

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

1350 Pennsylvania Avenue, NW, Washington, DC 20004

TO: All Councilmembers

FROM: Chairman Phil Mendelson
Committee of the Whole

DATE: July 9, 2019

SUBJECT: Report on PR 23-342, “Public Charter School Board James Sandman Confirmation Resolution of 2019”

CONTENTS

I.	Committee Recommendation.....	1
IX.	Committee Action.....	2
X.	Attachments	2

I. BACKGROUND AND NEED

The purpose of Proposed Resolution 23-342 is to confirm the appointment of Mr. James Sandman as a member of the Public Charter School Board (PCSB). If confirmed, Mr. Sandman will replace Don Soifer, fulfilling the remainder of term, which will end on February 24, 2020, and if the Mayor chooses to nominate him for reappointment after this initial term, he will be eligible to serve one four-year term.¹ Mr. Sandman is currently a Ward 6 resident.

Mr. Sandman has had a long and illustrious legal career. For over 30 years Mr. Sandman worked as an associate and partner at Arnold & Porter, LLP serving as managing partner for ten years. In 2007, Mr. Sandman left the law firm in order to serve as the general counsel of the District of Columbia Public Schools (DCPS) under former DCPS Chancellor Michelle Rhee. After four years in this role, Mr. Sandman became the President of the Legal Services Corporation, which provides funding for civil legal services for indigent people. While individuals being tried for a crime have right to legal counsel, this is not the case in civil cases. Thus, the Legal Services Corporation receives an appropriation from Congress of over \$400 million in order to provide funding to legal aid societies around the country.

During Mr. Sandman’s confirmation roundtable on June 27, 2019, Mr. Sandman testified about his current and past jobs, including his role as general counsel at DCPS. Specifically, in response to a question from Chairman Mendelson, Mr. Sandman noted that during his tenure at DCPS, he served as the agency’s FOIA officer. Mr. Sandman testified that he, and the attorneys working for him at DCPS spent extensive periods of time responding to FOIA requests because in

¹ D.C. Official Code §38-1802.14.

order to protect a student’s privacy rights and to ensure that DCPS did not break federal privacy laws, DCPS attorneys spent considerable time reviewing all the information that was queried in response to a FOIA request. Thus, even though a FOIA request may seem simple, when evaluating the burden FOIA may have on schools or local education agencies, this factor must be considered.

Given Mr. Sandman’s background, the Committee strongly supports Mr. Sandman’s nomination to the PCSB. The Committee of the Whole reports favorably on PR 23-342, adopts the report on this measure as approved by the Committee on Education with technical edits, and recommends approval by the Council. The Committee on Education’s committee print indicates that Mr. Sandman is up for reappointment to the PCSB. Since this is Mr. Sandman’s first time being appointed to the PCSB, the Committee of the Whole has corrected the committee print to reflect this.

II. COMMITTEE ACTION

On July 9, 2019, the Committee met to consider PR 23-342, the “Public Charter School Board James Sandman Confirmation Resolution of 2019.” The meeting was called to order at ____ a.m., and PR 23-342 was item IV-A on the agenda. After a quorum (Chairman Mendelson and Councilmembers Allen, Bonds, Cheh, Evans, Gray, Grosso, McDuffie, Nadeau, Silverman, Todd, and R. White, and T. White present), Chairman Mendelson moved the print with leave for staff to make technical and conforming changes. After an opportunity for further discussion, the vote on the print was unanimous (Chairman Mendelson and Councilmembers Allen, Bonds, Cheh, Evans, Gray, Grosso, McDuffie, Nadeau, Silverman, Todd, R. White, and T. White voting aye). Then Chairman Mendelson moved the report with leave for staff to make technical, conforming, and editorial changes. After an opportunity for discussion, the vote on the report was unanimous (Chairman Mendelson and Councilmembers Allen, Bonds, Cheh, Evans, Gray, Grosso, McDuffie, Nadeau, Silverman, Todd, R. White, and T. White voting aye). The meeting adjourned at ____ a.m.


