Chairman Vincent C. Gray
at the request of the Mayor

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Chairman Vincent C. Gray, at the request of the Mayor, introduced the following bill, which was referred to the Committee on _____.

To establish the District of Columbia Public Schools as a cabinet-level agency subordinate to the Mayor, to create a Chancellor of the District of Columbia Public Schools, and to establish a District of Columbia Department of Education headed by a Deputy Mayor for Education; to amend the Charter of the District of Columbia to amend section 452 regarding the District of Columbia Public Schools Budget and repeal section 495 regarding the District of Columbia Board of Education; to transfer and assign state-level education agency functions to the State Education Office; to establish a new State Board of Education; to create an Interagency Collaboration and Services Integration Commission to address the needs of at-risk children by reducing juvenile and family violence through a comprehensive integrated service delivery system; to create an Office of Ombudsman for Public Education to serve as a communication and problem-resolution mechanism for residents regarding issues related to public education in the District; to create a Public School Facilities Management and Construction Authority to manage the District of Columbia Public Schools facilities and to implement maintenance, repair, renovation, construction, and modernization projects for school facilities; to amend the District of Columbia School Reform Act of 1995 to enable existing public charter schools authorized under the Public Charter Schools Act of 1996 to become charters without a petition, to establish the State Education Office as a charter authorizer by way of appeal in both the petitioning and charter revocation phases, to require performance reviews of public charter schools every three years, and to clarify that a school chartering authority may revoke a school charter for insufficient academic performance; to repeal the Public Charter Schools Act of 1996; and to make conforming amendments.

1
2 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,
3 That this act may be cited as the "District of Columbia Public Education Reform
4 Amendment Act of 2007".
5
6 TITLE I. ESTABLISHMENT OF MAYORAL ACCOUNTABILITY FOR THE
7 DISTRICT OF COLUMBIA PUBLIC SCHOOLS.
8 Sec. 101. Short title.
9 This act may be cited as the "District of Columbia Public Schools Mayoral
10 Accountability Reform Act of 2007".
11 Sec. 102. Pursuant to section 404 (b) of the District of Columbia Home Rule Act,
12 approved December 24, 1973 (87 Stat. 779; D.C. Official Code § 1-204.04 (b)), the
13 agency now known as the District of Columbia Public Schools, and as D.C. Public
14 Schools, is established as a separate cabinet-level agency, subordinate to the Mayor, to be
15 known as the District of Columbia Public Schools.
16 Sec. 103. Mayor's Authority.
17 Except as specifically provided in this act, the Mayor shall have authority over all
18 curriculum, operations, functions, budget, personnel, labor negotiations and collective
19 bargaining agreements, facilities and other matters, including those stated in section 104
20 of this title, affecting the District of Columbia Public Schools, but may by order delegate
21 any or all of those functions to a designee, or to the head of the District of Columbia
22 Public Schools, hereby known as the Chancellor of the District of Columbia Public
23 Schools ("Chancellor") as warranted for efficient and sound administration. The

1 Chancellor may subdelegate any functions delegated to him within the District of
2 Columbia Public Schools.
3 Sec. 104. Purposes of the District of Columbia Public Schools.
4 The District of Columbia Public Schools shall have as its purposes:
5 (1) Educating all students enrolled within its schools and or learning
6 centers consistent with District-wide standards of academic achievement established by
7 the State Education Office;
8 (2) Operating public schools in the District of Columbia; and
9 (3) Performing the functions of a local educational agency under
10 applicable federal laws for public elementary and secondary schools under its
11 administrative direction and control.
12 Sec. 105. Appointment and Duties of the Chancellor of the District of Columbia
13 Public Schools.
14 The District of Columbia Public Schools shall be administered by a full-time
15 Chancellor appointed by the Mayor with the advice and consent of the Council, pursuant
16 to section 2(a) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-
17 142; D.C. Official Code § 1-523.01(a)). The Chancellor shall report to and serve at the
18 pleasure of the Mayor, and shall be qualified by experience and training to carry out the
19 purposes of this title. In addition to such other duties as may be lawfully imposed, the
20 Chancellor shall:
21 (1) Serve as the chief executive officer of the District of Columbia Public
22 Schools, organizing the agency for its efficient operation, including creating offices
23 within the agency as necessary and exercising any other powers necessary and

1 appropriate to operate the schools and implement applicable provisions of District and
2 federal law; and
3 (2) In accordance with the District of Columbia Administrative Procedure
4 Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), and
5 as authorized by the Mayor, issue and enforce all rules and regulations necessary and
6 appropriate to the proper accomplishment of the duties and functions imposed by this
7 title.
8 Sec. 106. The Mayor may, by order, delegate to the Chancellor personnel
9 authority for all employees of the District of Columbia Public Schools with authority to
10 hire, retain, discipline, and terminate personnel consistent with the District of Columbia
11 Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C.
12 Law 2-139; D.C. Official Code § 1-601.01 *et seq.*).
13 Sec. 107. The Mayor may delegate to the Chancellor procurement authority
14 independent of the Office of Contracting and Procurement to carry out the purposes of
15 the District of Columbia Public Schools, including contracting and contract oversight,
16 consistent with the District of Columbia Procurement Practices Act of 1985, effective
17 February 21, 1986 (D.C. Law 6-85; D.C. Official Code § 2-301.01 *et seq.*).
18 Sec. 108. Transfer of Positions, Personnel, Property, Records and Unexpended
19 Balances.
20 (a) The provisions of subsections (b) through (f) of this section shall apply
21 notwithstanding any law, rule or regulation to the contrary, except that subsections (b)
22 through (f) shall be subject to section 304(c) and (d) of the District of Columbia Public
23 Education Reform Amendment Act of 2007.

