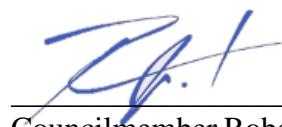


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Councilmember Robert C. White, Jr.

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Councilmember Janeese Lewis George

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the State Education Office Establishment Act of 2000 and the State Board of Education Establishment Act of 2007 to make the Office of State Superintendent of Education subordinate to the State Board of Education, add specific data collection and verification responsibilities to the Office of the State Superintendent of Education, and allow District of Columbia Public Schools employees to be members of the State Board of Education.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this

act may be cited as the "DC State Education Agency Independence Amendment Act of 2021".

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. 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.

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

33 (1) Paragraph (28)(C) is amended by striking the phrase "Mayor and the Council"
34 and inserting the phrase "State Board of Education, Mayor, and the Council" in its place.

35 (d) Section 3a (D.C. Official Code § 38-2602.01) is amended by added a new subsection
36 (c) to read as follows:

37 “(c)(1)(A) By June 1, 2022, the Mayor shall transfer to the State Board of Education such
38 positions, personnel, property, records, and unexpended balances of appropriations, allocations,
39 and other funds available or assigned to the Office of the State Superintendent of Education
40 under the Office of the Mayor, at which time the OSSE under the Office of the Mayor shall be
41 abolished.

42 (B) Nothing in this paragraph shall be construed as obligating the State
43 Board of Education or the OSSE to employ personnel transferred pursuant to subparagraph (A)
44 of this paragraph for any period of time.

45 (2) All rules, orders, obligations, determinations, grants, contracts, licenses, and
46 agreements of the OSSE relating to its functions transferred to the State Board of Education
47 pursuant to this subsection shall remain in effect according to their terms until lawfully amended,
48 repealed, or modified.

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

52 Sec. 3. The State Board of Education Establishment Act of 2007, effective June 12, 2007
53 (D.C. Law 17-9, D.C. Official Code § 38-2651 *et seq.*) is amended as follows:

54 (a) Section 402 (D.C. Official Code § 38-2651) is amended as follows:

55 (1) Subsection (e)(1)(D) is amended by inserting the phrase “, except for
56 employees of D.C. Public Schools,” after the phrase “District of Columbia government”.

57 (b) Section 403 (D.C. Official Code § 38-2652) is amended as follows:

58 (1) Section (a)(1) is amended by striking the existing language and inserting
59 language to read as follows:

62 (2) A new paragraph (a)(1B) is added to read as follows:

68 Sec. 4. Fiscal impact statement.

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

72 Sec. 5. Effective date.

73 This act shall take effect following approval by the Mayor (or in the event of veto by the
74 Mayor, action by the Council to override the veto), a 30-day period of congressional review as
75 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
76 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
77 Columbia Register.