

**COUNCIL OF THE DISTRICT OF COLUMBIA  
COMMITTEE OF THE WHOLE  
COMMITTEE REPORT**

1350 Pennsylvania Avenue, NW, Washington, DC 20004

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**TO:** All Councilmembers

**FROM:** Chairman Phil Mendelson  
Committee of the Whole

**DATE:** July 9, 2019

**SUBJECT:** Report on PR 23-221, “Public Charter School Board Saba Bireda Confirmation Resolution of 2019”

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**I. BACKGROUND AND NEED**

The purpose of Proposed Resolution 23-221 is to confirm the reappointment of Saba Bireda as a member of the Public Charter School Board (PCSB). Ms. Bireda was first appointed to the PCSB in June 2016, replacing Barbara Noplin and fulfilling the remainder of a four-year term that expired on February 24, 2019. Since February 2019, Ms. Bireda has continued to serve on the PCSB in a hold-over capacity. However, pursuant to D.C. Official Code §1-523.01, Ms. Bireda may not serve in such a capacity for more than 180 days, making it imperative that Ms. Bireda be reappointed to the PCSB. If confirmed, Ms. Bireda will serve a full four-year term, to expire on February 24, 2023. Ms. Bireda is currently a Ward 8 resident.

The Committee of the Whole reports favorably on PR 23-221, adopts the report on this measure as approved by the Committee on Education, and recommends approval by the Council. The Committee makes no changes to the Print adopted by the Committee on Education.

**II. COMMITTEE ACTION**

### **III. ATTACHMENTS**

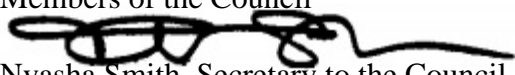
1. PR 23-221 as introduced.
2. Committee on Education's report on PR 23-221 without attachments.
3. Nominee's testimony and response to questions.
4. Legal Sufficiency Determination for PR 23-221.
5. Committee Print for PR 23-221.

**COUNCIL OF THE DISTRICT OF COLUMBIA**  
**1350 Pennsylvania Avenue, N.W.**  
**Washington D.C. 20004**

Memorandum

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To : Members of the Council

From :   
Nyasha Smith, Secretary to the Council

Date : March 29, 2019

Subject : Referral of Proposed Legislation

Notice is given that the attached proposed legislation was introduced in the Office of the Secretary on Wednesday, March 27, 2019. Copies are available in Room 10, the Legislative Services Division.

TITLE: "Public Charter School Board Saba Bireda Confirmation Resolution of 2019", PR23-0221

INTRODUCED BY: Chairman Mendelson at the request of the Mayor

The Chairman is referring this legislation sequentially to the Committee on Education and the Committee of the Whole.

Attachment

cc: General Counsel  
Budget Director  
Legislative Services



2019 MAR 27 PM 3:14  
OFFICE OF THE  
SECRETARY

MURIEL BOWSER  
MAYOR

MAR 27 2019

The Honorable Phil Mendelson  
Chairman  
Council of the District of Columbia  
John A. Wilson Building  
1350 Pennsylvania Avenue, NW, Suite 504  
Washington, DC 20004

Dear Chairman Mendelson:

In accordance with section 2214 of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1802.14 (2018 Repl.)), and section 2 of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01 (2018 Supp.)), I am pleased to nominate the following person for reappointment:

Ms. Saba Bireda  
1438 V Street, SE  
Washington, D.C. 20020  
(Ward 8)


Ms. Bireda will serve as a member of the Public Charter School Board, for a term to end February 24, 2023.

Enclosed, you will find biographical information detailing the experience of the above-mentioned nominee, together with proposed resolution to assist the Council during the confirmation process.

