

104TH CONGRESS
1ST SESSION

H. R. 2546

AN ACT

Making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1996, and for other purposes.

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Making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1996, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 That the following sums are appropriated, out of any
2 money in the Treasury not otherwise appropriated, for the
3 District of Columbia for the fiscal year ending September
4 30, 1996, and for other purposes, namely:

5 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA

6 For payment to the District of Columbia for the fiscal
7 year ending September 30, 1996, \$660,000,000, as au-
8 thorized by section 502(a) of the District of Columbia
9 Self-Government and Governmental Reorganization Act,
10 Public Law 93–198, as amended (D.C. Code, sec. 47–
11 3406.1).

12 FEDERAL CONTRIBUTION TO RETIREMENT FUNDS

13 For the Federal contribution to the Police Officers
14 and Fire Fighters', Teachers', and Judges' Retirement
15 Funds, as authorized by the District of Columbia Retire-
16 ment Reform Act, approved November 17, 1979 (93 Stat.
17 866; Public Law 96–122), \$52,000,000.

18 DIVISION OF EXPENSES

19 The following amounts are appropriated for the Dis-
20 trict of Columbia for the current fiscal year out of the
21 general fund of the District of Columbia, except as other-
22 wise specifically provided.

23 GOVERNMENTAL DIRECTION AND SUPPORT

24 Governmental direction and support, \$149,793,000
25 and 1,465 full-time equivalent positions (end of year) (in-

1 cluding \$118,167,000 and 1,125 full-time equivalent posi-
2 tions from local funds, \$2,464,000 and 5 full-time equiva-
3 lent positions from Federal funds, \$4,474,000 and 71 full-
4 time equivalent positions from other funds, and
5 \$24,688,000 and 264 full-time equivalent positions from
6 intra-District funds): *Provided*, That not to exceed \$2,500
7 for the Mayor, \$2,500 for the Chairman of the Council
8 of the District of Columbia, and \$2,500 for the City Ad-
9 ministrator shall be available from this appropriation for
10 expenditures for official purposes: *Provided further*, That
11 any program fees collected from the issuance of debt shall
12 be available for the payment of expenses of the debt man-
13 agement program of the District of Columbia: *Provided*
14 *further*, That \$29,500,000 is used for pay-as-you-go cap-
15 ital projects of which \$1,500,000 shall be used for a cap-
16 ital needs assessment study, and \$28,000,000 shall be
17 used for a new financial management system of which
18 \$2,000,000 shall be used to develop a needs analysis and
19 assessment of the existing financial management environ-
20 ment, and the remaining \$26,000,000 shall be used to
21 procure the necessary hardware and installation of new
22 software, conversion, testing and training: *Provided fur-*
23 *ther*, That the \$26,000,000 shall not be obligated or ex-
24 pended until: (1) the District of Columbia Financial Re-
25 sponsibility and Management Assistance Authority sub-

1 mits a report to the General Accounting Office within 90
2 days after the date of enactment of this Act reporting the
3 results of the needs analysis and assessment of the exist-
4 ing financial management environment, specifying the de-
5 ficiencies in, and recommending necessary improvements
6 to or replacement of the District's financial management
7 system including a detailed explanation of each rec-
8 ommendation and its estimated cost; (2) the General Ac-
9 counting Office reviews the Authority's report and for-
10 wards it along with such comments or recommendations
11 as deemed appropriate on any matter contained therein
12 to the Committees on Appropriations of the House and
13 the Senate, the Committee on Governmental Reform and
14 Oversight of the House, and the Committee on Govern-
15 mental Affairs of the Senate within 60 days from receipt
16 of the report; and (3) 30 days lapse after receipt by Con-
17 gress of the General Accounting Office's comments or rec-
18 ommendations.

19 ECONOMIC DEVELOPMENT AND REGULATION

20 Economic development and regulation, \$139,285,000
21 and 1,692 full-time equivalent positions (end-of-year) (in-
22 cluding \$66,505,000 and 696 full-time equivalent posi-
23 tions from local funds, \$38,792,000 and 509 full-time
24 equivalent positions from Federal funds, \$17,658,000 and
25 260 full-time equivalent positions from other funds, and

1 \$16,330,000 and 227 full-time equivalent positions from
2 intra-District funds): *Provided*, That the District of Co-
3 lumbia Housing Finance Agency, established by section
4 201 of the District of Columbia Housing Finance Agency
5 Act, effective March 3, 1979 (D.C. Law 2–135; D.C.
6 Code, sec. 45–2111), based upon its capability of repay-
7 ments as determined each year by the Council of the Dis-
8 trict of Columbia from the Housing Finance Agency’s an-
9 nual audited financial statements to the Council of the
10 District of Columbia, shall repay to the general fund an
11 amount equal to the appropriated administrative costs
12 plus interest at a rate of four percent per annum for a
13 term of 15 years, with a deferral of payments for the first
14 three years: *Provided further*, That notwithstanding the
15 foregoing provision, the obligation to repay all or part of
16 the amounts due shall be subject to the rights of the own-
17 ers of any bonds or notes issued by the Housing Finance
18 Agency and shall be repaid to the District of Columbia
19 government only from available operating revenues of the
20 Housing Finance Agency that are in excess of the amounts
21 required for debt service, reserve funds, and operating ex-
22 penses: *Provided further*, That upon commencement of the
23 debt service payments, such payments shall be deposited
24 into the general fund of the District of Columbia.

1 PUBLIC SAFETY AND JUSTICE

2 Public safety and justice, including purchase of 135
3 passenger-carrying vehicles for replacement only, includ-
4 ing 130 for police-type use and five for fire-type use, with-
5 out regard to the general purchase price limitation for the
6 current fiscal year, \$954,106,000 and 11,544 full-time
7 equivalent positions (end-of-year) (including \$930,889,000
8 and 11,365 full-time equivalent positions from local funds,
9 \$8,942,000 and 70 full-time equivalent positions from
10 Federal funds, \$5,160,000 and 4 full-time equivalent posi-
11 tions from other funds, and \$9,115,000 and 105 full-time
12 equivalent positions from intra-District funds): *Provided*,
13 That the Metropolitan Police Department is authorized to
14 replace not to exceed 25 passenger-carrying vehicles and
15 the Fire Department of the District of Columbia is au-
16 thorized to replace not to exceed five passenger-carrying
17 vehicles annually whenever the cost of repair to any dam-
18 aged vehicle exceeds three-fourths of the cost of the re-
19 placement: *Provided further*, That not to exceed \$500,000
20 shall be available from this appropriation for the Chief of
21 Police for the prevention and detection of crime: *Provided*
22 *further*, That the Metropolitan Police Department shall
23 provide quarterly reports to the Committees on Appropria-
24 tions of the House and Senate on efforts to increase effi-
25 ciency and improve the professionalism in the department:

1 *Provided further*, That notwithstanding any other provi-
2 sion of law, or Mayor's Order 86-45, issued March 18,
3 1986, the Metropolitan Police Department's delegated
4 small purchase authority shall be \$500,000: *Provided fur-*
5 *ther*, That the District of Columbia government may not
6 require the Metropolitan Police Department to submit to
7 any other procurement review process, or to obtain the ap-
8 proval of or be restricted in any manner by any official
9 or employee of the District of Columbia government, for
10 purchases that do not exceed \$500,000: *Provided further*,
11 That the Metropolitan Police Department shall employ an
12 authorized level of sworn officers not to be less than 3,800
13 sworn officers for the fiscal year ending September 30,
14 1996: *Provided further*, That funds appropriated for ex-
15 penses under the District of Columbia Criminal Justice
16 Act, approved September 3, 1974 (88 Stat. 1090; Public
17 Law 93-412; D.C. Code, sec. 11-2601 et seq.), for the
18 fiscal year ending September 30, 1996, shall be available
19 for obligations incurred under the Act in each fiscal year
20 since inception in the fiscal year 1975: *Provided further*,
21 That funds appropriated for expenses under the District
22 of Columbia Neglect Representation Equity Act of 1984,
23 effective March 13, 1985 (D.C. Law 5-129; D.C. Code,
24 sec. 16-2304), for the fiscal year ending September 30,
25 1996, shall be available for obligations incurred under the

1 Act in each fiscal year since inception in the fiscal year
2 1985: *Provided further*, That funds appropriated for ex-
3 penses under the District of Columbia Guardianship, Pro-
4 tective Proceedings, and Durable Power of Attorney Act
5 of 1986, effective February 27, 1987 (D.C. Law 6–204;
6 D.C. Code, sec. 21–2060), for the fiscal year ending Sep-
7 tember 30, 1996, shall be available for obligations in-
8 curred under the Act in each fiscal year since inception
9 in fiscal year 1989: *Provided further*, That not to exceed
10 \$1,500 for the Chief Judge of the District of Columbia
11 Court of Appeals, \$1,500 for the Chief Judge of the Supe-
12 rior Court of the District of Columbia, and \$1,500 for the
13 Executive Officer of the District of Columbia Courts shall
14 be available from this appropriation for official purposes:
15 *Provided further*, That the District of Columbia shall oper-
16 ate and maintain a free, 24-hour telephone information
17 service whereby residents of the area surrounding Lorton
18 prison in Fairfax County, Virginia, can promptly obtain
19 information from District of Columbia government offi-
20 cials on all disturbances at the prison, including escapes,
21 riots, and similar incidents: *Provided further*, That the
22 District of Columbia government shall also take steps to
23 publicize the availability of the 24-hour telephone informa-
24 tion service among the residents of the area surrounding
25 the Lorton prison: *Provided further*, That not to exceed

1 \$100,000 of this appropriation shall be used to reimburse
2 Fairfax County, Virginia, and Prince William County, Vir-
3 ginia, for expenses incurred by the counties during the fis-
4 cal year ending September 30, 1996, in relation to the
5 Lorton prison complex: *Provided further*, That such reim-
6 bursements shall be paid in all instances in which the Dis-
7 trict requests the counties to provide police, fire, rescue,
8 and related services to help deal with escapes, fires, riots,
9 and similar disturbances involving the prison: *Provided*
10 *further*, That the Mayor shall reimburse the District of
11 Columbia National Guard for expenses incurred in connec-
12 tion with services that are performed in emergencies by
13 the National Guard in a militia status and are requested
14 by the Mayor, in amounts that shall be jointly determined
15 and certified as due and payable for these services by the
16 Mayor and the Commanding General of the District of Co-
17 lumbia National Guard: *Provided further*, That such sums
18 as may be necessary for reimbursement to the District of
19 Columbia National Guard under the preceding proviso
20 shall be available from this appropriation, and the avail-
21 ability of the sums shall be deemed as constituting pay-
22 ment in advance for emergency services involved.

23 PUBLIC EDUCATION SYSTEM

24 Public education system, including the development
25 of national defense education programs, \$788,983,000

1 and 11,670 full-time equivalent positions (end-of-year)
2 (including \$670,833,000 and 9,996 full-time equivalent
3 positions from local funds, \$87,385,000 and 1,227 full-
4 time equivalent positions from Federal funds,
5 \$21,719,000 and 234 full-time equivalent positions from
6 other funds, and \$9,046,000 and 213 full-time equivalent
7 positions from intra-District funds), to be allocated as fol-
8 lows: \$577,242,000 and 10,167 full-time equivalent posi-
9 tions (including \$494,556,000 and 9,014 full-time equiva-
10 lent positions from local funds, \$75,786,000 and 1,058
11 full-time equivalent positions from Federal funds,
12 \$4,343,000 and 44 full-time equivalent positions from
13 other funds, and \$2,557,000 and 51 full-time equivalent
14 positions from intra-District funds), for the public schools
15 of the District of Columbia; \$109,175,000 from local
16 funds shall be allocated for the District of Columbia
17 Teachers' Retirement Fund; \$79,269,000 and 1,079 full-
18 time equivalent positions (including \$45,250,000 and 572
19 full-time equivalent positions from local funds,
20 \$10,611,000 and 156 full-time equivalent positions from
21 Federal funds, \$16,922,000 and 189 full-time equivalent
22 positions from other funds, and \$6,486,000 and 162 full-
23 time equivalent positions from intra-District funds) for the
24 University of the District of Columbia; \$21,062,000 and
25 415 full-time equivalent positions (including \$20,159,000

1 and 408 full-time equivalent positions from local funds,
2 \$446,000 and 6 full-time equivalent positions from Fed-
3 eral funds, \$454,000 and 1 full-time equivalent position
4 from other funds, and \$3,000 from intra-District funds)
5 for the Public Library; \$2,267,000 and 9 full-time equiva-
6 lent positions (including \$1,725,000 and 2 full-time equiv-
7 alent positions from local funds and \$542,000 and 7 full-
8 time equivalent positions from Federal funds) for the
9 Commission on the Arts and Humanities; \$64,000 from
10 local funds for the District of Columbia School of Law
11 and a reduction of \$96,000 for the Education Licensure
12 Commission: *Provided*, That the public schools of the Dis-
13 trict of Columbia are authorized to accept not to exceed
14 31 motor vehicles for exclusive use in the driver education
15 program: *Provided further*, That not to exceed \$2,500 for
16 the Superintendent of Schools, \$2,500 for the President
17 of the University of the District of Columbia, and \$2,000
18 for the Public Librarian shall be available from this appro-
19 priation for expenditures for official purposes: *Provided*
20 *further*, That this appropriation shall not be available to
21 subsidize the education of nonresidents of the District of
22 Columbia at the University of the District of Columbia,
23 unless the Board of Trustees of the University of the Dis-
24 trict of Columbia adopts, for the fiscal year ending Sep-
25 tember 30, 1996, a tuition rate schedule that will establish

1 the tuition rate for nonresident students at a level no
2 lower than the nonresident tuition rate charged at com-
3 parable public institutions of higher education in the met-
4 ropolitan area.

5 HUMAN SUPPORT SERVICES

6 Human support services, \$1,845,638,000 and 6,469
7 full-time equivalent positions (end-of-year) (including
8 \$1,067,516,000 and 3,650 full-time equivalent positions
9 from local funds, \$726,685,000 and 2,639 full-time equiv-
10 alent positions from Federal funds, \$46,763,000 and 66
11 full-time equivalent positions from other funds, and
12 \$4,674,000 and 114 full-time equivalent positions from
13 intra-District funds): *Provided*, That \$26,000,000 of this
14 appropriation, to remain available until expended, shall be
15 available solely for District of Columbia employees' dis-
16 ability compensation: *Provided further*, That the District
17 shall not provide free government services such as water,
18 sewer, solid waste disposal or collection, utilities, mainte-
19 nance, repairs, or similar services to any legally con-
20 stituted private nonprofit organization (as defined in sec-
21 tion 411(5) of Public Law 100-77, approved July 22,
22 1987) providing emergency shelter services in the District,
23 if the District would not be qualified to receive reimburse-
24 ment pursuant to the Stewart B. McKinney Homeless As-

1 sistance Act, approved July 22, 1987 (101 Stat. 485; Pub-
2 lic Law 100–77; 42 U.S.C. 11301 et seq.).

