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

“Sec. 201. District of Columbia Education Research Advisory Board.

“(a) There is established the District of Columbia Education Research Advisory Board (‘Advisory Board’). The Advisory Board shall:

“(1) Provide guidance to the District of Columbia Education Research Collaborative (‘Collaborative’);

“(2) Report to the Council on District data management and collection policies, the Advisory Board’s guidance of the Collaborative, and other matters; and

“(3) Assist in soliciting funding grants from individuals, foundations, granting institutions, and other entities to finance the work of the Collaborative.

“(b) The Advisory Board shall be composed of 16 voting members, who shall be residents of the District of Columbia, and be appointed for terms of 3 years. The Advisory Board’s membership shall include:

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

“(A) 1 representative from the District of Columbia Public Schools (‘DCPS’) Central Office;

“(B) 1 representative from the Office of the Deputy Mayor for Education (‘DME’);

“(C) 1 representative from the Office of the State Superintendent of Education’s (‘OSSE’) Division of Data Assessment & Research; and

“(D) 1 representative from the District of Columbia Public Charter School Board;
“(2) 2 members who are representatives from the State Board of Education ("SBOE"); and

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

“(A) 3 representatives from District-based non-profits with a focus on public education;

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

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

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

“(E) 1 representative from the Washington Teachers Union.

“(c)(1) Within 180 days after the effective date of this act, the Mayor shall appoint the Mayor’s appointees for the Advisory Board.

“(2) Within 180 days after the effective date of this act, the SBOE shall adopt a resolution designating the members of the SBOE members who will serve on the Advisory Board.

“(3) Within 180 days after the effective date of this act, the Council shall adopt a resolution with the names of the Council’s appointees.

“(d) Within 90 days after completion of the activities described in paragraphs (c)(1), (c)(2), or (c)(3) of this subsection, whichever is last, the Advisory Board shall hold its first meeting.

“(e) Within 180 days after the Advisory Board’s first meeting, the Advisory Board shall:

“(1) develop its own rules of procedure, except that the rules of procedure shall provide that:
“(A) The Advisory Board shall meet at least in March and September of each year;

“(B) All meetings shall be open to the public; and

“(C) A quorum shall consist of a majority plus 1 of the voting members.

“(2) Set requirements for the Collaborative to report to the Advisory Board; and

“(3) Develop initial research and data collection priorities for the Collaborative.


“(a) There is established, as a subordinate division within the Office of the District of Columbia Auditor (‘Auditor’), the District of Columbia Education Research Collaborative (‘Collaborative’).

“(b) The Collaborative shall:

“(1) Manage the school education data collected under subsection 4(a) of this act;

“(2) Collect and manage updates to the data described under section 4(a) of this act, and additional, relevant data, on at least an annual basis;

“(3) Conduct long-term education research:

“(A) With the guidance of the Auditor, the Advisory Board, and the Collaborative’s Executive Director; or

“(B) At the request of the Council or State Board of Education (‘SBOE’), upon the passage of a resolution by the Council or the SBOE describing the scope of the research.

“(4) Produce reports to the Mayor, the Auditor, the Advisory Board, SBOE, and the Council on research projects, including:
“(A) For all research projects, final reports that include utilized data, explanations of gaps in data, explanations of gaps in the District’s capacity to collect data, findings, and recommendations, including recommendations for further research;

“(B) For research projects lasting 2 years or longer, annual updates to the Auditor, the Advisory Board, SBOE, and the Council;

“(5) Produce a report to the Mayor, the Auditor, the Advisory Board, SBOE, and the Council each July on the state of public education in the District;

“(6) Produce an annual report to the Auditor, the Advisory Board, SBOE, and the Council, on the Collaborative’s finances, including information on grants received, active contracts, and project expenditures; and

“(7) Where appropriate, award contracts on a competitive basis to private organizations with an expertise in education policy or data management to undertake research projects on behalf of the Collaborative.

“(c)(1) The Collaborative shall be headed by an Executive Director, appointed by the Auditor, who shall organize, administer, and manage the functions and authorities assigned to the Collaborative.

“(2) The Executive Director may employ and retain staff for the Collaborative, and may retain as independent contractors professionals or consultants necessary to carry out the planning, development, and operations of the Collaborative.

“(3) Within 180 days after the effective date of this act, the Auditor shall appoint the first Executive Director for the Collaborative.

“(d) The Collaborative shall have access to papers, things, or property in accordance with § 1-204.55(c).
“(e) The Collaborative shall conduct public meetings at least once per year to solicit information and feedback on the District’s school system, including practices, policies, procedures, and data for District of Columbia Public Schools (“DCPS”), the District of Columbia Office of the State Superintendent (“OSSE”), the District of Columbia Public Charter School Board (“PCSB”), and the Office of the Deputy Mayor for Education (“DME”). The Collaborative shall provide notice to the public of these meetings at least 30 days in advance in the District of Columbia Register.