I would appreciate the Council's earliest consideration of this nomination for confirmation. Please do not hesitate to contact me, or Steven Walker, Director, Mayor's Office of Talent and Appointments, should the Council require additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Muriel Bowser".  
Muriel Bowser  
Mayor

  
Chairman Phil Mendelson  
at the request of the Mayor

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Chairman Phil Mendelson, at the request of the Mayor, introduced the following resolution,  
which was referred to the Committee on \_\_\_\_\_

To confirm the reappointment of Saba Bireda to the Public Charter School Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Public Charter School Board Saba Bireda Confirmation Resolution of 2019".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Ms. Saba Bireda  
1438 V Street, SE  
Washington, DC 20020  
(Ward 8)

as a member of the Public Charter School Board, established by section 2214 of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1802.14), for a term to end February 24, 2023.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

# SABA BIREDA

## EDUCATION

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**Harvard Law School**, Juris Doctor, June 2007

Activities: Executive Articles Editor, *Harvard Civil Rights-Civil Liberties Law Review*  
Teaching Fellow, Professor Lani Guinier, "The Responsibilities of Public Lawyers"  
Student Attorney, Trauma and Learning Policy Initiative (Special Education Clinic)

**Stanford University**, B.A. in English and Political Science, Minor in African and African-American Studies, June 2001

## PROFESSIONAL EXPERIENCE

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**U.S. Department of Education**, Washington, DC

July 2013 – present

Member of senior political staff

**Office of the General Counsel, Senior Counsel**

May 2015 – present

- Advise the General Counsel on legal issues related to postsecondary education and other areas of federal education law
- Collaborate with the U.S. Department of Justice on False Claims Act investigations related to the federal student loan program
- Lead investigations of for-profit schools regarding allegations of Title IV (Higher Education Act) violations, including the development of document requests and subpoenas, coordination of data review, and communication with opposing counsel
- Litigating Title IV enforcement action against national for-profit university
- Review Department policies and initiatives for compliance with federal civil rights laws

**Office for Civil Rights, Senior Counsel**

July 2013 – May 2015

- Provided legal and policy counsel to the Assistant Secretary for Civil Rights regarding strategic questions of civil rights law, administrative law, and federal education law
- Co-authored legal guidance to state and local education agencies on the civil rights of students in juvenile justice facilities
- Represented OCR in cross-agency workgroups related to correctional education, school discipline, and teacher equity
- Developed legal strategies for potential administrative actions based on OCR statutes and regulations
- Investigated allegations of racially discriminatory discipline in a suburban school district
- Reviewed Department policies and initiatives for compliance with federal civil rights laws
- Provided technical assistance on school discipline and juvenile justice guidance to OCR stakeholders

**EducationCounsel LLC, Policy and Legal Advisor**, Washington, DC

March 2012 – July 2013

- Advised clients at state higher education agencies, state education agencies, and charter management organizations on legal issues related to compliance with federal and state civil rights laws
- Conducted comprehensive legal review and revisions of student conduct handbook and policies for two large research universities
- Advised state university system in settlement negotiations with the Dept. of Education's Office for Civil Rights
- Researched and drafted section of amicus brief submitted to the U.S. Supreme Court in *Fisher v. University of Texas*
- Acted as legal and policy advisor to the Commission on the Regulation of Postsecondary Distance Education including drafting of key Commission documents and policy recommendations

**Poverty and Race Research Action Council, Deputy Director**, Washington, DC

Jan. 2011 – March 2012

- Assisted in the management and strategic planning for national civil rights advocacy and policy organization
- Represented housing advocacy organization in federal fair housing case as co-counsel with Relman, Dane & Colfax PLLC
- Analyzed proposed regulations related to federal housing and education programs and provided comments on behalf of coalition of civil rights organizations
- Represented PRRAC on Leadership Conference on Civil and Human Rights Education Task Force

- Center for American Progress, Education Policy Analyst, Washington, DC** Sept. 2009 – Dec. 2010
- Performed policy research and developed policy recommendations and reports for national education policy audience
  - Provided legal analysis related to federal laws including the Elementary and Secondary Education Act, Individuals with Disabilities Act, and Title VI of the Civil Rights Act
  - Authored “Devil in the Details: An Analysis of State Teacher Dismissal Laws” (June 2010)

**Morgan, Lewis & Bockius LLP, Philadelphia Bar Foundation Fellow, Philadelphia, PA** Sept. 2007– Aug. 2009  
Participated in two-year public service fellowship sponsored by Morgan, Lewis & Bockius LLP

