

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

D.C. ASSOCIATION OF CHARTERED PUBLIC SCHOOLS, <i>et al.</i> , Plaintiffs, v. DISTRICT OF COLUMBIA, <i>et al.</i> , Defendants.	Civil Action No. 14-1293 (TSC)
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DEFENDANTS' CROSS-MOTION FOR SUMMARY JUDGMENT

Pursuant to the Court's May 26, 2016 Minute Order, defendants move for summary judgment on all claims in the Complaint [1]. The basis for this Motion is Fed. R. Civ. P. 56, and the grounds are set forth in the accompanying Memorandum of Points and Authorities, which shall also serve as an opposition to Plaintiffs' Motion for Summary Judgment [43]. A proposed order is attached. Because this Motion is dispositive of the Complaint, defendants have not sought plaintiffs' consent. *See* LCvR 7(m).

DATED: September 9, 2016.

Respectfully Submitted,

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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

D.C. ASSOCIATION OF CHARTERED
PUBLIC SCHOOLS, *et al.*,

Plaintiffs,

v.

DISTRICT OF COLUMBIA, *et al.*,

Defendants.

Civil Action No. 14-1293 (TSC)

**MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF
DEFENDANTS' CROSS-MOTION FOR SUMMARY JUDGMENT¹**

Plaintiffs in this case—two public charter schools and an association representing their interests—seek an order requiring the District of Columbia² to fund their programs on the same dollar-for-dollar (per-student) basis as the District of Columbia Public Schools (DCPS). Plaintiffs make no claim of need; their appeal is abstract and purely legal. They contend, in substance, that a law enacted two decades ago by Congress—the School Reform Act—prohibits the District’s popularly-elected officials from exercising basic judgment in the area of public education funding. But differences in system-level costs between DCPS and public charter schools make plaintiffs’ argument fundamentally unreasonable. Fortunately, the legal basis for their claim fares no better. Sounding as it does in the Home Rule Act, plaintiffs’ remaining cause of action can only succeed if the District indeed ran afoul

¹ This Memorandum shall also serve as defendants’ Opposition to Plaintiffs’ Motion for Summary Judgment [43].

² Defendants are the District of Columbia, Mayor Muriel E. Bowser, and Jeffrey DeWitt, the Chief Financial Officer; they are referred to collectively in this Memorandum, and all accompanying papers, as “the District.”

of congressional law *and* had no authority to do so. Plaintiffs miss the mark on both: The District’s public education law enacted since the School Reform Act is in fact consistent with the Act’s essential terms; yet even if it were not, nowhere in the School Reform Act did Congress restrict the District from choosing a different course. For both of these reasons, the Court should grant the District’s Motion for Summary Judgment and enter judgment in the District’s favor. .

BACKGROUND

I. RELEVANT FEDERAL AND LOCAL LAW

A. The Home Rule Act

In 1973, Congress enacted the Home Rule Act, Pub. L. No. 93-198, 87 Stat. 774 (1973), codified as amended, D.C. Code § 1-201.01, *et seq.*, “to delegate certain legislative powers to the [District] ... and, to the greatest extent possible, ... relieve Congress of the burden of legislating upon essentially local District matters.” Pub. L. No. 93-198, § 102, 87 Stat. 777, D.C. Code § 1-201.02(a). As such, Congress created the Council and delegated to it broad legislative powers over “all rightful subjects of legislation within the District.” *See id.* § 1-204.04(a); *id.* § 1-203.02. The delegation included authority to “amend or repeal any Act of Congress ... restricted in its application exclusively in or to the District.” *See id.* § 1-206.02(a)(3) (“Council “shall have no authority to ... enact any act or amend or repeal any Act of Congress ... which is not restricted in its application exclusively in or to the District”).³ Congress

³ If there is any doubt concerning the Council’s authority to amend and repeal local congressional law, the District refers the Court to the arguments and authorities in its Motion to Dismiss [11-1] at 8-18, and Reply in Support of the Motion to Dismiss [22] at 8-23, which it incorporates here by reference.

simultaneously reserved the right to legislate for the District, including to “amend or repeal ... any act passed by the Council.” *Id.* § 1-206.01.

The Home Rule Act requires that ordinary Council legislation becomes effective after a 30-day congressional review period, during which Congress can disapprove by joint resolution. *See id.* § 1-206.02(c)(1).⁴ Congress must also act affirmatively to appropriate local funds for the District. *See id.* § 1-204.46 (“no amount may be obligated or expended ... unless such amount has been approved by Act of Congress”).⁵ Supplemental appropriations similarly require affirmative congressional approval, unless they are funded by “increase[s] in [local] revenue,” in which case they are treated the same as ordinary Council law, subject to 30-day congressional review. *See id.* (“the Mayor shall not transmit any supplements ... until completion of the [Home Rule Act] budget procedures”); *id.* § 47-369.02.⁶

B. The School Reform Act

On April 26, 1996, Congress exercised its authority under the Home Rule Act and passed the School Reform Act, Pub. L. No. 104-134, 110 Stat. 1321, 107-56, codified as amended, D.C. Code § 38-1800.01, *et seq.* The School Reform Act erected a “structure” to correct local education failures and authorized the creation of public charter schools. Pub. L. No. 104-134, § 2201, 110 Stat. 1321, 115-16; S. Rep. No. 104-144 (1995) at 6 (“What the Congress can do ... is to create a structure within which

⁴ The 30 days of congressional review excludes weekends, holidays, and any period of time during which Congress is not in session for more than three consecutive days. *See* D.C. Code § 1-206.02(c)(1).

⁵ The details of the District’s budget process are set forth in D.C. Code §§ 1-204.04(e) and 1-204.46.

⁶ D.C. Code § 47-369.02 was passed by Congress as part of the FY 2009 Omnibus Appropriations Act, Pub. L. No. 111-8, § 817, 123 Stat. 699.

change and reform will take place”). The Act did not reflect Congress’ unilateral expectations for public education reform; rather, it incorporated feedback from the community and was modeled on legislation prepared by the Council. *See* H.R. Rep. No. 104-455 at 141 (“a year of debate, discussion, and negotiation from the local school level to the Congress regarding the amount, shape and pace of education reform necessary”); *id.* at 142 (School Reform Act “goes a long way toward creating the local structures to address the concerns expressed by the community”).⁷

1. Subtitle B: Public Charter Schools

Subtitle B of the School Reform Act authorized the creation of public charter schools in the District and specified the requirements applicable to their operation. Pub. L. No. 104-134, §§ 2201-2215, 110 Stat. 1321, 115-134. According to these provisions, a public charter school “shall exercise exclusive control over its expenditures, administration, personnel, and instructional methods,” and “be exempt from [District] statutes, policies, rules, and regulations established for [DCPS]” *Id.* at § 2204(a), (c)(3), 110 Stat. 1321, 119-120; *see also* H.R. Rep. No. 104-455 at 143 (“[Public charter schools] are different from traditional public schools, however, in that they are not required to be managed by a government bureaucracy.”). The provisions also recognized that “[a] public charter school may establish a retirement system for employees under its authority,” *id.* at § 2207(c), 110 Stat. 1321, 125, and set forth rules governing participation in the District retirement system by former DCPS employees rehired by public charter schools, *see id.* at § 2207(b)(2)-(4), 110 Stat. 1321,

⁷ For a discussion of the Public Charter Schools Act of 1995, the Council legislation that served as a model for much of the School Reform Act, including the funding provisions of section 2401-2403, refer to pages 7-12 of the Council’s Amicus Brief [45].

124. However, these provisions specified that, “[n]otwithstanding any other provision of law and except as provided in [the Act], an employee of a public charter school shall not be considered to be an employee of the District of Columbia Government for any purpose.” *Id.* at § 2207(b)(2)-(5), 110 Stat. 1321, 124-25.

2. Subtitle D: Annual Budgets for Schools

Subtitle D of the School Reform Act (Sections 2401-2403) addressed the annual operating budgets for DCPS and public charter schools. *Id.* at §§ 2401-2403, 110 Stat. 1321, 136-40. To that end, Section 2401 of the Act provided:

The Mayor and the District of Columbia Council, in consultation with the Board of Education and the Superintendent, shall establish ... a formula to determine the amount of ... the annual payment to the Board of Education for the operating expenses of [DCPS] ... and ... the annual payment to each public charter school for the operating expenses of each public charter school.

Pub. L. No. 104-134, § 2401(b)(1)(A)-(B), 110 Stat. 1321, 136-37. Section 2401 also explained that “the amount of the annual payment [for operating expenses] ... shall be calculated by multiplying a uniform dollar amount used in the formula ... by ... the number of students calculated under Section 2402 that are enrolled at [DCPS] or ... at each public charter school” *Id.* at § 2401(b)(2)(A)-(B), 110 Stat. 1321, 137. Although the Act contained a definitions Section, it did not define the term “operating expenses,” as used in Section 2401, *id.* § 2002, 110 Stat. 1321, 107-12; nor did Congress debate that term’s meaning prior to passing the Act. *See infra* at 31-32.

In turn, Section 2402 of the Act required that, “not later than September 15 of each year [], each [DCPS] school and public charter school shall submit a report to the Mayor and the Board of Education containing the information described in Subsection

(b) that is applicable to such school.” *Id.* § 2402(a)(1), 110 Stat. 1321, 137. Subsection (b) then provided: “[N]ot later than October 15 of each year [], the Board of Education shall calculate ... [t]he number of students enrolled in each grade of [DCPS] and public charter schools” *Id.* § 2402(b)(1), 110 Stat. 1321, 137-38. Section 2402 also required the Board of Education to report the results to several government entities, including “the appropriate congressional committees,” and arrange for an independent audit. *See id.* § 2402(a), (b)(1), (c), (d)(1), 110 Stat. 1321, 138-39. The “systems, procedures, or methodology used” by the District to calculate enrollment under Section 2402 was enumerated as a subject to be studied as part of this audit. *See id.* § 2402(d)(2)(B), 110 Stat. 1321, 138.

Under a provision titled, “SPECIAL RULE,” Section 2402 provided that, “not later than April 1 of each year [], each public charter school shall submit a report in the same form and manner as described [above] to ensure accurate payment under Section 2403(a)(2)(B)(ii).” *Id.* § 2402(a)(2), 110 Stat. 1321, 137. Section 2403(a)(2)(B)(ii) then stated:

[N]ot later than March 15 of each year [], if the enrollment number of a public charter school has changed from the number reported ... under section 2402(a), the Mayor shall increase the payment in an amount equal to 50 percent of the amount provided for each student who has enrolled in such school in excess of such enrollment number, or shall reduce the payment in an amount equal to 50 percent of the amount provided to each student who has withdrawn or dropped out of such school below such enrollment number.”

Id. § 2403(a)(2)(B)(ii), 110 Stat. 1321, 139.⁸ The Act does not specify a similar requirement for DCPS.

3. Subtitle E: School Facilities Repair and Improvement

Subtitle E of the School Reform Act separately addressed “School Facilities Repair and Improvement.” *Id.* § 2550-2571, 110 Stat. 1321, 141-44. For this purpose, “facilities” referred to the “buildings, structures, and real property of [DCPS] schools,” excluding “any administrative office building,” and the term “repair and improvement,” was defined to include, “administration, construction, and renovation.” *Id.* § 2550(1)-(2), 110 Stat. 1321, 141. Subsection E also provided: “[T]he Administrator of the General Services Administration [(GSA)] shall enter into a Memorandum of Agreement ... with the Superintendent regarding the terms under which the Administrator will provide technical assistance and related services with respect to [DCPS] facilities management ...” *Id.* § 2551(a), 110 Stat. 1321, 141; *see also id.* § 2551(b)(5)-(6), 110 Stat. 1321, 141-42. The same provision required that the “Agreement [between GSA and the Superintendent] include ... assurances that funds available to the [District] shall be used to pay the obligations of [DCPS] that are incurred as a result of action take under, or in furtherance of, the Agreement, in addition to funds available to the Administrator ...,” and that “in no event shall the Agreement remain in effect later than the day ... the agency designated pursuant to Section 2552(a)(2) assumes responsibility for [DCPS] facilities ...” *Id.* § 2551(c)(2)-(4), 110 Stat. 1321, 142.

⁸ Congress later amended section 2403 to create a “Charter School Fund,” for payments to “public charter school[s] ... [when their] total audited enrollment ... exceeds the student enrollment [that] served as the basis for determining the school’s annual payment.” Pub. L. 108-7, § 146(a), 117 Stat. 11, 132. Subsequently, the Council revised this provision, replacing the phrase “the student enrollment [that] served as the basis for determining the school’s annual payment,” with “the projected student enrollment on which the annual appropriation is based.” D.C. Law 17-20, § 4032(d).

Subsection E then provided for the transfer of responsibility over DCPS facilities “repair and improvement,” upon expiration of the Agreement with GSA as follows:

[T]he Mayor and the District of Columbia Council in consultation with the Administrator, the Authority, the Board of Education, and the Superintendent, shall ... designate a new or existing agency or authority within the [District] Government to administer ... a comprehensive long-term program for the repair and improvement, and maintenance and management, of [DCPS] facilities.

Id. § 2552(a)(1)-(2), 110 Stat. 1321, 143. This “long-term program,” was to “identify[] short-term funding for capital and maintenance of facilities,” and “identify[] and designat[e] long-term funding for [the same].” *Id.* § 2552(b)(1)-(2), 110 Stat. 1321, 143.

C. The UPSFF Act

On September 22, 1998, in accordance with Congress’ directive to “establish a formula,” *see supra* at 5, the Council passed⁹ the UPSFF Act, D.C. Law 12-494, which clarified the requirements of the School Reform Act in several important areas. D.C. Code § 38-2901 *et seq.* The UPSFF Act provided that “[t]he Formula shall apply only to operating budget appropriations from the [District’s] General Fund for DCPS and Public Charter Schools,” and “shall not apply to funds from federal or other revenue sources, or to funds appropriated to other agencies and funds of the District government.” D.C. Law 12-494, § 103(b). The Act also established a “Foundation” or “Foundation level” as the baseline for annual operating budget appropriations. *See id.* at § 102(5). It further required periodic review and revision of the Formula, and

⁹ The Council initially approved, on an emergency basis, a uniform per student funding formula to determine the FY 1997 annual appropriations to DCPS and public charter schools pursuant to Resolution 11-441, which was effective July 3, 1996. *See Res. 11-441* (July 3, 1996), attached as Ex. 11.

provided that “[r]evisions shall be based upon information and data including study of actual costs of education in the [District].” *See id.* at § 112.

With respect to calculating student enrollment, the UPSFF Act clarified that the basis for the “[a]nnual appropriations pursuant to the Formula shall be ... the number of resident students enrolled as of October 1 in the year proceeding the fiscal year for which the appropriation is made.” *Id.* at § 107.¹⁰ The Act was silent on how to compensate DCPS, although it tracked Congress’ requirement that public charter schools receive semi-annual payments, with the second adjusted for changes in enrollment. *See id.* at § 10(e); *cf.* Pub. L. No. 104-134, § 2403(a)(2)(B)(ii), 110 Stat. 1321, 139. The UPSFF Act was passed as ordinary Council legislation and took effect following congressional review. *See* Notice Re. D.C. Law 12-207, attached as Ex. 1.¹¹

D. Federal and District Law Governing DCPS Teacher Retirement Benefits

Congress established the DCPS Teachers’ Retirement Fund decades before passage of the School Reform Act as one component of the District of Columbia Retirement Reform Act of 1979, Pub. L. No. 96-122, § 123, 93 Stat. 866, 872-75.¹² The District assumed responsibility for making contributions to the fund on July 1, 1997.

¹⁰ Resolution 11-441 used the term “enrollment projection” to describe the October 1 measure. *See* Res. 11-441, § 2(8). However, that terminology does not appear in the UPSFF Act.

¹¹ The House Committee Report for the District appropriations act passed the year after the School Reform Act (FY 1997) indicated that Congress was aware of the UPSFF Act and its contents, and was awaiting its transmittal from the Council. *See* H.R. Rep. 104-689 (1996) (“After a series of meeting involving [District officials], agreement was reached on a weighted funding formula that would allocate in fiscal year 1997 uniform amounts per student ... with ‘add on’ funds to be provided for limited English proficient and handicapped students. Subsequently ... the Council ... approved resolution 11-441, ‘Approval of a Fiscal Year 1997 Uniform Per Student Funding Formula for Public Schools Emergency Resolution of 1996.’ It is the Committee’s understanding that this Resolution will be formally transmitted to Congress by the Mayor and the Council Chairman.”).

¹² Although re-established by the Council in 1998, the system has retained its essential features since 1979. *See* D.C. Law 12-152, § 112, codified as amended, D.C. Code § 1-903.02.

See D.C. Law 12-152, D.C. Code § 1-901.01; Pub. L. No. 105-33, § 11002, 111 Stat. 251, 715-16. Prior to that date, benefits were funded by a combination of federal and local dollars. *See* Pub. L. No. 96-122, § 144, 93 Stat. 866, 881. Consequently, for FY 1997 and each preceding year, the annual appropriations legislation approved by Congress included both a “federal contribution” and an appropriation from local funds for payment into the system, *see e.g.*, Pub. L. No. 104-194, 110 Stat. 2356, 2359; since FY 1997, Congress approves a single appropriation from local funds, *see e.g.*, Pub. L. No. 105-100, 111 Stat. 2164.

E. Legislation Amending the School Reform Act and the UPSFF Act

Since passage of the School Reform Act by Congress and the UPSFF Act by the Council, both governing bodies have legislated numerous times on public school funding. For example, shortly after passing the School Reform Act, Congress amended Section 2401 to add an “adjustment for facilities costs” for public charter schools (facilities allowance). Pub. L. No. 105-100, § 171, 111 Stat. 2191.¹³ The Council implemented that provision in the UPSFF Act, and subsequently changed its requirements on five separate occasions.¹⁴ Shortly thereafter, Congress informally established a quarterly (as opposed to semi-annual) schedule for formula payments to public charter schools. *See* Pub. L. No. 106-422, 114 Stat. 2440, 2449 (“\$105,000,000

¹³ As enacted, section 2401 provided: “[T]he Mayor and the [Council], in consultation with the Board of Education and the Superintendent, shall adjust the annual payment [for operating expenses] to increase the amount of such payment for a public charter school to take into account leases or purchases of, or improvements to, real property, if the school, not later than April 1 of the fiscal year preceding the payment, requests such adjustment.” *See id.*, codified as amended, D.C. Code § 38-1804.01(b)(3)(C).

¹⁴ *See* D.C. Law 14-190, § 3402(e); D.C. Law 16-192, § 4002(g); D.C. Law 17-219, § 4016(d); D.C. Law 18-111, § 4011; D.C. Law 18-223, § 4022(e).

from local funds for public charter schools: *Provided*, That there shall be quarterly disbursement of funds”). It then included this departure from the School Reform Act in the annual appropriations act for each subsequent year¹⁵ until the Council added Sections 107a and 107b to the UPSFF Act. D.C. Law 15-348, D.C. Code §§ 38-1804.02, 38-2906-2906.02. Those provisions codified Congress’ quarterly payment structure for public charter schools and expressly required that DCPS receive “the full amount of its [annual] appropriation in accordance with standard procedures for independent agencies.” *See id.*¹⁶ The next year, the Council again amended these provisions to clarify that the basis for the first quarterly payment to each public charter school “shall be the estimate ... of the number of students that will be enrolled at that public charter school on October 5.” D.C. Law 16-33, § 4012, D.C. Code § 2906.02. Each time, the Council’s law was submitted to Congress for review in accordance with the Home Rule Act. D.C. Code § 1-206.02(c)(1).

The Council has also amended the School Reform Act numerous times during the past two decades since it became effective, including every section of Subtitle D. These amendments ranged in substance from technical changes, *see e.g.*, D.C. Law 13-176, § 8, D.C. Code 38-1804.02 (“Section 2402 of the [School Reform Act] is amended by striking the phrase ‘Board of Education’ wherever it appears and inserting the phrase ‘State Education Office’ in its place.”), to transformative additions, *see e.g.*, D.C. Law 17-20, § 4032(c), D.C. Code § 38-1804.01 (adding exception to Section 2401(b) formula payment). Other examples are myriad, as the

¹⁵ *See* Pub. L. No. 107-96, 115 Stat. 923, 935; Pub. L. No. 108-7, 117 Stat. 11, 116; Pub. L. No. 108-199, 118 Stat. 3, 120-21; Pub. L. No. 108-335, 118 Stat. 1322, 1331.

¹⁶ A portion of D.C. Law 15-348 also amended the School Reform Act. *See id.* at §102.

Council points out in its Amicus Brief. *See* Council of the District of Columbia’s Amicus Curiae Brief [45] (Council’s Amicus Brief) at 23-24. Again, these took effect only after review by Congress. D.C. Code § 1-206.02(c)(1). At the same time, Congress made revisions to the School Reform Act, including to its funding provisions. *See e.g.*, Pub. L. 108-7, § 146(a), 117 Stat. 11, 132; Pub. L. No. 108-335, § 335(a), (b), 118 Stat. 1347; Pub. L. No. 108-447, § 342, 118 Stat. 3342; *cf.* Council’s Amicus Brief at 19-20.

Finally, in 2007, the Council fundamentally restructured the governance of the public school system via the Public Education Reform Amendment Act of 2007, D.C. Law 17-9 (“PERAA”). Among other things, PERAA dissolved the then-existing Board of Education, created a new state-level education agency (OSSE), and placed OSSE and DCPS under the control of the Mayor. *See id.* §§ 102-103, 106, 202. In part, these changes required amendments to the District Charter, which were submitted to Congress for affirmative approval. *Id.* §§ 902-903.¹⁷ Congress approved the changes, and the legislative history of its action indicates that by then Congress was no longer in the business of managing “local school issue[s].” Pub. L. No. 110-33; 153 Cong. Rec. H4618 (statement of Rep. Norton) (“I stress that the underlying school reorganization ... is entirely a local school issue. ... The extra congressional level of procedure for a

¹⁷ The District Charter, Title IV of the Home Rule Act, is subject to amendment in two ways: (1) by an act of Congress, *see* D.C. Code § 1-206.01; and (2) pursuant to the collaborative procedure set forth in section 303 of the Home Rule Act, D.C. Code § 1-203.03, which requires “an act passed by the Council and ratified by a majority of the registered qualified electors of the District voting in the referendum held for such ratification.” *Id.* § 1-203.03(a).

local school restructuring is not within the expertise of a national legislative body whose agenda is packed with urgent national concerns.”).¹⁸

II. CURRENT PUBLIC SCHOOL FUNDING PRACTICES

As a result of PERAA, DCPS is an executive agency under the direct control of the Mayor. D.C. Code § 38-172. It operates as a single, centralized local education agency (LEA)¹⁹ consisting of more than 100 schools located across the District, and is a “system of right,” meaning that it is required to admit all eligible students who seek to enroll, at any time, including students withdrawing from public charter schools mid-year. D.C. Code § 38-1802.06(f); The Finance Project, *Cost of Achievement: Report of the DC Education Adequacy Study* (Dec. 20, 2013) (Adequacy Study) at 68, 72, attached as Ex. 2. Public charter schools are non-profit organizations that generally operate free from District Government oversight, vary in terms of campus size²⁰ and student attendance, and are able to set enrollment ceilings and refuse to accept students beyond their stated capacities. *Id.* at 68; D.C. Code § 38-1802.04.

¹⁸ See also 153 Cong. Rec. H4618 (statement of Rep. Norton) (“The bill supports the District in moving on its own to correct problems in its local school system. ... In fact, H.R. 2080 is before the Congress only because the current Home Rule Act now in the process of being revised requires certain changes to the District’s charter be made by Federal legislation.”), *id.* at H4619 (statement of Rep. Foxx) (“Every city and county is entitled to govern its own school system as it sees fit, and the [District] ought not to be an exception. ... I wish the mayor and the city council well as they assume enhanced responsibility for public education.”), *id.* at H4619 (statement of Rep. Davis) (“It is important to note that if D.C. had home rule, this legislation would not be necessary. ... [I]n effect, what we are really doing is giving certification, in a sense, to actions that have been taken by the [Council] and giving them the authority to exercise responsibility for their own public school system, which is obviously the right thing to do.”).

¹⁹ The term LEA generally refers to an educational institution that operates a publicly funded school or schools in the District, including the DCPS system and any individual or group of public charter schools operating under a single charter.

²⁰ DCPS is 20 times larger than by enrollment than the largest public charter school in the city. See Adequacy Study, Ex. 2 at 69.

DCPS and each public charter school receives most of its resources from local funds paid through the UPSFF Act. The UPSFF Act funding formula starts with a “Foundation Level”—a set dollar amount designed to reflect the cost of providing adequate general education services to a single student. D.C. Code §§ 38-2903, 2901(5). This “Foundation Level” is adjusted upward for students in different grades and weighted for students with certain characteristics. *Id.* at §§ 38-2904, 2905-2905.01. The total annual UPSFF Act formula appropriation is the sum of the weighted “Foundation Level” amount for each student enrolled in the LEA. *Id.* at §§ 38-3902(a), 2904, 2905(a), (d), 2905.01, 2906(a) (DCPS), (b) (public charter schools). These basic features of the UPSFF Act formula have remained essentially the same since the Act took effect.

For purposes of calculating the annual UPSFF Act formula appropriation, student enrollment in each weighted category begins with a projection of the number of students each LEA will serve in October of the appropriation year. *See* D.C. Code § 38-2906(a), (e). To determine this enrollment figure, LEAs submit an enrollment estimate to a projection team, consisting of representatives from OSSE, the Deputy Mayor for Education (DME), and the Office of the Chief Financial Officer (OCFO). D.C. Code § 38-1804.02; OSSE Resp. to FY17 Budget Oversight Questions at Q.7, attached as Ex. 3. The projection team reviews each LEA’s submission and adjusts the estimates based upon factors such as historic student mobility and potential growth based on facility, program, or grade-level changes. *See id.*

Every publicly funded District school is also required to report its student enrollment figures on June 30, October 15, December 15, and March 30 of each year.

D.C. Code § 38-1804.02(a). OSSE uses these figures to calculate actual enrollment in each LEA as of October 5 and then provides for an independent audit of its calculations. *Id.* at § 38-1804.02(b), (d). A report of the audited enrollment figures is eventually transmitted to government stakeholders and published as a public document on the OSSE website. *See* Enrollment Audit Data (FY12-FY16), available at <http://osse.dc.gov/enrollment> (last visited Sept. 9, 2016).

The annual formula appropriation for DCPS, which funds the entire DCPS school system, including central administration and support costs, is paid to the agency as a lump sum through the normal budget process in October. D.C. Code § 38-2906(a).²¹ The total appropriation is not adjusted, up or down, based on differences between the actual enrollment in DCPS schools and the projection that served as the basis for the UPSFF Act formula calculation. *See id.* §§ 38-2906(a), 38-1804.03. The DCPS operating budget is, however, subject to reprogramming, the same as all other District agencies, *id.* § 47-365; likewise, Anti-Deficiency Act requirements prohibit DCPS from carrying over operating funds from year to year, *id.* § 1-204.46.²²

Public charter schools, on the other hand, receive their annual UPSFF Act formula appropriation as quarterly payments in July, October, January, and April. *Id.* § 38-2906.02(a); 38-1804.03. The first of these payments is based on the projected enrollment of the local education agency (LEA), the second two are derived from the unaudited October enrollment report, and the final payment is based on the audited

²¹ Because the UPSFF formula appropriation for DCPS must fund costs associated with central administration and agency-wide support, the per-pupil allocation to each DCPS school is ultimately lower than the UPSFF foundation level. *See* Soumya Bhat, *District of Columbia School Finance Primer* (Sept. 23, 2013) at 11, attached as Ex. 4.

²² Public charter schools are not subject to these constraints. *See* Adequacy Study at 71.

enrollment data. D.C. Code. § 38-2906.02(b)(1)-(4). Thus, if the audit identifies more students enrolled in a charter LEA than originally projected, the school receives additional funding via the final quarterly payment; conversely, if the LEA's actual enrollment falls short of the projection, the final payment is adjusted downward. *Id.*

The process of reconciling the UPSFF appropriation to the audited enrollment figure does not account for student mobility after October. This is significant because average public charter school enrollment generally decreases from October to June, while enrollment in DCPS increases during the same time period. Decl. of Jennifer Comey at ¶¶ 4, 7, attached as Ex. 5. Additionally, in the event a public charter school enrolls or newly identifies students as at-risk or entitled to special education (SPED) or English language learner (ELL) services after the audit but before the end of the school year, it receives a per-capita supplemental allocation. *See* D.C. Code § 38-2906.02; OSSE Letter to Charter LEA Leaders (Mar. 11, 2016), attached as Ex. 6. These supplemental payments are not available to DCPS, even though SPED, ELL, and at-risk student enrollment increases at DCPS schools after October each year. *See* Ex. 5, Decl. of Jennifer Comey at ¶¶ 5, 8.

In addition to the UPSFF formula payment, LEAs sometimes benefit from supplemental appropriations or other incentives that increase funding for designated purposes. For example, the Council in the FY 2011 Budget Support Act amended Section 2401 of the School Reform Act to authorize supplemental funding to LEAs “for special education services, including programs that increase the capacity of the LEA to provide special education services.” D.C. Law 18-370, § 403, D.C. Code § 38-1804.01(b)(3). During FY 2013, the District's revised budget request likewise

increased local funding to both sectors by \$2 million, with the funding to public charter schools to be distributed “equally among [LEAs],” rather than through the UPSFF Act formula. *See* D.C. Law 20-14, § 2.

Occasionally, the District also authorizes supplemental appropriations or reprogrammed funds for DCPS to cover unexpected budgetary shortfalls. For example, in FY 2012, the Council provided DCPS approximately \$25 million as part of a mid-year appropriation to account for cuts to federal grant funding and other unexpected costs.²³ This was authorized by supplemental appropriations legislation that provided: “Notwithstanding [the UPSFF Act] and the [School Reform Act], the allocations [to DCPS] shall not be construed to create an obligation to provide additional funding to any [LEA] except [DCPS].” *See* Fiscal Year 2012 Second Revised Budget Request Temporary Adjustment Act of 2012, D.C. Act 19-396; *accord* Pls.’ Statement of Material Undisputed Facts [43-2] (Pls.’ SOMF) at ¶ 80 (citing Pls.’ Ex. 5). DCPS has not received a similar supplemental appropriation since FY 2012; however, in each subsequent year, the agency’s annual operating budget has either been reprogrammed or lapsed, resulting in DCPS receiving additional funds (FY 2014) as well as less funding than its annual appropriation (FY 2013 and FY 2015). Decl. of Justin Constantino, Ex. 7 at ¶¶ 8-9.

Individual public charter schools likewise benefit from supplemental non-UPSFF Act funding. For example, in every local budget support act from FY 2011 to FY 2015, the Council has authorized non-formula earmarks to be paid out of local

²³ Bill Turque, *Charters Challenge Fairness of \$21 Million to DCPS*, The Washington Post, available at https://www.washingtonpost.com/blogs/dc-schools-insider/post/charters-challenge-fairness-of-21-million-to-dcps/2012/01/04/gIQA6FWGdP_blog.html (last visited Sept. 9, 2016).

funds to an individual charter LEA. *See* D.C. Law 19-9, § 2023 (supplemental funding for “all costs associated with 24-hour vocational education programs”); D.C. Law 19-168, § 4082 (grant funding of up to \$500,000 for public charter schools co-located with DCPS schools that must relocate due to DCPS building renovations); D.C. Law 20-61, § 4092 (“capital grant of \$6 million for facility construction of a language-immersion public charter school”); D.C. Law 20-155, § 4102 (“operational grant of \$2 million to support the project development and management of an athletic and community meeting space on the grounds of a public charter school”). In fact, during the same time frame, plaintiff Washington Latin Public Charter School directly profited from these non-UPSFF funding streams. *See* D.C. Law 20-61, § 7303 (“real property located at 5210 2nd Street, N.W. ... shall be exempt from real property taxation and possessory interest taxation so long as [it] continues to be owned or occupied under a ground lease by Washington Latin Public Charter School”).

Both DCPS and individual public charter schools similarly benefit from free or reduced cost services provided by other District government agencies. For example, the District Department of Health (DOH) sponsors on-site school nurses, upon request, at LEAs in both sectors.²⁴ Additionally, the District Department of Transportation (DDOT) provides approximately 170 crossing guards at intersections near DCPS and public charter LEAs, and the Metropolitan Police Department (MPD)

²⁴ Information about this program is available at <http://doh.dc.gov/service/school-nurses> (last visited Sept. 9, 2016). *See also* Frequently Asked Questions about the DCSHNP (Nov. 2015), available at <http://doh.dc.gov/sites/default/files/dc/sites/doh/FAQs%20for%20DC%20School%20Health%20Nursing%20Program%202016.pdf> (last visited Sept. 9, 2016). The minimum requirements for DOH school nursing services are set out in District law. D.C. Code § 38-621.

deploys School Resource Officers to DCPS and public charter schools to provide increased security at their campuses. *See* MPD, *School Safety and Security in the District of Columbia* (Aug. 2016) at 1, 6-8, attached as Ex. 8; D.C. Code § 5-132.01, *et seq.* The District Department of Behavioral Health (DBH) similarly operates a school-based program for DCPS and public charter schools, offering mental health services to students through assigned clinicians.²⁵

Other services are provided to DCPS only, but DCPS must pay for them out of its annual operating budget (*e.g.*, through an MOU or intra-District transfer). For example, DCPS contracts with MPD for certain security-related services, as provided by District law. *See* D.C. Code § 5-132.05. Similarly, utilities for DCPS schools are managed by the Department of General Services (DGS), in the same way they are for other District agencies, but paid by DCPS through an intra-District transfer. Memo. of Understanding Re. FY 2016 City-Wide Services (District Utilities MOU), attached as Ex. 9. This model promotes efficiency by allowing DCPS to contract for services that it would otherwise receive as an agency of the District government instead of seeking such services from the private sector.

Some real estate management services are provided to DCPS by the Department of General Services (DGS) and paid through the DGS operating budget. Declaration of Spencer Davis at ¶¶ 4-7, attached as Ex. 10; In this way, DGS performs many of the same functions for the District-owned properties occupied by DCPS that it does for facilities used by other District agencies, including repair,

²⁵ Information regarding the School Behavioral Health Program is available online at <http://dbh.dc.gov/service/school-behavioral-health-program>.

improvement, and maintenance. *See Id.* For most District agencies, this includes custodial services; DCPS, however, is required to staff custodial teams at DCPS schools to perform certain basic maintenance services, and the costs associated with providing these services are paid for by DCPS, not DGS. *See id.* at ¶¶ 4-6; DCPS School Budget Guide, Custodial Guidance.²⁶ This is currently provided for in D.C. Code § 10-551.02(4).

Public charter schools do not receive these facilities maintenance services from DGS; however, each year, every public charter LEA receives a non-residential facilities allowance in the amount of \$3000 per student. *Id.* at § 38-2908. Although these funds are intended to cover costs associated with leasing, acquiring, and improving real estate, according to the terms set by Congress, they are not restricted to those purposes. *See* Pub. L. No. 105-100, § 170, codified as amended, D.C. Code § 38-1804.01(b)(3)(C). Each LEA's total facilities payment is calculated based on its annual projected enrollment, is disbursed as a lump sum with the LEA's first quarter formula payment, and is never subject to adjustment based on actual enrollment. *Id.* § 38-2908(b-1).

LEGAL STANDARD

Summary judgment is appropriate if there is no genuine issue of material fact in dispute and the moving party is entitled to judgment as a matter of law. Fed. R. Civ. P. 56(a). Only material facts are capable of creating genuine disputes, and a fact is material only if it affects the outcome of the suit under governing law. *Anderson v.*

²⁶ The DCPS School Budget Guide is an online resource; information within the Guide concerning custodial services is at <http://www.dcpsschoolbudgetguide.com/changes/custodial.html> (last visited Sept. 8, 2016).

Liberty Lobby, Inc., 477 U.S. 242, 247 (1986); *Alexander v. WMATA*, 82 F. Supp. 3d 388, 391 (D.D.C. 2015) (Chutkan, J.) (“factual disputes that are irrelevant or unnecessary do not affect the summary judgment determination”). Accordingly, although the Court must believe evidence presented by the non-moving party, a complete failure of proof concerning an element of her claim entitles the moving party to judgment as a matter of law. *Celotex v. Cattret*, 477 U.S. 317, 322-23 (1986). Likewise, if the non-moving party’s “evidence is merely colorable, or is not significantly probative, summary judgment may be granted.” *Anderson*, 477 U.S. at 249-50.

ARGUMENT

I. Plaintiffs Cannot Prove That The District Is Violating The Home Rule Act.

When Congress passed the School Reform Act, it was not writing on a blank slate. To the contrary, more than two decades prior, Congress enacted the Home Rule Act, delegating to the Council authority over “all right subjects of legislation in the District.” D.C. Code § 1-203.02. This sweeping delegation included the authority to manage local public education, appropriate local funds subject to Congress’ approval, and repeal local congressional laws unless Congress later stated otherwise. *See supra* at 2; *accord* Oct. 1, 2015 Memo. Op. [32] at 16 (“The question thus becomes how to tell the difference between when Congress acts in tandem with the Council, and when it has the final word”). Following Home Rule, Congress also enacted local (and federal) law governing DCPS teacher retirement contributions, extending anti-deficiency obligations to District officials, and expanding the Council’s Home Rule Act authority to supplement agency operating budgets. *See* Pub. L. No. 96-122, § 123,

93 Stat. 866, 872-875 (Teacher Retirement Fund); Pub. L. No. 97-258, § 1341, 96 Stat. 877, 923 (Anti-Deficiency Act); D.C. Code § 1-204.46 (supplemental funds).

Plaintiffs ignore all of these provisions; they do not even mention the Home Rule Act, except once, to indicate that it is the basis for Count I of their Complaint. Pls.' Memo. Re. Pl.' Mot. Summ. J. [43-1] at 17. Their sole focus instead is the School Reform Act, and the gravamen of their challenge is that the Act "clearly reflect[s]" a model for local education funding that the District has circumvented through certain "funding practices" authorized by Council law (specifically, the UPSFF Act) and appropriations of local funds. *Id.* at 5. That, even if true, is not enough to show that the District has violated the Home Rule Act, absent further proof that the challenged practices exceeded the authority granted to the District of Columbia by Congress. Rather, to prevail here, plaintiffs bear the burden of demonstrating both that (1) the challenged "funding practices" are inconsistent with the School Reform Act, and that (2) in passing the Act, Congress intended to restrict the Council from authorizing them. The first inquiry is a matter of statutory interpretation: Applying traditional canons of construction, whether the actions plaintiffs challenge are inconsistent with the express will of Congress in the School Reform Act. The second is a question of repeal, express and implied: Whether Congress in the School Reform Act expressed an intent to repeal the Council's Home Rule Act authority to interpret, supplement, and change Congress' model for school funding.

Plaintiffs' Home Rule Act claim fails to address both questions. As the following demonstrates, none of the "funding practices" plaintiffs purport to challenge is actually inconsistent with the School Reform Act or the express will of

Congress. To the contrary, supplemental (non-formula) appropriations, funds appropriated to DGS for DCPS facilities, annual payments into the Teachers' Retirement Fund, and calculating student enrollment differently for DCPS and public charter schools, were all contemplated by Congress at the time the School Reform Act was passed. There is also substantial evidence that, even if marginally inconsistent, the District's interpretations of the Act have since been approved or ratified by congressional action or inaction. In the event of a close call, Circuit precedent further requires that the Court resolve any "reasonable doubt" with deference to the District. Regardless of the outcome of this threshold inquiry, there is nevertheless nothing to suggest that Congress in the School Reform Act intended to repeal the Council's authority to change the Act's funding provisions. Thus, plaintiffs' Home Rule Act claim fails on multiple, independent grounds, and the Court should grant judgment for the District.

A. None of the Actions Plaintiffs Challenge Is Inconsistent With the Terms of the School Reform Act or the Express Will of Congress.

Plaintiffs challenge four specific "funding practices" that the Council has authorized through the UPSFF Act and subsequent local appropriations legislation: (1) supplemental (non-formula) appropriations; (2) funds appropriated to DGS for DCPS facilities; (3) annual payments into the Teachers' Retirement Fund; and (4) calculating student enrollment differently for DCPS and public charter schools. In the main, plaintiffs argue that each violates "the School Reform Act's uniform funding requirements," which they contend are "clear and unambiguous." Pls.' Memo. at 3-6 ("Preliminary Statement"). The text is not so clear, however, as the Court has

already acknowledged. *See* Oct. 1, 2015 Memo. Op. at 19. And each of plaintiffs' arguments ignores core canons of statutory construction and neglect the legislative context and history of the Act. If the Court applies correct interpretive rules, each "funding practice" is consistent with the Act, and plaintiffs, therefore, cannot prevail on their Home Rule Act claim.

1. Supplemental (Non-Formula) Appropriations

Plaintiffs' contend the primary meaning of the School Reform Act is contained in Section 2401, which requires the annual formula payment to serve as the "exclusive mechanism" for local funding of public school operations. Pls.' Memo. at 19-23. This interpretation of Section 2401 would prohibit the District from making non-formula appropriations to individual schools or programs through the annual budget process and from providing mid-year supplemental funding to cover shortfalls in the DCPS operating budget. Pls.' Memo. at 21, 23. Both DCPS and numerous individual public charter schools, including plaintiffs, have benefitted from non-formula payments. *See supra* at 16-18. Nevertheless, if plaintiffs' prevail, the District would either forego such payments in future years or be required to pay them to every school, regardless of need, through a *pro rata* increase in the basis of the formula.

To support their argument, plaintiffs first point to the use of the definite article "the" in the statutory phrase, "the annual payment ... for the operating expenses," and cite *Noel Canning v. NLRB*, 705 F.3d 490, 500 (D.C. Cir. 2013), and *Am. Bus. Ass'n v. Slater*, 231 F.3d 1, 4-5 (D.C. Cir. 2000), for the proposition that "the use of [a] definite article [] refers to something specific and identifiable." Pls.'

Memo. at 20.²⁷ Based on this, plaintiffs conclude that “the [] payment,” in Section 2401(b) of the School Reform Act necessarily means, “the [only] payment.” *Id.* at 21. The flaw in plaintiffs’ logic is that it ignores the rest of Section 2401, which provides important context and requires a different result. *Maracich v. Spears*, 133 S. Ct. 2191, 2203 (2013) (“It is necessary and required that an interpretation of a phrase of uncertain reach is not confined to a single sentence when the text of the whole statute gives instruction as to its meaning.”); *United Sav. Assoc. of Tex. v. Timbers of Inwood Forest Assocs.*, 484 U.S. 365, 371 (1988) (statutory construction [] is a holistic endeavor.”).

Although it is true that “[a] statutory provision’s use of the definite article ‘the,’ ... indicates that Congress intended the term modified to have a singular referent ... [t]he most obvious place to look for the referent is elsewhere in the statute in which the term appears.” *SEC v. KPMG LLP*, 412 F. Supp. 2d 349, 387-88 (S.D.N.Y. 2006). Immediately above the statutory references to “the annual payment” in Section 2401(b), Section 2401(a) requires “the Mayor [to] make *annual payments* from the general fund of the District” Pub. L. No. 104-134, § 2401(a), 110 Stat. 1321. Reading these provisions together, the phrases “the annual payment to the Board ... and ... the annual payment to each public charter school” clearly refer back

²⁷ For ease of reference, section 2401(b) states, in relevant part:

The Mayor and the District of Columbia Council, in consultation with the Board of Education and the Superintendent, shall establish ... a formula to determine the amount of ... *the annual payment* to the Board of Education for the operating expenses of [DCPS] ... and ... *the annual payment* to each public charter school for the operating expenses of each public charter school.

Pub. L. No. 104-134, § 2401(b)(1)(A)-(B), 110 Stat. 1321, 136-137 (emphasis added).

to the "annual payments" required by the same section; that is, "the" payments in Subsection (b) are the same "payments" required by Subsection (a). *See Gale v. First Franklin Loan Services*, 701 F.3d 1240, 1246 (9th Cir. 2012) (examination of two separate clauses within a single subsection, the first preceded by an indefinite article and the second by a definite article ("a servicer" and "the servicer"), led court to conclude that "[t]he use of the definite article in referring to the servicer only makes sense by reference to the preceding sentence."); *see also In re Hawker Beechcraft*, 515 B.R. 416, 428 (S.D.N.Y. 2014) (finding that "[t]he most natural place to search for the identity of the referent in" statutory phrase was "the beginning of the same statutory section—particularly because this subsection refers back ... three times."). There is nothing else for the Court to infer from the use of definite articles in Section 2401(b), because that subsection's plain meaning is obvious when read with its neighboring provisions. *Maracich*, 133 S. Ct. at 2203; *Timbers of Inwood*, 484 U.S. at 371.

Conversely, had Congress intended for the annual formula payment required by Section 2401 to be the exclusive mechanism for "mak[ing] annual payments from the general fund of the [District]," as plaintiffs contend, inserting the definite article "the" to qualify the term, "annual payments from the general fund" in Section 2401(a) would have been a good way to accomplish it. In the alternative, Congress could have actually expressed this intent on the face of the Act (*e.g.*, by adding to Section 2401: "The annual payments referenced in this section shall be the only payments to DCPS and each public charter school") or included some indication in the congressional record that this was indeed what it meant, despite not saying so in the statute. Congress did none of these, and the Court should hesitate to "find in congressional

silence alone the adoption of a controlling rule of law.” *Girouard v. United States*, 328 U.S. 61, 69 (1946); *Whitman v. American Trucking Assoc., Inc.*, 531 U.S. 457, 468 (2001) (Congress does not “hide elephants in mouseholes”).

This is especially prudent in view of the nature and origin of these types of expenditures. The Council’s authority to make supplemental appropriations and reprogram local funds dates to the Home Rule Act; it is a power Congress itself created. *See* Pub. L. No. 93-198, §§ 442(c), 446, 87 Stat. 801, D.C. Code § 1-204.46. In fact, the year before Congress enacted the School Reform Act it amended Section 442 of the Home Rule Act to clarify the District’s authority with respect to reprogramming funds. *See* Pub. L. No. 104-8, § 301(b), 109 Stat. 142, D.C. Code § 1-204.46(d). As a result, plaintiffs’ observation that the School Reform Act did not create a separate funding mechanism for supplemental appropriations misses the point entirely, *see* Pls.’ Memo. at 22; the “funding mechanism” predated the School Reform Act by two decades.

But more to the point, as a matter of law and common sense, courts generally presume that Congress was aware of the authority it granted to the District when it subsequently passes laws pertaining to the District. *South Dakota v. Yankton Sioux Tribe*, 522 U.S. 329, 350-51 (1998); *Miles v. Apex Marine Corp.*, 498 U.S. 19, 32 (1990) (“we assume Congress is aware of existing laws when it passes legislation”). It is because of this presumption that the Court is “not at liberty to pick and choose” among congressional enactments,” but must “regard each as effective,” so long as they “are capable of coexistence.” *Howard v. Pritzker*, 775 F.3d 430, 437 (D.C. Cir. 2015) (citations omitted). And here, the congressional enactments can clearly coexist,

simply by giving effect to what Section 2401 says (*i.e.*, “make annual payments” to all schools) and rejecting what it does not (*i.e.*, the Council is prohibited from also making supplemental payments). *Accord Maryland & District of Columbia Rifle & Pistol Ass’n v. Washington*, 442 F.2d 123, 126 (D.C. Cir. 1971) (reasoning, in the context of a “broadly written” congressional delegation to the District, “[a]n intention to whittle down a law broadly written is hardly to be inferred where a natural construction is neither ludicrous nor obviously contrary to the statutory objective.”).

So too, the federal Anti-Deficiency Act, which generally prohibits District agencies (such as DCPS) from spending money that Congress has not appropriated or authorized for a particular purpose, had been in existence for more than a decade by the time Congress enacted the School Reform Act. *See* Pub. L. No. 97-258, 96 Stat. 877, 923, 31 U.S.C. § 1341. Again, in light of long-standing principles governing repeals by implication, it would be inappropriate for the Court to find in congressional silence intent to dispense with these obligations as they relate to the DCPS operating budget. *See United States v. Borden Co.*, 308 U.S. 188, 198 (1939) (intention of the legislature to repeal “must be clear and manifest.”); *Whitman*, 531 U.S. at 468 (Congress does not “hide elephants in mouseholes”).

Interpreting Section 2401 of the School Reform Act only to require annual, uniform baseline budgets also finds support in the heading of Section 2401 (*i.e.*, *Annual Budgets for Schools*) as well as the School Reform Act’s legislative history, which generally refers to the formula appropriation as providing a basis for each school’s annual operating budget. *See* 141 Cong. Rec. H11722 (daily ed. Nov. 2, 1995) (statement of Rep. Gunderson) (“formula will be used to provide operating *budgets* on

the basis of enrollment for the school system as and for individual public charter schools”) (emphasis added); 142 Cong. Rec. S1326 (daily ed. Feb. 27, 1996) (statement of Sen. Lieberman) (“What else does the reform act do? ... It provides for a new per-pupil funding formula to be developed by the District that we think will establish the stability and predictability in the education budget as the District cuts its overall budget.”).²⁸ It likewise finds support in Congress’ approval of countless supplemental appropriations and reprogrammings—to the benefit of both DCPS and individual public schools—over the course of two decades. *See supra* at 16-18 (providing examples of mid-year and non-formula funding).

This most notably includes the 2012 supplemental appropriation to DCPS, which explained on its face that it was a mid-year allocation to DCPS only and created no obligation to increase funding to any other public school. *See* D.C. Act 19-396; *accord* Pls.’ Memo. at 14 (citing Pls.’ Ex. 5). This supplemental appropriation law was subject to the 30-day congressional review period and became law when Congress did not disapprove it. *See* Notice Re. D.C. Law 19-172, attached as Ex. 12; *Cf. Young v. Community Nutrition Institute*, 476 U.S. 974, 983 (1986) (“congressional failure to revise or repeal the agency’s interpretation is persuasive evidence that the interpretation is the one intended by Congress”). Taken together, the text, structure, legislative records, and subsequent congressional acquiescence all indicate that the

²⁸ As the Council explains in its amicus brief, the concept of the section 2401 formula payment serving as a uniform baseline operating budget appropriation also tracks the Council’s original goal for the funding formula, as demonstrated in legislative history of the local education reform law that predated the School Reform Act and served as a model for the Act’s essential elements (*i.e.*, creating predictability in school budgets to facilitate long-range financial planning). *See* Council’s Amicus Brief at 7-12. Importantly, it is generally presumed that when Congress borrows a statute, it adopts by implication interpretations placed on that statute, absent indication to the contrary. *See Molzof v. United States*, 505 U.S. 301, 307 (1992); *Metro. Life Ins. Co. v. Taylor*, 481 U.S. 58, 65-66 (1987).

District's interpretation of its authority to provide supplemental appropriations to schools is faithful to the School Reform Act; plaintiffs' contention to the contrary is without merit, and judgment for the District on this claim is appropriate.

2. Funds Appropriated to Other District Agencies and Funds of the District Government

Plaintiffs also encourage the Court to interpret the statutory phrase "the operating expenses" in Section 2401 of the School Reform Act as covering DCPS facilities maintenance and teacher retirement costs. *See* Pls.' Memo. at 23, 24-27. However, Congress in the text of the School Reform Act did not define the term "operating expenses" as used in Section 2401, notwithstanding that it included a definitions Section. *See* Pub. L. No. 104-134, § 2002, 110 Stat. 1321, 107-12. In light of this omission, and because Congress directed *the District* to "establish [the] formula" for calculating "the operating expenses," *id.* § 2401(b), 110 Stat. 1321, 136, the Court should presume at the outset that the term is within the District's discretion to interpret, *see e.g., EDF, Inc. v. EPA*, 82 F.3d 451, 463 (D.C. Cir. 1996) (courts "must defer to [an agency's] interpretation of the relevant and undefined terms in [a] statute, as long as that interpretation is reasonable," where the statute "expressly delegated ... responsibility").

Against this presumption, plaintiffs cite Black's Law Dictionary (10th ed.) and a series of cases from other jurisdictions that purport to define "operating expenses" as all "expenses incurred by DCPS in carrying out its day-to-day operations, including for facilities maintenance and teacher retirement accounts." Pls. Memo. at 24-25, n.21. Plaintiffs also refer to the discussion of "operating expenses" in H.R. Rep.

No. 104-689, arguing that it serves as legislative acknowledgement that their conclusion is consistent with Congress' original intent. *See id.* at 23. As a practical matter, plaintiffs' non-legislative sources are irrelevant in determining what Congress intended in the School Reform Act. This is true both because those sources postdate the enactment of the School Reform Act and because there is simply no indication Congress considered them (or referred to sources like them) in passing the Act. *Cf. Harjo v. Kleppe*, 420 F. Supp. 1110, 1140-41 (D.C. Cir. 1976) (refusing to construe statute based on fact that Congress "may have been made aware" of certain facts where legislative history "clearly show[ed] that Congress was [in fact] unaware"); *Smith v. Robinson*, 468 U.S. 992, 1025, n.3 (1984) (Brennan, J., dissenting) ("at the time the EHA was enacted, neither § 505(b) of the Rehabilitation Act nor § 1988 had yet been enacted. In that context, congressional silence on the question of attorney's fees can only be interpreted to indicate that Congress did not consider the matter.").

The committee's statement in H.R. Rep. No. 104-689 should likewise be disregarded because it was not actually legislative history for the School Reform Act; it was a committee report on the District of Columbia Appropriations Act of 1997, Pub. L. No. 104-194, 110 Stat. 2356, which was enacted *after* the School Reform Act took effect. As the Supreme Court has cautioned, "the views of a subsequent Congress form a hazardous basis for inferring the intent of an earlier one." *United States v. Price*, 361 U.S. 304, 313 (1960) (citation omitted). And, in this case, the "basis" is "hazardous" indeed, considering that, as part of the 1997 Appropriations Act, Congress actually passed amendments to the School Reform Act, and the

addition of a statutory definition for the term “operating expenses” was not among the changes it made. *See* Pub. L. No. 104-194, § 145, 110 Stat. 2376-77. Nor did the committee that drafted H.R. Rep. No. 104-689 discuss the possibility of defining this term, despite specifically recommending other changes to the Act. H.R. Rep. No. 104-689 at 52. This is in addition to Congress fine-tuning other aspects of the School Reform Act without changing the UPSFF Act, which “reveal[s] its intent” that the Act is in fact a faithful interpretation of what Congress intended for school funding. *See FDA v. Brown & Williamson Tobacco Corp.*, 529 U.S. 120, 137-39 (2000).

Additionally, there is nothing unreasonable about the assumption that when Congress employed the term “operating expenses” but did not define its parameters, it was intentionally leaving discretion to local District officials to work out important details around system-level (as opposed to student-level) funding.²⁹ As the Court has acknowledged, there is indeed evidence to this effect in the legislative history, *see* Memo. Op. at 22 (quoting S. Rep. No. 104-144 at 6), which is also consistent with the cooperative approach to education reform evidenced by the relationship between Congress and the Council in framing the School Reform Act’s essential elements. *See* Council’ Amicus Brief at 7-12. Indeed, Congress had numerous opportunities to add a definition, *see supra* at 10-12, and elected not to, which is “persuasive evidence” that it condoned the District’s approach. *Young*, 476 U.S. at 983. Even if it were less clear

²⁹ This distinction between system or school characteristics and student characteristics is important because the School Reform Act’s funding provisions, as enacted, created “exceptions” for funding outside the UPSFF based only on the latter (*i.e.*, based on student, not system/school, characteristics, such as grade level, SPED enrollment, and literacy). *See* Pub. L. No. 104-134, § 2401(b)(3), 110 Stat. 1321, 137. Plaintiffs contend that the Act creates these exceptions, to the exclusion of others (*i.e.*, by way of *expressio unius*-like analysis), Pls.’ Memo. at 22; however, it is as reasonable to assume that Congress never intended the formula to address cost differences based on system or school characteristics, leaving those details for the District to consider in its implementation of the Act.

as a general matter, however, plaintiffs' specific arguments concerning funds appropriated to DGS for DCPS facilities maintenance and annual appropriations to the DCPS Teachers' Retirement Fund are each dubious in their own right, when considered against the text, legislative record, and subsequent history of the School Reform Act. *See Dewar*, 313 U.S. at 360-61.

i. Funds Appropriated to DGS

The School Reform Act specifically provided for the federal GSA entering into an agreement with DCPS to provide “technical assistance and related services” in the “repair and improvement” of DCPS school facilities. *See* Pub. L. 104-134, §§ 2550-2551, 110 Stat. 1321, 141-43. It also expressly stated that the “funds available to the [District] shall be used to pay the obligations of the [DCPS] system that are incurred as a result of actions taken under ... the agreement [between DCPS and GSA], in addition to funds available to [GSA] for [the same] purposes.” *Id.* § 2551(c)(3). Moreover, the Act provided that this arrangement with GSA would only last until the District “designate[d] a new or existing agency or authority within the [District] Government to” takeover, and that agency (not necessarily DCPS) was to be charged with implementing—and “identifying” short- and long-term funding for—a program for the “repair and improvement, and maintenance and management, of [DCPS] facilities.” *See Id.* §§ 2552(a)-(b), 110 Stat. 1321, 143; *see also id.* § 2552(c), 110 Stat. 1321, 143 (“the agency or authority created or designated pursuant to subsection (a)(2) shall assume authority and responsibility for the repair and improvement, and maintenance and management, of [DCPS]”). Considered with this statutory framework, it strains credulity that Congress, in passing the School Reform Act,

definitively required that DCPS have the “authority and responsibility for the ... maintenance and management of” DCPS school buildings, as plaintiffs contend. *See* Pls.’ Memo. at 24-26. The Act itself vests that authority in another agency, Pub. L. 104-134, § 2552(c), 110 Stat. 1321, 143, and it expressly references non-UPSFF funding sources as a means of paying for the work. *See id.* §§ 2552(a)-(b), 110 Stat. 1321, 143.³⁰

This approach to facilities maintenance also accounts for certain features of the DCPS real estate portfolio³¹ that increase system-level costs. For example, DCPS is a neighborhood “system of right,” meaning it is required to admit all eligible students, including students exiting public charter schools, a requirement that Congress codified in the School Reform Act itself. *See* Adequacy Study, Ex. 2 at 68; Pub. L. No. 104-134, § 2206(f), 110 Stat. 1321, 123, D.C. Code § 38-1802.06(f). As a result, DCPS must maintain buildings across the city, many of which are underutilized because of the need to reserve excess space to account for swells in student enrollment. *See* Adequacy Study, Ex. 2 at 68-69 (“Because of DCPS’s mandate to operate neighborhood schools ... it has to maintain buildings across the

³⁰ The legislative history clarifies that DCPS was not expected to shoulder this work alone. *See* H.R. Rep. No. 104-455 at 147 (“the agreement calls on the Mayor and the [Council] ... to design a long-term facilities revitalization program and designate a new or existing agency to carry out this program.”); 141 Cong. Rec. H11722-23 (daily ed. Nov. 2, 1995) (statement of Rep. Gunderson) (Subtitle E “encourages assistance by the private sector and government agencies to bring new life to the bricks and mortar of the District of Columbia schools. ... It is the hope of Congress that such a revitalization of school facilities will take hold and become a permanent fixture in the school system of our Nation’s capital.”); H.R. Rep. No. 104-689 at 48 (budgeting separately for DCPS “school repairs” in FY 1997).

³¹ The DCPS real estate portfolio, which consists of more than 100 school buildings, is owned by the District, not DCPS. As such, the District (not DCPS) is motivated to incur the costs of repairing and improving these assets, which are capital investments, funded through the District’s capital budget, that increase their cost basis and/or extend their useful life. Additionally, as owner of these buildings, the District incurs certain costs, paid through the DGS operating budget, to keep them in safe and usable condition, while DCPS covers certain “operating expenses,” traditionally paid for by a tenant to a commercial lease, such as utilities and custodial services. *See supra* at 19-20.

city, even if some are underutilized”). 78 (estimating “overall” DCPS utilization of 75 percent), 80 (correlating utilization of space with cost of maintenance). Public charter schools, on the other hand, are able to set enrollment ceilings and refuse to accept students beyond their stated capacities. *See Id.* at 68. Many DCPS schools also operate in old or historic buildings that serve other civic purposes outside of normal school hours, all of which increases the base cost of keeping buildings and adjacent grounds in a safe and usable condition. *See id.* at 78-80 (“DCPS costs are high” in part because of “the age and poor condition of a large portion of the DC school building stock”), ES 17 (“DCPS school buildings and grounds represent community assets that serve diverse purposes for community residents ... with their [] costs attributed to DCPS”). The legislative history of the School Reform Act confirms that Congress was aware of concerns like these at the time it adopted the facilities maintenance model in subtitle E of the School Reform Act. *See e.g.*, H.R. Rep. No. 104-455 at __ (Subtitle E “seeks to begin addressing the facilities problems that plague [DCPS]. ... Sixty-two percent of the District’s public schools are over forty-five years old but only 8 of the 163 operating schools have ever had total renovations. There is an inability to accommodate education programs, initiatives, and technology.”). And, importantly, there is nothing in the Act to suggest that Congress required the Council to ignore these considerations when making decisions about how to fund public schools. *Richards v. United States*, 369 U.S. 1, 11 (1962) (“statutory provision must be read by reference to the “provisions of the whole law [including] its object and policy”).

ii. The Teachers' Retirement Fund

Congress established the DCPS Teachers' Retirement Fund, in essentially its current form, more than a decade before it considered and passed the School Reform Act. Pub. L. No. 96-122, § 123, 93 Stat. 866, 872-875. And neither the text nor the legislative history of the Act suggested—let alone “clear[ly] and manifest[ly]”—that Congress intended to modify this preexisting statutory framework. *See Borden Co.*, 308 U.S. at 198 (intention of the legislature to repeal “must be clear and manifest.”); *Mancari*, 417 U.S. at 550-51 (“repeal by implication” appropriate only if “statutes are irreconcilable”). To the contrary, in the School Reform Act, Congress expressly authorized public charter schools to “establish a retirement system for employees under [their] authority,” and clarified that, “[n]otwithstanding any other provision of law ... public charter school [employees] shall not be considered to be [employees] of the [District] Government for any purpose.” *Id.* § 2207(b)(2)-(5), (c), 110 Stat. 1321, 124-125. In addition, as the Council explains, at the time the School Reform Act was passed, contributions to the Teachers' Retirement Fund were made to and managed by the District of Columbia Retirement Board (DCRB), not the Board of Education; this is in notable contrast to “the annual [formula] payment ... for operating expenses,” which Section 2401 of the Act directs “to the Board of Education.” *See* Council's Amicus Brief at 16-17. Therefore, plaintiffs' assertion that Congress in the School Reform Act meant to transform contributions to the Teachers' Retirement Fund from District liabilities paid separately to DCRB into “operating expenses” paid to the Board of Education simply does not stand to reason: There is no evidence that Congress contemplated, much less intended, such a dramatic change to the existing

system for paying teacher retirement costs. *See Georgetown Univ. v. Sullivan*, 934 F.2d 1280, 1286 (D.C. Cir. 1991); *Girouard*, 328 U.S. at 69.

Nevertheless, if there were any doubt, the subsequent history of Congress' funding of the Teacher Retirement Fund confirms Congress' intent regarding funding DCPS teacher retirement benefits. To be sure, since the School Reform Act took effect, Congress has consistently approved appropriations into the Teachers' Retirement Fund, separate from the annual appropriations to DCPS and the public charter schools, including in the years immediately following passage of the Act.³² Notably, each year, the appropriation to the Teachers' Retirement Fund immediately follows the payment "for the public schools of the District of Columbia," and immediately precedes the appropriation "for public charter schools." *See* Pub. L. No. 105-277, 112 Stat. 2681, 128. And there is no indication in the legislative record for any of these acts that Congress believed these payments to be inappropriate. In fact, H.R. Rep. No. 104-689, which is closest in time to passage of the Act, specifically discusses the annual payment to the DCPS Teachers' Retirement Fund as a component of the District's operating budget apart from the appropriations to DCPS and public charter schools. *See id.* at 52 ("The Committee recommends the sum of \$88,100,000 from local funds for Teachers' Retirement and Annuity Payments in fiscal year 1997. ... The Teachers' Retirement System provides annuity payments

³²*See* Pub. L. No. 105-100, 111 Stat. 2164 ("\$8,900,000 from local funds for the District of Columbia Teachers' Retirement Fund"); Pub. L. No. 105-277, 112 Stat. 2681, 128 ("\$18,600,000 from local funds for the District of Columbia Teachers' Retirement Fund"); Pub. L. No. 106-113, 113 Stat. 1507 ("10,700,000 from local funds for the District of Columbia Teachers' Retirement Fund"); Pub. L. No. 106-522, 114 Stat. 2449 ("\$200,000 from local funds for the District of Columbia Teachers' Retirement Fund").

and other retirement and disability benefits for retired District teachers and their survivors”).

As explained, these separate contributions into the Teachers’ Retirement Fund are in accord with Congress’ intent to the extent it can be gleaned from the School Reform Act; even if that were not so, however, that Congress routinely approved of these appropriations with actual knowledge of their source and purpose suffices to ratify the District’s interpretation. *Young, supra; United States v. Rutherford*, 442 U.S. 544, 554 n.10 (1979) (agency interpretation “brought to the attention of the public and the Congress, and the latter has not sought to alter that interpretation although it has amended the statute in other respects, then presumably the legislative intent has been correctly discerned.”); *Brooks v. Dewar*, 313 U.S. 354, 360-61 (1941) (finding ratification of agency action by congressional appropriation); *U.S. ex. rel and for Use of Tenn. Valley Auth. v. Two Tracts of Land*, 456 F.2d 264, 267 (6th Cir. 1972) (“repeated congressional appropriations” was evidence of ratification of statutory construction); *cf. Schism v. U.S.*, 316 F.3d 1259, 1289-90 (Fed. Cir. 2002) (“ratification ordinarily cannot occur in the appropriations context unless the appropriations bill itself expressly allocates funds for a specific agency or activity”); *Fund for Animals, Inc. v. U.S. Bureau of Land Management*, 460 F.3d 13, 19 n.7 (D.C. Cir. 2006) (because “appropriations [] did not identify the [program] as a line item, [court] hesitate[d] to read too much into Congress’s action.”).

3. Calculating Student Enrollment for Formula Appropriations

Plaintiffs’ final claim regarding the meaning of the School Reform Act is that the Act “requires that the annual formula payment to DCPS and [each public charter

school] be based on actual student enrollment.” Pls.’ Memo. at 28 (citing Pub. L. No. 104-134, § 2401(b)(2), 110 Stat. 1321, 137). Thus, according to plaintiffs, the UPSFF Act “conflicts with the School Reform Act because it allows [the District] to use different methodologies for calculating student enrollment ... for DCPS and [public charter schools].” *Id.* at 29 (citing D.C. Code §§ 38-2906(a), 38-2906.02). Of course, it is true that “different methodologies” govern how formula funds are paid to the two sectors: DCPS receives a lump sum payment based on projected student enrollment that is never adjusted, while public charter schools are paid quarterly, with their final payment reconciled to actual (audited) student enrollment. *See supra* at 15; Pls. Memo. at 29. Plaintiffs, however, have no standing to challenge the methodology that applies to DCPS, and their claim regarding the methodology applicable to them, to the extent they bring one, is belied by the School Reform Act’s express terms.

i. Plaintiffs Do Not Have Standing to Challenge the Methodology for Calculating DCPS Student Enrollment.

To have standing to bring their challenge to the “methodolog[y] for calculating [DCPS] student enrollment” under the UPSFF Act, Pls.’ Memo. at 28, plaintiffs must first demonstrate the “irreducible constitutional minimum” of “injury-in-fact,” “causation,” and “redressability,” *Lujan v. Defenders of Wildlife*, 504 U.S. 555, 560-61 (1992). Of course, under well-settled standing principles, plaintiffs cannot claim an injury resulting from DCPS receiving more money than it might otherwise; their injury must be “personal” to them, and an unlawful windfall to DCPS, even if proved, does not adversely affect them in any “concrete” way. *Chaplaincy of Full Gospel Churches v. United States Navy*, 534 F.3d 7756, 763 (D.C. Cir. 2008) (“mere personal

offense to government action does not give rise to standing”); *Capital Legal Foundation v. Commodity Credit Corp.*, 711 F.2d 253, 258-60 (D.C. Cir. 1983) (“[a] party who would complain that agency action has violated ... a statute ... must be adversely affected by that action”). Thus, plaintiffs’ injury must be *lower* annual formula funding for public charter schools (*i.e.*, lower than they might otherwise receive under a different methodology for calculating student enrollment).

This alleged injury, however, is neither “fairly traceable” to the “methodolog[y] for calculating [DCPS] student enrollment,” nor redressable by an order requiring that “the annual payment to DCPS ... be based on actual student enrollment.” *See* Pls.’ Memo. at 28. To the contrary, according to plaintiffs, if DCPS enrollment projections were reconciled to actual enrollment, the result would be a *decrease* in funding for DCPS. *See* Pls.’ Mot. at 30 (“payments [to DCPS] for nonexistent students effectively increase the per-pupil amount DCPS receives”). Plaintiffs do not even allege the possibility of a corresponding increase in their annual operating budgets (*e.g.*, by the Council increasing the basis of the formula), which is, in any event, a possibility that is speculative at best.” *Ctr. for Law & Educ. v. Dep’t of Educ.*, 396 F.3d 1152, 1159 (D.C. Cir. 2005); *accord Ctr. For Biological Diversity v. U.S. Dep’t of Interior*, 563 F.3d 466, 478 (D.C. Cir. 2009). This is insufficient to establish Article three standing and, in turn, this Court’s jurisdiction. Fed. R. Civ. P. 12(h)(3).

- ii. Basing Public Charter School Formula Appropriations on Audited Enrollment Is Consistent with the Terms of the School Reform Act.

To the extent plaintiffs also assert that the way student enrollment is calculated for public charter schools violates the School Reform Act, their claim is

simply without merit. As plaintiffs acknowledge, the fundamental incongruence in the way enrollment is calculated under the UPSFF Act is that “[public charter schools] are funded based on actual student enrollment ... while DCPS is funded based on projected ... student enrollment.” Pls.’ Memo. at 15. However, Section 2403 of the School Reform Act directly stated: “[I]f the enrollment number of a public charter school [] changed ... the Mayor shall increase the payment ... for each student who has enrolled in such school ..., or shall reduce the payment ... for each student who has withdrawn or dropped out....” Pub. L. 104-134, § 2403(a)(2)(B)(ii). That is, the School Reform Act expressly provided for public charter school formula payments to be adjusted (“increase[d]” or “reduce[d]”) based on audited enrollment; the Act contained no similar requirement that would apply to DCPS.

That is precisely the framework for paying public charter schools authorized under the UPSFF Act, as plaintiffs concede. *See* Pls.’ Memo. at 15-16, 28-30. Moreover, although the UPSFF Act has evolved over time, it has served as the basis for public school funding in the District for nearly two decades. During that time, Congress has never altered the basic funding features plaintiffs challenge, despite legislating numerous times in the same area, *see supra* at 10-12, and has objected only once to an appropriation under the Act. *See* H.R. Rep. 108-214 at 24 (July 17, 2003) (“The Committee has not provided this funding [for negotiating teacher salary increase] and directs the Mayor and Council to provide charter schools with the local funding they are entitled to receive under current law.”). Even this example of congressional disapproval indicates (at a minimum) that Congress is not oblivious to how the UPSFF Act functions; it likewise serves as “persuasive evidence” that the

Council correctly interpreted the School Reform Act in the first instance. *See Young*, 476 U.S. at 983; *Rutherford*, 442 U.S. at 554, n.10.

4. Circuit Precedent Requires the Court to Resolve Any “Reasonable Doubt” About the School Reform Act’s Mandate in Favor of Preserving Local Autonomy over Local Issues.

The Circuit’s opinions in *Firemen’s Ins. Co. v. Washington*, 483 F.2d 1323 (D.C. Cir. 1973), and *Maryland & District of Columbia Rifle & Pistol Ass’n v. Washington*, 442 F.2d 123 (D.C. Cir. 1971)—precedent on which plaintiffs’ rely, Pls.’ Memo. at 33—further support judgment in favor of the District. These cases resolved alleged conflicts between District regulations and congressional laws with deference to local officials. *See* 483 F.2d at 1329; 442 F.2d 130. This is because, as the *Firemen’s Ins. Co.* Court explained, “Given the potentially greater responsiveness of local government to local problems and the recognition that Congress cannot realistically be expected to deal with every aspect of a local problem ... the municipality should be given the benefit of [] reasonable doubt.” 483 F.2d at 1329 (citing *Pistol Ass’n, supra*). That reasoning applies with unique force in the area of local education. *Cf. Mo. v. Jenkins*, 515 U.S. 70, 99 (U.S. 1995) (“local autonomy of school districts is a vital national tradition”). Thus, if there is “reasonable doubt” as to the School Reform Act’s mandate, the Court should resolve it in favor of preserving the Council’s autonomy.

B. The School Reform Act Did Not Repeal the District’s Authority to Interpret, Supplement, or Change the Act’s Funding Provisions.

For plaintiffs to prevail on their Home Rule Act claim, it is not enough to show an inconsistency between one of the foregoing “funding practices” and the School

Reform Act. Plaintiffs must also prove that by authorizing these practices—whether by ordinary local law or appropriation legislation—the Council exceeded its authority under the Home Rule Act. As explained, Congress in the Home Rule Act delegated to the Council broad legislative authority over “all right subjects of legislation in the District,” Pub. L. No. 93-198, § 302, D.C. Code § 1-203.02, including the power to manage local public education, Pub. L. No 93-198, § 602, D.C. Code § 1-206.02(a), and to amend and repeal congressional laws “restricted in [their] application exclusively in [and] to the District,” *see id.* at § 1-206.02(a)(3). Congress, of course, can prevent the Council from exercising this authority. *See District of Columbia v. John R. Thompson Co.*, 346 U.S. 100, 109 (1953) (Congress may delegate “to the District [] full legislative power, subject of course to ... the power of Congress at any time to revise, alter, or revoke the authority granted.”). However, if Congress did not do so when it passed the School Reform Act, a law unquestionably restricted in application to the District, the Council is free to legislate and fund local public schools as it sees fit, even in ways that conflict with the Act, as that is within the powers the Home Rule Act grants. As with any other situation where two congressional enactments are alleged to conflict, the question of whether the School Reform Act prevents the Council from exercising its Home Rule Act authority must be one of repeal—both express and implied. 1A Sutherland on Statutory Construction § 23:9.

1. **Express Repeal**

The School Reform Act itself says nothing about amending the Council’s authority to alter the requirements of the Act, and “[d]rawing meaning from silence is particularly inappropriate here, for Congress has shown,” as recently as eleven

months before the passage of the Act, “that it knows how to” amend the Council’s Home Rule Act authority. *Kimbrough v. United States*, 552 U.S. 85, 103 (2007). Indeed, On April 17, 1995, Congress enacted the D.C. Financial Responsibility and Management Assistance Act, Public Law 104-8 (Financial Responsibility Act), which expressly amended Section 602(a) of the Home Rule Act to limit the Council’s authority. *See* D.C. Code § 1-206.02(a)(10). Surely, if this same Congress, less than a year later, had intended the same result for the School Reform Act, it would have employed the same approach. Yet it did not, which is strong evidence that the School Reform Act was never intended to have any amendatory or repealing effects. *Kimbrough, supra. see Brown & Williamson*, 529 at 137-39.

2. Implied Repeal

To find a repeal of the Home Rule Act in the absence of an express statutory directive, the Court must apply repeal by implication rules. That is, the Court must first find an “irreconcilable conflict” between the School Reform Act’s funding requirements and the Home Rule Act’s delegation of legislative authority to the Council. *Morton v. Mancari*, 417 U.S. 535, 551 (1974); *Pritzker*, 775 F.3d at 437. And, indeed, it is not clear why the two laws need to be read to conflict at all (let alone “irreconcilabl[y]”): There is nothing controversial about Congress legislating for the District but leaving the door open for the local lawmakers to later choose a different path. To the contrary, all things considered, it is more reasonable that Congress *chose* to leave it to the Council (as it often does) to not only legislate in the interstices of the School Reform Act but also to decide when the Act’s vision for public education was no longer the best policy for the District. Stated differently, Congress should

have the choice to make law for the District without *ipso facto* taking back “the burden of legislating upon essentially local District matters.” Pub. L. No. 93-198, § 102, 87 Stat. ___, D.C. Code § 1-201.02(a). Because there is no indication Congress intended to take back this particular “burden,” and because the relevant provisions of the School Reform Act and Home Rule Act need not be read to conflict, plaintiff cannot prevail, even if their interpretation of the former’s funding requirements is correct.

II. Neither the School Reform Act Nor Article I, Section 8, Clause 17 Is an Independent Basis for Liability.

As the Court has observed, the School Reform Act does not create a basis for liability separate from plaintiffs’ Home Rule Act claim. *See* Memo. Op. at 31 (“The parties agree that Count III, alleging violation of the School Reform Act, rises and falls with Count[] I.”) Nor does Article I, Section 8, Clause 17—Congress’ constitutional authority over the District. If there is any doubt, Supreme Court precedent controls: As the Court explained in *John R. Thompson Co.*, “it is clear from the legislative history [of this provision] that the word ‘exclusive’ was employed to eliminate any possibility that the legislative power of Congress over the District was to be concurrent with that of the ceding states.” 346 U.S. at 109. That is, Article I, Section 8, Clause 17 does not prohibit a legislature other than that of Maryland or Virginia from exercising concurrent lawmaking authority rightfully delegated by Congress, *see id.*; it simply has no bearing on the relationship between Congress and the District under the delegation of Home Rule at issue.

CONCLUSION

For the foregoing reasons, the District requests that the Court grant its Motion for Summary Judgment and enter judgment in favor of the District.

DATED: September 9, 2016.

Respectfully Submitted,

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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

<p>D.C. ASSOCIATION OF CHARTERED PUBLIC SCHOOLS, <i>et al.</i>,</p> <p>Plaintiffs,</p> <p>v.</p> <p>DISTRICT OF COLUMBIA, <i>et al.</i>,</p> <p>Defendants.</p>	<p>Civil Action No. 14-1293 (TSC)</p>
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**DEFENDANTS' STATEMENT OF MATERIAL FACTS
AS TO WHICH THERE IS NO GENUINE DISPUTE**

Pursuant to Rule 56 and LCvR 7(h), defendants submit this statement of material facts as to which there is no genuine dispute:

1. Congress in the Home Rule Act granted the Council authority to make law concerning local public school funding. D.C. Code §§ 1-204.04.04(a), 1-203.02, 1-206.02(a).
2. Congress in the Home Rule Act granted the Council authority to amend and repeal an act of Congress restricted in its application exclusively in and to the District. D.C. Code §§ 1-204.04.04(a), 1-203.02, 1-206.02(a)(3) (“no authority to ... enact any act or amend or repeal any Act of Congress ... which is not restricted in its application exclusively in or to the District”).
3. The School Reform Act is an act of Congress restricted in its application exclusively in and to the District. *See* Pub. L. No. 104-134, 110 Stat. 1321, 107-56.

4. A law passed by the Council adopting an annual budget for the District government is transmitted to Congress and does not take effect unless Congress approves. D.C. Code § 1-204.46.
5. Most other laws passed by the Council are transmitted to each house of Congress and take effect upon expiration of a 30-legislative-day period if Congress does not disapprove. D.C. Code § 1-206.02(c)(1).
6. Congress in the Home Rule Act granted the Council authority to approve supplemental appropriations and reprogram local funds previously appropriated by Congress. D.C. Code § 1-204.46.
7. A supplemental appropriation or reprogramming of local funds either requires Congress' approval or is subject to the 30-day congressional review period described in para. 5. D.C. Code §§ 1-204.46, 47-369.02.
8. Congress in the School Reform Act did not prohibit the Council from approving supplemental appropriations or reprogramming local funds previously appropriated by Congress. *See* Pub. L. No. 104-134, 110 Stat. 1321, 107-56.
9. In 2012, the Council approved a supplemental appropriation to DCPS which stated: "Notwithstanding [the UPSFF Act] and the [School Reform Act], the allocations [to DCPS] shall not be construed to create an obligation to provide additional funding to any [LEA] except [DCPS]." *See* Fiscal Year 2012 Second Revised Budget Request Temporary Adjustment Act of 2012, D.C. Act 19-396;

accord Pls.’ Statement of Material Undisputed Facts [43-2] at ¶ 80 (citing Pls.’ Ex. 5).

