


Councilmember Mary M. Cheh

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare the existence of an emergency with respect to the need to provide that expenditures on school-administered theatrical and music performances, including stipends for non-District of Columbia Public Schools employees, shall be an allowable expenditures from a school's Student Activity Fund.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Student Activity Fund Theatrical and Music Performance Expenditures Emergency Declaration Resolution of 2019".

Sec. 2. (a) Each year, schools across the District put on a variety of theatrical and music performances, including musicals, staged plays, choral productions, orchestral and band concerts, variety shows, improvized and sketch comedy performances, and other live performances.

(b) For many of these productions, schools charge admission to students, families, and members of the public. Schools also may enter into contracts for advertisements or sponsorships of these productions. Any revenue raised must be deposited into a specific fund for use by the school, commonly referred to as a Student Activity Fund.

(c) The Office of the Chief Financial Officer ("OCFO"), in conjunction with the District of Columbia Public Schools ("DCPS"), has promulgated a District of Columbia Public Schools

33 Standard Operation Procedural Manual for the Student Activity Fund. In the manual, OCFO and
34 DCPS describe allowable and unallowable expenditures from a school's Student Activity Fund.

35 (d) Allowable expenditures from a Student Activity Fund include a range of expenses
36 related to extracurricular activities, including spending on student newspapers and publications,
37 athletic supplies, equipment, and uniforms, transportation for field trips and athletic events,
38 certain membership dues and registration fees, and the purchase of supplies and materials for
39 authorized school clubs and organizations. However, the manual lists stipends for DCPS or non-
40 DCPS employees as an unallowable expenditure.

41 (e) Due to budget constraints, some DCPS schools may not have teachers on staff who
42 provide theater, orchestral, choral, or band instruction. Without this staff, schools must also look
43 outside the school for individuals with the experience and interest in administering their
44 theatrical or music extracurricular programming. Schools typically seek private contractors to
45 run this programming, who seek compensation through fixed stipends.

46 (f) Due to restrictions on using Student Activity Fund dollars to pay for stipends, schools
47 have no method to pay these stipends. Instead, schools will typically rely on Local School
48 Advisory Teams, Parent Teacher Associations, or parent and community donations to cover the
49 cost of stipends. Where sources outside of the school are unable to pay these costs, schools may
50 be forced to cancel those student performances.

51 (g) Schools and families have reported frustration that DCPS and OCFO policy prevents
52 the revenue raised from a particular performance from being used to pay for services essential to
53 the planning, rehearsal, and presentation of that performance.

54 (h) Due to the restrictions on using Student Activity Fund dollars to pay for stipends,
55 some schools report that they will be forced to cancel performances planned for School Year

56 2019-2020, including performances slated for this fall. These schools have funds available in
57 their Student Activity Fund account that they would use to cover these costs, but for the
58 restrictions in the manual.

59 (i) Immediate legislative action is necessary to ensure that these performances do not
60 have to be cancelled, and schools are not restricted from using money in their Student Activity
61 Funds to support expenditures related to school-administered theatrical and music performances.

62 Sec. 3. The Council of the District of Columbia determines that the circumstances
63 enumerated in section 2 constitute emergency circumstances making it necessary that the Student
64 Activity Fund Theatrical and Music Performance Expenditures Emergency Act of 2019 be
65 adopted after a single reading.

66 Sec. 4. This resolution shall take effect immediately.

COUNCIL OF THE DISTRICT OF COLUMBIA
Office of the Budget Director



Jennifer Budoff
Budget Director

FISCAL IMPACT STATEMENT

TO: The Honorable Phil Mendelson
Chairman, Council of the District of Columbia

FROM: Jennifer Budoff - Budget Director

DATE: October 2, 2019

SHORT TITLE: "Student Activity Fund Theatrical and Music Performance Expenditures Emergency/Temporary Act of 2019"

TYPE: Emergency/Temporary

REQUESTING OFFICE: Councilmember Mary Cheh

Conclusion

This legislation would not have an impact on the District's budget or the financial plan.

Background

The District of Columbia Public Schools Student Activity Fund Policy Manual, revised August 2019, lists allowable and unallowable expenditures from the Fund. This legislation would expand the list of allowable expenditures to include school-administered theatrical and music performances, including stipends. It would also repeal stipends for DCPS employees or non DCPS employees as an unallowable expenditure.

Analysis of Impact on Spending

This legislation would expand Student Activity Fund uses but not require additional spending.

Analysis of Impact on Revenue

This legislation would have no impact on revenue.



OFFICE OF THE GENERAL COUNSEL

Council of the District of Columbia
1350 Pennsylvania Avenue NW, Suite 4
Washington, DC 20004
(202) 724-8026

MEMORANDUM

TO: Councilmember Mary Cheh

FROM: Nicole L. Streeter, General Counsel NLS | DPG

DATE: October 3, 2019

**RE: Legal sufficiency determination for Bill 23-XXX, the
Student Activity Fund Theatrical and Music
Performance Expenditures Temporary Act of 2019**

The measure is legally and technically sufficient for Council consideration.

This bill would, on a temporary basis, provide that expenditures on school-administered theatrical and music performances, including stipends for non-District of Columbia Public Schools employees, shall be an allowable expenditure from a school's Student Activity Fund.

I am available if you have any questions.