1 (b) All positions, personnel, property, records, and unexpended balances of
2 appropriations, allocations, and other funds available or to be made available to the
3 Charter-created Board of Education or D.C. Public Schools as it existed prior to the
4 effective date of Title II of this act are hereby transferred to the Mayor for the purposes of
5 providing educational services to residents of the District of Columbia. The primary
6 purpose of any school property or facility shall remain to fulfill the public education
7 functions of the District government.
8 (c) All of the functions assigned and authorities delegated to the Charter-created
9 D.C. Board of Education or to the D.C. Public Schools as they existed prior to the
10 enactment of Title II of the District of Columbia Public Education Reform Amendment
11 Act of 2007, are hereby transferred to the Mayor.
12 (d) The Mayor is the successor to all statutory authorities, responsibilities, and
13 functions previously performed by, or assigned to, the Charter-created D.C. Board of
14 Education or D.C. Public Schools as they existed prior to the enactment of Title II of
15 District of Columbia Public Education Reform Amendment Act of 2007, including those
16 involving grants and funding programs, and federal food programs.
17 (e) The Mayor is the successor to all authority previously granted to either the
18 Charter-created D.C. Board of Education or D.C. Public Schools as they existed prior to
19 the enactment of Title II of District of Columbia Public Education Reform Amendment
20 Act of 2007 and is authorized to act, either personally or through a representative, as a
21 member of any committee, commission, board or other body which, as of the enactment
22 of Title II of District of Columbia Public Education Reform Amendment Act of 2007,
23 includes members from either the Charter-created D.C. Board of Education or D.C.

1 Public Schools as they existed prior to the enactment of Title II of District of Columbia
2 Public Education Reform Amendment Act of 2007.
3 (f) The Mayor is authorized to reorganize the personnel and property transferred
4 in this section within any organizational unit of the District of Columbia Public Schools.
5 (g) The Mayor is authorized to reorganize the personnel and property within the
6 Office of the General Counsel of the District of Columbia Public Schools and to require
7 that office to report to the District of Columbia Office of Attorney General.
8 Sec. 109. Section 2(a) through (f) of An Act To fix and regulate the salaries of
9 teachers, school officers, and other employees of the board of education of the District of
10 Columbia, approved June 20, 1906 (34 Stat. 317; D.C. Official Code § 38-101 *et seq.*) is
11 repealed.
12 Sec. 110. Establishment of a District of Columbia Department of Education.
13 (a) There is established, under the Office of the Mayor, a District of Columbia
14 Department of Education ("Department of Education").
15 (b) The Department of Education shall:
16 (1) Have oversight of the State Education Office;
17 (2) Have oversight of the District of Columbia Public Education Facilities
18 Management and Construction Authority;
19 (3) Be responsible for the supervision of the Office of the Ombudsman
20 for Public Education;
21 (4) Be responsible for the planning, coordination, and supervision of all
22 public education and education-related activities of the District Government, including

1 development and support of programs to improve the delivery of educational services and
2 opportunities, from the pre-kindergarten to post-graduate level;
3 (5) Promote, coordinate, and oversee collaborative efforts among District
4 Government agencies to support education and child development as it relates to
5 education, including coordinating the integration of programs and resources;
6 (6) Have oversight of the development of a comprehensive, District-wide
7 data system that integrates and tracks data across education, justice, and human service
8 agencies in order to assess the needs of and inform the comprehensive service delivery to
9 children in the District of Columbia; and
10 (7) Coordinate programs, policies, and objectives of the Mayor with the
11 University of the District of Columbia and the Board of Trustees of the University of the
12 District of Columbia.
13 (c) The Department of Education shall be headed by the Deputy Mayor for
14 Education, who shall be appointed by and serve at the pleasure of the Mayor.
15 (d) Special Education. Within 60 days of enactment of this title, the Department
16 of Education shall report to the Mayor and the Council on the status of:
17 (1) The Special Education Task Force, and the development of the
18 Special Education Reform Plan, established pursuant to section 372 of the Fiscal Year
19 2004 Budget Support Act of 2003, effective November 13, 2003 (D.C. Law 15-39, D.C.
20 Official Code § 38-2551); and
21 (2) The implementation of the recommendations adopted by the Board of
22 Education pursuant to the resolution Adopting the Recommendations of the Ad Hoc
23 Committee on Special Education White Paper and Other Recommendations to Improve

