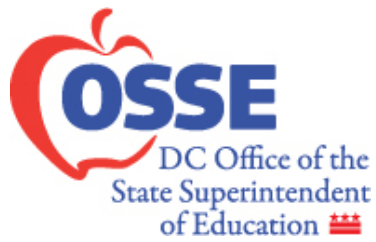


# RECOMMENDATIONS FOR REVISIONS TO THE UNIFORM PER STUDENT FUNDING FORMULA

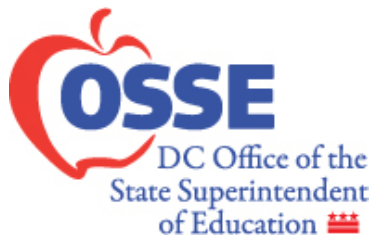
January 30, 2008



## **Uniform Per Student Funding Formula Recommendations**

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GOVERNMENT OF THE DISTRICT OF COLUMBIA  
Executive Office of the Mayor  
Office of the State Superintendent of Education

**Deborah A. Gist**  
State Superintendent of Education

January 30, 2008

The Honorable Adrian M. Fenty  
Mayor of the District of Columbia  
The John A. Wilson Building  
1350 Pennsylvania Avenue, N.W.  
Washington, DC 20004

Dear Mayor Fenty:

I am transmitting several recommendations for revisions to the Uniform Per Student Funding Formula (UPSFF) for your review and consideration during the development of the FY 2009 education budget. During FY 2007, the Office of the State Superintendent of Education (OSSE) reviewed issues related to education needs and costs, consulted with the policy community, and sought guidance from the Technical Working Group to develop these recommendations.

In the attached recommendations, we have addressed 5 priority issues: 1) the need to revise the UPSFF foundation amount, grade-level weights, and weights for supplemental funding for special need students; 2) the need to revise the current assumptions on funding school nurses in the District of Columbia by expanding Department of Health-provided nurses to all public schools in the District; 3) the need to maintain the current level of funding for school security within the Uniform Funding Formula until a sound school security management and funding plan is in place; 4) the need to fund the charter school facilities allowance at the 2008 level for FY 2009 to allow for the OSSE to develop a better and alternative methodology for providing a facilities

allowance to charter schools for FY 2010 and beyond; and, 5) the need to establish a grant fund for piloting several inclusion model schools that would serve high-intensity disability need students within the District and reverse the trend of private placements of these students.

Recommendations 1 through 3 are based on the findings of a 2006 study commissioned by the State Education Office (now OSSE). This study reevaluated the assumptions contained in the UPSFF and took into account the changing education environment of the District, including cost implications of the federal No Child Left Behind Act, the District of Columbia Public School Master Education Plan, and national and local standards for early childhood education and elementary, middle and high school education. The funding formula Technical Working Group proposed that OSSE resubmit the study assumptions, which represent a \$448, or 5.38 percent, increase per student in the foundation over the FY 2008 amount.

Please do not hesitate to contact me should you have any questions.

Sincerely,

Deborah A. Gist  
DC State Superintendent of Education

CC: Victor Reinoso, Deputy Mayor for Education

# Recommendations

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**Recommendations for Revisions to the Uniform Per Student Funding Formula  
Submitted by the Office of the State Superintendent of Education**

**January 30, 2008**

**I. INTRODUCTION AND BACKGROUND**

By law, the Office of the State Superintendent of Education (OSSE) has a responsibility to make periodic recommendations for needed revisions to the Uniform Per Student Funding Formula of the District of Columbia. The recommendations presented below are based on the OSSE's work on the reexamination of the Funding Formula assumptions in FY 2006, and on the deliberations of the Technical Working Group in areas identified during the last fiscal year.

In addition, the OSSE also commissioned two studies in FY 2007. One study, which has been just completed and is being reviewed by the OSSE staff, was commissioned to evaluate special education finance in the District and make recommendations on policy and practical changes in funding. The second study, whose final findings have not yet been completed, was commissioned to evaluate DC public charter schools' facilities funding needs and the efficiency, effectiveness and sustainability of the current methodology of calculating the charter school facilities allowance, as well as to recommend a better strategic policy option and strategy for implementation of the recommended change. Although this study is not yet complete, the OSSE has drawn on stakeholder input to make a recommendation to address the issue during FY 2009 while the OSSE develops a more permanent methodology for addressing charter schools facilities needs within the contexts of adequacy and efficiency. The OSSE will submit recommendations based on the findings of the commissioned studies, taking into consideration the work and deliberations of the Technical Working Group, whose responsibility is to advise the OSSE on the analysis of cost of education in the District.

The recommendations, presented in the next section of this document, are intended for application in the FY 2009 budget development process for the District of Columbia Public Schools and public charter schools.

**I. DESCRIPTIONS, RATIONALES AND FISCAL IMPACT OF PROPOSED RECOMMENDATION**

**A. Recommendations regarding changes in the Uniform Per Student Funding Formula (UPSFF)**

**Recommendation # 1:** It is recommended that the Uniform Per Student Funding Formula foundation for Fiscal Year 2009 be set at \$8770, an increase from the FY 2008 foundation of \$8322.

**Rationale:** The OSSE recommended foundation is the result of an in-depth analysis conducted in 2006. This analysis adjusted several assumptions in the common practice study to bring those assumptions more in line with standards of practice and levels of service currently in place in neighboring high performance school districts and elsewhere in the nation.

For the 2006 study, a subgroup of the TWG reexamined the elements in the market basket in a more comprehensive way, taking into account the District's changing education environment and the national and local standards for early childhood education and elementary, middle and high school education. The team's charge was to review the methodology within the changing education context in the District, including the education goals and strategies presented in the District of Columbia Public School Master Education Plan (MEP), and recommend changes in the assumptions for 2008. The cost increases result from changes in assumptions, and a vision of providing high quality education as described in nationally recognized research.

Note, in addition, that the recommended foundation does not include costs associated with school nurses. When this cost is included, the foundation would increase by 7 percent, rather than 5.4 percent as recommended.

**Fiscal Impact:** Adoption of this recommendation would result in an approximate amount of \$32.59 million dollars over the amount generated from the FY 2008 foundation. However, two important assumptions to note are: 1) the amount \$32.59 million refers to the increase in foundation alone; and 2) it is based on the projected enrollment for both DCPS and charter schools.

**Recommendation # 2:** It is recommended that the grade level categories and weightings in the Uniform Per Student Funding Formula, DC Code 38-2904, be set at the level that corresponds to the new foundation.

The recommended weights for FY 2009 are presented at the far right column.

<b>Grade Levels</b>	<b>Current Weights</b>	<b>Recommended 2009 Grade Level Weights</b>
Pre-School	1.16	1.34
Pre-K & Kindergarten	1.16	1.30
Grades 1-3	1.03	1.00
Grades 4-5	1.00	1.00
Grades 6-8	1.00	1.03
Grades 9-12	1.17	1.16
Alternative schools	1.23	1.17
Special education schools	1.17	1.17
Adult	0.75	0.75

**Rationale:** The revised assumptions and updated calculations of the Common Practice Cost Study of 2006 resulted in the most notable changes at the primary level, particularly in early childhood education, where an effort has been made to provide sufficient funding to align staff-to-child ratios with national standards and the District's own licensing requirements for early childhood facilities. This proposed investment is based on the documented positive impact of high quality early childhood education on continued school and life success. This recommendation also would provide sufficient funding for both a math coach and a literacy coach in each prototypical school (one or the other was included in past assumptions). This recommendation also includes enough funding to lower the ratio of students to counselors, social workers, and psychologists, especially in a prototypical middle school.

The grade level amounts generated by the study suggest the need for revisions to several of the grade level weights. The recommended weights for pre-school would generate approximately \$2100 or 22% more per pupil than the amount generated by FY 2008 weights. This increase will support two adults per 16 students in a preschool classroom, as well as services such as arts, music and PE. In some grades, the weights have been adjusted slightly downward to align them with the increased foundation.

**Fiscal Impact:** Adoption of this recommendation would result in an approximate amount of \$16.2 million dollars over the amount generated from the FY 2008 add-on weights. The estimated fiscal impact is calculated based on projected enrollment for FY 2009 for both DCPS and charter schools.

**Recommendation # 3:** It is recommended that the add-on weights for Special Education Levels 1 – 4 for FY 2009 be set at the level generated by the new foundation.

**Rationale:** It is important that the UPSFF provide funding sufficient for the support of high-quality programs that assure quality delivery of services specified by the Individualized Education Programs (IEPs) of all special education students. Add-on weights must be adjusted in proportion to increases in the foundation in order to maintain adequate funding.

**Fiscal Impact:** Adoption of this recommendation would result in an approximate amount of \$4.2 million over the amount generated from the FY 2008 special education add-on weights, and weights for summer school, English Language Learners (ELL), residential schools and extended school year (ESY) services.