III. ATTACHMENTS

1. PR 23-342 as introduced.
2. Committee on Education’s report on PR 23-342 without attachments.
3. Nominee’s testimony and response to questions.
4. Legal Sufficiency Determination for PR 23-342.
5. Committee Print for PR 23-342.

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

Memorandum

To : Members of the Council

From : 
Nyasha Smith, Secretary to the Council

Date : June 04, 2019

Subject : Referral of Proposed Legislation

Notice is given that the attached proposed legislation was introduced in the Office of the Secretary on Wednesday, May 29, 2019. Copies are available in Room 10, the Legislative Services Division.

TITLE: "Public School Charter School Board James Sandman Confirmation Resolution of 2019", PR23-0342

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



OFFICE OF THE
SECRETARY

2019 MAY 29 PM 12:42

MURIEL BOWSER
MAYOR

MAY 29 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), 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), I am pleased to nominate the following individual for appointment:

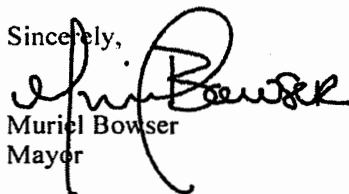
Mr. James Sandman
1391 Pennsylvania Ave. S.E. #501
Washington, D.C. 20003
(Ward 6)

Mr. Sandman will serve as a member of the Public Charter School Board, replacing Donald Soifer, for a term to end February 24, 2020.

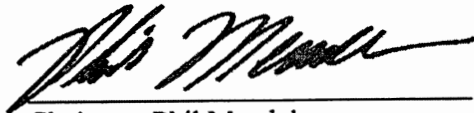
Enclosed, you will find all biographical information detailing the experience of the above-mentioned nominee, along with a proposed resolution to assist the Council during the confirmation process.

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

Sincerely,



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 appointment of James Sandman 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 James Sandman Confirmation Resolution of 2019".

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

Ms. James Sandman
1391 Pennsylvania Ave. S.E. #501
Washington, D.C. 20003
(Ward 6)

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), replacing Donald Soifer, for a term to end February 24, 2020.

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

Sec. 4. This resolution shall take effect immediately.

JAMES J. SANDMAN



SUMMARY

Broad leadership experience as President of a national non-profit corporation, Managing Partner of a leading international law firm, General Counsel of a major urban school district undergoing dramatic transformation, President of the District of Columbia Bar, and officer/board member of non-profit organizations. Frequent speaker and panelist on issues affecting the administration of justice, the legal profession, diversity, and pro bono programs.

PROFESSIONAL EXPERIENCE

2011 – **President**
Present *Legal Services Corporation*

Chief executive officer of the non-profit corporation established by Congress to provide funding for civil legal services for low-income people. LSC is the largest single funder of civil legal aid programs in the United States, making grants to 133 programs with more than 800 offices serving every state.

- . Oversee budget of \$410 million and manage staff of 108 employees
- Approve all grants
- Represent LSC in dealing with Members of Congress and their staffs
- Work closely with eleven-member Board of Directors appointed by the President of the United States and confirmed by the Senate

2007 – **General Counsel**
2011 *District of Columbia Public Schools*

Chief Legal Officer for a 45,000-student, 8,000-employee public school system under the leadership of Chancellor Michelle Rhee

- Member of Chancellor Rhee's senior management team
- Responsible for all legal issues arising in the school system, including labor and employment matters, policy development, administrative litigation, and compliance with federal and local law
- Managed an office of 18 lawyers and six staff

1977 - **Managing Partner, Partner, and Associate**
2007 *Arnold & Porter LLP*

Arnold & Porter is a leading international law firm based in Washington, DC.