10. The 2012 supplemental appropriation referenced in para. 9, was subject to the 30-day congressional review period described in para. 5; Congress did not disapprove. Notice Re. D.C. Law 19-172, attached as Ex. 12.
11. The School Reform Act has never defined the term “operating expenses.” *See* Pub. L. No. 104-134, 110 Stat. 1321, 107-56.
12. Congress in the School Reform Act provided for the General Services Administration (GSA) and a “new or existing [District] agency or authority” to perform facilities maintenance services at DCPS facilities. Pub. L. No. 104-134, §§ 2551-2552, 110 Stat. 1321, 141-43.
13. Congress in the School Reform charged the Mayor and the Council with identifying short-term and long-term funding for capital and maintenance of DCPS facilities. Pub. L. No. 104-134, § 2552(b)(1)-(2), 110 Stat. 1321, 143.
14. Utilities for DCPS school buildings are paid from the DCPS operating budget. *See* Memo. of Understanding Re. FY 2016 City-Wide Services (District Utilities MOU), attached as Ex. 9.
15. Custodial or “janitorial” services for DCPS school buildings are paid out of the DCPS operating budget; the Department of General Services (DGS) performs and pays for all other facilities maintenance services at DCPS school buildings as required by District law. *See* D.C. Code § 10-551.02;

Declaration of Spencer Davis at ¶¶ 4-7, attached as Ex. 10; DCPS School Budget Guide, Custodial Guidance.¹

16. Congress created the DCPS Teacher Retirement Fund prior to passage of the School Reform Act. Pub. L. No. 96-122, § 123, 93 Stat. 866, 872-75.
17. Congress in the School Reform Act did not modify the Teacher Retirement Fund. *See* Pub. L. No. 104-134, 110 Stat. 1321, 107-56.
18. Congress approved separate, non-UPSFF Act appropriations into the Teacher Retirement Fund in each year following passage of the School Reform Act. Pub. L. No. 105-100, 111 Stat. 2164 (“\$8,000,000 from local funds for the District of Columbia Teachers’ Retirement Fund”); Pub. L. No. 105-277, 112 Stat. 2681, 128 (“\$18,600,000 from local funds for the District of Columbia Teachers’ Retirement Fund”); Pub. L. No. 106-113, 113 Stat. 1507 (“10,700,000 from local funds for the District of Columbia Teachers’ Retirement Fund”); Pub. L. No. 106-522, 114 Stat. 2449 (“\$200,000 from local funds for the District of Columbia Teachers’ Retirement Fund”).
19. Congress in the School Reform Act expressly required public charter school UPSFF Act formula appropriations to be adjusted (increased or reduced) based on audited student enrollment data. Pub. L. 104-134, § 2403(a)(2)(B)(ii).
20. The requirement described in para. 19 did not apply to DCPS. *See* Pub. L. No. 104-134, 110 Stat. 1321, 107-56.

¹ The DCPS School Budget Guide is an online resource; information within the Guide concerning custodial services is at <http://www.dcpsschoolbudgetguide.com/changes/custodial.html> (last visited Sept. 8, 2016).

DATED: September 9, 2016.

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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

D.C. ASSOCIATION OF CHARTERED PUBLIC SCHOOLS, <i>et al.</i> , Plaintiffs, v. DISTRICT OF COLUMBIA, <i>et al.</i> , Defendants.	Civil Action No. 14-1293 (TSC)
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**DEFENDANTS' RESPONSE TO
PLAINTIFFS' STATEMENT OF MATERIAL UNDISPUTED FACTS [43-2]**

Pursuant to Rule 56 and LCvR 7(h), defendants provide the following response¹ to Plaintiffs' Statement of Material Undisputed Facts [43-2]:

1. Admit.
2. Admit in part; deny plaintiffs' characterization. H.R. Rep. No. 104-455 states as follows: "The concluding of this conference agreement culminates a year of debate, discussion, and negotiation from the local school level to the Congress regarding the amount, shape and pace of education reform necessary in the District of Columbia." *Id.* at 141.
3. Admit in part; deny plaintiffs' characterization. Representative Gunderson's remarks on November 2, 1995, included the following statement: "During the first few months of the 104th Congress, Speaker Newt Gingrich appointed Representative Steve Gunderson (R-WI) to lead an educational task force to help establish a world class education system in the Nation's capital. As a

¹ The individually-numbered paragraphs of this response correspond to the individually-numbered paragraphs in Plaintiffs' Statement of Material Facts.

part of the task force activities, Representative Gunderson convened numerous meetings with individuals and interested groups in the District of Columbia, including the office of the Mayor of the District of Columbia, District of Columbia Delegate Eleanor Holmes Norton, the Superintendent of the District of Columbia Public Schools, the President of the District of Columbia Board of Education, Board of Education members, educators, union members, parent education reform groups, National education reform experts, and many others.” 141 Cong. Rec. H11720 (daily ed. Nov. 2, 1995). Representative Gunderson was the sponsor of H.R. 2546, the amendment to the FY 2016 appropriations law that became the School Reform Act.

4. Admit in part; deny plaintiffs’ characterization. Representative Gunderson’s remarks on November 2, 1995, included the following statement: “Additionally, Delegate Eleanor Holmes Norton, together with Speaker Gingrich, convened a town meeting at Eastern High School to hear from District of Columbia citizens about their concerns with the current education system.” 141 Cong. Rec. H11720 (daily ed. Nov. 2, 1995)
5. Admit.
6. Admit in part; deny plaintiffs characterization. S. Rep. No. 104-144 states as follows: “Despite the best efforts of the Board of Education and the dedication of the superintendent, the D.C. Public Education System is broken.” *Id.* at 6.
7. Admit in part; deny plaintiffs’ characterization. H.R. Rep. No. 104-455 quotes a “January 1995 report by the D.C. Committee on Public Education,” as

stating: “in 1989, the Committee on Public Education issued a report that described a school system in need of serious reform ... no progress and setbacks in other areas paint a grim picture.” *Id.* at 141-42.

8. Deny. Defendants refer the Court to H.R. Rep. 104-455 at 142, which does not support the proposition for which it is cited in para. 8.
9. Deny. H.R. Rep. 104-455 quotes a “January 1995 report by the D.C. Committee on Public Education,” as stating: “Schools are still shackled by an oppressive bureaucracy that hopes to exploit divisions within the Board and between the Board and the Superintendent,” and, “Problems persist in providing timely and adequate material support to schools.” *Id.* at 142. The Report does not otherwise support the proposition for which it is cited in para. 9.
10. Admit.
11. Admit in part; deny plaintiffs’ characterization. H.R. Rep. No. 104-455 states as follows: “The catalyst for this latest debate include the January 1995 report by the D.C. Committee on Public Education (COPE) entitled, ‘Our Children Are Still Waiting’ and a renewed interest by Congress in ensuring greater educational opportunity for D.C. Children.” *Id.* at 141. The Report also states: “Title II of this conference agreement, the ‘District of Columbia School Reform Act of 1995,’ goes a long way toward creating local structures to address the concerns expressed by the community, particularly through

local education reform groups such as the Committee on Public Education.”
Id. at 142.

12. Admit in part; deny plaintiffs’ characterization. Representative Gunderson’s remarks on November 2, 1995, included the following statement: “The education amendment to the District of Columbia Appropriations legislation ... represents a balancing of many competing interests, and is designed to transform the current education system into one of the best in the world.” 141 Cong. Rec. H11720 (daily ed. Nov. 2, 1995).
13. Admit.
14. Admit in part; deny plaintiffs’ characterization. As relevant to para. 14, section 2206 of the School Reform Act provided: “Enrollment in a public charter school shall be open to all students who are residents of the District of Columbia [And a] public charter school may not limit enrollment on the basis of a student’s race, color, religion, national origin, language spoken, intellectual or athletic ability, measures of achievement or aptitude, or status as a student with special needs.” Pub. L. 104-134, § 2206(a)-(b). The cited provisions of section 2206 do not refer to a child’s “ability to pay.”
15. Admit in part; deny plaintiffs’ characterization. Section 2401(b) of the School Reform Act stated: “The Mayor and the District of Columbia Council, in consultation with the Board of Education and the Superintendent, shall establish not later than 90 days after enactment of this Act, a formula to determine ... the annual payment to each public charter school for the

operating expenses of each public charter school.” Pub. L. 104-134, § 2401(b)(1)(B). Section 2204 provided: A public charter school shall submit an annual report to the eligible chartering authority that approved its charter [and] ... shall permit a member of the public to review any such report upon request.” *Id.* at § 2204(c)(11).

16. Admit in part; deny plaintiffs’ characterization. H.R. Rep. No. 104-455 states as follows: “The conferees find that public charter schools represent a new type of public education, but one that retains essential elements: public charter schools are funded by the public, are open to the public, and are accountable to the public for results. They are different from traditional public schools, however, in that they are not required to be managed by a government bureaucracy.” *Id.* at 143.
17. Admit in part; deny plaintiffs’ characterization. Representative Gunderson’s remarks on November 2, 1995, included the following statement: “Subtitle E of Title II of the bill directs the District of Columbia to develop a per pupil formula for funding K-12 education starting in FY 1997. This uniform formula will be used to provide operating budgets on the basis of enrollment for the school system as a whole and for individual public charter schools.” 141 Cong. Rec. H11722 (daily ed. Nov. 2, 1995). As relevant to para. 17, Representative Gunderson further stated: “[T]he District of Columbia is directed to establish a uniform formula for funding the education of students enrolled in either public charter schools authorized in subtitle B of this

amendment or the District of Columbia School System, and to have the General Accounting Office do an audit of the student enrollment.” *Id.*

18. Admit.
19. Admit in part; deny plaintiffs’ characterization. Section 2401(b) of the School Reform Act stated: “Except as provided in paragraph (3), the amount of the annual payment under paragraph (1) shall be calculated by multiplying a uniform dollar amount used in the formula established under such paragraph by ... the number of students calculated under 2402 that are enrolled at District of Columbia public schools, in the case of the payment under paragraph (1)(A); or [] the number of students calculated under section 2402 that are enrolled at each public charter school, in the case of a payment under paragraph (1)(B).” Pub. L. 104-134, § 2401(b)(2)(A)-(B).
20. Admit.
21. Deny. The requirements of the School Reform Act relevant to public school funding are set out in Pub. L. 104-134, § 2401; defendants refer the Court to that provision of law and deny this paragraph to the extent of any inconsistencies.
22. Admit in part; deny plaintiffs’ characterization. H.R. 104-455 states as follows: “Subtitle E of the conference agreement directs the District of Columbia to develop a per pupil formula for funding K-12 education starting in FY 1997. This uniform formula will be used to provide operating budgets on the basis of enrollment for the school system as a whole and for individual

public charter schools.” *Id.* at 146. The Report also states: “[T]he District of Columbia is directed to establish a uniform and efficient formula for funding public education. The same formula will be used for students enrolled in individual public charter schools authorized in subtitle B of this agreement and the District of Columbia Public School System. The formula may take into account such variations as students at different grade levels and students with special needs. Such a formula will clarify and focus decisions regarding funding for public education around students’ needs.” *Id.*

23. Deny. Representative Gunderson’s remarks on November 2, 1995, included the following statement: “The amendment also contains safeguards to ensure that a two-tiered system of public schools would not result from the creation of public charter schools. Eligible chartering authorities are required to give special consideration to petitions to establish public charter schools that would focus on students with special needs, such as students with disabilities, disruptive students, or students who have dropped out. In addition, the new funding formula for public education described in subtitle E is expected to result in additional funding for public charter schools serving students with special needs. As a result, I would expect that quality programs would be encouraged that would serve such students, improving equity and raising the quality of their education.” 141 Cong. Rec. H11721 (daily ed. Nov. 2, 1995). This statement was made in reference to subtitle B, not subtitle E, of the amendment that would become the School Reform Act,

and does not stand for the proposition for which it is cited. As to the remainder of this paragraph, defendants incorporate their response to para. 22 (quoting H.R. 104-455, at 146).

24. Admit in part; deny plaintiffs' characterization. The requirements of the School Reform Act relevant to school funding (*i.e.*, what the "funding formula ... mandate[d]") are set forth in Pub. L. No. 104-134, §§ 2401, *et seq.*; defendants refer the Court to those provisions and deny this paragraph to the extent of any inconsistencies. Additionally, defendants admit that Senator Jeffords remarks on February 27, 1996, including the following statement: "The operators of charter schools must be nonsectarian, nonprofit and will receive the same per-pupil funding from the D.C. government as each D.C. public school receives." 142 Cong. Rec. S1322 (daily ed. Feb. 27, 1996). Defendants also admit that Senator Lieberman stated as follows: "What else does the reform act do? ... It provides for a new per-pupil funding formula to be developed by the District that we think will establish the stability and predictability in the education budget as the District cuts its overall budget." *Id.* at S1326.
25. Deny. The term "operating expenses" is not among those defined in the School Reform Act, which in fact contains a definitional section. *See* Pub. L. 104-134, § 2001. Moreover, H.R. Rep. 104-689 (1996) was a committee report on the appropriations law passed the year *after* the School Reform Act; defendants are aware of no legislative history (and plaintiffs cited none)

indicating that Congress debated the meaning of the term “operating expenses” prior to the passage of the Act.

26. Admit in part; deny plaintiffs’ characterization. H.R. Rep. 104-689 (1996) was a committee report on the appropriations law passed the year *after* the School Reform Act. In relevant part, H.R. Rep. No. 104-689, states: “The Committee notes that for Fiscal Year 1998 and subsequent years, the funding formula and annual payments derived from per pupil allocations to both public charter schools and public schools under the control of the Board of Education must include the total costs of the operations of the Board of Education itself, all central administration and central office costs, including those applicable to the Superintendent of Schools, all facilities operating costs, including utilities, all local education agency evaluation, assessment, and monitoring costs, and any other direct or indirect costs normally incurred by, or allocated to, schools under the control of the Board of Education and the overall public school system. ... Costs that may be excluded from the funding formula, per pupil allocations, and consequently annual payments to charter schools are expenditures incurred by the Board of Education for state level (agency) functions, expenditures for Federal grant programs (insofar as each public charter school is deemed a local education agency and is entitled to receipt of federal grant funds if and when eligible on the same basis as public schools under the control of the Board of Education), and expenditures

to comply with court-ordered mandates that are not applicable to public charter schools” *Id.* at 50.

27. Admit in part; deny plaintiffs’ characterization. Refer to defs’ response to para. 26.
28. Admit in part; deny plaintiffs’ characterization. Section 2401(b)(3) provides “exceptions” to the “formula calculation” in section 2401(b)(2) and refer the Court to those provisions for an accurate account of their contents. *See* Pub. L. 104-134, § 2401(b)(2)-(3).
29. Admit.
30. Admit.
31. Admit.
32. Admit in part; deny plaintiffs’ characterization. As relevant to para. 32, the UPSFF provided: “The Formula shall apply to operating budget appropriations for District of Columbia resident students in DCPS and Public Charter Schools of the District of Columbia,” “shall apply only to operating budget appropriations from the District of Columbia General Fund for DCPS and Public Charter Schools,” and “shall not apply to funds from federal or other revenue sources, or to funds appropriated to other agencies and funds of the District government.” D.C. Law 12-494, § 103(a)-(b).
33. Admit. *See* D.C. Law 12-494, § 102(8) (“Per student funding formula’ (Formula’) means the formula used to determine annual operating funding for DCPS and Public Charter Schools on a uniform per student basis”).

34. Admit.
35. Defendants admit that this paragraph contains an accurate summary of what the UPSFF Act, as amended, provides today. As enacted, the UPSFF Act provided for weighted, supplemental allocations to the “foundation level” for students enrolled at different grade levels, D.C. Law 12-494, § 105, as well as “students identified as entitled to and receiving” “special education,” “English as a second language or bilingual education services,” “summer school instruction for students who do not meet literacy standards pursuant to promotion policies of the DCPS or Public Charter Schools,” and “room and board in a residential setting, in addition to their instructional program,” *Id.* § 106.
36. Defendants admit that this paragraph contains an accurate summary of what the UPSFF Act, as amended, provides today; as enacted, the UPSFF contained similar features. *See* D.C. Law 12-494, §§ 105-106.
37. Defendants admit that this paragraph contains an accurate summary of what the UPSFF Act, as amended, provides today; as enacted, the UPSFF contained similar features. *See* D.C. Law 12-494, § 105.
38. Defendants admit that this paragraph contains an accurate summary of what the UPSFF Act, as amended, provides today; as enacted, the UPSFF contained similar features. *See* D.C. Law 12-494, § 106.
39. Defendants admit that this paragraph contains an accurate summary of what the UPSFF Act, as amended, provides today; however, as enacted, the

UPSFF did not contain a weighting for special education ESY services. *See* D.C. Law 12-494, § 106(c).

40. Defendants admit that this paragraph contains an accurate summary of what the UPSFF Act, as amended, provides today; as enacted, the UPSFF Act also provided that the weighted supplemental allocations to the “foundation level” “shall be applied cumulatively in the counts of students who fall into more than one of the [] categories.” *See* D.C. Law 12-494, § 106(d).
41. Admit.
42. Admit.
43. Admit.
44. Admit.
45. Admit.
46. Defendants admit that DGS performs certain facilities maintenance, repair, and management services for DCPS school buildings, and that the costs associated with those services are paid out of the annual DGS budget. Declaration of Spencer Davis at ¶¶ 4-7, attached as Ex.10. The amount of the appropriation is not a material fact for purposes of plaintiffs’ motion.
47. Deny. *See id.* Note also that the portion of Exhibit 21 referenced in this paragraph mischaracterizes that document’s contents as related to “facilities maintenance and related management expenses,” a term the document actually does not use. In relevant part, that document states: “This formula was estimated to be derived from a market basket of goods and services

determined by analysis that uses local, regional, and national education funding research and practices to develop a foundation. The percentage allocation of the market basket dollars has not changed in FY 2016. The UPSFF is intended to cover all local education agency operational costs for District public schools, including school-based instruction, student classroom support, utilities, administration, custodial services, and instructional support, such as curriculum and testing.” *Id.* at D-75.

48. Defendants admit that the approved FY 2012 budget appropriated local funds to DGS for DCPS facilities-related expenses. *See* Ex. 10, Declaration of Spencer Davis at ¶¶ 4-7. The amount of the appropriation is not a material fact for purposes of plaintiffs’ motion.
49. Defendants admit that the approved FY 2012 budget appropriated local funds to DGS for DCPS facilities-related expenses. *See id.* The amount of the appropriation is not a material fact for purposes of plaintiffs’ motion.
50. Defendants admit that the approved FY 2012 budget appropriated local funds to DGS for DCPS facilities-related expenses. *See id.* The amount of the appropriation is not a material fact for purposes of plaintiffs’ motion. For an explanation of the scope of services covered by the appropriation, refer to the Declaration of Spencer Davis, attached to Defendants’ Motion for Summary Judgment as Ex. 10.

51. Defendants admit that the approved FY 2013 budget appropriated local funds to DGS for DCPS facilities-related expenses. The amount of the appropriation is not a material fact for purposes of plaintiffs' motion.
52. Defendants admit that the approved FY 2013 budget appropriated local funds to DGS for DCPS facilities-related expenses. The amount of the appropriation is not a material fact for purposes of plaintiffs' motion.
53. Defendants admit that the approved FY 2013 budget appropriated local funds to DGS for DCPS facilities-related expenses. The amount of the appropriation is not a material fact for purposes of plaintiffs' motion. For an explanation of the scope of services covered by the appropriation, refer to the Declaration of Spencer Davis, attached to Defendants' Motion for Summary Judgment as Ex. 10.
54. Defendants admit that the approved FY 2014 budget appropriated local funds to DGS for DCPS facilities-related expenses. The amount of the appropriation is not a material fact for purposes of plaintiffs' motion.
55. Defendants admit that the approved FY 2014 budget appropriated local funds to DGS for DCPS facilities-related expenses. The amount of the appropriation is not a material fact for purposes of plaintiffs' motion.
56. Defendants admit that the approved FY 2014 budget appropriated local funds to DGS for DCPS facilities-related expenses. The amount of the appropriation is not a material fact for purposes of plaintiffs' motion. For an explanation of the scope of services covered by the appropriation, refer to the

Declaration of Spencer Davis, attached to Defendants' Motion for Summary Judgment as Ex. 10.

57. Defendants admit that the approved FY 2015 budget appropriated local funds to DGS for DCPS facilities-related expenses. The amount of the appropriation is not a material fact for purposes of plaintiffs' motion.
58. Defendants admit that the approved FY 2015 budget appropriated local funds to DGS for DCPS facilities-related expenses. The amount of the appropriation is not a material fact for purposes of plaintiffs' motion.
59. Defendants admit that the approved FY 2015 budget appropriated local funds to DGS for DCPS facilities-related expenses. The amount of the appropriation is not a material fact for purposes of plaintiffs' motion. For an explanation of the scope of services covered by the appropriation, refer to the Declaration of Spencer Davis, attached to Defendants' Motion for Summary Judgment as Ex. 10.
60. Defendants admit that the approved FY 2016 budget appropriated local funds to DGS for DCPS facilities-related expenses. The amount of the appropriation is not a material fact for purposes of plaintiffs' motion.
61. Defendants admit that the approved FY 2016 budget appropriated local funds to DGS for DCPS facilities-related expenses. The amount of the appropriation is not a material fact for purposes of plaintiffs' motion.
62. Defendants admit that the approved FY 2016 budget appropriated local funds to DGS for DCPS facilities-related expenses. The amount of the

appropriation is not a material fact for purposes of plaintiffs' motion. For an explanation of the scope of services covered by the appropriation, refer to the Declaration of Spencer Davis, attached to Defendants' Motion for Summary Judgment as Ex. 10.

63. Defendants admit that the approved FY 2017 budget appropriated local funds to DGS for DCPS facilities-related expenses. The amount of the appropriation is not a material fact for purposes of plaintiffs' motion.
64. Defendants admit that the approved FY 2017 budget appropriated local funds to DGS for DCPS facilities-related expenses. The amount of the appropriation is not a material fact for purposes of plaintiffs' motion.
65. Defendants admit that the approved FY 2017 budget appropriated local funds to DGS for DCPS facilities-related expenses. The amount of the appropriation is not a material fact for purposes of plaintiffs' motion. For an explanation of the scope of services covered by the appropriation, refer to the Declaration of Spencer Davis, attached to Defendants' Motion for Summary Judgment as Ex. 10.
66. Defendants admit that Congress appropriates local funds to the Teacher Retirement Fund and that these funds are separate from the local funds budget for DCPS that is developed through the UPSFF. The amount of the appropriation is not a material fact for purposes of plaintiffs' motion.
67. Defendants admit that Congress appropriates local funds to the Teacher Retirement Fund in FY 2012 and that these funds were separate from the

local funds budget for DCPS that is developed through the UPSFF. The amount of the appropriation is not a material fact for purposes of plaintiffs' motion.

68. Defendants admit that Congress appropriates local funds to the Teacher Retirement Fund in FY 2013 and that these funds were separate from the local funds budget for DCPS that is developed through the UPSFF. The amount of the appropriation is not a material fact for purposes of plaintiffs' motion.

69. Defendants admit that Congress appropriates local funds to the Teacher Retirement Fund in FY 2014 and that these funds were separate from the local funds budget for DCPS that is developed through the UPSFF. The amount of the appropriation is not a material fact for purposes of plaintiffs' motion.

70. Defendants admit that Congress appropriates local funds to the Teacher Retirement Fund in FY 2015 and that these funds were separate from the local funds budget for DCPS that is developed through the UPSFF. The amount of the appropriation is not a material fact for purposes of plaintiffs' motion.

71. Defendants admit that Congress appropriates local funds to the Teacher Retirement Fund in FY 2016 and that these funds were separate from the local funds budget for DCPS that is developed through the UPSFF. The

amount of the appropriation is not a material fact for purposes of plaintiffs' motion.

72. Defendants admit that the proposed budget for FY 2017 requests and appropriation from local funds to the Teacher Retirement Fund separate from the local funds budget requested for DCPS that is developed through the UPSFF. The amount of the appropriation is not a material fact for purposes of plaintiffs' motion.
73. Defendants admit that the District has approved supplemental appropriations that have increased the gross amount of annual funding to DCPS above the UPSFF appropriation.
74. Admit.
75. Deny. The document to which this paragraph refers states, in relevant part: "This formula was estimated to be derived from a market basket of goods and services determined by analysis that uses local, regional, and national education funding research and practices to develop a foundation. ... The UPSFF is intended to cover all local education agency operational costs for District public schools, including school-based instruction, student classroom support, utilities, administration, custodial services, and instructional support, such as curriculum and testing." *Id.* at D-75.
76. Deny. *See* Decl. of Justin Constantino, Ex. 7.
77. Admit.
78. Deny. *See id.*

79. Deny. *See id.*
80. Admit.
81. Deny. *See id.*
82. Deny. *See id.*
83. Deny. *See id.*
84. Admit.
85. Deny. *See id.*
86. Deny. *See id.*
87. Admit.
88. Admit.
89. Admit.
90. Admit.
91. Admit in part; deny as incomplete. The annual UPSFF appropriation each public charter school receives is ultimately based on actual, not projected, student enrollment, as of October 5. *See* Pls.' SOMF ¶ 90. The payment is not, however, based on "actual" enrollment because it does not take into account student mobility between October 5 and the end of the school year. *See* Decl. of Jennifer Comey, attached as Ex. 5.
92. Admit.
93. Admit.
94. Admit.

95. Deny. This paragraph compares DCPS projected enrollment with actual enrollment as of October 5. However, the number of students enrolled in DCPS schools generally increases after the October audit, as was the case for preK-3 students in FY 2016 (SY 2015-16). Ex. 5, Decl. of Jennifer Comey at ¶ 9.
96. Admit.
97. Admit in part; deny plaintiffs' characterization. Plaintiffs' notion of "actual enrollment" does not account for student mobility after October 5; the number of students enrolled in DCPS schools generally increases after the October audit. *See id.* at ¶¶ 4-8.
98. Admit in part; deny plaintiffs' characterization. Plaintiffs' notion of "actual enrollment" does not account for student mobility after October 5; the number of students enrolled in DCPS schools generally increases after the October audit. *See id.* at ¶¶ 4-8.
99. Admit in part; deny plaintiffs' characterization. Plaintiffs' notion of "actual enrollment" does not account for student mobility after October 5; the number of students enrolled in DCPS schools generally increases after the October audit. *See id.* at ¶¶ 4-8.
100. Defendants admit that a "similar comparison," using actual enrollment as of October 5, yields the results stated in this paragraph. Note, however, that this analysis does not account for student mobility after October 5. *See id.* at ¶¶ 4-8.

101. Admit in part; deny plaintiffs' characterization. Plaintiffs' notion of "actual enrollment" does not account for student mobility after October 5; the number of students enrolled in DCPS schools generally increases after the October audit. *See id.* at ¶¶ 4-8.
102. Admit.
103. Deny. The document referenced in this paragraph reports actual special education (SPED) enrollment as of October 5. *See* Pls.'s Ex. 23 at 3-4. However, the number of SPED students enrolled in DCPS schools generally increases after the October audit, as was the case during SY 2015-16. *See* Ex. 5, Decl. of Jennifer Comey at ¶ 8
104. Deny. This paragraph compares DCPS projected SPED enrollment with actual SPED enrollment as of October 5. However, the number of SPED students enrolled in DCPS schools generally increases after the October audit, as was the case during SY 2015-16. *See id.* at ¶ 8.
105. Admit.
106. Deny. This paragraph compares DCPS projected enrollment with actual enrollment as of October 5. However, the number of students enrolled in DCPS schools generally increases after the October audit, as was the case for general education student enrollment in SY 2011-12. *See id.* at ¶ 5
107. Deny. This paragraph compares DCPS projected enrollment with actual enrollment as of October 5. However, the number of students enrolled in

DCPS schools generally increases after the October audit, as was the case for general education student enrollment in SY 2011-12. *See id.*

108. Deny. This paragraph compares DCPS projected enrollment with actual enrollment as of October 5. However, the number of students enrolled in DCPS schools generally increases after the October audit, as was the case for general education student enrollment in SY 2012-13. *See id.*
109. Deny. This paragraph compares DCPS projected enrollment with actual enrollment as of October 5. However, the number of students enrolled in DCPS schools generally increases after the October audit, as was the case for general education student enrollment in SY 2012-13. *See id.*
110. Deny. This paragraph compares DCPS projected enrollment with actual enrollment as of October 5. However, the number of students enrolled in DCPS schools generally increases after the October audit, as was the case for general education student enrollment in SY 2013-14. *See id.*
111. Deny. This paragraph compares DCPS projected enrollment with actual enrollment as of October 5. However, the number of students enrolled in DCPS schools generally increases after the October audit, as was the case for general education student enrollment in SY 2013-14. *See id.*
112. Deny. This paragraph compares DCPS projected enrollment with actual enrollment as of October 5. However, the number of students enrolled in DCPS schools generally increases after the October audit, as was the case for general education student enrollment in SY 2014-15. *See id.* ¶ 7.

113. Deny. This paragraph compares DCPS projected enrollment with actual enrollment as of October 5. However, the number of students enrolled in DCPS schools generally increases after the October audit, as was the case for general education student enrollment in SY 2014-15. *See id.*
114. Admit in part; deny plaintiffs' characterization. These budget documents also explain that the UPSFF is used to develop the "local funds budget" for DCPS and refer the reader to the applicable section of the D.C. Code "[f]or further information"; they nowhere suggest that the budget is not subject to supplementation or reprogramming based on demonstrated need. *See* Pls.' Ex. 7 at D-1; Pls.' Ex. 11 at D-1; Pls.' Ex. 15 at D-1; Pls.' Ex. 21 at D-1; Pls.' Ex. 26 at D-14. Additionally, each proposed budget submitted to Congress during this time unambiguously showed separate, non-UPSFF appropriations for DGS performance of DCPS facilities-related services and the Teacher's Retirement System, as plaintiffs' own exhibits demonstrate.
115. Admit.
116. Admit in part; deny plaintiffs' characterization. As relevant to this paragraph, each of the District's annual proposed budgets for FY 2012 to FY 2016 contained stated: "Public charter schools receive the same level of District funding for their enrolled students as students enrolled in the District of Columbia Public Schools, pursuant to the District's Uniform Per Student Funding Formula (UPSFF) (refer to District of Columbia Code Section 38-29). Public charter schools also receive a facilities allowance to

maintain and operate their buildings. In addition to District government funding, public charter schools are eligible to receive federal and private grants, and may engage in private fund-raising.” Pls.’ Ex. 3 at D-49; Pls.’ Ex. 7 at D-55; Pls.’ Ex. 11 at D-55; Pls.’ Ex. 15 at D-77; Pls.’ Ex. 21 at D-73.

DATED: September 9, 2016.

Respectfully Submitted,

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Attorney General for the District of Columbia

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Deputy Attorney General
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Counsel for Defendants

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

<p>D.C. ASSOCIATION OF CHARTERED PUBLIC SCHOOLS, <i>et al.</i>,</p> <p>Plaintiffs,</p> <p>v.</p> <p>DISTRICT OF COLUMBIA, <i>et al.</i>,</p> <p>Defendants.</p>	<p>Civil Action No. 14-1293 (TSC)</p>
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ORDER

Upon consideration of Plaintiffs' Motion for Summary Judgment, Defendants' Opposition and Cross-Motion, Plaintiffs' Reply and Opposition to Cross-Motion, Defendants' Reply, and the entire record, it is:

ORDERED that Plaintiffs' Motion is **DENIED**, and it is further

ORDERED that Defendants' Motion is **GRANTED**, and it is further

ORDERED that judgment is entered in Defendants' favor on all claims in the Complaint [1].

SO ORDERED.

Dated: _____

TONYA S. CHUTKAN
United States District Court Judge

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 12-207

**"Uniform Per Student Funding Formula for Public Schools and Public
Charter Schools and Tax Conformity Clarification
Amendment Act of 1998"**

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P.L. 93-198 "the Act", the Council of the District of Columbia adopted Bill No. 12-615, on first and second readings, July 7, 1998 and September 22, 1998, respectively. Following the signature of the Mayor on October 16, 1998, pursuant to Section 404(e) of "the Act", and was assigned Act No. 12-494 and published in the November 20, 1998, edition of the D.C. Register (Vol. 45 page 8095) and transmitted to Congress on January 29, 1999 for a 30-day review, in accordance with Section 602(c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 12-207, effective March 26, 1999.



LINDA W CROPP
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

Feb. 2,3,4,8,9,10,11,12,22,23,24,25

Mar. 1,2,3,4,5,8,9,10,11,15,16,17,18,19,22,23,24,25



**Cost of Student Achievement:
Report of the DC Education
Adequacy Study**

Final Report

Prepared by:

The Finance Project

**Cheryl D. Hayes
Shawn Stelow Griffin
Nalini Ravindranath
Irina Katz**

Augenblick, Palaich and Associates

**Justin Silverstein
Amanda Brown
John Myers**

**Delivered to the District of Columbia Deputy Mayor for Education
[In partial fulfillment of the terms of Contract Document #77318]**

December 20, 2013

About The Finance Project

Helping leader finance and sustain initiatives that lead to better futures for children, families, and communities.

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About Augenblick, Palaich and Associates

Augenblick, Palaich and Associates (APA) is a Denver based education policy consulting firm. Over the firm's 30 year history APA has worked in all fifty states and the District of Columbia. It provides consulting on school finance, teacher quality, and early-childhood education along with providing evaluation services for large and small scale programs. APA is also a partner in the Central States Regional Education Lab (REL Central).

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EXECUTIVE SUMMARY

During the past two decades, increased accountability for student, school, and district performance has increased pressure on public education systems to ensure *all* students enter school ready to learn and leave school with the tools and skills they need to succeed in life. In this environment of increased rigor and accountability, the adequacy of public education funding is being debated across the nation. More recently, states that have adopted the Common Core State Standards are grappling with the relationship between higher performance expectations and the adequacy of public education funding.

The District of Columbia (DC), which adopted the common standards in 2010, is no stranger to this debate. As in many states, DC officials have developed academic standards and timetables to achieve performance expectations. They also have created accountability systems with consequences for schools that fail to meet the targets. Unfortunately, however, these expectations and ramifications have been created without a sound, data-driven understanding of what it actually costs for schools to meet desired outcomes based on current standards and, when they are fully implemented, the new Common Core State Standards.

The District is at the forefront of another emerging trend—namely, the growth of the public charter school sector. In 2013, charter schools are educating nearly half of the public school population. For several years now, differences in the level of resources allocated to District of Columbia Public Schools (DCPS) and public charter schools have been particularly concerning. DC law requires the use of a uniform enrollment-based funding formula for operating expenses that is applicable to both sectors, the Uniform Per Student Funding Formula (UPSFF).¹ Additionally, it requires that any costs funded within the formula should not also be funded outside the formula. Moreover, services provided by DC government agencies outside the UPSFF must be equally available to DCPS and public charter schools.² Charter school advocates and leaders have expressed concern that DC officials have not always followed these mandates.

This education adequacy study addresses the fundamental question of what it actually costs to provide an educational experience that will enable all DC three-year-olds in prekindergarten (pre-K3 and pre-K4), students in kindergarten, students in grades 1 through 12, and adult learners to meet not only current academic performance standards, but also the new common standards. It also addresses the issue of equity between DCPS and public charter schools and gives policymakers recommendations for meeting the District's obligation to provide equitable funding across sectors. Finally, the study aims to ensure that transparency exists on what costs are included in the UPSFF and what costs are covered outside the formula in the District of Columbia.

The Deputy Mayor for Education (DME) selected The Finance Project (TFP), a Washington, DC-based social policy research and technical assistance firm, in partnership with Augenblick, Palaich and Associates, Inc. (APA), a Denver-based education consulting firm, through a request for proposal process to undertake the education adequacy study. The study was recommended by

¹ DC Official Code §1804.01.

² DC Official Code § 38-2913.

the DC Public Education Finance Reform Commission in its February 2012 report to the Mayor and the DC Council. The TFP/APA study team produced the findings in this report based on a rigorous 15-month study.

Background and Context

The UPSFF was established pursuant to legislation enacted in 1996 that mandated uniform funding for all public education students, regardless of the school they attend. The funding formula calculates funding based on students and their characteristics, not on school or local educational agency (LEA) differences or sector differences. This uniformity requirement applies only to local funding, not to federal or private funding. It only affects the operating budgets of DCPS and public charter schools, not capital budgets and investments.

The UPSFF is intended to fund all the school-level and system-level operations for which DCPS and public charter schools are responsible, including instructional programs, student support services, noninstructional services (e.g., facilities maintenance and operations), and administrative functions. It is not, however, the only local source through which DCPS or public charter schools are funded. Both sectors also receive services—and the related monetary benefit—from other DC government agencies, though DCPS receives a significantly larger share, in total and on a per-student basis. Additionally, both DCPS and charter schools receive federal categorical program funding, private funding, and in-kind benefits from foundations, private donors, and community partner organizations that supplement funding through the UPSFF.

Beginning in 1996, DC education and other government officials, along with local education experts and advocates and representatives of the OCFO, the Mayor’s office, the DC Council, conducted several common practice studies to calculate the costs of a market basket of educational goods and services to be covered by the UPSFF foundation amount. The market basket had nine general categories of expenses:³

- Classroom staff: teachers and aides;
- School administration: principal, assistant principal, administrative aide, business manager, and clerks;
- Direct services to students: texts, instructional technology, sports/athletics, and student services;
- Facility operations support: utilities, maintenance, custodial, and security;
- Central management: central administration, instructional support, business, and noninstructional services;
- Schoolwide staff: substitute teachers, coaches, librarian, program coordinator, counselors, social workers, and psychologists;
- Nonpersonal services/programs: field trips and supplies and materials;
- Instructional support: professional development and school improvement efforts; and
- Other school-based costs: technology, food service, and miscellaneous.

These common practice studies provided a rough baseline for per-student education funding, but they had several significant weaknesses. For example, they illustrated but did not define

³ Deborah Gist, Office of the State Superintendent of Education, “The Uniform Per Student Funding Formula,” PowerPoint presentation to the Executive Office of the Mayor, January 30, 2008.

functions that should be covered by uniformity and adequacy. Most importantly, they did not take into consideration educational requirements to adequately prepare students with different characteristics and learning needs to meet District academic standards. The DC Education Adequacy Study marks the first time the DC government has commissioned a methodologically rigorous analysis of the costs of providing an educational program that supports *all* students in meeting academic performance standards.

Methodology

The TFP/APA study team employed a blend of two nationally recognized and accepted methodologies and incorporated elements of a third methodology:

- A professional judgment panel (PJ), which relies on the expertise and experience of professional educators to specify the resources, staff, and programs that schools at each level need to enable students to meet academic performance expectations as well as the system-level resources to support effective educational operations in single and multicampus systems. Ten PJ panels were convened to address school-specific resource needs for general education students and for students with identified learning needs. Three additional system-level panels were convened to identify sector-specific resources. This approach also incorporated elements of the evidence-based approach (EB), which draws on education research to help determine how resources should be deployed in schools so students can best meet performance expectations. Resource specifications documented in educational research were used as a starting point for the PJ panel deliberations and to benchmark results.⁴ However, the study team did not undertake a full independent review of the evidence base.
- A successful schools study (SS), which provides information about the cost of serving students without identified learning needs in a general education setting with no special circumstances; the SS study does not provide information on students with identified learning needs. This approach was used to examine the spending of high-performing schools—both DCPS and public charter schools—as measured against DC academic performance standards, growth in student performance, and the whole school environment.

Additionally, the study team conducted several focus groups and individual interviews with key stakeholders, who contributed specific information to help fill gaps, clarify issues, and verify findings from other sources. Additional revenue and cost analyses were conducted using data provided by DCPS, the Public Charter School Board (PCSB), and various city agencies, including the :

- Department of General Services (DGS),
- Department of Health (DOH),
- Department of Behavioral Health (DBH),
- Department of Transportation (DDOT),
- Metropolitan Police Department (MPD),

⁴ Michael E. Goetz, Allen R. Odden, and Lawrence O. Picus, “Using Available Evidence to Estimate the Cost of Educational Adequacy,” *Education Finance and Policy*, vol. 3, no. 3 (2008): 374–97.

- Office of the Chief Financial Officer (OCFO),
- Office of the Attorney General (OAG),
- Office of Contracting and Procurement (OCP),
- Office of the Chief Technology Officer (OCTO), and
- Office of the State Superintendent of Education (OSSE).

The study also ensured broad outreach and participation among DC education audiences and constituencies at all stages of the work, including public officials in relevant positions across DC government (e.g., including the Executive Office of the Mayor, the DC Council), OCFO, OSSE, DCPS, PCSB, public charter school leaders and administrators, professional educators at all levels, and public and charter school advocates. Finally, the study team relied on an Advisory Group of national and local experts in education policy, education programs, and education finance to provide input on the design and execution of the study and on the interpretation of the findings.

School-Level Resource Specifications

The school-level professional judgment panels—informed by the evidence base—developed specifications on the quantity and types of resources required to provide an adequate education to all DC students at each school level⁵:

- Elementary Schools—prekindergarten for three- and four-year-olds, kindergarten, and grades 1 through 5
- Middle Schools—grades 6 through 8
- High Schools—grades 9 through 12
- Adult Education Programs
- Alternative Schools

For each school level, the panelists worked together to achieve consensus on resource requirements, including instructional staff, student support staff, and administrative staff, as well as other educational resources and technology hardware, for representative schools at each level. Throughout the panels’ deliberations, DCPS and public charter school educators and administrators consistently agreed on the general quantity, quality, and types of resources required for all students to succeed in representative schools, even though no one panelist might allocate resources specifically as they are listed. These resource specifications are not intended to serve as a prescription for how individual schools should be staffed and how school leaders should expend their budget. Instead, the resources identified by the PJ panels are specifications for the purpose of costing out education adequacy. In the best-case scenario, LEAs would receive adequate funding and school leaders would have discretion to allocate resources for staff and other direct costs according to their school’s specific needs and priorities.

The school-level PJ panels, using the education research evidence base as a point of departure, developed detailed resource specifications for instructional programs, student support services, administration, technology hardware, and other educational resources at each school level (i.e., elementary, middle, high, adult, and alternative). PJ panels for students with identified needs were appointed to specify additional school-level and other resources needed to educate students

⁵ The professional judgment panels did not develop specifications for special education schools. The weight for special education schools was held constant.

with identified learning needs, including English language learners (ELLs), students at risk of academic failure, and special education students, Levels 1-4.⁶ The judgments of these panels were supplemented with information from interviews and additional data analysis.

These school-level PJ panel resource specifications were subsequently reviewed by the system-level panels (the DCPS- and public charter school-specific panels that were composed of central office staff and other individuals who provide administrative support to DCPS and public charter schools). The results of all 10 PJ panels were subsequently reviewed by the Advisory Group. In some cases, the school-level specifications were adjusted based on the recommendations of other panels. The resource specifications were finalized based on the Advisory Group review and were adopted as the study recommendations for costing out purposes. They include extended-day and extended-year programs for at-risk students, summer bridge programs for transitioning 9th graders, and comprehensive technology to support differentiated classroom instruction (see Table 1).

**Table ES1: Instructional and Student Support Specifications
Included in the Proposed UPSFF Base Funding Level and Weights***

<ul style="list-style-type: none"> ● Small class sizes: 15:1 in K–grade 3 and 25:1 in all other grades (consistent with evidence-based work).
<ul style="list-style-type: none"> ● Block schedule in middle schools and high schools.
<ul style="list-style-type: none"> ● Teacher planning time (through use of nonclassroom teacher staffing at elementary schools and block schedule in secondary schools).
<ul style="list-style-type: none"> ● Librarians and media specialists.
<ul style="list-style-type: none"> ● Support for embedded educator effectiveness, including 3 to 5 additional days (13 to 15 days total) of professional development and instructional coaching for teachers.
<ul style="list-style-type: none"> ● A high level of noninstructional pupil support (counselors, social workers, and psychologists) for all students (280:1 in elementary school to 140:1 in high school).
<ul style="list-style-type: none"> ● School-level administration, including principals and at least a 0.5 assistant principal at each school (1.0 at high school), plus deans, department chairs, and data managers at the high school level.
<ul style="list-style-type: none"> ● Office support, including office managers, business managers, registrars, and additional clerical staff.
<ul style="list-style-type: none"> ● Full-time substitutes at the elementary school and middle school levels.
<ul style="list-style-type: none"> ● Additional staff to support special needs students---at-risk students, English language learners, and special education students. <ul style="list-style-type: none"> ○ At-risk students: additional teachers to lower class sizes for at-risk students in secondary schools; additional pupil support positions (roughly 100:1); interventionists (100:1); and district-level services. ○ English language learners: ELL teachers (15:1 for Levels 1 and 2, 22:1 for Level 3); pupil support positions (100:1); bilingual aides (50:1); bilingual service provider (ELL coordinator) positions; and district-level services.

⁶ Special education students are categorized into four levels of need, according to the number of hours per week they require specialized services.

**Table ES1: Instructional and Student Support Specifications
Included in the Proposed UPSFF Base Funding Level and Weights, continued***

<ul style="list-style-type: none"> ○ Special education students: Special education teachers (ranging from 22:1 to 8:1 by level of need); instructional aides for higher need levels; additional pupil support (psychologists and social workers) and therapist support (speech, occupational, and physical therapy); school-level special education coordinators; and district-level services.
<ul style="list-style-type: none"> ● Before- and after-school programs for at-risk students and ELL students (100% of at risk and Level 1 and Level 2 ELL students).
<ul style="list-style-type: none"> ● Summer school for at-risk and ELL students (100% of at-risk students and all Level 1 and Level 2 ELL students); and summer bridge programs for students entering 9th grade.
<ul style="list-style-type: none"> ● Prekindergarten for three- and four-year-olds (program the same for both age groups).
<ul style="list-style-type: none"> ● A technology-rich environment, including all classrooms with computer(s), document cameras, and SMART Boards/projectors; fixed and mobile labs; faculty laptops; and 1:1 mobile devices (tablets/netbooks) for high school students that can be used, for example, for blended learning and Partnership for Assessment of Readiness for College and Careers (PARCC) assessments.
<ul style="list-style-type: none"> ● District- level administration and services at current levels.

Note: * These specifications are not intended to be prescriptive for how individual schools should be staffed or how school leaders should expend their budget.

Sources: The recommendations are derived from both the professional judgment panel specifications resulting from panelists' deliberations and the evidence base found in Michael E. Goetz, Allen R. Odden, and Lawrence O. Picus, "Using Available Evidence to Estimate the Cost of Educational Adequacy," *Education Finance and Policy*, vol. 3, no. 3 (2008): 374–97.

School Sizes and Profiles for Costing Out

The PJ panels developed resource specifications for representative schools of two sizes at each level: elementary, middle, and high school. They also developed specifications for adult education and alternative schools/programs. These sizes were determined based on an initial review of DCPS and public charter schools at each level, which showed the size range and distribution. For example, the PJ panels provided resource specifications for an elementary school with 210 students (i.e., a small elementary school) and another for 420 students (i.e., a large elementary school).

Based on the profile of DC students citywide, these representative schools were assumed to have students with the following characteristics:

- 70 percent of students eligible for free and reduced-price school meals;
- 9 percent of students who are English language learners; and
- 17 percent of students who are identified as requiring special education and having individualized education plans (IEPs) designed to address their learning needs.

Class Sizes

Using a combination of information from the evidence base, legal mandates, and professional judgments, class sizes were identified for each grade level for costing out purposes. For elementary students, the PJ panel called for class sizes in pre-K3 and pre-K4 of 15:1, with a teacher and an aide. For kindergarten through grade 3, the panels specified a student class size of 15:1. For grades 4 and 5, the panelists called for a class size of 25:1. The middle school and high school panels also specified a class size of 25:1, with a block schedule that enables teachers to

have ample time for planning and coordinating with other teachers and specialists. For adult learning centers and alternative schools and education programs for students who have not been successful in regular high schools, panelists specified small class sizes of 15:1. In calculating the school-level base cost, the study team used the DCPS average salary scale.

Students At Risk of Academic Failure

Each school-level and identified learning needs panel specified additional instructional and student support resources for students at risk of academic failure because of different risk factors, including economic disadvantage and disconnection from families and other key institutional supports. Typically, in studies of this kind, these at-risk students are identified by low-income status based on their eligibility for free and reduced-price school meals. In the District, however, using such eligibility as a proxy for at risk is problematic. Many DC schools have a very high proportion of students who qualify for free and reduced-price school meals. Moreover, in recent years, the city has moved toward the Community Eligibility Option (CEO) under the National School Lunch Program (NSLP) and School Breakfast Program (SBP) and away from identifying individual students' eligibility for free and reduced-priced school meals. Adopting a presumptive community eligibility policy declares that entire schools can qualify to receive free meals if 40 percent or more of their student population receives Temporary Assistance for Needy Families (TANF) or Supplemental Nutrition Assistance (SNAP or food stamps), are homeless, or are in foster care.

As a result, the study team determined that a more targeted definition of at risk of academic failure is needed for purposes of allocating additional education funding beyond the base-level amount. Accordingly, the study team recommended a working definition based on three relevant criteria:

- Students who are in foster care;
- Students who are homeless; and
- Students who live in low-income families eligible for TANF.

Many stakeholders have expressed concern that these criteria are too narrow and will exclude some students who are genuinely at risk. Others remarked that using eligibility for free and reduced-price school meals as a proxy for at risk would overfund schools that have a high percentage of low- and moderate-income students who would qualify for subsidized meals but are not truly at risk of academic failure. The study team recognizes the deficiencies in the proposed working definition. Therefore, as it is ultimately a policy decision for the Mayor and the DC Council to define at-risk status, the study team urges DC education leaders to engage stakeholders further to help refine the definition of at risk so it is targeted to the District's needs; and align the criteria for determining eligibility with the early warning system for identifying students at risk of academic failure that OSSE is developing.

Across elementary, middle, and high schools, the PJ panels specified significant additional instructional, student support, administrative, and other personnel to be dedicated to serving and supporting students at risk of academic failure.

Students with Other Identified Learning Needs

Developing resource specifications for Levels 1–4 special education students proved difficult. In part, this reflects different professional perspectives on the levels and balance of additional instructional programming, student support, and therapeutic services these students need to be successful learners. However, based on the PJ deliberations; significant additional information and review by staff at OSSE, DCPS, and PCSB; and review by outside experts in special education programs, the study team concluded that increases above the base level of funding for general education students are needed to pay for additional instructional staff—special education teachers, instructional aides, and a part-time adaptive physical education teacher—as well as student support staff—social workers and specialized therapists (e.g., behavioral, occupational, and speech therapists) for Levels 1–4 special education students. Panelists also called for additional administrative support from a special education coordinator.

The PJ panel went through the same process for English language learners and adult education and alternative students, identifying specific resources needed to effectively support successful learning. This included adding additional instructional and student support resources as well as administrative resources.

The elementary and middle/high school identified learning needs PJ panels highlighted the importance of offering appropriate educational opportunities to gifted and talented students at each grade level as well as to those with other learning needs. Although the panelists did not offer detailed resource specifications for this category of students, they urged greater attention and investment in developing appropriate programs and learning opportunities for exceptionally able students and ensuring that adequate resources are available to fully implement them.

Technology and Hardware

All of the school-level PJ panels highlighted the importance of significant investments in computer technology hardware, software, and wireless capacity. Students need to develop computer literacy to be successful in a digital age. Technology plays an increasingly greater role in the classroom, in the workplace, and in all domains of daily life. The PJ panels for all school levels and for students with identified learning needs recognized that the use of technology can be an effective tool for instructional differentiation and engagement for students with different learning needs. Also, the elementary, middle, and high school PJ panels noted that, to administer the new Partnership for Assessment of Readiness for College and Careers (PARCC) exams, schools will need the capacity to have all students complete the assessments online. The adult education and alternative schools PJ panel called for the development of hybrid learning programs that enable students to complete coursework and testing virtually as well as in the classroom.

System-Level Resource Specifications

The system-level PJ panels were charged with identifying LEA support, services, and resources that are needed above those specified at the school level to ensure schools can address the learning needs of general education students and students with identified learning needs. All LEAs, regardless of size, have the same responsibilities to provide management, administrative, and oversight functions, such as governance, budgeting and financial management, human resources management, professional development, curriculum and program support, procurement

of textbooks and supplies, communications and outreach, risk management, and legal assistance. In addition, large LEAs also need funding for responsibilities related to coordination and communication across schools in a multicampus system.

Because DCPS and public charter schools are structured and managed so differently, the system-level PJ panels reviewed the work of the school-level panels and developed separate specifications for costing out resources needed for each sector rather than developing a single unified system-level cost estimate. The LEA-level resource specifications developed by the two system-level PJ panels were reviewed by the Advisory Group. Where the Advisory Group raised questions, the study team tried to gather relevant comparative data to refine the resource specifications that were the basis for the cost estimates. To develop uniform system-level costs across the sectors for the overall UPSFF base funding level, the study team calculated the average of projected system costs for DCPS and charter schools.

Facilities Maintenance and Operations Costs

The study team's analysis of system-level costs shows that facilities maintenance and operations (M&O) costs are a significant cost driver. Additionally, these costs vary significantly between DCPS and public charter schools, with DCPS M&O costs being much higher than those of public charter schools.

Some of this difference may be due to the fact that LEAs in the District do not use a uniform accounting protocol for categorizing M&O costs, which makes it difficult to isolate relevant expenditures and compare levels of spending across LEAs. For example, custodial services are underestimated in public charter school calculations because often they cannot be isolated from lease costs or other vendor contracts. Similarly, M&O costs are likely overestimated for DCPS because they include expenses for vacant and underutilized space in schools (see Table 2).

To some extent, M&O cost differences between the two sectors may also reflect the fact that DCPS uses union labor for all engineers, technicians, custodians, and other maintenance personnel and is subject to collective bargaining on compensation and work rules. In contrast, public charter schools have the flexibility to negotiate contracts with outside vendors based on lower wage rates.

To develop a uniform basis for calculating space costs for DCPS and public charter schools, the study team developed a per-square-foot M&O cost rate based on the current rate for DCPS schools. To derive an equitable per-student M&O cost at each school level, the study team applied the per-square-foot rate to the number of square feet of space recommended for students at each grade level in the DCPS design guidelines. It then used student enrollment data to determine the amount of funding that should be allocated to DCPS and public charter schools.

The study team used DCPS design guidelines⁷ to identify the number of square feet of school facility space per student that is needed to support an adequate education. These recommended space requirements, which differ depending on the school level, are based on space specifications that were developed for DCPS in conjunction with the DGS and are used to guide the construction of DCPS buildings. Following are total per-student space requirements:

⁷ "District of Columbia Public Schools Design Guidelines: 2009," as amended in 2012, www.dcps.dc.gov.

- Elementary schools: 150 square feet per student
- Middle schools: 170 square feet per student
- High schools: 192 square feet per student
- Adult education and alternative schools/programs: 170 square feet per student
- Special education schools: 192 square feet per student.⁸

The study team collected available M&O cost data for DCPS and public charter schools. Charter school M&O costs also include property taxes and property insurance that are not charged to DCPS. However, not all categories of maintenance and operations are reported uniformly for charters. Because it was not possible to calculate an accurate actual M&O cost for public charter schools, the study team used *the DCPS average cost per weighted square foot for an average elementary, middle, and high school to determine the relevant facilities M&O costs that should be factored into the UPSFF*. The cost was weighted by the total square feet for each school-level building.

The study team developed an average M&O cost for three grade levels: elementary, middle, and high school. (It applied either the middle school or the high school rate to other types of programs that were not specifically called out in the DCPS design guidelines, such as alternative and adult education programs/schools and stand-alone special education schools.) Following are the average M&O costs:

- \$1,071 for each elementary school student;
- \$1,209 for each middle school student;
- \$1,342 for each high school student;
- \$1,209 for each adult education and alternative student; and
- \$1,342 for students who attend stand-alone special education schools.

⁸ The design guidelines do not include a recommended amount of square feet per adult education or alternative student. After consulting with education experts, the study team determined the middle school specification was sufficient, because these programs do not require the larger space requirements of a full high school education. Stakeholders recommended that the high school specification be applied to special education schools.

Table ES2: Total Facilities Maintenance and Operations Costs for District of Columbia Public Schools and Public Charter Schools (Fiscal 2013 and Fiscal 2014 Budgeted Amounts)

Maintenance and Operations	DCPS		Charter School Leased and Owned Buildings	
Cost Category	Total Cost	Cost Per Student ¹	Total Cost	Cost Per Student ²
Custodial ³	\$22,705,916	\$493	N/A	N/A
Facility maintenance and Operations ³	\$45,503,000	\$988	\$12,620,844	\$263
Utilities	\$28,385,637 ⁴	\$616	\$7,542,441	\$440
Real Estate Taxes (if applicable)			\$553,784	\$19
Property Insurance			\$1,053,241	\$37
Total Maintenance and Operations	\$96,594,553	\$2,097*	\$21,770,310+	\$759

Notes:

1 Figure is based on projected DCPS enrollments for school year 2013–2014 of 46,059.

2 Figure is based on public charter school enrollment for school year 2012–2013 of 28,667 for schools with data.

3 Charter total M&O costs are underestimated, because custodial costs cannot accurately be determined.

4 Figure reflects costs for custodial and utilities in DCPS fiscal 2014 budget; utilities cost represents total for gas, water, and electricity for DCPS portfolio, excluding main office.

Sources: Department of general services fiscal 2014 budget for Facilities—Public Education; and public charter facilities data from the local educational agency's annual report to the Public Charter School Board for 2012–2013.

Capital Investments

Although the study team examined information on facility and capital investments by DCPS and public charter schools, available financial data were insufficient to fully assess public charter school costs and develop a meaningful assessment of their adequacy. It was also impossible to develop a sound comparison to DCPS spending.

DGS provides funding for new DCPS construction, renovation, and upgrading of school buildings and grounds based on a capital improvement plan that prioritizes school improvement projects. During the 22-year period for which actual and projected expenditure information is available, the study team estimates DCPS capital investments of approximately \$4,961 per student per year.

Public charter schools receive an annual charter facilities allowance of \$3,000 per student to cover the acquisition, lease, and improvement of school facilities. Available data suggest that facility-associated investments and indirect costs in leased and owned buildings and grounds are approximately this amount on an annual per-student basis. However, facility investment and lease costs for public charter schools are much more difficult to discern, because no standard approach to investment or accepted method of accounting for costs exists. The lack of a single accepted chart of accounts for presenting expenditures, including those for facility and capital investment and leases, as well as facilities M&O, made it impossible for the study team to develop a reliable facility and capital cost estimate for public charter schools.

Due to these constraints, the study team determined it is not possible to effectively assess the adequacy of current levels of capital investment for DCPS and facilities capital investment and leases for public charter schools. Therefore, the District should maintain the current public charter school facilities allowance pending further financial analysis based on uniform data reporting by charter LEAs on their facility and capital expenditures.

Funding Outside the UPSFF

The system-level analysis examined how costs related to instructional operations and facilities M&O for both sectors are currently covered within and outside the UPSFF. Several school-level and system-level costs are covered—in whole or in part—by other DC government agencies for both sectors, including student health and mental health personnel, crossing guards, and school resource officers. Despite DC legal requirements that costs funded through the UPSFF should not also be funded outside the formula, DCPS receives additional outside funding for various administrative services. Moreover, DGS funds approximately 40 percent of DCPS facilities M&O costs (see Table 3). Table 3 shows that DCPS is projected to receive more support overall from these sources in school year 2013–2014, and it receives more than twice as much on a per-student basis as public charter schools. These differences affect system-level resource specifications and costs for DCPS and public charter schools.

Table ES3: Comparison of Benefits Provided by DC Agencies to District of Columbia Public Schools and Public Charter Schools (Projected Total Value and Per-Student Share in Fiscal 2013 and Fiscal 2014)*

DC Government Agency	Cost of Benefits Provided to DCPS	Cost of Benefits Provided to Public Charter Schools	Total
Department of Health	\$12,750,000 (\$277)	\$4,250,000 (\$114)	\$17,000,000
Department of Health and Behavioral Health	\$3,420,594 (\$74)	\$1,026,177 (\$27)	\$4,446,771
Office of the Attorney General	\$2,442,000 (\$53)		\$2,442,000
Office of Contracts and Procurement	\$2,280 (\$0.05)		\$2,280
Office of the Chief Technology Officer	\$1,914,110 (\$42)		\$1,914,110
Department of General Services	\$45,503,000 (\$988)		\$45,503,000
Public Charter School Board Appropriation		\$1,161,000 (\$31)	\$1,161,000
Total	\$66,031,984	\$5,276,177	\$71,308,161
Per-Student Share of Cost**	\$1,434	\$141	\$854

Notes:

*Additional resources to remain outside the UPSFF include school resource officers (SROs) allocated cross-sector, totaling \$8,186,239 in fiscal 2013; this includes 26 SROs allocated to DCPS, totaling \$2,149,921; 15 SROs allocated to public charter schools, totaling \$1,240,339; and 58 roving officers and officials assigned cross-sector, totaling \$4,795,979. It also includes department of transportation crossing guards allocated cross-sector, totaling \$3,050,000 in fiscal 2013.

**Figures are calculated based on 2013–2014 projected enrollment numbers.

Sources: Data from office of contracting and procurement based on annual costs; data from department of health and department of behavioral health based on fiscal 2013 costs; and data from Public Charter School Board, Office of the Attorney General, Office of the Chief Technology Officer, and Department of General Services based on fiscal 2014 budget.

Recommendations

At each stage of its work, from study design through data collection, analysis, and formulation of findings and recommendations, the TFP/APA study team was guided by the principles outlined in the introduction to this report. Of particular concern in formulating the recommendations was ensuring that suggested changes in the Uniform Per Student Funding Formula are clearly focused on achieving adequacy, equity, and transparency in education funding in the District of Columbia.

The Mayor and DC Council have increased funding for general education and for special education during the past several years. However, as shown in the successful schools study and the cost estimation based on the professional judgment panels, current funding through the UPSFF has not kept up with the cost of educating students in DCPS and public charter schools. This is due to several factors that impact education costs:

- *Characteristics of the student population.* The District has a high proportion of students from low-income, severely disadvantaged, and non-English-speaking families. These students require additional instructional resources and student support services to be successful learners.
- *High labor costs.* The high cost of living in the city and metropolitan area and the predominance of a unionized workforce in DCPS means the District has a relatively high wage scale for educators.
- *Education reform.* The District of Columbia, along with many states across the nation, is taking steps to implement the Common Core State Standards for kindergarten through grade 12. This will require significant investments in new and upgraded curricula, instructional programs, assessment, and professional development. It will also require increased coordination across grade levels and schools.
- *Commitment to equity between sectors.* By law, the District must provide operating funds through the UPSFF to both DCPS and public charter schools. Meeting this obligation requires additional resources because of past differences in funding between the sectors.

Despite the current level of education funding, the UPSFF will need to be increased to ensure all schools have the resources they need to enable students to successfully meet DC academic performance standards. The UPSFF should also include additional funding to address the learning needs of students at risk of academic failure.

DC education funding also is inequitable, as shown in the study team's analyses of current spending on DCPS and public charter schools. The School Reform Act requires uniform funding of operating expenses for both DCPS and public charter schools.⁹ Both DCPS and public charter schools depend on additional resources provided by other DC government agencies to cover the costs of some school-based programs and services (e.g., school nurses, social workers, school crossing guards, and school resource officers). To the extent additional services are available to DCPS, they must be equally available to public charter schools. However, DCPS receives

⁹ As noted in this report, there is no such requirement for capital expense.

significantly more than public charter schools, in total and on a per-student basis. Additionally, DGS funds approximately 40 percent of facilities maintenance and operations costs for DCPS schools and some of its administrative offices. Other city agencies subsidize or perform various central office functions for DCPS.

These disparities in funding are contrary to DC law, which mandates that DCPS and public charter schools be funded through the UPSFF for operating expenses, that services be provided by DC government agencies on an equal basis, and that costs covered by the UPSFF should not also be funded by other DC agencies and offices.¹⁰ The differences also have become a source of significant tension between the two sectors. Against this backdrop, the study team was keenly focused on ensuring that its recommendations for restructuring and resetting the UPSFF address these issues and create greater equity between DCPS and public charter schools. The study team also sought to ensure all schools are funded at a level that will enable *all* students to meet academic performance standards.

Recommendations based on the findings of the DC Education Adequacy Study are organized under six broad headings:

- Restructuring education funding through the UPSFF to explicitly address facilities maintenance and operations costs;
- Resetting the UPSFF base level and weights;
- Maintaining the capital facilities allowance for public charter schools pending further analysis;
- Ensuring local funding flows through the UPSFF with specific and limited exceptions;
- Creating greater transparency and accountability in education budgeting, resource allocation, and reporting; and
- Updating the UPSFF regularly.

Restructuring the UPSFF to Explicitly Address Facilities Maintenance and Operations Costs

Currently, the UPSFF includes funding to cover the per-student costs for both instructional operating allocations and facilities M&O allocations, though they are not disaggregated. However, to understand the relative impact of these costs, the study team analyzed the two components independently.

To develop a uniform basis for calculating space costs for DCPS and public charter school LEAs as required by law, the study team developed a per-square-foot M&O cost rate based on the current costs for DCPS schools at each grade level—elementary school, middle school, high school, and adult/alternative school. No established space standard exists for adult learning centers, alternative schools, and special education schools where students are ungraded, so the study team applied the middle school M&O cost rate for adult and alternative schools and the high school cost rate for stand-alone special education schools.

To derive a uniform per-student M&O cost at each school level, the study team applied the grade-level-specific per-square-foot cost rate to the number of square feet of space recommended

¹⁰ DC Official Code §§38-1804.01, 2902, and 2913.

for students at each school level in the DCPS design guidelines.¹¹ It is this grade-level-specific per-square-foot cost rate that is applied in the UPSFF and used to determine the amount of funding that should be allocated to DCPS and public charter school LEAs for each student. This approach provides the foundation for several related recommendations to restructure the UPSFF to explicitly address facilities M&O costs:

- The study team recommends that the two components of the UPSFF per-student payment (i.e., the instructional operating allocation and the facility M&O allocation) should be calculated and presented separately within the formula. The instructional operating allocation is structured as a base funding level. Weights added to the base address cost differences for students at different grade levels and students with identified learning needs (similar to the current configuration). The M&O allocation is structured as an actual grade-level-specific dollar amount to be added to the amount of the instructional base funding and weights for each student. Table 4 presents the recommended UPSFF, including both the instructional and facility M&O costs.
- The study team recommends that school-level-specific M&O costs should be structured as an actual per-student dollar amount rather than as a weight. Based on DCPS actual and fiscal 2014 projected M&O costs, the study team recommends the following per-student facilities M&O costs as a component of the UPSFF:
 - \$1,071 for each elementary school student;
 - \$1,209 for each middle school student;
 - \$1,342 for each high school student;
 - \$1,209 for each student attending an adult education program or alternative school; and
 - \$1,342 for each student attending a stand-alone special education school.
- Calculating the M&O costs in this way, based on actual costs applied to recommended space criteria, enables funding to flow through the formula on a per-student basis in a transparent way. However, given the different cost structures for DCPS and public charter schools, the study team recommends that DC leaders develop a uniform reporting structure for facilities M&O costs in both sectors so, going forward, the M&O payment can be built on cost estimates that include actual costs for DCPS and public charter schools.
- Paying facility M&O costs using the recommended per-square-foot-per-student allocation approach through the UPSFF will not cover the full costs of DCPS facilities M&O expenses, mostly due to the large amount of underutilized space in city-owned school buildings and grounds that must be maintained. Applying the recommended square footage per student to the school year 2012–2013 audited enrollment for DCPS shows that DCPS requires only about 7.4 million square feet, or roughly 70 percent, of the

¹¹ According to the “District of Columbia Public Schools Design Guidelines: 2009,” as amended in 2012, the total per-student space requirements are as follows: elementary schools: 150 square feet per student; middle schools: 170 square feet per student; and high schools: 192 square feet per student. The study team assigned adult education and alternative schools to the middle school rate of 170 square feet per student and special education schools to the high school rate of 192 square feet per student. See www.dcps.dc.gov.

approximately 10.6 million square feet of active school building space in its current portfolio.¹²

Yet DCPS operates as a system of right, which requires that schools be available across the city to serve every neighborhood at every grade level. In addition, though it is difficult to quantify the monetary value of benefits, DCPS school buildings and grounds represent community assets that serve diverse purposes for community residents beyond educating neighborhood children and youth. DCPS's pools, fields, and athletic spaces provide community recreation resources. Auditoriums, multipurpose rooms, and classrooms provide community performance and meeting space. Schools also house other community services, such as health care and child care, in school-based facilities, with their M&O costs attributed to DCPS.

Beyond increasing enrollment in DCPS schools, the study team recommends that city leaders aggressively pursue policies to use underutilized space in DC-owned school buildings and grounds more efficiently. Not only will this help defray DCPS's M&O costs in the long term, but it will also benefit the communities surrounding underutilized DCPS schools. As the first and most important step in this direction, *DCPS should, where appropriate, collocate with other LEAs, city agencies, or community-based organizations.* Although collocation requires substantial management and oversight, the city should aggressively move to lease space in underutilized DCPS buildings to other appropriate entities. It should also support DCPS and prospective tenants in planning for successful collocations.

- The study team recommends *a strong focus on more efficient use of DCPS buildings by releasing surplus buildings for use by charter schools and aggressively pursuing collocation opportunities, even as DCPS continues to work to build its enrollment. During a reasonable transition period, DGS should provide M&O services to make up the difference for some portion of DCPS's facilities M&O costs.*

Resetting Instructional Education Funding Levels Through the UPSFF

The process for developing the proposed instructional base funding level and weights was the result of a rigorous, multimethod analysis that included input and review by multiple local and national experts. The recommended formula is structured to take account of the resource needs of general education students and students with identified learning needs at every grade level—from prekindergarten for three-year-olds through grade 12—and the needs of adult learners. The UPSFF base-level funding and weights for students at different grade levels and students with identified needs are the same for all DC students, regardless of whether they attend DCPS or public charter schools. This includes costs for the full range of resources that students need to be successful in light of the District's performance standards, including those currently provided outside the UPSFF. Accordingly, the study team offers several related recommendations for resetting the UPSFF:

- The study team recommends that *the proposed UPSFF base funding level should reflect a combined cost of \$10,557 per student for instructional purposes and \$1,071 per student for facility maintenance and operations, totaling \$11,628* (see Table 4). This is equal to

¹² DCPS has approximately another 1.5 million square feet of space for DCPS future use, swing space, and administrative space.

the per-student base cost at the least costly grade level—kindergarten through grade 5. The instructional and facility M&O portions of the UPSFF are reported separately for purposes of transparency.

- The study team recommends that the instructional portion of the UPSFF should be adjusted in two fundamental ways:
 - The new instructional base funding level and weights should provide adequate resources to address the needs of all students to meet current academic performance standards and the new Common Core State Standards. This includes instructional programs, student support services, administrative capacity, and other educational resources, as described in Chapters 3 and 4.
 - The total costs of serving students, including those with identified learning needs, should be partially offset by federal categorical funding that flows from federal entitlement programs, formula grant programs, and other categorical programs that benefit students with particular needs and characteristics. As a result, in calculating the new UPSFF base funding level and weights, the study team deducted the projected amount of these federal funds from the estimated costs.

- Weights beyond the base level of funding represent additional percentages of the base for students at other grade levels and for students with identified learning needs that entail costs above the base. *In addition to grade-level weights, the study team recommends maintaining the current categories of special education and English language learners. These weights should continue to be cumulative.*

The recommended weights and levels of required funding, based on the cost analysis, are higher than current levels for English language learners. They also are significantly higher for adult education and alternative school students. These higher weights reflect the need for increased specialized resources. The special education Levels 1, 2, 3, and 4 weights are approximately the same as current funding levels. The weights appear higher than the current weights, but that is mostly due to the fact that they now incorporate the special education capacity fund weight that is consequently recommended to be eliminated. The total costs of serving students with identified learning needs is partially offset by federal categorical funding that flows from several federal entitlement programs, formula block grants, and other nonlocally funded categorical programs benefiting students with particular needs and characteristics. In calculating the net new base-level cost and weights, the study team deducted these funds from the gross cost figures.

- The study team recommends *adding a new weight of 0.37 for students at risk of academic failure.* An initial working definition of at risk should focus on three primary criteria:
 - Students who are in foster care,
 - Students who are homeless, and
 - Students who are living in low-income families eligible for Temporary Assistance for Needy Families.

This weight can be combined with weights for other applicable identified learning needs, except for alternative or adult education students because, by definition, these students are at risk and additional resources have been factored into their relevant weights.

Many stakeholders have raised questions about whether this set of criteria too narrowly limits the definition of educational risk, particularly the use of TANF eligibility, because the program sets income limits at 100 percent of the federal poverty level and families will eventually time out of the program. However, use of the traditional metric for low-income status—eligibility for free and reduced-price school meals—may be overly broad and result in overfunding some schools as the District moves toward the new community eligibility system. Under this system, information on students' income levels is no longer collected. Instead, the entire school population is deemed eligible when 40 percent or more of the students are eligible for Temporary Assistance for Needy Families and the Supplemental Nutrition Assistance Program or are identified as homeless or in the Child and Family Services system.

The study team recognizes the deficiencies in the proposed working definition. As it is ultimately a policy decision for the Mayor and the DC Council to determine the definition of at risk, the study team recommends that education leaders engage stakeholders further to decide on a definition of at risk that is targeted to the District's needs and that is based on available data sources. Additionally, as work by OSSE to develop an early warning system for identifying students at risk of academic failure is completed, the at-risk definition should take account of relevant evidence-based indicators that will be tracked (e.g., truancy, over-age, and behind-grade).

- The study team recommends *excluding two current weights and instead accounting for these needs in other weights*: the current summer school weight, which is accounted for in the new at-risk weight and in the ELL weight in the proposed UPSFF; and the special education capacity fund weight, because it is now accounted for in the proposed special education weights.
- The study team recommends *developing a weight for gifted and talented students*. The PJ panels did not outline comprehensive resource specifications for high-performing students as they did for other students with identified learning needs, though such a weight frequently is a component of a comprehensive weighted student funding formula. Accordingly, the study team recommends that the Office of the Deputy Mayor for Education explore the feasibility of developing and costing out specifications for additional specialized educational resources and opportunities for gifted and talented students.

**Table ES4: Recommended UPSFF Base Funding Level and Weights
(With Facilities Maintenance and Operations Payments)**

GENERAL EDUCATION AND ADD-ON WEIGHTING INCLUDING M&O						
Category	Current UPSFF Weight	Current UPSFF Per-Pupil allocation	Proposed UPSFF Weight After Revenue Adjustments	Proposed UPSFF Per-Pupil Allocations After Revenue Adjustments	Facility M&O UPSFF Per Pupil Allocations	Proposed UPSFF Per Pupil Allocations After Revenue Adjustments with M&O
Foundation		\$9,306		\$10,557	\$1,071	\$11,628
General Education						
Preschool	1.34	\$12,470	1.15	\$12,141	\$1,071	\$13,212
Prekindergarten	1.30	\$12,098	1.15	\$12,141	\$1,071	\$13,212
Kindergarten	1.30	\$12,098	1.00	\$10,557	\$1,071	\$11,628
Grades 1–3	1.00	\$9,306	1.00	\$10,557	\$1,071	\$11,628
Grades 4–5	1.00	\$9,306	1.00	\$10,557	\$1,071	\$11,628
Grades 6–8	1.03	\$9,585	1.01	\$10,663	\$1,209	\$11,872
Grades 9–12	1.16	\$10,795	1.10	\$11,613	\$1,342	\$12,955
Alternative ¹	1.17	\$10,888	1.73	\$18,264	\$1,209	\$19,473
Adult Education ²	0.75	\$6,980	1.00	\$10,557	\$1,209	\$11,766
Special Education Schools	1.17	\$10,888	1.17	\$12,352	\$1,342	\$13,694
Special Needs Add-on Weightings						
Special Education Level 1	0.58	\$5,397	0.88	\$9,290		
Special Education Level 2	0.81	\$7,538	1.08	\$11,402		
Special Education Level 3	1.58	\$14,703	1.77	\$18,686		
Special Education Level 4	3.10	\$28,849	3.13	\$33,043		
Special Education Capacity Fund	0.40	\$3,722	N/A			
English Language Learners	0.45	\$4,188	0.61	\$6,440		
At Risk	N/A	N/A	0.37	\$3,906		

Table ES4: Recommended UPSFF Base Funding Level and Weights, continued

SUMMER SCHOOL, EXTENDED SCHOOL YEAR, AND RESIDENTIAL				
Category	Current UPSFF Weight	Current UPSFF Per-Pupil Allocation	Proposed UPSFF Weight After Revenue Adjustments	Proposed UPSFF Per-Pupil Allocations After Revenue Adjustments
Foundation		\$9,306		\$10,557
Special Education Compliance				
Blackman-Jones Compliance	0.07	\$651	0.06	\$651
Attorneys' Fee Supplement	0.09	\$838	0.08	\$838
Summer School				
Summer School ³	0.17	\$15,820	N/A	N/A
Extended School Year Level 1	0.064	\$596	0.056	\$596
Extended School Year Level 2	0.231	\$2,150	0.204	\$2,150
Extended School Year Level 3	0.500	\$4,653	0.441	\$4,653
Extended School Year Level 4	0.497	\$4,625	0.438	\$4,625
Residential Add-Ons				
Residential Weight	1.70	\$15,820	1.50	\$15,820
Special Education Residential				
Level 1	0.374	\$3,480	0.330	\$3,480
Level 2	1.360	\$12,656	1.199	\$12,656
Level 3	2.941	\$27,369	2.592	\$27,369
Level 4	2.924	\$27,211	2.578	\$27,211
English Language Learner Residential	0.68	\$6,328	0.60	\$6,328

Notes:

1 The proposed weight assumes alternative school students would not receive an at-risk weight.

2 The proposed weight assumes adult education students would not receive an at-risk weight. The adult weight was also prorated to take into account that an adult full-time equivalent (FTE) student requires fewer hours and weeks in school than a full-time general education student.

3 Summer school is not assigned a specific weight in the proposed UPSFF because it is included in the at-risk and English language learner weight.

Sources: The recommendations are derived from both the professional judgment panel specifications resulting from panelists' deliberations and the evidence base found in Michael E. Goetz, Allen R. Odden, and Lawrence O. Picus, "Using Available Evidence to Estimate the Cost of Educational Adequacy," *Education Finance and Policy*, vol. 3, no. 3 (2008): 374–97.

Maintaining the Capital Facility Allowance for Public Charters Pending Further Analysis

Although the study team examined information on capital investments by DCPS and public charter schools, available financial data were insufficient to fully assess public charter school costs and develop a meaningful comparison to DCPS spending. DGS provides funding for new DCPS construction, renovation, and upgrading of school buildings and grounds based on a capital plan that prioritizes school improvement projects. Public charter schools receive an annual facilities allowance of \$3,000 per student to cover the acquisition, lease, and improvement of school facilities. However, capital investment and lease costs for public charter schools are much more difficult to discern, because no standard approach for investment or accepted method of accounting for costs exists. The lack of a single accepted chart of accounts for presenting expenditures, including those for capital investment, leases, and facilities M&O, made it impossible for the study team to develop a reliable capital cost estimate for public charter schools. Due to these constraints, the study team recommends that:

- The Mayor and DC Council should maintain the current capital allowance for public charter schools, pending further financial analysis based on uniform data reporting by charter LEAs on their capital and facility expenditures.

Ensuring Local Funding Flows Through the UPSFF with Specific and Limited Exceptions

To comply with current DC law, which requires that costs covered by the UPSFF should not also be funded by other DC agencies and offices, and to achieve greater funding equity between DCPS and public charter schools, the study team worked with the PJ panels to examine the flow of funding within and outside the UPSFF. One goal was to determine which student support services currently funded outside the UPSFF should be covered by funds that flow through the formula. A second goal was to determine whether any benefits should continue to be funded outside the UPSFF by other DC government agencies.

The study team recommends that the UPSFF provide comprehensive funding for all DC students that adequately covers instructional programs, student support services, administrative services, and other educational resource needs at the school and system levels as well as funding for facilities M&O costs. To ensure this happens, the study team recommends the following modifications to current arrangements that provide resources to DCPS and public charter schools through other DC government agencies:

- Most resources currently provided by city agencies to both DCPS and/or charter schools should be funded through the UPSFF. These resources are included in the recommended new base funding level for all students and in weights for students with identified learning needs. These services include:
 - School nurses for DCPS and public charter schools (Department of Health);
 - School social workers for DCPS and public charter schools (Department of Behavioral Health);
 - Public Charter School Board appropriation for charter schools (Public Charter School Board);
 - Technology systems for DCPS (Office of the Chief Technology Officer);
 - Procurement services for DCPS (Office of Contracting and Procurement);
 - Legal services for DCPS (Office of the Attorney General); and
 - Facilities maintenance and repairs for DCPS (Department of General Services).

