

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

*Codification  
District of  
Columbia  
Official Code*

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To require, on a temporary basis, that the Office of the Chief Financial Officer submit to the Council a written determination on whether the District of Columbia Public Schools has a surplus in its fiscal year 2010 budget and if its reduction-in-force action was based on an accounting error, and if so, to require the District of Columbia Public Schools to submit a feasibility plan on the possible reinstatement of separated faculty and staff.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “District of Columbia Public Schools Teacher Reinstatement Temporary Act of 2010” .

Sec. 2. (a) Within 14 days of the effective date of the District of Columbia Public Schools Teacher Reinstatement Emergency Act of 2010, effective May 26, 2010 (D.C. Act 18-425; 57 DCR \_\_\_\_), the Office of the Chief Financial Officer shall submit a written determination on whether the District of Columbia Public Schools (“DCPS”) has a surplus in its fiscal year 2010 budget, including, if applicable, the amount of the surplus and the reason for the surplus.

(b) If the Office of the Chief Financial Officer determines there is a budget surplus in DCPS based in part, or in whole, on an accounting error resulting in a reduction-in-force action (“RIF”), the DCPS shall submit to the Council, within 30 days of the effective date of the District of Columbia Public Schools Teacher Reinstatement Emergency Act of 2010, effective May 26, 2010 (D.C. Act 18-425; 57 DCR \_\_\_\_), a feasibility plan on whether DCPS plans to reinstate faculty and staff separated from service pursuant to the RIF. The plan shall include:

(1) A legal review of the RIF laws, rules, guidelines, and regulations, including the budgetary criteria necessary for a RIF in DCPS;

(2) If DCPS acts to reinstate separated faculty and staff, the length of time necessary to reinstate separated faculty and staff;

(3) If DCPS acts to reinstate separated faculty and staff, the criteria used for a competitive scale for reinstatement if the Office of the Chief Financial Officer determines that funding is available to reinstate fewer than all of the separated faculty and staff; and

(4) A written analysis on whether or not DCPS plans to reinstate separated faculty and staff, and the criteria for that decision.

**Sec. 3. Fiscal impact statement.**

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

**Sec. 4. Effective date.**

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

(b) This act shall expire after 225 days of its having taken effect.

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Chairman  
Council of the District of Columbia

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Mayor  
District of Columbia