- Elected by the partnership to five two-year terms as Managing Partner (1995-2005)
- Firm revenue tripled during tenure as Managing Partner
- Opened and served as Managing Partner of Los Angeles office, 1991-92
- Practice areas: risk management and avoidance, product liability litigation, complex litigation, antitrust counseling and litigation
- Elected member of the firm's Policy and Partner Compensation Committees
- Appointed member of the firm's Management, Hiring, New Partners, Diversity, and Charitable

Contributions Committees

- Resident in the firm's Washington (1977-82, 1992-2007), Denver (1982-91), and Los Angeles (1991-92) offices

1976 – **Law Clerk to the Honorable Max Rosenn, United States Court of Appeals for the Third Circuit**
1977

EDUCATION

1973 - **University of Pennsylvania Law School**
1976 *Philadelphia, Pennsylvania*
J.D., cum laude

- Order of the Coif (top ten percent of class)
- Executive Editor, Volume 124, *University of Pennsylvania Law Review*
- Associate Editor, Volume 123, *University of Pennsylvania Law Review*

1969 - **Boston College, College of Arts and Sciences**
1973 *Chestnut Hill, MA*
[REDACTED] *summa cum laude*

- Phi Beta Kappa
- Durcan Commencement Award (outstanding history student)
- Honors Program
- Four-Year Presidential Scholarship

PROFESSIONAL, CIVIC, AND CHARITABLE ACTIVITIES

Albany Law School

- Member, Board of Trustees, 2015-present

American Bar Association

- Member, House of Delegates, 2007-07
- Member, Standing Committee on Pro Bono and Public Service, 2007-08
- Member, Commission on the Future of Legal Services, 2014-16
- Member, Advisory Council, ABA Center for Innovation, 2016-present

Chevy Chase Presbyterian Church

- Elder/Trustee, 2011-14

College of Saint Rose, Albany, NY

- Member, Board of Trustees, 2014-present

Colorado Lawyers Committee

- Member, Board of Directors, 1984-1991

D.C. Campaign to Prevent Teen Pregnancy

- Chairman of the Board and member of the Board of Directors, 2012 –present

District of Columbia Access to Justice Commission

- Member, appointed by the District of Columbia Court of Appeals, 2014-present

District of Columbia Bar

- President, 2006-07 (elected by the Bar membership)
- Board of Governors, 2003-08 (elected by the Bar membership)
- Pro Bono Committee, Chair, 2009-2014; Vice Chair, 2008-09; Non-Profit and Small Business Subcommittee, 2017-present
- Chair, Pro Bono Program Strategic Assessment Task Force, 2014-15
- Chair, Pro Bono Initiative Working Group, 2007-08
- Chair, Committee on Multijurisdictional Practice, 2001-05
- Chair, Screening Committee, 2004-05
- Co-Chair, Law Practice Management Section, 1998-2000, 2001-02; member, Section Steering Committee, 1998-2003
- Pro Bono Initiative Working Group, 2000-01
- Special Committee on Multi-Disciplinary Practice, 1999-2005
- Task Force on Sexual Orientation and the Legal Workplace, 1995-99

District of Columbia Circuit Judicial Conference Standing Committee on Pro Bono Legal Services

- Chair, 2013-18; Co-Chair, 2010-13; member, 2007-18

District of Columbia Government

- Facilitator (unpaid volunteer), Deputy Mayor's Cross-Sector Collaboration Task Force (on collaboration between District of Columbia Public Schools and charter schools), 2015-present

International Senior Lawyers Project

- Board of Directors, 2007-11

The Meyer Foundation

- Chair, 2018-present
- Vice Chair, 2017-18
- Board of Directors, 2007-present
- Audit Committee, 2008-18; Chair, 2015-18
- Governance Committee, 2016-18

Minority Corporate Counsel Association

- Lloyd M. Johnson, Jr., Scholarship Selection Committee, 2005-07

NALP Foundation for Law Career Research and Education

- Board of Trustees, 2005-08
- National Advisory Board, 2003-05

Neighborhood Legal Services Program, Washington, DC

- Board of Directors, 2000-05
- Secretary, 2001-05

Pro Bono Institute

- Law Firm Pro Bono Project Advisory Committee, 1998-present

Step toe & Johnson LLP

- Diversity Advisory Board, Chair, 2015-present; member, 2011-present

Tahirih Justice Center

- Board of Directors, 2014-present

Tzedek DC

- Advisory Council, 2017-present

United States Civil Rights Commission

- District of Columbia State Advisory Committee, Chair, 2014-16; member, 2008-16

University of Pennsylvania Law School

- Inaugural Board of Advisors, Penn Law Center on the Future of the Profession, 2019-present
- Board of Overseers, 1998-2007
- Capital Campaign Executive Committee, 2004-12