In the future, DCPS and public charter school LEAs should be responsible for purchasing these services for their schools using UPSFF funds. If mutually agreeable arrangements are in place for other DC government agencies to supply services, DCPS and/or public charter schools can enter into a memorandum of understanding or contract with these agencies to continue the arrangements. LEAs should cover the costs through an interagency transfer.

- School safety resources provided to both DCPS and public charter schools should continue to be paid for and allocated by city agencies, outside the UPSFF. These include school resource officers supplied by the Metropolitan Police Department to prevent and respond to juvenile delinquency and school violence and school crossing guards supplied by the Department of Transportation to reduce pedestrian injuries and fatalities in traffic accidents. Because decisions on the allocation of these resources are based on considerations for student safety, local traffic patterns, neighborhood environments, school culture, and imminent threats of violence that have little to do with a per-student share of costs, they are less amenable to allocation through the UPSFF. Therefore, MPD and DDOT should continue to provide these services and should be accountable for funding them at a level that is adequate to meet the needs of DCPS and public charter schools citywide. In addition, MPD and DDOT should develop clear criteria to determine which LEAs or schools qualify for these services in order to reduce confusion and inequity between the two sectors.

Creating Greater Transparency and Accountability in Education Budgeting, Resource Allocation, and Reporting

The purpose of this research was not to undertake an audit of DCPS or public charter school income and expenditures. Nevertheless, the study team spent considerable time gathering and analyzing financial data and information provided by DCPS, PCSB, individual charter schools, and other DC government agencies and executive offices to inform the cost estimates presented in this report. As the study team learned in the course of its work, education budgeting, resource allocation, and financial reporting are not clear and easily traceable processes in DCPS or public charter schools. The state of financial recordkeeping makes it difficult to determine the total amount spent by cost category or to assess cost drivers and cost variations within and among DCPS and public charter schools. It is also difficult to trace funding from the source to the student and to understand the total amount of education spending in the city and how it is allocated to individual schools and to central office functions. These issues are particularly pronounced for facilities maintenance and operations costs and capital investments. Accordingly, the study team recommends that:

- The Public Charter School Board should require all charter schools to adopt a standardized chart of accounts that provides clarity and accountability and enables comparisons among charters and between DCPS and the charter school LEAs. Currently, all charter schools submit annual financial reports to the PCSB, but these reports are not standardized and account for spending inconsistently.

- The city should establish an online public education funding reporting system that provides annual education budget information (e.g., local and nonlocal sources of funding; allocation of resources to LEAs and from LEAs to individual schools; and individual school-level expenditures for instruction, student support services, administration, and other educational resources).

Updating the UPSFF Regularly

This education adequacy study represents the DC government's first effort to undertake a rigorous analysis to develop a data-driven estimate of the costs of providing pre-K 3 through grade 12 students and adult education and alternative school students in the District of Columbia with an educational experience that will enable them to meet academic standards. To keep the UPSFF formulas and funding levels up to date, adequate, and equitable, the study team offers three related recommendations:

- OSSE should reconvene the technical work group (TWG) to monitor the base and weights of the UPSFF and identify, study, and make recommendations on any issues that impact the effectiveness and efficiency of these mechanisms and any concerns that raise questions about their adequacy, equity, uniformity, and transparency. The TWG should be composed of local educators, education finance experts, DCPS and public charter school representatives, DC government officials, and community leaders. It should serve as an advisory group to OSSE and the DME.
- The DC government should undertake a rigorous assessment of the adequacy of education funding through the UPSFF every five years. As conditions change in the city and as educational practice advances, city leaders should periodically assess the alignment of education funding with the city's education goals and the adequacy of funding to achieve them. The Mayor and DC Council should consider restructuring and resetting the UPSFF based on changing economic and demographic conditions, evolving educational norms and best practices, and information on educational resource needs and spending. On a more frequent basis, the city should review the facility M&O costs portion of the UPSFF in order to update them based on actual costs for DCPS and public charter schools.
- In the interim years, the UPSFF should be updated based on an indexed cost-of-living adjustment that is relevant to the cost of living in the District of Columbia.

Implementation

Under any scenario, the path toward funding the study team's recommendations will require a significant new financial commitment to education. Fully implementing these provisions is likely to be a multiyear process. The city's leaders will have to wrestle with the real limitations of fiscal feasibility and educational need. As they consider a phase-in approach, they should take into account the parallel priorities of increasing the foundational level of resources to address new standards, targeting the highest-need students, and increasing equity between DCPS and public charter schools.

1. INTRODUCTION

During the past two decades, increased accountability for student, school, and district performance has increased pressure on public education systems to ensure *all* students enter school ready to learn and leave school with the tools and skills they need to succeed in life. Such increased pressure can have a positive influence on performance, but only if policymakers and school officials can ensure that schools have the resources they need to meet performance expectations.

Concepts of education adequacy have shifted dramatically in recent years. Prior to the 1990s, common presumptions were that median spending was adequate and that states should strive to bring all districts and schools up to the average or median level of expenditure. With the growing prevalence of state standards and assessments, however, policymakers, educators, and advocates have redefined adequacy to mean the average level of spending required by districts and schools to meet prescribed academic outcome standards.¹

The adequacy of education funding is hotly debated in the District of Columbia (DC) and across the nation. Some observers believe public schools already have considerable resources to fulfill their missions and, as evidence, they point to the significant increases in education funding during the past decade. Others, however, believe schools need additional funds to address uncontrollable and rapidly growing cost pressures. Still others assert that while some schools need more resources to successfully carry out their missions, other schools are already sufficiently funded.² Moreover, differences in the level of resources allocated to traditional public schools and public charter schools are a source of significant tension in the District of Columbia, where both sectors must be funded on an equal basis by law.³

Regardless of one's view on the current condition of school funding, what is true is that, until now, DC policymakers and education leaders have not addressed in a rigorous way the question of what it costs to meet performance expectations for students in District of Columbia Public Schools (DCPS) and public charter schools. As in many states, DC officials have developed academic standards and timetables to achieve performance expectations and have created accountability systems with consequences for schools that fail to meet the targets. Unfortunately, however, these expectations and repercussions have been crafted without a sound, data-driven understanding of what it costs for schools to meet desired outcomes based on current academic standards and, when they are fully implemented, the new Common Core State Standards.

Purpose of the Study

Accordingly, this costing out study aims to develop a sound basis for policymakers and education leaders to understand what it will cost for all schools in the city—DCPS and public charter schools—to achieve expected performance targets. To do so, it focuses on:

¹ Bruce Baker, Lori Taylor, and Arnold Vedlitz, *Measuring Educational Adequacy in Public Schools: Report to the Texas Legislature Joint Committee on Public School Finance* (College Station, TX: George Bush School of Public Service, Texas A&M University, September 2005).

² Augenblick, Palaich and Associates, Inc., *Costing Out the Resources Needed to Meet Pennsylvania's Public Education Goals* (Denver, CO: Augenblick, Palaich and Associates, Inc., December 2007), i.

³ DC Official Code §38-1804.01.

- Estimating the resources needed so all DC students can meet academic performance standards, including the Common Core State Standards;
- Identifying needed changes in the structure and policies governing education funding to ensure equity between DCPS and public charter schools as required by law in all areas of funding, except for capital investment in school buildings and grounds and pensions for certified educators; and
- Ensuring transparency with regard to what costs are included in the District’s Uniform Per Student Funding Formula (UPSFF) and with regard to local funding to DCPS and public charter schools that flows outside the UPSFF.

Do schools have the resources they need to meet performance expectations? In the District’s case, this means estimating the resources needed so all elementary, middle, and high school students can achieve proficiency in reading and mathematics. It also means ensuring that funding to DCPS and public charter schools is allocated equally in all areas, except capital investment and pensions for certified educators.

The findings in this report were produced based on a rigorous 15-month study initiated by the Deputy Mayor for Education (DME) at the recommendation of the Public Education Finance Reform Commission (PERFC) in its February 2012 report to the Mayor and City Council. In response to a request for proposals, The Finance Project (TFP), a Washington, DC-based social policy research and technical assistance firm, in partnership with Augenblick, Palaich and Associates, Inc. (APA), a Denver-based education consulting firm, proposed a comprehensive research study to:

- Develop a data-driven estimate of the cost of an adequate prekindergarten (pre-K) through grade 12 education in the District of Columbia in order to meet DC academic standards and Common Core State Standards;
- Recommend changes to the structure and level of foundation funding in the Uniform Per Student Funding Formula as well as to the weightings for students with identified learning needs who require services that entail additional costs;
- Recommend changes to the way capital investments, maintenance, utilities, and custodial services for school buildings and facilities are financed and managed; and
- Develop guidance for updating the study’s basic elements on a continuing periodic basis.

The TFP/APA study team used nationally recognized research methodologies—described in more detail in Chapter 2—to examine the cost of all resources required for DCPS and public charter schools to meet DC academic standards, including:

- Cost analyses of school-level resource requirements (i.e., related to instructional programs and activities, student support services, administrative services, and other

educational resources in individual schools) and system-level resource requirements (i.e., related to governance, policy-setting, program support, coordination, and communications across schools in a multicampus system) for *students without identified learning needs*;

- Cost analyses of school-level and system-level resource requirements to serve *students with identified learning needs who require specialized instruction, resources, and staff that entail additional costs* (e.g., special education students, students with limited English language proficiency, and students at risk of academic failure);
- Cost analyses of system-level and school-level data on *facilities maintenance, utilities, and custodial services for school buildings and grounds* and a review of *capital investments* for DCPS and public charter schools; and
- Analysis of the *anticipated fiscal impact*—over a three-year period from fiscal 2015 through fiscal 2017—of recommended policy, program, and system changes to achieve education adequacy for all DC students.

Background and Context for the Study

The requirement that education for all students be funded on a uniform per-student basis, with the dollars following students into and out of whatever school they attend, was enacted into DC law in 1995.⁴ The UPSFF was established to carry out the mandate. The formula calculates funding based on students and their characteristics, not on school or local educational agency (LEA) differences. This uniformity requirement applies only to local funding, not to federal or private funding. It affects only DCPS and public charter school operating budgets, not capital budgets and investments. The UPSFF is intended to fund all traditional school-level and system-level operations for which DCPS and public charter schools are responsible, including instructional, noninstructional (facilities maintenance and operations), and administrative operations.

The UPSFF is not the only local source through which DCPS or public charter schools are funded, however. Schools also receive benefits from local funding that flows through other DC government agencies. Additionally, they receive federal categorical program funding, private funding, and in-kind benefits from foundations, private donors, and community partner organizations.

Unlike many states, the District of Columbia has never commissioned a methodologically rigorous analysis of the costs of providing an adequate education. Beginning in 1996, several studies were conducted by DC education officials; other government officials (e.g., representatives from the OCFO, the Mayor’s office, the City Council and local education experts and advocates to calculate the costs of a market basket of educational goods and services to be covered by the USPFF foundation amount. The market basket included nine general categories of expense:⁵

- Classroom staff: teachers and aides;

⁴ DC Official Code § 38-1804.01.

⁵ Deborah Gist, Office of the State Superintendent of Education, “The Uniform Per Student Funding Formula,” PowerPoint presentation to the Executive Office of the Mayor, January 30, 2008.

- School administration: principal, assistant principal, administrative aide, business manager, and clerks;
- Direct services to students: texts, instructional technology, sports/athletics, and student services;
- Operations support: utilities, maintenance, and security;
- Central management: central administration, instructional support, and services;
- Schoolwide staff: substitute teachers, coaches, librarians, program coordinator, counselors, social workers, and psychologists;
- Nonpersonal services/programs: supplies and materials, field trips, and career and technological education;
- Instructional support: professional development and school improvement efforts; and
- Other school-based costs: technology, food service, and miscellaneous.

These common practice studies provided a rough baseline for per-student education funding, but they had several weaknesses. For example, they illustrated but did not define functions that should be covered by uniformity and adequacy. They did not address the dramatic differences between DCPS and public charter schools in funding for maintenance, utilities, and custodial services for school buildings and facilities. Most importantly, they did not take into account the requirements for schools to adequately prepare students with different characteristics and learning needs to meet the DC academic standards.⁶

The most immediate and urgent recommendation of the District's Public Education Finance Reform Commission was commissioning a full-scale education adequacy study to enable the Mayor and DC City Council to reassess the structure and level of foundation funding specified in the UPSFF.

In July 2010, the D.C. City Council passed legislation to establish a Public Education Finance Reform Commission in order to study and report on revisions to the UPSFF that would lead to improvements in equity, adequacy, affordability, and transparency.⁷ The commission was not tasked with conducting a full-scale adequacy study because of time and resource limitations. Nevertheless, it identified several issues regarding the structure of the UPSFF that affect funding adequacy for DC students. Among the most important of these issues was the lack of provision for:⁸

- Identified learning needs of students at risk of academic failure because they are in low-income families or face other conditions that affect their school performance;
- Identified learning needs of students returning to DC schools after leaving the public education system for a period;

⁶ District of Columbia Public Education Finance Reform Commission, *Equity and Recommendations Report* (Washington, DC, February 17, 2012), 23–24.

⁷ DC Official Code §38-2916

⁸ District of Columbia Public Education Finance Reform Commission.

- Adult education, alternative education programs, and summer school programs;
- Special programs for gifted and talented students;
- Students enrolled in virtual learning programs; and
- Processes for updating the cost basis for the UPSFF.

Assessing the adequacy of facilities occupied by DCPS and public charter schools, as well as policies governing space allocation in DC school buildings and capital investments in renovations and new construction, also was beyond PEFRC's mandate. However, the commissioners agreed that space costs and facilities maintenance and operations are some of the most significant, complicated, and urgent education financing issues facing city leaders.

PEFRC found that the DC government needs to make significant financial investments in the maintenance and modernization of its aging stock of school buildings and grounds as well as construct new facilities to meet changing educational needs and ensure high-quality programs are located in all neighborhoods across the city. The commission also found that as the DC government consolidates and closes DCPS schools that are underutilized, city officials need to create and manage more effective, efficient, timely, and transparent processes for making the best use of excess space in DC-owned school properties and covering the costs of maintenance, utilities, and custodial services. This can include making vacant school buildings and space in under-occupied buildings available to charter schools and nonprofit organizations that serve the community through a request for offers process. Alternatively, it can mean selling vacant buildings to developers for other purposes.

Additionally, even though facilities maintenance and operations (M&O) funding flows through the UPSFF, DCPS cannot independently cover the M&O costs related to its large stock of buildings and grounds, including those that are not in use. Consequently, it receives a significant subsidy from the Department of General Services to cover these costs outside the formula, which public charter schools do not receive. Against this backdrop, the topic of facilities funding raises several important questions on whether the current allocation of resources equitably and adequately supports the learning needs of students in both DCPS and public charter schools.

The District of Columbia Public Education Finance Reform Commission agreed that space costs and facilities maintenance and operations are some of the most significant, complicated, and urgent education financing issues facing city leaders.

PEFRC completed its work in two phases between September 2011 and February 2012, and it made several recommendations to address these education financing issues. The most immediate and urgent among them was commissioning a full-scale education adequacy study. Based on the results of this study, the commission recommended that the Mayor and the City Council reassess the structure and level of foundation funding specified in the USPPF to ensure all DC schools have adequate funding to provide students with an education that will enable them to meet DC academic standards. It also recommended that weightings for students with identified learning needs be revised based on the study findings and recommendations. In addition, PEFRC urged

city leaders to consider revising and restructuring the basis on which maintenance, utilities, and custodial services for school buildings and grounds are set to ensure all school facilities are adequate to meet student learning needs. Finally, the commission recommended that a plan be created for ongoing review of what constitutes adequate funding for DC students and for a process for updating the UPSFF foundation funding level and weightings periodically over time.

The DC Education Adequacy Study, initiated by DME, was a direct result of PEFRC recommendations. The study offers an important opportunity for city leaders and educators to develop a sound understanding of the financial requirements for providing an adequate education for all students in the District of Columbia and setting a path toward achieving this funding level. To the extent the study lays the groundwork for a fair distribution of funding for education programs and school facilities, it may also help reduce tension and competition between DCPS and public charters for limited resources and foster more collaborative relationships that benefit students across the city.

The DC Education Adequacy Study addresses key issues related to the adequacy and equality of education funding. Not all these issues can be remedied by making adjustments to the UPSFF and changing the flow of funds to LEAs.

The DC Education Adequacy Study addresses key issues related to the adequacy and equity of education funding in the District of Columbia. It also presents recommendations for addressing these issues through restructuring and resetting the UPSFF and taking other financial steps. However, not all the issues and challenges highlighted in this introduction can be remedied by adjustments to the funding formula and the flow of funds to LEAs. Accordingly, in addition to the findings and recommendations from this study on the adequacy of education funding, the Mayor and the City Council need to consider other policy proposals to address concerns about educational programming, facilities allocation and management, and student support.

Guiding Principles

Several key principles guided this study at every stage—from design and data collection through analysis, formulation of findings and recommendations, and report drafting and dissemination.

Of primary concern was ensuring the findings and recommendations:

- *Reflect the resources that all schools—DCPS and public charter schools—need to ensure students can meet desired performance standards;*
- *Are data-driven and are based on sound analysis of information from multiple sources;*
- *Are aimed at achieving adequacy, equity, and transparency in education funding for DCPS and public charter schools;*
- *Reflect broad outreach and participation among DC education audiences and constituencies at all stages of the work, including public officials in relevant positions across DC government (e.g., the Mayor, the D.C. City Council, the Office of the Chief Financial Officer, the Office of the State Superintendent of Schools (OSSE), DCPS officials, the DC Public Charter School Board (PCSB) and public charter school leaders*

and administrators, professional educators at all levels, public school and charter school advocates, and parents;

- *Incorporate input from local and national experts engaged as advisors* on all aspects of the study;
- *Can be used by the Mayor and DC City Council to update the UPSFF and its weights* to properly align education spending in the District of Columbia with resource requirements to enable all DC students to meet academic performance standards; and
- *Offer a plan for phasing in recommended funding levels* and policy changes over a period of up to five years, if needed.

Advisory Group

To ensure diverse and regular stakeholder and expert input in the study design and implementation, as well as the study findings and recommendations, the study team appointed an Advisory Group that brought together 12 national and local experts to provide advice, guidance, and feedback on all aspects of the DC Education Adequacy Study. Advisory Group members included educators and education policy and finance experts from universities, national and local leadership organizations, DCPS, and local public charter schools. (A list of Advisory Group members is presented in Appendix A.) This group reviewed the results from professional judgment panels that were informed by evidence-based research, a successful schools study, and data collected from DC government agencies, PCSB, and schools. It helped the study team integrate the school-level and system-level findings and develop relevant conclusions.

Throughout the study, the Advisory Group convened regularly by phone conference to review and comment on the methodology, data collection, and analysis. Members also met in person to review and comment on findings from the data analyses from each component of the study and to weigh in on the implications for recommendations.

Timeline and Work Plan

The DC Education Adequacy Study was conducted over a 15-month period beginning in September 2012 and continuing through December 2013. The TFP/APA study team worked closely with the DME staff in planning, designing, and implementing the study to ensure it would meet the needs of the Mayor and DC City Council as they make decisions on changes to the UPSFF and other related policies governing education financing.

Organization of the Report

This report presents the findings and recommendations that flow from the study. It is organized into six chapters. An executive summary that highlights the findings, conclusions, and recommendations is presented at the beginning of the report. Appendices at the end of the report provide detailed background information related to the DC Education Adequacy Study.

1. *Introduction*: provides an overview of the purpose, origins, and context for the DC Education Adequacy Study.
2. *Overview of the Methodological Approach*: describes the complementary blend of research approaches that were used to gather and analyze cost data and other relevant information on the resources required to adequately fund education in the District of Columbia. These included professional judgment panels informed by evidence-based

research, a successful schools study, focus groups, and extensive analysis of budget and expenditure data provided by DC agencies and schools.

3. *School-Level Findings*: presents the findings related to the school-level resource requirements and associated costs for providing an adequate education to students at different grade levels without and with identified learning needs in DCPS and public charter schools.
4. *System-Level Findings*: presents the findings related to the system-level resource requirements and associated costs for DCPS and public charter schools.
5. *Cost of Education Adequacy*: offers conclusions on the appropriate UPSFF base funding level and the weights for serving students with identified learning needs, including costs that are and are not covered by the UPSFF. It also offers conclusions on the appropriate funding level and formula for facilities M&O costs and conclusions on the allocation of costs within and outside the UPSFF. In addition, this chapter contains three-year cost projections and fiscal impacts based on anticipated enrollment trends and other foreseeable factors that are likely to drive education costs.
6. *Recommendations*: makes recommendations on restructuring the UPSFF formula; resetting the UPSFF base level and weights to ensure they cover the current cost of education adequacy in the District of Columbia; ensuring local funding flows through the UPSFF with specific and limited exceptions in order to ensure equity between DCPS and public charter school LEAs; creating greater transparency and accountability in education budgeting, resource allocation, and reporting; and updating the UPSFF on a periodic basis.

2. OVERVIEW OF THE METHODOLOGY

The Finance Project (TFP), with its partner Augenblick, Palaich and Associates (APA), developed a rigorous methodological approach to analyze the adequacy of public education funding at the system and school levels for public schools and public charter schools in the District of Columbia (DC). Over a 15-month period beginning in September 2012, the TFP/APA study team created and implemented a complex, multimethod study design aimed at developing a sound, data-driven assessment of the costs of providing an adequate public education to all DC students, prekindergarten (pre-K) through grade 12, including those with identified learning needs who require specialized resources that entail additional costs.

Defining Adequacy

As a first step toward defining and measuring the costs of required resources, the study team addressed the question of what constitutes adequacy and what this term means in the context of funding for District of Columbia Public Schools (DCPS) and public charter schools. DC policymakers and education leaders wanted to study education adequacy as a basis for resetting the parameters of the District's Uniform Per Student Funding Formula (UPSFF). Their aim was to clearly define educational standards and requirements and the inputs needed to meet them. Inputs include all school-level and system-level instructional, student support, and administration resources, as well as other education resources (e.g., course requirements, time objectives, educational experiences, strategic planning, and coordination), so all schools have a sufficient amount of funding and other resources to achieve educational outcomes (e.g., achieving certain proficiency levels in core subjects and earning a high school diploma). Based on this definition, the specification of standards for measuring student performance was a critical first step to conduct the costing out analysis.

“Adequacy” is defined as the educational input requirements to achieve desired student outcomes, based on specified performance objectives.

For costing out purposes, the study team determined the cost of ensuring that DCPS and public charter schools at all grade levels have adequate resources to meet the expectations associated with the specified standards and to avoid any consequences associated with not meeting those standards. Two widely accepted, but philosophically different, approaches to determining relevant costs exist:

- The first approach focuses on the *costs of providing necessary inputs associated with standards and requirements* (e.g., schools are required to ensure certain services can be provided or certain procedures can be implemented). The costs of compliance express the burden of meeting those requirements. However, compliance does not ensure that the basic objectives are fulfilled.
- The second approach focuses on the *costs of achieving desired academic outcomes* (e.g., that student performance increases at a particular rate, or that schools will avoid the sanctions created as part of standards-based reform, which are designed to sanction

schools that fail to meet those objectives). If schools are to fulfill the underlying objectives of DC law that all students receive “adequate regular [general] education services,”¹ student performance must increase sufficiently across all schools, grade levels, and neighborhoods throughout the city. Although student performance results cannot be guaranteed, sufficient resources can be provided so all students have a meaningful opportunity to meet the objectives.

The TFP/APA study team employed the second approach. The DC Education Adequacy Study focused on clarifying resources required to reasonably prepare all students to achieve proficiency based on DC academic standards at each grade level, as measured through the DC Comprehensive Assessment System (DC CAS) and the additional quality school assessment for public charter schools implemented by the District’s Public Charter School Board (PCSB). It also took into account requirements for meeting the Common Core State Standards and the Partnership for Assessment of Readiness for College and Careers (PARCC),² when they are implemented beginning in school year 2014–2015. The study team worked closely with multiple stakeholders, including the Advisory Group, DCPS, PCSB, the Office of the State Superintendent of Education (OSSE), and the state board of education, to specify the standards that guided the study. The detailed standards framework the study team adopted is presented in Appendix B.

The standards set clarified the resources required to reasonably prepare all students to achieve proficiency based on DC academic standards at each grade level.

The standards guiding the study encompassed requirements for all students and additional provisions and requirements for students with identified learning needs. Following are requirements for all students:

- *Instructional inputs*, including mandated services or programs that must be provided (e.g., the minimum number of days students must attend school), curricula that must be taught, and educational experiences that must be offered.
- *Student achievement outputs/outcomes*, including requirements focused on the completion of academic programs of study and the level of proficiency students must achieve on standardized tests, such as the DC CAS assessments and the anticipated PARCC.
- *Additional system-level requirements*, including requirements that affect educational operations across schools in a multicampus system (e.g., those related to student services, data systems, strategic planning, and coordination).

¹ DC Official Code §38.2901, definitions paragraph 5.

² PARCC is one of two assessment consortia that have developed achievement tests aligned to the Common Core Standards.

Additional requirements for students with identified learning needs include provisions for instructional inputs, adaptive educational programs and technology, student achievement outputs/outcomes, and system-level requirements for:

- *Special education students*, including students with varying physical, psychological, social-emotional, communication, and learning disabilities or challenges who require different approaches to teaching, the use of technology, and a specifically adapted classroom or other facilities to be a successful learner. These students are categorized into four levels of need, according to the number of hours per week they require specialized services. Developing resource specifications for these special education students at all school levels—elementary through high school—proved difficult. The difficulty arose, in part, because of different professional perspectives on the levels and balance of additional instructional programming, student support, and therapeutic services these students need to be successful learners. It also reflects the challenges of assigning system-level resources to specific special education levels of need. In some cases, adjustments were made to the recommended staffing or supports based on additional stakeholder input.
- *English language learners*, including students who are not proficient in English. These are students with difficulties in speaking, reading, writing, and understanding English because they were born outside the United States, their native language is not English, and/or their home or community environment has made it difficult for them to develop English proficiency.
- *Students at risk of academic failure*, including students from poor and severely economically disadvantaged families and communities. The study team initially used students' eligibility for free and reduced-price school meals (FARM) as a proxy to identify those with multiple academic or behavioral risk characteristics. A direct one-to-one correlation between low-income status and risk of academic failure does not exist; however, poverty and poor school performance are closely associated, as is experience in the child welfare system. Initially, the study team used this proxy to develop the resource specifications that were costed out to develop the at-risk weight. However, three other criteria were later used to calculate and project funding amounts using a more targeted definition of at risk that identifies students with the lowest income levels who are more likely most at risk:
 - Students who are in foster care;
 - Students who are homeless; and
 - Students who are living in low-income families receiving Temporary Assistance for Needy Families (TANF).

Several stakeholders have raised concerns that these criteria are too narrow and would significantly under-count the number of students who are truly at-risk of academic failure. Others remarked that using eligibility for FARM as a proxy for at-risk status—which was a definition initially considered by the study team—would over-fund schools with a high percentage of low- and moderate-income students who will qualify for subsidized meals but are not truly at -risk of academic failure. The study team recognizes that these deficiencies exist in the proposed working definition. Therefore, as it is

ultimately a policy decision for the Mayor and the City Council to define at-risk status, Therefore, the study team urges DC education leaders to:

- Engage stakeholders further to help refine the definition of at-risk, so that it is targeted to the District's needs; and
 - Align eligibility determination criteria the criteria for determining eligibility with the OSSE's early warning system for identifying students at risk of academic failure., when it is completed.
- Alternative schools students, including students who have multiple risk characteristics that cause them to be over-age, under-credited, and behind-grade in academic performance. The study team relied on OSSE's proposed definition to define eligible alternative education students. They are students who are eligible for a public school education and are not academically proficient and fit one of the of the following descriptions:
- Are under court supervision because of neglect, abuse, or a need for supervision;
 - Have been incarcerated in an adult correctional facility;
 - Are committed to the Department of Youth Rehabilitation Services as a delinquent;
 - Have received multiple short-term suspensions from DCPS or public charter schools;
 - Are on long-term suspension from a DCPS or public charter school;
 - Have been expelled from a DCPS or public charter school, or another jurisdiction, after the required expulsion period has expired;
 - Are seeking admission to a DCPS or public charter school after withdrawing for a period of one or more terms, during which they received no public or private instruction;
 - Are receiving treatment for drug abuse;
 - Have a history of violence;
 - Are chronically truant;
 - Are under-credited;
 - Are pregnant or parenting; or
 - Meet other criteria for at-risk status as defined by OSSE.
- Adult education students, including students who are at least 18 years of age and have family and work responsibilities that make it difficult for them to attend regular high schools. These students require specialized supports and services to earn a high school diploma or equivalency certificate, including a flexible school schedule.

Measuring Adequacy

To cost out the level of funding needed to meet performance expectations, the TFP/APA study team gathered and analyzed data and information using two nationally recognized and accepted methodologies and incorporated elements of a third methodology:

- A professional judgment panel (PJ), which relies on the expertise and experience of professional educators to specify the resources, staff, and programs that schools at each level need to meet performance expectations and the system-level resources to support effective educational operations in multicampus systems. In the DC Education Adequacy Study, PJ panels used information from the education research—evidence base (EB)—to

help answer questions about how resources should be deployed in schools so students can meet performance expectations. This approach was used as a starting point for the PJ panels and to benchmark results, but it was not fully implemented to produce independent results. The evidence-based approach examines the academic research related to resource allocation and student performance. Resource levels for personnel and other costs are identified for resources that have been shown to contribute to significant statistical improvements in student achievement.

- A *successful schools study* (SS), which provides information on the cost of serving students in a general education setting with no special circumstances; the SS study does not provide information on students with identified learning needs. This approach was used to examine the spending of high-performing schools—both DCPS and public charter schools—as measured against DC academic performance standards, growth in student performance, and the whole school environment.

Each approach has strengths and weaknesses in producing information that can support sound decisions on adequate education funding levels, but none is perfect. Consequently, the TFP/APA study team employed a *blended methodology* that includes both the professional judgment panels and the successful schools study and that incorporates elements of the evidence-based approach. These approaches were used to analyze resource needs from different perspectives and to triangulate findings in order to produce a single cost estimate. The results of data collection and analysis employing these complementary methods were then compared, combined, and interpolated to derive the most reasonable, reliable, data-driven cost estimates.

The study team employed a blend of nationally recognized research approaches: a professional judgment (PJ) approach that brought together professional educators to specify resource needs using evidence-based research (EB) as a starting point and a successful schools (SS) approach that examined spending by high-performing DCPS and public charter schools.

Data collected through these established methods was supplemented with information from focus groups and individual interviews.

Both PJ and SS approaches enable practitioners to examine the base cost of educating a student (i.e., the cost of serving a student without identified learning needs in a general education setting with no special circumstances) in two ways so the cost can be compared and validated. However, these approaches vary in their capacity to identify additional resources needed to serve students with identified learning needs and in their ability to identify the difference in resource costs associated with different educational settings.

For the District of Columbia, the successful schools study could not produce reliable information on the costs of serving students with different types of identified learning needs because the sample sizes for each category of need were too small. In contrast, the PJ panels were able to focus extensive attention on each category of need and develop targeted resource specifications. These specifications were then reviewed; adjustments were made based on input from subsequent panels and data and information from interviews with OSSE, DCPS, and charter school leaders. By employing multiple methods, the study team was able to ensure at least two sources of relevant data and information for all critical cost estimation areas addressed in the study (see Appendix C).

The study team also conducted several focus groups and held individual interviews with key stakeholders. These sessions contributed additional information to help fill gaps, clarify issues raised by the PJ panels and the SS study, and verify findings from other sources.

Additional fiscal analyses were conducted using data provided by DCPS, PCSB, and various city agencies, including the:

- Department of General Services (DGS);
- Department of Health (DOH);
- Department of Behavioral Health (DBH),
- Department of Transportation (DDOT),
- Metropolitan Police Department (MPD),
- Chief Financial Officer (OCFO),
- Attorney General (OAG),
- Contracting and Procurement (OCP),
- Chief Technology Officer (OCTO), and
- Office of the State Superintendent of Education (OSSE).

These sources provided primary data relevant to other key costing issues, such as student support staff (e.g., school nurses and social workers), school resource officers, facilities management, and maintenance costs. These sources also provided information on funding that benefits DCPS and public charter schools but flows through District agencies and DCPS/charter school-driven cost differences.

Data and information from all of these sources were analyzed and synthesized with the results from the analytic methods discussed earlier. (See Appendix D for a list of focus group participants. See Appendix E for a list of individuals who provided data and information through phone and face-to-face interviews and meetings.)

Together, all these data sources and analyses enabled the study team to identify the following key cost elements for DC schools to meet performance expectations:

- The *base cost* of educating an average student to meet state performance expectations; this base cost does not include capital costs, such as school building construction costs, pension costs for certified educators, or debt service costs;
- Cost *weights* for educating students at different grade levels and with identified learning needs (e.g., special education students, English language learners, and students at risk of academic failure) to meet performance standards; and

- Additional *cost factors* associated with differences between schools in terms of their size and whether they are DCPS or public charter schools, including facilities maintenance and operations (M&O) costs.

Using the Professional Judgment Approach

The professional judgment approach generally is regarded as the most robust methodology for costing out education adequacy. It can be used to identify the base cost figure and adjustments for students with identified learning needs and schools in unique settings. It relies on the expertise and experience of practicing professional educators to specify the resources that schools need to serve all students.

One of the approach's greatest strengths is it brings together educators with diverse experiences, expertise, and authority to address the question of which programs can provide an adequate education and what resources would be required to do so. Panelists pool their talents, starting with teachers and specialists articulating the standards of their field and their experience in adapting to the needs of different students and different learning environments. This is followed by resource specialists translating programs into personnel and is capped by administrators focusing on the trade-offs among alternative programs. The outcome is not what any one individual would have foreseen. Instead, it reflects a blending of diverse expertise from professionals who are most aware of the academic standards and performance goals as well as the types of resources and programs students need most to achieve those goals. The costs of all resources are then determined based on locality-specific prices. (See Appendix F for a summary of guidance to PJ panelists.)

The professional judgment approach is based on the idea that panels of experienced educators can identify the programs and resources that schools need to meet DC performance expectations.

Panel Composition

The Finance Project invited a wide array of current education practitioners in DCPS and public charter schools, as well as other local education administrators and experts, to serve on the PJ panels (see Table 2.1). These individuals were selected based on their professional experience and areas of professional expertise.³ Each panel was composed of five to eight members who

³ Professional judgment panel members were all DC educators and/or education support personnel currently working in DCPS or public charter schools. They included individuals with experience and expertise in the following areas:

- Teachers, all grade levels, public school and public charter schools;
- Teachers in magnet programs;
- Teachers in competitive and/or specialized school programs (e.g., Duke Ellington School for the Arts and McKinley Technology High School);
- Teachers in alternative school programs;
- Teachers certified to teach special education;
- Teachers certified to teach English language learners;
- Teachers with experience teaching in adult education programs;

worked collaboratively to specify resource needs. The study team sought educators with experience working in schools with small and with large enrollments as well as experience with specialized curricula and programs, such as magnet schools, alternative schools, adult education programs, or special subject focuses. (See Appendix G for a list of professional judgment panel members.)

Ten PJ panels were used for the DC Education Adequacy Study.

- *School-level panels*: These three panels identified the resources needed at each school level—elementary school, middle school, and high school. The panel members included teachers, principals, instructional experts, and others most familiar with critical resource needs.
 - Elementary School Panel (prekindergarten for three- and four-year-olds [pre-K3 and pre-K4] and kindergarten [K] through grade 5)
 - Middle School Panel (grades 6 through 8)
 - High School Panel (grades 9 through 12)
- *Identified learning needs panels*: These four panels focused on the additional resources needed for students with identified learning needs, including students enrolled in special education, English language learners, alternative and adult education students, and students at risk of academic failure. This enabled a careful review of needs for different categories of students and how they can best be met within DCPS and public charter schools. Panel members included personnel familiar with the resources required to ensure students with identified learning needs can meet education standards.
 - Identified Learning Needs Panel, Elementary School
 - Identified Learning Needs Panel, Middle School and High School
 - Identified Learning Needs Panel, Adult Education and Alternative Schools
 - Identified Learning Needs Panel, Levels 1–4 Special Education
- *System-level panels*: These two panels reviewed the work of the school-level panels and the identified learning needs panels. In addition, they specified the resources needed at the central local educational agency (LEA) office level to ensure DCPS and public charter schools are supported in a manner that ensures students can meet academic standards. These panels included several system-level experts with deep knowledge of the resources needed at the LEA level to ensure effective and efficient system-level management for public schools and public charter schools.
 - District of Columbia Public Schools System Panel
 - Public Charter Schools System Panel
- *Facilities management and maintenance panel*: Facilities management and maintenance is an important education cost driver, so the study team appointed a PJ panel to focus specifically on resource needs and related costs for school building and grounds. This

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- Principals, all levels, public school and public charter schools;
 - Chief financial officers/school business managers, public school and public charter schools; and
 - Other school support staff, such as school counselors, social workers, nurses, academic deans, and school resource officers.

panel was composed of DCPS and public charter school officials with deep knowledge of facilities cost issues and policy. It also included Department of General Services (DGS) officials who manage portions of DCPS school maintenance.

- ***Overall review:*** The Advisory Group was responsible for reviewing all of the work done during the course of the study and making final adjustments to the resource specifications at the school and system levels. This group reviewed the work of all the PJ panels, discussed resource prices, examined preliminary cost figures, and attempted to resolve some of the inconsistencies that arose across panels in order to derive aggregate and per-student costs for the representative schools.

Table 2.1: Composition of the Professional Judgment Panels

PANELS	PANELISTS
School-Level Panels <ol style="list-style-type: none"> 1. Elementary: Pre-K–Grade 5 2. Middle School: Grades 6–8 3. High School: Grades 9–12 	<ul style="list-style-type: none"> • Teachers • Principals • Instructional experts working in the schools (e.g., resource teachers, mentor teachers, and accountability specialists)
Identified Learning Needs Panels <ol style="list-style-type: none"> 1. Elementary school identified learning needs 2. Middle school/high school identified learning needs 3. Adult/alternative school identified learning needs 4. Students in special education Levels 1–4 (with individualized education plans) 	<ul style="list-style-type: none"> • Teachers • Principals • Special education resource staff and instructional experts • Adult educators • Instructors and resource staff with expertise serving English language learners and economically disadvantaged children
District of Columbia Public Schools System Panel	<ul style="list-style-type: none"> • DCPS instructional support staff • System-level administrative staff members • System-level budget office staff members • DCPS principals and/or administrators • Staff from the office of the chancellor and DCPS central office staff
Public Charter Schools System Panel	<ul style="list-style-type: none"> • DC public charter schools instructional support staff • DC public charter school principals and/or administrators • Contractors to charter management organizations that provide administrative and financial management support • Public Charter School Board staff
Facilities Management and Maintenance Panel	<ul style="list-style-type: none"> • DC department of general services staff • DCPS budget office staff • DC public charter school principals/chief executive officers/chief financial officers • DCPS school principals/chief financial officers • DCPS, office of the chancellor
Advisory Group	National experts in: <ul style="list-style-type: none"> • Education policy • Education programs • Education finance Members of key DC stakeholder groups

Professional Judgment Panel Process

The panels followed a prescribed procedure in doing their work that included the following steps:

- **Setting student performance standards.** With input from DC education officials, the study team developed a standard set of required instructional, student support, administrative, technology, and other educational resources to guide the PJ panels. The document catalogs the expectations for educational inputs to enable all DC students to achieve outcomes that match state and federal performance levels (see Appendix B).
- **Launching and facilitating the PJ panels' deliberations.** Using uniform procedures, the study team reviewed the student performance standards with each PJ panel and outlined the task of creating representative schools. With facilitation support from the study team, each panel convened for approximately one day to create representative schools and specify resource needs. Panelists were instructed *not* to build their dream school, but to identify the resources specifically needed to meet DC performance standards. However, to the extent existing school resources are not adequate or up to date (e.g., technology), they were encouraged to think broadly about resources that will be needed to provide students with an adequate education in the coming years based on findings from existing educational research and from their experience in DC schools and classrooms. Panelists were instructed to “create a set of programs, curricula, or services designed to serve students with particular needs in such a way that the indicated requirements/objectives can be fulfilled,” and to “use [their] experience and expertise to organize personnel, supplies and materials, and technology in an efficient way [they] feel confident will produce desired outcomes” (see Appendix F).
- **Creating representative schools.** As described in greater detail in Chapter 3, the study team worked with the PJ panels to construct representative schools that reflect current service levels, sizes, and student composition in DC public schools and public charter schools, using available evidence-based research on resource needs as a starting point for their deliberations. Panelists had access to actual quantities and monetary values where these were found in the research literature. Where the research literature did not address specific resources, panelists formed their own judgments. Panelists were instructed to identify the types and amount of resources (e.g., number of teachers) needed to meet the performance expectations, not to estimate the actual costs of providing those resources. Each panel reached consensus on resource specifications, though not every member would allocate funds strictly according to the specifications. At the time of the meetings, no participant (either panel members or the study team) had a precise idea of the costs of the resources that were being identified. This is not to say that panel members were unaware that higher levels of resources would produce higher base cost figures or weights. Yet, without specific price information and knowledge of how other panels were proceeding, it would have been impossible for any individual or panel to suggest resource levels that would have led to a specific base cost figure or weight, much less a cost that was relatively higher or lower than another.
- **Synthesizing the results of multiple PJ panels.** Each of the school-level and identified learning needs panels, as well as the facilities panel, met with members of the TFP/APA

team for approximately one day each to design initial representative schools and/or program specifications. Subsequent system-level panels reviewed the conclusions of the school-level panels and built in resources for central administration, management, oversight, and support. The Advisory Group then reviewed, reconciled, and finalized the specifications developed by all the other panels.

- *Costing out the school-level resources needed to meet the District's public education goals.* Based on the consensus achieved by each school-level panel on required resources, the study team developed estimated costs based on current DC wage and price information. School-level cost categories include:
 - *Instructional staff*, including classroom teachers, other resource teachers, media specialists, teacher aides, and substitute teachers;
 - *Student support staff*, including school nurses, psychologists, counselors, social workers, and family liaisons;
 - *Administrative staff*, including principals, assistant principals, deans, technology managers, business managers, registrars, and clerical staff;
 - *Technology*, including hardware, software, local area and wireless networks, and licensing fees;
 - *Other educational resources*, including textbooks, supplies, and other consumables; extra-curricular programs such as sports, music and performing arts, and student-run clubs; and professional development;
 - *Additional programs* to strengthen academic success, including preschool, extended-day and extended-year programs, bridge programs, and college preparation programs; and
 - *Other costs*, including security.

The identified learning needs panels added to the resource specifications developed by the regular school-level panels to address the needs of English language learners and at-risk, adult, alternative, and special education students.

- *Costing out the system-level resources needed to meet the District's public education goals.* Based on the deliberations of the two system-level panels concerning required resources, the study team developed estimated system costs for DCPS and public charter schools. DCPS cost estimates were based on the DCPS fiscal 2014 budget. Public charter school costs were based on panel specifications of resources for LEAs that serve one or a small number of charter schools. A cost estimate was then developed based on current DC wage and price information. System-level resources include maintaining key capacities related to managing programs at multiple campuses, including:
 - *Strategic planning and management*;
 - *Financial management*;
 - *Procurement*;
 - *Academic programming and support*, including curriculum development, professional development, and resources;
 - *Outreach and coordination of programs and resources for students with identified learning needs*;
 - *Food service* (resources needed above generated revenues);
 - *Youth engagement and support*;

- *Family and public engagement;*
- *Legal support and services, including risk management;*
- *Human resources management, including personnel policies and procedures, recruitment, hiring, performance review, and recordkeeping; and*
- *Data management and accountability, including student tracking.*

Panelists were instructed *not* to build their dream school, but to identify the resources needed to meet DC performance standards, including the Common Core State Standards when they are fully implemented.

In sum, the PJ approach enabled the study team to specify the resources needed for base-level education spending, additional resources for students with identified learning needs, and the resource costs associated with alternative settings. Convening multiple panels offered several significant strengths:

- Convening multiple panels enabled the *separation of school-level resources from system-level resources.*
- Multiple panels focused on *schools at different levels and of different sizes and composition, as well as students with different learning needs*, so the study team could determine whether and to what extent these factors impact school- and system-level costs.
- Each panel’s work was reviewed by at least one other panel, which ensured *broad inclusiveness in the deliberative process* and greater accountability for the final cost estimates.

Incorporation of the Evidence-Based Approach

Although the TFP/APA study team did not undertake an independent analysis of relevant evidence-based research as a component of the DC Education Adequacy Study, the evidence-based approach was an integral part of the PJ approach. Built on the premise that education research has reached certain conclusions on how resources should be deployed in schools to improve student performance, it uses existing educational research to identify strategies that are most likely to produce desired student performance outcomes. Strategies may include class size reductions, interventions for special student populations, summer school, professional development, changes in school-day and school-year scheduling, and supplementary support services for students and their families.

The study team drew heavily on the work of other researchers who are reported in the seminal meta-data research paper by Goetz, Odden, and Picus.⁴ These authors located, read, evaluated, and synthesized the findings from hundreds of studies, reports, and other sources on effective educational strategies and practices. This included research that identified educational programs

⁴ Michael E. Goetz, Allen R. Odden, and Lawrence O. Picus, “Using Available Evidence to Estimate the Cost of Educational Adequacy,” *Education Finance and Policy*, vol. 3, no. 3 (2008): 374–97.

and practices that demonstrate *direct effects* on improving academic performance. It also included research on strategies that may have *indirect effects* on performance, such as behavioral support programs that increase time on task. Although most of the research literature is state-specific, this meta-analysis offered the most relevant evidence base for the DC Education Adequacy Study.

The study team used this information as a starting point for the PJ panels' efforts to develop representative schools at each level (pre-K/elementary school, middle school, and high school) and guide their deliberations on resource requirements for students without and with identified learning needs. To overcome the disadvantages of using the EB approach alone—one being that it speaks only to limited types of resources and treats all situations generically—the study team incorporated the EB approach into the PJ panels' design and work.

Using the Successful Schools Approach

The successful schools approach examined levels of spending in DCPS and public charter schools that were identified as high-performing. The study team:

- *Identified successful schools.* The selection of schools for the SS study was not an attempt to identify a representative sample of all DC schools. Instead, it was an effort to identify schools presently regarded as successful compared with other schools. Both DCPS and the District's Public Charter School Board have created frameworks to assess the overall performance of their schools. Each framework uses indicators to determine the extent to which its schools, and the students enrolled in them, are meeting standards set by the District of Columbia and the federal Elementary and Secondary Education Act. The frameworks' indicators consider academic achievement data and other data, such as graduation rates, re-enrollment rates, and attendance rates. They afford a balanced view of school success, both in terms of student achievement and satisfaction. In consultation with staff from the Office of the Deputy Mayor for Education, DCPS officials, PCSB staff, and other relevant stakeholders, the study team determined characteristics demonstrated by high-performing DCPS and public charter schools. These criteria varied slightly for the two sectors, but generally focused on a combination of:
 - Student academic performance;
 - Student growth over time;
 - Graduation rates;
 - Gateway measures; and
 - Leading indicators.

These characteristics were used to identify schools in each sector that were asked to provide detailed school- and system-level revenue and expenditure data to enable the study team to analyze the current costs of educating students without identified learning needs in high-performing schools. Not all schools that would be considered successful by these criteria participated in the study. (For more details on selection criteria and how they were applied to select DCPS and public charter schools, see Appendix H.)

This approach offered the inherent advantage of focusing the analysis on a selection of schools across the city whose leaders have found ways to successfully educate students to meet performance expectations. It was very helpful in clarifying expenditure levels for students *without* identified learning needs. It did not, however, provide insight into the

costs of serving students with identified learning needs who require specialized instruction, resources, and staff that entail additional costs. Table 2.2 summarizes the key characteristics of schools selected for the SS study. (Appendix I contains a profile of each school in the SS study.)

Table 2.2: Key Characteristics of Schools Selected for the Successful Schools Study

Sector Representation	<ul style="list-style-type: none"> ▪ District of Columbia Public Schools: 16 ▪ Charter Schools: 21
Geographic Distribution	<ul style="list-style-type: none"> ▪ Ward 1: 5 schools (2 Charter, 3 DCPS) ▪ Ward 2: 1 school (Charter) ▪ Ward 3: 6 schools (DCPS) ▪ Ward 4: 9 schools (7 Charter, 2 DCPS) ▪ Ward 5: 3 schools (2 Charter, 1 DCPS) ▪ Ward 6: 3 schools (2 Charter, 1 DCPS) ▪ Ward 7: 6 Schools (3 Charter, 3 DCPS) ▪ Ward 8: 4 Schools (4 Charter)
Grades Served	<ul style="list-style-type: none"> ▪ Pre-K3 to Grade3/Pre-K3 to Grade 5/Pre-K4 to Grade 5: 15 schools ▪ Pre-K3 to Grade 8/Pre-K4 to Grade 8: 4 schools ▪ Grades 4–8/Grades 5–8: 8 schools ▪ Grades 6–8/Grades 6–9: 3 schools ▪ Grades 6–12: 2 schools ▪ Grades 9–11/Grades 9–12: 5 schools
Number of Students Enrolled School enrollment ranges from 200 to more than 1,200, with most of the schools enrolling 250–450 students.	<ul style="list-style-type: none"> ▪ 200–400: 26 schools ▪ 400–600: 7 schools ▪ 600–800: 2 schools ▪ 800–1000: 0 schools ▪ 1,001 and above: 2 schools
Identified Learning Needs	<p>Low Income: In schools across the District, the average rate of low-income students, as measured by eligibility for free and reduced-price school meals, is 71%. Among the identified successful schools, low-income students account for:</p> <ul style="list-style-type: none"> ▪ 45% of the student population in DCPS ▪ 64% of the student population in Public Charter Schools <p>Special Education: DCPA notes that approximately 17% of students receive special education services. Among the identified successful schools, special education students account for:</p> <ul style="list-style-type: none"> ▪ 9% of the student population in DCPS ▪ 12% of the student population in Public Charter Schools <p>English Language Learners: The number of English language learners (ELLs) varies across the identified successful schools:</p> <ul style="list-style-type: none"> ▪ 28 schools have an ELL population that accounts for up to 15% of students. ▪ 7 schools have an ELL population that accounts for 15%–35% of students. ▪ The remaining 2 schools have an ELL population that accounts for 36% and 58% of students, respectively.

Sources: Successful School Study data collection

- *Gathered school-level and system-level expenditure data.* The study team prepared a data collection template to gather detailed income and expenditure data from each of the selected schools for school year (SY) 2011–2012. To the extent possible, charter school LEAs successfully completed the templates to produce school-specific spending data that included system-level costs associated with schools with multiple campuses. As needed, this data was supplemented with PCSB audited information for all charter schools. (PCSB audited information also was used for a few charter schools that did not report complete data.) For the DCPS schools in the sample, the Office of the Chancellor provided revenue and expenditure data for all schools. Total school spending was divided by the number of students in each school to calculate per-student school costs. (Appendix J presents the template and guidance for the collection of school-level and system-level expenditure data for the SS study.)
- *Collected data on supplemental funding and other resources.* Leaders at each of the schools participating in the successful schools study were asked to provide information on additional cash, grants, and in-kind resources available to the school for the benefit of all students and/or for categories of students. This includes, for example, contributions of money, supplies, and volunteer time. It includes supplemental funding for additional academic programs, such as after-school programs, summer school, and/or dual-credit programs with local colleges and universities. Some school leaders were able to provide this information; for others, the task was more challenging. By supplementing the basic information on school revenues with information from the DC Office of Partnerships and Grant Services and the DC Public Education Fund, the study team was able to identify additional sources of revenue available to schools in the successful schools study. With this information, the study team calculated a per-student supplemental spending estimate that was added to the base level of per-student spending on education programs for successful schools. (Appendix J provides a summary of guidance to leaders of successful DCPS and public charter schools participating in the SS study.)
- *Determined a base cost.* To determine the base cost for educating students in high-performing DCPS and public charter schools, the initial study design called for separating expenditures related to serving students with identified learning needs from those related to serving general education students. However, because the identification of these expenditures was inconsistent across sectors and schools, the study team determined that it was preferable to employ a weighted student approach that is often used for SS studies where disaggregating costs for particular students or programs is difficult. Employing this approach, weights were identified for each of the identified learning needs categories and applied to total spending in order to derive a reasonable estimate of the amount of funding that was allocated to students with identified learning needs in the SS study schools.

To generate a base cost for educating students without identified learning needs, the study team divided the total of identified expenditures by the weighted student counts. Importantly, these expenditure totals included all spending by DCPS and public charter schools in the SS study, not just spending that was specific to local UPSFF funding. All

available funding from DC education appropriations, other city agencies, federal programs, and private funds are taken into account in the SS study calculations.

The successful schools approach provided a sound estimate of the amount high-performing DCPS and public charter schools currently spend per general education student.

In sum, the SS approach provided a sound estimate of the amount high-performing DCPS and public charter schools currently spend per student to achieve results for general education students who do not have identified learning needs and, therefore, do not require specialized resources that entail additional costs.

- This estimate provides an *important point of comparison to the estimated costs of required resources identified by the PJ panels and confirms the results of the PJ cost analysis.*
- This component of the study did not address *the costs of serving students with identified learning needs.*
- This approach did not allow for the *separation of school-level resources from system-level resources.*

Comparing Expenditures Within and Outside the UPSFF

In addition to examining cost estimates resulting from the work of the PJ panels and from the SS study, the TFP/APA study team carefully analyzed current education spending within and outside the UPSFF for both DCPS and public charter schools to understand the level of current per-student education spending. Although the formula was intended to cover all instructional and noninstructional costs for educating DC students, both DCPS and public charter schools receive supplemental benefits from other city agencies, though not on an equal per-student basis, including the:

- Department of Health (DOH) for school nurses;
- Department of Behavioral Health (DBH) for social workers;
- Metropolitan Police Department (MPD) for school resource officers; and
- Department of Transportation (DDOT) for school crossing guards.

DCPS receives additional supplemental support from other DC agencies, including the:

- Office of the Attorney General (OAG) for legal support services;
- Office of Contracting and Procurement (OCP), for procurement services;
- Office of the Chief Technology Officer (OCTO) for computer systems, and
- Department of General Services (DGS) for facilities maintenance.

These benefits do not show up as DCPS school-level or system-level expenses, because they are paid directly by the referenced DC government agencies.

In addition to UPSFF funding, public charter schools also receive an annual \$3,000 per-student facilities allowance. These funds are intended to cover capital investments and lease obligations. However, public charter schools have wide discretion in how they allocate these nonlapsing funds.

Differences in how the two systems are funded and what funds cover each expenditure category complicate efforts to compute and compare costs between DCPS and public charter schools. They also complicate efforts to develop a reasonable, standard, data-based estimate of the costs of providing an adequate education to all DC students.

To address these complexities, the study team designated all expenditures for DCPS and public charter schools by whether they were covered within or outside the UPSFF. The team also assessed whether the expenditures were covered at the school level or the system level. For public charter schools, this analysis included the facilities allowance. For both systems, the study team identified funding from other public sources, including federal program funds and supplemental appropriations, to take full account of all relevant sources of revenue and all relevant expenditures in order to determine current per-student spending and compare it with calculations on the required base and weights for spending to ensure all students can receive an adequate education.

Blending Results Based on Multiple Methods

To develop sound data-driven cost estimates for the full range of costs associated with providing an adequate education, the study team conducted a comprehensive analysis of data and information from multiple sources, using multiple analytic methods. The study design was created to measure adequacy as it is reflected in three fundamental cost components:

- *A base cost per pupil common to all schools*—the parameter that can be used to establish the foundation per-student aid amount that is distributed under the District’s UPSFF;
- *Adjustments to the base cost to reflect the cost pressures associated with different students, different education programs, or different characteristics of schools reflected in the weights;* and
- *Adjustments to the base cost to reflect cost pressures associated with maintenance and operations, including utilities and custodial services for school facilities.*

Data and information were gathered, aggregated, analyzed, and synthesized, with significant input from the Advisory Group, to develop sound cost estimates for providing an adequate education to all DC students. In some cases, this required reconciling differences in the results produced using different research methods to present a single reasonable cost figure. Of particular note:

- The new Common Core State Standards are just now being implemented nationwide, so no reliable past experience exists to help set student performance benchmarks aligned with the new approach. The SS study contributed important insights into how successful schools can help boost student performance based on current standards, but it could not shed light on the resource needs and related costs for meeting the new standards. Accordingly, the PJ panels played an important role in helping the study team anticipate

modifications and enhancements in educational programs, services, assessments, and other resources that will be required and the related costs.

- Developing specifications for students with identified learning needs is challenging, because it is difficult to distinguish the base level of resources needed by all students from additional resources needed only by students with specific categories of identified learning needs.

In addition, the study team started with identifying students at-risk of academic failure using eligibility for free and reduced-price school meals. The study team recognized the need to identify additional relevant low-income proxies because of the complication the community eligibility option⁵ introduces in identifying students qualifying for these subsidized meals. The study team also recognized that a direct correlation between poverty and educational risk does not exist but it decided to rely on low-income proxies until the Office of the State Superintendent of Education fully develops and implements an early warning system for identifying students at risk of academic failure. In the short term, the study team determined that being in foster care, being homeless, and living in a family that is TANF-eligible were reasonable factors identifying at-risk students.

- The specifications from the PJ panels, with some adjustments based on research evidence and other data analyses, became the driving force for the recommended new base level of UPSFF funding and the additional weights.
- The SS results provided an important point of comparison for determining the base level of UPSFF funding and validated the findings of the PJ panels.

Employing multiple analytic methods enabled the study team to gain a broad perspective on diverse factors that affect education costs and cost differences between DCPS and public charter schools. It also afforded insights into possible strategies for reconciling differences to achieve adequacy, equity, and transparency in DC education funding. To the extent the conclusions of the PJ panels track closely to the findings in the existing educational research literature and are reinforced by the SS study, DC policymakers who are faced with competing priorities and limited budgets can have significant confidence in the study results.

⁵ The Office of the State Superintendent of Education defines schools as eligible to participate in the community eligibility option based on whether they have 40 percent or more of identified students who are direct certified for Temporary Assistance for Needy Families or Supplemental Nutrition Assistance, are homeless, or are in foster care, according to data reported in the District of Columbia's Direct Certification System, by the state agency homeless coordinator, and/or by the department of child and family services as of April 1st of each year.

3. SCHOOL-LEVEL FINDINGS

The professional judgment (PJ) panels—informed by the evidence base—sought to identify the quantity and types of resources required to provide an adequate education to all District of Columbia (DC) students at each school level. Their findings are an important foundation for conclusions on the cost of education adequacy in the District, which are presented in Chapter 5, as well as recommendations for restructuring and resetting the Uniform Per Student Funding Formula (UPSFF) base and weights for students with identified learning needs, which are presented in Chapter 6.

Importantly, the school-level PJ panelists worked together to achieve consensus on school-level resource requirements, including instructional staff, student support staff, and administrative staff, as well as other educational resources and technology hardware, for representative schools at each level. Throughout the panels' deliberations, District of Columbia Public Schools (DCPS) and public charter school educators and administrators agreed generally on the quantity, quality, and types of resources required for all students to succeed in representative schools, even though no panelists might allocate resources specifically as listed in this chapter.

The study team does not intend for these resource specifications to be a rigid prescription for how individual schools should be staffed and how school leaders should expend their budget. Instead, the resources identified by the PJ panels are the foundation for estimates of the costs of effectively serving students. In the best-case scenario, schools would receive adequate funding and school leaders could allocate resources for staff and other direct costs according to the school's needs and priorities. For example, the elementary school panel specified staffing levels and student-teacher ratios at each grade level for costing purposes, but panelists unanimously agreed that principals should have discretion in determining the most effective assignment of teachers and instructional aides to classrooms based on school conditions and student learning needs.

The resource specifications are estimates of the costs of effectively serving students, not prescriptions for how individual schools should be staffed and how school leaders should expend their budget. In the best scenario, schools would receive sufficient funding and school leaders would have discretion to allocate resources according to the school's needs and priorities.

Resource specifications for representative DCPS and public charter schools are organized as follows:

- Elementary School—Prekindergarten for three-year-olds (Pre-K3), Prekindergarten for four-year-olds (Pre-K4), Kindergarten, and Grades 1 through 5
- Middle School—Grades 6 through 8

- High School—Grades 9 through 12
- Alternative and Adult Education Schools

Each school-level section (elementary, middle, and high school) presents:

- Base-level resource requirements for regular students *without* identified learning needs that call for specialized supports and services; Additional resource requirements for students *with* identified learning needs who fall into several categories (English language learners, at risk of academic failure,¹ and special education Levels 1–4);² Additional school programs beyond the regular instructional program to boost academic performance during the school year and prevent summer learning loss (e.g., before- or after-school programs, summer school, and bridge programs for rising 9th graders); and
- Cumulative resource requirements at each level for representative schools of different sizes.

The alternative and adult education schools section presents:

- Summary profiles of alternative and adult education programs in the District of Columbia;
- A summary of alternative and adult education needs; and
- Resource requirements for alternative and adult education programs.

These school-level PJ panel resource specifications were subsequently reviewed by the identified learning needs panels, the system-level panels, and the Advisory Group. Results were also reviewed by focus groups and through individual interviews with other stakeholders. In some cases, these specifications were adjusted based on the recommendations of subsequent panels and stakeholders (e.g., additional staffing to serve students with identified learning needs or administrative costs specified at the local educational agency (LEA) level). Most resource specifications were finalized based on the Advisory Group review and were adopted as the study recommendations for costing out purposes.

Elementary Schools

DC elementary schools vary in size, with student enrollment ranging from 150 to 700. An initial study team review showed that DCPS and public charter elementary schools seem to cluster at two size levels, with larger schools of about 420 students and smaller schools of about 210 students for prekindergarten through grade 5. Accordingly, in developing profiles of

¹ A direct correlation between low-income status and risk of academic failure does not exist; however, poverty and poor school performance are closely associated. The PJ panels used eligibility for free and reduced-price school meals as the proxy for students at risk of academic failure. Later in the process, after the PJ panels completed their work, the study team—in consultation with advisors and the Office of the Deputy Mayor for Education—modified the proxy for students at risk of academic failure to include students who are in foster care, who are homeless, and/or who live in low-income families qualifying for federal aid through Temporary Assistance for Needy Families. These three factors were selected as a reasonable and relevant proxy for targeting educational risk until the Office of the State Superintendent of Education implements its early warning system to identify students at risk of academic failure.

²Special education students are categorized into four levels of need, according to number of hours per week they require specialized services using 1-4 levels.

representative schools for costing out purposes, the elementary PJ panel used these two school sizes and determined student characteristics based on demographic data for school year 2012–2013. Table 3.1 profiles the representative elementary schools.

The PJ panel developed resource specifications for larger elementary schools with 420 students and smaller schools with 210 students.

Table 3.1: School and Student Characteristics—Elementary School

Sample School	Elementary School 1: (420 Students— K–Grade 5)*	Elementary School 2: (210 Students— K–Grade 5)*
Total Enrollment	420	210
Enrollment Per Grade	70	35
Students Receiving Free and Reduced-Price School Meals—At Risk (70%)	294	147
English Language Learners (9%)	38	19
Gifted/Talented Students (5%)	21	11
Special Education (17%)		
Special Education Students—Level 1	26	13
Special Education Students—Level 2	23	12
Special Education Students—Level 3	8	4
Special Education Students—Level 4	15	7
Pre-K3 and Pre-K4 Classrooms**	6	3

Note: *All figures are for kindergarten through grade 5; additional staff and resources for prekindergarten students were analyzed separately.

Source: District of Columbia Office of the State Superintendent of Education, “FY 13 LEA and School Level Enrollment Audit Reports,” <http://osse.dc.gov/publication/fy13-Lea-and-school-level-enrollment-audit-reports>.

Instructional Personnel

In determining resource requirements for students without identified learning needs, the elementary PJ panel identified small class sizes in kindergarten and grades 1 through 3 as key to successful academic performance for general education students without identified needs requiring additional specialized support and services. The panelists felt that class ratios of 15:1 in these lower grades would provide high-quality learning environments to ensure students are performing at grade level by grade 3. For grades 4 and 5, panelists felt that higher class sizes of 25:1 were appropriate, depending on the level of other instructional staff in the school. However, panelists agreed that principals should have flexibility to determine appropriate class sizes in their school.

Panelists endorsed current DC school policy that provides full-day kindergarten for all students, and they specified staff and other resources to support these programs in all elementary schools. They also specified full-day early childhood education programs for three- and four-year olds in

pre-K3 and pre-K4 classes, with class sizes of no more than 15 and a teacher and an instructional aide in each classroom. This complies with the DC Official Code governing prekindergarten education, which requires an adult-to-child ratio of 8:1 for children age three and 10:1 for children ages four and older.³ Schoolwide, panelists also identified the need for a full-time roving substitute teacher for larger schools and a half-time roving substitute teacher for smaller schools.

Student Support Personnel

The PJ panel recognized that student support services are important, even among students without any identified learning needs. During the school day, children need to have medications administered and, inevitably, there are incidents of illness, injury, trauma, and family stress that require the services of school nurses and mental health professionals, counselors, social workers, and family liaisons. Panelists noted that family liaisons are especially important for prekindergarten students and their families who are new to the education system and often need help with responding to administrative requirements and ensuring their children's individual learning needs are properly identified and addressed.

The panel highlighted the important role that family liaisons play in helping parents of prekindergarten students who are new to the education system.

In addition, the D.C. Department of Transportation (DDOT) provides crossing guards at elementary schools during morning arrival and afternoon dismissal hours, based on neighborhood conditions, including traffic around the school. Similarly, schools have private unarmed security guards who provide day-to-day protection and monitor access to school buildings. DCPS has 253 security guards for schools at all levels. These guards are hired under a \$17.2 million contract secured by the Metropolitan Police Department (MPD) that is paid for through an interagency transfer using UPSFF funds from the DCPS budget. Public charter schools hire security officers independently.

Administrative Personnel

To meet the leadership and administrative needs of elementary schools, the PJ panel felt that a full-time principal, a half-time assistant principal, a half-time office manager, and two full-time clerical staff are required for larger schools (one for smaller schools). This level of staffing is needed to ensure high performance and sound management, especially if school leaders take on more direct responsibility for budgeting and resource allocation.

Staffing for Students with Identified Learning Needs

The elementary identified learning needs PJ panel and the Levels 1–4 special education PJ panel noted that the resources specified for general education students without any identified learning needs provide a well-resourced base for all students in elementary schools. The panels also identified additional resources to serve students with identified learning needs that require specialized staff, programs, and other supports. Additional resources for English language learners (ELLs) primarily include additional teachers. Students who are at risk of academic

³ DC Official Code § 38-272.01.

failure⁴ require other resources, including intervention teachers and instructional aides, counselors, social workers, and family liaisons.

Schools with a large at-risk student population also need additional security staff. The panels also specified the need for a dean for students with identified learning needs; this dean would serve as an administrative point person to ensure all documentation and reporting requirements are met and coordinate special learning supports and services with regular classroom instruction. For the representative elementary schools with the demographics previously described, more than 15 percent of the specified staff is dedicated to addressing the needs of at-risk students; just below 4 percent is dedicated to addressing the needs of ELL students.

For students with special education designations with individualized education plans (IEPs), panelists called for significant additional instructional staff—special education teachers, instructional aides, and a part-time adaptive physical education teacher—as well as student support staff—social workers and specialized therapists (e.g., behavioral therapy, occupational therapy, and speech therapy). They also called for additional administrative support from a special education coordinator. Approximately 21 percent of specified representative elementary school staffing is for Levels 1–4 special education students. In addition to these school-level resources, additional resources, such as dedicated aides, specialized therapists, and adaptive technology, are provided at the system level for special education students.

Developing resource specifications for Levels 1–4 special education students at all school levels proved difficult. In part, this reflects different professional perspectives on the levels and balance of additional instructional programming, student support, and therapeutic services these students need to be successful learners. Panelists found it challenging to model these resources, because the needs of special education students vary widely depending on their IEP. Moreover, the distribution of students in Levels 1–4 is not consistent from school to school or year to year. To ensure the necessary resources were identified, the study team assembled a PJ panel that reviewed resources for Levels 1–4 special education students at the elementary, middle, and high school levels. In addition, a focus group was convened to review the resources identified by this special education PJ panel. In some cases, this led to changes in the estimates of required staffing.

As shown in Table 3.2, additional staffing allocations vary depending on the category of need among elementary school students. However, approximately 40 percent of representative elementary school staff is dedicated to serving students with identified learning needs.

Staffing Summary

For an elementary school with 420 students, the school-level, identified learning needs, and Levels 1–4 special education PJ panels called for 67.4 staff members. For a school with 210 students, the panels called for 37.6 staff members (see Table 3.2) Notably, the PJ panels’

⁴ A strong association between low-income status and risk of academic failure exists. For this reason, poverty as determined by eligibility for free and reduced-price school meals is commonly used as a proxy for educational risk. However, the correlation is not one-to-one. Not all low-income students are at risk, and some affluent students are at risk and require additional support and resources. The PJ panels worked with the assumption that 70 percent of students at the average elementary school are at risk.

specifications were closely aligned with the documented levels of resources required for education adequacy found in education research studies. Although a significant number of small DCPS and public charter elementary schools are operating, the clear implication is that based on the PJ panels' specifications, it is more expensive to operate schools of this size because the ratio of instructional staff to students is lower than for larger elementary schools. As shown in Table 3.2, the instructional staff-to-student ratio and the total staff-to-student ratio for larger elementary schools are 8.8:1 and 6.2:1, respectively. The comparative ratios for small elementary schools are 8.3:1 and 5.6:1, respectively.

Table 3.2: Recommended Personnel Specifications—Elementary School

	Base Personnel	At-Risk Personnel	English Language Learners Personnel	Gifted/Talented Personnel	Special Education Personnel	Total Personnel
Elementary School 1: 420 Students						
Classroom Teachers	24.3		2.0	0.2	5.5	32.0
Specials Teachers	4.0					4.0
Intervention Teachers		2.9				2.9
Adaptive Physical Education Teachers					0.5	0.5
Librarians/Media Specialists	1.0					1.0
Technology Specialists	0.5					0.5
Instructional Aides		3.0			3.0	6.0
Full-Time Substitutes	1.0					1.0
Additional Substitutes	10 days/teacher	10 days/teacher	10 days/teacher	10 days/teacher	10 days/teacher	
Subtotal: Instructional Staff	30.8	5.9	2.0	0.2	9.0	47.9
Student Support Staff			0.4			0.4
- Counselors	0.5	0.5				1.0
- Nurses	1.0					1.0
- Psychologists	0.5	0.5			0.6	1.6
- Social Workers/Behavior Therapists	0.5	1.0			0.6	2.1
- Family Liaisons		0.5				0.5
- Speech, Occupational, and Physical Therapists					2.8	2.8
Subtotal: Student Support Staff	2.5	2.5	0.4		4.0	9.4
Principals	1.0					1.0
Assistant Administrators	0.5					0.5
Deans		1.0				1.0
Special Education Coordinators					0.7	0.7

Table 3.2: Recommended Personnel Specifications—Elementary School, continued

	Base Personnel	At-Risk Personnel	English Language Learners Personnel	Gifted/Talented Personnel	Special Education Personnel	Total Personnel
English Language Learners Coordinators			0.1			0.1
Office Managers	0.5					0.5
Clerical/Data Entry Personnel	2.0					2.0
Subtotal: Administrative Staff	6.0	1.0	0.1		1.2	8.3
Security Personnel	1.0	1.0				2.0
Subtotal: Other Staff	1.0	1.0				2.0
Total Staff	40.3	10.4	2.5		14.2	67.4
Students Per Instructional Staff						8.8:1
Students Per Total Staff						6.2:1
Elementary School 2: 210 Students						
	Base Personnel	At-Risk Personnel	English Language Learners Personnel	Gifted/Talented Personnel	Special Education Personnel	Total Personnel
Classroom Teachers	12.2		1.0	0.1	2.7	16.0
Specials Teachers	3.0					3.0
Intervention Teachers		1.5				1.5
Adaptive Physical Education Teachers					0.3	0.3
Librarians/Media Specialists	0.5					0.5
Technology Specialists	0.5					0.5
Instructional Aides		1.5	0.1		1.4	3.0
Full-Time Substitutes	0.5					0.5
Additional Substitutes	10 days/teacher	10 days/teacher	10 days/teacher	10 days/teacher	10 days/teacher	
Subtotal: Instructional Staff	16.7	3	1.1	0.1	4.4	25.3
Student Support Staff			0.2			0.2
- Counselors	0.3	0.5				0.8
- Nurses	1					1
- Psychologists	0.3	0.3			0.3	0.9
- Social Workers/Behavior Therapists	0.3	0.5			0.3	1.1
- Family Liaisons		0.3				0.3
- Speech, Occupational, and Physical Therapists					1.4	1.4

Table 3.2: Recommended Personnel Specifications—Elementary School, continued

	Base Personnel	At-Risk Personnel	English Language Learners Personnel	Gifted/Talented Personnel	Special Education Personnel	Total Personnel
Subtotal: Student Support Staff	1.9	1.6	0.2		2.0	5.7
Principals	1.0					1.0
Deans		1.0				1.0
English Language Learners Coordinators			0.1			0.1
Instructional Facilitators (Coaches)	1.0				0.2	1.2
Office Managers	0.5					0.5
Clerical/Data Entry Personnel	1.0					1.0
Subtotal: Administrative Staff	3.5	1.0	0.1		0.5	5.1
Security Personnel	1	0.5				1.5
Subtotal: Other Staff	1	0.5				1.5
Total Staff	23.1	6	1.4	0.1	6.9	37.6
Students Per Instructional Staff						8.3:1
Students Per Total Staff						5.6:1

Sources: The recommendations are derived from both the professional judgment panel specifications resulting from panelists' deliberations and the evidence base found in Michael E. Goetz, Allen R. Odden, and Lawrence O. Picus, "Using Available Evidence to Estimate the Cost of Educational Adequacy," *Education Finance and Policy*, vol. 3, no. 3 (2008): 374–97.

Other Educational Resources

The elementary school PJ panel, the elementary identified learning needs PJ panel, and the Levels 1–4 special education PJ panel also specified nonpersonnel resources that are required to provide quality instructional programs and services in the early grades. These other resources include professional development, student activity fees, textbooks, library resources, and supplies. The specifications shown in Table 3.3 were adopted as the study recommendation for costing purposes.

Table 3.3: Recommended Nonpersonnel Resources—Elementary School

	Elementary School 1: 420 Students	Elementary School 2: 210 Students
Additional Resources		
Professional Development	15 days/teacher	15 days/teacher
	\$100/student	\$100/student
Supplies and Materials	\$165/student	\$165/student
Textbooks		
Equipment		
Assessment		
Technology Licensing	\$30/student	\$30/student
Student Activities	\$200/student	\$200/student

Sources: The recommendations are derived from both the professional judgment panel specifications resulting from panelists' deliberations and the evidence base found in Michael E. Goetz, Allen R. Odden, and Lawrence O. Picus, "Using Available Evidence to Estimate the Cost of Educational Adequacy," *Education Finance and Policy*, vol. 3, no. 3 (2008): 374–97.

Technology Hardware

Acknowledging that technology plays an increasingly prominent role in classroom learning from the earliest grades, the elementary PJ panel highlighted technology hardware upgrades as a high priority for elementary schools. The Partnership for Assessment of Readiness for College and Careers (PARCC) will replace the DC Comprehensive Assessment System (DC CAS) in 2015, which will require that students use computers rather than paper and pencil for testing.

Accordingly, as shown in Table 3.4, panelists called for a computer for every professional staff member. In addition, for each classroom, they called for one computer for every four students, a printer, an LCD projector, and a document camera. Panelists also specified the need for a well-equipped media center and a fixed computer lab in every DC elementary school. These specifications were adopted by the study team as the recommended resource levels for costing purposes.

Table 3.4: Recommended Technology Hardware—Elementary School

	Elementary School 1: 420 students	Elementary School 2: 210 students
Administrative Computers		
Computers	1 per staff	1 per staff
Printers	1 per staff	1 per staff
Copiers	3	2
Servers	2	1
Faculty Laptops	1 per staff	1 per staff
Classroom		
Computers	1 per 4 students	1 per 4 students
Printers	1 per classroom	1 per classroom
LCD Projectors	1 per classroom	1 per classroom
Document Cameras	1 per classroom	1 per classroom
Computer Lab(s)—Fixed		
Computers	25	25
Printer/Scanners	1	1
SMART Boards	1	1
Computer Lab(s)—Mobile		
Laptops	52	26
Media Center		
Computers	5	5
Digital Video Cameras	5	3
Digital Cameras	5	3
Printers	2	2
Tablets	26	26
Switches and Routers	Sufficient to support identified technology	Sufficient to support identified technology

Source: The recommendations are derived from the professional judgment panel specifications resulting from panelists' deliberations. Currently, no evidence base from education research exists on adequate technology for students.

Additional Programs

The elementary PJ panel and the elementary identified learning needs PJ panel also highlighted the need for other specialized school-based programs that entail additional costs. Full-day prekindergarten for all three- and four-year-olds was deemed necessary to ensure young children are cognitively, socially, and emotionally ready for full-day school beginning in kindergarten. The panels also identified the need for extended-day and extended-year programs for at-risk students to help boost academic performance. Extended-time programs are needed to provide specialized tutoring, homework help, and enrichment before and after school during the regular school year; summer and year-round programs help prevent summer learning loss. The additional resource specifications related to these programs are presented in Tables 3.5 and 3.6 and include personnel and other direct educational costs. The study team adopted these specifications developed by the PJ panels—and informed by the education research literature—for costing purposes.

Table 3.5: Recommended Additional Programs—Elementary School

	Elementary School 1: 420 Students		Elementary School 2: 210 Students	
Program Name	Before- or After-School Program	Summer School	Before- or After-School Program	Summer School
Number of Pupils Served	100% of at-risk students	100% of at-risk students	100% of at-risk students	100% of at-risk students
Types of Students Served	At risk	At risk	At risk	At risk
Program Specifics	2.5 hours	6 weeks, full day	2.5 hours	6 weeks, full day
Personnel*				
Teachers	25:1	15:1 K–3 20:1 otherwise	25:1	15:1 K–3 20:1 otherwise
Social Workers		1.0		1.0
Instructional Aides	25:1	2.0	25:1	2.0
Coordination Personnel	0.5		0.5	
Security Personnel		1.0	1.0	1.0
Other Costs^A				
Instructional Supplies, Materials, and Equipment	\$165/student		\$165/student	
Interventions		\$500/student		\$500/student

Sources: The recommendations are derived from both the professional judgment panel specifications resulting from panelists' deliberations and the evidence base found in Michael E. Goetz, Allen R. Odden, and Lawrence O. Picus, "Using Available Evidence to Estimate the Cost of Educational Adequacy," *Education Finance and Policy*, vol. 3, no. 3 (2008): 374–97.

Table 3.6: Recommended Additional Programs—Preschool

	Elementary School 1: 420 Students	Elementary School 2: 210 Students
Program Name	Preschool	Preschool
Number of Pupils Served	6 Pre-K3/Pre-K4 Classrooms	3 Pre-K3/Pre-K4 Classrooms
Types of Students Served	15 to 1 General Education	15 to 1 General Education
Personnel		
Classroom Teachers	6.0	3.0
Specials Teachers	1.2	
Instructional Facilitators	0.5	0.5
Instructional Aides	6.0	3.0
Other Costs		
Professional Development	15 days/teacher \$100/student	15 days/teacher \$100/student
Instructional Supplies and Materials	\$165/student	\$165/student
Equipment		
Technology		
Assessment		
Student Activities	\$200/student	\$200/student

Sources: The recommendations are derived from both the professional judgment panel specifications resulting from panelists' deliberations and the evidence base found in Michael E. Goetz, Allen R. Odden, and Lawrence O. Picus, "Using Available Evidence to Estimate the Cost of Educational Adequacy," *Education Finance and Policy*, vol. 3, no. 3 (2008): 374–97.