1 the Delivery of Special Education Services within the District of Columbia Public
2 Schools, effective March 13, 2006 (Board of Education resolution SR06-22).
3
4 TITLE II. BOARD OF EDUCATION CHARTER AMENDMENT.
5 Sec. 201. Short title.
6 This act may be cited as the "District of Columbia Board of Education Charter
7 Amendment Act of 2007".
8 Sec. 202. Amendment of Authority for the Budget of the District of Columbia
9 Public Schools.
10 Section 452 of the District of Columbia Home Rule Act, approved December 24,
11 1973 (87 Stat. 803; D.C. Official Code § 1-204.52), is amended to read as follows:
12 "Sec. 452. Annual Budget for the District of Columbia Public Schools.
13 "Role of Mayor and Council. The District of Columbia Public Schools shall
14 develop an annual budget for the operation of the public schools for submission to the
15 Mayor. The Mayor shall submit the budget to the Council for approval, pursuant to
16 section 442 of the District of Columbia Home Rule Act, approved December 24, 1973
17 (87 Stat. 803; D.C. Official Code § 1-204.42).".
18 Sec. 203. Repeal of D.C. Board of Education Governance Authority.
19 Section 495 of the District of Columbia Home Rule Act, approved December 24,
20 1973 (87 Stat. 820; D.C. Official Code § 1-204.95), is repealed.
21 Sec. 204. Applicability.

1 The "District of Columbia Board of Education Charter Amendment Act of 2007"
2 shall be applicable upon the enactment of sections 202 and 203 of this title into law by
3 the United States Congress.
4
5 TITLE III. STATE EDUCATION AGENCY FUNCTIONS AND
6 RESPONSIBILITIES.
7 Sec. 301. Short title.
8 This act may be cited as the "Public Education State-Level Functions and State
9 Education Agency Functions and Responsibilities Designation Amendment Act of 2007".
10 Sec. 302. Section 2 of the State Education Office Establishment Act of 2000,
11 effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2601), is
12 amended by adding a new subsection (c) to read as follows:
13 "(c) The Officer shall serve as the Chief State School Officer for the District of
14 Columbia."
15 Sec. 303. Section 3(b) of the State Education Office Establishment Act of 2000,
16 effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2602), is
17 amended as follows:
18 (a) By adding a new paragraph (1) to read as follows:
19 "(1) Serve as the state education agency, and perform the functions of a
20 state education agency, for the District of Columbia under applicable federal law,
21 including but not limited to grant-making, oversight, and State educational agency
22 functions for standards, assessments, and federal accountability requirements for
23 elementary and secondary education.";

1 (b) By redesignating paragraphs (1), (2), (3), (4), and (5) as paragraphs (2), (3),
2 (4), (5), and (6), respectively; and
3 (c) By adding new paragraphs (7), (8), (9), (10), (11) and (12) to read as follows:
4 "(7) Issue rules to establish requirements to govern acceptable credit to be
5 granted for studies completed at independent, private, public, and public charter schools
6 and private instruction;
7 "(8) Prescribe minimum amounts of instructional time for all schools in the
8 District, including public, public charter, and private schools;
9 "(9) Oversee the state-level functions and activities related to early childhood
10 education programs, including the public education of the District of Columbia Early
11 Intervention Services Program, established by section 502 of the Child and Youth Safety
12 and Health Omnibus Amendment Act of 2004, effective April 13, 2005 (D.C. Law 15-
13 353; D.C. Official Code § 7-863.03), as defined in accordance with section 502 of that
14 act;
15 "(10) Provide for the education of children in the custody of the District of
16 Columbia Department of Youth Rehabilitative Services;
17 "(11) Formulate and promulgate rules as necessary to carry out is functions,
18 pursuant to the District of Columbia Administrative Procedure Act, approved October 21,
19 1968, (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*); and
20 "(12) Any other responsibilities not inconsistent with the performance of the
21 state-level education functions of the District of Columbia.".

1 Sec. 304. Section 3 of the State Education Office Establishment Act of 2000,
2 effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2602), is
3 amended by adding new subsections (c) and (d) to read as follows:
4 "(c) All positions, personnel, property, records, and unexpended balances of
5 appropriations, allocations, and other funds available or to be made available to the
6 District of Columbia Board of Education that support state-level functions related to state
7 education agency responsibilities identified in subsection (b) of this section are hereby
8 transferred to the State Education Office, established by section 2 of the State Education
9 Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C.
10 Official Code § 38-2601).
11 "(d) All of the powers, duties, and functions delegated to the District of Columbia
12 Board of Education concerning the establishment, development, and institution of state-
13 level functions related to state education agency responsibilities identified in subsection
14 (b) of this section are hereby transferred to the State Education Office, established by
15 Section 2 of the State Education Office Establishment Act of 2000, effective October 21,
16 2000 (D.C. Law 13-176; D.C. Official Code § 38-2601). The transfer of these functions
17 shall be made pursuant to an approved transition plan, developed within 90 days, in
18 accordance with section 7 of the State Education Office Establishment Act of 2000,
19 effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2606).".
20 Sec. 305. Supervision of Adult Education Program.
21 (a) Section 2(b) of the Adult Education Designation Amendment Act of 1998,
22 effective April 20, 1999 (D.C. Law 12-231; D.C. Official Code § 38-1202.12), is
23 repealed.