- (Year 2) Morgan, Lewis & Bockius LLP, Litigation Associate** Aug. 2008 – Aug. 2009
- Represented corporate clients in state and federal litigation including class action lawsuit in California state court
  - Researched and drafted summary judgment motions, motions to dismiss, and discovery responses for corporate litigation matters in state and federal court
  - Performed document review, prepared clients for depositions, and drafted research memos on behalf of corporate defendants in two qui tam lawsuits brought under the False Claims Act
  - Represented suspended and expelled students in district and charter school administrative hearings

- (Year 1) Education Law Center, Staff Attorney** Sept. 2007 – Aug. 2008
- Represented suspended and expelled students in state court and school district administrative hearings
  - Provided legal advice to students returning to school from delinquency placements
  - Contributed research and analysis to comprehensive report on alternative disciplinary schools in Pennsylvania
  - Provided policy recommendations as a member of School District of Philadelphia alternative education task force
  - Drafted sections of School District of Philadelphia’s Code of Conduct to reflect policy changes on school discipline

- Juvenile Justice Project of Louisiana, Legal Intern, New Orleans, LA** Summer 2005
- Represented incarcerated juvenile in disposition modification hearing
  - Developed drafts of juvenile justice and school discipline reform legislation

## **TEACHING EXPERIENCE**

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- University of the District of Columbia School of Law, Adjunct Faculty, Washington, DC** 2011 – 2012
- Instructed “Lawyering Process” course for first-year law students including instruction on brief writing, legal research, and legal citation

- Sousa Middle School, Teacher, District of Columbia Public Schools, Washington, DC** 2002 – 2004
- Planned and instructed seventh and eighth grade English/Language Arts classes as a member of Teach for America corps

## **SELECT SPEAKING ENGAGEMENTS**

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**Speaker, “How to Provide Quality Education for Youth in Juvenile Justice Facilities,” Education Law Center Training**  
(April 24, 2015)

**Speaker, National Association of Black Journalists Media Institute on Education** (April 16, 2015)

**Keynote Speaker, “Equity Issues in Discipline & School Climate Improvement: Policy & Best-Practice Strategies for New England Educators,” National School Climate Center and the Social-Emotional Learning Alliance for Massachusetts**  
(December 12, 2014)

**Panelist, “The Future of Latinos in Higher Education: Affirmative Action after the *Schuetz* and *Fisher* Decisions,” Hispanic National Bar Association Annual Conference** (September 12, 2014)

**Panelist, “School Discipline and Alternatives,” Teach for America Educators Conference** (July 18, 2014)

**Panelist, “Affirmative Action and School Diversity after *Fisher*,” University of Michigan Journal of Law Reform Annual Symposium** (February 22, 2014)

## **PROFESSIONAL AFFILIATIONS**

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- American Youth Policy Forum, Board Member, Washington, DC** 2012 – present
- Provide strategic advice to national youth policy organization

- Advocates for Justice and Education, Pro Bono Counsel, Washington, DC** 2011 – 2013
- Represented suspended and expelled students in disciplinary hearings at the school and district level



Executive Office of the Mayor - Office of Talent and Appointments  
John A. Wilson Building | 1350 Pennsylvania Avenue, Suite 600 | Washington, DC 20004

## Saba Bireda



Ms. Saba Bireda is senior counsel in the Office of the General Counsel at the U.S. Department of Education and has been a member of the Public Charter School Board since 2015.

Prior to joining the Obama Administration, Ms. Bireda served as policy and legal advisor for an education consultancy providing strategic advice and legal analysis to clients at state education agencies, state-level entities, and nationally- and federally-focused organizations. Ms. Bireda also served as deputy director of the Poverty & Race Research Action Council where she provided management and strategic planning with a focus on education policy, analyzed and provided commentary on proposed legislation and regulations, and provided technical assistance to education advocates working on issues of educational equity. Ms. Bireda also worked for the Center for American Progress as an Education Policy Analyst where she researched and wrote issues briefs and reports on education policy topics including school improvement strategies, fiscal equity, and federal education law. Following her graduation from Harvard Law School, Bireda participated in a public service fellowship, in Philadelphia, where she worked as a staff attorney for the Education Law Center and as a litigation associate for an international law firm. Bireda began her career in education as a teacher at Sousa Middle School in Washington, DC.