Middle Schools

DC middle schools vary in size, with student populations ranging from approximately 250 to 1,175. The study team’s initial review showed that DCPS and public charter middle schools seem to cluster at two levels, with larger schools of about 600 students and smaller schools of about 300 students for grades 6 through 8. Although some combined elementary/middle schools and middle/high schools are operating in the city, for costing purposes, the study team focused on middle schools serving only grades 6 through 8. Accordingly, in developing representative school profiles for costing out purposes, the PJ panel used these two school sizes and determined student characteristics based on demographic data for school year 2012–2013. Table 3.7 profiles the representative middle schools.

Table 3.7: School and Student Characteristics—Middle School

Sample School	Middle School 1: (600 Students— Grades 6–8)	Middle School 2: (300 Students— Grades 6–8)
Total Enrollment	600	300
Enrollment Per Grade	200	100
Students Receiving Free and Reduced- Price School Meals—At Risk (60%)	360	180
English Language Learners (9%)	54	27
Gifted/Talented Students (5%)	30	15
Special Education Students (17%)		
Special Education Students—Level 1	37	19
Special Education Students—Level 2	33	12
Special Education Students—Level 3	12	6
Special Education Students—Level 4	21	11

Source: District of Columbia Office of the State Superintendent of Education, “FY13 LEA and School Level Enrollment Audit Reports,” <http://osse.dc.gov/publication/fy13-Lea-and-school-level-enrollment-audit-reports>.

The PJ panel developed resource specifications for larger middle schools with 600 students and for smaller middle schools with 300 students.

Instructional Personnel

The middle school PJ panel emphasized the different characteristics and circumstances that affect students’ academic performance at this age and the need to address them in a well-coordinated way. Accordingly, the panel specified class sizes of 25:1 to enable all students in grades 6 through 8 to meet DC performance standards. Further, panelists recommended that staffing be at a level to support schools operating on a block system with four academic blocks per day. Teachers are assumed to teach in three of the four blocks, reserving the fourth for planning and preparation time. Schoolwide, panelists identified the need for additional instructional aides. They also specified the need for two full-time roving substitute teachers for larger middle schools and one full-time roving substitute teacher for smaller schools.

Student Support Personnel

The middle school PJ panel determined several student support services as essential for all students, not just those with identified learning needs. These include school nurses who can address students' routine health needs (e.g., diabetic testing and medication administration) and inevitable illnesses and/or injuries requiring immediate first aid or other treatment. Similarly, mental health professionals, counselors, social workers, and family liaisons are needed in cases of trauma or family stress that require student support and assistance for their families. Counselors also are needed to help students with course selection and assignment in order to ensure students satisfy course requirements and start courses in required subjects early enough to provide for high school continuation.

Although panelists were specific about the need for a school nurse in every school, they acknowledged that different combinations of other student support personnel (e.g., psychologists, social workers, counselors, and family liaisons) may be needed in different school settings and agreed that principals should have discretion to make those staffing decisions based on the conditions in their school and their students' learning needs. In public charter schools, principals have broad discretion to make these staffing decisions. DCPS principals do not have discretion in hiring these types of student support personnel. Nurses are assigned to all middle schools, as are other student support personnel, based on staff allocation decisions made at the system level to ensure student health and safety.

Additionally, as highlighted in the elementary school discussion, DDOT provides crossing guards at DCPS and public charter middle schools during morning arrival and afternoon dismissal hours, based on neighborhood conditions, including street traffic around the school. Similarly, MPD provides school resource officers (SROs), as needed, to prevent juvenile delinquency. The MPD assigns SROs to geographic clusters of DCPS and public charter middle and high schools, based on neighborhood and school conditions, and they may serve more than one school. In addition, schools have private unarmed security guards who provide day-to-day protection and monitor access to school buildings. DCPS has 253 security guards for schools at all levels. Some middle schools and high schools have up to 11 assigned security guards. These guards are hired under a \$17.2 million contract that is paid for through an interagency transfer from DCPS to MPD. Public charter schools hire security officers independently.

Administrative Personnel

To meet the leadership and administrative needs of larger middle schools, the school-level PJ panel felt that one full-time principal, one assistant principal, one office manager, and a half-time business manager are needed. Panelists also specified a full-time registrar to address new DC attendance monitoring and follow-up requirements and a full-time clerical staff member in larger schools. In smaller schools, the panelists specified half-time positions for the assistant principal, office manager, business manager, and registrar. These levels of administrative staffing were identified by the PJ panel to ensure high performance and sound management, especially in schools that take on more direct responsibility for budgeting and resource allocation.

Staffing for Students with Identified Learning Needs

The middle/high school identified learning needs PJ panel and the Levels 1–4 special education PJ panel felt that the resources specified for general education students without any identified learning needs provide a well-resourced base for middle schools. The panels also identified

additional resources needed to serve students with identified learning needs that require specialized staff, programs, and equipment. Additional resources for English language learners primarily included additional teachers.

For ELL and at-risk students, panelists called for additional student support staff. For students who transfer in and out of schools during the school year, panelists felt that social workers, counselors, and family liaisons are needed to serve as education advocates to ensure proper class placement and academic continuity and ensure students' individual learning needs are properly identified and addressed. Panelists indicated that these staff can be counselors, social workers, and/or family liaisons, depending on students' specific needs and the staffing preferences in individual schools. They also specified additional security staff in schools with a large at-risk student population. Approximately 18 percent of the specified middle school staff is dedicated to addressing the needs of at-risk students and 4 percent to addressing the needs of ELL students.

For students with special education designations and IEPs, panelists recommended more intensive support and services by specially trained school staff, including additional special education teachers and instructional aides, an adaptive physical education teacher, and additional student support staff. They also called for specialized therapists, transition specialists, a special education coordinator, and a facilitator/coach to support teachers and ensure effective coordination between specialized programs and regular classroom instruction. Approximately 20 percent of the specified middle school staff is dedicated to addressing the needs of Levels 1–4 special education students.

As shown in Table 3.8, these additional staffing needs vary depending on the category of need among middle school students. However, more than 40 percent of the specified middle school staff is dedicated to serving students with identified learning needs.

Staffing Summary

For a middle school with 600 students, the PJ panel called for 88.6 staff members. For a middle school with 300 students, the panel called for 50.2 staff members. In some cases, the PJ panel specifications varied from the evidence base. In particular, panelists called for more student support personnel than is reflected in the research literature, mostly because so many DC students are low income. To a large extent, this also reflects differences in student and teacher schedules; some schools have several class periods per day while others have an individual teacher in each classroom. Accordingly, the study recommendation reflects the number of teachers in a school of each size that would be required to satisfy the specified 25:1 ratio on a block schedule.

As with elementary schools, the clear implication is that regardless of whether it may be desirable from an educational perspective, it is more expensive to operate small middle schools because the instructional staff-to-student ratio and the total staff-to-student ratio are lower than for larger schools. As shown in Table 3.8, the instructional staff-to-student ratio and the total staff-to-student ratio for larger middle schools are 9.7:1 and 6.8:1, respectively. The comparative ratios for small middle schools are 8.9:1 and 6.0:1, respectively.

Table 3.8: Recommended Personnel Specifications—Middle School

	Base Personnel	At-Risk Personnel	English Language Learners Personnel	Gifted/Talented Personnel	Special Education Personnel	Total Personnel
Middle School 1: 600 Students						
Teachers	32.0	7.5	2.8		7.9	50.2
Intervention Teachers		3.6		0.3		3.9
Adaptive Physical Education Teachers					0.5	0.5
Librarians/Media Specialists	1.0					1.0
Technology Specialists	1.0					1.0
Instructional Aides			0.5		2.6	3.1
Full-Time Substitutes	2.0					2.0
Additional Substitutes	5 days/teacher	5 days/teacher	5 days/teacher	5 days/teacher	5 days/teacher	
Subtotal: Instructional Staff	36.0	11.1	3.3	0.3	11.0	61.7
Student Support Staff		3.6	0.4			4.0
- Counselors	2.4					2.4
- Nurses	1.0					1.0
- Psychologists					0.8	0.8
- Social Workers/Behavior Therapists	0.5				0.8	1.3
- Speech, Occupational, and Physical Therapists					2.3	2.3
Subtotal: Student Support Staff	3.9	3.6	0.4		3.9	11.8
Principals	1.0					1.0
Assistant Administrators	1.0					1.0
Special Education Coordinators					1.0	1.0
English Language Learner Coordinators			0.1			0.1
Instructional Facilitators (Coaches)	2.0				0.7	2.7
Office Managers	1.0					1.0
Business Managers	0.5					0.5
Registrar/Attendance Personnel	1.0					1.0
Clerical/Data Entry Personnel	1.0					1.0
Subtotal: Administrative Staff	7.5		0.1		1.7	9.3
Security Personnel	3.0	1.0				3.0
Subtotal: Other Staff	3.0	1.0	0.1		1.7	5.8
Total Staff	50.4	15.7	3.9	0.3	18.3	88.6
Students Per Instructional Staff						9.7:1
Students Per Total Staff						6.8:1

Table 3.8: Recommended Personnel Specifications—Middle School, continued

	Base Personnel	At-Risk Personnel	English Language Learners Personnel	Gifted/Talented Personnel	Special Education Personnel	Total Personnel
Middle School 1: 600 Students						
Teachers	16.0	3.7	1.4		3.7	24.8
Intervention Teachers		1.8		0.2		2.0
Adaptive Physical Education Teachers					0.3	0.3
Librarians/Media Specialists	1.0					1.0
Technology Specialists	0.5					0.5
Instructional Aides			0.3		1.4	1.7
Full-Time Substitutes	1.0					1.0
Additional Substitutes	5 days/teacher	5 days/teacher	5 days/teacher	5 days/teacher	5 days/teacher	
Subtotal: Instructional Staff	18.5	5.5	1.7	0.2	5.4	31.3
Student Support Staff		1.8	0.2			2.0
- Counselors	1.2					1.2
- Nurses	1.0					1.0
- Psychologists					0.4	0.4
- Social Workers/Behavior Therapists	0.3				0.4	0.7
- Speech, Occupational, and Physical Therapists					1.1	1.1
Subtotal: Student Support Staff	2.5	1.8	0.2		1.9	6.4
Principals	1.0					1.0
Assistant Administrators	0.5					0.5
Special Education Coordinators					0.6	0.6
English Language Learners Coordinators			0.1			0.1
Instructional Facilitators (Coaches)	2.0				0.3	2.3
Office Managers	0.5					0.5
Business Managers	0.5					0.5
Registrar/Attendance Personnel	0.5					0.5
Clerical/Data Entry Personnel	1.0					1.0
Subtotal: Administrative Staff	6.0		0.1		0.9	7.0
Security Personnel	2.0	1.0				3.0
Subtotal: Other Staff	2.0	1.0				3.0
Total Staff	29.0	8.3	2.0	0.2	8.2	47.7
Students Per Instructional Staff						9.6:1
Students Per Total Staff						6.3:1

Sources: The recommendations are derived from both the professional judgment panel specifications resulting from panelists' deliberations and the evidence base found in Michael E. Goetz, Allen R. Odden, and Lawrence O. Picus, "Using Available Evidence to Estimate the Cost of Educational Adequacy," *Education Finance and Policy*, vol. 3, no. 3 (2008): 374–97.

Other Educational Resources

In addition to personnel resources that are needed to provide instructional programs, student support services, and management/administrative support, the middle school PJ panel, the middle/high school identified learning needs PJ panel, and the Levels 1–4 special education PJ panel specified other resources that are required to provide quality instructional programs and services. These included nonpersonnel resources such as professional development, student activity fees, textbooks, library resources, and supplies. These specifications were adopted as the study recommendation for costing purposes and are displayed in Table 3.9.

Table 3.9: Recommended Nonpersonnel Resources—Middle School

	Middle School 1: 600 Students	Middle School 2: 300 Students
Additional Resources		
Professional Development	15 days/teacher	15 days/teacher
	\$100/student	\$100/student
Supplies and Materials	\$225/student	\$225/student
Textbooks	\$60/student	\$60/student
Equipment	\$50/student	\$50/student
Technology Licensing	\$30/student	\$30/student
Student Activities	\$300/student	\$300/student

Sources: The recommendations are derived from both the professional judgment panel specifications resulting from panelists' deliberations and the evidence base found in Michael E. Goetz, Allen R. Odden, and Lawrence O. Picus, "Using Available Evidence to Estimate the Cost of Educational Adequacy," *Education Finance and Policy*, vol. 3, no. 3 (2008): 374–97.

Technology Hardware

Because developing strong computer skills is such a high priority for all students, the PJ panelists highlighted technology hardware specifications for middle schools to enhance classroom learning. As noted in the discussion of elementary school technology priorities, PARCC will replace the DC CAS in 2015, which will require that students use computers rather than paper and pencil for testing. Accordingly, as shown in Table 3.10, for every middle school, panelists called for a computer for every professional staff member and a classroom setup that includes five printers, one LCD projector, one SMART Board, and one document camera. They also specified the need for a well-equipped media center for every middle school. Moreover, they specified a fixed computer lab with 25 computers, 2 printers, 1 SMART Board, and 8 mobile labs with 200 computers for a large middle school (1 for every 3 students) as well as a fixed computer lab with 25 computers, 2 printers, 1 SMART Board, and 4 mobile labs with 100 computers for a small middle school (1 for every 3 students).

Table 3.10: Recommended Technology Hardware—Middle School

	Middle School 1: 600 Students	Middle School 2: 300 Students
Administrative Computers		
Computers	1 per staff	1 per staff
Printers	1 per administrator	1 per administrator
Copiers	3	2
Servers	2	2
Faculty Laptops	1 per staff	1 per staff
Classroom		
Computers	5 per classroom	5 per classroom
SMART Boards	1 per classroom	1 per classroom
Document Cameras	1 per classroom	1 per classroom
Computer Lab(s)—Fixed	1 fixed lab	1 fixed lab
	Middle School 1: 600 Students	Middle School 2: 300 Students
Printer/Scanners	1	1
SMART Boards	1	1
Computer Lab(s)—Mobile	8 mobile labs	4 mobile labs
Laptops	25 per mobile lab	25 per mobile lab
Printers/Scanners	1 per mobile lab	1 per mobile lab
Media Center		
Computers	3	3
Flip Cameras	21	21
Copiers	1	1
Switches and Routers	Sufficient to support identified technology	Sufficient to support identified technology

Source: The recommendations are derived from the professional judgment panel specifications resulting from panelists' deliberations. Currently, no evidence base from education research exists on adequate technology for students.

Additional Programs

The middle school PJ panel and the middle/high-school identified learning needs PJ panel specified the need for other specialized school-based programs that entail additional costs to support and help boost academic performance for at-risk students. These include extended-day programs and extended-year programs that offer specialized tutoring, homework help, and enrichment during the school year and help prevent learning loss over the summer. The additional costs related to these programs are presented in Table 3.11. They include personnel and other direct costs.

Table 3.11: Recommended Additional Programs—Middle School

	Middle School 1: 600 Students		Middle School 2: 300 Students	
Program Name	Before- or After-School Program	Summer School	Before- or After-School Program	Summer School
Number of Pupils Served	100% of at-risk students	100% of at-risk students	100% of at-risk students	100% of at-risk students
Types of Students Served	At risk	At risk	At risk	At risk
Grade Level	6–8	6–8	6–8	6–8
Program Specifics	2 hours	6 to 8 weeks, full day	2 hours	6 to 8 weeks, full day
Personnel				
Teachers	30:1	30:1	30:1	30:1
Social Workers		1.0		1.0
Instructional Aides				
Coordination Personnel	0.5		0.5	
Security Personnel		1.0		1.0
Other Costs				
Interventions		\$500/student		\$500/student

Source: The recommendations are derived from the professional judgment panel specifications resulting from panelists' deliberations.

High Schools

DC high schools also vary in size, with the smallest school having only 100 students and the largest one 1,700 students. An initial review and analysis by the study team showed that DCPS and public charter high schools seem to cluster at two size levels, with larger schools of about 1,000 students and smaller schools of about 400 students for grades 9 through 12; some combined middle and high schools also are operating. Accordingly, in developing representative school profiles for costing out purposes, the high school PJ panel used these two school sizes and determined student characteristics based on demographic data for school year 2011–2012. Table 3.12 profiles the representative high schools.

The PJ panel developed resource specifications for larger high schools with 1,000 students and smaller schools with 400 students.

Table 3.12: School and Student Characteristics—High School

Sample School	High School 1: (1,000 Students— Grades 9–12)	High School 2: (400 Students— Grades 9–12)
Total Enrollment	1000	400
Enrollment Per Grade	250	100
Students Receiving Free and Reduced-Price School Meals—At Risk (60%)	600	240
English Language Learners (9%)	90	36
Gifted/Talented Students (5%)	50	20
Special Education Students (17%)		
Special Education Students—Level 1	62	25
Special Education Students—Level 2	55	22
Special Education Students—Level 3	20	8
Special Education Students—Level 4	35	14

Source: District of Columbia Office of the State Superintendent of Education, “FY13 LEA and School Level Enrollment Audit Reports,” <http://osse.dc.gov/publication/fy13-Lea-and-school-level-enrollment-audit-reports>.

Instructional Personnel

The high school PJ panel focused on resource requirements that would enable students to meet current and proposed high school academic standards, earn a high school diploma in four years, and prepare for postsecondary education and training. The emphasis is on helping 9th-grade students make successful transitions from middle school to high school; helping 9th- and 10th-grade students develop course plans that will enable them to meet all graduation requirements; and helping 11th- and 12th-grade students prepare for college or other postsecondary career training. For each age group, panelists emphasized the need to coordinate targeted responses to the characteristics and circumstances that affect students’ academic performance at this stage. Accordingly, the panel specified an average class size of 25:1 to enable all students to meet DC performance standards in grades 9 through 12, with subject-area teachers in eight core subjects.⁵ Panelists recommended that teacher staffing be at a level to enable schools to operate on a block system with four academic blocks per day. Teachers are assumed to teach in three of the four blocks, reserving the fourth for planning and preparation time. Panelists also specified two full-time roving substitute teachers for larger high schools and one full-time roving substitute teacher for smaller high schools.

For instructional and student support staff, the emphasis is on helping 9th- and 10th-grade students make successful transitions from middle school to high school and helping 11th- and 12th-grade students prepare for college or other postsecondary career training.

⁵ Core subjects are defined as art, English, health and physical education, mathematics (algebra I and II, geometry, and an upper-level math), music, science (biology, two lab sciences, and one other science), social studies (world history I and II, DC history, US government, and US history) and world languages.

Student Support Personnel

The PJ panelists identified student support services as essential to promoting health and safety in DC high schools. Similar to the elementary and middle school PJ panels, the high school PJ panel emphasized the need for health and mental health professionals, counselors, social workers, and family liaisons to address inevitable incidents of illness, injury, trauma, or family stress, even among students without identified learning needs. They highlighted the need for a nurse in every school to help address students' regular health needs (e.g., diabetic testing, medication administration, and treatment for athletic injuries).

As is the case for elementary schools and middle schools, DDOT provides crossing guards at DCPS and public charter high schools during morning arrival and afternoon dismissal hours, based on neighborhood conditions, including street traffic around the school. The MPD provides school resource officers, as needed, to prevent juvenile delinquency. As noted for middle schools, MPD assigns SROs to geographic clusters of DCPS and public charter schools based on neighborhood and school conditions, and they may serve more than one school. In addition, schools have private unarmed security guards who provide day-to-day protection and monitor access to school buildings. DCPS has 253 security guards for schools at all levels. Some middle schools and high schools have up to 11 assigned security guards. These guards are hired under a \$17.2 million contract that is paid for through an interagency transfer from DCPS to MPD. Public charter schools hire security officers independently.

Administrative Personnel

To meet the leadership and administrative needs of large high schools, the PJ panel felt that one full-time principal; two assistant principals; two deans of students; a full-time business manager, office manager, and registrar; and four full-time clerical/data entry staff are needed to meet the significantly greater tracking and administrative requirements for high school students. For smaller high schools, the panel specified the need for a full-time principal; a half-time assistant principal, business manager, office manager, and registrar; and two clerical/data entry staff. These levels of administrative staffing are intended to ensure high performance and sound management, especially in schools that take on more direct responsibility for budgeting and resource allocation.

Staffing for Students with Identified Learning Needs

The middle/high school identified learning needs PJ panel called attention to the importance of education advocates for at-risk students, many of whom move in and out of schools during the school year. These student support personnel can be social workers, counselors, or family liaisons with deep knowledge of DC education requirements and administrative systems and experience in helping students negotiate bureaucratic hurdles and requirements. This is especially necessary for transient students and students who are returning to school after dropping out or spending time in a juvenile detention facility. Student support personnel must be knowledgeable and caring advocates who can ensure proper class placement, academic continuity, and credit transfers as well as help students deal with the school bureaucracy.

Panelists also noted that these vulnerable students need assistance to ensure their individual learning needs are identified and properly addressed. Additionally, they need assistance to ensure

they do not fall between the cracks or become ineligible for graduation because they have not taken all the required courses or fail to meet other administrative requirements. Moreover, the pathway to postsecondary education and training is far less certain for at-risk students without intensive support to ensure that they have the required number of course credits, that their transcripts are complete, that they have met college testing requirements, and that they have completed and submitted college and other applications on time.

The middle/high school identified learning needs PJ panel and the Levels 1–4 special education PJ panel felt that the resources specified for general education students without any identified learning needs provide a well-resourced base for DC high schools. The panels also identified additional resources to serve students with identified learning needs that require specialized staff, programs, and equipment. Additional resources for English language learners primarily included additional teachers.

For students identified as at risk and for students who are repeating core courses, the panels specified additional classroom teachers for remedial classes. They also included student support staff (e.g., counselors, psychologists, social workers, and family liaisons), based on student needs and staffing preferences within individual schools. In addition, they specified additional security staff in schools with a large at-risk student population. Approximately 18 percent of specified high school staff is dedicated to addressing the needs of at-risk students; more than 4 percent is dedicated to addressing the needs of ELL students.

For students with special education designations and IEPs, the panelists recommended more intensive support and services by specially trained school staff, including additional special education teachers and instructional aides, an adaptive physical education teacher, and additional student support staff. They also called for specialized therapists, transition specialists, a special education coordinator, and a facilitator/coach to support teachers and ensure effective coordination between specialized programs and regular classroom instruction. More than 17 percent of the specified high school staff is dedicated to addressing the needs of Levels 1–4 special education students.

Although the high school identified learning needs PJ panel also considered the needs of gifted and talented students, they did not provide detailed resource specifications for new programs and learning opportunities. However, the regular high school PJ panel specified that students should have access to Advanced Placement classes and International Baccalaureate programs through their neighborhood schools or through magnet schools that draw students from across the city.

Students should have access to Advanced Placement classes and International Baccalaureate programs through their neighborhood schools or through magnet schools that draw students from across the city.

Additional staffing resources vary depending on the category of need among high school students. Based on the PJ panels' specifications, approximately 39 percent of all high school staff is dedicated to serving students with identified learning needs.

Staffing Summary

For high schools with 1,000 students, the panel called for 148.3 full-time equivalent (FTE) staff members. For high schools with 400 students, the panel called for 67 FTE staff members. The PJ panel specifications varied from the evidence base. In particular, the PJ panels called for more student support personnel than is reflected in the research literature, mostly because so many DC students are at risk. To a large extent, this variation also reflects differences in student and teacher schedules; some schools have several class periods per day while some have an individual teacher in each classroom. Accordingly, the study recommendation reflects the number of teachers in a school of each size that would be required to satisfy the specified 25:1 ratio on a block schedule (see Table 3.13).

As with elementary schools and middle schools, the clear implication is that it is more expensive to operate small high schools because the instructional staff-to-student ratio and the total staff-to-student ratio are lower than for larger schools. As shown in Table 3.13, the instructional staff-to-student ratio and the total staff-to-student ratio for larger high schools are 10.1:1 and 6.7:1, respectively. The comparative ratios for small high schools are 9.8:1 and 6.0:1, respectively.

Table 3.13: Recommended Personnel Specifications—High School

	Base Personnel	At-Risk Personnel	English Language Learners Personnel	Gifted/Talented Personnel	Special Education Personnel	Total Personnel
High School 1: 1,000 Students						
Teachers	53.3	12.4	4.7	0.5	13.2	84.1
Intervention Teachers		6.0				6.0
Adaptive Physical Education Teachers					1.0	1.0
Librarians/Media Specialists	1.0					1.0
Technology Specialists	1.0					1.0
Instructional Aides			0.6		4.4	5.0
Media Aides	1.0					1.0
Substitutes	10 days/teacher	10 days/teacher	10 days/teacher	10 days/teacher	10 days/teacher	
Subtotal: Instructional Staff	56.3	18.4	5.3	0.5	18.6	99.1
Student Support Staff		6.0	0.9			6.9
- Counselors	5.0					5.0
- Nurses	1.0					1.0
- Psychologists					1.4	1.4
- Social Worker/Behavior Therapists	2.0				1.4	3.4
- Speech, Occupational, and Physical Therapists	2.0				2.2	4.2
Subtotal: Student Support Staff	10.0	6.0	0.9		5.0	21.9
Principals	1.0					1.0
Assistant Administrators	2.0					2.0
Deans	2.0					2.0
Special Education Coordinators					1.0	1.0
English Language Learners Coordinators			0.2			0.2
Department Chairs	2.0					2.0
Instructional Facilitators					1.1	1.1
Office Managers	1.0					1.0
Business Managers	1.0					1.0
Data Managers	1.0					1.0
Registrar/Attendance Personnel	1.0					1.0
Clerical/Data Entry Personnel	4.0					4.0
In-School Suspension Personnel	2.0					2.0
Subtotal: Administrative Staff	17.0		0.2		2.1	19.3

Table 3.13: Recommended Personnel Specifications—High School, continued

	Base Personnel	At-Risk Personnel	English Language Learners Personnel	Gifted/Talented Personnel	Special Education Personnel	Total Personnel
Information Technology Managers	1.0					1.0
Security Personnel	6.0	2.0				8.0
Subtotal: Other Staff	7.0	2.0				9.0
Total Staff	89.3	26.4	6.4	0.5	25.7	148.3
Students Per Instructional Staff						10.1:1
Students Per Total Staff						6.7:1
High School 2: 400 Students						
Teachers	21.3	5.0	2.0	0.2	5.3	33.8
Intervention Teachers		2.4				2.4
Adaptive Physical Education Teachers					0.5	0.5
Librarians/Media Specialists	1.0					1.0
Technology Specialists	1.0					1.0
Instructional Aides			0.2		1.8	2.0
Substitutes	10 days/ teacher	10 days/ teacher	10 days/ teacher	10 days/ teacher	10 days/ teacher	
Subtotal: Instructional Staff	23.3	7.4	2.2	0.2	7.6	40.7
Student Support Staff		2.4	0.4			2.8
- Counselors	2.0					2.0
- Nurses	1.0					1.0
- Psychologists					0.6	0.6
- Social Workers/Behavior Therapists	0.3				0.6	0.9
- Speech, Occupational, and Physical Therapists					0.9	0.9
- Transition Specialists					2.0	2.0
Subtotal: Student Support Staff	3.3	2.4	0.4		4.1	10.2
Principals	1.0					1.0
Assistant Administrators	1.0					1.0
Deans	1.0					1.0
Special Education Coordinators					0.5	0.5

Table 3.13: Recommended Personnel Specifications—High School, continued

	Base Personnel	At-Risk Personnel	English Language Learners Personnel	Gifted/Talented Personnel	Special Education Personnel	Total Personnel
English Language Learners Coordinators			0.1			0.1
Department Chairs	2.0					2.0
Instructional Facilitators					0.4	0.4
Office Managers	0.5					0.5
Business Managers	0.5					0.5
Data Managers	0.5					0.5
Registrar/Attendance Personnel	0.5					0.5
Clerical/Data Entry Personnel	2.0					2.0
In-School Suspension Personnel	1.0					1.0
Subtotal: Administrative Staff	10.0		0.1		0.9	11.0
Information Technology Managers	1.0					1.0
Security Personnel	3.0	1.0				4.0
Subtotal: Other Staff	4.0	1.0				5.0
Total Staff	41.8	9.8	2.6	0.2	12.6	67.0
Students Per Instructional Staff						9.8:1
Students Per Total Staff						6.0:1

Sources: The recommendations are derived from both the professional judgment panel specifications resulting from panelists' deliberations and the evidence base found in Michael E. Goetz, Allen R. Odden, and Lawrence O. Picus, "Using Available Evidence to Estimate the Cost of Educational Adequacy," *Education Finance and Policy*, vol. 3, no. 3 (2008): 374–97.

Other Educational Resources

In addition to personnel resources that are needed to provide instructional programs, student support services, and management/administrative support, the high school PJ panel, the middle/high school identified learning needs PJ panel, and the Levels 1–4 special education PJ panel specified other resources that are required to provide quality instructional programs and services. These nonpersonnel resources include professional development, student activity fees, textbooks, library resources, and supplies. The specifications adopted as the study recommendation for costing purposes are displayed in Table 3.14.

Table 3.14: Recommended Nonpersonnel Resources—High School

	High School 1: 1,000 Students	High School 2: 400 Students
Additional Resources		
Professional Development	13 days/per teacher \$100/student	13 days/per teacher \$100/student
Supplies and Materials	\$225/student	\$225/student
Textbooks	\$125/student	\$125/student
Equipment	\$50/student	\$50/student
Technology Licensing	\$30/student	\$30/student
Student Activities	\$500/student	\$500/student

Sources: The recommendations are derived from both the professional judgment panel specifications resulting from panelists' deliberations and the evidence base found in Michael E. Goetz, Allen R. Odden, and Lawrence O. Picus, "Using Available Evidence to Estimate the Cost of Educational Adequacy," *Education Finance and Policy*, vol. 3, no. 3 (2008): 374–97.

Technology Hardware

The high school PJ panel highlighted technology hardware as a high priority for DC high schools. Broadening access and updating technology available to students and staff are critical to a sound high school learning environment. This observation acknowledges that students need to develop strong computer skills to be successful in the 21st century and that technology plays an increasingly prominent role in classroom learning. As shown in Table 3.15, panelists called for a computer for every professional staff member and one laptop computer for every high school student to ensure opportunities for digital learning and adequate preparation for PARCC testing. Additionally, panelists specified one classroom computer, a printer, an LCD projector, a SMART Board, and a document camera for each classroom. They also identified the need for a well-equipped media center in every high school with computers and digital cameras for use by an entire class at any given time. Panelists also specified that every large and small high school should have a well-equipped fixed computer lab with 44 computers, 2 printer/scanners, and 2 SMART Boards. Recognizing the security issues associated with providing each student with a computer, panelists called for secure facilities in school buildings to safeguard laptops at night and on weekends and enable students to check them out on a daily basis during school hours.

Table 3.15: Recommended Technology Hardware—High School

	High School 1 1,000 Students	High School 2 400 Students
Administrative Computers		
Computers	1 per staff member	1 per staff member
Printers (ink)	1 per staff member	1 per staff member
Copiers	5	3
Servers	2	1
Faculty Laptops	1 per staff member	1 per staff member
Classroom		
Computers	1 per classroom	1 per classroom
Printers	1 per classroom	1 per classroom
LCD Projectors	1 per classroom	1 per classroom
SMART Boards	1 per classroom	1 per classroom
Document Cameras	1 per classroom	1 per classroom
Computer Lab(s)—Fixed		
Computers	44	44
Printers/Scanners	1 per lab	1 per lab
SMART Boards	1 per lab	1 per lab
Computer Lab(s)—Mobile		
Laptops	1 per student	1 per student
Media Center		
Computers	27	27
Digital Video Cameras	5	5
Digital Cameras	22	22
Printers (laser)	2	2
Switches and Routers	Sufficient to support identified technology	Sufficient to support identified technology

Source: The recommendations are derived from the professional judgment panel specifications resulting from panelists' deliberations. Currently, no evidence base from education research exists on adequate technology for students.

Additional Programs

The high school PJ panel, the middle/high school identified learning needs PJ panel, and the Levels 1–4 special education PJ panel specified the need for other specialized school-based programs that entail additional costs. Extended-day programs and extended-year programs offer specialized tutoring, homework help, and enrichment during the school year and help prevent learning loss over the summer. They also include summer bridge programs to ease the transition from middle school to high school for entering 9th graders and transfer students. The additional costs related to these programs are presented in Tables 3.16 and 3.17. They include personnel and other direct costs.

Table 3.16: Recommended Additional Programs—High School 1 (1,000 Students)

High School 1: 1,000 Students					
Program Name	Before- or After-School Program	Summer School	After-School Tutoring/ Homework Club/Advanced Placement Preparation	Summer Bridge	Summer Enrichment
Number of Pupils Served	100% of at-risk students	100% of at-risk students			75
Types of Students Served	At risk	At risk	All	Entering 9th graders/transfers	All
Grade Levels	9–12	9–12	9–12	Entering 9th graders	9–12
Program Specifics	2 hours	6 to 8 weeks, full day	2 hours 3 days per week	2 weeks	4 weeks, 3 hours 4 days per week
Personnel					
Teachers	30:1	30:1	16 (1 per core, per grade)	10	20:1
Program Name	Before- or After-School Program	Summer School	After-School Tutoring/ Homework Club/Advanced Placement Preparation	Summer Bridge	Summer Enrichment
Coordinators	1.0				
Security Personnel		2.0			
Other Costs					
Instructional Supplies, Materials, and Equipment				\$100/student	

Source: The recommendations are derived from the professional judgment panel specifications resulting from panelists' deliberations.

Table 3.17: Recommended Additional Programs—High School 2 (400 Students)

High School 2: 400 Students					
Program Name	Before- or After-School Program	Summer School	After-school Tutoring/ Homework Club/Advanced Placement Preparation	Summer Bridge	Summer Enrichment
Number of Pupils Served	100% of at-risk students	100% of at-risk students			30
Types of Students Served	At risk	At risk	All	Entering 9th graders/transfers	All
Grade Levels	9–12	9–12	9–12	Entering 9th graders	9–12
Program Specifics	2 hours	6 to 8 weeks, full day	2 hours 3 days per week	2 weeks	4 weeks, 3 hours 4 days per week
Personnel					
Teachers	30:1	30:1	8 (1 per core, per 2 grades)	5	20:1
Social Workers		1.0			
Coordinators	0.5				
Security Personnel		1.0			
Other Costs					
Instructional Supplies, Materials, and Equipment				\$100/student	

Source: The recommendations are derived from the professional judgment panel specifications resulting from panelists' deliberations.

Adult Education and Alternative Schools

Students at risk of academic failure because they are over-age, under-credited, and behind-grade frequently have more than one identified learning need. Many of these students have not succeeded in regular high schools. Some have dropped out and later returned to school. Others have spent time in juvenile detention facilities or mental health facilities and are transitioning back to public schools. DCPS and the public charter sector offer several alternative schools and alternative programs within regular high schools for these students. These options are intended to help even the most challenged students complete a high school education and earn a diploma or an equivalency certificate. The Office of the State Superintendent of Education (OSSE) officially identifies whether DCPS and public charter schools receive alternative school status and receive the appropriate alternative schools funding via the UPSFF. At the time of this study, the PJ panels used OSSE's working definition to describe alternative schools.⁶ At the time of

⁶ OSSE's proposed eligibility criteria for alternative education services at the time of the PJ panels, which differ from what is now in statute, are as follows: 1. Student is eligible for a public school education; AND 2. Student is not academically proficient AND fits one of the following descriptions: 3. Student is under court supervision as a child adjudicated as neglected or abused, or as a person in need of supervision; 4. Student has been incarcerated in an adult correctional facility; 5. Student is committed to the department of youth rehabilitation services as delinquent; 6. Student has received multiple short-term suspensions from a District public school or charter school, as defined by OSSE; 7. Student is on long-term suspension from a District public school or charter school; 8. Student has been

publication, OSSE was reconvening an LEA working group to review and finalize the alternative schools definition.

DCPS and the public charter sector also offer adult education programs that combine foundational literacy and skills courses and workforce development with comprehensive support services for those who are older than age 18 and have work and family responsibilities and are trying to complete their high school education. These programs are intended to help adult students obtain their high school diploma or equivalents; pass the citizenship exam and become US citizens; gain the English language skills necessary to function effectively in a predominantly English-speaking society and help their children with homework; pursue postsecondary education; and enter into careers and climb career ladders.

Based on discussions within the adult education and alternative schools PJ panel, the study team worked with panelists to build representative schools of 500 full-time equivalent students for adult education schools and 300 students for alternative schools. It did so with the understanding that many of these students do not attend full time and require flexible scheduling to pursue coursework.

An average demographic profile for adult education and alternative schools does not exist. Although all students served in these settings are at risk, the proportions of ELL and special education students vary significantly. Some schools (e.g., the Carlos Rosario Public Charter School) serve a predominantly Spanish-speaking student population, while others (e.g., the Maya Angelou Public Charter School) have almost no students for whom English is not a first language. Similarly, though the DCPS Incarcerated Youth Program has 50 percent of students with IEPs, the DCPS Roosevelt High School S.T.A.Y. [School To Aid Youth] program has only 1 percent of students with special education diagnoses and IEPs. Consequently, defining a single demographic profile for these programs and schools is difficult, but the students all have multiple learning needs and life circumstances that require special attention and support to make them successful students. Table 3.18 gives the student demographics for the representative adult education and alternative schools.

expelled from a District public school, District charter school, or another jurisdiction, after the expiration of any required expulsion period; 9. Student who is otherwise eligible seeks admission to a District public school or charter school after withdrawing for a period of one or more terms, during which the student received no public or private instruction; 10. Student is receiving treatment for drug abuse; 11. Student has a history of violence, as defined by OSSE; 12. Student is chronically truant from a District public school or charter school, as defined by OSSE; 13. Student is under-credited; 14. Student is pregnant or parenting; or 15. Student meets other criteria for at-risk status, as defined by OSSE.

Table 3.18: Student Demographics—Adult Education and Alternative Schools

	Enrollment	Percentage of Special Education Students	Percentage of English Language Learners	Percentage of Low-Income Students
Adult Education				
Charter Schools				
Carlos Rosario Public Charter School	2,900	0%	92%	90%
Latin American Youth Center—YouthBuild Public Charter School	110	1%	64%	100%
Education Strengthens Families (Briya) Public Charter School	352		88%	95%
Next Step—El Proximo Paso Public Charter School	158	10%	62%	95%
DCPS				
Ballou S.T.A.Y. [School To Aid Youth] High School	601	7%	0%	99%
Roosevelt S.T.A.Y. High School*	652	7%	0%**	99%
Spingarn S.T.A.Y. High School	244	9%	0%	34%
Average Percentage		5.8%	35%	87.4%
Alternative Education				
Charter School				
Latin American Youth Center—YouthBuild Public Charter School	110	1%	64%	100%
Maya Angelou Public Charter School	296	50%	1%	86%
DCPS				
CHOICE [Choosing Higher Options for Individually Centered Education] Academy	10	60%	0%	99%
Incarcerated Youth Program	49	51%	0%	N/A
Youth Services Center	89	33%	1%	N/A
Luke C. Moore Academy	366	6%	0%	99%
Average Percentage		33.5%	11%	96%

Note:*Roosevelt S.T.A.Y. reported 90 students, or 14 percent, “pending” for English language learner status. Pending means they have not been tested or the testing is out of date.

Source: District of Columbia Office of the State Superintendent of Education, “FY13 LEA and School Level Enrollment Audit Reports,” <http://osse.dc.gov/publication/fy13-Lea-and-school-level-enrollment-audit-reports>.

The adult education and alternative schools PJ panel focused on resource specifications that enable students to meet current and proposed high school academic standards; earn a high school diploma or equivalency certificate; and have the habits, attitudes, and language skills to pursue postsecondary education or get a job and advance on a career ladder. Panelists specified resource needs recognizing that all students in these programs and schools have multiple learning needs, and most, if not all, are over-age, under-credited, and behind-grade. Likewise, programs within these schools are tailored to address these students’ learning needs.

The PJ panel focused on resource requirements that enable students to meet current and proposed high school academic standards; earn a high school diploma

or equivalency certificate; and have the habits, attitudes, and language skills to pursue postsecondary education or get a job and advance on a career ladder.

Alternative Education

Alternative education students have learning needs that require comprehensive education models with extended-day and year-round learning opportunities. Many of these students are returning to school after dropping out and/or spending time in juvenile detention facilities, substance abuse treatment facilities, or mental health treatment facilities. These schools are aimed primarily at credit recovery or GED attainment, with a focus on boosting achievement in core subjects, so optimal learning environments include features oriented to help students address issues that affect their ability to be successful students, as shown in Table 3.19.

Table 3.19: Adult Education and Alternative School Needs

	Alternative Education	Adult Education
Small class size and group instruction	X	X
15:1 teacher-to-student ratio	X	X
Specialized curricula and proficiency assessment for students with varied and below-grade proficiency	X	X
Blended learning methods (classroom and online learning and testing)	X	X
Extended-day and year-long learning opportunities	X	X
Flexible scheduling and shorter school days	X	X
School staffing that incorporates vocational skills, job and career support, and life skills training (e.g., financial literacy)	X	X
Enrollment administrators to track needs of transient and non-English-fluent or -literate population	X	X
Comprehensive student support services	X	X
Intensive psychological and behavioral therapy	X	X

Source: The recommendations are derived from the professional judgment panel specifications resulting from panelists' deliberations.

Adult Education

Because of their life circumstances, many adult education students may not be full-time students and may need specialized supports and services to pursue educational success. The staffing specifications are shown for FTE adult students; therefore, figures would need to be proportionately reduced depending on whether an adult student attends 50 percent time, 75 percent time, etc. The panelists emphasized that the most effective educational models offer these students highly resourced environments that address their multiple learning needs and family, living, and work circumstances. Student support services need to include transportation,

counseling, child care assistance, health and mental health care, and help in accessing other social services and supports (e.g., Medicaid, subsidized housing, immigration services, child support payments, and Temporary Assistance for Needy Families).

Professionals running adult education programs also emphasized that some of their students are English language learners and would benefit from ELL resources. However, federal funding used for ELL is restricted to students below age 22. Professionals on the PJ panels emphasized that these ELL resources should be extended to students older than age 22. Funding for ELL resources for older students is not included in Table 3.20. City leaders will have to decide whether to fund these services using local resources.

Instructional Staffing and Student Support Personnel

As shown in Table 3.20, both adult education and alternative schools require additional staff and highly trained professionals to help students succeed, including classroom teachers, learning specialists and interventionists, instructional facilitators, instructional aides, and student support staff. The PJ panel generally specified staffing levels that were higher than the evidence base.

Administrative Personnel

To meet the leadership and administrative needs of adult education and alternative schools, the PJ panel felt that one full-time principal/director, one assistant principal (two for adult education schools), one student dean, one registrar, one attendance monitor, one data analyst, and one clerical staff member (three for adult education centers) are needed to ensure the smooth and effective operations of these schools.

Staffing Summary

For alternative schools with 300 students, the panel called for 66.7 FTE staff members. For adult education centers with 500 students, the panel called for 80.1 FTE staff members. The clear implication is that schools that serve these high-need students and provide intensive comprehensive support are much more expensive to operate than are schools with mostly general education students. As shown in Table 3.20, the instructional staff-to-student ratio and the total staff-to-student ratio for alternative schools are 7.0:1 and 4.5:1, respectively. The comparative ratios for adult education schools are 11.7:1 and 6.2:1, respectively.

Table 3.20: Recommended Staffing Specifications—Adult Education and Alternative Schools

	Alternative Education Program: 300 Students	Adult Education Program: 500 Full-Time-Equivalent Adults
Teachers	26.7	22.2
Specialists/ Interventionists	4	2
Librarians/Media Specialists	1	1
Technology Specialists	1.0	1.0
Instructional Aides	10.0	16.7
Substitutes	10 days/ teacher	10 days/ teacher
Subtotal: Instructional Staff	42.7	42.9
Student Support Staff*	10.0	16.7
Job Placement/Readiness/Tracking Staff	2.0	2.0
Subtotal: Student Support Staff	12.0	18.7
Principals/Directors	1.0	1.0
Assistant Principals/Assistant Administrators	1.0	2.0
Deans	1.0	1.0
Data Analysts	1.0	1.0
Business Managers	1.0	1.0
Instructional Facilitators (Coaches)	2.0	2.5
Clerical Staff	1.0	3.0
Registrars/Data Entry Personnel	1.0	3.0
Attendance Personnel	1.0	1.0
Subtotal: Administrative Staff	10.0	15.5
Security Personnel	1.0	2.0
Information Technology Specialists	1.0	1.0
Subtotal: Other Staff	2.0	3.0
Total Staff	66.7	80.1
Students Per Instructional Staff	7.0:1	11.7:1
Students Per Total Staff	4.5:1	6.2:1

Note: * Student support staff includes nurses, counselors, psychologists, social workers, and family liaisons.

Sources: The recommendations are derived from both the professional judgment panel specifications resulting from panelists' deliberations and the evidence base found in Michael E. Goetz, Allen R. Odden, and Lawrence O. Picus, "Using Available Evidence to Estimate the Cost of Educational Adequacy," *Education Finance and Policy*, vol. 3, no. 3 (2008): 374–97.

The costs of specified resources for alternative schools are about 94 percent higher than the base for large elementary schools. The comparable costs of specified resources for adult education centers are about 35 percent higher than the base costs for large elementary schools. Because students in these schools are, by definition, at risk of academic failure, the resources to support their success are built into the school-level resource specifications. Additionally, because many of these students are over-age and federal funding for students with identified learning needs is only available for students up to age 22, a larger share of the costs of educating them must be covered with DC funding.

Other Educational Resources

In addition to personnel resources that are needed to provide instructional programs, student support services, and management/administrative support, the adult education and alternative schools PJ panel specified other resources necessary to provide quality instructional programs and services. These nonpersonnel resources included professional development, student activity fees, textbooks, library resources, and supplies. These specifications were adopted as the study recommendation for costing purposes and are displayed in Table 3.21.

Table 3.21: Recommended Nonpersonnel Resources—Adult Education and Alternative Schools

Other Costs	Alternative Education Program: 300 Students	Adult Education Program: 500 Full-Time-Equivalent Adults
Professional Development	15 days/teacher \$100/student	15 days/teacher \$100/student
Supplies and Materials	\$225/student	\$200/student
Textbooks	\$125/student	
Equipment	\$50/student	
Technology Licensing	\$30/student	
Student Activities	\$300/student	
Other	\$400/student	\$400 for every 500 students

Sources: The recommendations are derived from both the professional judgment panel specifications resulting from panelists' deliberations and the evidence base found in Michael E. Goetz, Allen R. Odden, and Lawrence O. Picus, "Using Available Evidence to Estimate the Cost of Educational Adequacy," *Education Finance and Policy*, vol. 3, no. 3 (2008): 374–97.

Technology Hardware

An important element of educational programming for adult education and alternative schools students is virtual education. The PJ panel envisioned a hybrid program that would balance time in the classroom with work completed online. Panelists also recognized the importance of helping these students acquire proficient computer skills to overcome a possible digital skills gap compared with general education students. Accordingly, as shown in Table 3.22, panelists called for a computer for every professional staff member; one computer, an LCD projector, a SMART Board, and a digital camera for every classroom; and a well-equipped media center and fixed computer lab in every school.

Table 3.22: Recommended Technology Hardware—Adult Education and Alternative Schools

	Alternative Education Program	Adult Education Program
Administrative Computers		
Computers	1 per staff member	1 per staff member
Printers	3	1 per administrator
Copiers	3	4
Servers	3	3
Faculty Laptops	1 per staff member	1 per staff member
Classroom		
Computers		300
Printers		5
	Alternative Education Program	Adult Education Program
LCD Projectors	1 per classroom	1 per classroom
SMART Boards	1 per classroom	1 per classroom
Document Cameras	1 per classroom	1 per classroom
Computer Lab(s)—Fixed	2	
Computers	30	
SMART Boards	1	
Media Center		
Computers	5	
Digital Video Cameras	5	
Digital Cameras	30	25
Printers	1	2
Student Digital Devices	1 per student (\$500 device)	
Switches and Routers	Sufficient to support identified technology	Sufficient to support identified technology

Source: The recommendations are derived from the professional judgment panel specifications resulting from panelists' deliberations. Currently, no evidence base from education research exists on adequate technology for students.

Costs of Education in Schools of Different Size

As noted throughout the presentation of findings from the PJ panels' specifications of education resource needs for schools at each level—as adjusted by the system-level PJ panels, focus groups, individual interviews, stakeholders, and the Advisory Group—it is more costly to educate DC students in small schools than in larger ones. Smaller schools are more staff intensive, and they cannot take advantage of some economies of scale that reduce the per-student costs of instructional programs, student support services, administrative support, and other educational resources for larger schools. As noted earlier in this chapter:

- At the elementary school level, the instructional staff-to-student ratio and the total staff-to-student ratio for larger schools with 420 students are 8.8:1 and 6.2:1, respectively. The comparative ratios for small schools with 210 students are 8.3:1 and 5.6:1, respectively.
- At the middle school level, the instructional staff-to-student ratio and the total staff-to-student ratio for larger schools with 600 students are 9.7:1 and 6.8:1, respectively. The comparative ratios for small schools with 300 students are 9.6:1 and 6.3:1, respectively.

- At the high school level, the instructional staff-to-student ratio and the total staff-to-student ratio for larger schools of 1,000 students are 10.1:1 and 6.7:1, respectively. The comparative ratios for small schools of 400 students are 9.8:1 and 6.0:1, respectively

As shown in Table 3.23, based on the PJ panel specifications, it is between 8 percent and 10 percent more costly to educate students in small schools than in larger ones.

Table 3.23: School-Level Base Costs for DCPS and Public Charter Schools of Different Sizes Projected/Budgeted for School Year 2013–2014

	Small Elementary School Base	Large Elementary School Base	Small Middle School Base	Large Middle School Base	Small High School Base	Large High School Base
School-Level Base Costs	\$10,402	\$9,405	\$9,539	\$8,450	\$10,382	\$9,110

Source: The recommendations are derived from the professional judgment panel specifications resulting from panelists' deliberations.

Summary

The school-level PJ panels—using the education research evidence base as a point of departure—developed detailed resource specifications for instructional programs, student support, administration, technology hardware, additional programs, and other educational resources at each school level. The identified learning needs panels and the Levels 1–4 special education panel supplemented the work of the school-level panels by adding staffing and other resources required to address the specific needs of English language learners, at-risk students, and special education students. Of particular note:

- DCPS and public charter school educators agreed on the school-level resources needed to provide all DC students with a pre-K3 through grade 12 education that will enable them to meet current academic performance standards and, when they are implemented, the Common Core State Standards.
- Each panel specified significant additional instructional resources for at-risk students, who were initially identified as being eligible for free and reduced-price school meals. Although currently no additional weight exists in the UPSFF, the panelists agreed these students require intensive supports and services because of learning needs that exceed those of general education students.

As noted earlier in this chapter, developing resource specifications for Levels 1–4 special education students proved difficult. In part, this reflects different professional perspectives on the levels and balance of additional instructional programming, student support, and therapeutic services these students need to be successful learners. In some cases, changes in estimates of required staffing were made.

- All of the school-level PJ panels highlighted the importance of significant investments in technology hardware, software, and wireless capacity. For students to be successful in a digital age, they need to develop strong computer skills. Technology plays an

increasingly greater role in the classroom, in the workplace, and in all domains of daily life. In this regard, the high school PJ panel noted that schools will need such capacity to have all students complete the new PARCC exams on computers. Additionally, the adult education and alternative schools PJ panel called for the development of hybrid learning programs that enable students to complete coursework and testing virtually as well as in the classroom.

- The elementary school and middle/high school identified learning needs panels highlighted the importance of offering appropriate educational opportunities to gifted and talented students at each level as well as to those with other learning needs. Although the panelists did not offer detailed resource specifications for this category of students, they urged greater attention and investment in developing appropriate programs and learning opportunities for exceptionally able students and ensuring that adequate resources are available to fully implement them.

4. SYSTEM-LEVEL FINDINGS

The professional judgment (PJ) panels—informed by the evidence base—sought to identify the quantity and types of system-level resources required to provide an adequate education to all District of Columbia (DC) students. This information was supplemented by detailed analyses of budget and expenditure data for District of Columbia Public Schools (DCPS), the Public Charter School Board (PCSB), and other DC government agencies. Taken together with the school-level findings presented in Chapter 3, these findings are an important foundation for conclusions on the cost of education adequacy in the District, which are presented in Chapter 5, as well as recommendations for restructuring and resetting the Uniform Per Student Funding Formula (UPSFF) base and weights for students with identified learning needs, which are presented in Chapter 6.

Differences between DCPS and public charter schools affect system-level costs for the two sectors.

To examine system-level costs for DCPS and public charter schools, the study team appointed system-level PJ panels to review the work of the school-level panels and the identified learning needs panels. These panels developed specifications to guide the costing out of resources needed to effectively manage and administer instructional programs, student support services, and other educational resources for the DCPS sector and for the public charter school sector. The UPSFF covers costs for system-level management and administration for all local educational agencies (LEAs), and the intent of the law is that funds be allocated equitably. Yet, because DCPS and public charter school LEAs are structured and managed so differently, the study team organized findings on system-level resource specifications and their costs separately for each sector.

The system-level cost analysis also examined costs related to facilities maintenance and operations (M&O); these costs also are covered by the UPSFF, so they are expected to be allocated equitably to DCPS and public charter schools. Findings on facilities costs were developed based on deliberations by the facilities PJ panel and extensive analysis of the per-student and per-square-foot M&O costs for DCPS and public charter schools.

Capital spending on the acquisition and lease of school buildings and grounds is the third major area of system-level education spending. This includes expenditures for constructing new facilities, renovating old facilities, and periodically upgrading facilities to ensure schools are safe and in compliance with DC codes. Capital costs are paid for outside the UPSFF. Because DC law does not require equal funding for capital expenditures for school facilities, the study team did not undertake an extensive analysis of capital spending or recommend a uniform per-student or per-square-foot cost for school facilities at each level. However, based on the premises that all students in the District of Columbia should have access to high-quality school facilities, preferably within their neighborhood, and that facilities are an important aspect of education adequacy, the study team gathered data from DCPS, PCSB, and the Department of General Services to assess the adequacy of capital investments in the two sectors. Because the data are not reported uniformly and because the contexts in which decisions on DCPS and

public charter school capital investments are made are so different, it was not possible to make a meaningful comparison and draw conclusions on the adequacy of capital expenditures.

The system-level analysis also examined differences between how costs that are intended to be covered through the UPSFF are currently funded by DCPS and public charter school LEAs. Again, significant differences between the two sectors exist. Even though DC law prohibits the funding of costs outside the UPSFF that are also covered by the UPSFF, some costs for school-level student support services are funded by other DC government agencies (e.g., school nurses and social workers, school crossing guards, and school resource officers). Compared with public charter schools, public schools receive significantly greater benefit from these services, in total and on a per-student basis. Additionally, the DGS contributes a significant share of M&O costs for DCPS schools, and DCPS receives management and administrative services from some other DC agencies that public charter schools fund from their UPSFF allocation.

As shown in the analysis, the significant structural differences between DCPS and public charter school LEAs affect system-level costs in the two sectors. Importantly, however, the study team did not undertake this review to audit expenditures by DCPS and public charter schools or to prescribe how either sector should allocate resources for LEA central office functions or facilities M&O. Instead, like the school-level cost analysis, the goal was to fairly estimate the costs of resources needed by single-campus and multicampus LEAs to effectively and efficiently operate high-performing schools. In the best-case scenario, both DCPS and public charter schools would have adequate funding and capital resources to reasonably address their central office responsibilities.

The goal of the analysis was not to audit DCPS and charter expenditures. It was to fairly estimate the costs of system-level resources needed to effectively and efficiently operate high-performing schools in both sectors. In the best-case scenario, both DCPS and public charter schools would have adequate funding and capital resources to reasonably address their central office responsibilities.

The system-level resource specifications developed by the PJ panels also were reviewed by the Advisory Group. In addition, the results were reviewed by focus groups and through individual interviews with other stakeholders. In cases where the Advisory Group raised questions, the study team tried to gather additional relevant data and refine the cost estimates. In almost all cases, the final study recommendations reflect the judgment of the study team based on the work of the PJ panels with additional input from the Advisory Group.

Comparison of DCPS and Public Charter Schools

Because DCPS and public charter school LEAs are so different, the study team began by carefully comparing structural characteristics that could affect costs. DCPS is an agency of

District government. The chancellor of DCPS reports directly to the mayor. The mayor is vested with specific authority over DCPS (e.g., closing schools or reducing expenditures) that he does not have with respect to public charter schools. Passage of the Public Education Reform Act of 2007 marked the beginning of mayoral control of DCPS and the end of board of education policy and budgetary oversight for the public schools. As a result, DCPS operates as a centralized LEA with responsibility for managing its almost 100 schools with oversight by the DC City Council.

In contrast, public charter schools are nonprofit corporations that operate as charter independent agencies of DC government overseen by PCSB, an independent agency whose board members are appointed by the Mayor. Most charter schools are independent LEAs. Some operate on two to five campuses under the umbrella of a single LEA. Additionally, some public charter schools identify DCPS as their LEA for special education purposes. PCSB is responsible for authorizing and closing public charter schools, but it has no direct charter school management responsibilities and limited oversight power. The City Council, PCSB's budget authorizer, affects charter schools through the UPSFF base, weights, and facilities allowance, but it has no oversight or other authority over how public charter schools spend funds.

Both sectors are subject to government laws and rules and oversight of education by the Office of the State Superintendent of Education (OSSE), but there are some significant differences between them. Table 4.1 compares DCPS and public charter school characteristics that have cost implications. Following are among the significant differences that affect system-level costs:

- *School-based budgeting.* Each LEA is responsible for creating its own school-specific staffing plans. Public charter school principals typically have wide discretion in staffing their schools and assigning classroom teachers, aides, and other specialists. For DCPS, classroom staffing patterns are prescribed at the central office level. Elementary school principals cannot change the prescribed allocation of instructional personnel at their school. At the middle school and high school levels, DCPS principals have greater flexibility to make decisions about staffing, class size, and teacher ratios. If they want to use instructional staffing resources differently from the budgeted allocation, middle school and high school principals can petition their instructional superintendent. Approved petitions are forwarded to the chancellor for final approval. Changes to the allocations after the initial release must satisfy one of two criteria to be considered: the change request must be budget-neutral or constitute minor corrections to address a budget error (e.g., an accounting problem). Petitions that fall outside the scope of the petition process are not allowable.¹
- *Neighborhood schools and system of right.* DCPS operates neighborhood schools to accommodate students living in communities across the city. It also is a system of right and, therefore, has a legal obligation to enroll all students who live in a traditional DC public school's catchment area who want to enroll at any time throughout the school year. In contrast, though public charter schools must accept any student who is a DC resident, they can set enrollment ceilings and are not obligated to accept students beyond their stated capacity or to accept students throughout the school year. If a charter school has more applicants than spaces available, it is required to admit students through a random selection process. Because of DCPS's mandate to operate neighborhood schools

¹ District of Columbia Public Schools, "Budget Development Guide: School Year 2013–2014," www.dcps.dc.gov.

within a system of right, it has to maintain buildings across the city, even if some are underutilized. This requirement has significant implications for instructional as well as M&O funding. In addition, DCPS receives students during the course of the year from other LEAs and from outside the District. Under the current budgeting process, funding to LEAs does not change if they gain or lose students during the school year; therefore, DCPS does not receive any additional funding for any additional students it enrolls.

- Variation in LEA size. DCPS and public charter school LEAs vary dramatically in size. As the traditional public school system, enrollment in DCPS is 20 times larger than enrollment in the highest enrolled public charter school LEA in the city (i.e., Friendship Charter Academy with 2,500 students at several campuses). Traditional DC public schools range from relatively small neighborhood schools that enroll 100 to 250 students to large comprehensive schools that draw as many as 1,700 students from many neighborhoods. Public charter schools tend to be smaller and more similar in size, ranging from 100 to 500 students.² Small schools are relatively more expensive to operate than larger schools at each level, because some costs are fixed and do not decline with smaller enrollments. Similarly, small LEAs are relatively more expensive than larger ones because of fixed costs and their inability to take advantage of economies of scale in management, purchasing, and other administrative functions.
- Teacher certification. DCPS requires teacher certification, except for entering Teach for America teachers and those in similar programs who are certified based on their program affiliation. Public charter schools do not require teacher certification. As a result, DCPS has a more limited personnel pool from which to hire, and personnel costs generally are lower for charter schools than for DCPS. However, both sectors are subject to the No Child Left Behind requirement of reporting their rate of highly qualified teachers—defined as those with a bachelor’s degree, teaching or intern credential, and demonstrated competence in core subject matter competence.
- Labor costs. DCPS is required to pay union wages for school personnel (principals, teachers, aides, student support staff, and custodians). Public charter schools are not subject to union wage scales and collective bargaining on compensation and working conditions, though charter school educators have the right to organize. The board of directors for each public charter school has the authority to establish compensation and other terms of employment for school staff. DCPS has less flexibility in how it compensates its personnel and, generally, has higher labor costs.
- Enrollment projections versus actuals for school funding. DCPS and public charter schools are paid according to different methodologies. DCPS’s budget is based on student enrollment projections. It receives an advance on July 1st and is paid for the remainder of its authorized budget at the beginning of the fiscal year in early October. In previous years, DCPS’s enrollment projections were higher than its audited October 5 enrollment count, though such discrepancies have lessened in recent years. Public charter

² “DC Public School Profiles, 2012–2013,” www.dcps.dc.gov; and multi-year PCSB enrollment data, 1999 through 2012, cited in District of Columbia Public Education Finance Reform Commission, *Equity and Recommendations Report* (Washington, DC, February 17, 2012).

schools also set their budgets based on enrollment projections, but they are ultimately paid based on their actual October 5 audited enrollment count. Each public charter LEA receives quarterly payments each year from the DC government no later than July 15, October 15, January 15, and April 15. The first payment for an academic year, occurring no later than July 15, is based on the public charter school's projected student enrollment. The second and third payments for an academic year, occurring no later than October 15 and January 15, respectively, are based on finalized student data submitted by public charter schools from their student information systems. The fourth and final payment for an academic year, occurring no later than April 15, is based on the finalized figures from the enrollment audit. These school funding approaches have multiple cost implications. DCPS may be overfunded if its projections are too high. Alternatively, as a school system of right, DCPS may enroll additional students during the school year who are not funded. Charter schools, which generally lose enrollment during the course of the school year, are allowed to keep funding for students who disenroll after the October 5 enrollment audit.

- *Special education enrollment for school funding.* For both DCPS and public charter schools, special education funding is based solely on the October 5 enrollment audit, even though DCPS and public charter schools must accommodate students with special education needs after that date. It often takes longer than the official enrollment count for students to receive their individualized education plans (IEPs). Both DCPS and public charter schools may be underfunded for providing special education services when students are identified after the funding deadline.
- *School facilities.* Traditional DC public schools operate in buildings owned by the DC government, which they occupy rent-free and for which DCPS incurs costs associated with legacy assets. Costs for new construction, renovation, and upgrades are funded from the city's capital budget. Public charter schools must secure and fund their own facilities and are provided a \$3,000 per-student facilities allowance. They have first right of offer on vacated DCPS buildings that are released from the DCPS stock. Historically, however, the process has been time consuming to pursue, and charter school advocates have complained that DCPS has not released enough buildings from its inventory. (Recently, the DGS and the Office of the Deputy Mayor for Education have worked to quickly and transparently release former traditional DC public school buildings for use by high-quality charter schools.) The cost implication for DCPS is it has excess space but no financial incentive to release vacant buildings or to collocate with other schools or community organizations in order to operate more efficiently. The cost implications for public charter schools are they often operate in facilities that are inadequate for educational purposes or lack amenities that many traditional DC public schools have (e.g., fields, gyms, and auditoriums).
- *Capital investments in school facilities.* The DC government spends more than public charter schools for capital investments in new and renovated school buildings and grounds because of design and construction preferences and DC law governing union contracts for building projects. Starting in 2008, the city began an aggressive building, renovation, and upgrade program to compensate for many years of neglect in maintaining DCPS facilities. Public charter schools receive a \$3,000 per-student facilities allowance

annually to cover capital investments. These funds are allocated regardless of individual charter schools' capital needs. They can borrow against these real property assets and qualify for tax-exempt revenue bond financing. Although the facilities allowance is intended for capital investment and financing, the use of these funds is not restricted to capital investment purposes and the funds can be carried over between fiscal years. In contrast, DCPS's capital budget must be used exclusively for capital improvements in the fiscal year in which funds are allocated. Many public charter schools have not benefited from capital investments in new and upgraded school buildings and grounds as have many traditional DC public schools. However, DCPS does not have full control of its capital budget nor can it spend capital dollars on operating costs or accumulate the funds across fiscal years.

- *DC government rules and regulations.* Public charter schools are not subject to DC government procurement, human resources, and other rules and regulations that DCPS must follow. The cost implication is public charter schools have greater flexibility in administrative functions, including procurement, and can realize lower costs for services. If charter leaders determine it is cheaper to contract out services, they have greater flexibility to do so.
- *Carry-over funding.* Unlike DCPS, public charter schools can carry over local operating and facilities allowance funding from one fiscal year to the next. All allocated DCPS funds must be used within the fiscal year for which they were appropriated. The cost implication is charter schools can create reserves for future needs while DCPS cannot do so.

Table 4.1: Differences Between District of Columbia Public Schools and Public Charter Schools

	DCPS	Public Charter Schools
Legal structure	DC agency	Nonprofit corporation; charter independent agency
Authority and accountability	Chancellor to mayor and council and schools to chancellor; plenary authority	Schools to their boards of trustees and to Public Charter School Board; autonomous within charter law and charter terms
Accountability standards	State accountability to the US Department of Education overseen by OSSE; DC academic standards and tests; otherwise per chancellor	State accountability to the US Department of Education overseen by OSSE; DC academic standards and tests, charter terms; Public Charter School Board oversight and subject to closure for poor academic performance
Admissions	Must take all, but may operate selective schools	Must take all if room available; lottery if more applicants than space
Areas where required to enroll students	Neighborhood zones, except selective schools	Citywide only; geographic limits not allowed
Date when required to enroll students	At all times	Up until October 5

Table 4.1: Differences Between District of Columbia Public Schools and Public Charter Schools, continued

	DCPS	Public Charter Schools
Contracting constraints	DC government rules	Notice in <i>DC Register</i> , approval by Public Charter School Board
Fiscal reporting requirements	DC CFO and federal grants requirements	Annual audit and federal grants requirements
Revenue flow	Spring appropriation, accessible October 1 plus July advance	Quarterly payments, starting July 1
Local fund carryover	Not permitted	Permitted
Unionization	Teachers, principals, and noninstructional workers unionized	School-by-school potential but no employee groups unionized so far
Teacher certification	Required, but teachers entering Teach For America and similar programs are certifiable	Not required, but subject to No Child Left Behind highly qualified teachers requirement
Size of Local Educational Agency	1 local educational agency, serving about 45,500 students in approximately 126 schools in 2012–2013	57 local educational agencies, serving almost 35,000 students on more than 100 campuses in 2012
Facilities	Schools occupy city-owned and -controlled property that carry no rent; certain administrative offices and facilities are leased	Charter-controlled property, owned or leased, funded by separate per-student facilities allowance

Source: Adapted from materials prepared for the District of Columbia Public Education Finance Reform Commission, February 2012.

District of Columbia Public Schools

DCPS is a single LEA. In school year (SY) 2012–2013 it was responsible for 122 elementary, middle, high, adult, alternative, and special education schools citywide. Most of these were neighborhood schools; six are specialized high schools, and the rest are early childhood, special education, adult, and alternative education centers.³ In SY 2013—2014, DCPS is operating 111 schools.

DCPS is a single LEA with responsibility for serving more than 100 schools citywide in school year 2013–2014.

Most other large urban school systems internally manage and cover the costs of all student support and administrative costs. However, despite legal requirements that services funded apart from the UPSFF should not also be funded by the UPSFF, DCPS receives substantial resources from other city agencies, including the Departments of Health (DOH), Behavioral Health (DBH) (formerly referred to as the Department of Mental Health), Transportation (DDOT) and General Services (DGS), as well as the Metropolitan Police Department (MPD). The costs of school

³ District of Columbia Public Schools, “School Year 2012–2013 Audited Enrollment Report,” www.dcps.dc.gov.

nurses, social workers, school crossing guards and school resource officers (police officers), as well as school operations and maintenance costs are covered by these other agencies. DCPS also receives benefits from the Offices of the Attorney General (OAG) Contracting and Procurement, and the Chief Technology Officer which provide legal services, contracting services, and information technology systems and services, respectively. Some of these benefits and services are funded by interagency transfers from DCPS to cover school-related line items in other agency budgets (e.g., OCTO). Others are funded resources and services covered in the budgets of these agencies for the benefit of DCPS (e.g., DGS, MPD, DOH, DBH, DDOT, OAG, OCP, and OCTO). (Appendix K describes the functions covered by each DCPS organizational division and those handled by other city agencies.)

The DCPS system-level PJ panel determined that the DCPS SY 2013–2014 budget presents the most appropriate specification of LEA-level resource needs.⁴ Accordingly, the study team’s approach to developing an estimate of system-level costs for DCPS is based on an analysis of this budget document and the budgets of, and interviews with, other city agencies that benefit DCPS outside the UPSFF.⁵ (The cost of DCPS leases and occupancy fixed costs is not included.) As shown in Table 4.2, total base per-student system-level costs within the DCPS budget are projected to total approximately \$86.5 million—1,878 per student—in SY 2013–2014. An additional \$4.36 million—\$95 per student—is projected to come from the separate budgets of other city agencies, for a total of \$1,973 per student. All DC government funding for activities to benefit DCPS shown in the table is in addition to funds provided through the UPSFF. Additional benefits are provided by some agencies and are paid for by DCPS. (The cost of services provided by the DGS is not included in Table 4.2, because it is applied to the maintenance and operations base costs rather than to the instructional costs.)

This total does not include the full budgets for most DCPS central office divisions. Funds that flow through to schools for expenses covered at the school level have been subtracted to prevent double-counting. As an example, funding for athletic programs and textbooks is in the budget of the Office of the Chief Operating Officer rather than in the budgets of individual schools. See Appendix L for a full accounting of DCPS central office divisions and how they were factored into the base and identified needs weights.

⁴ District of Columbia Public Schools, budget submitted to Office of the Chief Financial Officer, April 2013, www.dcps.dc.gov.

⁵ District of Columbia Public Schools, “Facts and Figures: A Look into the FY 14 DCPS Budget,” www.dcps.dc.gov.

Table 4.2: District of Columbia Public Schools System-Level Costs (Instructional)

Agency or Office	DCPS System-Level Costs	
	Total	Per Student
DCPS Resources (to be included in the base cost)		
Office of Family and Public Engagement	\$1,965,025	\$43
Office of the Chief Financial Officer—In Budget	\$3,279,655	\$71
Office of Data and Accountability	\$4,766,130	\$103
Office of the General Counsel—In Budget	\$5,700,000	\$124
Office of Youth Engagement ¹	\$0	\$0
Office of Strategy ²	\$0	\$0
Office of the Chief of Schools	\$3,369,752	\$73
Office of Teaching and Learning	\$11,367,097	\$247
Office of the Chief of Staff	\$5,182,895	\$113
Office of Human Capital	\$15,187,838	\$330
Office of Academic Programming and Support	\$6,848,293	\$149
Office of Special Education ³	\$725,913	\$16
Office of the Chief Operating Officer ⁴	\$21,301,898	\$462
Food Service Administrative Costs ⁵	\$6,817,892	\$148
Subtotal	\$86,512,388	\$1,878
Office of the Attorney General	\$2,442,000	\$53
Office of Contracting and Procurement	\$2,280	\$0
Office of the Chief Technology Officer	\$1,914,110	\$42
Subtotal	\$4,358,390	\$95
DCPS System Base Cost⁶	\$90,870,777	\$1,973

Notes: 1 All services in this office support at-risk students and, therefore, are not included in the computation of base costs.

2 All services in this office support special education students and, therefore, are not included in the computation of base costs.

3 All services in this office, except the child find service, support special education students and, therefore, are not included in the computation of base costs.

4 The cost of DCPS rentals (leases) and occupancy fixed costs are not included. Food service costs are accounted for as a separate line item.

5 Food service costs are based on a comparison of the expenditure with available revenue sources, including the US Department of Agriculture's free and reduced-price school meals program and collected fees from paying students; amounts shown are net of all revenues, local funding, and federal funding; DCPS staff provided updated figures.

6 Department of general services costs are not included in this table because these costs are applied to maintenance and operations instead of the instructional base.

Sources: District of Columbia Public Schools, "Facts and Figures: A Look into the FY 14 DCPS Budget," www.dcps.dc.gov; and interviews with DCPS and DC agency personnel.

Public Charter Schools

In contrast to a single DCPS local educational agency, the public charter sector's 60 LEAs are operating schools on more than 100 campuses in school year 2013–2014.⁶ Many of these LEAs are single-school jurisdictions for independent charter schools; others are charter management organizations (CMOs) that operate affiliated networks of two to five charter schools on different campuses. Public charter schools in the District of Columbia are authorized by the Public Charter School Board.

OSSE transfers funding available under the UPSFF, the charter school facilities allowance, and supplemental funding available from other agencies to authorized charter schools. PCSB tracks and monitors charter school performance across several dimensions (e.g., student achievement, progress toward academic improvement goals, and management effectiveness and efficiency) and rates schools on a three-tier scale. It also reviews new charter authorization applications and determines whether schools should be reauthorized or closed.

However, OSSE does not have centralized administrative and regulatory authority for the public charter school sector. It acts as the regulatory authority to ensure all LEAs meet the necessary requirements and are accounted for under the US Department of Education's Elementary and Secondary Education Act waiver. Accordingly, the charter school system-level PJ panel developed resource specifications for charter school LEAs. These specifications reflect the panelists' judgment on the resource needs of LEAs that are single-campus schools and those that are affiliated clusters of schools operated by CMOs.

The public charter school sector has 60 LEAs,
which are operating schools on more than
100 campuses in school year 2013–2014.

Public charter school LEAs do not currently receive as much funding from other DC agencies as DCPS—in total or on a per-student basis—but do receive benefits from other agencies for some of the same services. (See Appendix M for a list of these services.) Despite legal prohibitions against funding, again, costs that are intended to be funded through the Uniform Per Student Funding Formula, DOH, DBH, DDOT, and MPD provide school nurses, social workers, school crossing guards, and school resource officers. Additionally, PCSB receives an annual appropriation from the city council to cover approximately 50 percent of its operating costs, with the remainder coming from a .5 percent fee that is attached to the budgets of all public charter schools.⁷

Most charter schools that operate as independent LEAs employ an executive director to manage the business operations of the school and a principal to manage the school's academic programming and operations. Charter management organizations that serve as LEAs for clusters of affiliated charter schools (e.g., DC Prep) typically have one executive director who manages the operations of all schools in the cluster; principals in each affiliated school manage their own

⁶ District of Columbia Public Charter School Board, fact sheet, www.dcpsb.org.

⁷ A legislative proposal pending before the city council would increase this fee to 1.0 percent of all charter school budgets.

educational programs and services. These affiliated schools may look to the CMO for guidance or to coordinate with other schools in the cluster, if they have an overarching educational philosophy and mission or if they feed students from one school to another. Except in very large national CMOs (e.g., KIPP) with multiple regional or citywide networks, however, generally there is no standardized hierarchy of system-level staff with assigned oversight and management roles and responsibilities across schools.

Depending on the size of a charter school LEA, it may handle its wide array of management and administrative functions internally or contract them out. Among the administrative functions that smaller LEAs frequently purchase from outside vendors are:

- Financial management services, including budgeting, accounts receivable and payable, accounting, financial controls, reporting, and audit preparation;
- Payroll services, including issuing payroll checks, deducting federal and DC income tax withholding, and withholding for life and health insurance and other employee-subsidized fringe benefits;
- Grant management services, including proposal preparation and submission, recordkeeping, interim and final reporting, and gift acknowledgement;
- Human resources services, including recruiting, application screening, initial interviewing, Equal Employment Opportunity recordkeeping, hiring, personnel recordkeeping, benefits management, and separation management; and
- Information technology services, including network management, maintenance, and support; website management; e-mail service; and database management.

Charter LEAs also frequently contract out:

- Some educational support services, such as student diagnostic assessment; and
- Services related to buildings and grounds maintenance (e.g., custodial and landscape services).

As shown in Table 4.3, the professional judgment panel specified certain system-level resources for public charter schools at each school level. The weighted average of these charter system-level costs is \$1,897 per student. The central office-level costs for DCPS are slightly higher than public charters schools' system-level costs on a per-student basis.

Table 4.3: Charter School System-Level Fiscal and Administrative Staff, Functions, and Other Services¹

	Elementary School 420 Students		Middle School 300 Students		High School 400 Students	
	Personnel	Vendor/Other Costs	Personnel	Vendor/Other Costs	Personnel	Vendor/Other Costs
Executive Director	1.0		1.0		1.0	
Chief Financial Officer/Chief Operating Officer	0.3		0.3		0.3	
Business Manager	1.0		0.5		1.0	
Grants/Fundraising/Marketing/ Enrollment	1.5	\$10,000	1.25	\$10,000	1.5	\$10,000
Human Resources/Payroll/Recruitment/ Retirement	0.5	\$10,000	0.5	\$10,000	0.5	\$10,000
Accounting/Finance/Audit		\$75,000		\$65,000		\$75,000
Assessment		\$25,000		\$20,000		\$25,000
Connectivity		\$12,000		\$12,000		\$12,000
Phones		\$10,000		\$10,000		\$10,000
Board		\$5,000		\$5,000		\$5,000
Information Technology		\$50,000		\$50,000		\$50,000
Security		\$3,000		\$3,000		\$3,000
Insurance		\$40,000		\$35,000		\$45,000
Legal		\$25,000		\$25,000		\$25,000
Miscellaneous		\$50,000		\$50,000		\$50,000
Public Charter School Board Administrative Fee ²		0.50%		0.50%		0.50%
Total Per-Student Costs		\$1,748		\$2,182		\$1,805
Public Charter School Board Appropriation		\$31		\$31		\$31
Total Charter System-Level Per-Student Costs		\$1,779		\$2,213		\$1,836

Notes:

1 School enrollment sizes were selected by charter school system professional judgment panelists as representative of typical DC public charter schools. Figures for personnel reflect those employed directly by the charter school or charter school local educational agency. Figures for vendor and other costs reflect costs of contracted personnel and services.

2 Pending legislation would raise the administrative fee for the Public Charter School Board to 1 percent.

Source: The recommendations are derived from the professional judgment panel specifications resulting from panelists' deliberations.

Facilities

As the DC Public Education Finance Reform Commission noted in its 2012 report, no issue related to education funding in the District of Columbia is more complicated and contentious than the costs of constructing, renovating, maintaining, and operating school buildings and grounds.⁸ According to the authors of the 2013 Public Education Master Facilities Plan for the District of Columbia, the lack of coordination related to facilities perpetuates conflict between DCPS and public charter schools and leads the DC government to spend money inefficiently on capital improvements in school buildings and grounds. Charter school facility needs are not coordinated with DCPS facility plans and sometimes conflict.⁹

No issue related to DC education funding is more complicated and contentious than the costs of constructing, renovating, maintaining, and operating school buildings and grounds.

Currently, DCPS enrollment is uneven across the city. Although traditional public schools experienced a slight increase in enrollment between 2010 and 2012, since 1995, DCPS has lost approximately 2,000 students per year to public charter schools.¹⁰ As a result, many DCPS school facilities have significantly more space than is needed in aging buildings. The space not only is too large, but also is not configured to address contemporary education models. Old buildings have too many classrooms and corridors and not enough space organized for collaborating in small groups. Similarly, schools designed with open education plans provide a lot of very large spaces that are not differentiated and are not configured for specialized purposes and for collaborating in small groups. DCPS has a closures and consolidation plan that closed 23 schools in 2008 and another 15 programs in 14 schools in 2013.¹¹ In addition, an additional seven programs closed between 2009 and 2012.

Overall, DCPS schools are 75 percent utilized, but significant variation exists. While some high-performing schools are nearly occupied, others operate at less than 40 percent occupancy.¹² Additionally, several schools in the DCPS inventory have been vacant and shuttered since they were closed in 2008, without any long-term plan for future use or an interim plan for the reuse of these facilities.¹³ Consequently, the significant cost of maintaining unoccupied and underutilized space currently is covered by DGS within its contribution of approximately \$45 million to DCPS M&O costs and is attributable to DCPS.

⁸ District of Columbia Public Education Finance Reform Commission, *Equity and Recommendations Report* (Washington, DC, February 17, 2012), 25.

⁹ See page 12 of the “2013 Public Education Master Facilities Plan for the District of Columbia,” www.dcps.dc.gov.

