

AN ACT

D.C. ACT 19-345

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

APRIL 20, 2012

*Codification  
District of  
Columbia  
Official Code*

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Publisher

To require the Chancellor of the District of Columbia Public Schools to meet requirements and goals to ensure a reasonable expectation that children 3 and 4 years of age are prepared for kindergarten and that children in the 3<sup>rd</sup> grade meet specified academic achievements and are prepared for a 4<sup>th</sup> grade curriculum, to establish a pilot early warning and support system to track how individual students in select feeder school groups are performing on certain indicators of high school and college readiness, to require that all public high school students apply to at least one post-secondary institution before graduation, to require that all public high schools instruct students on the application process, how to apply for financial aid, and on other resources to streamline the transition to a post-secondary institution, and to require that every student take the SAT or the American College Testing program before graduation, to establish a pilot incentive program for 3 years to encourage highly effective teachers to teach in high-need schools, to require the Mayor to establish a plan to implement the pilot incentive program, to require the Mayor to establish the Community Schools Incentive Initiative, and to establish the Community Schools Fund.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Raising the Expectations for Education Outcomes Omnibus Act of 2012”.

TITLE I. EARLY WARNING AND SUPPORT SYSTEM

Sec. 101. Short title.

This title may be cited as the “Early Warning and Support System Act of 2012”.

Sec. 102. Definitions.

For the purposes of this title, the term:

- (1) “DC-BAS” means the DC Benchmark System.
- (2) “DC-CAS” means the District of Columbia Comprehensive Assessment System examination.
- (3) “Feeder school group” means one or more schools serving students in grades

4 through 9. Feeder school groups shall be selected by the Mayor and may consist of any of the following:

(A) An elementary school, middle school, and a high school in the same feeder pattern;

(B) An education campus and high school in the same feeder pattern; or

(C) One school that serves students in grades 4 through 9.

(4) "Low-performing school" means a public school or public charter school in which fewer than 40% of students performed proficient or higher on the 2011 DC-CAS.

(5) "Mid-high-performing school" means a public school or public charter school in which 40% or more of students performed proficient or higher on the 2011 DC-CAS.

**Sec. 103. Pilot early warning and support system.**

(a)(1) There is established a pilot early warning and support system ("early warning and support system") to track how individual students in grades 4 through 9 in 4 feeder school groups are performing on certain indicators of high school and college readiness. The early warning and support system shall identify students who are at risk of leaving school prior to graduation and develop initiatives to support high school and college readiness and increase high school graduation rates. The initiatives may include:

(A) College and career awareness;

(B) Parent outreach and engagement;

(C) Tutoring and mentoring for struggling learners, including the use of technology-based programs;

(D) Transition programs for middle and high school (particularly grades 5 and 8);

(E) Individualized learning plans; and

(F) Data coaches.

(2) Two feeder school groups shall be comprised of mid-high-performing schools and 2 feeder school groups shall be comprised of low-performing schools.

(b) The data collected shall include for each student in grades 4 through 9 in a feeder school group:

(1) The results of all standardized assessments, including the DC-CAS and DC-BAS;

(2) Measures of behavior and attendance; and

(3) Performance measures for math and English courses, including, at a minimum, mid-year and end-of-course grades.

(c) The Mayor shall implement the early warning and support system in 4 feeder school groups and may give priority to schools in which high school and college readiness initiatives developed pursuant to subsection (a)(1) of this section are in place.

(d)(1) Schools within each feeder school group are required to collaborate with each other and with the Mayor's office to ensure alignment of data collection.

(2) Individual student data collected through the early warning and support system shall be shared with participating feeder school groups and summarized data shall be shared with the public.

(e) The participating feeder school groups shall have access to additional funding that shall support new and existing initiatives to increase high school and college readiness and to increase high school graduation rates.

(f) Funding shall be prioritized for low-performing schools.

Sec. 104. Survey.

The Mayor shall survey a sample of schools to identify existing initiatives used to support high school and college readiness and increase graduation rates. Results of the survey shall be submitted to the Council within 90 days of the effective date of this title.

Sec. 105. Report.

(a) The Mayor shall create a report that shall include:

(1) School-level data collected through the early warning and support system for each participating feeder school group;

(2) Recommendations highlighting best practices to improve high school and college readiness and increase high school graduation rates among all schools, including the feeder school groups; and

(3) A plan to expand the early warning and support system to all schools within 3 years of the effective date of this title.

(b) The report shall be submitted to the Council one year after implementation of this title.

