
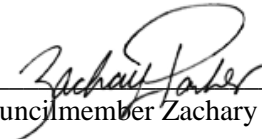



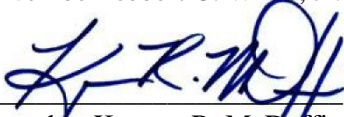
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2 Councilmember Charles Allen

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5 Councilmember Brianne K. Nadeau

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8 Councilmember Brooke Pinto

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11 Councilmember Zachary Parker


Councilmember Robert C. White, Jr.


Councilmember Kenyan R. McDuffie


Councilmember Trayon White, Sr.


Councilmember Janeese Lewis George


Councilmember Matthew Frumin

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A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To require paid mental health leave be provided to all full-time educators in District of Columbia Public Schools; to require District of Columbia Public Schools to provide a Wellness Coordinator in select schools identified to have a high number of at-risk students and a high teacher turnover rate; to require the Office of the State Superintendent of Education to establish a Fair Paraprofessional Compensation Task Force; to require the Office of the State Superintendent of Education to establish a Flexible Scheduling Pilot Program; and to require the District of Columbia Public Schools to conduct an exit survey and share the results of the survey publicly, and with the State Board of Education annually.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Educator Retention for Student Success Act of 2023”.

TITLE I. EDUCATOR WELL-BEING

Sec. 101. Definitions.

For the purposes of this title, the term:

- (1) “DCPS” means District of Columbia Public Schools.

43 (2) “Educator” includes a principal, assistant principal, teacher, assistant
44 teacher, paraprofessional, school psychologist or counselor, or any person who provides
45 professional educational services or psychological services employed by a school.

46 (3) “Mental health leave” means paid leave taken for mental and
47 emotional health reasons.

48 (4) “PII” shall have the same meaning as provided in Section 2(a) of the
49 District of Columbia Commission for Women Act of 1978, effective September 22, 1978 (D.C.
50 Law 2-109; D.C. Official Code § 3-701).

51 (5) “SBOE” shall have the same meaning as provided in Section 402 of
52 the State Board of Education Establishment Act of 2007, effective June 12, 2007 (D.C. Law 17-
53 9; D.C. Official Code § 38-2651).

54 (6) “Wellness” means a person’s physical, emotional, and social well-
55 being to cope with the stresses of life, recover from difficult situations, and meaningfully
56 contribute to one’s community.

57 Sec. 102. Mental health leave for educators.

58 DCPS shall provide each full-time educator not less than 16 hours of mental health leave
59 per school year. Mental health leave shall not be counted as sick leave.

60 Sec. 103. Wellness Coordinator.

61 (a) DCPS shall establish the position of Wellness Coordinator (“Coordinator”),
62 whose purpose is to lead, organize, and facilitate educator and student wellness initiatives in a
63 school, which may include self-care, wellness, and stress management techniques, building
64 workplace relationships and supports, and changing the organization’s culture to prevent and
65 reduce stress.

66 (b) The Coordinator shall:

67 (1) Establish wellness guidelines, in coordination with school staff, that
68 provide direction on what wellness activities are and what they will accomplish, how often
69 wellness activities should take place, the role of different school personnel in wellness activities,
70 and other guidance that will help meet the unique needs of each school;

71 (2) Gather information and data to determine the wellness needs of
72 educators and students in each school;

73 (3) Assess existing school wellness initiatives and resources and identify
74 areas of improvement;

75 (4) Track the number and type of wellness activities at each school and the
76 total number of participants at each wellness activity per school year;

77 (5) Provide teachers with guidance and resources to incorporate aspects of
78 the wellness activities into their lesson plans and the school day, where appropriate;

79 (6) Stay versed in current research, trends, and national wellness
80 initiatives;

81 (7) Administer a satisfaction survey to educators and students at least once
82 in a school year and share the results with DCPS, provided that data shall be collected, stored,
83 aggregated, and presented in a way that protects any PII from disclosure;

84 (8) Review feedback from surveys and participants to improve the
85 wellness guidelines and activities; and

86 (9) Provide recommendations to promote educator and student wellness in
87 collaboration with the principal and school-based behavioral health team of each school.