¹⁰ See <http://dme.dc.gov/DC/DME/Publication%20Files/IFFFinalReport.pdf>.

¹¹ See <http://newsroom.dc.gov/show.aspx/agency/dme/section/2/release/12592>; and <http://dcps.dc.gov/DCPS/Files/downloads/COMMUNITY/CR/Consolidation%20Plan.pdf>.

¹² For more detail on school building occupancy, see pages 44 and 45 of the “2013 Public Education Master Facilities Plan for the District of Columbia,” www.dcps.dc.gov.

¹³ Master Facilities Plan, 12.

At the same time, the network of charter schools is growing rapidly and haphazardly.¹⁴ Public charter schools open wherever they can find space that is affordable and sufficient for their needs, and many are housed in facilities that are substandard. Yet charter school facility needs are not coordinated with DCPS facility plans and, at times, have conflicted. By law, charter schools are supposed to have the first right of offer for surplus school buildings. In practice, however, the process of leasing and purchasing DC-owned property has been time consuming and difficult for many public charter schools. A 2011 US Government Accountability Office report highlighted the lack of transparency in the process by which the DC government disposes of surplus property and the need to develop clearer and more effective policies, regulations, and protocols for public announcements of a request for offers (RFO) as well as follow-up procedures for unsuccessful bidders.¹⁵

To remedy these issues, DME and DGS are working to help public charter schools lease and occupy vacant school buildings. They have jointly developed and implemented a streamlined and transparent process to afford charter schools and other education programs and organizations access to surplus space in vacant DCPS buildings. Using an RFO process, space is being made available in 12 buildings for long-term (20-year) leases and in 5 additional buildings for short-term (10-year leases). Applicants for leases in both categories are required to demonstrate the financial capacity to renovate, operate, and maintain the facilities. As of June 2013, of the 12 buildings that were available for long-term lease, 4 have been awarded to charters, 1 is pending an award, and 2 are in solicitation.

Overall, public charter schools were 85 percent occupied as of 2012. However, an examination of enrollment patterns showed that several schools classified as Tier 1 by PCSB were 100 percent occupied and had waiting lists of up to 1,000 students.¹⁶

High-Quality Educational Environment

To address the complex issues related to facilities financing, the study team, comprised of staff from The Finance Project (TFP) and Augenblick, Palaich and Associates (APA), appointed a facilities PJ panel composed of DCPS and public charter school educators, financial managers, and DCPS and DGS space management officials. The panel's deliberations were based on the assumptions that all DC students should have access to high-quality school facilities, preferably within their neighborhood, and that facilities are important to education adequacy. Both DCPS and public charter schools should have sufficient facilities to provide all students with access to high-quality learning environments, a premise that echoes the vision of the 2013 Public Education Master Facilities Plan.

¹⁴ Ibid.

¹⁵ District of Columbia Public Education Finance Reform Commission, 25; and US Government Accountability Office, *District of Columbia Charter Schools: Criteria for Awarding School Buildings to Charter Schools Needs Additional Transparency* (Washington, DC, March 2011).

¹⁶ Master Facilities Plan, 42 and 44–45.

All students in the District of Columbia should have access to high-quality school facilities, preferably within their neighborhood. School facilities are an important component of education adequacy.

The 2013 facilities plan outlines an approach for assessing the quality and condition of school facilities that accounts for the amount and differentiation of space required for high-quality learning environments. These requirements fall into several general categories:

- Core academic/special areas;
- Visual arts and music;
- Media center;
- Physical education;
- Administration;
- Student dining and food services;
- Maintenance and custodial services;
- Mechanical, electrical, toilets, and custodial closets; and
- Health suite (required for high schools).

According to the DCPS design guidelines,¹⁷ total per-student space requirements are as follows:

- Elementary schools: 150 square feet per student
- Middle schools: 170 square feet per student
- High schools: 192 square feet per student

Facilities Costs

To assess the costs of providing adequate space for students at all school levels across the city, the study team distinguished costs related to *maintenance and operations* from those related to *capital investment*. Facilities M&O costs include:

- Custodial services;
- Building maintenance and noncapital repairs (e.g., painting; repairing, or replacing a faucet);
- Grounds maintenance and noncapital repairs (e.g., repairing a fence or piece of playground equipment);
- Utilities;
- Property taxes (for public charter schools only); and
- Property insurance (for public charter schools only).

Maintenance and Operations Costs. As shown in Table 4.4, the total annual M&O costs for DCPS are projected to be approximately \$96.6 million, or \$2,097 per student, across all DCPS schools. By national standards, and compared with public charter school M&O expenses, DCPS costs are high. In part, this difference may reflect the age and poor condition of a large portion of the DC school building stock. In part, it may also reflect the amount of vacant and underutilized space in DC school buildings that must be maintained, including the cost of buildings that are not

¹⁷ “District of Columbia Public Schools Design Guidelines: 2009,” as amended in 2012, www.dcpsb.org.

in use. These costs are attributable to DCPS and are factored into the per-student cost for facilities M&O. Although utilities and most custodial services costs for DCPS schools are covered in the DCPS budget, a significant portion of custodial services and most buildings and grounds maintenance and noncapital repairs are paid by DGS on behalf of DCPS; approximately \$45.5 million is budgeted in SY 2013–2014.

Public charter school M&O costs also include property taxes and property insurance that are not applicable for DCPS. A significant portion of custodial services costs are included in lease agreements and in contracts for other vendor services, so accurately isolating them is impossible. As a result, custodial services costs are underestimated in the study team calculations of public charter school M&O costs. As shown in Table 4.4, the estimated facilities maintenance and operations costs for public charter schools that are leased and owned are projected to be at least \$759 per student, keeping in mind that custodial services costs are not available.

Table 4.4: Total Maintenance and Operations Costs for District of Columbia Public Schools and Public Charter Schools (Fiscal 2013 and Fiscal 2014 Budgeted Amounts)

Maintenance and Operations	DCPS		Charter School Leased and Owned Buildings	
Cost Category	Total Cost	Cost Per Student ¹	Total Cost	Cost Per Student ²
Custodial	\$22,705,916	\$493	Unavailable ³	Unavailable
Facility Maintenance and Operations ³	\$45,503,000	\$988	\$12,620,844	\$263
Utilities	\$28,385,637 ⁴	\$616	\$7,542,441	\$440
Real Estate Taxes (if applicable)			\$553,784	\$19
Property Insurance			\$1,053,241	\$37
Total Maintenance and Operations	\$96,594,553	\$2,097	\$21,770,310	\$759

Notes:

1 Figure is based on a projected DCPS enrollment for school year 2013–2014 of 46,059.

2 Figure is based on a public charter school enrollment for school year 2012–2013 of 28,667 for schools with data.

3 Charter total maintenance and operations costs are underestimated, because custodial costs cannot accurately be determined.

4 Figure reflects costs for custodial and utilities in the DCPS fiscal 2014 budget; utilities cost represents total for gas, water, and electricity for DCPS portfolio, excluding the main office.

Sources: Department of General Services fiscal 2014 budget for Facilities—Public Education; and public charter facilities data from the local educational agency's annual report to the Public Charter School Board for 2012–2013.

Capital Investment Costs. DCPS is in the midst of an ambitious school modernization program that has substantially upgraded several older buildings and grounds. After many years of limited investment in new construction, renovations, and capital repairs, many DC government-owned buildings are in substandard condition and can negatively affect student safety and comfort and limit educational programming. Consequently, in 2009, the District began a two-decade-long series of investments in constructing new schools and school additions, reconstructing and renovating old schools, and bringing all occupied buildings up to current health and safety standards based on a master plan. Design and construction standards were set at a high level for

these projects, and quality is considered to include both the capability to support top-tier programming and the architectural character of the facilities and landscape.

Since 2008, the District has spent nearly \$1.5 billion and completed work at 64 schools, encompassing 7.3 million square feet.¹⁸ During this period, annual investments in capital projects have been substantially higher than they were in previous years and than they are expected to be in the future. As shown in Table 4.5, on a per-student basis, costs are expected to be approximately \$4,961 per student over a 22-year period from 1998 through 2019.

Table 4.5 Capital Improvement Spending for District of Columbia Public Schools (1998–2019)

Fiscal Year	Actual Capital Spending (1998–2013)	Budgeted Capital Spending (2014–2019)
1998	\$196,221,294	
1999	\$24,024,127	
2000	\$35,749,884	
2001	\$122,768,344	
2002	\$150,060,937	
2003	\$234,720,219	
2004	\$114,682,235	
2005	\$114,641,781	
2006	\$97,752,179	
2007	\$146,532,713	
2008	\$489,880,523	
2009	\$312,919,158	
2010	\$312,753,448	
2011	\$315,098,286	
2012	\$277,395,246	
2013	\$233,033,809	
2014		\$441,595,000
2015		\$370,184,000
2016		\$291,818,000
2017		\$175,065,000
2018		\$226,283,000
2019		\$288,677,000
Total Cost for 22 Years		\$4,971,856,183
Average Cost Per Year		\$225,993,463
Cost Per Student		\$4,961

¹⁸ Master Facilities Plan, 12.

Sources: Office of the Chief Financial Officer, "CFOInfo," <http://cfoinfo.dc.gov/cognos8/finance.htm> (accessed July 2013); Office of the Chief Financial Officer, "FY 2014 to FY 2019 Capital Improvements Plan," <http://cfo.dc.gov/publication/fy-2014-fy-2019-capital-improvements-plan>, March 2013.

Facility investment costs for public charter schools are much more difficult to discern, because no standard approach to investment or accepted method of accounting for costs exists. Some buildings are leased, including leases of DCPS stock at below-market rates. Others are gifts from committed donors and sponsors. Still others are commercial properties that were purchased on the open market and converted to school space. Some charter school operators have taken full advantage of federal tax credit provisions for investing in historic buildings and developing neighborhoods. Others have not been as sophisticated and farsighted. Moreover, because no single accepted chart of accounts exists for presenting facility investment costs, the study team could not develop a reliable facility cost estimate for public charter schools. Available PCSB data, however, suggest that the \$3,000 per-student annual facilities allowance for charter schools provides an adequate benchmark for annual facility costs of many public charter schools, regardless of whether they lease their buildings and pay rent to a landlord or whether they own their buildings and are paying off a mortgage or making bond payments (see Table 4.6).

Table 4.6: Public Charter School Facility Costs: Leased and Owned Buildings (Actual Spending, Associated and Indirect Costs -- School Year 2012–2013)

Cost Category	Leased and Owned Buildings	
	Total Cost	Cost Per Student
Capital expenses (major repairs), not financed	\$9,650,070	\$337
Lender Required Reserves	\$8,001,179	\$279
Direct lease payments	\$27,363,333	\$955
Additional lease payments (CAM charges, etc.)	\$1,382,144	\$48
Amortization of leasehold improvements & FFE	\$6,914,948	\$241
Debt service for LHI & FFE:		
Interest	\$3,055,073	\$107
Principal	\$848,583	\$30
Other Finance Costs being amortized	\$171,575	\$6
Depreciation of building/improvements/FFE	\$11,231,992	\$392
Debt service for mortgage financing:		
Interest	\$14,262,771	\$498
Principal	\$3,687,748	\$129
Other Finance Costs being amortized	\$2,033,913	\$71
Total Facility Costs -	\$88,603,329	\$3,091*

Note: * Figure is based on an enrollment number (28,667) that reflects the number of schools for which financial data were available.

Source: Public Charter School Board, "Charter School Budgets," <http://www.dcpsb.org/School-Finance/2012-2013-Charter-School-Budgets.aspx> (accessed July 2013).

The study team examined some of the available data related to capital and facility investments for DCPS and similar costs for public charter schools and uncovered certain differences. Importantly, however, current law does not require equal funding for capital investments, or costs, in both school sectors. There are historical reasons for these differences that cannot be addressed solely by changes in the UPSFF. Also, as noted earlier, complete data on charter school facility expenditures could not be obtained. Accordingly, the study team determined that resolving capital and facility investment discrepancies and ensuring all schools have equal access to high-quality buildings, though very important, should not be addressed by the DC Education Adequacy Study.

Funding Within and Outside the UPSFF

The UPSFF is intended to fund all the traditional school system programs and functions for which DCPS and public charter schools are responsible—instructional, noninstructional, and administrative. Funds available through the UPSFF are determined on a per-student basis and are allocated to the LEA where students are enrolled. Currently, UPSFF funding can support instructional programs and resources, student support services, administrative functions, and facilities maintenance and operations costs. Yet it would be misleading to assume that funds provided through the UPSFF are the only resources available for DC students.

As highlighted in Chapter 3 and earlier in this chapter, additional funding has been available to DCPS and public charter schools in recent years, though significantly more has been allocated to DCPS. Mary Levy, a local school budget expert, estimated that between school year 2008 and school year 2012, DCPS received an additional \$72 million to \$127 million annually in extra nonuniform local operating funds.¹⁹ This includes the following:

- Funding for UPSFF functions provided to DCPS via *extra appropriations* and coverage of overspending is estimated to be between \$12 million and \$72 million annually. Beginning in fiscal 2012, both DCPS and public charter schools received funding through a supplemental appropriation; however, until 2012, supplemental appropriations were only available to DCPS and, in many years, were appropriated to cover cost overruns.
- *Subsidies and free in-kind services, particularly facilities maintenance and legal costs* provided to DCPS for UPSFF functions by other city agencies are estimated to total between \$40 million and \$60 million annually. Although some of these services are available to public charter schools, they are not provided equally (e.g., school nurses, social workers, school resource officers, and school crossing guards). Public charter schools receive less benefit, in total and on a per-student basis.
- *Nonuniform student counts* in the UPSFF itself, notably the use of projected rather than actual enrollment to determine DCPS appropriations, are estimated to result in \$4 million to \$45 million more in annual funding for DCPS than for public charter schools that are paid based on their actual enrollment.

¹⁹ Mary Levy, *Public Education Finance Reform in the District of Columbia: Uniformity, Equity and Facilities* (Washington, DC: Friends of Choice in Urban Charter Schools [FOCUS] and the DC Association of Chartered Public Schools, 2012).

- Both DCPS and charters receive *federal categorical funding* on an equal basis to serve low-income and disadvantaged students and those with special education needs. These funds flow through OSSE and are distributed to LEAs based on the number of enrolled students who meet program eligibility criteria.
- Both DCPS and charter schools receive *private funding* from individual donors, parents, and community partner organizations.
- Some public charter schools that lease DCPS school buildings receive *rent abatements or pay below-market rents* to the DC treasurer.
- Public charter schools receive an annual *facilities allowance*, currently set at \$3,000 per student. The allowance was established to help cover the costs of leasing, acquisition, and capital improvements to facilities, though school leaders have flexibility in how they allocate these funds, including covering costs that are within the UPSFF.

Table 4.7 lists the cost categories that are covered within and outside the UPSFF by other DC agencies or through the facilities allowance for public charter schools.

**Table 4.7: Expenses Currently Within and Outside the Uniform Per Student Funding Formula
(District of Columbia Public Schools and Public Charter Schools)***

Cost Categories	Within UPSFF	Outside UPSFF		
		Costs Covered via Other DC Agency Budgets		Facilities Allowance for Public Charters Only ¹
		For DCPS	For Charters	
Teachers Salaries and Benefits	X			
School Administrators Salaries and Benefits	X			
DCPS Teacher Pensions ²		X		
Student Counselors Salaries and Benefits	X			
School Nurses Salaries and Benefits		Department of Health		
Social Workers Salaries and Benefits		Department of Behavioral Health		
Special Education Social Workers Salaries and Benefits	X			
School Crossing Guards		Department of Transportation		
School Resource Officers		Metropolitan Police Department ³		
Educational Supplies and Materials	X			
Educational Furnishings and Equipment	X	Department of General Services		X
Information Technology Services and Equipment	X	Office of the Chief Technology Officer ⁴		X
Food Services	X			
Before- and After-School Programs	X			
Summer School Programs	X			
Early Childhood Programs	X			
Risk Management, Legal Services, and Settlements	X	Office of the Attorney General		
Public Charter School Board Appropriation			Public Charter School Board	
Security Guards	X			
General Maintenance—Buildings and Grounds	X	Department of General Services		

Cost Categories	Within UPSFF	Outside UPSFF		
		Costs Covered via Other DC Agency Budgets		Facilities Allowance for Public Charters Only ¹
		For DCPS	For Charters	
Custodial Services	X	Department of General Services		
Utilities	X			
Capital Repairs		Department of General Services		X
New Building, Renovation, and Modernization		Department of General Services		X
Rent and Lease Payments /Rent Abatements	X		Treasurer	X
Loans and Mortgage Payments				X
Payments to Bondholders		Treasurer		X
Property Taxes and Insurance				X
Debt Reserve Funds				X

Notes:

* Services provided through the Office of the Attorney General and the Department of General Services are available only to DCPS.

1 The facilities allowance for public charter schools is not restricted to the uses detailed in this table, which reflects the intended use of these funds. Charter schools may use facilities allowance funds for other cost categories.

2 When contributions from current teachers do not meet DCPS pension obligations, the shortfall is covered by added contributions of local funds. On an annual basis, this amount has reached up to \$15 million.

3 The school resource officer (SRO) program is a community policing program partnership between DCPS and the Metropolitan Police Department (MPD). MPD will only assign SROs to schools with security staff.

4 DCPS receives information technology (IT) services through the Office of the Chief Technology Officer(OCTO), which it pays for through a memorandum of understanding. In addition, DCPS benefits from IT systems that OCTO has in place for the entire DC government.

Source: Interviews with DC agency personnel.

Unless the total amount of funding from all these sources is taken into account, it is difficult to get a clear picture of how much is actually spent on educating DC students and how it affects the adequacy of educational programs and services. However, as will be explained in greater detail in Chapter 5, for purposes of calculating the costs of an adequate base level of funding and appropriate weights for DC students with identified learning needs, the study team focused exclusively on the DC government share of funds provided through the UPSFF and other DC agency funding, not on federal categorical funding, supplemental appropriations, grants, and private donations. This is because:

- *Federal categorical funding* for students with identified learning needs is provided to DCPS and public charter schools equally to help offset the costs of providing an adequate education to these students. Therefore, the study team accounted for these funds in developing weights for specific categories of special needs students.

- Annual budgeting cannot anticipate *private contributions and supplemental appropriations*. Therefore, planning to meet the cost of education adequacy should not be based on these sources of nonrecurring funds, and the study team did not include them in its education adequacy calculations.
- The UPSFF is used to calculate the amount of local funding required for DCPS and public charter schools.

For purposes of calculating the costs of an adequate base level of funding and appropriate weights for DC students, the study team focused exclusively on the DC government share of funds provided through the UPSFF and other DC agency funding.

A comparison of the value of contributed services available to DCPS and public charter schools through other DC agencies is presented in Table 4.8. This table shows that DCPS is projected to receive much more support from these sources in SY 2013–2014.

Table 4.8: Benefits Provided by DC Offices and Agencies to DCPS and Public Charter Schools (Projected Total Value and Per-Student Share in Fiscal 2013 and Fiscal 2014)*

DC Government Agency or Office	Cost of Benefits Provided to DCPS	Cost of Benefits Provided to Public Charter Schools	Total
Department of Health	\$12,750,000 (\$277)	\$4,250,000 (\$114)	\$17,000,000
Department of Health and Behavioral Health	\$3,420,594 (\$74)	\$1,026,177 (\$27)	\$4,446,771
Office of the Attorney General	\$2,442,000 (\$53)		\$2,442,000
Office of Contracting and Procurement	\$2,280 (\$0.05)		\$2,280
Office of the Chief Technology Officer	\$1,914,110 (\$42)		\$1,914,110
Department of General Services	\$45,503,000 (\$988)		\$45,503,000
Public Charter School Board Appropriation		\$1,161,000 (\$31)	\$1,161,000
Total	\$66,031,984	\$5,276,177	\$71,308,161
Per-Student Share of Cost**	\$1,434	\$141	\$854

Notes:

*Additional resources to remain outside the UPSFF include school resource officers (SROs) allocated cross-sector, totaling \$8,186,239 in fiscal 2013; this includes 26 SROs allocated to DCPS, totaling \$2,149,921; 15 SROs allocated to public charter schools, totaling \$1,240,339; and 58 roving officers and officials assigned cross-sector, totaling \$4,795,979. It also includes Department of Transportation crossing guards allocated cross-sector, totaling \$3,050,000 in fiscal 2013.

**Figures are calculated based on 2013–2014 projected enrollment numbers.

Sources: Data provided by Office of Contracting and Procurement based on annual costs; data provided by Department of Health and Department of Behavioral Health based on FY13 costs; data for Public Charter School Board, Office of the Attorney General, Office of the Chief Technology Officer, Department of General Services, and Public Charter School Board based on FY14 budget.

There are several explanations for these differences, though they cannot illuminate all the discrepancy in funding between the two sectors.

- *Many of the services (and associated funding) provided by DC government agencies are based on needs of the neighborhood where a school is located, rather than on per-student allocations.* This is appropriate in the case of school crossing guards and school resource officers, who work on a roving basis and serve more than one DCPS and/or public charter school. The DDOT determines the amount of assigned time for each school based on neighborhood traffic conditions and schedules crossing guards so they can serve multiple schools in a particular neighborhood with staggered arrival and dismissal times. The MPD determines the amount of assigned time for school resource officers in each school,

based on conditions within the schools (e.g., gang presence, neighborhood violence, and number of students reentering school after spending time in a juvenile detention facility).

- *Other services cannot be accessed unless adequate space is made available in school buildings.* This includes health and mental health care. School nurses, for example, are equally available to all schools to address routine student health needs during the school day (e.g., administering medication and conducting routine diabetes testing) and deal with illness and injury when they occur. However, schools that do not have adequate space for a school health suite or clinic that can accommodate nurses and patients may not be assigned nurses. If charter schools do not have spaces for student health functions, they generally do not have nurses on campus, even though nurses are available through the DOH.
- Another source of discrepancy in services and funding between the sectors, though it is comparatively small, is that *DCPS receives significant support for many system-level functions that are typically managed and paid for within the central offices of major urban school systems.* This includes legal services from the OAG, procurement support from the OCP, and technology systems from OCTO. The largest portion of these additional benefits is for facilities maintenance and operations provided by the department of general services. These services and benefits are not available to public charter schools, so they manage these functions internally or contract them out to commercial vendors using UPSFF funds to cover the costs.
- Finally, *the Public Charter School Board receives an annual appropriation to cover approximately half of its budget,* with the remainder of funding coming from charter schools that are charged a 0.5 percent fee based on their annual budget. A legislative proposal pending before the city council would increase this fee to 1.0 percent of all charter school budgets. PCSB is responsible for chartering and providing oversight to the charter LEAs.

Two major factors seem to drive cost differences between DCPS and public charter schools: labor costs and facilities maintenance and operation costs.

Cost Differences Between DCPS and Public Charter Schools

Two major factors seem to drive cost differences between DCPS and public charter schools:

- Labor costs; and
- Facilities maintenance and operation costs.

Differences in Labor Costs

Labor costs are a major source of cost differences between the two sectors; DCPS labor costs are higher than those of public charter schools. In general, average charter salaries (plus fringe benefits) are only 73 percent to 79 percent of average budgeted DCPS salaries (plus fringe benefits). This reflects the fact that the DCPS workforce is largely unionized and, therefore,

DCPS must negotiate salaries, benefits, and working conditions through a collective bargaining process. The workforce of public charter schools is not unionized, though their employees have the right to organize. Their governing boards have the authority to establish compensation for all school staff and specify working conditions and expectations independently. Differences in labor costs also result from the fact that many public charter school staff members are younger than staff in comparable DCPS positions. With less seniority, they have lower salaries. A comparison of three key school personnel categories at different salary levels illustrates the point (see Table 4.9).

Table 4.9: Differences in Labor Costs for Key Personnel Between District of Columbia Public Schools and Public Charter Schools

Representative Staff Categories	DCPS Budgeted Cost ¹	DCPS Actual Cost ²	Charter Average Cost ³
Principal	\$153,925	\$137,432	\$122,595
Assistant Principal	\$123,432	\$101,133	\$103,951
Teacher	\$90,523	\$88,990	\$71,858

Notes:

1 Figures represent DCPS teacher salary, plus benefits, used for school-level budgeting purposes for school year 2013–2014.

2 Figures are based on PeopleSoft staffing reports, 2013. They include salaries plus an additional 15 percent for benefits.

3 Figures are based on 2012–2013 average salary figure data from the DC Public Charter School Board.

Source: “SY 2013–2014 Budget Planning Guide for District of Columbia Public Schools,” www.dcps.dc.gov.

The DCPS average salary level with benefits compares favorably with those of other school districts in the Washington, DC, metropolitan area, which range from \$83,804 to \$108,510. When compared with 10 suburban districts, the fiscal 2013 average DC teacher salary with benefits is in the middle, with five districts higher (Alexandria City, Arlington County, Montgomery County, Fairfax County, and Falls Church City) and five districts lower than DC (Prince William County, Prince George’s County, Manassas City, Manassas Park City, and Loudon County).²⁰

For LEA and school budgeting purposes, DCPS salaries for staff in each position are based on the average salary (plus fringe benefits) for that position. As an example, though teacher salaries can range from \$59,270 to \$122,521, all teachers are budgeted at the average level of \$90,523. Actual salary expenditures, as shown on the Schedule A report, are somewhat less, though still significantly higher than actual charter school salaries (plus fringe benefits). Schools do not receive the difference between budgeted and actual salaries (plus fringe benefits) to reallocate to other staff or for other purposes. These funds remain in the DCPS central office budget.

²⁰Washington Area Boards of Education, *The FY 2013 WABE Guide* (Fairfax County, VA: Fairfax County Public Schools, 2013). Note that DCPS does not participate in the Washington Area Boards of Education.

The DCPS average teacher salary level with benefits compares favorably with those of other school districts in the Washington, DC, metropolitan area, and it is higher than the average public charter school teacher salary level with benefits.

Additionally, DCPS education service staff members are eligible to participate in the DC Teacher's Retirement System and to receive IMPACT [performance assessment] bonuses and support. Contributions to the Teacher's Retirement System, which is separate from the DCPS budget, are expected to be \$31.6 million for fiscal 2014.²¹ School-based IMPACT bonuses, which are included in the DCPS budget, are budgeted at \$3.2 million.²² Another \$12 million is budgeted for the early retirement option, buyout option, and extra year option under the mutual consent provisions.²³ The bonus program was initially implemented with philanthropic support, but those grants have ended. Starting in fiscal 2013, DCPS is funding bonuses through the UPSFF. Although public charter school staff cannot participate in these programs, charter school LEAs can create a retirement system and performance pay system using UPSFF funding.

Differences in Facilities Maintenance and Operations Costs

Compared with DCPS, public charter schools are much more efficient regarding facility M&O. Public charter school facilities generally are more crowded and have fewer amenities than DCPS school facilities. Many charter schools operate in commercial spaces (e.g., warehouses and storefronts) that have been converted to schools and, therefore, do not have athletic fields, auditoriums, cafeterias with working kitchens, and other spaces specified as needed for an adequate education facility.

Approximately \$45 million, or 40 percent, of DCPS system M&O costs are covered by the department of general services outside the UPSFF. In comparison, none of public charter school facilities costs are paid directly by DGS or other city agencies and offices. However, some public charter schools lease space from DGS at below-market rates and receive rent abatement, if they invest more than \$1 million in capital improvements in unoccupied or underutilized DCPS buildings.

Implications for Per-Student Costs

Total projected per-student costs are higher for DCPS than for public charter schools, as shown in Table 4.10. This is largely attributable to the higher costs per student for facilities M&O, though it should be noted again that the public charter M&O costs are undercounted because the study team could not accurately account for custodial costs. Because the study team separated facilities M&O from other LEA-level costs related to management and administration of instructional programs, student support services, and other educational resources, the subtotal compares instruction-related costs and the total adds in the additional costs for facilities M&O.

²¹ Information is based on a congressional budget submission from the Office of the Chief Financial Officer.

²² Information is based on a DCPS budget submission to the City Council.

²³ Ibid.

Table 4.10: Total Base-Level, Per-Student Costs in District of Columbia Public Schools and Public Charter Schools (Projected/Budgeted for School Year 2013–2014)

Cost Category	DCPS	Public Charter Schools*
School-Level costs	\$9,405	\$9,405
System-Level costs	\$1,973	\$1,897
Subtotal	\$11,378	\$11,302
Cost Category	DCPS	Public Charter Schools*
Maintenance and Operations Costs	\$2,097	\$759*
Total	\$13,475	\$12,061

Note:* Total maintenance and operations costs for public charter schools are underestimated, because custodial costs cannot be determined.

Sources: The recommendations are derived from the professional judgment panel specifications resulting from panelists' deliberations; interviews with personnel from DC government agencies and the executive of the mayor in June 2013; "DCPS 2013–2014 Spending Plan," www.dcps.dc.gov (accessed April 2013); and "DCPS Operations and Maintenance: DCEAS Facilities Cost Analysis FY 2014," www.dcps.dc.gov (accessed July 2013).

Summary

The system-level professional judgment panels—using the education research evidence base as a point of departure—developed detailed resource specifications for LEA costs for DCPS and for public charter schools. Of particular note:

- Because the two sectors are structured and operate so differently, the study team appointed two panels, one for DCPS and one for public charter schools, to identify and specify resource requirements for efficient and effective central office management and administration.
- System-level costs related to central office management and administration of instructional programs, student support services, and other educational resources are slightly higher on a per-student basis for DCPS.
- System-level costs for facilities M&O are significantly higher for DCPS. In part, this difference reflects the costs of vacant and underutilized space that are included in the DCPS estimate. It also reflects an underestimation of costs for public charter school custodial services, which could not be determined.
- Neither DCPS nor public charter schools fund all of their instructional programs and student support services through the UPSFF. Although DC law prohibits also funding costs outside the UPSFF that are covered by the formula, both sectors receive some services—and the economic benefit—from other DC government agencies. To the extent school-related services are funded outside the UPSFF, they are supposed to be funded

equally. However, DCPS receives significantly greater benefit than public charter schools, in total and on a per-student basis.

- DCPS also receives significant support from other agencies and executive offices for central office functions that typically are managed internally by most large urban school systems. Charter schools cover the costs of these functions with their UPSFF funding.
- The primary drivers of current cost differences between DCPS and public charter schools are labor costs and facilities maintenance and operations costs. DCPS costs are significantly higher than public charter schools in both areas.

5. Cost of Education Adequacy in the District of Columbia

The study team’s estimation of the cost of providing an adequate education to all District of Columbia (DC) students, prekindergarten through grade 12, including adult learners, is based on findings from the professional judgment (PJ) panels. The estimation was informed by the evidence base, the successful schools study, and extensive analysis of District of Columbia Public Schools (DCPS) and public charter schools budget and expenditure data. In this way, the study team developed conclusions on the cost of education adequacy in the District and recommendations for restructuring and resetting the Uniform Per Student Funding Formula (UPSFF) base and weights for students with identified learning needs.

Throughout the analysis, the combination of methodological approaches and extensive review by local stakeholders and the Advisory Group provided a wealth of information that informed questions related to specific cost factors. When assessing the data generated through each of the approaches, the study team considered several criteria, including:

- How strongly the identified data or costs were associated with achieving *DC’s student academic performance expectations*;
- The degree to which the data or costs took into consideration *efficiency* and the lowest possible cost of resource delivery; and
- The *transparency and reliability* of the data generated.

The final cost calculations reflect resource needs based on DC students and their demographic characteristics. Although differences in schools and local educational agencies (LEAs) were taken into account in generating the specifications for costing out, the recommended funding levels do not vary based on school or LEA characteristics. DC law requires that:

- “[S]ervices provided by District of Columbia government agencies to public schools shall be provided on an equal basis to the District of Columbia Public Schools and public charter schools;” and
- “[A]ny services that are funded apart from the Uniform Per Student Funding Formula shall not also be funded by the Uniform Per Student Funding Formula.”¹

In accordance with DC law requiring uniformity in funding, the UPSFF base and weights for students with identified needs are the same for all DC students, regardless of whether they attend DCPS or public charter schools. This includes costs for all the resources that students need to be successful, including those currently provided outside the UPSFF.

To achieve greater equity, uniformity, and adequacy in education funding, the study team conducted separate analyses of the costs of:

¹ DC Official Code § 38-2913.

- Instructional programming, student support services, administration, and other educational resources; and
- Facilities maintenance and operations.

Currently, the UPSFF includes funding for facilities maintenance and operations (M&O) (e.g., general upkeep and noncapital repairs to buildings and grounds, custodial services, utilities, property taxes, and property insurance). However, to understand the impact of these costs on a per-student basis and how they can be most equitably addressed through the UPSFF, the study team analyzed them independently from costs related to instructional programming, student support, and administration.

As discussed in Chapter 4, though the study team also examined information on capital investments by DCPS and public charter schools, it was not possible to develop a meaningful comparison, because the available budget and expenditure data are not comparable. Public charter school LEAs receive a \$3,000 per-student annual facilities allowance to fund capital investments, but they are not required to spend these funds only on capital projects. Absent data that enable a reliable estimate of annual public charter school spending on facilities acquisition, purchase, construction, renovation, and upgrading, the study team could not develop sound, evidence-based recommendations for restructuring or resetting this allowance.

Base-Level Cost for Instructional Needs

The UPSFF is intended to fund all costs related to instruction, student support, and administration; other educational costs (e.g., professional development, student fees, books, and supplies); and technology hardware and software. Based on the entirety of the analysis by the study team—comprised of staff from The Finance Project (TFP) and Augenblick, Palaich and Associates (APA)—calculations show that the base-level per-student cost of educational programming, support services, administration, and other education resources is \$11,344, as shown in Table 5.1. The UPSFF base reflects the cost of serving elementary students (kindergarten through grade 5). Additional costs for students at other grade levels and for students with identified learning needs are incorporated into the weights. The UPSFF base reflects the cost of serving students without any identified learning needs that require additional special instructional programs, support services, and other resources. As discussed in Chapter 3, the school-level base reflects the estimated cost for large elementary schools (420 students); *the system cost reflects the weighted average of DCPS and public charter school LEA-level costs*. In sum, these estimates reflect the instructional portion of the UPSFF base-level, per-student cost before any adjustments for federal funding that is received by the District of Columbia to offset a portion of the cost.

Table 5.1: Instructional Portion of Uniform Per Student Funding Formula Base Cost Before Federal Funding Revenue Adjustment

Cost Elements	Per-Student Instructional UPSFF Formula Base Before Federal Revenue Adjustment
School-Level Base Cost	\$9,405
Average System Cost	\$1,939
Total Formula Base Cost	\$11,344

Sources: The recommendations are derived from both the professional judgment panel specifications resulting from panelists' deliberations and the evidence base found in Michael E. Goetz, Allen R. Odden, and Lawrence O. Picus, "Using Available Evidence to Estimate the Cost of Educational Adequacy," *Education Finance and Policy*, vol. 3, no. 3 (2008): 374–97.

As highlighted in the findings presented in Chapter 4, labor costs are one of the most significant differences between DCPS and public charter school cost structures that affect per-student cost estimates. The DCPS average salary and fringe benefit scale is higher for all positions than is the average salary and fringe benefit scale for public charter schools. In calculating the school-level base cost, *the study team used the DCPS average salary scale*. This holds DCPS at its current labor cost level for school year (SY) 2013–2014, with cost-of-living adjustments of 2 percent projected to begin in SY 2014–2015. In professional judgment panel deliberations, the study team received feedback from charter school representatives that they had challenges in meeting the salary levels set by DCPS. Using the DCPS average salary scale in calculating school-level base costs for both sectors also affords additional room for public charter schools to increase salaries and offer performance incentives. This will enhance their ability to offer compensation that is competitive in the local market for highly qualified teachers, if they choose to do so.

Weights for Students at Different Grade Levels and with Identified Learning Needs

For general education students at other grade levels and for students with identified learning needs, the study team calculated the difference in costs from the base level for elementary students in order to determine appropriate weights to account for the costs of serving students at these grade levels. This includes additional costs related to serving:

- Three-year-olds in prekindergarten (pre-K3) and four-year-olds in prekindergarten (pre-K4);
- Students in middle school (grades 6 through 8);
- Students in high school (grades 9 through 12);
- Students in alternative schools; and
- Students attending adult education programs.

It also includes differences related to serving students with identified learning needs, including:

- English language learners;

- Students at risk of academic failure; and
- Special education students, Levels 1–4².

These weights are expressed as a proportional addition to the base-level funding for each relevant grade level and category of identified learning needs. For students with multiple learning needs, the weights are cumulative, except for alternative and adult education students, because, by definition, all of these students are at risk, and the additional estimated costs of serving them is incorporated into the designated weights.

Adjustment for Federal Funding

The total costs of serving general education students and students with identified learning needs is partially offset by federal funding, including federal categorical funding that flows from several federal entitlement programs and other formula grant programs that benefit students with identified learning needs. Therefore, once the initial UPSFF base-level cost and weights were established, the study team analyzed sustained and predictable federal and other nonlocal funds that are available to the District of Columbia to partially offset these costs. It then reduced the recommended base-level funding amount and weights, accordingly.

Table 5.2 breaks down available federal and other program funding that has been factored into the calculations of the adjusted base-level funding and weights.

Table 5.2: Available Federal and Nonlocal Program Funding to Partially Offset Education Costs

Catalogue of Federal Domestic Assistance Funding Source		General Education	At Risk	English Language Learner	Special Education	Alternative Education	Pre-kindergarten
84.010A	College and Career Ready Students		\$41,812,230				
84.013A	State Agency Program—Neglected and Delinquent Children and Youth Education					\$216,054	
84.041	Impact Aid Basic Support Payments	\$1,645,583					
84.365A	English Learner Education (English Language Acquisition)			\$849,710			
84.196A	Homeless Children and Youth Education		\$184,482				
84.027A	Special Education—Grants to States				\$15,528,284		
84.173A	Special Education—Preschool Grants				\$217,081		
84.048A	Career and Technical Education State Grants	\$4,004,175					

² Special education students are categorized into four levels of need, according to the number of hours per week they require specialized services.)

Table 5.2: Available Federal and Nonlocal Program Funding to Partially Offset Education Costs, continued

Catalogue of Federal Domestic Assistance Funding Source		General Education	At Risk	English Language Learner	Special Education	Alternative Education	Pre-kindergarten
84.370A	DC School Choice Incentive Program	\$38,360,000					
84.041	Head Start						\$10,333,000
Federal	Consolidated Head Start						\$5,061,817
Temporary Assistance for Needy Families	Summer Education, Arts and Sports—After School		\$6,500,000				
Federal	Department of Health and Human Services—New Heights		\$400,000				
Federal	Department of Health and Human Services—New Heights New Heights 2		\$1,437,985				
Federal	Medicaid				\$5,000,000		
Federal	Medicaid Claiming Reimbursement				\$312,000		
Local	Youth Services Center					\$1,959,000	
	E-Rate Education Fund	\$7,806,341					
84.282A	Title V Part B Charter School Program	\$3,903,000					
	Community School Grants		\$1,000,000				
Federal Funding Total		\$55,719,099	\$51,334,697	\$849,710	\$21,057,365	\$2,175,054	\$15,394,817

Source: “Catalogue of Federal Domestic Assistance,” <https://www.cfda.gov>.

The net UPSFF base-level funding and weights deduct the amount of categorical funding that flows from federal agencies through the Office of the State Superintendent of Education (OSSE) to DCPS and public charter schools from the total cost estimate for serving general education students and students in each identified learning needs category. Accordingly, after the adjustments for sustained and predictable federal funding and other nonlocal sources, the net base cost level for the UPSFF is estimated to be \$10,557 per student. This portion represents the instructional portion of the UPSFF and does not include funding needed for maintenance and operations. Table 5.3 shows the net base-level instructional funding and weights after adjustments for federal funding were made. The first two columns of the table present the total instructional resources needed for students to be able to meet all the requirements and performance objectives in the District based on the study. The third and fourth columns present the net instructional amounts once federal funds are deducted.

Table 5.3: Recommended Instructional Uniform Per Student Funding Formula Base Funding Level and Weights*

Category	Proposed Instructional UPSFF Weight Before Federal Revenue Adjustments	Proposed Instructional UPSFF Per-Pupil Allocations Before Federal Revenue Adjustments	Proposed Instructional UPSFF Weight After Federal Revenue Adjustments	Proposed Instructional UPSFF Per-Pupil Allocations After Federal Revenue Adjustments
Base-Level Funding		\$11,344		\$10,557
General Education				
Preschool	1.18	\$13,386	1.15	\$12,141
Prekindergarten	1.18	\$13,386	1.15	\$12,141
Kindergarten	1.00	\$11,344	1.00	\$10,557
Grades 1–3	1.00	\$11,344	1.00	\$10,557
Grades 4–5	1.00	\$11,344	1.00	\$10,557
Grades 6–8	1.01	\$11,457	1.01	\$10,663
Grades 9–12	1.09	\$12,365	1.10	\$11,613
Alternative ¹	1.95	\$22,121	1.73	\$18,264
Special Education Schools	1.09	\$12,352	1.17	\$12,352
Adult Education ²	1.00	\$11,344	1.00	\$10,557
Identified Learning Needs Add-On Weightings				
Special Education Level 1	0.89	\$10,096	0.88	\$9,290
Special Education Level 2	1.10	\$12,478	1.08	\$11,402
Special Education Level 3	1.80	\$20,419	1.77	\$18,686
Special Education Level 4	3.19	\$36,187	3.13	\$33,043
Special Education Capacity Fund	N/A	N/A	N/A	N/A
English Language Learners	0.58	\$6,580	0.61	\$6,440
At Risk	0.52	\$5,899	0.37	\$3,906

Table 5.3: Recommended Instructional Uniform Per Student Funding Formula Base Funding Level and Weights, continued*

Category	Proposed Instructional UPSFF Weight Before Federal Revenue Adjustments	Proposed Instructional UPSFF Per-Pupil Allocations Before Federal Revenue Adjustments	Proposed UPSFF Weight After Federal Revenue Adjustments	Proposed UPSFF Per-Pupil Allocations After Federal Revenue Adjustments
Base-Level Funding		\$11,344		\$10,557
Special Education Compliance				
Blackman-Jones Compliance	0.06	\$651	0.06	\$651
Attorneys' Fee Supplement	0.07	\$838	0.08	\$838
Summer School³	N/A	N/A	N/A	N/A
Extended School Year Level 1	0.053	\$596	0.056	\$596
Extended School Year Level 2	0.190	\$2,150	0.204	\$2,150
Extended School Year Level 3	0.410	\$4,653	0.441	\$4,653
Extended School Year Level 4	0.408	\$4,625	0.438	\$4,625
Residential Add-On Weights				
Residential Weight	1.39	\$15,820	1.50	\$15,820
Special Education Residential				
Level 1	0.31	\$3,480	0.33	\$3,480
Level 2	1.12	\$12,656	1.20	\$12,656
Level 3	2.41	\$27,369	2.59	\$27,369
Level 4	2.40	\$27,211	2.58	\$27,211
English Language Learner Residential	0.56	\$6,328	0.60	\$6,328

Notes:

* The figures in this table do not include facilities maintenance and operations funding.

1 The proposed weight assumes alternative school students would not receive an at-risk weight.

2 The proposed weight assumes adult education students would not receive an at-risk weight. The adult weight was also prorated to take into account that an adult full-time equivalent (FTE) student requires fewer hours and weeks in school than a full-time general education student.

3 Summer school is not assigned a specific weight in the proposed UPSFF because it is included in the at-risk and English language learner weights.

Sources: The recommendations are derived from both the professional judgment panel specifications resulting from panelists' deliberations and the evidence base found in Michael E. Goetz, Allen R. Odden, and Lawrence O. Picus, "Using Available Evidence to Estimate the Cost of Educational Adequacy," *Education Finance and Policy*, vol. 3, no. 3 (2008): 374–97.

For students with multiple needs, the weights are cumulative for all categories of identified learning needs, except for alternative and adult education students. Therefore, as an example, for a high school student who is identified as an English language learner (ELL) and at risk, the general education base-level funding weight is 1.10 and the added weights are .61 plus .37, bringing the cumulative total to 1.97. The total instructional portion of the UPSFF allocation for this student is $\$11,613 + \$6,440 + \$3,906 = \$21,959$.

Costs for Facilities Maintenance and Operations

The study team analyzed facilities maintenance and operations costs separately from instructional costs for purposes of proposing a new UPSFF base. The study team collected available M&O cost data for DCPS and public charter schools. As noted in Chapter 4, charter school M&O costs also include property taxes and property insurance that are not charged to DCPS. However, not all categories of M&O are reported uniformly for charter schools. Also as discussed in Chapter 4, the study team's analysis shows that facilities M&O costs are a significant driver of the cost difference between DCPS and public charter schools, with DCPS costs being higher than those for public charter schools.

Some of the difference may be due to the fact that LEAs in the District do not use a uniform accounting protocol for categorizing M&O costs, which makes it difficult to isolate relevant expenditures and compare levels of spending across LEAs. For example, as highlighted in the system-level findings, custodial services are likely underestimated in public charter school calculations because, in many cases, they cannot be isolated from lease costs or other vendor contracts. Similarly, M&O costs are likely higher for DCPS because they include expenses for vacant and underutilized space in schools.

To some extent, the difference may also reflect the fact that DCPS uses union labor for engineers, technicians, custodians, and other maintenance personnel and is subject to collective bargaining on compensation and work rules. In contrast, public charter schools have the flexibility to negotiate contracts with outside vendors based on lower wage rates.

To develop a uniform basis for calculating space costs for DCPS and public charter schools, the study team developed a per-square-foot M&O cost rate. To derive an equitable per-student M&O cost at each school level, the study team applied the per-square-foot rate to the number of square feet of space recommended for students at each grade level in the DCPS design guidelines. It then used student enrollment data to determine the amount of funding that should be allocated to DCPS and public charter schools.

The study team identified the number of square feet of school facility space per student that is needed to support an adequate education.³ These recommended space requirements, which differ depending on school level, are based on design guidelines adopted by DCPS. Total per-student space requirements are as follows:

- Elementary schools: 150 square feet per student
- Middle schools: 170 square feet per student
- High schools: 192 square feet per student
- Adult and alternative education centers: 170 square feet per student
- Special education schools: 192 square feet per student.⁴

³ The education space specifications do not include a recommended amount of square feet for special education programs or for alternative or adult education programs. After consulting with education experts, the study team determined that the middle school specification was sufficient for alternative and adult education programs because these programs do not require the larger space requirements of a full high school education. Stakeholders recommended that the high school specification be applied to special education schools.

Because it was not possible to calculate an accurate actual M&O cost for public charter schools, the study team used *the DCPS average cost per weighted square foot for an average elementary, middle, and high school to determine the relevant facilities M&O costs that should be factored into the UPSFF*. The cost was weighted by the total square feet for each school-level building.

M&O costs were derived using Department of General Services (DGS) and DCPS actual and budgeted costs by school for:

- DGS scheduled and preventive maintenance [DC Partners for the Revitalization of Education Projects (DC PEP) and consolidated maintenance contract costs, a combination of actual and budgeted costs];
- Budgeted DGS specialized cleaning costs and trash removal as well as budgeted DCPS school custodian costs;
- Budgeted DGS corrective maintenance and repair costs for elevators; electrical; heating, ventilation, and air conditioning; plumbing; structural/roofs; life safety/fire; and general external and internal space;
- Budgeted DGS grounds costs, which include costs for landscaping, garage/parking, and snow removal;
- Budgeted DGS costs for field personnel in the above categories; and
- A combination of actual and estimated DCPS energy costs for electricity, water, and gas.

The study team developed an average M&O cost for three grade levels: elementary school, middle school, and high school. (The study team applied the middle school or the high school rate to other types of programs that were not specifically called out in the DCPS design guidelines, such as alternative, adult education, and stand-alone special education schools.) The average costs are as follows:

- \$1,071 for each elementary school student;
- \$1,209 for each middle school student;
- \$1,342 for each high school student;
- \$1,209 for each alternative and adult education student; and
- \$1,342 for each student attending a stand-alone special education school.

Calculating M&O costs in this way, based on actual costs applied to recommended space criteria, enables funding to flow through the formula on a per-student basis in a transparent way. This process will also enable DC leaders to more regularly update estimated facilities M&O costs to reflect actual needs. To accurately reset the M&O payment levels over time, LEAs will need to collect and report M&O costs in a uniform manner that allows for analysis of actual costs. Table 5.4 shows the UPSFF base and weights with M&O costs incorporated into the base.

**Table 5.4: Current and Recommended Uniform Per Student Funding Formula Base-Level Funding and Weights
(Maintenance and Operations Costs Included in Base)**

Category	Current UPSFF Weight	Current UPSFF Per-Pupil allocation	Proposed UPSFF Weight After Revenue Adjustments	Proposed Instructional UPSFF Per-Pupil Allocations After Revenue Adjustments	Facility M&O UPSFF Per-Pupil Allocations	Proposed UPSFF Per-Pupil Allocations After Revenue Adjustments with M&O
Base-Level Funding		\$9,306		\$10,557	\$1,071	\$11,628
General Education						
Preschool	1.34	\$12,470	1.15	\$12,141	\$1,071	\$13,212
Prekindergarten	1.30	\$12,098	1.15	\$12,141	\$1,071	\$13,212
Kindergarten	1.30	\$12,098	1.00	\$10,557	\$1,071	\$11,628
Grades 1–3	1.00	\$9,306	1.00	\$10,557	\$1,071	\$11,628
Grades 4–5	1.00	\$9,306	1.00	\$10,557	\$1,071	\$11,628
Grades 6–8	1.03	\$9,585	1.01	\$10,663	\$1,209	\$11,872
Grades 9–12	1.16	\$10,795	1.10	\$11,613	\$1,342	\$12,955
Alternative ¹	1.17	\$10,888	1.73	\$18,264	\$1,209	\$19,473
Special Education Schools	1.17	\$10,888	1.17	\$12,352	\$1,342	\$13,694
Adult Education ²	0.75	\$6,980	1.00	\$10,557	\$1,209	\$11,766
Identified Learning Needs Add-On Weightings						
Special Education Level 1	0.58	\$5,397	0.88	\$9,290		
Special Education Level 2	0.81	\$7,538	1.08	\$11,402		
Special Education Level 3	1.58	\$14,703	1.77	\$18,686		
Special Education Level 4	3.10	\$28,849	3.13	\$33,043		
Special Education Capacity Fund	0.40	\$3,722	N/A	N/A		
English Language Learners	0.45	\$4,188	0.61	\$6,440		
At Risk	N/A	N/A	0.37	\$3,906		

Table 5.4: Current and Recommended Uniform Per Student Funding Formula Base-Level Funding and Weights, continued

Category	Current UPSFF Weight	Current UPSFF Per-Pupil Allocation	Proposed UPSFF Weight After Revenue Adjustments	Proposed UPSFF Per-Pupil Allocations After Revenue Adjustments
Foundation		\$9,306		\$10,557
Special Education Compliance				
Blackman-Jones Compliance	0.07	\$651	0.06	\$651
Attorneys' Fee Supplement	0.09	\$838	0.08	\$838
Summer School³	0.17	\$15,820	N/A	N/A
Extended School Year Level 1	0.064	\$596	0.056	\$596
Extended School Year Level 2	0.231	\$2,150	0.204	\$2,150
Extended School Year Level 3	0.500	\$4,653	0.441	\$4,653
Extended School Year Level 4	0.497	\$4,625	0.438	\$4,625
Residential Add-On Weightings				
Residential Weight	1.70	\$15,820	1.50	\$15,820
Special Education Residential				
Level 1	0.374	\$3,480	0.330	\$3,480
Level 2	1.360	\$12,656	1.199	\$12,656
Level 3	2.941	\$27,369	2.592	\$27,369
Level 4	2.924	\$27,211	2.578	\$27,211
English Language Learner Residential	0.68	\$6,328	0.60	\$6,328

Notes:

1 The proposed weight assumes alternative school students would not receive an at-risk weight.

2 The proposed weight assumes adult education students would not receive an at-risk weight. The adult weight also assumes that adult education students attend school for less time than a full-time equivalent (FTE) general education student.

3 Summer school is not assigned a specific weight in the proposed UPSFF because it is included in the at-risk weight and English language learner weights.

Sources: The recommendations are derived from both the professional judgment panel specifications resulting from panelists' deliberations and the evidence base found in Michael E. Goetz, Allen R. Odden, and Lawrence O. Picus, "Using Available Evidence to Estimate the Cost of Educational Adequacy," *Education Finance and Policy*, vol. 3, no. 3 (2008): 374–97.

Comparison of the Current and Recommended Structure for the UPSFF

Based on the PJ panel deliberations and the analysis of DCPS and public charter school cost data, the study team highlighted the need for several modifications to the structure of the current UPSFF base-level funding formula and weights:

- To increase equity between DCPS and public charter schools, *all education funding for DCPS and public charter schools should flow through the UPSFF and be provided on an equal basis, except for funding for student safety*. Because student safety funds are allocated based on neighborhood conditions and factors, such as traffic patterns, gang presence, and the prevalence of school violence, rather than the number of students attending a school, they should continue to flow through DDOT (school crossing guards)

and MPD (school resource officers). DCPS and public charter schools should be required to use funding provided through the UPSFF to pay for any other services and administrative support they receive from other DC government agencies through an interagency transfer, or they should purchase these services in the commercial market.

- To increase transparency and aid in routinely updating the base-level funding and weights within the UPSFF formula, the estimated costs of the two major components that are the basis for setting payment levels—instructional operating costs and facilities M&O costs—should be priced separately. The amount of per-student funding should be the sum of these two components.
- In addition to the current set of UPSFF weights, a weight is needed for students at risk of academic failure. This new weight would be accumulative for all grade levels except alternative and adult education grades, and it would be accumulative for ELL and special education students. The PJ panels specified significant additional instructional and student support resources for students at risk of academic failure because of economic disadvantage and disconnection. The study team suggests that a working definition focus on three criteria:
 - Students who are in foster care;
 - Students who are homeless; and
 - Students who are living in low-income families eligible for Temporary Assistance for Needy Families (TANF).

Several stakeholders have raised concerns that these criteria are too narrow and would significantly undercount the number of students who are truly at risk of academic failure. Others remarked that using eligibility for free-and reduced-price school meals as a proxy for at risk, which was a definition initially considered by the study team, would overfund schools that have a high percentage of low- and moderate-income students who would qualify for subsidized meals but are not truly at risk of academic failure. The study team recognizes the deficiencies in the proposed working definition. Therefore, as it is ultimately a policy decision for the Mayor and the DC City Council to define at-risk status, the study team urges DC education leaders to engage stakeholders further to help refine the definition of at risk, so it is targeted to the District's needs; and align the criteria for determining eligibility with OSSE's early warning system for identifying students at risk of academic failure, when it is completed.

- Because resources to provide extended-year programs for students who are struggling academically are built into the proposed UPSFF weights for these categories of identified learning needs, the summer school weight in the current UPSFF is redundant and is no longer needed. It is covered in funding for extended-year programs to help boost achievement for at-risk students during the school year and help prevent summer learning loss. In its cost calculation, the study team assumed that 100 percent of at-risk students would attend summer school and Level 1 and Level 2 ELL students would also attend summer school.

Current Per-Student Spending Compared with the Estimated Cost of Education Adequacy

To clarify the differences in cost between current DCPS and public charter school expenditures and the recommended new UPSFF base cost, the study team examined:

- The amount of funding that currently flows to LEAs through the UPSFF base and weights;
- The total amount of funding that is contributed to DCPS and public charter schools by other DC government agencies and executive offices and supplemental appropriations; and
- Reported levels of spending by successful DCPS and public charter schools in the District of Columbia.

The results of the successful schools study shown in Table 5.5 present a point of comparison with current levels of spending in DCPS and public charter schools and the projected base-level cost of education adequacy for DC students based on the specifications of the PJ panels. The successful schools base cost reflects the successful schools' expenditures and does not differentiate between sources of funding (i.e., federal, local, or philanthropic). Therefore, the successful schools expenditures are likely financed through additional funding beyond the UPSFF, such as federal program support and privately raised dollars.

**Table 5.5: Successful Schools Per-Student Expenditures
(School Year 2011–2012)***

Successful Schools	Per-Student Instructional Formula Base Cost
	Weighted Average
Charter School Data from Public Charter School Board (13 schools/LEAs)	\$10,885
District of Columbia Public Schools (21 schools)	\$12,783
Weighted Average of Charter School and DCPS	\$12,102

Note: * Weighted averages are based on the audited number of students in each of the successful schools. Weighted average of charter school and DCPS represents the average of available information for all successful schools combined.

Sources: Cost information for charter schools based on audited SY 2011–2012 financial data from the Public Charter School Board. Cost information for DCPS from Office of the Chief Operating Officer in DCPS.

Table 5.5 presents the total amount of instructional base-level funding that currently supports students in DCPS and public charter schools from these sources, plus the additional per-student base amount in the fiscal 2013 supplemental budget for DCPS and public charter schools. Table 5.6 compares the weighted average per-student costs in high-performing schools in SY 2011–2012 with the proposed UPSFF instructional funding prior to federal revenue adjustments. The weighted average in high-performing schools in SY 2011–2012 was \$12,102, which is more than the calculated level of spending based on the current UPSFF; however, the successful schools study admittedly includes additional funding besides local dollars. Yet the weighted average is

6.7 percent more than the estimated cost of adequacy prior to federal revenue adjustments in SY 2013–2014, based on the PJ panel deliberations and the evidence base. The proposed UPSFF instructional funding prior to federal revenue adjustments equals \$11,344.

Table 5.6: Successful Schools Study and the Recommended Uniform Per Student Funding Formula Instructional Per-Student Base-Level Funding Prior to Federal Revenue Adjustment Recommended to Achieve Education Adequacy

Cost Elements	Successful Schools Study	Recommended UPSFF Base Prior to Federal Revenue Adjustment
Instructional Operating Allocation	\$12,102	\$11,344

Source: Calculations by Augenblick, Palaich and Associates.

Clear messages from a comparison of these spending levels for general education students *without* identified learning needs that require additional resources are these:

- Current UPSFF base-level funding has not kept up with the cost of educating students. This conclusion is confirmed by the fact that both high-performing DCPS and public charter schools currently spend more per student than they receive through the UPSFF. During the past several years, a portion of these higher costs has been covered by other DC government agencies that provide services for DCPS and public charter schools outside the UPSFF and by mid-year supplemental education appropriations provided by the City Council. Many high-performing DCPS and public charter schools also receive private funding from foundation grants, in-kind contributions from community partner organizations, and annual donations from parents and private donors.
- The recommended UPSFF base-level funding level and the level of spending by high-performing schools are closely correlated. The recommended UPSFF base-level funding for students without identified learning needs is within 6.7 percent of the calculated per-student costs for these students in the city’s high-performing schools, when federal program support is factored in. These two cost estimates were derived using different methodological approaches; that they are within 10 percent of each other underscores the validity of the study team’s general conclusions on the cost of education adequacy in the District of Columbia.

Fiscal Impact of Proposed Changes to the UPSFF

To examine the fiscal impact of proposed changes to the UPSFF, the study team compared projected local spending for SY 2013–2014—and for the next three years—and compared that projected spending with expected local education spending absent changes to the structure and levels of base funding and weights provided in the UPSFF (see Table 5.7). These projections are based on student enrollment projections for DCPS and public charter schools and for students

with identified learning needs and an indexed cost-of-living increase of 2 percent beginning in SY 2014–2015.⁵

During the four-year period from SY 2013–2014 through SY 2016–2017, the net cost difference to provide all students with an adequate education is estimated to be approximately \$1.1 billion. Of that amount, approximately \$433.7 million would be allocated to the new at-risk weight. See Appendix N for detailed projected costs for SY 2014–2015 through SY 2016–2017 using the proposed UPSFF. Appendix O lists the detailed projected costs for SY 2014–2015 through SY 2016–2017 using the current UPSFF.

**Table 5.7: Net Fiscal Impact
(School Year 2013–2014 Through School Year 2016–2017)**

Cost Category	SY 2013–2014	SY 2014–2015	SY 2015–2016	SY 2016–2017	Total
Total Projected Costs with Proposed Changes to UPSFF	\$1,406,127,715	\$1,478,134,740	\$1,548,403,718	\$1,622,637,470	\$6,055,303,643
Total Projected Costs with No Changes to UPSFF	\$1,152,035,738	\$1,209,472,100	\$1,266,986,935	\$1,326,798,521	\$4,955,293,294
Net Cost	\$254,091,977	\$268,662,640	\$281,416,783	\$295,838,949	\$1,100,010,349

Sources: Mary Levy, an independent budget consultant, developed the projections of current expenditures. The study team developed the projections of proposed expenditures with changes to the UPSFF.

As shown in Table 5.8, the total additional cost of proposed educational resources in SY 2013–2014 is approximately \$254.1 million, based on the study team analysis. Of that amount:

- Approximately \$168.7 million is attributable to increased base-level funding for instructional programs, student support services, administration, and other educational resources for general education students.
- Approximately \$101.2 million is projected for the proposed new weight for students at risk of academic failure, including students who are in foster care, who are homeless, and/or who are living in low-income in families eligible for TANF. As discussed earlier, some stakeholders raised concerns that the working definition of at risk is too narrow. Should the definition be broadened, as some stakeholders have suggested, the fiscal impact will be more substantial. (The net increase is approximately \$65.7 million when the current allocation for summer school is factored in.)

⁵The study team estimated that DCPS general education enrollments would increase by 1 percent annually and that charter school general education enrollments would increase by 5 percent annually. Similarly, DCPS English language learner enrollments were projected to increase by 1 percent per year and charter school ELL enrollments by 3 percent per year. Special education enrollments by level of need were projected to remain the same over time.

- Total funding for special education students is projected to increase slightly by approximately \$3.0 million, while funding for English language learners is projected to increase by approximately \$16.7 million.

Table 5.8: Projected Costs for School Year 2013–2014 with Proposed Changes to the Uniform Per Student Funding Formula

Cost Categories	Current UPSFF: SY 2013–2014	Recommended UPSFF: SY 2013–2014
Operating Costs		
General Education (instructional and maintenance and operations)	\$854,908,536	\$ 1,023,612,861
Special Education	\$198,532,500	\$ 201,486,467
Special Education Compliance Fund	\$17,396,496	\$ 17,396,496
English Language Learners	\$31,032,716	\$ 47,720,400
At Risk	Not a current weight	\$ 101,195,839
Summer School	\$35,449,838	Included in proposed weights
Extended School Year	\$8,162,659	\$ 8,162,659
Total UPSFF Nonresidential	\$1,145,482,745	\$ 1,399,574,722
Total Residential	\$6,552,993	\$ 6,552,993
Total Instructional Operating Allocation	\$1,152,035,738	\$ 1,406,127,715

Sources: Mary Levy, an independent budget consultant, developed the projections of current expenditures. The study team developed the projections of proposed expenditures with changes to the UPSFF.

Analysis of Net Fiscal Impact

As shown in Table 5.9, an estimated \$72.5 million of other local funding is expected to be available to offset approximately 30 percent of the \$254.1 million in projected new education costs in SY 2013–2014 to achieve education adequacy in the District of Columbia. This includes funding from other DC government agencies that provide services—and the related economic benefit—to DCPS and public charter schools outside the UPSFF. (The costs of services by these DC agencies are now included in the proposed UPSFF funding.) Assuming this current spending is applied to offset the projected costs, the remaining balance that would still need to be funded is approximately \$181.6 million in the current school year—an amount equal to just more than 15 percent of total current local education spending for SY 2013–2014.

**Table 5.9: Projected Costs for School Year 2013–2014 with
Proposed Changes to the Uniform Per Student Funding Formula,
Including the Offset of Other Local Funding**

	Current Funding	Proposed Funding	Difference
OPERATING COSTS			
<i>General Education (instructional and maintenance and operations)</i>	\$854,908,536	\$1,023,612,861	\$168,704,325
Special Education	\$198,532,500	\$201,486,467	\$2,953,967
Special Education Compliance Fund	\$17,396,496	\$17,396,496	None
English Language Learner	\$31,032,716	\$47,720,400	\$16,687,684
At Risk		\$101,195,839	\$101,195,839
Summer School	\$35,449,838		\$(35,449,838)
Extended School Year	\$8,162,659	\$8,162,659	None
Total UPSFF Nonresidential	\$1,145,482,745	\$1,399,574,722	\$254,091,977
Total Residential	\$6,552,993	\$6,552,993	None
Subtotal UPSFF Funding	\$1,152,035,738	\$1,406,127,715	\$254,091,977
OTHER LOCAL FUNDS AVAILBLE			
Department of Health	\$17,000,000		
Department of Behavioral Health	\$4,446,771		
Office of the Attorney General	\$2,442,000		
Office of Contracting and Procurement	\$2,280		
Office of the Chief Technology Officer	\$1,914,110		
Public Charter School Board Appropriation	\$1,161,000		
Department of General Services (maintenance and operations)	\$45,503,000		
	Current Funding	Proposed Funding	Difference
Subtotal Other Local Funds	\$72,469,161		
Total Funding SY 2013–2014	\$1,224,504,899	\$1,406,127,715	\$181,622,816

Sources: Mary Levy, an independent budget consultant, developed the projections of current expenditures. The study team developed the projections of proposed expenditures with changes to the UPSFF.

6. RECOMMENDATIONS

At each stage of its work, from study design through data collection, analysis, and formulation of findings and recommendations, the study team—comprised of staff from The Finance Project (TFP) and Augenblick, Palaich and Associates (APA)—was guided by the principles outlined in the introduction to this report. Of particular concern in formulating the recommendations was ensuring that suggested changes in the Uniform Per Student Funding Formula (UPSFF) are clearly focused on achieving adequacy, equity, and transparency in education funding in the District of Columbia (DC).

The Mayor and DC Council have increased funding for general education and for special education during the past several years. However, as shown in the successful schools study and the cost estimation based on the professional judgment (PJ) panels, current funding through the UPSFF has not kept up with the cost of educating students in District of Columbia Public schools (DCPS) and public charter schools. This is due to several factors that impact education costs:

- *Characteristics of the student population.* The District has a high proportion of students from low-income, severely disadvantaged, and non-English-speaking families. These students require additional instructional resources and student support services to be successful learners.
- *High labor costs.* The high cost of living in the city and metropolitan area and the predominance of a unionized workforce in DCPS means the District has a relatively high wage scale for educators.
- *Education reform.* The District of Columbia, along with many states across the nation, is taking steps to implement the Common Core State Standards for kindergarten through grade 12, which require significant investments in new and upgraded curricula, instructional programs, assessment, and professional development as well as increased coordination across grade levels and schools.
- *Commitment to equity between sectors.* By law, the District is obligated to provide operating funds through a Uniform Per Student Funding Formula to both DCPS and public charter schools. Meeting this obligation requires additional resources because of past differences in funding between the two sectors.

Despite the current level of education funding, the UPSFF will need to be increased to ensure all schools have the resources they need to enable students to successfully meet DC academic performance standards. The UPSFF should also include additional funding to address the learning needs of students at risk of academic failure.

DC education funding also is inequitable, as shown in the TFP/APA study team's analyses of current spending on DCPS and public charter schools. The School Reform Act requires uniform funding of operating expenses for both DCPS and public charter schools.¹ Both DCPS and public

¹ Note that no such requirement exists for capital expense.

charter schools depend on additional resources provided by other DC government agencies to cover the costs of some school-based programs and services (e.g., school nurses and social workers, school crossing guards, and school resource officers). To the extent additional services are available to DCPS, they must be equally available to public charter schools. However, DCPS receives significantly more funding than public charter schools, in total and on a per-student basis. Additionally, the department of general services (DGS) funds approximately 40 percent of facilities maintenance and operations (M&O) costs for DCPS schools and some of its administrative offices. Other city agencies subsidize or perform central office functions for DCPS.

These funding disparities are contrary to DC law, which mandates that DCPS and public charter schools be funded through the UPSFF for operating expenses, that services provided by DC government agencies be on an equal basis, and that costs covered by the UPSFF should also not be funded by other DC agencies and offices.² The differences also have become a source of significant tension between the two education sectors. Against this backdrop, the study team was keenly focused on ensuring that its recommendations for restructuring and resetting the UPSFF address these issues and create greater equity between DCPS and public charter schools. Moreover, the study team was focused on ensuring all schools are funded at a level that will enable students to meet academic performance standards.

Recommendations based on the findings of the DC Education Adequacy Study are organized under six broad headings:

- Restructuring education funding through the UPSFF to explicitly address facilities M&O costs;
- Resetting the UPSFF base level and weights;
- Maintaining the capital facility allowance for public charter schools pending further analysis;
- Ensuring local funding flows through the UPSFF with specific and limited exceptions;
- Creating greater transparency and accountability in education budgeting, resource allocation, and reporting; and
- Updating the UPSFF regularly.

Restructuring the UPSFF to Address M&O Costs

Currently, the UPSFF includes funding to cover the per-student costs for both instructional operating allocations and facilities M&O allocations, though these costs are not disaggregated. However, to understand the relative impact of these costs, the study team analyzed the two components independently.

To develop a uniform rate for M&O costs for DCPS and public charter schools, as is required by law, the study team developed a per-square-foot M&O cost rate based on the current costs for DCPS schools at each grade level—elementary school, middle school, and high school. No established space standard exists for adult learning centers, alternative schools, and special education schools where students are ungraded, so the study team applied the middle school M&O cost rate for adult education and alternative schools and the high school cost rate for stand-

² DC Official Code §§38-1804.01, 2902, and 2913.

alone special education schools. To derive a uniform per-student M&O cost at each school level, the study team applied the grade-level-specific, per-square-foot cost rate to the number of square feet of space recommended for students at each school level in the DCPS design guidelines.³ It is this grade-level-specific, per-square-foot cost rate that is applied in the UPSFF and used to determine the amount of funding that should be allocated to DCPS and public charter school local educational agencies (LEAs) for each student. This approach provides the foundation for several related recommendations to restructure the UPSFF to explicitly address facilities M&O costs.

- The study team recommends that the two components of the UPSFF per-student payment (i.e., the instructional operating allocation and the facility M&O allocation) should be calculated and presented separately within the formula. The instructional operating allocation is structured as a base funding level and weights that are added to the base to address cost differences for students at different grade levels and with identified learning needs (similar to the current configuration). The M&O allocation is structured as an actual grade-level-specific dollar amount to be added to the amount of the instructional base funding and weights for each student. The table presents the recommended UPSFF, including both the instructional and facility M&O costs.
- The study team recommends that grade-level-specific M&O costs should be structured as an actual per-student dollar amount rather than as a weight. Based on DCPS actual and fiscal 2014 projected M&O costs, the study team recommends the following per-student facilities M&O costs as a component of the UPSFF:
 - \$1,071 for each elementary school student;
 - \$1,209 for each middle school student;
 - \$1,342 for each high school student;
 - \$1,209 for each adult education and alternative student; and
 - \$1,342 for each student attending a stand-alone special education school.
- Calculating the M&O costs in this way, based on actual costs applied to recommended space criteria, enables funding to flow through the formula on a per-student basis in a transparent way. However, given the different cost structures for DCPS and public charter schools, the study team recommends that DC leaders develop a uniform reporting structure for facilities M&O costs in both sectors so, going forward, the M&O payment can be built on cost estimates that include actual costs for DCPS and public charter schools.
- The study team recommends a strong focus on more efficient use of DCPS buildings by releasing surplus buildings for use by charter schools and aggressively pursuing collocation opportunities, even as DCPS continues to work to build its enrollment.

³ According to the “District of Columbia Public Schools Design Guidelines: 2009,” as amended in 2012, the total per-student space requirements are as follows: elementary schools: 150 square feet per student; middle schools: 170 square feet per student; and high schools: 192 square feet per student. The study team assigned adult education and alternative schools and education centers, and special education schools to the middle school rate of 170 square feet per student.

- During a reasonable transition period, DGS should provide M&O funding to make up the difference of DCPS's facilities M&O costs.

Paying facility M&O costs using the recommended per-square-foot-per-student allocation approach through the UPSFF will not cover the full costs of DCPS facilities M&O expenses. This is due, primarily, to the large amount of underutilized space in city-owned school buildings and grounds that must be maintained. Applying the recommended square footage per student to the school year 2012–2013 audited enrollment for DCPS shows that DCPS requires only about 7.4 million square feet, or roughly 70 percent, of the approximately 10.6 million square feet of active school building space in its current portfolio.⁴

Yet DCPS operates as a system of right, which requires that schools be available across the city that can serve every neighborhood at every grade level. In addition, though it is difficult to quantify the monetary value of benefits, DCPS school buildings and grounds represent community assets that serve diverse purposes for community residents beyond educating neighborhood children and youth. DCPS's pools, fields, and athletic spaces provide community recreation resources. Auditoriums, multi-purpose rooms, and classrooms provide community performance and meeting space. Schools also house other community services, such as health care and child care, in school-based facilities, with their M&O costs attributed to DCPS.

Beyond increasing enrollment in DCPS schools, the study team recommends that city leaders aggressively pursue policies to use underutilized space in DC-owned school buildings and grounds more efficiently. Not only will this help defray DCPS's M&O costs in the long term, but it will also benefit the communities surrounding underutilized DCPS schools. As the first and most important step in this direction, DCPS should, where appropriate, collocate with other LEAs, city agencies, or community-based organizations. Although collocation requires substantial management and oversight, the District should aggressively move to lease space in underutilized DCPS buildings to other appropriate entities. It should also support DCPS and prospective tenants in planning for successful collocations.

Resetting Instructional Education Funding Levels Through the UPSFF

The process for developing the proposed instructional base funding level and weights was the result of a rigorous, multimethod analysis that included input and review by multiple local and national experts. The recommended formula is structured to account for the resource needs of general education students and students with identified learning needs at every grade level, from prekindergarten for three-year-olds through grade 12, as well as the needs of adult learners. The UPSFF base-level funding and weights for students at different grade levels and with identified learning needs are the same for all DC students, regardless of whether they attend DCPS or public charter schools. This includes costs for all the resources that students need to be successful in light of the District's performance standards, including those currently provided outside the UPSFF. Accordingly, the study team offers several related recommendations for resetting the UPSFF:

⁴ DCPS has approximately another 1.5 million square feet of space for DCPS future use, swing space, and administrative space.

- The study team recommends that *the proposed UPSFF base funding level should reflect a combined cost of \$10,557 per student for instructional purposes and \$1,071 per student for facility M&O, totaling \$11,628* (see table). This is equal to the per-student base cost at the least-costly grade level—kindergarten through grade 5. The instructional and facility M&O portions of the UPSFF are reported separately for purposes of transparency.
- The study team recommends that *the instructional portion of the UPSFF should be adjusted in two fundamental ways*:
 - The new instructional base funding level and weights should provide adequate resources to address the needs of all students to meet current academic performance standards and, when they are fully implemented, the new Common Core State Standards. This includes instructional programs, student support services, administrative capacity, and other educational resources, as described in Chapters 3 and 4.
 - The total costs of serving students, including those with identified learning needs, should be partially offset by federal categorical funding that flows from federal entitlement programs, formula grant programs, and other categorical programs that benefit students with particular needs and characteristics. As a result, in calculating the new UPSFF base funding level and weights, the study team deducted the projected amount of these federal funds from the estimated costs.
- Weights beyond the base level of funding represent additional percentages of the base for students at other grade levels and for students with identified learning needs that entail costs above the base. *In addition to grade-level weights, the study team recommends maintaining the current categories of special education and English language learners. These weights should continue to be cumulative.*

The recommended levels of required funding, based on the cost analysis, are higher than current levels for special education Levels 1, 2, 3, and 4 students and for English language learners.⁵ These higher levels of funding reflect the needs for increased specialized resources. The total costs of serving students with identified learning needs is partially offset by federal categorical funding that flows from federal entitlement programs, formula block grants, and other categorical programs that benefit students with particular needs and characteristics. In calculating the net new base-level cost and weights, the study team deducted these federal funds from the gross cost figures.

- The study team recommends *adding a new weight of 0.37 for students at risk of academic failure*. An initial working definition of at risk should focus on three primary criteria:
 - Students who are in foster care,
 - Students who are homeless, and

⁵ Special education students are categorized into four levels of need, according to the number of hours per week they require specialized services.

- Students who are living in low-income families eligible for Temporary Assistance for Needy Families (TANF).

This weight can be combined with weights for other applicable identified learning needs, except for alternative or adult education students, because, by definition, these students are at risk and additional resources have been factored into their relevant weights.

As previously noted, many stakeholders have raised questions about whether these criteria too narrowly limit the definition of educational risk, particularly the use of TANF eligibility, because the program sets income limits at only 100 percent of the federal poverty level and families eventually time out of the program. However, use of the traditional metric for low-income status—eligibility for free and reduced-price school meals—may be overly broad and result in overfunding some schools as the District moves toward community eligibility.

The study team recognizes the deficiencies in the proposed working definition. As it is ultimately a policy decision for the Mayor and DC Council to determine the definition of at risk, the study team recommends that education leaders engage stakeholders further to decide on a definition of at risk that is targeted to the District's needs and that is based on available data sources. Additionally, as work by the Office of the State Superintendent of Education to develop an early warning system for identifying students at risk of academic failure is completed, the at-risk definition should take account of relevant evidence-based indicators that will be tracked (e.g., over-age and behind-grade).

- The study team recommends *excluding two current weights and instead accounting for these needs in other weights*: the current summer school weight, which is accounted for in the new at-risk weight and in the weight for English language learners in the proposed UPSFF; and the special education capacity fund, because it is accounted for in the special education weights.
- The study team recommends *developing a weight for gifted and talented students*. The professional judgment panels did not outline comprehensive resource specifications for high-performing students as they did for other students with identified learning needs, though such a weight is frequently a component of a comprehensive weighted student funding formula. Accordingly, the study team recommends that the District explore the feasibility of developing and costing out specifications for additional specialized educational resources and opportunities for gifted and talented students.

Table 6.1: Recommended UPSFF Base Funding Level and Weights

GENERAL EDUCATION AND ADD-ON WEIGHTING, INCLUDING MAINTENANCE AND OPERATIONS						
Category	Current UPSFF Weight	Current UPSFF Per-Pupil Allocation	Proposed UPSFF Weight After Federal Revenue Adjustments	Proposed UPSFF Per-Pupil Allocations After Federal Revenue Adjustments	Facility M&O UPSFF Per Pupil Allocations	Proposed UPSFF Per Pupil Allocations After Federal Revenue Adjustments with M&O
Foundation		\$9,306		\$10,557	\$1,071	\$11,628
General Education						
Preschool	1.34	\$12,470	1.15	\$12,141	\$1,071	\$13,212
Prekindergarten	1.30	\$12,098	1.15	\$12,141	\$1,071	\$13,212
Kindergarten	1.30	\$12,098	1.00	\$10,557	\$1,071	\$11,628
Grades 1–3	1.00	\$9,306	1.00	\$10,557	\$1,071	\$11,628
Grades 4–5	1.00	\$9,306	1.00	\$10,557	\$1,071	\$11,628
Grades 6–8	1.03	\$9,585	1.01	\$10,663	\$1,209	\$11,872
Grades 9–12	1.16	\$10,795	1.10	\$11,613	\$1,342	\$12,955
Alternative ¹	1.17	\$10,888	1.73	\$18,264	\$1,209	\$19,473
Adult Education ²	0.75	\$6,980	1.00	\$10,557	\$1,209	\$11,766
Special Education Schools	1.17	\$10,888	1.17	\$12,352	\$1,342	\$13,694
Special Needs Add-on Weightings						
Special Education Level 1	0.58	\$5,397	0.88	\$9,290		
Special Education Level 2	0.81	\$7,538	1.08	\$11,402		
Special Education Level 3	1.58	\$14,703	1.77	\$18,686		
Special Education Level 4	3.10	\$28,849	3.13	\$33,043		
Special Education Capacity Fund	0.40	\$3,722	N/A			
English Language Learners	0.45	\$4,188	0.61	\$6,440		
At Risk	N/A	N/A	0.37	\$3,906		

Table 6.1: Recommended UPSFF Base Funding Level and Weights, continued

SUMMER SCHOOL, EXTENDED SCHOOL YEAR, AND RESIDENTIAL				
Category	Current UPSFF Weight	Current UPSFF Per-Pupil Allocation	Proposed UPSFF Weight After Revenue Adjustments	Proposed UPSFF Per-Pupil Allocations After Revenue Adjustments
Foundation		\$9,306		\$10,557
Special Education Compliance				
Blackman-Jones Compliance	0.07	\$651	0.06	\$651
Attorneys' Fee Supplement	0.09	\$838	0.08	\$838
Summer School³	0.17	\$15,820	N/A	N/A
Extended School Year Level 1	0.064	\$596	0.056	\$596
Extended School Year Level 2	0.231	\$2,150	0.204	\$2,150
Extended School Year Level 3	0.500	\$4,653	0.441	\$4,653
Extended School Year Level 4	0.497	\$4,625	0.438	\$4,625
Residential Add-Ons				
Residential Weight	1.70	\$15,820	1.50	\$15,820
Special Education Residential				
Level 1	0.374	\$3,480	0.330	\$3,480
Level 2	1.360	\$12,656	1.199	\$12,656
Level 3	2.941	\$27,369	2.592	\$27,369
Level 4	2.924	\$27,211	2.578	\$27,211
English Language Learner Residential	0.68	\$6,328	0.60	\$6,328

Notes:

1 The proposed weight assumes alternative school students would not receive an at-risk weight.

2 The proposed weight assumes adult education students would not receive an at-risk weight. The weight also assumes a general education full-time equivalent (FTE) student. However, many adult education students would be counted at below FTE, so the weight was prorated by 75 percent.

