



MURIEL BOWSER
MAYOR

September 8, 2020

The Honorable Phil Mendelson, Chairman
Council of the District of Columbia
1350 Pennsylvania Ave., N.W., Suite 504
Washington, D.C. 20004

Dear Chairman Mendelson:

Pursuant to the District of Columbia Public Education Reform Amendment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-172) (2016 Repl.), and Mayor's Order 2007-186, the District of Columbia Public Schools is pleased to submit to the Council of the District of Columbia the "Appointment of Principals and Assistant Principals Regulations Approval Resolution of 2020."

If enacted, the proposed resolution and associated Proposed Rulemaking will repeal Section 520, Chapter 5, Title 5, Subtitle E, and replace it with a new Section 520, Chapter 5, Title 5, Subtitle B to promote the retention of current DCPS principals and enhance recruitment of new principals by allowing for two-year, rather than one-year, appointments. The Proposed Rulemaking will retain the one-year term requirement for assistant principals and allows for principals and assistant principals who hold permanent status in another DCPS position to revert to their prior position at the conclusion of their terms.


I urge the Council to take prompt and favorable action on this resolution. Should you have any questions, please do not hesitate to reach out to Eboni Govan at 202-577-8716 or eboni.govan@k12.dc.gov.

Sincerely,

A handwritten signature in black ink that reads "Muriel Bowser".

Muriel Bowser

Enclosures


Chairman Phil Mendelson
at the request of the Mayor

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6 A PROPOSED RESOLUTION
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11 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
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16 Chairman Phil Mendelson, at the request of the Mayor, introduced the following
17 resolution, which was referred to the Committee on _____.
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19 To approve the proposed rules to implement the District of Columbia Public Education
20 Reform Amendment Act of 2007 to amend Chapter 5 of Subtitle B of Title 5 of
21 the District of Columbia Municipal Regulations.
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23 RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That
24 this resolution may be cited as the "Appointment of Principals and Assistant Principals
25 Regulations Approval Resolution of 2020".

26 Sec. 2. Pursuant to section 103 of the District of Columbia Public
27 Education Reform Amendment Act of 2007, effective June 12, 2007 (D.C. Law 17-9;
28 D.C. Official Code § 38-172), the Council approves the proposed rulemaking adopted by
29 the Chancellor of the District of Columbia Public Schools ("DCPS") that would repeal
30 Section 520 (One Year Appointment of Principals and Assistant Principals) of Chapter
31 5 (Administration and Management) of Title 5 (Education), Subtitle E (Original Title 5)
32 of the District of Columbia Municipal Regulations (DCMR) and replace it with a new
33 Section 520 (Appointment of Principals and Assistant Principals) of Chapter 5
34 (Administration and Management) of Title 5 (Education), Subtitle B (District of

1 Columbia Public Schools) of the DCMR.

2 The purpose of the proposed rulemaking is to allow the Chancellor to appoint
3 DCPS principals to two-year terms. The current DCMR provision limits DCPS
4 principals to one-year term appointments. The proposed change is intended to promote
5 retention of current principals and enhance recruitment of new principals by allowing for
6 two-year, rather than one-year, appointments. The rulemaking retains the one-year term
7 requirement for assistant principals and retains the right of principals and assistant
8 principals who hold permanent status in another DCPS position to revert to their prior
9 position at the conclusion of their terms.

10 Sec. 3. Fiscal impact.

11 The Council adopts the fiscal impact statement in the committee report as the
12 fiscal impact statement required by section 602(c)(3) of the District of Columbia Home
13 Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-
14 206.02(c)(3)).

15 Sec. 4. The Council shall transmit a copy of this resolution, upon its adoption, to
16 the Mayor, the Chancellor of the District of Columbia Public Schools, and the
17 Administrator of the Office of Documents and Administrative Issuances.