Special education supplemental weights should be as provided in the table below:

<b>Special Education Service Level</b>	<b>Recommended Special Education Add-on Weights for FY 2009</b>	<b>Resulting Per Pupil Amount for FY 2009</b>
Level 1	0.52	\$ 4,560
Level 2	0.79	\$ 6,928
Level 3	1.36	\$ 11,927
Level 4	2.37	\$ 20,784

**Total fiscal impact for recommendations 1-3 is \$52.9 million over FY 2008, including the foundation, grade level weights and supplemental weights for special need students.**

**Recommendation # 4:** It is recommended that the Office of the State Superintendent of Education, in consultation with the Deputy Mayor for Education, explore the possibility of establishing and administering a one-time grant fund for piloting several inclusion model schools that provide special education services to high intensity disability need students in the least restrictive environment. Criteria for administering the grant shall be determined by the State Superintendent of Education.

**Rationale:** Special education reform is one of the top priorities of the Mayor. Establishing this grant fund will assist the in identifying and supporting high quality inclusion model programs and services to effectively serve students in need of the most intensive special education services in the District. Information gained from this grant project will also provide a cost benchmark for providing quality services to students with disabilities in local schools. The results of this initiative will be utilized to inform future budget recommendations that will enhance local school capacity to serve high needs students, and will thereby reduce the number of special education students referred for non-public day and residential placements.

Furthermore, the results of the pilot program will assist the OSSE in determining adequacy of resources, efficiency of resources application, and quality of service delivery. The findings ultimately will be used to develop an appropriate weight for the Uniform Per Student Funding Formula in order to meet the funding needs of such students. Based on the findings of the pilot, and on more reliable student-service need data gathered during the course of FY 2009, the OSSE plans to recommend a weight for high-intensity disability need students for FY 2010.

**Fiscal Impact:** To be determined.

**Recommendation # 5:** It is recommended that the per pupil costs in the Uniform Per Student Funding Formula for school-nurse services be removed from the UPSFF. Funding for school nurses is recommended to be included in the budget of the Department of Health to enable the DOH to place full-time to all public elementary and middle schools in the District. In the event this arrangement fails to materialize in FY 2009, the per pupil amount that had been removed for implementing this recommendation shall revert back to the UPSFF within FY 2009 and the base shall be recalibrated to account for the reverted amount.

**Explanation:** Under this recommendation, the Department of Health school nurse services would be available to all public schools; however, no charter school would be required to accept them if they do not wish to use these services.

**Rationale:** This recommendation supports the effort of the District of Columbia Government to offer adequate student health services in every public school—both DCPS and public charter schools. This recommendation would be implemented as the result of an agreement between DOH, who would fund the personnel costs of school nurse and school-based-health services, and DCPS and the several charter schools, who would draw upon their funding through the Uniform Per Student Funding Formula allotment to provide for such additional needed costs as maintaining and safeguarding stocks of medical and first aid supplies, providing and maintaining needed equipment, installing IT and telecommunications equipment and providing other services as agreed upon.

**Fiscal Impact:** Fiscal impact would be determined by the DOH.

**Recommendation # 6:** It is recommended that the UPSFF should continue to provide funding school security on a per pupil basis.

**Explanation:** DCPS and public charter schools would use these funds at their own discretion, except as DC law specifically mandates otherwise for DCPS alone. DCPS may transfer some or all of these funds, pursuant to Memoranda of Understanding, to MPD via an intra-District transfer.

**Rationale:** This issue was studied and discussed at the UPSFF Technical Working Group sessions, and it was determined that it is important to keep the current level of funding for school security in the UPSFF until a viable alternative is developed by the city for managing school security for all public schools.

**Fiscal Impact:** There is no added fiscal impact if the current practice is kept.

**Recommendation # 7:** Keep FY09 facilities allowance at the FY08 level. It is recommended that a methodology for funding charter schools' facilities needs be

developed for implementation during FY 2010. The methodology for calculating the facilities allowance shall be realistic, and the amount adequate, and equitable.

**Rationale:** The current methodology of calculating charter school facilities allowance using the most recent five years' rolling average of DCPS facilities cost is neither sustainable nor realistic. It is not sustainable because the costs will be increasing beyond reasonable rates. It is not realistic because the current methodology generates significantly more than needed for some charter schools and not enough for others, creating inequity within the charter system. Therefore, it is necessary to reform the current methodology and develop a better alternative for supporting charter schools' facilities needs that is realistic, adequate, and equitable.

Throughout FY 2008, the Office of the State Superintendent of Education will consult the UPSFF Technical Working Group, city leaders, and stakeholders with an interest and stake in education funding. The charter school community, charter school leaders, and their authorizer/s will be consulted, as previously, as members of the Technical Working Group or via any ad-hoc groups to assist the OSSE in determining the best methodology.

**Fiscal Impact:** No additional costs to the city for implementing this recommendation.

# Fiscal Impact

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Foundation	\$8,322	\$8,770	5%	Fiscal Impact Sheet for OSSE Recommended UPSFF Foundations and Add-on Weights							
	2008	2009 Recommended	Enrollment			Per Pupil Amount Based on 2008	Per Pupil Amount Based on Recommended 09	Total Amount Based on 2008	Total Amount Based on 09 Recommended	Difference	Change
General Education	Weights	Weights	DCPS	Charter	Total	Per Pupil FY 2008	Per Pupil FY 2009	Amount by Grade FY 08	Amount by Grade FY 09	Difference Between 08-09	%
Pre-School	1.16	1.34	1401	1038	2,439	\$ 9,653.52	\$ 11,751.80	\$ 23,546,932.99	\$ 28,665,072.13	\$ 5,118,139.14	21.74%
Pre-Kindergarten	1.16	1.30	2907	1732	4,639	\$ 9,653.52	\$ 11,401.00	\$ 44,786,464.08	\$ 52,893,708.93	\$ 8,107,244.84	18.10%
Kindergarten	1.16	1.30	3531	1750	5,281	\$ 9,653.52	\$ 11,401.00	\$ 50,980,501.39	\$ 60,208,990.74	\$ 9,228,489.36	18.10%
Grades 1-3	1.03	1.00	10785	4153	14,938	\$ 8,571.66	\$ 8,770.00	\$ 128,039,468.13	\$ 131,002,178.75	\$ 2,962,710.62	2.31%
Grades 4-5	1.00	1.00	6302	2610	8,912	\$ 8,322.00	\$ 8,770.00	\$ 74,167,059.21	\$ 78,159,710.32	\$ 3,992,651.11	5.38%
Ungraded ES	1.03	1.00	181		181	\$ 8,571.66	\$ 8,770.00	\$ 1,550,254.41	\$ 1,586,125.81	\$ 35,871.40	2.31%
Grades 6-8	1.00	1.03	7464	6369	13,833	\$ 8,322.00	\$ 9,033.10	\$ 115,115,038.44	\$ 124,951,412.37	\$ 9,836,373.93	8.54%
Ungraded MS/JHS	1.00	1.03	5		5	\$ 8,322.00	\$ 9,033.10	\$ 41,610.00	\$ 45,165.50	\$ 3,555.50	8.54%
Grades 9-12	1.17	1.16	14010	4477	18,487	\$ 9,736.74	\$ 10,173.20	\$ 180,000,607.65	\$ 188,069,331.40	\$ 8,068,723.74	4.48%
Ungraded SHS	1.17	1.16	263		263	\$ 9,736.74	\$ 10,173.20	\$ 2,561,239.00	\$ 2,676,049.33	\$ 114,810.33	4.48%
Alternative	1.23	1.17	125	370	495	\$ 10,236.06	\$ 10,260.90	\$ 5,066,849.70	\$ 5,079,145.50	\$ 12,295.80	0.24%
Special ed schools	1.17	1.17	975	225	1,200	\$ 9,736.74	\$ 10,260.90	\$ 11,681,163.75	\$ 12,309,998.33	\$ 628,834.58	5.38%
Adult	0.75	0.75	0	2076	2,076	\$ 6,241.50	\$ 6,577.50	\$ 12,957,354.00	\$ 13,654,890.00	\$ 697,536.00	5.38%
<b>Subtotal General Ed</b>			<b>47,948</b>	<b>24,800</b>	<b>72,748</b>			<b>650,494,543</b>	<b>699,301,779</b>	<b>\$ 48,807,236.35</b>	
Level 1	0.54	0.52	1326	745	2071.00	\$ 4,493.88	\$ 4,560.40	\$ 9,306,825.48	\$ 9,444,588.40	\$ 137,762.92	1.48%
Level 2	0.82	0.79	2727	924	3651.00	\$ 6,824.04	\$ 6,928.30	\$ 24,914,570.04	\$ 25,295,223.30	\$ 380,653.26	1.53%
Level 3	1.41	1.36	1073	530	1603.00	\$ 11,734.02	\$ 11,927.20	\$ 18,809,634.06	\$ 19,119,301.60	\$ 309,667.54	1.65%
Level 4	2.47	2.37	1965	620	2585.00	\$ 20,555.34	\$ 20,749.82	\$ 53,135,553.90	\$ 53,638,284.70	\$ 502,730.80	0.95%
<b>Subtotal for Special Ed</b>			<b>7091</b>	<b>2819</b>	<b>9910.00</b>	<b>\$ -</b>	<b>\$ -</b>	<b>106166583.5</b>	<b>107497398</b>	<b>\$ 1,330,814.52</b>	<b>1.25%</b>
ELL	0.40	0.40	3,979	1131	5110.00	\$ 3,328.80	\$ 3,508.00	\$ 17,010,168.00	\$ 17,925,880.00	\$ 915,712.00	5.38%
Summer	0.17	0.17	9,121	9661	18782.00	\$ 1,414.74	\$ 1,490.90	\$ 26,571,646.68	\$ 28,002,083.80	\$ 1,430,437.12	5.38%
<b>Special Education Residential</b>											
Level 1 Residential	0.374	0.374	0	2	2.00	\$ 3,112.43	\$ 3,279.98	\$ 6,224.86	\$ 6,559.96	\$ 335.10	5.38%

