

**Council of the District of Columbia
Memorandum**

1350 Pennsylvania Avenue, NW, Washington, DC 20004

TO: Nyasha Smith, Secretary to the Council

FROM: Councilmember Elissa Silverman

RE: Request to Agendize Emergency Measures for the November 17, 2020 Additional Legislative Meeting

DATE: November 12, 2020

I am writing to request that you agendize the following measures for the November 17, 2020 Additional Legislative Meeting.

- “COVID-19 DCPS Re-Opening Emergency Declaration Resolution of 2020”
- “COVID-19 DCPS Re-Opening Emergency Act of 2020”

In-person instruction is the best option both for learning and for social-emotional development, especially for our most vulnerable and high-needs students. However, returning to the classroom will only be successful if our teachers and DCPS families trust the plan and feel it is safe.

The attached legislation would put in place several requirements before DC Public Schools (DCPS) can reopen for in-person instruction beyond the CARE classrooms currently scheduled for opening in the next few weeks. First, it requires the Mayor send to the Council any reopening plan at least 3 weeks in advance, for Council approval. Any such plan would require the agreement of the labor organizations representing workers in DCPS schools. Second, it requires the Mayor send to the Council a report demonstrating certain baseline safety certifications are met. And third, it allows the reopening to continue so long as the District’s reopening metrics are still in Phase 2 or higher, and the Mayor sends the Council a bi-weekly report of important safety metrics.

This legislation would allow the CARE classrooms currently scheduled to open on the week of November 16 to continue as planned, while also allowing an additional classroom per school. Any further reopening would need Council approval. The legislation also only apply to the current term, Term 2, and there is no associated temporary legislation. This assumes the situation for Terms 3 and 4 will be sufficiently different that new legislation would be necessary in January or later.

When the District of Columbia Public Schools issued re-opening plans prior to both Term One and Term Two of the 2020-2021 academic year, the initial announcements were delayed or rescinded due to health or labor relation issues, and families, teachers, and other school employees have expressed a sense of chaos due to late-breaking and frequently changing plans. Announcement of a plan with full staffing commitment at least 21 days before the start of school would improve transparency about the re-opening plan and reduce uncertainty about the likelihood of the plan being reversed.

The Council, as the elected body for the District of Columbia, has a duty to ensure that the District’s school reopening plan is safe, sound, and appropriate. It can, and should, have a role in deciding how and when to reopen public schools. This legislation balances that duty with the need for DCPS to have the necessary flexibility to reopen schools in a responsible manner.

This legislation allows for the limited reopening of schools through the current CARE classroom model, while helping ensure any broader reopening plan has the support and trust of the broader DCPS community.

Drafts of the measures are attached. Please contact Sam Rosen-Amy at 741-0916 or rosenamy@dccouncil.us if you have any questions.