Washington Performing Arts Society

- Board of Directors, 1996-present
- Executive Committee, 2008-present
- Vice Chairman, 2008-18
- Chair, Audit Committee, 2010-18
- Co-Chair, Education Committee, 2014-18

Whitman-Walker Clinic

- Chairman of the Board, 2008-09
- Board of Directors, 2003-09
- Co-Chair, "Going the Extra Mile" Benefit, 2002-06

Wilkes University, Wilkes-Barre, PA

- Board of Trustees, 2002-08

Women's Bar Association Foundation, Washington, DC

- Member, Board of Directors, 2011-14

AWARDS AND RECOGNITION

- Legal Aid Society of Cleveland, Louis Stokes Paragon Award, 2017
- Rutgers Law School, Commencement Speaker, 2017
- University of the District of Columbia David A. Clarke School of Law, Commencement Speaker, 2017
- District of Columbia Commission on Human Rights, Cornelius Alexander Humanitarian Award, 2016
- Hispanic Bar Association of the District of Columbia, Hugh M. Johnson Award, 2016
- District of Columbia Bar, William J. Brennan Jr. Award, 2015
- Washington Lawyers' Committee for Civil Rights and Urban Affairs, Wiley A. Branton Award, 2014
- Villanova University, Medallion Award and Law School Commencement Speaker, 2014
- McGlothlin Leadership Fellow, College of William & Mary, 2014
- College of Saint Rose, Commencement Speaker and Honorary D.H.L. Recipient, 2013
- Council for Court Excellence, Justice Potter Stewart Award, 2013
- Washington Council of Lawyers, Presidents' Award, 2012
- Fellow, College of Law Practice Management, 2012-present
- University of Pennsylvania Law School, Howard Lesnick Pro Bono Award, 2011
- Tahirih Justice Center, Wings of Justice Award, 2011
- DC Law Students in Court, first annual Celebration of Service Award, 2011
- "90 Greatest Washington Lawyers of the Last 30 Years," *Legal Times*, 2008

- University of Pennsylvania Law School, Alumni Award of Merit, 2007
- "Star of the Bar," Women's Bar Association of the District of Columbia, 2006

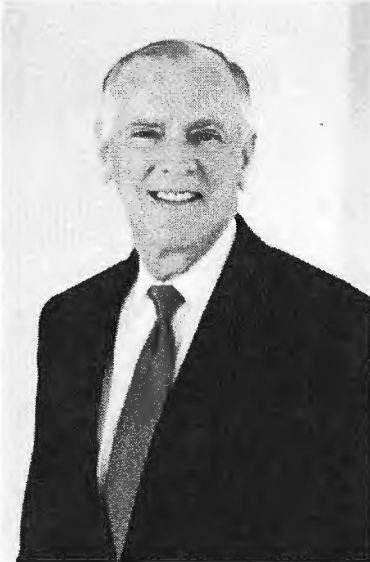
BAR ADMISSIONS

- Colorado (inactive)
- District of Columbia
- Pennsylvania
- Supreme Court of the United States
- United States Courts of Appeals for the Third, Fifth, Tenth, and District of Columbia Circuits
- United States District Courts for the Districts of Columbia and Colorado



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

James Sandman



James Sandman has had a long and varied career in private practice with a big law firm, in government service, and as a public interest lawyer.

Mr. Sandman has been President of the Legal Services Corporation since 2011. The Legal Services Corporation has a budget of \$415 million and is the largest funder of civil legal aid programs in the United States, supporting 132 programs with more than 840 offices serving every state and territory. Legal aid programs provide assistance to low-income people in civil matters, such as evictions and foreclosures, child support and child custody cases, and domestic abuse cases where the victim seeks a protection order.

Mr. Sandman practiced law for 30 years with the international, Washington-based law firm of Arnold & Porter. He served as the firm's Managing Partner for ten years. Immediately prior to joining the Legal Services Corporation, he served for three years as General Counsel of the District of Columbia Public Schools. He is a past President of the 100,000-member District of Columbia Bar.