TITLE II. POST-SECONDARY PREPARATION PLAN

Sec. 201. Short title.

This title may be cited as the "Post-Secondary Preparation Plan Act of 2012".

Sec. 202. Definitions.

For the purposes of this title, the term:

(1) "Post-secondary institution" means an entity that awards an academic degree or professional certification, which may include a:

- (A) University;
- (B) College;
- (C) Seminary;
- (D) Vocational school;
- (E) Trade school; or
- (F) The military.

(2) "Public high school" means a public school or public charter school that

provides instruction for students in the 9<sup>th</sup> through 12<sup>th</sup> grades.

Sec. 203. Post-secondary preparation plan.

(a)(1) Beginning with the graduating class of 2014, the Mayor shall ensure that each public high school student applies to at least one post-secondary institution before graduation.

(2) The Mayor shall ensure that each public high school student participates in a program designed to provide students with information on applying to an appropriate post-secondary institution, including information on financial aid and other resources necessary to streamline a transition to a post-secondary institution. The program may include school-based and non-school-based resources.

(b) The Mayor shall issue a report that details the number of students that attend a post-secondary institution, including the number of students who attend each type, including:

- (1) Universities;
- (2) Colleges;
- (3) Vocational schools; and
- (4) Other post-secondary institutions.

(c) Beginning with the graduating class of 2014, the Mayor shall require that each student attending public high school takes the SAT or the American College Testing program before graduation.

(d) The Mayor may exempt a student from the requirements of subsections (a)(1) and (c) of this section, if the Mayor determines that it would constitute an undue hardship on the student.

TITLE. III. HIGHLY EFFECTIVE TEACHER INCENTIVE

Sec. 301. Short title.

This title may be cited as the "Highly Effective Teacher Incentive Act of 2012".

Sec. 302. Definitions.

For the purposes of this title, the term:

(1) "DCPS" means the District of Columbia Public Schools established by section 102 of the Public Education Reform Amendment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-171). The term "DCPS" does not include public charter schools.

(2) "High-need school" means:

(A) A DCPS school that has:

- (i) Been in operation for no fewer than 5 years;
- (ii) A minimum of 200 students;
- (iii) Forty percent or fewer of its students meeting proficiency on

the District of Columbia Comprehensive Assessment System examination in both reading and math; and

(iv) Seventy-five percent or more of its students qualify for free or

reduced-price lunch; or

(B) A public charter school that:

- (i) Is a tier one or tier 2 school;
- (ii) Has been in operation for no fewer than 5 years; and
- (iii) Has a minimum of 200 students.

(3) "Highly effective teacher" means:

(A) A DCPS teacher who receives a rating of "highly effective" under the DCPS IMPACT evaluation system; or

(B) A public charter school teacher who receives a rating that meets the highly effective standard agreed upon by the Mayor and that public charter school.

Sec. 303. Pilot incentive program.

(a)(1) There is established a pilot incentive program to encourage highly effective teachers to teach in high-need schools for the start of the 2013-2014 school year.

(2) The incentives shall include:

(A) A one-time bonus of \$10,000;

(B) Homebuyer and other housing assistance, including:

- (i) Access to subsidized rental housing units;
- (ii) Forgivable loans for a down payment of up to 10% of the median home price in the District; and
- (iii) Access to low-interest mortgage loans;

(C) An amount of up to \$5,000 to be expended on tuition assistance, which may include reimbursement for specific courses that lead to certification in high-demand subject areas, such as math and science, and loan-repayment assistance for existing education loans; and

(D) An amount of up to \$3,000 to be used as income tax credits.

(3) The incentives shall not exceed the maximum allowable amounts over the 3-year period of the pilot program.

(b)(1)(A) The pilot program shall consist of 4 high-need schools. At least one of the schools shall be a tier one or tier 2 public charter school.

(B) At least 3, but not more than 5, teachers shall be selected for each school of the 4 schools in the pilot program.

(2) The Mayor shall establish a plan to implement the pilot program. The plan shall be submitted to the Council for review within 90 days of the effective date of this title. The plan shall include:

(A) A process for teachers to apply to the program;

(B) A process for selecting qualified applicants, which shall include a requirement that a teacher commit to serving a minimum of 3 years at a high-need school; and

(C) Guidelines for selecting high-need schools, which shall include schools that have:

(i) A proficiency in both reading and math of 40% or below; and  
(ii) At least 75% or more of students who qualify for free or reduced-price lunch; and

(D) Guidelines for selecting highly effective teachers.