3 PUBLIC WORKS

4 Public works, including rental of one passenger-car-
5 rying vehicle for use by the Mayor and three passenger-
6 carrying vehicles for use by the Council of the District of
7 Columbia and purchase of passenger-carrying vehicles for
8 replacement only, \$297,326,000 and 1,914 full-time equiv-
9 alent positions (end-of-year) (including \$225,673,000 and
10 1,158 full-time equivalent positions from local funds,
11 \$2,682,000 and 32 full-time equivalent positions from
12 Federal funds, \$18,342,000 and 68 full-time equivalent
13 positions from other funds, and \$50,629,000 and 656 full-
14 time equivalent positions from intra-District funds): *Pro-*
15 *vided*, That this appropriation shall not be available for
16 collecting ashes or miscellaneous refuse from hotels and
17 places of business.

18 WASHINGTON CONVENTION CENTER FUND

19 For payment to the Washington Convention Center
20 Fund, \$5,400,000 from local funds.

21 REPAYMENT OF LOANS AND INTEREST

22 For reimbursement to the United States of funds
23 loaned in compliance with An Act to provide for the estab-
24 lishment of a modern, adequate, and efficient hospital cen-
25 ter in the District of Columbia, approved August 7, 1946

1 (60 Stat. 896; Public Law 79–648); section 1 of An Act
2 to authorize the Commissioners of the District of Colum-
3 bia to borrow funds for capital improvement programs and
4 to amend provisions of law relating to Federal Govern-
5 ment participation in meeting costs of maintaining the
6 Nation’s Capital City, approved June 6, 1958 (72 Stat.
7 183; Public Law 85–451; D.C. Code, sec. 9–219); section
8 4 of An Act to authorize the Commissioners of the District
9 of Columbia to plan, construct, operate, and maintain a
10 sanitary sewer to connect the Dulles International Airport
11 with the District of Columbia system, approved June 12,
12 1960 (74 Stat. 211; Public Law 86–515); sections 723
13 and 743(f) of the District of Columbia Self-Government
14 and Governmental Reorganization Act of 1973, approved
15 December 24, 1973, as amended (87 Stat. 821; Public
16 Law 93–198; D.C. Code, sec. 47–321, note; 91 Stat.
17 1156; Public Law 95–131; D.C. Code, sec. 9–219, note),
18 including interest as required thereby, \$327,787,000 from
19 local funds.

20 REPAYMENT OF GENERAL FUND RECOVERY DEBT

21 For the purpose of eliminating the \$331,589,000
22 general fund accumulated deficit as of September 30,
23 1990, \$38,678,000 from local funds, as authorized by sec-
24 tion 461(a) of the District of Columbia Self-Government
25 and Governmental Reorganization Act, approved Decem-

1 ber 24, 1973, as amended (105 Stat. 540; Public Law
2 102–106; D.C. Code, sec. 47–321(a)).

3 SHORT-TERM BORROWING

4 For short-term borrowing, \$9,698,000 from local
5 funds.

6 PAY RENEGOTIATION OR REDUCTION
7 IN COMPENSATION

8 The Mayor shall reduce appropriations and expendi-
9 tures for personal services in the amount of \$46,409,000,
10 by decreasing rates of compensation for District govern-
11 ment employees; such decreased rates are to be realized
12 for employees who are subject to collective bargaining
13 agreements to the extent possible through the renegoti-
14 ation of existing collective bargaining agreements: *Pro-*
15 *vided*, That, if a sufficient reduction from employees who
16 are subject to collective bargaining agreements is not real-
17 ized through renegotiating existing agreements, the Mayor
18 shall decrease rates of compensation for such employees,
19 notwithstanding the provisions of any collective bargaining
20 agreements.

21 RAINY DAY FUND

22 For mandatory unavoidable expenditures within one
23 or several of the various appropriation headings of this
24 Act, to be allocated to the budgets for personal services
25 and nonpersonal services as requested by the Mayor and

1 approved by the Council pursuant to the procedures in sec-
2 tion 4 of the Reprogramming Policy Act of 1980, effective
3 September 16, 1980 (D.C. Law 3–100; D.C. Code, sec.
4 47–363), \$4,563,000 from local funds: *Provided*, That the
5 District of Columbia shall provide to the Committees on
6 Appropriations of the House of Representatives and the
7 Senate quarterly reports by the 15th day of the month
8 following the end of the quarter showing how monies pro-
9 vided under this fund are expended with a final report pro-
10 viding a full accounting of the fund due October 15, 1996
11 or not later than 15 days after the last amount remaining
12 in the fund is disbursed.

13 INCENTIVE BUYOUT PROGRAM

14 For the purpose of funding costs associated with the
15 incentive buyout program, to be apportioned by the Mayor
16 of the District of Columbia within the various appropria-
17 tion headings in this Act from which costs are properly
18 payable, \$19,000,000.

19 OUTPLACEMENT SERVICES

20 For the purpose of funding outplacement services for
21 employees who leave the District of Columbia government
22 involuntarily, \$1,500,000.

1 BOARDS AND COMMISSIONS

2 The Mayor shall reduce appropriations and expendi-
3 tures for boards and commissions under the various head-
4 ings in this Act in the amount of \$500,000.

5 GOVERNMENT RE-ENGINEERING PROGRAM

6 The Mayor shall reduce appropriations and expendi-
7 tures for personal and nonpersonal services in the amount
8 of \$16,000,000 within one or several of the various appro-
9 priation headings in this Act.

10 PERSONAL AND NONPERSONAL SERVICES

11 ADJUSTMENTS

12 Notwithstanding any other provision of law, the
13 Mayor shall adjust appropriations and expenditures for
14 personal and nonpersonal services, together with the relat-
15 ed full-time equivalent positions, in accordance with the
16 direction of the District of Columbia Financial Respon-
17 sibility and Management Assistance Authority such that
18 there is a net reduction of \$148,411,000, within or among
19 one or several of the various appropriation headings in this
20 Act, pursuant to section 208 of Public Law 104–8, ap-
21 proved April 17, 1995 (109 Stat. 134).

22 CAPITAL OUTLAY

23 (INCLUDING RESCISSIONS)

24 For construction projects, \$168,222,000, as author-
25 ized by An Act authorizing the laying of water mains and

1 service sewers in the District of Columbia, the levying of
2 assessments therefor, and for other purposes, approved
3 April 22, 1904 (33 Stat. 244; Public Law 58–140; D.C.
4 Code, secs. 43–1512 through 43–1519); the District of
5 Columbia Public Works Act of 1954, approved May 18,
6 1954 (68 Stat. 101; Public Law 83–364); An Act to au-
7 thorize the Commissioners of the District of Columbia to
8 borrow funds for capital improvement programs and to
9 amend provisions of law relating to Federal Government
10 participation in meeting costs of maintaining the Nation’s
11 Capital City, approved June 6, 1958 (72 Stat. 183; Public
12 Law 85–451; including acquisition of sites, preparation of
13 plans and specifications, conducting preliminary surveys,
14 erection of structures, including building improvement and
15 alteration and treatment of grounds, to remain available
16 until expended: *Provided*, That \$105,660,000 appro-
17 priated under this heading in prior fiscal years is re-
18 scinded: *Provided further*, That funds for use of each cap-
19 ital project implementing agency shall be managed and
20 controlled in accordance with all procedures and limita-
21 tions established under the Financial Management Sys-
22 tem: *Provided further*, That all funds provided by this ap-
23 propriation title shall be available only for the specific
24 projects and purposes intended: *Provided further*, That
25 notwithstanding the foregoing, all authorizations for cap-

1 ital outlay projects, except those projects covered by the
2 first sentence of section 23(a) of the Federal-Aid Highway
3 Act of 1968, approved August 23, 1968 (82 Stat. 827;
4 Public Law 90-495; D.C. Code, sec. 7-134, note), for
5 which funds are provided by this appropriation title, shall
6 expire on September 30, 1997, except authorizations for
7 projects as to which funds have been obligated in whole
8 or in part prior to September 30, 1997: *Provided further*,
9 That upon expiration of any such project authorization the
10 funds provided herein for the project shall lapse.

11 WATER AND SEWER ENTERPRISE FUND

12 For the Water and Sewer Enterprise Fund,
13 \$193,398,000 and 1,024 full-time equivalent positions
14 (end-of-year) (including \$188,221,000 and 924 full-time
15 equivalent positions from local funds, \$433,000 from other
16 funds, and \$4,744,000 and 100 full-time equivalent posi-
17 tions from intra-District funds), of which \$41,036,000
18 shall be apportioned and payable to the debt service fund
19 for repayment of loans and interest incurred for capital
20 improvement projects.

21 For construction projects, \$39,477,000, as author-
22 ized by An Act authorizing the laying of water mains and
23 service sewers in the District of Columbia, the levying of
24 assessments therefor, and for other purposes, approved
25 April 22, 1904 (33 Stat. 244; Public Law 58-140; D.C.

1 Code, sec. 43–1512 et seq.): *Provided*, That the require-
2 ments and restrictions that are applicable to general fund
3 capital improvement projects and set forth in this Act
4 under the Capital Outlay appropriation title shall apply
5 to projects approved under this appropriation title.

6 LOTTERY AND CHARITABLE GAMES ENTERPRISE FUND

7 For the Lottery and Charitable Games Enterprise
8 Fund, established by the District of Columbia Appropria-
9 tion Act for the fiscal year ending September 30, 1982,
10 approved December 4, 1981 (95 Stat. 1174, 1175; Public
11 Law 97–91), as amended, for the purpose of implementing
12 the Law to Legalize Lotteries, Daily Numbers Games, and
13 Bingo and Raffles for Charitable Purposes in the District
14 of Columbia, effective March 10, 1981 (D.C. Law 3–172;
15 D.C. Code, secs. 2–2501 et seq. and 22–1516 et seq.),
16 \$229,907,000 and 88 full-time equivalent positions (end-
17 of-year) (including \$8,099,000 and 88 full-time equivalent
18 positions for administrative expenses and \$221,808,000
19 for non-administrative expenses from revenue generated
20 by the Lottery Board), to be derived from non-Federal
21 District of Columbia revenues: *Provided*, That the District
22 of Columbia shall identify the source of funding for this
23 appropriation title from the District’s own locally-gen-
24 erated revenues: *Provided further*, That no revenues from
25 Federal sources shall be used to support the operations

1 or activities of the Lottery and Charitable Games Control
2 Board.

3 CABLE TELEVISION ENTERPRISE FUND

4 For the Cable Television Enterprise Fund, estab-
5 lished by the Cable Television Communications Act of
6 1981, effective October 22, 1983 (D.C. Law 5-36; D.C.
7 Code, sec. 43-1801 et seq.), \$2,469,000 and 8 full-time
8 equivalent positions (end-of-year) (including \$2,137,000
9 and 8 full-time equivalent positions from local funds and
10 \$332,000 from other funds), of which \$690,000 shall be
11 transferred to the general fund of the District of Colum-
12 bia.

13 STARPLEX FUND

14 For the Starplex Fund, \$8,637,000 from other funds
15 for the expenses incurred by the Armory Board in the ex-
16 ercise of its powers granted by An Act To Establish a Dis-
17 trict of Columbia Armory Board, and for other purposes,
18 approved June 4, 1948 (62 Stat. 339; D.C. Code, sec. 2-
19 301 et seq.) and the District of Columbia Stadium Act
20 of 1957, approved September 7, 1957 (71 Stat. 619; Pub-
21 lic Law 85-300; D.C. Code, sec. 2-321 et seq.): *Provided*,
22 That the Mayor shall submit a budget for the Armory
23 Board for the forthcoming fiscal year as required by sec-
24 tion 442(b) of the District of Columbia Self-Government
25 and Governmental Reorganization Act, approved Decem-

1 ber 24, 1973 (87 Stat. 824; Public Law 93–198; D.C.
2 Code, sec. 47–301(b)).

3 D.C. GENERAL HOSPITAL

4 For the District of Columbia General Hospital, estab-
5 lished by Reorganization Order No. 57 of the Board of
6 Commissioners, effective August 15, 1953, a reduction of
7 \$2,487,000 and a reduction of 180 full-time equivalent po-
8 sitions in intra-District funds.

9 D.C. RETIREMENT BOARD

10 For the D.C. Retirement Board, established by sec-
11 tion 121 of the District of Columbia Comprehensive Re-
12 tirement Reform Act of 1989, approved November 17,
13 1989 (93 Stat. 866; D.C. Code, sec. 1–711), \$13,417,000
14 and 11 full-time equivalent positions (end-of-year) from
15 the earnings of the applicable retirement funds to pay
16 legal, management, investment, and other fees and admin-
17 istrative expenses of the District of Columbia Retirement
18 Board: *Provided*, That the District of Columbia Retire-
19 ment Board shall provide to the Congress and to the
20 Council of the District of Columbia a quarterly report of
21 the allocations of charges by fund and of expenditures of
22 all funds: *Provided further*, That the District of Columbia
23 Retirement Board shall provide the Mayor, for transmittal
24 to the Council of the District of Columbia, an item ac-
25 counting of the planned use of appropriated funds in time

1 for each annual budget submission and the actual use of
2 such funds in time for each annual audited financial re-
3 port.

4 CORRECTIONAL INDUSTRIES FUND

5 For the Correctional Industries Fund, established by
6 the District of Columbia Correctional Industries Estab-
7 lishment Act, approved October 3, 1964 (78 Stat. 1000;
8 Public Law 88-622), \$10,048,000 and 66 full-time equiv-
9 alent positions (end-of-year) (including \$3,415,000 and 22
10 full-time equivalent positions from other funds and
11 \$6,633,000 and 44 full-time equivalent positions from
12 intra-District funds).

13 WASHINGTON CONVENTION CENTER ENTERPRISE FUND

14 For the Washington Convention Center Enterprise
15 Fund, \$37,957,000, of which \$5,400,000 shall be derived
16 by transfer from the general fund.

17 DISTRICT OF COLUMBIA FINANCIAL RESPONSIBILITY

18 AND MANAGEMENT ASSISTANCE AUTHORITY

19 For the District of Columbia Financial Responsibility
20 and Management Assistance Authority, established by sec-
21 tion 101(a) of the District of Columbia Financial Respon-
22 sibility and Management Assistance Act of 1995, approved
23 April 17, 1995 (109 Stat. 97; Public Law 104-8),
24 \$3,500,000.

1 GENERAL PROVISIONS

2 SEC. 101. The expenditure of any appropriation
3 under this Act for any consulting service through procure-
4 ment contract, pursuant to 5 U.S.C. 3109, shall be limited
5 to those contracts where such expenditures are a matter
6 of public record and available for public inspection, except
7 where otherwise provided under existing law, or under
8 existing Executive order issued pursuant to existing law.

9 SEC. 102. Except as otherwise provided in this Act,
10 all vouchers covering expenditures of appropriations con-
11 tained in this Act shall be audited before payment by the
12 designated certifying official and the vouchers as approved
13 shall be paid by checks issued by the designated disbursing
14 official.

15 SEC. 103. Whenever in this Act, an amount is speci-
16 fied within an appropriation for particular purposes or ob-
17 jects of expenditure, such amount, unless otherwise speci-
18 fied, shall be considered as the maximum amount that
19 may be expended for said purpose or object rather than
20 an amount set apart exclusively therefor.

