

1 COMMITTEE PRINT - DAIS PRINT
2 Committee of the Whole
3 December 4, 2018
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10 A BILL

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12 22-776
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14 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
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19 To establish the District of Columbia Education Research Practice Partnership to support
20 evidence-based ongoing improvement in DC public schools, to require the Mayor to draft
21 and issue, a Notice of Invitation for an Education Partnership, to put forth certain
22 requirements to be included in the Notice, to establish the review process for responses
23 received to the Notice, to establish an Advisory Committee; and to require the District of
24 Columbia Auditor to undertake an audit of District public school data management and
25 collection policies.
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27 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
28 act may be cited as the “District of Columbia Education Research Practice Partnership
29 Establishment and Audit Act of 2018”.

30 TITLE I. DISTRICT OF COLUMBIA EDUCATION RESEARCH PRACTICE
31 PARTNERSHIP.

32 Sec. 101. Short title.

33 This title may be cited as the “District of Columbia Education Research Practice
34 Partnership Establishment Act of 2018”.

35 Sec. 102. Definitions.

36 For the purposes of this title, the term:

37 (1) "Advisory Committee" means the body established pursuant to Section 105
38 this of Title.

39 (2) "Council" means the Council of the District of Columbia.

40 (3) "DCPS" means the District of Columbia Public Schools system.

41 (4) "Local education agency" or "LEA" means DCPS or any individual or group of
42 public charter schools operating under a single charter.

43 (5) "OSSE" means the District of Columbia Office of the State Superintendent of
44 Education.

45 (6) "Partnership" means the Education Research Practice Partnership formed
46 pursuant to this act between an independent, non-governmental entity and the District of
47 Columbia.

48 (7) "PCSB" means the District of Columbia Public Charter School Board.

49 Sec. 103. Establishment of District of Columbia Education Research Practice Partnership.

50 (a) There is established the District of Columbia Education Research Practice Partnership
51 to be formed between an independent, non-governmental entity and the District of Columbia for
52 the purposes of conducting independent education related research that will support
53 improvement in DC public schools and publicly reporting the findings of such research.

54 (b) The independent, non-governmental entity shall be chosen through the competitive
55 process established in section 104 of this title.

56 (c)(1) Within 60 days of the independent, non-governmental entity being chosen, the
57 Mayor shall enter into a or master research services agreement ("Agreement"), encompassing
58 data collection, sharing, ownership, and confidentiality, with the chosen independent, non-

59 governmental entity for the purposes of creating and carrying out the Partnership established in
60 this section. The Agreement shall incorporate all terms of the Notice of Invitation.

61 (2) The Agreement also shall set forth in broad terms the general scope of services
62 and the process for developing research projects consistent with the Notice.

63 (3) The Agreement shall be updated at least every five years or as needed in the
64 interim.

65 Sec. 104. Notice of Invitation for an Education Research Practice Partnership

66 (a)(1) Within 90 days of the effective date of this act, the Mayor shall draft and issue a
67 Notice of Invitation “(Notice) for an Education Research Practice for the purposes of receiving
68 proposals from an independent, non-governmental entity that shall be responsible for conducting
69 education-related research.

70 (2) The independent, non-governmental entity may be a university, college, non-
71 profit organization, or a combination of organizations joined for this purpose.

72 (b)(1) Prior to issuance of the Notice, the Mayor shall transmit to the Council a proposed
73 resolution to approve the proposed Notice, in accordance with the criteria set forth in this
74 section.

75 (2) The proposed resolution shall be deemed disapproved within 45 days,
76 excluding Saturdays, Sundays, legal holidays, and days of Council recess, of being transmitted to
77 the Council unless the Council approves the proposed resolution.

78 (3) If the Council disapproves the proposed resolution, it may include
79 recommendations and revisions that should be made to the Notice before it is re-transmitted to
80 the Council for approval.

81 (4) The final Notice issued by the Mayor shall be substantially similar to the
82 proposed Notice submitted to the Council for approval.

