

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To clarify, on an emergency basis due to congressional review, 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.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Non-Public Student Educational Continuity Congressional Review Emergency Amendment Act of 2022”.

Sec. 2. Section 2(e) of the District of Columbia Nonresident Tuition Act, approved September 8, 1960 (74 Stat. 853; D.C. Official Code § 38-302(e)), is amended as follows:

(a) Strike the phrase “school, ceases” and insert the phrase “school, or while enrolled in a DCPS or public charter school and attending a non-public school or program pursuant to section 103 of the Placement of Students with Disabilities in Nonpublic Schools Amendment Act of 2006, effective March 14, 2007 (D.C. Law 16-269; D.C. Official Code § 38–2561.03) (“Placement Act”), ceases” in its place.

36 (b) Strike the phrase “currently attends.” and insert the phrase “currently attends, if the
37 child attends a DCPS or public charter school, or the remainder of the school year in which the
38 change in care and custody occurs and through the end of the following school year, if the child
39 is currently enrolled in a DCPS or public charter school and attending a non-public school or
40 program pursuant to section 103 of the Placement Act.” in its place.

41 Sec. 3. Applicability.

42 This act shall apply as of March 13, 2022.

43 Sec. 4. Fiscal impact statement.

44 The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact
45 statement required by section 4a of the General Legislative Procedures Act of 1975, approved
46 October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

47 Sec. 5. Effective date.

48 This act shall take effect following approval by the Mayor (or in the event of veto by the
49 Mayor, action by the Council to override the veto), and shall remain in effect for no longer than
50 90 days, as provided for emergency acts of the Council of the District of Columbia in section
51 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;
52 D.C. Official Code § 1-204.12(a)).