21 SEC. 104. Appropriations in this Act shall be avail-
22 able, when authorized by the Mayor, for allowances for
23 privately owned automobiles and motorcycles used for the
24 performance of official duties at rates established by the
25 Mayor: *Provided*, That such rates shall not exceed the

1 maximum prevailing rates for such vehicles as prescribed
2 in the Federal Property Management Regulations 101–7
3 (Federal Travel Regulations).

4 SEC. 105. Appropriations in this Act shall be avail-
5 able for expenses of travel and for the payment of dues
6 of organizations concerned with the work of the District
7 of Columbia government, when authorized by the Mayor:
8 *Provided*, That the Council of the District of Columbia
9 and the District of Columbia Courts may expend such
10 funds without authorization by the Mayor.

11 SEC. 106. There are appropriated from the applicable
12 funds of the District of Columbia such sums as may be
13 necessary for making refunds and for the payment of
14 judgments that have been entered against the District of
15 Columbia government: *Provided*, That nothing contained
16 in this section shall be construed as modifying or affecting
17 the provisions of section 11(c)(3) of title XII of the Dis-
18 trict of Columbia Income and Franchise Tax Act of 1947,
19 approved March 31, 1956 (70 Stat. 78; Public Law 84–
20 460; D.C. Code, sec. 47–1812.11(c)(3)).

21 SEC. 107. Appropriations in this Act shall be avail-
22 able for the payment of public assistance without reference
23 to the requirement of section 544 of the District of Colum-
24 bia Public Assistance Act of 1982, effective April 6, 1982
25 (D.C. Law 4–101; D.C. Code, sec. 3–205.44), and for the

1 non-Federal share of funds necessary to qualify for Fed-
2 eral assistance under the Juvenile Delinquency Prevention
3 and Control Act of 1968, approved July 31, 1968 (82
4 Stat. 462; Public Law 90–445; 42 U.S.C. 3801 et seq.).

5 SEC. 108. No part of any appropriation contained in
6 this Act shall remain available for obligation beyond the
7 current fiscal year unless expressly so provided herein.

8 SEC. 109. No funds appropriated in this Act for the
9 District of Columbia government for the operation of edu-
10 cational institutions, the compensation of personnel, or for
11 other educational purposes may be used to permit, encour-
12 age, facilitate, or further partisan political activities.
13 Nothing herein is intended to prohibit the availability of
14 school buildings for the use of any community or partisan
15 political group during non-school hours.

16 SEC. 110. The annual budget for the District of Co-
17 lumbia government for the fiscal year ending September
18 30, 1997, shall be transmitted to the Congress no later
19 than April 15, 1996.

20 SEC. 111. None of the funds appropriated in this Act
21 shall be made available to pay the salary of any employee
22 of the District of Columbia government whose name, title,
23 grade, salary, past work experience, and salary history are
24 not available for inspection by the House and Senate Com-
25 mittees on Appropriations, the House Committee on Gov-

1 ernment Reform and Oversight, District of Columbia Sub-
2 committee, the Subcommittee on General Services, Fed-
3 eralism, and the District of Columbia, of the Senate Com-
4 mittee on Governmental Affairs, and the Council of the
5 District of Columbia, or their duly authorized representa-
6 tive: *Provided*, That none of the funds contained in this
7 Act shall be made available to pay the salary of any em-
8 ployee of the District of Columbia government whose name
9 and salary are not available for public inspection.

10 SEC. 112. There are appropriated from the applicable
11 funds of the District of Columbia such sums as may be
12 necessary for making payments authorized by the District
13 of Columbia Revenue Recovery Act of 1977, effective Sep-
14 tember 23, 1977 (D.C. Law 2-20; D.C. Code, sec. 47-
15 421 et seq.).

16 SEC. 113. No part of this appropriation shall be used
17 for publicity or propaganda purposes or implementation
18 of any policy including boycott designed to support or de-
19 feat legislation pending before Congress or any State legis-
20 lature.

21 SEC. 114. At the start of the fiscal year, the Mayor
22 shall develop an annual plan, by quarter and by project,
23 for capital outlay borrowings: *Provided*, That within a rea-
24 sonable time after the close of each quarter, the Mayor
25 shall report to the Council of the District of Columbia and

1 the Congress the actual borrowings and spending progress
2 compared with projections.

3 SEC. 115. The Mayor shall not borrow any funds for
4 capital projects unless the Mayor has obtained prior ap-
5 proval from the Council of the District of Columbia, by
6 resolution, identifying the projects and amounts to be fi-
7 nanced with such borrowings.

8 SEC. 116. The Mayor shall not expend any moneys
9 borrowed for capital projects for the operating expenses
10 of the District of Columbia government.

11 SEC. 117. None of the funds appropriated by this Act
12 may be obligated or expended by reprogramming except
13 pursuant to advance approval of the reprogramming
14 granted according to the procedure set forth in the Joint
15 Explanatory Statement of the Committee of Conference
16 (House Report No. 96-443), which accompanied the Dis-
17 trict of Columbia Appropriation Act, 1980, approved Octo-
18 ber 30, 1979 (93 Stat. 713; Public Law 96-93), as modi-
19 fied in House Report No. 98-265, and in accordance with
20 the Reprogramming Policy Act of 1980, effective Septem-
21 ber 16, 1980 (D.C. Law 3-100; D.C. Code, sec. 47-361
22 et seq.).

23 SEC. 118. None of the Federal funds provided in this
24 Act shall be obligated or expended to provide a personal

1 cook, chauffeur, or other personal servants to any officer
2 or employee of the District of Columbia.

3 SEC. 119. None of the Federal funds provided in this
4 Act shall be obligated or expended to procure passenger
5 automobiles as defined in the Automobile Fuel Efficiency
6 Act of 1980, approved October 10, 1980 (94 Stat. 1824;
7 Public Law 96–425; 15 U.S.C. 2001(2)), with an Environ-
8 mental Protection Agency estimated miles per gallon aver-
9 age of less than 22 miles per gallon: *Provided*, That this
10 section shall not apply to security, emergency rescue, or
11 armored vehicles.

12 SEC. 120. (a) Notwithstanding section 422(7) of the
13 District of Columbia Self-Government and Governmental
14 Reorganization Act of 1973, approved December 24, 1973
15 (87 Stat. 790; Public Law 93–198; D.C. Code, sec. 1–
16 242(7)), the City Administrator shall be paid, during any
17 fiscal year, a salary at a rate established by the Mayor,
18 not to exceed the rate established for level IV of the Exec-
19 utive Schedule under 5 U.S.C. 5315.

20 (b) For purposes of applying any provision of law lim-
21 iting the availability of funds for payment of salary or pay
22 in any fiscal year, the highest rate of pay established by
23 the Mayor under subsection (a) of this section for any po-
24 sition for any period during the last quarter of calendar

1 year 1995 shall be deemed to be the rate of pay payable
2 for that position for September 30, 1995.

3 (c) Notwithstanding section 4(a) of the District of
4 Columbia Redevelopment Act of 1945, approved August
5 2, 1946 (60 Stat. 793; Public Law 79-592; D.C. Code,
6 sec. 5-803(a)), the Board of Directors of the District of
7 Columbia Redevelopment Land Agency shall be paid, dur-
8 ing any fiscal year, per diem compensation at a rate estab-
9 lished by the Mayor.

10 SEC. 121. Notwithstanding any other provisions of
11 law, the provisions of the District of Columbia Govern-
12 ment Comprehensive Merit Personnel Act of 1978, effec-
13 tive March 3, 1979 (D.C. Law 2-139; D.C. Code, sec. 1-
14 601.1 et seq.), enacted pursuant to section 422(3) of the
15 District of Columbia Self-Government and Governmental
16 Reorganization Act of 1973, approved December 24, 1973
17 (87 Stat. 790; Public Law 93-198; D.C. Code, sec. 1-
18 242(3)), shall apply with respect to the compensation of
19 District of Columbia employees: *Provided*, That for pay
20 purposes, employees of the District of Columbia govern-
21 ment shall not be subject to the provisions of title 5 of
22 the United States Code.

23 SEC. 122. The Director of the Department of Admin-
24 istrative Services may pay rentals and repair, alter, and
25 improve rented premises, without regard to the provisions

1 of section 322 of the Economy Act of 1932 (Public Law
2 72–212; 40 U.S.C. 278a), upon a determination by the
3 Director, that by reason of circumstances set forth in such
4 determination, the payment of these rents and the execu-
5 tion of this work, without reference to the limitations of
6 section 322, is advantageous to the District in terms of
7 economy, efficiency, and the District’s best interest.

8 SEC. 123. No later than 30 days after the end of the
9 first quarter of the fiscal year ending September 30, 1996,
10 the Mayor of the District of Columbia shall submit to the
11 Council of the District of Columbia the new fiscal year
12 1996 revenue estimates as of the end of the first quarter
13 of fiscal year 1996. These estimates shall be used in the
14 budget request for the fiscal year ending September 30,
15 1997. The officially revised estimates at midyear shall be
16 used for the midyear report.

17 SEC. 124. No sole source contract with the District
18 of Columbia government or any agency thereof may be re-
19 newed or extended without opening that contract to the
20 competitive bidding process as set forth in section 303 of
21 the District of Columbia Procurement Practices Act of
22 1985, effective February 21, 1986 (D.C. Law 6–85; D.C.
23 Code, sec. 1–1183.3), except that the District of Columbia
24 Public Schools may renew or extend sole source contracts
25 for which competition is not feasible or practical, provided

1 that the determination as to whether to invoke the com-
2 petitive bidding process has been made in accordance with
3 duly promulgated Board of Education rules and proce-
4 dures.

5 SEC. 125. For purposes of the Balanced Budget and
6 Emergency Deficit Control Act of 1985, approved Decem-
7 ber 12, 1985 (99 Stat. 1037; Public Law 99–177), as
8 amended, the term “program, project, and activity” shall
9 be synonymous with and refer specifically to each account
10 appropriating Federal funds in this Act, and any seques-
11 tration order shall be applied to each of the accounts rath-
12 er than to the aggregate total of those accounts: *Provided*,
13 That sequestration orders shall not be applied to any ac-
14 count that is specifically exempted from sequestration by
15 the Balanced Budget and Emergency Deficit Control Act
16 of 1985, approved December 12, 1985 (99 Stat. 1037;
17 Public Law 99–177), as amended.

18 SEC. 126. In the event a sequestration order is issued
19 pursuant to the Balanced Budget and Emergency Deficit
20 Control Act of 1985, approved December 12, 1985 (99
21 Stat. 1037; Public Law 99–177), as amended, after the
22 amounts appropriated to the District of Columbia for the
23 fiscal year involved have been paid to the District of Co-
24 lumbia, the Mayor of the District of Columbia shall pay
25 to the Secretary of the Treasury, within 15 days after re-

1 ceipt of a request therefor from the Secretary of the
2 Treasury, such amounts as are sequestered by the order:
3 *Provided*, That the sequestration percentage specified in
4 the order shall be applied proportionately to each of the
5 Federal appropriation accounts in this Act that are not
6 specifically exempted from sequestration by the Balanced
7 Budget and Emergency Deficit Control Act of 1985, ap-
8 proved December 12, 1985 (99 Stat. 1037; Public Law
9 99-177), as amended.

10 SEC. 127. For the fiscal year ending September 30,
11 1996, the District of Columbia shall pay interest on its
12 quarterly payments to the United States that are made
13 more than 60 days from the date of receipt of an itemized
14 statement from the Federal Bureau of Prisons of amounts
15 due for housing District of Columbia convicts in Federal
16 penitentiaries for the preceding quarter.

17 SEC. 128. Nothing in this Act shall be construed to
18 authorize any office, agency or entity to expend funds for
19 programs or functions for which a reorganization plan is
20 required but has not been approved by the Council pursu-
21 ant to section 422(12) of the District of Columbia Self-
22 Government and Governmental Reorganization Act of
23 1973, approved December 24, 1973 (87 Stat. 790; Public
24 Law 93-198; D.C. Code, sec. 1-242(12)) and the Govern-
25 mental Reorganization Procedures Act of 1981, effective

1 October 17, 1981 (D.C. Law 4–42; D.C. Code, secs. 1–
2 299.1 to 1–299.7). Appropriations made by this Act for
3 such programs or functions are conditioned on the ap-
4 proval by the Council, prior to October 1, 1995, of the
5 required reorganization plans.

6 SEC. 129. (a) An entity of the District of Columbia
7 government may accept and use a gift or donation during
8 fiscal year 1996 if—

9 (1) the Mayor approves the acceptance and use
10 of the gift or donation: *Provided*, That the Council
11 of the District of Columbia may accept and use gifts
12 without prior approval by the Mayor; and

13 (2) the entity uses the gift or donation to carry
14 out its authorized functions or duties.

15 (b) Each entity of the District of Columbia govern-
16 ment shall keep accurate and detailed records of the ac-
17 ceptance and use of any gift or donation under subsection
18 (a) of this section, and shall make such records available
19 for audit and public inspection.

20 (c) For the purposes of this section, the term “entity
21 of the District of Columbia government” includes an inde-
22 pendent agency of the District of Columbia.

23 (d) This section shall not apply to the District of Co-
24 lumbia Board of Education, which may, pursuant to the
25 laws and regulations of the District of Columbia, accept

1 and use gifts to the public schools without prior approval
2 by the Mayor.

3 SEC. 130. None of the Federal funds provided in this
4 Act may be used by the District of Columbia to provide
5 for salaries, expenses, or other costs associated with the
6 offices of United States Senator or United States Rep-
7 resentatives under section 4(d) of the District of Columbia
8 Statehood Constitutional Convention Initiatives of 1979,
9 effective March 10, 1981 (D.C. Law 3–171; D.C. Code,
10 sec. 1–113(d)).

11 PROHIBITION AGAINST USE OF FUNDS FOR ABORTIONS

12 SEC. 131. (a) IN GENERAL.—Section 602(a) of the
13 District of Columbia Self-Government and Governmental
14 Reorganization Act (sec. 1–233(a), D.C. Code), as amend-
15 ed by section 108(b)(2) of the District of Columbia Finan-
16 cial Responsibility and Management Assistance Act of
17 1995, is amended—

18 (1) by striking “or” at the end of paragraph
19 (9);

20 (2) by striking the period at the end of para-
21 graph (10) and inserting “; or”; and

22 (3) by adding at the end the following new
23 paragraph:

24 “(11) enact any act, resolution, or rule which
25 obligates or expends funds of the District of Colum-
26 bia (without regard to the source of such funds) for

1 any abortion, or which appropriates funds to any fa-
2 cility owned or operated by the District of Columbia
3 in which any abortion is performed, except where the
4 life of the mother would be endangered if the fetus
5 were carried to term, or in cases of forcible rape re-
6 ported within 30 days to a law enforcement agency,
7 or cases of incest reported to a law enforcement
8 agency or child abuse agency prior to the perform-
9 ance of the abortion.”.

10 (b) EFFECTIVE DATE.—The amendment made by
11 subsection (a) shall apply to acts, resolutions, or rules of
12 the Council of the District of Columbia which take effect
13 in fiscal years beginning with fiscal year 1996.

