

A RESOLUTION

23-234

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

October 8, 2019

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

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

(e) Due to budget constraints, some DCPS schools may not have teachers on staff who provide theater, orchestral, choral, or band instruction. Without this staff, schools must look outside the school for individuals with the experience and interest in administering their

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theatrical or music extracurricular programming. Schools typically seek private contractors to run this programming, who seek compensation through fixed stipends.

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

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

(h) Due to the restrictions on using Student Activity Fund dollars to pay for stipends, some schools report that they will be forced to cancel performances planned for School Year 2019-2020, including performances slated for this fall. These schools have funds available in their Student Activity Fund account that they would use to cover these costs but for the restrictions in the manual.

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

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

Sec. 4. This resolution shall take effect immediately.