



**COUNCIL OF THE DISTRICT OF COLUMBIA**  
**THE JOHN A. WILSON BUILDING**  
**1350 PENNSYLVANIA AVENUE, NW**  
**WASHINGTON, D.C. 20004**

**CHRISTINA HENDERSON**  
Councilmember, At-Large  
Chairperson, Committee on Health

**Committee Member**  
Hospital and Health Equity  
Judiciary and Public Safety  
Transportation and the Environment

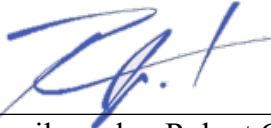
**Statement of Introduction**  
**Advancing Equity in Special Education Protocols Amendment Act of 2024**  
**June 10, 2024**

Today, I am proud to introduce the Advancing Equity in Special Education Protocols Amendment Act of 2024, along with Councilmembers Robert C. White, Jr., Brooke Pinto, Janeese Lewis George, and Zachary Parker. This legislation would give a student with special needs who has an individualized education program (IEP) the right to remain in their initial placement feeder pattern, unless the programs available in their feeder pattern cannot support their needs. In the event that a student with an IEP is moved to a school outside of their feeder pattern, the student's IEP team would be informed in writing of the rationale for the move. Additionally, this bill would require the Executive to promulgate rules that establish staff-to-student ratio standards for self-contained special education classrooms. In the event that the number of students in a self-contained special education classroom increases and the classroom does not conform with the staff-to-student ratio standard, a local education agency (LEA) would provide a written explanation within 5 days to teachers in an affected self-contained special education classroom, parents of students in an impacted self-contained special education classroom, and school administrators describing the additional resources and personnel that will be allocated to meet each student's needs as defined by their IEP.

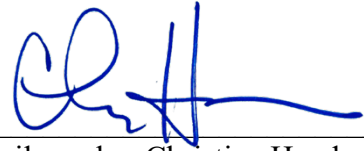
Ensuring that a student with special education needs remains in their initial feeder pattern is crucial for their educational and social development. Stability in school placement is critical for students with special needs, providing them with a consistent environment where they can build relationships, receive continuous support, and achieve their academic goals. Students with special needs benefit significantly from stable educational environments and disruptions in school placements can lead to gaps in their education, increased anxiety, and declines in both academic performance and social well-being.

Furthermore, establishing clear staff-to-student ratio standards and abiding by these standards is critical for teacher well-being and effectiveness. It also ensures a learning environment that can meet the needs of each student. Maintaining appropriate staff-to-student ratios in special education classrooms improves student engagement, academic achievement, and reduces behavioral issues. When staff-to-student ratios are exceeded, the LEA should provide an explanation to teachers, administrators, and parents to ensure that adequate resources and supports are in place to meet each student's needs.

I look forward to working with my colleagues on the Council to pass this legislation, which will support dedicated special education teachers, improve educational outcomes, and expand the overall well-being of students in self-contained classrooms.



Councilmember Robert C. White, Jr.



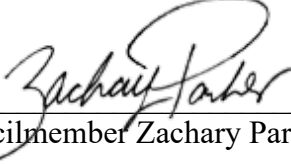
Councilmember Christina Henderson



Councilmember Janeese Lewis George



Councilmember Brooke Pinto



Councilmember Zachary Parker

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the Special Education Procedural Protections Expansion Act of 2014 to give a child with a disability with an individualized education program the right to remain in their initial placement feeder pattern unless there is no program available in their feeder pattern, to require that an LEA consult with the IEP team of a child with a disability prior to any change in the child’s service location, to require that an LEA provide a written explanation to the parent of a child with a disability before any change in service location for the child is made and explain why the special education services in the current feeder pattern cannot meet the child’s needs if the action removes the child from their current placement’s feeder pattern, and to require that an LEA provide a written explanation to the special education teacher in an affected self-contained special education program classroom, the parents of students in an affected self-contained special education classroom, and school administrators, describing the additional resources and personnel that will be allocated to a classroom when the student-to-staff ratio exceeds those ratios set by regulation.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Advancing Equity in Special Education Protocols Amendment Act of 2024”.

42           Sec. 2. The Special Education Procedural Protections Expansion Act of 2014, effective  
43 March 10, 2015 (D.C. Law 20-194; D.C. Official Code § 38-2571.01 *et seq*), is amended as  
44 follows:

45           (a) Section 101 (D.C. Official Code § 38-2571.01), is amended by adding a new  
46 paragraph (4A) to read as follows:

47           “(4A) “Self-contained special education classroom” means a full-time, outside of  
48 general-education classroom that provides instruction for students in accordance with their  
49 IEPs.”.

50           (b) Section 103 (D.C. Official Code § 38-2571.03) is amended as follows:

51                   (1) The existing language is redesignated as subsection (b).

52                   (2) A new subsection (a) is added to read as follows:

53                   “(a) A child with a disability has the right to continue with their initial placement’s feeder  
54 pattern as that term is defined in section 1102a(2A) of the School Based Budgeting and  
55 Accountability Act of 1998, effective June 21, 2014 (D.C. Law 20-114; D.C. Official Code § 38-  
56 2801.01(2A)), unless the new service location within the feeder pattern does not have special  
57 education services available that would support the child’s IEP.”.

58                   (3) Subsection (b)(1) is amended to read as follows:

59                   “(b)(1) Before any change in service location for a child with a disability is made,  
60 the LEA shall consult with the child’s IEP team as defined by 20 USC § 1414 (d)(1) and shall  
61 provide the IEP team with written notice of the proposed change, which shall at minimum  
62 include:”.

63                   (4) Subsection (b)(1)(B) is amended to read as follows:

64                   “(B) An explanation of the following:

65 (i) Why the LEA proposes to take the action; and  
66 (ii) Why the special education services in the current feeder  
67 pattern cannot meet the student’s needs, if the action removes the child from their current  
68 placement’s feeder pattern;”.

69 (c) New sections 105 and 106 are added to read as follows:

70 “Sec. 105. Self-contained classroom size.

71 “If the student to staff ratio in a self-contained special education classroom exceeds the  
72 ratio set by the rules promulgated pursuant to section 106, an LEA shall provide a written  
73 explanation to the special education teacher in an affected self-contained special education  
74 classroom, the parents of the students in an affected self-contained special education classroom,  
75 and school administrators, describing the additional resources or personnel that will be allocated  
76 to a self-contained special education classroom to meet each student’s needs as defined by their  
77 IEP, within 5 business days.”.

78 “Sec. 106. Rulemaking.

79 “The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure  
80 Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), shall  
81 promulgate rules to implement the provisions of this title no later than 120 days after the  
82 effective date of this section.”.

83 Sec. 3. Fiscal impact statement.

84 The Council adopts the fiscal impact statement in the committee report as the fiscal  
85 impact statement required by section 4a of the General Legislative Procedures Act of 1975,  
86 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

87 Sec. 4. Effective date.

88           This act shall take effect following approval by the Mayor (or in the event of veto by the  
89 Mayor, action by the Council to override the veto) and a 30-day period of congressional review  
90 as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December  
91 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)).