14 SEC. 132. None of the funds appropriated in this Act
15 shall be obligated or expended on any proposed change in
16 either the use or configuration of, or on any proposed im-
17 provement to, the Municipal Fish Wharf until such pro-
18 posed change or improvement has been reviewed and ap-
19 proved by Federal and local authorities including, but not
20 limited to, the National Capital Planning Commission, the
21 Commission of Fine Arts, and the Council of the District
22 of Columbia, in compliance with applicable local and Fed-
23 eral laws which require public hearings, compliance with
24 applicable environmental regulations including, but not
25 limited to, any amendments to the Washington, D.C.

1 urban renewal plan which must be approved by both the
2 Council of the District of Columbia and the National Cap-
3 ital Planning Commission.

4 SEC. 133. (a) SENSE OF CONGRESS.—It is the sense
5 of the Congress that, to the greatest extent practicable,
6 all equipment and products purchased with funds made
7 available in this Act should be American-made.

8 (b) NOTICE REQUIREMENT.—In providing financial
9 assistance to, or entering into any contract with, any en-
10 tity using funds made available in this Act, the head of
11 each agency of the Federal or District of Columbia govern-
12 ment, to the greatest extent practicable, shall provide to
13 such entity a notice describing the statement made in sub-
14 section (a) by the Congress.

15 SEC. 134. (a) No funds made available pursuant to
16 any provision of this Act shall be used to implement or
17 enforce any system of registration of unmarried, cohabit-
18 ing couples whether they are homosexual, lesbian, or het-
19 erosexual, including but not limited to registration for the
20 purpose of extending employment, health, or governmental
21 benefits to such couples on the same basis such benefits
22 are extended to legally married couples.

23 (b) The Health Care Benefits Expansion Act (D.C.
24 Law 9–114; sec. 36–1401 et seq., D.C. Code) is hereby
25 repealed.

1 SEC. 135. Sections 431(f) and 433(b)(5) of the Dis-
2 trict of Columbia Self-Government and Governmental Re-
3 organization Act, approved December 24, 1973 (87 Stat.
4 813; Public Law 93–198; D.C. Code, secs. 11–1524 and
5 title 11, App. 433), are amended to read as follows:

6 (a) Section 431(f) (D.C. Code, sec. 11–1524) is
7 amended to read as follows:

8 “(f) Members of the Tenure Commission shall serve
9 without compensation for services rendered in connection
10 with their official duties on the Commission.”.

11 (b) Section 433(b)(5) (title 11, App. 433) is
12 amended to read as follows:

13 “(5) Members of the Commission shall serve
14 without compensation for services rendered in con-
15 nection with their official duties on the Commis-
16 sion.”.

17 SEC. 136. Section 451 of the District of Columbia
18 Self-Government and Governmental Reorganization Act of
19 1973, approved December 24, 1973 (87 Stat. 803; Public
20 Law 93–198; D.C. Code, sec. 1–1130), is amended by
21 adding a new subsection (c) to read as follows:

22 “(c)(1) The District may enter into multiyear con-
23 tracts to obtain goods and services for which funds would
24 otherwise be available for obligation only within the fiscal
25 year for which appropriated.

1 “(2) If the funds are not made available for the con-
2 tinuation of such a contract into a subsequent fiscal year,
3 the contract shall be cancelled or terminated, and the cost
4 of cancellation or termination may be paid from—

5 “(A) appropriations originally available for the
6 performance of the contract concerned;

7 “(B) appropriations currently available for pro-
8 curement of the type of acquisition covered by the
9 contract, and not otherwise obligated; or

10 “(C) funds appropriated for those payments.

11 “(3) No contract entered into under this section shall
12 be valid unless the Mayor submits the contract to the
13 Council for its approval and the Council approves the con-
14 tract (in accordance with criteria established by act of the
15 Council). The Council shall be required to take affirmative
16 action to approve the contract within 45 days. If no action
17 is taken to approve the contract within 45 calendar days,
18 the contract shall be deemed disapproved.”.

19 SEC. 137. The District of Columbia Real Property
20 Tax Revision Act of 1974, approved September 3, 1974
21 (88 Stat. 1051; D.C. Code, sec. 47–801 et seq.), is amend-
22 ed as follows:

23 (1) Section 412 (D.C. Code, sec. 47–812) is
24 amended as follows:

1 (A) Subsection (a) is amended by striking
2 the third and fourth sentences and inserting the
3 following sentences in their place: “If the Coun-
4 cil does extend the time for establishing the
5 rates of taxation on real property, it must es-
6 tablish those rates for the tax year by perma-
7 nent legislation. If the Council does not estab-
8 lish the rates of taxation of real property by Oc-
9 tober 15, and does not extend the time for es-
10 tablishing rates, the rates of taxation applied
11 for the prior year shall be the rates of taxation
12 applied during the tax year.”.

13 (B) A new subsection (a-2) is added to
14 read as follows:

15 “(a-2) Notwithstanding the provisions of subsection
16 (a) of this section, the real property tax rates for taxable
17 real property in the District of Columbia for the tax year
18 beginning October 1, 1995, and ending September 30,
19 1996, shall be the same rates in effect for the tax year
20 beginning October 1, 1993, and ending September 30,
21 1994.”.

22 (2) Section 413(c) (D.C. Code, sec. 47-815(c))
23 is repealed.

1 SEC. 138. Title 18 U.S.C. 1761(b) is amended by
2 striking the period at the end and inserting the phrase
3 “or not-for-profit organizations.” in its place.

4 SEC. 139. Within 120 days of the effective date of
5 this Act, the Mayor shall submit to the Congress and the
6 Council a report delineating the actions taken by the execu-
7 tive to effect the directives of the Council in this Act,
8 including—

9 (1) negotiations with representatives of collec-
10 tive bargaining units to reduce employee compensa-
11 tion;

12 (2) actions to restructure existing long-term
13 city debt;

14 (3) actions to apportion the spending reductions
15 anticipated by the directives of this Act to the execu-
16 tive for unallocated reductions; and

17 (4) a list of any position that is backfilled in-
18 cluding description, title, and salary of the position.

19 SEC. 140. The Board of Education shall submit to
20 the Congress, Mayor, and Council of the District of Co-
21 lumbia no later than fifteen (15) calendar days after the
22 end of each month a report that sets forth—

23 (1) current month expenditures and obligations,
24 year-to-date expenditures and obligations, and total
25 fiscal year expenditure projections vs. budget broken

1 out on the basis of control center, responsibility cen-
2 ter, agency reporting code, and object class, and for
3 all funds, including capital financing;

4 (2) a breakdown of FTE positions and staff for
5 the most current pay period broken out on the basis
6 of control center, responsibility center, and agency
7 reporting code within each responsibility center, for
8 all funds, including capital funds;

9 (3) a list of each account for which spending is
10 frozen and the amount of funds frozen, broken out
11 by control center, responsibility center, detailed ob-
12 ject, and agency reporting code, and for all funding
13 sources;

14 (4) a list of all active contracts in excess of
15 \$10,000 annually, which contains; the name of each
16 contractor; the budget to which the contract is
17 charged broken out on the basis of control center,
18 responsibility center, and agency reporting code; and
19 contract identifying codes used by the D.C. Public
20 Schools; payments made in the last month and year-
21 to-date, the total amount of the contract and total
22 payments made for the contract and any modifica-
23 tions, extensions, renewals; and specific modifica-
24 tions made to each contract in the last month;

1 (5) all reprogramming requests and reports
2 that are required to be, and have been, submitted to
3 the Board of Education; and

4 (6) changes made in the last month to the orga-
5 nizational structure of the D.C. Public Schools, dis-
6 playing previous and current control centers and re-
7 sponsibility centers, the names of the organizational
8 entities that have been changed, the name of the
9 staff member supervising each entity affected, and
10 the reasons for the structural change.

11 SEC. 141. The University of the District of Columbia
12 shall submit to the Congress, Mayor, and Council of the
13 District of Columbia no later than fifteen (15) calendar
14 days after the end of each month a report that sets
15 forth—

16 (1) current month expenditures and obligations,
17 year-to-date expenditures and obligations, and total
18 fiscal year expenditure projections vs. budget broken
19 out on the basis of control center, responsibility cen-
20 ter, and object class, and for all funds, including
21 capital financing;

22 (2) a breakdown of FTE positions and all em-
23 ployees for the most current pay period broken out
24 on the basis of control center and responsibility cen-
25 ter, for all funds, including capital funds.

1 (3) a list of each account for which spending is
2 frozen and the amount of funds frozen, broken out
3 by control center, responsibility center, detailed ob-
4 ject, and for all funding sources;

5 (4) a list of all active contracts in excess of
6 \$10,000 annually, which contains: the name of each
7 contractor; the budget to which the contract is
8 charged broken out on the basis of control center
9 and responsibility center, and contract identifying
10 codes used by the University of the District of Co-
11 lumbia; payments made in the last month and year-
12 to-date, the total amount of the contract and total
13 payments made for the contract and any modifica-
14 tions, extensions, renewals; and specific modifica-
15 tions made to each contract in the last month;

16 (5) all reprogramming requests and reports
17 that have been made by the University of the Dis-
18 trict of Columbia within the last month in compli-
19 ance with applicable law; and

20 (6) changes made in the last month to the orga-
21 nizational structure of the University of the District
22 of Columbia, displaying previous and current control
23 centers and responsibility centers, the names of the
24 organizational entities that have been changed, the

1 name of the staff member supervising each entity af-
2 fected, and the reasons for the structural change.

3 SEC. 142. (a) The Board of Education of the District
4 of Columbia and the University of the District of Colum-
5 bia shall annually compile an accurate and verifiable re-
6 port on the positions and employees in the public school
7 system and the university, respectively. The annual report
8 shall set forth—

9 (1) the number of validated schedule A posi-
10 tions in the District of Columbia Public Schools and
11 the University of the District of Columbia for fiscal
12 year 1995, fiscal year 1996, and thereafter on full-
13 time equivalent basis, including a compilation of all
14 positions by control center, responsibility center,
15 funding source, position type, position title, pay
16 plan, grade, and annual salary; and

17 (2) a compilation of all employees in the Dis-
18 trict of Columbia Public Schools and the University
19 of the District of Columbia as of the preceding De-
20 cember 31, verified as to its accuracy in accordance
21 with the functions that each employee actually per-
22 forms, by control center, responsibility center, agen-
23 cy reporting code, program (including funding
24 source), activity, location for accounting purposes,

1 job title, grade and classification, annual salary, and
2 position control number.

3 (b) The annual report required by subsection (a) of
4 this section shall be submitted to the Congress, the Mayor
5 and Council of the District of Columbia, by not later than
6 February 8 of each year.

7 SEC. 143. (a) Not later than October 1, 1995, or
8 within 15 calendar days after the date of the enactment
9 of the District of Columbia Appropriations Act, 1996,
10 whichever occurs later, and each succeeding year, the
11 Board of Education and the University of the District of
12 Columbia shall submit to the Congress, the Mayor, and
13 Council of the District of Columbia, a revised appropriated
14 funds operating budget for the public school system and
15 the University of the District of Columbia for such fiscal
16 year that is in the total amount of the approved appropria-
17 tion and that realigns budgeted data for personal services
18 and other-than-personal services, respectively, with antici-
19 pated actual expenditures.

20 (b) The revised budget required by subsection (a) of
21 this section shall be submitted in the format of the budget
22 that the Board of Education and the University of the
23 District of Columbia submit to the Mayor of the District
24 of Columbia for inclusion in the Mayor's budget submis-
25 sion to the Council of the District of Columbia pursuant

1 to section 442 of the District of Columbia Self-Govern-
2 ment and Governmental Reorganization Act, Public Law
3 93–198, as amended (D.C. Code, sec. 47–301).

4 SEC. 144. The Board of Education, the Board of
5 Trustees of the University of the District of Columbia, the
6 Board of Library Trustees, and the Board of Governors
7 of the D.C. School of Law shall vote on and approve their
8 respective annual or revised budgets before submission to
9 the Mayor of the District of Columbia for inclusion in the
10 Mayor’s budget submission to the Council of the District
11 of Columbia in accordance with section 442 of the District
12 of Columbia Self-Government and Governmental Reorga-
13 nization Act, Public Law 93–198, as amended (D.C. Code,
14 sec. 47–301), or before submitting their respective budgets
15 directly to the Council.

16 SEC. 145. Notwithstanding any other provision of
17 law, rule, or regulation, the evaluation process and instru-
18 ments for evaluating District of Columbia Public Schools
19 employees shall be a non-negotiable item for collective bar-
20 gaining purposes.

21 SEC. 146. (a) No agency, including an independent
22 agency, shall fill a position wholly funded by appropria-
23 tions authorized by this Act, which is vacant on October
24 1, 1995, or becomes vacant between October 1, 1995, and
25 September 30, 1996, unless the Mayor or independent

1 agency submits a proposed resolution of intent to fill the
2 vacant position to the Council. The Council shall be re-
3 quired to take affirmative action on the Mayor's resolution
4 within 30 legislative days. If the Council does not affirma-
5 tively approve the resolution within 30 legislative days, the
6 resolution shall be deemed disapproved.

7 (b) No reduction in the number of full-time equiva-
8 lent positions or reduction-in-force due to privatization or
9 contracting out shall occur if the District of Columbia Fi-
10 nancial Responsibility and Management Assistance Au-
11 thority, established by section 101(a) of the District of Co-
12 lumbia Financial Responsibility and Management Assist-
13 ance Act of 1995, approved April 17, 1995 (109 Stat. 97;
14 Public Law 104–8), disallows the full-time equivalent posi-
15 tion reduction provided in this act in meeting the maxi-
16 mum ceiling of 35,771 for the fiscal year ending Septem-
17 ber 30, 1996.

18 (c) This section shall not prohibit the appropriate
19 personnel authority from filling a vacant position with a
20 District government employee currently occupying a posi-
21 tion that is funded with appropriated funds.

22 (d) This section shall not apply to local school-based
23 teachers, school-based officers, or school-based teachers'
24 aides; or court personnel covered by title 11 of the D.C
25 Code, except chapter 23.

1 SEC. 147. (a) Not later than 15 days after the end
2 of every fiscal quarter (beginning October 1, 1995), the
3 Mayor shall submit to the Council a report with respect
4 to the employees on the capital project budget for the pre-
5 vious quarter.

6 (b) Each report submitted pursuant to subsection (a)
7 of this section shall include the following information—

8 (1) a list of all employees by position, title,
9 grade and step;

10 (2) a job description, including the capital
11 project for which each employee is working;

12 (3) the date that each employee began working
13 on the capital project and the ending date that each
14 employee completed or is projected to complete work
15 on the capital project; and

16 (4) a detailed explanation justifying why each
17 employee is being paid with capital funds.

18 SEC. 148. The District of Columbia Government
19 Comprehensive Merit Personnel Act of 1978, effective
20 March 3, 1979 (D.C. Law 2–139; D.C. Code, sec. 1–601.1
21 et seq.), is amended as follows:

22 (a) Section 301 (D.C. Code, sec. 1–603.1) is
23 amended as follows:

24 (1) A new paragraph (13A) is added to
25 read as follows:

1 “(13A) ‘Nonschool-based personnel’ means any
2 employee of the District of Columbia Public Schools
3 who is not based at a local school or who does not
4 provide direct services to individual students.”.

