

DISTRICT OF COLUMBIA BOARD OF EDUCATION

NOTICE OF FINAL RULEMAKING

The Executive Secretary of the D.C. Board of Education (Board), pursuant to the authority set forth in D.C. Code, 2001 edition, Section 38-101, hereby gives notice of final rulemaking action taken by the Board at its February 15, 2006 Board meeting to amend Chapter 1 of the Board Rules, Title 5 of the D.C. Municipal Regulations, regarding By-Laws of the Board. The revisions amend Chapter 1 by adding Sections 114 and 115. The Proposed Rulemaking incorrectly indicated that Sections 112 and 113 were to be revised. These revisions will require the following: 1) require resolutions for the adoption of all Board actions; 2) require the resolution to identify the impact of the policy action on the Vision and Mission and Core Beliefs, Strategic initiatives, performance goals, operating and capital budgets, instructional plan, and other existing policies or plans; 3) require ceremonial resolutions for recognizing and honoring individuals whose contributions promote academic excellence and are in alignment with the goals of the Board of Education; 4) establish criteria for the awarding of ceremonial resolutions; and 5) establish procedures for presenting ceremonial resolutions.

The final rulemaking will take effect upon its publication in the *D.C. Register*. The proposed rulemaking on this subject was published in the *D.C. Register* on December 30, 2005.

Chapter 1 is amended to add two new sections:

114 Resolutions

114.1 The Board of Education shall use resolutions for the adoption of all actions.

114.2 Resolutions approving policy matters shall identify the purpose of the policy, the impact of the policy on the Mission and Vision and Core Beliefs, the strategic initiatives, the performance goals, the operating and capital budgets, the instructional plan, and other policies or plans.

114.3 Resolution approving rulemaking shall require the development of an implementation plan with performance standards for determining the successful implementation of the policy.

114.4 The Executive Secretary shall certify the adoption of each resolution.

115 Ceremonial Resolutions

115.1 The Board of Education shall use ceremonial resolutions for recognizing and honoring individuals whose contributions promote academic excellence and are in alignment with the strategic initiatives and performance goals of the Board of Education.

115.2 The ceremonial resolution can only be considered and adopted if the actions of the recognized individual or organization meet one the following purposes:

- a. Recognition of academic achievement and innovation in teaching and learning.
- b. Recognition of excellence in efficiency and effectiveness of operations.
- c. Recognition of service to students and the District of Columbia Public Schools for achievement of the strategic initiatives and performance goals of the Board of Education.
- d. Recognition of youth excellence in the arts, sports, and community service.

115.3 The following conditions must be met before the Board of Education considers and adopts a ceremonial resolution:

- a. The actions of the individual or organization to be recognized must have occurred in the District of Columbia.
- b. The action of the individual or organization that the Board is recognizing must have occurred within one year of the request.
- c. A Board of Education member or the Superintendent must sponsor the ceremonial resolution.
- d. Each ceremonial resolution must have majority approval of the Board of Education.
- e. The recipient organization must be good financial standing.

115.4 No more than two ceremonial resolutions shall be presented at each regular stated Board of Education meeting.

115.5 The sponsoring Board of Education member or the Superintendent shall present the ceremonial resolution to the recognized individual or organization.

115.6 The Executive Secretary shall certify the adoption of each ceremonial resolution.

Copies of this rulemaking are available from the Office of the Board of Education by calling (202) 442-4289.

DISTRICT OF COLUMBIA BOARD OF EDUCATION

NOTICE OF FINAL RULEMAKING

The Board of Education ("Board"), pursuant to the authority set forth in D.C. Code, 2001 Edition, §§38-101 & 38-102 et seq., hereby gives notice of final rulemaking action taken by the Board at its meeting held on February 15, 2006 to amend Chapter 21 of the Board Rules (Title 5 of the D.C. Municipal Regulations). This final rulemaking will effect the following actions: 1) Eliminate the expiration date of July 1, 2005, because the assessment requirement for the pilot program was completed; 2) Establish annual reporting requirements and 3) Remove the May 15, 2004 requirement to assess the out of boundary pilot because the assessment has been completed and a report has been submitted to the Board of Education.

The final rulemaking will take effect upon its publication in the *D.C. Register*. The proposed rulemaking on this subject was published in the *D.C. Register* on December 30, 2005.

Amend Section 2106.12:

2106.12 ~~The policy set forth in sections 2106.1 through 2106.5 shall expire on July 1, 2005. While the policy is in effect, the~~ **The Superintendent shall assess report annually on the impact of the implementation of sections 2106.1 through 2106.5 by collecting data including, but not limited to:**

- (a) **The number of children seeking out of boundary transfers from each school and zip code; the school(s) and zip code to which they sought to transfer; and the priority category under which each applied;**
- (b) **The number of out of boundary applicants admitted and in attendance in each school and zip code the category under which each was admitted (this shall include the numbers of out of boundary students grandfathered into attendance at a school under the old policy);**
- (c) **The number of students enrolled at each school pursuant to the No Child Left Behind Act who reside outside of the school's attendance zone; and**
- (d) **For students admitted pursuant to Section 2106.3(d) above, a survey of parents to determine their reasons for seeking out of boundary transfer.**

Delete Section 2106.13

~~2106.13 The Superintendent shall provide a report of the assessment performed pursuant to Section 2106.12 to the Board for review no later than May 15, 2004.~~

Copies of this rulemaking are available from the Office of the Board of Education by calling (202) 442-4289.

