was aware of this program and that the decision was made to cut nine school-based positions. She said that the work is being transitioned to school-based social workers and DCPS will provide stipends for staff to work directly with these students. At Central Office, DCPS is budgeting for one person to do broad monitoring of the support, so she is confident that the needs will be met, but in a different way. The cut for the nine FTEs is exactly \$420,000, funds that are planned to be used to enhance the professional development for school-based support. DCPS later provided the Committee with further information that the decision was based on the number of students each

<sup>38</sup> Zief, Susan, Julie Worthington, and John Deke. The New Heights Evaluation: The Impact of New Heights on Closing the Achievement Gap. Washington, DC: U.S. Department of Health and Human Services, Office of Adolescent Health, June 2017. <https://www.mathematica-mpr.com/our-publications-and-findings/publications/the-new-heights-evaluation-the-impact-of-new-heights-on-closing-the-achievement-gap>

specialist supports; eleven FTEs supported 297 pregnant or parenting students. Based on that, and in looking at other programmatic choices, DCPS believes they can provide supports for those students through social workers and with centralized support. This is based on a review of practices in other districts. The Committee will continue to monitor this need in the coming school year to ensure the intent of the transition is successfully accomplished.

#### Enhanced Special Education Services Act of 2014

Chairperson Grosso spoke about special education services and what can continually be done to improve how we are helping students with special needs to be in the best position to learn, graduate, and live meaningful lives. He began by asking DCPS to provide an update on the “Opportunity Academies” that were set to begin this year, replacing the alternative schools and what specific dollar amounts are proposed for this work in FY19. Deputy Chancellor Legrand stated that they are providing individualized supports and allowing them to work on a competency-based model. It is designed with the student in mind and is a blended learning model. She also stated that they do a great job at weaving in social and emotional learning, stating that it has been a seamless transition with an almost \$1 million additional investment. For the coming year there are fewer students, so the investment will go farther.

The Chairperson noted that the Committee and agency have talked extensively over the previous two years with DCPS, OSSE, and the PCSB about coming into compliance with the Enhanced Special Education Services Act of 2014, and he is pleased that the Mayor funded it, so that the subject to appropriations language of the law can be repealed. He inquired what further work DCPS will be doing on this in FY19 and whether the agency quantified the costs associated with this change. Senior Deputy Chief, Kerri Larkin testified that local dollars were used to create new positions that will do the work on the ground. They are decreasing the timeline and coordinating more on the school level. DCPS is planning a more robust calendar for professional development and making sure that teachers understand what they need to do. The legislation is a critical component, but this is just one part of the investment, like board certified behavior analysts, early literacy specialists, and additional paraprofessionals for physical needs. DCPS also increased over ten programs to continue to absorb the transfer-in for non-public students and support them. Chairperson Grosso noted the arts room at River Terrace and asked if there was an art teacher, which DCPS confirmed.

Chairperson Grosso stated that he worries a lot when hearing from parents from both the charter and the traditional public schools talking about how their child is not being served. This issue was raised at the performance oversight hearing as well. With the law in place and fully funded there is a lot that needs to be done very quickly otherwise we are going to see another lawsuit against the city. He stated that he hopes DCPS is deeply committed to this issue and will help to improve services for all children

### **3. FY 2019-2024 CAPITAL BUDGET**

The Mayor's Proposed capital budget for DCPS includes \$335,199,645 in capital funds for fiscal year 2019, with a six-year total for fiscal years 2019 through 2024 of \$1,347,117,882.

### Committee Analysis and Comments

#### *Background and PACE*

Over the previous three fiscal years, the Committee on Education has utilized an objective approach to guide school modernization decision-making. Combined with the Planning Actively for Comprehensive Education Facilities Amendment Act of 2016 ("PACE"), the objective approach has removed the politics from capital funding and brought more certainty and stability into the Capital Improvement Plan ("CIP"). In fact, the Committee, along with the Council has adhered to a philosophy of accelerating projects when possible, but not at the expense of another school facility project. During the FY16 budget process the Committee was determined to provide clarity around decisions for the overall CIP and created objectives to guide the process. The three objectives were as follows:

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.

This fiscal year is the first since the subject to appropriations language was repealed on the PACE Act in the Fiscal Year 2018 Budget Support Act of 2017. The implementation of PACE has not been as encouraging as the stability and certainty that we have realized generally with the CIP. The transparency component of PACE is still lacking and was the subject of several questions during the DCPS Budget Oversight Hearing.

PACE requires a new process and timeline for the development of the Master Facilities Plan by December 15, 2017; refines what is required to be included in the School Facility CIP; the submission of final prioritization ranking scores for each school facility in its portfolio by September 30, 2017; requires DCPS to conduct at least 3 public meetings to discuss modernizations within 180 days of the release of the prioritization data; and a process for including new facilities into the CIP, among others.

Starting with the prioritization ranking scores, the Council finally received the ranking list on March 1, 2018, five months late, despite public assurances on several occasions that the process was on time for delivery by the statutory deadline. Further, the Committee received word that what was submitted was inaccurate due to one Facility Condition Assessment (FCA) being inaccurate from an "address mix-up" at Bunker Hill Elementary. The FCA had to be performed at the correct address, which altered the prioritization scores. These updated scores, to the Committee's knowledge, have not been re-submitted to Council.

This may not be the fault of DCPS, however the Committee expects the updated scores to be resubmitted to the Council, after which DCPS should conduct the public meetings, per the law, to discuss school facility modernizations.

Further, the ranking list prioritizes only the education facilities that had Phase 1 modernizations, though the law requires the ranking list to include “each school facility in its portfolio.” The Committee understands that it takes time to assess school facility conditions with standards that comply with PACE. However, the Committee expects DCPS to include each school facility in its portfolio in the next submission of the ranking scores in 2022.

Another component of PACE includes the creation of the next Master Facilities Plan. Though required to be submitted to the Council by December 15, 2017, the Deputy Mayor for Education indicated that it will be complete in summer of 2018. The Master Facilities Plan will help guide decision-making for the CIP, as well as inform strategic and sustainable facilities planning for both the traditional public and public charter sectors.

The Committee is frustrated that schools were added to the DCPS CIP for additional classroom space prior to the completion of the MFP. When evaluating the placement of the two schools that were inserted into the CIP for additional classroom space (Key and Stoddert Elementary Schools), the Committee examined the utilization data compiled by the Office of the Deputy Mayor for Education for school year 2016-2017. This utilization information showed that Key’s permanent capacity utilization is 110% and 9 schools have higher permanent utilization rates. Key’s utilization rate for permanent and portables is 98% and there are 18 schools with higher utilization rates in this category. The plan to address the higher utilization rate, according to the 2016 MFP Annual Supplement, is “DCPS is working closely with the Deputy Mayor for Education to update the Master Facilities Plan in 2018, which will help inform the approach to address overcrowded and underutilized schools.” In fact, 22 other schools have the same plan to address the high utilization rate.

Stoddert Elementary has a permanent capacity utilization rate of 136% as of school year 2016-2017, the highest on the list. With portables, its utilization drops down to 92% with 36 schools above it. The plan to address the utilization rate according to the 2016 MFP Annual Supplement is “Trailers are on site to address high enrollment. As part of the Boundary Study, the addition at Hyde-Addison will alleviate some overcrowding at Stoddert.”

Deputy Chancellor Gaal stated that there was an opportunity in the CIP to alleviate the crowding in Ward 3, and that other facilities in the ward do not have the acreage to expand their footprints. Mr. Gaal also testified that enrollment projections also guided the decision-making to include these two facilities in the CIP. None of this information was included in the CIP, though long-term enrollment projections are required. The information that was included in the CIP was inaccurate, stating that Stoddert had “many facility components in failure, or near failure modes,” and that the school was to receive a comprehensive modernization, despite having received a full modernization in 2010. The justification for



Key's inclusion in the CIP is that "the modernization will require complete rehabilitation of the existing school building." According to DCPS' pre-hearing responses, these descriptions and justifications are wrong. However, should a member of the public refer to the budget book to examine capital projects, that person would have no idea as to the actual project intent.

Both facilities are funded at \$20.5 million, however the Committee has concerns with the sequencing and funding levels. Stoddart has the higher permanent utilization but its addition is not scheduled for construction until 2024, yet Key begins sooner in 2021. Further, the cost of the projects may or may not be accurate. The Committee has seen funding for additions grow significantly, for example the Hyde-Addison addition, and Maury was supposed to receive a small addition to relieve over-crowding, which has ballooned into replacing an existing building. Both projects receive significant additions of money in FY19. On the facility ranking tool created by the Committee in 2016 for the FY17 budget, Key ranked 75 and Stoddert was 79 out of 111 schools.

The lack of inclusion of PACE required information was also an issue of contention at the hearing. The Committee noted to DCPS that the answers to pre-hearing questions were very helpful in understanding the intent behind the CIP, that was not included in the budget book. Some of this information included descriptions and milestones, justification for the project, the basis of the cost estimate, swing space needs, explanations for funding increases of more than 10% compared to the previous year's CIP, and others. What was not included in either the budget book submission or the pre-hearing responses were estimated annual maintenance costs, though required by PACE. At the hearing, Mr. Gaal explained that the omission of this information from the CIP was likely due to "growing pains" as the agency seeks to conform with the requirements of PACE. The Committee expects DCPS to improve upon the information made available in the budget book in the FY20 budget submission, and ensure the accuracy, validity, and legal compliance in order to continue to bring greater transparency to its CIP.

The Committee is pleased with the fact that this CIP includes all schools that have not received any type of modernization with the inclusion of planning money in 2024 for Washington Metropolitan, Malcolm X Elementary at Green, and the Adams campus of Oyster Adams. The Committee is also pleased that the prioritization ranking list was utilized for 2024 to start the process of modernizing the schools that have only received a Phase 1 modernization.

#### *Non-Facility Funding*

The Committee is greatly concerned about the non-facility funding in the proposed FY19-24 CIP. Total non-facility funding decreases by \$9.4 million in FY20, \$30.7 million in FY21, and \$17.7 million FY22 compared to the approved FY18-23 CIP. Funding in FY23 increases by \$21 million and the total funding in FY24 is \$63.5 million, however the Committee is very concerned about deferred investments in 2020-2022 which include significant reductions to ADA compliance, IT Infrastructure, General Repair, Major Repairs, Roof Repairs, and Life Safety.

Life Safety is perhaps the most concerning. At the hearing, Mr. Gaal noted that life safety is the line that provides for general safety measures that protect our students and inform them when there's an emergency. DCPS recently completed a survey of its facilities and found that 50 schools required investments in life safety totaling nearly \$15 million worth of investment to protect our students, yet in the near term, Life Safety is cut. Investments are back-filled in FY23 and FY24, but our students can't wait that long.

While the Committee was unable to restore such large amounts of funding to the non-facility lines, the Committee would support restoration in the Committee of the Whole. The Committee certainly expects a correction in the FY20 budget informed by the Master Facilities Plan.

### *General Observations*

DCPS should be proud of the progress they have made, along with the Committee and the Council, to bring stability to the CIP. This year will mark a first for the Committee under its current Chairperson, where no projects will be reduced, accelerated, or otherwise altered and this is due to the strong partnership among DCPS, DGS, the Committee, and the entire Council, to be more thoughtful and transparent when it comes to school modernizations and capital improvements. The Committee is also impressed with the coordination with DGS on small capital projects. It was not long ago where an entire year's worth of small capital investments was not performed. In partnership with the Committee on Transportation and the Environment, the Committee on Education has exercised the strong and necessary oversight needed to increase the reliability and trustworthiness of the modernization process. Communities are starting to understand that there is a process for how schools are selected to be modernized, a process for community engagement to ensure our facilities are reflective of community needs, and that the Council will act to make necessary adjustments when needed, but not at the expense of another school project.

That said, there are still areas in need of improvement. The Committee heard testimony from various school communities about the engagement process. While that process can be challenging and often contentious, DCPS should continue to examine this process for improvements. Ensuring that communities feel heard and understood, even if all of their requests are not able to be accommodated should be a priority for DCPS and its partner agency DGS.

DGS has also evolved in a positive direction that is encouraging to the Committee. The Committee appreciates the regular meetings it has with DGS and DCPS to discuss modernizations and small capital projects, and the information shared in these meetings helps the Committee and the Council exercise its oversight functions, relay information to communities, and guide decision-making during the budget and policy process. Both agencies should continue down this path of progress and strive for greater transparency to the public. We are better off in the school capital budget today than we were three years ago.

**GM303C – ADA COMPLIANCE**

	Source	FY19	FY20	FY21	FY22	FY23	FY24	TOTAL
Proposed	GO Bonds	3,550,000	1,000,000	0	500,000	0	4,370,000	9,420,000
Committee	GO Bonds	3,550,000	1,000,000	0	500,000	0	4,370,000	9,420,000
Variance	GO Bonds	0	0	0	0	0	0	0
Proposed	Paygo	0	0	0	0	2,500,000	0	2,500,000
Committee	Paygo	0	0	0	0	2,500,000	0	2,500,000
Variance	Paygo	0	0	0	0	0	0	0

The proposed work plan for ADA Compliance provided by DCPS for FY18 with rough orders of magnitude includes the following:

- J.O. Wilson, Elevator, \$1,100,000
- M.L. King, Elevator, \$1,100,000
- Tubman, Elevator, \$1,100,000
- ADA elevator project designs, \$200,000

The Committee recommends no changes.

**YY160C – ADAMS ES**

	Source	FY19	FY20	FY21	FY22	FY23	FY24	TOTAL
Proposed	GO Bonds	0	0	0	0	0	2,503,691	2,503,691
Committee	GO Bonds	0	0	0	0	0	2,503,691	2,503,691
Variance	GO Bonds	0	0	0	0	0	0	0

Adams Elementary of the Oyster Adam Education Campus is new in the FY19-24 CIP with \$2.5 million in FY24 for initial planning and design for a full modernization of the existing facility. DCPS believes the existing facility may need an 11,000 square foot addition, though that is subject to change and will be refined in the Master Facility Plan. The Committee recommends no change from the Mayor's proposed budget.

**YY176C – AITON ES**

	Source	FY19	FY20	FY21	FY22	FY23	FY24	TOTAL
Proposed	GO Bonds	0	0	0	2,151,031	26,887,886	24,736,855	53,775,772
Committee	GO Bonds	0	0	0	2,151,031	26,887,886	24,736,855	53,775,772
Variance	GO Bonds	0	0	0	0	0	0	0

Aiton Elementary School was enhanced in the Mayor's proposed budget by \$13,690,772 to fully fund the modernization. DCPS believes that Aiton may require an approximately 13,500 square foot addition, which is subject to change and will be refined in the Master Facility Plan. The Committee recommends no change from the Mayor's proposed budget.

**YY105C – ANNE M. GODING ES**

	Source	FY19	FY20	FY21	FY22	FY23	FY24	TOTAL
Proposed	GO Bonds	0	1,740,390	21,754,874	20,014,484	0	0	43,509,748
Committee	GO Bonds	0	1,740,390	21,754,874	20,014,484	0	0	43,509,748
Variance	GO Bonds	0	0	0	0	0	0	0

The Mayor's proposed budget enhances the School Within a School at Anne Goding Elementary project by \$14,481,748 to fully fund the estimated project cost. This project was accelerated by the Council in FY18, and DCPS and DGS are just beginning the plans for the project due to the acceleration. The final cost is subject to change as planning proceeds. Initial assessments indicate that the facility will require a full renovation but no addition, but this is also subject to change and be refined in the Master Facility Plan.

#### **SK120C – ATHLETIC FACILITIES**

	Source	FY19	FY20	FY21	FY22	FY23	FY24	TOTAL
Proposed	GO Bonds	2,700,000	1,000,000	0	0	0	2,000,000	5,700,000
Committee	GO Bonds	2,700,000	1,000,000	0	0	0	2,000,000	5,700,000
Variance	GO Bonds	0	0	0	0	0	0	0
Proposed	Paygo	0	0	0	0	1,000,000	0	1,000,000
Committee	Paygo	0	0	0	0	1,000,000	0	1,000,000
Variance	Paygo	0	0	0	0	0	0	0

Athletic Facilities received a \$4.2 million enhancement in the Mayor's proposed budget with \$2.7 million in FY19, \$1 million in FY20, and \$2 million in FY24.

The spend plan submitted by DCPS including rough orders of magnitude includes the following:

- Miner: 5-12 Playground, \$500,000
- Drew: 1 Playground, \$500,000
- Burrville: 1 Playground, \$500,000
- 3 athletic field replacements: \$1,200,000

The Committee recommends no change from the Mayor's proposed budget.

#### **YY101C – BANNEKER HS**

	Source	FY19	FY20	FY21	FY22	FY23	FY24	TOTAL
Proposed	GO Bonds	9,707,000	38,325,000	84,946,000	0	0	0	132,978,000
Committee	GO Bonds	9,707,000	38,325,000	84,946,000	0	0	0	132,978,000
Variance	GO Bonds	0	0	0	0	0	0	0

The Mayor's proposed budget represents no change to the Banneker project budget.

The Committee notes that the Banneker project is one of three large scale projects that has not yet commenced, that would be subject to a project labor agreement under the DC Law 21-0158, the Procurement Integrity, Transparency, and Accountability Amendment Act of 2015. The Committee supports removal of the subject to appropriation language.

The Committee recommends no changes.

#### **YY108C – BROWNE EC**

	Source	FY19	FY20	FY21	FY22	FY23	FY24	TOTAL
Proposed	GO Bonds	0	0	0	0	2,788,282	34,853,519	37,641,801
Committee	GO Bonds	0	0	0	0	2,788,282	34,853,519	37,641,801
Variance	GO Bonds	0	0	0	0	0	0	0

The Mayor's proposed budget represents an enhancement of \$27,619,801 for Browne Education Campus. DCPS estimates the total project cost to be \$69,707,038, which is subject to change. The initial evaluation of the project indicates that no addition will be needed, but that is subject to change and be refined with the forthcoming Master Facility Plan. The Committee recommends no change.

#### **YY1SPC – CENTRALIZED SWING SPACE**

	Source	FY19	FY20	FY21	FY22	FY23	FY24	TOTAL
Proposed	GO Bonds	4,921,000	0	0	0	0	0	4,921,000
Committee	GO Bonds	4,921,000	0	0	0	0	0	4,921,000
Variance	GO Bonds	0	0	0	0	0	0	0
Proposed	Paygo	0	0	0	1,800,000	0	0	1,800,000
Committee	Paygo	0	0	0	1,800,000	0	0	1,800,000
Variance	Paygo	0	0	0	0	0	0	0

The Mayor's proposed budget represents no change to Centralized Swing Space in this CIP. The Committee recommends no change.

#### **NX837C – COOLIDGE HS**

	Source	FY19	FY20	FY21	FY22	FY23	FY24	TOTAL
Proposed	GO Bonds	74,782,000	0	0	0	0	0	74,782,000
Committee	GO Bonds	74,782,000	0	0	0	0	0	74,782,000
Variance	GO Bonds	0	0	0	0	0	0	0

The Mayor's proposed budget represents no change for Coolidge HS. The Committee makes no changes to the Mayor's proposed budget.

#### **YY178 – CW HARRIS ES**

	Source	FY19	FY20	FY21	FY22	FY23	FY24	TOTAL
Proposed	GO Bonds	23,709,069	20,863,080	0	0	0	0	44,572,149
Committee	GO Bonds	23,709,069	20,863,080	0	0	0	0	44,572,149
Variance	GO Bonds	0	0	0	0	0	0	0

The Mayor's proposed budget represents an enhancement of \$3,029,149 for C.W. Harris, which was requested due to increase enrollment projects according to DCPS. The total project cost estimated by DCPS is \$47 million. This project was flagged by the Council's

budget office as perhaps having \$16 million more in its budget than needed. The Budget Office was basing this off of the current contract for the project, which holds a guaranteed Maximum Price of \$33 million, and REPROG22-116 which reprograms \$5 million into the project to cover the cost of swing space. While the CIP and the reprogramming total \$51.1 million, the Committee believes the contract GMP has not caught up to the expected price of the project, as the project is still in design phase. The Committee supports the full funding of the project and would not support removal of funds from the project. It is appropriate to leave the \$4 million difference for now to allow for any unforeseen escalation costs that tend to arise once construction begins. However, DCPS should only spend what is absolutely necessary to ensure the students have a high-quality facility in Ward 7. The Committee recommends no changes.

#### **T2247C – DCPS DCSTARS HW UPGRADE**

	Source	FY19	FY20	FY21	FY22	FY23	FY24	TOTAL
Proposed	GO Bonds	3,022,000	0	0	0	0	0	3,022,000
Committee	GO Bonds	3,022,000	0	0	0	0	0	3,022,000
Variance	GO Bonds	0	0	0	0	0	0	0

The Mayor's proposed budget represents a \$3.02 million enhancement for DCPS DC Stars for the implementation of critical enterprise applications and data systems involving student information. The Committee recommends no changes.

#### **N8005 – DCPS IT INFRASTRUCTURE UPGRADE**

	Source	FY19	FY20	FY21	FY22	FY23	FY24	TOTAL
Proposed	GO Bonds	1,500,000	1,500,000	1,500,000	1,500,000	500,000	0	6,500,000
Committee	GO Bonds	1,500,000	1,500,000	1,500,000	1,500,000	500,000	0	6,500,000
Variance	GO Bonds	0	0	0	0	0	0	0
Proposed	Paygo	0	0	0	0	3,500,000	5,000,000	8,500,000
Committee	Paygo	0	0	0	0	3,500,000	5,000,000	8,500,000
Variance	Paygo	0	0	0	0	0	0	0

The Mayor's proposed budget included an enhancement of \$ \$4.3 million to the DCPS IT Infrastructure Upgrade project for wireless services and increased bandwidth to support teaching and learning. The Committee recommends no changes.

#### **YY1DHC – DOROTHY HEIGHT ES**

	Source	FY19	FY20	FY21	FY22	FY23	FY24	TOTAL
Proposed	GO Bonds	0	0	0	2,647,699	33,096,232	30,448,534	66,192,465
Committee	GO Bonds	0	0	0	2,647,699	33,096,232	30,448,534	66,192,465
Variance	GO Bonds	0	0	0	0	0	0	0

The Mayor's proposed FY18 budget includes an enhancement of \$31 million for a total construction cost of \$66,192,465, which is subject to change in the coming years. Height will receive a full modernization and require an approximately 24,000 square foot addition, which is also subject to change and refining in accordance with the forthcoming Master Facility Plan. The Committee makes no changes to the Mayor's proposed budget.

**G15PKC – EARLY ACTION PRE-K INITIATIVES**

	Source	FY19	FY20	FY21	FY22	FY23	FY24	TOTAL
Proposed	GO Bonds	1,500,000	1,500,000	0	500,000	1,500,000	1,500,000	6,500,000
Committee	GO Bonds	1,500,000	1,500,000	0	500,000	1,500,000	1,500,000	6,500,000
Variance	GO Bonds	0	0	0	0	0	0	0

The Mayor's Proposed budget includes an increase of \$5 million to support expansion of access to early education across the District of Columbia. The Committee makes no changes to the Mayor's proposed budget.

**YY180C – EATON ES**

	Source	FY19	FY20	FY21	FY22	FY23	FY24	TOTAL
Proposed	GO Bonds	12,000,000	20,000,000	0	0	0	0	32,000,000
Committee	GO Bonds	12,000,000	20,000,000	0	0	0	0	32,000,000
Variance	GO Bonds	0	0	0	0	0	0	0

The Mayor's proposed budget includes a \$20 million enhancement in FY20 to support the estimated full cost of the modernization. The Council accelerated Eaton in FY18. The initial evaluation indicates that Eaton will need approximately 27,000 square feet of additional space. These are subject to change as planning and design get under way. The Committee recommends no changes.

**YY181C – ELIOT-HINE JHS**

	Source	FY19	FY20	FY21	FY22	FY23	FY24	TOTAL
Proposed	GO Bonds	38,331,000	41,075,000	0	0	0	0	79,406,000
Committee	GO Bonds	38,331,000	41,075,000	0	0	0	0	79,406,000
Variance	GO Bonds	0	0	0	0	0	0	0

The mayor's proposed budget includes no changes to the Eliot-Hine project. The Committee recommends no changes to the Mayor's proposed budget.

**GM312C – ES/MS MODERNIZATION CAPITAL LABOR**

	Source	FY19	FY20	FY21	FY22	FY23	FY24	TOTAL
Proposed	GO Bonds	7,000,000	6,000,000	5,500,000	0	0	10,000,000	28,500,000
Committee	GO Bonds	6,625,000	5,875,000	5,500,000	0	0	10,000,000	28,000,000
Variance	GO Bonds	-375,000	-125,000	0	0	0	0	-500,000
Proposed	Paygo	0	0	0	6,500,000	8,000,000	0	14,500,000
Committee	Paygo	0	0	0	6,500,000	8,000,000	0	14,500,000
Variance	Paygo	0	0	0	0	0	0	0

The Mayor's proposed budget reduces Elementary and Middle School modernization capital labor by \$10,402,676 compared to the FY18-23 CIP. Analysis provided to the Committee by the Council budget office indicated that the capital labor accounts within the CIP may have excess allotments compared to annual spending rates. The Committee reduces ES/MS Modernization Capital Labor by \$500,000 to fund projects at the District

of Columbia Public Library and believes funding to be sufficient for remaining capital labor needs.

#### **YY103C – FRANCIS STEVENS ES**

	Source	FY19	FY20	FY21	FY22	FY23	FY24	TOTAL
Proposed	GO Bonds	0	0	0	2,969,173	37,114,664	34,145,491	74,229,328
Committee	GO Bonds	0	0	0	2,969,173	37,114,664	34,145,491	74,229,328
Variance	GO Bonds	0	0	0	0	0	0	0

The Mayor's proposed budget indicates an increase of \$29,252,328 for the School Without Walls at Francis Stevens modernization. The project is estimated to be fully funded, though that number could change as more planning and design get underway. The initial evaluation indicates that the facility will not need an addition, though that is subject to change and to be refined with the forthcoming Master Facility Plan. The Committee recommends no changes to the Mayor's proposed budget.

#### **YY182C – GARFIELD ES**

	Source	FY19	FY20	FY21	FY22	FY23	FY24	TOTAL
Proposed	GO Bonds	0	0	0	1,945,440	24,317,998	22,372,558	48,635,996
Committee	GO Bonds	0	0	0	1,945,440	24,317,998	22,372,558	48,635,996
Variance	GO Bonds	0	0	0	0	0	0	0

The Mayor's proposed budget includes an increase of \$21,152,996 to support the school's modernization. DCPS believe the facility may require approximately 4,000 additional square feet, which is subject to change and refining with the forthcoming Master Facility Plan. The Committee recommends no changes to the Mayor's proposed budget.

#### **GM120C – GENERAL MISCELLANEOUS REPAIRS**

	Source	FY19	FY20	FY21	FY22	FY23	FY24	TOTAL
Proposed	GO Bonds	4,000,000	2,500,000	0	1,750,000	5,845,601	10,337,881	24,433,482
Committee	GO Bonds	4,000,000	2,500,000	0	1,750,000	5,845,601	10,337,881	24,433,482
Variance	GO Bonds	0	0	0	0	0	0	0
Proposed	Paygo	0	0	0	0	4,000,000	0	4,000,000
Committee	Paygo	0	0	0	0	4,000,000	0	4,000,000
Variance	Paygo	0	0	0	0	0	0	0

The Mayor's proposed budget includes an increase of \$3,133,482 for General Repairs.

The proposed work plan submitted by DCPS for General and Major Repairs (GM120 and GM121) for FY19 with rough orders of magnitude includes the following:

- Playground Design for Aiton, Cleveland, and Ross, \$200,000
- Trailers/Interior Modifications to address capacity concerns, \$3,000,000
- Langley, Flooring Replacement, \$800,000
- Emergency, \$3,000,000

The Committee makes no change to the Mayor's proposed budget.



**GR337-GREEN ES MODERNIZATION/RENOVATION**

	Source	FY19	FY20	FY21	FY22	FY23	FY24	TOTAL
Proposed	GO Bonds	0	0	0	0	0	1,061,376	1,061,376
Committee	GO Bonds	0	0	0	0	0	1,061,376	1,061,376
Variance	GO Bonds	0	0	0	0	0	0	0

The Mayor's proposed budget included the addition of Malcolm X at Green Elementary School in FY24 with \$1,061,376 for planning for that school's modernization. It is among the last DCPS schools to receive any type of renovation. At present, DCPS does not believe that Malcom X at Green will require an addition. The Committee recommends no changes to the Mayor's proposed budget.

**GM311C – HIGH SCHOOL LABOR**

	Source	FY19	FY20	FY21	FY22	FY23	FY24	TOTAL
Proposed	GO Bonds	4,000,000	2,000,000	750,000	0	0	0	6,750,000
Committee	GO Bonds	3,750,000	1,900,000	750,000	0	0	0	6,400,000
Variance	GO Bonds	-250,000	-100,000	0	0	0	0	-350,000

The Mayor's proposed budget includes reductions of \$8.4 million to the High School Labor funding line. Analysis provided by the budget office indicated that the Capital Labor pools may have excess allotments based on previous year's spending. The committee reduces the budget by \$350,000 to fund projects at the District of Columbia Public Libraries.

**YY144C – HOUSTON ES**

	Source	FY19	FY20	FY21	FY22	FY23	FY24	TOTAL
Proposed	GO Bonds	24,146,163	21,072,623	0	0	0	0	45,218,786
Committee	GO Bonds	24,146,163	21,072,623	0	0	0	0	45,218,786
Variance	GO Bonds	0	0	0	0	0	0	0

The Mayor's proposed budget included an enhancement of \$2,157,786 for Houston Elementary School. The total project cost is estimate by DCPS to be \$49,213,786. DCPS believes the project will require an addition of roughly 12,000 square feet. This project was flagged by the Council's budget office as perhaps having \$19 million more in its budget than needed. The Budget Office was basing this off of the current contract for the project, which holds a guaranteed Maximum Price of \$32.3 million, and REPROG22-116 which reprograms \$5 million into the project to cover the cost of swing space. While the CIP and the reprogramming total \$52.8 million, the Committee believes the contract GMP has not caught up to the expected price of the project, as the project is still in design phase. The Committee supports the full funding of the project and would not support removal of funds from the project. It is appropriate to leave the \$3.7 million difference for now to allow for any unforeseen escalation costs that tend to arise once construction begins. However, DCPS should only spend what is absolutely necessary to ensure the students have a high-quality facility in Ward 7. The Committee recommends no changes.

**GM102-HVAC REPLACEMENT - DCPS**

	Source	FY19	FY20	FY21	FY22	FY23	FY24	TOTAL
Proposed	GO Bonds	4,250,000	2,500,000	500,000	0	4,420,312	7,466,327	19,136,639
Committee	GO Bonds	4,250,000	2,500,000	500,000	0	4,420,312	7,466,327	19,136,639

Variance	GO Bonds	0	0	0	0	0	0	0
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The Mayor's proposed budget included an increase of \$4,636,639 for HVAC replacement.

The work plan submitted by DPS for HVAC for FY19 with rough orders of magnitude includes the following:

- Adams HVAC, \$3,500,000 including some money from existing Adams allotments;
- Hendley, Multi-purpose room & cafeteria HVAC.

The Committee recommends no changes.

#### **YY164C – HYDE ES**

	Source	FY19	FY20	FY21	FY22	FY23	FY24	TOTAL
Proposed	GO Bonds	6,500,000	0	0	0	0	0	6,500,000
Committee	GO Bonds	6,500,000	0	0	0	0	0	6,500,000
Variance	GO Bonds	0	0	0	0	0	0	0

The Mayor's proposed budget includes a \$2.5 million enhancement in FY19 to support unforeseen escalation costs associated with the construction of the addition at Hyde-Addison. The Committee recommends no changes.

#### **YY165C – JEFFERSON MS**

	Source	FY19	FY20	FY21	FY22	FY23	FY24	TOTAL
Proposed	GO Bonds	49,521,000	0	0	0	0	0	49,521,000
Committee	GO Bonds	49,521,000	0	0	0	0	0	49,521,000
Variance	GO Bonds	0	0	0	0	0	0	0

The Mayor's proposed budget includes no changes to the Jefferson Middle School project. The Committee Recommends no changes.

#### **PW337-JO WILSON ES MODERNIZATION/RENOVATION**

	Source	FY19	FY20	FY21	FY22	FY23	FY24	TOTAL
Proposed	GO Bonds	0	0	0	0	0	3,242,946	3,242,946
Committee	GO Bonds	0	0	0	0	0	3,242,946	3,242,946
Variance	GO Bonds	0	0	0	0	0	0	0

The Mayor's proposed budget included \$3,242,946 for planning and design in FY24 for a full modernization. This was the number four school identified on the PACE Act's prioritization ranking tool of Phase 1 schools. At present, DCPS believes the school will not require an addition, but that is subject to change with the forthcoming Master Facility Plan.

#### **SG403-KEY ELEMENTARY SCHOOL MODERNIZATION**

	Source	FY19	FY20	FY21	FY22	FY23	FY24	TOTAL
Proposed	GO Bonds	0	500,000	10,000,000	10,000,000	0	0	20,500,000
Committee	GO Bonds	0	500,000	10,000,000	10,000,000	0	0	20,500,000

Variance	GO Bonds	0	0	0	0	0	0	0
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The Mayor's proposed budget included \$20.5 million for an addition to the facility due to overcrowding. How or why Key was selected ahead of the schools that have higher permanent utilization, as well as permanent plus modular utilization, is unclear. The argument that other schools in the Ward don't have the footprint to build out and therefore Key should go ahead of schools in other wards with higher utilization rates is a fragile one. While the Committee prefers that decisions on prioritization of additions to existing facilities wait until the release of the Master Facility Plan, and a more transparent decision-making process for Key's prioritization, the Committee reluctantly recommends no changes.

#### **YY185C – KIMBALL ES**

	Source	FY19	FY20	FY21	FY22	FY23	FY24	TOTAL
Proposed	GO Bonds	4,000,000	0	0	0	0	0	4,000,000
Committee	GO Bonds	4,000,000	0	0	0	0	0	4,000,000
Variance	GO Bonds	0	0	0	0	0	0	0

The Mayor's proposed budget included an additional \$4 million for Kimball Elementary School due to escalation costs associated with the project. The Committee recommends no changes.

#### **GM304C – LIFE SAFETY**

	Source	FY19	FY20	FY21	FY22	FY23	FY24	TOTAL
Proposed	GO Bonds	1,500,000	1,500,000	500,000	500,000	0	2,184,174	6,184,174
Committee	GO Bonds	1,500,000	1,500,000	500,000	500,000	0	2,184,174	6,184,174
Variance	GO Bonds	0	0	0	0	0	0	0

The Mayor's proposed budget indicates an enhancement of \$1,217,471.

