

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To provide, on an emergency basis, guidelines for which data, metrics, and timetables need to be agreed upon for the District of Columbia Public Schools to expand in-person learning and teacher instruction during a public health emergency.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “COVID-19 DCPS Re-Opening Emergency Act of 2020”.

Sec. 2. General re-opening.

(a) Notwithstanding any other provision of law, the District of Columbia Public Schools (DCPS) shall not open more than two classrooms per school in Term 2 unless the requirements of this section have been met.

(b)(1) At least 21 days before opening more than two classrooms per school, the Mayor shall submit to the Council for approval, in accordance with paragraph (2) of this subsection, a re-opening plan, which shall include:

- (A) The date on which expanded in-person learning will begin;
- (B) A description of the facilities that will be used for in-person learning;
- (C) A list of staff, identified by job title and school assignment, who will staff each classroom;

32 (D) A list of staff, identified by job title, who will provide on-site health
33 services;

34 (E) The minimum acceptable ratio of full-time equivalent health providers
35 to students;

36 (F) The maximum number of students eligible for in-person learning and a
37 description of how students will be chosen to participate in in-person learning; and

38 (G) The health screening, social distancing, quarantine, and COVID-19
39 exposure plan.

40 (H) A letter or letters from all the labor organizations representing workers
41 in DCPS schools, demonstrating agreement with all aspects of the re-opening plan.

42 (2) A re-opening plan submitted pursuant to paragraph (1) of this subsection shall
43 be deemed approved if one of the following occurs:

44 (A) During the 3-day period beginning on the 1st day (excluding
45 Saturdays, Sundays, and holidays) the Council is in session following the receipt by the Office of
46 the Secretary to the Council, no member of the Council introduced a resolution to disapprove the
47 re-opening plan; or

48 (B) If a resolution has been introduced pursuant to subparagraph (A) of
49 paragraph (2), the Council approves, by simple majority, a resolution to approve the re-opening
50 plan, or the resolution to disapprove is withdrawn.

51 (c) At least 2 days before in-person learning begins the Mayor shall submit to the Council
52 a COVID-19 baseline safety certification, including:

53 (1) 14 consecutive days of metrics meeting Phase Two reopening criteria;

54 (2) HVAC readiness reports for facilities with in-person learning plans, including

55 ventilation and filtration readiness of the health suite;

56 (3) Restroom and hand sanitization readiness reports for facilities with in-person
57 learning plans; and

58 (4) Social distancing guidelines and enforcement practices on any District-
59 provided student transportation.

60 (d)(1) In-person learning in more than two classrooms per school shall only continue if
61 both of the following conditions are met:

62 (A) None of the District’s reopening metrics are in Phase 0/1 levels, and

63 (B) Fourteen days after in-person learning begins, and every 14 days thereafter,

64 the Mayor shall submit to the Council a COVID-19 safety certification update, including:

65 (i) The number of new COVID-19 tests administered in schools in the
66 preceding 14 days;

67 (ii) The number of new positive cases for COVID-19 among students and
68 staff in the preceding 14 days;

69 (iii) The number of students and staff who are quarantined to reduce
70 COVID-19 transmission risk.

71 Sec. 3. Definitions.

72 For the purposes of this act, the term:

73 (1) “In-person learning” means instructional time with students being physically present
74 in a DCPS school, regardless of the physical location of their instructor.

75 Sec. 4. Fiscal impact statement.

76 The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact
77 statement required by section 4a of the General Legislative Procedures Act of 1975, approved

78 October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

79 Sec. 4. Effective date.

80 This act shall take effect following approval by the Mayor (or in the event of veto by the
81 Mayor, action by the Council to override the veto), and shall remain in effect for no longer than
82 90 days, as provided for emergency acts of the Council of the District of Columbia in section
83 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
84 D.C. Official Code § 1-204.12(a)).