83 (c) The Notice shall, at a minimum, require :

84 (1) Commitment to a Partnership that shall be for no less than 10 years;

85 (2) An estimate of the initial start-up cost to establish the Partnership and the
86 annual costs needed to operate the Partnership;

87 (3) Identification of potential sources of funding, including funds contributed by
88 the applicant entity, funds anticipated from named private sources, and funds, if any, needed
89 from the District for the initial start-up costs and annual operations of the Partnership;

90 (4) Description of the entity's current staffing level, a staffing plan for how the
91 entity will fulfill the responsibilities of the Partnership including how the entity plans to increase
92 staffing capacity, and whether that the researchers conducting research for the Partnership be
93 full-time dedicated staff and whether they shall be required to log a certain number of billable
94 hours or be required to be faculty at the entity;

95 (5) Demonstration that the entity has the capacity and expertise to collect,
96 maintain, store, clean, de-identify, use, interpret, translate and publish any data provided to it in a
97 safe, secure, accountable, and confidential manner, consistent with relevant federal and local
98 laws and regulations, including the Family Educational Rights & Privacy Act of 1974 (20 U.S.C.
99 § 1232g *et seq.*) and its implementing regulations, 34 C.F.R Part 99;

100 (6) Description of the levels of internal view to ensure validity of research
101 methods and outcomes;

102 (7) Examples of other educational research done in collaboration with either the
103 District government or another government entity, including whether and how the entity and

104 government partner jointly arrived at the research questions, provided interim deliverables,
105 communicated in a meaningful way throughout the life of the project, adjusted the course of the
106 project as needed in response to stakeholder feedback, provided results in multiple formats
107 aligned with stakeholder need, and ensured that the work was useful and productive for the
108 government partner, and if not useful, what measures were taken to rectify the usefulness of the
109 products either in the short or long term, and evidence of how this work intentionally built
110 capacity for both researchers and government partners;

111 (8) An explanation of what processes are in place or would be in place to ensure
112 accountability and transparency of Partnership work and independence with regard to funders,
113 the public, and government entities; and

114 (9) An explanation of what processes are in place or would be in place to
115 collaborate effectively with a large and diverse advisory committee designed to be a partner in
116 all research work.

117 (c) To be considered, initial responses to the Notice from a potential entity shall state a
118 deadline for responses, which shall be no greater than 60 days from the date of issuance

119 (d)(1) All proposals received through the Notice process shall be reviewed by a six-
120 person review panel, which shall be comprised of three representatives chosen by the Mayor and
121 three representatives chosen by the Chairman of the Council.

122 (2) Within 30 business days of the proposal deadline, the proposal review panel
123 shall meet to initiate review of all the proposals received in a timely manner.

124 (3) A majority of the representatives chosen by the Mayor, after consulting with
125 the representatives chosen by the Chairman of the Council, shall select and approve the
126 independent, non-governmental entity.

127 Sec. 105. Advisory Committee Establishment.

128 (a)(1) An Advisory Committee (“Committee”) shall be established to provide intellectual
129 guidance from diverse perspectives to the research projects of the Partnership. Additionally, the
130 Committee shall also help formulate Partnership policy.

131 (2) The initial Committee shall be 21 members comprised of the institutional
132 members appointed pursuant to subsection (b)(1) of this section and the individual members
133 appointed pursuant to subsection (b)(2) of this section. Subsequently, the Committee shall be
134 comprised of the institutional members appointed pursuant to subsection (b)(1) of this section
135 and the individuals members appointed pursuant to subsection (c).

136 (3) Members of the Committee (both institutional and non-institutional) shall have
137 the ability to contribute substantive expertise to the research process related to student learning,
138 school improvement, and urban education policy. Members shall be actively involved in
139 practice, policy, or research on school improvement.

140 (4) Except as provided in subsection (b)(3) of this section, the term of non-
141 institutionalized members shall be 3 years.

142 (5) Persons who work for the Partnership or is a direct employee of an
143 organization that provides funding to the Partnership shall not be appointed to the Advisory
144 Committee

145 (6) The Advisory Committee shall meet within 120 days of enactment of this act.

146 (b)(1) The Advisory Committee shall include the following institutional members:

147 (A) A representative of the Council appointed by the Chairman of the
148 Council;

149 (B) A representative of the Deputy Mayor of Education appointed by the
150 Deputy Mayor of Education

151 (C) A representative of OSSE appointed by the State Superintendent of
152 Education;

153 (D) A representative of DCPS appointed by the Chancellor of DCPS;

154 (E) A representative of the PCSB, appointed by its Executive Director , or
155 designee;

156 (F) A head of school, principal, or educational leader from a public charter
157 school local education agency, elected by other public charter local education agencies through a
158 process organized by PCSB;

159 (G) A representative from the Washington Teachers' Union;

160 (H) A representative from the Council of School Officers; and

161 (I) A representative of the State Board of Education appointed by the
162 Board's President, or designee.

163 (2) The remaining 12 members on the initially appointed Committee may be
164 comprised of parents, representatives from education-related non-profit organizations, current
165 teachers and current principals from both education sectors, or other education stakeholders, of
166 whom six shall be appointed by the Mayor and six shall be appointed by the Council.

