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13 A BILL

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18 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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23 To amend the Board of Education Continuity and Transition Amendment Act of  
24 2004 to require the District of Columbia Public Schools to include in its  
25 budget submission to the Council detailed information for each school's  
26 funding, a separate line-item for at-risk funding for each school, and a  
27 narrative description of programs and services funded by at-risk funds  
28 retained by the Chancellor; to amend the Uniform Per Student Funding  
29 Formula for Public Schools and Public Charter Schools Act of 1998 to provide  
30 that public charter schools shall make public and transmit to the Council a report  
31 by December 31 of each year delineating how the school used its at-risk funding  
32 during the previous fiscal year and that failure to timely file a report shall make  
33 the school ineligible for funding in the next budget cycle, that at-risk funding  
34 allocated to a traditional public school shall be used according to an at-risk funds  
35 spending plan developed by the principal and local school advisory team, that the  
36 Chancellor may amend a school's at-risk funds spending plan and shall make  
37 public a justification for any amendments to a school's at-risk funds spending  
38 plan, that each school's final at-risk funds spending plan for the following fiscal  
39 year shall be made public by February 1 of each year, and that by December 31 of  
40 year the Chancellor shall make public and transmit to the Council a detailed  
41 report explaining how each traditional public school's at-risk funds were spent  
42 during the previous fiscal year, including how the uses were expected to improve  
43 at-risk student achievement, whether there were any deviations from the at-risk  
44 funds spending plan, and whether at-risk student funds have improved at-risk  
45 student achievement over the past 5 years.

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47 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,

48 That this act may be cited as the “At-Risk School Funding Transparency Amendment Act  
49 of 2019”.

50 Sec. 2. Section 6 of the Board of Education Continuity and Transition  
51 Amendment Act of 2004, effective December 7, 2004 (D.C. Law 15-211; D.C. Official  
52 Code § 38-2831), is amended as follows:

53 (a) A new subsection (a-1) is added to read as follows

54 “(a-1) The DCPS submission shall include for each school, a summary statement  
55 or table of the local-funds budget, including the methodology used to determine each  
56 school’s local funding and a separate budget line item for at-risk funding allocated to  
57 each school’s individual school-based budget, as coded in the District’s current official  
58 financial system of record.”.

59 (b) Subsection (b)(3)(B) is amended by striking the phrase “Chancellor.” and  
60 inserting the phrase “Chancellor, including the programs and services, along with a  
61 narrative description of each program and service, to be supported by the funding  
62 retained by the Chancellor.” in its place.

63 Sec. 3. The Uniform Per Student Funding Formula for Public Schools and Public  
64 Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official  
65 Code § 38-2901 *et seq.*), is amended as follows:

66 (a) Section 106a (D.C. Official Code § 38-2905.01) is amended by adding a new  
67 subsection (d) to read as follows:

68 “(d)(1) By December 31 of each year, every Public Charter School that is  
69 allocated funds pursuant to this section shall make publicly available a report that  
70 delineates all programs or services supported by funds allocated pursuant to this section  
71 during the previous fiscal year.

72                   “(2) The Council committee with oversight over the Public Charter School  
73 Board may provide to the Public Charter School Board a template for appendices to  
74 supplement the report required by paragraph (1) of this subsection, and all Public Charter  
75 Schools shall include with the report the information outlined in the template if one is  
76 provided.

77                   “(3) The Public Charter School Board may withhold funds allocated  
78 pursuant to this section from a Public Charter School that fails to timely publish the  
79 report required pursuant to this subsection.”.

80                   (b) Section 108a(b) (D.C. Official Code § 38-2907.01(b)) is amended as follows:

81                   (1) Paragraph (1) is amended to read as follows:

82                   “(1)(A) Funds provided to schools pursuant to subsection (a)(3) of this  
83 section shall be available to the principal to use at the principal’s discretion, in  
84 consultation with the school’s local school advisory team, for the purpose of improving  
85 student achievement among at-risk students.

86                   “(B) After consultation with the school’s local school advisory  
87 team, a principal shall submit to the Chancellor and make publicly available a written at-  
88 risk funds spending plan delineating how funds allocated pursuant to subsection (a)(3)  
89 will be used and explaining how the uses identified by the principal and local school  
90 advisory team will improve student achievement among at-risk students.

91                   “(C) The Chancellor may review and amend a school’s at-risk  
92 funds spending plan; provided, that if the Chancellor amends a school’s at-risk funds  
93 spending plan, the Chancellor shall provide to the principal and make publicly available a  
94 written justification for the amendment, including how the amendment will improve  
95 student achievement among at-risk students.”

96                                   “(D) By February 1 of each year, the Chancellor shall make  
97 available to the public and submit to the Council committee with oversight over DCPS  
98 the final at-risk funds spending plan of each school for the following fiscal year.”.

99                                   (2) A new paragraph (1A) is added to read as follows:

100                                   “(1A)(A) By December 31 of each year, the Chancellor shall make  
101 publicly available an annual report that explains for each school:

102                                   “(i) How funds allocated pursuant to subsection (a)(3) of  
103 this section were used during the previous fiscal year;

104                                   “(ii) How the uses of funds allocated during the previous  
105 fiscal year pursuant to subsection (a)(3) of this section were expected to improve student  
106 achievement among at-risk students, as identified in the plan submitted by the principal  
107 pursuant to paragraph (1)(B) of this subsection or amended by the Chancellor pursuant to  
108 paragraph (1)(C) of this subsection;

109                                   “(iii) Any deviations during the previous fiscal year from  
110 the at-risk funds spending plan, including any manual expenditure moves, manual journal  
111 entries, fund transfers, budget reprogramming, or budget modifications, and a written  
112 explanation for any such deviation; and

113                                   “(iv) Whether, over the previous 5 years, the use of funds  
114 allocated pursuant to subsection (a)(3) of this section has improved student achievement  
115 among at-risk students.

116                                   “(B) The Council committee with oversight over DCPS may  
117 provide to the Chancellor a template for appendices to supplement the report required by  
118 subparagraph (A) of this paragraph, and the Chancellor shall include with the report the  
119 information outlined in the template if one is provided.”.

120           Sec. 4. Fiscal impact statement.

121           The Council adopts the fiscal impact statement in the committee report as the  
122 fiscal impact statement required by section 4a of the General Legislative Procedures Act  
123 of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

124           Sec. 5. Effective date.

125           This act shall take effect following approval by the Mayor (or in the event of veto  
126 by the Mayor, action by the Council to override the veto), a 30-day period of  
127 congressional review as provided in section 602(c)(1) of the District of Columbia Home  
128 Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-  
129 206.02(c)(1)), and publication in the District of Columbia Register.