(3) For DCPS, highly effective teachers shall be selected according to IMPACT standards. For public charter schools, the Mayor shall work with each public charter school to develop the criteria for selecting highly effective teachers.

Sec. 304. Report.

The Mayor shall provide a report by August 30<sup>th</sup> of each year in which the pilot program is in operation, which shall include:

- (1) The number of teachers committed to continuing the pilot program for the following year;
- (2) Feedback from the participating teachers regarding implementation of the pilot program and the incentives;
- (3) An assessment of the effectiveness of the pilot program; and
- (4) Recommendations for improving the pilot program.

Sec. 305. Sunset.

This title shall expire 3 years from its effective date.

TITLE IV. COMMUNITY SCHOOLS INCENTIVE

Sec. 401. Short title.

This title may be cited as the "Community Schools Incentive Act of 2012".

Sec. 402. Definitions.

For the purposes of this title, the term:

- (1) "Community partner" means a provider of one or more eligible services.
- (2) "Community school" means a public and private partnership to coordinate educational, developmental, family, health, and after-school-care programs during school and non-school hours for students, families, and local communities at a public school or public charter school with the objectives of improving academic achievement, reducing absenteeism, building stronger relationships between students, parents, and communities, and improving the skills, capacity, and well-being of the surrounding community residents.
- (3) "Eligible consortium" means a partnership established between a local education agency and one or more community partners for purposes of establishing, operating, and sustaining a community school.
- (4) "Eligible services" means:
  - (A) Primary medical and dental care that will be available to students and community residents;

- (B) Mental health prevention and treatment services that will be available to students and community residents;
- (C) Academic-enrichment activities designed to promote a student's cognitive development and provide opportunities to practice and apply academic skills;
- (D) Programs designed to increase attendance, including reducing early chronic absenteeism rates;
- (E) Youth development programs designed to promote young people's social, emotional, physical, and moral development, including arts, sports, physical fitness, youth leadership, community service, and service-learning opportunities;
- (F) Early childhood education, including Head Start and Early Head Start programs;
- (G) Programs designed to:
  - (i) Facilitate parental involvement in, and engagement with, their children's education, including parental activities that involve supporting, monitoring, and advocating for their children's education;
  - (ii) Promote parental leadership in the life of the school; and
  - (iii) Build parenting skills;
- (H) School-age child-care services, including before-school and after-school services and full-day programming that operates during school holidays, summers, vacations, and weekends;
- (I) Programs that provide assistance to students who have been truant, suspended, or expelled and that offer multiple pathways to high school graduation or General Educational Development completion;
- (J) Youth and adult job-training services and career-counseling services;
- (K) Nutrition-education services;
- (L) Adult education, including instruction in English as a second language, adult literacy, computer literacy, financial literacy, and hard-skills training; or
- (M) Programs that provide remedial education and enrichment activities.

**Sec. 403. Administration of Community Schools Incentive Initiative.**

- (a) The Mayor shall establish and administer the multiyear Community Schools Incentive Initiative ("Incentive Initiative") to award multiyear grants to incentivize the establishment of no fewer than 5 new community schools within one year of the effective date of this title, with priority given to schools that have:
  - (1) A focus on mental health prevention and treatment services and adult education and training; and
  - (2) A student population of which at least 75% of the students qualify for free or reduced-price lunch.
- (b) The Mayor shall promote and encourage the use of public school and public charter school facilities by community and neighborhood groups.

(c) Within 60 days of the effective date of this title, the Mayor shall convene a Community Schools Advisory Committee that shall consist of:

- (1) The Chancellor of the District of Columbia Public Schools, or designee;
- (2) The Director of the Department of Parks and Recreation, or designee;
- (3) The Director of the Department of Health, or designee;
- (4) The Director of the Department of Employment Services, or designee;
- (5) The President of the State Board of Education, or designee;
- (6) The President of the University of the District of Columbia, or designee;
- (7) The President of the University of the District of Columbia Community College, or designee;
- (8) The Deputy Mayor for Education, or designee;
- (9) Representatives from at least 4 community-based organizations;
- (10) Representatives from at least 4 philanthropic or business organizations;
- (11) The Director of the Public Charter School Board, or designee; and
- (12) The directors of 2 public charter schools.

