IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

A BILL

To amend the District of Columbia School Reform Act of 1995 to provide that the charter authority shall publish certain information about contracts in an amount greater than $25,000 awarded by public charter schools, to require public charter schools to provide certain information in their required annual report, to require that the Board of Trustees of a public charter school include at least 2 teachers and, for high schools or adult education programs, one student, to require public charter schools and Boards of Trustees of public charter schools to comply with the Freedom of Information Act of 1976 and the Open Meetings Act, and to require the Public Charter School Board to deliver a report to the Council describing the number and cost of requests for information made pursuant to the Freedom of Information Act of 1976; to make conforming amendments to the Freedom of Information Act of 1976 and the Open Meetings Act; and to amend the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011 to require the Office of Open Government to provide training regarding obligations of employees of public charter schools and members of the Board of Trustees of a public charter school under the Freedom of Information Act of 1976 and the Open Meetings Act.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,

That this act may be cited as the “Public School Transparency Amendment Act of 2019”.

Sec. 2. The District of Columbia School Reform Act of 1995, approved April 26,
1996 (110 Stat. 1321; D.C Official Code § 38-1800.01), is amended as follows:

(a) Section 2204(c) (D.C. Official Code § 38-1802.04(c)) is amended as follows:

(1) Paragraph (1) is amended as follows:

(A) Subparagraph (A)(ii) is amended by striking the phrase “, any employment contract for a staff member of a public charter school, or any management contract entered into by a public charter school and the management company designated in its charter or its petition for a revised charter” and inserting the phrase “or any employment contract for a staff member of a public charter school” in its place.

(B) Subparagraph (B) is amended by adding a new sub-subparagraph (iii) to read as follows:

“(iii) Within 10 days after a submission made pursuant to sub-subparagraph (i) of this subparagraph, the eligible chartering authority shall make public the submission.”.

(2) Paragraph (11)(B) is amended as follows:

(A) Sub-subparagraph (v) is amended by striking the phrase “parental involvement” and inserting the phrase “parental involvement, including contact information for the school’s parent association, if applicable” in its place.

(B) Sub-subparagraph (x) is amended by striking the phrase “; and” and inserting a semicolon in its place.

(C) Sub-subparagraph (xi) is amended by striking the period and inserting a semicolon in its place.

(D) New sub-subparagraphs (xii) and (xiii) are added to read as follows:
“(xii) All employees’ names and current salaries; and

“(xiii) All contracts awarded by the public charter school, including the value of the contract, name of the awardee, and a description of the product or service provided.”.

(3) A new paragraph (23) is added to read as follows:


(b) Section 2205 (D.C. Official Code § 38-1802.05) is amended as follows:

(1) Subsection (a) is amended as follows:

(A) The lead-in language is amended by striking the phrase “pursuant to the charter granted to the school” and inserting the phrase “pursuant to the charter granted to the school; provided, that teachers on the Board of Trustees shall be elected by a majority vote of all teachers employed at the school” in its place.

(B) Paragraph (1) is amended by striking the phrase “; and” and inserting a semicolon in its place.

(C) Paragraph (2) is amended by striking the period and inserting a semicolon in its place.

(D) New paragraphs (3) and (4) are added to read as follows:

“(3) At least 2 shall be teachers employed at the school; and

“(4) If the school includes students in grade 9 or higher, including adult learners, at least one shall be a student attending the school.”.
(2) Subsection (b)(2) is amended by striking the phrase “a parent of a
student attending the school” and inserting the phrase “a parent of a student attending the
school, or a student attending the school” in its place.

(3) Subsection (c) is amended by striking the phrase “election or selection
of the members under subsection (a)(2) of this section shall occur” and inserting the
phrase “election or selection of the members under subsection (a)(2), (3), and (4) of this
section shall occur” in its place.

(4) New subsections (e) and (f) are added to read as follows:

“(e)(1) The Board of Trustees of a public charter school may adopt rules that
require members selected or elected pursuant to subsection (a)(4) of this section to recuse
themselves if:

“(A) The Board of Trustees has voted to close the meeting to the
public pursuant to section 405(b) of the Open Meetings Act, effective March 31, 2011
(D.C. Law 18-350; D.C. Official Code § 2-575(b)); and

“(B) The Board of Trustees is discussing a matter that is
determined to be sensitive pursuant to rules that the Board of Trustees has adopted
pursuant to this subsection.

“(2) The Board of Trustees of a public charter school shall make public
any rules adopted pursuant to this subsection.

“(f) For the purposes of this section, the term “teacher” means an employee of a
public charter school who is responsible for the instruction of students for at least 50% of
his or her required work hours.”.

(c) Section 2214 (D.C. Official Code § 38-1802.14) is amended as follows:
Subsection (i) is amended by striking the period and inserting the phrase “. The Board shall provide assistance to public charter schools, including a public charter school’s Boards of Trustees, in complying with the Freedom of Information Act of 1976, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-531 et seq.).” in its place.

(2) A new subsection (k) is added to read as follows:

“(k) One year after the effective date of the Public School Transparency Amendment Act of 2019, as introduced on March 19, 2019 (Bill 23-XXX), the Board shall deliver to the Council a report describing:

“(1) The number of requests for information made to the Board and to each public charter school pursuant to the Freedom of Information Act of 1976, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-531 et seq.); and

“(2) The cost to the Board and to each public charter school of responding to the requests described in paragraph (1) of this subsection.”.

Sec. 3. The District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 et seq.), is amended as follows:

(a) Section 209 (D.C. Official Code § 2-539(b)) is amended by adding a new paragraph (3) to read as follows:

“(3) “Public body” includes public charter schools, including a public charter school’s Boards of Trustees.”.

(b) Section 404(3) (D.C. Official Code § 2-574(3)) is amended as follows:

(1) The lead-in language is amended by striking the phrase “for such purpose. The term “public body” includes
public charter schools, including a public charter school’s Boards of Trustees. The term”
in its place.

(2) Subparagraph (C) is repealed.

Sec. 4. Section 205c of the Board of Ethics and Government Accountability
Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective
April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1162.05c), is amended by
adding a new subsection (e) to read as follows:
“(e) At least twice per calendar year, the Office of Open Government shall provide
a training session, to which all public charter school employees, including a public
charter school’s Board of Trustees, shall be invited, that describes the obligations of
public charter school employees and members of the Board of Trustees of a public
charter school pursuant to the Freedom of Information Act of 1976, effective March 25,
1977 (D.C. Law 1-96; D.C. Official Code § 2-531 et seq.) and the Open Meetings Act,
effective March 31, 2011 (D.C. Law 18-350; D.C. Official Code § 2-571 et seq.).”.

Sec. 5. Fiscal impact statement.
The Council adopts the fiscal impact statement in the committee report as the fiscal
impact statement required by section 4a of the General Legislative Procedures Act of

Sec. 6. Effective date.
This act shall take effect following approval by the Mayor (or in the event of veto
by the Mayor, action by the Council to override the veto), a 30-day period of
congressional review as provided in section 602(c)(1) of the District of Columbia Home
Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-
206.02(c)(1)), and publication in the District of Columbia Register.