The proposed work plan submitted by DCPS for Life Safety for FY19 with rough orders of magnitude includes the following:

- Miscellaneous Security System Replacements, \$350,000
- Door Replacement (Interior/Exterior), \$1,150,000

The Committee recommends no changes to the Mayor's proposed budget

#### **YY107C – LOGAN ES**

	Source	FY19	FY20	FY21	FY22	FY23	FY24	TOTAL
Proposed	GO Bonds	2,022,422	25,780,279	23,250,000	0	0	0	51,052,701
Committee	GO Bonds	2,022,422	25,780,279	23,250,000	0	0	0	51,052,701
Variance	GO Bonds	0	0	0	0	0	0	0

The Mayor's proposed budget for Capital Hill Montessori at Logan includes an enhancement of \$13,289,701 to fully fund the current estimated cost of the project. The Committee heard concerns from the community during performance oversight and budget regarding the funding for the modernized facility. In responses to pre-hearing questions,

DCPS indicated that “If needed, the final budget amount will be further refined after the feasibility [study] and as design further progresses.” DCPS has a track record of correcting for costs as the project progresses, as realized in the current capital budget. The committee has no reason to believe DCPS would not behave similarly with the Capital Hill Montessori at Logan project. However, the Committee does encourage DCPS to continue to work with the community so that the facility meets the needs of the Montessori model. The Committee recommends no change.

#### **GM121C – MAJOR REPAIRS/MAINTENANCE**

	Source	FY19	FY20	FY21	FY22	FY23	FY24	TOTAL
Proposed	GO Bonds	3,000,000	2,000,000	0	2,000,000	1,754,272	4,466,985	13,221,257
Committee	GO Bonds	3,000,000	2,000,000	0	2,000,000	1,754,272	4,466,985	13,221,257
Variance	GO Bonds	0	0	0	0	0	0	0
Proposed	Paygo	0	0	0	0	2,500,000	0	2,500,000
Committee	Paygo	0	0	0	0	2,500,000	0	2,500,000
Variance	Paygo	0	0	0	0	0	0	0

The Mayor’s proposed budget includes a significant reduction of \$5,178,743 or nearly a quarter of the budget compared to FY18-23. The committee has great concerns about the \$9 million reduction in fiscal years 2020-2022, including zero fund allocations for FY21. It is the Committee’s expectation that this reduction will be corrected in the FY20-25 CIP, after the release of the Master Facilities Plan.

#### **MR337C – MAURY ES**

	Source	FY19	FY20	FY21	FY22	FY23	FY24	TOTAL
Proposed	GO Bonds	18,000,000	0	0	0	0	0	18,000,000
Committee	GO Bonds	18,000,000	0	0	0	0	0	18,000,000
Variance	GO Bonds	0	0	0	0	0	0	0

The Mayor’s proposed FY19 budget includes an enhancement of \$18 million for the Maury Project. This project was originally designated as an addition to help alleviate overcrowding at the school but has morphed into razing an existing building to erect a larger structure with additional classroom space. This enhancement fully funds costs associated with ensuring the new Maury facility is comparable to other modernized facilities in the DCPS portfolio. The Committee recommends no changes.

#### **YY170C – ORR/BOONE ES**

	Source	FY19	FY20	FY21	FY22	FY23	FY24	TOTAL
Proposed	GO Bonds	2,037,991	0	0	0	0	0	2,037,991
Committee	GO Bonds	2,037,991	0	0	0	0	0	2,037,991
Variance	GO Bonds	0	0	0	0	0	0	0

On April 10, 2018 the Council passed the Lawrence E. Boone Elementary School Designation Emergency Declaration Resolution, which renames Orr Elementary to Boone Elementary School. Boone received an enhancement of \$2,037,991 in FY19 to support escalation costs associated with the project. The Committee recommends no change.

#### **YY193C – RAYMOND ES**

	Source	FY19	FY20	FY21	FY22	FY23	FY24	TOTAL
Proposed	GO Bonds	0	0	2,503,447	31,293,085	28,789,639	0	62,586,171
Committee	GO Bonds	0	0	2,503,447	31,293,085	28,789,639	0	62,586,171
Variance	GO Bonds	0	0	0	0	0	0	0

The Mayor's proposed FY19 includes a reduction of \$3,613,829 for the Raymond project. The Committee recommends no change.

#### **GM101C – ROOF REPAIRS**

	Source	FY19	FY20	FY21	FY22	FY23	FY24	TOTAL
Proposed	GO Bonds	4,948,000	3,280,000	6,209,000	6,249,000	3,000,000	4,000,000	27,686,000
Committee	GO Bonds	4,948,000	3,280,000	6,209,000	6,249,000	3,000,000	4,000,000	27,686,000
Variance	GO Bonds	0	0	0	0	0	0	0
Proposed	Paygo	4,250,000	2,500,000	0	0	0	6,625,000	13,375,000
Committee	Paygo	4,250,000	2,500,000	0	0	0	6,625,000	13,375,000
Variance	Paygo	0	0	0	0	0	0	0

The Mayor's proposed budget includes a decrease of \$8,911,000 with significant reductions in fiscal years 2020-2023 totaling \$11,558,000. It is the Committee's expectation that this reduction will be corrected in the FY20-25 CIP, after the release of the Master Facilities Plan.

The work plan for roof repairs as submitted by DCPS for FY19 with rough orders of magnitude includes the following:

- Johnson Middle School, Full Replacement, \$2,000,000
- McKinley High School, Slate Full Roof Replacement, \$2,200,000
- Contingency, \$62,000

The Committee recommends no change from the Mayor's proposed budget.

#### **YY195C – SMOTHERS ES**

	Source	FY19	FY20	FY21	FY22	FY23	FY24	TOTAL
Proposed	GO Bonds	0	1,727,138	21,589,223	21,626,340	0	0	44,942,701
Committee	GO Bonds	0	1,727,138	21,589,223	21,626,340	0	0	44,942,701
Variance	GO Bonds	0	0	0	0	0	0	0

Smothers Elementary School received a reduction of \$3,900,299 in the Mayor's proposed budget. The Committee recommends no change.

#### **GM313C – STABILIZATION CAPITAL LABOR**

	Source	FY19	FY20	FY21	FY22	FY23	FY24	TOTAL
Proposed	GO Bonds	2,000,000	2,000,000	1,500,000	0	0	2,000,000	7,500,000
Committee	GO Bonds	2,000,000	2,000,000	1,500,000	0	0	2,000,000	7,500,000
Variance	GO Bonds	0	0	0	0	0	0	0

The Mayor's proposed budget included a reduction of \$2,349,999.96 for Stabilization Capital Labor. The Committee recommends no change.

#### **OA737-STODDERT ELEMENTARY SCHOOL MODERNIZATION**

	Source	FY19	FY20	FY21	FY22	FY23	FY24	TOTAL
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Proposed	GO Bonds	0	0	0	0	500,000	0	500,000
Committee	GO Bonds	0	0	0	0	500,000	0	500,000
Variance	GO Bonds	0	0	0	0	0	0	0
Proposed	Paygo	0	0	0	0	0	20,000,000	20,000,000
Committee	Paygo	0	0	0	0	0	20,000,000	20,000,000
Variance	Paygo	0	0	0	0	0	0	0

The Mayor's proposed FY19 budget includes \$20.5 million for the construction of an addition to the facility to support eight additional classrooms. While the Committee is frustrated at how the decision was made to include Stoddert and Key in the CIP, Stoddert clearly needs additional space to alleviate overcrowding. According to the School Year 2016-2017 utilization data obtained from the Office of the Deputy Mayor for Education, Stoddert is the school with the highest utilization rate. However, it is second in queue for an addition after Key. The Committee struggles to understand this decision, however recommends no change.

#### **AFM04C – TECHNOLOGY MODERNIZATION INITIATIVE**

	Source	FY19	FY20	FY21	FY22	FY23	FY24	TOTAL
Proposed	Short Term Bonds	1,500,000	1,500,000	0	0	1,300,000	1,000,000	5,300,000
Committee	Short Term Bonds	1,500,000	1,500,000	0	0	1,300,000	1,000,000	5,300,000
Variance	Short Term Bonds	0	0	0	0	0	0	0

The Mayor's proposed budget shows a \$4,662,000 increase. The Committee recommends no changes to the Mayor's proposed budget.

#### **NX238-THADDEUS STEVENS RENOVATION/MODERNIZATION**

	Source	FY19	FY20	FY21	FY22	FY23	FY24	TOTAL
Proposed	GO Bonds	10,000,000	0	0	0	0	0	10,000,000
Committee	GO Bonds	10,000,000	0	0	0	0	0	10,000,000
Variance	GO Bonds	0	0	0	0	0	0	0

The Mayor's proposed budget allocates \$10,000,000 for a new project, the Thaddeus Stevens Early Childhood Education Center in FY19. This ECE center will be located in an area of the city with high demand for ECE seats. The project is also supported by investments with a private developer to help complete the modernization. The Committee recommends no change.

#### **NP537-THOMAS ELEMENTARY**

	Source	FY19	FY20	FY21	FY22	FY23	FY24	TOTAL
Proposed	GO Bonds	0	0	0	0	0	2,640,288	2,640,288
Committee	GO Bonds	0	0	0	0	0	2,640,288	2,640,288
Variance	GO Bonds	0	0	0	0	0	0	0

The Mayor's proposed budget includes \$2,640,288 for planning and design for Thomas Elementary School's modernization. Thomas is the number one school on the prioritization

ranking list of Phase 1 schools. At this time, DCPS believes the facility will require approximately 12,500 additional square feet. This is subject to change and will be refined with information from the forthcoming Master Facility Plan.

#### **PL337-TRUEDELL ES MODERNIZATION/RENOVATION**

	Source	FY19	FY20	FY21	FY22	FY23	FY24	TOTAL
Proposed	GO Bonds	0	0	0	0	0	2,648,879	2,648,879
Committee	GO Bonds	0	0	0	0	0	2,648,879	2,648,879
Variance	GO Bonds	0	0	0	0	0	0	0

The Mayor's proposed budget includes \$2,648,879 for planning and design for Truesdell's modernization. Truesdell is the number three school on the prioritization ranking list of Phase 1 schools. DCPS believes Truesdell will require approximately 12,500 additional square feet, though that is subject to change and will be refined with information from the forthcoming Master Facility Plan.

#### **TA137-TUBMAN ES MODERNIZATION**

	Source	FY19	FY20	FY21	FY22	FY23	FY24	TOTAL
Proposed	GO Bonds	0	0	0	0	0	3,194,997	3,194,997
Committee	GO Bonds	0	0	0	0	0	3,194,997	3,194,997
Variance	GO Bonds	0	0	0	0	0	0	0

The Mayor's proposed budget includes \$3,194,997 for planning and design for Tubman's modernization. Tubman is the number two school on the prioritization ranking list of Phase 1 schools. DCPS believes Tubman will require approximately 8,000 additional square feet. This is subject to change and will be refined with information in the forthcoming Master Facility Plan.

#### **YY106-WASHINGTON-METRO MODERNIZATION/RENOVATION**

	Source	FY19	FY20	FY21	FY22	FY23	FY24	TOTAL
Proposed	GO Bonds	0	0	0	0	0	1,811,247	1,811,247
Committee	GO Bonds	0	0	0	0	0	1,811,247	1,811,247
Variance	GO Bonds	0	0	0	0	0	0	0

The Mayor's proposed budget includes \$1,811,247 for planning and design for Washington Met. Washington Met is one of the last three schools that have yet to receive any type of modernization. DCPS anticipates a growth in enrollment by the time design starts in 2024, though subject to change. Additionally, DCPS believes a small addition of 500 square feet will be needed. This is subject to change and will be refined by information in the forthcoming Master Facility Plan.

#### **YY173C – WEST ES**

	Source	FY19	FY20	FY21	FY22	FY23	FY24	TOTAL
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Proposed	GO Bonds	7,500,000	35,000,000	35,000,000	0	0	0	77,500,000
Committee	GO Bonds	7,500,000	35,000,000	35,000,000	0	0	0	77,500,000
Variance	GO Bonds	0	0	0	0	0	0	0

The Mayor's proposed budget includes no changes to the West project. The Committee remains concerned that this project is over budget. The Council accelerated this project in the FY18 budget, and as noted in this report, various projects have their funding amounts adjusted as information becomes more available. DCPS is currently evaluating the projected program requirements in its feasibility study and design process. DCPS notes that the scope and final project cost estimate are subject to change as the project progresses. The Committee does not believe the project should require the full funding amount but defers to DCPS until the feasibility study is complete. The Committee recommends no change.

#### **SG106 – WINDOW REPLACEMENT**

	Source	FY18	FY19	FY20	FY21	FY22	FY23	TOTAL
Proposed	GO Bonds	4,250,000	1,000,000	1,000,000	1,500,000	5,500,000	4,260,000	17,510,000
Committee	GO Bonds	4,250,000	1,000,000	1,000,000	1,500,000	5,500,000	4,260,000	17,510,000
Variance	GO Bonds	0	0	0	0	0	0	0

The Mayor's proposed budget includes a \$3,149,071 enhancement for Window replacement, however in fiscal years 2020-2022 there is a \$7.1 million reduction. It is the Committee's expectation that this reduction will be corrected in the FY20-25 CIP, after the release of the Master Facilities Plan.

The work plan as submitted by DCPS for Window Replacement for FY19 with rough orders of magnitude includes the following:

- Malcolm X @ Green, \$1,500,000
- Dorothy Height, \$1,200,000

The Committee recommends no change to the Mayor's proposed capital budget for DCPS.

#### **4. COMMITTEE RECOMMENDATIONS**

##### **a. Fiscal Year 2019 Operating Budget Recommendations**

The Committee recommends adoption of the FY19 operating budget for D.C. Public Schools as proposed by the Mayor, with the following modifications:

1. Increase the UPSFF at-risk weigh to .224, resulting in an addition of \$1,187,615 to DCPS' budget, to fund the Committee's proposed subtitle "Student Fair Access to School Subject to Appropriations Repeal and Technical Amendment Act of 2018."

2. Increase of \$200,000 to fund a 2-year self-operated school food services pilot program to cover 10 schools within DCPS that already have kitchens, per the



proposed Committee on Transportation and the Environment subtitle “Self Operated School Food Service Amendment.”

**b. Fiscal Year 2019 Capital Budget Recommendations**

The Committee recommends adoption of the FY19-FY24 capital budget for D.C. Public Schools as proposed by the Mayor

**c. 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. Implementation of DCPS Strategic Plan*

Given the need for transparency brought by recent events, the Committee recommends that DCPS immediately make public the most detailed version of the DCPS Strategic Plan announced in September of 2017, to include specific details of the budgets, FTEs, timelines, specific initiatives to accompany each goal and divisions responsible for the implementation.

*2. Publication and public input on plan to support and expand dual language immersion programs*

Given the significant demand for dual language immersion programs, the Committee recommends that the plan to support and expand dual language immersion programs be fast-tracked and made public as a priority. Because of the significant time elapsed since the beginning of the strategic planning in May of 2016, the Committee recommends that the public be invited to provide input before any plan is finalized. The Committee further recommends that within the plan DCPS include specific goals with regards to increasing the number of seat in dual language programs over the next 5 to 10 years either in existing dual language programs, in strands that would go full school, or in implementation of new dual language programs - elaborate on the support it will provide strand schools in moving towards whole school programs, on how it plans to build its capacity in languages other than Spanish, and on the organizational structure in central office that will support the roll out of the expansion to benefit all students, and not only English language learners. The Committee recommends that DCPS provide this plan by October 1, 2018.

*3. Cross-sector collaboration on dual language programs*

The Committee recommends that all efforts be made by DCPS to encourage, facilitate and support cross-sector collaboration among public charter and DC Public Schools dual language immersion programs, not limited to the areas of:

- a. Teacher sourcing,

- b. Sharing of curriculum,
- c. Collaboration on support services and out of school time programs,
- d. Feeders patterns.

#### *4. At-Risk Accounting*

DCPS shall begin the process of adding an accounting line item in the central office and school budgets that require more detailed tracking of at-risk dollars and provide a report to the Council by October 1, 2018.

#### *5. Incorporate questions about LGBTQ student experiences into school climate surveys*

While the DCPS explanation was sound regarding its choice of the survey product for implementing school climate surveys across the LEA in time for the SY19-20 deadline for the Youth Suicide Prevention and School Climate Survey Amendment Act, the Committee is very concerned that this survey does not include questions about sexual orientation or gender identity. Although best practices in the realm continue to evolve, the research is clear that the experiences of these young people in school are far too often negative. Relying on the administration of the Youth Risk Behavior Survey is no substitute—in fact, it reveals the need for more consistent monitoring at the school level. For the last year it was administered, the YRBS found that lesbian, gay, and bisexual high school students were two to three times more likely than straight peers to feel sad or hopeless and to think seriously about, plan, and attempt to kill themselves. One out of 10 lesbian, gay, or bisexual high school students had to be treated by a doctor or nurse as a result of an attempted suicide. The Committee recommends that DCPS find a way to incorporate the views of these youth in its school climate survey.

## **C. OFFICE OF THE STATE SUPERINTENDENT FOR EDUCATION**

### **1. AGENCY MISSION AND OVERVIEW**

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 (“LEA”) 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:

- Division of Early Learning
- Division of Teaching and Learning
- Division of Systems & Supports, K-12
- Division Postsecondary and Career Education
- Division Data, Assessment & Research
- Operations
- Student Transportation
- Systems Technology
- Division of Health and Wellness
- Chief of Staff
- General Counsel

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

### **2. FISCAL YEAR 2019 OPERATING BUDGET**

	<i><b>FY 2017 Actual</b></i>	<i><b>FY 2018 Approved</b></i>	<i><b>FY 2019 Proposed</b></i>	<i><b>Sum of Committee Variance</b></i>	<i><b>Committee Approved</b></i>
<b>Operating Budget by Fund Type</b>					
DEDICATED TAXES	\$4,596,541	\$4,675,765	\$4,675,765		\$4,675,765
SPECIAL PURPOSE REVENUE (O'TYPE)	\$1,034,424	\$1,047,018	\$1,000,974		\$1,000,974
PRIVATE GRANT	\$186,237	\$0			\$0
PRIVATE DONATIONS	\$153,148	\$0			\$0
OPERATING INTRA- DISTRICT	\$42,832,271	\$37,802,382	\$37,763,671		\$37,763,671
LOCAL	\$136,061,691	\$165,386,544	\$161,587,213	\$4,676,464	\$166,263,677
FEDERAL GRANT	\$183,495,093	\$234,317,038	\$260,918,809		\$260,918,809
FEDERAL PAYMENTS	\$32,839,917	\$45,000,000	\$15,000,000		\$15,000,000
GROSS FUNDS	\$401,199,321	\$488,228,748	\$480,946,432	\$4,676,464	\$485,622,896
<b>FTE by Fund Type</b>					
DEDICATED TAXES	12.00	19.91	21.85		21.85
FEDERAL GRANT	81.59	108.35	115.50		115.50
FEDERAL PAYMENTS	17.80	19.05	0.00		0.00
LOCAL	245.92	295.65	291.80	2.00	293.80
OPERATING INTRA- DISTRICT	3.50	2.40	0.40		0.40
PRIVATE DONATIONS	0.00	0.00			0.00
PRIVATE GRANT	0.00	0.00			0.00
SPECIAL PURPOSE REVENUE (O'TYPE)	0.20	3.40	4.40		4.40
TOTAL		448.76	433.95	2.00	435.95
<b>Operating Budget By Comptroller Source Group</b>					
11	\$30,582,776	\$37,423,264	\$38,815,266	\$249,441	\$39,064,707
12	\$264,522	\$592,728	\$470,805		\$470,805
13	\$195,764	\$0			\$0
14	\$6,652,329	\$8,807,727	\$9,035,797	\$53,162	\$9,088,959
15	\$30,098	\$0			\$0
20	\$249,443	\$340,300	\$256,028		\$256,028
30	\$16,855	\$21,171	\$38,389		\$38,389
31	\$689,744	\$565,208	\$588,006		\$588,006
32	\$4,855,923	\$5,237,300	\$6,166,973		\$6,166,973
34	\$30,368	\$45,101	\$35,842		\$35,842
35	\$25,780	\$100,678	\$356,044		\$356,044
40	\$3,855,929	\$4,476,135	\$2,982,440		\$2,982,440
41	\$24,732,881	\$25,375,750	\$25,275,172	\$250,000	\$25,525,172
50	\$327,444,968	\$404,122,878	\$395,819,619	\$4,123,860	\$399,943,479
70	\$1,571,940	\$1,120,509	\$1,106,053		\$1,106,053
91	\$0	\$0			\$0
TOTAL	\$401,199,321	\$488,228,748	\$480,946,432	\$4,676,464	\$485,622,896
<b>Operating Budget By Program</b>					
E200	\$8,369,008	\$14,964,278	\$15,921,412	\$115,843	\$16,037,255
F100	\$0	\$0	\$5,588,457	\$598,685	\$6,187,142
E900	\$1,222,359	\$1,402,534	\$1,528,127		\$1,528,127
E800	\$130,692,052	\$154,369,177	\$150,647,588		\$150,647,588
E700	\$43,639,691	\$51,024,237	\$20,273,691	\$500,000	\$20,773,691
E600	\$119,289,890	\$174,210,702	\$184,196,091	\$1,347,404	\$185,543,495
E500	\$68,375,413	\$69,460,748	\$78,234,202	(\$47,039)	\$78,187,163
			\$0	\$2,193,072	\$2,193,072
E300	\$12,811,647	\$12,773,144	\$15,002,452	\$86,323	\$15,088,774

	<i><b>FY 2017 Actual</b></i>	<i><b>FY 2018 Approved</b></i>	<i><b>FY 2019 Proposed</b></i>	<i><b>Sum of Committee Variance</b></i>	<i><b>Committee Approved</b></i>
E100	\$2,431,784	\$2,620,828	\$3,371,558		\$3,371,558
D900	\$0	\$0			\$0
D800	\$772,431	\$0			\$0
100F	\$1,783,845	\$2,019,641	\$2,144,417		\$2,144,417
D600	(\$1,506,998)	\$0			\$0
D500	\$1,250,072	\$0			\$0
D400	(\$29,900)	\$0			\$0
D300	\$105	\$0			\$0
D200	(\$466,889)	\$0			\$0
D100	(\$134)	\$0			\$0
A400	\$66,959	\$0			\$0
9980	\$0	\$0			\$0
9960	(\$13,586)	\$0			\$0
4000	\$0	\$0			\$0
D700	\$7,301,343	\$0			\$0
E400	\$5,210,229	\$5,383,460	\$4,038,437	(\$117,823)	\$3,920,614
<b>TOTAL</b>	<b>\$401,199,321</b>	<b>\$488,228,748</b>	<b>\$480,946,432</b>	<b>\$4,676,464</b>	<b>\$485,622,896</b>

### **Committee Analysis and Comments**

The Mayor's FY19 budget contains approximately \$481 million for OSSE. This budget is intended to allow OSSE to continue its core functions and sustain funding that directly supports schools, local education agencies (LEAs), community-based organizations (CBOs), and partners in improving educational outcomes in the District. Additionally, the FY19 capital budget continues funding to support OSSE's efforts to improve data and information technology infrastructure.

#### **School Reform**

The current climate for public education is centered on the public desire to have a conversation about the state of public education in the District of Columbia. There are residents, elected officials, and stakeholders with various vested interests in the outcomes of the public education system. In light of graduation accountability questions, student testing and grading outcomes, student discipline, and attendance and absenteeism issues, the Committee on Education is holding hearings and roundtables throughout 2018 to understand the entire landscape and develop meaningful solutions. This work includes meetings and public hearings with students, teachers, parents, stakeholders, and government leaders. As part of this conversation, Chairperson Grosso engaged first with State Superintendent Kang about more immediate proposals that are pending before the D.C. Council that would have a great impact on the agency particularly if swift decisions were made in the FY19 budget and Budget Support Act. He began by citing B22-776, the District of Columbia Education Research Advisory Board and Collaborative Establishment Amendment Act of 2018<sup>39</sup> and a recent article in the *Washington Post* about the bill author's intention to put similar language in the FY19 Budget Support Act and secure funding to start an education collaborative or consortium.<sup>40</sup>

<sup>39</sup> <http://lims.dccouncil.us/Legislation/B22-0776?FromSearchResults=true>.

<sup>40</sup> [https://www.washingtonpost.com/local/education/dc-council-members-propose-independent-education-watchdog/2018/04/22/e74be85c-3e73-11e8-a7d1-e4efec6389f0\\_story.html?utm\\_term=.dcbe17a77439](https://www.washingtonpost.com/local/education/dc-council-members-propose-independent-education-watchdog/2018/04/22/e74be85c-3e73-11e8-a7d1-e4efec6389f0_story.html?utm_term=.dcbe17a77439).

B22-776 would establish an Education Research Advisory Board and Education Research Collaborative, a consortium of sorts. The collaborative would be tasked to audit school data and data collection policies and conduct long-term education research. The Board's responsibilities would be to provide guidance to the collaborative, to report to the Council on District data management and collection policies. All of this work would be under the direction of the D.C. Auditor. This topic has gotten a lot of traction as part of the conversation of school reform because of the issues we have most recently been tackling with absenteeism, truancy, and graduation rates and the data linked to them. The Committee is mindful that this is not a new conversation or idea and has been ongoing nationally and in the District of Columbia for over five years.<sup>41</sup>

*Alliances between researchers and education practitioners became common in urban districts nationwide:*

**University of Chicago Consortium on Chicago School Research (1990)**

**Partners:** University of Chicago's Urban Education Institute, Chicago public schools, Chicago's Urban League and Community Trust

**Focus:** Longitudinal study of schools with national applications

**Baltimore Education Research Consortium (2006)**

**Partners:** Johns Hopkins University, Morgan State University, and the Baltimore public schools, community nonprofit groups

**Focus:** Study and address the city's high dropout rate

**Newark Schools Research Collaborative (2008)**

**Partners:** Newark, N.J., school district, Rutgers University-Newark

**Focus:** Urban school improvement

**Research Alliance for New York City Schools (2008)**

**Partners:** New York University's Steinhardt School of Culture, Education, and Human Development, New York City public schools

**Focus:** Help the district translate research findings into instructional practice

**Houston Education Research Collaborative (2009)**

**Partners:** Houston school district, Rice University's Kinder Institute for Urban Research, University of Texas at Austin, Texas A&M University, and the University of Houston

**Focus:** Closing socioeconomic gaps in educational achievement and attainment

**Kansas City Area Education Research Consortium (2009)**

**Partners:** Metropolitan-Kansas City school districts, Kansas State University, the University of Missouri in Columbia, the University of Missouri-Kansas City, and the University of Kansas in Lawrence

**Focus:** Student achievement and school improvement

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<sup>41</sup> Education Week Vol. 33, Issue 05, Page 6. "New Research Consortium Targets D.C. Schools" by Sarah D. Sparks, September 24, 2013. See <https://www.edweek.org/ew/articles/2013/09/25/05research.h33.html>.

**Metropolitan Educational Research Consortium (2009)**

**Partners:** Virginia Commonwealth University's education college, eight Richmond, Va.-area school districts

**Focus:** Research, evaluation, and public-service projects

**San Diego Education Research Alliance (2010)**

**Partners:** San Diego school district, University of California, San Diego, economics department

**Focus:** Evaluate school and district policies

**Los Angeles Education Research Institute (2011)**

**Partners:** University of California, Los Angeles, Los Angeles public schools

**Focus:** Share student-achievement data and develop best-practices research

Source: *Education Week*

When the Council first received the initial PERAA report<sup>42</sup> three years ago, Chairperson Grosso stated that it was better to put investments directly into OSSE to build the data vault and also pushed to have a stronger common lottery system that could provide data and other information to the public about school trends. Over the course of Superintendent Kang's tenure, local education agencies ("LEA") have become more willing and able to provide OSSE with cleaner and more robust data.

Chairperson Grosso stated that he wanted to officially get her position on this legislation and her current take on the school reform conversations as it relates to OSSE's budget. On B22-776, Superintendent Kang stated that she has significant concerns about what it is trying to accomplish and cautioned that as a city, we must balance the short-term and long-term needs and desires, specifically the burden of creating a large, expensive, and long-term research body that will have little benefit to helping to solve the current issues. She stated that in order for these types of collaboratives to be successful there must be a consideration for what level of partnership must happen from the start with the government agencies because when looking at successful consortiums elsewhere they all required a strong partnership and connection with the government from the start. She noted that OSSE makes significant data and information available and it is not fully utilized by the public. Councilmember Robert White made comments about his interest in the legislation and how it is his intent and understanding that the collaborative would not be under the D.C. Auditor, but it would be independent.<sup>43</sup> He also noted that with issues from PARCC data discrepancies this type of collaborative would be helpful. Superintendent Kang responded that the issue with PARCC scores and the inaccurate categorizing of students deemed for

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<sup>42</sup> National Academy of Sciences National Research Council, *An Evaluation of Public Schools of the District of Columbia: Reform in a Changing Landscape*, 2015.  
<http://www.dcauditor.org/sites/default/files/An%20Evaluation%20of%20the%20Public%20Schools%20of%20the%20District%20of%20Columbia.pdf>

<sup>43</sup> The bill states section "(c)(1) The Collaborative shall be headed by an Executive Director, appointed by the Auditor, who shall organize, administer, and manage the functions and authorities assigned to the Collaborative." Line 122 <http://lims.dccouncil.us/Download/40025/B22-0776-Introduction.pdf>.

eligibility was an error and OSSE worked to correct the way it designates data.<sup>44</sup> She stated that OSSE is committed to high quality data and the agency has made great strides in this area. For example, she cited the work within OSSE to get special education data out months earlier than had been done before.

#### Data Infrastructure and Investments

It has now been 10 years since the Council approved the major transformation of the education sector in D.C., with DCPS directly under control of the Mayor, and a significant shift in responsibility for OSSE. The National Academy of Sciences National Research Council's ("NRC") 2015 evaluation of the initial five years after Mayoral control<sup>45</sup> recommended that D.C. have a comprehensive data warehouse that makes basic information about the school system available in one place. Since that report, the Committee has consistently raised OSSE's role in regard to development of such a data warehouse. During the FY17 performance oversight hearing, Chairperson Grosso and OSSE discussed the high number of data requests that OSSE made during school year 2016-2017 and how the responses from LEAs are becoming more timely submitted.

For FY19, Superintendent Kang stated that the operating and capital funding in the budget allow OSSE to take a strategic approach to overhauling data systems. The coming investments will focus on tools for enterprise architecture, data requests, and data visualizations. The data visualization tool is particularly important as there is a high demand from schools for it and it shows OSSE is not only doing a better job of collecting data but also that schools are producing better data for OSSE to use.

Chairperson Grosso inquired about the budget for the data vault and SLED and Superintendent Kang stated that the data vault requires investments in OSSE, but also with the LEAs. OSSE currently is in year three of the five-year capital investment plan and has spent \$3 million to date of the \$5.8 million to spend. They have purchased additional platform technology for other entities and schools to use. The funding spent to date was used for contractors, servers, and back-up for the system. It has also been used to build out SLED.

#### *Capital Dollars spent on the following:*

Qlik – from 550 to an additional 30,000 Qlik licenses to expand Qlik access to LEAs and schools and access to additional Qlik products that they did not have before: Qlik Analytics Platform, Qlik NPrinting, and Qlik GeoAnalytics

- Contractors—implementation and build of new Qlik infrastructure (new applications, new servers, new backup process);
- eSchoolPLUS (Statewide SIS)—Completed the purchase of the eSchoolPLUS product; and

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<sup>44</sup> <https://osse.dc.gov/page/2016-17-results-and-resources>

<sup>45</sup> *Id.*



- Contractors—build out of SLED enhancements that required new infrastructure and/or new SLED functionality.

Superintendent Kang noted that it is hard for LEAs to invest in their own data capacities, but it is important that OSSE also bring in the LEA data managers and other leads together so that they can be trained and understand how the cleaner the data the better it works for schools, as well. Chairperson Grosso said it is important that we work with LEAs to get accurate data submission, but if a school is not going to access what they have available it is not working for anyone and will not be successful. He stated that he believes it would be more advantageous to have the LEAs legally required to submit this data to OSSE. Under the Every Student Succeeds Act reauthorization requirements, the Star Reports will now force LEAs to take a more personal stake in working with OSSE to collect that data. Superintendent Kang also said that OSSE created a liaison program to make sure staff was spending time at the schools. FY19 resources will be invested in that effort and the applications that are created will help to assist schools to problem solve their issue areas to improve data on the school level. Chairperson Grosso stated that the more robust and accurate the data is, the better OSSE will be in getting the facts from the schools. The agency noted that if they can spend less time cleaning the data that comes in from LEAs, they could shift their focus on actually studying it.

#### Graduation Accountability

Chairperson Grosso noted the work that was done by OSSE and Alvarez & Marsal for the high-level reports issued on January 26, 2018 on graduation accountability.<sup>46</sup> The audit and investigation revealed that public education has a long way to go to ensure that students are attending school and LEAs are monitoring the awarding of high school diplomas. He referenced a letter sent to the Mayor on February 21, 2018 asking for a plan to deepen the graduation investigation into charter schools and to study the concept of social promotion in lower grades (elementary and middle school)<sup>47</sup> The Committee on Education has not yet received a response. For this reason, he announced that another follow-up oversight hearing scheduled for June 13, 2018 to hear more from OSSE and DCPS on the work being done and the findings from both agencies. He asked when OSSE will release its final report on graduation accountability and Superintendent Kang clarified that OSSE will not issue a final report on graduation accountability but rather the federal monitoring report, which will be issued to DCPS at the beginning of June.