Foundation	\$8,322	\$8,770	5%	Fiscal Impact Sheet for OSSE Recommended UPSFF Foundations and Add-on Weights							
						Per Pupil Amount Based on 2008	Per Pupil Amount Based on Recommended 09	Total Amount Based on 2008	Total Amount Based on 09 Recommended	Difference	Change
General Education	Weights	Weights	DCPS	Charter	Total	Per Pupil FY 2008	Per Pupil FY 2009	Amount by Grade FY 08	Amount by Grade FY 09	Difference Between 08-09	%
Level 2 Residential	1.360	1.360	0	17	17.00	\$ 11,317.92	\$ 11,927.20	\$ 192,404.64	\$ 202,762.40	\$ 10,357.76	5.38%
Level 3 Residential	2.941	2.941	0	19	19.00	\$ 24,475.00	\$ 25,792.57	\$ 465,025.04	\$ 490,058.83	\$ 25,033.79	5.38%
Level 4 Residential	2.924	2.924	0	0	0.00	\$ 24,333.53	\$ 25,643.48	\$ -	\$ -	\$ -	
Level 5 Residential	9.400	9.400	0	0	0.00	\$ 78,226.80	\$ 82,438.00	\$ -	\$ -	\$ -	
<b>Residential</b>	<b>1.700</b>	<b>1.700</b>	<b>0</b>	<b>327</b>	<b>327.00</b>	<b>\$ 14,147.40</b>	<b>\$ 14,909.00</b>	<b>\$ 4,626,199.80</b>	<b>\$ 4,875,243.00</b>	<b>\$ 249,043.20</b>	<b>5.38%</b>
ELL Residential	0.680	0.680	0	0	0.00	\$ 5,658.96	\$ 5,963.60	\$ -	\$ -	\$ -	
<b>Special Education Summer</b>											
Level 1 ESY	0.064	0.064	218	0	218.00	\$ 529.11	\$ 557.60	\$ 115,346.58	\$ 121,556.06	\$ 6,209.48	5.38%
Level 2 ESY	0.231	0.231	129	0	129.00	\$ 1,924.05	\$ 2,027.62	\$ 248,201.99	\$ 261,563.50	\$ 13,361.51	5.38%
Level 3 ESY	0.500	0.500	133	0	133.00	\$ 4,160.75	\$ 4,384.74	\$ 553,379.80	\$ 583,170.01	\$ 29,790.21	5.38%
Level 4 ESY	0.497	0.497	807	0	807.00	\$ 4,136.70	\$ 4,359.39	\$ 3,338,316.71	\$ 3,518,029.02	\$ 179,712.31	5.38%
Level 5 ESY	1.598	1.598	0	0	0.00	\$ 13,298.56	\$ 14,014.46	\$ -	\$ -	\$ -	
<b>Residential</b>	<b>0.289</b>	<b>0.289</b>	<b>0</b>	<b>0</b>	<b>0.00</b>	<b>\$ 2,405.06</b>	<b>\$ 2,534.53</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	
ELL Residential	0.116	0.116	0	0	0.00	\$ 962.02	\$ 1,013.81	\$ -	\$ -	\$ -	
<b>Fiscal Impact</b>					<b>0.00</b>	<b>\$ -</b>	<b>\$ -</b>	<b>809,788,040</b>	<b>862,786,084</b>	<b>\$ 52,998,043.37</b>	

### III. BRIEF SUMMARY OF THE PROCESS USED BY THE OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION TO DEVELOP FUNDING FORMULA RECOMMENDATIONS

The process used by the Office of the State Superintendent of Education to develop Funding Formula recommendations encompasses multiple strategies. These activities include:

1. **Continuous examination of the performance of the formula and the adequacy of the funding it delivers.** Feedback is sought and received from a variety of sources. However, the richest source of reaction and advice comes from the Funding Formula Technical Working Group (TWG). The TWG includes representation from the organizations and agencies that regularly deal with the Formula, including those whose funding is determined by its provisions and those who must make it work. Through the TWG's periodic meetings and its *ad hoc* committees, participants have the opportunity to raise issues, identify problems, and work together in concert with the OSSE to find solutions.
2. **Research into issues or problems once they are identified.** Often, Technical Working Group members provide data on an issue of concern, which may be used by OSSE staff or consultants to prepare a case statement or analysis, an options paper, or a policy brief that is used to stimulate and frame the discussion at a TWG meeting. Also, practice in the District of Columbia is often benchmarked against that of other states.

When special expertise is needed in examining an issue, an *ad hoc* committee with membership appropriate to the particular issue is formed. The *ad hoc* committee explores the issue in depth and reports its findings to the Technical Working Group.

3. **Assessing the needs for revision of the Uniform Per Student Funding Formula.** Building on the products of analysis and research, the OSSE, in consultation with the TWG, identifies priority issues for more intensive analysis and action.
4. **Preparation of technical studies and analysis.** Once priority issues are identified and agreed upon, commissioned studies often are used to examine larger, more complex questions where expert analysis is needed. Studies and analyses also are conducted internally by OSSE staff. Such technical cost and management studies are used to help determine the source of a given problem, its full scale, possible solutions, whether or not revisions to the Formula are needed, what specific changes in the Formula may alleviate the problem, and what the estimated fiscal impact of any suggested change will be.
5. **Preparation and submission of recommendations.** Initial draft recommendations are discussed and comment is received from Technical Working Group members and final recommendations are transmitted.

During FY 2007 three *ad hoc* committees of the UPSFF Technical Working Group were established and staffed by the OSSE. Each *ad hoc* committee worked on questions that had been raised about a particular aspect of the Funding Formula. *Ad hoc* responsibilities include reviewing available data, examining options, and proposing a course of action.

#### **IV. ISSUES THAT HAVE BEEN IDENTIFIED, BUT WHICH REQUIRE FURTHER STUDY**

The Office of the State Superintendent of Education, in consultation with the Technical Working Group, has identified several issues for further exploration and analysis. Among the issues identified below, some have been discussed at some length and others are in the process of receiving more in-depth analysis. The following 4 issues need more analysis and TWG deliberations.

##### **1. Evaluating the efficacy of the way fixed cost has been calculated in the UPSFF**

The District of Columbia's Uniform Per Student Funding Formula calculates facilities costs based on a combination of data on DCPS facilities and national standards. The Common Practice Study (CPS) model used in recent years has been based on an idealized per student cost, by assuming that each student occupies the average square footage at each level aimed at by the past DCPS Master Facilities Plan. The CPS assumes: 150, 170 and 200 square feet per pupil for elementary school, middle school and senior high school respectively. This assumption means that the greatest part of the study's recommended funding for fixed costs is based on a limited facilities inventory used at 100 percent efficiency, not the DCPS actual inventory, which is considerably larger. In the absence of current data on actual fixed costs at the time the last study was done, the assumed cost per square foot was calculated by taking the FY 2001 projected cost of \$1.95 and updating it by the estimated percentage increase in inflation between 2001 and 2005 (9.03%), producing a figure of \$2.13 per square foot. In 2007, the OSSE analysis shows that the actual cost of DCPS fixed costs and the formula based assumptions has a discrepancy of \$22 million in that DCPS has a shortfall of \$22 million. The OSSE is planning to address this issue by adjusting the methodology so that some reasonable level of efficiency is taken into account rather than 100 percent efficiency. The proposed analysis intendeds to address the following policy and technical questions:

**Policy:** What basis should be used for square footage assumptions? Per student planning vs. per student actual vs. some assumption in between? What percentage of student capacity should be assumed?

**Policy and technical:** Should the Uniform Per Student Funding Formula account for annual cost increases beyond the CPI rate of inflation? If so, by what mechanism? Should the OSSE develop a DC cost-of-education index parallel to the CPI now used?

**Technical:** How can we best calculate coverage for space in schools occupied by central offices, outside agencies, community facilities, swimming pools, etc.?