5 (2) A new paragraph (15A) is added to
6 read as follows:

7 “(15A) ‘School administrators’ means prin-
8 cipals, assistant principals, school program directors,
9 coordinators, instructional supervisors, and support
10 personnel of the District of Columbia Public
11 Schools.”.

12 (b) Section 801A(b)(2) (D.C. Code, sec. 1–
13 609.1(b)(2)) is amended by adding a new subpara-
14 graph (L–i) to read as follows:

15 “(L–i) Notwithstanding any other provi-
16 sion of law, the Board of Education shall not
17 issue rules that require or permit nonschool-
18 based personnel or school administrators to be
19 assigned or reassigned to the same competitive
20 level as classroom teachers;”

21 (c) Section 2402 (D.C. Code, sec. 1–625.2) is
22 amended by adding a new subsection (f) to read as
23 follows:

24 “(f) Notwithstanding any other provision of law, the
25 Board of Education shall not require or permit nonschool-

1 based personnel or school administrators to be assigned
2 or reassigned to the same competitive level as classroom
3 teachers.”.

4 SEC. 149. (a) Notwithstanding any other provision
5 of law, rule, or regulation, an employee of the District of
6 Columbia Public Schools shall be—

7 (1) classified as an Educational Service em-
8 ployee’

9 (2) placed under the personnel authority of the
10 Board of Education; and

11 (3) subject to all Board of Education rules.

12 (b) School-based personnel shall constitute a separate
13 competitive area from nonschool-based personnel who shall
14 not compete with school-based personnel for retention pur-
15 poses.

16 SEC. 150. The District of Columbia Government
17 Comprehensive Merit Personnel Act of 1978, effective
18 March 3, 1979 (D.C. Law 2–139; D.C. Code, sec. 1–601.1
19 et seq.), is amended as follows:

20 (a) Section 2401 (D.C. Code, sec. 1–625.1) is
21 amended by amending the third sentence to read as
22 follows: “A personnel authority may establish lesser
23 competitive areas within an agency on the basis of
24 all or a clearly identifiable segment of an agency’s

1 mission or a division or major subdivision of an
2 agency.”.

3 (b) A new section 2406 is added to read as fol-
4 lows:

5 “SEC. 2406. Abolishment of positions for Fiscal Year
6 1996.

7 “(a) Notwithstanding any other provision of law, reg-
8 ulation, or collective bargaining agreement either in effect
9 or to be negotiated while this legislation is in effect for
10 the fiscal year ending September 30, 1996, each agency
11 head is authorized, within the agency head’s discretion,
12 to identify positions for abolishment.

13 “(b) Prior to February 1, 1996, each personnel au-
14 thority shall make a final determination that a position
15 within the personnel authority is to be abolished.

16 “(c) Notwithstanding any rights or procedures estab-
17 lished by any other provision of this title, any District gov-
18 ernment employee, regardless of date of hire, who encum-
19 bers a position identified for abolishment shall be sepa-
20 rated without competition or assignment rights, except as
21 provided in this section.

22 “(d) An employee effected by the abolishment of a
23 position pursuant to this section who, but for this section
24 would be entitled to compete for retention, shall be entitled
25 to 1 round of lateral competition pursuant to Chapter 24

1 of the District of Columbia Personnel Manual, which shall
2 be limited to positions in the employee's competitive level.

3 “(e) Each employee who is a bona fide resident of
4 the District of Columbia shall have added 5 years to his
5 or her creditable service for reduction-in-force purposes.
6 For purposes of this subsection only, a nonresident Dis-
7 trict employee who was hired by the District government
8 prior to January 1, 1980, and has not had a break in
9 service since that date, or a former employee of the U.S.
10 Department of Health and Human Services at Saint Eliz-
11 abeths Hospital who accepted employment with the Dis-
12 trict government on October 1, 1987, and has not had
13 a break in service since that date, shall be considered a
14 District resident.

15 “(f) Each employee selected for separation pursuant
16 to this section shall be given written notice of at least 30
17 days before the effective date of his or her separation.

18 “(g) Neither the establishment of a competitive area
19 smaller than an agency, nor the determination that a spe-
20 cific position is to be abolished, nor separation pursuant
21 to this section shall be subject to review except as fol-
22 lows—

23 “(1) an employee may file a complaint contest-
24 ing a determination or a separation pursuant to title
25 XV of this Act or section 303 of the Human Rights

1 Act of 1977, effective December 13, 1977 (D.C.
2 Law 2–38; D.C. Code, sec. 1–2543); and

3 “(2) an employee may file with the Office of
4 Employee Appeals an appeal contesting that the sep-
5 aration procedures of subsections (d) and (f) of this
6 section were not properly applied.

7 “(h) An employee separated pursuant to this section
8 shall be entitled to severance pay in accordance with title
9 XI of this Act, except that the following shall be included
10 in computing creditable service for severance pay for em-
11 ployees separated pursuant to this section—

12 “(1) four years for an employee who qualified
13 for veteran’s preference under this act, and

14 “(2) three years for an employee who qualified
15 for residency preference under this act.

16 “(i) Separation pursuant to this section shall not af-
17 fect an employee’s rights under either the Agency Reem-
18 ployment Priority Program or the Displaced Employee
19 Program established pursuant to Chapter 24 of the Dis-
20 trict Personnel Manual.

21 “(j) The Mayor shall submit to the Council a listing
22 of all positions to be abolished by agency and responsibility
23 center by March 1, 1996, or upon the delivery of termi-
24 nation notices to individual employees.

1 “(k) Notwithstanding the provisions of section 1708
 2 or section 2402(d), the provisions of this act shall not be
 3 deemed negotiable.

4 “(l) A personnel authority shall cause a 30-day termi-
 5 nation notice to be served, no later than September 1,
 6 1996, on any incumbent employee remaining in any posi-
 7 tion identified to be abolished pursuant to subsection (b)
 8 of this section”.

9 SEC. 151. Notwithstanding any other provision of
 10 law, the total amount appropriated in this Act for operat-
 11 ing expenses for the District of Columbia for fiscal year
 12 1996 under the caption “Division of Expenses” shall not
 13 exceed \$4,867,283,000.

14 REQUIRING DEVELOPMENT OF PLAN TO CLOSE LORTON
 15 CORRECTIONAL COMPLEX

16 SEC. 152. (a) DEVELOPMENT OF PLAN.—

17 (1) IN GENERAL.—Not later than February 15,
 18 1996, the District of Columbia shall develop a plan
 19 for closing the Lorton Correctional Complex over a
 20 transition period not to exceed 5 years in length.

21 (2) REQUIREMENTS OF PLAN.—The plan devel-
 22 oped by the District of Columbia under paragraph
 23 (1) shall meet the following requirements:

24 (A) Under the plan, the Lorton Correc-
 25 tional Complex will be closed by the expiration
 26 of the transition period.

1 (B) Under the plan, the District of Colum-
2 bia may not operate any correctional facilities
3 on the Federal property known as the Lorton
4 Complex located in Fairfax County, Virginia,
5 after the expiration of the transition period.

6 (C) The plan shall include provisions speci-
7 fying how and to what extent the District will
8 utilize alternative management, including the
9 private sector, for the operation of correctional
10 facilities for the District, and shall include pro-
11 visions describing the treatment under such al-
12 ternative management (including under con-
13 tracts) of site selection, design, financing, con-
14 struction, and operation of correctional facilities
15 for the District.

16 (D) The plan shall include an implementa-
17 tion schedule, together with specific perform-
18 ance measures and timelines to determine the
19 extent to which the District is meeting the
20 schedule during the transition period.

21 (E) Under the plan, the Mayor of the Dis-
22 trict of Columbia shall submit a semi-annual re-
23 port to the President, Congress, and the Dis-
24 trict of Columbia Financial Responsibility and
25 Management Assistance Authority describing

1 the actions taken by the District under the
2 plan, and in addition shall regularly report to
3 the President, Congress, and the District of Co-
4 lumbia Financial Responsibility and Manage-
5 ment Assistance Authority on all significant
6 measures taken under the plan as soon as such
7 measures are taken.

8 (b) CONSISTENCY WITH FINANCIAL PLAN AND
9 BUDGET.—In developing the plan under subsection (a),
10 the District of Columbia shall ensure that for each of the
11 years during which the plan is in effect, the plan shall
12 be consistent with the financial plan and budget for the
13 District of Columbia for the year under subtitle A of title
14 II of the District of Columbia Financial Responsibility and
15 Management Assistance Act of 1995.

16 (c) SUBMISSION OF PLAN.—Upon completing the de-
17 velopment of the plan under subsection (a), the District
18 of Columbia shall submit the plan to the President, Con-
19 gress, and the District of Columbia Financial Responsibil-
20 ity and Management Assistance Authority.

21 PROHIBITION AGAINST ADOPTION BY UNMARRIED

22 COUPLES

23 SEC. 153. (a) IN GENERAL.—Section 16–302, D.C.
24 Code, is amended—

1 (1) by striking “Any person” and inserting “(a)
2 Subject to subsection (b), any person”; and

3 (2) by adding at the end the following sub-
4 section:

5 “(b) No person may join in a petition under this sec-
6 tion unless the person is the spouse of the petitioner.”.

7 (b) NO EFFECT ON PETITIONS FOR ADOPTION
8 FILED BY INDIVIDUAL UNMARRIED PETITIONER.—Noth-
9 ing in section 16–302(b), D.C. Code (as added by sub-
10 section (a)) shall be construed to affect the ability of any
11 unmarried person to file a petition for adoption in the Su-
12 perior Court of the District of Columbia where no other
13 person joins in the petition.

14 TECHNICAL CORRECTIONS TO FINANCIAL
15 RESPONSIBILITY AND MANAGEMENT ASSISTANCE ACT
16 SEC. 154. (a) REQUIRING GSA TO PROVIDE SUP-
17 PORT SERVICES.—Section 103(f) of the District of Colum-
18 bia Financial Responsibility and Management Assistance
19 Act of 1995 is amended by striking “may provide” and
20 inserting “shall promptly provide”.

21 (b) AVAILABILITY OF CERTAIN FEDERAL BENEFITS
22 FOR INDIVIDUALS WHO BECOME EMPLOYED BY THE AU-
23 THORITY.—

24 (1) FORMER FEDERAL EMPLOYEES.—Sub-
25 section (e) of section 102 of such Act is amended to
26 read as follows:

1 “(e) PRESERVATION OF RETIREMENT AND CERTAIN
2 OTHER RIGHTS OF FEDERAL EMPLOYEES WHO BECOME
3 EMPLOYED BY THE AUTHORITY.—

4 “(1) IN GENERAL.—Any Federal employee who
5 becomes employed by the Authority—

6 “(A) may elect, for the purposes set forth
7 in paragraph (2)(A), to be treated, for so long
8 as that individual remains continuously em-
9 ployed by the Authority, as if such individual
10 had not separated from service with the Federal
11 Government, subject to paragraph (3); and

12 “(B) shall, if such employee subsequently
13 becomes reemployed by the Federal Govern-
14 ment, be entitled to have such individual’s serv-
15 ice with the Authority treated, for purposes of
16 determining the appropriate leave accrual rate,
17 as if it had been service with the Federal Gov-
18 ernment.

19 “(2) EFFECT OF AN ELECTION.—An election
20 made by an individual under the provisions of para-
21 graph (1)(A)—

22 “(A) shall qualify such individual for the
23 treatment described in such provisions for pur-
24 poses of—

1 “(i) chapter 83 or 84 of title 5, Unit-
2 ed States Code, as appropriate (relating to
3 retirement), including the Thrift Savings
4 Plan;

5 “(ii) chapter 87 of such title (relating
6 to life insurance); and

7 “(iii) chapter 89 of such title (relating
8 to health insurance); and

9 “(B) shall disqualify such individual, while
10 such election remains in effect, from participat-
11 ing in the programs offered by the government
12 of the District of Columbia (if any) correspond-
13 ing to the respective programs referred to in
14 subparagraph (A).

15 “(3) CONDITIONS FOR AN ELECTION TO BE EF-
16 FECTIVE.—An election made by an individual under
17 paragraph (1)(A) shall be ineffective unless—

18 “(A) it is made before such individual sep-
19 arates from service with the Federal Govern-
20 ment; and

21 “(B) such individual’s service with the Au-
22 thority commences within 3 days after so sepa-
23 rating (not counting any holiday observed by
24 the government of the District of Columbia).

1 “(4) CONTRIBUTIONS.—If an individual makes
2 an election under paragraph (1)(A), the Authority
3 shall, in accordance with applicable provisions of law
4 referred to in paragraph (2)(A), be responsible for
5 making the same deductions from pay and the same
6 agency contributions as would be required if it were
7 a Federal agency.

8 “(5) REGULATIONS.—Any regulations necessary
9 to carry out this subsection shall be prescribed by—

10 “(A) the Office of Personnel Management,
11 to the extent that any program administered by
12 the Office is involved;

13 “(B) the appropriate office or agency of
14 the government of the District of Columbia, to
15 the extent that any program administered by
16 such office or agency is involved; and

17 “(C) the Executive Director referred to in
18 section 8474 of title 5, United States Code, to
19 the extent that the Thrift Savings Plan is in-
20 volved.”.

21 (2) OTHER INDIVIDUALS.—Section 102 of such
22 Act is further amended by adding at the end the fol-
23 lowing:

24 “(f) FEDERAL BENEFITS FOR OTHERS.—

1 “(1) IN GENERAL.—The Office of Personnel
2 Management, in conjunction with each correspond-
3 ing office or agency of the government of the Dis-
4 trict of Columbia, shall prescribe regulations under
5 which any individual who becomes employed by the
6 Authority (under circumstances other than as de-
7 scribed in subsection (e)) may elect either—

8 “(A) to be deemed a Federal employee for
9 purposes of the programs referred to in sub-
10 section (e)(2)(A)(i)-(iii); or

11 “(B) to participate in 1 or more of the cor-
12 responding programs offered by the government
13 of the District of Columbia.

14 “(2) EFFECT OF AN ELECTION.—An individual
15 who elects the option under subparagraph (A) or (B)
16 of paragraph (1) shall be disqualified, while such
17 election remains in effect, from participating in any
18 of the programs referred to in the other such sub-
19 paragraph.

20 “(3) DEFINITION OF ‘CORRESPONDING OFFICE
21 OR AGENCY’.—For purposes of paragraph (1), the
22 term ‘corresponding office or agency of the govern-
23 ment of the District of Columbia’ means, with re-
24 spect to any program administered by the Office of
25 Personnel Management, the office or agency respon-

1 sible for administering the corresponding program
2 (if any) offered by the government of the District of
3 Columbia.

4 “(4) THRIFT SAVINGS PLAN.—To the extent
5 that the Thrift Savings Plan is involved, the preced-
6 ing provisions of this subsection shall be applied by
7 substituting ‘the Executive Director referred to in
8 section 8474 of title 5, United States Code’ for ‘the
9 Office of Personnel Management’.”.

10 (3) EFFECTIVE DATE; ADDITIONAL ELECTION
11 FOR FORMER FEDERAL EMPLOYEES SERVING ON
12 DATE OF ENACTMENT; ELECTION FOR EMPLOYEES
13 APPOINTED DURING INTERIM PERIOD.—

14 (A) EFFECTIVE DATE.—Not later than 6
15 months after the date of enactment of this Act,
16 there shall be prescribed (and take effect)—

17 (i) regulations to carry out the
18 amendments made by this subsection; and

19 (ii) any other regulations necessary to
20 carry out this subsection.