A Ward 8 resident, Ms. Saba Bireda obtained her Bachelor of Arts in English and Political Science from Stanford University and a Juris Doctor from Harvard School of Law.





**COUNCIL OF THE DISTRICT OF COLUMBIA  
COMMITTEE ON EDUCATION  
COMMITTEE REPORT**



1350 Pennsylvania Avenue, NW, Washington, DC 20004

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**TO:** All Councilmembers  
**FROM:** Councilmember David Grosso  
Committee on Education  
**DATE:** July 1, 2019  
**SUBJECT:** Report on PR23-0221– “Public Charter School Board Saba Bireda Confirmation Resolution of 2019.”

2019 JUL -1 PM 4:20  
OFFICE OF THE  
SECRETARY

The Committee on Education, to which PR23-0221– “Public Charter School Board Saba Bireda Confirmation Resolution of 2019” was referred, reports favorably thereon, and recommends approval by the Council.

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**I. BACKGROUND AND NEED**

PR23-0221– “Public Charter School Board Saba Bireda Confirmation Resolution of 2019” confirms Saba Bireda for reappointment as a Board Member to the Public Charter School Board (PCSB) at the pleasure of the Mayor.

The District of Columbia School Reform Act of 1995<sup>1</sup> (“SRA”) gave the District of Columbia the authority to start independent, autonomous, public schools, commonly known as charter schools. The law initially gave authority to the District of Columbia Board of Education to charter these schools and also established the PCSB.<sup>2</sup> The seven member board was created for the purpose of authorizing new charters, monitoring the operations and student academic progress of the schools under its purview, and ensuring that the public charter

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<sup>1</sup> Dist. Of Columbia School Reform Act of 1995 (“School Reform Act”), approved Apr. 26, 1996 (110 Stat. 1321-132; D.C. Official Code § 38-1800 *et seq.* (2012 Repl.)).

<sup>2</sup> *Id.* at § 38-1802.14.

schools under its authority are in compliance with the terms of their charter and applicable federal and local laws. In its first year as an authorizer, the PCSB chartered six schools. After the Council passed the Public Education Reform Amendment Act of 2007<sup>3</sup>, the D.C. Board of Education was eliminated and all charter schools were placed under the purview of the PCSB. As an independent authorizer of public charter schools, the PCSB is responsible for chartering new schools through a comprehensive application review process; monitoring existing charter schools for compliance with applicable local and federal laws; and, ensuring public charter schools are held accountable for both academic and non-academic performance. The PCSB is currently the District of Columbia's sole charter school authorizer and now oversees 65 charter schools on 118 campuses.

Under the SRA, when a vacancy occurred on the PCSB, the U.S. Secretary of Education was to recommend to the Mayor of the District of Columbia three candidates to fill the vacancy.<sup>4</sup> The Secretary of Education was to compile recommendations for nominees based on suggestions from the PCSB, the D.C. government, and residents. The Mayor would then select one of the three candidates to serve on the PCSB. In the Fiscal Year 2011 Budget Support Act of 2010<sup>5</sup>, the law was amended to remove the Secretary of Education from the appointment process and allow the Mayor to appoint a nominee of her choice to serve on the PCSB with the advice and consent of the Council.<sup>6</sup> Board members serve staggered four-year terms and are eligible to be reappointed for one four-year term beyond their initial term of appointment.<sup>7</sup> The SRA states that whenever a vacancy occurs for reasons other than expiration of a term, the appointment shall be for only the remainder of the term.<sup>8</sup>

Ms. Saba Bireda has served on the PCSB since 2016, when she was appointed for the remainder of the term of Barbra Nophlin, ending February 24, 2019. This nomination for reappointment is for a full term.

Ms. Saba Bireda has spent numerous years working on issues of equal educational access at the local, state, and national levels. Currently, she is a partner at Sanford Heisler Sharp, LLP where she represents employees in individual and class actions involving race, gender, and pregnancy discrimination as well as represents governmental entities in state and federal litigation. Previously, Ms. Bireda was senior counsel in the Office of the General Counsel at the U.S. Department of Education. She formerly served as senior counsel to the Assistant Secretary for Civil Rights. Prior to joining the Obama Administration, Ms. Bireda served as policy and legal advisor for an education consultancy providing strategic advice and legal analysis to clients at state education agencies, state-level entities, and nationally- and federally-focused organizations. Ms. Bireda also served as deputy director of the Poverty & Race Research Action Council where she

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<sup>3</sup> D.C. Law 17-009.