3 Summer school is not assigned a specific weight in the proposed UPSFF because it is included in the at-risk weight and English language learner weights.

Sources: The recommendations are derived from both the professional judgment panel specifications resulting from panelists' deliberations and the evidence base found in Michael E. Goetz, Allen R. Odden, and Lawrence O. Picus, "Using Available Evidence to Estimate the Cost of Educational Adequacy," *Education Finance and Policy*, vol. 3, no. 3 (2008): 374–97.

Maintaining the Capital Facility Allowance for Public Charters Pending Further Analysis

Although the study team examined information on capital investments by DCPS and public charter schools, available financial data were insufficient to fully assess public charter school costs and develop a meaningful comparison to DCPS spending. DCPS funding for new construction, renovation, and upgrading of school buildings and grounds is paid for by DGS and is based on a capital plan that prioritizes school improvement projects. Public charter schools receive an annual facilities allowance of \$3,000 per student to cover the acquisition, lease, and improvement of school facilities. However, capital investment costs for public charter schools are much more difficult to discern, because no standard approach for investment or accepted

method of accounting for costs exists. The lack of a single accepted chart of accounts for presenting expenditures, including those for capital investment, made it impossible for the study team to develop a reliable capital cost estimate for public charter schools. Due to these constraints, the study team recommends that:

- The Mayor and DC Council should *maintain the current capital allowance for public charter schools, pending further financial analysis based on uniform data reporting by charter LEAs on their capital expenditures.*

Ensuring Local Funding Flows Through the UPSFF with Specific and Limited Exceptions

To comply with current DC law, which requires that costs covered by the UPSFF should not also be funded by other DC agencies and offices, and to achieve greater funding equity between DCPS and public charter schools, the study team worked with the PJ panels to examine the flow of funding within and outside the UPSFF. One goal was to determine which student support services currently funded outside the UPSFF should be covered by funds that flow through the formula. A second goal was to determine whether any benefits should continue to be funded outside the UPSFF by other DC government agencies.

The study team recommends that the UPSFF provide comprehensive funding for all DC students that adequately covers instructional programs, student support services, administrative, and other educational resource needs at the school and system levels as well as funding for facilities M&O costs. To ensure this happens, the study team recommends the following modifications to current arrangements that provide resources to DCPS and public charter schools through other DC government agencies:

- *Most resources currently provided by city agencies to both DCPS and/or charter schools should be funded through the UPSFF.* They are included in the recommended new base funding level for all students and in weights for students with identified learning needs. These services include:
 - School nurses for DCPS and public charter schools (DOH);
 - School social workers for DCPS and public charter schools (DBH);
 - Public Charter School Board Appropriation for charter schools (PCSB);
 - Technology systems for DCPS (OCTO);
 - Procurement services for DCPS (OCP);
 - Legal Services for DCPS (OAG); and
 - Facilities maintenance and repairs for DCPS (DGS).

In the future, DCPS and public charter school LEAs should be responsible for purchasing these services for their schools using UPSFF funds. If mutually agreeable arrangements already exist for other DC government agencies to supply services, DCPS and/or public charter schools can enter into a memorandum of understanding with each of these agencies to continue the arrangement. LEAs should cover the costs through interagency transfers.

- *School safety resources provided to both DCPS and public charter schools should continue to be paid for and allocated by city agencies, outside the UPSFF.* These include school resource officers (SROs) supplied by MPD to prevent and respond to juvenile

delinquency and school violence and school crossing guards supplied by the DDOT to reduce pedestrian injuries and fatalities in traffic accidents. Because decisions on the allocation of these resources are based on considerations for student safety, local traffic patterns, neighborhood environments, school culture, and imminent threats of violence that have little to do with a per-student share of costs, they are less amenable to allocation through the UPSFF. Therefore, MPD and DDOT should continue to provide these services and should be accountable for funding them at a level that is adequate to meet the needs of DCPS and public charter schools citywide. In addition, MPD and DDOT should develop clear criteria to determine which LEAs or schools qualify for these services to reduce confusion and inequity between the sectors.

Creating Greater Transparency and Accountability in Education Budgeting, Resource Allocation, and Reporting

This research was not undertaken to audit DCPS or public charter school income and expenditures. Nevertheless, the study team spent considerable time gathering and analyzing financial data and information provided by DCPS, PCSB, individual charter schools, and other DC government agencies and executive offices to inform the cost estimates presented in this report. As the study team learned in the course of its work, education budgeting, resource allocation, and financial reporting are not clear and easily traceable processes in DCPS or public charter schools. The state of financial recordkeeping makes it difficult to determine the total amount spent by cost category or to assess cost drivers and cost variations within and among DCPS and public charter schools. It is also difficult to trace funding from the source to the student and to understand the total amount of education spending in the city and how it is allocated to individual schools and to central office functions. These issues are particularly pronounced for facilities M&O costs and capital investments. Accordingly, the study team recommends that:

- *The Public Charter School Board should require all charter schools to adopt a standardized chart of accounts that provides clarity and accountability and enables comparisons among charters and between DCPS and the charter school LEAs.* Currently, all charter schools submit annual financial reports to the PCSB; however, these reports are not standardized and account for spending inconsistently.
- *The city should establish an online public education funding reporting system that provides annual education budget information (e.g., local and nonlocal sources of funding; allocation of resources to LEAs and from LEAs to individual schools; and individual school-level expenses for instruction, student support services, administration, and other educational resources).*

Updating the UPSFF Regularly

This education adequacy study represents the DC government's first effort to undertake a rigorous analysis to develop a data-driven estimate of the costs of providing three-year-olds in prekindergarten, students in kindergarten, students in grades 1 through 12, and adult students in the District with an educational experience that will enable them to meet academic standards. To keep the UPSFF formulas and funding levels up to date, adequate, and equitable, the study team offers three related recommendations:

- The Office of the State Superintendent of Education (OSSE) should reconvene the technical work group (TWG) to monitor the base and weights of the UPSFF and identify, study, and make recommendations on any issues that impact the effectiveness and efficiency of these mechanisms and any concerns that raise questions about their adequacy, equity, uniformity and transparency. The TWG should be composed of local educators, education finance experts, DCPS and public charter school representatives, and community leaders. It should serve as an advisory group to the Office of the State Superintendent of Education and the Office of the Deputy Mayor for Education.
- The DC government should undertake a rigorous assessment of the adequacy of education funding through the UPSFF every five years. As conditions change in the city and as educational practice advances, city leaders should periodically assess the alignment of education funding with the city’s education goals and the adequacy of funding to achieve them. The Mayor and DC Council should consider restructuring and resetting the UPSFF based on changing economic and demographic conditions, evolving educational norms and best practices, and information on educational resource needs and spending. On a more frequent basis, the city should review the facility M&O costs portion of the UPSFF to update the costs based on actual costs for DCPS and public charter schools.
- In the interim years, the UPSFF should be updated based on an indexed cost-of-living adjustment that is relevant to the cost of living in the District of Columbia.

Implementing the Study’s Recommendations

Under any scenario, the path toward funding the study team’s recommendations will require a significant new financial commitment to education. Fully implementing these provisions is likely to be a multiyear process. The city’s leaders will have to wrestle with the real limitations of fiscal feasibility and educational need. As they consider a phase-in approach, they should take into account the parallel priorities of increasing the foundational level of resources to address new standards, targeting the highest-need students, and increasing equity between DCPS and public charter schools.



APPENDICES



APPENDIX A: ADVISORY GROUP MEMBERS

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APPENDIX B: DC EDUCATIONAL STANDARDS FRAMEWORK

Over the course of the day, the professional judgment panel is tasked with identifying the resources needed in District of Columbia public schools and public charter schools to meet specific academic standards and requirements that flow from federal and district legislative and/or policy mandates. This document describes both the input and outputs/outcome requirements for District schools and contains:

- **Requirements for All Students**
 - **Instructional Inputs**—Instructional input requirements generally are rules, services, or programs that must be provided. They include specific mandates, such as curriculum standards that must be taught or the minimum number of days that students must attend school.
 - **Student Achievement Outputs/Outcomes**—Outputs focus on the completion of requirements; outcomes focus on the level of success students must achieve on tests such as the DC Comprehensive Assessment System (DC CAS) assessments.
 - **Additional System-level Requirements**—System-level requirements include those related to district data systems and strategic planning.
- **Additional Provisions and Requirements for Special Needs Students**—Additional provisions and requirements for special needs students are the requirements for special education, at-risk, and English language learner (ELL) students beyond those mandated for all students.

The document has been reviewed and approved by the deputy mayor for education. It incorporates feedback from the office of the state superintendent of education (OSSE), the District of Columbia Public Schools (DCPS), and the DC Public Charter School Board (PCSB).

Requirements for All Students

Instructional Inputs

Minimum Number of Days of Instruction

Every family with a child who has attained the age of five years on or before September 30 of the current school year shall place the minor in regular attendance at a public, an independent, or a parochial school or in private instruction during the period of each year when the public schools of the District are in session. The obligation of the parent, guardian, or other person having custody extends until the minor reaches the age of 18 years.

Curricular Standards

The District of Columbia Board of Education has adopted the Common Core State Standards in English Language Arts and Mathematics for kindergarten through grade 12 (K–12). These standards will begin to be implemented in 2012–2013, and they will be fully implemented by the 2014–2015 school year. Public charter schools must meet or exceed, but are not limited by, these board-adopted standards.

The office of the state superintendent of education has identified standards in the following subjects: arts, early learning, health and physical education, science, social studies, technology, and world language.

Additionally, the Financial Literacy Council shall monitor the planning and implementation of financial literacy education in District public schools.

Elementary and Secondary Education Act Waiver

In August 2012, the US Department of Education selected the District of Columbia to receive waiver relief from the Elementary and Secondary Education Act, known more commonly as No Child Left Behind (NCLB).

The waiver allowed OSSE to implement a new state accountability system. Key highlights include:

- ***Multiple Measures to Gauge Achievement***: Each local educational agency (LEA) and school will be measured on proficiency, growth, graduation rates, and participant rates for DC CAS.
- ***Growth for All Students***: Growth is expected for all students. The new accountability system incentivizes growth by awarding more points for continued growth toward advanced proficiency.
- ***Flexibility in Use of Title I Funds***: LEAs and schools will have flexibility in the types of interventions and supports to meet the needs of students, teachers, and schools.
- ***LEA Accountability***: LEAs that miss the same target(s) for two consecutive years will be required to:
 - Reserve 20 percent of Title I funds;
 - Implement LEA-level interventions and supports that address missed targets;
 - Amend the LEA Title I plan to include interventions and supports; and
 - Report on a biannual basis on meeting implementation milestones.
- ***Classification of Schools***: Schools will be classified into five categories: “reward,” “rising,” “developing,” “focus,” and “priority.”
- ***OSSE Supports***: The level of support provided to LEAs and schools will be contingent upon the school classifications and needs of the LEA. Statewide initiatives will be based on DC CAS data trends and needs. Services include:

- Professional development for LEAs, schools, and parents;
- Ongoing guidance and technical assistance;
- Quality monitoring to support effective implementation; and
- Dissemination of data to be used for LEA and school decision-making.¹

Staffing Requirements

Highly-Qualified Teachers

Under NCLB, all K–12 core content teachers, which include regular and special education teachers, must be highly qualified. This requirement applies to the following core content areas: English, reading, or language arts; mathematics; science; foreign languages; social studies; and the arts. To be highly qualified, these teachers must hold a degree, be fully licensed, and demonstrate subject-area competency, which may be through content testing or an endorsement, certification, or degree in the subject-matter field depending on whether the teacher is in elementary or secondary education.

Public School Nurses

A registered nurse shall be assigned to each District of Columbia elementary and secondary public school and public charter school a minimum of 20 hours per week during each semester and during summer school, if a summer school program is operated.

Early Childhood Education

To be eligible for enrollment in prekindergarten (pre-K), a child shall be a resident of the District and be of pre-K age (i.e., become three years of age on or before September 30 of the program year). Priority enrollment shall be first to children who live within the school's attendance zone boundary, then to children whose family income is between 130 percent and 250 percent of the federal poverty guidelines, and then to children whose family income is below 130 percent who are not served by existing programs.

The DCPS chancellor shall track and monitor the preparedness of children three and four years of age to determine the children's readiness for entry and achievement in DCPS and children in kindergarten through grade 3 who are not ready for entry and achievement in grade 4.

Public charter schools are subject to accountability standards set forth in the Early Childhood Performance Management Framework. PCSB is pilot testing this framework during the 2012–2013 school year, with plans to fully implement the framework in school year 2013–2014.

The DC board of education is revising its early education and prekindergarten education standards. Proposed standards are scheduled to be available for public comment February–May 2013.

Postsecondary and Adult Education

District Employment and Learning Center

The center shall establish a program to provide job training and employment assistance in the District of Columbia and shall coordinate with career preparation programs in existence on April 26, 1996, such as vocational education, school-to-work, and career academies in DCPS.

¹ DC Office of the State Superintendent of Education, Division of Elementary and Secondary Education, *DC ESEA Flexibility Waiver, Key Highlights of New Accountability System* (Washington, DC, August 2012).

Postsecondary Preparation Plan

Beginning with the graduating class of 2014, the mayor shall ensure that each public high school student applies to at least one postsecondary institution before graduation. The mayor shall issue a report that details the number of students who attend a postsecondary institution, including the number of students who attend each type inclusive of universities, colleges, vocational schools, and other postsecondary institutions.

Beginning with the graduating class of 2014, the mayor shall require that each student attending public high school takes the Scholastic Aptitude Test or the American College Testing program before graduation.

Evening, Weekend, and Summer Adult Technical Career Training Program

Adult evening, weekend, and summer classes shall be conducted at Phelps Architecture, Construction and Engineering High School, the Academy for Construction & Design at Cardozo Senior High School, the Hospitality High School of Washington, DC, or any future adult and technical career public charter school whose charter application is approved by the Public Charter School Board.

The mayor shall apply for grants and additional federal funding that may be available as part of the Workforce Investment Act as well as grants available as part of the Carl D. Perkins Career and Technical Education Improvement Act.

Additional System-Level Requirements

Requirements for Data Systems and Use

Educational Data Warehouse System

The office of the state superintendent of education, in coordination with the office of the chief technology officer, shall develop and implement a longitudinal educational data warehouse system to be used by:

- OSSE;
- The University of the District of Columbia;
- Public schools;
- Public charter schools;
- Publicly funded educational programs;
- Policymakers;
- Institutions of higher education; and
- Researchers.

Early Warning System

There is an established pilot early warning and support system that tracks how individual students in grades 4 through 9 in four feeder school groups are performing on certain indicators of high school and college readiness. The system shall identify students at risk and develop initiatives to support high school and college readiness. Initiatives may include:

- College and career awareness;
- Parent outreach and engagement;
- Tutoring and mentoring for struggling learners, including the use of technology-based programs;
- Individualized learning plans; and
- Data coaches.

Race to the Top

The District of Columbia received a Race to the Top grant in 2010. Grant funds in the amount of \$75 million will be used to improve the District's capacity to collect, analyze, and use data. DCPS and 30 charter school LEAs participate in Race to the Top. This more robust data will be used to:

- Improve teacher and leader evaluations;
- Provide teacher professional development that is embedded in the classroom;
- Tailor instruction and focus interventions for students; and
- Set high, but appropriate, expectations for teachers, students, schools, and LEAs.

Strategic Planning for the District

There will be an annual evaluation of DCPS and any affiliated education reform efforts. The annual evaluation shall include an assessment of:

- Business practices;
- Human resources operations and human capital strategies;
- All academic plans; and
- Annual progress made as measured against the benchmarks submitted the previous year, including a detailed description of student achievement.

District of Columbia Reform Plan

The superintendent shall submit an annual reform plan consistent with the financial plan and budget for the District of Columbia. The plan must address how DCPS will become a world-class education system that prepares students for lifetime learning in the 21st century and that is on a par with the best education systems of other cities, states, and nations.

Student Achievement Outputs and Outcomes

Student Performance Requirements on Assessments

The following assessments are used to measure student interim growth and progress toward proficiency:

The **Paced Interim Assessment (PIA)**² is administered five times a year to students in selected schools in grades 2 through 10. The assessment covers targeted standards from each unit and shows what knowledge and skills students have mastered and where instructional time and

² PIA is administered only to DCPS schools.

resources need to be focused. The fifth PIA, administered in June, assesses student mastery of the most essential skills as listed in the DCPS scope and sequence documents.

The **Achievement Network (ANet) Assessment**³ is another type of paced interim assessment, used at approximately one-third of schools in DCPS. It is aligned to the ANet Schedule of Assessed Standards and administered four times a year to students in 41 participating schools in grades 3 through 8. All four assessment cycles are administered prior to the state summative assessment, DC CAS.

The **District of Columbia Comprehensive Assessment System** assesses students in the following subjects and grade levels:

- Reading in grades 2 through 10;
- Mathematics in grades 2 through 8 and in grade 10;
- Composition in grades 4, 7, and 10;
- Science in grades 5 and 8 and biology in high school; and
- Health in grades 5 and 8 and in high school.

DC CAS is a standards-based assessment. Based on assessment results, each student is classified as scoring at one of four performance levels: “advanced,” “proficient,” “basic,” or “below basic.” The performance standards—also known as cut scores—are approved annually by the superintendent. Following are the proficiency targets OSSE has set:

Year	Elementary School		High School	
	<i>Reading</i>	<i>Mathematics</i>	<i>Reading</i>	<i>Mathematics</i>
2017	75%	75%	75%	75%

Graduation Requirements

To receive a diploma, students who enroll in 9th grade for the first time in school year 2007–2008 and thereafter must earn 24.0 credits (or Carnegie units) as follows:

Subject	Credits (Carnegie Units)
Art	0.5
Electives	3.5
English	4.0
Health and Physical Education	1.5
Mathematics (including algebra I, geometry, algebra II, and upper-level math)	4.0

³ ANet is administered only to DCPS schools.

Subject	Credits (Carnegie Units)
Music	0.5
Science (including biology, 2 lab sciences, and 1 other science)	4.0
Social Studies (including world history I and II, DC history, US government, and US history)	4.0
World Languages	2.0
Total	24.0 credits

Students must also meet the following requirements:

- At least 2.0 credits of the 24.0 required credits must be earned through courses that appear on the approved “College Level or Career Prep” list (e.g., Advanced Placement courses, International Baccalaureate courses, career technical education courses, and college-level courses); and
- At least 100 hours of community service must be completed.

Proposed Graduation Requirements⁴

Subject	Credits (Carnegie Units)
English	4.0
Mathematics (Including at least 1.0 unit above algebra II or its equivalent and not including any lower than algebra I or its equivalent. Students may earn units for high school mathematics courses taken in middle school if their rigor can be verified.)	4.0
Science (Including biology and 2 other laboratory courses. In the future, courses will be aligned with Next Gen Science Standards.)	4.0
Social Studies (Including world history/global studies, US history/government, DC history/civics, and student choice.)	3.0
World Language (Two years of the same language. Students may earn units for high school language courses taken in middle school/online per video chat, if their rigor can be verified.)	2.0

⁴ The proposed graduation requirements are open for public comment. The DC Board of Education is scheduled to vote on the requirements later in 2013.

Subject	Credits (Carnegie Units)
Visual/Performing Arts	2.0
Electives (Study abroad in an established and verified program can satisfy elective units.)	3.0
Physical and Health Education Physical education 1.5 units. (Units may be earned through physical education class, participation in a team sport, or Junior ROTC.) Health education .5 units. In addition, students must engage in physical activity 50 hours each year for a total of 200 hours.	2.0
College and Career Readiness (At least 2.0 units must be earned through courses that appear on the approved “College or Career Prep” list (e.g., Advanced Placement, International Baccalaureate, career technical education, and/or dual-enrollment college-level courses.)	
Total	24.0 credits

Students must also meet the following requirements:

- Complete a thesis/culminating project during their junior or senior year; and
- Complete 100 hours of community service.

Additional Provisions and Requirements for Special Needs Students

Special Education

Assessment and Placement of a Student with a Disability

The local educational agency shall assess or evaluate a student who may have a disability and who may require special education services within 120 days from the date the student was referred for an evaluation or assessment.

The LEA shall place a student with a disability in an appropriate special education school or program in accordance with DC Education Code and the Individuals with Disabilities Education Act (IDEA). Special education placements shall be made in the following order or priority, provided the placement is appropriate for the student and made in accordance with IDEA and DC Education Code:

- DCPS schools, or District of Columbia public charter schools, pursuant to an agreement between DCPS and the public charter school;
- Private or residential District of Columbia facilities; and
- Facilities outside the District of Columbia.

Students who have significant cognitive disabilities will be assessed using the DC CAS-ALT:

DC CAS-ALT is a portfolio assessment given to students who have significant cognitive disabilities that prevent them from participating in the general assessment (DC CAS) even with accommodations and/or modifications. It is administered to a smaller number of students in grades 3 through 8 and in grade 10 in reading and mathematics. The portfolio is created throughout the school year with submission during the spring.

Participation of LEA in IEP Development or Review

When a student is receiving education and related services from a nonpublic special education school or program that is approved by OSSE and receives funding from the District of Columbia government, the LEA shall participate in the initial meeting to develop an individualized education plan (IEP). For any subsequent meeting to review or revise the IEP, the failure or inability of an LEA representative to attend the IEP meeting after the meeting has been set shall not prevent the meeting from taking place as planned.

At-Risk Students

Alternative Education Programs

The DC Board of Education shall provide to any student who is expelled from school an alternative education program at the DC Street Academy, at another existing alternative education program, or at any alternative education program that may be established in the future.



APPENDIX C: DATA SOURCES FOR COST ESTIMATION AREAS

Rich and robust data have been collected through the DC Education Adequacy Study. The professional judgment panels, successful schools study, and evidence-based approach have contributed to a comprehensive understanding of the strengths and challenges of the current weighted Uniform Per Student Funding Formula and its implementation in District of Columbia Public Schools (DCPS) and public charter schools. The table presents some of the data collected.

	Professional Judgment Panels	Successful Schools Study	Evidence Base	Other Sources*
<i>Data</i>				
The teacher-student ratio needed to provide an adequate education for students <i>without</i> identified learning needs at elementary, middle, and high school levels.	X		X	
The teacher-student ratio needed to provide an adequate education for at-risk students at elementary, middle, and high school levels.	X		X	
The teacher-student ratio needed to provide an adequate education for students receiving special education services at elementary, middle, and high school levels.	X			X
The teacher-student ratio needed to provide an adequate education for English language learners at elementary, middle, and high school levels.	X		X	X
The level of academic support staff needed to provide an adequate education at elementary, middle, and high school levels.	X		X	

	Professional Judgment Panels	Successful Schools Study	Evidence Base	Other Sources*
The level of student support staff needed to provide an adequate education at elementary, middle, and high school levels.	X		X	X
The level of office and administrative staff needed to provide an adequate education at elementary, middle, and high school levels.	X		X	
The cost per student of providing an adequate level of textbooks, supplies, equipment, and assessments for students.	X		X	X
The cost per student of providing an adequate level of teacher professional development.	X		X	X
The cost per student of providing adequate safety and security services in schools.	X		X	
The cost per student of providing an adequate level of student activities.	X		X	X
The cost per student of providing additional programs to support learning (e.g., extended-day, extended-year, summer, before-school, after-school, and Saturday school programs).	X		X	X
The cost per student of providing adequate technology resources in schools.	X		X	X
The cost of providing central office and administrative services to students.	X		X	X
The cost of general support services at identified successful schools.		X		X
The cost of centralized support systems at identified successful schools.		X		X
The nonsalary costs of student services, student health services, operations, maintenance, technology, and community services at identified successful schools.		X		X

	Professional Judgment Panels	Successful Schools Study	Evidence Base	Other Sources*
The amount of additional revenues from discretionary grants, direct fundraising, philanthropic and corporate support, and direct cash donations at identified successful schools.		X		X
The fair-market price of resources provided to DCPS schools by other DC agencies (e.g., department of health, department of general services, department of behavioral health, office of the attorney general, office of the chief technology officer, metropolitan police department, and department of transportation).		X		X



The **FINANCE** PROJECT

APPENDIX D: FOCUS GROUP PARTICIPANTS

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DC State Board of Education

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Building Hope

Robert Cane
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DC State Board of Education

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Trayon White
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APPENDIX E: INDIVIDUAL INTERVIEWEES

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DC Public Schools

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DC Office of Contracting and Procurement

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DC Public Schools

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Director and Manager of Budget Operations
Office of the Chief Financial Officer
DC Public Schools

Olivia Smith
Founder and Principal/Director
Bridges Public Charter School



APPENDIX F: GUIDANCE TO PROFESSIONAL JUDGMENT PANELS

Over the next day or two, you will participate in a *professional judgment panel* to collaboratively identify the resources needed so all students and schools—public and public charter—can meet all District of Columbia academic standards. The questions and instructions below will help guide you in this process. It is important to remember that you are not being asked to build your dream school. Rather, you are being asked to use your professional experience, expertise, and judgment to identify the resources needed to meet the specific standards and requirements the District expects students and schools to meet. You should allocate resources as efficiently as possible without sacrificing quality.

Guiding Questions:

School-Level Panels

There will be two school-level panels addressing the resource needs of public schools and public charter schools serving students at different grade levels. The following guiding questions will frame this process:

1. *What resources are needed to provide effective and comprehensive educational programs and services at each level?*
2. *What resources are needed to provide effective instructional and strategic leadership at each level?*
3. *What resources are needed to provide effective support and professional development for teachers and other program staff at each level?*
4. *What materials, textbooks, supplies, technology, and equipment resources are needed at each level?*
5. *What are other critical resource needs not encompassed in the prior categories?*

Instructions:

1. You are a member of a panel that is being asked to design how programs and services will be delivered in a representative school at a specific grade level (elementary school, middle school, or high school) specifically to serve students with special needs (at-risk, English language learners, and special education). You and other panel members will identify the resources that schools in your assigned grade level should have in order to meet current DC academic standards. Facilitators will ask framing questions to guide this process.
2. All panels will be focusing on the resources needed at the school level to meet the requirements set forth for schools and students in the District of Columbia. The schools being built are neither

strictly traditional public schools nor charter schools; instead, they are schools that represent the elementary schools, middle schools, and high schools in the District regardless of type.

3. The “input” requirements and “outcome” objectives that need to be accomplished by the representative school(s) are those required by the District of Columbia; a summary of these requirements is provided as a separate document. These requirements or objectives can be described broadly as education opportunities, programs, and services or as levels of education performance.
4. In designing the representative school(s), we need you to provide some very specific information so we can calculate the cost of the resources that are needed to fulfill the indicated requirements or objectives. The fact that we need this information should not constrain you in any way in designing the program of the representative school(s). Your job is to create programs, curriculums, or services designed to serve students with particular needs in such a way that the indicated requirements or objectives can be fulfilled. Use your experience and expertise to organize personnel, supplies and materials, and technology in an efficient way you feel confident will produce the desired outcomes.
5. For this process, the following statements are true about the representative school(s) and the conditions in which they exist:

Teachers: You should assume you can attract and retain qualified personnel and can employ people on a part-time basis, if needed (based on tenths of a full-time equivalent person).

Facilities: For the purposes of this specific panel, you should assume the representative school has sufficient space and the technology infrastructure to meet the requirements of the program you design. We understand that many schools face facilities constraints, and we are convening a separate facilities panel to address these issues.

Revenues: You should not be concerned about where revenues will come from to pay for the program you design. Do not worry about requirements that may be associated with certain types of funding. You should not think about what revenues might be available in the school in which you now work or about any constraints on those revenues.

Programs: You may create new programs or services that do not presently exist but you believe would address the challenges that arise in schools. You should assume that such programs or services are in place and that no additional time is needed for them to produce the results you expect of them. For example, if you create after-school programs or preschool programs to serve some students, you should assume that such programs will achieve their intended results, possibly reducing the need for other programs or services that might otherwise have been needed.



APPENDIX G: PROFESSIONAL JUDGMENT PANEL MEMBERS

School-Level Panel (Elementary School)

Kathy Hollowell-Makle
Teacher
Simon Elementary School

Caroline John
Teacher
Stanton Elementary School

Alexandra Legutko
Teacher
DC Prep Edgewood Campus
Public Charter School

Lynn Main
Principal
Lafayette Elementary School

Linda Moore
Founder and Executive Director
Elsie Whitlow Stokes Community
Freedom
Public Charter School

Charisse Robinson
Teacher
Cleveland Elementary School

School-Level Panel (Middle School)

Elle (Noelle) Carne
Operations Manager
Capital City
Public Charter School

Widelene Desarmes
Assistant Principal
Jefferson Academy
Public Charter School

Mary Weston
Principal
John Burroughs Education Campus

School-Level Panel (High School)

Matt Fiteny
Dean of Academics/ Director of
Instruction
See Forever/ Maya Angelou Young
Adult Learning Center
Public Charter School

David Pinder
Principal
McKinley Technology High School

Megan Reamer
Director of Data and Accountability
Capital City
Public Charter School

Syritha Robinson
Teacher
Friendship Collegiate Academy
Public Charter School

Kerry Sylvia
Teacher
School Without Walls

David Tansey
Teacher
Dunbar Senior High School

Brian Wiltshire
Teacher
Roosevelt Senior High School

Special Education Panel (Elementary School)

Thomas Flanagan
Interim Deputy Chief of Programming
Office of Special Education
DC Public Schools

Erick Greene
Instructional Superintendent
Office of Special Education
DC Public Schools

Douglas Gotel
Clinical Specialist
Office of Special Education
DC Public Schools

Timothy Leonard
Teacher
Shepherd Elementary School

Marni Mintener Barron
Instructional Coach
Hearst Elementary School

Crystal Sylvia
Clinical Social Worker
C. Melvin Sharpe Health School

Dawn Thurman
Clinical Specialist
Office of Special Education
DC Public Schools

Special Education (Middle School and High School)

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Julie Camerata
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DC Special Education Cooperative

Amber Church
Special Education Coordinator
Next Step/ El Proximo Pas
Public Charter School

Julie Meyer
Executive Director
Next Step/El Proximo Pas
Public Charter School

Richard Trogisch
Principal
School Without Walls

Rachel Bradley Williams
Clinical Specialist
Office of Special Education
DC Public Schools

Special Needs Panel (Alternative and Adult Education)

Arthur Dade
Executive Director
YouthBuild
Public Charter School

Terry DeCarbo
Instructional Superintendent
DCPS Alternative Schools

Matt Fiteny
Dean of Academics/ Director of
Instruction
See Forver/ Maya Angelou Young Adult
Learning Center
Public Charter School

Allison R. Kokkoros
Chief Academic Officer
Carlos Rosario International
Public Charter School

Candy Hernandez
Chief Operating Officer
Carlos Rosario International
Public Charter School

Azalia Hunt-Speight
Principal
Luke C. Moore Senior High School

Carlos Perkins
Principal
Washington Metropolitan High School

Christine McKay
Education Director/Charter School
Executive Director
Mary's Center for Maternal and Child
Care Inc./Education Strengthens
Families
Public Charter School

Julie Meyer
Executive Director
Next Step/El Proximo Pas
Public Charter School

Irasema Salcido
Founder and Chief Executive Officer
Cesar Chavez
Public Charter School

Nakita West
Teacher/ Department Chair
See Forever/Maya Angelou Young
Adult Learning Center
Public Charter School

Special Education Panel (Levels 1-4)

Sofie Alavi
Teacher/Local Educational Agency
Representative
Brent Elementary School

Keesha Blythe
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Bridges Public Charter School

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DC Office of the State Superintendent of
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DC Office of the State Superintendent of
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Educational Agency Representative
DC Public Schools

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Ivymount School

Facilities Panel

Kamili Anderson
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DC State Board of Education

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Office of the Chief Operating Officer
DC Public Schools

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Washington Latin
Public Charter School

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Office of Human Capital
DC Public Schools

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Brailsford & Dunlavey, Inc./
DC Department of General Services

Lolli Haws
Instructional Superintendent
Cluster 7
DC Public Schools

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Executive Director
Mary's Center for Maternal and Child
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Public Charter School

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DC Public Schools

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DC Preparatory
Public Charter School

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DC Public Schools

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Principal
Takoma Education Campus

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DC Public Schools

System Panel (DCPS)

Jeannie Boehlmer
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Office of the Chief Academic Officer
DC Public Schools

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Cluster 9
DC Public Schools

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DC Public Schools

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Chief of Strategy
DC Public Schools

System Panel (Charter Schools)

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Managing Director
Elsie Whitlow Stokes Community
Freedom
Public Charter School

Bryan Patten
Co-Founder and Chief Executive Officer
EdOps

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Imagine
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Community Academy
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Financial Analyst
Public Charter School Board

Alonso Montalvo
Financial Manager
Public Charter School Board

Bradley Olander
Partner
Goldstar



APPENDIX H: SUCCESSFUL SCHOOLS SELECTION CRITERIA

The District of Columbia’s Public Charter School Board measures schools in the following four categories:

- *Student progress over time*: Measures growth over time of student scores on the Reading and Math DC Comprehensive Assessment System (DC CAS) tests, the District’s Elementary and Secondary Education Act tests.
- *Student achievement*: Measured by student scores on Reading and Math DC CAS tests as well as, in high schools, achievement on Advanced Placement (AP) and International Baccalaureate (IB) tests.
- *Gateway Measures*: The Gateway Measure in elementary schools and middle schools is the percent of students scoring “proficient” or “advanced” in grade 3 Reading and Math DC CAS tests. In high school, the Gateway Measure includes the school’s graduation rate, Preliminary Scholastic Aptitude Test (PSAT) performance in 11th grade, Scholastic Aptitude Test (SAT) performance in 12th grade, and its college acceptance rate.
- *Leading Indicators*: Elementary school and middle school Leading Indicators are a measure of attendance and re-enrollment rates. High school Leading Indicators are a measure of attendance and re-enrollment rates as well as the number of 9th graders with credits on track to graduate.¹

District of Columbia Public Schools

In partnership with the chief of schools, the office of the deputy mayor for education identified successful DC public schools based on a combination of factors, including:

- Student achievement;
- Leadership; and
- Overall school climate.

¹ District of Columbia Public Charter School Board, “Frequently Asked Questions: Performance Management Framework,” www.dcpubliccharter.com.

APPENDIX I: SUCCESSFUL SCHOOLS SAMPLE PROFILE INFORMATION SUMMARY

School	DCPS/Public Charter Schools	Ward	Grade Span	Enrollment	Percentage Qualifying for Subsidized School Meals	Percentage of English Language Learners	Percentage of Special Education Students	Classification ¹	Title 1
Achievement Preparatory Academy PCS	Charter	8	4–8	202	88.0%	0.0%	10.2%	Tier 1	Yes
Anne Beers Elementary School	DCPS	7	Pre-K3–5	386	P2 ²	1.0%	22.0%	Reward	Yes
Benjamin Banneker Academic High School	DCPS	1	9–12	413	61.0%	0.0%	0.0%	Reward	Yes
Brent Elementary School	DCPS	6	Pre-K3–5	347	21.0%	2.0%	12.0%	Rising	No
Capital City PCS—Lower School	Charter	4	Pre-K4–8	243	48.1%	27.0%	13.9%	Tier 1	Yes
Center City PCS—Brightwood	Charter	4	Pre-K4–8	231	95.2%	11.3%	3.0%	Tier 1	Yes
Center City PCS—Petworth	Charter	4	Pre-K4–8	232	78.8%	32.3%	13.3%	Tier 1	Yes
Cezar Chavez PCS for Public Policy—Chavez Prep	Charter	1	6–9	320	65.0%	2.3%	15.0%	Tier 1	Yes
Columbia Heights Education Campus	DCPS	1	6–12	1,203	P2 ²	36.0%	9.0%	Rising	Yes
Community Academy PCS—Butler Global	Charter	2	Pre-K3–5	302	85.4%	27.0%	6.8%	Tier 1	Yes
DC Preparatory PCS—Edgewood Middle	Charter	5	4–8	280	81.5%	0.8%	16.9%	Tier 1	Yes
Deal Middle School	DCPS	3	6–8	1,014	24.0%	4.0%	10.0%	Reward	No
E.L. Haynes—Georgia Avenue	Charter	4	Pre-K3–5	394	58.7%	19.1%	18.0%	Tier 1	Yes
Eaton Elementary School	DCPS	3	Pre-K4–5	457	21.0%	12.0%	7.0%	Reward	No
Howard University Middle School of Math and Science	Charter	1	6–8	307	62.2%	3.0%	4.3%	Tier 1	Yes
Janney Elementary School	DCPS	3	Pre-K4–5	548	4.0%	5.0%	6.0%	Reward	No
Key Elementary School	DCPS	3	Pre-K4–5	386	11.0%	7.0%	7.0%	Reward	No
KIPP DC—AIM Academy PCS	Charter	8	5–8	309	87.4%	0.3%	18.1%	Tier 1	Yes
KIPP DC—College Preparatory PCS	Charter	8	9–11	294	85.4%	0.0%	17.0%	Tier 1	Yes
KIPP DC—KEY Academy PCS	Charter	7	5–8	404	80.2%	0.0%	13.4%	Tier 1	Yes
KIPP DC—WILL Academy PCS	Charter	6	5–8	313	87.2%	0.0%	16.0%	Tier 1	Yes
Lafayette Elementary School	DCPS	4	Pre-K4–5	707	8.0%	3.0%	7.0%	Reward	No

School	DCPS/ Charter School	Ward	Grade Span	Enrollment	Percentage Qualifying for Subsidized School Meals	Percenta ge of English Language Learners	Percentage of Special Education Students	Classification ¹	Title 1
Latin American Montessori Bilingual PCS	Charter	4	Pre-K3-5	263	31.7%	58.0%	13.0%	Tier 1	Yes
McKinley Technology High School	DCPS	5	9-12	670	52.0%	1.0%	2.0%	Reward	Yes
Oyster-Adams Bilingual Education Campus—Oyster Campus	DCPS	3	Pre-K3-3	335	23.0%	16.0%	10.0%	Reward	No
Oyster-Adams Bilingual Education Campus—Adams Campus	DCPS	3	4-8	321	23.0%	16.0%	12.0%	Reward	No
Plummer Elementary School	DCPS	7	Pre-K3-5	220	99.0%	5.0%	15.0%	Reward	Yes
SEED Public Charter School—High School	Charter	7	6-12	340 ³	75.0%	0.0%	11.6%	Tier 1	Yes
SEED Public Charter School—Middle School	Charter	7	5-8	340 ³	75.0%	0.0%	11.6%	Tier 1	Yes
Shepherd Elementary School	DCPS	4	Pre-K4-5	331	30.0%	8.0%	8.0%	Rising	No
Thomas Elementary School	DCPS	7	Pre-K3-5	235	P2 ²	0.0%	21.0%	Reward	Yes
Thurgood Marshall Academy PCS	Charter	8	9-12	390	76.7%	0.0%	6.9%	Tier 1	Yes
Tubman Elementary School	DCPS	1	Pre-K3-5	489	P2 ²	35.0%	13.0%	Rising	Yes
Two Rivers PCS	Charter	6	Pre-K3-8	451	30.0%	3.3%	18.3%	Tier 1	No
Washington Latin PCS—Middle School	Charter	4	5-8	349	24.1%	2.1%	6.6%	Tier 1	No
Washington Latin PCS—Upper School	Charter	4	9-12	225	44.0%	2.0%	6.0%	Tier 1	No
Washington Yu Ying PCS	Charter	5	Pre-K4-5	439	20.0%	8.0%	9.0%	Tier 1	No

Notes:

1 Under the accountability system for the Elementary and Secondary Education Act, schools are classified in one of five categories that summarize the performance of their students on the DC Comprehensive Assessment System.

2 P2 means all students within the school can access free and reduced-price school meals.

3 Enrollment data reflect all children in both schools.



APPENDIX J: SUCCESSFUL SCHOOLS BUDGET TEMPLATE

Instructions for Cost and Income Collection Tool

Please include documentation for all information provided.

GENERAL INFORMATION PAGE

All Student Counts should be for the school year for which expenditure data will be provided.

- In cell B6, please enter the grade span for the school.
- In cell B9, please enter the total number of students in grades 1 through 5.
- In cell B10, please enter the total number of students in grades 6 through 8.
- In cell B11, please enter the total number of students in grades 9 through 12.
- In cell B12, please enter the total number of students in adult-only programs.
- In cell B13, please enter the total number of half-time kindergarten students, if any.
- In cell B14, please enter the total number of full-time kindergarten students, if any.
- In cell B15, please enter the total number of preschool students, if any.
- In cell B17, please enter the average years of experience of teachers in the identified school.
- In cell B19, please enter the percent of teachers in the identified school who hold an advanced professional certificate or higher. This includes those with master's degrees.

LOCAL EDUCATIONAL AGENCY ADMINISTRATION PAGE

We ask that this page be completed by DCPS or the charter management organization that provides services to the school. If you have more than one school and have already provided this information, you may skip this section.

We are looking for the full LEA cost for each area.

- In cell B6, please enter the total amount expended for Salaries and Wages for General Support Services.
- In cell C6, please enter the total amount expended for Benefits for General Support.

- In cell D6, please enter the total amount expended for General Support Services, including the amount spent for Salaries and Wages and Benefits.

Second, we want to look at the expenditures for **Business Support Services**.

- In cell B11, please enter the total amount expended for Salaries and Wages for Business Support Services.
- In cell C11, please enter the total amount expended for Benefits for Business Support.
- In cell D11, please enter the amount expended for Business Support Services, including the amount spent for Salaries and Wages and Benefits.

Next we want to look at the expenditures for **Centralized Support Services**.

- In cell B16, please enter the total amount expended for Salaries and Wages for Centralized Support Services.
- In cell C16, please enter the total amount expended for Benefits for Centralized Support Services, including the amount spent for Salaries and Wages.
- In cell D16, please enter the amount expended for Centralized Support Services, including the amount spent for Salaries and Wages and Benefits.

Finally, we want to look at the costs associated with **Instructional Administration and Supervision**.

- In cells B21, C21, D21, E21, and F21, please enter the total number of people working in each designated area under Instructional Administration and Supervision.
- In cells B22, C22, D22, E22, and F22, please enter the LEA's total expenditure for salaries for each personnel category for Instructional Administration and Supervision. This figure should not include any expenditure for benefits.
- In cells B23, C23, D23, E23, and F23, please enter the LEA's total expenditure for benefits for each personnel category for Instructional Administration and Supervision. This figure comes from Fixed Charges and should not include teacher retirement.
- In cells B24, C24, D24, E24, and F24, please enter the number of people in each designated area that work exclusively with limited-English-proficient (LEP) students or administration or the part of time spent exclusively in this area under Instructional Administration and Supervision. For example, if reporting partial time for a person, enter .4 for someone who spends 40 percent of his or her time providing services to LEP students.
- In cells B25, C25, D25, E25, and F25, please enter the number of people in each designated area that work exclusively with at-risk students or administration or the part of time spent exclusively in this area under Instructional Administration and Supervision. For example, if reporting partial time for a person, enter .4 for someone who spends 40 percent of his or her time providing services to at-risk students.

- In cells B26, C26, D26, E26, and F26, please enter the number of people in each designated area that work exclusively with special education students or administration or the part of time spent exclusively in this area under Instructional Administration and Supervision. For example, if reporting partial time for a person, enter .4 for someone who spends 40 percent of his or her time providing services to special education students.
- In cells B27, C27, D27, E27, and F27, please enter the number of people in each designated area that work exclusively on adult-only programs or administration or the part of time spent exclusively in this area under Instructional Administration and Supervision. For example, if reporting partial time for a person, enter .4 for someone who spends 40 percent of his or her time with adult-only programs.
- In cell B30, please enter the total amount spent for Supplies and Materials for Instructional Administration and Supervision.
- In cell C30, please enter the total amount spent for Other Costs for Instructional Administration and Supervision.
- In cell D30, please enter the total amount spent on Equipment for Instructional Administration and Supervision.
- In cell E30, please enter the total amount spent for Contractual Services for Instructional Administration and Supervision.

SCHOOL ADMINISTRATION PAGE

We will only be looking at the **Office of the Principal/Executive** for this section.

- In cells B7, C7, D7, E7, F7, and G7, please enter the total number of people working in each designated area under Office of the Principal/Executive.
- In cells B8, C8, D8, E8, F8, and G8, please enter please enter the school's total expenditure for salaries for each personnel category for Office of the Principal/Executive. This figure should not include any expenditure for benefits.
- In cells B9, C9, D9, E9, F9, and G9, please enter the school's total expenditure for benefits for each personnel category for Office of the Principal/Executive.
- In cells B10, C10, D10, E10, F10, and G10, please enter the number of people in each designated area that work exclusively with limited-English-proficient students (LEP) or administration or the part of time spent exclusively in this area under Office of the Principal/Executive. For example, if reporting partial time for a person, enter .4 for someone who spends 40 percent of his or her time providing services to LEP students.
- In cells B11, C11, D11, E11, F11, and G11, please enter the number of people in each designated area that work exclusively with at-risk students or administration or the part of time spent exclusively in this area under Office of the Principal/Executive. For example, if reporting partial

time for a person, enter .4 for someone who spends 40 percent of his or her time providing services to at-risk students.

- In cells B12, C12, D12, E12, F12, and G12, please enter the number of people in each designated area that work exclusively with special education students or administration or the part of time spent exclusively in this area under Instructional Administration and Supervision. For example, if reporting partial time for a person, enter .4 for someone who spends 40 percent of his or her time providing services to special education students.
- In cells B13, C13, D13, E13, and F13, please enter the number of people in each designated area that work exclusively on adult-only programs or administration or the part of time spent exclusively in this area under Instructional Administration and Supervision. For example, if reporting partial time for a person, enter .4 for someone who spends 40 percent of his or her time with adult-only programs.
- In cell B18, please enter the total amount spent for Supplies and Materials for Office of the Principal/Executive.
- In cell C18, please enter the total amount spent for Other Costs for Office of the Principal/Executive.
- In cell D18, please enter the total amount spent for Equipment for Office of the Principal/Executive.
- In cell E18, please enter the total amount spent for Contractual Services for Office of the Principal/Executive.

SCHOOL INSTRUCTION PAGE

We do not want to double-count any funds; please make sure these costs are unique to this section.

We will first look at **Instructional Salaries**. We want to build this cost by personnel type so we can exclude those who work identifiable amounts of time with limited-English-proficient, at-risk, special education, or adult students.

- In cells B5, C5, D5, E5, F5, G5, H5, and I5, please enter the total number of people working in each designated area under Instructional Salaries.
- In cells B6, C6, D6, E6, F6, G6, H6, and I6, please enter the school's total expenditure for salaries for each personnel category for Instructional Salaries. This figure should not include any expenditure for benefits.
- In cells B7, C7, D7, E7, F7, G7, H7, and I7, please enter the school's total expenditure for benefits for each personnel category for Instructional Salaries.
- In cells B8, C8, D8, E8, F8, G8, H8, and I8, please enter the number of people in the school in each designated area that work exclusively with limited-English-proficient (LEP) students or the part of time spent exclusively in this area under Instructional Salaries. For example, if reporting partial time for a person, enter .4 for someone who spends 40 percent of his or her time providing services to LEP students.

- In cells B9, C9, D9, E9, F9, G9, H9, and I9, please enter the number of people in the school in each designated area that work exclusively with at-risk students or the part of time spent exclusively in this area under Instructional Salaries. For example, if reporting partial time for a person, enter .4 for someone who spends 40 percent of his or her time providing services to at-risk students.
- In cells B10, C10, D10, E10, F10, G10, H10, and I10, please enter the number of people in each designated area that work exclusively with special education students or administration or the part of time spent exclusively in this area under Instructional Administration and Supervision. For example, if reporting partial time for a person, enter .4 for someone who spends 40 percent of his or her time providing services to special education students.
- In cells B11, C11, D11, E11, F11, G11, H11, and I11, please enter the number of people in each designated area that work exclusively on adult-only programs or administration or the part of time spent exclusively in this area under Instructional Administration and Supervision. For example, if reporting partial time for a person, enter .4 for someone who spends 40 percent of his or her time with adult-only programs.
- In cell B15, please enter the school's total expenditure for stipends to employees working extracurricular activities for Instructional Salaries.
- In cell C15, please enter the school's total expenditure for substitutes for Instructional Salaries.

Next we want to get the costs associated with **Instructional Textbooks and Supplies**.

- In cell B21, please enter the amount attributable to the specific school, if identifiable. If not, please enter the LEA's total expenditure for Instructional Textbooks and Supplies in cell B23.

Finally, we want to collect all **Other Instructional Costs**.

- In cell B27, please enter the amount attributable to the specific school, if identifiable. If not, please enter the LEA's total expenditure for Other Instructional Costs in cell B29.

OTHER COSTS PAGE

In this section, we want to capture **all other operating costs** of the Local Educational Agency/Charter Management Organization/School, excluding food service, transportation, and special education.

- In cell B5, please enter the amount attributable to the specific school for Student Personnel Services, if identifiable. If not, please enter the LEA's total expenditure in cell B7.
- In cell C5, please enter the amount attributable to the specific school for Student Health Services, if identifiable. If not, please enter the LEA's total expenditure for Category 208 in cell C7.
- In cell D5, please enter the amount attributable to the specific school for Operation of Plant, Category 210, if identifiable. If not, please enter the LEA's total expenditure in cell D7.
- In cell E5, please enter the amount attributable to the specific school for Maintenance of Plant, Category 211, if identifiable. If not, please enter the LEA's total expenditure in cell E7.

- In cell F5, please enter the amount attributable to the specific school for Technology, if identifiable. If not, please enter the LEA's total expenditure in cell F7.
- In cell G5, please enter the amount attributable to the specific school for Community, if identifiable. If not, please enter the LEA's total expenditure in cell G7.

OTHER REVENUES PAGE

In this section, we want to capture any revenues the school receives from outside sources, including for four categories of revenue: federal discretionary grants, parent teacher student organization /school-level direct fundraising, philanthropic and corporate support, or direct donations and other cash support. We are interested in detailed information within each of the four categories if more than one source of revenue is available in the category. Five lines will be provided for each category. Please list the largest revenue source for the category in the first line for each category. If you have more than five sources for a category, please enter the highest four revenue sources first and then the total of the remaining sources in the fifth line.

Federal Discretionary Grants

- In cell B4, please enter the total revenue from the school's highest source of federal discretionary funding, if applicable. Please provide a description of this funding source in cell C4.
- In cell B5, please enter the total revenue from the school's second highest source of federal discretionary funding, if applicable. Please provide a description of this funding source in cell C5.
- In cell B6, please enter the total revenue from the school's third highest source of federal discretionary funding, if applicable. Please provide a description of this funding source in cell C6.
- In cell B7, please enter the total revenue from the school's fourth highest source of federal discretionary funding, if applicable. Please provide a description of this funding source in cell C7.
- In cell B8, please enter the total revenue from the school's fifth highest source of federal discretionary funding, if applicable. Please provide a description of this funding source in cell C8. If the school has more than five sources of funding in this area, please enter the total remaining funds from this source in cell B8 and note that it is the total of multiple sources in cell C8.

Parent Teacher Student Organization/School-Level Direct Fundraising

- In cell B11, please enter the total revenue from the school's highest source of PTSO/school-level direct fundraising revenue, if applicable. Please provide a description of this funding source in cell C11.
- In cell B12, please enter the total revenue from the school's second highest source of PTSO/school-level direct fundraising revenue, if applicable. Please provide a description of this funding source in cell C12.

- In cell B13, please enter the total revenue from the school's third highest source of PTSS/school-level direct fundraising revenue, if applicable. Please provide a description of this funding source in cell C13.
- In cell B14, please enter the total revenue from the school's fourth highest source of PTSS/school-level direct fundraising revenue, if applicable. Please provide a description of this funding source in cell C14.
- In cell B15, please enter the total revenue from the school's fifth highest source of PTSS/school-level direct fundraising revenue, if applicable. Please provide a description of this funding source in cell C15. If the school has more than five sources of funding in this area, please enter the total remaining funds from this source in cell B15 and note that it is the total of multiple sources in cell C15.

Philanthropic and Corporate Support

- In cell B18, please enter the total revenue from the school's highest source of philanthropic and corporate support revenue, if applicable. Please provide a description of this funding source in cell C18.
- In cell B19, please enter the total revenue from the school's second highest source of philanthropic and corporate support revenue, if applicable. Please provide a description of this funding source in cell C19.
- In cell B20, please enter the total revenue from the school's third highest source of philanthropic and corporate support revenue, if applicable. Please provide a description of this funding source in cell C20.
- In cell B21, please enter the total revenue from the school's fourth highest source of philanthropic and corporate support revenue, if applicable. Please provide a description of this funding source in cell C21.
- In cell B22, please enter the total revenue from the school's fifth highest source of philanthropic and corporate support revenue, if applicable. Please provide a description of this funding source in cell C22. If the school has more than five sources of funding in this area, please enter the total remaining funds from this source in cell B22 and note that it is the total of multiple sources in cell C22.

Direct Cash Donations and Other Cash Support

- In cell B25, please enter the total revenue from the school's highest source of direct cash donations and other cash support revenue, if applicable. Please provide a description of this funding source in cell C25.
- In cell B26, please enter the total revenue from the school's second highest source of direct cash donations and other cash support revenue, if applicable. Please provide a description of this funding source in cell C26.

- In cell B27, please enter the total revenue from the school's third highest source of direct cash donations and other cash support revenue, if applicable. Please provide a description of this funding source in cell C27.
- In cell B28, please enter the total revenue from the school's fourth highest source of direct cash donations and other cash support revenue, if applicable. Please provide a description of this funding source in cell C28.
- In cell B29, please enter the total revenue from the school's fifth highest source of direct cash donations and other cash support revenue, if applicable. Please provide a description of this funding source in cell C29. If the school has more than five sources of funding in this area, please enter the total remaining funds from this source in cell B29 and note that it is the total of multiple sources in cell C29.

The **FINANCE** PROJECT

APPENDIX K: FUNCTIONS AND SERVICES PROVIDED TO DISTRICT OF COLUMBIA PUBLIC SCHOOLS

Agency or Office	Function/Services
DCPS Central Office	
Office of Family and Public Engagement	<ul style="list-style-type: none"> ▪ Family and community engagement ▪ Parent resource center ▪ Office of communications and public information
Office of the Chief Financial Officer	<ul style="list-style-type: none"> ▪ Accounting ▪ Budget operations ▪ Chief financial officer operations
Office of Data and Accountability	<ul style="list-style-type: none"> ▪ Accountability, testing, research, and evaluation ▪ Educational assessment and accountability ▪ Student data systems
Office of the General Counsel	<ul style="list-style-type: none"> ▪ Risk management ▪ Legal ▪ Settlements and judgments
Office of Youth Engagement	<ul style="list-style-type: none"> ▪ Health services ▪ School social and psychological services ▪ Student attendance ▪ Student hearings ▪ Student support services ▪ Transitional services ▪ Transportation ▪ Youth engagement
Office of Strategy	<ul style="list-style-type: none"> ▪ Office of federal programs and grants ▪ Private school support ▪ School transformation
Office of the Chief of Schools	<ul style="list-style-type: none"> ▪ School performance/restructuring ▪ Athletics
Office of Teaching and Learning	<ul style="list-style-type: none"> ▪ Curriculum development and implementation ▪ Library media ▪ School leadership ▪ Professional development
Office of the Chief of Staff	<ul style="list-style-type: none"> ▪ Risk management ▪ Security ▪ School operations support ▪ Performance management
Office of Human Capital	<ul style="list-style-type: none"> ▪ Human capital leadership, labor management, and partnerships ▪ Teacher personnel ▪ Principal personnel ▪ Central office personnel ▪ Master educators ▪ Teacher Incentive Fund

Agency or Office	Function/Services
Office of Academic Programming and Support	<ul style="list-style-type: none"> ▪ After-school programs ▪ Career and technical education ▪ Vocational education ▪ College and career readiness: co-curricular and extra-curricular ▪ Home instruction program ▪ Early childhood education ▪ Head Start ▪ Evening credit recovery ▪ English language learners/bilingual education ▪ Summer school programs
Office of Special Education	<ul style="list-style-type: none"> ▪ Special education instruction ▪ Early stages ▪ Extended school year ▪ Inclusive academic programs ▪ Special education capacity-building ▪ Related services ▪ Resolution, monitoring, and compliance ▪ School support (dedicated aides) ▪ Financial management ▪ Information management ▪ Operations
Office of the Chief Operating Officer	<ul style="list-style-type: none"> ▪ Food service ▪ Instructional technology ▪ Logistics (mail, printing, and duplicating) ▪ Contracting and procurement ▪ Textbook program ▪ Realty
City Agencies	
Department of Health	<ul style="list-style-type: none"> ▪ Nurses
Department of Transportation	<ul style="list-style-type: none"> ▪ Crossing guards
Department of Behavioral Health	<ul style="list-style-type: none"> ▪ Social workers
Metropolitan Police Department	<ul style="list-style-type: none"> ▪ School resource officers
Office of the Attorney General	<ul style="list-style-type: none"> ▪ Staff time and attorneys
Office of Contracting and Procurement	<ul style="list-style-type: none"> ▪ Training and support
Office of the Chief Technology Officer	<ul style="list-style-type: none"> ▪ Citywide messaging ▪ Procurement Automated Support System ▪ PeopleSoft ▪ Data warehouse ▪ Geographic Information System
Department of General Services	<ul style="list-style-type: none"> ▪ School construction and renovation ▪ School maintenance and repairs

The **FINANCE** PROJECT

APPENDIX L: DISTRICT OF COLUMBIA PUBLIC SCHOOLS SYSTEM COSTS FOR BASE AND IDENTIFIED NEEDS WEIGHTS¹

Agency or Office	DCPS System Costs—Base	DCPS System Costs—At Risk	DCPS System Costs—English Language Learners	DCPS System Costs—Special Education
DCPS Resources	Total	Total	Total	Total
Office of Family and Public Engagement	\$1,965,025	\$0	\$0	\$0
Office of the Chief Financial Officer—In Budget	\$3,279,655	\$0	\$0	\$0
Office of Data and Accountability	\$4,766,130	\$0	\$0	\$0
Office of the General Counsel—In Budget	\$5,700,000	\$0	\$0	\$0
Office of Youth Engagement	\$0	\$8,078,332	\$0	\$0
Office of Strategy	\$0	\$4,921,104	\$0	\$0
Office of the Chief of Schools	\$3,369,752	\$1,358,818	\$0	\$0
Office of Teaching and Learning	\$11,367,097	\$1,373,870	\$0	\$0
Office of the Chief of Staff	\$5,182,895	\$1,145,583	\$0	\$0
Office of Human Capital	\$15,187,838	\$0	\$0	\$0
Office of Academic Programming and Support	\$6,848,293	\$0	\$1,120,170	\$0
Office of Special Education ²	\$725,913	\$0	\$0	\$39,811,751
Office of the Chief Operating Officer	\$21,301,898	\$0	\$0	\$0
Food Service Administrative Costs	\$6,817,892	\$0	\$0	\$0
Subtotal	\$86,512,388	\$16,877,707	\$1,120,170	\$39,811,751
Resources from Outside Agencies (to be included in the base cost)	Total			
Office of the Attorney General	\$2,442,000	\$0	\$0	\$0
Office of Procurement	\$2,280	\$0	\$0	\$0
Office of the Chief Technology Officer	\$1,914,110	\$0	\$0	\$0
Subtotal	\$4,358,390	\$0	\$0	\$0
Professional Judgment Panel-Specified System Base Cost	\$90,870,777	\$16,877,707	\$1,120,170	\$39,811,751

Notes:

1 All system cost figures are system-level resources above those identified at the school level, so they may be lower than total budget amounts for these offices.

2 Extended-school year costs were maintained separately from special education system-level costs.

Sources: District of Columbia Public Schools, "Facts and Figures: A Look into the FY 14 DCPS Budget,"

www.dcps.dc.gov; Office of the Chief Financial Officer, "Budget: Fiscal Year 2013," www.cfo.dc.gov (accessed May 2013); and interviews with DC government agency staff.



APPENDIX M: FUNCTIONS AND SERVICES PROVIDED TO PUBLIC CHARTER SCHOOLS

Agency or Office	Function and Services
Public Charter School Board	<ul style="list-style-type: none"> ▪ Application review process ▪ Oversight and support ▪ Active engagement of stakeholders ▪ Evaluation of schools ▪ School accountability
Department of health	<ul style="list-style-type: none"> ▪ Nurses
Department of transportation	<ul style="list-style-type: none"> ▪ Crossing guards
Department of behavioral health	<ul style="list-style-type: none"> ▪ Social workers
Metropolitan police department	<ul style="list-style-type: none"> ▪ School resource officers



Appendix N: Projected Costs for School Year 2013–2017 with Proposed Changes to the Uniform Per Student Funding Formula

Projected Costs for SY 2013–2014 with Proposed Changes to the UPSFF					
	DCPS Student Count	DCPS Funding	Charter School Student Count	Charter School Funding	Total Funding
Base Cost					\$11,628
Operating Costs					
General education	46,059	\$562,554,467	37,410	\$461,058,394	\$1,023,612,861
Special education	7,300	\$125,370,494	4,762	\$76,115,973	\$201,486,467
Special Education Compliance Fund	6,921	\$10,305,369	4,762	\$7,091,127	\$17,396,496
English language learners	4,605	\$29,656,200	2,805	\$18,064,200	\$47,720,400
Extended school year	1,117	\$3,882,624	1,535	\$4,280,035	\$8,162,659
At risk	16,443	\$64,226,604	9,465	\$36,969,235	\$101,195,839
Total UPSFF Nonresidential		\$795,995,758		\$603,578,964	\$1,399,574,722
Total Residential		\$0		\$6,552,993	\$6,552,993
Total UPSFF Instructional Operating Allocation		\$795,995,758		\$610,131,957	\$1,406,127,715

Projected Costs for SY 2014–2015 with Proposed Changes to the UPSFF					
	DCPS Student Count	DCPS Funding	Charter School Student Count	Charter School Funding	Total Funding
Base Cost					\$11,860
Operating Costs					
General education	46,650	\$581,385,030	39,268	\$497,426,442	\$1,078,811,471
Special education	7,373	\$129,155,708	4,999	\$81,498,324	\$210,654,032
Special Education Compliance Fund	6,990	\$10,610,820	4,999	\$7,588,482	\$18,199,302
English language learners	4,651	\$30,552,419	2,889	\$18,977,841	\$49,530,260
Extended school year	1,117	\$3,960,403	1,535	\$4,365,442	\$8,325,845
At risk	16,654	\$66,349,166	9,935	\$39,580,751	\$105,929,917
Total UPSFF Nonresidential				\$649,437,281	\$1,471,450,827
Total Residential		\$0		\$6,683,913	\$6,683,913
Total UPSFF Instructional Operating Allocation		\$822,013,546		\$656,121,194	\$1,478,134,740

Projected Costs for SY 2015–2016 with Proposed Changes to the UPSFF					
	DCPS Student Count	DCPS Funding	Charter School Student Count	Charter School Funding	Total Funding
Base Cost					\$12,098
Operating Costs					
General education	47,115	\$598,941,962	41,220	\$532,580,741	\$1,131,522,703
Special education	7,447	\$133,047,981	5,250	\$87,300,552	\$220,348,533
Special Education Compliance Fund	7,060	\$10,935,940	5,250	\$8,132,250	\$19,068,190
English language learners	4,698	\$31,476,600	2,976	\$19,939,200	\$51,415,800
Extended school year	1,117	\$4,039,591	1,535	\$4,453,045	\$8,492,636
At risk	16,820	\$68,356,704	10,429	\$42,381,829	\$110,738,533
Total UPSFF Nonresidential		\$846,798,778		\$694,787,617	\$1,541,586,395
Total Residential		\$0		\$6,817,323	\$6,817,323
Total UPSFF Instructional Operating Allocation		\$846,798,778		\$701,604,940	\$1,548,403,718

Projected Costs for SY 2016–2017 with Proposed Changes to the UPSFF					
	DCPS Student Count	DCPS Funding	Charter Student Count	Charter Funding	Total Funding
Base Cost					\$12,340
Operating Costs					
General education	47,594	\$617,110,142	43,268	\$570,181,141	\$1,187,291,283
Special education	7,521	\$137,074,943	5,513	\$93,503,495	\$230,578,438
Special Education Compliance Fund	7,130	\$11,265,400	5,513	\$8,710,540	\$19,975,940
English language learners	4,745	\$32,427,330	3,065	\$20,946,888	\$53,374,218
Extended school year	1,117	\$4,120,021	1,535	\$4,541,547	\$8,661,568
At risk	16,991	\$70,427,935	10,947	\$45,374,108	\$115,802,043
Total UPSFF Nonresidential		\$872,425,772		\$743,257,719	\$1,615,683,491
Total Residential		\$0		\$6,953,979	\$6,953,979
Total UPSFF Instructional Operating Allocation		\$872,425,772		\$750,211,698	\$1,622,637,470



Appendix O: Projected Costs for School Year 2013–2017 with No Changes to the Uniform Per Student Funding Formula

Projected Costs for SY 2013–2014 with No Changes to the UPSFF					
	DCPS Student Count	DCPS Funding	Charter School Student Count	Charter School Funding	Total Funding
Base Cost					\$9,306
Operating Costs					
General education	46,060	\$473,172,358	37,410	\$381,736,178	\$854,908,536
Special education	7,300	\$123,520,694	4,762	\$75,011,806	\$198,532,500
Special Education Compliance Fund	6,921	\$10,305,369	4,762	\$7,091,127	\$17,396,496
English language learners	4,605	\$19,285,740	2,805	\$11,746,976	\$31,032,716
Summer school	10,867	\$17,191,594	11,541	\$18,258,244	\$35,449,838
Extended school year	1,117	\$3,882,624	1,535	\$4,280,035	\$8,162,659
Total UPSFF Nonresidential		\$647,358,379		\$498,124,366	\$1,145,482,745
Total Residential		\$0		\$6,552,993	\$6,552,993
Total UPSFF Funding		\$647,358,379		\$504,677,359	\$1,152,035,738

Projected Costs for SY 2014–2015 with No Changes to the UPSFF					
	DCPS Student Count	DCPS Funding	Charter School Student Count	Charter School Funding	Total Funding
Base Cost					\$9,492
Operating Costs					
General education	46,650	\$490,195,496	39,268	\$408,940,502	\$899,135,998
Special education	7,373	\$127,254,541	4,999	\$80,310,046	\$207,564,587
Special Education Compliance Fund	6,990	\$10,610,820	4,999	\$7,588,482	\$18,199,302
English language learners	4,651	\$19,864,421	2,899	\$12,381,629	\$32,246,050
Summer school	11,006	\$17,763,854	12,114	\$19,552,551	\$37,316,405
Extended school year	1,117	\$3,960,403	1,535	\$4,365,442	\$8,325,845
Total UPSFF Nonresidential		\$669,649,535		\$533,138,652	\$1,202,788,187
Total Residential		\$0		\$6,683,913	\$6,683,913
Total UPSFF Funding		\$669,649,535		\$539,822,565	\$1,209,472,100

Projected Costs for SY 2015–2016 with No Changes to the UPSFF					
	DCPS Student Count	DCPS Funding	Charter School Student Count	Charter School Funding	Total Funding
Base Cost					\$9,682
Operating Costs					
General education	47,115	\$504,986,734	41,220	\$437,835,996	\$942,822,730
Special education	7,447	\$131,092,705	5,250	\$86,029,898	\$217,122,603
Special Education Compliance Fund	7,060	\$10,935,940	5,250	\$8,132,250	\$19,068,190
English language learners	4,698	\$20,469,186	2,976	\$12,966,432	\$33,435,618
Summer school	11,116	\$18,296,784	12,716	\$20,931,051	\$39,227,835
Extended school year	1,117	\$4,039,591	1,535	\$4,453,045	\$8,492,636
Total UPSFF Nonresidential		\$689,820,940		\$570,348,673	\$1,260,169,612
Total Residential		\$0		\$6,817,323	\$6,817,323
Total UPSFF Operating Allocation		\$689,820,940		\$577,165,996	\$1,266,986,935

Projected Costs for SY 2016–2017 with No Changes to the UPSFF					
	DCPS Student Count	DCPS Funding	Charter Student Count	Charter Funding	Total Funding
Base Cost					\$9,876
Operating Costs					
General education	47,594	\$520,329,574	43,268	\$468,775,334	\$989,104,908
Special education	7,521	\$135,052,859	5,513	\$92,137,141	\$227,190,000
Special Education Compliance Fund	7,130	\$11,265,400	5,513	\$8,710,540	\$19,975,940
English language learners	4,745	\$21,086,780	3,065	\$13,621,301	\$34,708,081
Summer school	11,229	\$18,853,355	12,716	\$21,350,690	\$40,204,044
Extended school year	1,117	\$4,120,021	1,535	\$4,541,547	\$8,661,568
Total UPSFF Nonresidential		\$710,707,989		\$609,136,553	\$1,319,844,542
Total Residential		\$0		\$6,953,979	\$6,953,979
Total UPSFF Operating Allocation		\$710,707,989		\$616,090,532	\$1,326,798,521



DISTRICT OF COLUMBIA

OFFICE OF THE STATE SUPERINTENDENT OF

EDUCATION

April 12, 2016

Councilmember David Grosso
Chair, Committee on Education
Council of the District of Columbia
1350 Pennsylvania Avenue NW, Suite 402
Washington, DC 20004

Dear Councilmember Grosso,

Please find enclosed the Office of the State Superintendent of Education's (OSSE's) Fiscal Year 2017 Budget Oversight responses and corresponding attachments.

All responses and corresponding attachments are submitted electronically to the Committee.

For your reference, all attachments are listed on the following page with the file name titled according to question number.

If you have any questions, please do not hesitate to contact Bridget Kelly, Special Assistant for Policy, at bridget.kelly@dc.gov or 202-322-1727.

Sincerely,

A handwritten signature in black ink, appearing to read 'Hanseul Kang'.

Hanseul Kang
State Superintendent of Education

Attachments for OSSE FY17 Budget Oversight Responses (9 total attachments):

- Question 2 Attachment – FY17 Budget Crosswalk
- Question 2 Attachment – OSSE Organizational Structure
- Question 3 Attachment – FY16 Budget and Actuals
- Question 4 Attachment – FY17 Budget Crosswalk with Budget
- Question 5 Attachment – FY16 FTE Status
- Question 6 Attachment – Nonpublic FY15 and FY16
- Question 8 Attachment – PCS and DCPS Enrollment Projections
- Question 9 Attachment – FY17 Agency Budget and FTE Spending Plan
- Question 16 Attachment – Healthy Schools and Healthy Tots Financials

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of the State Superintendent of Education**



Responses to Fiscal Year 2017 Budget Oversight Questions

Hanseul Kang
State Superintendent of Education

Submission to

Committee on Education
Chairman David Grosso
Councilmember, At Large

April 12, 2016

Committee on Education
John A. Wilson Building
1350 Pennsylvania Ave. NW, Suite 402
Washington, DC 20004

1. What are the agency's performance goals and targeted outcomes for FY17? How will the proposed FY17 budget serve to achieve those goals?

RESPONSE:

The agency strategic objectives, performance indicators, and targets for the Office of the State Superintendent of Education (OSSE) are as follows:

	Strategic Objectives	Performance Indicators	Target
1	Create and maintain a highly efficient, transparent and responsive District government.	Contracts/Procurement-% of Expendable Budget spent on CBEs	New measure/ benchmark year
		Contracts/Procurement-Contracts lapsed into retroactive status	New measure/ benchmark year
		Budget-Local funds unspent	New measure/ benchmark year
		Budget-Federal Funds returned	New measure/ benchmark year
		Customer Service-Meeting Service Level Agreements	New measure/ benchmark year
		Human Resources-Vacancy Rate	New measure/ benchmark year
		Human Resources-Employee District residency	New measure/ benchmark year
		Human Resources-Employee Onboard Time	New measure/ benchmark year
		Performance Management-Employee Performance Plan Completion	New measure/ benchmark year
2	High quality and actionable data: OSSE will provide high-quality data and analysis that will empower LEAs, CBOs, and providers to meet the needs of all learners and allow education partners to make informed policy decisions.	Percent of user requests via the services portal solved and closed within five days of receipt	92
		Percent of all students graduating from high school in four years	78
		Percent of all students proficient in reading on statewide assessment	30
		Percent of all students proficient in mathematics on statewide assessment	30

	Strategic Objectives	Performance Indicators	Target
3	Quality and equity focus: OSSE will work with our education partners to set high expectations for program quality and align incentives to accelerate achievement for those learners most in need	Amount of Medicaid reimbursement collected	3,000,000
		Percent of DC public and public charter school students completing a post-secondary degree or certificate within six years of college enrollment	35
		Number of affordable infant and toddler slots at Gold tier or Early Head Start child care facilities	7091
		Percent of early childhood and development programs that meet Gold tier quality	65
		Percent of low-performing schools that show overall growth in academic achievement	N/A
		Percent of DC TAG students who graduated from college (A.A. or B.A.) within 6 years of enrollment in DCTAG	52
		Number of adults who receive a GED	400
		4	Responsive & consistent service: OSSE will provide responsive, consistent, and considerate customer service to free up LEAs, CBOs, and providers and allow them to focus on instruction and support for students.
Percent of timely Individuals with Disabilities Act (IDEA) due process hearings	90		
Percent of grant funds reimbursed within 30 days of receipt	90		
Number of A-133 audit findings	5		
Percent of eligible infants and toddlers under IDEA Part C (birth-3) for whom an evaluation and assessment and an initial IFSP meeting were conducted within required time period	100		
Average number of days taken to complete reviews of educator licensure applications	15		
Percent of IEPs reviewed that comply with secondary transition requirements	55		
Percentage of timely completion of state complaint investigations	100		
5	Top notch talent: OSSE will attract, develop, and retain top-notch talent to build a highly effective state education agency that makes a meaningful contribution to DC education.		

OSSE's FY17 budget provides the funding necessary to continue to make progress on the agency's strategic objectives, as stated above.

2. Regarding the agency's organizational structure:

- **Provide the current organizational structure and proposed organizational structure for FY17. Please provide an explanation of any changes; and**
- **Provide crosswalk between organizational structure and the OSSE budget as submitted to the Council.**

RESPONSE:

Please see: Question 2 Attachment – OSSE Organizational Structure
Question 2 Attachment – FY17 Budget Crosswalk

OSSE's current organizational structure is reflected in the attachment, "OSSE Organizational Structure."

The agency restructured the budget for FY17 to better align the budget structure and current organizational structure. This restructuring allows for greater transparency of financial reporting and reduces administrative burden. The "FY17 Budget Crosswalk" crosswalks FY16 Programs and Activities with FY17 Programs and Activities.

For FY16, the Division of Data, Assessment, and Research and the Office of the General Counsel are now separate divisions, with their own program codes (E200)

Organizational changes are now reflected in the budget structure, including:

- OSSE's incorporation of the Division of Specialized Education within the Division of Elementary and Secondary Education to create one blended K-12 team called the Division of Elementary, Secondary, and Specialized Education (ESSE), now E600.
- OSSE shifted the Office of Human Resources from the Office of the Chief Operating Officer Activity (formerly D300) to the Front Office Activity (now E100).
- OSSE's establishment of the Division of Health and Wellness, which includes nutrition-focused programs funded by federal grants (formerly grouped under the Chief Operating Officer), Health Education (formerly part of Elementary, Secondary, and Specialized Education), Athletics (formerly part of Office of the Director), and additional functions and activities including coordination with other government agencies, including the Department of Health and the Department of Behavioral Health, and supporting schools in meeting the overall health and wellness needs of their students, reflected in E500.

Additionally, for the FY17 budget, OSSE created new programs in the Division of Postsecondary and Career Education (now E700) and the Division of Business Operations (now E300; (formerly referred to as the Office of the Chief Operating Officer) to better and more transparently track resource allocation. OSSE also made a technical change, moving the CFSA general education tuition from the program level to the activity level.

- 3. For OSSE, Special Ed Transportation, and Non-Public Tuition, please provide the FY16 budget, approved, revised, and YTD actuals, by source of funds and the lowest PBB structure level (service). In addition, please provide a breakdown of the information by CSG and include associated FTEs.**

RESPONSE:

Please see: Question 3 Attachment – FY16 Budget and Actuals

- 4. Provide a detailed crosswalk between the OSSE FY16 budget and the proposed OSSE FY17 budget. The crosswalk should clearly identify how budget levels have changed for each OSSE function.**

RESPONSE:

Please see: Question 4 Attachment – FY17 Budget Crosswalk With Budget

- 5. In addition to the FTE information requested through the Council budget office, for each vacant position please provide the effective date of the vacancy along with the current status of the position (i.e., recruiting, frozen, open).**

RESPONSE:

Please see: Question 5 Attachment – FY16 FTE Status

6. Provide a narrative explanation of how OSSE developed the proposed FY17 budget for non-public tuition including supporting documentation/analysis. In addition, please provide the following:
- For FY15: The list of all non-public institutions that received funding from non-public tuition, the number of students served by each institution in FY15, amount budgeted per student per institution for FY15, and the actual payments made to date per student to each institution.
 - For FY16: The list of all non-public institutions that received funding from non-public tuition, the number of students served by each institution in FY16, amount budgeted per student per institution for FY16, and the actual payments made per student to each institution.
 - For FY17: The list of all non-public institutions that will likely receive funding from non-public tuition, the proposed number of students served by each institution in FY17, and the proposed amount budgeted per student per institution for FY17.

RESPONSE:

Please see: Question 6 Attachment – Nonpublic FY15 and FY16

In developing the proposed budget for non-public tuition, OSSE provides projected student and administrative level expenditures on an annual basis to OCFO, and the OCFO uses this data and prior years' data to project expenditures. For FY15 and FY16, please see Question 6 Attachment – Nonpublic FY15 and FY16.

With regard to FY17, OSSE payments to non-public institutions will be driven by student placements into those institutions. OSSE anticipates that the institutions listed in FY15 and FY16 will continue to serve DC students, unless the institution's Certificate of Approval status changes, or unless placement changes are made with individual students attending those institutions.

- 7. Provide a narrative explanation of how OSSE developed the enrollment projections used for purposes of FY17 budget development for DCPS and public charter schools including the methodology, supporting documentation/analysis, and any alternative enrollment totals as projected by the Public Charter School Board and/or DCPS.**

RESPONSE:

OSSE, the Office of the Deputy Mayor for Education, and the Office of the Chief Financial Officer (the “projection team”) worked with the District of Columbia Public Schools (DCPS) and the Public Charter School Board (PCSB) – who worked closely with the District’s public charter schools – to develop public school enrollment projections that best estimated the number of students each local education agency (LEA) will have the following school year at the time of the enrollment audit. The enrollment projections estimated the total number of students by school and grade and by special needs categories, *e.g.*, English Language Learner (ELL), Special Education (SPED), and at-risk.

For both sectors, LEAs submit their school/grade and ELL and SPED projections to the projection team in December. The projection team then begins the process of reviewing the school and grade-level submissions, taking the following types of information into consideration: historic enrollment changes; growth plans, including facility changes, program changes, grade changes; how closely the LEA met projections in the past; and historic grade-level attrition rates.

Using this process, the projection team, along with DCPS and PCSB, developed the submitted enrollment projections. (There are no alternative projections by the projection team.) These final and approved enrollment projections are the basis for local LEA budgets via the Uniform per Student Funding Formula (UPSFF).

