

## COUNCIL OF THE DISTRICT OF COLUMBIA

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### MEMORANDUM

**TO:** Chairman Phil Mendelson  
**FROM:** Councilmember Janeese Lewis George *Janeese Lewis George*  
Councilmember Charles Allen *Charles Allen*  
**DATE:** February 24, 2022  
**SUBJECT:** Request to Agendize Measure for the March 1<sup>st</sup>, Legislative Meeting

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We request that the following measures be agendized for the March 1<sup>st</sup> Legislative Meeting:

Emergency and Temporary Legislation:

- **“State Board of Education Membership Eligibility Emergency Declaration Resolution of 2022”**
- **“State Board of Education Membership Eligibility Emergency Amendment Act of 2022”**
- **“State Board of Education Membership Eligibility Temporary Amendment Act of 2022”**

These emergency and temporary measures amend the State Board of Education Establishment Act of 2007 so that employees of the District of Columbia Public Schools (“DCPS”) system are eligible to serve on the State Board of Education (“SBOE”). The SBOE carries out numerous advisory, oversight and approval functions including advising the State Superintendent of Education and approving state academic standards.

The SBOE is composed of 9 elected members – one from each Ward and one at-large member. Members are elected on a nonpartisan basis. The SBOE is the only nonpartisan office in the District of Columbia which prohibits District government employees from serving. Allowing DCPS employees to serve on the SBOE would create parity with public charter school employees.

DCPS employees who are members of the Washington Teachers’ Union (“WTU”) or Council of School Officers (“CSO”) who do not intend to continue employment with DCPS next schoolyear are required to submit a Declaration of Intent to Not Return (“DINR”) no later than April 1 annually. WTU Members who fail to submit a DINR and leave the system after April 1<sup>st</sup> are required to pay a \$1,000 fine to DCPS. CSO members who leave after April 1<sup>st</sup> are required to pay a \$3,000 fine to DCPS.

Two bills introduced this Council Period (B24-80 and B24-507) would amend the law to allow DCPS employees to serve on the SBOE. Both bills have had hearings in their respective committees and the Committee on the Judiciary and Public Safety will be advancing the bill pending before it.

This emergency legislation is necessary to allow prospective candidates for SBOE to maintain their employment with DCPS, avoid a financial penalty and begin preparing to run for elected office.

Draft copies of the measures are attached. If you have any questions regarding this measure, please contact Will Perkins, Senior Policy Advisor, at [wperkins@dccouncil.us](mailto:wperkins@dccouncil.us) or 202-316-7862 or Kate Mitchell, Chief of Staff and Committee Director, at [kmitchell@dccouncil.us](mailto:kmitchell@dccouncil.us) or 202-727-8275.

Thank you for your consideration of this request.

cc: Members, Council of the District of Columbia  
Office of the Secretary

Office of the General Counsel  
Mayor's Office Policy and Legislative Affairs