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Testimony Before the District of Columbia Council
Committee on Education
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Public Hearing:
Bill 21-866, *The Office on Youth Outcomes and Grants Establishment Act of 2016*

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Introduction

Good morning Chairman Grosso and members of the Committee on Education. My name is Damon King. I am a Senior Policy Attorney at Children's Law Center¹ and a resident of the District. I am testifying today on behalf of Children's Law Center, which fights so every DC child can grow up with a loving family, good health and a quality education. With 100 staff and hundreds of pro bono lawyers, Children's Law Center reaches 1 out of every 9 children in DC's poorest neighborhoods – more than 5,000 children and families each year. Many of these children benefit from out-of-school time programming and I thank you for the opportunity to testify today regarding Bill 21-865, the Office of Youth Outcomes and Grants Establishment Act of 2016.

Chairman Grosso, I would like to thank you and your colleague, Councilmember Brianne Nadeau for introducing this bill and for your leadership in re-building a system for funding out-of-school time ("OST") programming. In the wake of the announcement of the dissolution of the DC Trust, it is critical that we design a new approach to distributing and monitoring funding for such programming. This approach must contain proper oversight mechanisms, while also reassuring providers who depend on such funding that the grantmaking, monitoring, technical assistance, and strategic planning processes around OST funding will be stable, predictable, and responsive to community concerns. With clarity around these processes, providers can

focus on programming rather than worrying about external events that might affect future funding.

Children's Law Center is broadly supportive of Bill 21-865, because it contains several elements that we believe are important to creating an externally accountable and adaptable (and therefore stable) system. This bill creates two entities, an Office on Youth Outcomes and Grants under the Mayor and a Commission on Youth Outcomes and Grants made up of relevant government officials and outside stakeholders, to share several policymaking and strategic planning duties regarding OST programming.² Both the Office and the Commission are responsible for fostering greater interagency coordination,³ with the goals of ensuring that agencies are not working at cross purposes and making the process of obtaining funds from the District Government easier to navigate. The bill also includes a requirement for an annual needs assessment and planning process to "identify, prioritize, and target needs for [OST] services," as well as a recurring three-year strategic plan, which will allow both the Office and the Commission to adapt to changes in the provider environment and community needs.⁴ And by requiring that the majority of the Commission be made up of non-governmental representatives and charging the Commission with "review[ing] on a regular basis the efforts of the Office and relevant agencies to fulfill the goals and policies of the strategic plan..." the bill provides for a degree of community oversight of the Office's work.⁵ We believe that this bill takes us in the right direction.

In light of the many positive elements of the bill, I would encourage the Committee to use the time we have today, as well as the period leading up to a potential mark-up of this bill, to fine-tune elements regarding both the internal structure of the Commission and the respective roles and expectations of the Office and the Commission. Although we believe that creating two entities that can check and balance each other is fundamentally the right approach, one of the risks involved in such a structure is that if roles and interactions, both within each body and between them, are not clearly defined, the policymaking and strategic planning process can break down or move too slowly to be meaningful.

As a threshold matter, we would suggest being much more explicit about roles within the Commission by, for example, designating by statute a chair and (if necessary) vice-chair. The current version of the bill appears to give the Executive Director of the Office some degree of power within the Commission by allowing him/her to name non-governmental members of the Commission, but otherwise, seems to put the Executive Director on equal footing with the other members.⁶ Clarifying who within the Commission is ultimately accountable for its operation is important because the Commission is charged with two quite time and labor-intensive tasks (the annual needs assessment and the strategic plan), in addition to writing and adopting its own bylaws.⁷ If, after this bill is passed, concerns arise about the Commission's performance of any of these tasks, it will be important for the Council, stakeholders, and members of

the public to have a clearly designated point of contact who can answer questions and direct the Commission to take any corrective action. This is particularly important given that, per the bill, membership of the Commission will be primarily made up of agency directors (who will likely be busy with the day-to-day responsibilities of running their agencies) and community members (who will be serving in a volunteer capacity).⁸

Beyond the issue of the Commission's structure, the Committee should look for aspects of the current proposed structure that might, in practice, lead to confusion over roles, delays, or gridlock, and consider amendments to address them. For example, while the Commission's annual needs assessment and the Office's on-going data-collection responsibilities should, in theory, allow for limited year-to-year policy changes in response to changes on the ground, the division of various policymaking responsibilities between the Office and the Commission could mean that, in practice, any such policy changes could bounce back and forth between the two entities as the Office acts on its broad policymaking responsibility around guiding the improvement of educational outcomes and the Commission acts on its responsibility to make policies regarding implementation of District OST policies – all before turning back to the Office, which holds rulemaking authority.⁹ The bill's emphasis on data collection and regular assessments of on-the-ground conditions is among its greatest strengths. However, we need to make sure that the bill is precise enough in identifying and

allocating the Office and the Commission’s respective responsibilities, and guiding how the two entities interact, that we can capitalize on the information that these entities will be collecting.

Chairman Grosso and Councilmember Nadeau, before I close my testimony, I want to reiterate how much we at Children’s Law Center appreciate your leadership on this important issue. Thank you for the opportunity to testify and I look forward to answering any of your questions.

¹ Children’s Law Center fights so every child in DC can grow up with a loving family, good health and a quality education. Judges, pediatricians and families turn to us to be the voice for children who are abused or neglected, who aren’t learning in school, or who have health problems that can’t be solved by medicine alone. With 100 staff and hundreds of pro bono lawyers, we reach 1 out of every 9 children in DC’s poorest neighborhoods – more than 5,000 children and families each year. And, we multiply this impact by advocating for city-wide solutions that benefit all children.

² Bill 21-9865, “Office on Youth Outcomes and Grants Establishment Act of 2016,” §§ 3-4.

³ *Id.*

⁴ *Id.* at § 4(e)(1)-(2).

⁵ *Id.* at § 4(e)(3).

⁶ *Id.* at § 4(c). § 3 of the bill also tasks the Office with “support[ing]” the Commission... in its duties.” *Id.* as § 3(d).

⁷ *Id.* at § 4(d)(1)-(2), (g).

⁸ *Id.* at § 4(b)-(c).

⁹ *Id.* at § 3(b)(1), (c), § 4(d), § 5(a).