#### OSSE Grants: Process and Procedure

Chairperson Grosso stated that he heard complaints during performance oversight from some schools and grantees about problems with the grant making process at OSSE. For example, the timing it takes to get grant money “out the door” or the changes that are made to the applications processes from year to year that create confusion and make for perceived

<sup>46</sup> Alvarez & Marsal, Final Report District of Columbia Public Schools Audit and Investigation January 26, 2018. *See*

[https://osse.dc.gov/sites/default/files/dc/sites/osse/release\\_content/attachments/Report%20on%20DCPS%20Graduation%20and%20Attendance%20Outcomes%20-%20Alvarez%26Marsal.pdf](https://osse.dc.gov/sites/default/files/dc/sites/osse/release_content/attachments/Report%20on%20DCPS%20Graduation%20and%20Attendance%20Outcomes%20-%20Alvarez%26Marsal.pdf)

<sup>47</sup> <https://www.scribd.com/document/372063992/Letter-to-the-Mayor-to-deepen-graduation-investigation-into-charter-high-schools-and-lower-grades>

barriers for applicants. He inquired what OSSE can do in FY19 to improve the timeline for sending payments to grantees under reimbursable grants and if OSSE tracks the timeliness of these payments. He also inquired about what can be done on the front end to make it easier for schools and community-based organizations to apply for and receive funding. Superintendent Kang stated that timeliness of grant payments are something that the agency tracks closely and that payments are made on a reimbursement rate meaning that the system does not support money being given out on the front-end. Chairperson Grosso asked if the model for payment might be backwards and stated that it would make sense to have the conversation, but OSSE has concerns about fiscal caution since a lot of work has been done to not lose ground from being on federal watch lists for standards and processes. Due to the number of different sources complaining to the Committee about challenges with reimbursement payments and complex application processes, the Committee will follow up on this with OSSE during the year.

Specifically, the Chairperson asked about what dollar amount was allocated for Temporary and Needy Family (“TANF”) out-of-school funding that OSSE receives from the D.C. Department of Human Services; if OSSE is combining that funding with the 21<sup>st</sup> Century funds; and how much that is for FY19. She stated that \$37 million is received in full and most of this is for the childcare subsidy program. To-date in FY18 \$11.5 million was awarded for out-of-school time programming through the 21<sup>st</sup> Century grant. She stated that for the TANF-OST grant program there seems to be some confusion on notice because OSSE sent notice out six months in advance and let grantees know three times, after the initial notice that the grants were changing and when the 21<sup>st</sup> Century grant applications were going to be posted. Notably, she stated that the grant awards process requires external reviews and there is a grant review and rubric system that ensures that OSSE staff are not unduly influencing the process. The Committee remains concerned about these changes but the increased coordination among government agencies that is beginning in the Commission on Out-of-School Time and Youth Outcomes should help address the major issues.

### Multilingual and Dual Language Immersion Education

The Committee heard testimony from parents, teachers, advocates and researchers during FY17 performance oversight and FY19 budget hearings about the need for more robust multilingual schools and programs in all LEAs. School lottery waitlist data shows a desire for many parents to have their children in multilingual schools<sup>48</sup> and this desire has grown consistently over the last years. Additionally, testimonies from experts in the field have made clear the significant impact multilingual education can have on literacy, achievement, and opportunity for our youth,<sup>49</sup> and the reasonable costs associated with the implementation of these programs.<sup>50</sup> Testimonies and an overview of legislation from

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<sup>48</sup> <http://dcimmersion.org/2018/04/19/demand-for-dual-language-programs-surges-the-district-must-invest-in-bilingual-education/> and [https://www.washingtonpost.com/local/education/dual-language-charter-schools-attract-the-longest-waiting-lists-in-dc/2018/04/17/b652312c-427c-11e8-ad8f-27a8c409298b\\_story.html?utm\\_term=.d657d760a7c4](https://www.washingtonpost.com/local/education/dual-language-charter-schools-attract-the-longest-waiting-lists-in-dc/2018/04/17/b652312c-427c-11e8-ad8f-27a8c409298b_story.html?utm_term=.d657d760a7c4)

<sup>49</sup> [https://www.rand.org/pubs/research\\_briefs/RB9903.html](https://www.rand.org/pubs/research_briefs/RB9903.html)

<sup>50</sup> See Testimony by Gregg Robert on April 24, 2018 “If Utah [which ranks 51<sup>st</sup> in per pupil spending] can afford dual language immersion, any state, including the District of Columbia, can afford dual language

other states<sup>51</sup> pointed to the need to create the basis for the support and expansion of these programs deliberately through an office of multilingual education situated at the state level.<sup>52</sup>

National experts testified on how the interests of the District of Columbia and of its students would be significantly advanced through thoughtful promotion of multilingualism.<sup>53</sup> Residents from many wards testified on how the lack of multilingual programs affects their communities. A public witness from Ward 4 stated that there is only one by-right multilingual program despite Ward 4 having the highest density of Spanish speakers after Ward 1. A resident of Ward 8 pointed out that there are no multilingual programs in Ward 8, either DCPS or DCPCS. The *Washington Post* reported on how some populations traditionally left out of the conversation on multilingual education not only do not have access to these programs but are not aware of the benefits of these programs.<sup>54</sup>

Data was presented on the growing need for bilingual employees in D.C.<sup>55</sup> and testimonies were heard on the surge in demand for multilingual programs also in early childhood programs and out-of-school time. D.C. Appleseed testified on the need to grant access to higher education to teachers who are English language learners to fill the need for bilingual teachers in our communities. D.C. Language Immersion Project pointed to how strengthening multilingual education falls squarely within OSSE's strategic goals and would help narrow the achievement gap faster than set out in the ESSA plan,<sup>56</sup> as currently only 20% of the District's English language learners are in multilingual programs which are considered the most effective intervention for these students, and only 8%<sup>57</sup> of students overall are in multilingual programs, with the African-American population being severely underrepresented.

Chairperson Grosso asked OSSE about the possibility of establishing an Office for Multilingual Education. He asked if OSSE believes this obvious trend shows the need for further study and coordination and if so, where in OSSE would an FTE or two be well suited to study the need for new schools or to assist existing schools with building out

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immersion. It simply takes the political will and the vision to provide for our students a truly 21<sup>st</sup> century education.”

<sup>51</sup> References contained in DC Immersion's testimony of April 11, 2018

<sup>52</sup> See Testimony by Gregg Robert on April 24, 2018 “If you are really, truly serious about having a top-notch dual language program, which I think your citizenry really wants, you really need to have a central location and fund a central office, so you can have that expertise right within your own educational office”. Roberts cites loss of institutional knowledge, quality inconsistencies and less efficient spending as the price to pay for not having a central office.

<sup>53</sup> See William P. Rivers' testimony of February 27, 2018

<sup>54</sup> See Washington Post article pointing to the lack of information to parents east of the river on the benefits of dual language programs [https://www.washingtonpost.com/local/education/the-dc-lottery-is-intended-to-give-all-kids-a-fair-shot-at-a-top-school-but-does-it/2018/03/29/6f93fba0-2c86-11e8-8ad6-fbc50284fce8\\_story.html?utm\\_term=.305c80ef76b6](https://www.washingtonpost.com/local/education/the-dc-lottery-is-intended-to-give-all-kids-a-fair-shot-at-a-top-school-but-does-it/2018/03/29/6f93fba0-2c86-11e8-8ad6-fbc50284fce8_story.html?utm_term=.305c80ef76b6)

<sup>55</sup> <http://dcimmersion.org/wp-content/uploads/2017/05/NewAmericanEconomyDeck.pdf>

<sup>56</sup> See DC Immersion testimony of February 27, 2018 on how the expansion of dual language immersion programs fits in with OSSE's strategic goals and how it would help reach the goals set out under ESSA.

<sup>57</sup> <https://indd.adobe.com/view/06455daf-49ff-49a5-aab4-1e96f590c92e>

their programs. Superintendent Kang stated that OSSE understands the significant interest, but historically has not had a role in this type of program decisions and that it lies with LEAs to decide their programming needs. However, the Committee is aware of a precedent relating to the DC STEM Network housed under OSSE, staffed by a mix of OSSE FTEs and Carnegie Academy for Science Education staff,<sup>58</sup> whose mission is to increase “access to high-quality STEM learning experiences.”<sup>59</sup> Because of this successful precedent and because of the many reasons brought forward by D.C. Language Immersion Project in its testimonies, it seems to the Committee that OSSE is the best agency to house this office. Chairperson Grosso asked the Superintendent where the best location would be to place an office within OSSE and requested that OSSE respond where this would be best suited.

Further to these testimonies and evidence presented during the course of the last year, the Committee believes the Office of Multilingual Education must be cross-sector, span the continuum from early childhood to jobs, serve all students,<sup>60</sup> and do outreach to the entire D.C. population, regardless of home language. The function of this office would be to:

1. Craft a **long-term vision** for multilingual education for the District in collaboration with other District agencies such as the DOES and offices like that of the Deputy Mayor for Planning and Economic Development;
2. Support multilingual education from daycares and out of school programming, all the way to job centers, and in both existing multilingual schools and schools in the planning and implementation stages, through being a **repository of resources and know-how for, among other things, program design and curriculum development**;
3. Increase **pipelines to bilingual educators** in multiple languages, that can serve different age groups;
4. Ensure that **federal funding is allocated in a way that maximizes** the support and implementation of multilingual education in the district;
5. Commission and **facilitate access to data and research** to better understand the demand for multilingual skills, and which multilingual education models work best for our students to inform future policies on multilingual education;
6. **Procure professional development** specific to educating mainstream educators, administrators, and school staff on the rationale for implementing multilingual programs;
7. Support the **cross-sector sharing of best practices** relating to multilingual education;
8. Work on developing **common assessments** on languages other than English that meet the needs of our schools and students;
9. Ensure proficiency in languages other than English is measured and data is collected and made public;
10. Award the **Seal of Biliteracy across the District** and extend it to elementary and middle schools;

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<sup>58</sup> <https://www.dstemnetwork.org/about/who-we-are/>

<sup>59</sup> <https://www.dstemnetwork.org/about/what-we-do/>

<sup>60</sup> Not only English language learners as is the case for OSSE’s current Title III Taskforce.

11. **Engage parents and educators from all wards** of the District and regardless of language spoken at home on the benefits of linguistic and cultural competence;
12. **Award grants to schools** which implement multilingual programs, as many other states do to incentivize multilingual education.

#### Early Learning Enhancements

OSSE's FY18 budget included \$11 million to improve access to high-quality child care and create 1,000 new infant and toddler slots in the next three years. In February, OSSE stated that \$9 million was awarded to the Low Income Investment Fund ("LIIF"), through a competitive process, to administer the Access to Quality Child Care Expansion sub-grant. This grant competition is for new or existing facilities to open or expand their available space to more than 1,000 infants and toddlers. The grant competition would allow early learning providers to utilize the grant for the following purposes: capital costs for renovation and construction, personnel costs including the hiring and retention of new staff associated with expansion efforts, and goods and services related to expansion or start up. The grant competition would also award priority points to those providers that commit to enrolling District residents first or who have a record of serving predominantly or exclusively District residents. Estimates from 2017 show that there are only 6,950 licensed childcare slots for a total of 22,000 children under the age of three.<sup>61</sup> Chairperson Grosso asked how much of the fund is non-lapsing and does not revert to the general fund and more specifically how much of the \$11 million was spent in FY18 to date. Superintendent Kang stated that of the \$11 million a total of \$9 million was allocated. He requested that OSSE provide that Committee with a future spend-plan.

#### *Reimbursement Funding*

The FY19 budget proposes a \$14 million enhancement to the subsidized child care system. Grosso asked how OSSE plans to spend the \$14 million and what the average level of increase is that child care providers should expect to receive. Of the \$14 million, \$4 million is to continue FY18 funding and this will continue one-time and there is an additional \$10 million one-time this year, but the intention is that it will be recurring investments going forward. This will be utilized in the cost-model study. In FY18, OSSE used the enhancement to increase across all tiers and in-homes by 10%. In the next couple of months, OSSE hopes to update the cost model. Grosso asked if it will be similar or a new model and Superintendent Kang stated that it will be similar.<sup>62</sup>

#### *Child Care Tax Credit*

The FY19 budget proposes a new child care tax credit for residents who have infants and toddlers in D.C. licensed child development facilities. OSSE stated that the agency is working closely with the D.C. Office of Tax and Revenue to be ready for the next tax year. At this time, OSSE believes that 2,500 children would benefit from the tax credit

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<sup>61</sup> OSSE response to performance oversight FY17 pre-hearing questions.

<sup>62</sup> Office of the State Superintendent of Education, "Modeling the Cost of Child Care in the District of Columbia." March 11, 2016.

[https://osse.dc.gov/sites/default/files/dc/sites/osse/publication/attachments/Modeling%20the%20Cost%20of%20Child%20Care%20in%20the%20District%20of%20Columbia%20-%202016\\_0.pdf](https://osse.dc.gov/sites/default/files/dc/sites/osse/publication/attachments/Modeling%20the%20Cost%20of%20Child%20Care%20in%20the%20District%20of%20Columbia%20-%202016_0.pdf)

and it will amount to \$2.5 million. This funding is not in OSSE's budget code, but would be a refund on income tax filings. It is only appropriated for the 2018 tax year.

#### *Pre-K Enhancement and Expansion*

In 2017, the Council passed into law the Early Learning Equity in Funding Amendment Act of 2017, which establishes at-risk funding for community-based organizations providing care to infants and toddlers in the Pre-K Enhancement and Expansion program. The Committee allocated \$2 million to this program to pay for at-risk funding, and the proposed FY19 budget has committed recurring dollars. Chairperson Grosso asked if the FY18 funding was dispersed to child care providers and if there was a delay what the reasoning was behind it. Superintendent Kang confirmed that the FY18 funding was dispersed to child care providers and also provided background that the Pre-K Act called for a three-prong approach, but until 2016, new providers did not have a chance to participate based on the way the law was written. So OSSE changed the model because OSSE knew there were new providers who meet high quality standards and OSSE could increase the number of qualified high quality CBO seats by several hundred if the model was changed.

#### Early Literacy Interventions

The Committee is grateful for the continual investment for the \$1.6 million for FY19 for Early Literacy grant recipients. The Literacy Lab, hired 26 full-time literacy tutors at 13 sites and delivered summer literacy tutoring at seven DCPS and charter summer school sites. With this funding, in FY16 the Literacy Lab provided daily, evidence-based literacy intervention to an additional 479 children attending DCPS schools as well as three new charter partners during the year and to an additional 332 children for five weeks during the summer. An average of 60% of participating K-third students surpassed the target growth rate, which is correlated with third-grade reading proficiency and acceptance into a 4-year college. Students made growth in all grade levels, in many cases doubling their scores on benchmark assessments between those given in the winter and spring. Additionally, The Literacy Lab has made an impact on the District of Columbia's education ecosystem overall by partnering with DCPS to recruit recent high school graduates who are young men of color into the early education field, and then providing intensive training and coaching in evidence-based literacy instruction. The Chairperson visited a Literacy Lab site at C.W. Harris and was impressed by the impact that this has had both on the young learners being tutored and these new educational professionals.

The other grant recipient, Reading Partners, in FY16 deployed 955 weekly volunteer tutors who served 901 struggling readers at 18 Title I elementary schools across four local LEAs, exceeding the enrollment goal of 850. These students received 90 minutes of one-on-one literacy tutoring each week.

In the FY17 budget, OSSE maintained funding for the Early Literacy Grant at \$1.6 million. The Committee on Education included the funding in the FY18 proposed budget for this successful program.

#### Enhanced Special Education Services Amendment Act of 2014

From the budget process in 2016, through roundtables held by the Committee in the fall of 2016 and 2017, to performance oversight hearings, the implementation of the Enhanced Special Education Services Act of 2014 has been a consistent and important focus for the Committee, community members, and schools. The law has the following three main components:

- **Expands Early Intervention Services:** A child between birth and three years of age who demonstrates a 25% delay or more developmental delay in specified area shall be eligible for assistance pursuant to Part C of the Individuals with Disabilities of Education Act. Currently, infants and toddlers are eligible for these services if they have a delay of 50% in one area or 25% in two or more areas.
- **Lowens the Age for the Adulthood Transition Plan:** When a student with a disability reaches 14 years old, the student's next individualized education program ("IEP") must include postsecondary education goals and transition assessments. Currently a student with a disability is not able to receive a transition until they reach 16 years old.
- **Reduced Time between Referral and Evaluation:** A local education agency ("LEA") is required to assess a student who may have a disability and who may require special education services within 60 days of parental consent to an assessment or within 90 days of a referral for an assessment. Currently, LEAs have up to 120 days of a referral for an assessment, which is one of the longest in the country.

According to the agency's pre-hearing responses, OSSE is on track to implement all three of these sections of the law by July 1, 2018 and the Mayor's FY19 budget lifts the subject to appropriations language to fully fund the law. The FY19 proposed budget includes a \$4.3 million enhancement to fully fund the implementation of this law. The FY19 Budget Support Act repeals the subject to appropriations clauses of the Enhanced Special Education Services Amendment Act of 2014, making the remaining three provisions effective July 1, 2018. OSSE stated that they will be able to fully implement these three provisions because of the commitment demonstrated by the Mayor, Council, stakeholders, staff, schools and service providers to serve students with disabilities.

Chairperson Grosso acknowledged the work being done to finally achieve full implementation of the Enhanced Special Education Services Act of 2014. In OSSE's pre-hearing responses, the agency laid out their approach to this work, but he noted that community members still have a number of concerns about OSSE's commitment to have everything in place for July 1, 2018, since there is not a clear budget enhancement to accomplish it and since July 1, 2018 is not a specific date in the law. Superintendent Kang stated that she expects all schools are ready, stating the funding is now available and the Strong Start expansion is also enough of a budget investment to get this up and running on time. Chairperson Grosso asked if we need budget support act language and Superintendent Kang does not think that is necessary.

#### OSSE's Strong Start DC Early Intervention Program ("DC EIP")

The Mayor's FY2019 budget proposal includes a \$1.3 million reduction to the Strong Start DC Early Intervention Program ("DC EIP"). There is a reduction of \$400,000 in

federal funds to “correctly align” the IDEA Part C budget to the actual federal award amount and a reduction of \$895,000 in local funds due to “historical spending trends and projected number of children qualifying for services.”

Over the past few years, OSSE has significantly expanded the pool of children served by DC EIP. About 900 children receive services through DC EIP each month. Infants and toddlers who demonstrate a delay of at least 50% in one of the developmental areas<sup>63</sup> or at least 25% in two developmental areas are eligible for DC EIP. On July 1, 2018, OSSE will expand eligibility for DC EIP to infants and toddlers who demonstrate a delay of at least 25 percent in one developmental area. As such, OSSE anticipates that an additional 300 to 400 children will become eligible for the DC EIP over the course of three years. Based on data from Virginia and Maryland, DC EIP expects an increase of 180 additional children in FY2019.

Despite the projected growth of the DC EIP, OSSE maintains that its current budget is expected to absorb the projected impact of expanding eligibility without needing additional funding in FY2019. The Committee remains cautiously optimistic about this budget projection. Over the past year, DC EIP has made a number of internal improvements. OSSE on-boarded new, experienced leadership. DC EIP’s analysis revealed there is significant capacity building opportunities already available within the provider community to address growth of the program.<sup>64</sup> DC EIP also developed a plan to bring all service coordinators in house and it was fully implemented in December 2017. Lastly, in an internal meeting with the Office of the D.C. Auditor, the Auditor told the Chairperson of the Committee that DC EIP had, in years past, no formal budget methodology, but has since improved. The Committee will continue to provide oversight to monitor the DC EIP’s budgeting process and urges the Auditor to release the report on budgeting practices and fiscal management that the Committee requested nearly two years ago.

Chairperson Grosso asked how the Mayor’s proposed FY19 budget is allocated for expanding eligibility for early intervention services and asked if OSSE is still on track for expanding eligibility by July 1, 2018. He noted asked how families will find out about the new eligibility requirements. Superintendent Kang stated that OSSE thinks it can expand without a budget increase and the agency will launch communications in May for the expanded eligibility.

OSSE anticipates that it would be able to fully implement expanded eligibility for Strong Start, DC’s Early Intervention Program by July 1, 2018. The funding to comply with this portion of the Act would be absorbed by the proposed FY18 budget (only three months of the fiscal year) and funding for ongoing sustainability is reflected in the FY19 and in future years’ budgets. As required by Section 4142(c) of the Fiscal Year 2017 Budget Support Act of 2016, OSSE is to report to the Council on the implementation of the expanded

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<sup>63</sup> There are five types of developmental delay: physical development (vision or hearing), cognitive development, communication development, social or emotional development, or adaptive development.

<sup>64</sup> For more information about OSSE’s progress in implementing the expanded eligibility criteria, please visit here: <http://lims.dccouncil.us/SearchResults/?Category=0&Keyword=Strong%20Start>



eligibility requirements of this program. The Committee thanks OSSE for submitting quarterly reports to the Council.

### School Climate

Chairperson Grosso asked OSSE about the budget allocation to support positive school climate work and the agency's plan for that work in FY19—including restorative justice practices and community schools. Superintendent Kang stated that OSSE supports a community of practice and restorative justice cohort through multiple divisions, so tracking these exact amounts is difficult. Chairperson Grosso asked the agency to provide the specific budget allocations for each division and broken down by budget source and private grants. The Mayor's budget continues funding for restorative justice at \$450,000, flat with approved funding for FY18. Chairperson Grosso noted that OSSE's pre-hearing responses indicated that forty-six schools applied for additional technical assistance with restorative justice practices, under the \$100,000 that the Committee added to the budget for FY18, and asked how many of those applications OSSE was able to approve with that funding. Superintendent Kang stated that OSSE is still reviewing the applications but anticipates that twenty-three of the forty-six will be funded. This shows the need for greater investment in restorative justice practices work, as schools are seeking to implement this approach and need support.

Turning to community schools, Chairperson Grosso said that he is pleased that OSSE has more schools receiving this funding, although there was a cut of \$100,000 of one-time funding in the Mayor's proposed budget. Superintendent Kang responded that there should not be a major impact to them because of this cut. The Committee remains concerned that this area of funding has not been a higher priority. As noted by public witnesses during the FY18 budget process, the Mayor made a commitment early in her tenure to increase funding to at least double the number of community schools to 12. Her proposal for FY19 falls short of that promise. Further, the Committee heard during the OSSE Budget Oversight Hearing and throughout the year of the great value that community schools' coordinators leverage for schools. For example, one behavioral health service provider wanted to partner with a high-need school but was unable to do so because the school lacked a dedicated person to help facilitate the relationship and coordination. The Committee also is frustrated that OSSE does not seem to have any plan to truly scale up the community schools model—the current budget for each school would make that process very challenging.

The focus brought to the issue of exclusionary discipline by the Committee, along with resources added to OSSE and school budgets to support schools to decrease reliance on these approaches, has resulted in some improvements over the past several years, making continued investment critical. In school year 2016-17, according to the OSSE report released in January 2018, the total number of students receiving suspensions was down to about 7,800, which was well below the school year 2012-13 number, but only a minor decrease from school year 2015-16.<sup>65</sup> The fact that such high numbers of students continue

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<sup>65</sup> Office of the State Superintendent of Education, *State of School Discipline: 2016-2017 School Year*, Washington: 2018, 5.

to be suspended each year from D.C. schools, and that the racial disparity in suspensions has increased, show that not enough progress has been made, which is why the Committee passed the Student Fair Access to School Act.<sup>66</sup> In order to continue the progress that has been made, as well as meet the fiscal impact requirements of that bill, the Committee is dedicating significantly enhanced funding in the FY19 toward supports for schools to reduce exclusionary discipline—in the form of technical assistance and direct services. The final version of the Student Fair Access to School Act, passed by the Council on May 1, 2018, directs OSSE to provide supports to schools, and allows the agency to utilize grants, contracts, and an MOU with the Department of Behavioral Health to achieve that goal.

The Committee is directing more funding to community schools' grants, which go to community-based organizations working with schools. The Committee is also directing more funding to restorative justice training and technical assistance via the new School Safety and Positive Climate Fund at OSSE. This reaches schools through a contract that provides general training and community of practice to all schools, but also targeted technical assistance to a number of schools as described above. Lastly, the Committee is directing a significant sum to the School Safety Fund for additional resources, particularly contracts or working with DBH to get more professionals into schools, or direct grants to schools. These contracts could be to organizations that target and work with students suspended or at-risk for suspension to help prevent further behavioral problems, to push-in mental health or mindfulness professionals or programming into schools, or any number of other related efforts, as long as they are evidence-based. Alternatively, OSSE could work with DBH to get more behavioral health clinicians into schools, conducting the non-billable work and helping coordinate with outside groups.

The Chairperson also discussed another aspect of the pending Student Fair Access to School Act with Superintendent Kang. Based on OSSE's concerns about LEAs current compliance with federal IDEA requirements, the Committee removed language from the bill that would have shortened the number of suspension days that trigger a manifestation determination review from ten days to five days. Chairperson Grosso stated his deep concern that schools are not following what is already the law and that OSSE does not have a better grasp on what is happening with this at the school level, particularly with regard to when and how these reviews are conducted. Grosso asked about OSSE's plans in FY19 to reform this effort to be in compliance. Superintendent Kang stated that OSSE takes very seriously the obligations and they have multiple processes for IDEA compliance. The special education team from OSSE will follow up and handle all of the compliance issues that arise and she noted that when the agency is able to focus on specific LEAs, they are able to see what can be done and positive changes occur quickly. The Committee will continue to revisit this issue with OSSE and LEAs in the coming year.

### Residency Fraud

Chairperson Grosso asked for an update on OSSE's residency fraud work and Superintendent Kang stated in her testimony that OSSE needs to ensure that residency

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<sup>66</sup> Student Fair Access to School Amendment Act of 2018 (Bill 22-594), passed on final reading by unanimous vote on May 1, 2018. See also the Committee Report for the bill at: <http://lims.dccouncil.us/Legislation/B22-0594?FromSearchResults=true>

requirements are being upheld and the agency must move quickly to address any potential residency fraud. It also means that schools must be welcoming and supportive places that are open and available to all, including our most vulnerable families. She noted that over the last two years, OSSE took a number of steps to improve residency processes including:

- In September 2016, OSSE issued an Advanced Notice of Proposed Rulemaking to amend the regulations governing the policies and procedures for student residency verification and non-resident investigations. This process included an extensive period of engagement with schools, stakeholders, and the State Board of Education. With the approval of the rulemaking by both the D.C. Council and State Board, OSSE issued final regulations that took effect on March 31, 2017.
- Recognizing the inconsistent processes for non-resident investigations across sectors, OSSE formally took over DCPS' investigations for the 2017-18 school year;
- OSSE instituted more rigorous policies for auditing residency at the school level as of the current school year's enrollment audit; and
- OSSE updated the training and tools used to prepare LEAs and schools for the residency verification process.

Superintendent Kang stated that despite the progress OSSE made, they know that there is more work to do to improve internal systems and processes. OSSE is moving quickly to take corrective steps and will have updated systems and processes in place prior to the upcoming 2018-19 school year, including, for example, payment tracking systems to ensure OSSE can monitor when families fail to make a timely payment. In FY18, OSSE will add two new FTE investigators. In support of this effort, the FY19 budget includes a \$300,000 enhancement that will further increase OSSE's capacity to audit, investigate, and enforce residency fraud. The Superintendent stated that she recognizes the need for clear policies and procedures to protect D.C. families, taxpayers, and resources by identifying any non-residents attending D.C. schools and addressing those situations. There are some cases of clear residency fraud that happen in our schools, and these cases are deeply troubling. OSSE is working to continue to improve their ability to swiftly and effectively detect and address these individual situations, while remaining sensitive to the complex and diverse realities of our students' and their families' circumstances. Superintendent Kang gave examples about the process for residency fraud and how samplings are done for schools and noted that I.T. updates have made it easier to have more accurate counts from LEAs.

Chairperson Grosso inquired about residency fraud being moved entirely to the Office of the Attorney General ("OAG"). OSSE stated that their role is about pursuing cases when they deem students are non-residents and doing the initial investigation. It is the role of the OAG to pursue suits against adults who OSSE deems to be committing residency fraud, which are two very different responsibilities. She also noted that the OAG has capacity issues too and there is not an easy answer to this work. These are very sensitive cases and the government needs to make sure it strikes the balance between blatant and intentional fraud while also making sure we are not preventing a D.C. resident child from accessing school. She cautioned that there are often cases that are layered with personal home-life

issues and OSSE wants to take care in how those children and their families are dealt with. Chairperson Grosso agreed and noted that it is OSSE's job to work on getting their Office of Residency Fraud functioning in a way that is productive.

#### Uniform Per Student Funding Formula Inequity

Starting during last year's FY16 Performance Oversight Hearing Chairperson Grosso has been raising with OSSE the issue facing the Maya Angelou Young Adult Learning Center ("YALC"), which meets all the requirements for "alternative" funding under the UPSFF in the law, however does not receive this funding.<sup>67</sup> OSSE had previously set up a working group to figure out a new set of criteria for the regulations to build upon the language in the D.C. Code and determine which schools ought to get this funding. However, that effort proved unfruitful, leaving the challenge facing YALC unaddressed. Despite efforts throughout the past year by the Committee to find a resolution, OSSE has not put anything forward. When Chairperson Grosso asked Superintendent Kang during the FY19 Budget Oversight Hearing about how OSSE plans to fix the issue, she stated that they need to revisit the regulations and restart the conversations in the working group. The Chairperson was disappointed with that answer and stated that the Committee will seek action on the issue for this budget cycle, but he expects OSSE to figure out the long-term fix for this issue by October 1, 2018. Superintendent Kang agreed. The Committee recognizes that this is a difficult issue to resolve in a holistic manner, however the need to ensure the "opportunity" youth at the YALC is too critical to leave unaddressed for another budget cycle.

#### Adult Education

The Career Pathways Innovation Fund (CPIF) was created in FY 2016 through the Budget Support Act of 2015.<sup>68</sup> The fund was created to issue grants to design, pilot, and scale best practices in the implementation of adult career pathways and improve district performance as mandated by the Workforce Innovation and Opportunity Act ("WIOA").<sup>69</sup> Though the Workforce Investment Council ("WIC") has not spent all of the \$2 million thus far allocated in ways that are entirely consistent with the mandate, at least \$1.1 million was combined with OSSE's Adult Education and Family Literacy Act ("WIOA Title II") funds to issue grants to adult education providers in FY17. These grants supported partnerships among adult education providers, employers, and supportive service providers to begin to model career pathways. They supported collaboration, program development and other activities essential to scaling up integrated education and training ("IET") opportunities that allow adults to improve literacy skills while developing skills to advance in their careers. The Mayor's proposed FY19 budget eliminates the Innovation Fund entirely.

Multiple members of the Adult and Family Literacy Coalition, testified and encouraged the Council to allocate \$500,000 to OSSE for the purposes of serving the sub-group of adults who are included in the "below fifth grade" category and who lack the most basic literacy

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<sup>67</sup> Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Amendment Act of 2006, effective on March 2, 2007 (D.C. Law 16-192 Sec. 4002; D.C. Official Code § 38-2901(1B)).

<sup>68</sup> Law L21-0036 Effective from Oct 22, 2015, Published in [DC Register](#) Vol 63 and Page 1164.

<sup>69</sup> <https://www.doleta.gov/wioa/>

skills. After the Chairperson asked the Superintendent about these grants, the agency followed up with the Committee and provided more information.

Six of the ten sub-grantees specifically included in their grant applications the planned provision of adult basic education to adult learners reading at the 5<sup>th</sup> grade or below, OSSE has since reviewed the state-level LACES data for the new sub-grantees to date. All ten of the sub-grantees are currently serving learners at or below the 5<sup>th</sup> grade level. Approximately 52% of all current adult learners are functioning at the 5<sup>th</sup> grade level or below, which is in line with previous years proportions.

Two of the 10 sub-grantees serve these learners through consortium partnerships, seven directly provide this instruction themselves, and one uses a combination of direct provision of instruction and through consortium partnerships. OSSE provided the 10 sub-grantees and the way that they are serving learners reading at the 5<sup>th</sup> grade level or below:

1. Academy of Hope Public Charter School (provides instruction to low-level learners through consortium partnership and through direct provision of instruction);
2. Briya Public Charter School (provides instruction to low-level learners directly);
3. Catholic Charities of the Archdiocese of Washington (provides instruction to low-level learners through consortium partnership);
4. Congress Heights Community Training and Development Corporation (provides instruction directly);
5. Four Walls Career and Technical Education Center (provides instruction directly);
6. Latin American Youth Center (provides instruction directly);
7. Opportunities Industrialization Center-DC (provides instruction directly);
8. So Others Might Eat (provides instruction to low-level learners through consortium partnership);
9. YouthBuild Public Charter School (provides instruction directly); and
10. YWCA National Capital Region (provides instruction directly).

#### Student Wellness and Nutrition--Athletics

The District of Columbia State Athletics Consolidation Act of 2016 became law on April 7, 2017, but its applicability was subject to appropriations. Spending authority is transferred from DCSAA to the new D.C. State Athletics Commission created by the law and funds are sufficient. OSSE stated that the Commission is ready to become a standalone agency in FY19. In its pre-hearing responses, OSSE noted the establishment of an Athletics Consolidation Working Group to ensure a smooth transition to the Commission. In FY18, the Committee held hearings and confirmed all of the nominees to the Commission.

### **3. FY 2019-2024 CAPITAL BUDGET**

#### **EMG16C – EDUCATIONAL GRANT MANAGEMENT SYSTEM II**

	Source	FY19	FY20	FY21	FY22	FY23	FY24	TOTAL
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Proposed	Short-Term Bonds	500,000	0	0	0	0	0	500,000
Committee	Short-Term Bonds	500,000	0	0	0	0	0	500,000
Variance	Short-Term Bonds	0	0	0	0	0	0	0

The Mayor's proposed budget includes an enhancement of \$500,000 for the Educational Grant Management System. The Committee recommends no changes.

#### **GD001C– DATA INFRASTRUCTURE**

	Source	FY19	FY20	FY21	FY22	FY23	FY24	TOTAL
Proposed	Paygo	0	0	0	0	2,500,000	0	2,500,000
Committee	Paygo	0	0	0	0	2,500,000	0	2,500,000
Variance	Paygo	0	0	0	0	0	0	0
Proposed	Short-Term Bonds	1,000,000	0	0	0	0	0	1,000,000
Committee	Short-Term Bonds	1,000,000	0	0	0	0	0	1,000,000
Variance	Short-Term Bonds	0	0	0	0	0	0	0

The Mayor's proposed budget includes a reduction of \$1.5 million in FY21. The Committee recommends no changes.

#### **4. COMMITTEE RECOMMENDATIONS**

##### **a. Fiscal Year 2019 Operating Budget Recommendations**

The Committee recommends adoption of the FY19 operating budget for the Office of the State Superintendent of Education as proposed by the Mayor, with the following modifications:

1. PROGRAM: *Systems Technology (E400/E401)*  
APPROPRIATION TITLE: Local Funds

##### *CSG11 (Regular Pay – Full Time Continuing)*

The Committee directs a decrease of 1 FTE and \$95,791 in Regular Pay – Full Time Continuing for Office of the Chief Information Officer within the Systems Technology program, as a result of historic underspending.