<sup>4</sup> *Id.* at § 38-1802.14(a)(3).

<sup>5</sup> Government of the District of Columbia Office of the Chief Financial Officer, Memorandum on "Fiscal Year 2011 Budget Support Act of 2010" Reference B18-0732, Engrossed Original on July 1, 2010. *See* Subtitle (IV)(I) Public Charter School Board Membership Selection and Staff Compensation Clarification Amendment Act of 2010 page 52 at [http://app.cfo.dc.gov/services/fiscal\\_impact/pdf/spring09/FY2011-Final.pdf](http://app.cfo.dc.gov/services/fiscal_impact/pdf/spring09/FY2011-Final.pdf).

<sup>6</sup> D.C. Law 18-223.

<sup>7</sup> *See* School Reform Act § 2214(a)(5), (110 Stat. 1321-132; D.C. Official Code § 38-1802.14(a)(5) (2012 Repl.)).

<sup>8</sup> *Id.* at § 38-1802.14(a)(3).

provided management and strategic planning with a focus on education policy, analyzed and delivered commentary on proposed legislation and regulations, and issued technical assistance to education advocates working on issues of educational equity. Ms. Bireda also worked for the Center for American Progress as an Education Policy Analyst where she researched and wrote issues briefs and reports on education policy topics including school improvement strategies, fiscal equity, and federal education law.

Ms. Bireda earned her BA degree in English and Political Science from Stanford University and a Juris Doctorate from Harvard School of Law. Following her graduation from Harvard Law School, Ms. Bireda participated in a public service fellowship, in Philadelphia, where she worked as a staff attorney for the Education Law Center and as a litigation associate for an international law firm. She began her career in education as a teacher at Sousa Middle School in Washington, D.C. She is a resident of Ward 7 and lives with her husband and child that attend a public charter school.

Given the candidate's understanding of the Board's processes and standards towards ensuring high quality educational options for public school students in the District of Columbia, the Committee recommends approval of PR23-0221.

**Table A: Membership of the Public Charter School Board**

Pending PR (If Applicable)	Member/Nominee Name	1 <sup>st</sup> Term Appointment Date	Reappointment Date	Term Expiration Date
PR23-0221	Saba Bireda (Reappointment)	May 4, 2016 (remainder term)	July 9, 2019 (Proposed Date for a full term)	February 24, 2023
PR23-0222	Ricarda Ganjam (Reappointment)	September 29, 2015 (full term)	July 9, 2019 (Proposed Date for a full term)	February 24, 2023
PR23-0342	James Sandman (Appointment to replace Don Soifer)	Don Soifer: December 8, 2008; Mayor's Order February 19 2010 (term type in question); November 2012 (full term)	July 9, 2019 (Proposed Date for remainder term)	February 24, 2020
N/A	Steven Bumbaugh	May 14, 2015 (remainder term)	June 13, 2017 (full term)	February 24, 2021
N/A	Enrique Cruz, Chair	July 10, 2014 (full term)	February 6, 2018	February 24, 2021
N/A	Naomi Shelton	January 9, 2018	N/A	February 24, 2021

## II. LEGISLATIVE CHRONOLOGY

- March 27, 2019 PR23-0221– “Public Charter School Board Saba Bireda Confirmation Resolution of 2019” is introduced by Chairman Mendelson at the request of the Mayor.
- April 2, 2019 PR23-0221 is referred to the Committee on Education and the Committee of the Whole.
- April 5, 2019 Notice of Intent to Act on PR23-0221 published in the District of Columbia Register.
- June 14, 2019 Notice of a public roundtable on PR23-0221 published in the District of Columbia Register.
- June 27, 2019 The Committee on Education holds a public roundtable on PR22-0137.
- July 1, 2019 The Committee on Education considers and marks up PR22-0137.

## III. POSITION OF THE EXECUTIVE

The Mayor has nominated Saba Bireda for reappointment as a Member on the Public Charter School Board.

