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20 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
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24 To amend, on an emergency basis, the Protecting Our Children Emergency Amendment Act and
25 the Protecting Our Children Temporary Amendment Act to require that local education
26 agencies must determine and publicize a COVID-19 case rate at which each school must
27 offer virtual learning, to require the reporting of positive COVID-19 cases within 24
28 hours to families with a student in an affected classroom and to require that notifications
29 are provided via a parent or guardian’s preferred contact method, and to require District
30 of Columbia Public Schools to report to the Council schools that have not been assigned
31 expanded staffing related to the COVID-19 pandemic.
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33 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
34 act may be cited as the “Return to School Safely Emergency Amendment Act of 2022”.

35 Sec. 2. The Protecting Our Children Emergency Amendment Act of 2021, effective
36 October 26, 2021 (D.C. Act 24-190; D.C. Official Code § 38-971.01 *et seq.*), is amended as
37 follows:

38 (a) A new section 102a is added to read as follows:

39 “Sec. 102a. Metrics for virtual education.

40 “(a) Each LEA shall determine and publicize a threshold COVID-19 case rate, which,
41 when reached by a school within the LEA, shall require the school to transition to distance
42 learning for all students in the school within 24 hours.

43 “(b) Each LEA shall publicize the method used to determine the COVID-19 case rate
44 determined pursuant to subsection (a) of this section. The COVID-19 case rate metric shall be
45 calculated based on the number of students and school personnel typically present in the school
46 building on a school day.”.

47 (b) Section 104 is amended as follows:

48 (1) Subsection (a)(2) is amended by striking the phrase “After” and inserting the
49 phrase, “Within 24 hours after” in its place.

50 (2) Subsection (b) is amended to read as follows:

51 “(b)(1) The notifications required by subsection (a)(1) of this section may be electronic.

52 “(2) The notifications required by subsection (a)(2) of this section shall be
53 electronic and through the preferred method of contact asserted by a student’s parent or guardian,
54 if one has been asserted.”.

55 (c) A new section 105a is added to read as follows:

56 “Sec. 105a. Reporting on expanded staffing.

57 “Within 2 business days after the effective date of the Return to School Safely
58 Emergency Amendment Act of 2022, passed on emergency basis January 4, 2022 (B24-XXX),
59 and weekly thereafter, DCPS shall transmit to the Council the names of schools that have not
60 been assigned a COVID Strategy & Logistics Coordinator and the names of schools that have
61 not been assigned a full-time substitute teacher as of that date.”.

62 Sec. 3. The Protecting Our Children Temporary Amendment Act of 2021, enacted
63 December 13, 2021 (D.C. Act 24-241; 68 DCR 13501), is amended as follows:

64 (a) A new section 102a is added to read as follows:

65 “Sec. 102a. Metrics for virtual education.

66 “(a) Each LEA shall determine and publicize a threshold COVID-19 case rate, that, when
67 reached by a school within the LEA, will require the school to transition to distance learning for
68 all students in the school within 24 hours.

69 “(b) Each LEA shall publicize the method used to determine the COVID-19 case rate
70 determined pursuant to subsection (a) of this section. The COVID-19 case rate metric shall be
71 calculated based on the number of students and school personnel typically present in the school
72 building on a school day.”.

73 (b) Section 104 is amended as follows:

74 (1) Subsection (a)(2) is amended by striking the phrase “After” and inserting the
75 phrase, “Within 24 hours after” in its place.

76 (2) Subsection (b) is amended to read as follows:

77 “(b)(1) The notifications required by subsection (a)(1) of this section may be electronic.

78 “(2) The notifications required by subsection (a)(2) of this section shall be
79 electronic and through the preferred method of contact asserted by a student’s parent or guardian,
80 if one has been asserted.”.

81 (c) A new section 105a is added to read as follows:

82 “Sec. 105a. Reporting on expanded staffing.

83 “Within 2 business days after the effective date of the Return to School Safely

84 Emergency Amendment Act of 2022, passed on emergency basis January 4, 2022 (B24-XXX),

85 and weekly thereafter, DCPS shall transmit to the Council the names of schools that have not
86 been assigned a COVID Strategy & Logistics Coordinator and the names of schools that have
87 not been assigned a full-time substitute teacher as of that date.”.

88 Sec. 4. Fiscal impact statement.

89 The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact
90 statement required by section 4a of the General Legislative Procedures Act of 1975, approved
91 October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-307.47a).

92 Sec. 5. Effective date.

93 This act shall take effect following approval by the Mayor (or in the event of veto by the
94 Mayor, action by the Council to override the veto), and shall remain in effect for no longer than
95 90 days, as provided for emergency acts of the Council of the District of Columbia in section
96 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
97 D.C. Official Code § 1-204.12(a)).