18 Sec. 5. This resolution shall take effect immediately.

DISTRICT OF COLUMBIA PUBLIC SCHOOLS

NOTICE OF PROPOSED RULEMAKING

The Chancellor of the District of Columbia Public Schools (DCPS), pursuant to Section 103 of the District of Columbia Public Education Reform Amendment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-172(c) (2016 Repl.)), and Mayor's Order 2007-186, dated August 10, 2007, hereby gives notice of proposed rulemaking action to repeal Section 520 (One Year Appointment of Principals and Assistant Principals) of Chapter 5 (Administration and Management) of Title 5 (Education), Subtitle E (Original Title 5) of the District of Columbia Municipal Regulations (DCMR) and replace it with a new Section 520 (Appointment of Principals and Assistant Principals) of Chapter 5 (Administration and Management) of Title 5 (Education), Subtitle B (District of Columbia Public Schools) of the DCMR.

The purpose of the proposed rulemaking is to allow the Chancellor to appoint DCPS principals to two-year terms. The current DCMR provision limits DCPS principals to one-year term appointments. The proposed change is intended to promote retention of current principals and enhance recruitment of new principals by allowing for two-year, rather than one-year, appointments. The rulemaking retains the one-year term requirement for assistant principals and retains the right of principals and assistant principals who hold permanent status in another DCPS position to revert to their prior position at the conclusion of their terms.

The rulemaking will be submitted to the Council for a forty-five (45) day period of review. The Chancellor of the District of Columbia Public Schools also hereby gives notice of the intent to take final rulemaking action to adopt these proposed rules in not less than thirty (30) days after the publication of this notice in the *D.C. Register* and after approval by the Council of the District of Columbia, as specified in Section 105(c)(5) of the Act (D.C. Official Code § 38-172(c)(2) (2012 Repl. & 2018 Supp.)).

Chapter 5, ADMINISTRATION AND MANAGEMENT, of Title 5-E DCMR, ORIGINAL TITLE 5, is amended as follows:

Section 520, ONE YEAR APPOINTMENTS OF PRINCIPALS AND ASSISTANT PRINCIPALS, is repealed in its entirety.

Chapter 5, ADMINISTRATION AND MANAGEMENT, of Title 5-B DCMR, DISTRICT OF COLUMBIA PUBLIC SCHOOLS, is amended as follows:

A new Section 520 is established to read as follows:

520 APPOINTMENT OF PRINCIPALS AND ASSISTANT PRINCIPALS

520.1 Persons appointed to a position as Principal shall serve in a term appointment of up to two (2) years, without tenure in the position.

- 520.2 Persons appointed to a position as Assistant Principal shall serve in a term appointment of one (1) year, without tenure in the position.
- 520.3 Retention and reappointment shall be at the discretion of the Chancellor.
- 520.4 A person who is not retained in the position of Principal or Assistant Principal and who holds permanent status in another position in the D.C. Public Schools shall revert to the highest prior permanent level of employment upon his or her removal from the position of Principal or Assistant Principal; provided, that this right shall not include the right to any particular position or office previously held.

Comments on this rulemaking should be submitted, in writing, to Eboni J. Govan, DCPS, at 1200 First Street, N.E., 10th Floor, Washington, D.C., 20002 or dcpsregs@k12.dc.gov, no later than thirty (30) days after the date of publication of this notice in the *D.C. Register*. Additional copies of this rule are available from the above address or the DCPS website, www.dcps.dc.gov.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of the Attorney General



Legal Counsel Division

MEMORANDUM

TO: Ronan Gulstone
Executive Director
Office of Policy and Legislative Affairs

FROM: Brian K. Flowers
Deputy Attorney General
Legal Counsel Division

DATE: May 12, 2020

SUBJECT: Legal Sufficiency Review of the "Appointment of Principals and Assistant Principals Regulations Approval Resolution of 2020"
(AE-20-397)

This is to Certify that this Office has reviewed the above-referenced legislation and that we have found it to be legally sufficient. If you have any questions in this regard, please do not hesitate to call me at 724-5524.

Brian K. Flowers

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