**2. Clarifying school health and school security facilities-related responsibilities that are not currently clear and developing mechanism for funding these responsibilities**

The Technical Working Group has advised the OSSE that the facilities-related responsibilities need clarification on school health and school security facilities and their costs. Clarification is needed in terms of who is responsible for providing health suites, their handicap accessibility, and their fixtures, such as bathrooms, sinks, and built-in cabinets. Further, if these are to be in the DCPS maintenance budget, then the costs associated with them should be included in the UPSFF. However, if these are included in the capital budget, then these should be assumed as included in the charter school facilities allowance. Similarly, for security costs, if facilities-related security costs, including outdoor lighting, alarms, and fences are included in the DCPS maintenance budget, then these should be included in the UPSFF; if in the capital budget, should be assumed as included in the charter school facilities allowance. Currently, these are not clear.

**3. Conducting a study to make recommendations on funding for mental health services in public schools**

The OSSE has identified this issue and is planning to conduct a study, in consultation with the Technical Working group, to recommend a strategic policy option in addressing mental health services for all public schools.

**4. Maintaining uniformity: teacher retirement for public charter schools in the District of Columbia**

Examination of this subject needs to be informed by practices of states and other school districts; consideration of the legal, policy, and fiscal implications for charter school autonomy; and the District at large. Whether the City should fund teacher retirement contributions for public charter schools is a larger policy issue. The following questions may need to be addressed in the study: should charter schools receive the same per student funding and/or city agency services as DCPS does, regardless of whether the funding for the latter appears in the DCPS budget?

# Analysis Papers

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## FUNDING SCHOOL HEALTH SERVICES IN THE DISTRICT OF COLUMBIA

Schools across the nation are challenged by school health issues that impact student learning. States and school districts are seeking ways to improve student health so that learning is not compromised. As in many other jurisdictions, school health in the District is an important issue and requires attention. To improve the existing system to serve all children and provide quality health, reform must be comprehensive.

In January 2006, the D.C. Department of Health (DOH) issued a lengthy report on school health services, needs, and options for proposed plans, *Towards a Coordinated School Health Program in the District of Columbia: A Status Report on School-based Health Care and Proposals for Reform*. The report finds that “...unresolved health and mental health problems constitute one of the most common obstacles faced by children who have difficulty succeeding in school. There is a direct correlation between a child’s health status and his or her ability to achieve academic success. For instance, studies of students who drop out of school show that the majority do not finish high school because of health-related problems. Also, as the socioeconomic status of students decreases, the prevalence of health-related problems increases. Low socioeconomic status and the inability to afford preventive medical care, and to access health care services all affect the student’s capacity to focus on schoolwork.”<sup>1</sup>

A comprehensive school health plan should include all students—general and special education—as well as staff and community. The school health plan should be based on the documented needs of students and be funded at an adequate level. In addition to the adequacy of resources and effective delivery of school health services, there are issues related to data, privacy and training of the staff and management of school health services. These all have funding and policy implications.

**Background:** School health services, for purposes of this study, are the kinds of health services delivered in public schools, typically by school nurses or school-based health centers (SBHC). We do not include mental health services here as too big a topic to address in the time available, but recommend a careful study.

The health landscape in the District is complex, with many laws and regulations governing health services for children in the public schools.<sup>2</sup> Similarly, services are delivered by multiple providers using multiple funding sources. As elsewhere in the country, however, the primary vehicle for school health services is the school nurse program, administered by DOH. School nurses administer medication to students,

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<sup>1</sup> Hereinafter “DOH School Health Report.” The report can be viewed at [doh.dc.gov](http://doh.dc.gov); follow the links: Maternal and Family Health Administration, Information [on the bottom of the page], Status Report on School-based Health Care and Proposals for Reform.

<sup>2</sup> These are listed and briefly described in a separate appendix. Several of the most important are DC Law 10-55- Administration of Medication by Public School Employee Act of 1993; DC Law 3-20 Immunization of School Students Act Of 1979; DC Law 6-66 Student Health Act; DC -Law 7-45 Nurse Assignment Act; 504 -Rehabilitation Act; Individuals with Disabilities Education Act (IDEA).

provide first aid treatment, review and maintain student health records, perform or arrange basic health screenings, and as time permits, do health education and prevention programs (e.g., HIV/AIDS, pregnancy, smoking, nutrition) and referrals to larger health system for identified medical needs.

**Current Practice:** School health resources. School health services in DCPS and charter schools are a shared responsibility of schools and DOH. There are three significant sectors:

- The school nurse program is administered by the Child, Adolescent and School Health Bureau of the Maternal and Primary Care Administration<sup>3</sup> of DOH. School nurses are provided through a DOH contract with the Children's National Medical Center (CNMC).
- DOH and community-based health care organizations operate SBHCs in several settings.<sup>4</sup>
- DCPS has athletic trainers, stationed at 10 high schools, who provide services to student athletes in the high schools and middle schools.

District of Columbia law requires that a registered nurse (RN) be assigned to each public school to perform these duties for a minimum of 20 hours a week or levels as of 1987, whichever is higher. In October 2000, the mandate for the provision of nursing services was extended to DC Public Charter Schools as well. As of November 2006, nurses served approximately 71,000 students in 148 DCPS public schools and 30 public charter schools.<sup>5</sup> Data for that year obtained from DCPS show a total of 174 schools receiving nurse services, as follows:

- 87 DCPS schools had nurses for 20 hours
- 21 DCPS schools had full-time nurses provided by Department of Health
- 31 DCPS schools had full time nurses for whom DCPS contributes half and DOH contributes the other half<sup>6</sup>

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<sup>3</sup> Formerly the Maternal and Family Health Administration.

<sup>4</sup> Eastern Senior High School and Woodson Senior High School are the SBHCs, which are operated by Unity Health Care, and the DOH respectively. The Community of Hope, another health care organization, operates a health center adjacent to the Marie Reed elementary school. Because it is located beyond school property, it is considered a school-linked health care center (SLHC) rather than a SBHC. Georgetown University Hospital also provides school-linked care at Spingarn and Anacostia Senior High Schools through its mobile medical clinic, which can also provide comprehensive services.  
[http://doh.dc.gov/doh/frames.asp?doc=/doh/lib/doh/services/administration\\_offices/mch/pdf/school\\_program\\_draft.pdf](http://doh.dc.gov/doh/frames.asp?doc=/doh/lib/doh/services/administration_offices/mch/pdf/school_program_draft.pdf).

<sup>5</sup> DC Action for Children. *What's In It for Kids? Budget and Policy Analysis for FY 2007 & Budget and Policy Recommendations for FY 2008*. November 2006.  
<http://www.dckids.org/documents/downloads/WhatsinitforkidsFY2006.pdf>

<sup>6</sup> Each DCPS school receives a budget through the Weighted Student Formula (WSF) to cover school staff, supplies, materials, and professional services of the school's choice. Health-related resources funded through the WSF, rather than central office accounts, include half-time supplemental nurse services and health supplies, at the option of the local schools. The total cost in FY 2007 was \$1.4 million; in FY 2008 only 11 schools plan to do this.

- 35 of the 54 public charter schools received the minimum 20 hours of nursing services.

In response to a desire, both on the policymaking and the school level, for full-time nurse coverage at each school, the DC government is increasing services. According to DOH, extra-budgetary funds of \$7 to \$10 million will allow for the expansion of full-time coverage to an additional 40 schools in FY 2008, and the goal is to achieve full-time coverage in all served schools within two years.

Budget. Currently, the following are school nurse program cost elements:

- Nurses—paid through contract with CNMC (\$89,998 cost per nurse in FY 2007; \$98,508 per nurse in FY 2008).
- Computers for recordkeeping—to be supplied by DOH.
- Refrigerators for medication—responsibility of DCPS but also provided by DOH
- Health supplies and materials—funded by DCPS through local school budgets (Weighted Student Formula), but also provided by DOH. In FY 2007, schools typically budgeted about \$500 per year, with a small number budgeting more. Variations appeared not to correlate with the number of students or the level of the school
- Lockable cabinets
- Health suite facilities, handicap accessible, including a bathroom, sink, privacy conference area, rest area with one cot for every 300 students, isolation area.

CNMC provides nursing services through three different instruments: (1) a 2001 contract with the DOH to provide nursing services to DCPS and the public charter schools, and (2) an annually renewed contract with the DOH to provide nursing services to children in four special education schools, two public schools, and two charter schools. Through the final instrument, a memorandum of understanding with DOH, DCPS funds a third agreement with the CNMC to provide supplemental nursing services beyond the required minimum for certain schools. According to the DOH School Health Report, the DOH planned to issue a request for proposal to consolidate these three instruments into a single contract for the provision of all school nursing services during the 2006–2007 school year.<sup>7</sup>

School Health Service Needs. The current level of school nurse services conforms to the minimum requirements of the D.C. Code (§ 38-621), but half-time nurses do not suffice to cover many needs. Schools particularly cite insufficient coverage of:

- Medical services for special education and/or medically fragile students

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<sup>7</sup> The total budget for the school nurse program is unclear. The 2006 DOH School Health Report states that “[c]urrent funding from all sources for the 2005- 2006 school year is \$13,242,225 (of which DCPS contributed \$1,366,400).” The DC budget shows actual expenditures for school health to have been \$8,755,000 that year, and budgets of \$9,438,000 in FY 2007, and \$8,745,000 in FY 2008. However, according to the budget reports of the Council’s Committee on Health, additional funds are included in the Medicaid Administration’s Office of Support Services as a match to obtain additional federal revenues. \$11,218,000 in local funds is to be allocated to the CNMC program (p. 82).