88 (c) DCPS shall provide funding for a Coordinator in each of the top 25 schools,
89 upon agreement with the school principal, that have:

90 (1) The highest percentage of enrolled students who meet the at-risk
91 criteria as defined in section 102 of the Uniform Per Student Funding Formula for Public
92 Schools and Public Charter Schools and Tax Conformity Clarification Amendment Act of 1998,
93 effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code § 38-2901(2A)); and

94 (2) A teacher turnover rate that is above the average rate per school year
95 as determined by OSSE.

96 (d) Schools with a Coordinator shall have the opportunity to maintain the position
97 in subsequent school years notwithstanding subsection (c) of this section.

98 (e) Within 45 days after the end of each school year, DCPS shall submit an annual
99 report to the Deputy Mayor for Education and SBOE summarizing the Coordinators' activities
100 during the previous school year, which shall include at a minimum:

101 (1) A summary of the results from the educator and student satisfaction
102 surveys pursuant to Section 103(b) of this title;

103 (2) An analysis of the survey results and recommendations for
104 improvement of the Coordinators' role and wellness activities;

105 (3) The total number of wellness activities implemented for educators and
106 a summary of the types of activities;

107 (4) The total number of wellness activities implemented for students and a
108 summary of the types of activities;

109 (5) Costs associated with each activity, if applicable;

110 (6) The total number of educators and students served by the wellness
111 activities; and

112 (7) Recommendations for improvement of the Wellness Coordinator
113 program to better support educator and student wellness.

114 TITLE II. FAIR PARAPROFESSIONAL COMPENSATION TASK FORCE.

115 Sec. 201. Definitions.

116 For the purposes of this title, the term:

117 (1) “DCPS” means the District of Columbia Public Schools.

118 (2) “LEA” shall have the same meaning as provided in Section 3(b) of the
119 State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-
120 176; D.C. Official Code § 38-2602(b)(20)(O)(iii)).

121 (3) “OSSE” shall have the same meaning as provided in Section 2(b) of
122 the State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-
123 176; D.C. Official Code § 38-2601).

124 (4) “Paraprofessional” means an individual employed by an LEA to
125 provide instructional, behavioral, or other support to teachers and students in or outside of the
126 classroom. This term includes instructional aides, teacher aides, and paraeducators.

127 (5) “SBOE” shall have the same meaning as provided in Section 402 of
128 the State Board of Education Establishment Act of 2007, effective June 12, 2007 (D.C. Law 17-
129 9; D.C. Official Code § 38-2651).

130 Sec. 202. Fair Paraprofessional Compensation Task Force responsibilities.

131 (a) Within 90 days after the applicability date of the Educator Retention for
132 Student Success Act of 2023, OSSE shall establish a Fair Paraprofessional Compensation Task

133 Force (“task force”) to provide recommendations on establishing an employee compensation
134 scale for paraprofessionals that is regionally competitive, offers a living wage, and puts forth a
135 recommended implementation timeline.

136 (b) The task force shall elect a chairperson and be comprised of:

137 (1) The State Superintendent of Education, or their designee;

138 (2) The Chancellor of DCPS, or their designee;

139 (3) The Head of a charter LEA, or their designee;

140 (4) The Executive Director of the Public Charter School Board, or their

141 designee;

142 (5) The labor union president, or their designee, for:

143 (A) Principals;

144 (B) Paraprofessionals; and

145 (C) Teachers; and

146 (6) An organization with expertise in educator compensation and teacher

147 retention appointed by the SBOE; and

148 (7) At least 2 paraprofessionals appointed by the labor union representing

149 paraprofessionals.

150 (c) The task force shall:

151 (1) Review published findings, recommendations, and other relevant

152 materials on educator and paraprofessional compensation scales for public and public charter

153 schools;

154 (2) Assess the potential impact of implementing an increased

155 compensation scale, which includes inflation-based raises, for paraprofessionals;

156 (3) Propose fair compensation standards and an employee compensation
157 scale for paraprofessionals that accounts for employee role, credentials, experience, and full-time
158 and part-time positions and will be competitive in the Washington Metropolitan region and
159 provide for a living wage in the District; and

160 (4) Submit a report to the Mayor, Council, SBOE, and the Public Charter
161 School Board that summarizes the requirements of this section no later than one year after all
162 task force members are appointed. The report shall also be made publicly available.

