

AN ACT

*Codification
District of
Columbia
Official Code*

2001 Edition

2005 Spring
Supp.

West Group
Publisher

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend An Act To fix and regulate the salaries of teachers, school officers, and other employees of the board of education of the District of Columbia to sunset the hybrid Board of Education by January 2, 2009, to re-establish a Board structure in which 8 Board members are elected from each ward, one member is elected at-large, and the president is selected by and from among the 9 Board members, to provide that all Board member terms shall expire on January 2 of the appropriate year, to provide that the terms of the 2 Board members appointed for terms to begin January 2, 2007, shall expire at noon January 2, 2009, to provide that the terms of the 2 members of the Board of Education elected in 2006 from School Districts III and IV, and the President elected in 2006, shall expire on January 2, 2009; to amend the District of Columbia Election Code of 1955 to make conforming amendments; to establish a Financial Management Task Force to assist in the implementation of financial management reform in the public school system; and to establish certain requirements for the annual budget submitted by the Board of Education.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Board of Education Continuity and Transition Amendment Act of 2004".

Sec. 2. Section 2 of An Act To fix and regulate the salaries of teachers, schools officers, and other employees of the board of education of the District of Columbia, approved June 20, 1906 (34 Stat. 316; D.C. Official Code § 38-101 *et seq.*), is amended as follows:

Amend
§ 38-101

(a) Subsection (a) is amended to read as follows:

"(a)(1) Beginning July 7, 2000, and ending at noon January 2, 2009, the Board of Education shall consist of 9 members. Four members shall be appointed by the Mayor and confirmed by the Council. Five members shall be elected. Four of the 5 elected members shall be elected from the 4 school districts created pursuant to paragraph (2) of this subsection. One member shall be elected at-large as the president of the Board.

"(2) Beginning July 7, 2000, and ending at noon January 2, 2009, the 4 school districts for the election of Board members pursuant to paragraph (1) of this subsection, shall be

ENROLLED ORIGINAL

comprised of the 8 election wards created pursuant to section 2 of the Boundaries Act of 1975, effective December 16, 1975 (D.C. Law 1-38; D.C. Official Code § 1-1011.01), as follows:

- "(A) Wards 1 and 2 shall comprise School District I;
- "(B) Wards 3 and 4 shall comprise School District II;
- "(C) Wards 5 and 6 shall comprise School District III; and
- "(D) Wards 7 and 8 shall comprise School District IV.

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

(b) Subsection (b) is amended as follows:

(1) Paragraph (1) is amended as follows:

(A) Strike the phrase "paragraph (3)(C) and (3)(D)" and insert the phrase "paragraph (3)(C), (E), and (F)" in its place.

(B) Strike the phrase "including the President" and insert the phrase "including the at-large member" in its place.

(2) Paragraph (3) is amended as follows:

(A) Subparagraph (A) is amended to read as follows:

"(A)(i) The term of office of a member of the Board of Education elected in a general election shall commence on January 2 of the year following the election. The term of office of an incumbent member of the Board shall expire at noon January 2 of the year following the general election.

"(ii) The term of a member elected from a school district or appointed pursuant to subsection (a)(1) of this section shall expire at noon January 2, 2009."

(B) Subparagraph (D) is repealed.

(C) New subparagraphs (E) and (F) are added to read as follows:

"(E)(i) The 2 members of the Board of Education elected in 2006 from School Districts III and IV and the President elected in 2006 shall serve through January 2, 2009.

"(ii) The 2 members of the Board of Education appointed by the Mayor and confirmed by the Council for terms to begin January 2, 2007, shall serve through January 2, 2009.

"(F) The initial terms of the members of the Board of Education elected in the general election in November 2008 shall be as follows:

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

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

(c) Subsection (c)(1) is amended by adding the phrase “or ward” after the phrase “special school district”.

(d) Subsection (f) is amended by striking the phrase “subsection (b)(3)(C)” and inserting the phrase “subsection (b)(3)(C) and (E)” in its place.