## IV. COMMENTS OF ADVISORY NEIGHBORHOOD COMMISSIONS

The Committee received no testimony or comments from the Advisory Neighborhood Commissions.

## V. SUMMARY OF TESTIMONY

The Committee on Education held a public roundtable on PR23-0221 on June 27, 2019. The testimony summarized below is from that hearing. A copy of this testimony is attached to this report.

**Rick Cruz**, Chair of the Public Charter School Board, testified in support of all three nominations (PR23-0221, PR23-0222- Public Charter School Board Ricarda Ganjam Confirmation Resolution of 2019, and PR23-0342- Public Charter School Board James Sandman Confirmation Resolution of 2019).

Mr. Cruz said Ms. Bireda and Ms. Ganjam has been outstanding members of the Board over the past years and hopes that will continue during their tenure. While Ms. Bireda and Ms. Ganjam have been on the Board, Mr. Cruz said PCSB has seen enrollment grow by the thousands, discipline rates decreased, new programs approved, dozens of schools replicated or expanded, and

Tier 1 schools increased more than ever before. In particular, he said Ms. Bireda brings a fresh perspective to PCSB and speaks to the experiences of families as a parent of public charter school student and a resident that lives in the Eastern part of DC. He said her education policy and Department of Education background has been an asset when the Board conducts debates and considers new policies. He said Ms. Ganjam brings her consulting and human capital perspective to the Board. He said her sharp and incisive questions during the school application process ensures that prospective applicants are prepared for being high-quality on the first day of school. He also said Mr. Sandman's nomination will be a welcome addition in filling the shoes of Mr. Don Soifer. He said Mr. Sandman brings his expertise in education law and management and firsthand experience interacting with families and understanding the struggles they face.

He concluded by stating that each nominee brings a unique perspective and a wealth of experience to the Public Charter School Board and requested that the Committee and full Council support each nomination so they can continue the work the Board has achieved.

**Saba Bireda**, nominee, said she looks forward to serving a second term with distinction. She described her first job in DC was a teacher at Sousa Middle School in Ward 7. She said that experience opened her eyes to the amazing possibilities education can open for all children and the tremendous barriers that DC students face. She said her belief in DC students is unwavering and her commitment to expanding educational opportunities is her motivation for continuing to serve on the Board. Ms. Bireda said she has visited 30 schools, spoken at numerous graduations, consistently attended PCSB's public meetings; and met with Parent and Alumni Leadership Council, community groups, and education stakeholders from across the city. As the Vice Chair of the Board, Ms. Bireda said she worked closely with the Chair on some of the most challenging issues like school safety, transparency, and the closure of seven schools in the last three years. She said these were difficult decisions but is proud of how the Board has also helped facilitate the transfer and takeover of closed schools to existing high performing LEAs which allows students to continue their education with minimal disruption. Ms. Bireda also shared how she wants to see PCSB double-down on its commitment to ensuring schools serve the city's most hard-to-serve students who are at-risk, under credited, and engaged in the justice and foster care systems. She said she looks forward to PCSB being a partner in the city's work to collaborate more across sectors. In closing, she said she has enjoyed serving and would be grateful for confirmation for a second term.

**Ricarda Ganjam**, nominee, said she is eager to continue service on the Public Charter School Board. She described how her experience, advancing the University of Maryland University College's distance learning methodology and teaching courses in business and public administration, as well as her experience working in the Talent and Human Performance and Change Management field, makes her an ideal candidate for the Board. Ms. Ganjam also shared her personal stake in DC education as she has three children that have attended DCPS and DC Public Charter Schools. She said that it is rewarding to be a part of a Board that supports equity for students and is a leader in supporting public charter schools. She also mentioned that more collaboration is necessary within the public charter school sector and DCPS ecosystem of schools. Lastly, she said she enjoys bringing her heart, mind, soul, talent, and experience to the Board.