(d) The Community Schools Advisory Committee shall:

- (1) Advise the Mayor on the development of the Incentive Initiative, including the development of a results-based framework and accompanying performance indicators with which to measure the success of the Incentive Initiative;
- (2) Participate in the selection process for Incentive Initiative grantees;
- (3) Develop recommendations on how all public schools can become centers of their communities by opening school facilities for nonprofit and community use;
- (4) Identify potential funding sources for the provision of eligible services within the Incentive Initiative; and
- (5) Develop yearly measurable performance goals to assess:
  - (A) How to increase the percentage of families and students receiving services for each year of the Incentive Initiative;
  - (B) The outcomes for students and families, particularly student academic achievement; and
  - (C) The number of public schools and public charter schools that have established formal relationships with community and neighborhood groups to use school facilities.

(e) Within 180 days of the effective date of the title, the Mayor shall establish a process for awarding grants of no more than \$200,000 a year to successful eligible consortiums and shall require that each application for an Incentive Initiative grant include:

- (1) An assessment of the local school community and the neighborhood's needs and assets;
- (2) A description of the proposed eligible consortium, including the type and number of community partners, as defined in section 402, and how the eligible consortium shall address the needs and build upon the assets of the community that the eligible consortium will



serve;

(3) A proposed budget and narrative description of the proposed use of grant funds, which budget shall reflect a core concept of service coordination and integration and the narrative describe how the eligible consortium shall provide at least 4 additional eligible services that did not exist before the establishment of the eligible consortium;

(4) The identification of operational funding for eligible services and community partners; and

(5) A plan for the development of a community advisory board to include members of school leadership, school faculty, parents of school students, community leaders, community-based organizations, and other community members.

(f) The Mayor shall:

(1) Conduct periodic evaluations of the progress achieved with funds allocated under a grant, consistent with the purposes of this section;

(2) Use the evaluations to refine and improve activities conducted with the grant and the performance measures for the activities;

(3) Make the results of the evaluations publicly available, including providing public notice of the availability; and

(4) Identify best practices and lessons learned for the purpose of informing the District-wide community school policy.

#### **Sec. 404. Establishment of Community School Fund.**

(a) There is established as a nonlapsing fund the Community Schools Fund ("Fund"). All funds deposited into the Fund, and any interest earned on those funds, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time, but shall be continually available for the uses and purposes set forth in subsection (b) of this section without regard to fiscal year limitation, subject to authorization by Congress.

(b) (1) The Fund shall be used solely for the purposes of supporting schools designated as community schools.

(2) No more than 10% of the Fund shall be used to fund administrative costs associated with the operations of the Mayor; and

(3) The Fund shall be used to fund the planning and implementation of the Incentive Initiative grant program.

(c) The following monies shall be deposited into the Fund:

(1) Federal funds and grants;

(2) Local funds;

(3) Gifts; and

(4) Payments from public or private sources.

TITLE V. EARLY CHILDHOOD EDUCATION

Sec. 501. Short title.

This title may be cited as the "Early Childhood Education Act of 2012".

Sec. 502. Definitions.

For the purposes of this title, the term:

(1) "Chancellor" means the chief executive officer of the District of Columbia Public Schools appointed pursuant to section 105 of the Public Education Reform Amendment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-174).

(2) "DCPS" means the District of Columbia Public Schools established by section 102 of the Public Education Reform Amendment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-171).

Sec. 503. Requirements and goals.

(a) To meet the academic achievement requirements and goals set forth in this section, the Chancellor shall:

- (1) Establish guidelines for academic achievement;
- (2) Develop and implement curricula; and
- (3) Ensure that DCPS staff and administrators are trained to implement the curricula established pursuant to paragraph (2) of this subsection to meet the goals set forth in subsection (b) of this section.

(b) The Chancellor shall be responsible for:

(1) Academic achievement goals, which shall include the reasonable expectation that all children:

(A) Three or 4 years of age in DCPS shall be properly prepared for entry and achievement in the DCPS kindergarten program; and

(B) In the 3<sup>rd</sup> grade, upon being promoted to the 4<sup>th</sup> grade, shall be able to read independently and to understand the fundamental of mathematics so that they can:

- (i) Add;
- (ii) Subtract;
- (iii) Multiply; and
- (iv) Divide; and

(2) Readiness goals, which shall include readiness evaluations for all children:

(A) Three or 4 years of age in DCPS, which shall be designed and implemented to measure the ability of a student entering the DCPS kindergarten program and to determine his or her readiness for entry and achievement in DCPS; and

(B) In kindergarten through 3<sup>rd</sup> grade in DCPS, which shall be designed and implemented to measure the reading and mathematical ability of a student entering a grade kindergarten through 3<sup>rd</sup> grade to determine the student's readiness for entry and achievement in the relevant grade level.