- Health emergencies and accidents
- Health education

The National Association of School Nurses (NASN) recommends a school nurse-to-student ratio of 1:750. This ratio declines to 1:225 in mainstreamed special education populations, to 1:125 in severely chronically ill or developmentally disabled populations, and to 1:1 based on individual needs in medically fragile populations.<sup>8</sup> The DOH Student Health Report notes that the District's average ratio is approximately 1:700.<sup>9</sup> Although this ratio meets the NASN's recommendation, the Report remarks that this ratio does not necessarily reflect that nursing services are provided to schools according to their needs. The NASN notes that the school nurse-to-student ratio affects the delivery of school nursing services. Nursing services are influenced by many factors such as:

- Mandated functions
- School district goals and objectives
- Educational preparation of the school nurse
- Geographic location and number of buildings assigned to the nurse
- Social, economic and cultural status of the community
- Special health problems within the student population
- Mobility of the people in the community
- Reimbursement opportunities
- Licensed or unlicensed assistive personnel
- Presence or absence of a school-based clinic
- Student populations with Individualized Educational Plans, Individualized Health Care Plans, or 504 Plans<sup>10</sup>

DCPS and the charter schools are currently charged with providing sufficient space for housing a nursing office in each school. According to the DOH School Health Report, most of the DCPS facilities are in need of renovation and repairs. The buildings average 73 years old and many have leaky roofs, faulty plumbing, and dim lighting. Furthermore, most DCPS facilities are in minimal to partial compliance with national facility standards.<sup>11</sup> The standards, as recommended by the NASN, are as follows:

- At least 600 square feet
- Handicap-accessible
- Handicap accessible bathroom
- Dedicate use as a health suite
- Adequate plumbing
- Lockable cabinets
- Refrigerator in suite
- Privacy conference area

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<sup>8</sup> NASN Position Statement. *Caseload Assignments*.

<sup>9</sup> *Ibid.*

<sup>10</sup> *Ibid.*

<sup>11</sup> DOH Student Health Report, appendix 8.

- Rest area with one cot for every 300 students
- Isolation area<sup>12</sup>

We note that health suites are not discussed in the DCPS Master Facilities Plan of 2006.

More broadly, as expressed by many elected officials, the District aspires to a comprehensive school health program as part of improved and expanded public health services. The 2006 DOH School Health Report states that a comprehensive school health program in the District would include the following seven components: 1) health care services; 2) a health education curriculum; 3) a health-enhancing physical and social school environment; 4) nutrition services; 5) physical education and activities; 6) health programs for faculty and staff; and 7) collaboration among schools, families and communities to improve the health of students, faculty and staff.<sup>13</sup>

The Report acknowledges several challenges facing implementation of such a system. These range from standards and guidelines for health practices in schools, condition of facilities and other related infrastructure including the Internet, policies articulating regulations and responsibilities, coordination between and among service providers, and funding issues<sup>14</sup>.

**Formula assumptions:** The FY 2007 Common Practice Study (CPS) is the basis for the current UPSFF funding. CPS assumptions for the proto-typical elementary and middle schools include funding that would enable coverage for the half of the school nurse time that DOH does not cover. However, LEAs are free to allocate their funds without restriction, and most schools do not use this portion of Formula funding for the second half of the nurse time. The assumptions do not specifically incorporate health equipment and supplies or other health services.

**Issues:** As described above, the DC government is increasing nursing coverage time and providing additional non-personnel resources, with the aim of full-time coverage by the end of FY 2009. This could mean that there is no longer a reason to include supplemental funding for nurses in the UPSFF, but it is unclear whether the plans assume a contribution from DCPS comparable to the \$1.4 million provided through local school budgets in FY 2007.

More broadly, a number of practical questions on the allocation of nurse services arise. Is the assumption that there would be one registered nurse in every school, no matter the number and nature of its students? Would a health assistant, rather than a registered nurse, be sufficient in some schools? There is an issue of equity in providing a nurse to each school; small schools of under 200 students would be receiving a far different level of service than high schools of over 1000. The nurse in the large school would face a significant challenge in administering to the health needs as well as prevention measures. Funding for nurses and other health services, no matter the revenue source, needs to be based on an actual needs assessment for each school.

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<sup>12</sup> *Ibid.*

<sup>13</sup> DOH School Health Report, pp. 7-8.

<sup>14</sup> *Ibid*

In addition, channeling all available resources for effective service delivery and management and quality control of school health practices needs to be simplified. Policies, rules and regulations that currently govern school health need to be studied, analyzed and amended as needed to make implementation of school health programs smoother.

Finally, the DOH School Health Report envisions a program much broader than the nursing program. What are the real needs and how far are we from meeting them? What is necessary for a comprehensive school health system to function sustainably?

### **Policy and technical concerns for the TWG:**

#### Policy questions

1. Should the City provide funding sufficient to cover full-time nurse services at all public schools? If not all schools, which ones, and on what basis?
2. Should all funding for school nurses and related school health resources be allocated to DOH specifically for school health services, or should part be allocated to DCPS and the individual Public Charter Schools through the UPSFF, to be available to increase services to full-time nurses and other health services *at their option*?
3. How should cost elements be assigned to schools as opposed to other city agencies?

#### Technical questions

4. Have we identified all cost elements of school nurse-based health services in public schools? What are the necessary infrastructures needed for providing quality school health care to each student?
5. What other health needs exist in the school population that we are not addressing? Dental, vision, and mental health needs are demonstrated on a regular basis.
6. What provision is there to provide defibrillators to each school building and the training of on-site personnel to use them?

**Options for funding:** The School Health developed the following options:

#### Agency or agencies with funding and responsibility

**Option 1:** Fund school nurses, school-based health centers and their OTPS support in the DC Department of Health, and fund LEA supplemental health resources such as

refrigerators, first-aid supplies, cots, and health suites through the UPSFF. LEAs would not be restricted in the use of UPSFF funds.

**Option 2:** Fund all school health needs outside the UPSFF, through the Department of Health.

**Option 3:** Fund all school health needs through the schools, based on documented need, outside the UPSFF, allowing each LEA to hire full-time nurses and provide other school health services from their own budget. Use of funding would be restricted to school health functions.

**Option 4:** Continue to fund school health services through the current mechanism, whereby schools provide 50 percent of the cost of school nurses from their own UPSFF budget at their own option, the Department of Health provides 50 percent of school nurse costs, and they share responsibility for support resources. LEAs would not be restricted in the use of UPSFF funds.

#### Basis of allocations

**Option 1:** Add funds to the UPSFF for a full complement of health supplies and equipment to the extent that DCPS and charter schools are responsible for providing them. [Applies to Options 1 and 4 above]

**Option 2:** Require that there be full-time nurse coverage at each school serving over 300 students, with flexible arrangement for schools with smaller enrollments (e.g., half time nurses with access to emergency coverage and a full time nurse if there is demonstrated need). [Applies to Option 4 above]

## School Health Appendix

The following are the laws and regulations that govern various aspects of nursing service in District public and public charter schools:

### FEDERAL LAWS AND REGULATIONS

**Individuals with Disabilities Education Act (IDEA)** – Revised 1990: This act ensures free, appropriate public education for children with disabilities. It requires both the mainstreaming of disabled students into regular classrooms where appropriate and the establishment of individualized educational programs for students with disabilities. It also provides early intervention, special education and related services such as transportation, speech pathology and audiology, recreation, psychological services, physical and occupational therapy, counseling, and medical services. This is not a mandate for states but a funding opportunity. 20 U.S.C. § 1400 et seq. (2007).

[Enforced by the Office of Special Education Programs (“OSEP”)]

**Rehabilitation Act of 1973 – Section 504:** This section stipulates that individuals cannot be discriminated against because of their disabilities in programs and activities that receive federal funds. Similar to IDEA, this Act requires that free, appropriate public education be provided to qualified students with disabilities. This includes regular or special education and related aids and services that are designed to meet the individual educational needs of students with disabilities. This is a mandate for states. 29 U.S.C. § 794 (2007)

[Enforced by the Office of Civil Rights (“OCR”)]

**American Disabilities Act (ADA) of 1990 – Title II:** Title II of the ADA prohibits discrimination based on disability in public entities. Like IDEA and the Rehabilitation Act of 1973, it requires that students with disabilities receive free, appropriate public education. Public entities must make reasonable modifications to policies, practices, and procedures when necessary to avoid discrimination, unless they can demonstrate that doing so would fundamentally alter the nature of the service, program, or activity being provided. Public entities must comply with the ADA’s mandate. 42 U.S.C. § 12131 (2007).

[Enforced by the Department of Justice (“DOJ”)]

**Healthcare Insurance Portability and Accountability Act (HIPAA) of 1996:** This Act sets national standards for protected health information (“PHI”), information that can be linked to an individual, and defines what constitutes the appropriate sharing of PHI. These rules apply to “covered entities,” as defined by HIPAA and the Department of Health and Human Services to include health plans, health care clearinghouses, and health care providers who transmit any health information in electronic form in connection with a transaction covered by HIPAA. This definition may include school-based health centers that are administered by covered entities and school-based health care providers that are not employed by a school district and engage in certain electronic transmissions. 42 U.S.C. § 1320 (2007).