**James Sandman**, nominee, said he would be honored to give back to the city that he calls home and loves by serving on the Public Charter School Board. Mr. Sandman said he has been a resident of the District of Columbia for the past 27 years. He said he has broad leadership experience in the private, public, and non-profit sectors. Currently, he is the president of the Legal Services Corporation which is the United States' largest funder of civil legal aid programs with a budget of \$415 million where he has served in this position since 2011. Previously, he served three years as general counsel at DCPS and practiced law at Arnold & Porter for 30 years, including 10 years as Managing Partner. Mr. Sandman described his hobby as being a volunteer. He is chairman of the board of the D.C. Campaign to Prevent Teen Pregnancy, member of D.C. Access to Justice Commission, member of the Tahirih Justice Center board, and several others. Because of his experience with the operations of a financially sound enterprise, familiarization with the social and economic development needs of the city through his volunteer experience, and practical experience as General Counsel of DCPS, he said he is qualified to be a member of the Board. He concluded that he believes every parent should be able to choose an excellent school for their child and hopes to make that a reality as a board member.

Chairperson Grosso thanked the nominees for their service and willingness to serve. He asked Ms. Bireda and Ms. Ganjam to reflect on their experience, lessons learned, and interest in the Board. Ms. Bireda said she is proud of how the Board has solicited community input and brought that voice into decision making. She said they consistently hold public hearings to understand opposition and to be a good partner and will continue to improve those processes. Ms. Ganjam said she is really proud of the alternative ways that the Board looks at accountability and how they try to meet schools where they are. Councilmember Grosso asked Mr. Sandman to share his thoughts about controversial closures of public charter schools and how he approaches questions of accountability. Mr. Sandman said he would not come to the decision to close the school unless it was absolutely necessary, and he would give them an opportunity to improve and provide fair notice. Mr. Grosso also asked about his facilitation of the Cross-Sector Taskforce and if he believes it was a success and should there be more done. He said the conversation was very productive and the work was an important first step. He said cooperation between the sectors is important and they need to work better to ensure the needs of students. Further, he said he agrees with the sentiment that parents choose a school not a sector.

Chairperson Mendelson asked several standard questions he always asks nominees. He asked if they owed any taxes or liabilities in the District of Columbia. All three nominees said they do not. Next, he asked if they had conflict of interests. All three nominees said they do not. He also asked Ms. Bireda and Ms. Ganjam if they had ever had conflicts of interests while serving. Ms. Bireda said she recused herself from votes on Elsie Whitlow Stokes PCS because her child attends that school, but it is not actually a conflict of interest. Ms. Ganjam said in her first year she recused herself from votes regarding KIPP DC because of a KIPP program at Accenture but does not foresee that being an issue in the future. Chairman Mendelson also asked if they would continue to recuse themselves in the future should a conflict arise. Each nominee said yes. Next, Chairman Mendelson asked if they actually had the time to serve. All three nominees said they had the time to serve. Then he asked them to share what the role of the Board should be. Mr. Sandman said the role of the Board is to ensure high-quality education to every student in DC and to also provide a variety of opportunity and education. Ms. Ganjam said the role of the Board should be to authorize a variety of school choices and to advise those schools. Ms. Bireda said the

role of the Board should be to increase opportunity for all students and to do that through well-informed decisions and oversight.

Chairman Mendelson pointed out that Ms. Bireda's prehearing response said she wanted to help to ensure more diversity, both racially and socio-economically, at schools so he asked how she planned on accomplishing that goal since the Board's role is more passive. Ms. Bireda said she is really intentional about asking new schools to produce concrete plans about how they plan on being diverse by design, especially with regards to special education and at-risk students. Chairman Mendelson pointed out Ms. Ganjam's response about the need to have a collaborative ecosystem of schools and asked how she is planning on accomplishing that goal. Ms. Ganjam said she would ask probing questions, encourage dialogue through different discussion groups, and advocate for it when having conversations. Chairman Mendelson also asked about the decisions to close National Collegiate Prep PCS and Democracy Prep PCS. Ms. Bireda it was a hard decision and warning bells were sounded at the three-year mark but neither of the schools met their goals. She said she saw several indicators that National Collegiate Prep PCS would not be able to turn around the reenrollment rate. She shared that the reenrollment rate was 70% (which means 30% of their families was choosing another school) and they had the lowest graduate rate of any public charter school. However, she said they did decide to give them an additional year because parents advocated for it. Ms. Ganjam reiterated what Ms. Bireda said and shared that the PCSB participated in board to board meetings throughout the process and made a data-informed decision while keeping qualitative factors in mind. Mr. Sandman reemphasized his earlier position about closing schools only when it is absolutely necessary.