##### *CSG14 (Fringe)*

The Committee directs a decrease of \$22,031.93 in Fringe associated with 1 FTE for Office of the Chief Information Officer within the Systems Technology program, as a result of historic underspending.

2. PROGRAM: *Division of Health and Wellness (E500/E504)*  
APPROPRIATION TITLE: Local Funds

##### *CSG11 (Regular Pay – Full Time Continuing)*

The Committee directs a decrease of 1 FTE and \$38,243.39 in Regular Pay – Full Time Continuing for the Office of Nutrition Program within the Division of Health and Wellness program, as a result of historic underspending.

*CSG14 (Fringe)*

The Committee directs a decrease of \$8,795.98 in Fringe associated with 1 FTE for the Office of Nutrition Program within the Division of Health and Wellness program, as a result of historic underspending.

3. PROGRAM: *K-12 Systems and Supports (E600/E607)*  
APPROPRIATION TITLE: Local Funds

*CSG11 (Regular Pay – Full Time Continuing)*

The Committee directs a decrease of \$68,605.64 in Regular Pay – Full Time Continuing for the Office of Strategic Operations within the K-12 Systems and Supports program, as a result of historic underspending.

*CSG14 (Fringe)*

The Committee directs a decrease of \$14,779.30 in Fringe associated with 1 FTE for the Office of Strategic Operations within the K-12 Systems and Supports program, as a result of historic underspending.

4. PROGRAM: *Business Operations (E300/E305)*  
APPROPRIATION TITLE: Local Funds

*CSG11 (Regular Pay – Full Time Continuing)*

The Committee directs an increase of 1 FTE and \$80,887.00 in Full Time Continuing for the Office of Enrollment and Residency Fraud.

5. PROGRAM: *K-12 Systems and Supports (E600/E605)*  
APPROPRIATION TITLE: Local Funds

*CSG50 (Subsidies and Transfers)*

The Committee directs an increase of \$1,347,404 in subsidies and transfers for Office of Special Programs within the K-12 Systems and Supports program to be used to issue additional grants to LEAs, schools, and/or community-based organizations via the community schools program, including to provide community schools coordinators at schools and cover non-billable behavioral health services. In approving applications for these additional dollars, OSSE shall prioritize the schools identified by the School-Based Behavioral Health Task Force or Coordinating Council as the highest need which do not currently have a Department of Behavioral Health school-based clinician assigned to them.

6. PROGRAM: *Division of Teaching and Learning (F100/F103)*  
APPROPRIATION TITLE: Local Funds

*CSG11 (Regular Pay – Full Time Continuing)*

The Committee directs an increase of 2 FTEs and \$188,361.79 in Regular Pay – Full Time Continuing for the Office of Training and Technical Assistance within the Division of Teaching and Learning program, to fund the Committee’s proposed subtitle “Student

Fair Access to School Subject to Appropriations Repeal and Technical Amendment Act of 2018.”

The Committee directs an increase of 1 FTE and \$94,121.95 in Regular Pay – Full Time Continuing for the Office of Training and Technical Assistance within the Division of Teaching and Learning program, to fund the establishment of the new Office of Multilingual Education at OSSE.

*CSG14 (Fringe)*

The Committee directs an increase of \$43,323.21 which are funds associated with the increase of 1 FTE for the Office of Training and Technical Assistance within the Division of Teaching and Learning program, to fund the Committee’s proposed subtitle “Student Fair Access to School Subject to Appropriations Repeal and Technical Amendment Act of 2018.”

The Committee directs an increase of \$21,878.05 which are funds associated with the increase of 1 FTE for the Office of Training and Technical Assistance within the Division of Teaching and Learning program, to fund the establishment of the new Office of Multilingual Education at OSSE.

*CSG41 (Contractual Services-Other)*

The Committee directs an increase of \$250,000 in contractual services-other for the Office of Training and Technical Assistance within the Division of Teaching and Learning program, to fund the establishment of the new Office of Multilingual Education at OSSE.

7. PROGRAM: *Data Assessments and Research (E200/E203)*  
APPROPRIATION TITLE: Local Funds

*CSG11 (Regular Pay – Full Time Continuing)*

The Committee directs an increase of 1 FTE \$94,181.30 in Regular Pay – Full Time Continuing for Research Analysis and Reporting within the Data Assessments and Research program, to fund the Committee’s proposed subtitle “Student Fair Access to School Subject to Appropriations Repeal and Technical Amendment Act of 2018.”

*CSG14 (Fringe)*

The Committee directs an increase of \$21,661.70 which are funds associated with the increase of 1 FTE for Research Analysis and Reporting within the Data Assessments and Research program, to fund the Committee’s proposed subtitle “Student Fair Access to School Subject to Appropriations Repeal and Technical Amendment Act of 2018.”

8. PROGRAM: *Post-Secondary and Career Education (E700/E703)*  
APPROPRIATION TITLE: Local Funds

*CSG50 (Subsidies and Transfers)*



The Committee directs an increase of \$500,000 in subsidies and transfers for Office of Adult and Family Education within the Post-Secondary and Career Education program, as a result of a transfer from the Committee on Labor and Workforce Development.

9. PROGRAM: *Unknown* (awaiting code from CFO)  
APPROPRIATION TITLE: *Local Funds*

*CSG41 (Contractual Services-Other)*

The Committee directs an increase of \$2,193,071.62 in contractual services-other to establish the School Safety and Positive Climate Fund to fund the Committee's proposed subtitle "Student Fair Access to School Subject to Appropriations Repeal and Technical Amendment Act of 2018" including \$450,000 to support Restorative Justice Programs, \$537,000 to support training and technical assistance and \$175,875 to support a data collection contractor. The remaining funds shall be utilized by OSSE to support schools that need the most help in reducing their reliance on exclusionary discipline practices, consistent with the Student Fair Access to School Amendment Act of 2018.

**b. Fiscal Year 2019 Capital Budget Recommendations**

The Committee recommends approval of the Mayor's proposed capital improvement plan for OSSE.

**c. Policy Recommendations**

*1. Update the DCMR to accurately account for alternative schools to receive funding*

Study and amend the alternative school definition and update the DCMR to accurately account for alternative schools to receive the appropriate classification for payment under the UPSFF by October 1, 2018.

*2. Integrate multilingual education into OSSE's FY19 strategic planning*

Given the demand both from the workforce and from D.C. families for multilingual education and given the demonstrated effects of this type of programming on achievement and opportunity, the Committee recommends that, going forward, multilingual education be an integral part of OSSE's agency-wide strategic planning. In view of the effects of multilingual education regardless of language spoken at home, the Committee specifically recommends that strategies around multilingual education extend beyond the confined spaces of remedial interventions for English learners, and be envisaged as initiatives appropriate for all students, and particularly those who have the highest needs.

*3. Improve Researcher Access to MySchoolDC and Common Lottery Data*

In a public school system based on choice, there is a heightened duty to ensure that the system is responding to the demand. It is a disservice to all residents of D.C. for the data submitted by parents in order to access public education to not to be available for IRB-

approved research by recognized universities and research institutions. Therefore, the Committee recommends that MySchoolDC and the Common Lottery Board reevaluate their data request policy, and formulate an approach that allows for better understanding of the demand and supply in this choice system, by January 30, 2019.

*4. Audit and report on MOUs and Transfers between Department of Health Care Finance and education sector agencies for reimbursements.*

The 799 fund for Medicaid reimbursements to LEAs and OSSE is chronically under-budgeted, and there seems to be insufficient tracking of these funds as far as the Committee can determine based on the limited information available. The Committee, therefore, recommends that OSSE draft a plan to audit these funds and begin quarterly reporting starting October 1, 2018.

## **D. DISTRICT OF COLUMBIA PUBLIC CHARTER SCHOOLS**

### **1. AGENCY MISSION AND OVERVIEW**

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 DCPCS as set forth by the Uniform Per Student Funding Formula (UPSFF).

DCPCS is organized into the following program:

- D.C. Charter Schools

### **2. FISCAL YEAR 2019 OPERATING BUDGET**

	<i><b>FY 2017 Actual</b></i>	<i><b>FY 2018 Approved</b></i>	<i><b>FY 2019 Proposed</b></i>	<i><b>Sum of Committee Variance</b></i>	<i><b>Committee Approved</b></i>
<b><i>Operating Budget by Fund Type</i></b>					
LOCAL	\$779,669,063	\$813,738,500	\$891,905,275	(\$2,526,581)	\$889,378,694
GROSS FUNDS	\$779,669,063	\$813,738,500	\$891,905,275	(\$2,526,581)	\$889,378,694
<b><i>FTE by Fund Type</i></b>					
LOCAL	1.00	1.00	1.00		1.00
TOTAL		1.00	1.00		1.00
<b><i>Operating Budget By Comptroller Source Group</i></b>					
11	\$128,669	\$133,480	\$133,480		\$133,480
14	\$35,165	\$38,442	\$38,442		\$38,442
40	\$0	\$117,991	\$117,991		\$117,991
50	\$779,505,229	\$813,448,587	\$891,615,362	(\$2,526,581)	\$889,088,781
TOTAL	\$779,669,063	\$813,738,500	\$891,905,275	(\$2,526,581)	\$889,378,694
<b><i>Operating Budget By Program</i></b>					
1000	\$779,669,198	\$813,738,500	\$891,905,275	(\$2,526,581)	\$889,378,694
9960	(\$135)	\$0			\$0
TOTAL	\$779,669,063	\$813,738,500	\$891,905,275	(\$2,526,581)	\$889,378,694

### **Committee Comments and Analysis**

### Enrollment Projections for FY19

The budget proposal anticipates an increase in student enrollment by 554 students, or 1.2 percent, over the FY 2018 proposed enrollment of 44,361. Although this represents a smaller enrollment growth than over the past few years, it represents 1,575 more students than the SY17-18 audited enrollment numbers, or a 3.6 percent increase. This number takes into account the closure of a public charter school, Excel Academy PCS, which is confirmed by DCPS in their FY19 budget. Further, recent years' enrollment projections have often overestimated the number of students that would attend public charter schools. For FY19, some schools and certain grade levels within the enrollment projections seem to be projected higher than seems likely, based on historical trends and lottery data. Combined with this, the Public Charter School Board voted to revoke the charter of Washington Math, Science, Technology Public Charter High School ("Washington Math PCHS") in April, and although not all of the students will leave the charter sector, it is reasonable to assume that most will, as the school lottery has already closed.<sup>70</sup>

Last year, in formulating the approved FY18 budget, the Committee considered the rather high projections for special education students and adjusted numbers accordingly, in an attempt to inject more funding into the UPSFF. In hindsight, the numbers the Committee estimated were not far off, though slightly under-projected, while the Executive had slightly over-projected. In formulating the FY16 budget, the Committee made similar considerations in light a significant number of PCS closings resulting in schools and students being absorbed into other schools by DCPS as well as established and brand new charter LEAs. It all happened between Round 1 and 2 of the lottery, so the Committee called into question the numbers but agreed to wait until the lottery ended to understand the numbers a little better. Round 2 lottery data showed a variance of 3.4 percent growth instead of the projected 4.8 percent. That was 486 students and roughly \$8.6 million. The Committee used that money in the budget to increase the charter allotment; increase PCS enrollment reserves; send money to DCPS for projected enrollment increases; send \$1.6 to OSSE for targeted literacy interventions; and send small allotments to DCPL, Health Committee, and UDC.

The Committee does not take these actions lightly and believes it has done due diligence in arriving at the decision for this year. The Committee is recommending some minor revisions to the enrollment projections for the high school grades due to the Washington Math PCHS closure, removing a total of 211 students from grades 9 through 12, and proportionate special education and at-risk numbers per the student population at the school this school year. As a result, the Committee is able to redirect those savings into increases in funding for DCPCS to comply with the subject to appropriations clause of the Student Fair Access to School Amendment Act of 2018.

### Uniform Per Student Funding Formula Inequity

Starting during last year's FY16 Performance Oversight Hearing, Chairperson Grosso has been raising with OSSE the issue facing the Maya Angelou Young Adult Learning Center

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<sup>70</sup> D.C. Public Charter School Board, Board Votes to Close WMST PCHS, April 24, 2018. <http://www.dcpsb.org/blog/board-votes-close-wmst-pchs>

(“YALC”), which meets all the requirements for “alternative” funding under the UPSFF in the law, however does not receive this funding. OSSE had previously set up a working group to establish a new set of criteria for regulations to build upon the language in the D.C. Code and determine which schools ought to get this funding. However, that effort proved unfruitful, leaving the challenge facing YALC unaddressed. Despite efforts throughout the past year by the Committee to find a resolution, OSSE has not put anything forward. When Chairperson Grosso asked Superintendent Kang during the FY19 Budget Oversight Hearing about how OSSE plans to fix the issue, she stated that they need to revisit the regulations and restart the conversations in the working group. The Chairperson was disappointed with that answer and stated that the Committee will seek action on the disparity facing YALC for this budget cycle, but he expects OSSE to figure out the broader problem by October 1. Superintendent Kang agreed. The Committee recognizes that this is a difficult issue to resolve in a holistic manner. However, the need to ensure the “opportunity” youth at the YALC get their fair share is too critical to leave unaddressed for another budget cycle. Therefore, the Committee is directing a change in the projected enrollment for DCPCS that transfers the 175 students projected to attend YALC in FY19 from the Adult line to the Alternative line, requiring \$1.02M in additional dollars, which are redirected from reductions in other DCPCS grade level enrollment projection reductions, including the reduction due to the closing of Washington Math PCHS.

### **3. FY 2019-2024 CAPITAL BUDGET**

The proposed FY19 budget included no capital funds for the D.C. Public Charter Schools. The Committee has no recommended changes.

### **4. COMMITTEE RECOMMENDATIONS**

#### **a. Fiscal Year 2019 Operating Budget Recommendations**

The Committee recommends adoption of the FY19 operating budget for the D.C. Public Charter Schools as proposed by the Mayor, with the following modifications:

1. Decrease the DCPCS enrollment projections resulting in a savings of \$3,569,052, which the Committee redirects into increasing the UPSFF at-risk weight to .224 and adding supports at OSSE to fund the Committee’s proposed subtitle “Student Fair Access to School Subject to Appropriations Repeal and Technical Amendment Act of 2018” as well as to fund the difference in the shift of the Maya Angelou Young Adult Learning Center enrollment categorization. These changes result in a net reduction of \$2,526,581 for DCPCS.

2. Additionally, the Committee redirects \$1,025,832.50 of the dollars saved through modifications to enrollment projections to Maya Angelou Young Adult Learning Center to correct the failure of OSSE to properly classify the school as eligible to receive “Alternative” rather than “Adult” funding.

#### **b. Fiscal Year 2019 Capital Budget Recommendations**

The proposed FY19 budget included no capital funds for D.C. Public Charter Schools. The Committee has no recommended changes.

**c. Policy Recommendations**

The Committee has no policy recommendations for DCPCS at this time.

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

### **1. AGENCY MISSION AND OVERVIEW**

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.

### **2. FISCAL YEAR 2019 OPERATING BUDGET**

	<i><b>FY 2017 Actual</b></i>	<i><b>FY 2018 Approved</b></i>	<i><b>FY 2019 Proposed</b></i>	<i><b>Sum of Committee Variance</b></i>	<i><b>Committee Approved</b></i>
<b><i>Operating by Fund Type</i></b>					
SPECIAL PURPOSE REVENUE (O'TYPE)	\$701,935	\$1,515,000	\$1,355,878		\$1,355,878
PRIVATE DONATIONS	\$0	\$17,000	\$17,000		\$17,000
OPERATING INTRA-DISTRICT	\$700,910	\$17,300	\$17,300		\$17,300
FEDERAL GRANT	\$939,753	\$931,362	\$1,113,061		\$1,113,061
LOCAL	\$55,887,071	\$59,323,376	\$60,701,334	\$614,352	\$61,315,686
GROSS FUNDS	\$58,229,669	\$61,804,038	\$63,204,573	\$614,352	\$63,818,925
<b><i>FTE by Fund Type</i></b>					
FEDERAL GRANT	5.51	4.50	5.50		5.50
LOCAL	532.45	558.30	558.30	1.00	559.30
OPERATING INTRA-DISTRICT	0.00	0.00	0.00		0.00
PRIVATE DONATIONS	0.00	0.00	0.00		0.00
SPECIAL PURPOSE REVENUE (O'TYPE)	0.00	0.00	0.00		0.00
TOTAL		562.80	563.80	1.00	564.80
<b><i>Operating Budget by Comptroller Source Group</i></b>					

	<i><b>FY 2017 Actual</b></i>	<i><b>FY 2018 Approved</b></i>	<i><b>FY 2019 Proposed</b></i>	<i><b>Sum of Committee Variance</b></i>	<i><b>Committee Approved</b></i>
11	\$31,615,707	\$31,811,814	\$32,874,321	\$91,045	\$32,965,366
12	\$1,779,597	\$2,302,992	\$2,173,466		\$2,173,466
13	\$619,501	\$947,965	\$678,000		\$678,000
14	\$8,133,342	\$8,626,460	\$8,968,044	\$23,307	\$8,991,351
15	\$393,957	\$148,000	\$377,000		\$377,000
20	\$423,528	\$472,720	\$495,586		\$495,586
30	\$0	\$0			\$0
31	\$132,303	\$137,476	\$137,476		\$137,476
32	\$0	\$0			\$0
40	\$8,927,405	\$9,438,110	\$10,557,966		\$10,557,966
41	\$56,988	\$296,007	\$0		\$0
50	\$0	\$0	\$40,000		\$40,000
<b>GROSS FUNDS</b>	<b>\$58,229,669</b>	<b>\$61,804,038</b>	<b>\$63,204,573</b>	<b>\$614,352</b>	<b>\$63,818,925</b>
<b><i>Operating Budget by Program</i></b>					
100F	\$838,594	\$879,123	\$981,002		\$981,002
L400	\$13,196,827	\$13,468,622	\$14,244,862		\$14,244,862
L300	\$35,883,005	\$38,497,326	\$37,734,639	\$614,352	\$38,348,991
9960	(\$23,691)	\$0			\$0
1000	\$7,939,471	\$8,552,212	\$9,832,730		\$9,832,730
L200	\$395,463	\$406,755	\$411,340		\$411,340
<b>GROSS FUNDS</b>	<b>\$58,229,669</b>	<b>\$61,804,038</b>	<b>\$63,204,573</b>	<b>\$614,352</b>	<b>\$63,818,925</b>

### **Committee Comments and Analysis**

#### **Collections**

The overall Collections budget has generally remained the same from last year. During the FY19 Budget Oversight Hearing, Richard Reyes-Gavilan, Executive Director of the District of Columbia Public Library Systems, stated that the proposed \$5,000,000 collections budget will continue to afford residents access to new books and other materials and services offered through the Libraries. However, the Executive Director cautioned that the growing cost of materials will need to be monitored in the FY20 and FY21 budgets.

Chairperson Grosso stated that the Books from Birth program is successful and that the number of participants continues to grow month-to-month. He asked Executive Director Reyes-Gavilan about the increased postage costs and its budgetary impact, as raised by the executive director in pre-hearing responses. The Executive Director stated the Library is not sure if this will be a budget pressure and that he just wanted to alert the Committee to the rising postal cost due to the net gain of 800-900 children per month. He said that he would alert the Mayor and the Committee if they anticipated additional funds are needed to cover the costs.

Ward 7 Councilmember Vincent Gray asked the Executive Director about the WiFi checkout pilot program at Deanwood Library and Parklands Turner Library. The Executive Director said that the program has moved past the pilot stage. He said that it is a wonderful program that is funded with recurring funds. Currently, they have 20 devices in Deanwood and Parklands Library. He stated that they will seek government funds or private philanthropy to help expand the program.

### Martin Luther King Jr. Memorial Library

During the FY19 Budget Hearing, Chairperson David Grosso expressed concern over a \$500,000 reduction to the Martin Luther King modernization project, which was made in error by the Mayor's budget office. The Executive Director noted that all of the FY18-23 allocation is accounted for in the project budget and plans, therefore the restoration is certainly needed.

The Washingtoniana Collection which is housed at the Martin Luther King Jr. Memorial Library has had experienced some difficulty finding an interim home while MLK is modernized. Initially the Collection was to be housed with the Historical Society of Washington, D.C. in the old Carnegie Library in Mt. Vernon Square. However, HSWDC recently entered into a deal with Apple Inc. to renovate the facility which forced Washingtoniana to move to the Newseum where it shares temporary space with HSWDC. However, this was a short-term fix, as when the Carnegie facility reopens later this year, there will not be room for Washingtoniana. At the FY17 Performance Oversight Hearing, the Chairperson requested that the Executive Director propose a plan for relocation at the FY19 budget hearing. At the hearing, the Executive Director said that the Library is interested in the space currently occupied by the Cleveland Park interim Library on the University of the District of Columbia's campus. He said that the Head of Special Collections believes that they can make that space work while providing easier access for residents. DCPL indicated in post-hearing follow-up that this will require an additional \$125,000 in FY19 and \$125,000 in FY20.

There exists a need to fund Opening Day Collections for MLK across two fiscal years as the new facility opens early enough in FY20 that ordering the volume of books needed for the opening day collection would prove to be logistically challenging. The Executive Director noted that it will cost approximately \$2 million given the fact that MLK will have various specialty collections and nearly 100,000 additional square feet of space. The Library made a request that \$1 million be allocated in FY19 and another \$1 million in FY20. Unfortunately, the Office of the Chief Financial Officer limits capital budget use for operating impact on capital for books at \$250,000, regardless of the size of the project. The Council Budget Office indicated that the \$250,000 for books at MLK is already allocated, so investments must be made through operating dollars.

### Independent Lease Authority

In February 2018, Chairperson Grosso introduced the District of Columbia Public Library Independent Lease Authority Amendment Act of 2018. This bill grants the Board of Library Trustees the power to acquire real property by lease for use by the District of Columbia Public Library. It enables the board to grant the use of or lease of its grounds and facilities and allows the Board to manage or enter into an agreement with the Department of General Services (DGS) to lease or manage space or areas operated and leased by the Board. This bill also requires the Board to issue rules to implement the bill. During the FY19 Budget Hearing, Chairperson Grosso asked Executive Director Reyes-Gavilan about the current process to lease space for programming by the Library. The Executive Director stated that the process is challenging. He explained that there are a series of steps in between allocations, design, closure and leasing space through DGS for

an interim Library for popup services to continue to deliver programming. He said that this bill allows both parties to function better—DCPL can be nimbler in its lease process, and DGS can focus on its higher priority property agreements. The Executive Director noted that the staff at DCPL has the experience and expertise to execute the provisions of the Bill. He also noted that there is a quorum on the board to issue rules for implementation. Chairperson Grosso stated that he would consider placing this bill in to the Budget Support Act (BSA).

#### Oral History Project

In the FY19 Budget Hearing, Joy Ford Austin, Executive Director of the HumanitiesDC, testified on the success of the Oral History Project since its creation. Chairperson Grosso asked the Executive Director about his thoughts on expanding this successful program. Executive Director Reyes-Gavilan said that he was not opposed to expanding the program and planned to re-evaluate future plans around the time of the MLK Library's re-opening.

#### Capital Projects

The Executive Director stated that the FY19-FY24 Capital Improvements Plan continues to support the new Southwest and Lamond Riggs Libraries, and fully modernized Southeast and Martin Luther King Jr. Libraries. Over the course of the six-year capital improvements plan, the general improvements budget increased by \$750,000. However, the Executive Director stated that there is no funding in the FY21 and FY22 budgets for general improvements to support the reconfigurations and investments that may be needed at Anacostia, Benning, Tenley, and Shaw Libraries. These were among the first libraries to be modernized and may need some small capital investments in the near future. The Library's budget includes a \$2.1 million reduction for Shared Technical Services, which is now funded at \$2.4 million, but the Executive Director stated that the remaining budget might be sufficient for the long-term needs of the operations center as long as they remain at the Penn Center.

Advocates from the Southwest Library Community appeared before the Committee and requested an allocation for the opening day collection for when the library opens in FY20, out of concern that the library may not be fully funded to include opening day costs. The Executive Director noted that it may be too early to know the opening day needs for Southwest, but that DCPL would submit requests for Operating Impact on Capital as it does for all its branches after a modernization.

#### Strategic Plan Initiatives

In the FY19 Budget Oversight Hearing, Executive Director Reyes-Gavilan stated that their new digital initiatives such as their mobile emerging technologies lab and their Fab Labs remain funded in the FY19 budget. Chairperson Grosso wanted to know how the Fab Labs were performing in their interim space. The Executive Director stated that their Fab Lab located in a shipment container at NOMA is being outfitted and they are also working on temporary space at the Reeves Center to be opened in the spring. He stated that the possibility of remaining in the Reeves Center after the modernization of MLK is finished has been raised, but he said that they want to make that recommendation in about a year, once they have collected more data about visits and utilizations at the Reeves Center.



Chairperson Grosso also wanted to know what would happen to the Fab Labs once MLK opens, in regard to the Cultural Plan. The Executive Director stated that the space for the Fab Lab in MLK will be larger than what they had when the library closed and that it will truly be a place for people who want to create, network, and learn skills.

Chairperson Grosso stated that the prehearing responses from the Libraries indicated that there were portions of the Strategic Plan that were not funded, specifically establishing adult literacy services in libraries located in Wards 7 and 8 and raising awareness of the evolving library. The Executive Director talked about the Board's desire to customize one library in Wards 7 and 8 to be more intentional with their adult literacy programming. He said that the Library is requesting an FTE to make this program fully functional. He also said that the library needs an estimated \$300,000 to launch a Communications campaign aimed at attracting 5 million additional visits to the libraries.

### Liability Insurance

Chairperson Grosso asked for an update on the Liability Insurance issue that was raised during the FY17 Performance Hearing where the public expressed concerns about a new rule that required groups that utilize library space to purchase insurance and go through rigorous reviews of their meeting or events. The Executive Director said that there is a working group that was put together around this issue, in which the Library participates. The goal of the working group is to have revised requirements developed by this summer. Other participants in the working group include DPR, DCPS, and DGS. He added that for the time being, requirements have been rolled back and DCPL now follows the Department of Parks and Recreation requirements regarding liability insurance. Unfortunately, this restored all events except for programs that involve physical activity.

## **3. FY 2019-2024 CAPITAL BUDGET**

### **ASF18C – SHARED TECHNICAL SERVICES CENTER**

	Source	FY19	FY20	FY21	FY22	FY23	FY24	TOTAL
Proposed	Short-Term Bonds	1,500,000	0	0	0	0	0	1,500,000
Committee	Short-Term Bonds	1,500,000	0	0	0	0	0	1,500,000
Variance	Short-Term Bonds	0	0	0	0	0	0	0

The Mayor's propose budget includes a reduction of \$2.1 million from the Shared Technical Services Center, which supports the work between DCPL and DCPS to provide books to school libraries. The Executive Director noted that the Library was amenable to this reduction. The Committee recommends no change.

### **ITM37C – INFORMATION TECHNOLOGY MODERNIZATION**

	Source	FY19	FY20	FY21	FY22	FY23	FY24	TOTAL
Proposed	Short-Term Bonds	350,000	350,000	0	0	0	0	700,000
Committee	Short-Term Bonds	350,000	350,000	0	0	0	0	700,000
Variance	Short-Term Bonds	0	0	0	0	0	0	0

The Mayors proposed budget includes an enhancement for Information Technology Modernization in the amount of \$700,000. The Committee recommends no change.

### **LAR37C – LAMOND RIGGS LIBRARY**

	Source	FY19	FY20	FY21	FY22	FY23	FY24	TOTAL
Proposed	GO Bonds	15,000,000	0	0	0	0	0	15,000,000
Committee	GO Bonds	15,000,000	0	0	0	0	0	15,000,000
Variance	GO Bonds	0	0	0	0	0	0	0

The Mayor's proposed budget includes no change to the Lamond Riggs Library project. The Committee recommends no change.

#### **LB310C – GENERAL IMPROVEMENT - LIBRARIES**

	Source	FY19	FY20	FY21	FY22	FY23	FY24	TOTAL
Proposed	GO Bonds	1,500,000	1,000,000	0	0	0	2,750,000	5,250,000
Committee	GO Bonds	1,500,000	1,000,000	0	0	0	2,750,000	5,250,000
Variance	GO Bonds	0	0	0	0	0	0	0
Proposed	Paygo	0	0	0	0	1,500,000	1,000,000	2,500,000
Committee	Paygo	0	0	0	0	1,500,000	1,000,000	2,500,000
Variance	Paygo	0	0	0	0	0	0	0

The Mayor's proposed budget includes an additional \$750,000 enhancement for General Improvements. However, it completely removes funding in FY21 and FY22 to the consternation of the Committee. Even more frustrating is that the Mayor's Errata Letter requested the Council restore the \$500,000 cut to Martin Luther King Jr. Memorial from the General Improvements line. The Committee disagrees with that approach. It is the expectation of the Committee that the Mayor restores funding in FY21 and FY22 in the FY20 capital improvement plan. The Committee recommends no changes.

#### **MCL03C – MARTIN LUTHER KING JR. MEMORIAL CENTRAL**

	Source	FY19	FY20	FY21	FY22	FY23	FY24	TOTAL
Proposed	GO Bonds	61,250,000	18,000,000	0	0	0	0	79,250,000
Committee	GO Bonds	61,875,000	18,125,000	0	0	0	0	80,000,000
Variance	GO Bonds	625,000	125,000	0	0	0	0	750,000

The Mayor's proposed budget included a reduction of \$500,000 from the Martin Luther King Jr. Memorial Central Library project in FY19. At the budget hearing, the Executive Director noted that all of the previously allocated funding has been budgeted and committed, and would need a restoration of that money. He also indicated that it was a mistake by the Mayor's team who formulates the budget and it would be included in the Mayor's Errata Letter. Indeed it was included, and it was noted that the reduction was due to a "drafting error when submitting the budget." The Committee recommends the restoration of that \$500,000 in FY19. The Committee also recommends an enhancement of \$125,000 in FY19 and an enhancement of \$125,000 in FY20 to cover the additional cost of interim space for the Washingtoniana Collection.

#### **SEL37C – SOUTHEAST LIBRARY**

	Source	FY19	FY20	FY21	FY22	FY23	FY24	TOTAL
Proposed	GO Bonds	4,750,000	18,600,000	0	0	0	0	23,350,000
Committee	GO Bonds	4,750,000	18,600,000	0	0	0	0	23,350,000
Variance	GO Bonds	0	0	0	0	0	0	0

The Mayor's proposed budget includes no changes for the Southeast Library. The Committee recommends no change.

#### **SWL37C– SOUTHWEST LIBRARY**

	Source	FY19	FY20	FY21	FY22	FY23	FY24	TOTAL
Proposed	GO Bonds	2,750,000	0	0	0	0	0	2,750,000
Committee	GO Bonds	2,750,000	100,000	0	0	0	0	2,850,000
Variance	GO Bonds	0	100,000	0	0	0	0	100,000

The Mayor's proposed budget includes no changes to the Southwest Library Project. The Committee recommends an enhancement of \$100,000 in FY20 to cover the cost of opening day collections and operating impact on capital.

#### 4. COMMITTEE RECOMMENDATIONS

##### a. Fiscal Year 2019 Operating Budget Recommendations

The Committee recommends adoption of the FY19 operating budget for the D.C. Public Library as proposed by the Mayor, with the following modifications:

1. PROGRAM: Library Services (*L300/L335*)  
APPROPRIATION TITLE: *Local Funds*

##### *CSG11 (Regular Pay – Full Time Continuing)*

The Committee directs an increase of 1 FTE and \$91,045.00 in Regular Pay – Full Time Continuing for Adult Services within the Library Services program to fund the Committee on the Judiciary and Public Safety's proposed subtitle "The Voter Registration Agency amendment act of 2018" due to a transfer from the Committee on Transportation and the Environment.

##### *CSG14 (Fringe)*

The Committee directs an increase of \$23,307 in Fringe which are funds associated with the 1 FTE for Adult Services within the Library Services program to fund the Committee on the Judiciary and Public Safety's proposed subtitle "The Voter Registration Agency amendment act of 2018" due to a transfer from the Committee on Transportation and the Environment.

2. PROGRAM: Library Services (*L300/L380*)  
APPROPRIATION TITLE: *Local Funds*

##### *CSG70 (Equipment)*

The Committee directs an increase of \$500,000 for Equipment for Collections within the Library Services program to fund opening day collections at Martin Luther King Central Library.

##### b. Fiscal Year 2019 Capital Budget Recommendations

The Committee recommends approval for the Mayor's proposed FY19-FY14 capital budget for the D.C. Public Library with the following changes:

1. The Committee directs an increase of \$500,000 in FY19 to MCL03C, the Martin Luther King Jr. Memorial Library modernization to restore the cut proposed in the Mayor's FY19-24 CIP.
2. The Committee directs an increase \$125,000 in FY19 to MCL03C, the Martin Luther King Jr. Memorial Library to support additional interim space cost for the Washingtonia Collection.
3. The Committee directs an increase of \$125,000 in FY20 to MCL03C, the Martin Luther King Jr. Memorial Library to support additional interim space cost for the Washingtonia Collection.
4. The Committee directs an increase of \$100,000 in FY20 to SWL37C, the Southwest Library to support opening day operating impact on capital costs associated with that project.

**c. Policy Recommendations**

The Committee has no policy recommendations for DCPL at this time.

