



Councilmember Phil Mendelson's

At-Large Update

**Councilmember
Phil Mendelson
(At-Large)**

February 15, 2008

Mendelson Discusses Education Personnel Reform

"The recent personnel reform debate does nothing in the classroom itself or even the school, but it does further the possibility of turmoil at the top of the system. This will not be good for kids in the long run.

The ability of children to learn is linked directly to whether they have the best teachers, the best principals, and whether the classroom has adequate resources to enable an excellent education. The Mayor's personnel reform does not address this.

Quality schools give the opportunity to fulfill all of the hopes we have for kids, at a time in their lives when anything in the world seems possible. Conversely, schools that fail leave kids so unskilled that they are likely to become a problem for society.

I truly believe that our government's decision-makers want to do "what is best for children." That's true of people on both sides of the personnel reform issue. But saying so doesn't make it so, and it is wrong to phrase the debate in these terms. The issue is not about doing "what's best for the children." Rather, it is about doing what's most likely to succeed. The focus should be on *results*, not *intent*.

Those who disagreed with the Mayor's so-called "reform" legislation were accused of putting the rights of workers before the children. Instead, the debate should have been about whether this so-called reform will succeed. Hundreds of central administration employees will now be "at will," meaning they can be fired for any reason that doesn't violate the Human Rights Act.

Fundamental to the debate is how one views civil service. The system evolved because of the abuses that pervaded government service leading up to

the assassination of a president. Civil service protects employees from the turnover in government when we have an election. It protects them from arbitrary bosses and politics. Civil service promotes stability and experience.

Ten years ago the Control Board forced changes to the District's civil service system to ensure the ability of managers to fire incompetent workers. The system is not about protecting incompetence. Indeed, recently the D.C. Public Library system terminated 38 employees as part of a transformation plan; eight were fired and 30 left with "easy out" benefits.

On the other hand, the Schools' Chancellor asked for the unfettered ability to fire people without having first tried the existing process. Although she says the current system does not work, she has produced no evidence of that. Only a few years ago a former DCPS superintendent fired/rehired the entire central office staff.

Consider this: an employee can have an excellent evaluation but if he or she is, for instance, not liked by their manager, they can be fired. Maybe they had a disagreement. Maybe the manager is hiding his or her own incompetence. Maybe the employee is a whistle blower. The employee no longer has due process, or the right to demand an explanation.

In fact, what would be the explanation for firing a high-performing employee? Because that's what the debate comes down to: the Chancellor and her managers already have the right to terminate unproductive employees – what they have sought and received is the right to terminate the rest.
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Constituent Services Corner

A group of Ward 7 residents asked Phil to join them at Benning Road and Minnesota Avenue, NE to look at intersections where traffic and pedestrian safety had become a major concern.

Residents, some in wheelchairs, met Phil and his staff in order to demonstrate how too few seconds are available for them to cross busy streets. Needed adjustments were noted, including: timing signals, signage, curb work, and the necessity of a traffic signal to help allow residents enough time to safely cross busy streets.

After a request for a comprehensive study, DDOT responded and added many of the suggestions to the improvements for the Great Streets initiative now underway. Traffic signal timing and signage improvements were added to DDOT's High Accident Locations Program and DDOT determined that adding an additional traffic signal in that area was also warranted.

When you feel like navigating through the District government is like trying to wrestle with traffic at rush hour, contact Councilmember Mendelson's office. We'll help you get to where you are going.



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**[www.dccouncil.us/
mendelson/index/htm](http://www.dccouncil.us/mendelson/index/htm)**

Mendelson Bill Ensures a Speedy Trial for All Juveniles

At a recent Council meeting, Phil spearheaded legislation that ensures a speedy trial for all juveniles in the judicial system. Passed unanimously by the Council, the “Juvenile Speedy Trial Equity Emergency Act of 2007” cures an anomaly in the law that provides statutory speedy trial rights to juveniles ordered to secure detention, but does not extend those same rights to juveniles ordered to shelter care.

The legislation would limit the continued detention in shelter care as a result of delays in prosecution. The effect of a continuance is often that a child will remain in secure detention or shelter care for long periods of time, causing disruption to the child’s life, reducing the association a child makes between their actions and the penalty, and contributing to overcrowding in the District’s facilities.

“There’s no reason why some kids should be treated to justice more slowly than others,” stated Councilmember Mendelson. “Disparity in treatment not only gums up the works of our judicial system, but also fails our youth by subjecting them to unjust, uneven, and untimely treatment.”

Education (cont.)

Focusing on personnel firing actually misses the significant, real problems at central administration: that the paper-based personnel system is unworkable, the paper-based procurement system is cumbersome, technology systems are non-existent. Good managers recognize that the best people won’t work well if they don’t have the resources.

Some say the school system is so broken that it is time to take bold and dramatic steps; we need change. But change, for the sake of change, is harmful. Indeed, over the past decade we’ve restructured the school system four times and gone through seven superintendents.

What we really need is stability, and an environment that supports good managers. A system where people can be terminated without cause is as likely to foster weak, timid managers as strong ones.

We know from experience what easy firing will mean: good people will be fired by bad managers; cronyism will be nurtured; fear will become a motivating force. Fear in the workplace promotes instability and encourages good folks to leave. That’s not what’s best for children.

I am personally committed to the Public Schools. My 7-year-old daughter attends DCPS. I truly want a world-class system. But making it easy to fire people is far more likely to produce bad results than the hiring of good managers.

It’s too likely that this “reform” plan will make matters worse. I regret that this government has chosen to take that chance.”

Upcoming Hearings of the Judiciary Committee

Thursday, February 21st at 10:00—Room 500

Performance Oversight Hearing on the: Office of the Attorney General and Office of Administrative Hearings

Monday, February 25th at 10:00—Room 412

Performance Oversight Hearing on the: Office of Police Complaints, Justice Grants Administration, Metropolitan Police Department & Forensics Lab, Corrections Information Council, and Department of Corrections

Thursday, March 13th at 10:30—Room 500

Gun Prosecutions in the District of Columbia

Hearings are held at the Wilson Building—1350 Pennsylvania Avenue, NW