

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on an emergency basis, An Act To create a Department of Corrections in the District of Columbia to designate the Department of Corrections as the District agency to provide a free appropriate public education under the Individuals with Disabilities Education Act and District law to certain individuals in its custody and detained in its secure facilities.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Special Education for Young Adults in the Custody of the Department of Corrections Emergency Amendment Act of 2023”.

Sec. 2. Section 2(b) of An Act To create a Department of Corrections in the District of Columbia, approved June 27, 1946 (60 Stat. 320; D.C. Official Code § 24-211.02(b)), is amended as follows:

(a) Paragraph (9) is amended by striking the phrase “; and” and inserting a semicolon in its place.

(b) The second paragraph designated as (10), as added by section 4(a) of the Restore the Vote Amendment Act of 2020, effective April 27, 2021 (D.C. Law 23-27767; 67 DCR 13867), is redesignated as paragraph (11).

(c) The newly designated paragraph (11) is amended by striking the period at the end and inserting the phrase “; and” in its place.

(d) A new paragraph (12) is added to read as follows:

34 “(12) During school year 2023-2024, provide a free appropriate public education
35 (“FAPE”) under the Individuals with Disabilities Education Act, approved April 13, 1970 (84
36 Stat. 175; 20 U.S.C. § 1400 *et seq.*) (“IDEA”) and District law, to individuals with disabilities
37 who are in its custody and detained in its secure facilities from the age of 18 through the end of
38 the individual’s eligibility for FAPE under the IDEA and District law.”.

39 Sec. 3. Amendatory section 2 of section 10(a) of the Corrections Oversight Improvement
40 Omnibus Amendment Act of 2022, effective April 21, 2023 (D.C. Law 24-344; 70 DCR 635), is
41 amended as follows:

42 (a) Paragraph (12) is amended by striking the phrase “; and” and inserting a semicolon in its
43 place.

44 (b) Paragraph (13) is amended by striking the period at the end and inserting the phrase “;
45 and” in its place.

46 (c) A new paragraph (14) is added to read as follows:

47 “(14) During school year 2023-2024, provide a free appropriate public education
48 (“FAPE”) under the Individuals with Disabilities Education Act, approved April 13, 1970 (84
49 Stat. 175; 20 U.S.C. § 1400 *et seq.*) (“IDEA”) and District law, to individuals with disabilities
50 who are in its custody and detained in its secure facilities from the age of 18 through the end of
51 the individual’s eligibility for FAPE under the IDEA and District law.”.

52 Sec. 4. Fiscal impact statement.

53 The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal
54 impact statement required by section 4a of the General Legislative Procedures Act of 1975,
55 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a)

56 Sec. 5. Effective date.

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