A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To establish parameters for fundraising by family or school community organizations, including reporting requirements, limitations on soliciting funds, limitations on allocating funds, and guidelines for redistributing funds.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “District of Columbia Public Schools Family and School Community Fundraising Equity Act of 2019”.

Sec. 2. Definitions.

For the purposes of this act, the term:

(1) “Family” means a parent or legal guardian of a student attending a school.

(2) “Family and school community organization” means a group that organizes to support school goals and the interests of students, teachers, and parents or guardians under the operation and management of parents or guardians and not under the operation and management of school administrators or staff members, including organizations known as parent teacher organizations, parent teacher associations, parent teacher student organizations, parent teacher student associations, and home and school associations.

(3) “Equity fee” means a 10 percent fee applied to every monetary or in-kind dollar expended by family and school community organizations after $10,000 that will be deposited into the Equity Fund (“Fund”) pursuant to Section 7.

Sec. 3. Requirements for reporting funds.
(a) At the beginning of each school year, family and school community organizations shall submit their annual budgets to the District of Columbia Public Schools ("DCPS").

(b) Annual budgets shall consist of the following:

1. Line-item revenues;
2. Specific expenditures to include line-item allocations; and
3. Line-item surpluses.

Sec. 4. Restrictions on soliciting funds.

No family and school community organization may:

1. Request a specified donation amount from any family members of students attending the school supported by the family and school community organization.
2. Require family members of students attending the school supported by the family and school community organization to donate funds to the family and school community organization in order to vote on family and school community organization-related measures.

Sec. 5. Limitation on allocating funds.

No family and school community organization shall expend funds to support the employment of an individual to perform instruction or instructional support during or after instructional hours of the school day.

Sec. 6. Redistribution of funds.

(a) All family and school community organizations that raise more than $10,000 in a given school year shall be subject to an equity fee.

(b) Equity fees shall be collected by DCPS annually at the end of the school year and deposited into the Fund pursuant to Section 7.
(c) At the beginning of the school year, DCPS shall distribute equity fees in an equitable manner to DCPS schools.

Sec. 7. Establishment of the Equity Fund.

(a) There is established as a special fund the Equity Fund, which shall be administered by DCPS in accordance with subsections (c) and (d) of this section.

(b) Deposits into the Fund shall include:

(1) Equity fees;

(2) Gifts and donations.

(c) Money in the Fund shall be equitably distributed to DCPS schools.

(d) The money deposited into the Fund, 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.

(e) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.

Sec. 8. Fiscal impact statement.


Sec. 9. Effective date.

This act shall take effect in the school year 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.