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Councilmember Robert C. White, Jr.



Councilmember Mary M. Cheh

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the State Education Office Establishment Act of 2000 and State Board of Education Establishment Act of 2007 to make the Office of the State Superintendent of Education subordinate to the State Board of Education rather than the mayor, and to require OSSE to verify data produced by the District of Columbia Public Schools, investigate the cause of inaccurate, incomplete, or misleading data, and to investigate allegations of waste, fraud, or financial mismanagement by District of Columbia Public Schools or local education agencies.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Office of the State Superintendent of Education Amendment Act of 2018”.

Sec. 2. The State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2601 *et seq.*), is amended as follows:.

(a) Section 2 (D.C. Official Code § 38-2601) is amended as follows:

(1) Subsection (a) is amended by striking the phrase “the Mayor,” and inserting the phrase “the State Board of Education,” in its place.

(2) Subsection (b) is amended by striking the phrase “the Mayor with the advice and consent of the Council in accordance with §1523.01(a)” and inserting the phrase “the State Board of Education” in its place.

(b) Section 2b(6) (D.C. Official Code § 38-2601.02(6)) is amended by striking the phrase “the Mayor” and inserting the phrase “the State Board of Education” in its place.

35 (c) Section 3(b) (D.C. Official Code § 38-2602(b)) is amended as follows:

36 (1) Paragraph (28)(C) is amended by striking the phrase “Mayor and the Council”
37 and inserting the phrase “State Board of Education, Mayor, and the Council” in its place.

38 (2) Paragraph (28)(E)(iii) is amended by striking the phrase "discipline; and" and
39 inserting the phrase “discipline;” in its place.

40 (3) New paragraphs (30) and (31) are added to read as follows:

41 “(30) Verify data produced by District of Columbia Public Schools (“DCPS”); where
42 data is found to be inaccurate, incomplete, or misleading, OSSE shall investigate the cause of the
43 inaccurate, incomplete, or misleading data, and provide a report to the Mayor and the Council on
44 the investigation’s findings; and

45 “(31) Investigate allegations of waste, fraud, or financial mismanagement by DCPS or
46 local education agencies, and provide a report to the Mayor and the Council on the
47 investigation’s findings.”

48 (d) Paragraph 7b(e)(1) (D.C. Official Code § 38-2608(e)(1)) is amended by striking the
49 phrase “Mayor and the Council” and inserting the phrase “State Board of Education, Mayor, and
50 the Council” in its place.

51 Sec. 3. The State Board of Education Establishment Act of 2007, effective June 12, 2007
52 (D.C. Law 17-9, D.C. Official Code § 38-2652(d)) is amended as follows:

53 (a) Paragraph (a)(1) is amended by striking the existing language and inserting language
54 to read as follows:

55 “(1) Oversee the Office of the State Superintendent of Education in accordance with
56 Chapter 26 of this title.”

57 (b) A new paragraph (a)(1B) is added to read as follows:

58 “(1B) Appoint the State Superintendent of Education;”

59 Sec. 4. Fiscal impact statement.

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

63 Sec. 5. Effective date.

64 This act shall take effect following approval by the Mayor (or in the event of veto by the
65 Mayor, action by the Council to override the veto), a 30-day period of congressional review as
66 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
67 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
68 Columbia Register.