1 (b) The State Education Office Establishment Act of 2000, effective October 21,
2 2000 (D.C. Law 13-176; D.C. Official Code § 38-2601 et. seq.), is amended by adding a
3 new section 8 to read as follows:
4 "Sec. 8. Supervision of Adult Education Program.
5 "(a) Notwithstanding any other provision of District law, the State Education
6 Office shall be the state agency responsible for supervision of adult education and adult
7 literacy in the District of Columbia.
8 "(b) All positions, personnel, property, records, and unexpended balances of
9 appropriations, allocations, and other funds available or to be made available to the
10 University of the District of Columbia that support state-level functions related to adult
11 education or adult literacy, are hereby transferred to the State Education Office,
12 established by section 2 of the State Education Office Establishment Act of 2000,
13 effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2601).
14 "(c) All of the powers, duties, and functions delegated to the University of the
15 District of Columbia concerning the establishment, development, and institution of state-
16 level functions related to adult education or adult literacy, including those delegated
17 pursuant to this chapter, are hereby transferred to the State Education Office, established
18 by Section 2 of the State Education Office Establishment Act of 2000, effective October
19 21, 2000, as amended (D.C. Law 13-176; D.C. Official Code § 38-2601). The transfer of
20 these functions shall be made pursuant to an approved transition plan, developed within
21 90 days, in accordance with section 7 of the State Education Office Establishment Act of
22 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2606).

1 "(d) The State Education Office shall apply for federal funds as provided in the
2 Adult Education Act, approved April 28, 1988 (102 Stat. 302; 20 U.S.C. § 1201).
3 "(e)(1) Notwithstanding any other provision of law, the State Education Office is
4 authorized to establish fee rates for all adult education courses. The amount to be
5 charged to each adult shall be fixed annually by the State Education Office as the amount
6 necessary to cover the expense of instruction, cost of textbooks and school supplies, and
7 other operating costs associated with each course offered, provided that the amount and
8 changes in the amount fixed by this subsection are set by the State Education Office in
9 accordance with section 6 of the District of Columbia Administrative Procedure Act,
10 approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-505). Following the
11 final adoption of such amount, the State Education Office shall transmit a copy of the fee
12 schedule to the Mayor and the Council.
13 "(2) All amounts received by the State Education Office pursuant to this
14 section shall be paid to the D.C. Treasurer and accounted for in the General Fund as a
15 separate revenue source allocable to provide authority for the offering of select adult
16 education courses for which fees will be charged.
17 "(3) Waivers, in whole or in part, of fees for select adult education courses
18 may be granted by the Education Office.".
19 Sec. 306. Section 503 of the Child and Youth Safety and Health Omnibus
20 Amendment Act of 2004, effective April 13, 2005 (D.C. Law 15-353; D.C. Official Code
21 § 7-863.03), is amended as follows:
22 (a) subsection (a) is amended to read as follows:

1 "(a) There is established in the State Education Office an Early Intervention
2 Program ("Program") to provide early intervention services to infants and toddlers, from
3 birth through 2 years of age, and their families. The services shall be provided in
4 accordance with the requirements of the Individuals with Disabilities Education Act, as
5 approved June 4, 1997 (111 Stat. 37; 20 U.S.C. § 1400 *et seq.*).".
6 (b) New subsections (d) and (e) are added to read as follows:
7 "(d) All positions, personnel, property, records, and unexpended balances of
8 appropriations, allocations, and other funds available or to be made available to the
9 District of Columbia Department of Human Services that support state-level functions
10 related to the District of Columbia Early Intervention Program as defined in accordance
11 with section 502 of the Child and Youth Safety and Health Omnibus Amendment Act of
12 2004, effective April 13, 2005 (D.C. Law 15-353; D.C. Official Code § 7-863.02), are
13 hereby transferred to the State Education Office, established by section 2 of the State
14 Education Office Establishment Act of 2000, effective October 21, 2000, (D.C. Law 13-
15 176; D.C. Official Code § 38-2601).
16 "(e) All of the powers, duties, and functions delegated to the District of Columbia
17 Department of Human Services concerning the establishment, development, and
18 institution of state-level functions related to the District of Columbia Early Intervention
19 Program as defined in accordance with section 502 of the Child and Youth Safety and
20 Health Omnibus Amendment Act of 2004, effective April 13, 2005 (D.C. Law 15-353;
21 D.C. Official Code § 7-863.02), including those delegated pursuant to this chapter, and
22 all state-level functions and responsibilities related to the District of Columbia Early Care
23 and Education Administration, are hereby transferred to the State Education Office,

1 established by section 2 of the State Education Office Establishment Act of 2000,
2 effective October 21, 2000, (D.C. Law 13-176; D.C. Official Code § 38-2601).".
3 Sec. 307. All rules, orders, obligations, determinations, grants, contracts,
4 licenses, and agreements of the Board of Education, the District of Columbia Public
5 Schools, the District of Columbia Department of Human Services, or the University of
6 the District of Columbia relating to functions transferred to the State Education Office
7 under this act that are in effect at the time this act takes effect shall remain in effect
8 according to their terms until lawfully amended, repealed, or modified by the State
9 Education Office.
10 Sec. 308. Transition Plan.
11 (a) The State Education Officer shall, within 90 days of enactment of this title,
12 submit to the Mayor for approval a detailed transition plan for the transfer to take place
13 not later than October 1, 2007, of all of the functions and responsibilities designated for
14 transfer by the Public Education State-Level Functions and State Education Agency
15 Functions and Responsibilities Designation Amendment Act of 2007. The transition plan
16 shall:
17 (1) Be formulated in consultation with the Board of Education, the
18 District of Columbia Public Schools, the Public Charter School Board, District agencies
19 with responsibilities for functions specified in sections 303-306, and any relevant federal
20 agencies;
21 (2) Identify the authority and responsibility of each party at each stage in
22 the transition process;

