
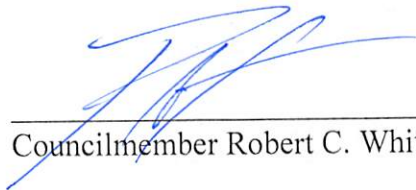
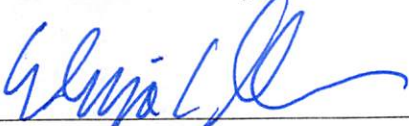
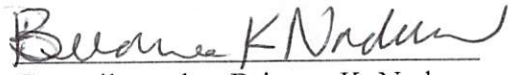


1 
2 Councilmember Mary M. Cheh


Councilmember Robert C. White, Jr.

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5 Councilmember Elissa Silverman


Councilmember Brianne K. Nadeau

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12 A BILL
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17 IN THE COUNCIL OF DISTRICT OF COLUMBIA
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22 To amend the School Safety Omnibus Amendment Act of 2018 to require the Office of the State
23 Superintendent of Education to report information about incidents of sexual misconduct
24 in schools; and to amend the State Education Office Establishment Act of 2000 to require
25 the Office of the State Superintendent of Schools to develop a model policy for how local
26 education agencies report to a school community in a timely manner criminal
27 investigations of sexual misconduct involving school staff.
28

29 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
30 act may be cited as the "Reporting Sexual Misconduct in Schools Amendment Act of 2020".
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32 Sec. 2. Title I of the School Safety Omnibus Amendment Act of 2018, effective April
33 11, 2019 (D.C. Law 22-294; D.C. Official Code § 38-951.01 *et seq.*), is amended as follows:

34 (a) Section 101 (D.C. Official Code § 38-951.01) is amended by adding a new paragraph
35 (7) to read as follows:

36 "(7) 'Title IX Coordinator' means the designated responsible employee
37 coordinating efforts to comply with Title IX of the Education Amendments of 1972 approved
38 June 23, 1972 (86 Stat. 374; 20 U.S.C. § 1682) as required by 34 C.F.R. § 160.8."

39 (b) Section 102 (D.C. Official Code § 38-951.02) is amended as follows:

40 (1) A new subsection (c-1) is added to read as follows:

41 “(c-1) Beginning in the 2021-2022 school year, the Title IX coordinator, or designated
42 employee, at each LEA is required to report the following information to the Office of the State
43 Superintendent of Education at the end of the school year:

44 “(1) The number of complaints of sexual misconduct between school staff and
45 students that occurred at each school under the local education agency’s jurisdiction;

46 “(2) The number of complaints of sexual misconduct between school staff and
47 students that were substantiated;

48 “(3) The number of complaints of sexual misconduct between school staff and
49 students that were unsubstantiated;

50 “(4) The number of complaints of sexual misconduct between school staff and
51 students that resulted in administrative, disciplinary, or criminal action;

52 “(5) The number of complaints of sexual misconduct between school staff and
53 students that are pending; and

54 “(6) The number of complaints of sexual misconduct between school staff and
55 students for which no determination was made.”.

56 (2) Subsection (d) is amended by striking the phrase “The Office of the State
57 Superintendent of Education” and inserting the phrase “OSSE” in its place.

58 (3) A new subsection (e) is added to read as follows:

59 “(e) OSSE shall submit a report to the Council by December 31 of each year including
60 the data collected during the prior school year pertaining to sexual misconduct between school
61 staff and students pursuant to subsection (c-1) of this section. The report shall protect the

confidentiality of all individuals involved in a sexual misconduct allegation and shall not name schools for which an investigation is ongoing unless a different incident of sexual misconduct at that school is substantiated. It shall include the following:

“(1) The number of complaints of sexual misconduct between school staff and students received by the Office of the State Superintendent of Education from LEAs or from any individual or entity;

“(2) The number of complaints of sexual misconduct between school staff and students that were substantiated;

“(3) The number of complaints of sexual misconduct between school staff and students that were unsubstantiated;

“(4) The number of complaints of sexual misconduct between school staff and students that resulted in administrative, disciplinary, or criminal action;

“(5) The number of complaints of sexual misconduct between school staff and students that are pending;

“(6) The number of complaints of sexual misconduct between school staff and students for which no determination was made; and

“(7) The names of any District of Columbia Public Schools (“DCPS”) public schools, DCPS properties, or schools of a District of Columbia public charter school where sexual misconduct was substantiated.”.

Sec. 3. Section 3(b) of the State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2602(3)(b)), is amended as follows:

(a) Paragraph (30) is amended by striking the phrase “; and” and inserting a semicolon in its place.

(b) Paragraph (31)(C) is amended by striking the period and inserting the phrase “; and” in its place.

(c) A new paragraph (32) is added to read as follows:

“(32) OSSE, in consultation with schools, direct service providers, community partners, mental health professionals, governmental and community-based sexual abuse experts, the Metropolitan Police Department, parents, and students shall develop a model policy for how LEAs report to the school community in a timely manner criminal investigations of sexual misconduct involving school staff.”.

Sec. 4. Fiscal impact statement.

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

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 sections 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.