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

**1. AGENCY MISSION AND OVERVIEW**

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

**2. FISCAL YEAR 2019 OPERATING BUDGET**

	<i><b>FY 2017 Actual</b></i>	<i><b>FY 2018 Approved</b></i>	<i><b>FY 2019 Proposed</b></i>	<i><b>Sum of Committee Variance</b></i>	<i><b>Committee Approved</b></i>
<b><i>Operating by Fund Type</i></b>					
LOCAL	\$721,164	\$0			\$0
SPECIAL PURPOSE REVENUE (O'TYPE)	\$0	\$9,109,827	\$8,524,878		\$8,524,878
GROSS FUNDS	\$721,164	\$9,109,827	\$8,524,878		\$8,524,878
<b><i>FTE by Fund Type</i></b>					
LOCAL	0.00	0.00			0.00
SPECIAL PURPOSE REVENUE (O'TYPE)	0.00	0.00	0.00		0.00
TOTAL		0.00	0.00		0.00
<b><i>Operating Budget by Comptroller Source Group</i></b>					
11	\$0	\$0			\$0
14	\$0	\$0			\$0
20	\$0	\$0	\$148,126		\$148,126
31	\$0	\$0			\$0
40	\$0	\$0	\$1,869,682		\$1,869,682
41	\$0	\$0			\$0

	<i><b>FY 2017 Actual</b></i>	<i><b>FY 2018 Approved</b></i>	<i><b>FY 2019 Proposed</b></i>	<i><b>Sum of Committee Variance</b></i>	<i><b>Committee Approved</b></i>
50	\$721,164	\$9,109,827	\$6,355,598		\$6,355,598
70	\$0	\$0	\$151,472		\$151,472
GROSS FUNDS	\$721,164	\$9,109,827	\$8,524,878		\$8,524,878
<i><b>Operating Budget by Program</b></i>					
10	\$721,164	\$9,109,827	\$8,524,878		\$8,524,878
GROSS FUNDS	\$721,164	\$9,109,827	\$8,524,878		\$8,524,878

## **Committee Comments and Analysis**

### **Uniform Per Student Funding Formula**

During the budget oversight hearing, new PCSB Chairperson Rick Cruz expressed the Board's support for the Mayor's proposed budget based on increases to the UPSFF, including not only the based rate but also facilities funding for charters and special education-specific funding. He further thanked the Mayor for proposing greater funding for school nurses, behavioral health clinicians, and out-of-school time programs. This is a major departure from the FY18 budget. Mr. Cruz testified that one way that the Board tried to help LEAs with the challenge of that budget was by reducing the fee the Board collects to cover oversight activities from 1% to 0.9%. After the Board was allowed to raise that rate from .5% to 1%, they went from a position of regularly running deficits to regularly running surpluses and now have a large cash reserve. As a result, the Board feels comfortable collecting fewer resources from charter LEAs, allowing them to instead invest those funds in students. Executive Director Scott Pearson testified that the Board considered further lowering that fee for FY19 but decided not to because of the unexpected need to possibly take on the financial burden of the Washington Math Science Technology Public Charter High School.

The Committee agrees with the PCSB stance that this is a generally good budget for students, but believes it can be even better. The Committee is advancing a budget that further builds on the Mayor's proposal by increasing the UPSFF and supportive services funding at OSSE in order to fund the Student Fair Access to School Amendment Act of 2018. Additionally, the Committee is adding more dollars for mental health supports in schools, out-of-school time programming, and interventions to support student attendance.

### ***Local Education Agency ("LEA") Payment Initiative and enrollment planning***

In 2013, the Council passed legislation proposed by the PCSB and the Office of the Chief Financial Officer ("OCFO") to place heavier weight on the first quarterly payments to charter LEAs to ensure more accurate and timely payments. During the performance oversight hearing, the Committee asked for an update on this effort to better streamline payments. In reviewing the Board's pre-hearing responses to the Committee's questions, the Committee was surprised to read that the Deputy Mayor for Education had "suspended" the initiative for FY19. Mr. Pearson testified that he is disappointed but cannot speak to the reasoning behind the change—he expressed his concern that rather than "on hold" it may actually be abandoned. Mr. Pearson noted the importance of continuing the work, as currently charter schools are not incentivized to take students mid-year because they are

only paid based on the October enrollment count, while DCPS, in turn, gets funded based on an estimated enrollment that is never updated based on count numbers. In response to Chairperson Grosso's question about next steps, Mr. Pearson stated that perhaps it is time for Council to take action.

The Chairperson noted that the increased in projected enrollment for charter LEAs is less than in previous years. Mr. Pearson stated that he feels the various government partners—LEAs, DME, PCSB, OSSE—have improved the workflow and accuracy of these counts. However, the Committee analysis comparing the SY17-18 audited enrollment with FY18 budget projections, found that the projections overestimated enrollment by 994 students. It is likely that the smaller than usual increase in the projected enrollment put forward by the Mayor is due in part to the revocation of the charter for Excel PCS, which had about 600 students for the current school year. Meanwhile, on April 23, the PCSB voted to revoke the charter for Washington Math Science Technology Public Charter High School, whose projected enrollment is included in the Mayor's proposed budget. In pre-hearing responses, PCSB had noted that 14 campuses will add grades for school year 2018-2019, and PCSB supplied the list of schools expanding to new grades after the budget oversight hearing, which gives insight into what schools will have new students for SY18-19.

#### *At-Risk Funding*

The proposed FY18 budget for public charter schools includes a flat 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. FY18 marks the fourth fiscal year that this funding has been made available to local education agencies ("LEA"). Unlike DCPS, there are no requirements tied to the at-risk funding for public charter schools beyond that the allocation be "provided on the basis of the count of students identified as at-risk."<sup>71</sup> However, this has not stopped the public from inquiring how the funds are being spent since the impetus for adding this new weight was to ensure schools had the resources necessary to eliminate the achievement gap for the most disadvantaged students. Chairperson Grosso noted the importance of understanding the impact that the at-risk funding approach has on student success, and Executive Director Pearson agreed that this is worth looking at. The Committee will seek to find a way forward on this in the coming year.

In the past three budget reports, the Committee has requested that the PCSB submit a report on the distribution of at-risk funds to each LEA and a breakdown on how that money was spent. The most recent report was submitted by the PCSB along with its pre-hearing answers for the FY17 Performance Oversight Hearing, which the Board acknowledged was late and promised to not repeat. The report provided the results of a survey of all public charter LEAs regarding use of at-risk funds. During the Budget Oversight Hearing,

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<sup>71</sup> D.C. Code § 38-2905.01(a).

Executive Director Pearson stated that this process has now been streamlined in the PCSB regular oversight compliance process, which should ensure that the report is not late again. He also stated that this has increased the response rate with almost all LEAs receiving at-risk funding participating. The findings showed that schools used these funds in various ways based on the school and what issues it saw needing support for at-risk students. As in the previous year, funds were used for various enrichment activities, including extended school day, out of school time programming, academic interventions, social workers, and behavioral specialists. The results showed that schools would like to see an increase in allocations to provide more robust programming and services for students. As in years past, Mr. Pearson stated that schools felt the loss of summer school funding acutely and at-risk funding has not filled that gap. Chairperson Grosso asked for the PCSB to provide more details on this, and in their post-hearing responses, the Board indicated that the LEAs which lost funding were either adult programs or those with low percentages of at-risk students. The Committee believes this was largely the intent of the change in funding, however, it will continue to look into options to help ameliorate the challenges for these LEAs.

On the question of at-risk funding more broadly, the Committee knows that the current UPSFF weight and allocation for at-risk is currently not at the level recommended in the last adequacy study but it has felt challenged with how to effectively advocate for an increase without an understanding of the weight's current impact.

The Committee shares the concerns of school communities and their desire to learn more about how LEAs are using this funding. It is complicated by the failure of the current Mayor and past administrations to properly fund the base level of the UPSFF, which in turn leads to at-risk funds filling those gaps. Nonetheless, the Committee had hoped to increase the at-risk weight for the FY19 budget but was ultimately unable to identify the necessary funds. The Committee hopes that the Mayor's proposed budget for FY20 will fix this long-standing problem.

#### Student Health and Safety Supports

Both Chairperson Grosso and PCSB Chairman Cruz noted the importance of the Mayor's proposed funding for student supports, while acknowledging that it still falls short of the need. The Mayor's proposed budget included an enhancement of over \$4M at the department of Health to support more nurses in schools, which continues to be a challenge for some charter LEAs. Frustratingly, during the Department of Health Budget Oversight Hearing, DOH Director LaQuandra Nesbitt testified that it is not the intention of the Executive to follow the law passed by the Council mandating a nurse in every school. Chief Operating Officer Lenora Robinson Mills stated that the PCSB wishes to see the law followed and a nurse in every school. The Board continues to have concerns about nurse absenteeism and the need for a float pool.

Based on the recommendations of the School-Based Mental Health Task Force that \$3M be allocated for FY19 to expand school-based clinicians, the Mayor appropriately funded to that level. However, both the Committee and PCSB were members of the Task Force and witness to discussion that that was not the actual level of need. Further investments in mental

health supports in schools will also support the implementation of the Student Fair Access to School Amendment Act of 2018. The committee aims to do this in two ways—targeted funding to Department of Behavioral Health and the new School Climate Fund at OSSE created by the Student Fair Access law.

This legislation has been the source of tension between the Committee and Executive Director Pearson, although testimony at past hearings indicate that there is a diversity of opinion on the Board regarding the issue of exclusionary discipline. An important area of agreement between all parties is the need to provide more supports for schools to meet the non-academic needs of students and for schools to use practices other than exclusion to ensure positive environments of learning. The Committee proposal seeks to accomplish that.

Disappointingly, during the Budget Oversight Hearing, when Chairperson Grosso asked PCSB about the reported 300 out-of-school suspensions in SY16-17 for attendance issues (unexcused tardiness or absence), Executive Director Pearson testified that the Board collects this data and sees that it is reported accurately, but does not take steps to enforce the law passed by Council that prohibits it. When asked by the Chairperson why not, in light of the PCSB role in ensuring legal compliance for charter LEAs, the PCSB Executive Director stated that “the law conflicts with the guarantee of exclusive control over school operations” and therefore the Board is not attempting to enforce compliance. The Committee is concerned about this stance by PCSB, as it remains the perspective of the Committee, and the Council, that there are exceptions to exclusive control with regards to civil rights and student health and safety, all of which are implicated by out-of-school suspensions of students. The Committee will revisit this in the coming year with the Board.

On the topic of attendance, Chairperson Grosso asked about the interactions between PCSB and CFSA with regard to students having unexcused absences and reporting required by law. Rashida Young stated that generally it is CFSA reaching out when they are concerned that a school is referring many families without implementing proper interventions at the school level to address chronic absenteeism, however PCSB does communicate with the agency on a quarterly basis to cross-check reported referral numbers. She stated that the Board is not tracking interventions at the school level across the sector but does promote the practices of certain exemplars. In response to a question from the Chairman, Ms. Young stated that PCSB does not communicate as regularly with Court Social Services Division of Superior Court (regarding older students) but that they do speak occasionally with the same goals. Chairman Grosso then asked whether the Board had considered raising the threshold for issuing a “notice of concern” about unexcused absences, in light of the negative trends this school year and last. Ms. Young stated that they had raised the thresholds in 2016 after Council passed legislation establishing new uniform standards due to the expected increase. The Chairman responded that he would expect a heightened focus on this issue and asked whether this has been elevated at the Board level. The PCSB Executive Director responded that they have traditionally focused on in-seat attendance as the measure. The Committee notes that this measure, while important, does not always capture the real number of students chronically missing school—whether excused or not—and therefore missing out on education. Executive Director Pearson did state that PCSB is pleased with how the Deputy



Mayor for Education is moving forward with an approach to safe passage that the Board had suggested, which focuses on a geographic area and all schools within the area. He stated that this effort seems to already be paying off by bringing more people into the conversation and that he hopes to see it expand.

Relatedly, Chairperson Grosso asked whether the Board is aware that there was a charter school with more suspensions than enrolled students in SY16-17, and whether that number gave them pause. Executive Director Pearson stated that they review discipline numbers regularly and there are numbers that give them pause. He further stated that numbers are going down and what it means to be an outlier has changed, as a result. The Chairman then asked about how PCSB tracks schools' compliance with the federal legal requirements under IDEA, including particularly the instances of manifestation determination reviews, in light of the Committee decision to strike language that would have raised the bar for those in the Student Fair Access legislation. Senior Manager Rashida Young testified that when the Board reviews policies on an annual basis, PCSB ensures they include language about the right of all students to have a manifestation determination review when students reach a certain number of days. She further stated that PCSB also identifies schools with high rates of out-of-school suspensions for students receiving special education services, which can result in an audit, of which there were several the previous year, depending on how they respond. Avney Patel Murray, Manager on the PCSB equity and fidelity team, further clarified that they are in conversation with OSSE currently about how to better get this data reported and ensure compliance.

On another aspect of school safety, the Chairperson asked about the Board's approach to ensuring student and staff safety in a variety of contexts—from sexual abuse (due to a tragic incident at one charter LEA), sexual harassment (as the country grapples with the pervasive nature of this violence), and active shooter scenarios. Chief Operating Officer Mills noted the investment that PCSB plans for FY19 to help schools to better develop safety plans and detect and prevent abuse. PCSB receives a signed assurance from each LEA that they have a school safety plan for emergency situations, which is submitted to the Homeland Security and Emergency Management Agency (HSEMA), as well as appropriate plans, policies, and trainings around sexual assault, harassment, and abuse. Executive Director Pearson added that they are developing model policies for schools to adopt, in addition to providing training. Chairperson Grosso recommended that schools ought to make public their policies regarding sexual assault, harassment, and abuse, based on feedback received from parents after the afore-mentioned incident.

In response to a question from the Chairperson about implementation of the Youth Suicide Prevention and School Climate Survey Amendment Act of 2015, Executive Director Pearson stated that the PCSB is doing everything it can to help LEAs prepare to comply with the law. He stated that this is a law that the Board enforces. The Executive Director added that the PCSB is working closely with the City-Wide Bullying Prevention Program at Office of Human Rights to help schools improve their approaches to bullying, and that PCSB has hired a new staffer to visit schools when there are complaints of bullying.

### Opening and Closing of Schools

A consistent theme during last year's budget oversight process and this year's, as well as the performance oversight for FY17, has been the high volume of high stakes schools reviews that the PCSB is handling. According to PCSB, we are in a four-year period during which over 100 campuses will undergo the periodic review process for charter renewal, which requires the Board to be very active and make challenging decisions. FY18 included one planned school closing, and the closing or scaling down of several campuses by the Board. There will be 14 reviews over the coming year, the list of which PCSB provided after the hearing, and more thereafter. Pre-hearing responses and the testimony of Chairman Cruz noted ways in which the Board has adjusted its budget and staffing plan accordingly. The Committee shares with the Board a commitment to ensuring that the choices available at public charter schools should be of the highest possible quality. These coming decisions on reviews and applications by the Board are an opportunity to show the community the rigorous standard that PCSB applies to LEAs.

One school that was not due to be up for review this year was Washington Math, Science, Technology Public Charter High School. News broke of the dire financial straits of this school, one of the older charter schools in D.C., after an emergency meeting in March. The school last had its charter reviewed, and renewed, in 2012 and 2013, resulting in an approved charter renewal for 15 years, despite concerns voiced by the PCSB regarding then school's financial sustainability. News reports stated that the school did not have enough money to cover payroll in March and that teachers and students had set up online fundraising pages to try to address the school's serious financial shortcomings. Chairperson Grosso asked how the situation could get so drastic without PCSB knowledge. Executive Director Pearson responded that this experience has show the Board that they need to take a more conservative approach to reviewing school financials. He said that in the past, PCSB's early warning system has worked effectively and they have been able to help schools get out of a tight spot. The major problem in this case, he said, was that they did not look as closely as they should have at the primary asset, the building. Going forward PCSB will initiate a financial corrective plan, whereby they review school finances every month, at a lower threshold.

In the weeks after the Budget Oversight Hearing, the situation deteriorated, and on April 24, the Board voted to revoke the charter of the school if it did not meet certain financial conditions within 24 hours. Those conditions were not met and the school is now slated to close at the end of the school year, PCSB will take responsibility for managing the school until then, including supporting students to graduate and/or prepare to matriculate at a different high school for next school year. The budgeted 211 students for FY19, including proportionate special education and at-risk weight, is no longer needed for the school, and the Committee is redirecting those funds back into the UPSFF at-risk weight in order to support schools in implementing the Student Fair Access to School legislation.

Meanwhile, new details about the timeline have emerged as a result of journalists utilizing FOIA. It appears that the PCSB was aware about a year prior of the challenges facing Washington Math, Science, Technology PCHS with regards to expenditures outstripping revenues. However, no action appears to have been taken in the interceding year. The

Committee is disturbed by this and will follow up with the Board with regard to how to avoid such a catastrophe from happening again. Due to the missteps of adults, numerous students will have their education seriously disrupted, in addition to taxpayer dollars being mismanaged. This should not be taken lightly.

Drawing on another common topic during oversight hearings last year and this year, Chairperson Grosso asked about engagement with communities, particularly with regards to opening and closing of schools. Executive Director Pearson stated that the Board is trying to keep improving community engagement and involvement, especially with new charter applications. He noted they had scheduled a town hall to discuss the applications received this year, and hope it provides more opportunity for community voice. He also discussed that the Cross-Sector Collaboration Task Force, which is wrapping up, will make specific recommendations for conversations between PCSB, DME, DCPS regarding school siting. Executive Director Pearson acknowledged the challenge the Task Force faces with interim leadership, but expressed his optimism that these kinds of cross-sector discussions around siting and location will happen going forward.

On the topic of communities driving decisions about charter openings, last year during the budget process Chairperson Grosso asked about the lack of dual-language programs in Wards 7 and 8, and PCSB stated that it was pushing this but had no progress yet to make public. Since that time, Elsie Whitlow Stokes, a highly sought-after PK-6 school with programs in Spanish and French, announced plans to open in Ward 7 for SY18-19. Along with the new DCPS dual-language program at Houston Elementary, as well as testimony the Committee received from Tyler Elementary in Ward 6 about the need for a dual-language feeder pattern that doesn't require crossing the city to Ward 4, Chairman Grosso asked about the potential for synergy. Chairman Cruz responded that he is confident that schools providing dual-language programs have a real interest to grow, and he alluded to plans for growth by Mundo Verde, a PK-8 Spanish dual-language school. Due to the enthusiasm for these schools, he stated his belief that growth will outstrip the capacity at D.C. International (the dual-language charter high school currently receiving students from several dual-language schools), which overlaps with Chairperson Grosso's concern. Chairperson Grosso pointed to the plan to open a very large private dual language school which threatens to further segregate our schools if the District cannot increase the supply of high-demand dual language immersion programs. The Committee believes that PCSB should do more to seek opportunities for cross-sector collaboration in this realm and to continue to promote more dual-language options in under-served areas, Ward 8 in particular.

#### Enhanced Special Education Services Act of 2014

The Committee shares with the community a sense of urgency on implementation of the Special Education Services Enhancement Act of 2014. As discussed during last year's budget process, the bill has three major provisions that have yet to be implemented—but which will be going into effect in July 2018, and the Mayor's proposed budget includes funding for full implementation of them for FY19. Similar to last year, PCSB states that it is working closely with OSSE in the final months toward implementation, with OSSE providing (and PCSB publicizing) training around the three areas of requirements including

trouble-shooting how to implement the law, being aware of the law, and how to make it work in schools. Chairperson Grosso also followed-up on a conversation during the FY17 Performance Oversight Hearing regarding areas where charter LEAs struggle to meet the needs of special education students. Equity and Fidelity Manager Avney Patel Murray stated that PCSB is working with DCPS to figure out how to talk as a city to do it well, not just as a charter sector. This includes communication with DCPS specialized instruction department, working with community groups, looking at teacher residency and leadership programs, seeking shared professional development opportunities for general education teachers and administrators, and more. Executive Director Pearson described how PCSB is working with OSSE to target resources from SOAR Act funds for teachers residency programs for special education, with the goal of increasing the pipeline of well-trained educators into D.C. schools. The Committee will continue to monitor this closely for the coming year.

### **3. FY 2019-2024 CAPITAL BUDGET**

The proposed FY19 budget included no capital funds for the Public Charter School Board.

### **4. COMMITTEE RECOMMENDATIONS**

#### **a. Fiscal Year 2019 Operating Budget Recommendations**

The Committee recommends adoption of the FY19 operating budget for the D.C. Public Charter School Board as proposed by the Mayor. However, this is purely spending authority and does not represent actual dollars—all funds for the Board come from a fee it collects from charter LEAs. The Board testified at the budget oversight hearing that it plans to reduce the fee it collects from charter LEAs from 1% to 0.9% again for FY19, allowing schools to utilize that extra funding for their programming.

#### **b. Fiscal Year 2019 Capital Budget Recommendations**

The Public Charter School Board has no capital budget.

#### **c. Policy Recommendations**

##### *1. Physical and Behavioral Health*

The Committee recommends that the PCSB continue to engage with DOH and DBH on the issues of school-based health professionals and how to best meet the needs of students to place them in the best position to succeed. While the Mayor's proposed FY19 budget includes important investments in this area, it falls far short of what is needed. To that end, the Committee encourages PCSB to identify and promote best practices among LEAs in partnering with community-based resources for these services. The PCSB should also find ways for LEAs, students, and families to impress upon the Mayor the importance of increasing funding for these needs in the future.

*2. Ensure all policies relating to sexual harassment, sexual assault, and child sexual abuse are public and improve monitoring of these issues*

Unfortunately, the past year saw the uncovering of a disturbing incident of child sexual abuse by a teacher at a public charter school, and parents contacted the Committee with concerns regarding how it was handled by the school and PCSB. Distinct yet related are the local and national conversations happening about the pervasive nature of sexual harassment and assault. While PCSB asks schools to certify that they have policies on these topics, they are not always public. The Board shall ensure that all such policies are public and also improve its monitoring of the quality of these policies.

*3. Enhanced Special Education Services Act of 2014*

The Committee recommends that the PCSB continue to engage with OSSE and LEAs in support of full implementation of the Enhanced Special Education Services Act of 2014, to include encouraging LEAs to fulfill obligations under the law ahead of OSSE's deadline of July 2018. These changes are critical to reducing the persistent and grave disparities in achievement for students with disabilities. PCSB should help OSSE to understand the specific challenges facing charter LEAs as they seek to implement the law, as well as promote cross-pollination amongst LEAs who are successfully implementing and those that are struggling, including with DCPS.

*4. Better monitor the exclusion of students with disabilities and report on practices of LEAs in complying with IDEA*

During the course of debate regarding the Student Fair Access to School Amendment Act of 2018, the PCSB argued that the Committee should not legislate but simply provide more funding for schools to reduce the use of out-of-school suspensions. As evidence of the superiority of this approach, PCSB noted that charter LEAs had reduced out-of-school suspensions for students with disabilities at twice the rate of suspensions overall. Yet, when asked by Chairperson Grosso about what specific changes in practice had yielded this result, the Board could provide no answer other than "pressure from the PCSB." In addition, OSSE expressed concern that the Committee not go forward with legislative language to shorten the timeframe for when a manifestation determination review is triggered from 11 days to 6, because OSSE felt many schools are not even meeting the obligation of 11 days. The Committee recommends that PCSB improve its monitoring of LEAs and its enforcement of compliance with IDEA. At a minimum, the PCSB should submit to the Committee a report, by December 1, 2018, on the practices of LEAs with regards to change in placement, manifestation determination reviews, and other aspects of these processes. PCSB should also convene LEAs to share and improve practices.

*5. Develop a proposal for an alternative school option that LEAs can use while keeping the student enrolled*

As the Committee developed the Student Fair Access legislation, one concern that was raised by charter advocates was the lack of an option for charter schools for placing a student who schools need to remove because she or he poses a safety risk, short of

expulsion. While the Committee was not able to tackle this in the legislation, it remains a real concern. The Committee recommends that, by January 1, 2019, PCSB develop, in consultation with LEAs and national experts, one or more proposals for how to address this gap. This could potentially serve as a model for DCPS CHOICE which needs improvement, or possibly it could be a replacement for that approach.

*6. Report on change in approach to reviewing school finances*

In light of the unexpected closure of Washington Math, Science, Technology Public Charter High School, the PCSB has stated that it has changed its protocols with regards to reviewing and acting on school finances. By October 1, 2018, PCSB should submit to the Committee an update on these changes. Additionally, the PCSB should work with DCPS to identify whether students from WMSTPCHS can be matched to the STEM program at H.D. Woodson High School, or other DCPS high school STEM programs that do not require lottery placement.

*7. Greater focus on attendance and chronic absenteeism*

D.C. faces on-going, and apparently worsening, high rates of unexcused absences for students of all ages but particularly in the higher grades. Monitoring in-seat attendance is important, but often fails to capture serious chronic absenteeism (excused or unexcused) among a subset of students. The direct correlation between missing school and academic failure is clear. Accordingly, the Committee recommends the PCSB put a greater focus on attendance and chronic absenteeism.

*8. Promote multilingual education, including cross-sector collaboration*

With a view to increase the supply of dual language immersion programs in the District, the Committee recommends that PCSB take a more proactive approach to support existing dual language immersion programs in their expansion, encourage existing non dual language immersion public charter schools in planning and implementing dual language immersion programs, and attracting new providers of dual language immersion programs, particularly those that fill the gap of languages needed by District employers. Further, the Committee recommends that all efforts be made by PCSB to encourage, facilitate and support cross-sector collaboration among public charter school and D.C. Public Schools dual language immersion programs, with regards to teacher sourcing, curriculum, collaboration on support services and out of school time programs, and feeder patterns.

DRAFT

## G. NON-PUBLIC TUITION

### 1. AGENCY MISSION AND OVERVIEW

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

### 2. FISCAL YEAR 2019 OPERATING BUDGET

	<i>FY 2017 Actual</i>	<i>FY 2018 Approved</i>	<i>FY 2019 Proposed</i>	<i>Sum of Committee Variance</i>	<i>Committee Approved</i>
<b>Operating by Fund Type</b>					
LOCAL	\$64,751,650	\$70,021,295	\$67,000,000	(\$3,500,000)	\$63,500,000
GROSS FUNDS	\$64,751,650	\$70,021,295	\$67,000,000	(\$3,500,000)	\$63,500,000
<b>FTE by Fund Type</b>					
LOCAL	18.00	18.00	18.00		18.00
TOTAL		18.00	18.00		18.00
<b>Operating Budget by Comptroller Source Group</b>					
11	\$1,349,380	\$1,506,318	\$1,538,102		\$1,538,102
13	\$1,492	\$0			\$0
14	\$325,539	\$391,643	\$389,140		\$389,140
15	\$446	\$0			\$0
20	\$0	\$2,000	\$2,000		\$2,000
40	\$4,198	\$7,000	\$37,000		\$37,000
41	\$0	\$1,023	\$0		\$0
50	\$63,055,014	\$68,108,312	\$65,023,758	(\$3,500,000)	\$61,523,758
70	\$15,581	\$5,000	\$10,000		\$10,000
GROSS FUNDS	\$64,751,650	\$70,021,295	\$67,000,000	(\$3,500,000)	\$63,500,000
<b>Operating Budget by Program</b>					
1000	\$64,752,712	\$70,021,295	\$67,000,000	(\$3,500,000)	\$63,500,000
9090	(\$1,062)	\$0			\$0
GROSS FUNDS	\$64,751,650	\$70,021,295	\$67,000,000	(\$3,500,000)	\$63,500,000

### Committee Analysis and Comments

OSSE administers the Non-Public Tuition ("NPT") program, providing funding and oversight for special education and related services for children with disabilities who are



placed in nonpublic settings through the Individualized Education Plan (IEP) process. The overall NPT budget for FY19 is approximately \$67 million, which is a net decrease of approximately \$3 million, as the number of students served in non-public institutions has decreased in recent years. The average spending on individual students is maintained. OSSE stated that it remains committed to ensuring that students who can be appropriately served within public and public charter school settings remain in those settings, and that students who require highly specialized services in private settings receive them, as determined through the IEP process.

For non-public tuition, OSSE went from 1,228 students served in FY17 to 883 in FY18. Chairperson Grosso's noted that in the pre-hearing responses that \$54.4 million was spent on tuition payments to schools in FY17, but the actual spending from subsidies in the data the Committee received is \$71 million in the subsidies line, and a nearly \$8 million credit on the grants and gratuities line both for FY17. The Committee calculates that \$71 million minus \$8 million is equal to \$63 million, which is \$9 million more than OSSE indicated was spent. He also noted for the record that in OSSE's pre-hearing responses there is an indication that OSSE spent approximately \$45,000 (rounding up) per student in FY17. So, if that average maintains for FY18, OSSE will only be spending a little less than \$40 million ( $45,000 \times 883$ ) and the Committee would like to understand where the remaining \$23 million is allocated or what the intended use is.

Superintendent Kang said that the total number of students includes payments to CFSA as well as non-public and to St. Colletta's. Actual amounts paid out to schools follow UPSFF and are in line with funding regulations. Paris Saunders, the fiscal officer for OSSE, responded that that is correct, and at end of the year, schools may still bill OSSE and this way the agency has enough it available for that. He noted that \$3 million was paid to St. Colletta's and the rest is for CFSA. Chairperson Grosso stated the Committee needs a break-down on those payments and also asked why there is no enrollment projection for non-public. Superintendent Kang replied that OSSE monitors it closely but cannot always know ahead of time because it is not possible to make accurate assumptions without knowing how a student's IEP process will go and what that outcome will result in for a child. He asked if there is data about the trends in order to have accurate accounting and if there are federal requirements for how much the city has to reserve for the account to be in compliance.

Superintendent Kang described the steady decrease in students paid for via NPT: FY15 was 1,245, FY16 was 1,135, FY17 was 1,075, FY18 is projecting around 1,050 students. In prior years, this money did not revert to the general fund and instead to the Special Education Enhancement Fund ("SEEF"). Chairperson Grosso said that as a whole, the city is seeing CFSA numbers going down too and the Committee needs a full accounting of those numbers, but the Superintendent countered that those numbers are actually going up.

Dr. Amy Maisterra, Assistant Superintendent for K-12 Supports, stated that Superintendent Kang has described the nuance of the costs and in addition OSSE can get more accurate numbers during the year when they learn that a more restrictive placement is necessary. She stated that OSSE cannot control the costs in other states or counties. The Chairperson

asked whether these students are placed out of state in public schools or non-public schools and Dr. Maisterra replied that it depends, but the high cost is in non-public. It is an educationally driven placement, but CFSA and DYRS may negotiate rates if it is based on where the student needs to go. Chairperson Grosso responded that it is acceptable on the surface to operate this way, but if OSSE is not coordinating enough or planning well, NPT becomes a slush fund and the Committee would like it to accurately reflect what is needed. He then pivoted to ask about psychiatric residential facilities. Dr. Maisterra said that the city has a much more coordinated approach for those circumstances.

The proposed FY18 budget supplemental includes taking \$2.5M out of the Nonpublic Tuition budget. Since the Special Education Enhancement Fund source of money is “leftover” nonpublic tuition, this will reduce the amount for the fund by \$2.5M for next year (FY19). This came on top of the decision by the Committee to reduce this fund by \$2M in the FY18 budget. When the Committee decision redirected funds to the UPSFF, the Mayor’s change seems to dedicate funds from the education sector to non-education related needs. When asked about this by Chairperson Grosso, Superintendent Kang stated that the funds were indeed put back into the general fund and not going to education priorities. The Committee determined that it is better to preempt the Mayor from doing the same in FY19 and dedicate the funds now within the education sector.

### **3. FY 2019-2024 CAPITAL BUDGET**

The proposed FY19 budget included no capital funds for Non-Public Tuition.

### **4. COMMITTEE RECOMMENDATIONS**

#### **a. Fiscal Year 2019 Operating Budget Recommendations**

The Committee recommends adoption of the FY19 operating budget for the Non-Public Tuition agency as proposed by the Mayor, with the following modifications:

1. PROGRAM: Non-Public Tuition (1000/100)  
APPROPRIATION TITLE: *Local Funds*

CSG50 (*Subsidies and Transfers*)

The Committee directs a decrease of \$3,500,000 from subsidies and transfers based on historic payment trends under Non-Public Tuition and the pattern of the Mayor sweeping these funds for non-education purposes.

#### **b. Fiscal Year 2019 Capital Budget Recommendations**

Non-Public Tuition has no capital budget.

#### **c. Policy Recommendations**

The Committee has not policy recommendations at this time.

## H. SPECIAL EDUCATION TRANSPORTATION

### 1. AGENCY MISSION AND OVERVIEW

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 divisions:

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

### 2. FISCAL YEAR 2019 OPERATING BUDGET

	<i>FY 2017 Actual</i>	<i>FY 2018 Approved</i>	<i>FY 2019 Proposed</i>	<i>Sum of Committee Variance</i>	<i>Committee Approved</i>
<b>Operating by Fund Type</b>					
OPERATING INTRA-DISTRICT	\$19,000,549	\$10,000,000	\$12,000,000		\$12,000,000
LOCAL	\$89,300,242	\$92,292,335	\$90,090,207	(\$51,561)	\$90,038,646
GROSS FUNDS	\$108,300,790	\$102,292,335	\$102,090,207	(\$51,561)	\$102,038,646
<b>FTE by Fund Type</b>					
LOCAL	1,295.13	1,362.28	1,363.54	-1.00	1,362.54
OPERATING INTRA-DISTRICT FUNDS	0.00	0.00	0.00		0.00
TOTAL		1,362.28	1,363.54	-1.00	1,362.54
<b>Operating Budget by Comptroller Source Group</b>					
11	\$17,888,443	\$17,995,034	\$21,248,640	(\$39,541)	\$21,209,099
12	\$41,140,890	\$42,683,524	\$38,967,190		\$38,967,190
13	\$441,889	\$0			\$0
14	\$17,160,199	\$18,858,868	\$19,055,480	(\$12,020)	\$19,043,459
15	\$5,321,685	\$4,400,000	\$4,463,400		\$4,463,400
20	\$821,569	\$844,500	\$848,500		\$848,500
30	\$1,839,746	\$1,313,826	\$1,363,579		\$1,363,579
31	\$1,166,436	\$510,000	\$806,204		\$806,204
32	\$1,202,079	\$2,917,659	\$2,083,081		\$2,083,081
34	\$412,043	\$853,046	\$1,641,211		\$1,641,211
35	\$47,575	\$124,622	\$134,045		\$134,045
40	\$6,710,024	\$5,969,788	\$5,448,878		\$5,448,878
41	\$10,763,435	\$5,567,640	\$5,481,000		\$5,481,000
50	\$2,018,748	\$165,189	\$20,000		\$20,000
70	\$1,366,031	\$88,639	\$529,000		\$529,000
99	\$0	\$0			\$0
GROSS FUNDS	\$108,300,790	\$102,292,335	\$102,090,207	(\$51,561)	\$102,038,646
<b>Operating Budget by Program</b>					
4400	\$0	\$0			\$0
9960	(\$54,529)	\$0			\$0

	<i><b>FY 2017 Actual</b></i>	<i><b>FY 2018 Approved</b></i>	<i><b>FY 2019 Proposed</b></i>	<i><b>Sum of Committee Variance</b></i>	<i><b>Committee Approved</b></i>
9980	\$0	\$0			\$0
T100	\$23,477,565	\$17,060,537	\$7,997,737		\$7,997,737
T200	\$1,802,868	\$1,132,990	\$1,800,959		\$1,800,959
T300	\$2,421,503	\$2,785,373	\$3,096,212		\$3,096,212
T400	\$623,450	\$822,038	\$682,807		\$682,807
T500	\$1,333,297	\$1,903,648	\$1,909,020		\$1,909,020
T600	\$72,416,560	\$73,606,894	\$79,001,585	(\$51,561)	\$78,950,024
T700	\$6,280,077	\$4,980,855	\$7,601,886		\$7,601,886
GROSS FUNDS	\$108,300,790	\$102,292,335	\$102,090,207	(\$51,561)	\$102,038,646

### **Committee Analysis and Comments**

OSSE's Division of Student Transportation (DOT) is charged with providing safe, reliable, and efficient transportation services that positively impact learning opportunities for eligible District students. On average, OSSE-DOT provides services for more than 3,000 students to schools, along more than 500 bus routes, traveling more than 26,000 miles per day. OSSE-DOT continues to maintain a high standard for services, with an average of over 95 percent success rate of student riders arriving daily to school before the bell rings. The total OSSE DOT proposed FY19 budget is approximately \$102 million, which will allow the agency to continue to provide transportation services to families through FY19.