1 (3) Specify timelines, dates and benchmarks for transfer of authority,
2 responsibility, budget, and employees;
3 (4) Specify the estimated cost to the SEO of carrying out each function
4 specified in sections 303-306;
5 (5) Identify any factors with potential for disrupting services to students
6 and recommend steps to prevent any possible disruption.
7 (b) The Mayor shall forward the approved transition plan to the Council and the
8 State Board of Education.
9 (c) The transfer of all functions designated by the Public Education State-Level
10 Functions and State Education Agency Functions and Responsibilities Designation
11 Amendment Act of 2007 shall be made pursuant to the transition plan detailed in
12 subsection (a) in accordance with section 7 of the State Education Office Establishment
13 Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-
14 2606).
15
16 TITLE IV. ESTABLISHMENT OF STATE BOARD OF EDUCATION.
17 Sec. 401. Short title.
18 This act may be cited as the "District of Columbia State Board of Education
19 Establishment Act of 2007".
20 Sec. 402. Transition From Charter Created Board to State Board.
21 The existing Board of Education created by section 495 of the District of
22 Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official
23 Code § 1-204.95) (hereinafter in this act referred to as the "Charter-created Board of

1 Education") shall continue in effect only until such time as Title II of the District of
2 Columbia Public Education Reform Amendment Act of 2007 becomes effective and all
3 terms of office of the Charter-created Board members shall continue until a successor
4 member is either appointed by the Mayor or elected pursuant to section 403 of this act or
5 the District of Columbia Election Code of 1955, approved August 12, 1955 (69 Stat. 699;
6 D.C. Official Code § 1-1001.01 *et seq.*) depending upon whether the member being
7 replaced was appointed or elected.
8 Sec. 403. Board membership; election; term of office; vacancies.
9 (a)(1) There is established a State Board of Education ("Board") consisting of 9
10 members. Four members shall be appointed by the Mayor and confirmed by the Council.
11 Five members shall be elected. Four of the 5 elected members shall be elected from the 4
12 school districts created pursuant to subsection (b) of this section. One member shall be
13 elected at-large as the President of the Board.
14 (2) Members of the Charter-created Board of Education, as of the effective
15 date of this act, shall serve as the initial State Board of Education through January 2,
16 2009. The terms of these members shall expire at noon, January 2, 2009.
17 (b) The 4 school districts for the election of Board members pursuant to
18 subsection (a) of this section shall be comprised of the 8 election wards created pursuant
19 to section 2 of the Boundaries Act of 1975, effective December 16, 1975 (D.C. Law 1-38;
20 D.C. Official Code § 1-1011.01), as follows:
21 (1) Wards 1 and 2 shall comprise School District I;
22 (2) Wards 3 and 4 shall comprise School District II;
23 (3) Wards 5 and 6 shall comprise School District III; and

1 (4) Wards 7 and 8 shall comprise School District IV.

2 (c) Beginning January 2, 2009, the Board shall consist of 9 elected members.
3 One member shall be elected from each of the 8 school election wards established
4 pursuant to section 2 of the Boundaries Act of 1975, effective December 16, 1975 (D.C.
5 Law 1-38; D.C. Official Code ' 1-1011.01), and one member shall be elected at-large.
6 The State Board of Education shall select its President from among the 9 members of the
7 Board.

8 (d)(1) Except as provided in paragraph (3)(B) of this subsection, the term of office
9 of a member of the Board, including the at-large member, shall be 4 years.

10 (2) Members may receive compensation at a rate fixed by the Council of
11 the District of Columbia, which shall not exceed the sum provided by section 1110 of the
12 District of Columbia Comprehensive Merit Personnel Act of 1978, approved March 3,
13 1979 (D.C. Law 2-139; D.C. Official Code § 1-611.10).

14 (3)(A) The term of office of a member of the Board elected in a general
15 election shall commence on January 2 of the year following the election. The term of
16 office of an incumbent member of the Board shall expire at noon January 2 of the year
17 following the general election.

18 (B) The initial terms of the members of the State Board of
19 Education elected in the general election in November 2008 shall be as follows:

20 (i) The 4 members elected from wards 1, 3, 5, and 6 shall
21 serve 2 year terms, ending at noon January 2, 2011.

22 (ii) The 4 members elected from wards 2, 4, 7, and 8 and
23 the member elected at-large shall serve 4 year terms, ending at noon January 2, 2013.

