

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the State Education Office Establishment Act of 2000 to establish a 4-year term for the State Superintendent of Education, to establish criteria for removal, and to authorize the State Superintendent to grant waivers of existing regulations for purposes of improving student achievement; to amend the District of Columbia School Reform Act of 1995 to allow for the payment of up to one percent in administrative fees to the Public Charter School Board (“PCSB”) and to set removal criteria for PCSB members; to amend the Public Education Reform Amendment Act of 2007 to direct the State Board of Education (“State Board”) to issue an annual review of the performance of the Office of the State Superintendent of Education and to allow the State Board to initiate policy recommendations; and, to direct the PCSB and the State Board to issue an annual report on the state of education in the District of Columbia.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Public Education Governance Improvement Act of 2013”.

TITLE I. GOVERNING AUTHORITIES

Sec. 101. Short title.

This title may be cited as the “State Education Governance Act of 2013”.

Sec. 102. The State Education Office Establishment Act of 2000 (D.C. Law 13-176; D.C. Official Code § 38-2601 *et seq.*) is amended as follows:

(a) Section 2(b) (D.C. Official Code § 38-2601(b)) is amended by amending the last sentence to read as follows: “The State Superintendent shall serve a 4-year term, contemporaneous to the Mayor, and may be removed only for cause related to character,

1 efficiency, or performance of his or her duties. Such removal must be approved by a majority
2 vote of the State Board of Education.”

3 (b) Section 3(b) (D.C. Official Code § 38-2602(b) is amended by inserting a new
4 paragraph (18A) to read as follows:

5 “(18A) Have the authority to provide LEAs with waivers of existing District regulations
6 as follows:

7 “(1) LEA may apply for a waiver by sending a written request to OSSE that
8 specifically states which regulation it is seeking an exemption from and why such a waiver
9 would improve student achievement;

10 “(2) OSSE shall approve the waiver request if it finds that the waiver will improve
11 student achievement; provided, that the failure of OSSE to reject a waiver request within 90 days
12 of receipt shall result in the automatic approval of the request.”

13 Sec. 103. The District of Columbia School Reform Act of 1995, approved April 26, 1996
14 (110 Stat. 1321-107; D.C. Official Code § 38-1800.01 *et seq.*), is amended as follows:

15 (a) Section 2211 (D.C. Official Code § 38-1802.11(b)(2) is amended by striking the
16 phrase “one-half of”.

17 (b) Section 2214(a) (D.C. Official Code § 38-1802.14(a)) is amended by inserting a new
18 paragraph (7) to read as follows:

19 “(7) Members of the Board may be removed only for cause related to character,
20 efficiency, or performance of their duties. Such removal must be approved by a majority vote of
21 the Council.”

1 Sec. 104. Section 403(c) of the Public Education Reform Amendment Act of 2007,
2 effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-2652(c)), is amended as
3 follows:

4 (a) Subsection (a) is amended by adding a new paragraph (16) to read as follows:

5 “(16) Issue an annual review of the performance of the Office of the State Superintendent
6 of Education (“OSSE”) and the State Superintendent in improving educational outcomes for
7 District students and meeting the requirements as set forth in OSSE’s establishment act.

8 (b) Subsection (c) is amended by designating the existing language as paragraph (1) and
9 inserting a new paragraph (2) to read as follows:

10 “(2) The Board may initiate its own policy recommendations on items under its
11 purview for review and approval.

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13 **TITLE II. REPORT ON STATE OF EDUCATION**

14 Sec. 201. Short title.

15 This title may be cited as the “State of Education in the District of Columbia Reporting
16 Act of 2013”.

17 Sec. 202. Report on the state of education.

18 (a) By October 1 of each year, the State Board of Education and the Public Charter
19 School Board shall jointly report on the state of primary and secondary public education in the
20 District of Columbia.

21 (b) At a minimum, the report shall address:

22 (1) Academic achievements from the prior school year, including a review of
23 school and student performance;

1 (2) Challenges facing the delivery of elementary and secondary education in the
2 District; and

3 (3) Initiatives and goals for future growth and achievement.

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TITLE III. GENERAL PROVISIONS

7 Sec. 301. Fiscal impact statement.

8 The Council adopts the fiscal impact statement in the committee report as the fiscal
9 impact statement required by Section 602(c)(3) of the District of Columbia Home Rule Act,
10 approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

11 Sec. 302. Effective date.

12 This act shall take effect following approval by the Mayor (or in the event of veto by the
13 mayor, action by the Council to override the veto), a 30-day period of Congressional review as
14 provided in Section 602(c)(1) of the District of Columbia Home Rule Act, approved December
15 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
16 Columbia Register.

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