163 TITLE III. FLEXIBLE SCHEDULING PILOT PROGRAM

164 Sec. 301. Definitions.

165 For the purposes of this title, the term:

166 (1) “Educator” includes a principal, assistant principal, teacher, assistant
167 teacher, paraprofessional, school psychologist or counselor, or any person who provides
168 professional educational services or education psychological services at a school.

169 (2) “Flexible schedule” means a scheduling arrangement that allows for
170 variation in the educators’ instructional calendar and format on a daily, weekly, or yearly school
171 schedule to enhance staff productivity while meeting students’ learning needs.

172 (3) “LEA” shall have the same meaning as provided in Section 3(b) of the
173 State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-
174 176; D.C. Official Code § 38-2602(b)(20)(O)(iii)).

175 (4) “OSSE” shall have the same meaning as provided in Section 2(b) of
176 the State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-
177 176; D.C. Official Code § 38-2601).

178 (5) “Paraprofessional” means an individual employed by an LEA to
179 provide instructional, behavioral, or other support for teachers and students in or outside of the
180 classroom. This term includes instructional aides or assistants, teacher aides, and paraeducators.

181 (6) “SBOE” shall have the same meaning as provided in Section 402 of
182 the State Board of Education Establishment Act of 2007, effective June 12, 2007 (D.C. Law 17-
183 9; D.C. Official Code § 38-2651).

184 Sec. 302. Pilot program establishment and OSSE’s responsibilities.

185 (a) OSSE shall establish a Flexible Scheduling Pilot Program ("pilot") to allow 15
186 public or charter schools, or the maximum number of schools that the funding appropriated will
187 support, to implement a flexible schedule in the 2024 to 2025 school year.

188 (b) OSSE shall:

189 (1) Establish the application criteria for a school to qualify for the pilot
190 and set the timeline of the pilot;

191 (2) Develop an application and a request for proposal process for
192 interested schools to apply, evaluate whether the applications meet the criteria of the pilot, and
193 provide the funds necessary to implement the flexible schedule proposed and approved through
194 the application process;

195 (3) Select participating schools and prioritize selecting a set of schools for
196 participation in the pilot that ensures that each grade level, PreK through 12, or alternative
197 program school as defined in section 102 of the Uniform Per Student Funding Formula for
198 Public Schools and Public Charter Schools and Tax Conformity Clarification Amendment Act of
199 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code§ 38- 2901(1B)), is
200 represented in the pilot;

- 201 (4) Provide training and resources to schools participating in the pilot
202 where necessary;
- 203 (5) Establish a communication plan with families and students at the
204 piloting schools;
- 205 (6) Administer a pre-pilot survey to educators and students within the first
206 month of the pilot to assess their satisfaction with the previous school year's instructional
207 schedule;
- 208 (7) Administer a post-pilot survey to educators and students collecting
209 feedback on the progress of the pilot and satisfaction with the flexible schedule;
- 210 (8) Administer a survey to families of students affected by the pilot
211 gathering feedback on the pilot at the end of the 2024 to 2025 school year; and
- 212 (9) By August 31, 2025, submit a report, and make publicly available, to
213 the Mayor, Council, and the Public Charter School Board which shall include:
- 214 (A) A description of the flexible scheduling model at each pilot
215 school;
- 216 (B) Background information for each pilot school including the
217 demographic information provided in subsection(c)(5) of this section;
- 218 (C) A description of any associated costs to implementing the
219 flexible schedule at each school;
- 220 (D) The results from the educator, student, and family surveys in
221 paragraphs (6), (7), and (8) of this subsection and an analysis of the results, including a
222 comparison of the level of educator and student satisfaction pre- and post-pilot;

223 (E) Any other impacts or observations of the pilot not captured by
224 the surveys and any external variables that may contribute to the survey outcomes and the
225 students' academic performance;

226 (F) Recommendations for the most effective models of flexible
227 scheduling for each grade level; and

228 (G) Recommendations for how the pilot can be expanded to allow
229 any school to develop and implement a flexible schedule.