“(f) Within 90 days after January 1, 2021, the Collaborative shall issue a report to the Auditor, the Advisory Board, the Council, and SBOE that provides assessments of:

“(1) The current structure, administration, and guidance of the Collaborative, including recommendations with respect thereto that the Collaborative may deem advisable; and

“(2) Funding for the Collaborative, including analysis of best practices of other school research consortia and an assessment of the Collaborative’s grant seeking efforts.


“(a) The Collaborative shall conduct an audit of data and data management and collection practices of the District of Columbia Public Schools (“DCPS”), the District of Columbia Office of the State Superintendent (“OSSE”), the Office of the Deputy Mayor for Education (“DME”), the Public Charter School Board (“PCSB”), and individual Local Education Agencies (“LEA”). In undertaking this audit, the Collaborative shall:

“(1) Collect District public school data from 1998 to present, including:

“(A) Enrollment data, including:

“(i) School lottery applications and results;

“(ii) School enrollment numbers, including data on attrition;
“(iii) Enrollment projections;
“(iv) Early childhood education enrollment numbers; and
“(v) Adult education program enrollment numbers; and
“(B) Student data, including:
“(i) Standardized test scores;
“(ii) Student course transcripts;
“(iii) Attendance and truancy data;
“(iv) Data on suspensions, expulsions, and other disciplinary actions;
“(v) Graduation and dropout data; and
“(vi) GED completion data; and
“(C) School and facilities data, including:
“(i) Food service and student nutrition data;
“(ii) Course catalogs, course postings, and other materials related to course offerings;
“(iii) Curriculum standards, policies, and materials on specific instructional requirements;
“(iv) Data on school staffing, including retention and attrition data;
“(v) Salary data;
“(vi) School and classroom capacity data; and
“(vii) Facilities data, including building size, fields and recreational space records; and
“(D) Budget data; and
“(E) Results of surveys administered to DCPS students, staff,
administrators.
“(2) Collect current DCPS and District public charter school data management
and collection standards and protocols;
“(3) Collect federal, state, District, and LEA data collection requirements and
mandates to which DCPS, OSSE, or DME are subject;
“(4) Conduct a review of comparable school jurisdictions to identify best
practices for data management and collection standards and protocols; and
“(5) Conduct a review of education research consortia in large, urban cities in
the United States.
“(b) Where any item described in subsection (a) of this section is found to include
information sufficient to identify a particular student, that identifying information shall be
removed prior to the item’s release to the Collaborative.
“(c) Within 180 days after the establishment of the Collaborative, DCPS, OSSE, DME,
PCSB shall furnish to the Collaborative the data listed at subsection (a) of this section. Where,
after exhaustive search, the items listed at subsection (a) of this section are not found or are
available only in part, DCPS, OSSE, DME, and PCSB shall provide the Collaborative with a
written account of the missing data and a description of the search to locate the data.
“(d) Within 1 year after the Collaborative is furnished with the data listed at subsection
(a) of this section, the Collaborative shall issue a report of its findings to the Mayor, the Auditor,
the Advisory Board, the State Board of Education (“SBOE”), and the Council. This report shall:
“(1) Include, in appendices or through a link to a digital repository, all data and
materials collected under subsection (a) of this section;
“(2) List all items DCPS, OSSE, DME, PCSB identified under subsection (c) of this section as missing or incomplete;

“(3) Identify gaps in the District’s collection or retention of public school data;

“(4) Identify gaps in the District’s school data management and collection standards and protocols;

“(5) Identify existing barriers to LEA’s ability to collect data; and

“(6) Provide recommendations to the Mayor, the Auditor, the Advisory Board, SBOE, the Council, LEAs, and the Collaborative for enhancing the District’s public school data management and collection standards and protocols, and for best practices for establishing the Collaborative.”

Sec. 3. Section 2(f) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(f)), is amended to read as follows:

(1) Paragraph (54) is amended by striking the phrase “; and” and inserting a semicolon in its place;

(2) Paragraph (55) is amended by striking the phrase “38.” and inserting “38;” in its place;

(3) Paragraph (56) is amended by striking the phrase “Title 2.” and inserting “Title 2; and” in its place; and

(4) A new Paragraph (57) is inserted that reads as follows:

“(57) The District of Columbia Education Research Advisory Board.”.

Sec. 4. Fiscal impact statement.

Sec. 5. 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.