**Occupational Safety and Health Act (OSHA):** This Act was created to protect worker and workplace safety. Its main goal was to ensure that employers provide

their employees with an environment free from dangers to their safety and health. 29 U.S.C. § 651 (2007).

**Medical Records and Confidentiality - Family Educational Rights and Privacy Act (FERPA) – Enacted 1974:** FERPA protects the privacy of student education records by giving parents certain rights with respect to their children's education records. Once a student has reached the age of 18 or attends a school beyond the high school level, these rights transfer to the student. In general, schools must have written permission from the parent or student in order to release any information from a student's education record. However, FERPA allows disclosure in various situations, such as to appropriate officials in cases of health and safety emergencies. 20 U.S.C. § 1232g (2007).

*\*Alcohol and Drug Abuse Prevention and Treatment Act*

## **LOCAL LAWS AND REGULATIONS**

*\*School Nurse Practice Act of 1987*

**Board of Nursing Registered Nurse Rules and Regulations:** These regulations govern the education, licensure, and scope of practice for registered nurses. 17 D.C. CODE MUN. REGS. 5400–5499 (Weil); *see also* 17 D.C. CODE MUN. REGS. 4000 (Weil).

**Public School Nurse Assignment Act of 1987 (D. C. Law 7-45):** This law requires a minimum of 20 hours of nurse coverage in each DCPS and public charter school. The work hours of licensed practical nurses are permitted to count towards fulfilling this requirement, in addition to the work hours of registered nurses. The law also mandates that appropriate medical coverage be provided at interscholastic athletic events. Finally, the law stipulates that sufficient funds be provided to allow compliance with its requirements. D.C. CODE § 38-621 (2007).

**Student Health Care Act of 1985 (D. C. Law 6-66) – November 1985:** This law requires pre-K, 1st, 3rd, 5th, 7th, 9th, and 11th grade students to have had a comprehensive physical and dental examination and directs the school health division to review the records and notify schools of students who are not compliant. It also directs the Mayor to establish requirements for the testing for lead poisoning and dental health. D.C. CODE § 38-602 (2007).

**Administration of Medications by Public School Employees (D. C. Law 10-55) – November 1993:** This law authorizes public school employees to administer prescription or nonprescription medication to a student in certain situations. D.C. CODE § 38-632 (2007).

*\*Student Medical Files Ownership – April 1999*

**Communicable Diseases Contracted by Students – October 1987:** This regulation provides preventive measures to minimize the transmission of communicable diseases among students. It also describes the procedures to be taken when a student is suspected of having a communicable disease. 5 D.C. CODE MUN. REGS. 2414 (Weil).

**Immunization of School Children – September 1979:** These laws and regulations provide immunization requirements for both admission to and continuation in DCPS and public charter schools. They include a current tuberculin screening and valid written certification of current immunization such as DPT

(Diphtheria/Pertussis/Tetanus), OPV (Oral Polio Vaccine), MMR (Measles/Mumps/Rubella), Hib (Hemophilus Influenza type b), HepB (Hepatitis B), and Varicella (if the student has not yet had the chicken pox). These requirements continue until students' twenty-sixth birthdays. D.C. CODE §§ 38-501 to -508 (2007); 5 D.C. CODE MUN. REGS. 917, 2003 (Weil); 22 D.C. CODE MUN. REGS. 130–154 (Weil).

**School-based Adolescent Health Centers - December 1987:** This regulation governs the utilization of public health services in school-based adolescent health centers. It permits the Superintendent of Schools to accept public health services from the Commissioner of Public Health, but limits the provision of these health services. 5 D.C. CODE MUN. REGS. 2413 (Weil).

**District of Columbia Municipal Regulations for Dental Hygiene; Chapter 43, Title 17:** These regulations stipulate what functions a dental hygienist can provide in public schools, under the general supervision of a licensed dentist. They also govern the education, examination and licensing of dental hygienists. 17 D.C. Code Mun. Regs. 4300–4399 (Weil).

**Protection of Minors - Minors Health Consent Regulation:** This regulation deals with the consent of minors (who must consent for minors, when minors can consent for themselves, etc.) in the provision of health services. 22 D.C. CODE MUN. REGS. 600 (Weil).

**Confidentiality and Disclosure of Records on Abused and Neglected Children Act – Amended May 1979:** This law protects the records of and information about children reported as or found to be abused or neglected. D.C. CODE § 4-1303.06 (2007).

**Child and Youth Safety and Health Omnibus Emergency Amendment Act of 2003, Title VI Sec. 602 “Public Charter School Nurse Assignment Emergency Amendment Act”:** This emergency amendment required that the Public School Nurse Assignment Act also apply to public charter schools. See D.C. CODE § 38-621 (2007); <http://www.dccwatch.com/archives/council14/14-576.htm>.

## FUNDING PUBLIC SCHOOL SECURITY IN THE DISTRICT OF COLUMBIA

Children cannot learn and teachers are unable to deliver effective instruction if their attention is distracted by concerns of security in the school<sup>15</sup>. Nation-wide, research indicates that school security, like security for other applications, is not simple and straightforward<sup>16</sup>. In any school, security is connected to “funding, facilities, building age, building layout, administrators, teachers, parents, kids, personalities, campus order, security personnel, procedures, the neighborhood, policies, the school board, local law enforcement, fire codes, local government, politics, and reputation. No two schools will have identical and successful security programs—hence, a security solution for one school cannot just be replicated at other schools with complete success.”<sup>17</sup> Managing and providing for school security has been a growing concern for policymakers, parents, practitioners and the public. Security is an indispensable item in costing out education finance. The interplay of policy and educational values as well as locality of the schools determines the type and intensity of security arrangements a school may need.

**Background:** The Office of School Security at DCPS, created in 1969, handled DCPS security in-house until 1996. The congressional DC School Reform Act of 1995 directed the outsourcing of security and DCPS awarded the first security contract in 1996. School security functions include security personnel and equipment in local schools, investigations, incident reporting, security operations for non-school facilities such as warehouses, and monitoring of security cameras. Since 2005, DCPS security in local schools has been managed by the Metropolitan Police Department (MPD), through police officers (“school resource officers” or SROs) and security guards provided through a private company, currently Hawk One. The other functions are managed by DCPS’ Division of Security.

A joint report released by the Metropolitan Police Department and District of Columbia Public Schools states that, “on July 1, 2005, the MPD assumed the oversight of contractual security and related services for DCPS. To facilitate the process, the two agencies developed a memorandum of agreement detailing which agency is responsible for what functions. Under this agreement, DCPS is responsible for making sure that the staff, including principal, participate in the security planning process and involve the school community in the process. The enforcement of rules governing student conduct, maintaining of a database of reported incidents, providing equipment and other technology required by the school safety program, maintaining equipment and ensuring that defective equipment is expeditiously repaired and replaced, maintaining of safe condition of buildings fall under DCPS responsibility.”<sup>18</sup>

The MPD and security contract structure does not affect the public charter schools, which make their own arrangements for security with funding provided through the UPSFF.

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<sup>15</sup> [http://www.schoolsecurity.org/news/House\\_Education07.html](http://www.schoolsecurity.org/news/House_Education07.html)

<sup>16</sup> [http://www.ncjrs.gov/school/178265\\_1.pdf](http://www.ncjrs.gov/school/178265_1.pdf)

<sup>17</sup> Ibid

<sup>18</sup> Metropolitan Police Department, District of Columbia Public Schools Year End Safety/Security Summary School Year 2005-2006

**Current practice:** Security resources: MPD provides 96 school resource officers (SROs) at 48 DCPS sites, and patrol cars for them. Hawk One, the school security contractor, is responsible for the day to day security of students, faculty and staff at 149 DCPS sites. Hawk One provides 320 security officers to 149 DCPS sites. DCPS also has 24 school police, 9 investigators, 4 gang activity investigators, and its own office for security and provides security equipment and supplies, including metal detectors, cameras, radios, uniforms, and vehicles for contract security personnel as well as its own.

Contract security guards are typically assigned 1 to an elementary school, 3-4 to a junior high, and 6-8 to a senior high, but specific assignments vary depending on the local schools' risk level.

MPD does not serve charter schools at the same level as DCPS, since only three of the 99 SROs are at charter schools, and since almost 25% of the DCPS security contract cost is covered from the MPD budget. Charter schools are seeking expanded police coverage, for which MPD lacks funding. As of school year 2006-07, there were 69 charter school campuses enrolling almost 20,000 students. The law requiring uniform funding for DCPS and charter schools on a per student basis covers "the annual payment" to each for their operating expenses, so by its terms does not apply to services paid for by other city agencies, but the situation raises equity concerns.