230 (c) Each school's application to the pilot shall include at a minimum:

231 (1) The proposed flexible schedule model, which shall not detract from the
232 education standards set forth by OSSE and SBOE;

233 (2) The school-level administrator who is responsible for leading the pilot;

234 (3) An engagement and communication plan with families and students
235 about the pilot, if selected;

236 (4) Projected cost of the pilot and a description of the costs;

237 (5) Demographics of the school including:

238 (A) Ward;

239 (B) Race or ethnicity of students and educators;

240 (C) Grade levels served;

241 (D) The number of educators disaggregated by school
242 administrators, teachers, teacher assistants, counselors, psychologists, and paraprofessionals;

243 (E) Number and percentage of students in special education;

244 (F) Partnership for Assessment of Readiness for College and
245 Careers scores, if applicable; and

246 (G) Median household income of families.

247 Sec. 303. Pilot program working group.

248 (a) Within 60 days after the applicability date of the Educator Retention for
249 Student Success Act of 2023, the Deputy Mayor for Education shall establish a working group
250 (“group”) to review The Promise of Flexible Scheduling for Schools Report completed by
251 EmpowerEd in 2023 and other relevant research, advise schools participating in the pilot,
252 monitor the pilot, and provide recommendations to improve the implementation of the pilot. The
253 group shall be comprised of:

254 (1) The Deputy Mayor for Education, or their designee;

255 (2) The State Superintendent of Education, or their designee;

256 (3) The Chancellor of DCPS, or their designee;

257 (4) The Head of a charter LEA, or their designee;

258 (5) The Executive Director of the Public Charter School Board, or their
259 designee;

260 (6) The following members appointed by the Deputy Mayor for
261 Education:

262 (A) Two school principals from schools participating in the pilot;

263 (B) Two teachers from schools participating in the pilot;

264 (C) At least two students from schools participating in the pilot;

265 (D) At least two caregivers with students attending schools
266 participating in the pilot; and

267 (E) At least one expert with experience and knowledge in flexible
268 scheduling.

269 TITLE IV. EXIT SURVEY FOR EDUCATORS

270 Sec. 401. Definitions.

271 For the purposes of this title, the term:

272 (1) “DCPS” means the District of Columbia Public Schools.

273 (2) “Educator” includes a principal, assistant principal, teacher, assistant
274 teacher, paraprofessional, school psychologist or counselor, or any person who provides
275 professional educational services or psychological services at a school.

276 (3) “PII” shall have the same meaning as provided in Section 2(a) of the
277 District of Columbia Commission for Women Act of 1978, effective September 22, 1978 (D.C.
278 Law 2-109; D.C. Official Code § 3-701).

279 (4) “SBOE” shall have the same meaning as provided in Section 402 of
280 the State Board of Education Establishment Act of 2007, effective June 12, 2007 (D.C. Law 17-
281 9; D.C. Official Code § 38-2651).

282 Sec. 402. Exit survey for departing teachers.

283 (a) DCPS shall develop an exit survey for the District of Columbia Public Schools
284 Human Resources to distribute to every departing educator from DCPS. The exit survey shall
285 include at the minimum:

286 (1) Demographic data including sex, race, ethnicity, age, familial status,
287 marital status, sexual orientation, gender identity, immigration status, disability, job title, and
288 salary;

289 (2) Years of experience at the school of employment;

290 (3) Years of experience at DCPS;

291 (4) Years of experience in the education industry;

292 (5) Grade levels taught at the most recent school of employment;
293 (6) The name and type of teacher preparation program completed by each
294 teacher; and

295 (7) Reasons for leaving DCPS.

296 (b) DCPS shall administer the exit survey to each departing educator no more
297 than 30 days from the last date of employment and share the results of the exit surveys with
298 SBOE on a quarterly basis, and by January 1 of each year provide SBOE and make publicly
299 available a report that shall include:

300 (1) The results of the exit survey disaggregated pursuant to Section 402(a)
301 of this title, provided that data shall be collected, stored, aggregated, and presented in a way that
302 protects any PII from disclosure; and

303 (2) Recommendations for corrective action where efforts to retain
304 educators are found to be lacking.

305 (c) DCPS may use an existing exit survey; provided, that the existing exit survey
306 is amended to include any information listed in subsection (a) of this section that is not already
307 collected by the existing exit survey.

308 TITLE V. GENERAL PROVISIONS

309 Sec. 501. Fiscal impact statement.

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

313 Sec. 502. Effective date.

314 This act shall take effect following approval by the Mayor (or in the event of veto by the
315 Mayor, action by the Council to override the veto), a 30-day period of congressional review as
316 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
317 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
318 Columbia Register.