- 8. Provide your projected enrollment data for each LEA for SY2016-2017 broken down by:**
- a. The total enrollment for all authorized local education agencies by grade;**
 - b. The total enrollment for Alternative;**
 - c. The total enrollment for Special Education Schools;**
 - d. The total enrollment for Special Education 1 through 4;**
 - e. The total enrollment for students designated as at-risk; and**
 - f. The total enrollment for students designated as English Language Learners.**

RESPONSE:

Please see: Question 8 Attachment – PCS and DCPS Enrollment Projections

9. **Provide a narrative explanation of how OSSE developed the proposed FY17 budget for the Division of Early Learning. Please provide the spending plans and FTE allocation for each program under that division, and explain any enhancements or reductions from FY16 spending levels.**

RESPONSE:

Please see: Question 9 Attachment – FY17 Agency Budget and FTE Spending Plan

OSSE's approach to developing the proposed FY17 budget for the Division of Early Learning (DEL) included setting goals, analyzing historical trends and spending patterns, tracking costs and identifying programmatic and operational needs/requirements. The proposed FY17 budget for DEL reflects the priorities of the agency while specifically focusing on OSSE's commitment to equity through expanding access to high-quality early learning for the District of Columbia's youngest residents.

For FY17, the Division of Early Learning has prioritized targeted improvements to the quality of care for infants and toddlers, ensuring the delivery of timely early intervention services, expanding and maintaining high-quality pre-Kindergarten programming across all educational sectors, and implementing the District's enhanced Quality Rating and Improvement System (QRIS).

The Division of Early Learning's program areas include:

- Licensing and Compliance
- Operations and Grants Management
- Early Intervention
- Quality Initiatives
- Policy, Planning, and Research

Enhancements or Reductions from FY16 Spending Levels

DEL will see the following enhancements to the FY17 spending levels:

The proposed budget provides an enhancement of \$3.6M to: (a) Improve the quality of early care and education through strategic investments that enhance the quality of care for our youngest and most vulnerable learners; and (b) meet the requirements of the newly reauthorized Child Care and Development Fund (CCDF) program, specifically by contracting with a third party vendor to conduct background checks for child care providers within the District and developing a consumer-friendly website for sharing of licenses, inspections, complaints, and quality information for all child development facilities in the District.

Additionally, the proposed budget includes a \$2.3M enhancement to the local early intervention budget to assist OSSE in meeting the maintenance of effort (MOE) requirement under the federal Individuals with Disabilities Education Act (IDEA), Part C grant.

There are no reductions from the FY16 budget.

- 10. During the FY15 performance oversight hearings, OSSE indicated that in 2016 you will finalize the Quality Rating Improvement System (QRIS) system, rate a representative sample of programs across all sectors, and prepare for full rollout. Please detail the amount and type of funds budgeted in FY17 to support the implementation of the QRIS, including the FTE allocation.**

RESPONSE:

The enhanced Quality Rating and Improvement System (QRIS) pilot will officially launch on April 12, 2016. In preparation for the official launch of the pilot, OSSE invited a selected group of early care and education providers to attend an orientation on the enhanced QRIS pilot. In addition, OSSE hosted an enhanced QRIS pilot orientation with four DC Public School principals. As a result of these orientations, OSSE has 15 centers and five homes committed and three DCPS public schools tentatively committed to participate in the pilot. The Public Charter School Board (PCSB) Performance Management Framework provides a rating and accountability framework that aligns with the enhanced QRIS framework and OSSE has been actively engaging PCSB in our QRIS discussions.

QRIS Budget Detail

Title	FTE	Proposed FY17 QRIS Budget Amount (Gross Funds)
Program Manager	0.5	63,036
Supervisory Ed Prog Spec (Prof Dev)	0.5	59,140
Management Analyst	0.5	55,077
Director, Quality Initiatives	0.5	75,012
Director, Policy, Planning and Research	0.25	37,332
Education Research Analyst	0.5	20,262
Community Outreach Specialist	0.5	47,158
Total QRIS Personnel Budget Amount	3.25	357,017

Non-Personnel			
Non-Personnel Services	Total Proposed FY17 Local Funding	Total Proposed FY17 Federal Funding	Total Proposed FY17 QRIS Budget Amount (Gross Funds)
Classroom Assessment Scoring System (CLASS)	890,000	-	890,000
Environmental Rating Scale (ERS)	-	300,000	300,000
Quality Incentives	500,000.00		500,000
QRIS Facilitators	-	1,000,000	1,000,000
QRIS Continuous Quality Improvement Database	-	150,000	150,000
Total QRIS NPS Budget Amount	1,390,000	1,450,000	2,840,000

Total FY17 Gross Funds QRIS Budget	3,197,017
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11. One of OSSE's FY17 budget enhancements is \$3.6 million for improved OSSE child care slots. This funding is intended to support the new federal Child Care Development fund legislation that requires states to perform background checks on child care providers; create searchable childcare provider websites listing licenses, inspections, and complaints; and increase the availability for higher quality childcare providers within the District. Please provide a detailed accounting of the planned spending for this initiative, including any associated FTE allocation.

RESPONSE:

FY17 Spending Plan for \$3.6M Enhancement to Improve the Quality of Child Care in the District

Service	Description	Amount
Quality Improvement for Child Development Facilities	Improving the quality of care for our youngest learners through strategic investments that enhance the quality of child care centers to ensure our most vulnerable children have access to high quality care. OSSE will seek input from the Finance and Policy Committee of the State Early Childhood Development Coordinating Council (SECDCC) on the allocation of these funds towards quality improvement efforts.	\$2,600,000
Background Check Contract	Contract with a third party vendor to conduct background checks for child care providers in the District, as mandated by the CCDF 2014 reauthorization. Background checks will be required every three years for existing providers, and upon entry to the subsidy program for new providers	\$800,000
Consumer Friendly Website	Contract with a third party vendor to develop a consumer friendly website, as mandated by CCDF 2014 reauthorization, that will share information about all child development facilities, including its quality rating, results of licensing and inspection visits and any substantiated complaints	\$200,000
Total FY17 Enhancement Spending Plan		\$3,600,000

12. OSSE indicated that in a recent survey of teachers an overwhelming majority expressed interest in professional development regarding trauma-informed classrooms, mental health support, and de-escalation techniques for classroom management. Please provide a breakdown of all proposed FY17 funds dedicated to professional development in this regard.

RESPONSE:

OSSE recognizes the interest on the part of LEAs in such program offerings, and we plan to devote both personnel and non-personnel resources to these types of professional development in FY17. OSSE plans to maintain at least the same level of offerings as FY16, and will be better able to identify specific areas for investment in FY17 after assessing implementation of these services in FY16.

13. Provide a narrative explanation of how OSSE developed the proposed FY17 budget for the Elementary and Secondary Education division. Please provide the spending plans and FTE allocation for each program under that division, and explain any enhancements or reductions from FY16 spending levels.

RESPONSE:

Please see: Question 9 Attachment – FY17 Agency Budget and FTE Spending Plan

OSSE's approach to developing the proposed FY17 budget for the Elementary, Secondary, and Specialized Education division included setting goals, analyzing historical trends and spending patterns, tracking costs and identifying programmatic and operational needs/requirements. The proposed FY17 budget for the Elementary, Secondary, and Specialized Education division reflects the priorities of the agency while specifically ensuring OSSE meets its obligations under the Elementary and Secondary Education Act (ESEA), the Every Student Succeeds Act (ESSA), the Individuals with Disabilities Education Act (IDEA), and other federal and local requirements. With the proposed budget, OSSE is confident that its obligations related to core K-12 work will be met.

Enhancements and Reductions from FY16 Spending Levels

The Division of Elementary, Secondary and Specialized Education will see the following enhancements and reductions to the FY16 spending levels:

Enhancements:

The Early Literacy Grant Program (E603, formerly D601) is renewed for FY17 in the amount \$1,600,000.

Reductions:

Under ESSE, there is a reduction of contractual (object 0409) and professional service (object 0408) budgets, in the amount of \$196,126.

Three vacancies are removed within the Office of Teaching and Learning (E603), representing \$381,548.

Contractual funds are removed for assessment of the impact of the Community School Act (E605), in the amount of \$66,000. A program evaluation is underway in FY16 to inform FY17 grant implementation.

14. Provide a narrative explanation of how OSSE developed the proposed FY17 budget for the Post-Secondary Education and Workforce Readiness division. Please provide the spending plans and FTE allocation for each program under that division, and explain any enhancements or reductions from FY16 spending levels. Additionally, please provide the spending plans and FTE allocation for the Reengagement Center.

RESPONSE:

Please see: Question 9 Attachment – FY17 Agency Budget and FTE Spending Plan

OSSE's approach to developing the proposed FY17 budget for the Division of Postsecondary and Career Education (PCE) included setting goals, analyzing historical trends and spending patterns, tracking costs and identifying programmatic and operational needs/requirements. The Division sought to hold programming constant and make reductions based on efficiencies gained through the introduction of new technologies and based on historical patterns of underspending. The proposed FY17 budget for the Postsecondary and Career Education division reflects the priorities of the agency while specifically ensuring OSSE's commitment to provide high-quality educational services and programs for the students of the District of Columbia.

PCE is organized into nine offices. The proposed FY17 budget was reprogrammed to more accurately describe the division's programmatic activities shifting funds from the Assistant Superintendent's budget to the offices that manage the related programs including the Office of College and Career Readiness (E707), Career Education Development (E708), and the DC ReEngagement Center (E709). With the proposed budget, OSSE is confident that its obligations related to postsecondary and career education will be met.

Enhancements and Reductions from FY16 Spending Levels

The Postsecondary and Career Education Division will see an increase of \$2,926,486 based on the agency's spending plan. Specific enhancements and reductions are described below.

Reductions

- The FY17 proposed budget for the Office of College and Career Readiness (E707) includes the federal College Access Challenge Grant (CACG). The CACG is a federal award that expires in August 2016 and thus will not be available in FY17. Removing the federal grant from FY17 budget constitutes a reduction in the FY17 proposed budget for the Office of College and Career Readiness.

Activities funded under CACG focused on early college programming, college readiness metrics, career exploration, access to academically rigorous coursework, postsecondary entrance exams, and resources and professional development to promote smart college choices. The target population for these services is District of Columbia high school students pursuing postsecondary

education. OSSE is preparing for the grant to end using other local and federal funds targeted for postsecondary education to support programs moving forward.

- The Office of Career Education Development (E708) has experienced a reduction of \$150,000 to the CTE Innovation Fund, including right-sizing the budget for District of Columbia Career Academy Network (DC CAN) academies. These cuts better reflect actual spending. Activity funds are provided to each academy to support academy-related student activities, professional development, and equipment. SY2016-17 projections for 13 existing academies and two additional academies.
- The proposed budget for the Office of GED Testing includes a reduction of \$100,000 in contractual services that reflects efficiencies gained by the computerization of the GED test, as well as the GED Testing Services® assuming responsibility for the registration and notification processes. These changes allow program operations to continue in a more efficient manner.
- 0.34 FTEs (\$60,000) were shifted in funding from Local dollars to DC TAG dollars within the Office of the Assistant Superintendent. Furthermore, 0.40 FTEs (\$50,000) were shifted in funding from Local dollars to O-Type Revenue within the DC Higher Education Licensure Commission.

The DC ReEngagement Center

The DC ReEngagement Center is an office within the Division. Please reference the Postsecondary and Career Education Division spending plans and FTE allocations for information regarding the DC ReEngagement Center.

15. Provide a narrative explanation of how OSSE developed the proposed FY17 budget for the new Division of Data, Assessments, and Research. Please provide the spending plans and FTE allocation for each program under that division and describe how these investments aligns with OSSE's strategic plan and efforts to improve student privacy protections and access to actionable data.

RESPONSE:

Please see: Question 9 Attachment – FY17 Agency Budget and FTE Spending Plan

OSSE's approach to developing the proposed FY17 budget for the Division of Data, Assessment, and Research included setting goals, analyzing historical trends and spending patterns, tracking costs and identifying programmatic and operational needs/requirements. The proposed FY17 budget for the division reflects the priorities of the agency while specifically ensuring OSSE is able to meet its strategic priority of providing high-quality, actionable data to our partners and ensuring safeguards are in place to support student privacy.

In developing the proposed FY17 budget for the agency, emphasis was placed on supporting the Division of Data, Assessment, and Research, resulting in an enhancement and a capital project for data system maintenance, development, and redesign. These investments will enable us to continue to deepen our focus on data privacy and security as we scale and improve our data systems to meet the growing data-related needs of the District's education landscape.

OSSE has been allocated \$11.9M in capital funds. These funds will support data infrastructure development, to build out a top-caliber network of data systems for collection, reporting, and analysis functions that comprehensively addresses OSSE's scope, from early childhood through adult education.

Furthermore, an enhancement request of \$1.1M has been approved for FY17. Those funds would support 10 new FTEs who would provide critical operational support needed to effectively leverage new infrastructure investments. Through this investment, OSSE would ensure system coherence, consistency of data processing as data systems are integrated to allow for increased availability of actionable data, and implementation of appropriate protections for student information.

With these additional resources, OSSE intends to overhaul and augment our entire data system infrastructure, in the process better connecting the various data elements the agency collects and reducing burden on external users and consumers of OSSE's data, as well as internal staff.

With the proposed budget, OSSE is confident that its obligations related to data and assessments work will be met.

16. With regard to the Healthy Tots and the Healthy Schools Program, please provide the following:

- a. The FY16 budget for both programs and any expenditures to date (by source);**
- b. The proposed FY17 budget for both programs (by source); and**
- c. A detailed explanation of proposed funding or programmatic changes for FY17.**

RESPONSE:

- a. The FY16 budget for both programs and any expenditures to date (by source);**

Please see: Question 16 Attachment – Healthy Schools and Healthy Tots Financials

- b. The proposed FY17 budget for both programs (by source); and**

Please see: Question 16 Attachment – Healthy Schools and Healthy Tots Financials

- c. A detailed explanation of proposed funding or programmatic changes for FY17.**

For FY17, between the Healthy Schools Fund (dedicated taxes) and local appropriations, OSSE will have at least \$8.3M (\$7.3M in Dedicated Taxes and \$1.0M in Local operating funds) to cover Healthy Schools and Healthy Tots activities:

Healthy Schools Act Funding

The Healthy Schools Fund is expected to carry over at least \$3.7M from FY15 into FY16. Given that, the FY16 Healthy Schools budget at OSSE is expected to be \$8.0M, based on the \$4.3M annual appropriation from the Healthy Schools Fund and \$3.7M in FY15 carryover. For FY17, the Healthy Schools budget is expected to be \$7.3M, based on the \$4.3M annual appropriation from the Healthy Schools Fund for FY17 and at least \$3.0M in projected carryover from FY16.

Healthy Tots Act Funding

In FY16, OSSE received an approximate \$3.0M local appropriation under pass-through funds (CSG0050) to cover Healthy Tots activities. Healthy Tots actual expenditures are expected to be \$400,000 in FY16, leaving OSSE with a projected surplus of at least \$2.6M. As a result, the FY17 proposed budget reflects a local appropriation of approximately \$1.0M to cover the expected expenditures for Healthy Tots activities.

- 17. With regard to OSSE-DOT, provide the timeline and FY17 spend plan associated with the relocation of the New York Avenue bus terminal to the W Street location.**

RESPONSE:

OSSE's Division of Transportation (DOT) currently has four terminal locations. One of these locations, at New York Avenue, has a lease that ends in 2018. We have been working with the Department of General Services (DGS) to purchase a new terminal location on W street. Initial planning efforts are currently on track and we expect to complete the purchase during FY16. OSSE looks forward to providing further details as the project progresses.

18. Please describe any other programmatic expansions, mayoral initiatives or anticipated reductions for FY17. Please provide a breakdown by program and provide a detailed description, including FY17 spending plans, the target population to be served, and the name and title of the OSSE employees responsible for the initiative.

RESPONSE:

The following table describes all programmatic expansions, mayoral initiatives or anticipated reductions for FY17:

Reductions

FY17 Programmatic Activity	Amount	FTE	Description of Budget Reduction
CFSA General Education Tuition	\$132,742	0.0	Right-sizing of general education tuition budget based on actual expenditures for wards of the state with 504 plans.
Division of Health and Wellness - Office of Health and Wellness	\$2,000,000	0.0	Right-sizing of Healthy Tots Act allocation based on current meal reimbursement levels.
Division of Health and Wellness - Office of Health and Wellness	\$20,000	0.0	Right-sizing of discretionary meal subsidies to local educational agencies, still meeting Federal maintenance of effort (MOE) requirement.
Division of Elementary, Secondary, and Specialized Education - Office of the Assistant Superintendent	\$196,126	0.0	Right-sizing of contractual (object 0409) and professional service (object 0408) budgets under the Office of Assistant Superintendent of Elementary & Secondary Education.
Division of Elementary, Secondary, and Specialized Education - Office of Teaching and Learning	\$381,548	3.0	Removal of agency vacancies within the Office of Teaching & Learning.
Division of Elementary, Secondary, and Specialized Education - Office of Special Programs	\$66,000	0.0	Removal of funds for contractual assessment of impact of Community Schools Act; assessment being conducted in FY16.
Division of Post-secondary and Career Education - Office of the Assistant Superintendent	\$50,000	0.0	Right-sizing of professional services budget under the Office of the Assistance Superintendent of Postsecondary & Career Education.
Division of Post-secondary and Career Education - Office of the Assistant Superintendent	\$60,000	0.3	Movement of 0.34 FTEs from Local to Federal Payment (DC TAG) funding.
Division of Post-secondary and Career Education - Office of College and Career Readiness	\$50,000	0.0	Reduction to funding for agency's C3 Ready Summer Initiative grant program.

FY17 Programmatic Activity	Amount	FTE	Description of Budget Reduction
Division of Post-secondary and Career Education - Office of GED Testing	\$100,000	0.0	Right-sizing of professional services budget for hiring certified proctors for GED examinations in the District based on efficiencies gained by computerization and demand for test-taking.
Division of Post-secondary and Career Education - DC Education Licensure Commission	\$50,000	0.4	Movement of 0.40 FTEs from Local to O-Type Revenue funding within the Office of the Education Licensure Commission.
Division of Post-secondary and Career Education - Office of Career Education Development	\$150,000	0.0	Right-sizing of agency's CTE Innovation Fund, which covers sub-grants to eligible local educational agencies (LEAs), postsecondary institutions, and other non-profit organizations for DC Career Academy Networks,
\$3,256,416		3.7	

Enhancements

FY17 Programmatic Activity	Amount	FTE	Description of Budget Enhancement
Division of Data, Assessment, and Research - Office of Longitudinal Data Systems	\$1,100,000	10.0	Additional FTEs to support OSSE data system development.
Division of Elementary, Secondary, and Specialized Education - Office of Teaching and Learning	\$1,600,000	0.0	Early Literacy Grant Program being renewed for FY2017.
Division of Early Learning - Office of Licensing and Compliance	\$3,600,000	0.0	Enhancement to address additional costs from the Federal Child Care and Development Fund Law (website & background checks), to expand access to quality care (at least partially by increasing the number of slots at Gold centers), to make strategic investments in improving the quality of Bronze and Silvers centers through shared services models, and to increase public transparency and information available to families on childcare providers through development of an OSSE website.
Division of Early Learning - Office of Early Intervention	\$2,300,000	0.0	Enhancement to the Local infant and toddler services budget to assist OSSE in meeting its maintenance of effort (MOE) requirement for the Federal IDEA, Part C grant.
\$8,600,000		10.0	



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District of Columbia School Finance Primer

By Soumya Bhat

Public education from pre-k through grade 12 in the District of Columbia is offered through two systems: DC Public Schools (DCPS) and DC Public Charter Schools (DCPCS). Both receive basic funding based on student enrollment, but the systems differ in how money flows to individual schools and how much autonomy each school has in spending decisions. All schools receive funding to operate during the school year and summer, including resources for teachers, principals, supplies and utilities. The two school systems also get funding for capital construction – which includes both major renovations and new construction. This funding comes from a mixture of sources, including local DC government, federal government, and private sources.

This guide is designed to help residents, parents, and even elected officials understand how DC schools are funded. The way money is allocated to schools can be difficult to understand and navigate, making it challenging for anyone interested to try to get involved. This primer is designed to answer the following questions:

- How are the total budgets for DCPS and DC public charter schools set?
- How does DCPS allocate funds down to local schools?
- How do individual schools make spending decisions?
- How are school facilities funded?

This primer to school financing uses budget numbers for the 2013-2014 school year for DCPS and DCPCS. Throughout the guide, there are suggestions for parents and other stakeholders looking to better understand how they can influence the school funding process during various stages of the budget cycle.

Background: What DC Agencies Are Involved in School Finance?

The Office of the Deputy Mayor for Education coordinates and implements the mayor's vision for education, including the activities of the Office of the State Superintendent for Education (OSSE) and DC Public Schools (DCPS). The DC Public Charter School Board (PCSB) is appointed by the mayor, and it is charged with approving and overseeing the city's public charter schools. The entities with major roles in financing DC public schools are:

- **Office of the State Superintendent of Education:** Formerly known as the State Education Office, OSSE receives federal funding from the U.S. Department of Education that it then distributes to DCPS and charter schools. OSSE also manages the non-public placements and transportation of special education students¹ as well as loan guarantees and other financing for charter schools.
- **Department of General Services:** This agency manages capital construction projects across DC government, including school construction. DGS also manages DCPS school maintenance and repairs, such as basic up-keep of buildings and school grounds.
- **District of Columbia Public Schools:** DCPS operates over 100 traditional public schools serving roughly 45,000 students. DCPS is the “school system of right,” meaning all students in DC have a right to attend a DCPS school and the system must serve all eligible students who seek admission. DCPS is considered a Local Education Agency (LEA) under federal guidelines, and allocates funding to individual schools within the DCPS system through its central office.
- **Public Charter School Board:** The DC Public Charter School Board is currently the sole authorizer of the city’s public charter schools, so entities wishing to open a public charter school must be approved by PCSB. PCSB evaluates charter schools for academic achievement, compliance with laws and their charters, and fiscal management. It offers technical assistance and can revoke the charter of underperforming schools.
- **Public Charter Schools:** Charter schools are funded publicly but operated independently, without oversight from DC Public Schools. Charter school leaders are given broad autonomy over all aspects of their educational program, staff, faculty, and school budget, but are expected to meet certain goals outlined in their charter’s accountability plan. Public charter schools are open to all DC students, and charter schools that have more demand than spaces must fill the school largely using a random lottery. Each charter school operator – which may manage one school or multiple schools within a campus – is a non-profit corporation and is considered a Local Education Agency (LEA) under federal guidelines.
- **District of Columbia Retirement Board:** Teacher pension plans for all DCPS staff with educational certification is funded through the DC Retirement Board’s Teachers’ Retirement System and not within the DCPS budget. DCPS teachers’ pay into the system in two tiers², with DC government covering the rest of the funding that is needed each year to keep the fund actuarially sound. For fiscal year 2014, the Teachers’ Retirement System was allocated \$31.6 million. DC charter schools that offer private pension plans must use their school formula funding allocation to pay for employee retirement.

¹ Students eligible for special education services can petition to be placed in a private school setting if their public school setting does not adequately meet their needs, as required by law. The city pays for the tuition costs of these non-public placements.

² If hired before October of 1997, teachers made a 7 percent contribution (fixed amount); currently, it is an 8 percent employee contribution (fixed amount).

Where Do DC Schools Get Funds to Operate?

Public education in the District is funded through a number of revenue sources, including local, federal, and private funding streams.

The Main Source: Local Funds through the Uniform Per Student Funding Formula (UPSFF)

All publicly-funded DC schools get most of their resources from local funds, with the amount determined by the Uniform Per Student Funding Formula (UPSFF) and enrollment levels.³ This formula is used to set the total local funding allocated to DC Public Schools and to each public charter school LEA, which can be an individual school or a cluster of schools if the charter school has more than one campus. In fiscal year (FY) 2014, some \$1.3 billion in local dollars were allocated through the UPSFF to DCPS and public charter schools.

The UPSFF starts with a **foundation level** intended to reflect the per-student amount needed to provide general education services. The foundation level for school year 2013-14 is \$9,306 per student, with adjustments for students in different grade levels.⁴ The UPSFF allocation for a three-year old pre-kindergarten student, for example, is 34 percent above the base foundation, or \$12,470 in school year (SY) 2013-14.⁵ This reflects the smaller class sizes and aides used at the early childhood level. The UPSFF does not include funding for school construction, which will be discussed later on in this guide.

The UPSFF has **supplemental weights** to reflect the added costs of serving students in special education and English language learners, and there is a separate UPSFF level for summer school instruction. For both DCPS and DCPCS, the total local funding they receive is based on the UPSFF amounts multiplied by the number of students at different grade levels, and in various special needs categories. See below for a few examples of additional funding on a per student basis for the 2013-14 school year:

- English language learner students are funded an additional \$4,188 per pupil
- Students with special education needs are funded on a range from \$5,398 to \$28,849 depending on the level of services required
- Summer school students are funded an additional \$1,582 per pupil⁶

³ Student enrollment projections for DCPS are released in the spring for the following school year. They are developed based on an analysis of enrollment figures in the past five years as well as other factors, such as school closures and population growth estimates.

⁴ For FY 2014, the UPSFF foundation level was increased by two percent, from \$9,124 to \$9,306 per student.

⁵ Fiscal Year 2013 Budget Support Act of 2012. Subtitle (IV)(A) – Funding for Public Schools and Public Charter Schools Amendment Act of 2012.
http://app.cfo.dc.gov/services/fiscal_impact/pdf/spring09/Fiscal%20Year%202013%20Budget%20Support%20Act%20of%202012.pdf

⁶ This funding amount is only if the LEA offers six full weeks of summer school; if the term is less, the amount is pro-rated.

Table 1				
FY 2014 Per Pupil Funding Allocation for DC Public Schools and Public Charter Schools - UPSFF and Local Funds Appropriation for General Education				
Foundation Level Per Pupil: \$9,306				
General Education*	Weighting Factor	FY 2014 Budgeted Enrollment – Both Sectors	FY 2014 Per Pupil Allocation (Rounded)	FY 2014 Total Budget (in millions) – Both Sectors
Pre-K 3	1.34	5,307	\$12,470	\$66.2
Pre-K 4	1.30	6,916	\$12,098	\$83.7
Kindergarten	1.30	7,302	\$12,098	\$88.3
Grades 1-3	1.00	18,135	\$9,306	\$168.8
Grades 4-5	1.00	9,474	\$9,306	\$88.2
Grades 6-8	1.03	13,298	\$9,585	\$127.5
Grades 9-12	1.16	15,633	\$10,795	\$168.8
Alternative	1.17	718	\$10,888	\$7.8
Special Ed Schools	1.17	429	\$10,888	\$4.7
Adult	0.75	4,321	\$6,980	\$30.2
<i>Subtotal for General Education</i>		83,470		\$834 million

*General Education excludes funding for English Language Learners, Summer School, Special Education Residential and Add-Ons, Special Education Compliance, and Facilities Allowance.

Source: FY 2014 Proposed Budget, p. D-22, D-59, D-60.
http://cfo.dc.gov/sites/default/files/dc/sites/ocfo/publication/attachments/DCOCFO_Volume_3_Final.pdf

The local funding weights for general education students can be found in **Table 1** and a full listing of how much additional money schools receive per student for FY 2014 is shown in **Appendix 1**.

How is the Per Pupil Funding Level Set?

The weighted allocations for the Uniform Per Student Funding Formula have stayed largely the same from year to year, while the base foundation level is changed each year in the District's budget process. In the early and mid-2000s, the UPSFF base was adjusted regularly based on an analysis of changes in the needs for and costs of educational services. In recent years, the mayor and DC Council have set the UPSFF amount without such analysis. Adjustments for inflation or other factors have been made in some years, but not all. See how the UPSFF base level has changed in recent years below.

In 2012, the Deputy Mayor for Education commissioned a study of the adequacy of education funding in the District, based on a recommendation of the Public Education Finance Reform Commission.⁷ The "adequacy study," which is expected to be completed and submitted to the

⁷ The Public Education Finance Reform Commission was tasked with studying, reporting on and recommending revisions to the Uniform Per Student Funding Formula with regard to improvements in equity, adequacy, affordability and transparency in 2012. One of their key recommendations was to produce an adequacy study to be completed in 2013. To access the Commission's report, see:

<http://dme.dc.gov/DC/DME/Programs/Equity%20and%20Recommendations%20Report-FINAL.pdf>.

Deputy Mayor for Education in September 2013, will make recommendations for changing the UPSFF, including the weights by age and special needs category.⁸

School Year	Fiscal Year	UPSFF Foundation Level Per Pupil	Annual Percent Change in Foundation Level	Annual Percent Change, Adjusted for FY 2014 Inflation
2005-2006	2006	\$7,307	N/A	N/A
2006-2007	2007	\$8,002	9.5%	7.0%
2007-2008	2008	\$8,322	4.0%	-0.4%
2008-2009	2009	\$8,770	5.4%	5.7%
2009-2010	2010	\$8,770	0.0%	-1.7%
2010-2011	2011	\$8,945	2.0%	-0.6%
2011-2012	2012	\$8,945	0.0%	-2.4%
2012-2013	2013	\$9,124	2.0%	0.3%
2013-2014	2014	\$9,306	2.0%	0.3%

What School Functions Are Paid By Other DC Agencies Outside the Uniform Per Student Funding Formula?

Certain functions needed by schools are not covered by the local resources of the Uniform Per Student Funding Formula, but from other District agencies. For example, school police officers and nurses are staffed by the departments responsible for those functions across the city. See below for other examples of services not provided within the school funding formula.

- Some legal services, including those stemming from a special education lawsuit or claim, are provided to DCPS by the Office of Attorney General (OAG)
- Construction of DCPS school facilities (not for public charter schools) is provided by the Department of General Services (DGS)
- School resource officers are funded by Metropolitan Police Department (MPD)
- School nurses and mental health professionals are placed in schools by the Department of Health (DOH) and Behavioral Health (DBH)
- Crossing guards are provided by the Department of Transportation.

⁸ For more information on the DC education adequacy study, see: <http://www.financeproject.org/publications/SummaryDCEducationAdequacyStudy.pdf>.

Other Local Funds to Support Pre-K-12 Education in DC

DCPS also gets local funding support from the Department of General Services (DGS) for maintenance of school facilities. Maintenance services include functions such as maintaining cooling and heating systems, roof repair, plumbing repair, and other work to keep school buildings safe and stable environments for students.

Federal Funds

DC receives a variety of federal funding streams to support its public education system. Most federal resources pass from the U.S. Department of Education through OSSE and then are allocated to DCPS and DCPCS.⁹ For both sectors, OSSE distributes federal funds to LEAs, which then, if they have multiple campuses (e.g. DCPS), are responsible for disbursing funds to individual schools/campuses. In the case of DCPS, the central office allocates the funding to individual schools, while public charter schools with multiple campuses would distribute the funding at the campus level. Each funding stream has a different set of restrictions and guidelines that schools must follow to be in compliance with federal rules and continue to receive those funds. For example, Title I grants are used to help schools with concentrations of low-income students close the achievement gap, IDEA grants are for serving students with disabilities, and Race to the Top funds are for various innovative strategies to turn around low-achieving schools, such as professional development, new standards, teacher recruitment, or data systems. More explanation of these grants appears in an accompanying text box.

Private Funds

DCPS and DCPCS also look for private funding to boost their budgets from year-to-year. For example, the DC Public Education Fund is a non-profit organization that connects DCPS with the philanthropic community. They help DCPS to raise private resources to support specific projects, such as teacher professional development or STEM programs. In the past, DCPS secured resources from private foundations to support IMPACT, the evaluation system that offers performance-based bonuses to teachers and school-based staff, but these are now funded through the UPSFF. Individual charter schools also do fundraising of their own. Many parent associations and other groups raise funds for specific purposes, such as additional staff positions, extracurricular activities, teacher grants, equipment and supplies, social events, and communications. Some schools ask parents to pitch in a set amount per year to allow the tuition-free school to continue to offer select services, such as afterschool programs or other activities. There are no specific DCPS or PCSB restrictions regarding what a parent association may raise funds for, as long as they are aligned with their own by-laws and the school's educational mission.

How Does Each DCPS School Get its Funding and Set its Budget?

DCPS schools use operating funding for teachers, principals, supplies, and other functions during the school year and summer. See below for the steps involved for an individual DCPS school to

⁹ DCPS receives Head Start, the three-sector federal payment, Impact Aid, and a few other small grants directly from the federal government.

receive its operating budget. Capital funding used for school renovation and construction is discussed later in this guide.

What Are Some of the Major Federal Funding Sources for DC Schools?

Title I, Part A (also known as Title I) are formula grants from the U.S. Department of Education awarded to schools to help even the playing field for disadvantaged students. The purpose of the funding is to raise achievement levels in schools serving large numbers of low-income students. Schools may receive Title I dollars for school-wide services or for specific student population services. If more than 40 percent of a local educational agency's students are from low-income families, they may blend Title I funds with other funding sources to improve their school-wide programs. The amount of funding received by each school district or charter school (LEA) is based on the number of students who are eligible for Free and Reduced Meals. DCPS received \$27 million in Title I funding in the fiscal year 2013 budget, which went to support various services and activities across the school system.

Individuals with Disabilities Education Act (IDEA) grants are meant to assist LEAs in providing a free and appropriate education for children and youth with disabilities. These funds flow from the U.S. Department of Education to OSSE, and are then distributed to DCPS and public charter school LEAs based on enrollment for eligible students. The December "Child Count" data is used to measure enrollment. IDEA grants can be used for teachers, related services, curriculum, assistive technology such as tablets, computers, or communication devices, contracts for services, and professional development to help meet a special education student's identified needs.^a

Race to the Top (RTTT) funding is a federal grant program that LEAs can apply for through a competitive application process operated by the U.S. Department of Education. After funding is awarded to successful applicants, OSSE serves as the pass-through and monitoring agency that allocates the funding to DCPS or public charter school LEA grantees. These funds must be used for the purposes outlined in the LEA's application — for professional development or teacher training and recruitment, for example — with regular reporting requirements to OSSE to make sure they are in compliance with federal restrictions on the funding source. OSSE may also make visits to LEAs to provide technical assistance to improve quality of programming in addition to ensuring fiscal compliance for the grant. The District is approaching its final year of RTTT funding and will need to spend all its RTTT funding by September 2014. DCPS has received about \$36 million in federal RTTT funds in four-year formula grants, while public charter school LEAs have received \$42 million in four-year formula grants and \$19 million in competitive grants. Individual LEAs used RTTT funds in various ways — some assigned a lead data person at their school, built a teacher evaluation system, planned for transition to the Common Core State Standard, or supported persistently lowest performing schools with supports and interventions for "school turnaround" purposes.

^a If they are not equipped to handle the unique needs of a child with developmental disabilities or delays, OSSE will work with the child's family to place them into another school, public or private, that can meet their needs at no additional cost to the family. This is the reason there is a separate funding mechanism under OSSE for the non-public placements of special needs students who face this situation. In the event of non-public placement, the money always follows the student and the LEA (both DCPS and charters) is legally bound to continue monitoring the child.

STEP 1: Overall DCPS System Budget. The funding received by an individual school is first affected by the funding allocation to the whole DCPS system. As noted earlier, this system-wide figure is determined by multiplying the number of students projected to enroll in DCPS by the Uniform Per Student Funding Formula for the school year. The enrollment projections for each school year are made by OSSE and DCPS in the prior spring.

STEP 2: DCPS Allocation among Major Categories. DCPS then has the flexibility to allocate funding across their schools and administrative functions and tends to do so in three broad ways: central office, school support, and direct school funding. See **Table 3** below for examples of what falls under each category, as defined by DCPS, along with estimates of what is spent in each funding category. Note, however, that how DCPS expenses are currently categorized is subject to interpretation. If there is a movement to define the amount devoted to DCPS central operations versus direct school expenses, a common definition will need to be established.

How to Influence School Funding

Since the Uniform Per Student Funding Formula (UPSFF) amount depends on the foundation level for local funding for both DCPS and DC public charter schools, advocating on the size of the UPSFF is key to getting enough local funding at the school level. The UPSFF was created with the assumption that it would be adjusted on a regular basis. Since 2008, however, adjustments to the UPSFF were driven mainly by citywide budget pressures, not by analysis of the changes in the costs of education.

There are short-term and long-term options of influencing this key part of the school finance process. UPSFF changes may be possible in 2014 after completion of an “adequacy study” that currently is being conducted. The study will look at how much it costs to provide an adequate public education in DC, and whether or not the city is spending the right amount per student. The final report is expected to be delivered to the Deputy Mayor for Education in September 2013.

The adequacy study will make recommendations for changes, but any actual changes to the school funding formula will have to be adopted by the mayor and DC Council. To help make the case, DC residents should understand how the UPSFF works and clearly communicate the need for any changes they want to see become reality in the 2014-15 school year. Stakeholders can advocate with the mayor and DC Council each year over the funding levels set in the UPSFF.

STEP 3: DCPS Allocations to Individual Schools. The funding allocated to each individual school is based on guidelines set by the chancellor each year and are tied largely to a school’s enrollment and student composition. Each year, these guidelines are released by DCPS in a [Budget Guide](#) which outlines the assumptions made and how individual school budgets were created. Along with the guide, the [initial school budget allocations](#) are released to school superintendents and principals. The budget guide and individual school allocations for the 2013-2014 school year were released in March 2013.

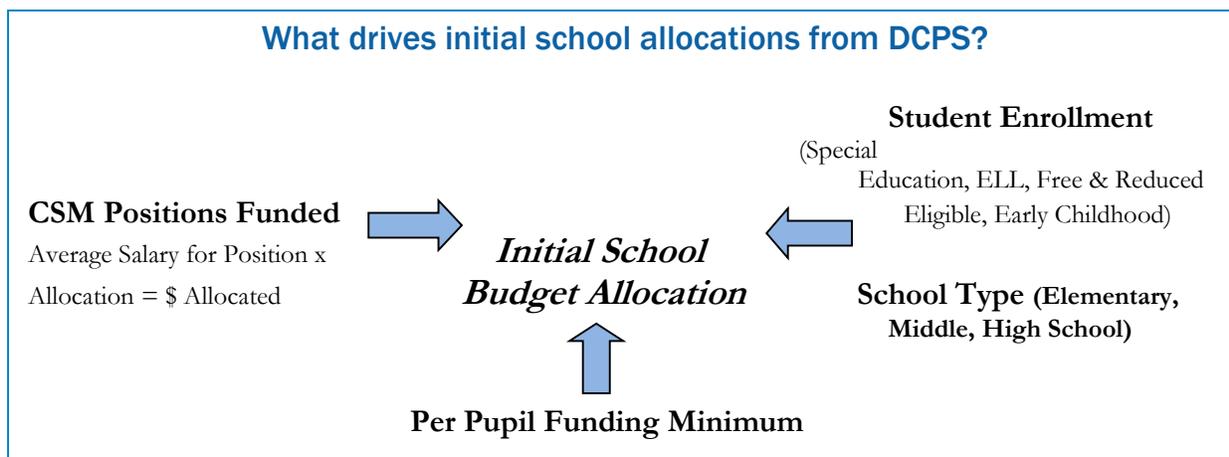
The guidelines for directing funding to schools are affected by a number of factors, including requirements in collective bargaining agreements for class size maximums and teacher salary levels, as well as legal mandates to serve students with special and language needs. Nevertheless, the

Chancellor has great flexibility in deciding how to allocate funds to schools, and this can change from year to year.

Table 3			
DCPS Funding Categories and Amounts for FY 2014			
Funding Category	Description	Examples	Funding Amount in 2013-2014 School Year
Central Operations	This category reflects management oversight and governance for DCPS.	Office of the Chief Financial Officer (accounting, budget operations), Office of the Chancellor, Human Resources, Contracting and Procurement, Local Grant Administration, Attorney Fees, Communications, Labor Management and Partnerships, Family and Public Engagement	\$33 million
School Support	These are services that are managed centrally but provided at the school level.	Food Services, Security, Office of Youth Engagement, Master Educators, School Transformation, Office of Special Education, Student Data Systems, Curriculum Development, Student Attendance	\$138 million
Direct School Operations	These are funds that go directly to schools and that are managed by the principal with input from the Local School Advisory Team. The direct school funding pays for most staff, services, and materials in schools.	Teachers, Principals, School Administrative Staff, Athletics, Textbook, Transportation, Proving What's Possible Grants, Impact Bonuses, Related Service Providers, Fixed Costs (gas, electricity, water, telephone, rent), School Operation Support, After School Program, Evening Credit Recovery, Summer School Programs, Vocational Education, School Social and Psychological Services, Special Education Instruction, Special Education Capacity Building, ESL/Bilingual Education, Early Childhood Education	\$646 million

Source: DC Public Schools. Facts and Figures: A Look into the FY 14 DCPS Budget, April 2013.

The major driver currently used by DCPS is the [Comprehensive Staffing Model \(CSM\)](#).



The Comprehensive Staffing Model establishes what positions each school should have (teachers, principals, librarians, etc.) and sets staff-student ratios for each position to calculate the number of staff and the funding each school needs to support those positions. For example, in the 2013-14 school year, schools will receive:

- \$30,974 for every 15 pre-school/pre-kindergarten students to cover the costs of one early childhood educational aide;
- \$96,670 for every 24 high school students to cover the costs of one general education teacher;
- \$45,337 to cover the costs of one custodian position; the number of custodians a school is allocated is usually based on student square footage, with some exceptions; if the school enrollment multiplied by 150 square feet is less than 40,000, two custodian positions are allocated.

Finally, the allocations to schools have been governed in recent years by a separate **per-student minimum funding level**. If a school's total funding falls below the per-student floor – \$8,739 for 2013-14 – the school's budget is adjusted upward to meet the minimum. Note that this total funding level includes federal and local funding spent on special education, English language learners, and Title I, which means that any school with a substantial poverty rate or large number of special needs students is unlikely to fall below this minimum level and get a funding increase.

The allocations to local schools are divided into **required** positions and **flexible**-staffing positions. For example, each elementary school and education campus is required in 2013-14 to staff an art, music, physical education, and world language teacher with their allocations. (Note that all special education and English language learner staff are required.) These are “required” positions the school must fill, with part- or full-time staff depending on the school's size. Funds allocated for “flexible” staff positions may be rearranged in a number of ways to reflect the school's priorities. For example, small schools that do not meet minimum size thresholds (400 students = large school in FY 2014) receive fewer staff positions than large schools. As a result, some schools may choose

to use their “flexible” or non-required staffing allocations to meet their staffing needs.¹⁰ (DCPS notes that school leaders also can petition to redirect funding for a “required” position, but it needs to provide special justification for doing so.)

Why Don't DCPS School Allocations Match the UPSFF Per-Pupil Amount?

It is important to note that the per-pupil amount allocated to individual schools is different from the Uniform Per Student Funding Formula foundation level amount. For FY 2014, for example, the UPSFF foundation was \$9,306 per student, but the DCPS per-pupil funding minimum was set at \$8,739 per student. The reason for this difference is the UPSFF, which comes out first with the mayor's budget, is used to fund DCPS as a whole system, and DCPS then uses those funds to support central administrative and school support costs, in addition to funding local schools. DCPS also has the right to allocate all UPSFF funding in proportions that are different from those in the UPSFF.

STEP 4: Schools Make Decisions. Added together, these amounts set a school's budget. Once DCPS has developed the proposed budget allocation for a school, the principal and other school leaders can decide how to spend those funds, with some restrictions.

- **Required Positions:** As noted, the required positions are expected to be filled at all schools. However, if a school leader looks at their allocations and enrollment figures and determines they do not need all the positions required by DCPS, they can seek to opt out of some of the required staffing requirements through a petition process.
- **Flexible Positions:** Schools can use the funds they get for flexible positions to support those positions or for other purposes.

At this point in the process, each school principal is responsible for making critical decisions regarding their school's budget and engaging the Local School Advisory Team (LSAT) in the process. Every DCPS school has an LSAT, a group of elected and appointed members from the school, plus one community member, to advise the principal. The turnaround time before final budgets are to be submitted to DCPS is usually short – around one week.

The school principal reviews the initial school allocation provided by DCPS and identifies what positions they need to fund that year based on student enrollment, school's goals, and other factors, keeping in mind the list of required positions in the Budget Guide. They may submit petitions for any positions they do not feel are required, or apply to share a position with another school. Principals often use this time to troubleshoot as well, if they believe that the initial budget offered by DCPS does not fully reflect the school's needs. Principals consult with the LSAT to make these budget decisions before submitting the final budget to the Chancellor's office. After the final

¹⁰ The CSM funding is based on average salary, and when schools decide on staffing, the cost out of their budget is based on average salary even if they have staff with below or above average salaries, usually based on education and experience levels. This means schools with experienced staff are not constrained and schools are not encouraged to hire more staff by hiring less experienced staff with below-average salaries. This also means that the actual expenditures of a school in any given year will not match the amount allocated to the school in the budget process, since most school's staff will have salaries that differ from the average. The costs factored into average salary are associated with the Washington Teachers' Union contract.

budget has been submitted and approved by the central office by late March, each school's principal can share it with the community.

While schools are given flexibility over how to spend their dollars, they are still required to serve all enrolled students and meet minimum staffing requirements set by DCPS and its bargaining agreements with teachers and other staff.

Table 4 on page 13 shows how an individual school (Aiton ES, Ward 7) made their spending decisions from their initial budget allocation.

How much of DCPS Funding Goes Toward School Support Functions?

Some DCPS services delivered at the school level are not budgeted by the school, but may be managed centrally by the school system. For example, the "school support" category described earlier includes staff, services and materials that are controlled by DCPS Central Office, not individual school leaders. So, activities like Master Educators, security, and food services are driven by Central Office. Note that the types of services that fall under each of the spending categories (direct school, school support, and central operations) and what goes into the average teacher salary figure are determined by DCPS and often change from year to year. You can see what services are included in this category for 2013-2014 school year in **Table 3** on page 9.

What is Included in the Average Teacher's Salary Amount?

The specific dollar amount for "average teacher salary" is derived each year by DCPS. Actual salaries of teachers may be more or less than this amount, but this figure is what is used by central office and schools as they build their individual school budgets each spring. For the 2013-2014 school year, the average DCPS teacher cost was set at \$96,670. While base salaries and benefits for teachers account for the bulk of this dollar amount, other costs are factored into this figure: performance bonuses, payments to excessed teachers not hired elsewhere in the system, substitute teacher coverage, background checks, and other miscellaneous costs. As a result, some central office functions in effect appear within local school budgets even though the funding cannot actually be used by schools for staff resources.

How Does a DC Public Charter School Get its Funding and Set its Budget?

DC public charter schools, like DCPS, receive local funding for their enrolled students through the District's Uniform Per Student Funding Formula. Because each charter school local education agency has very broad flexibility over use of its funds, there is no uniform process across charter schools for deciding how to spend these funds.

Each charter school receives payments from the District on a quarterly basis in July, October, January, and April. This local funding is based on the UPSFF calculation and on the school's enrollment, which is measured using an audit conducted each October. Because schools need to set their budgets before the audit is completed, each public charter school receives a quarterly payment over the summer based on projected enrollment for the coming school year. Each charter school's funding is adjusted after the audit results are completed, usually in January. If the audit identifies more students than had been projected, the school receives additional funding in its subsequent

Table 4						
Aiton Elementary School, FY 2014 Budget						
School Staff Position	Required Position?	Initial Budget Allocation to School from DCPS	Initial Funding Amount	School's Submitted Budget to DCPS	Submitted Funding Amount	What Spending Decisions Were Made by the School?
Principal	X	1.0	\$153,925	1.0	\$153,925	No change
Assistant Principal for Literacy, via Proving What's Possible (PWP)	X	1.0	\$123,432	1.0	\$123,432	No change
Elementary Grades (K-5) Classroom Teachers	X	9.0	\$870,030	9.0	\$870,030	No change
Elementary Grades (K-5) Aides	X	2.0	\$61,948	2.0	\$61,948	No change
Early Childhood (PS-PK) Classroom Teachers	X	5.0	\$483,350	5.0	\$483,350	No change
Early Childhood (PS-PK) Aides	X	5.0	\$154,870	7.0	\$216,818	Added 2 Early Childhood aides
Special Education Teachers	X	3.0	\$290,010	5.0	\$367,778	Added 2 behavior technicians
Art, Music, PE, World Language	X	3.0	\$290,010	3.0	\$290,010	No change
Librarian/Media Specialist	X	0.5	\$48,335	0.5	\$48,335	No change
Instructional Coach	X	1.0	\$96,670	1.0	\$96,670	No change
School Psychologist	X	0.5	\$48,335	0.5	\$48,335	No change
Social Worker	X	1.0	\$96,670	1.0	\$96,670	No change
Reading Specialist, via Proving What's Possible (PWP)	X	1.0	\$96,670	1.0	\$96,670	No change
Business Manager		0.5	\$33,798	1.0	\$67,596	Added funding to make this position full-time
Administrative Aide		1.0	\$44,976	0.0	\$0	Moved funding from this position to other staffing needs
Custodial Foreman	X	1.0	\$62,006	1.0	\$62,006	No change
Custodian RW-5	X	1.0	\$45,337	1.0	\$45,337	No change
Custodian RW-3	X	1.0	\$36,109	1.0	\$36,109	No change
Non Personnel Services (includes supplies, computers, field trips, etc.), Administrative Premium/Custodial Overtime Allocation, and Title funds			\$201,947		\$73,397	Applied about \$128,500 in funding to other school needs
After-School Program (ASP)		11.0	\$78,340	N/A	\$78,347	No change
Total		37.5 (excluding ASP staff)	\$3.316 million	41.0	\$3.316 million	

Source: DCPS initial school budget allocations and submitted budgets for FY 2014. Available online at: <http://dcps.dc.gov/DCPS/About+DCPS/Budget+and+Finance/FY14+Fiscal+Report+Card>

quarterly payments. If the audit identifies fewer students than had been projected, subsequent quarterly payments are adjusted downward. So, a charter school that ends up with many fewer students than projected will feel the most financial stress mid-year. (Special education student enrollment is checked separately through a process conducted by OSSE in December, and funding is adjusted if a public charter school ends up having more or fewer special education students than projected.)

All charter schools operate their own special education programs and report on services provided to OSSE, while some elect DCPS to run certain functions for their school, notably student assessments. In these cases, DCPS is listed as the LEA for special education for that charter school. Regardless of how federal special education funds flow to the charter school, they are required to meet the same federal guidelines as are DCPS schools regarding a free and appropriate public education for all children with disabilities. If an LEA is unable to provide adequate services due to lack of capacity, they are obligated to see that the student is appropriately placed into another charter school, DCPS school, or a private placement. The federal IDEA funding designated for these students follows them to their new educational setting.

How to Influence Funding for a DCPS School

There are several ways to influence the budget:

Learn about the UPSFF and how it works: As we mentioned earlier, the UPSFF is the main driver of local funding for public schools. But, it is also the foundation level of funding required to provide a general education – if residents think there are needs that are not being met with the funds available, they should start advocating now for long-term changes to happen after the adequacy study is completed.

Get involved with your Local School Advisory Teams (LSATs): Parents in DCPS schools can work with their school principal and LSAT to decide how to allocate resources. There may be some possibility for advocacy around how DCPS sets its budget guide, but this has not been an open process to date.

Get familiar with the DCPS Budget Development Guide: Parents and advocates are encouraged to familiarize themselves with the current budget guide and the past year's funding for their schools to help them be more informed and prepared for budget season. Get to know what major funding and policy decisions were made by DCPS and how those changes will affect your school next year.

Sign up to testify at budget hearings before the DC Council: Opportunities to testify before the DC Council happen in the spring – between February and April – both before and after the mayor's proposed budget is released. Hearing announcements are posted online, but residents should confirm the date and time when they sign up to testify.

In addition, public charter schools receive a per student non-residential facilities allowance from the District intended to cover expenses such as rent, building acquisition, renovation, expansion, and debt service for any of these functions. The current facility allowance is \$3,000 per student. Although the fee is intended to cover facility costs, it is not restricted to these uses. Charter schools that do not use all of the facility fees on facility expenses are allowed to use those funds for other purposes. In contrast, if a charter school has facility expenses that exceed \$3,000 per student, they

may need to find other sources – such as private funding or their UPSFF operating funds, to meet these needs.

OSSE’s Office of Public Charter School Financing and Support (OPCSFS) serves as the pass-through agency for federally funded programs for public charter school facility financing and administers DC’s federal Charter Schools Program grant from the United States Department of Education, which funds the start-up and implementation of new public charter schools. There are no special restrictions placed on charter schools for federal funding streams beyond the basic eligibility and compliance requirements faced by all grantees of federal funds.

Each public charter school LEA can determine how to spend its funding to meet the needs of its students. See **Table 5** for an example of how one public charter school chose to set its budget.

Each charter school is monitored and evaluated by the PCSB, which reviews all fiscal reports and conducts an annual performance management review process for each school. Audited financial statements are submitted annually to PCSB by November 1, with interim financial reports on a monthly or quarterly basis.

Table 5	
Achievement Prep PCS FY 2013 Budget	
Revenue Sources	Funding Amount
Per Pupil Charter Payments	\$3,409,966
Per Pupil Summer School	\$45,848
Per Pupil Facilities Allowance	\$960,000
Federal Entitlements	\$374,531
	Title I & II (\$319K), IDEA (\$56K)
	247,495
Other Government Funding/Grants	National School Lunch Program (\$215K), based on 90% Free and Reduced Lunch Population; OSSE Least Restrictive Environment Grant (\$20K) E-Rate (\$8K)
Total Public Funding	\$5,037,840
Total Non-Public Funding	\$226,815 (Private grants, donations, lunch sales, and other income)
Total Revenue	\$5,264,655
What Spending Decisions Were Made by the School?	
Personnel	62.9% of expenses
Direct Student	6.9% of expenses
Occupancy	16.4% of expenses
Office	4.4% of expenses
General	6.9% of expenses
Capital Budget	2.6% of expenses

How to Influence How a Charter School Spends its Funds

As noted, public charter schools have tremendous autonomy and flexibility over the use of funds received from the District. The process for influencing how a charter school spends its funds varies from school to school. At each school level, parents should engage with school leadership and the Board of Trustees to better understand the fiscal decisions being made for the school. Schools that have been in operation for several years may have more transparent processes in place than newer schools, but parents can and should play an active role in promoting fiscal transparency. Charter school financial snapshots for the most recent school year can be found here: <http://www.dcpcsb.org/School-Finance/CHARM-Report-FY-2012.aspx>

How Does OSSE Fit In?

The Office of State Superintendent of Education (OSSE) acts as the State Education Agency (SEA) in the District of Columbia. It handles the distribution of federal funding to DCPS and public charter schools and also monitors schools for compliance with federal guidelines. OSSE also is responsible for distributing some local funding to expand pre-kindergarten — known as Pre-K Incentive Funds — to DCPS, DCPCS, and child development center classrooms in the city.

In the case of DCPS, federal funds from OSSE are passed on to the central office which then makes allocations to individual schools in accordance with federal guidelines. For charter schools, each individual school, or LEA, receives funding directly from OSSE through sub-grants.

There are two main types of federal education grants that pass through OSSE: formula and discretionary grants. Formula funding, which includes Title I, is provided to DCPS and to each public charter school LEA based on the requirements of that grant and the LEA's documented level of need. In the case of Title I funding, for example, LEAs are awarded funding based on the share of students in individual schools who are low-income. If the federal funding is a discretionary (also known as competitive) grant, like Race to the Top funds, OSSE issues a Request for Proposal (RFP) process which allows DCPS or public charter school LEAs to apply for funding. If they win the grant competition from the federal government, they will receive funding from OSSE through a sub-grant. See below for a few examples of how major federal funding streams pass through OSSE. See **Appendix 4** for a full list of federal funding that flowed through OSSE to the school system in fiscal year 2012 along with the purpose of each grant.

How School Renovation/Construction Is Funded and Planned

The method for funding school facility needs differs greatly for DCPS and public charter schools.

School Facility Financing for DCPS

School renovation and construction are considered long-term infrastructure investments for the city and fall under its own capital budget for DCPS schools. DCPS schools operate in buildings

owned and controlled by the District, and major repairs and renovations are managed centrally, by the Department of General Services, which manages the full range of the city's capital projects.¹¹

In 1995, the District created a [Public Education Master Facilities Plan](#) which launched a strategic process to update or “modernize” DCPS facilities on a regular basis. The master plan covers a 10 – 15 year time period, and is generally updated every three years. There was a revision in 2010 and the Office of the Deputy Mayor for Education released an abridged version of a master plan in March 2013. The master plan identifies the goals and objectives for facility improvements, explains why enrollment will grow or decline based on demographics, describes the building condition and design conditions that need to be addressed, and provides an estimate for the schedule and budget for the school modernization process.

This plan connects to the DC budget process through the city's [Capital Improvement Plan](#) (CIP). The CIP is a six-year plan for capital construction, including schools, with specific projects listed along with their funding and construction schedule. The CIP includes the following types of facilities improvements:

- **Modernization and Replacements:** Long-term plans for complete renovation of selected schools; the modernization process is tackled in three phases: academic spaces, support spaces, and systems
- **Small Capital Projects:** Upgrade of certain sections of a school, such as science labs
- **Component Replacements:** Major maintenance like roof replacements
- **Mandates:** Federally required changes, such as Americans with Disabilities Act related improvements

The DCPS capital budget is re-worked every year with the rest of the city's capital budget. It is meant to follow the Master Facilities Plan, but there is not always a strong connection between the two documents. Although work has been completed at 64 DCPS schools since 2008,¹² the order or scope of the master plan, and even the capital plans and budgets can change, based on emergencies—like the 2010 fire at Takoma Education Campus—or as a result of the budget process. For example, the mayor or council may decide to fund school modernization projects in a different order. See **Appendix 3** for the current schedule of school modernization for the District.

Like the other city agencies included in the capital plan, the school capital budget is largely financed with general obligation municipal bonds issued by District government. The District pays off these bonds over 20 to 30 years.

¹¹ Note that until recently, the Office of Public Education Facilities Modernization (OPEFM) was the DC agency responsible for managing school facility construction and renovation for DCPS. As of FY 2012, OPEFM functions are now being handled within the new Department of General Services (DGS).

¹² 2013 Public Education Master Facilities Plan. Available online at: <http://apps.washingtonpost.com/g/page/local/2013-public-education-master-facilities-plan/83/>.

How to Influence School Facilities Funding

So, what can parents and other District residents do to influence this process?

- 1) Look for your schools in the long range educational facility master plan.
- 2) Look for your school in the six-year capital improvement budget.
- 3) Contact your council member to learn about their work and position on the projects planned for your ward.
- 4) Learn if a School Improvement Team (SIT) has been started on projects in progress or in planning in the capital plan.
- 5) If there is a SIT team, find out about the meetings by calling the principal or Department of General Services project manager.
- 6) If the SIT meetings have not begun, form a committee so your community is ready to provide input and direction to the planning for the schools in your community.
- 7) Testify before the council during oversight hearings or in budget hearings in support of your school project, or to express concerns about the facilities in your community.

When attending these meetings or testifying before the council, parents and community members can put forth a vision and plan for schools that will advance the quality of education and neighborhoods now, but that will also stand the test of time. Families and community members can be sure that the schools are designed and constructed to support high quality education, shared community use, and so they will be environmentally sustainable, fiscally responsible and sources of civic pride.

More information on how to evaluate the Master Facilities Plan can be found in this evaluation guide by the 21st Century School Fund: <http://www.21csf.org/csf-home/Documents/21CSFMFPEvaluationChecklistAugust2011.pdf>.

Public Charter School Facility Funding

Public charter schools are not provided a facility by the city and so they must lease or purchase and improve their own facility. Some charter schools lease buildings from DCPS, but most charter schools are in other facilities. About 22 former DCPS school facilities are now leased by public charter schools while still owned by the DC government. In 2013, the District government made an additional 16 closed school buildings available for reuse by charter schools through a bidding process overseen by the Office of the Deputy Mayor for Education.

To enable public charter schools to rent or acquire school space, public charter schools receive a per-student annual facilities allotment beyond the UPSFF. This facilities allotment is currently set at \$3,000 per student. DC government will pay \$114.2 million to public charter schools as part of the facility allowance for FY 2014.

This funding is intended to cover rent, purchase, or renovation of a building to create an appropriate education environment. Public charter schools can use this \$3,000 per student per year revenue stream to borrow funds to purchase land and buildings and to make improvements on

leased or owned property. As of 2012, public charter schools have about \$402 million in long-term debt,¹³ most of which is due to facilities costs.

Revenue Source	DCPS Revised FY13	Percent of Total Funding for FY13	DCPS Proposed FY14*	Percent of Total Funding for FY14
Local Funds	\$646,176	79.6%	\$644,302	78.7%
Intra-District Funds**	\$111,559	13.8%	\$111,123	13.6%
Federal Payments	\$20,000	2.5%	\$18,360	2.2%
Special Purpose	\$11,808	1.5%	\$11,090	1.4%
Federal Grants	\$17,888	2.2%	\$28,679	3.5%
Private Grants	\$3,841	0.5%	\$5,062	0.6%
Private Donations	\$0	0.0%	\$0	0.0%
Total	\$811,272	100%	\$818,615	100%

Source: DCPS Facts and Figures Guide 2014

*Between the time when DCPS' budget is proposed in March and the time the budget is effectuated in October, there are frequently changes in available revenues.

**Intra-district funds are services provided by one District agency on behalf of another agency. Most DCPS intra-district funds are federal funds that start with OSSE and are transferred to DCPS.

Charter schools with facility costs that are lower than their facilities allotment can use their excess facilities funds for operating purposes, while schools with higher costs than the allotted facilities payment must use other funds to cover the extra costs.

In addition to the facility allowance, some public charter schools get federal funding for facilities through OSSE's Office of Public Charter School Financing and Support (OPCSFS), including the Revolving Direct Loan Fund for Public Charter School Improvement, the Revolving Credit Enhancement Fund; the City Build Incentive Grant program, and the Charter School Incubator Facility Initiative. These programs provide grants, as well as credit support for public charter schools doing facility projects or purchasing property.

A Look at Recent Expenditures

DC school expenditures can be grouped into the following categories: operating or current expenditures, capital improvements, debt financing, and other expenditures. Total school year expenditures by fund category are shown below for both DCPS and DC public charter schools. Most expenditures fall under daily maintenance and operations and are funded by the general fund.

¹³ FY 2012 CHARM Report, Tab 4, Exhibit 5.

Expenses	Amount (in millions)	Percent of Total	Purpose
Personnel Expenses	\$346.7	61%	Salaries and benefits for all school staff
Occupancy Expenses	\$94.2	17%	Leasing of school facilities
Direct Student Costs	\$61.0	11%	Educational services for students, including textbooks, supplies, computers, student assessment materials, classroom furnishings, and contracted student services
Other Expenses	\$64.8	11%	Other expenses, such as office supplies, telecommunications, printing and copying equipment rental and maintenance, legal, accounting, auditing, and payroll services, and other general expenses
Total	\$566.8	100%	

Source: DC Public Charter School Board, FY 2012 PCS Revenue and Functional Expense Data by School, Charter Audit Resource Management (CHARM) Report

Glossary of Key Terms

LEA – Local Education Agency

SEA – State Education Agency

Pre-K – Pre-Kindergarten

Pre-S – Pre-School

OSSE – Office of the State Superintendent of Education

OPEFM – Office of Public Education Facilities Modernization

DGS – Department of General Services

PCSB – DC Public Charter School Board

IDEA – Individuals with Disabilities Education Act

DCPS – District of Columbia Public Schools

DCPCS – District of Columbia Public Charter Schools

DME – Deputy Mayor for Education

Appendix 1:
Supplemental Weights for Per-Pupil Allocations

	Level/Program	Definition	Weighting	Per Pupil Supplemental FY 2014
General Education Add-Ons	LEP/NEP*	Limited and non-English proficient students	0.45	\$4,188
	Summer	Accelerated summer instructional program for students who do not meet literacy standards	0.17	\$1,582
	Level 1 Special Education	8 hours or less per week of specialized services	0.58	\$5,397
Special Education Add-Ons	Level 2 Special Education	More than 8 hours and less than or equal to 16 hours per school week of specialized services	0.81	\$7,538
	Level 3 Special Education	More than 16 hours and less than or equal to 24 hours per school week of specialized services	1.58	\$14,703
	Level 4 Special Education	More than 24 hours per week which may include instruction in a self-contained (dedicated) special education school other than residential placement	3.10	\$28,849
	Special Education Capacity Fund	Weighting provided in addition to special education level add-on weightings on a per student basis for each student identified as eligible for special education	0.40	\$3,722
	Residential	DCPS or DCPCS that provides students with room and board, in addition to instructional program	1.70	\$15,820
Residential Add-Ons	Level 1 Special Education - Residential	Additional funding to support the after-hours level 1 special education needs of students living in a DC public school that provides room and board	0.374	\$3,480
	Level 2 Special Education - Residential	Additional funding to support the after-hours level 2 special education needs of students living in a DC public school that provides room and board	1.360	\$12,656

Appendix 1: (Continued)
Supplemental Weights for Per-Pupil Allocations

	Level/Program	Definition	Weighting	Per Pupil Supplemental FY 2014
Special Education Add-Ons for Students with Extended School Year (ESY) in their IEPs	Level 3 Special Education - Residential	Additional funding to support the after-hours level 3 special education needs of students living in a DC public school that provides room and board	2.941	\$27,369
	Level 4 Special Education - Residential	Additional funding to support the after-hours level 4 special education needs of limited and non-English proficient students living in a DC public school that provides room and board	2.924	\$27,211
	LEP/NEP - Residential	Additional funding to support the after-hours limited and non-English proficiency needs of students living in a DC public school that provides room and board	0.68	\$6,328
	Special Education Level 1 ESY	Additional funding to support the summer school/program need for students who require extended school year (ESY) services in their IEPs	0.064	\$596
	Special Education Level 2 ESY	Additional funding to support the summer school/program need for students who require extended school year (ESY) services in their IEPs	0.231	\$2,150
	Special Education Level 3 ESY	Additional funding to support the summer school/program need for students who require extended school year (ESY) services in their IEPs	0.500	\$4,653
	Special Education Level 4 ESY	Additional funding to support the summer school/program need for students who require extended school year (ESY) services in their IEPs	0.497	\$4,625

Source: FY 2014 Budget Support Act.
 *LEP: Limited English Proficient; NEP: Non English Proficient

Appendix 2: Required DCPS Staffing for SY13-14

For SY13-14, the following staff or programs are required at every school unless otherwise approved through the budget petition process.¹⁴

	Position	Guideline	
School Leadership	Principal	Positions are required based on program requirements or grant funded requirements	
	Assistant Principal (Intervention, Literacy, School Improvement Grants)		
General Education Teachers	All Classroom Teachers	Required for Elementary Schools and Education Campuses; Flexible for Middle School, High School, and Alternative School budgets	
Special Education Positions	All Special Education Teachers Educational Aide		
English Language Learner Positions	ELL Teacher Educational Aide	Only at applicable schools	
	Bilingual Counselor		
Related Arts	Art, Music, Physical Education	Required at Elementary Schools and Education Campuses based on SY13-14 scheduling requirements	
	World Language		
Early Childhood Education	Librarian	Required at all schools	
	Preschool, Pre-K, Mixed-Age Teachers Educational Aide		
Schoolwide Instructional Support	Psychologist Social Worker Behavior Technician	Roosevelt STAY, Ballou STAY, CHOICE and the Incarcerated Youth Program will be served by two Instructional Coaches located centrally	
	Instructional Coach		
	International Baccalaureate Coordinator		Applies to selected schools
	Reading Specialist		Applies to selected schools
Custodial Staff	Instructional Specialist (Race to the Top)	Applies to selected schools	
	Foreman	Reflects FY13 allocation	
	RW-5 Custodian	Reflects FY13 allocation	
	RW-3 Custodian	Reflects FY13 allocation	

¹⁴ From page 22 of DCPS Budget Guide for School Year 2013-2014.

Appendix 3:
Current Funding Schedule for Phased School Modernization

School	FY 2014 (in millions)	FY 2015 (in millions)	FY 2016 (in millions)	FY 2017 (in millions)	FY 2018 (in millions)	FY 2019 (in millions)	6-Year Total (in millions)
Martin Luther King ES	\$1.5	\$0.5	\$0	\$4.9	\$0	\$6.8	\$13.7
Anne M. Goding ES	\$0	\$8.1	\$0	\$0	\$0	\$4.6	\$12.6
Shaw MS	\$4.4	\$20.9	\$28.3	\$0	\$0	\$0	\$53.6
Duke Ellington School of the Arts	\$19.5	\$55.7	\$0	\$0	\$0	\$0	\$75.2
Langdon ES	\$13.6	\$0	\$0	\$0	\$0	\$8.5	\$22.1
Bancroft ES	\$5.3	\$5.5	\$0	\$0	\$0	\$7.5	\$18.3
Garfield ES	\$8.1	\$0	\$0	\$0	\$5.6	\$0	\$13.7
Garrison ES	\$8.1	\$0	\$0	\$0	\$0	\$6.1	\$14.2
Watkins ES	\$1.0	\$9.0	\$0	\$0	\$0	\$7.0	\$16.9
Malcolm X ES	\$6.0	\$0	\$0	\$0	\$10.6	\$0	\$16.6

Source: FY 2014 Budget Request Act.

Appendix 4:
**Major (Larger than \$1 million) Education Grants That Flow from
 Federal Agencies to Public Schools in DC**

Grant	Amount in FY 14	Target Population	Purpose
School Improvement Grant (SIG)	\$2 million	Johnson MS, Stanton ES, Kelly Miller MS, Savoy ES, Kramer MS, Garfield ES	Formula based grant to LEAs that demonstrate the greatest need for the funds and show the strongest commitment to use the funds to substantially raise the achievement of the lowest performing schools to move out of improvement status
Race to the Top School Improvement	\$2 million	Luke C Moore HS, Dunbar HS, Eastern HS, Browne EC, Anacostia HS, Kramer MS, Garfield ES	Additional targeted support for lowest achieving schools in the District
Race to the Top	\$6.6 million	District-wide	Supports and provides Common Core aligned curriculum, assessments, and data systems to prepare students to be college and career ready. Also supports evaluating and improving teacher performance
Perkins Career and Technical Education Act	\$2.3 million	Currently in all DCPS high schools except Banneker, Ellington and School Without Walls	Develop more fully the academic, career, and technical skills of secondary and postsecondary students who elect to enroll in Career and Technical Education programs
Individuals with Disabilities Education Act (IDEA) grants	\$11.3 million	All students with Individualized Education Plans (IEPs)	Support early intervention, special education and related services to eligible students with disabilities
Title I, Part A	\$27 million	Schools where at least 40 percent of students come from low-income families	Formula based grant intended to: <ul style="list-style-type: none"> • Provide disadvantaged students with access to high quality education by helping students to reach proficiency with state academic standards and assessments • Promote school wide reform in high poverty schools

Appendix 4: (Continued)
**Major (Larger than \$1 million) Education Grants That Flow from
Federal Agencies to Public Schools in DC**

Grant	Amount in FY 14	Target Population	Purpose
Title II, Part A	\$6.6 million	District-wide	Formula based grant intended to increase academic achievement by: <ul style="list-style-type: none"> • Improving the quality of teachers and principals • Increasing the number of highly qualified teachers and principals.
Head Start	\$10.6 million	All Title I schools that offer Pre-K	Promotes the school readiness of children in Pre-K from low income families by enhancing their cognitive, social and emotional development
Teacher Incentive Fund (TIF)	\$13 million	Select schools (TBD)	Provide leadership development training for teacher leaders and principals; create additional leadership roles for teachers in order to drive school turnaround; fund performance based compensation
Junior Reserve Officers Training Corps (JROTC) program	\$1 million	High schools including Dunbar, Cardozo, McKinley, Anacostia, Columbia Heights, Woodson, Roosevelt, and Wilson	JROTC provides leadership and character development courses to high school students, along with opportunities to participate in rigorous physical training, drill competitions and academic contests
Child Nutrition Programs	\$25.9 million	District-wide	Provide healthy school meals to all students
Impact Aid	\$1.6 million	District-wide	Unrestricted payments from the federal government to local educational agencies that have a high concentration of children residing on military bases; variable based on congressional appropriation and the number of federally connected students identified
Temporary Assistance for Needy Families (TANF) funds for afterschool programming	\$6.5 million	District-wide	Structured education and enrichment programs that serve children during out-of-school hours during the regular school year and summer

Appendix 4: (Continued)
**Major (Larger than \$1 million) Education Grants That Flow from
Federal Agencies to Public Schools in DC**

Grant	Amount in FY 14	Target Population	Purpose
E-rate	\$8.7 million (estimate)	District-wide	Support for voice, video, and data communications
Federal Medicaid Transfer	\$4 million	District-wide	Reimbursement for school based health care services provided to students with special needs under IDEA
SOAR Act Funding	\$20 million	District-wide	Federal funding allocated to DCPS that offsets the estimated loss of students who leave DCPS to take advantage of the D.C. Opportunity Scholarship program which provides scholarships to students from low income families to attend a private school of choice

Source: Table 2.4, Breakdown of Grants and Payments, DCPS Facts and Figures Guide, April 2013. Available online at: <http://dcps.dc.gov/DCPS/Files/downloads/DCPS%20Facts%20and%20Figures%20Guide%20for%20FY%202014.pdf>.

Appendix 5: Timeline for Fiscal Year 2014 Budget Season

The DC fiscal year runs from October through September. The budget process for a given fiscal year starts about a year beforehand. Using FY 2014 as an example, the budget process is outlined below:

Budget Instructions Issued to Agencies	Fall 2012
Current Services Budget Released	Fall 2012
Office of Budget and Planning Finalized Agencies Budgets	Winter 2012
Revenue Forecast Released	February 2013
Performance and Oversight Hearings	Mid February-Mid March 2013
Mayor's Budget Proposal Released	March 28, 2012
Council Hearing on Overall Budget	April 8, 2013
Council Hearings on Proposed Agency Budgets	April 10, 2013-May 2, 2013
Revenue Forecast Released	Early May 2013
Council Budget Mark-up Hearings	May 6-9, 2013
Main Budget Vote	May 22, 2013
Second Vote on Budget Support Act	Early June 2013
<i>These are described in more detail below.</i>	

Budget Instructions Issued to Agencies: Fall 2012

The Office of Budget and Planning (OBP) in the Chief Financial Officer's office issued instructions to each agency that set the terms for the agency's budget request. The agency requests were submitted back to OBP in the fall using the format set out in the instructions.

Much of the instructions are intended to determine current services funding needs – the amount needed to maintain existing services and meet legal obligations. The current services budget reflects changes in salary expenses, utilities, and other fixed costs.

Agency budget requests also can include suggested enhancements. However, since the recession has hit DC, agencies have been instructed that they cannot submit any enhancement requests because of budget shortfalls.

Release of the FY 2014 Current Services Budget: November 2012

The CFO completed work on the FY 2014 current services budget. Ideally, this is an estimate of the costs of maintaining current services, by factoring changes in costs for salaries, rent, supplies and other expenses but will not include any funding that was designated “one-time” in the previous year. The current services budget can be compared to the mayor’s proposed budget to look for changes to an agency’s budget. An advocate could take the mayor’s proposed budget and compare it to the current services budget to see what, if any, funding reductions or additions were proposed over what the agency is currently doing.

Office of Budget and Planning (OBP) “Scrubbed” Agencies Budgets, Mayor’s Budget Team Began Assembling FY 2013 Budget: Winter 2012

OBP reviewed and “scrubbed” each agency’s request. Had all one-time funding from the prior-year been eliminated? Did the agency accurately reflect costs associated with expected staffing levels? Did the agency include something in the baseline that should be considered an enhancement?

OBP passes back a modified request to the agency and allows the agency to appeal. This back-and-forth relates mostly to the current services budget. OBP generally does not comment on enhancement requests, since decisions over new initiatives or enhanced funding for existing services are political and made by the mayor. The CFO’s office is independent and avoids policy recommendations. Enhancement requests are passed on directly to the mayor’s office.

At the same time, the mayor’s budget review team is working on assembling the final budget and making policy decisions about cuts and revenue increases.

****POINT OF ADVOCACY****

At this time you can contact the mayor’s office to make a request for additional funding (or to maintain funding) for a program or services you care about. Most often, this is easiest to do by finding out who is responsible in the city administrator’s office for the issue area you are concerned about and meeting with them or sending them a letter or email.

Release of the FY 2014 Revenue Forecast: February 2013

In late February, the CFO issued a revenue forecast that includes projected revenues for FY 2014. The budget submitted in March must live within the revenues identified in this forecast.

Council Performance and Oversight Hearings: Mid February – Mid March 2013

The council held hearings on the FY 2012 performance and the implementation of the FY 2013 budget for every agency. These are free-form hearings that are open to comment on virtually any aspect of the agency. The DC Council Budget Office's website (<http://www.dccouncil.washington.dc.us/offices/office-of-the-budget-director>) posted questions that were submitted by committees to the agencies for the hearing, as well as the agencies' responses.

****POINT OF ADVOCACY****

This is a good time to testify on programs and services that you think are working well and help make the case they should be continued or expanded in the upcoming fiscal year. It is also a good time to discuss any changes or improvements you think could be made to the programs and services you care about.

Mayor's Budget Submission: March 28, 2013

The mayor submitted a proposed **Budget and Financial Plan**, which included proposed funding to cover the operating costs of running agencies in mid-March. The mayor also submitted a proposed **capital budget**, which is a six-year plan for building and rehabbing government facilities and infrastructure.

The budget legislation that reflects proposed funding levels is called the **Budget Request Act**. The mayor also submitted a **Budget Support Act**, which includes legislation for any budget proposal that requires a statutory change.

The proposed FY 2014 budget and related documents are posted on the Chief Financial Officer's website: <http://cfo.dc.gov/>.

Council Overview Hearing on the Budget: April 8, 2013

Each year, the full DC Council holds a hearing on the mayor's budget proposal shortly after it is released. Video archives of this hearing, along with other hearings, can be found on the council's website, www.dccouncil.us.

Council Budget Hearings, by Agency: April 10, 2013- May 2, 2013

Shortly after the budget was submitted, each committee held a hearing on the proposed budgets for the agencies the committee oversees. There were both public witnesses and executive branch witnesses. The DC Council Budget Office's website posted questions regarding the proposed budget that were submitted by committees to the agencies. The budget office also posted the agencies' responses. The schedule is available on the DC Council website: www.dccouncil.us.

****POINT OF ADVOCACY****

This is a good time to testify on elements of the mayor's budget that you like and elements that you do not like, especially if things are not included at all.

Final Revenue Forecast: May 2013

Early in May, the CFO released a new revenue forecast. The final budget adopted by the council must fit within this revenue forecast. If the May revenue forecast is lower than the February forecast, the mayor and council must work to find additional budget savings. If the May revenue forecast is higher than the February forecast, the council can support some additional funding proposals.

Council Committee Budget Mark-ups: May 6-9, 2013

Each council committee meets to mark-up the budgets for the agencies they oversee. The committees cannot appropriate more in total for their agencies than the amount in the mayor's proposed budget, but they can shift funds within and between their agencies. The committees made recommendations for things they were not able to fund but that they hope the full council will find a way to fund. The Committees also adopted recommendations on the Budget Support Act provisions that relate to the Committee.

After each committee has completed mark-up, there is a 1-2 week period during which the council members work to merge the committee actions into a comprehensive budget. This work happens behind the scenes. There is no mark-up on the council's comprehensive budget.

Main Budget Vote: May 22, 2013

The full council (Committee of the Whole) voted on the **Budget Request Act**, which sets the appropriations level for each agency. There is only one vote on the BRA. Also in May, the council held its first reading of the **Budget Support Act**. There is a second reading on the BSA.

Final Vote on the Budget Support Act: June 26, 2013

The council held the second reading of the Budget Support Act. The budget is then submitted to the U.S. Congress for approval.

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

<p>D.C. ASSOCIATION OF CHARTERED PUBLIC SCHOOLS, <i>et al.</i>,</p> <p>Plaintiffs,</p> <p>v.</p> <p>DISTRICT OF COLUMBIA, <i>et al.</i>,</p> <p>Defendants.</p>	<p>Civil Action No. 14-1293 (TSC)</p>
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DECLARATION OF JENNIFER COMEY

1. My name is Jennifer Comey, and I am employed as a Senior Policy Advisor for the Office of the Deputy Mayor for Education (DME) in the District. I have held my position since May 15, 2013.
2. As a Senior Policy Advisor for DME, part of my work includes providing analytic support for projects on a variety of topics, including public school enrollment projections and student mobility.
3. In July 2015, the Office of the State Superintendent of Education (OSSE) released a study that analyzed student mobility in the District during school year (SY) 2011-12, SY 2012-13, and SY 2013-14, and reported certain statistical outcomes related to, among other things, mid-year movement into, out of, and between District of Columbia Public Schools (DCPS) and public charter schools.¹

¹ The study is titled, "Mid-Year Student Movement in DC," and is available on the OSSE website at <http://osse.dc.gov/mid-year-student-movement-dc>. I refer to it in this declaration as the "Mobility Study."

