

**AN ACT**

**Bill 20-747**

**Emergency  
Declaration  
Res. 20-470  
20 DCStat 3412**

**Codification  
District of  
Columbia  
Official Code  
2001 Edition**

**Educator  
Evaluation  
Data  
Collection  
Emergency  
Amendment  
Act of 2014**

*To amend, on an emergency basis, the State Education Office Establishment Act of 2000 to authorize the collection of individual educator evaluation data by the Office of the State Superintendent of Education, and to exempt that data from public disclosure; and to amend the District of Columbia Administrative Procedure Act to exempt the educator evaluation data from public disclosure.*

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Educator Evaluation Data Collection Emergency Amendment Act of 2014”.

Sec. 2. The State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2601 *et seq.*), is amended as follows:

(a) Section 3(b) (D.C. Official Code § 38-2602(b)) is amended as follows:

**Note,  
§ 38-2602**

(1) Paragraph (20) is amended by striking the word “and” at the end.

(2) Paragraph (21) is amended by striking the period and adding the phrase “; and” in its place.

(3) A new paragraph (22) is added to read as follows:

“(22) Collect individual educator evaluation data from educational institutions, LEAs, and eligible chartering authorities as needed to comply with the requirements of the Race to the Top grant, in a format designated by OSSE that shall, to the extent possible, protect the confidentiality of the identity of the individual educator.”.

(b) A new section 7e is added to read as follows:

**Note,  
§ 38-2612**

“Sec. 7e. Educator evaluations.

“(a) Individual educator evaluations and effectiveness ratings, observation, and value-added data collected or maintained by OSSE are not public records and shall not be subject to disclosure pursuant to section 202 of the District of Columbia Administrative Procedure Act, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-532).

“(b) Nothing in this section shall prohibit OSSE from:

“(1) Using educator evaluations or effectiveness ratings to fulfill existing requirements of a State educational agency under applicable federal or local law; or

“(2) Publicly disclosing aggregate reports and analyses regarding the results of educator evaluation data.

“(c) For the purposes of this section, the term:

“(1) “Educator” means a principal, assistant principal, school teacher, assistant teacher, or a paraprofessional.

“(2) “Race to the Top” means the initiative established by the United States Department of Education that provides competitive grants to states, including the District of Columbia, to implement comprehensive and effective education reform.”.

**Sec. 3. Conforming amendment.**

**Note,  
§ 2-534**

Section 204(a) of the District of Columbia Administrative Procedure Act, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-534(a)), is amended by adding a new paragraph (15) to read as follows:

“(15) Information exempt from disclosure pursuant to section 7e of the State Education Office Establishment Act of 2000, passed on 2<sup>nd</sup> reading on May 6, 2014 (Enrolled version of Bill 20-747).”.

**Sec. 4. Fiscal impact statement.**

The Council adopts the fiscal impact statement of the Chief Financial Officer 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. 5. Effective date.**

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), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).