Budget: The school security budgets of both DCPS and MPD are drawn totally from local revenues. Discrepancies in the table below suggest that some costs actually incurred may be charged to other accounts

	FY 06 actual expen <sup>19</sup>	FY 07 approved <sup>20</sup>	FY 08 baseline CFO <sup>21</sup>
<b>DCPS</b>			
School police, investigators and security management as listed above -- salaries and fringe benefits	\$ 2,455,190	\$ 2,331,180	
Security equipment and supplies, equipment maintenance, and 21 vehicles for both DCPS and contract security personnel	\$ 146,062	\$ 672,441	
Security contract (intra-District, to MPD)	\$ 15,691,827	\$ 8,285,359	\$ 12,515,910
Total DCPS	\$ 18,293,079	\$11,288,980	N/A

<sup>19</sup> Sources: DCPS: CFO spreadsheet FY 2006 actuals; MPD: CFO Baseline Budget FY 2008

<sup>20</sup> Sources: DCPS: CFO spreadsheet, Approved budget, post-equalization FY 2007; MPD: CFO Baseline Budget FY 2008

<sup>21</sup> DCPS does not yet have a line-item budget for FY 2008, and the CFO Baseline Budget for DCPS does not break security out from other non-instructional functions. The MPD section of that budget shows the \$12.5 million transfer to MPD from DCPS. The Mayor's Proposed Budget FY 2008 recommends \$18,888,408 for MPD school security, \$687,508 less than the CFO Baseline, specific reduction not shown.

	FY 06 actual expen <sup>19</sup>	FY 07 approved <sup>20</sup>	FY 08 baseline CFO <sup>21</sup>
<b>MPD</b>			
School Resource Officers -- salaries and fringe benefits	\$ 205,368	\$ 1,707,249	\$ 3,150,006
Other	\$ 724,080	\$ 210,000	
Security contract supplemental		\$3,900,000	\$ 3,900,000
Total MPD	\$ 929,448	\$ 5,817,249	\$ 6,372,949
TOTAL school security DCPS/MPD	\$ 19,222,527	\$ 17,106,229	N/A

CFO documents do not show revenues received from reimbursements for non-school hours security charges.

The total cost of the security contract was apparently \$15.7 million in FY 2006, with \$12.2 million in the FY 2007 approved budget, and \$16.4 million anticipated by the CFO in the FY 2008 baseline budget.

#### Security needs.

- The security contract is probably under-budgeted in FY 2007, given the reported FY 2006 actual cost and the CFO's Baseline budget estimate for FY 2008.
- Principals generally want more security personnel than they have.
- Security coverage for events outside of school hours, is not budgeted, and is now often charged to school, civic and parent groups.
- In the judgment of both MPD and DCPS officials funding for equipment, especially radios, is seriously deficient; radios are critical to effective security. A significant concern is lack of the same types of radios for the police and the school security so that communication is easier and seamless.

According to a U.S. Department of Justice school security guide, some of the elements included in the school security costs are: "video surveillance, weapon detection, entry control, and duress alarms, bomb threats and explosives detection; drug residue and drug vapor detection; drug use detection; alcohol use detection; interior and exterior intrusion detection sensors; alarm communications; anti-graffiti sealers; false fire alarm pulls; glass-break sensors; two-way radios; fencing; antitheft property marking; doors, locks, and key control; Crime Prevention Through Environmental Design (CPTED) principles; and parking lot safety."<sup>22</sup>

**Formula assumptions:** The FY 2008 Common Practice Study assumed the DCPS security cost at the FY 2006 approved budget level of \$13.6 million, and broke out per student amounts by school level (elementary, middle, and senior high) pro rata based on

<sup>22</sup>U.S. Department of Justice, Office of Justice Programs, National Institute of Justice, "The Appropriate and Effective Use of Security Technologies in U.S. Schools: A Guide for Schools and Law Enforcement Agencies (1999), p. v. [http://www.ncjrs.gov/school/178265\\_1.pdf](http://www.ncjrs.gov/school/178265_1.pdf)

research by McKinsey & Company in 2001. For example, for FY 2008, at the prototypical elementary school level, per student security cost has been calculated at \$204. This assumes one security personnel per 250 pupils. At the middle school level, per student security cost is calculated at \$256 with an assumption of 1 security personnel per 200 students. For high school, the per pupil cost has been calculated at \$341 which assumes one security personnel per 150 students.

Thus, the current funding method is based on what already exists within the DCPS budget, without taking account of MPD supplemental funding for services to DCPS only. It is not based on any “cost of school security” analysis.

**Issues:** First, while security is one of the cost drivers in the Districts funding formula, use of police in schools to provide security for children raises several concerns. Some have argued that constant police presence in school, especially at the elementary level, would alter the parental and community perception of the school. The DC Council has rejected these arguments in favor of the need for MPD expertise in security matters.

Second, although elementary schools specializing in early childhood services may not need only minimal security presence, some schools, especially high schools may need more security personnel. Research indicates that “while educators today are more open to calling the police than ever before in the history of education, far too many principals, superintendents, and school board members still believe that the public will perceive them to be incompetent leaders and poor managers if the public becomes aware of crimes, violence, and serious discipline problems which occur in their schools. The result has been a historical culture of “downplay, deny, deflect, and defend” when it comes to local districts reporting crimes to police and discussing school crimes, violence, and discipline problems with parents”<sup>23</sup>.

Third, the current arrangement, whereby the UPSFF funds education costs on a per pupil basis, provides security funding regardless of whether the schools actually use security or not. Schools in two different areas of the city would have different security needs even though the building design, student/teacher ratio and enrollment numbers may be the same. The current formula, with its one size fits all approach, does not recognize this reality. While this system can work for DCPS as a large system containing its own formula for redistribution of dollars and services to individual schools, charter schools all receive the same per student funding regardless of their actual security needs.

On the other hand, although this arrangement might not be optimal, it allows flexibility of funds use for charter schools. While DCPS might benefit by having security funding out of the UPSFF and entirely within MPD, charter schools would then have no funding for security unless the Mayor and Council provided a separate allowance or required them to receive security services from the police. Given the reality that approximately 40% of all public schools in DC are charter schools, serving almost 27 percent of the District

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<sup>23</sup>Testimony of Kenneth S. Trump before the U.S. House of Representatives, Committee on Education and Labor, Hearing on NCLB: Preventing Dropouts and Enhancing School Safety, April 23, 2007. [http://www.schoolsecurity.org/news/House\\_Education07.html](http://www.schoolsecurity.org/news/House_Education07.html)

students, it makes sense to have a flexible system to fund security within the context of overall education costs in the District.

**Policy and technical concerns for the TWG:**

1. Should the cost of security be assumed at levels currently funded by the City, or should some kind of adequacy study be made, either through SEO staff and TWG volunteers or through paid consultants?
2. How should the costs of security be divided between the Metropolitan Police Department (MPD) and DCPS/Public Charter Schools? Should funding strictly follow responsibility?
3. Should security costs be allocated outside the UPSFF based on varying individual school security needs?
4. What are the specific cost elements of an effective school security operation?

**Options for funding:** The Security subgroup developed the following options:

Agency or agencies with funding and responsibility

**Option 1.** Fund School Resource Officers and their OTPS support in the Metropolitan Police Department budget, and fund other security functions, including guards and investigators and all their OTPS support through the UPSFFMPD management of DCPS security should operate through an intra-District transfer of UPSFF funds.

**Option 2.** Fund the entire cost of security outside the UPSFF, in the Metropolitan Police Department Budget and have the MPD take full responsibility of providing security to all DCPS and charter schools, with an option for charter schools to opt for handling their own security, with a per student security allowance.

**Option 3.** Fund security separately from the UPSFF based on the actual need demonstrated by each individual school.

Basis of allocations and restrictions on use of funds

**Option 1.** Include provisions for security costs common to all schools in the UPSFF. These costs would include two-way radios; background investigations, school emergency response plans, provisions to secure the building and site, gang intervention, after school security for programs and sporting events. Each LEA would decide how to spend funding. [Applies to Option 1]

**Option 2.** Fund security outside the UPSFF on the basis of a security adequacy study of individual schools, and allow each LEA to decide how to provide their own security in the school, including the option of contracting with MPD. [Applies to Option 3]

## THE UPSFF AND PUBLIC SCHOOL SERVICES PROVIDED BY DC GOVERNMENT AGENCIES

The Technical Work Group (TWG) on the Uniform Per Student Funding Formula established subgroups of DC agency, DCPS and public charter school officials, other stakeholders, and community experts to study funding questions involving services provided to public schools by other DC government agencies. These include the school nurse program, school security, and teacher pensions. Although different city services may turn out to need different treatment, these questions raise common issues, resolution of which would benefit from consistent policy and application.