Sec. 504. Tracking and monitoring.

The Chancellor shall:

- (1) Track and monitor the preparedness of:
  - (A) The early childhood population of children 3 and 4 years of age to determine the children's readiness for entry and achievement in DCPS; and
  - (B) Children in kindergarten through 3<sup>rd</sup> grade in DCPS to determine their readiness for entry and achievement in the 4<sup>th</sup> grade;
- (2) Develop a plan to address:
  - (A) The early childhood population of children 3 and 4 years of age who are not ready for entry and achievement in DCPS; and
  - (B) Children in kindergarten through 3<sup>rd</sup> grade in DCPS who are not ready for entry and achievement in the 4<sup>th</sup> grade;
- (3) Conduct readiness evaluations annually to ascertain whether:
  - (A) Children 3 and 4 years of age are prepared for kindergarten; and
  - (B) Children in the 3<sup>rd</sup> grade are prepared to be promoted to the 4<sup>th</sup> grade;and
- (4) Submit to the Council and the Mayor, by October 1 of each year:
  - (A) The results of the readiness evaluations required by paragraph (3) of this section; and
  - (B) A DCPS annual report for the preceding academic year delineating the progress and readiness of all students.

TITLE VI. RULEMAKING

Sec. 601. Rules.

(a) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), shall issue rules to implement the provisions of this act.

(b) Each local education agency may advise the Mayor with respect to all proposed matters or rules issued pursuant to this act.

TITLE VII. GENERAL PROVISIONS

Sec. 701. Applicability.

This act shall apply upon the inclusion of its fiscal effect in an approved budget and financial plan.

Sec. 702. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer 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 § 1-206.02(c)(3)).

ENROLLED ORIGINAL

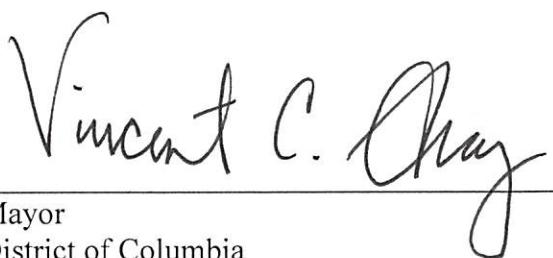
Sec. 703. Effective date.

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.



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Chairman  
Council of the District of Columbia



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Mayor  
District of Columbia  
APPROVED  
April 20, 2012



COUNCIL OF THE DISTRICT OF COLUMBIA

WASHINGTON, D.C. 20004

Docket No. **B19-648**

☐ ITEM ON CONSENT CALENDAR

☒ ACTION & DATE

**ADOPTED FIRST READING, 03-06-12**

☒ VOICE VOTE

RECORDED VOTE ON REQUEST

**APPROVED, WELLS ABSTAINED FROM VOTING**

ABSENT

**ALL PRESENT**

☐ ROLL CALL VOTE – Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Brown	X				Catania	X				Orange	X			
Alexander	X				Cheh	X				Wells			X	
Barry	X				Evans	X								
Bowser	X				Graham	X								
Brown, M	X				Mendelson		X							
X – Indicate Vote					AB – Absent					NV – Present, Not Voting				

CERTIFICATION RECORD

Secretary to the Council

Date

☐ ITEM ON CONSENT CALENDAR

☒ ACTION & DATE

**ADOPTED FINAL READING, 03-20-12**

☒ VOICE VOTE

RECORDED VOTE ON REQUEST

**APPROVED, WELLS ABSTAINED FROM VOTING**

ABSENT

**ALL PRESENT**

☐ ROLL CALL VOTE – Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Brown	X				Catania	X				Orange	X			
Alexander	X				Cheh	X				Wells			X	
Barry	X				Evans	X								
Bowser	X				Graham	X								
Brown, M	X				Mendelson		X							
X – Indicate Vote					AB – Absent					NV – Present, Not Voting				

CERTIFICATION RECORD

Secretary to the Council

Date

☐ ITEM ON CONSENT CALENDAR

☐ ACTION & DATE

☐ VOICE VOTE

RECORDED VOTE ON REQUEST

ABSENT

☐ ROLL CALL VOTE – Result

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Brown					Catania					Orange				
Alexander					Cheh					Wells				
Barry					Evans									
Bowser					Graham									
Brown, M					Mendelson									
X – Indicate Vote					AB – Absent					NV – Present, Not Voting				

CERTIFICATION RECORD

Secretary to the Council

Date