21 (B) ADDITIONAL ELECTION FOR FORMER
22 FEDERAL EMPLOYEES SERVING ON DATE OF
23 ENACTMENT.—

24 (i) IN GENERAL.—Any former Federal
25 employee employed by the Authority on the

1 effective date of the regulations referred to
2 in subparagraph (A)(i) may, within such
3 period as may be provided for under those
4 regulations, make an election similar, to
5 the maximum extent practicable, to the
6 election provided for under section 102(e)
7 of the District of Columbia Financial Re-
8 sponsibility and Management Assistance
9 Act of 1995, as amended by this sub-
10 section. Such regulations shall be pre-
11 scribed jointly by the Office of Personnel
12 Management and each corresponding office
13 or agency of the government of the District
14 of Columbia (in the same manner as pro-
15 vided for in section 102(f) of such Act, as
16 so amended).

17 (ii) EXCEPTION.—An election under
18 this subparagraph may not be made by
19 any individual who—

20 (I) is not then participating in a
21 retirement system for Federal employ-
22 ees (disregarding Social Security); or

23 (II) is then participating in any
24 program of the government of the
25 District of Columbia referred to in

1 section 102(e)(2)(B) of such Act (as
2 so amended).

3 (C) ELECTION FOR EMPLOYEES AP-
4 POINTED DURING INTERIM PERIOD.—

5 (i) FROM THE FEDERAL GOVERN-
6 MENT.—Subsection (e) of section 102 of
7 the District of Columbia Financial Respon-
8 sibility and Management Assistance Act of
9 1995 (as last in effect before the date of
10 enactment of this Act) shall be deemed to
11 have remained in effect for purposes of any
12 Federal employee who becomes employed
13 by the District of Columbia Financial Re-
14 sponsibility and Management Assistance
15 Authority during the period beginning on
16 such date of enactment and ending on the
17 day before the effective date of the regula-
18 tions prescribed to carry out subparagraph
19 (B).

20 (ii) OTHER INDIVIDUALS.—The regu-
21 lations prescribed to carry out subsection
22 (f) of section 102 of the District of Colum-
23 bia Financial Responsibility and Manage-
24 ment Assistance Act of 1995 (as amended
25 by this subsection) shall include provisions

1 under which an election under such sub-
2 section shall be available to any individual
3 who—

4 (I) becomes employed by the Dis-
5 trict of Columbia Financial Respon-
6 sibility and Management Assistance
7 Authority during the period beginning
8 on the date of enactment of this Act
9 and ending on the day before the ef-
10 fective date of such regulations;

11 (II) would have been eligible to
12 make an election under such regula-
13 tions had those regulations been in ef-
14 fect when such individual became so
15 employed; and

16 (III) is not then participating in
17 any program of the government of the
18 District of Columbia referred to in
19 subsection (f)(1)(B) of such section
20 102 (as so amended).

21 (c) EXEMPTION FROM LIABILITY FOR CLAIMS FOR
22 AUTHORITY EMPLOYEES.—Section 104 of such Act is
23 amended—

1 (1) by striking “the Authority and its mem-
2 bers” and inserting “the Authority, its members,
3 and its employees”; and

4 (2) by striking “the District of Columbia” and
5 inserting “the Authority or its members or employ-
6 ees or the District of Columbia”.

7 (d) PERMITTING REVIEW OF EMERGENCY LEGISLA-
8 TION.—Section 203(a)(3) of such Act is amended by strik-
9 ing subparagraph (C).

10 **TITLE II—DISTRICT OF** 11 **COLUMBIA SCHOOL REFORM**

12 **SEC. 2001. SHORT TITLE.**

13 This title may be cited as the “District of Columbia
14 School Reform Act of 1995”.

15 **SEC. 2002. DEFINITIONS.**

16 Except as otherwise provided, for purposes of this
17 title:

18 (1) APPROPRIATE CONGRESSIONAL COMMIT-
19 TEES.—The term “appropriate congressional com-
20 mittees” means—

21 (A) the Committee on Appropriations of
22 the House of Representatives and the Commit-
23 tee on Appropriations of the Senate;

24 (B) the Committee on Economic and Edu-
25 cational Opportunities of the House of Rep-

1 representatives and the Committee on Labor and
2 Human Resources of the Senate; and

3 (C) the Committee on Government Reform
4 and Oversight of the House of Representatives
5 and the Committee on Governmental Affairs of
6 the Senate.

7 (2) **AUTHORITY.**—The term “Authority” means
8 the District of Columbia Financial Responsibility
9 and Management Assistance Authority established
10 under section 101(a) of the District of Columbia Fi-
11 nancial Responsibility and Management Assistance
12 Act of 1995 (Public Law 104–8).

13 (3) **AVERAGE DAILY ATTENDANCE.**—The term
14 “average daily attendance”, when used with respect
15 to a school and a period of time, means the aggre-
16 gate attendance of the school during the period di-
17 vided by the number of days during the period on
18 which—

19 (A) the school is in session; and

20 (B) the pupils of the school are under the
21 guidance and direction of teachers.

22 (4) **AVERAGE DAILY MEMBERSHIP.**—

23 (A) **INDIVIDUAL SCHOOL.**—The term “av-
24 erage daily membership”, when used with re-
25 spect to a school and a period of time, means

1 the aggregate enrollment of the school during
2 the period divided by the number of days dur-
3 ing the period on which—

4 (i) the school is in session; and

5 (ii) the pupils of the school are under
6 the guidance and direction of teachers.

7 (B) GROUPS OF SCHOOLS.—The term “av-
8 erage daily membership”, when used with re-
9 spect to a group of schools and a period of
10 time, means the average of the average daily
11 memberships during the period of the individual
12 schools that constitute the group.

13 (5) BOARD OF EDUCATION.—The term “Board
14 of Education” means the Board of Education of the
15 District of Columbia.

16 (6) BOARD OF TRUSTEES.—The term “Board
17 of Trustees” means the governing board of a public
18 charter school, the members of which board have
19 been selected pursuant to the charter granted to the
20 school and in a manner consistent with this title.

21 (7) CONTROL PERIOD.—The term “control pe-
22 riod” means a period of time described in section
23 209 of the District of Columbia Financial Respon-
24 sibility and Management Assistance Act of 1995
25 (Public Law 104–8).

1 (8) CORE CURRICULUM.—The term “core cur-
2 riculum” means the concepts, factual knowledge,
3 and skills that students in the District of Columbia
4 should learn in kindergarten through 12th grade in
5 academic content areas, including, at a minimum,
6 English, mathematics, science, and history.

7 (9) DISTRICT OF COLUMBIA COUNCIL.—The
8 term “District of Columbia Council” means the
9 Council of the District of Columbia established pur-
10 suant to section 401 of the District of Columbia
11 Self-Government and Governmental Reorganization
12 Act (D.C. Code, sec. 1–221).

13 (10) DISTRICT OF COLUMBIA GOVERNMENT.—

14 (A) IN GENERAL.—The term “District of
15 Columbia government” means the government
16 of the District of Columbia, including—

17 (i) any department, agency, or instru-
18 mentality of the government of the District
19 of Columbia;

20 (ii) any independent agency of the
21 District of Columbia established under
22 part F of title IV of the District of Colum-
23 bia Self-Government and Governmental
24 Reorganization Act;

1 (iii) any other agency, board, or com-
2 mission established by the Mayor or the
3 District of Columbia Council;

4 (iv) the courts of the District of Co-
5 lumbia;

6 (v) the District of Columbia Council;

7 and

8 (vi) any other agency, public author-
9 ity, or public benefit corporation that has
10 the authority to receive monies directly or
11 indirectly from the District of Columbia
12 (other than monies received from the sale
13 of goods, the provision of services, or the
14 loaning of funds to the District of Colum-
15 bia).

16 (B) EXCEPTIONS.—The term “District of
17 Columbia government” does not include the fol-
18 lowing:

19 (i) The Authority.

20 (ii) A public charter school.

21 (11) DISTRICT OF COLUMBIA GOVERNMENT RE-
22 TIREMENT SYSTEM.—The term “District of Colum-
23 bia government retirement system” means the re-
24 tirement programs authorized by the District of Co-

1 olumbia Council or the Congress for employees of the
2 District of Columbia government.

3 (12) DISTRICT OF COLUMBIA PUBLIC
4 SCHOOL.—

5 (A) IN GENERAL.—The term “District of
6 Columbia public school” means a public school
7 in the District of Columbia that offers classes—

8 (i) at any of the grade levels from pre-
9 kindergarten through the 12th grade; or

10 (ii) leading to a general education di-
11 ploma.

12 (B) EXCEPTION.—The term does not in-
13 clude a public charter school.

14 (13) DISTRICT OF COLUMBIA PUBLIC
15 SCHOOLS.—The term “District of Columbia public
16 schools” means all schools that are District of Co-
17 lumbia public schools.

18 (14) DISTRICT-WIDE ASSESSMENTS.—The term
19 “district-wide assessments” means reliable and unbi-
20 ased student assessments administered by the Su-
21 perintendent to students enrolled in District of Co-
22 lumbia public schools and public charter schools.

23 (15) ELIGIBLE APPLICANT.—The term “eligible
24 applicant” means a person, including a private, pub-
25 lic, or quasi-public entity and an institution of high-

1 er education (as defined in section 481 of the High-
2 er Education Act of 1965), who seeks to establish a
3 public charter school.

4 (16) ELIGIBLE CHARTERING AUTHORITY.—The
5 term “eligible chartering authority” means any of
6 the following:

7 (A) The Board of Education.

8 (B) Any of the following public or feder-
9 ally-chartered universities:

10 (i) Howard University.

11 (ii) Gallaudet University.

12 (iii) American University.

13 (iv) George Washington University.

14 (v) The University of the District of
15 Columbia.

16 (C) Any other entity designated by enact-
17 ment of a bill as an eligible chartering authority
18 by the District of Columbia Council after the
19 date of the enactment of this Act.

20 (17) FACILITIES MANAGEMENT.—The term “fa-
21 cilities management” means the administration, con-
22 struction, renovation, repair, maintenance, remodel-
23 ing, improvement, or other oversight, of a building
24 or real property of a District of Columbia public
25 school. The term does not include the performance

1 of any such act with respect to real property owned
2 by a public charter school.

3 (18) FAMILY RESOURCE CENTER.—The term
4 “family resource center” means an information
5 desk—

6 (A) located at a school with a majority of
7 students whose family income is not greater
8 than 185 percent of the poverty guidelines up-
9 dated annually in the Federal Register by the
10 Department of Health and Human Services
11 under authority of section 673(2) of the Omni-
12 bus Budget Reconciliation Act of 1981; and

13 (B) which links students and families to
14 local resources and public and private entities
15 involved in child care, adult education, health
16 and social services, tutoring, mentoring, and job
17 training.

18 (19) LONG-TERM REFORM PLAN.—The term
19 “long-term reform plan” means the plan submitted
20 by the Superintendent under section 2101.

21 (20) MAYOR.—The term “Mayor” means the
22 Mayor of the District of Columbia.

23 (21) METROBUS AND METRORAIL TRANSIT SYS-
24 TEM.—The term “Metrobus and Metrorail Transit
25 System” means the bus and rail systems adminis-

1 tered by the Washington Metropolitan Area Transit
2 Authority.

3 (22) MINOR STUDENT.—The term “minor stu-
4 dent” means an individual who—

5 (A) is enrolled in a District of Columbia
6 public schools or a public charter school; and

7 (B) is not beyond the age of compulsory
8 school attendance, as prescribed in section 1 of
9 article I, and section 1 of article II, of the Act
10 of February 4, 1925 (sections 31–401 and 31–
11 402, D.C. Code).

12 (23) NONRESIDENT STUDENT.—The term
13 “nonresident student” means—

14 (A) an individual under the age of 18 who
15 is enrolled in a District of Columbia public
16 school or a public charter school, and does not
17 have a parent residing in the District of Colum-
18 bia; or

19 (B) an individual who is age 18 or older
20 and is enrolled in a District of Columbia public
21 school or public charter school, and does not re-
22 side in the District of Columbia.

23 (24) PANEL.—The term “Panel” means the
24 World Class Schools Panel established under subtitle
25 D.

1 (25) PARENT.—The term “parent” means a
2 person who has custody of a child enrolled in a Dis-
3 trict of Columbia public school or a public charter
4 school, and who—

5 (A) is a natural parent of the child;

6 (B) is a stepparent of the child;

7 (C) has adopted the child; or

8 (D) is appointed as a guardian for the
9 child by a court of competent jurisdiction.

10 (26) PETITION.—The term “petition” means a
11 written application, submitted by an eligible appli-
12 cant to an eligible chartering authority, to establish
13 a public charter school.

14 (27) PROMOTION GATE.—The term “promotion
15 gate” means the criteria, developed by the Super-
16 intendent and approved by the Board of Education,
17 that are used to determine student promotion at dif-
18 ferent grade levels. Such criteria shall include
19 achievement on district-wide assessments that, to the
20 greatest extent practicable, measure student achieve-
21 ment of the core curriculum.

22 (28) PUBLIC CHARTER SCHOOL.—The term
23 “public charter school” means a publicly funded
24 school in the District of Columbia that is established

1 pursuant to subtitle B. A public charter school is not
2 a part of the District of Columbia public schools.

3 (29) SCHOOL.—The term “school” means—

4 (A) a public charter school; or

5 (B) any other day or residential school
6 that provides elementary or secondary edu-
7 cation, as determined under State or District of
8 Columbia law.

9 (30) STUDENT WITH SPECIAL NEEDS.—The
10 term “student with special needs” has the meaning
11 given such term by the Mayor and the District of
12 Columbia Council under section 2301.

13 (31) SUPERINTENDENT.—The term “Super-
14 intendent” means the Superintendent of the District
15 of Columbia public schools.

16 (32) TEACHER.—The term “teacher” means
17 any person employed as a teacher by the Board of
18 Education or by a public charter school.

19 **Subtitle A—District of Columbia** 20 **Reform Plan**

21 **SEC. 2101. LONG-TERM REFORM PLAN.**

22 (a) IN GENERAL.—

23 (1) PLAN.—The Superintendent, with the ap-
24 proval of the Board of Education, shall submit to
25 the appropriate congressional committees, the

1 Mayor, the District of Columbia Council, and the
2 Authority a long-term reform plan, not later than
3 February 1, 1996. The plan shall be consistent with
4 the financial plan and budget for the District of Co-
5 lumbia for fiscal year 1996 required under section
6 201 of the District of Columbia Financial Respon-
7 sibility and Management Assistance Act of 1995
8 (Public Law 104–8).

9 (2) CONSULTATION.—

10 (A) IN GENERAL.—In developing the long-
11 term reform plan, the Superintendent—

12 (i) shall consult with the Board of
13 Education, Mayor, and District of Colum-
14 bia Council, and, in a control period, with
15 the Authority; and

16 (ii) shall afford the public, interested
17 organizations, and groups an opportunity
18 to present their views and make rec-
19 ommendations regarding the long-term re-
20 form plan.