Amend
§ 1-1001.08

Sec. 3. Section 8(n) of the District of Columbia Election Code of 1955, approved August 12, 1955 (69 Stat. 699; D.C. Official Code § 1-1001.08(n)), is amended by adding the phrase “or ward” after the phrase “school district” wherever it appears.

Sec. 4. Financial Management Reform Plan.

(a) The Superintendent of the public schools shall develop a Financial Management Reform Plan ("Reform Plan") which shall include the following:

- (1) Measurable goals;
- (2) Timeline for deliverables;
- (3) Roles and responsibilities of all District agencies that provide financial management related services;
- (4) Proposed statutory and regulatory amendments to approve the budget process;
- (5) Targeted savings activities, and reallocations within the DCPS budget, for the next 2 fiscal years; and
- (6) Review and input from members of the Financial Management Task Force.

(b) The Superintendent shall submit the Reform Plan to the Board of Education for its approval.

Sec. 5. Financial Management Task Force.

(a) There is established a Financial Management Task Force ("Task Force") with the purpose of serving as a collaborative body of District agencies that will support and assist in implementing financial management reform within the District of Columbia Public Schools.

(b) Specific functions of the Task Force shall include the following:

- (1) Within 60 days of the approval of the Board of Education pursuant to section 4(b), adopt by a majority vote the Reform Plan developed pursuant to section 4(a);
- (2) Convene monthly, or more frequently as deemed necessary and appropriate, to report on the progress of, identify obstacles to, and recommend amendments to, the Reform Plan;
- (3) Identify ways that better coordinate and improve financial management service delivery; and
- (4) Assist with the implementation of the Reform Plan to ensure that the Reform Plan is executed in an appropriate and timely manner.

(c)(1) The Task Force shall be comprised of the following 8 voting members, or

designees thereof, as follows:

- (A) The Mayor of the District of Columbia;
- (B) The Chair of the Committee on Education, Libraries and Recreation of the Council;
- (C) The Chair of Committee of Finance and Revenue of the Council;
- (D) The President of the Board of Education;
- (E) The District of Columbia Public Schools Superintendent;
- (F) The State Education Officer of the District of Columbia;
- (G) The Chief Financial Officer for the District of Columbia; and
- (H) The Chief Financial Officer for the District of Columbia Public Schools.

(2) The following persons shall serve as advisory, nonvoting members of the Task Force:

- (A) All the members of the Council's Committee on Education, Libraries and Recreation;
- (B) The department head or designee of the Office of Financial Management;
- (C) The department head or designee of the Committee on Financial Management and Student Services for the Board of Education;
- (D) The department head or designee of the Office of the Attorney General; and
- (E) The representative of the State Advisory Panel on Financial Management in the District of Columbia;

(3) The Task Force shall be co-chaired by the Mayor, the Chair of the Committee on Education, Libraries and Recreation of the Council, and the President of the Board of Education.

(4) The Director of the State Education Office shall provide staffing for the Task Force.

(d) The voting members of the Task Force shall adopt and sign a Memorandum of Understanding binding their respective agencies regarding the implementation of the Reform Plan.

(e) The Task Force shall terminate upon the full execution of the Memorandum of Understanding referred in subsection (d) of this section.

Sec. 6. Budget submission requirements.

The Board of Education shall approve an annual budget for submission to the Council that is consistent with the goals and objectives established by the Board of Education for the operation of the public schools of the District of Columbia. The Board shall prepare and execute a performance-based budget on an annual basis. The budget prepared by the Board shall have its

operations organized by major programs, which in turn will be composed of activities and services. The budget submitted by the board shall allocate all monies by activities and object class. The DCPS submission shall also include a presentation that specifies the monies budgeted for each school. This presentation shall specify the funds available to each school for which the decision to spend is made by the school's local schools restructuring team, and shall specify other responsibility center funds the spending of which directly benefit local schools (e.g., for textbooks, substitute teachers, transportation, maintenance/engineers, nurses, teachers salaries, etc.), so that the Council and the public may know the totality of funds, goods and services that will be provided to the local schools directly.

Sec. 7. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-233(c)(3)).

Sec. 8. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

Chairman
Council of the District of Columbia

Mayor
District of Columbia