OFFICE OF THE STATE
SUPERINTENDENT OF EDUCATION

Public Charter School Teacher Salary
Policy and Guidance
Updated July 3, 2023

Overview
For the 2023-24 school year (SY), the Office of the State Superintendent of Education (OSSE) will work with the Office of the Chief Financial Officer (OCFO) to make direct payments in an amount not to exceed $73,572,698 from the Workforce Investments Account to a bank designated by each local education agency (LEA) for the purpose of increasing charter teacher salaries in SY22-23 retroactively at a rate of 7.6% and increasing SY23-24 pay scales by 12.5% as compared to SY19-20. Starting in SY24-25, pay increases will be included in the Uniform Per Student Funding Formula (UPSFF) and will be memorialized in the FY25 budget. These payments are designed to increase teacher compensation, incentivize teacher retention, and provide increased transparency for charter teacher salaries in the District of Columbia.

Both the 7.6% retroactive payment and the 12.5% go-forward increase will be calculated based on SY22-23 teacher salaries. This program is designed to support individuals who are designated as a teacher in OSSE's Faculty and Staff Data Collection at public charter schools.

- ***SY22-23 Retroactive Payments:*** Public charter LEAs will receive funding to support one-time salary increases for charter teachers retroactively at a rate of 7.6% over a public charter LEA's SY22-23 actual teacher salary expenditures for teachers whom a public charter LEA employed as of Oct. 5, 2022 (enrollment count day), and who remain employed by the LEA as of Sept. 1, 2023. Teachers employed by an LEA in SY22-23 who remain employed at the LEA in SY23-24 in a different capacity are also eligible to receive retroactive payments.
- ***SY23-24 Pay Scale Increase:*** Public charter LEAs will receive funding to support salary increases for charter teachers at a rate of 12.5% over a public charter LEA's SY19-20 pay scale for teachers an LEA employs as of Sept. 1, 2023.

If funds remain after making payments to increase salaries for eligible teachers, charter schools may flexibly increase salaries for additional school-based educators and support staff.

Distribution of Funds
Funds will be provided to charter schools through two direct payments:

1. **Sept. 29, 2023:** Charter LEAs will receive 100% of the lump sum 7.6% retroactive teacher salary payments and 75% of the projected total cost of the 12.5% go-forward salary increases based on SY22-23 teacher positions. Remaining funds will be distributed to LEAs as a lump sum, calculated on a per pupil basis using SY22-23 audited enrollment data.
2. **June 28, 2024:** Charter LEAs will receive their second direct payment containing all remaining funds for salary increases.

LEA Requirements
To receive these funds, LEAs must submit the following documentation to OSSE:

1. **FY23 Public Charter LEA Teacher Salary Expenditures**: The total amount the LEA spent on teacher salaries in fiscal year 2023 (FY23) for SY22-23 (all preceding FY refences speak to the LEA's fiscal year).
    a. LEAs will report SY22-23 teacher salary data by school for expenditures incurred during fiscal year 2023 (FY23) from July 1, 2022, through June 30, 2023, to align with the LEA fiscal year and provide flexibility in how LEAs schedule their payments. Reporting on expenses incurred during FY23 contemplates that actual payments may occur after June 30. This reporting must include salary expenditures incurred in FY23 for a teacher's regular pay/base salary. Teacher salary data for regular pay/base salary excludes all supplemental expenditures that result in a teacher earning additional compensation for job duties outside of the routine operation of the school, including, for example, stipends or supplemental pay earned by teachers for taking on duties such as coaching, supporting students in activities before and after school, and teaching summer school. LEAs will report these data on a standard OSSE salary expenditure template.