4. The data underlying the Mobility Study revealed that, during each SY under review, average public charter school enrollment decreased comparing October to June enrollments, while DCPS enrollment increased. *See* Mobility Study at 4 (Chart 1).
5. Although not reported in the Mobility Study, the data also revealed the following trends with respect to DCPS students receiving special education (SPED) or English language learner (ELL) services:

	SY 2011-12		SY 2012-13		SY 2013-14	
	N	%	N	%	N	%
Comparing Oct to June (SPED Level 1):	266	10.6%	220	8.3%	190	6.8%
Comparing Oct to June (SPED Level 2):	138	6.6%	130	6.4%	63	3.2%
Comparing Oct to June (SPED Level 3):	24	4.4%	26	4.7%	100	19.6%
Comparing Oct to June (SPED Level 4):	69	4.9%	73	5.4%	134	9.8%
Comparing Oct to June (Total Levels of SPED):	497	7.6%	449	6.8%	487	7.3%
Comparing Oct to June (ELL):	11	0.3%	39	0.9%	13	0.3%

6. For purposes of my work, OSSE provided me substantially the same data for SY 2014-15 and SY 2015-16. The dataset, although not finalized for publication as of the date of this declaration, was built from monthly snapshots of statewide enrollment as reported in the Statewide Longitudinal

Education Data system (SLED), according to the same process outlined in Appendix A of the Mobility Study. *See* Mobility Study at 14.

7. This data revealed, consistent with the outcomes for SY 2011-12, SY 2012-13, and SY 2013-14, that for SY 2014-15 and SY 2015-16, average public charter school enrollment decreased comparing October to June, while DCPS enrollment increased. Those trends are depicted in the following chart:

	SY 2014-15		SY 2015-16	
	N	%	N	%
Change (DCPS):	702	1.5%	448	0.9%
Change (Public Charter):	-1,557	-4.6%	-1,269	-3.6%

8. For DCPS SPED, ELL, and at-risk student enrollment, the data also revealed the following mid-year mobility trends during SY 2014-15 and SY 2015-16:

	SY 2014-15		SY 2015-16	
	N	%	N	%
Comparing Oct to June (SPED Level 1):	130	4.6%	173	6.1%
Comparing Oct to June (SPED Level 2):	253	13.4%	175	9.3%
Comparing Oct to June (SPED Level 3):	86	15.1%	38	6.3%
Comparing Oct to June (SPED Level 4):	58	4.0%	-9	-0.6%
Comparing Oct to June (Total Levels of SPED):	527	7.8%%	377	5.6%
Comparing Oct to June (ELL):	124	2.5%	319	5.9%
Comparing Oct to June (At-Risk):	398	1.7%	169	0.7%

9. Additionally, this data indicates that for SY 2015-16, which corresponds to fiscal year (FY 2016) for purposes of school funding, DCPS preschool (PK3) enrollment increased by 79 students from October to June, while PK3 enrollment in public charter schools decreased by 119 students, or approximately 4 percent.

I do solemnly declare, under penalty of law, that the contents of the foregoing document, consisting of four pages, nine paragraphs, and three charts, are true and correct to the best of my knowledge, information, and belief.

Dated: 9/9/16


JENNIFER COMEY



DISTRICT OF COLUMBIA

OFFICE OF THE STATE SUPERINTENDENT OF

EDUCATION

March 11, 2016

Dear charter LEA leaders:

I am pleased to announce that the Office of the State Superintendent of Education (OSSE) has worked with the Office of the Chief Financial Officer and others to ensure charter LEAs receive more detailed and timely supplemental payments.

Over the course of a school year, public charter schools in the District are entitled to receive additional funds for those students who receive new or changed designations after the District's annual enrollment audit report:

- new or increased individualized education plan (IEP) levels;
- new limited English proficiency (LEP) designations; and
- new at-risk designations.

Historically, OSSE has provided supplemental payments during the conclusion of school years, between late April and the middle of July. Beginning with the current 2015-16 school year, OSSE will be providing these payments under an accelerated timeframe to augment public charter schools' financial stability and to reduce administrative burden. OSSE will also enable each public charter school to access the specific demographic data used to calculate supplemental payment amounts via a statement posted to the online, secure FTP folder for each LEA. Please see the Excel attachment accompanying this document for a template of the statement you will receive no later than Friday, March 18. We will email your staff to notify them when the statements have been uploaded via SFTP. In school year 2015-2016, OSSE will make supplemental payments in three installments—the first payment will be made by March 15th, the second payment will be made by May 15th, and the final payment will be made by June 30th.

I have also attached here a document detailing OSSE's procedures in preparing the first supplemental payment to be made by March 15th. Please see the following page for additional information.

Alongside this information, OSSE is additionally providing guidance from the Deputy Mayor for Education's office regarding the inclusion of at-risk students within the regular uniform per student funding formula payments for school year 2015-2016. Please see the third page of this document for additional information.

I am excited to be able to improve this process for public charter schools in the District. If you have questions or feedback, please contact Andy Eisenlohr, special assistant for budget and finance, at andrew.eisenlohr@dc.gov or feel free to reach out to me directly.

Sincerely,

Hanseul Kang
State Superintendent

School year 2015-16 first supplemental payment details

By March 15, 2016, charter schools will receive the first supplemental payment for school year 2015-2016 under the District's uniform per student funding formula (UPSFF). This supplemental payment addresses certain changes in student demographic data between October 6, 2015 and February 10, 2016. As outlined in the first page of this document, OSSE is providing additional funding for those students who receive new or changed designations after the District's annual enrollment audit report:

- new or increased individualized education plan (IEP) levels made by February 10, 2016;
- new limited English proficiency (LEP) designations made by February 10, 2016; and
- new at-risk designations made by February 10, 2016.

New or increased IEP levels

For new or increased IEP levels, OSSE is making payment based on the first date of new service and, in the case of an increase to an existing IEP, is considering only the highest IEP level achieved by February 10, 2016. OSSE has prorated the annual amount owed under the District's UPSFF from the first date of new service to February 10, 2016. For students with new IEPs, schools are additionally entitled to the Attorney's Fees Supplement and Blackman-Jones Compliance amounts, again prorated from the first date of new service to February 10, 2016. These calculations are consistent with last year's methodology. The below table summarizes the UPSFF amounts for special education students in school year 2015-2016:

UPSFF Category	School year 2015-2016 amount per pupil
Special Education Level 1	\$9,207
Special Education Level 2	\$11,390
Special Education Level 3	\$18,699
Special Education Level 4	\$33,127
Residential Special Education Level 1	\$3,493
Residential Special Education Level 2	\$12,691
Residential Special Education Level 3	\$27,441
Residential Special Education Level 4	\$27,441
Attorney's Fees Supplement	\$845
Blackman-Jones Compliance	\$655

New LEP designations

For new LEP designations, OSSE is making payment for all students who appeared with a status of LEP for at least 50% of the days the student was enrolled at the charter organization within the reporting period (October 6, 2015 – February 10, 2016), consistent with last year's methodology. For these students, OSSE is providing the full annual UPSFF per pupil amount of **\$4,651**.

New at-risk designations

For new at-risk designations (those students identified outside of the District's annual enrollment audit report), OSSE is making payment for all students who appeared with a status of at-risk for at least 25% of the days the student was enrolled at the charter organization within the reporting period (October 6, 2015 – February 10, 2016). For these students, OSSE is providing the full annual UPSFF per pupil amount of **\$2,079**.

As stated above, the specific demographic data used to calculate supplemental payment amounts will be made available via a statement posted to the online, secure FTP folder for each LEA.

School year 2015-16 quarterly at-risk funding details

Pursuant to DC Code § 38-2906.02, the District is required to reconcile the annual per student funding amount for each charter LEA to the LEA's audited October enrollment figures. This reconciliation is completed via the fourth quarterly payment in April of each school year, after the District's annual enrollment audit report is finalized.

In school year 2014-2015, the District introduced the "at-risk" weight to the uniform per student funding formula to provide additional support for economically disadvantaged and behind-grade-level students. This "at-risk" categorization was then included in projected enrollment counts for LEAs in school year 2015-2016 and in the District's annual enrollment audit in school year 2015-2016. LEAs therefore received at-risk funding based on projected counts within the first quarterly payment in July 2015, and received additional at-risk funding based on *unaudited* October enrollment numbers within the second and third quarterly payments in October 2015 and January 2016 respectively.

Within the fourth quarterly payment in April 2016, OSSE will be reconciling the school year 2015-2016 funding for each charter LEA to its *audited* October enrollment figures. Since it is a component of a charter LEA's annual funding entitlement, the "at-risk" categorization will be included within this reconciliation.

As noted on the previous page, this also now means new at-risk designations made after the enrollment audit will be captured in supplemental payments.

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

D.C. ASSOCIATION OF CHARTERED
PUBLIC SCHOOLS, *et al.*,

Plaintiffs,

v.

DISTRICT OF COLUMBIA, *et al.*,

Defendants.

Civil Action No. 14-1293 (TSC)

DECLARATION OF JUSTIN CONSTANTINO

1. My name is Justin Constantino, and I am employed as the Deputy Director and General Counsel for the Office of Budget and Finance (OBF) within the Office of the City Administrator (OCA). I have held my current position since September 2015; I have been an employee of the District government since October 2007.
2. As the Deputy Director and General Counsel for OBF, my duties and responsibilities include day-to-day oversight of the office staff managing \$13.4 Billion in District government resources. This includes making policy and programmatic decisions for how those resources will be allocated and spent. In addition, as General Counsel I participate in all legal and legislative matters that pertain to government finance and spending. This includes the drafting of the annual budget bills and assisting in cases involving appropriations law. As a result, I am intimately familiar with the

process of developing the District's annual proposed budget, including the way it is submitted to Congress for approval.

3. At the request of counsel for the District, I reviewed paragraphs 73-86 of plaintiffs' Statement of Material Undisputed Facts [43-2] (SOMF) as well as pages 14-15 and 27-28 of their Memorandum of Points and Authorities [43-1], which allege that the District provides operations funding to the District of Columbia Public Schools (DCPS) in addition to the amount approved for appropriation in the District's annual operating budget.
4. In part, plaintiffs reach this conclusion by comparing the "approved" annual appropriation for DCPS, as depicted in the annual proposed budget and financial plan for a given year (budget book), with the agency's "actual" expenditures, as reported in the budget book submitted two years later. *See e.g.*, Pls.' SOMF ¶ 81-82.
5. This analysis is flawed, in some measure, because the "actual" appropriated funds for any past fiscal year (FY) depicted in the annual budget book is not necessarily accurate; to conduct this analysis correctly, the amount of local funds actually expended should be taken from the District's Comprehensive Annual Financial Report (CAFR), which is the only complete, audited account of the District's annual financial statements.¹
6. Correcting for this mistake, a comparison of the approved annual appropriation to DCPS from local funds (as depicted in the budget book) with

¹ The CAFR for each fiscal year between 2010 and 2015 are available on the Office of the Chief Financial Officer (OCFO) website at <http://cfo.dc.gov/page/annual-financial-report-cafr>.

the agency's actual expenditures (as reported in the CAFR) for FY 2012 through FY 2015 yields the following results:

Fiscal Year	UPSFF Appropriation	Actual Expenditures	Variance
2012	\$611,817,320	\$634,445,000	\$22,627,680
2014	\$644,437,000	\$644,563,000	\$126,000
2015	\$701,344,630	\$695,390,000	(\$5,954,630)

7. During FY 2012, DCPS actual expenditures exceeded the annual appropriation from local funds by \$22,627,680, as a result of a \$25,191,000 supplemental appropriation, offset by under spending in the agency's operating budget by the close of the fiscal year.
8. DCPS also saw a small increase in FY 2014, which resulted from reprogrammed funds allocated to DCPS to continue energy reduction efforts and to support translation services at specific schools.
9. In FY 2013 and FY 2015, DCPS actual expenditures were in fact lower than the agency's annual appropriation from local funds. This under spending occurs frequently in District agencies, and it is my offices job to try and reprogram these funds wherever possible. In some instances these resources are identified too late in the fiscal year and they fall in the District's fund balance (savings account). This appears in the CAFR as an agency having less actual expenditures than approved appropriations and is known as year-end surplus.

10. As mentioned, as a result of my responsibilities as Deputy Director and General Counsel for OBF, I also have personal knowledge of the way the District's annual proposed budget is submitted to Congress.

11. The proposed budget submission generally consists of the following documents: the budget request act, the budget support act, the budget book, and any supporting charts and spreadsheets that were incorporated into these documents by reference when the Council voted to approve the budget. These documents are transmitted as a packet from EOM to the President's Office of Management and Budget (OMB). OMB then sends it on to all members of Congress.

12. Once the annual proposed budget is submitted to the President and Congress, the District communicates with Congress regarding the submission via the Office of Federal and Regional Affairs within EOM only if Congress makes specific inquiries.

I do solemnly declare, under penalty of law, that the contents of the foregoing document, consisting of four pages, twelve paragraphs, and one chart are true and correct to the best of my knowledge, information, and belief.

Dated: 9/9/16



JUSTIN CONSTANTINO

School Safety and Security

in the District of Columbia

SY 2016-2017



Prepared by
Metropolitan Police Department

CATHY L. LANIER
Chief of Police

August 2016



Pursuant to D.C. Official Code § 5-132.02(d)(1), the Metropolitan Police Department (MPD) is required to publish a plan to be implemented before the beginning of each school year for protecting children walking to and from District of Columbia Public Schools (DCPS) and Public Charter Schools (DCPCS) and for protecting children from gang and crew violence on, in, and around DCPS and public charter school property. This report is provided in compliance with this Act.

OVERVIEW OF MPD SCHOOL SECURITY & SAFETY PROGRAM

The Department's role in school safety expanded significantly in 2004 when the Council of the District of Columbia enacted the School Safety and Security Procedures Act of 2004, delegating the sole contracting authority for security services at DCPS facilities from DCPS to MPD. In the ensuing decade, we have continued to strengthen our partnership with the District's public schools in safeguarding District students. Now, MPD manages almost 300 contractual security guards deployed to 113 DCPS facilities. With contractual security guards, deployment can be changed to address emerging issues. Additional guard hours are provided at certain sites for before and after care programs, sporting events, and other activities at school facilities which may or may not involve students (e.g., community groups meeting in school facilities). The school security contract, valued at almost \$19 million, is MPD's largest contract.

Managing school security at DCPS is only one of the many roles through which the Department works to safeguard students in the District. Two MPD units have primary responsibility for working together to support safe schools: the School Safety Division and the patrol districts. The School Safety Division (SSD), under the leadership of the Assistant Chief of Police, Patrol Services Bureau, coordinates MPD resources related to school safety. These resources include the deployment of contract security guards at DCPS, and School Resource Officers (SROs) working with DCPS and DC Public Charter Schools. The Assistant Chief also oversees coordination with the patrol districts in the Department along with government agencies and community interests in the city.

School Safety Division

The goal of SSD is to work with other stakeholders to support a safe learning environment for all students. The School Resource Officers (SROs) are MPD police officers with specialized training and experience in working with youth and serving as a resource to a school and its staff. The SROs are required to meet all standard police training requirements, support prosecution of any arrests, and possibly respond to emergencies in close proximity to their assigned schools. While the SROs can and do make arrests when necessary, they work with schools, other District agencies, and community groups to pursue alternative methods for addressing disorder and conflict. In addition, SROs:

- Coordinate mediations and response to conflicts that have happened or may happen off school grounds;

- Coordinate the Safe Passage Program to provide safe routes for youth to and from secondary schools;
- Provide mentoring and outreach programs, such as seminars/assemblies and presentations on trending topics that may impact public safety, including bullying, drug use, social media, and gangs, and other issues, such as transitioning to the ninth grade;
- Conduct school security assessments focused on crime prevention through environmental design, and participate in security meetings with the school administration;
- Provide support to at-risk youth, by conducting home visits to chronic truants or suspended students, visits to group homes, and seminars to designated youth; and
- Visit and work with the schools that feed into middle and high schools.

In the 2016-2017 school year (SY16/17), SROs will continue to be deployed pursuant to the “cluster model,” supporting and being accountable for multiple schools. While high schools receive the most attention due to size and complexity of issues, SROs also provide outreach and conduct presentations to elementary and middle schools. In addition, an evening team of SROs supports extended school days and sporting and entertainment events for students. They also offer programming for the adult student population.

To ensure that all partners are prepared for SY16/17, SSD officials are meeting with school leadership. The teams review topics such as the role of SROs, communicating with MPD, securing school property, and security assessments. This is also an important opportunity for discussing any concerns of superintendents and principals. School leaders are encouraged to include SROs in regular security meetings. In addition, SSD is holding individual meetings with new high school principals.

Patrol Districts

In coordination with SSD, MPD’s seven patrol districts take the lead in safeguarding students outside the schools, and provide support in combating truancy and ensuring the safe travel of students to and from school. Each district has two truancy officers assigned to enforce truancy violations during the school day. They visit areas where youth are known to hang out or follow tips from the public about “skip parties” or other incidents, and take these youth back to their assigned school. The districts will also strategically deploy their truancy officers to areas where information suggests that youth are committing criminal activity while being truant from school. During the 2015-16 school year, MPD picked up youth for truancy violations more than 2,000 times. Truancy officers and SROs conduct outreach to students and parents as well as conduct home visits to chronic truants.

With the start of the school year, each police district commander will adopt a school and visit the principal and students. District officers will provide visibility at various bus stops and Metro stations after school hours and increased attention to traffic violations, including speeding in school zones and illegally passing school buses.

In addition, the Special Liaison Unit (SLU) plays an important role in supporting students. Through the four units of the SLU – Asian Liaison Unit; Deaf and Hard of Hearing Liaison Unit; Lesbian, Gay, Bi-sexual and Transgender Liaison Unit; the Latino Liaison Unit; and the African Liaison Unit – the Department reaches out to historically underserved communities, including students and parents.

Efficient and effective communication among these elements and the schools is supported by a rapid email notification system. School administrators use an email address specific to each police district (e.g., 1DSchools.concerns@dc.gov) to send requests, concerns, or information simultaneously to the command staff of the Patrol Services Bureau, the School Safety Division, and the local district commander. This communication tool is available to all schools.

The AlertDC is another communication system that provides critical information and updates in situations such as traffic conditions, government closures, public safety incidents and severe weather directly to a smart phone or other device, allowing schools quick and timely information on incidents that may impact operations.

GANG & CREW VIOLENCE IN SCHOOLS

The presence of criminal gangs in the District is a significant concern to MPD and to the community. Criminal street gangs contribute to tragic violence and other destabilizing crime, disorder, and intimidation in the city. Although some gangs use the word “crew” in their name, MPD identifies a *gang* as any group that meets the definition of a *criminal street gang* under District law:

- (1) "Criminal street gang" means an association or group of 6 or more persons that:
 - (A) Has as a condition of membership or continued membership, the committing of or actively participating in committing a crime of violence, as defined by D.C. Official Code § 23-1331(4); or
 - (B) Has as one of its purposes or frequent activities, the violation of the criminal laws of the District, or the United States, except for acts of civil disobedience. D.C. Official Code § 22-951(e).

Groups that do not meet the definition of a criminal street gang are often generically referred to as neighborhood crews. Some of these groups may actually use the name of a gang, but may not be engaged in any criminal activity. Moreover, whereas adult crews are more likely to be neighborhood based, open enrollment (as compared to neighborhood-based schools) contributes to a more fluid membership. Although a school group may self-identify with a neighborhood, often only a few of the members are actually from that neighborhood. For the sake of simplicity, since the police identification of a group may differ markedly from the self-identified label, we will refer to them all as “gangs” in this report. Regardless of what they are called, gang members do attend all high schools and most middle schools in the city. That said, although adult gang participation in the city may be reflected in the schools, it is important to recognize that it also differs substantially. The majority of the violence associated with gangs is committed by adults. Most gangs are not

committing violence in the schools, and the overwhelming majority of youth are not involved in violent crime. Overall, MPD observed less gang conflict during the school day. There were, however, some conflicts after school, near Safe Passage routes, and in conjunction with after school sporting events. Social media continues to facilitate or drive “beefs” – including fights and assaults – among youth.

Hybrid crews/gangs continue to play a large role in violent crime throughout the city. These hybrid crews are comprised of members from all sections of the city and the surrounding jurisdictions who meet up and continue to focus their activities around robberies, carjackings, assaults, and retail/commercial thefts. Social media plays a prominent role in how these crews communicate both internally and with rival crews. The Criminal Intelligence Division (CID) works with school administrators as well as SROs daily to stay current with new trends involving the established crews, as well as the new crews that form throughout the year.

The Department’s gang strategy starts in elementary school with anti-bullying and anti-gang messaging. Bullying behavior is a serious issue that, absent appropriate intervention, may be an early indicator of a pattern of intimidation in later years. MPD presents anti-bullying seminars at elementary schools and coordinates interventions with parents upon the request of the school. MPD also works in partnership with other government and community groups to communicate strong and consistent anti-gang messaging and offer opportunities for positive activities to students of all ages.

Needless to say, anti-gang efforts continue with older students. The SROs provide strong support to youth in addressing problems both in and out of the school. The SROs work with students daily, developing a strong rapport and learning about their communities and concerns. Consistent, positive relationships with adults are a benefit to youth in their own right, but these relationships also lead youth to share important information with SROs about developing “beefs” or feuds arising among gangs. Relevant information is then shared with CID, which works closely with other government agencies and community groups to identify youth in need so that they can work to provide services and mediate conflict.

The Department also monitors open source social media sites to gain more information about ongoing or emerging conflicts. The CID incorporates all data into the information it gathers from many other sources and uses it to help disrupt gang activity in the city. Additionally, SROs may hear information each morning about incidents that occurred outside of school the night or weekend before. In these instances, the SROs are able to quickly identify the persons involved in the incident and then marshal resources and assistance to diffuse the incident and support a peaceful learning environment. The Department works closely with DCPS in these efforts to deter violence and to provide preventative support to youth.

Of course, a key component of violence prevention is the weapons abatement efforts used by security guards when students enter schools. During the 2015-2016 school year, security has continued to identify a significant number of students trying to enter schools with weapons, including knives, mace/pepper spray, box cutters, stun guns, BB guns, and firearms.

The Department works continuously to identify emerging trends that could lead to issues within the schools. It hosts a daily afternoon conference call with partner agencies and contract security to discuss issues occurring in the schools. When it seems that a situation may be developing or a critical incident has occurred outside of the school that may impact students, SROs will meet with the administration and help to develop a safety strategy or provide mediation with the involved parties. In addition, MPD works with DCPS and the charter schools to identify scheduled events held at the schools that may require additional security or alternative planning due to the possibility of an incident occurring.

Unfortunately, interventions are not always successful. When violence breaks out, MPD quickly devotes resources – both operational and analytical – to prevent retaliatory violence, some of which is associated with gang violence. Intelligence analysts immediately examine key factors in shootings (e.g., location, people, and weapons) to identify relevant trends. Information about potential groups – including gangs – or locations that might be involved in retaliatory violence is quickly disseminated. MPD and partner agencies can rapidly respond with a variety of tactics, such as enhancing visible police presence, mediating conflicts, and increasing visits to high risk individuals.

Lastly, it is important to recognize that youth can also be victimized by violence as a result of bullying or other destructive relationships. For instance, domestic violence is not limited to just the individuals in relationships; it can also involve real or potential rivals, friends, or family members of youth in relationships. Thus the support and programs offered by MPD do not just focus on gang conflict and violent crime. Mediation services are available for any interpersonal conflict. In addition to Advanced Youth Training, the SROs participate in training on issues related to youth dating violence, as well as working with youth who may witness domestic violence in the home. Most SROs have also been trained and certified by the Department of Health in conjunction with MPD's Metropolitan Police Academy as Crisis Intervention Officers.

SAFE PASSAGE-TRAVEL TO & FROM SCHOOLS

While addressing disorder and violence in schools is critical, it is only part of the concern. Thus MPD's overall school safety strategy includes Safe Passage Operational Plans that address crime that youth may encounter while traveling to and from school. In addition to conflicts among associates that may flare up when students leave the safety of school, students may also fall victim to the same types of stranger crimes against persons that any individual may face, such as robbery or assault. As such, MPD works both to reduce crimes of opportunity and to deter potential targeted violence.

The Department works with other stakeholder agencies and resources to identify and support safe routes to and from school to major transportation points (e.g., Metro train and bus stops) after school dismissal. Both the SROs and police district personnel coordinate with Metro Transit Authority Police and others to optimize safety and security in these areas. MPD patrol officers on foot, Segways, or bike beats are deployed to these routes to support Safe Passages. Depending on the specifics and logistics of the school, other resources may include school administrators, school crossing guards, the Department of Parks and Recreation's Roving Leaders, and private businesses along the route. These stakeholders ensure students are able to travel in certain areas safely and without incident. Deployment and action plans to address hot issues are checked through daily conference calls between MPD, DCPS, DCPCS, Metro Transit, Roving Leaders, and contract security. Information is shared about incidents that may affect student safety at dismissal time, and additional resources are deployed if necessary.

Richard Wright Public Charter Schools has initiated a Safe Passage Block program titled Man the Block. The mission is to promote safe passage for students with a coordinated effort of schools, civic organizations, business and the community to provide an adult presence along Safe Passage. The Executive Office of the Mayor (EOM) has also initiated a Safe Passage deployment utilizing government volunteers from various agencies. This initiative began during the last week of the school year and they were deployed several times during the summer for Safe Passage associated with the Summer Youth Employment Program.

The District Department of Transportation's (DDOT) School Crossing Guard program plays a major role in ensuring that elementary school students are safe as they travel to and from school. Crossing guards are posted at intersections near DCPS and charter schools to:

- Encourage youth to behave in a safe manner near traffic;
- Provide assistance if the natural traffic flow does not allow enough time for youth to safely cross a street;
- Alert motorists to the presence of pedestrian traffic; and
- Observe and report any incidents or conditions that present a potential hazard to youth.

In SY 15/16, DDOT will be deploying about 170 crossing guards.

EMERGENCY INCIDENTS AT SCHOOLS

Although the probability of a major emergency incident at a school may be lower than more routine crime and disorder, the risk to life and community is significant. Therefore preparing for these high risk scenarios is a top priority for MPD. With support from the Washington Regional Threat and Analysis Center, MPD continuously monitors for threats involving schools and stands ready to coordinate the deployment of personnel and resources in and around schools. The patrol districts have Incident Management Teams (IMT) trained to respond to and manage critical incidents, and all

are trained to respond to active shooter situations. The School Safety Division and IMTs are supported by the DC Emergency and Safety Alliance, which provides centralized and quick access to District school emergency response plans and facility information. To test the extensive preparation efforts and ensure continued improvement, MPD coordinates with partner emergency response agencies, including DDOT, the District's Homeland Security and Emergency Management Agency, and the Department of Fire and Emergency Medical Services to conduct drills and exercises involving schools.

YOUTH ENGAGEMENT

School Resource Officers lead and participate in many initiatives to foster positive relationships with students, support a safe school environment, and encourage youth to be committed to their educational goals. These relationships with youth can also help deter them from at-risk behavior, including gang participation and drug abuse. Youth programs reach students from all grade levels, from elementary to high school and special education opportunities.

For instance, through the Junior Cadet Program sponsored by the DC Police Foundation, MPD worked with more than 1,124 youth at five participating elementary schools: Henley, Seaton, Payne, Harriet Tubman and Friendship Blow-Pierce. The 40-week curriculum includes lessons on safety, civics, history, the mission and responsibilities of MPD, life skills development, prevention of drug abuse and violent behavior, and academic achievement. The program also includes field trips and events throughout the year. The Junior Cadet Program is taught by SROs and community partners in the business and the nonprofit community. This program builds character, fosters positive relationships between MPD and students, and keeps young participants interested in law enforcement.

The Junior Cadet Program also serves as a gateway to future participation in the MPD Cadet Program by keeping students focused on their education and opportunities. Participants in the MPD Cadet Program are recent District high school graduates employed by MPD in civilian positions. Working 20 hours a week, the cadets rotate through a variety of assignments, helping MPD fulfill its mission, while providing cadets with valuable exposure and experience within the Department. In addition to paying the cadets for their work, MPD covers their tuition at the University of the District of Columbia. Cadets convert to career police status upon completion of their Associate Degree program and enter recruit training to become sworn officers. The program provides education and a career path to District youth while establishing a pool of talented recruit officers from the District who are available to MPD in the coming years.

For the School Year 2016-2017 the Junior Cadet Program is being expanded to include a Junior Cadet Club at Kramer Middle School. This group will meet once a week engaging 6th to 8th graders on law enforcement and public safety matters. Participation in this program may be a natural

progression to the new Public Safety Academy that will launch in August at Anacostia High School exposing high school students to the field of public safety.

During the school year, SSB members also provide mentoring to students from around the city through the Youth Advisory Council (YAC). Participants have an opportunity to learn about possible career paths and build strong relationships with adult mentors while giving back to the city through community service. Youth Advisory students meet monthly with SROs to engage in panel discussions, exchange ideas, and hear from motivational speakers. This past year, the 68 members of the Youth Advisory Council teamed with the Greatest Save Project developing Public Services Announcements on various topics for youth, and with the Travis Manion Foundation for the “If Not Me, Then Who...” campaign. In addition, the students participate in community service projects such as MPD’s annual “Shop with a Cop” program. Members of YAC are eligible for full and partial college scholarships.

The Junior Police Academy provides the District’s Summer Youth Employment Program (SYEP) employees with an opportunity to learn more about how a police department operates. Participants learn about college, financial aid for college, and other careers in criminal justice, politics, and law. In 2015, this program provided 50 youth participants exposure to various positions within MPD, including the Homicide Unit and Recruiting Division, as well as judges at the Superior Court. Tours included the Law Enforcement Memorial, MPD Headquarters, and the Museum of Crime and Punishment.

Students Taking Another Route to Success, also known simply as STARS, is a summer enrichment camp that works in conjunction with SYEP. It supports civic understanding, mentoring, life, basic skills, and job training to approximately 100 youth each summer.

SY 2016/2017 DEPLOYMENT

Table 1: School Resource Officers Supporting DCPS and Public Charter Schools

The SROs are deployed in a cluster model, with each SRO supporting multiple schools. While high schools receive the most attention due to size and complexity of issues, SROs also provide outreach to middle schools. Roving SROs are a resource for school administrators, coordinating Safe Passages, targeted student outreach, and programs. These officers also coordinate conflict mediations if needed, and lend support and provide resource information to at-risk students. In addition, an evening team of SROs supports extended school days and sporting and entertainment events for students and offer programming for the adult student population.

Type	District/ Cluster	School Name	Grades	Address
Charter	1D/I	Caesar Chavez - Capitol Hill PCS	9-12	709-12th St SE
Charter	1D/I	Friendship - Chamberlin PCS	PK-8	1345 Potomac Ave SE
DCPS	1D/I	Jefferson MS	6-8	801 7th St SW
Charter	1D/I	Richard Wright PCS	8-9	770 M St SE

Type	District/ Cluster	School Name	Grades	Address
Charter	1D/II	Center City - Capitol Hill PCS	PK-8	1503 East Capitol St SE
DCPS	1D/II	Eastern SHS	9-11	1700 East Capitol St NE
DCPS	1D/II	Eliot - Hines MS	6-8	1830 Constitution Ave NE
Charter	1D/II	Kingsman PCS	6-12	1375 E St NE
DCPS	1D/II	Stuart Hobson MS	6-8	401 E St NE
DCPS	1D/III	Walker-Jones EC	PS- 8	1125 New Jersey Ave NW
Charter	1D/III	Basis PCS	5-9	410 8 th St NW
DCPS	2D/I	Francis EC	PS-8	2425 N St NW
DCPS	2D/I	Hardy MS	6-8	1819 35 th St, NW
DCPS	2D/I	School Without Walls HS	9-12	2130 G St NW
DCPS	2D/II	Deal MS	6-8	3815 Fort Dr NW
DCPS	2D/II	Wilson SHS	9-12	3950 Chesapeake St NW
DCPS	3D/I	Benjamin Banneker SHS	9-12	800 Euclid St NW
Charter	3D/I	Booker T. Washington PCS	9-12	1346 Florida Ave NW
Public	3D/I	Myer & Garnett Patterson ESs (temporary locations of Duke Ellington Students)	9-12	2501 11 th St NW 8am-1:30pm 10 th & U St 1:30-5pm
DCPS	3D/I	Cardozo SHS	9-12	2501 Clifton St NW
Charter	3D/I	Cesar Chavez PCS	6-9	770 Kenyon St NW
Charter	3D/I	Meridian PCS	PK -8	2120 13 th St NW
Charter	3D/II	Howard University Middle School of Mathematics & Science	6-8	405 Howard Rd NW
Charter	3D/II	KIPP-DC WILL Academy PCS	5-8	421 P St NW
Charter	3D/II	Center City PCS	PK-8	711 N St, NW
DCPS	3D/II	Washington Metropolitan SHS	9-12	300 Bryant St NW
Charter	3D/III	District of Columbia International School	6-8	3220 16 th St, NW
DCPS	3D/III	Columbia Heights EC	6-12	3101 16 th St NW
Charter	3D/III	Next Step / El Proximo Paso PCS	9-12	3047 15 th St NW
Charter	4D/I	Center City PCS (Brightwood Campus)	PK-8	6008 Georgia Ave NW
DCPS	4D/I	Coolidge SHS	9-12	6315 5th St NW
Charter	4D/I	Capitol City PCS	PK-12	100 Peabody St, NW
DCPS	4D/I	LaSalle-Backus EC	PS -8	501 Riggs Rd NE
Charter	4D/I	Paul PCS	6-12	5800 8th St NW
DCPS	4D/I	Takoma EC	PS-8	7010 Piney Branch Rd NW
DCPS	4D/I	Whittier EC	PS-8	6315 5th St NW
Charter	4D/II	West EC	PK3-8	1385 Farragut St, NW
Charter	4D/II	Ideal Academy - North Capitol PCS	PS-8	6130 North Capitol St NW
Charter	4D/II	Roots PCS	PK-8	15 Kennedy St NW
DCPS	4D/II	Truesdell EC	6-8	800 Ingraham St NW
Charter	4D/III	Washington Latin PCS	5-12	5200 2nd St NW
DCPS	4D/III	West EC	PK3-8	1385 Farragut St NW
Charter	4D/III	Center City –Petworth PCS	PK- 8	510 Webster St NW
Charter	4D/III	EL Haynes PCS	PK-4 & 9-12	3600 Georgia Ave NW
Charter	4D/III	EL Haynes PCS	5-8	4501 Kansas Ave NW
DCPS	4D/III	Roosevelt SHS	9-12	4400 Iowa Ave NW
DCPS	4D/III	McFarland MS	6	4301 13 th Street, NW
Charter	5D/I	Friendship-Woodbridge PCS	PK-8	2959 Carlton Ave NE
Charter	5D/I	Imagine Hope Community PCS	PS- 8	2917 8 th St NE
DCPS	5D/I	Brookland MS	6-8	1150 Michigan Avenue NE

Type	District/ Cluster	School Name	Grades	Address
DCPS	5D/I	Luke C Moore SHS	9-12	1001 Monroe St NE
Charter	5D/I	Perry Prep PCS	PK-12	1800 Perry St NE
Charter	5D/I	Tree of Life Community PCS	PK-8	2315 18 th PI NE
Charter	5D/I	Washington Leadership Academy	9	3015 4 th Street, NE
DCPS	5D/II	Langdon EC	PK-8	1900 Evarts St, NE
DCPS	5D/II	Dunbar SHS	9-12	101 N St, NW
Charter	5D/II	DC Prep Edgewood PCS	4-8	701/707 Edgewood St NE
Charter	5D/II	Mary McLeod Bethune PCS	PS-8	1404 Jackson St NE
Charter	5D/II	High Road Academy PCS	K-12	711 –A St, NE
DCPS	5D/II	McKinley SHS	6-12	151 T St NE
Charter	5D/II	William E. Doar PCS	PK-8	705 Edgewood St NE
DCPS	5D/III	Browne EC	PK-8	850 26 th St NE
Charter	5D/III	Center City – Trinidad PCS	PK-8	1217 West Virginia Ave NE
Charter	5D/III	Friendship – Blow-Pierce PCS	PK-4-8	725 19 th St NE
DCPS	5D/III	Phelps SHS	9-12	704 26 th St NE
Charter	5D/III	Two Rivers PCS	PK-8	1227 & 1234 4 th St NW
Charter	5D/III	Kipp DC@ Hamilton	9-12	Brentwood Pkwy & Mt Olivet
Charter	5D/III	Washington Mathematics Science & Technology PCS	9-12	1920 Bladensburg Rd NE
DCPS	5D/III	Wheatley/Webb EC	PK-8	1299 Neal St NE
Charter	5D/III	Children’s Guild	K-8	2146 24 th Place, NE
DCPS	6D/I	Kelly Miller MS	6-8	301 49th St NE
Charter	6D/I	KIPP-DC KEY / Promise PCS	5-8	4801 Benning Rd SE
Charter	6D/I	Maya Angelou PCS - Evans Campus	7-12	5600 East Capitol St NE
DCPS	6D/I	Woodson SHS	9-12	5500 Eads St NE
DCPS	6D/II	Anacostia SHS	9-12	1601 16th St SE
DCPS	6D/II	Kramer MS	6-8	1700 Q St SE
Charter	6D/II	SEED PCS	6-12	4300 C St SE
DCPS	6D/II	Sousa MS	6-8	3650 Ely PI SE
Charter	6D/III	Caesar Chavez HS/MS PCS	6-12	3701 Hayes St NE
Charter	6D/III	Friendship Collegiate PCS	9-12	4095 Minnesota Ave NE
Charter	6D/III	Integrated Design& Electronics Academy PCS	9-12	1027 45th St NE
DCPS	6D/III	Ron Brown High School	9	4800 Meade Street, NE
DCPS	7D/I	Johnson MS	6-8	1400 Bruce PI SE
Charter	7D/I	KIPP-DC College Prep / DC Prep PCS	9-12	2600 Douglas Rd SE
Charter	7D/I	Thurgood Marshall Academy PCS	9-12	2427 Martin Luther King Jr Ave SE
Charter	7D/II	Center City - Congress Heights PCS	PK-8	220 Highview PI SE
Charter	7D/II	Friendship Technology Preparatory PCS	6-8	620 Milwaukee PI SE
Charter	7D/II	National Collegiate Preparatory PCS	9-12	4600 Livingston Rd SE
Charter	7D/II	Friendship Technology Prep PCS	9-12	2705 MLKing Jr, Ave, SE
DCPS	7D/III	Ballou SHS	9-12	3401 4th St SE
DCPS	7D/III	Hart MS	6-8	601 Mississippi Ave SE
Charter	7D/III	Sumerset Prep PCS	6-8	3301 Wheeler Rd SE

Table 2: Contract Security Guard Deployment at DCPS

The initial deployment plan for contract security guards at DCPS is included in the table below. However, it is subject to change to meet current and emerging safety needs. It is important to recognize that SROs do not serve as security guards. In addition, although we are active partners with Public Charter Schools in promoting *school safety*, MPD is not responsible for *security* matters at any PCS. The Department does not manage contract security for charter schools. Charters have the flexibility to fund their own individual programs and services, including investments in security, as they see fit with their Uniform per Student Funding Formula dollars. For instance, facility and environmental design is an essential component of crime prevention and security. Measures such as security doors, cameras, and alarms can greatly enhance security and reduce risk in a facility.

School	Address	Type	# Contract Guards
Aiton ES	533 48th PI NE	ES	1
Amidon-Bowen ES	401 I St SW	ES	1
Anacostia HS	1601 16th St SE	HS	9
Ballou HS	3401 4th St SE	HS	14
Ballou STAY HS	3401 4th St SE	STAY	3
Bancroft ES	1755 Newton St NW	ES	1
Banneker HS	800 Euclid St NW	HS	2
Barnard ES	430 Decatur St NW	ES	2
Beers ES	3600 Alabama Ave SE	ES	1
Brent ES	301 North Carolina Ave SE	ES	1
Brightwood EC	1300 Nicholson St NW	EC	3
Brookland MS	1150 Michigan Ave NE	MS	4
Bunker Hill ES	1401 Michigan Ave, NE	EC	1
Browne EC	850 26th St NE	EC	3
Bruce-Monroe ES @ Park View	3560 Warder St NW	ES	1
Burroughs EC	1820 Monroe St NE	EC	2
Burrville ES	801 Division Ave NE	ES	1
C.W. Harris ES	301 53rd St SE	ES	1
Capitol Hill Montessori @ Logan	215 G St NW	ES	1
Cardozo Education Campus	1200 Clifton St NW	HS	11
Choice @ Emery	1720 First Street NE	Spec-Ed	2
Cleveland ES	1825 8th St NW	ES	1
Columbia Heights EC	3101 16th St NW	HS	9
Coolidge HS	6315 5th St NW	HS	6
Deal MS	3815 Fort Dr NW	MS	7
Drew ES	5600 Eads St NE	ES	1
Dunbar HS	101 N St NW	HS	9
Eastern HS	1700 East Capitol St	HS	8
Eaton ES	3301 Lowell St NW	ES	1
Eliot-Hine MS	1830 Constitution Ave NE	MS	3
Ellington School of the Arts	3500 R St NW	HS	6
Fillmore Arts Center @ Hardy	1819 35th St NW	MS	1
Fillmore Arts Center @ Raymond	915 Spring Rd NW	ES	1
Francis-Stevens EC	2425 N St NW	EC	2
Garfield ES	2435 Alabama Ave SE	ES	1

School	Address	Type	# Contract Guards
Garrison ES	1200 S St NW	ES	1
H.D. Cooke ES	2525 17th St NW	ES	1
Hardy MS	1819 35th St NW	MS	2
Hart MS	601 Mississippi Ave SE	MS	5
Hearst ES	3950 37th St NW	ES	2
Height ES	1300 Allison St, NW	ES	2
Hendley ES	425 Chesapeake St SE	ES	2
Houston ES	1100 50th Pl NE	ES	1
Hyde-Addison ES	3219 O St NW	ES	2
Janney ES	4130 Albemarle St NW	ES	1
Jefferson MS	801 7th St SW	MS	3
Johnson MS	1400 Bruce Pl SE	MS	3
Kelly Miller MS	301 49th St NE	MS	6
Ketcham ES	1919 15th St SE	ES	1
Key ES	5001 Dana Pl NW	ES	1
Kimball ES	3375 Minnesota Ave SE	ES	1
King ES	3200 6th St SE	ES	1
Kramer MS	1700 Q St SE	MS	4
Lafayette ES	5701 Broad Branch Rd NW	ES	1
Langdon EC	1900 Everts St NE	EC	2
Langley ES	101 T St NE	EC	1
LaSalle-Backus EC	501 Riggs Rd NE	EC	3
Leckie ES	4201 Martin Luther King Jr Ave SW	ES	2
Ludlow-Taylor ES	659 G St NE	ES	1
Luke C. Moore HS	1001 Monroe St NE	HS	4
Malcolm X ES	1351 Alabama Ave SE	ES	1
Mann ES	4430 Newark St NW	ES	1
Marie Reed ES	2201 Champlain St NW	ES	1
Maury ES	1250 Constitution Ave NE	ES	1
McKinley Technology HS	151 T St NE	HS	9
Miner ES	601 15th St NE	ES	2
Moten ES	1565 Morris Rd SE	ES	2
Murch ES	4810 36th St NW	ES	2
Nalle ES	219 50th St SE	ES	1
Noyes EC	2725 10th St NE	EC	2
Orr ES	2200 Minnesota Ave SE	ES	1
Oyster - Adams MS	2020 19th St NW	MS	2
Oyster - Oyster ES	2801 Calvert St NW	ES	1
Patterson ES	4399 South Capitol Ter SW	ES	2
Payne ES	1445 C St SE	ES	1
Peabody ES	425 C St NE	ES	1
Phelps HS	704 26th St NE	HS	4
Plummer ES	4601 Texas Ave SE	ES	1
Powell ES	1350 Upshur St NW	EC	2
Randle Highlands ES	1650 30th St SE	ES	1
Raymond EC	915 Spring Rd NW	EC	3
River Terrace EC	420 34 th Street, NE	Spec-ED	2
Ron Brown High School	4800 Meade Street, NE	HS	4
Roosevelt HS	4301 13th St NW	HS	7
Roosevelt STAY HS	4301 13th St NW	STAY	4
Ross ES	1730 R St NW	ES	1

School	Address	Type	# Contract Guards
Savoy ES	2400 Shannon Pl SE	ES	2
School w/out Walls HS	2130 G St NW	HS	2
School within School @ Goding	920 F Street, NW	ES	1
Seaton ES	1503 10th St NW	ES	1
Shepherd ES	7800 14th St NW	ES	1
Simon ES	401 Mississippi Ave SE	ES	1
Smothers ES	4400 Brooks St NE	ES	1
Sousa MS	3650 Ely Pl SE	MS	3
Stanton ES	2701 Naylor Rd SE	ES	2
Stoddert ES	4001 Calvert St NW	ES	2
Stuart- Hobson MS	410 E St NE	MS	4
Takoma EC	7010 Piney Branch RD	EC	2
Thomas ES	650 Anacostia Ave NE	ES	1
Thomson ES	1200 L St NW	ES	1
Truesdell EC	800 Ingraham St NW	EC	2
Tubman ES	3101 13th St NW	ES	1
Turner ES	3264 Stanton Rd SE	ES	1
Tyler ES	1001 G Street SE	ES	1
Van Ness ES	1001 G Street, SE	ES	2
Walker-Jones EC	1125 New Jersey Ave NW	EC	4
Washington Metropolitan HS	300 Bryant St NW	HS	3
Watkins ES	420 12th St SE	ES	1
West EC	1338 Farragut St NW	EC	1
Wheatley EC	1299 Neal St NE	EC	3
Whittier EC	6201 5th St NW	EC	1
Wilson HS	3950 Chesapeake St NW	HS	9
Wilson, JO ES	660 K St NE	ES	1
Woodson H.D. HS	540 55th St NE	HS	8
TOTAL			296

**MEMORANDUM OF UNDERSTANDING
BETWEEN
THE CITY ADMINISTRATOR
AND
THE OFFICE OF THE CHIEF FINANCIAL OFFICER
FOR FISCAL YEAR 2016 CITY-WIDE SERVICES**

I. INTRODUCTION

This Memorandum of Understanding (this “MOU”) is entered into between the Office of the City Administrator (“OCA”), on behalf of all District of Columbia executive agencies under the authority of the Mayor (“City Executive Agencies”), and the Office of the Chief Financial Officer (“OCFO”), collectively referred to herein as the “Parties” and individually as a “Party”.

II. LEGAL AUTHORITY FOR MOU

D.C. Official Code § 1-301.01(k) (2010 Supp.).

III. OVERVIEW OF PROGRAM GOALS AND OBJECTIVES

The purposes of this MOU are as follows:

- a) Each City Executive Agency will transfer to The Department of General Services (“DGS”), within 10 days of the beginning of Fiscal Year 2016, through an Intra-District transfer, the full amount of funds in DGS’ Fiscal Year Intra-District budget for DGS’ fixed costs, including rent or lease payments, utilities (gas, electric, auto-fuel, heating fuel, steam, water), sustainability DC, occupancy and security. The amount of budgeted funds to be transferred to DGS is shown on attached Exhibit A.
- b) Each City Executive Agency will transfer to the OCFO within 10 days of the beginning of the Fiscal Year 2016, through an Intra-District transfer, the full amount of funds in OFRM’s Fiscal Year 2016 Intra-District budget for telecommunications. The amount of budgeted funds to be transferred to OFRM is shown on attached Exhibit B
- c) Each City Executive Agency will transfer to the Office of the Chief Technology Officer (“OCTO”) within 10 days of the beginning of Fiscal Year 2016, through an Intra-District transfer, the full amount of funds in each City Executive Agency’s IT Assessment budget in Fiscal Year 2016. The amount of budgeted funds to be transferred by each City Executive Agency to OCTO is shown on attached Exhibit C.
- d) (c) Each City Executive Agency will transfer to the Department of Public Works (“DPW”) within 10 days of the beginning of Fiscal Year 2016, through an Intra-District transfer, the full amount of funds budgeted for each City Executive Agency’s DPW provided fleet maintenance services in Fiscal Year 2016. The amount of budgeted funds to be transferred by each City Executive Agency to DPW is shown on attached Exhibit D.

IV. SCOPE OF SERVICES

Pursuant to the applicable authorities and in the furtherance of the shared goals of the Parties to carry out the purposes of this MOU expeditiously and economically, the Parties hereby agree as follows:

A. RESPONSIBILITIES OF THE OCA

Transfer through Intra-District transfers to OCTO, DPW, DGS and OCFO the funds described in Article III(a), III(b) and III(c); and through OCTO and DPW, provide the goods and/or services required of OCTO and DPW described in Article III.

B. RESPONSIBILITIES OF THE OCFO

To collect those fixed cost and assessments that are funded through intra-district transfer on the behalf of DGS, OCTO, OFRM, and DPW; and to provide financial management services to include rendering payments.

V. DURATION OF THIS MOU

The period of this MOU shall be from October 1, 2015 through September 30, 2016, unless terminated in writing by the Parties pursuant to Section XI of this MOU.

VI. FUNDING PROVISIONS

A. COST OF SERVICES

The total cost of services is \$183,300,373 based on the total amounts shown on the attached Exhibits A, B, C and D. If the cost for services exceed the amount budgeted for a City Executive Agency, the applicable City Executive Agency will be notified prior to collection. Funding for goods and/or services shall not exceed the actual cost of the goods and/or services provided, including labor, materials and overhead.

B. PAYMENT

1. Payment for the goods and/or services shall be made through Intra-District advances as described in Article III based on the total amounts shown on the attached Exhibits A, B, C and D of this MOU.
2. DGS shall submit to the OCFO itemized invoices, monthly actuals and forecast by agency. DPW shall submit to each City Executive Agency monthly reports (billers) which shall include (1) List of materials and their costs; (2) labor costs including hourly rates for all laborers and (3) actual cost of overhead for goods and/or services supplied to each City Executive Agency. OCFO and OCTO will provide monthly reports via the Fixed Cost Management System with the actual and projected usage for telecommunication services.

3. The OCFO shall notify a City Executive Agency within forty-five (45) days of the current fiscal year if it has reason to believe that all of the advance by the City Executive Agency will not be billed during the current fiscal year. OCTO, DPW, DGS and the OCFO shall return any excess advance to a City Executive Agency, as applicable, within thirty (30) days of the end of the current fiscal year.

C. ANTI-DEFICIENCY CONSIDERATIONS

The Parties acknowledge and agree that nothing in this MOU creates a financial obligation in anticipation of an appropriation and that all provisions of this MOU, or any subsequent agreement entered into by the parties pursuant to this MOU, are and shall remain subject to the provisions of (i) the federal Anti-Deficiency Act, 31 U.S.C. §§ 1341, 1342, 1349, 1351, (ii) the District of Columbia Anti-deficiency Act, D.C. Official Code §§ 47-355.01-355.08, (iii) D.C. Official Code § 47-105, and (iv) D.C. Official Code § 1-204.46, as the foregoing statutes may be amended from time to time, regardless of whether a particular obligation has been expressly so conditioned.

VII. AMENDMENTS AND MODIFICATIONS

This MOU may be amended or modified only upon prior written agreement of the Parties. Amendments or modifications shall be dated and signed by the authorized representatives of the Parties

VIII. CONSISTENT WITH LAW

The Parties shall comply with all applicable laws, rules and regulations whether now in effect of hereafter enacted or promulgated.

IX. COMPLIANCE AND MONITORING

OCTO, DGS and DPW will be subject to scheduled and unscheduled monitoring reviews to ensure compliance with all applicable requirements

X. RECORDS AND REPORTS

OCTO, DPW, DGS and the OCFO shall maintain records and receipts for the expenditure of all funds provided pursuant to this MOU for a period of no less than three years from the date of expiration or termination of this MOU.

XI. TERMINATION

Either Party may terminate this MOU in whole or in part by giving thirty (30) calendar days advance written notice to the other Party. In the event of termination of this MOU, payment to the Seller Agency shall be held in abeyance until all required fiscal reconciliation, but not later than September 30th of the then current fiscal year.

XII. NOTICES

The following individuals are the contact points for each Party:

For the OCA:

Matthew T. Brown
Budget Director
1350 Pennsylvania Avenue, NW, Suite 513
Washington, DC 20004

For the OCFO:

Mohamed A. Mohamed
Associate Chief Financial Officer
441 4th Street NW, 890N
Washington, DC 20001

XIII. PROCUREMENT PRACTICES REFORM ACT

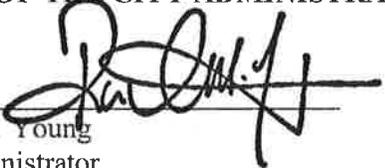
If a District of Columbia agency or instrumentality plans to utilize the goods and/or services of an agent, contractor, consultant or other third party to provide any of the goods and/or services under this MOU, then the agency or instrumentality shall abide by the provisions of the District of Columbia Procurement Practices Reform Act of 2010 (D.C. Official Code § 2-351.01, *et seq.*) to procure the goods or services.

XIV. CONFIDENTIAL INFORMATION

The Parties to this MOU will use, restrict, safeguard and dispose of all information related to services provided by this MOU in accordance with all relevant federal and local statutes, regulations, and policies. Information received by either Party in the performance of responsibilities associated with the performance of this MOU shall remain the property of the Buyer Agency.

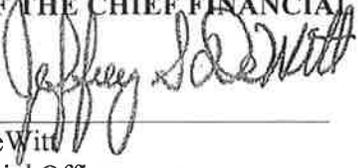
IN WITNESS WHEREOF, the Parties hereto have executed this MOU as follows:

OFFICE OF THE CITY ADMINISTRATOR

By: 
Rashad M. Young
City Administrator

10/8/15
Date

OFFICE OF THE CHIEF FINANCIAL OFFICER

By: 
Jeffrey S. DeWitt
Chief Financial Officer

OCT - 2 2015
Date

DEPARTMENT OF GENERAL SERVICES
 FY2016 FIXED COST COMMODITIES ESTIMATE

EXHIBIT A

AGENCY CODE	AGENCY NAME	ELECTRICITY	SUSTAINABLE DC	NATURAL GAS	FUEL	STEAM	WATER/SEWER	AUTO-FUEL	OCCUPANCY	RENT	SECURITY	GRAND TOTAL
AC	OFFICE OF THE D.C. AUDITOR						10,266	8,488	835,104	533,192	318,167	533,192
CB	OFFICE OF THE ATTORNEY GENERAL	600,582	26,880				180,378	11,957	1,470,388	1,313,062	995,125	1,799,467
CF	DEPARTMENT OF EMPLOYMENT SERVICES	603,912	26,894				296	7,881	52,942	3,457,638	9,175	4,601,716
DB	DEPARTMENT OF HOUSING & COMMUNITY DEVELOPMENT	17,320	775				393		7,663	2,424,769	27,106	3,546,027
DC	DC LOTTERY & CHARITABLE GAMES	4,743	219					3,446		1,587,001		2,464,893
DH	PUBLIC SERVICE COMMISSION							835		1,206,496		1,590,447
DJ	OFFICE OF THE PEOPLES COUNSEL						3,098,429	83,024		7,087,322	314,753	1,207,331
GA	D.C. PUBLIC SCHOOLS	13,367,836	964,314	4,522,484						4,680,929	28,922	29,438,161
GD	OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION	18,659	836				319		54,768	4,680,929	28,922	4,784,433
GO	SPECIAL EDUCATION TRAINING	28,248	1,144	18,105			21,927	4,465,511	225,526	1,024,012	483,365	6,267,838
HC	DEPARTMENT OF HEALTH	306,145	13,249	74,264			37,398	106,944	316,342	13,313,831	428,878	14,597,051
HT	DEPARTMENT OF HEALTH CARE FINANCE	185,962	8,322				3,179	2,620	258,577		98,515	557,175
JA	DEPARTMENT OF HUMAN SERVICES	1,409,911	69,946	394,134	4,024	543,017	474,032	37,831	1,806,894	22,677,239	1,706,361	29,123,389
JM	DEPARTMENT ON DISABILITY SERVICES								23,700	6,250,000	107,821	6,381,521
KV	DEPARTMENT OF MOTOR VEHICLES							168,984	1,170,998	7,447,095	1,367,259	1,367,259
RL	CHILD & FAMILY SERVICES	627,814	28,576	10,130			42,634		158,613	5,252,836	4,381,395	11,198,552
RM	DEPARTMENT OF MENTAL HEALTH	1,804,759	96,532	60,961	511,683		889,710	7,769	26,446	2,048,022	8,329	13,164,258
SR	DEPARTMENT OF INSURANCE SECURITIES & BANKING											2,082,797
ZZ	JOHN A. WILSON BUILDING	918,477	45,225				207,827		1,485,022		1,846,160	4,502,711
TOTALS		19,894,368	1,282,912	5,080,078	515,707	543,017	4,966,788	4,905,270	7,892,983	80,303,444	13,823,652	139,208,218

**OFFICE OF FINANCE AND RESOURCE MANAGEMENT
FY2016 TELECOMMUNICATIONS ESTIMATE**

EXHIBIT B

AGENCY CODE	AGENCY NAME	OCTO DCNET	OFRM	GRAND TOTAL
AC	Office of the DC Auditor	10,606	3,136	13,742
CB	Office of Attorney General	257,494	101,672	359,166
CF	Department of Employment Services	424,586	425,624	850,210
CG	Public Employee Relations Board	13,365	3,793	17,158
CT	Office of Cable Television and Telecommunications	26,298	84,950	111,248
DB	Department of Housing and Community Development	66,525	85,015	151,539
DC	DC Lottery and Charitable Games Control Board	109,265	153,494	262,759
DH	Public Service Commission	45,551	32,633	78,184
DJ	Office of the People's Counsel	31,364	5,217	36,580
DQ	Commission on Judicial Disabilities and Tenure	6,088	2,431	8,519
DV	Judicial Nomination Commission	4,872	1,738	6,610
EN	Office of Local Business Development	15,673	46,878	62,551
FQ	Deputy Mayor for Public Safety and Justice	12,000	4,072	16,072
GA	DC Public Schools	402,504	3,174,640	3,577,144
GD	The Office of the State Superintendent of Education	214,788	359,237	574,025
GO	SPECIAL EDUCATION TRANSPORTATION	56,087	425,851	481,937
HC	Department of Health	467,733	1,007,001	1,474,733
HG	Executive Office of the Deputy Mayor for health & Human Services	4,154	16,014	20,168
HT	DEPARTMENT OF HEALTH CARE FINANCE	102,595	83,246	185,841
JA	Department of Human Services	616,117	905,478	1,521,595
JM	Department of Disability Services	127,617	371,495	499,112
KV	Department of Motor Vehicles	194,224	141,865	336,088
LQ	Alcoholic Beverage Regulation Administration	55,481	22,841	78,322
RL	Child and Family Services		10,382	10,382
RM	Department of Mental Health	459,555	536,763	996,318
SR	Department of Insurance, Securities and Banking	48,510	45,694	94,204
UC	Office of Unified Communications	595,528	1,333,501	1,929,030
TOTALS		4,368,579	9,384,659	13,753,238

Note 1 - After formulation agency CT merged with TK to create CI (Department of Film, Television and Entertainment;

OFFICE OF THE CHIEF TECHNOLOGY OFFICER
FY2016 IT ASSESSMENT

EXHIBIT C

AGENCY CODE	AGENCY NAME	ECIS	IT SERVUS	MAINFRAME	WEB	APPLICATIONS	ENTERPRISE APPS	CITY DW	GRAND TOTAL
AG	Board of Ethics and Government Accountability (BEGA)	25,699				800			26,499
BN	Homeland Security and Emergency Management Agency (HSEMA)	59,297	1,940		12,500	341			74,078
BU	Office of Partnership and Grant Services (OPGS)		860		8,750	1,139			10,749
CB	Office of the Attorney General (OAG)	15,500	270,700		9,000	2,785			297,985
CE	DC Public Libraries (DCPL)	105,661	8,380			942			114,983
CT	Office of Cable Television (OCT)	48,706	10,320		12,500	885			72,411
DB	Department of Housing & Community Development (DHCD)	67,784	5,660		8,500	1,051			82,995
DC	DC Lottery and Charitable Games Control Board (DCLB)		4,340		3,750	2,250			10,340
DH	Public Service Commission (PSC)		1,380						1,380
DJ	Office of People's Counsel (OPC)		1,240						1,240
DQ	Commission on Judicial Disabilities (CJD)		1,160		3,750				4,910
DV	Judicial Nomination Commission (JNC)		1,860		3,750	523			6,133
DY	DC Retirement Board (DCRB)	14,647	1,580		8,500				24,727
FJ	Criminal Justice Coordinating Council (CJCC)	14,850	6,660		3,750				25,260
FO	Justice Grants Administration (JGA)	6,250			3,750	227			10,227
FR	Department of Forensic Sciences (DFS)		3,060		8,500				11,560
FZ	DC Sentencing and Criminal Code Revision Commission (SCDC)	47,655	4,700		5,250				57,605
GF	University of the District of Columbia (UDC)		19,460	21,734					41,194
HC	Department of Health (DOH)	356,207	148,400		16,500	16,098		11,828	549,033
HT	Department of Health Care Finance (DHCF)	165,478	38,500		10,000	4,011			217,989
JA	Department of Human Services (DHS)	411,192	175,800	1,199,622	10,000	260,312	330,000		2,386,926
JM	Department on Disability Services (DDS)	109,361	115,780		7,000	2,335			234,476
KV	Department of Motor Vehicles (DMV)					2,512,797			2,512,797
LQ	Alcohol Beverage Regulation Administration (ABRA)	14,632	18,520		43,000	111,066			187,218
RL	Child and Family Services Agency (CFSA)	178,328	378,860		8,500	2,533		45,186	613,407
RM	Department of Behavioral Health (DBH)	121,129	148,880		12,000	201,179		22,770	505,958
SR	Department of Insurance, Securities and Banking (DISB)	29,306			20,000	800			50,106
TK	Motion Picture and Television Development (MPTD)		1,940		7,500	173			9,613
UC	Office of Unified Communications (OUC)	118,199	70,260		8,500	5,282			202,241
EF	Enterprise Fund Adjustment Request		204,000						204,000
TOTALS		1,909,880	1,644,240	1,221,356	235,250	3,127,527	330,000	79,784	8,548,038

Note 1 - After formulation agency CT merged with TK to create CI (Department of Film, Television and Entertainment)

DISTRICT OF COLUMBIA DEPARTMENT OF PUBLIC WORKS
 FY2016 FLEET ESTIMATE

AGENCY CODE	DEPT & AGENCY NAME	MOTOR POOL	FIXED/USAGE	PARTS	LABOR	SUBLET	MISC	GRAND TOTAL
AA	AA1000/OFFICE OF THE MAYOR	78	68,628	3,752	14,528	7,801	828	95,615
AB	AB1000/DC CITY COUNCIL			2,407	7,109	8,040	306	17,862
AC	AC1000/OFFICE OF RISK MANAGEMENT		1,399					1,399
AD	AD1000/OFC INSPECTOR GENERAL		2,520	4,472	12,227		468	19,687
AE	AE1000-2000/OFC CITY ADMINISTRATOR			132	456		18	606
AF	AF1000/OFF. OF LABOR RELATIONS & COLLECTIVE BARGAIN.		194					194
AG	AG0100/OFFICE OF GOVERNMENT ETHICS		245					245
AM	AM1000-9062/DEPT OF GENERAL SERVICES	137	550,000	159,496	624,648	112,916	19,259	1,466,456
AP	AP1000/OFF. OF ASIAN AND PACIFIC ISLANDER		1,971					1,971
AS	AS1000/FINANCE RESOURCE MGT.			424	2,068		126	2,619
AT	AT2000/OFC OF FINANCE & TREASURY		5,913	1,536	5,412		144	13,006
BA	BA1100/OFFICE OF THE SECRETARY			154	1,256		54	1,465
BD	BD01000/OFFICE OF PLANNING		103	1,233	7,794		144	9,273
BE	BE1000/DEPT. OF HUMAN RESOURCES		1,588					1,588
BN	BN0100/EMERGENCY MGT. AGENCY		180	2,821	12,062	16,009	414	31,487
BX	BX1001/COMMISSION ON ARTS/HUMANITIES		94					94
BY	BY0100/OFFICE ON AGING		13,814	18,510	81,483	35,956	2,754	152,517
BZ	BZ0100/OFFICE OF LATINO AFFAIRS		4,755					4,755
CA	CA0100/OFFICE OF TAX AND REVENUE		17,880	5,118	14,291		360	37,650
CB	CB0100-0101/OFC. ATTORNEY GENERAL		15,597	15,829	49,427	1,335	1,998	84,186
CE	CE1000-4000/DC PUBLIC LIBRARY		23,442	19,293	72,578	1,185	2,124	118,622
CF	CF1000/DEPT. EMPLOYMENT SERVICES	2,268	125,711	1,883	11,443		396	141,701
CJ	CJ1000/OFFICE OF CAMPAIGN FINANCES	86		834	8,854		180	9,954
CR	CR0100/CONSUMER AND REGULATORY AFFAIRS		725	52,036	157,413	9,307	5,130	224,611
CT	CT1000/OFFICE OF CABLE TELEVISION		19,398	1,477	7,803		347	29,025
DB	DB1000/HOUSING AND COMMUNITY DEV.			3,133	22,487	6,930	954	33,504
DC	DC0100/LOTTERY AND CHARITABLE GAMES			2,691	17,268	540	486	20,985
DH	DH0100/PUBLIC SERVICE COMMISSION			673	385		36	1,094
DJ	DJ1000/OFFICE OF PEOPLE'S COUNSEL							

DISTRICT OF COLUMBIA DEPARTMENT OF PUBLIC WORKS
 FY2016 FLEET ESTIMATE

EXHIBIT D

AGENCY CODE	DEPT & AGENCY NAME	MOTOR POOL	FIXED/USAGE	PARTS	LABOR	SUBLET	MISC	GRAND TOTAL
DL	DL0100/BOARD ELECTIONS AND ETHICS	5,098	10,500	657	4,878		108	21,240
ED	ED01000/DEPUTY MAYOR FOR ECONOMIC DEVELOP.		7,333	233	2,359		108	10,033
EN	EN01001/DEPT. OF SMALL & LOCAL BUSINESS DEV.			361	2,948		144	3,454
FA	FA1000-R03/METROPOLITAN POLICE DEPT.		105,295	152,962	286		108	258,651
FB	FB0100-R02/DC FIRE DEPARTMENT		105,295	1,029	1,249		72	107,645
FH	FH0100/OFFICE OF POLICE COMPLAINTS			263	2,078		90	2,430
FK	FK0100/D.C. NATIONAL GUARD			577	4,060	450	144	5,232
FL	FL0100/DEPARTMENT OF CORRECTIONS							
FS	FS0100/OFFICE OF ADMINISTRATIVE HEARINGS							
FX	FX1000/OFC OF CHIEF MEDICAL EXAMINER			8,032	39,770		864	48,667
FZ	FZ0100/DC SENTENCING & CRIMINAL CR COMM.							
GA	GA9DB0-GA9DB8/DC PUBLIC SCHOOLS		92,000	31,615	105,089	15,020	3,510	247,234
GD	GD0100/OFF. OF THE STATE SUPERINTENDENT OF ED.	216	81,020	2,006	8,266	2,396	378	94,282
GF	GF0100/UNIVERSITY OF DISTRICT OF COLUMBIA		24,432	10,493	48,480	3,935	1,368	88,709
GW	GW01000/DEPARTMENT MAYOR OF EDUCATION		200					200
HA	HA1000-1003/DEPT. OF PARKS & RECREATION		1,392	32,433	143,185	51,218	4,482	232,710
HC	HC0001-1020/DEPARTMENT OF HEALTH		120,934	31,430	146,123	62,955	4,986	366,428
HM	HM0100/OFFICE OF HUMAN RIGHTS		3,274					3,274
HT	HT01000/DEPART. HEALTH CARE FINANCE		23,034	778	7,991		216	32,018
JA	JA1000-JA1004/DEPT. OF HUMAN SERVICES		297,888	18,628	59,298	19,187	2,088	397,089
JR	JRO1000/OFFICE OF DISABILITY RIGHTS							27
JZ	JZ0000/DEPT. OF YOUTH & REHABILITATION SERV.			33,411	142,195	13,294	3,924	327,378
KA	KA1200-6670/DC DEPT. OF TRANSPORTATION	648	602,888	749,715	2,208,429	680,190	56,722	4,298,592
KA	KA/DDOT Snow Removal			200,000	200,000			400,000
KG	KG1000-1017/DEPT. OF THE ENVIRONMENT		84,777	12,981	50,211	1,392	1,908	151,269
KT	KT01010/DPW, OFFICE OF THE DIRECTOR		293	1,175	4,387	691	234	6,781
KT	KT01015/DPW, HUMAN CAPITOL ADMINISTRATION	101						994
KT	KT01020/DPW, OFFICE OF THE ATTORNEY GENERAL							
KT	KT01030/DPW, RISK MANAGEMENT			2,544	10,179	9,834	270	22,826

DISTRICT OF COLUMBIA DEPARTMENT OF PUBLIC WORKS
 FY2016 FLEET ESTIMATE

AGENCY CODE	DEPT & AGENCY NAME	MOTOR POOL	FIXED/USAGE	PARTS	LABOR	SUBLET	MISC	GRAND TOTAL
KT	KT01040/DPW, PUBLIC INFORMATION OFFICE				642		36	678
KT	KT01070/DPW, OFFICE OF ADMINISTRATION SERV				1,926		90	2,117
KT	K01080/DPW, OFFICE OF INFORMATION SERVICE	101			1,426		90	17,098
KT	KT03010/DPW, OFC CHIEF FINANCE OFFICER	14,900		682	825,323	206,190	28,764	1,358,017
KT	KT05010-05020/DPW, PARKING SERVICE ADMIN.	8,940		288,800	5,490,213	1,399,819	161,999	9,361,441
KT	KT06010-KT6040G/DPW, SOLID WASTE MIGHT. ADMIN	149,898		2,159,512	300,000			500,000
KT	KT/ DPW Snow Removal			200,000				
KV	KV05010-05040/DEPT. OF MOTOR VEHICLE SERV.	10,500		2,346	7,350	2,770	288	23,254
LA	LA1110-7099/DC WATER AND SEWER AUTHORITY			36,936	321		54	37,311
LQ	LQ0100/ACOHOLIC BEVERAGE REGULATION ADM	360		6,794	38,904	245	1,080	47,383
PH	PH1000-7000/DC HOUSING AUTHORITY			13,407	24,752		1,620	39,779
PO	PO0100/OFFICE OF CONTRACTING & PROCUREMENT	312		2,519	6,063	4,158	180	16,721
RL	RL1006/CHILD AND FAMILY SERVICES		288,000	6,396	37,199	52,586	2,232	386,412
RM	RM1000/OFFICE OF DISABILITY SERVICES		26,172	811	2,142	5,793	221	35,139
RM	RM1007/DEPT. OF MENTAL HEALTH		26,898	2,566	6,698	753	216	37,130
RS	RS1000/EOM, SERVE DC							
SR	SR01000/DEPT. OF INSURANCE, SECURITIES & BANKING							
TC	TC1000/DC TAXICAB COMMISSION	92		13,010	48,711	3,445	1,278	67,345
TK	TK01000/OFFICE OF MOTION PICTURE & TV DEV.	900		398	1,419		54	3,788
TO	TO1000-1001/OFC. OF CHIEF TECHNOLOGY OFFICER	234		5,869	25,952	21,929	1,188	189,007
UC	UC1000/OFFICE OF UNIFIED COMMUNICATIONS			4,834	10,890		414	17,938
VA	VA1000/OFFICE OF VETERAN AFFAIRS	821						821
TOTALS		9,178	3,218,885	4,334,107	11,152,386	2,758,268	318,054	21,790,879

EXHIBIT D

Note 1 - After formulation agency CT merged with TK to create CI (Department of Film, Television and Entertainment)

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

D.C. ASSOCIATION OF CHARTERED
PUBLIC SCHOOLS, *et al.*,

Plaintiffs,

v.

DISTRICT OF COLUMBIA, *et al.*,

Defendants.

Civil Action No. 14-1293 (TSC)

DECLARATION OF SPENCER DAVIS

1. My name is Spencer Davis, and I am employed as Deputy Director of Facilities for the District Department of General Services (DGS). I have held my position since April 2015.
2. As Deputy Director of Facilities for DGS, my duties and responsibilities include oversight of the Facilities Division which is responsible for the day-to-day operations, maintenance and repair of the District's operational real estate portfolio. Therefore, I have personal knowledge of the maintenance and repair services that DGS performs at many District-owned properties, including those occupied by the District of Columbia Public Schools (DCPS).
3. As the real estate management agency for the District, DGS is responsible for the repair, improvement, and maintenance of many District-owned buildings and facilities; for the properties occupied by most District agencies, this includes custodial services.

4. Unlike most other agencies, DCPS is required to staff custodial teams at each DCPS school to perform "Level 1" maintenance services, and the costs associated with providing these services are paid for by DCPS, not DGS.
5. "Level 1" services include basic electrical, plumbing, and painting tasks, as well as general facility maintenance, such as installing and repairing hardware on doors and windows; fixing or replacing loose or broken ceiling tiles, toilet seats, and handrails; and cleaning and replacing window screens and air conditioning filters. Of course, this is not an exhaustive list.
6. DCPS schools are also required to budget for custodial supplies, including new or replacement equipment associated with "Level 1" services.
7. Non-"Level 1" repair, improvement, and maintenance services for DCPS schools are performed and paid for by DGS, the same as for District-owned properties occupied by other agencies.

I do solemnly declare, under penalty of law, that the contents of the foregoing document, consisting of two pages and seven paragraphs, are true and correct to the best of my knowledge, information, and belief.

Dated: _____

9/7/10



Spencer Davis

Deputy Director, Facilities Division
DC Department of General Services

ENROLLED ORIGINAL

A RESOLUTION

11-441

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 3, 1996

To approve, on an emergency basis, a uniform per student funding formula to determine the Fiscal Year 1997 annual payment to the Board of Education for public schools under its control and annual payments to public charter schools.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Approval of a Fiscal Year 1997 Uniform Per Student Funding Formula for Public Schools Emergency Resolution of 1996".

Sec. 2. The Council of the District of Columbia finds that:

(1) Section 2401 of Title II of Public Law 104-134, the District of Columbia School Reform Act of 1995 ("School Reform Act"), requires in relevant part that "the Mayor and the District of Columbia Council ("Council"), in consultation with the Board of Education and the Superintendent, shall establish not later than 90 days after the enactment of this Act, a formula to determine [the annual payment] [f]or fiscal year 1997 and for each subsequent year [for public schools under the control of the Board of Education and for each public charter school, with such annual payments to be] calculated by multiplying a uniform dollar amount...by the number of students [in specified grade levels]."

(2) Public Law 104-134 became effective on April 24, 1996. Therefore, the uniform per student funding formula must be established by the Mayor and Council not later than July 25, 1996.

(3) After meetings with members of the Board of Education, Board staff, school system officials and representatives of the Superintendent of Schools, Council Committee on Education and Libraries staff, representatives of the Mayor, staff of the Control Board, and community representatives, agreement has been reached on a weighted funding formula that would allocate, in fiscal year 1997, uniform amounts per student for students enrolled in preschool, prekindergarten, kindergarten through grade three, grades four through six, junior high school, and senior high school, respectively, with "add on" funds to be provided for limited English proficient and handicapped students.

ENROLLED ORIGINAL

(4) The total annual locally appropriated payment for public schools in FY 1997, from which uniform amounts to be allocated per student in specified levels have been derived, is \$482,514,000, which is the "consensus" amount arrived at by the Control Board, the Mayor, and the Council.

(5) In the FY 1997 Budget Request Act agreed to by "consensus" of the Control Board, the Mayor, and the Council, which is now pending before the Congress of the United States, the amount per pupil to be used to determine the annual payment to public charter schools is \$6,300, or an amount higher--substantially so for certain grade levels--than uniform per pupil amounts that have been determined upon application of the weighted funding formula.

(6) The Council is due to recess on or about July 17, 1996. A mark-up and vote on the District of Columbia FY 1997 Appropriations Act is tentatively scheduled by the House Appropriations Subcommittee on the District of Columbia for July 10, 1996, a mark-up and vote of the House Appropriations Committee is tentatively scheduled for July 18, 1997, and a full House vote is tentatively scheduled for July 23 or July 24, 1996. It is imperative that the Council establish immediately by legislation the uniform per student funding levels for FY 1997 that have been agreed to by the Mayor, the Council, and the other aforementioned parties if the \$6,300 per student amount that would otherwise determine payments to public charter schools is to be appropriately adjusted in the District of Columbia FY 1997 Appropriations Act prior to action by the U.S. House of Representatives.

(7) Public Law 104-134 provides for annual adjustments to the uniform per student funding formula. This resolution applies only to FY 1997 and is not to be construed as applicable to subsequent fiscal years, when the uniform per student funding formula will ultimately determine the local appropriation for public schools under the control of the Board of Education and for public charter schools.

(8) If the local appropriation for public schools exceeds or drops below \$482,514,000, for public schools in FY 1997 as a result of final Congressional action, or actual enrollment as independently verified differs from current enrollment projections of 79,805 students, the per pupil allocations by level that have been calculated will be adjusted accordingly, for both public schools under the control of the Board of Education and for public charter schools.

(9) The FY 1997 per pupil funding formula and per pupil allocations by grade level and special need assume a local appropriation of \$482,514,000 in FY 1997. This is the amount of funding for public schools under the control of the Board of Education and public charter schools that has been agreed to by the Control Board, the Mayor, and the Council and which is now pending before Congress as part of the District of Columbia FY 1996 Budget Request Act. Enactment of this resolution will have no fiscal impact in FY 1997. Because the resolution is only applicable to FY 1997, there will be no fiscal impact in fiscal years thereafter.

ENROLLED ORIGINAL

Sec. 3. Pursuant to Section 2401 of the School Reform Act, the District of Columbia Council approves a base funding per pupil until amount of \$4,437 in FY 1997 and a formula containing weightings for students at each grade level and additional weightings for special education and limited English proficient students, as follows:

<i>Pre-school</i>	<i>1.0</i>	
<i>Pre-kindergarten</i>	<i>1.4</i>	
<i>Kindergarten - grade 3</i>		<i>1.2</i>
<i>Grades 4-6</i>	<i>1.0</i>	
<i>Junior high (grades 7-9)</i>		<i>1.25</i>
<i>Senior high (grades 10-12)</i>		<i>1.4</i>

Special education

<i>Level 1</i>	<i>+0.22</i>
<i>Level 2</i>	<i>+0.8</i>
<i>Level 3</i>	<i>+1.73</i>
<i>Level 4</i>	<i>+2.55</i>

Limited English proficient (LEP) +0.30

Sec. 4. Pursuant to Section 2401 of the School Reform Act, the District of Columbia Council approves per pupil allocations by level in FY 1997 for inclusion in the District of Columbia FY 1997 Appropriations Act and the Summary Report on FY 1997 Per Pupil Funding Formula, as follows:

**FY 1997 PER PUPIL ALLOCATIONS
BY GRADE LEVEL AND SPECIAL NEED**

Level	Per Pupil
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ENROLLED ORIGINAL

Preschool	4,437
Prekinder	6,211
K-3	5,324
Gr 4-6	4,437
JHS	5,546
SHS	6,211
Total/average before add-on weightings	5,359
Add-on weightings	
Special education	
Level 1	962
Level 2	3,558
Level 3	7,694
Level 4	11,303
Limited English Proficient/Non-English Proficient	1,331

Sec. 5. This resolution shall take effect immediately.

COUNCIL OF THE DISTRICT OF COLUMBIA

NOTICE

D.C. LAW 19-172

**"Fiscal Year 2012 Second Revised Budget Request
Temporary Adjustment Act of 2012"**

Pursuant to Section 412 of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 19-761 on first and second readings June 5, 2012 and July 10, 2012, respectively. Following the signature of the Mayor on July 17, 2012, pursuant to Section 404(e) of the Charter, the bill became Act 19-396 and was published in the July 27, 2012 edition of the D.C. Register (Vol. 59, page 8705). Act 19-396 was transmitted to Congress on July 25, 2012 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 19-396 is now D.C. Law 19-172, effective October 9, 2012.


PHIL MENDELSON
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

July 25,26,27,30,31
Aug 1,2,3,6,7
Sept. 10,11,12,13,14,17,18,19,20,21,24,25,26,27,28
Oct. 1,2,3,4,5