**Services in question:** Services provided to or on behalf of DCPS through the budgets of other City agencies include<sup>24</sup>:

Service	Agency	Funding
<b>Current</b>		
School nurses	Dept of Health	DOH provides and funds nurses and computers, apparently at a lesser level for PCS than DCPS. DCPS and PCS pay directly for supplies and facilities via UPSFF funds. UPSFF funding assumes school option of expanding nurse service to full-time.
Local school security	Police Dept	MPD provides and funds School Resource Officers—96 for DCPS and 3 for PCS. MPD supervises and provides supplemental funding for the Hawk One security guard contract for DCPS, not for PCS. DCPS pays directly for security equipment and funds most of the Hawk One contract via intra-District transfer via UPSFF funds. PCS make their own security arrangements with UPSFF funds.
Teacher pensions	Teacher Retirement	City provides employer contributions for DCPS only, directly to the Teacher Retirement Fund
Capital-facilities	Capital budget	City funds DCPS capital via separate capital budget and funds PCS capital or leasing costs via separate charter school facilities allowance.
“Wrap-around” social services	Mental Health Other?	DMH provides and funds personnel for services at selected DCPS and PCS. DCPS and PCS provide facilities, and perhaps supplies & equipment

<sup>24</sup> School nurses, judicial litigation, and teacher pensions were funded outside the DCPS budget when the DC School Reform Act of 1995 was enacted; the assignment of the additional responsibilities to separate City agencies post-dates Act, which established the framework for DC public charter schools. More such services may be added as the Mayor seeks to integrate DCPS with other City services.

<b>Service</b>	<b>Agency</b>	<b>Funding</b>
Legal-judicial litigation	Attorney General	OAG provides and funds judicial litigation services to DCPS, not to PCS.
<b>Possible Future</b>		
Maintenance	Facilities Modernization	DCPS funds maintenance via UPSFF funds. OFM may take over maintenance
Legal-other	Attorney General	OAG is now responsible for all DCPS legal services, but where funding will fall is unknown. DCPS has funded legal services via UPSFF funds.
Attorneys' fees	OSSE?	The City has funded fees for special education complainants winning cases against DCPS via separate "state-level" funding stream.
Blackman-Jones	OSSE?	The City is providing one-time only funding for via separate "state-level" funding stream for certain special education services to enable DCPS to come into compliance with court-ordered mandates.

#### **Issues:**

1. Should DC public charter schools receive the same per student funding and/or city agency services as DCPS does, regardless of whether the funding for services to DCPS students appears in the DCPS budget?
2. How should funding be structured – in or out of the Uniform Per Student Funding Formula (UPSFF)?
3. Should the use of funding be restricted to particular functions, or should LEAs<sup>25</sup> be free to spend it on other functions instead?

#### **Funding Mechanism Options:**

- Fund services through the UPSFF, and have DCPS transfer funds to other agencies via intra-District transfer.
- Fund services through each agency, delete funding from the UPSFF, and mandate that the agency serve both DCPS and PCS.
- Fund services through each agency, delete funding from the UPSFF, and mandate services to DCPS, while providing PCS with an appropriate allowance that may be used at each charter school's discretion, to contract with the appropriate City agency

#### Legal constraints on funding mechanisms:

<sup>25</sup> Local Education Agencies. DCPS and individual chartered schools are LEAs. Some of the latter have multiple schools within.

- (1) Local funds provided in the budgets of DCPS and charter schools must be the same per pupil (with variation permitted only by student grade level and special needs plus specifically authorized facilities and residential services allowances).
- (2) The use of local funds allocated to the charter schools cannot be restricted by function.

**History.** In enacting the D.C. Public School Reform Act of 1995, Congress required that the Mayor and Council establish a formula to fund both DCPS and each public charter school with a “uniform” amount on the basis of enrollment. This legislation, however, does not address expenditures or services provided on behalf of DCPS by other city agencies, on separate budget lines.<sup>26</sup>

There is no relevant official legislative history for the Public School Reform Act. Congressional staff who drafted the Act discussed the status of capital and teacher retirement as separate funding streams. On the basis that charter school advocates argued that their autonomy would enable them to educate children effectively with lower funding than that of traditional public schools, staff recommended that neither capital nor teacher retirement be included in the uniform funding requirement.<sup>27</sup> Charter schools experienced immediate difficulty in finding facilities that they could afford to lease or buy, and Congress soon directed the Mayor and Council to provide a facilities allowance to charter schools above and beyond their uniform Formula funding. The teacher pension issue has never been addressed, nor have the other services, except for Council legislation extending school nurse services to charter schools.<sup>28</sup>

Commonalities among the services:

- TWG task: determine funding assumptions in UPSFF for these services
- Service and fiscal responsibilities divided between DCPS/PCS and City agencies
- Need for well thought out DC Government policies on the division of responsibilities between DCPS and other agencies to guide costing determinations
- Need for overview of entire service system and its components, in order to understand funding elements attributable to schools
- Likelihood of ongoing change in division of responsibilities due to new Mayor’s desire for more integration of DC Government and DCPS services
- Maintaining uniformity in per pupil allocations between DCPS and charter schools while responding to their very different organizational characteristics
- Establishing and maintaining equity between DCPS and charter schools in provision of city services

The principal responsibility of the TWG is to make recommendations on funding assumptions and methodology, but the group can also compile information and data to

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<sup>26</sup> See D.C. Code §§ 38-1804.01(b)(1), underscored in the Appendix to this paper.

<sup>27</sup> The source is the recollection of OSSE consultant Mary Levy, who participated in a number of the drafting sessions. This recollection has no legal status or weight.

<sup>28</sup> According to a 2006 DOH study, the service to charter schools is contingent on available appropriations. As of November 2006 only 35 of the then 54 charter schools received nurse services through DOH.

provide options for policy determinations by the OSSE, the Mayor and the Council. The participants in the TWG and the subgroups have direct experience and considerable expertise in the day-to-day operations affected by both the policy and the funding. With the creation of the Inter-Agency Commission, the use of joint school-agency services is likely to increase. TWG work could contribute to model structures for such arrangements.

Questions for TWG:

- Should the TWG recommend to the State Superintendent, the Mayor and the Inter-Agency Commission that they develop policies on the division of responsibilities for services and funding between schools and City agencies?
- Should the TWG undertake any recommendations on the content of such policies, from the perspective of considering funding needs and mechanisms?
- Should the UPSFF calculate per student funding in areas such as school health, security, and fixed costs on the basis of DCPS data and assume that charter schools will adapt individually, given their flexibility in fund use, or should the TWG attempt to gather data from charter schools as a significant part of determining costs?

Option desirability analysis: A proposed framework for evaluating the desirability of options for resolving these questions:

- Simplicity in implementation
- Understandability of concept
- Transparency in operation
- Adequacy in funding existing needs
- Equity in treatment of schools and students
- Compliance with the uniformity requirements of the D.C. School Reform Act of 1995
- Ability to promote efficiency and fiscal responsibility

**D.C. Code § 38-1804.01. Annual budgets for schools.**

(a) *In general.* -- For fiscal year 1997 and for each subsequent fiscal year, the Mayor shall make annual payments from the general fund of the District of Columbia in accordance with the formula established under subsection (b) of this section.

(b) *Formula.* --

(1) *In general.* -- The Mayor and the District of Columbia Council, in consultation with the Board of Education and the Superintendent, shall establish not later than 90 days after April 26, 1996, a formula to determine the amount of:

(A) The annual payment to the Board of Education for the operating expenses of the District of Columbia public schools, which for purposes of this paragraph includes the operating expenses of the Board of Education and the Office of the Superintendent; and

(B) The annual payment to each public charter school for the operating expenses of each public charter school.

(2) *Formula calculation.* -- Except as provided in paragraph (3) of this subsection the amount of the annual payment under paragraph (1) of this subsection shall be calculated by multiplying a uniform dollar amount used in the formula established under such paragraph by:

(A) The number of students calculated under § 38-1804.02 that are enrolled at District of Columbia public schools, in the case of the payment under paragraph (1)(A) of this subsection; or

(B) The number of students calculated under § 38-1804.02 that are enrolled at each public charter school, in the case of a payment under paragraph (1)(B) of this subsection.

(3) *Exceptions.* --

(A) *Formula.* -- Notwithstanding paragraph (2) of this subsection, the Mayor and the District of Columbia Council, in consultation with the Board of Education and the Superintendent, may adjust the formula to increase or decrease the amount of the annual payment to the District of Columbia public schools or each public charter school based on a calculation of:

(i) The number of students served by such schools in certain grade levels; and

(ii) The cost of educating students at such certain grade levels.

(B) *Payment.* -- Notwithstanding paragraph (2) of this subsection, the Mayor and the District of Columbia Council, in consultation with the Board of Education and the Superintendent, may adjust the amount of the annual payment under paragraph (1) of this

subsection to increase the amount of such payment if a District of Columbia public school or a public charter school serves a high number of students:

- (i) With special needs;
- (ii) Who do not meet minimum literacy standards; or
- (iii) To whom the school provides room and board in a residential setting.

(C) *Adjustment for facilities costs.* -- Notwithstanding paragraph (2) of this subsection, the Mayor and the District of Columbia Council, in consultation with the Board of Education and the Superintendent, shall adjust the amount of the annual payment under paragraph (1) of this subsection to increase the amount of such payment for a public charter school to take into account leases or purchases of, or improvements to, real property, if the school, not later than April 1 of the fiscal year preceding the payment, requests such an adjustment.