1 (e)(1) Each member of the Board elected from a ward shall at the time of his or
2 her nomination: (A) be a qualified elector (as that term is defined in § 1-1001.02) in the
3 school election ward from which he seeks election; (B) have, for one year immediately
4 preceding the election, resided in the ward from which he or she is nominated; and (C)
5 have, during the 90-day period next preceding his or her nomination, been an actual
6 resident of the District of Columbia and have during such period claimed residence
7 nowhere else. A member shall forfeit his or her office upon failure to maintain the
8 qualifications required by this paragraph.
9 (2) Each member of the Board elected at large shall at the time of his or
10 her nomination: (A) be a qualified elector (as that term is defined in section 2 of the
11 District of Columbia Election Code of 1955, approved August 12, 1955 (69 Stat. 699;
12 D.C. Official Code § 1-1001.01 *et seq.*)) in the District of Columbia; and (B) have, during
13 the one year period immediately preceding the election, been an actual resident of the
14 District of Columbia and have during such period claimed residence nowhere else. A
15 member shall forfeit his or her office upon failure to maintain the qualifications required
16 by this paragraph.
17 (3) No individual may hold the office of member of the State Board of
18 Education and: (A) hold another elective office other than delegate or alternate delegate
19 to a convention of a political party nominating candidates for President and Vice-
20 President of the United States; or (B) also be an officer or employee of the District of
21 Columbia government or of the Board. A member shall forfeit his or her office upon
22 failure to maintain the qualifications required by this paragraph.

1 (f) Whenever, before the end of his or her term, a member of the Board dies,
2 resigns, or becomes unable to serve or a member-elect of the Board fails to take office,
3 such vacancy shall be filled as provided in section 10(e) and (g) of the District of
4 Columbia Election Code of 1955, approved August 12, 1955 (69 Stat. 699; D.C. Official
5 Code § 1-1001.01 *et seq.*).
6 (g) The election of the members of the State Board of Education shall be
7 conducted on a nonpartisan basis and in accordance with the District of Columbia
8 Election Code of 1955, approved August 12, 1955 (69 Stat. 699; D.C. Official Code § 1-
9 1001.01 *et seq.*).
10 Sec. 404. Functions of the State Board of Education.
11 (a) The State Board of Education shall advise the Chief State School Officer on
12 various subject matters including, but not limited to, state standards, state policies, state
13 objectives and state regulations proposed by the Mayor or the Chief State School Officer
14 and state policies governing the special, academic, vocational, charter and other schools
15 established within the District of Columbia.
16 (b) The State Board of Education shall have no policy making authority, except
17 for the following:
18 (1) Approval of state standards upon recommendation by the Chief State
19 School Officer; and
20 (2) Approval of the state accountability plan for the District of Columbia
21 developed by the Chief State School Officer pursuant to section 1111(c)(2) of the No
22 Child Left Behind Act of 2001, enacted January 8, 2002 (Pub. L. 107-110, 20 USC
23 6311).

1 (c) The State Board of Education may conduct a monthly meeting to receive
2 citizen input with respect to issues properly before it.
3 (d) The Mayor shall, by order, specify the Board's organizational structure, staff,
4 budget, operations, reimbursement of expenses, and other matters affecting the Board's
5 functions.
6
7 TITLE V. INTERAGENCY COLLABORATION AND SERVICES
8 INTEGRATION COMMISSION.
9 Sec. 501. Short title.
10 This act may be cited as the "Interagency Collaboration and Services Integration
11 Commission Establishment Act of 2007".
12 Sec. 502. Purpose
13 The purpose of the Interagency Collaboration and Services Integration
14 Commission is to address the needs of at-risk children by reducing juvenile and family
15 violence and promoting social and emotional skills among children and youth through a
16 comprehensive integrated service delivery system that includes the following:
17 (1) Comprehensive, multi-disciplinary assessments of children by school-
18 based clinicians;
19 (2) Implementation of a management information system that enables the
20 inter-agency exchange of information and protects families' privacy rights;
21 (3) Facilitation of resource sharing and inter-agency collaboration on
22 multi-disciplinary projects;

1 (4) Development and implementation of proven, evidence-based
2 preventive and interventive programs for children and families by educational, law
3 enforcement, mental health and social services agencies;
4 (5) Development of integrated service plans for individual children and
5 families that promote the delivery of services that are comprehensive, implemented
6 without interruption and free from duplication or redundancy; and
7 (6) Independent evaluation of the effectiveness of the Commission's
8 programs including the impact on academic performance, levels of violence by and
9 against children, truancy and delinquency; the cost effectiveness of the Commission's
10 programs, taking into account such factors as reductions, or potential reductions, in out of
11 home placements and law enforcement expenditures; and the extent to which the
12 Commission has developed the capacity to sustain its programs and activities.
13 Sec. 503. Definitions
14 For the purposes of this act, the term:
15 (1) "Comprehensive, multi-disciplinary assessments" means assessments
16 of children to determine the extent to which they are affected by risk and protective
17 factors as individuals and in families, communities and schools, and the extent to which
18 they have service needs resulting from emotional disturbance, substance abuse, exposure
19 to violence and learning disabilities.
20 (2) "Evidence-based", with reference to a preventive or interventive
21 program means a program: (A) whose evaluation, which has been completed by an
22 independent agency with demonstrated expertise in evaluation; (B) that yields statistically
23 significant data demonstrating the program's effectiveness in accomplishing its intended