The proposed budget also includes capital investments to upgrade and maintain the bus fleet and begin construction at bus terminals, including a \$10.8 million investment for the new W Street terminal and \$1.5 million for improvements to the 5<sup>th</sup> Street terminal

There is a capital enhancement for the W Street terminal for \$10 million dollars and OSSE-DOT is working with partners at DGS to get this project finished. It will result in a more efficient and effective work environment stated Gretchen Brumley, Director of Special Education Transportation. Councilmember R. White inquired if trailers are industry standard for employees and she stated that yes, they are industry standard for transportation terminals. She noted that the W Street project will take longer than the other two outlined in the capital budget, but OSSE wants to make sure there is space for training, maintenance, and other support for staff.

OSSE noted that the Adams terminal timeline reflects that it should be completed this summer 2018 and the work has already commenced. The 5th Street terminal is planned to be worked on through 2020. The New York Avenue trailer will be finished by the end of this school year 2017-2018. Councilmember White also asked about constituent concerns that not at all of the fleet is equipped with the appropriate safety restraints and Director Brumley stated that all school vehicles are equipped with the appropriate safety and OSSE-DOT procures the safety restraints needed.

Chairperson Grosso noted that it has been discussed before but is worthy of revisiting his concerns about complaints from parents of students not being picked up on time, or not being picked up or dropped off at all. He asked what changes were made in FY18 to

address this and what will be done in FY19 to increase capacity at OSSE-DOT. Director Brumely stated that there are fifty-four vacancies and seventeen are in pre-employment, so a total thirty-seven vacancies. She noted that this is significant progress from FY17 to FY18 and the training program is clearly having an impact. Chairperson Grosso also noted that OSSE is reserving twenty-five FTEs for D.C. Infrastructure Academy and asked if OSSE could explain the program and when those vacancies will be filled. Superintendent Kang stated that this is a pipeline program through DOES and they expect those interviews to take place in June. There is a significant shortage for bus drivers, so the agency is always looking for ways to develop a workforce pipeline.

### 3. FY 2019-2024 CAPITAL BUDGET

#### BRM15C– 1601 W STREET NE BUILDING RENOVATION

	Source	FY19	FY20	FY21	FY22	FY23	FY24	TOTAL
Proposed	GO Bonds	10,800,000	4,000,000	0	0	0	0	14,800,000
Committee	GO Bonds	10,800,000	4,000,000	0	0	0	0	14,800,000
Variance	GO Bonds	0	0	0	0	0	0	0

The Mayor's proposed budget includes an enhancement of \$13.3 million for the W Street NE Building renovation. The Committee recommends no changes.

#### BRM16C– 2215 5<sup>TH</sup> STREET NE BUILDING RENOVATIONS

	Source	FY19	FY20	FY21	FY22	FY23	FY24	TOTAL
Proposed	GO Bonds	1,500,000	0	0	0	0	0	1,500,000
Committee	GO Bonds	1,500,000	0	0	0	0	0	1,500,000
Variance	GO Bonds	0	0	0	0	0	0	0

The Mayor's proposed budget includes an enhancement of \$1.5 million for 2215 5<sup>th</sup> St NE Building Renovations. The Committee recommends no changes.

#### BU0B0C– BUS VEHICLE REPLACEMENT

	Source	FY19	FY20	FY21	FY22	FY23	FY24	TOTAL
Proposed	Paygo	0	0	0	0	7,194,762	0	7,194,762
Committee	Paygo	0	0	0	0	7,194,762	0	7,194,762
Variance	Paygo	0	0	0	0	0	0	0
Proposed	Short-Term Bonds	1,207,463	2,237,175	301,411	1,949,309	0	5,700,000	11,395,358
Committee	Short-Term Bonds	1,207,463	2,237,175	301,411	1,949,309	0	5,700,000	11,395,358
Variance	Short-Term Bonds	0	0	0	0	0	0	0

The Mayor's proposed budget includes an enhancement of \$4,449,800 for Bus Vehicle Replacement. The Committee recommends no changes.

### 4. COMMITTEE RECOMMENDATIONS

#### a. Fiscal Year 2019 Operating Budget Recommendations

The Committee recommends adoption of the FY19 operating budget for Special Education Transportation as proposed by the Mayor, with the following modifications:

1. PROGRAM: *Terminal Operations (T600/T610)*  
APPROPRIATION TITLE: Local Funds

*CSG11 (Regular Pay – Full Time Continuing)*

The Committee directs a decrease of \$39,540.80 which are funds associated with the reduction of 1 FTE for 5<sup>th</sup> Street– drive and attend students within the Terminal Operations program.

*CSG14 (Fringe)*

The Committee directs a decrease of \$12,020.40 which are funds associated with the reduction of 1 FTE for 5<sup>th</sup> Street– drive and attend students within the Terminal Operations program.

**b. Fiscal Year 2019 Capital Budget Recommendations**

The Committee recommends adoption of the FY19-FY14 capital budget as proposed by the Mayor.

**c. Policy Recommendations**

The Committee has not policy recommendations at this time.

DRAFT

# I. STATE BOARD OF EDUCATION

## 1. AGENCY MISSION AND OVERVIEW

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.

Co-located with the State Board, and included in its budget, are two independent offices: The Office of the Ombudsman for Public Education and the Office of the Student Advocate.<sup>72</sup>

## 2. FISCAL YEAR 2019 OPERATING BUDGET

	<i><b>FY 2017 Actual</b></i>	<i><b>FY 2018 Approved</b></i>	<i><b>FY 2019 Proposed</b></i>	<i><b>Sum of Committee Variance</b></i>	<i><b>Committee Approved</b></i>
<b><i>Operating by Fund Type</i></b>					
LOCAL	\$1,267,318	\$1,711,267	\$1,750,066		\$1,750,066
PRIVATE DONATIONS	\$0	\$0			\$0
PRIVATE GRANT	\$0	\$0			\$0
GROSS FUNDS	\$1,267,318	\$1,711,267	\$1,750,066		\$1,750,066
<b><i>FTE by Fund Type</i></b>					
FEDERAL GRANT	5.51	4.50	5.50		5.50
LOCAL	532.45	558.30	558.30	1.00	559.30
OPERATING INTRA-DISTRICT	0.00	0.00	0.00		0.00
PRIVATE DONATIONS	0.00	0.00	0.00		0.00
SPECIAL PURPOSE REVENUE (O'TYPE)	0.00	0.00	0.00		0.00
TOTAL		562.80	563.80	1.00	564.80
<b><i>Operating Budget by Comptroller Source Group</i></b>					
11	\$698,317	\$958,330	\$934,259		\$934,259
12	\$190,740	\$242,613	\$350,726		\$350,726
13	\$3,466	\$0			\$0
14	\$156,935	\$267,942	\$251,857		\$251,857
20	\$10,001	\$15,899	\$15,000		\$15,000
31	\$3,850	\$25,779	\$15,307		\$15,307
40	\$159,304	\$154,645	\$155,438		\$155,438
41	\$0	\$0			\$0
50	\$44,705	\$46,058	\$0		\$0
70	\$0	\$0	\$27,478		\$27,478
GROSS FUNDS	\$1,267,318	\$1,711,267	\$1,750,066		\$1,750,066

<sup>72</sup> As the Office of the Ombudsman for Public Education and the Office of Student Advocate now have control over their own budgets, they have their own chapters.

	<i><b>FY 2017 Actual</b></i>	<i><b>FY 2018 Approved</b></i>	<i><b>FY 2019 Proposed</b></i>	<i><b>Sum of Committee Variance</b></i>	<i><b>Committee Approved</b></i>
<b><i>Operating Budget by Program</i></b>					
9960	(\$401)	\$0			\$0
SB00	\$1,267,719	\$1,711,267	\$1,750,066		\$1,750,066
GROSS FUNDS	\$1,267,318	\$1,711,267	\$1,750,066		\$1,750,066

## **Committee Comments and Analysis**

### *Personnel*

The State Board became fully independent from OSSE four years ago, which left the agency without the full administrative support they needed to function efficiently. Beginning with the FY17 Budget Oversight Hearing, the State Board has discussed their struggle with not having the administrative staffing to meet the needs of the State Board as well as the two independent offices. Chairperson Grosso agreed to send an additional FTE for administrative purpose. During the FY19 Budget Oversight Hearing, State Board President Karen Williams testified that the Board hired an additional policy staff member and its first Administrative Support Specialist with the funds that the Committee had previously allotted. She stated that the increased capacity has allowed the State Board to be more proactive in responding to the needs of families in all eight wards. Chairperson Grosso expressed confusion around the changes to the FTE count and the non-personal services budget of the State Board, the Office of the Ombudsmen for Public Education (OOPE), and the Office of the Student Advocates (OSA). John-Paul Hayworth, Executive Director of the State Board, stated that the State Board as well as the OOPE and OSA, added part-time fellows as FTEs rather than employees. He stated that in the previous fiscal year, they were told that they needed to add the fellows to their FTE count, removing them from NPS.

President Williams testified that due to increases received through the Council over the past three years, the State Board was able to approve A Need for Appropriations for FY19 which included merit-based increases for SBOE staff. The State Board believes these funds are necessary to ensure equity for its employees since the agency had to shift all of its employees from the Career Service to the Excepted Service, preventing them from being eligible for regular salary step increases. President Williams stated that the Mayor's FY19 budget includes a cost of living adjustment (COLA), but it does not provide the \$55,000 needed to cover the cost of the merit increases. The \$40,000 added by the Mayor will cover the cost of the COLA increases leaving a deficit totaling \$55,000 for merit increases that the State Board requested of the Committee for personnel services. The Committee was unable to identify this funding.

### *Non-personnel*

In 2017 the State Board took on two new initiatives. The High School Graduation Requirement Task Force works to update the city's high school graduation requirements. President Williams talked about the importance of its membership, noting that 50% of their members are representatives of Wards 7 and 8. The Task Force will conclude its work in



May. They also convened the Every Student Succeeds (ESSA) Task Force, which works to fulfill D.C.'s requirements under the federal Every Student Succeeds Act. That Task Force will continue to convene through the summer of 2019, then they will make the switch over from focusing on the statewide school report card to social and emotional learning and school climate. Chairperson Grosso wanted to know about the Board's goals for FY19 as these Task Forces wrap up. Executive Director Hayworth stated that the Board will hold multiple strategic planning sessions with the goal of two sessions per year to ensure that they stick to their goals.

On January 17, 2018, the Board voted to request that the D.C. Auditor to examine the effectiveness of the current oversight structure of the D.C. Public Schools and D.C. Public Charter Schools. Chairperson Grosso asked about the Board's position on this matter and the funding mechanisms to have the Auditor do this work, as well as any conversations they have had on this topic. He wanted to better understand their reasoning behind this since a study as broad as this would cost millions of dollars to conduct. The Chairperson was also concerned about the possible duplication of effort in of the work that the Committee is already doing around this issue. The Board agreed to pay more attention to the Committee's agenda and collaborate.

### **3. FY 2019-2024 CAPITAL BUDGET**

The Mayor's proposed FY19 budget does not include any capital funding for SBOE. However, in the FY18 budget the Committee on Education transferred \$75,000 to the Committee on Transportation and the Environment to the Department of General Services (project line PL108C – Big 3 Buildings Pool) for improvements to the Old Council Chambers at One Judiciary Square including equipment, labor, design and design execution. That work should be completed before FY19.

### **4. COMMITTEE RECOMMENDATIONS**

#### **a. Fiscal Year 2019 Operating Budget Recommendations**

The Committee recommends adoption of the FY19 operating budget for the State Board of Education as proposed by the Mayor.

#### **b. Fiscal Year 2019 Capital Budget Recommendations**

The State Board has no capital budget.

#### **c. Policy Recommendations**

##### *1. Continued focus on engagement*

The Committee recommends that the State Board continue its focus on broad engagement with families, students, and school communities to drive change regarding the challenges

students face with attendance and school climate, along with its broader policy objectives on high school graduation requirements, ESSA compliance, and academic standards.

## **J. OFFICE OF THE OMBUDSMAN FOR PUBLIC EDUCATION**

### **1. AGENCY MISSION AND OVERVIEW**

The Office of the Ombudsman for Public Education is an independent office within the State Board of Education. The mission of the Ombudsman is to provide equal access to education for all students within District of Columbia public and charter schools, and to support student engagement and achievement. To accomplish this mission, the Office of the Ombudsman provides conflict resolution services to families in PreK-12 public schools; identifies and recommends strategies to improve educational outcomes for all students; collaborates with families and stakeholders to address systemic issues such as bullying, harassment, equity issues, and school discipline; and provides information to families about the education system in the District of Columbia.

### **2. FISCAL YEAR 2019 OPERATING BUDGET**

- *See State Board of Education tables, above*

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

In FY18, the Committee was able to allocate funding for an additional FTE to fill the role of an Assistant Ombudsman. During the FY19 Budget Oversight Hearing, The Ombudsman for Public Education, Joyanna Smith, stated that with the additional FTE, they have been able to respond to families and provide services more quickly. However, she expressed the need for an additional staff member for an independent office that would be equipped to conduct investigations into issues reported by teachers and staff due to their lack of funding to conduct formal investigations. The Ombudsman stated that her office does not necessarily want this role, but they wanted to be responsive to the Committee's thoughts; she said that someone should have that role. Ombudsman Smith said that they switched from a model of heavily relying on fellows because they are only with the Office of the Ombudsman for a few months and when they are absent, their case load is passed on to one of the full-time staff members.

For FY19, the Office of the Ombudsman for Public Education is requesting NPS funds in the amount of \$61,000 to match the funds they have used in the past, as well as a budget enhancement of \$20,000 in order to give merit-based increases to employees, and to account for a shortfall of \$3,000 for employee compensation in FY19. The Committee was unable to identify funding for this.

The Ombudsman stated during the hearing that they were looking at more telework to help with some of the budget constraints and adequate work space that the Office of the Student Advocate expressed. Chairperson Grosso stated his support for this idea but wants the Ombudsmen to also factor in the aspect of ensuring confidentiality when doing telework.

### **3. FY 2019-2024 CAPITAL BUDGET**

The proposed FY19 budget included no capital funds for the Office of the Ombudsman for Public Education.

### **4. COMMITTEE RECOMMENDATIONS**

#### **a. Fiscal Year 2019 Operating Budget Recommendations**

The Committee recommends adoption of the FY19 operating budget for the Office of the Ombudsman for Public Education as proposed by the Mayor.

#### **b. Fiscal Year 2019 Capital Budget Recommendations**

The Committee has no capital budget recommendations for the Office of the Ombudsman for Public Education.

#### **c. Policy Recommendations**

##### *1. Collaborate and Communicate to Further Systemic Change*

Through engagement with the Committee and agencies under its purview, the Student Advocate has elevated important policy questions and areas in need of improvement, from school discipline to special education services. The Committee recommends that the Office of the Student Advocate further improve this work in FY19 by collaborating and communicating with agencies and LEAs to identify system challenges and solutions.

## **K. OFFICE OF THE STUDENT ADVOCATE**

### **1. AGENCY MISSION AND OVERVIEW**

The mission of the Office of the Student Advocate is to support and empower DC residents to achieve equal access to public education through advocacy, outreach, and information services. To accomplish this mission, the Office of the Student Advocate provides step-by-step assistance for students, parents, families, and community members to be informed, be connected, and be empowered.

### **2. FISCAL YEAR 2019 OPERATING BUDGET**

- *See State Board of Education tables, above*

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

The Office of the Student Advocate was established in May 2015 with only one FTE, the Chief Student Advocate. In FY16, the office added an additional .5 FTE, which was a Program Associate, who was being shared with the Office of the Ombudsman for Public Education. For FY17, the Committee on Education added 1 FTE, the Student Advocate role, which is fully dedicated to the office. In the FY18 budget, the .5 FTE was changed to 1 FTE solely for the Office of the Student Advocate after the Committee was able to identify funding for an additional FTE position. However, during the FY19 budget hearing, the Office of the Student Advocate expressed the need for an additional FTE. In the Student Advocate's, Dan Davis, testimony before the Committee, he stated that they did not have the capacity to continue to work with fidelity without an additional FTE.

During the FY19 Budget Hearing, the Student Advocate, Dan Davis, expressed the need for secure database software. He stated that they currently rely on Microsoft OneDrive, which does not offer the confidentiality that families deserve. He also expressed the need for an upgraded website that is more accessible. Mr. Davis explained that this new website is more feasible than opening a second public education resource center, considering their budget constraints. Mr. Davis also stated that their facilities are getting cramped and that they could use extra room. The Committee was unable to identify funding to fulfill these budget requests from the Office of the Student Advocate.

Student Advocate Davis talked about their goals for FY19. He stated that they will continue to build their community engagement strategies through outreach, stakeholder engagement, and partnership coalitions. He said that their goal is to collaborate with stakeholders, community-based organizations, and civic organizations as a method for expanding service capacity. He also talked about improving educational outcomes by effecting systemic change that builds on equity and equality.

### **3. FY 2019-2024 CAPITAL BUDGET**

The proposed FY19 budget included no capital funds for the Office of the Student Advocate.

**4. COMMITTEE RECOMMENDATIONS**

**a. Fiscal Year 2019 Operating Budget Recommendations**

The Committee recommends adoption of the FY19 operating budget for the Office of the Student Advocate as proposed by the Mayor.

**b. Fiscal Year 2019 Capital Budget Recommendations**

The Office of the Student Advocate has no capital budget.

**c. Policy Recommendations**

*1. Collaborate and Communicate to Further Systemic Change*

Through engagement with the Committee and agencies under its purview, the Student Advocate has elevated important policy questions and areas in need of improvement, from school discipline to special education services. The Committee recommends that the Office of the Student Advocate further improve this work in FY19 by collaborating and communicating with agencies and LEAs to identify system challenges and solutions.

## L. DEPUTY MAYOR FOR EDUCATION

### 1. AGENCY MISSION AND OVERVIEW

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”); Department of Parks and Recreation (“DPR”); and University of the District of Columbia (“UDC”). Additionally, the office of the DME currently incubates the Office and Commission on Out of School Time Programs and Youth Outcomes.

DME has only one program:

- Department of Education

### 2. FISCAL YEAR 2019 OPERATING BUDGET

	<i><b>FY 2017 Actual</b></i>	<i><b>FY 2018 Approved</b></i>	<i><b>FY 2019 Proposed</b></i>	<i><b>Sum of Committee Variance</b></i>	<i><b>Committee Approved</b></i>
<b><i>Operating by Fund Type</i></b>					
PRIVATE DONATIONS			\$0	\$75,000	\$75,000
LOCAL FUND	\$3,503,676	\$7,519,731	\$16,116,423	\$550,000	\$16,666,423
OPERATING INTRA-DISTRICT FUNDS	\$1,117,065	\$0			\$0
GROSS FUNDS	\$4,620,741	\$7,519,731	\$16,116,423	\$625,000	\$16,741,423
<b><i>FTE by Fund Type</i></b>					
LOCAL	21.00	19.00	19.00		19.00
OPERATING INTRA-DISTRICT	0.00	0.00			0.00
TOTAL		19.00	19.00		19.00
<b><i>Operating Budget by Comptroller Source Group</i></b>					
11	\$1,712,779	\$1,962,495	\$1,964,045		\$1,964,045
12	\$163,107	\$48,929	\$81,449		\$81,449
13	\$0	\$0			\$0
14	\$357,992	\$424,410	\$423,417		\$423,417
20	\$0	\$16,000	\$16,000		\$16,000
31	\$960	\$27,728	\$0		\$0
40	\$53,998	\$778,888	\$1,431,885		\$1,431,885
41	\$2,310,592	\$524,781	\$429,648		\$429,648
50	\$0	\$3,725,000	\$11,758,478	\$625,000	\$12,383,478
70	\$21,312	\$11,500	\$11,500		\$11,500
GROSS FUNDS	\$4,620,741	\$7,519,731	\$16,116,423	\$625,000	\$16,741,423
<b><i>Operating Budget by Program</i></b>					
9980	\$0	\$0			\$0
2000	\$4,621,766	\$7,519,731	\$16,116,423	\$625,000	\$16,741,423

	<i><b>FY 2017 Actual</b></i>	<i><b>FY 2018 Approved</b></i>	<i><b>FY 2019 Proposed</b></i>	<i><b>Sum of Committee Variance</b></i>	<i><b>Committee Approved</b></i>
9960	(\$1,025)	\$0			\$0
GROSS FUNDS	\$4,620,741	\$7,519,731	\$16,116,423	\$625,000	\$16,741,423

### **Committee Comments and Analysis**

#### **Government Leadership**

Committee Chairperson Grosso asked Interim Deputy Mayor for Education Ahnna Smith about the plan and timeline for the hiring of a permanent Deputy Mayor for Education and Chancellor. In early April, Chairperson Grosso sent a letter to the Mayor regarding the need for quick but deliberate action. The Deputy Mayor indicated that they were developing the process for hiring the permanent Chancellor. She stated that the Mayor has been “engaging with stakeholders” such as at an event the morning of the hearing. The Chairperson expressed disappointment that he had learned from Twitter that the Mayor had suggested, at the “stakeholder engagement” event where she was being interviewed by billionaire David Rubinstein, that the Chancellor hiring process would not start in earnest until after the June Democratic primary. When pressed further about the process, the Deputy Mayor suggested that it would largely mirror the search process to replace former Chancellor Kaya Henderson in 2016. The Committee finds this approach to be problematic. The tenures for both the interim Chancellor and interim Deputy Mayor will expire in mid-August, while the Council is on recess and no measures may be considered. That would require the Mayor to conduct a complete search process between June 20 and July 15, the start of the Council recess, which is not feasible.

Similarly, Chairperson Grosso asked Deputy Mayor Smith about the period for replacing Public Charter School Board member Darren Woodruff, whose term came to a conclusion in February 2018. Grosso pointed out how last year, when there was a similar term expiration, the Mayor did not send a replacement until the fall, leaving the PCSB short a member for several months. The Deputy Mayor testified that the Council would have a nomination in time to confirm a new member of PCSB prior to leaving for recess. The Committee advises that the Executive should place more focus on timely nomination processes.

Chairperson Grosso then turned to the issue of recent scandals and investigations in the education sector. He noted the vacuum of leadership within the Executive which leaves an opening for other players to push unhelpful approaches. Grosso asked why he had not received a response to the letter he had sent in March, asking the Mayor to consider having a continued investigation into the practices in elementary and middle schools that lead to the problems uncovered by the Office of the State Superintendent for Education report on the failure of some D.C. Public Schools high schools to follow policies regarding attendance and graduation. Deputy Mayor Smith insisted that the Executive takes the issues seriously and is looking at all the options. Considering that by end of April there still was no response from the Mayor or any articulation of thoughtful leadership from the Executive, the Committee is deeply disappointed with the situation.

### Out-of-School Time

As discussed during the Deputy Mayor's performance oversight hearing, in 2016 the Office and Commission on Out of School Time Grants and Youth Outcomes were created through legislation crafted and passed by the Committee, with extensive input from the Deputy Mayor. The Office of the Deputy Mayor now houses the Office of Out of School Time Grants and Youth Outcomes, which, in turn, supports the Commission, and for FY19 the Office is added as a budget activity for the Deputy Mayor for Education. The Committee shares the enthusiasm of the community for the Mayor's budget proposal of \$12.9M for the Office, representing a doubling of the funding for this work. Although this includes, for the first time, an accounting for \$1.3 in one-time funding that is normally swept into the out-of-school time (OST) work in the supplemental budget, this still represents an increase of \$6.7M over FY18, of which \$5.2M is reoccurring funds. The Committee believes that this is proof of the hard work put in by the Council, the Mayor, and community members to create a new, trustworthy pair of entities to replace the dissolved D.C. Trust. Along with the needs assessment and strategic planning work currently underway at the Office and Commission, this new investment will set the stage for a remarkable improvement in putting students in the best position to succeed.

Before the Mayor's budget proposal was presented to the Council, community organizations and parents had been advocating for a \$25M increase in the OST budget, based on what would be needed to address the initial needs assessment's findings of the gap between current OST slots and demand for students who are "at-risk." Public witnesses reiterated this request at the Deputy Mayor's budget oversight hearing. Although the Committee wishes it could get to the \$25M numbers for FY19, that is not possible, and the Committee will look to get to that number in FY20. The positive improvements, aside from funding, will continue in FY19, as grants continue to be awarded and dispersed earlier than previously, the application and reporting processes are improving, and grantees are paid up front rather than reimbursed.

In response to questions from Chairperson Grosso about the next steps of the Office and Commission, OST Office Executive Director Mila Yochum indicated that the Commission plans to have a final draft of the new strategic plan by October, and that the additional pieces of the needs assessment are in process currently, including a parent survey and a student survey. She noted that based on feedback from the Commission, the Office will seek to keep the application process for SY18-19 largely the same as last school year, while prioritizing the new funding to target certain populations such as students with disabilities, certain geographic areas, and to close the major gap for K-8 students for summer programming. The Committee agrees with this approach of the Office and Commission. In light of the on-going conversations with the Public Charter School Board about the change from summer school to at-risk funding, and how it left some schools short of resources for the summer, the emphasis on that timeframe is particularly important. Executive Director Yochum indicated that in addition to the new OST dollars, new funding at Department of Parks and Recreation will also go toward alleviating summer time needs of students at DCPS-based DPR summer programs. Although not discussed extensively during the hearing, the Committee also believes that



some of the new funding should be used to support more capacity building and quality improvement work for OST programs, a priority that the Commission seems to share.

Relatedly, the Chairperson asked about the lack of OST programming at DCPS and DPR in the final week or two before the start of the school year, which presents a hardship for many parents. Deputy Mayor Smith stated that this is hard because schools are getting ready to re-open and need the space, and many teachers are the instructors in DPR programs, so they have to be back in schools prepping for start. However, she said that this will be taken up by the “School Opening Stat” group. She also said it requires greater coordination between DPR and DCPS, and Chairperson Grosso expressed his exasperation that she would cite that as a barrier, since her role is meant to improve coordination and planning.

The Committee learned in early 2018 about the existence of a donation option on the D.C. tax filing form that directed funds to the D.C. Trust—however, since the dissolution of the Trust, the money has been unused. Considering the involvement of the Chief Financial Officer in the process of legislation, it is surprising that this was not identified when the Council passed the Office of Out of School Time and Youth Outcomes Establishment Act of 2016. However, the Committee does fix this problem. While the Mayor proposed to direct the funding to the new Office of Neighborhood Safety and Engagement—an extremely worthy effort that the Committee fully supports—because the donation option was meant for youth-specific activities via the D.C. Trust, the Committee feels that that spirit should continue. The Committee on the Judiciary concurs. It is not a large amount of money currently, but with additional promotion of the donation option, more D.C. tax payers are likely to contribute, sending more dollars to the important OST work that is happening.

Lastly, Chairperson Grosso discussed with the Deputy Mayor the plan for spinning off the OST Office as its own independent agency, as contemplated in the establishing legislation. Deputy Mayor Smith indicated that she is actively discussing this with her team and plotting the best path forward, keeping in mind the importance of having a stable structure before the move to independence. The Committee looks forward to continuing that conversation in the coming year.

In a time of great challenge for much of the educational sector, the work of the Office and Commission on Out of School Time and Youth Outcomes is a bright spot and the work of the Office is to be commended.

#### Enrollment and LEA Payment

The Mayor’s proposed budget for FY19 included important investments in the Uniform Per Student Funding Formula, even as community members continued to question how dollars are spent at the school level and the opacity of the budgeting process for schools. In particular, a number of public witnesses testified on the importance of making it easier to track how schools spend “at-risk” dollars. In response to questions from Chairperson Grosso, Deputy Mayor Smith stated that she is focused on ensuring that dollars are spent wisely and efficiently. She noted the recommendation from some public witnesses to

revisit the OSSE-led adequacy of a few years ago, noting that there has been a lot of helpful conversation, and now it is important to look at how we are implementing at the school level. The Deputy Mayor noted the additional stabilization dollars put into the DCPS budget this year resulting, she said, over \$50M going into school budgets.

The Chairperson then asked about the student enrollment projections, particularly at DCPS. He expressed surprise that the numbers would be the same year after year. Jen Comey, Director of Planning and Data Analysis, stated that while on their face they appear the same, a lot goes on behind the scenes to arrive at the number. She also stated that they need to overestimate to allow for the “by right” nature of DCPS, which will often get additional, unexpected students mid-year. She also testified that there have been times when DCPS numbers have been underestimated in the past few years. Chairperson Grosso asked for the documentation behind those assertions and was told her would receive it but did not in time for inclusion in this report.

The Committee was surprised to read about the “suspension” of the LEA Payment Initiative, which has been an important area of work for the Deputy Mayor’s office in recent years, in the effort to bring more sense to the enrollment payments, address mid-year mobility, and improve cohesion in our education sector. Deputy Mayor Smith testified that the Initiative is in a “hold harmless” year as always contemplated. She stated that the effort requires a lot of work and that it is raised new questions that are not easy to answer, so she is unsure if this is how energy is best spent. The Committee sees value in the work and wishes to see it get back on track.

#### Attendance, Services, and Safety

During the April Truancy Task Force meeting, the Committee learned that the rate of students missing school without an excuse is increasing, as it did last school year. The Chairperson expressed his frustration that the Deputy Mayor’s pre-hearing responses to this issue were lacking (in addition to the fact that the responses came late) and asked Deputy Mayor Smith to bring a greater sense of urgency to the issue. The Deputy Mayor noted the Mayor proposed an additional \$650,000 in one-time funds for attendance interventions, and stated that the plans for its use are vague because her team is waiting to get more feedback about the best ways to deploy it from schools, parents, and community organizations at the April 21 attendance summit. She said that she anticipates much of the funding to go directly to support schools, in the form of technical assistance or resources to help them implement interventions. Director of Performance and Strategic Initiatives Aurora Steinle noted that the Every Day Counts Task Force had conducted a self-assessment to identify areas of improvement in the attendance work, and that while the Deputy Mayor was asking agencies to “step up” their efforts in specific ways, their office also wanted to provide resources to help.

In response to questions from Chairperson Grosso about proposed budget allocations to the Office of Victims Services and Justice Grants (OVSJG) of almost half a million dollars to “support community-based organizations providing trauma-specific services for victims of crime, incarcerated and returning citizens, and truant youth,” and to the Department of Human Services for the STEP program, Ms. Steinle indicated that these are all parts of

supporting young people from multiple angles. While the Committee appreciates this and believes a more trauma-informed government is an excellent objective, the fact that more dollars were not explicitly invested into attendance interventions is concerning, in light of the challenges that have dogged schools, particularly comprehensive DCPS high schools, in SY17-18. In particular, the Committee was surprised that the Mayor did not propose an increase in funding for the high school-targeted attendance intervention grants at the OVSJG that are in their first year, and which received applications for four times the dollar amount available. The Committee had hoped to identify additional funding for this purpose but was unable to do so.

As discussed during the performance oversight hearing, Chairperson Grosso noted that the Deputy Mayor has a renewed focus on safe passage. This is a critical component to the attendance questions, as reiterated by students throughout the past months as the District and the country have discussed school safety and gun violence. Grosso noted how students from Ballou High School had raised the issue of transportation in hearings with him, asking whether a dedicated bus had been considered as part of the safe passage discussions. The Deputy Mayor indicated that this would be discussed in upcoming meets, as Congress Heights is one focus area for the work.

Relatedly, the Chairperson asked Deputy Mayor Smith about the Adult Learners' Transportation Subsidy Pilot. This was funded by the Council in FY18 and is proposed to continue in FY19, although the Committee heard testimony about some challenges with the program. In response, she described her office's plan to keep working with the Department of Transportation to move out of the pilot phase in FY19 and to make improvements based on the feedback from schools and students.

#### Facilities and Interagency Coordination, Communication

The coming fiscal year brings new milestones with regards to implementation of the PACE Act, and Chairperson Grosso expressed exasperation to the Deputy Mayor that the Executive seems to continue to disregard this law. Despite the promises made to improve communication and coordination between Department of General Services and DCPS on small capital projects, the Committee still heard extensive testimony from public witnesses about conditions at their schools. Although fewer schools came to the hearing to lambast the Executive than in years past, the Committee remains frustrated that greater progress has not been made on this issue.

The Chairperson asked the Deputy Mayor about the Executive's failure to comply with the PACE Act, detailing the numerous points of the law that the Mayor had chosen to ignore. In response to Grosso's question about why the law was ignored, the Deputy Mayor for Education stated that she could not say why and that DGS and DCPS could provide more insight. Chairperson Grosso then asked about any logistical issues that prevented the Executive from complying with the law, to which she responded that there were none, to her knowledge. In response to Chairperson Grosso's question about why the CIP wasn't presented in September with public engagement, Alex Cross, Special Assistant, testified

that this was a result of facilities conditions assessments (FCAs) being delayed, due to procurement problems.

The Chairperson then went through the schools that were added to the CIP without proper explanation, and which were not accompanied by the appropriate documentation. Deputy Mayor Smith stated that they were schools that had unique circumstances and that no other school was harmed by their inclusion. Grosso acknowledged that, which was all the more reason to include the proper reasoning and assessment for inclusion. Further, projects already in the CIP also require additional information for the sake of transparency. For example, several project lines realized increases of greater than 10% over the previous CIP, which require explanation so that the public can understand the increased costs—this simple information was not included. He ended the hearing expressing his frustration, because the Committee and community put a lot of effort to pass the law and the Mayor actually signed it. He stated that if the Mayor wants to go outside the confines of the law, there may be reasonable exceptions, but then the Executive needs to do extra engagement work and provide transparency. Chairperson Grosso reminded the Deputy Mayor that the Committee, with this work, seeks to ensure that parents know what to expect with regards to capital investments, breaking with the historical pattern of schools not receiving capital dollars for modernization if they did not have people to advocate for them. That legacy of inequity is what the Committee seeks to disrupt.

