

Chairman Phil Mendelson
at the request of the Mayor

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare the existence of an emergency with respect to the need to amend the Confirmation Act of 1978 to extend the period of time during which a person may be compensated and waive the residency requirement while serving in an interim capacity as the State Superintendent of Education.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Interim Term of the State Superintendent of Education Emergency Declaration Resolution of 2021”.

Sec. 2. (a) There exists a need to amend the amend the Confirmation Act of 1978 to extend the period of time during which a person may be compensated and to amend the Jobs for D.C. Residents Amendment Act of 2007 and the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to waive the residency requirement while serving in an interim capacity as the State Superintendent of Education.

(b) On October 16, 2020, Shana Young was appointed as the Interim State Superintendent of Education.

(c) Pursuant to the Confirmation Act of 1978, District funds cannot be expended to pay the salary of an interim appointee for more than 180 days.

1 (d) The Executive has been actively engaged in its search for a permanent State
2 Superintendent for Education, however, will not be able to nominate a candidate prior to
3 April 14, 2021.

4 (e) The current Interim State Superintendent of Education has effectively carried
5 out her duties and provided stability for the Office of the State Superintendent of
6 Education.

7 (f) Unless this emergency legislation is approved to waive the requirements of the
8 Confirmation Act of 1978 and waive the residency requirements of the Jobs for D.C.
9 Residents Amendment Act of 2007 and the District of Columbia Government
10 Comprehensive Merit Personnel Act of 1978, the current Interim State Superintendent of
11 Education will not qualify to serve nor will she be able to be compensated for her service.

12 Sec. 3. The Council of the District of Columbia determines that the
13 circumstances enumerated in section 2 constitute emergency circumstances making it
14 necessary that the Confirmation Act of 1978 be amended to extend the period of time
15 during which a person may be compensated and the Jobs for D.C. Residents Amendment
16 Act of 2007 and the District of Columbia Government Comprehensive Merit Personnel
17 Act of 1978 be amended to waive the residency requirement.

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