Mr. Sandman is very involved in his community in Washington, DC. He is currently Chairman of the Boards of the Meyer Foundation and of the DC Campaign to Prevent Teen Pregnancy, a member of the District of Columbia Access to Justice Commission, and a member of the boards of Washington Performing Arts and of the Tahirih Justice Center, which provides legal assistance to immigrant women and girls fleeing violence.

In 2008, *Legal Times* named Mr. Sandman one of the "90 Greatest Washington Lawyers of the Last 30 Years." He has received the University of Pennsylvania Law School's Alumni Award of Merit and its Howard Lesnick Pro Bono Award, and the District of Columbia Bar's highest honor, the Justice William J. Brennan Award.

A resident of Ward 6, Mr. Sandman received his Bachelor of Arts in History from Boston College and a Juris Doctor from the University of Pennsylvania Law School, where he served as Executive Editor of the Law Review and was elected to the Order of the Coif.



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

1350 Pennsylvania Avenue, NW, Washington, DC 20004



TO: All Councilmembers
FROM: Councilmember David Grosso
Committee on Education
DATE: July 1, 2019
SUBJECT: Report on PR23-0342, “Public Charter School Board James Sandman Confirmation Resolution of 2019”

OFFICE OF THE
SECRETARY

2019 JUL -1 PM 4:2

The Committee on Education, to which PR23-0342, the “Public Charter School Board James Sandman Confirmation Resolution of 2019” was referred, reports favorably thereon, and recommends approval by the Council.

CONTENTS

I.	Background And Need.....	1
II.	Legislative Chronology.....	3
III.	Position Of The Executive.....	4
IV.	Comments Of Advisory Neighborhood Commissions	4
V.	Summary Of Testimony.....	4
VI.	Impact On Existing Law	7
VII.	Fiscal Impact.....	7
VIII.	Section-By-Section Analysis	7
IX.	Committee Action.....	7
X.	Attachments	8

I. BACKGROUND AND NEED

PR23-0342, the “Public Charter School Board James Sandman Confirmation Resolution of 2019” nominates James Sandman for appointment as a member of the Public Charter School Board for a term to end February 24, 2020.

The District of Columbia School Reform Act of 1995¹ (“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.² The seven member board was created for the purpose of authorizing new charters, monitoring the operations and student

¹ 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.)).

² *Id.* at § 38-1802.14.

academic progress of the schools under its purview, and ensuring that the public charter 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 2007³, 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.⁴ 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 2010⁵, 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.⁶ Board members serve staggered four-year terms and are eligible to be reappointed for one four-year term beyond their initial term of appointment.⁷ 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.⁸

Ms. James Sandman is appointed to replace Donald Soifer for a term ending February 24, 2020. Currently, Mr. Sandman is the president of the Legal Services Corporation which is the United States' largest funder of civil legal aid programs. Previously, he served four years as Chief Legal Officer for the District of Columbia Public Schools. Prior to this position, he practiced law for 30 years at Arnold & Porter, including 10 years as Managing Partner. Mr. Sandman earned a J.D. from the University of Pennsylvania Law School and an undergraduate degree from Boston College, College of Arts and Sciences.

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 PR23-0342.

³ D.C. Law 17-009.

⁴ *Id.* at § 38-1802.14(a)(3).

⁵ 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.

⁶ D.C. Law 18-223.

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

⁸ *Id.* at § 38-1802.14(a)(3).

Table A: Membership of the Public Charter School Board

Pending PR (If Applicable)	Member/Nominee Name	1 st 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

- May 29, 2019 PR23-0342 "Public Charter School Board James Sandman Confirmation Resolution of 2019" is introduced by Chairman Mendelson at the request of the Mayor.
- June 4, 2019 PR23-0342 is referred to the Committee on Education and the Committee of the Whole.
- June 7, 2019 Notice of Intent to Act on PR23-0342 is published in the *District of Columbia Register*.
- June 14, 2019 Notice of roundtable hearing on PR23-0342 is filed in the *Office of the Secretary*.
- June 27, 2019 The Committee on Education holds a public roundtable on PR23-0342.
- July 1, 2019 The Committee on Education considers and marks up PR23-0342.