PACE also required that the prioritization ranking list of DCPS schools be submitted to Council by September 30, 2017. Despite repeated inquiries, on the record, with DCPS, and assurances that the agency was on track to submit the prioritization list on time, the Council did not receive the prioritization list until March 1, 2018. The list ranked the schools that only received a phase one renovation as to prioritize those schools for full modernization starting in FY2024. However, the committee has also been notified by the Deputy Mayor for Education that there was an error for the facilities condition assessment (FCA) performed on Bunker Hill due to an address “mix-up”. Therefore, the FCA needed to be performed again at the correct facility, causing the ranking list to already need an update. The Council has yet to receive an official updated submission of the prioritization ranking list for public disclosure.

The next milestones in PACE Act implementation include the creation of the next Master Facilities Plan. Though required to be submitted to the Council by December 15, 2017, the Deputy Mayor for Education has indicated that it will be complete in summer of 2018. The Master Facilities Plan will help guide decision-making for the CIP, as well as inform strategic and sustainable facilities planning for both the traditional public and public charter sectors.

The committee is frustrated that schools were added to the CIP for additional classroom space prior to the completion of the MFP. When evaluating the placement of the two schools that were inserted into the CIP for additional classroom space (Key and Stoddert Elementary Schools), the Committee examined the utilization data compiled by the Office of the Deputy Mayor for Education for school year 2016-2017. This utilization information showed that Key’s permanent capacity utilization is 110% and 9 schools have higher

permanent utilization rates. Key's utilization rate for permanent and portables is 98% and there are 18 schools with higher utilization rates in this category. The plan to address the higher utilization rate, according to the 2016 MFP Annual Supplement, is "DCPS is working closely with the Deputy Mayor for Education to update the Master Facilities Plan in 2018, which will help inform the approach to address overcrowded and underutilized schools." In fact, 22 other schools have the same plan to address the high utilization rate.

Stoddert Elementary has a permanent capacity utilization rate of 136% as of school year 2016-2017, the highest on the list. With portables, its utilization drops down to 92% with 36 schools above it. The plan to address the utilization rate according to the 2016 MFP Annual Supplement is "Trailers are on site to address high enrollment. As part of the Boundary Study, the addition at Hyde-Addison will alleviate some overcrowding at Stoddert."

Combined with a lack of justification submitted with the CIP, and a lack of explanation as to why these two facilities should be placed in the CIP before the MFP is complete, the Committee is discouraged at the lack of transparency in to capital planning decision-making, which is led by the Office of the Deputy Mayor for Education.

The intention of PACE is to bring stability and transparency to the Capital budget. PACE is intended to bring certainty to school communities as to where they fall in the queue for modernizations and improvements. The Committee expects the Deputy Mayor for Education to ensure the full compliance with and implementation of the PACE Act, including the resubmission of the Prioritization Ranking List, and work with DCPS to perform the subsequent community engagement required by the law.

During the FY18 budget oversight hearing, the Chairperson asked the Deputy Mayor about the new "Access to Public Space Initiative," and for FY19 Grosso asked about next steps. Deputy Mayor Smith indicated that the advisory group to help inform the effort had been convened and would work toward a set of recommendations that could be implemented in FY19. For DPR, they already have built a centralized online portal for space reservation, so that residents can more easily see availability and reserve spaces online, and next will be incorporating DCPS. Chairperson Grosso encouraged inclusion of D.C. Public Libraries (DCPL) as well, and the Deputy Mayor noted that DPR and DCPL are more similar in their missions of serving the public, while DCPS serves students, and then the public secondarily, requiring different considerations. Chairperson Grosso acknowledged that but also pressed the importance of a change in mindset from closed to open, and cited how playgrounds at DCPS sites are routinely closed to the communities they are in. The Committee will look for an update on this work in the fall and looks forward to more taxpayer funded facilities being open to taxpaying residents.

### **3. FY 2019-2024 CAPITAL BUDGET**

The Committee recommends adoption of the FY19-FY24 capital budget for the Deputy Mayor for Education as proposed by the Mayor, with no changes.

#### 4. COMMITTEE RECOMMENDATIONS

##### a. Fiscal Year 2019 Operating Budget Recommendations

The Committee recommends adoption of the FY19 operating budget for the Deputy Mayor for Education as proposed by the Mayor, with the following modifications:

1. PROGRAM: *Department of Education (2000/2011)*  
APPROPRIATION TITLE: *Local Funds*

*CSG 50 (subsidies and transfers)*

The Committee recommends an increase of \$500,000 in one-time funds and \$50,000 in recurring funds for subsidies and transfers for Office of Out of School Time Grants and Youth Outcomes to increase the funding in grants, as a result of a transfer of \$500,000 in one-time funds from the Committee on Labor and Workforce Development and a transfer of \$50,000 in recurring funds from the Committee on Business and Economic Development.

2. PROGRAM: *Department of Education (2000/2011)*  
APPROPRIATION TITLE: *Private donations*

*CSG 50 (subsidies and transfers)*

The Committee recommends an increase of \$102,791 in one-time funds for subsidies and transfers for Office of Out of School Time Grants and Youth Outcomes to increase the funding in grants, as a result of a transfer from the Public Fund for Drug Prevention and Children at Risk.

##### b. Fiscal Year 2019 Capital Budget Recommendations

The Committee recommends the adoption of FY18-FY23 capital budget as proposed by the Mayor with no changes.

##### c. Policy Recommendations

1. *Comply with the Planning Actively for Comprehensive Education Facilities Amendment Act of 2016*

The Committee is beyond frustrated at the Mayor's apparent unwillingness to follow a law which the Council passed, and the Mayor signed. The FACE Facilities Act lays out specific, reasonable legal requirements that are to be met by the executive with regard to school modernizations and the capital budget. By October 1, 2018, the Committee recommends that the deputy Mayor for Education should submit a report to the Committee on the Mayor's plan for following the law in developing the FY20 budget and in years beyond. Additionally, the Committee has learned that the Deputy Mayor is declining to share information that is meant to be public under the law with regards to charter school

facilities, with the justification that the facilities condition assessments were paid for with private donations. The government regularly receives private donations to assist with governmental tasks, and this does not release the Executive from complying with the law. The Committee recommends that the Deputy Mayor provide the Council with those documents immediately.

## *2. Follow up on Adult Learner Transportation Pilot*

The Committee appreciates that the Council was able to fund this priority in FY18 and that the Mayor continued it for FY19. Due to the challenges with implementation, the Committee recommends an update from the Deputy Mayor for Education on changes and improvements made to the program, due December 1, 2018.

## *3. Report on next steps for LEA payment initiative and budget transparency*

The Committee was unhappy to learn of the pause in the LEA payment initiative, which is further compounded by the lack of transparency in the D.C. Public Schools budget. At a time when the public's confidence in the education system has been shaken, the Executive should be doing everything possible to promote transparency and engagement. Additionally, without a true understanding of what schools and LEAs require to meet the needs of students, there can be no honest conversation in D.C. about whether or not the funding is sufficient. The Committee recommends that by October 1, 2018, the Deputy Mayor for Education send a report to the Committee detailing the planned next steps for the LEA payment initiative and a plan for improving DCPS budget transparency and engagement.

## *4. Collaborate with the District Department of Transportation to analyze student transportation times, options, and routes for chronically absent students.*

In light of the continued rise in chronic absenteeism, and the particular challenges facing high schools, the Committee recommends that the Deputy Mayor for Education and the District Department of Transportation thoroughly examine how transportation can be a barrier to school attendance, and how to ameliorate it. The Committee applauds the city for making significant investments in the Kids Ride Free to mitigate one barrier in transportation for students: cost. The Kids Ride Free program offers free or reduced transit fares for public school and private school students to travel to and from school and school-related activities. Many students in the District of Columbia utilize this option to get to school and we know some information about the distance students are traveling to from home to school. According to PCSB's 2017 "Choosing the Right School" study revealed that in school year 2016-2017, public charter school students traveled an average of 2.1 miles to attend school, but average distance traveled varies by grade, by demographic group, and by campus. However, this study did not address how long it takes students to get to school or the routes they take.

Many students, particularly in Wards 7 and 8, may experience long wait times for WMATA buses and/or long commutes. During the December 2017 roundtable on graduation rate

accountability, and in other forms, the Committee heard earnest testimony from teachers and students about this issue. Students from Ballou High School also testified that many of their classmates arrive late to class because they are responsible for taking their younger siblings or children to school.

The Committee recommends the Deputy Mayor for Education and the Department of Transportation move hastily to study transportation patterns, so the city can help prevent chronic absenteeism and truancy in the future by identifying ways to best respond where there is significant need.

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### III. TRANSFERS TO OTHER COMMITTEES

In addition to the changes recommended for agencies within its authority, the Committee has worked with other committees to identify funding needs, therefore the Committee recommends the following transfers to support programs in those other committees.

1. Transfer \$300,000 in recurring funds to the Committee on Human Services, for the Department of Human Services (JA0), CSG50 (subsidies and transfers), Program 5000 (Family Services), 5022 (Youth Services) for:
  - a. \$300,000 one-time funding in FY19 for wrap-around services at drop-in center;
  - b. \$90,000 in recurring funding starting in FY20 for the remainder of the financial plan for youth permanent supportive housing; and
  - c. \$135,000 in recurring funding starting in FY20 for the remainder of the financial plan for youth transitional shelter.

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## **IV. BUDGET SUPPORT ACT RECOMMENDATIONS**

On Wednesday, March 21, 2018, Chairman Mendelson introduced, on behalf of the Mayor, the “Fiscal Year 2019 Budget Support Act of 2018” (Bill 22-0753). The bill contains nine subtitles for which the Committee has provided comments. The Committee also recommends the addition of five new subtitles.

### **A. RECOMMENDATIONS ON MAYOR’S PROPOSED SUBTITLES**

The Committee provides comments on the following subtitles of the “Fiscal Year 2019 Budget Support Act of 2018”:

- 1. TITLE IV, SUBTITLE A. UNIFORM PER STUDENT FUNDING FORMULA FOR PUBLIC SCHOOLS AND PUBLIC CHARTER SCHOOLS INCREASES**
- 2. TITLE IV, SUBTITLE B. IMPLEMENTATION OF ENHANCED SPECIAL EDUCATION SERVICES AMENDMENT ACT**
- 3. TITLE IV, SUBTITLE C. DISTRICT OF COLUMBIA STATE ATHLETICS AMENDMENT**
- 4. TITLE IV, SUBTITLE D. HIGHER EDUCATION INCENTIVE PROGRAM AMENDMENT**
- 5. TITLE IV, SUBTITLE E. CHILD CARE PAYMENT ASSISTANCE ACT OF 2018**
- 6. TITLE IV, SUBTITLE F. EARLY LEARNING TAX CREDIT**
- 7. TITLE IV, SUBTITLE G. HEALTHY SCHOOLS ACT PHYSICAL ACTIVITY AND CAFETERIA GRANTS**
- 8. TITLE IV, SUBTITLE H. DC PUBLIC SCHOOLS SPECIAL PURPOSE REVENUE FUND**
- 9. TITLE III, SUBTITLE G. TAX-PAYER SUPPORT FOR AFTERSCHOOL PROGRAMS FOR AT-RISK STUDENTS**

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

##### **a. 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 Act of 1998 to increase the foundation level to \$10,658. The change in special education levels also adequately funds all schools for the implementation of the Special Education Enhancement Act of 2014. Additionally, the Committee recommends an increase to the at-risk weight to .0244, to fund schools for implementation of the Student Fair Access to School Amendment Act of 2018.

##### **b. Committee Recommendation**

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

**c. Section-by-Section Analysis**

Sect. 4001. States the short title.

Sec. 4002. Amends the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998 to set the foundation level and updates the weighting factors for per pupil allocation.

**d. Legislative Recommendations for Committee of the Whole**

Sec. 4001. Short title.

This subtitle may be cited as the “Funding for Public Schools and Public Charter Schools Increase Amendment Act of 2018”.

Sec. 4002. 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 § 38-2903 *et seq.*), is amended as follows:

(a) Section 104 (D.C. Official Code § 38-2903) is amended by striking the phrase “\$10,257 per student for fiscal year 2018” and inserting the phrase “\$10,658 per student for Fiscal Year 2019” in its place.

(b) 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 2019
“Pre-Kindergarten 3	1.34	\$14,282
“Pre-Kindergarten 4	1.30	\$13,855
“Kindergarten	1.30	\$13,855
“Grades 1-5	1.00	\$10,658
“Grades 6-8	1.08	\$11,511
“Grades 9-12	1.22	\$13,003
“Alternative program	1.44	\$15,348
“Special education school	1.17	\$12,470
“Adult	0.89	\$9,486

(c) 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 2019

“Level 1: Special Education	Eight hours or less per week of specialized services	0.97	\$10,338
“Level 2: Special Education	More than 8 hours and less than or equal to 16 hours per school week of specialized services	1.20	\$12,790
“Level 3: Special Education	More than 16 hours and less than or equal to 24 hours per school week of specialized services	1.97	\$20,996
“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	\$37,196
“Special Education Compliance	Weighting provided in addition to special education level add-on weightings on a per-student basis for Special Education compliance.	0.099	\$1,055
“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	\$949
“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	\$17,799

“General Education Add-ons:

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2019

“ELL	Additional funding for English Language Learners.	0.49	\$5,222
“At-risk	Additional funding for students in foster care, who are homeless, on TANF or SNAP, or behind grade level.	0.224	\$2,387

“Residential Add-ons:

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2019
“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	0.37	\$3,943
“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	1.34	\$14,282
“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	2.89	\$30,802

“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	2.89	\$30,802
“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	\$7,120

“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 2019
“Special Education Level 1 ESY	Additional funding to support the summer school or program need for students who require ESY services in their IEPs.	0.063	\$671
“Special Education Level 2 ESY	Additional funding to support the summer school or program need for students who require ESY services in their IEPs	0.227	\$2,419

“Special Education Level 3 ESY	Additional funding to support the summer school or program need for students who require ESY services in their IEPs	0.491	\$5,233
“Special Education Level 4 ESY	Additional funding to support the summer school or program need for students who require ESY services in their IEPs	0.491	\$5,233

(d) Section 115 (D.C. Official Code § 38-2913) is amended by striking the phrase “Fiscal Year 2020” and inserting the phrase “Fiscal Year 2022” in its place.

**e. Fiscal Impact**

*The fiscal impact of the subtitle was incorporated into the FY 2019 budget and financial plan, with the exception of the increase to the At-Risk weight, for which the Committee has identified funding, in order to meet the UPSFF requirements to remove the subject to appropriations language in the Student Fair Access to School Amendment Act of 2018, detailed further under Subtitle XXX, Student Fair Access to School Subject to Appropriations Repeal and Technical Amendment Act of 2018.*

**2. TITLE IV, SUBTITLE B. IMPLEMENTATION OF ENHANCED SPECIAL EDUCATION SERVICES AMENDMENT ACT**

**a. Purpose, Effect, and Impact on Existing Law**

The proposed subtitle would repeal the subject to appropriations language in the Enhanced Special Education Services Amendment Act, making effective three requirements:

- Shortening the timeline for conducting initial evaluations
- Decreasing the age triggering secondary transition requirements from 16 to 14
- Expanding eligibility for Part C/Early intervention services

The purpose of this subtitle is to ensure that schools provide students with disabilities the services they need in a more comprehensive and timely manner and that students and families will be able to get access to special education services more quickly. In addition, more students will be eligible for these services and the services will be available at a younger age.

**b. Committee Reasoning**

The original fiscal impact statement estimated the costs of implementing these three provisions at \$32-49 million, acknowledging that the costs could be much lower,

depending on the number of children eligible for Medicaid, program efficiencies and the funding mechanism for charter schools and DCPS. Since that FIS was provided, the District has invested significant resources to help LEAs lower the age for adulthood transition plans and reduce time between student referrals and evaluations. In addition, OSSE also provided funding in FY18 directly to LEAs to help them prepare to meet the Act's requirements. Furthermore, updated eligibility data and changes to the early intervention services program model suggest that the cost of expanding early intervention services is significantly lower than previously estimated (at \$14-28 million, depending on costs per child and the number of children eligible for Medicaid). Moreover, OSSE has been able to use Medicaid payments to offset a portion of the costs of providing direct services to students. Based on these factors, OCFO prepared a revised FIS for this subtitle, which shows that the costs to implement the provisions have been significantly reduced.

**c. Section-by-Section Analysis**

Section 4011. States the short title.

Section 4012. Amends the Placement of Students with Disabilities in Nonpublic Schools Amendment Act to repeal the subject to appropriations clause attached to the shortened timeline for conducting initial evaluations

Section 4013. Amends the State Education Office Establishment Act Amendment Act to repeal the subject to appropriations clause attached to decreasing the age triggering secondary transition requirements from 16 to 14 and expanding eligibility for Part C/Early intervention services.

**d. Legislative Recommendations for Committee of the Whole**

Sec. 4011. Short title

This subtitle may be referred to as the "Enhanced Special Education Services Subject to Appropriations Repeal Amendment Act of 2018".

Sec. 4012. Section 102(a)(2) of the Placement of Students with Disabilities in Nonpublic Schools Amendment Act of 2006, effective March 14, 2007 (D.C. Law 16-269; D.C. Official Code § 38-2561.02(a)(2)), is amended as follows:

(a) Subparagraph (A) is amended by striking the phrase "Beginning July 1, 2017, or upon funding, whichever occurs later, an LEA shall" and inserting the phrase "Beginning July 1, 2018, an LEA shall" in its place.

(b) Subparagraph (B) is repealed.

Sec. 4013. Section 7h of the State Education Office Establishment Act of 2000, effective March 10, 2015 (D.C. Law 20-195; D.C. Official Code § 38-2614), is amended as follows:

(a) Subsection (a) is amended as follows:

(1) Paragraph (1) is amended by striking the phrase "Beginning July 1, 2016, or upon funding, whichever occurs later, the first IEP" and inserting the phrase "Beginning July 1, 2018, the first IEP" in its place.

(2) Paragraph (3) is amended by striking the phrase "Beginning July 1, 2017, or upon funding, whichever occurs later, a child" and inserting the phrase "Beginning July 1, 2018, a child" in its place.



(c) Subsection (c) is repealed.

**e. Fiscal Impact**

*The fiscal impact of the subtitle was incorporated into the FY 2019 budget and financial plan.*

**3. TITLE IV, SUBTITLE C. DISTRICT OF COLUMBIA STATE ATHLETICS AMENDMENT**

**a. Purpose, Effect, and Impact on Existing Law**

This BSA subtitle repeals the provisions of Act that require funding for the Commission in the annual budget to be included as a separate program code within OSSE's budget, instead of as a separate agency and that the Commission would submit its annual oversight and budget reports to the Council through OSSE.

**b. Committee Reasoning**

This subtitle is necessary to establish the Commission as an agency-level entity outside of OSSE, as intended by the Act, and complete the transfer of DCSAA from OSSE to the Commission by October 1, 2018.

**c. Section-by-Section Analysis**

Section 4021. States the short title.

Section 4022. Amends the State Athletics Amendment Act of 2018 to repeal provisions of Act that require funding for the Commission in the annual budget would be included as a separate program code within OSSE's budget, instead of as a separate agency and that the Commission would submit its annual oversight and budget reports to the Council through OSSE.

**d. Legislative Recommendations for Committee of the Whole**

Sec. 4021. Short title.

This subtitle may be cited as the "State Athletics Amendment Act of 2018".

Sec. 4022. Section 104(g) of the District of Columbia State Athletics Consolidation Act of 2016, effective April 7, 2017 (D.C. Law 21-263; D.C. Official Code § 38-2661.12(g)), is repealed.

**e. Fiscal Impact**

*The fiscal impact of the subtitle was incorporated into the FY 2019 budget and financial plan.*

**4. TITLE IV, SUBTITLE D. HIGHER EDUCATION INCENTIVE PROGRAM AMENDMENT**

**a. Purpose, Effect, and Impact on Existing Law**

This subtitle proposes to amends the Pre-K Act to expand the purpose of the University of the District of Columbia's Higher Education Incentive Program scholarship and grant program to support pre-K teachers to also support infant and toddler teachers. The

purpose of the expansion is to increase the number of teachers in early childhood education—both in pre-K and in child development facilities— by allowing those pursuing early childhood development to also be eligible for the scholarship and grant funding which will ensure the District is maximizing the available resources to increase the number of early education teachers teaching in the District. This will allow the program to increase the number of teachers in early childhood education – both in pre-K and in child development facilities.

Additionally, the proposed subtitle makes amendments to define allowable costs beyond tuition for scholarships. This amendment recognizes the wide range of support students may need to complete the District’s mandated credential requirements to teach in a licensed child development facility. With these amendments, financial assistance may now be provided for mentoring, tutoring, transportation, child care expenses, or any other barriers to obtaining a credential.

Finally, the proposed subtitle makes the technical amendments is to clarify that the HEI program has two components (1) scholarships to students and (2) grants to institutions who can then provide funding to students. These amendments are necessary to clarify the overarching purpose of the HEI program and funding.

**b. Committee Reasoning**

The Committee believes that by expanding this program it will reach more students and therefore create a larger pipeline of trained and credentialed early childhood education providers and teachers.

**c. Section-by-Section Analysis**

Section 4031. States the short title.

Section 4032. Amends the Pre-K Enhancement and Expansion Amendment Act of 2008 to expand the HEI program’s purpose to allow the HEI Fund to be spent on scholarships and grant funding to individuals seeking college degrees in infant and toddler or early childhood education. Also amends to expand the types of allowable costs beyond tuition and to clarify that the HEI program has two components (1) scholarships to students and (2) grants to institutions who can then provide funding to students.

**d. Legislative Recommendations for Committee of the Whole**

Sec. 4031. Short title.

This subtitle may be cited as the “Early Childhood Higher Education Incentive Amendment Act of 2018”.

Sec. 4032. The Pre-K Enhancement and Expansion Amendment Act of 2008, effective July 18, 2008 (D.C. Law 17-202; D.C. Official Code § 38-271.01 *et seq.*), is amended as follows:

(a) Section 101 (D.C. Official Code § 38-271.01) is amended as follows:

(1) Paragraph (2A) is repealed.

(2) Paragraph (3) is amended by striking the word “grant”.

(b) Section 401 (D.C. Official Code § 38-274.01) is amended as follows:

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

“(a) The University of the District of Columbia shall establish a Higher Education Incentive Program (“HEI Program”) for the purpose of increasing the number of early education teachers teaching in the District, including:

“(1) The number of pre-k teachers and assistant pre-k teachers, who meet the degree and credential requirements established by OSSE pursuant to section 201, working in elementary education in public schools, public charter schools, and community-based organizations; and

“(2) The number of infant and toddler lead and assistant teachers working in child development facilities, as defined in section 2(3) of the Child Development Facilities Regulation Act of 1998, effective April 13, 1999 (D.C. Law 12-215; D.C. Official Code § 7-2031(3)), who meet the degree and credential requirements established by OSSE pursuant to section 7 of the Child Development Facilities Regulation Act of 1998, effective April 13, 1999 (D.C. Law 12-215; D.C. Official Code § 7-2036).

(2) New subsections (a-1) and (a-2) are added to read as follows:

“(a-1) As part of the HEI Program, the University of the District of Columbia may:

“(1) Award and administer grants to District of Columbia higher education institutions to increase the number of early education teachers with advanced learning degrees or credentials;

“(2) Establish and administer the HEI scholarship program described in section 402.

“(a-2) To assist in the establishment and implementation of the HEI Program, the University of the District of Columbia shall establish and convene a working group, which shall be referred to as the DC Collaborative, comprised of representatives of District of Columbia colleges and universities and the OSSE, and such other individuals as the University of the District of Columbia determines may be helpful to achieve the purposes of the HEI Program.”.

(3) Subsections (b), (c), and (d) are repealed.

(4) Subsection (e) is amended by striking the phrase “grant and scholarship programs” and inserting the word “Program” in its place.

(c) Section 401a (D.C. Official Code § 38-274.01a) is repealed.

(d) Section 402(a) (D.C. Official Code § 38-274.02(a)) is amended to read as follows:

“(a)(1) As part of the HEI Program, the University of the District of Columbia may establish and administer a scholarship-award program for qualified individuals who have an interest in the early childhood development field or pre-k education field.

“(2) In exchange for a commitment to teach in the early childhood development or pre-k education system in the District for 3 years, the University of the District of Columbia may provide to a qualified applicant a scholarship, stipend, tuition assistance, or other financial assistance, including financial assistance for mentoring, tutoring, transportation, and child care expenses, to remove barriers to attaining or seeking to attain a higher education credential in the field of early childhood development or early childhood education.”.

(e) Section 403 (D.C. Official Code § 38-274.03) is amended as follows:

(1) The section heading is amended to read as follows:

“Sec. 402. Higher Education Incentive Program Fund.”.

(2) Subsection (a) is amended as follows:

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

“(1) There is established as a special fund the Higher Education Incentive Program Fund (“HEIP Fund”), which shall be administered by the University of the District of Columbia in accordance with subsection (b) of this section.”.

(B) Paragraph (2) is amended by striking the phrase “HEIG fund” and inserting the phrase “HEIP Fund” in its place.

(3) Subsection (b) is amended to read as follows:

“(b) Money in the HEIP Fund shall be used for the following purposes:

“(1) To fund awards issued pursuant to the HEI scholarship program; and

“(2) To pay for the costs of administering the HEI Program, not to exceed 10% of the balance of the HEIP Fund per fiscal year.”.

(3) New subsections (c) and (d) are added to read as follows:

“(c)(1) The money deposited into the HEIP Fund shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of the 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.

“(d) The HEIP Fund shall appear as a separate program line within the budget of the University of the District of Columbia.”.

**e. Fiscal Impact**

*The fiscal impact of the subtitle was incorporated into the FY 2019 budget and financial plan.*

**5. TITLE IV, SUBTITLE E. CHILD CARE PAYMENT ASSISTANCE ACT OF 2018**

**a. Legislative Recommendations for Committee of the Whole**

Due to the nature of the amendments for this Subtitle and the pending status of B22-0203, the Infant and Toddler Developmental Health Services Act of 2017 (now known as "Birth-to-Three for All DC Act of 2018"), the Committee concludes that moving this subtitle will potentially conflict with that legislation, which is due for final Council vote on June 5, 2018. The Committee believes that the proposed subtitle does make necessary updates to clarify the law and reconcile it with federal requirements and local DCMR and it should be moved at a later date as stand-alone legislation or in the Budget Support Act of 2019.

**6. TITLE IV, SUBTITLE F. EARLY LEARNING TAX CREDIT**

**a. Purpose, Effect, and Impact on Existing Law**

This subtitle provides up to a \$1,000 child care tax credit, per child ages 0-3, enrolled in a licensed child care facility, who does not receive a child care subsidy, and is not eligible for universal pre-K.

**b. Committee Reasoning**

Addressing the need for high quality child care across the city is complex and requires more than one approach to improve supply, support providers and the workforce, and our resident families. The tax credit is one element of this multi-pronged approach and provides direct relief to those middle, moderate, and higher income families not receiving a child care subsidy or benefitting from universal pre-K.

**c. Section-by-Section Analysis**

Section 4061. States the short title.

Section 4062. Early learning tax credit. Establishes the tax credit and defines eligible child and eligible child care expense. This section also sets out the income limits for eligible families that aligns with the current income limits of DCTAG.

Section 4063. Applicability. The tax credit is retroactive to January 1, 2018 to capture entire 2018 tax year but only limited to this fiscal year.

**d. Legislative Recommendations for Committee of the Whole**

Sec. 4061. Short title.

This subtitle may be cited as the “Early Learning Tax Credit Amendment Act of 2018”.

Sec. 4062. Chapter 18 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by adding a new section designation to read as follows:

“47-1806.15. Early learning tax credit.”

(b) A new section 47-1806.15 is added to read as follows:

“§ 47-1806.15. Early learning tax credit.

“(a) For the purposes of this section the term:

“(1) “Child development facility” means a child development facility licensed under § 7-2031 *et seq.*

“(2) “Consumer Price Index” means the Consumer Price Index for All Urban Consumers, published by the Bureau of Labor Statistics of the U.S. Department of Labor, or any successor agency.

“(3) “Eligible child” means a dependent claimed by a taxpayer who has not attained the age of 3 years by September 30 of the taxable year.

“(4) “Eligible child care expenses” means payments made by a taxpayer to a child development facility for child care services of an eligible child during the taxable year, but does not include payments for child care services provided to an eligible child after August 31 of the taxable year if the child meets the age requirement for enrollment in pre-k under § 38-273.02(a).

“(b)(1) For taxable years beginning after December 31, 2017, a taxpayer shall be allowed a credit against the tax imposed under this subchapter for eligible child care expenses paid by the taxpayer during the taxable year.

“(2) The amount of the credit shall be the lesser of:

“(A) The total amount of all eligible child care expenses paid by the taxpayer in the taxable year; or

“(B) \$1,000 per eligible child.

“(3) The credit claimed under this section in any one taxable year may exceed the taxpayer’s tax liability under this subchapter for that taxable year and shall be refundable to the taxpayer claiming the credit.

“(c) In the case of a return made for a fractional part of a taxable year, the credit shall be reduced to an amount that bears the same ratio to the full available credit as the number of months in the period for which the return is made bears to 12 months.

“(d) Notwithstanding subsection (b) of this section, a taxpayer may not be eligible to receive a credit under this section if:

“(1) The taxpayer does not claim the eligible child as a dependent on the taxpayer’s federal and District income tax returns for that taxable year;

“(2) A person other than the taxpayer claimed the eligible child as a dependent on his or her federal and District income tax returns for that taxable year;

“(3) Any child care subsidies authorized under § 4-401 *et seq.* are received or paid on behalf of an eligible child of the taxpayer during the taxable year;

“(4) A person other than the taxpayer received a credit under this section for the same taxable year for the same eligible child; or

“(5) The taxpayer’s District taxable income for the taxable year exceeds the following amounts for taxable year 2018 and thereafter adjusted annually for inflation based on the Consumer Price Index:

“(A) Single and head of household: \$750,000;

“(B) Married filing jointly: \$750,000; or

“(C) Married filing separately: \$375,000.

“(e) The Chief Financial Officer may issue rules regarding the records required to be maintained and provided by a taxpayer or a child development facility to substantiate any credits claimed under this section.

“(f) The credit under this section shall not be allowed for taxable years beginning after December 31, 2018.”.

Sec. 4063. Applicability.

This act shall apply as of January 1, 2018.

**e. Fiscal Impact**

*The fiscal impact of the subtitle was incorporated into the FY 2019 budget and financial plan.*

**7. TITLE IV, SUBTITLE G. HEALTHY SCHOOLS ACT PHYSICAL ACTIVITY AND CAFETERIA GRANTS**

**a. Purpose, Effect, and Impact on Existing Law**

This subtitle expands OSSE’s authority to award grants that promote physical activity in schools and increase cafeteria staff’s abilities to provide healthy meals for students to organizations that provide technical assistance to schools, and not just schools.

**b. Committee Reasoning**

The Committee believes it is important to remove barriers to awarding grants for healthier programs and food in schools.

**c. Section-by-Section Analysis**

Section 4071. States the short title.

Section 4072. Amends the Healthy Schools Act to expand the authority to provide physical activity and school food service personnel grants to organizations can maximize impact by providing training, technical assistance and services to multiple schools.

**d. Legislative Recommendations for Committee of the Whole**

Sec. 4071. Short title.

This subtitle may be cited as the “Healthy Schools Amendment Act of 2018”.

Sec. 4072. Section 102(c) of the Healthy Schools Act of 2010, effective July 27, 2010 (D.C. Law 18-209; D.C. Official Code § 38-821.02(c)), is amended as follows:

(a) Paragraph (6) is amended to read as follows:

“(6) To increase physical activity in schools, the Office of the State Superintendent of Education may issue grants through a competitive process or a formula grants process to public schools, public charter schools, or organizations that provide technical assistance to public schools or public charter schools to increase the amount of physical activity in schools; provided, that a school receiving a grant shall seek to meet the requirements of section 402 and seek to increase the amount of physical activity in which its students engage;”.

(b) Paragraph (10) is amended to read as follows:

“(10) To increase schools’ abilities to provide healthy meals for students, the Office of the State Superintendent for Education may issue grants through a competitive process or a formula grants process to public schools, public charter schools, or other organizations to assist schools in acquiring school kitchen equipment and to provide training sessions for school food service personnel and school food service vendors on cooking skills and nutrition.”.

**e. Fiscal Impact**

*The fiscal impact of the subtitle was incorporated into the FY 2019 budget and financial plan.*

**8. TITLE IV, SUBTITLE H. DC PUBLIC SCHOOLS SPECIAL PURPOSE REVENUE FUND**

**a. Purpose, Effect, and Impact on Existing Law**

This subtitle allows DCPS to contract for advertisements and sponsorships for athletics programs or events, community engagement events, educational programs or facilities improvements; allows DCPS may also sell tickets to school athletic events and performances; allows DCPS to sell or license DCPS intellectual property rights; all revenue generated by the sale of advertisements, intellectual property, and tickets will be deposited into a newly established, non-lapsing District of Columbia Public Schools Revenue Generation and Sponsorship Fund; and DCPS may use any revenue collected to support instruction, education programs, human resources, athletics, the arts, and community engagement.

**b. Committee Reasoning**

This subtitle allows DCPS to sell or license DCPS intellectual property rights, sell tickets to school athletic events and performances, and collect the funds in a dedicated non-lapsing fund. There are opportunities for sponsorship of programs and events, as well as interest in certain curricular and programmatic creations of the DC Public Schools (DCPS). DCPS needs authority to undertake such activities and a non-lapsing fund for the revenue.

**c. Section-by-Section Analysis**

Sec. 4081. States the short title.

Sec. 4082. Amends the District of Columbia Public Schools Agency Establishment Act of 2007 to allow DCPS contract for advertisements and sponsorships, sell tickets for athletic events, sell tickets with intellectual property and creates a special fund for these revenues.

**d. Legislative Recommendations for Committee of the Whole**

Sec. 4081. Short title.

Sec. 4082. Section 105a of the District of Columbia Public Schools Agency Establishment Act of 2007, effective October 22, 2015 (D.C. Law 21-36; D.C. Official Code § 38-174.01), is amended to read as follows:

“Sec. 105a. Event sponsorships, sales of intellectual property and tickets; establishment of special fund.

“(a) Notwithstanding any other provision of law, the Chancellor of the District of Columbia Public Schools may:

“(1) Contract for advertisements for and sponsorships of District of Columbia Public Schools athletics programs or events, community engagement events, educational programs, or facilities improvements for the purpose of generating resources for the District of Columbia Public Schools;

“(2) With the approval of the Mayor, sell or license intellectual property rights of the District for intellectual property created by the District of Columbia Public Schools for use by the District of Columbia Public Schools; and

“(3) Sell tickets to District of Columbia Public Schools athletic events and school performances.