2. **Compensation and Pay Scale Details:**
    a. **SY19-20 Pay Scale:** The LEA's SY19-20 pay scale for teachers. Or, if applicable, LEAs may submit to OSSE teacher salaries at the minimum, average, and maximum levels.
    b. **SY23-24 Pay Scale:** The LEA's SY23-24 pay scale for teachers by steps and grades, with number of teachers by step and grade. The LEA must either provide the number of teachers at each step and each grade as of Oct. 5, 2022, or, if applicable, an LEA may submit to OSSE teacher salaries at the minimum, average, and maximum levels and the number of teachers. The scale must demonstrate a 12.5% increase between SY19-20 ranges and SY23-24 ranges.
    c. **Justification:** Written justification demonstrating how the SY23-24 pay scale reflects a 12.5% increase over the SY19-20 pay scale, or additional supporting, as applicable, documentation to demonstrate the increase.

3. **Pay Scale Posting:**
    a. Public posting of each school's SY23-24 teacher pay scale by steps and grades.
    b. If an LEA does not have a pay scale, it must develop and publicly post a teacher pay scale by steps and grades with number of teachers by grade by May 1, 2024, to be implemented in SY24-25. An LEA must use the number of teachers as of Oct. 5, 2023.

4. **Signed Assurance:** Assurance signed by LEA Head of School stating that:
    a. All teacher SY23-24 pay scales in the LEA will be at least 12.5% higher than the LEA's SY19-20 pay scales
        i. If the LEA does not have a pay scale, the LEA must assure that they will develop and publicly post a teacher pay scale by steps and grades with number of teachers by grade by May 1, 2024, to be implemented in SY24-25.

b. The LEA will provide 7.6% retroactive payments to all teachers employed by a charter school as a teacher in both SY22-23 and SY23-24, as well as teachers employed by a charter LEA in SY22-23 who remain employed at the LEA in a different capacity in SY23-24.
c. The LEA will complete OSSE's Faculty and Staff Data Collection on time.
d. For any funds spent beyond the minimum assurance criteria (a-b), the LEA will provide a spend plan documenting how funds will otherwise be used to provide direct payments to school-based educators and support staff (OSSE will publicly post these spend plans on its website).

5. **Spend Plan Reporting:** Documentation of expenditures to date in accordance with minimum criteria and LEA spend plans, which will include details on how any funds spent beyond the minimum assurance criteria will be otherwise used to provide direct payments to school-based educators and support staff.

To support LEAs, OSSE will provide templates for the expenditure data, signed assurance, and spend plan reporting. LEAs will submit all required documentation to OSSE via the "Public Charter School Teacher Compensation" folder nested within the LEA to OSSE folder in Box.com. Both the LEA Head of School and the LEA Data Manager will have access to upload and download documents from this folder.

Compliance

Based on a review of program implementation and final expenditure data, if OSSE identifies an LEA that has violated the requirements of the proposal, the LEA may be required to return to OSSE a pre-identified portion of their funding, regardless of whether the LEA has already dispersed the funding. An LEA may not, however, require teachers to return any compensation they received from payments made. OSSE will provide the LEA an opportunity to cure the violation prior to requiring repayment.

Timeline

Date	Activity
May 2023	OSSE releases initial program details and initial documentation requirements.
June 8, 2023	LEA Leaders Meeting held to review timeline.
June 13, 2023	Council finalizes Bill 25-205, to include final language for Sec. 6. Public Charter School Teacher Compensation.
June 13, 2023	OSSE provides Public Charter School Teacher Compensation Policy & Guidance document and the template for the required FY23 total teacher salary expenditure submission.
June 13 – 30, 2023	OSSE holds office hours and provides direct technical assistance to LEAs
July 7, 2023	LEAs submit FY23 teacher salary expenditures to OSSE. OSSE provides LEAs templates for the pay scale and justification, assurance document, and spend plan reporting.
July 26, 2023	OSSE provides LEAs projected funding amounts by charter school.
Aug. 16, 2023	LEAs submit to OSSE the following deliverables:

Date	Activity
	• SY19-20 pay scale by steps and grades. Or, if applicable, total salaries at the minimum, average, and maximum levels. • SY23-24 pay scale by steps and grades with number of teachers by grade. Or, if applicable, total salaries at the minimum, average, and maximum levels and number of teachers. The scale must demonstrate the 12.5% increase as compared to SY19-20 pay scales. • Justification of 12.5% increase • Signed assurance document & spend plan • Public posting of SY23-24 pay scale (if the LEA can provide; in the absence of a pay scale, public posting of total salaries at the minimum, average, and maximum levels)
Sept. 29, 2023	OSSE provides LEAs 100% of the lump sum 7.6% retroactive teacher compensation payments and 75% of the projected total cost of the 12.5% go-forward salary increases based on FY23 teacher salary expenditures. Remaining funds will be distributed to LEAs as a lump sum, calculated on a per pupil basis using SY22-23 audited enrollment data.
Nov. 2023	LEAs complete the OSSE Faculty & Staff Data Collection on time.
Dec. 15, 2023	OSSE provides LEAs details on the expenditure documentation required for final spend plan review and payment.
May 1, 2024	LEAs provide final documentation to OSSE demonstrating expenditures to date: • Documentation of 7.6% retroactive payments and use of funds in accordance with OSSE policies and approved LEA spend plan • Documentation of 12.5% salary increase and use of funds in accordance with approved LEA spend plan LEAs that did not post a pay scale for SY23-24 must publish and share with OSSE a pay scale with steps and grades and number of teachers by grade for SY24-25.
May 30, 2024	OSSE identifies LEAs that have violated requirements and/or demonstrated noncompliance. OSSE provides LEAs an opportunity to cure the violation prior to returning the identified portion of funds.
June 28, 2024	OSSE provides LEAs remaining funds based on review of actual expenditures. Final reimbursement amount may vary from initial projected funding. If LEAs fail to cure a compliance violation, LEAs are required to return an identified portion of payments to OSSE.
Summer 2024	OSSE may conduct technical assistance and additional monitoring of the implementation of these funds. If identified for noncompliance, LEAs submit to OSSE a cure for the violation.

Frequently Asked Questions (FAQ)

1. **What school-based roles are considered "teachers" in the federal definition, used for this program?**

   According to the federal definition, used for this proposal, a teacher is a school-based employee who instructs any core or non-core academic subject. This category **includes**: general or special education teachers instructing students in the "core" subject areas of English language arts, math, science and social studies, as well as "non-core" subjects such as arts, foreign language and physical education and **excludes**: student support professionals (e.g., speech therapists or social workers, counselors, librarians, coaches, principals, special education coordinators, program coordinators, deans, office staff, custodians, or any other non-instructional personnel).

   Many LEAs also have unique and specific categories of school-based staff beyond those explicitly named for inclusion or exclusion in the Common Core Definitions of Federal Roles. In every case, LEAs should use the business rules that they have in place for the annual OSSE Faculty and Staff Data Collection to determine who should be designated with the federal role of "teacher."

2. **If a charter LEA already increased teacher pay scales or is able to provide alternate justification of teacher compensation increases at any point prior to or during school years 2019-20, 2020-21, 2021-22, or 2022-23, is it eligible for the 12.5% go-forward award?**

   Yes. In order to be eligible for the 12.5% go forward award, a charter LEA must commit to raising teacher pay scales in SY23-24 by a minimum of 12.5% from SY19-20, as reflected in the change in their pay scale at each step/grade. If an LEA can demonstrate that it raised teacher pay scales by 12.5% since SY19-20, consistent with the signed assurances the LEA provides, it would be required to provide a spend plan documenting how the excess funds above the 12.5% salary increase threshold will otherwise be used to provide direct payments to school-based educators and support staff. OSSE will publicly post these spend plans on its website.

3. **If a charter LEA already gave teacher raises at any point prior to or during school years 2019-20, 2020-21, 2021-22, or 2022-23, is it eligible for the 7.6% retroactive payment?**

   Yes. LEAs that elect to receive funds for retroactive payments must still provide a 7.6% retroactive payment to teachers, including those that have already received raises between SY19-20 and SY22-23. Once the LEA demonstrates that it has awarded a 7.6% retroactive payment to all teachers, it can provide a spend plan for any excess funds, which can be spent on school-based educators and support staff who remain at the school between SY22-23 and SY23-24.

