

## **ATTACHMENT V: MOLC Employee Salary increases**

At the end of FY15, MOLC requested to the Mayor a salary adjustment for two of our Associate Directors. Below please review the reasoning and detailed information for each individual's requested increase. All of the salary adjustments were sourced from the reconfiguration of funds within the Personnel funding portion of our FY16 budget. No funds have been reprogrammed or will be used from the Non-Personnel portion of our budget.

### **Associate Directors: Sarah Jane Forman and Melissa Tucker**

Sarah Jane and Melissa were our first two Associate Director hires. Both joined in early February. At that point in time, the MOLC's budget status for FY16 was unclear. Our FY15 spending was constrained by the need to fund our positions through vacancies in other agencies, so the initial salaries offered to Sarah Jane and Melissa were substantially below the level appropriate for their positions and responsibilities. As I have attempted to indicate below, both individuals have carried the weight and demands of a new agency on their shoulders, displaying impressive skill, aptitude, and judgment.

#### **Sarah Jane Forman:**

Sarah Jane has been working primarily with OSSE for the past six months. Because of major leadership issues within the agency and its Office of General Counsel, we asked Sarah Jane to step in as the agency's Interim General Counsel. She is a member of the OSSE Executive Team and leads a team of eight lawyers and a legal assistant in OSSE's Office of the General Counsel. The agency has found her to be an invaluable resource, and both the OSSE Superintendent and the Deputy Mayor for Education (DME) have (repeatedly) requested that we consent to permitting Sarah Jane to serve as the permanent General Counsel for the agency. We have informed them that Sarah Jane intends to return fulltime to her MOLC position when a new OSSE General Counsel is named. In addition to her OSSE responsibilities, Sarah Jane continues to devote a portion of her time to supporting other agencies in fulfillment of the broader responsibilities of the MOLC.

Since joining OSSE, she has advised Superintendent Hanseul Kang on legal matters involving data privacy, open government, procurement, human resources, compliance, internal controls, grants, and governance; developed a comprehensive new policy for processing Freedom of Information Act (FOIA) requests which also includes serving as the FOIA attorney for OSSE; assisted in the promulgation of regulations around the Pre-K Incentive and Enhancement Grant; Developed several Family Educational Rights and Privacy Act (FERPA) data sharing Memoranda of

Understanding (MOUs) with several District agencies including the Office of the Chief Technology Officer (OCTO), the District of Columbia Public Library (DCPL), and the Department of Health (DOH); assisted in drafting and reviewing multiple contracts, MOUS and MOAs, and administrative reviews of disciplinary actions taken by the agency; developed standard operating procedures (SOPS) around the various documents generated by the agency that require legal review; coordinated with the District of Columbia Public Schools (DCPS), OAG and the Executive Office of the Mayor (EOM) regarding United States Department of Agriculture (USDA) response to the Chartwells settlement; and developed regulations to establish procedures for OSSE's Office of Dispute Resolution to hear cases involving special education and residency fraud.

As part of her ongoing duties as an Associate Director in the MOLC, she has drafted data sharing MOUS on behalf of the DME along with provided legal advice and counsel to the DME on a variety of issues; participated in weekly conference calls regarding the closing of Community Academy Public Charter School; participated as a member of the Marijuana Task Force and the Data Security and Privacy Task Force; attended Council oversight hearings for DME and OSSE; and provided legal review of documents for MPTD and ONCA. Sarah Jane has also worked hard to involve the MOLC's two George Washington law fellows in addressing the various OSSE legal needs.

We requested an increase in Sarah Jane's compensation from \$105, 000 to \$120,000. MOLC concluded that her salary reflects a disparity within our office and her peers in the various agencies who earn between \$125,000 and \$145,000 annually.

**Melissa Tucker:**

When Melissa Tucker joined the MOLC in February 2015, she spearheaded the MOLC's takeover of FOIA appeals from the Office of the General Counsel to the Executive Office of the Mayor. She oversaw an extremely burdensome adjudication of approximately 20 FOIA appeals that had been dormant since the change in administration. She also organized a process to document and address current appeals. Since February, Melissa has overseen the MOLC's adjudication of approximately 85 FOIA appeals from District agency decisions. In addition, Melissa serves as the MOLC's primary contact for matters pertaining to the DC FOIA, interacting on a daily basis with agency counsel and FOIA officers who have questions about their obligations under the statute.

Outside of the FOIA realm, Melissa has assisted numerous agencies in drafting legislation, including FEMS, OUC, and DMPED. She has provided extensive legal assistance to FEMS in its efforts to obtain authority to engage private emergency services. She has also worked closely with DCCAH and DPR to review and draft sponsorship and grant agreements as well as easements. Melissa has been the go-to Associate Director to provide assistance and support in connection with the multitude of matters which flow into the MOLC daily from the agencies. Her research skills and familiarity with the legislative process have also been invaluable resources to our office. Her work has been uniformly thorough. Melissa has also played an important role in overseeing the work and training of the MOLC's two George Washington law fellows.

We requested an increase in Melissa's compensation from \$105, 000 to \$120,000. MOLC concluded that her salary reflects a disparity within our office and her peers in the various agencies who earn between \$125,000 and \$145,000 annually.