III. POSITION OF THE EXECUTIVE

The Mayor has nominated James Sandman for appointment to be a member of the Public Charter School Board. The Committee did not receive any additional comments from the Executive.

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- Public Charter School Board Saba Bireda Confirmation Resolution of 2019, PR23-0222- Public Charter School Board Ricarda Ganjam Confirmation Resolution of 2019, and PR23-0342).

Mr. Cruz said Ms. Bireda and Ms. Ganjam have 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 and says she feels it is imperative that a school have a great team to support students. 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. 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 the families and understanding the struggles they face.

He concluded by stating that each nominee brings a unique perspective and 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, 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 they have 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 also looks forward to PCSB being a partner in the city's work to collaborate more across sectors. In closing, she said she's 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 shared her experience working at University of Maryland University College to help advance their 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. She also shared her personal stake in DC education as she has three children that have attended DCPS and DC Public Charter Schools. She shared 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 ecosystem of schools. Lastly, she said the volunteer board role is one which she enjoys bringing her heart, mind, soul, talent, and experience to.

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 by practicing at Arnold & Porter for 30 years, including 10 years as Managing Partner, and three years as general counsel at DCPS. Further, he said in 2011 he became president of the Legal Services Corporation which is the United States' largest funder of civil legal aid programs with a budget of \$415 million. Additionally, he 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 boards of the Tahirih Justice Center, 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 have public hearings all of the time to understand opposition and 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 decision to close the school unless it was absolutely necessary, and he would give them opportunity to improve and provide fair notice. Mr. Grosso also asked 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 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, they did decide to give them an additional year because parents wanted advocated for it. Ms. Ganjam reiterated what Ms. Bireda said 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.

VI. IMPACT ON EXISTING LAW

Members of the governing body of the Public Charter School Board are appointed by the Mayor and approved by Council pursuant to D.C. Official Code § 38-1802.14.

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 PR23-0342.
<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 PR23-0342, the “Public Charter School Board James Sandman Confirmation Resolution of 2019.” The meeting was called to order at approximately 3:03 pm and PR23-0342 was the third and final item 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. Councilmember Anita Bonds noted for the record that Mr. Sandman was General Counsel for DCPS under former Chancellor Michelle Rhee which is significant since the city now has a dual sector system. She said she is very curious to see what he brings to the position. Chairperson Grosso moved the draft committee print and accompanying report for PR22-0342 *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. Secretary's Referral Memo
2. PR23-0342 as introduced
3. Pre-Roundtable Letter from the Committee and Responses from the Nominee
4. Written Testimony and Comments
5. Legal Sufficiency Determination
6. Committee Print for PR23-0342



OFFICE OF THE GENERAL COUNSEL

Council of the District of Columbia
1850 Pennsylvania Avenue NW, Suite 4
Washington, DC 20004
(202) 724-8026

MEMORANDUM

TO: Councilmember David Grosso

FROM: Benjamin Bryant, Associate General Counsel *h719*

DATE: July 1, 2019

RE: Legal Sufficiency Determination for Proposed
Resolution 23-342, the Public Charter School Board
James Sandman Confirmation Resolution of 2019

The measure is legally and technically sufficient for Council consideration.

The proposed resolution would confirm the appointment of Mr. James Sandman 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, 2020. If confirmed, Mr. Sandman will be appointed to serve the remainder of a term vacated by former Board member Donald Soifer.

I am available if you have any questions.

1 **COMMITTEE PRINT - DRAFT**
2 **Committee of the Whole**
3 **July 9, 2019**
4
5
6
7
8
9

10 A PROPOSED RESOLUTION

11 23-342
12
13

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

18 To confirm the appointment of Mr. James Sandman 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 James Sandman Confirmation Resolution of
22 2019”.

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

26 Mr. James Sandman
27 Pennsylvania Ave., S.E.
28 Washington, DC 20003
29 (Ward 6)
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, 2020.

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.