4. **If someone serves as a charter teacher in SY22-23 and transitions to a non-school based position (e.g., Chief Academic Officer) or a school leadership role (e.g., principal) at the same LEA in SY23-24, are they eligible for the retroactive payment and the salary increase described under this proposal?**

Yes. The individual would be eligible for the SY22-23 retroactive payment but not the 12.5% go-forward increase, as the individual would no longer be in a teacher position in SY23-24.

5. **If someone serves as a charter teacher in SY22-23 at one LEA and then transitions to a new LEA in SY23-24, are they eligible for a salary increase under this proposal?**

   This teacher would be eligible for the go-forward salary increase as noted in their LEA's SY23-24 pay scale but would not be eligible for retroactive payment. The retroactive payment is available for teachers whom a public charter LEA employed as of Oct. 5, 2022 (enrollment count day), and who remain employed by the LEA as of Sept. 1, 2023.

6. **A charter school's first payroll begins prior to the first payment under this proposal (e.g., Aug. 1). Can the charter school implement the 12.5% salary increase starting with its first payroll prior to receiving the new funds?**

   Yes, the direct payment in September 2023 will provide 75% of the anticipated total cost of the SY23-24 12.5% increase. Payroll can reflect this upcoming increase even though funds will be delivered shortly after the start of the school year.

7. **If additional funds remain after a charter school implements the required 7.6% retroactive salary increase for all eligible teachers and the 12.5% go-forward increase in the SY23-24 pay scale as compared to the SY19-20 pay scale for all eligible teachers, what flexibility does the charter school have in expending these funds?**

   If the charter school has remaining funds after implementing the required salary increases for all eligible teachers, the charter school is permitted to use these funds for compensation increases and direct payments to school-based educators and support staff. Documentation of how this funding will be spent must be included in the LEA's spend plan, which OSSE will publicly post.

8. **How are you capturing the number of teachers in each step/grade on publicly posted pay scales?**

   LEAs are required to provide to OSSE the number of teachers hired in each step and grade on their annual pay scale using data from the previous year's enrollment count day data. This data will include actual teachers hired and employed and will not reflect any vacant positions.

9. **FY23 Total Teacher Salary Expenditures**

   a. **How should a charter LEA calculate total FY23 teacher salary expenditures for SY22-23? *(updated July 3, 2023)***

      LEAs should provide all salary expenditures incurred from July 1, 2022, to June 30, 2023, to cover the teacher's base salary. Reported teacher salary expenditures shouldn't be double counted for any teachers that work at multiple schools.

The reported teacher salary expenditures must exclude all benefits, performance bonuses, or supplemental expenditures that result in a teacher earning additional compensation for job duties outside of the routine operation of the school, including, for example, stipends or supplemental pay earned by teachers for taking on duties such as coaching, supporting students in activities before and after school, and teaching summer school. This is intended to cover all expenditures for teachers in SY22-23, regardless of how long the teacher was employed in the LEA.

b. **Should a charter LEA account for leave without pay that staff have taken and/or any vacancies?**

LEAs should provide FY23 total teacher salary expenditures based on actual salary expenditures incurred; similarly, salary increases and retroactive pay for individual teachers should be based on actual base salary earned, rather on salaries that could have been earned under different circumstances.

c. **Should a charter LEA include long-term or contracted substitute teacher pay?**

No, the FY23 total teacher salary expenditures should be calculated based on wages earned for all individuals meeting the federal definition of teacher.

10. **Which positions are eligible for salary increases if the charter LEA has funding available after providing the 7.6% retro and 12.5% go-forward payments to all eligible charter teachers?**

LEAs have flexibility in electing to direct excess funds to salary increases to school-based educators and staff, as defined by the LEA. This would be reflected in the LEA's publicly posted spend plan by charter school.