21 (B) SUMMARY OF RECOMMENDATIONS.—

22 The Superintendent shall include in the long-
23 term plan a summary of the recommendations
24 made under subparagraph (A)(ii) and the re-

1 sponse of the Superintendent to these rec-
2 ommendations.

3 (b) CONTENTS.—

4 (1) AREAS TO BE ADDRESSED.—The long-term
5 plan shall describe how the District of Columbia
6 public schools will become a world-class education
7 system which prepares students for life-time learning
8 in the 21st century and which is on a par with the
9 best education systems of other nations. The plan
10 shall include a description of how the District of Co-
11 lumbia public schools will accomplish the following:

12 (A) Achievement at nationally- and inter-
13 nationally-competitive levels by students attend-
14 ing District of Columbia public schools.

15 (B) The creation of a performance-oriented
16 workforce.

17 (C) The construction and repair of District
18 of Columbia public school facilities.

19 (D) Local school governance, decentraliza-
20 tion, autonomy, and parental choice among Dis-
21 trict of Columbia public schools; and

22 (E) The implementation of an efficient and
23 effective adult literacy program.

1 (2) OTHER INFORMATION.—For each of the
2 items in subparagraphs (A) through (G) of para-
3 graph (1), the long-term plan shall include—

4 (A) a statement of measurable, objective
5 performance goals;

6 (B) a description of the measures of per-
7 formance to be used in determining whether the
8 Superintendent and Board of Education have
9 met the goals;

10 (C) dates by which the goals must be met;

11 (D) plans for monitoring and reporting
12 progress to District of Columbia residents, the
13 appropriate congressional committees, the
14 Mayor, the District of Columbia Council, and
15 the Authority; and

16 (E) the title of the management employee
17 of the District of Columbia public schools most
18 directly responsible for the achievement of each
19 goal and, with respect to each such employee,
20 the title of the employee's immediate supervisor
21 or superior.

22 (c) AMENDMENTS.—The Superintendent, with the
23 approval of the Board of Education, shall submit any
24 amendment to the long-term plan to the appropriate con-
25 gressional committees. Any amendment to the long-term

1 plan shall be consistent with the financial plan and budget
2 for fiscal year 1996 for the District of Columbia required
3 under section 201 of the District of Columbia Financial
4 Responsibility and Management Assistance Act of 1995
5 (Public Law 104–8).

6 **Subtitle B—Public Charter Schools**

7 **SEC. 2151. PROCESS FOR FILING CHARTER PETITIONS.**

8 (a) EXISTING PUBLIC SCHOOL.—An eligible appli-
9 cant seeking to convert an existing District of Columbia
10 public school into a public charter school—

11 (1) shall prepare a petition to establish a public
12 charter school that meets the requirements of sec-
13 tion 2152;

14 (2) shall provide a copy of the petition to—

15 (A) the parents of minor students attend-
16 ing the existing school;

17 (B) adult students attending the existing
18 school; and

19 (C) employees of the existing school;

20 (3) shall file the petition with an eligible char-
21 tering authority for approval after the petition—

22 (A) has been signed by a majority of the
23 total number of—

24 (i) parents of minor students attend-
25 ing the school; and

1 (ii) adult students attending the
2 school; and

3 (B) has been endorsed by at least a major-
4 ity of full-time teachers at the school; and

5 (4) shall explain in the petition the relationship
6 that will exist between the public charter school and
7 its employees.

8 (b) INDEPENDENT OR PRIVATE SCHOOL.—An eligi-
9 ble applicant seeking to convert an existing independent
10 or private school in the District of Columbia into a public
11 charter school—

12 (1) shall prepare a petition to establish a public
13 charter school that meets the requirements of sec-
14 tion 2152;

15 (2) shall provide a copy of the petition to—

16 (A) the parents of minor students attend-
17 ing the existing school;

18 (B) adult students attending the existing
19 school; and

20 (C) employees of the existing school;

21 (3) shall file the petition with an eligible char-
22 tering authority for approval after the petition—

23 (A) has been signed by a majority of the
24 total number of—

1 (i) parents of minor students attend-
2 ing the school; and

3 (ii) adult students attending the
4 school; and

5 (B) has been endorsed by at least a major-
6 ity of full-time teachers at the school; and

7 (4) shall explain in the petition the relationship
8 that will exist between the public charter school and
9 its employees.

10 (c) NEW SCHOOL.—An eligible applicant seeking to
11 establish in the District of Columbia a public charter
12 school, but not seeking to convert an existing public, pri-
13 vate, or independent school into a public charter school,
14 shall file with an eligible chartering authority for approval
15 a petition to establish a public charter school that meets
16 the requirements of section 2152.

17 **SEC. 2152. CONTENTS OF PETITION.**

18 A petition to establish a public charter school shall
19 include the following:

20 (1) A statement defining the mission and goals
21 of the proposed school.

22 (2) A statement of the need for the proposed
23 school in the geographic area of the school site.

1 (3) A description of the proposed instructional
2 goals and methods for the school, which includes, at
3 a minimum—

4 (A) the methods that will be used to pro-
5 vide students with the knowledge, proficiency,
6 and skills needed—

7 (i) to become nationally and inter-
8 nationally competitive students and edu-
9 cated individuals in the 21st century; and
10 (ii) to perform competitively on any
11 districtwide assessments; and

12 (B) the methods that will be used to im-
13 prove student self-motivation, classroom in-
14 struction, and learning for all students.

15 (4) A description of the plan for evaluating stu-
16 dent academic achievement of the proposed school
17 and the procedures for remedial action that will be
18 used by the school when the academic achievement
19 of a student falls below the expectations of the
20 school.

21 (5) An operating budget for the first 2 years of
22 the proposed school that is based on anticipated en-
23 rollment and contains—

24 (A) a description of the method for con-
25 ducting annual audits of the financial, adminis-

1 trative, and programmatic operations of the
2 school;

3 (B) either—

4 (i) an identification of the site where
5 the school will be located, including a de-
6 scription of any buildings on the site and
7 any buildings proposed to be constructed
8 on the site; or

9 (ii) a timetable by which a such an
10 identification will be made;

11 (C) a description of any major contracts
12 planned, with a value equal to or exceeding
13 \$10,000, for equipment and services, leases, im-
14 provements, purchases of real property, or in-
15 surance; and

16 (D) a timetable for commencing operations
17 as a public charter school.

18 (6) A description of the proposed rules and poli-
19 cies for governance and operation of the school.

20 (7) Copies of the proposed articles of incorpora-
21 tion and bylaws of the school.

22 (8) The names and addresses of the members
23 of the proposed Board of Trustees.

24 (9) A description of the student enrollment, ad-
25 mission, suspension, and expulsion policies and pro-

1 cedures of the proposed school, and the criteria for
2 making decisions in such areas.

3 (10) A description of the procedures the school
4 plans to follow to ensure the health and safety of
5 students, employees, and guests of the school and to
6 comply with applicable health and safety laws and
7 regulations of the Federal Government and the Dis-
8 trict of Columbia.

9 (11) An explanation of the qualifications that
10 will be required of employees of the proposed school.

11 (12) An identification, and a description, of the
12 individuals and entities submitting the application,
13 including their names and addresses, and the names
14 of the organizations or corporations of which such
15 individuals are directors or officers.

16 **SEC. 2153. PROCESS FOR APPROVING OR DENYING CHAR-**
17 **TER PETITIONS.**

18 (a) SCHEDULE.—An eligible chartering authority
19 may establish a schedule for receiving petitions to estab-
20 lish a public charter school and shall publish any such
21 schedule in the District of Columbia Register. An eligible
22 chartering authority shall make a copy of any such sched-
23 ule available to all interested persons upon request.

24 (b) PUBLIC HEARING.—Not later than 45 days after
25 a petition to establish a public charter school is filed with

1 an eligible chartering authority, the authority shall hold
2 a public hearing on the petition to gather the information
3 that is necessary for the authority to make the decision
4 to approve or deny the petition.

5 (c) NOTICE.—Not later than 10 days prior to the
6 scheduled date of a public hearing on a petition to estab-
7 lish a public charter school, an eligible chartering author-
8 ity—

9 (1) shall publish a notice of the hearing in the
10 District of Columbia Register; and

11 (2) shall send a written notification of the hear-
12 ing date to the eligible applicant who filed the peti-
13 tion.

14 (d) APPROVAL OR DENIAL.—Subject to subsection
15 (i), an eligible chartering authority shall approve a petition
16 to establish a public charter school, if—

17 (1) the authority determines that the petition
18 satisfies the requirements of this subtitle; and

19 (2) the eligible applicant who filed the petition
20 agrees to satisfy any condition or requirement, con-
21 sistent with this title and other applicable law, that
22 is set forth in writing by the eligible chartering au-
23 thority as an amendment to the petition.

24 (e) TIMETABLE.—An eligible chartering authority
25 shall approve or deny a petition to establish a public char-

1 ter school not later than 45 days after the conclusion of
2 the public hearing on the petition.

3 (f) EXTENSION.—An eligible chartering authority
4 and an eligible applicant may agree to extend the 45-day
5 time period referred to in subsection (e) by a period that
6 does not exceed 30 days.

7 (g) EXPLANATION.—If an eligible chartering author-
8 ity denies a petition or finds it to be incomplete, the au-
9 thority shall specify in writing the reasons for its decision
10 and indicate, when appropriate, how the eligible applicant
11 who filed the petition may revise the petition to satisfy
12 the requirements for approval.

13 (h) APPROVED PETITION.—

14 (1) NOTICE.—Not later than 10 days after an
15 eligible chartering authority approves a petition to
16 establish a public charter school, the authority shall
17 provide a written notice of the approval, including a
18 copy of the approved petition and any conditions or
19 requirements agreed to under subsection (d)(2), to
20 the eligible applicant and to the Chief Financial Of-
21 ficer of the District of Columbia. The eligible char-
22 tering authority shall publish a notice of the ap-
23 proval of the petition in the District of Columbia
24 Register.

1 (2) CHARTER.—The provisions of a petition to
2 establish a public charter school that has been ap-
3 proved by an eligible chartering authority, together
4 with any amendments to the petition containing con-
5 ditions or requirements agreed to by the eligible ap-
6 plicant under subsection (d)(2), shall be considered
7 a charter granted to the school by the authority.

8 (i) SPECIAL RULES FOR FIRST YEAR.—During the
9 one-year period beginning on the date of the enactment
10 of this Act, each eligible chartering authority—

11 (1) may approve not more than one petition
12 filed by an eligible applicant seeking to convert an
13 existing independent or private school into a public
14 charter school; and

15 (2) in considering a petition to establish a pub-
16 lic charter school filed by any eligible applicant, shall
17 consider whether the school will focus on students
18 with special needs.

19 (j) EXCLUSIVE AUTHORITY OF CHARTERING AU-
20 THORITY.—Notwithstanding any other Federal law or law
21 of the District of Columbia, no governmental entity, elect-
22 ed official, or employee of the District of Columbia may
23 make, participate in making, or intervene in the making
24 of, the decision to approve or deny a petition to establish

1 a public charter school, except the eligible chartering au-
2 thority with which the petition was filed.

3 **SEC. 2154. DUTIES AND POWERS OF, AND OTHER REQUIRE-**
4 **MENTS ON, PUBLIC CHARTER SCHOOLS.**

5 (a) DUTIES.—A public charter school shall comply
6 with—

7 (1) this subtitle;

8 (2) any other provision of law applicable to the
9 school; and

10 (3) all of the terms and provisions of its char-
11 ter.

12 (b) POWERS.—A public charter school shall have all
13 of the powers necessary for carrying out its charter, in-
14 cluding the following powers:

15 (1) To adopt a name and corporate seal, but
16 only if the name selected includes the words “public
17 charter school”.

18 (2) To acquire real property for use as its
19 school facilities, from public or private sources.

20 (3) To receive and disburse funds for school
21 purposes.

22 (4) Subject to subsection (c)(1), to secure ap-
23 propriate insurance and to make contracts and
24 leases, including agreements to procure or purchase
25 services, equipment, and supplies.

1 (5) To incur debt in reasonable anticipation of
2 the receipt of funds from the general fund of the
3 District of Columbia or the receipt of other Federal
4 or private funds.

5 (6) To solicit and accept any grants or gifts for
6 school purposes, if the school—

7 (A) does not accept any grants or gifts
8 subject to any condition contrary to law or con-
9 trary to the terms of the petition to establish
10 the school as a public charter school; and

11 (B) maintains separate accounts for grants
12 or gifts for financial reporting purposes.

13 (7) To be responsible for its own operation, in-
14 cluding preparation of a budget and personnel mat-
15 ters.

16 (8) To sue and be sued in its own name.

17 (c) PROHIBITIONS AND OTHER REQUIREMENTS.—

18 (1) CONTRACTING AUTHORITY.—

19 (A) NOTICE REQUIREMENT.—Except in
20 the case of an emergency, with respect to any
21 contract proposed to be awarded by a public
22 charter school and having a value equal to or
23 exceeding \$10,000, the school shall publish a
24 notice of a request for proposals in the District

1 of Columbia Register not less than 30 days
2 prior to the award of the contract.

3 (B) SUBMISSION TO AUTHORITY.—

4 (i) DEADLINE FOR SUBMISSION.—

5 With respect to any contract described in
6 subparagraph (A) that is awarded by a
7 public charter school, the school shall sub-
8 mit to the Authority, not later than 3 days
9 after the date on which the award is made,
10 all bids for the contract received by the
11 school, the name of the contractor who is
12 awarded the contract, and the rationale for
13 the award of the contract.

14 (ii) EFFECTIVE DATE OF CON-
15 TRACT.—

16 (I) IN GENERAL.—Subject to
17 subclause (II), a contract described in
18 subparagraph (A) shall become effec-
19 tive on the date that is 15 days after
20 the date the school makes the submis-
21 sion under clause (i) with respect to
22 the contract, or the effective date
23 specified in the contract, whichever is
24 later.

1 (II) EXCEPTION.—A contract de-
2 scribed in subparagraph (A) shall be
3 considered null and void if the Au-
4 thority determines, within 12 days of
5 the date the school makes the submis-
6 sion under clause (i) with respect to
7 the contract, that the contract endan-
8 gers the economic viability of the pub-
9 lic charter school.

10 (2) TUITION.—A public charter school may not
11 charge tuition, fees, or other mandatory payments,
12 except to nonresident students.

13 (3) CONTROL.—A public charter school—

14 (A) shall exercise exclusive control over its
15 expenditures, administration, personnel, and in-
16 structional methods, within the limitations im-
17 posed in this title; and

18 (B) shall be exempt from statutes, policies,
19 rules, and regulations governing District of Co-
20 lumbia public schools established by the Super-
21 intendent, Board of Education, Mayor, District
22 of Columbia Council, or Authority, except as
23 otherwise provided in this title or in the charter
24 granted to the school.

1 (4) AUDITS.—A public charter school shall be
2 subject to the same financial audits, audit proce-
3 dures, and fiduciary requirements as a District of
4 Columbia public school.

5 (5) GOVERNANCE.—A public charter school
6 shall be governed by a Board of Trustees in a man-
7 ner consistent with the charter granted to the
8 school, the provisions of this title, and any other law
9 applicable to the school.

