

A RESOLUTION

23-344

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 4, 2020

To declare the existence of an emergency with respect to the need to amend 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 attend 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 following school year, without payment of nonresident tuition, if the child 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.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Non-Public Student Educational Continuity Emergency Declaration Resolution of 2020”.

Sec. 2. (a) In 2014, the Council passed the Educational Continuity Amendment Act of 2014, creating a residency exemption for wards of the state.

(b) This requirement allowed for youth under the care of the District to continue to attend their DCPS or public charter school in the event they are placed in the permanent care and custody of a parent, guardian, or custodian who resides outside the District of Columbia, allowing for continuity in education.

(c) Unfortunately, the current language of the law leaves out the most vulnerable students, those who are enrolled in a DCPS or public charter school and attending a non-public school or program.

(d) The Committee on Education has become aware of a number of students this year who are impacted by this loophole.

(e) Emergency legislation is necessary to allow OSSE the clarity it needs to ensure these students maintain the continuity of education afforded to students not in non-public placement.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Non-Public Student Educational Continuity Emergency Amendment Act of 2020 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.