167 (3) The initial term for the non-institutional Advisory Committee members shall
168 be as follows:

169 (A) Three of the initial members appointed by the Mayor and three of the
170 initial members appointed by the Chairman of the Council shall serve a 2-year term.

171 (B) The remaining initial members appointed by the Mayor and Council
172 shall serve a 3-year term.

173 (c) The Advisory Committee shall adopt by-laws, which shall at a minimum:

174 (1) Establish process for appointing or reappointing members of the Advisory
175 Committee following the initial appointment;

176 (2) Address the extent to which Advisory Committee meetings are open to the
177 public;

178 (3)(A) Establish the process by which the Advisory Committee elects its
179 chairperson or co-chairpersons and their term;

180 (B) If the Advisory Committee elects co-chairpersons, at least one of the
181 co-chairpersons shall be one of the individual, non-institutionalized members.

182 (4) Establish attendance requirements and whether there are term limits.

183 (d) The Advisory Committee shall formally meet at least six times a year.

184 (e)(1) During the early stages of analysis, the Partnership will present its research project
185 at an Advisory Committee meeting to obtain feedback. At each meeting, the Partnership shall
186 update the Advisory Committee on its current research projects and shall present any findings
187 that the Partnership has found due to its research including interim and final research findings.

188 (2) Prior to the release of final research findings by the RPP, the RPP shall obtain
189 feedback from the Advisory Committee on final research results in order to inform the public
190 release of the findings to ensure that they are in a digestible and user-friendly format to ensure
191 relevance to educators, decision-makers, and the public.

192 (f) Upon creation of the Partnership, and every 5 years thereafter, the Advisory
193 Committee, in consultation with the Partnership, shall establish a 5-year research agenda.

194 Sec. 106. Responsibilities of the Partnership

195 (a)(1) Prior to research the Partnership shall submit a research proposal to the Advisory
196 Committee, which after feedback, must approve the research proposal.

197 (2) The Partnership shall notify the Mayor, the Council, and the public if:

198 (A) An agreement on a research proposal cannot be resolved within 4
199 months, or

200 (B) The approved research proposal is materially different from the
201 research proposal originally approved by the Advisory Committee.

202 (3)(A) Notice required under paragraph (2) of this subsection shall take the form
203 of publication on the RPP's website and letters to the Mayor and Council.

204 (B) Where an approved research proposal is materially different from the
205 research proposal originally approved by the Advisory Committee, notice required under
206 paragraph (2) of this subsection shall include a detailed description of those changes.

207 (b)(1) Following Advisory Committee approval, the Partnership and the appropriate
208 agency or agencies will develop a Memorandum of Understanding ("MOU") for each research
209 project, and the MOU shall address data collection, sharing, ownership, access, security and
210 confidentiality, consistent with the master research services agreement required in Section 103 of
211 this title.

212 (2) The Partnership shall notify the Council and the public if the MOU between
213 the Partnership and the appropriate agency or agencies becomes materially different from the
214 originally approved MOU. Such required notice shall take the form of publication on the RPP's
215 website and a letter to the Council.

216 (c) The Mayor shall make available to the Partnership all data needed for the research
217 project.

218 (d)(1) Research reports of the Partnership are public documents.

219 (2)(A) The Partnership shall transmit a copy of each of its research reports to the
220 Mayor and to the Council.

221 (B)(i) The Partnership shall publish an annual report and shall submit a
222 copy of the report to the Council.

223 (ii) The report required in subparagraph (B) of this paragraph shall
224 include all proposed research proposals that were not approved by the Advisory Committee, the
225 reason for the denial, a list of each approved research proposal in which material changes were
226 made after initial approval, and a detailed descriptions of those changes.

227 TITLE II. EDUCATION DATA AUDIT.

228 Sec. 201. This title may be cited as the "Education Data Audit Act of 2018".

229 Sec. 202. (a) Within 180 days after the effective date of this title, the Auditor shall
230 initiate an audit of data management and collection practices of public local education agencies,
231 including the Office of the State Superintendent, the Office of the Deputy Mayor for Education,
232 and the Public Charter School Board.

233 (b) The Auditor shall issue a report to the Mayor and Council on data collection practices
234 and policies of the entities described in subsection (a).

235 TITLE III. FISCAL IMPACT STATEMENT; EFFECTIVE DATE.

236 Sec. 301. Fiscal impact statement.

237 The Council adopts the fiscal impact statement in the committee report as the fiscal
238 impact statement required by section 4a of the General Legislative Procedures Act of 1975,
239 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

240 Sec. 302. Effective date.

241 This act shall take effect following approval by the Mayor (or in the event of veto by the
242 Mayor, action by the Council to override the veto), a 30-day period of congressional review as
243 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
244 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
245 Columbia Register.