1 purposes; and (C) that has been replicated in another community with a level of
2 effectiveness comparable to that indicated in the evaluation.
3 (3) "Integrated service plans" means service plans that promote delivery
4 of services that are, to the fullest extent possible, comprehensive, implemented without
5 interruption, and free from duplication or redundancy.
6 (4) "School-based clinicians" means certified social workers, credentialed
7 alcoholism and substance abuse counselors or other mental health, alcoholism, substance
8 abuse or chemical dependence counselors deemed qualified by the Director of the
9 Department of Health or other nationally recognized certification organizations to
10 conduct comprehensive, multi-disciplinary assessments.
11 Sec. 504. Establishment of the Interagency Collaboration and Services
12 Integration Commission.
13 (a) There is established an Interagency Collaboration and Services Integration
14 Commission ("Commission"). The Commission shall:
15 (1) Develop an information-sharing agreement, within 90 days of
16 enactment of this title, with education, law enforcement, and human service agencies,
17 which shall permit Commission personnel to collect information from agencies
18 participating in the agreement in order to conduct comprehensive multi-disciplinary
19 assessments and to develop and implement integrated service plans. The information-
20 sharing agreement shall adhere to all applicable provisions of federal and District law and
21 professional standards regarding confidentiality, and shall include:
22 (A) The Commission's procedures and protocols for safeguarding
23 confidential and other client-related information; and

1 (B) The Commission's form for obtaining consent to assessment
2 and disclosure of confidential information from a participant or the parent or legal
3 guardian of a participant;
4 (2) Develop, within 90 days of enactment of this title, procedures and
5 protocols for safeguarding confidential and other client-related information, including
6 documents, files, electronic communications and computer data. The procedures and
7 protocols shall include procedures for determining when a fully informed and written
8 consent to assessment and disclosure of confidential information is provided by a
9 participant or the parent or legal guardian of a participant. The procedures shall further
10 specify the circumstances and manner in which confidential information collected and
11 maintained by designated personnel of the Commission may be disclosed, as permitted
12 by applicable provisions of local and federal law, to:
13 (A) Other personnel of the Commission for the sole and exclusive
14 purposes of
15 (i) Conducting comprehensive, multi-disciplinary
16 assessments of children; and
17 (ii) Creating and implementing integrated service plans for
18 children; and
19 (B) Education, law enforcement and human service agencies and
20 other service providers identified in the consent to assessment and disclosure of
21 confidential information for the sole and exclusive purpose of creating and implementing
22 such integrated service plans;

1 (3) Identify a comprehensive, multi-disciplinary assessment instrument
2 which shall be used by school-based clinicians to determine the extent to which children
3 are affected by risk and protective factors as individuals and in families, communities,
4 and schools, and the extent to which children have service needs resulting from emotional
5 disturbance, substance abuse, exposure to violence, and learning disabilities. The school-
6 based clinicians shall also provide therapeutic interventions and assist in the development
7 of integrated service plans;
8 (4) Through financial, administrative and other supports, assist education,
9 law enforcement and human service agencies in the implementation of preventive and
10 early interventive programs for children and their families. Such programs shall be
11 implemented to serve children in pre-school, primary school, and secondary school age
12 groups and their families. All preventive and interventive programs implemented with
13 the assistance and support of the Commission shall be evidence-based programs and shall
14 include, but not be limited to, the following:
15 (A) Early childhood psychosocial and emotional development
16 programs;
17 (B) School-based violence and substance abuse prevention and
18 social and emotional learning programs;
19 (C) Family resiliency and strengthening programs; and
20 (D) Programs that are designed to reduce local reliance on out-of-
21 home placements of children under the age of 18;

1 (5) Determine the extent to which the District has preventive and early
2 interventive evidence-based programs that already meet some or all of the requirements
3 of paragraph (4) of this section;
4 (6) Maintain an interagency database housed in a secure location which
5 stores assessment information, data gathered pursuant to the information-sharing
6 agreement and other data relevant for the purposes of service integration, the monitoring
7 and evaluation or treatment plans, and the ongoing assessment of programs implemented
8 or supported by the Commission;
9 (7) Conduct an annual independent evaluation of the effectiveness of the
10 Commission's programs, including the impact on academic performance, levels of
11 violence by and against children, truancy and delinquency; the cost effectiveness of the
12 Commission's programs, taking into account such factors as reductions, or potential
13 reductions, in out of home placements and law enforcement expenditures; and the extent
14 to which the Commission has developed the capacity to sustain its programs and
15 activities; and
16 (8) Report, on an annual basis, on the status and progress of the objectives
17 of the Commission, including the results of the evaluation referenced in paragraph (7) of
18 this subsection and any recommendations made by the Commission, to the public, the
19 Mayor, and the Council. The report shall be submitted to the Mayor and the Council
20 within 90 days after the end of each fiscal year.
21 (b) The Commission shall have the authority, unless expressly prohibited in
22 statute or regulation, to combine local, federal and other resources available to the
23 participating education, law enforcement, and human services agencies for the purposes