DISTRICT OF COLUMBIA BOARD OF EDUCATION

NOTICE OF PROPOSED RULEMAKING

The District of Columbia Board of Education ("Board"), pursuant to the authority set forth in D.C. Code, 2001 Edition, Section 38-101, hereby gives notice of proposed rulemaking action taken by the Board at its meeting held February 15, 2006, to amend Chapter 3 of the Educational and Operating Policies, Title 5 of the D.C. Municipal Regulations, regarding the School Calendar. The revisions will require the Board of Education to approve a District of Columbia Public School Calendar no later than April 1st of each year. The revisions will also require the Superintendent of Schools to make school calendar recommendations no later than February 1st of each year.

The Board also gives notice of its intent to take final rulemaking action to adopt this proposed rulemaking in not less than thirty (30) days from the publication of this notice in the D.C. Register.

Section 305 is amended to read as follows:

305 SCHOOL CALENDAR

- 305.1 The school year shall commence on July 1st of each calendar year and shall end on June 30th in the following calendar year
- 305.2 The Board of Education shall adopt a school calendar annually ~~for the forthcoming school year not later than the June regular meeting of the Board that will set the schedule for District of Columbia Public Schools two years in advance. The Board must approve the proposed multiyear school calendar no later than April 1st for the school year beginning in July two years hence.~~
- 305.3 The Board of Education shall approve the 2007-'08 and 2008-'09 school calendars by its June 2006 regular meeting. After Board approval of the 2007-'08 and 2008-'09 school calendars, calendar approval shall proceed in accordance with the provisions of §305.2 and §305.4.
- 305.34 The Superintendent of Schools shall make recommendations to the Board of Education annually on the specific contents of the school calendar ~~for the forthcoming school year two years in advance.~~ The recommendations shall be made to the Board shall be made not later than ~~May 1st~~ February 1st of each year.
- 305.45 To provide greater planning flexibility, the Superintendent of Schools may submit for tentative Board approval recommendations for a proposed school calendar for an additional year beyond the requirements of §

305.34; provided, that final recommendations and approval of the school calendar shall proceed in accordance with the provisions of §§ 305.2 and 305.34.

- 305.56 The school calendar shall include provisions for the following, in accordance with the requirements of this section:
- (a) Dates on which regular instructional day and evening sessions will be held;
 - (b) Dates on which the summer program will be held, if resources are provided;
 - (c) Dates on which full-day staff development sessions will be conducted;
 - (d) Dates on which school will be closed to students for holidays and vacations;
 - (e) Dates on which employees of the Board of Education will receive paid leave for holidays;
 - (f) The hours of operation of schools and programs on regular instructional days; and
 - (g) School closing make-up days
- 305.67 Each school year shall include a minimum of one hundred eighty (180) regular instructional days.
- 305.78 Each regular instructional day shall be at least six (6) hours in length for students, inclusive of time allotted for lunch periods, recesses, and class breaks; provided, that the six-hour minimum instructional day requirement shall not be applicable to the evening school program, the prekindergarten program, or the kindergarten program.
- 305.89 Student lunch periods shall consist of a minimum of thirty (30) minutes and maximum of sixty (60) minutes.
- 305.910 Full-day staff development sessions may be scheduled on any dates when school is closed to students.
- 305.1011 A maximum of two (2) half-day staff development sessions may be scheduled each semester; provided, that days when students attend school for less than a full regular instructional day shall count as a one-half (1/2) instructional day toward the minimum requirement set forth in § 305.6.

- 305.4112 Parents and guardians shall be given a minimum of thirty (30) days notice of half-day sessions that are not included in the school calendar.
- 305.4213 Holidays for students and employees of the Board of Education shall include all dates that are designated national holidays by law and holidays that are declared pursuant to the laws of the District of Columbia.
- 305.4314 The school calendar shall also include a one (1) week winter vacation for students and a one (1) week spring vacation for students.
- 305.4415 The school calendar may also include commemorative days that are scheduled for dates on which regular instructional days are held. Commemorative days may be designated to honor any person or emphasize any current or historical event. Provision shall be made to include emphasis on the subject of commemorative days in the curriculum or through other ceremonies or activities held during the regular instructional day.
- 305.4516 Schools may be closed by order of the Superintendent of Schools due to adverse weather conditions or other emergency conditions affecting the health, safety, or welfare of students and employees.

Written comments on the emergency and proposed rulemaking are invited from interested citizens. Such comments should be addressed to Mr. Russell Smith, Executive Secretary, D.C. Board of Education, 825 North Capitol Street, N.E., Suite 9108, Washington, D.C. 20002. Copies of this rulemaking are available from the Office of the Board of Education by calling (202) 442-4289.