11. **How should charter LEAs address compensation increases in SY23-24 for teachers who have received increases for reasons other than a standard raise (e.g., a merit increase or a performance bonus) if the LEA does not have a salary scale by step/grade?**

A charter LEA will be required to demonstrate in its justification that for all teachers, salary increases have been made at 12.5% from SY19-20 to SY23-24. If teachers in a charter LEA have earned additional compensation for exemplary performance, such as a merit increase or a performance bonus, those funds should not be included in the total compensation reported by an LEA. If a charter LEA does not have a pay scale by steps and grades for SY23-24, it will be required to develop and publish one by May 1, 2024, for implementation in SY24-25.

12. **If a charter LEA provides the 7.6% retroactive payments to teachers employed in the LEA in SY22-23 and retained in SY23-24 prior to receiving the direct payment from OSSE, will the charter LEA be eligible for reimbursement?**

Yes, provided that the 7.6% retroactive salary expenditures are not included in the SY22-23 total teacher salary expenditures that charter LEAs provide to OSSE.

13. **Which charter school receives the retroactive payment if a teacher is employed at the same charter LEA in SY22-23 and SY23-24 but switches schools?**

    OSSE will be providing direct payments to charter LEAs. The charter LEA that receives the retroactive payment amount is responsible for ensuring that its schools receive the correct payment amount.

14. **How should an LEA calculate its 12.5% increases if it did not have a pay scale in previous years? *(updated July 3, 2023)***

    If an LEA did not have a pay scale in SY19-20, it should demonstrate a 12.5% salary increase using the minimum, average, and maximum teacher salaries for SY19-20 and SY23-24.

15. **If an LEA can demonstrate a 12.5% increase based on SY19-20 pay scales, is it also required to demonstrate that the salaries of each individual teacher continuously employed since SY19-20 increased by 12.5%?**

    No. An LEA that demonstrates a 12.5% increase in teacher salary based on SY19-20 pay scales need not also demonstrate a 12.5% increase in salary for an individual teacher. The base salary for an individual teacher may change over time for reasons outside of the scope of the 12.5% increase, such as exemplary performance or changes in tenure.

16. **If an LEA opened after SY19-20, is it required to demonstrate a 12.5% increase in its pay scale for SY23-24 in fewer years?**

    If an LEA began its first full year of operation after SY19-20, it will be required to demonstrate a proportional increase in their pay scale for SY23-24, but not the full 12.5% increase. For each year open, an LEA must demonstrate a 3.125% increase in its pay scale.

First Full Year of Operation	% Required Increase in Pay Scale
SY20-21	9.38%
SY21-22	6.25%
SY22-23	3.13%

17. **Council added $15M as part of their budget process. What is happening to those dollars?**

    The FY24 budget includes $73,572,698 from the Workforce Investments Account, which includes the additional funds that Council added. Once funds for the 7.6% retro pay and 12.5% go-forward increase have been calculated, all remaining funds will be distributed on a per-pupil basis using SY22-23 enrollment audit data.

18. **Are LEAs required to pay teachers retroactive compensation if they were employed after the Oct. 5, 2022 enrollment count day and remain employed at the LEA as of Sept. 1, 2023?** ***(new, July 3, 2023)***

    All teachers employed in an LEA as of Oct. 5, 2022 who remain employed in the LEA as of Sept. 1, 2023 are eligible for the retroactive payment. LEAs are required to provide these teachers retroactive compensation as a minimum requirement. Teachers who are employed after Oct. 5, 2022 are eligible for retroactive compensation with remaining funds once the minimum requirement has been met.

19. **When is the deadline to expend the funds received?** ***(new, July 3, 2023)***

    All expenditures must be incurred during the LEA's FY24, from July 1, 2023 to June 30, 2024.

20. **Is it permissible to accept only a portion of the funding?** ***(new, July 3, 2023)***

    LEAs that choose to accept funding will receive funding for the 7.6% retroactive amount, the 12.5% go-forward amount and remaining funds in a per-pupil allocation. LEAs implementing this policy will be required to meet the minimum expectations of the 7.6% retroactive payment and the 12.5% go-forward payment prior to expending any additional funds. LEAs are not permitted to accept only one portion of the funding.