Chairman Phil Mendelson

Councilmember Mary M. Cheh

Councilmember Charles Allen

Councilmember Robert C. White, Jr.

Councilmember Vincent C. Gray

Councilmember Brianne Nadeau

Councilmember Elissa Silverman

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the District of Columbia Auditor Subpoena and Oath Authority Act of 2004 to establish the District of Columbia Education Research Advisory Board and the District of Columbia Education Research Collaborative, and to require the Collaborative to undertake an audit of District school data and data collection policies.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "District of Columbia Education Research Advisory Board and Collaborative Establishment Amendment Act of 2018".

Sec. 2. The District of Columbia Auditor Subpoena and Oath Authority Act of 2004, effective April 22, 2004 (D.C. Law 15-146; D.C. Official Code § 1–301.171 et seq.), is amended as follows:

(a) The short title is amended to strike "Subpoena and Oath Authority".

(b) The existing text is designated as Title I.

40 (c) A new Title II is added to read as follows:

41 "Sec. 201. District of Columbia Education Research Advisory Board.

42 "(a) There is established the District of Columbia Education Research Advisory Board

43 ("Advisory Board"). The Advisory Board shall:

44 "(1) Provide guidance to the District of Columbia Education Research

45 Collaborative ("Collaborative");

46 "(2) Report to the Council on District data management and collection policies,

47 the Advisory Board's guidance of the Collaborative, and other matters; and

48 "(3) Assist in soliciting funding grants from individuals, foundations, granting

49 institutions, and other entities to finance the work of the Collaborative.

50 "(b) The Advisory Board shall be composed of 16 voting members, who shall be

51 residents of the District of Columbia, and be appointed for terms of 3 years. The Advisory

52 Board's membership shall include:

53 "(1) 4 members, appointed by the Mayor, as follows:

54 "(A) 1 representative from the District of Columbia Public Schools

55 ("DCPS") Central Office;

56 "(B) 1 representative from the Office of the Deputy Mayor for Education

57 ("DME");

58 "(C) 1 representative from the Office of the State Superintendent of

59 Education's ("OSSE") Division of Data Assessment & Research; and

60 "(D) 1 representative from the District of Columbia Public Charter School

61 Board;

62 "(2) 2 members who are representatives from the State Board of Education

63 ("SBOE"); and

64 "(3) 10 members, appointed by the Council, as follows:

65 "(A) 3 representatives from District-based non-profits with a focus on

66 public education;

67 "(B) 3 members of DCPS or public charter school parent organizations;

68 "(C) 2 community representatives who reside in the District;

69 "(D) 1 representative from the Council of School Officers; and

70 "(E) 1 representative from the Washington Teachers Union.

71 "(c)(1) Within 180 days after the effective date of this act, the Mayor shall appoint the

72 Mayor's appointees for the Advisory Board.

73 "(2) Within 180 days after the effective date of this act, the SBOE shall adopt a

74 resolution designating the members of the SBOE members who will serve on the Advisory

75 Board.

76 "(3) Within 180 days after the effective date of this act, the Council shall adopt a

77 resolution with the names of the Council's appointees.

78 "(d) Within 90 days after completion of the activities described in paragraphs (c)(1),

79 (c)(2), or (c)(3) of this subsection, whichever is last, the Advisory Board shall hold its first

80 meeting.

81 "(e) Within 180 days after the Advisory Board's first meeting, the Advisory Board shall:

82 "(1) develop its own rules of procedure, except that the rules of procedure shall

83 provide that:

84 "(A) The Advisory Board shall meet at least in March and September of
85 each year;
86 "(B) All meetings shall be open to the public; and
87 "(C) A quorum shall consist of a majority plus 1 of the voting members.
88 "(2) Set requirements for the Collaborative to report to the Advisory Board; and
89 "(3) Develop initial research and data collection priorities for the Collaborative.
90 "Sec. 202. District of Columbia Education Research Collaborative.
91 "(a) There is established, as a subordinate division within the Office of the District of
92 Columbia Auditor ("Auditor"), the District of Columbia Education Research Collaborative
93 ("Collaborative").
94 "(b) The Collaborative shall:
95 "(1) Manage the school education data collected under subsection 4(a) of this act;
96 "(2) Collect and manage updates to the data described under section 4(a) of this
97 act, and additional, relevant data, on at least an annual basis;
98 "(3) Conduct long-term education research:
99 "(A) With the guidance of the Auditor, the Advisory Board, and the
100 Collaborative's Executive Director; or
101 "(B) At the request of the Council or State Board of Education ("SBOE"),
102 upon the passage of a resolution by the Council or the SBOE describing the scope of the
103 research.
104 "(4) Produce reports to the Mayor, the Auditor, the Advisory Board, SBOE, and
105 the Council on research projects, including:

106 "(A) For all research projects, final reports that include utilized data,
107 explanations of gaps in data, explanations of gaps in the District's capacity to collect data,
108 findings, and recommendations, including recommendations for further research;
109 "(B) For research projects lasting 2 years or longer, annual updates to the
110 Auditor, the Advisory Board, SBOE, and the Council;
111 "(5) Produce a report to the Mayor, the Auditor, the Advisory Board, SBOE, and
112 the Council each July on the state of public education in the District;
113 "(6) Produce an annual report to the Auditor, the Advisory Board, SBOE, and the
114 Council, on the Collaborative's finances, including information on grants received, active
115 contracts, and project expenditures; and
116 "(7) Where appropriate, award contracts on a competitive basis to private
117 organizations with an expertise in education policy or data management to undertake research
118 projects on behalf of the Collaborative.
119 "(c)(1) The Collaborative shall be headed by an Executive Director, appointed by the
120 Auditor, who shall organize, administer, and manage the functions and authorities assigned to the
121 Collaborative.
122 "(2) The Executive Director may employ and retain staff for the Collaborative,
123 and may retain as independent contractors professionals or consultants necessary to carry out the
124 planning, development, and operations of the Collaborative.
125 "(3) Within 180 days after the effective date of this act, the Auditor shall appoint
126 the first Executive Director for the Collaborative.
127 "(d) The Collaborative shall have access to papers, things, or property in accordance with
128 § 1-204.55(c).

129 "(e) The Collaborative shall conduct public meetings at least once per year to solicit
130 information and feedback on the District's school system, including practices, policies,
131 procedures, and data for District of Columbia Public Schools ("DCPS"), the District of Columbia
132 Office of the State Superintendent ("OSSE"), the District of Columbia Public Chart School
133 Board ("PCSB"), and the Office of the Deputy Mayor for Education ("DME"). The
134 Collaborative shall provide notice to the public of these meetings at least 30 days in advance in
135 the District of Columbia Register.
136 "(f) Within 90 days after January 1, 2021, the Collaborative shall issue a report to the
137 Auditor, the Advisory Board, the Council, and SBOE that provides assessments of:
138 "(1) The current structure, administration, and guidance of the Collaborative,
139 including recommendations with respect thereto that the Collaborative may deem advisable; and
140 "(2) Funding for the Collaborative, including analysis of best practices of other
141 school research consortia and an assessment of the Collaborative's grant seeking efforts.
142 "Sec. 203. Data Management and Collection Practices Audit.
143 "(a) The Collaborative shall conduct an audit of data and data management and collection
144 practices of the District of Columbia Public Schools ("DCPS"), the District of Columbia Office
145 of the State Superintendent ("OSSE"), the Office of the Deputy Mayor for Education ("DME"),
146 the Public Charter School Board ("PCSB"), and individual Local Education Agencies ("LEA").
147 In undertaking this audit, the Collaborative shall:
148 "(1) Collect District public school data from 1998 to present, including:
149 "(A) Enrollment data, including:
150 "(i) School lottery applications and results;
151 "(ii) School enrollment numbers, including data on attrition;

152 "(iii) Enrollment projections;

153 "(iv) Early childhood education enrollment numbers; and

154 "(v) Adult education program enrollment numbers; and

155 "(B) Student data, including:

156 "(i) Standardized test scores;

157 "(ii) Student course transcripts;

158 "(iii) Attendance and truancy data;

159 "(iv) Data on suspensions, expulsions, and other disciplinary

160 actions;

161 "(v) Graduation and dropout data; and

162 "(vi) GED completion data; and

163 "(C) School and facilities data, including:

164 "(i) Food service and student nutrition data;

165 "(ii) Course catalogs, course postings, and other materials related

166 to course offerings;

167 "(iii) Curriculum standards, policies, and materials on specific

168 instructional requirements;

169 "(iv) Data on school staffing, including retention and attrition data;

170 "(v) Salary data;

171 "(vi) School and classroom capacity data; and

172 "(vii) Facilities data, including building size, fields and

173 recreational space records; and

174 "(D) Budget data; and

175 "(E) Results of surveys administered to DCPS students, staff,

176 administrators.

177 "(2) Collect current DCPS and District public charter school data management

178 and collection standards and protocols;

179 "(3) Collect federal, state, District, and LEA data collection requirements and

180 mandates to which DCPS, OSSE, or DME are subject;

181 "(4) Conduct a review of comparable school jurisdictions to identify best

182 practices for data management and collection standards and protocols; and

183 "(5) Conduct a review of education research consortiums in large, urban cities in

184 the United States.

185 "(b) Where any item described in subsection (a) of this section is found to include

186 information sufficient to identify a particular student, that identifying information shall be

187 removed prior to the item's release to the Collaborative.

188 "(c) Within 180 days after the establishment of the Collaborative, DCPS, OSSE, DME,

189 PCSB shall furnish to the Collaborative the data listed at subsection (a) of this section. Where,

190 after exhaustive search, the items listed at subsection (a) of this section are not found or are

191 available only in part, DCPS, OSSE, DME, and PCSB shall provide the Collaborative with a

192 written account of the missing data and a description of the search to locate the data.

193 "(d) Within 1 year after the Collaborative is furnished with the data listed at subsection

194 (a) of this section, the Collaborative shall issue a report of its findings to the Mayor, the Auditor,

195 the Advisory Board, the State Board of Education ("SBOE"), and the Council. This report shall:

196 "(1) Include, in appendices or through a link to a digital repository, all data and

197 materials collected under subsection (a) of this section;

198 "(2) List all items DCPS, OSSE, DME, PCSB identified under subsection (c) of
199 this section as missing or incomplete;
200 "(3) Identify gaps in the District's collection or retention of public school data;
201 "(4) Identify gaps in the District's school data management and collection
202 standards and protocols;
203 "(5) Identify existing barriers to LEA's ability to collect data; and
204 "(6) Provide recommendations to the Mayor, the Auditor, the Advisory Board,
205 SBOE, the Council, LEAs, and the Collaborative for enhancing the District's public school data
206 management and collection standards and protocols, and for best practices for establishing the
207 Collaborative."
208 Sec. 3. Section 2(f) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law
209 2-142; D.C. Official Code § 1-523.01(f)), is amended to read as follows:
210 (1) Paragraph (54) is amended by striking the phrase "; and" and inserting a
211 semicolon in its place;
212 (2) Paragraph (55) is amended by striking the phrase "38." and inserting "38;" in
213 its place;
214 (3) Paragraph (56) is amended by striking the phrase "Title 2." and inserting
215 "Title 2; and" in its place; and
216 (4) A new Paragraph (57) is inserted that reads as follows:
217 "(57) The District of Columbia Education Research Advisory Board.".
218 Sec. 4. Fiscal impact statement.

219 The Council adopts the fiscal impact statement in the committee report as the fiscal
220 impact statement required by section 4a of the General Legislative Procedures Act of 1975,
221 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).
222 Sec. 5. Effective date.
223 This act shall take effect following approval by the Mayor (or in the event of veto by the
224 Mayor, action by the Council to override the veto), a 30-day period of congressional review as
225 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
226 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
227 Columbia Register.