

Councilmember David Grosso

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on an temporary basis, the District of Columbia Nonresident Tuition Act, to allow District of Columbia students enrolled at District of Columbia Public Schools or public charter schools who considered residence in attendance of non-public schools or programs to continue their education for the remainder of the school year in which legal permanency is achieved and through the end of the next following school year, without payment of nonresident tuition, if the child ~~is~~ ceases to be in the care and custody of the District as a result of being placed in the permanent care and custody of a parent, guardian, or custodian who resides outside the District of Columbia.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Non-Public Student Educational Continuity Temporary Amendment Act of 2020”.

Sec. 2. Section 2(e) of an Act to require the payment of tuition on account of certain persons who attend the public schools of the District of Columbia, and for other purposes ~~the District of Columbia Nonresident Tuition Act, approved September 8, 1960~~ effective February 26, 2015 (74 Stat 853 D.C. Law 20-155; D.C. Official Code § 38-302(e)), is amended by adding a new subsection (e-1) that reads as follows:

(a) Strike the phrase “school, ceases” and insert the phrase “school, or while enrolled in a DCPS or public charter school and attending a non-public school or program” ~~“(e-1) Notwithstanding the provisions of subsection (a), a child shall be considered a resident of the~~

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36 ~~District of Columbia and entitled to continued enrollment in DCPS or public charter school and~~  
37 ~~attendance at a non-public school~~ pursuant to section 103 of the Placement of Students with  
38 Disabilities in Nonpublic Schools Amendment Act of 2006, effective March 14, 2007 (D.C. Law  
39 16-269; D.C. Official Code § 38-2561.03), ceases” in its place.

40 (b) Strike the phrase “the period of time until the child completes the educational  
41 program offered at the school the child currently attends.” and insert a colon in its place.

42 (c) Insert new paragraphs (1) and (2) to read as follows:

43 “(1) The period of time until the child completes the educational program offered  
44 at the school the child currently attends, if the child attends a DCPS or public charter school; or

45 “(2) ~~for t~~ The remainder of the school year in which ~~legal permanency is~~  
46 achieved~~the change in care and custody occurs~~ and through the end of the ~~next following~~ school  
47 year, ~~without payment of nonresident tuition,~~ if the child:

48 (1) ~~Is in the care and custody of the District pursuant to § 16-2320(a)(3);~~

49 (2) ~~Is~~ currently enrolled in a DCPS or public charter school and attending a non-public school  
50 or program pursuant to section 103 of the Placement of Students with Disabilities in Nonpublic  
51 Schools Amendment Act of 2006, effective March 14, 2007 (D.C. Law 16-269; D.C. Official  
52 Code § 38-2561.03).”; and

53 (3) ~~Ceases to be in the care and custody of the District as a result of being placed in the~~  
54 ~~permanent care and custody of a parent, guardian, or custodian who resides outside the District~~  
55 ~~of Columbia.”~~

56 Sec. 3. Fiscal impact statement.

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57           The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact  
58 statement required by section 4a of the General Legislative Procedures Act of 1975, approved  
59 October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

60           Sec. 4. Effective date.

61           This act shall take effect following approval by the Mayor (or in the event of veto by the  
62 Mayor, action by the Council to override the veto), and shall remain in effect for no longer than  
63 ~~220~~90 days, as provided for ~~emergency-temporary~~ acts of the Council of the District of Columbia  
64 in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87  
65 Stat. 788; D.C. Official Code § 1-204.12(a)).