1 of providing comprehensive multi-disciplinary assessments, integrated services, and
2 evidence-based programs as described herein.
3 (c) The Commission is authorized to apply for, receive, and disburse federal,
4 state, and local funds for which the District of Columbia is eligible and which are
5 relevant to the duties and responsibilities of the Commission. The Commission is also
6 authorized to utilize the funding provided pursuant to the Integrated Funding and
7 Services for At-Risk Children, Youth, and Families Act of 2006, signed by the Mayor on
8 August 8, 2006 (D.C. Act 16-476; 53 DCR 34) to carry out its responsibilities.
9 Sec. 505. Membership
10 The Commission shall include the following members:
11 (1) The Mayor, who shall serve as the Chair;
12 (2) Deputy Mayor for Education;
13 (3) Chairman of Council of the District of Columbia;
14 (4) Chief Judge, Family Court of the District of Columbia;
15 (5) City Administrator;
16 (6) State Education Officer;
17 (7) Chancellor of the District of Columbia Public Schools;
18 (8) Chair of the Public Charter School Board;
19 (9) Director of the Department of Child and Family Services;
20 (10) Director of the Department of Youth Rehabilitative Services;
21 (11) Director of the Department of Health;
22 (12) Director of the Department of Mental Health;
23 (13) Chief of the Metropolitan Police Department;
24 (14) Director of the Court Social Services Agency;

1 (15) District of Columbia Attorney General;

2 (16) Director of the Criminal Justice Coordinating Council;

3 (17) Director of the Department of Parks and Recreation; and

4 (18) Director of the District of Columbia Public Library.

5 Sec. 506. Administrative support.

6 (a) The Commission is authorized to hire staff and to obtain equipment, supplies,
7 materials and services as necessary to carry out the functions of the Commission.

8 (b) The Commission shall serve as the personnel authority for all employees of
9 the Commission and shall exercise such authority consistent with the District of
10 Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3,
11 1978 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq.*).

12 (c) The Commission may exercise procurement authority to carry out the
13 responsibilities of the Commission, including contracting and contract oversight. The
14 Commission shall exercise this authority consistent with the District of Columbia
15 Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C.
16 Official Code § 2-301.01 *et seq.*), except that the provisions of section 105(a), (b), (c),
17 and (e) of that act (D.C. Official Code § 2-301.05(a), (b), (c), and (e)) shall not apply to
18 the Commission.

19

20 TITLE VI. CREATION OF OFFICE OF OMBUDSMAN FOR PUBLIC
21 EDUCATION.

22 Sec. 601. This act may be cited as the "Ombudsman for Public Education
23 Establishment Act of 2007".

1 Sec. 602. The Mayor shall establish an Office of Ombudsman for Public
2 Education in the District of Columbia within the District of Columbia Department of
3 Education for the following purposes:
4 (a) To encourage communication between citizens and the Mayor regarding pre-
5 kindergarten through postsecondary, graduate public education issues in the District of
6 Columbia;
7 (b) To serve as a mechanism by which citizens can communicate their questions
8 and concerns regarding public education in the District of Columbia through a single,
9 central source within the District government; and
10 (c) To respond to questions and issues raised by members of the public regarding
11 public education in the District of Columbia in a timely fashion with accurate and helpful
12 information.
13 Sec. 603. Duties of the Office of Ombudsman for Public Education.
14 (a) The Office of the Ombudsman for Public Education shall report to the Deputy
15 Mayor for Public Education.
16 (b) The primary duties of the Office of Ombudsman for Public Education are
17 investigation and resolution of problems raised by citizens, outreach to the public, and
18 identification of systemic concerns raised by citizens or related to public education in the
19 District of Columbia. The Office of Ombudsman for Public Education shall perform the
20 following core functions to accomplish these duties:
21 (1) Receive complaints from parents and District residents concerning
22 public education in the District of Columbia;
23 (2) Determine the validity of any complaint quickly and professionally;

1 (3) Generate options for a response;

2 (4) Make a recommendation among the options; and

3 (5) Make a referral to the appropriate school official, when appropriate.

4 (c) The Office of Ombudsman for Public Education shall maintain a database that
5 tracks complaints received according to various categories, including but not limited to
6 type, school level, and location. The Office of Ombudsman for Public Education shall
7 report monthly to the Mayor and the State Board of Education an analysis of the
8 complaint and resolution data, and shall recommend, based on public complaints, policy
9 changes, staff training, or implementation strategies necessary to improve the delivery of
10 public education services in the District of Columbia.

11 (d) The Office of Ombudsman for Public Education shall strive at all times to
12 perform its functions with neutrality and independence toward the issue being addressed.

13

14 TITLE VII. CREATION OF PUBLIC EDUCATION FACILITIES
15 MANAGEMENT AND CONSTRUCTION AUTHORITY.

16 Sec. 701. Short title.

17 This act may be cited as the "District of Columbia Public Education Facilities
18 Management and Construction Authority Establishment Act of 2007".

19 Sec. 702. Establishment of the District of Columbia Public Education Facilities
20 Management and Construction Authority.

21 There is established as a corporate body and independent instrumentality of the
22 District, with a legal existence separate from that of the District government, the District
23 of Columbia Public Education Facilities Management and Construction Authority