“(b)(1) There is established as a special fund the District of Columbia Public Schools Sales and Sponsorship Fund (“Fund”), which shall be administered by the District of Columbia Public Schools in accordance with paragraph (3) of this subsection.

“(2) Revenue from the following sources shall be deposited into the Fund:

“(A) Contracts for advertisements for and sponsorships of athletics programs and events, community engagement events, educational programs, or facilities improvements entered into pursuant to subsection (a)(1) of this section; and

“(B) The sale of tickets to District of Columbia Public Schools athletic events and school performances.

“(3) Money in the Fund shall be used to support the operations of the District of Columbia Public Schools, including instruction, education programs, human resources, athletics, the arts, and community engagement.



“(4)(A) The money deposited into 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.

“(B) 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.”.

**e. Fiscal Impact**

*The fiscal impact of the subtitle was incorporated into the FY 2019 budget and financial plan.*

**9. TITLE III, SUBTITLE G. TAX-PAYER SUPPORT FOR AFTERSCHOOL PROGRAMS FOR AT-RISK STUDENTS**

**a. Purpose, Effect, and Impact on Existing Law**

The purpose of this subtitle is to rename and redirect the Public Fund for Drug Prevention and Child at Risk, which is currently a donation option on the D-40 tax form which D.C. tax-payers can elect to check. It would direct the funds collection through this donation option to the Office of Out of School Time and Youth Outcomes Establishment for distribution as grants. The subtitle would rename the “fund” and donation option and put the money to use.

**b. Committee Reasoning**

This donation option was created in the 1990s and starting in 1999 the funds generating by these donations went to the D.C. Children and Youth Investment Trust Corporation, later renamed the D.C. Trust. In 2016, the Trust announced its dissolution due to a number of factors including agency mismanagement. The Committee worked closely with community members and the Executive to develop a replacement mechanism for funding the important out-of-school time programming that the Trust had supported. The Office and Commission on Out-of-School Time Grants and Youth Outcomes were established by that legislation.

Since the dissolution of the Trust, the money has sat in a fund unused. The Committee learned in early 2018 about this donation option and fund. Considering the involvement of the Chief Financial Officer in the process of legislation, it is surprising that this was not identified when the Council passed the Office of Out of School Time and Youth Outcomes Establishment Act of 2016. The Committee proposes to fix this oversight. While the Mayor proposed to direct the funding to the new Office of Neighborhood Safety and Engagement—an extremely worthy effort that the Committee fully supports—because the donation option was meant for youth-specific activities via the D.C. Trust, the Committee feels that that spirit should continue. The Committee on the Judiciary concurs. It is not a large amount of money currently, but with additional promotion of the donation option, more D.C. tax payers are likely to contribute, sending more dollars to the important out-of-school time work that is happening.

**c. Section-by-Section Analysis**

Sec. 3061. Short title.

Sec. 3062. Amends The Office of Out of School Time Grants and Youth Outcomes Establishment Act of 2016, effective April 7, 2017, to establish the tax form donation option under that legislation and mandates the Mayor to promote its existence.

Sec. 3063. Amends Title 47 of the District of Columbia Official Code to rename and redirect the funding for the tax form donation option, from “Public Fund for Drug Prevention and Child at Risk” to “Tax-Payer Support for Afterschool Programs for At-Risk Students” and directing funding to the Office of Out of School Time Grants and Youth Outcomes grants program rather than the defunct D.C. Trust.

**d. Legislative Recommendations for Committee of the Whole**

Sec. 3061. Short title.

This subtitle may be cited as the “Tax-Payer Support for Afterschool Programs for At-Risk Students Amendment Act of 2018”.

Sec. 3062. The Office of Out of School Time Grants and Youth Outcomes Establishment Act of 2016, effective April 7, 2017 (D.C. Law 21-261; D.C. Code § 2-1555.01 *et seq.*), is amended as follows:

(a) Section 4 (D.C. Official Code § 2-1555.03) is amended by adding a new subsection (e) to read as follows:

“(e) The Mayor and the Office shall publicize the availability of the tax check-off created pursuant to D.C. Official Code § 47-1812.11b to support afterschool programs for at-risk students.”.

(b) Section 5 (D.C. Official Code § 2-1555.04) is amended by adding a new subsection (h) to read as follows:

“(h)(1) Funds received by the Office from the tax check-off created pursuant to D.C. Official Code § 47-1812.11b shall be used to support afterschool programs for at-risk students through grants issued pursuant to this section.

“(2) Beginning November 1, 2019, and no later than November 1 of each year thereafter, the Office shall submit to the Mayor and Council a financial report on the use of the tax check-off funds during the previous 12 months.”.

Sec. 3063. Title 47 of the District of Columbia Official Code is amended as follows:

(a) Chapter 40 is repealed.

(b) Section 47-1812.11b is amended as follows:

(1) The section heading is amended by striking the phrase “Public Fund for Drug Prevention and Child at Risk” and inserting the phrase “Tax-Payer Support for Afterschool Programs for At-Risk Students” in its place.

(2) Subsection (a) is amended as follows:

(A) Strike the phrase “For the calendar year beginning January 1, 1995, and for each subsequent calendar year, there” and insert the word “There” in its place.

(B) Strike the phrase “the Public Fund for Drug Prevention and Children at Risk established by § 47-4002.” and insert the phrase “afterschool programs for at-risk students.” in its place.

(C) Strike the phrase “earmarked for the Fund” and insert the phrase “used in accordance with § 2-1555.04(h)(1)” in its place.

(3) Subsection (b) is amended to read as follows:

“(b)(1) Except as provided in paragraph (2) of this subsection, the funds generated by the tax check-off established by subsection (a) of this section shall be transferred to the Office of Out of School Time Grants and Youth Outcomes (“Office”) pursuant to rules issued by the Mayor. The rules shall establish timetables and procedures for transfer. Check-off funds shall be transferred to the Office only after reimbursement of the costs described in subsection (a) of this section.

“(2) Funds collected by the Office of Tax and Revenue pursuant to this section prior to the effective date of the Public Support for Afterschool Programs for At-Risk Students Establishment Amendment Act of 2018, as approved by the Committee of the Whole on May \_\_\_\_, 2018 (Committee Print of Bill 22-753), shall be transferred to the Office according to the procedures established pursuant to paragraph (1) of this subsection to be used in accordance with § 2-1555.04(h)(1).”.

(4) Subsection (c) is amended as follows:

(A) Paragraph (1) is amended by striking the phrase “the Fund” and inserting the phrase “afterschool programs for at-risk students” in its place.

(B) Paragraph (2) is amended by striking the phrase “transferred to the Fund” and inserting the phrase “transferred to the Office in accordance with the procedures established pursuant to subsection (b) of this section” in its place.

(3) Subsection (d) is repealed.

**e. Fiscal Impact**

*This subtitle has no cost over the 4-year plan, but the Committee recommends allotting \$75,000 in private donation spending authority from the donation option under Deputy Mayor for Education-GW0, CSG 50 Program 2000 (Department of Education) 2011 (Out of School Time Grants/Youth Outcomes).*

## **B. RECOMMENDATIONS FOR NEW SUBTITLES**

The Committee on Education recommends the following new subtitles to be added to the “Fiscal Year 2019 Budget Support Act of 2018”:

- 1. TITLE IV, SUBTITLE XXX ACCESS TO EMERGENCY EPINEPHRINE IN SCHOOLS CLARIFICATION**
- 2. TITLE IV, SUBTITLE XXX STUDENT FAIR ACCESS TO SCHOOL SUBJECT TO APPROPRIATIONS REPEAL AND TECHNICAL AMENDMENT ACT OF 2018**
- 3. TITLE IV, SUBTITLE XXX PER CAPITA DISTRICT OF COLUMBIA PUBLIC SCHOOL AND PUBLIC CHARTER SCHOOL FUNDING AMENDMENT**

**4. TITLE IV, SUBTITLE XXX DCPL INDEPENDENT LEASE  
AUTHORITY**

**5. TITLE IV, SUBTITLE XXX SELF-OPERATED SCHOOL FOOD  
SERVICE AMENDMENT**

**1. TITLE IV, SUBTITLE XXX ACCESS TO EMERGENCY EPINEPHRINE  
IN SCHOOLS CLARIFICATION**

**a. Purpose, Effect, and Impact on Existing Law**

The Access to Emergency Epinephrine in Schools law states that an employee or agent of a school who is certified through OSSE may administer an undesignated epinephrine auto-injector to a student who the employee or agent believes in good faith to be suffering or about to suffer an anaphylactic episode. Although there is no difference in training necessary for administering a designated versus undesignated epinephrine auto-injector, the law is being interpreted to mean that employees or agents of a school certified through OSSE's training program can only administer undesignated epinephrine injectors. Thus, if a student with a known allergy is suffering an anaphylactic episode and has their own designated epinephrine autoinjector stored at the school, only school-based staff that has completed the Department of Health's AOM training would legally be able to administer the life-saving medication.

**b. Committee Reasoning**

There is a permanent need to amend existing law to ensure that an employee or agent of a public school that is certified through OSSE's administration of epinephrine training can legally administer both designated and undesignated epinephrine autoinjectors to a student who the employee or agent believes, in good faith, to be suffering or about to suffer an anaphylactic episode.

**c. Section-by-Section Analysis**

Sec. 4XXX States the short title.

Sec. 4XXX Amends the Student Access to Treatment Act of 2007 to allow for school personnel to administer epinephrine auto-injectors to a student having an anaphylactic episode.

**d. Legislative Recommendations for Committee of the Whole**

Sec. 4XXX. This subtitle may be cited as the "Access to Emergency Epinephrine in Schools Clarification Amendment Act of 2018".

Sec. 4XXX. The Student Access to Treatment Act of 2007, effective February 2, 2008 (D.C. Law 17-107; D.C. Official Code § 38-651.01 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 38-651.01) is amended as follows:

(1) The existing paragraph (1) is redesignated as paragraph (1A).

(2) A new paragraph (1) is added to read as follows:

“(1) “Designated epinephrine auto-injector” means a disposable drug delivery system with a spring-activated needle, which is obtained with a prescription for a

particular person, that is designed for the emergency administration of epinephrine to a person suffering an episode of anaphylaxis.”.

(b) Section 5a (D.C. Official Code § 38-651.04a) is amended as follows:

(1) Subsection (b)(2) is amended by striking the phrase “an undesignated” and inserting the phrase “a designated or undesignated” in its place.

(2) A new subsection (e) is added to read as follows:

“(e) An employee or agent of a public school who is certified pursuant to this section may administer a designated epinephrine auto-injector to the student to whom it is prescribed, who the employee or agent believes in good faith to be suffering or about to suffer an anaphylactic episode.”.

**e. Fiscal Impact**

*There is no fiscal impact in the FY19 budget.*

**2. TITLE IV, SUBTITLE X. STUDENT FAIR ACCESS TO SCHOOL SUBJECT TO APPROPRIATIONS REPEAL AND TECHNICAL AMENDMENT ACT OF 2018**

**a. Purpose, Effect, and Impact on Existing Law**

The proposed subtitle would repeal the subject to appropriations language in the Student Fair Access to School Amendment Act of 2018, except for sections 204(a) and 206(a)(4) regarding limits on out-of-school suspensions in grades K-12 and supports provided by OSSE to schools to limit exclusion in those cases. The repeal of the subject to appropriations language for the other sections allows for the definitions, school policies, reporting, and other sections to take full effect for school year 2018-2019.

The purpose of this subtitle is to limit schools’ use of out-of-school suspension and to provide supports to schools to address student misbehavior with other tools.

**b. Committee Reasoning**

On May 1, 2018, the Council passed on second reading the Student Fair Access to School Amendment Act of 2018, sections of which are subject to appropriations. This subtitle removes the subject to appropriations language from all but subsection 204(a) and paragraph 206(a)(4).

The technical changes requested by OSSE include changes to further clarify that there is not creation of a mandate that the agency provide any specific service to every school or teacher but rather than reaffirms that OSSE should make supports and opportunities available to all schools and prioritize connecting them to the schools that needs the supports the most in order to reduce reliance on exclusionary discipline.

**c. Section-by-Section Analysis**

Sec. 4XX1. Short title.

Sec. 4XX2. Makes technical changes requested by OSSE regarding reporting and funding for supports for schools and LEAs.

Sec. 4XX3. Makes technical change requested by OSSE.

Sec. 4XX4. Repeals the subject to appropriations language except for subsection 204(a) and paragraph 206(a)(4).

**d. Legislative Recommendations for Committee of the Whole**

Sec. 4XXX. Short title.

This subtitle may be cited as the “Student Fair Access to School Subject to Appropriations Repeal and Technical Amendment Act of 2018”.

Sec. 4XX2. Title II of the Attendance Accountability Amendment Act of 2013, effective September 19, 2013 (D.C. Law 20-17; D.C. Official Code § 38-235 *et seq.*), is amended as follows:

(a) Section 204(h) is repealed.

(b) Section 206(c) is amended by striking the phrase “mandated pursuant to” and inserting the phrase “set forth in” in its place.

Sec. 4XX3. Section 3(b)(30) of the State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2602(b)), is amended by striking the phrase “mandated pursuant to” and inserting the phrase “set forth in” in its place.

Sec. 4XX4. The Student Fair Access to School Amendment Act of 2018, passed on 2nd reading on May 1, 2018 (Enrolled version of Bill 22-594), is amended as follows:

(a) New section 206(a)(4) of Title II of the Attendance Accountability Amendment Act of 2013, effective September 19, 2013 (D.C. Law 20-17; D.C. Official Code § 38-235 *et seq.*), added by section 2(c) is amended to read as follows:

“(4) Technical assistance and supportive services, including non-instructional specialized experts from the fields of behavioral health, trauma-informed educational settings, or restorative justice, to assist schools and local education agencies, as needed and in accordance with policies OSSE adopts, in developing and revising disciplinary plans and reducing the use of exclusion by addressing the causes of student misconduct.”.

(b) Section 4(a) is amended to read as follows:

“(a) Sections 204(a) and 206(a)(4) of Title II of the Attendance Accountability Amendment Act of 2013, effective September 19, 2013 (D.C. Law 20-17; D.C. Official Code § 38-235 *et seq.*), added by section 2(c) of this act shall apply upon the date of inclusion of the section’s fiscal effect in an approved budget and financial plan.”.

**e. Fiscal Impact**

*This subtitle requires funding for DCPS of \$1,187,615, for DCPCS of \$1,041,768, and for OSSE of \$1,059,528 and 3 FTEs in FY19, all of which the Committee has identified and appropriated. Additionally, the Committee has allocated an additional \$1.03M for the School Safety and Positive Climate Fund and \$1.4M for community schools as initial appropriations toward the requirements for FY20 of the Fiscal Impact Statement for the Student Fair Access to School Amendment Act of 2018.*

**3. TITLE IV, SUBTITLE XX. PER CAPITA DISTRICT OF COLUMBIA  
PUBLIC SCHOOL AND PUBLIC CHARTER SCHOOL FUNDING  
AMENDMENT.**

**a. Purpose, Effect, and Impact on Existing Law**

Requires that the DCPS be more transparent about how the central office formulates the agency budget. It requires the Mayor to submit the UPSFF foundation formula to Council; limits enrollment projections to be an average of the previous three years of the March audited enrollment; and requires central office to delineate the cost of the central office attributed to students at each grade level.

**b. Committee Reasoning**

First, the Committee strongly believes that the budgeting process for DCPS central office is formatted and formulated in such a way that makes it impossible for the Council to conduct proper oversight of the services and support that the agency is providing to schools. All of the agencies under the Committee's purview submit proposed budget delineated by revenue type, controller source group, and division/program and activity. The Council receives this information from DCPS central office, but what it does not receive is how much central office budgets for supporting students. Central office is paid for from the UPSFF and due to projected enrollment numbers, that are larger than the allocations for the proposed school-based budgets, starting in FY19 and in each subsequent fiscal year, the Mayor's proposed budget for DCPS shall delineate the cost that central office attributes to a general education student, a special education student levels 1 through 4; and English language learners; and special education extended school year. As the city grapples with education reform movements and questions data, the Committee believes that there is more information about DCPS central that can be shared, and the agency shall be legally required to do it.

Second, as part of budget transparency reform efforts by this Committee, this subtitle will also require that the Mayor provide annually to the Council the algorithm for how the base of the UPSFF Formula is calculated. The Adequacy Study states multiple base formula rates and ways to calculate them, but this is not the amount that is budgeted. Every year, the Mayor submits a base Formula for the UPSFF, but there is no indication for how that dollar amount is calculated and the reasoning for it.

Third, the projected enrollment for DCPS has grown only 1.4% over the previous three fiscal years, but the projected enrollment far exceeds that percentage increase. The Committee and the public are left to try to understand why the projected enrollment is that high and where the dollar difference is going from the proposed school-based budgets and the Mayor's proposed budget based on projected enrollment. Therefore, the Committee believes it is necessary that beginning in Fiscal Year 2019, the projected change in enrollment for the next school year shall equal the average annual change in enrollment for the preceding three years using pupil counts from the March 30 enrollment reports.

**c. Section-by-Section Analysis**

Sec. 40XX. States the short title.

Sec. 40XX. Amends the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Amendment Act of 1998 to require the Mayor to

submit the UPSFF foundation formula to Council; limits enrollment projections to be an average of the previous three years of the March audited enrollment; and requires central office to delineate the cost of the central office attributed to the following student at each grade level.

**d. Legislative Recommendations for Committee of the Whole**

Sec. 40XX. Short title.

This subtitle may be cited as the “Per Capita District of Columbia Public School and Public Charter School Funding Amendment Act of 2018”.

Sec. 40XX. The Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Amendment Act of 1998, effective March 26, 1999 (D.C. Law 12-270; D.C. Official Code § 38-2901 *et seq.*), is amended as follows:

(a) Section 104 is amended as follows:

(1) Designated the existing text as paragraph (1).

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

“(2) By December 31, 2018 and annually thereafter, the Mayor shall transmit to the Council the algorithm it will use to determine the next fiscal year’s Formula foundation level, which shall include variables for the cost of teachers and other classroom-based personnel and for both school-based and non-school-based administrative personnel. The Office of the State Superintendent of Education shall publish the algorithm on its website.”.

(b) Section 107(a) (D.C. Official Code § 38-2906(a)) is amended to read as follows:

“(a) Annual appropriations for DCPS pursuant to the Formula shall equal the total estimated costs for the number of resident students projected to be enrolled in DCPS during the fiscal year for which the appropriation is made; provided, that beginning in Fiscal Year 2019, the projected change in enrollment for the next school year shall equal the average annual change in enrollment for the preceding 3 years using pupil counts from the March 30 enrollment reports submitted pursuant to section 2402(a) of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 State 1321-257; D.C. Official Code § 38-1804.02(a)).”.

(b) Section 108a (D.C. Official Code § 38-2907.01) is amended by adding a new subsection (c) to read as follows:

“(c) Beginning in Fiscal Year 2019 and in each subsequent fiscal year, the Mayor’s proposed budget for DCPS shall delineate the cost of the central office attributed to the following student at each grade level:

- (1) General education student;
- (2) Special education level 1;
- (3) Special education level 2;
- (4) Special education level 3;
- (5) Special education level 4;
- (6) Special education residential;
- (7) Special education extended school year;
- (8) English language learner; and
- (9) At-risk.



**e. Fiscal Impact**

*This subtitle has no fiscal impact.*

**4. TITLE IV. SUBTITLE XXX. DCPL INDEPENDENT LEASE AUTHORITY.**

**a. Purpose, Effect, and Impact on Existing Law**

The proposed subtitle would allow for the District of Columbia Public Library through its Executive Director to enter into lease agreements without the need to engage the Department of General Services. The Department of General Services handles lease agreements for most of the District of Columbia Government. The District of Columbia Public Library has its own contracting and procurement authority, can raise and retain its own revenue, and manages its own facilities including the modernization and renovation of libraries separate from the Department of General Services. Revenue generated should the Library exercise its ability to grant leases of its own space, would be deposited into the Library's revenue generating fund. This legislation would align the leasing aspect of property management with the Library's other independent authorities.

**b. Committee Reasoning**

Upon the closure of the Martin Luther King Jr. Memorial Library, the District of Columbia Public Library sought to disburse programming into communities and examined their ability to enter into short-term lease agreements for "pop-up" programming. However, these are often small lease agreements that may be last minute, and the Department of General Services manages a large portfolio of properties, so these small lease agreements may not be as high of a priority for DGS as some of the larger agreements. The Executive Director noted this bill allows both parties to function better—DCPL can be more nimble in its lease process, and DGS can focus on its higher priority property agreements. The Executive Director also noted that his staff has the technical expertise to execute the provisions of the law, without requiring additional resources. The Board of Library Trustees has enough members for quorum, and regularly issues rules when required by law.

**c. Section-by-Section Analysis**

Section 4XXX. States the short title.

Section 4XXX. Amends 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 by adding a new section (16) to § 39-105 to allow the Board of Library Trustees, through its Chief Library or Executive Director to acquire real property by lease, grant the use or lease of its ground and facilities; manage space or enter into an agreement with DGS to lease or manage space in buildings and adjacent areas operated and leased by the Board, and issue rules to implement the provisions of the paragraph.

Section 4XXX. Amends the second section 15(b) of § 39-117(b) to require all revenue generated by this Act be deposited into the library's revenue generating fund.

**d. Legislative Recommendations for Committee of the Whole**

Sec. 4XXX. Short Title.

This subtitle may be cited as the “District of Columbia Public Library Independent Lease Authority Amendment Act of 2018”.

Sec. 4XXX. 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 follows:

(a) Section 5 is amended by adding a new section (16) to read as follows:

“(16)(A) Notwithstanding section 1022 of The Department of General Services Establishment Act of 2011, effective September 14, 2011 (D.C. Law 19-21; D.C. Official Code § 10-551.01), or any other provision of the law, the Board of Library Trustees (“Board”), through its Chief Librarian or Executive Director shall have the power to:

“(i) Acquire real property by lease for use by the District of Columbia Public Library;

“(ii) Grant the use of or lease its grounds and facilities; and

“(iii) Manage space, or enter into an agreement with the Department of General Services to lease or manage space, in buildings and adjacent areas operated and leased by the Board.

“(B) The Board of Library Trustees shall issue rules to implement the provisions of this paragraph.”.

(b) The second section 15(b) (D.C. Official Code § 39-117(b)) is amended by striking the phrase “section 5(a)(14)” and inserting the phrase “sections 5(a)(14) and (16)(A)” in its place.

**e. Fiscal Impact**

*This subtitle has no fiscal impact.*

## **5. TITLE IV. SUBTITLE XXX. SELF-OPERATED SCHOOL FOOD SERVICE AMENDMENT.**

**a. Purpose, Effect, and Impact on Existing Law**

This subtitle would amend the Healthy Schools Act of 2010 to require the Mayor to operate a self-operated school food service pilot in 10 DCPS schools. The subtitle would require the Mayor to commission an independent contractor with relevant expertise to advise DCPS in the implementation of the self-operated school food service pilot and provide training to DCPS staff on how to run a self-operated food service program. The Mayor would be required to report to the Council during each year of the pilot on student satisfaction and cost savings. Lastly, the subtitle would require that the Mayor assist all eligible DCPS schools in electing to participate in the federal Community Eligibility Provision.

**b. Committee Reasoning**

The District’s current system of contracting out school food services to food service management companies (FSMCs) is a significant financial burden on the District. The District privatized its school food services in 2009, based on projections that privatization would save the District money and increase meal participation. According to an October

2016 report by the D.C. Auditor, these projections have not been met. The District continues to incur significant losses in its school food services, operating at a deficit of \$8,874,000, or 25% of total costs, in FY 2015.<sup>73</sup> These significant expenditures have not resulted in higher quality meals—at a November 2017 public hearing held by the Committee on Education regarding the state of food services at District schools, students and parents testified that school meals were generally highly-processed and of low-quality. Meal participation has also not risen significantly, perhaps because of the continued poor quality of the food.

Almost every other major school district operates its own school food services. The D.C. Auditor’s study profiled several major school districts that had transitioned to self-operated school food services after experiencing poor performance by FSMCs. The report profiled New York City, Detroit, Baltimore, New Haven, Fairfax County, and Philadelphia, finding in all cases that self-operated school food services saved money while also enabling the school district to take more control over the quality of school foods. School food advocates in the District have recognized this potential for years, arguing that self-operated school food services would allow for DCPS to prepare fresher, healthier meals at a lower cost.

This bill requires that the Mayor hire an independent contractor to advise DCPS on the implementation of the self-operated food services model in order to ensure that the pilot is overseen by someone with experience in running a self-operated food service program and that DCPS staff have proper training to manage the pilot and any future expansion of the pilot.

Lastly, the bill requires that the Mayor assist schools in electing to participate in the federal Community Eligibility Provision, which allows schools to offer universal free breakfast and lunch to students regardless of their income level if the school or a group of schools have over 40% of students eligible for free- or reduced-price meals through the National School Breakfast and Lunch Programs.

**c. Section-by-Section Analysis**

Sec. XXXX. States the short title.

Sec. XXXX. Requires the Mayor to pilot a self-operated school food services model for District of Columbia Public Schools over a two-year time period; requires the Mayor to commission an independent contractor with relevant expertise to advise and provide training to DCPS staff on operating a self-operated school food service model; requires the Mayor to provide a report to the Council assessing the self-operated school food service model during each year of the pilot, including student satisfaction surveys and cost savings analysis; requires the Mayor to assist all eligible DCPS schools in electing to participate in the Community Eligibility Provision.

**d. Legislative Recommendations for Committee of the Whole**

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<sup>73</sup> Office of the District of Columbia Auditor, Contracting Out School Food Services Failed to Control Costs as Promised (October 7, 2016), <http://lims.dccouncil.us/Download/36561/AU21-0066-Introduction.pdf>.

Sec. XXX1. Short title.

This subtitle may be cited as the “Self-Operated School Food Service Amendment Act of 2018”.

Sec. XXXX. The Healthy Schools Act of 2010, effective July 27, 2010 (D.C. Law 18-209; D.C. Official Code § 38-821.01 *et seq.*), is amended as follows:

(a) Section 101 (D.C. Official Code § 38-821.01) is amended as follows:

(1) A new paragraph (2A) is added to read as follows:

“(2A) “Kitchen equipped for food preparation” means a kitchen that has adequate equipment and space for planning, preparing, storing, serving, and ensuring the safety of food served to students in a public school setting.

(2) A new paragraph (8A) is added to read as follows:

“(8A) “Self-operated school food service” means a District-run program of planning, preparing, storing, serving, and ensuring the safety of food served to students in public schools staffed and overseen by District employees and established pursuant to section 203a.”.

(b) A new section 203a is added to read as follows:

“Sec. 203a. Self-operated school food service pilot program.

“(a) During the 2019-2020 and the 2020-2021 school years, the Mayor shall operate a self-operated school food service pilot program (“pilot”) in 10 public schools with existing kitchens equipped for food preparation.

“(b)(1) Within 120 days after the effective date of the Self-Operated School Food Service Amendment Act of 2018, as approved by the Committee of the Whole on May 15, 2018 (Committee print of Bill 22-753), the Mayor shall enter into a two-year contract with a consultant with relevant expertise to provide the following services:

“(A) Advise the District of Columbia Public Schools (“DCPS”) on implementing the pilot. ;

“(B) Provide training and other necessary guidance to DCPS staff on the administration of the pilot;

“(C) At least twice during the first year of the pilot, assist DCPS in administering a student satisfaction survey regarding meals provided through the pilot that will allow the Mayor to compare student satisfaction with meals provided in non-pilot schools; and

“(D) Submit a report to the Council and the Mayor with recommendations on whether DCPS should transition to self-operated school food service for all public schools, including a recommendation on whether the District should fund the central kitchen required to be established by section 204, and recommendations, as appropriate, on how to successfully administer self-operated food service.

“(2) The Mayor is authorized to provide up to \$200,000 in Fiscal Year 2019 and Fiscal Year 2020 to the contractor selected pursuant to this section.

“(c) Within 3 months after the last day of the 2019-2020 and 2020-2021 school years, the Mayor shall provide to the Council a report on food services at all public schools, which shall include:

“(1) Results from student satisfaction surveys conducted at pilot and non-pilot schools during the two years of the pilot, including a comparison of the level of student satisfaction with meals provided under the pilot and meals not provided under the pilot;

“(2) A description of the costs of the pilot, including a comparison of the costs of food services provided under the pilot and the costs of the food services at non-pilot public schools; and

“(3) An analysis of whether meals served through the pilot and meals served by non-pilot public schools complied with federal and local school meals nutrition standards and requirements.

“(d)(1) The Mayor shall assist all eligible local educational agencies in deciding whether to elect the community eligibility provision described in 7 C.F.R. § 245.9(f) for the local educational agency or for a school or group of schools within the local educational agency.

“(2) For the purposes of this subsection, the terms “local educational agency” and “school” shall have the same meaning as provided in 7 C.F.R. § 245.2.”.

(c) Section 801 (D.C. Official Code § 38-828.01) is amended as follows:

(1) Designate the existing text as subsection (a).

(2) A new subsection (b) is added to read as follows:

“(b) Within 6 months after the effective date of the Self-Operated School Food Service Amendment Act of 2018, as approved by the Committee of the Whole on May 15, 2018 (Committee print of Bill 22-753), the Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), shall issue rules to implement the provisions of the Self-Operated School Food Service Amendment Act of 2018, as approved by the Committee of the Whole on May 15, 2018 (Committee print of Bill 22-753).”.

**e. Fiscal Impact**

*The Committee is accepting a \$200,000 transfer from the Committee on Transportation and the Environment to cover the fiscal impact of this subtitle.*

## V. COMMITTEE ACTION AND VOTE

On May 4, 2018, at 12:00 p.m., the Committee met in the Council Chamber (Room 500) of the John A. Wilson Building to consider and vote on the Committee's proposed FY19 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
- Office of the Ombudsman for Public Education
- Office of the Student Advocate
- Deputy Mayor for Education

The agenda also included a review and vote on the Committee's recommendations for the FY19 Budget Support Act. Committee Chairperson David Grosso (At-Large) determined the presence of a quorum consisting of himself and Councilmember Anita Bonds (At-Large), Councilmember Charles Allen (Ward 6), Councilmember Robert White (At-Large), and Councilmember Trayon White (At-Large).

### **Statements for the Record:**

Chairperson David Grosso: Chairperson Grosso provided an overview of the Committee's recommendations for the FY19 budget for the agencies under the Committee's purview. Specifically, he summarized the operating and capital recommendations for each agency, as well as the Committee recommendations regarding subtitles for the Budget Support Act put forth by the Mayor and new subtitles from the Committee. He voiced that it has been a challenging year for the education sector, and that the Committee budget and report seeks to tackle many of those challenges. He also thanked everyone who testified or otherwise engaged on the budget. He then opened the floor for discussion.

Councilmember Robert White: Councilmember White thanked the Chairperson and his staff for hard work to put together a proposed budget that he supports. He thanked the Committee on Labor and Workforce Development, and its Chairperson Elissa Silverman, for sending the Committee on Education \$500,000 to support adult literacy programs. He expressed his concern about the DCPS decision to end funding for the New Heights program. Councilmember White also voiced support for the increased funding for early childhood programs and system in the budget. He also voiced his support for the BSA subtitle requiring more transparency from the Mayor and DCPS with regards to school budgeting.

Councilmember Trayon White: Councilmember White expressed his appreciation for Chairperson Grosso and his staff for their efforts in compiling a good budget proposal for

the Committee on Education. He applauded the increased investment in community schools, UPSFF, and libraries. He also voiced his support for the Committee's proposed language to require greater transparency from the Mayor and DCPS with regards to the budget.

Councilmember Charles Allen: Councilmember Allen thanked the Chairperson and his entire staff for an incredible amount of work on the budget and throughout budget and performance oversight hearings. He noted the school modernizations happening in Ward 6 that are funded in the DCPS capital budget. He also thanked Chairperson Grosso for the additional dollars for the Southwest Library and the commitment to ensure that all the library's needs will be met when it reopens. Councilmember Allen expressed his strong support for the new Office of Multilingual Education in OSSE and said he hoped to look for additional resources in the full Council. He stated his support for the Committee to continue working on accountability and transparency in the school budgeting, particularly with regard to his concern that the WTU contract is absorbing the UPSFF increase, and accordingly the proposed subtitle language.

Councilmember Anita Bonds: Councilmember Bonds thanked the Chairperson and his staff for the hard work that was abundantly clear in the finished product. She applauded the subtitle language for the BSA to increase school system budget transparency especially for DCPS central office. She stated her backing of the Student Fair Access to School Act investments, expressing her strong support of the bill, and calling the proposed budget a good step forward on policy and funding. Councilmember Bonds spoke in favor of the Committee's recommendations for funding of MLK collections and the Washingtoniana collection. She also thanked the Committee for further investments in out-of-school time and early childhood programs. Councilmember Bonds said that she was grateful for the \$500,000 investment in adult literacy advancements at OSSE, made possible by the transfer from the Committee on Labor and Workforce Development.

Chairperson Grosso then moved the vote on the recommended operating and capital budgets for the agencies under its purview as presented in the Committee's FY19 Committee Budget Report, as well as the Committee's recommendations for the FY19 Budget Support Act.

Members in favor:	Committee Chairperson Grosso, and Councilmembers Bonds, Allen, Robert White, and Trayon White.
Members opposed:	None
Members abstaining:	None
Members absent:	None

The Committee's recommended operating and capital budget for agencies under its purview as presented in the Committee's FY19 Committee Budget Report, as well as the Committee's recommendation for the FY19 Budget Support Act recommendations were adopted by a unanimous vote. Finally, the Chairperson thanked out-going Committee Director Anne Robinson for her years of service to the Committee on Education and the people of the District of Columbia. The meeting adjourned at 12:45 p.m.

## VI. ATTACHMENTS

- A. March 28, 2018, Fiscal Year 2019 Budget Oversight Hearing Witness List and Testimony.
- B. March 29, 2018, Fiscal Year 2019 Budget Oversight Hearing Witness List and Testimony.
- C. April 11, 2018, Fiscal Year 2019 Budget Oversight Hearing Witness List and Testimony.
- D. April 18, 2018, Fiscal Year 2019 Budget Oversight Hearing Witness List and Testimony.
- E. April 19, 2018, Fiscal Year 2019 Budget Oversight Hearing Witness List and Testimony.
- F. April 24, 2018, Fiscal Year 2019 Budget Oversight Hearing Witness List and Testimony.

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