## VI. IMPACT ON EXISTING LAW

Members of the Public Charter School Board are appointed pursuant to D.C. Official Code § 38-1802.14, which established the Board.

## VII. FISCAL IMPACT

Pursuant to section 4a of the General Legislative Procedures Act of 1975 (D.C. Official Code §1-301.47a(c)), the requirement of a fiscal impact statement for confirmation resolutions does not apply.

## VIII. SECTION-BY-SECTION ANALYSIS

<u>Section 1</u>	States the short title of PR23-0221
<u>Section 2</u>	Approves the nomination.
<u>Section 3</u>	Transmittal of the resolution.
<u>Section 4</u>	Provides the effective date.

## IX. COMMITTEE ACTION

On July 1, 2019, the Committee on Education held a meeting to consider PR23-0221, the “Public Charter School Board Saba Bireda Confirmation Resolution of 2019.” The meeting was called to order at approximately 3:03 pm and PR23-0221 was the first of three items on the agenda. After ascertaining a quorum with Chairperson Grosso, Councilmember Charles Allen (Ward 6), Councilmember Trayon White (Ward 8), and Councilmember Anita Bonds (At-Large) attending, Councilmember Grosso discussed the background and qualifications of the nominee and gave his colleagues an opportunity to deliberate about the nomination. There was no further discussion. Then he moved the draft committee print and accompanying report for PR22-0221 *en bloc*, with leave for staff to make technical changes. The vote was unanimous with Chairperson Grosso, Councilmember Charles Allen (Ward 6), Councilmember Trayon White (Ward 8), and Councilmember Anita Bonds (At-Large) voting aye. The meeting adjourned at 3:11 pm.

## X. ATTACHMENTS

1. Proposed Resolution 23-0221 as introduced
2. Secretary’s Referral Memo
3. Notice of Public Roundtable
4. Pre-Roundtable Responses from the Nominee
5. Final Witness List from Public Roundtable
6. Written Testimony and Comments
7. Legal Sufficiency Determination
8. Committee Print for PR23-0221





**OFFICE OF THE GENERAL COUNSEL**

Council of the District of Columbia  
1350 Pennsylvania Avenue NW, Suite 4  
Washington, DC 20004  
(202) 724-8026

**MEMORANDUM**

**TO:** Councilmember David Grosso

**FROM:** Benjamin Bryant, Associate General Counsel *BSB*

**DATE:** July 1, 2019

**RE:** Legal Sufficiency Determination for Proposed  
Resolution 23-221, the Public Charter School Board  
Saba Bireda Confirmation Resolution of 2019

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The measure is legally and technically sufficient for Council consideration.

The proposed resolution would confirm the reappointment of Ms. Saba Bireda as a member of the Public Charter School Board ("Board"), established by section 2214 of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1802.14), for a term to end February 24, 2023. If confirmed, it will be Ms. Bireda's second term on the Board.

I am available if you have any questions.

1 **COMMITTEE PRINT - DRAFT**  
2 **Committee of the Whole**  
3 **July 9, 2019**  
4  
5  
6  
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8  
9

10 A PROPOSED RESOLUTION

11 23-221

12  
13  
14 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
15  
16  
17

18 To confirm the reappointment of Ms. Saba Bireda to the Public Charter School Board.  
19

20 RESOLVED, BY COUNCIL OF THE DISTRICT OF COLUMBIA, that this resolution  
21 may be cited as the “Public Charter School Board Saba Bireda Confirmation Resolution of  
22 2019”.

23  
24 Sec. 2. The Council of the District of Columbia confirms the reappointment of:  
25

26 Ms. Saba Bireda  
27 O Street, SE  
28 Washington, DC 20020  
29 (Ward 8)  
30

31 as a member of the Public Charter School Board, established by section 2214 of the District of  
32 Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official  
33 Code §38-1802.14), for a term to end February 24, 2023.

34 Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution,  
35 upon its adoption, to the nominee and to the Office of the Mayor.

36 Sec. 4. This resolution shall take effect immediately.