10 (6) OTHER STAFF.—No employee of the Dis-
11 trict of Columbia public schools may be required to
12 accept employment with, or be assigned to, a public
13 charter school.

14 (7) OTHER STUDENTS.—No student enrolled in
15 a District of Columbia public school may be required
16 to attend a public charter school.

17 (8) TAXES OR BONDS.—A public charter school
18 shall not levy taxes or issue bonds.

19 (9) CHARTER REVISION.—A public charter
20 school seeking to revise its charter shall prepare a
21 petition for approval of the revision and file it with
22 the eligible chartering authority that granted the
23 charter. The provisions of section 2153 shall apply
24 to such a petition in the same manner as such provi-

1 sions apply to a petition to establish a public charter
2 school.

3 (10) ANNUAL REPORT.—

4 (A) IN GENERAL.—A public charter school
5 shall submit an annual report to the eligible
6 chartering authority that approved its charter
7 and to the Authority. The school shall permit a
8 member of the public to review any such report
9 upon request.

10 (B) CONTENTS.—A report submitted
11 under subparagraph (A) shall include the fol-
12 lowing data:

13 (i) Student performance on any dis-
14 trict-wide assessments.

15 (ii) Grade advancement for students
16 enrolled in the public charter school.

17 (iii) Graduation rates, college admis-
18 sion test scores, and college admission
19 rates, if applicable.

20 (iv) Types and amounts of parental
21 involvement.

22 (v) Official student enrollment.

23 (vi) Average daily attendance.

24 (vii) Average daily membership.

1 (viii) A financial statement audited by
2 an independent certified public accountant.

3 (ix) A list of all donors and grantors
4 that have contributed monetary or in-kind
5 donations having a value equal or exceed-
6 ing \$500 during the year that is the sub-
7 ject of the report.

8 (C) NONIDENTIFYING DATA.—Data de-
9 scribed in subparagraph (B) that are included
10 in an annual report may not identify the indi-
11 viduals to whom the data pertain.

12 (11) STUDENT ENROLLMENT REPORT.—A pub-
13 lic charter school shall report to the Mayor and the
14 District of Columbia Council annual student enroll-
15 ment on a grade-by-grade basis, including students
16 with special needs, in a manner and form that per-
17 mits the Mayor and the District of Columbia Council
18 to comply with subtitle E.

19 (12) CENSUS.—A public charter school shall
20 provide to the Board of Education student enroll-
21 ment data necessary for the Board to comply with
22 section 3 of article II of the Act of February 4,
23 1925 (D.C. Code, sec. 31–404) (relating to census
24 of minors).

1 (13) COMPLAINT RESOLUTION PROCESS.—A
2 public charter school shall establish an informal
3 complaint resolution process.

4 (14) PROGRAM OF EDUCATION.—A public char-
5 ter school shall provide a program of education
6 which shall include one or more of the following:

7 (A) Pre-school.

8 (B) Pre-kindergarten.

9 (C) Any grade or grades from kindergarten
10 through 12th grade.

11 (D) Adult community, continuing, and vo-
12 cational education programs.

13 (15) NONSECTARIAN NATURE OF SCHOOLS.—A
14 public charter school shall be nonsectarian.

15 (16) NONPROFIT STATUS OF SCHOOL.—A pub-
16 lic charter school shall be organized under the Dis-
17 trict of Columbia Nonprofit Corporation Act (D.C.
18 Code, sec. 29–501 et seq.).

19 (17) IMMUNITY FROM CIVIL LIABILITY.—

20 (A) IN GENERAL.—A public charter school,
21 and its incorporators, Board of Trustees, offi-
22 cers, employees, and volunteers, shall be im-
23 mune from civil liability, both personally and
24 professionally, for any act or omission within

1 the scope of their official duties unless the act
2 or omission—

- 3 (i) constitutes gross negligence;
4 (ii) constitutes an intentional tort; or
5 (iii) is criminal in nature.

6 (B) COMMON LAW IMMUNITY PRE-
7 SERVED.—Subparagraph (A) shall not be con-
8 strued to abrogate any immunity under com-
9 mon law of a person described in such subpara-
10 graph.

11 **SEC. 2155. BOARD OF TRUSTEES OF A PUBLIC CHARTER**
12 **SCHOOL.**

13 (a) BOARD OF TRUSTEES.—The members of a Board
14 of Trustees of a public charter school shall be elected or
15 selected pursuant to the charter granted to the school.
16 Such a board shall have an odd number of members that
17 does not exceed 7, of which—

18 (1) a majority shall be residents of the District
19 of Columbia; and

20 (2) at least 2 shall be a parent of a student at-
21 tending the school.

22 (b) ELIGIBILITY.—An individual is eligible for elec-
23 tion or selection to the Board of Trustees of a public char-
24 ter school if the person—

1 (1) is a teacher or staff member who is em-
2 ployed at the school;

3 (2) is a parent of a student attending the
4 school; or

5 (3) meets the selection or election criteria set
6 forth in the charter granted to the school.

7 (c) ELECTION OR SELECTION OF PARENTS.—In the
8 case of the first Board of Trustees of a public charter
9 school to be elected or selected after the date on which
10 the school is granted a charter, the election or selection
11 of the members under subsection (a)(2) shall occur on the
12 earliest practicable date after classes at the school have
13 commenced. Until such date, any other members who have
14 been elected or selected shall serve as an interim Board
15 of Trustees. Such an interim board may exercise all of
16 the powers, and shall be subject to all of the duties, of
17 a Board of Trustees.

18 (d) FIDUCIARIES.—The Board of Trustees of a public
19 charter school shall be fiduciaries of the school and shall
20 set overall policy for the school. The Board of Trustees
21 may make final decisions on matters related to the oper-
22 ation of the school, consistent with the charter granted
23 to the school, this title, and other applicable law.

1 **SEC. 2156. STUDENT ADMISSION, ENROLLMENT, AND WITH-**
2 **DRAWAL.**

3 (a) OPEN ENROLLMENT.—Enrollment in a public
4 charter school shall be open to all students who are resi-
5 dents of the District of Columbia and, if space is available,
6 to nonresident students who meet the tuition requirement
7 in subsection (e).

8 (b) CRITERIA FOR ADMISSION.—A public charter
9 school may not limit enrollment on the basis of a student’s
10 intellectual or athletic ability, measures of achievement or
11 aptitude, or a student’s disability. A public charter school
12 may limit enrollment to specific grade levels or areas of
13 focus of the school, such as mathematics, science, or the
14 arts, where such a limitation is consistent with the charter
15 granted to the school.

16 (c) RANDOM SELECTION.—If there are more applica-
17 tions to enroll in a public charter school from students
18 who are residents of the District of Columbia than there
19 are spaces available, students shall be admitted using a
20 random selection process.

21 (d) ADMISSION TO AN EXISTING SCHOOL.—During
22 the 5-year period beginning on the date that a petition,
23 filed by an eligible applicant seeking to convert an existing
24 public, private, or independent school into a public charter
25 school, is approved, the school shall give priority in enroll-
26 ment to—

1 (1) students enrolled in the school at the time
2 that the petition is granted;

3 (2) the siblings of students described in para-
4 graph (1); and

5 (3) in the case of the conversion of an existing
6 public school, students who reside within the attend-
7 ance boundaries, if any, in which the school is lo-
8 cated.

9 (e) **NONRESIDENT STUDENTS.**—Nonresident stu-
10 dents shall pay tuition to a public charter school at the
11 current rate established for District of Columbia public
12 schools administered by the Board of Education for the
13 type of program in which the student has enrolled.

14 (f) **STUDENT WITHDRAWAL.**—A student may with-
15 draw from a public charter school at any time and, if oth-
16 erwise eligible, enroll in a District of Columbia public
17 school administered by the Board of Education.

18 (g) **EXPULSION AND SUSPENSION.**—The principal of
19 a public charter school may expel or suspend a student
20 from the school based on criteria set forth in the charter
21 granted to the school.

22 **SEC. 2157. EMPLOYEES.**

23 (a) **EXTENDED LEAVE OF ABSENCE WITHOUT**
24 **PAY.**—

1 (1) LEAVE OF ABSENCE FROM DISTRICT OF CO-
2 LUMBIA PUBLIC SCHOOLS.—The Superintendent
3 shall grant, upon request, an extended leave of ab-
4 sence, without pay, to an employee of the District of
5 Columbia public schools for the purpose of permit-
6 ting the employee to accept a position at a public
7 charter school for a 2-year term.

8 (2) REQUEST FOR EXTENSION.—At the end of
9 a 2-year term referred to in paragraph (1), an em-
10 ployee granted an extended leave of absence without
11 pay under the paragraph may submit a request to
12 the Superintendent for an extension of the leave of
13 absence for an additional 2-year term. The Super-
14 intendent may not unreasonably withhold approval
15 of the request.

16 (3) RIGHTS UPON TERMINATION OF LEAVE.—
17 An employee granted an extended leave of absence
18 without pay for the purpose described in paragraph
19 (1) shall have the same rights and benefits under
20 law upon termination of such leave of absence as an
21 employee of the District of Columbia public schools
22 who is granted an extended leave of absence without
23 pay for any other purpose.

24 (b) RETIREMENT SYSTEM.—

1 (1) CREDITABLE SERVICE.—An employee of a
2 public charter school who has received a leave of ab-
3 sence under subsection (a) shall receive creditable
4 service, as defined in section 2604 of D.C. Law 2–
5 139, effective March 3, 1979, (D.C. Code, sec. 1–
6 627.4) and the rules established under such section,
7 for the period of the employee’s employment at the
8 public charter school.

9 (2) AUTHORITY TO ESTABLISH SEPARATE SYS-
10 TEM.—A public charter school may establish a re-
11 tirement system for employees under its authority.

12 (3) ELECTION OF RETIREMENT SYSTEM.—A
13 former employee of the District of Columbia public
14 schools who become an employee of a public charter
15 school within 60 after the date the employee’s em-
16 ployment with the District of Columbia public
17 schools is terminated may, at the time the employee
18 commences employment with the public charter
19 school, elect—

20 (A) to remain in a District of Columbia
21 government retirement system and continue to
22 receive creditable service for the period of their
23 employment at a public charter school; or

1 (B) to transfer into a retirement system
2 established by the public charter school pursu-
3 ant to paragraph (2) .

4 (4) PROHIBITED EMPLOYMENT CONDITIONS.—
5 No public charter school may require a former em-
6 ployee of the District of Columbia public schools to
7 transfer to the public charter school’s retirement
8 system as a condition of employment.

9 (5) CONTRIBUTIONS.—

10 (A) EMPLOYEES ELECTING NOT TO TRANS-
11 FER.—In the case of a former employee of the
12 District of Columbia public schools who elects
13 to remain in a District of Columbia government
14 retirement system pursuant to paragraph
15 (3)(A), the public charter school that employs
16 the person shall make the same contribution to
17 such system on behalf of the person as the Dis-
18 trict of Columbia would have been required to
19 make if the person had continued to be an em-
20 ployee of the District of Columbia public
21 schools.

22 (B) EMPLOYEES ELECTING TO TRANS-
23 FER.—In the case of a former employee of the
24 District of Columbia public schools who elects
25 to transfer into a retirement system of a public

1 charter school pursuant to paragraph (3)(B),
2 the applicable District of Columbia government
3 retirement system from which the former em-
4 ployee is transferring shall compute the employ-
5 ee's contribution to that system and transfer
6 this amount, to the retirement system by the
7 public charter school.

8 (c) EMPLOYMENT STATUS.—Notwithstanding any
9 other provision of law, an employee of a public charter
10 school shall not be considered to be an employee of the
11 District of Columbia government for any purpose.

12 **SEC. 2158. REDUCED FARES FOR PUBLIC TRANSPOR-**
13 **TATION.**

14 A student attending a public charter school shall be
15 eligible for reduced fares on the Metrobus and Metrorail
16 Transit System on the same terms and conditions as are
17 applicable under section 2 of D.C. Law 2-152, effective
18 March 9, 1979, (D.C. Code, sec. 44-216 et seq.) to a stu-
19 dent attending a District of Columbia public school.

20 **SEC. 2159. DISTRICT OF COLUMBIA PUBLIC SCHOOL SERV-**
21 **ICES TO PUBLIC CHARTER SCHOOLS.**

22 The Superintendent may provide services such as fa-
23 cilities maintenance to public charter schools. All com-
24 pensation for costs of such services shall be subject to ne-

1 gotiation and mutual agreement between a public charter
2 school and the Superintendent.

3 **SEC. 2160. APPLICATION OF LAW.**

4 (a) ELEMENTARY AND SECONDARY EDUCATION
5 ACT.—

6 (1) TREATMENT AS LOCAL EDUCATIONAL
7 AGENCY.—For any fiscal year, a public charter
8 school shall be considered to be a local educational
9 agency for purposes of part A of title I of the Ele-
10 mentary and Secondary Education Act of 1965, and
11 shall be eligible for assistance under such part, if the
12 percentage of pupils enrolled in the public charter
13 school during the preceding fiscal year who were eli-
14 gible for, and received, free or reduced price school
15 lunches under the National School Lunch Act is
16 equal to or greater than the lowest such percentage
17 for any District of Columbia public school that was
18 selected to provide services under section 1113 of
19 such Act for such preceding year.

20 (2) ALLOCATION FOR FISCAL YEARS 1996
21 THROUGH 1998.—

22 (A) PUBLIC CHARTER SCHOOLS.—For fis-
23 cal years 1996 through 1998, each public char-
24 ter school that is eligible to receive assistance
25 under part A of title I of the Elementary and

1 Secondary Education Act of 1965 shall receive
2 a portion of the District of Columbia's total al-
3 location under such part which bears the same
4 ratio to such total allocation as the number de-
5 scribed in subparagraph (C) bears to the num-
6 ber described in subparagraph (D).

7 (B) DISTRICT OF COLUMBIA PUBLIC
8 SCHOOLS.—For fiscal years 1996 through
9 1998, the District of Columbia public schools
10 shall receive a portion of the District of Colum-
11 bia's total allocation under part A of title I of
12 the Elementary and Secondary Education Act
13 of 1965 which bears the same ratio to such
14 total allocation as the total of the numbers de-
15 scribed in clauses (ii) and (iii) of paragraph
16 (2)(D) bears to the aggregate total described in
17 paragraph (2)(D).

18 (C) NUMBER OF ELIGIBLE PUPILS EN-
19 ROLLED IN THE PUBLIC CHARTER SCHOOL.—
20 The number described in this subparagraph is
21 the number of pupils enrolled in the public
22 charter school during the preceding fiscal year
23 who were eligible for, and received, free or re-
24 duced price school lunches under the National
25 School Lunch Act.

1 (D) AGGREGATE NUMBER OF ELIGIBLE
2 PUPILS.—The number described in this sub-
3 paragraph is the aggregate total of the follow-
4 ing numbers:

5 (i) The number of pupils enrolled dur-
6 ing the preceding fiscal year in all eligible
7 public charter schools who were eligible
8 for, and received, free or reduced price
9 school lunches under the National School
10 Lunch Act.

11 (ii) The number of pupils who, during
12 the preceding fiscal year—

13 (I) were enrolled in a District of
14 Columbia public school selected to
15 provide services under section 1113 of
16 the Elementary and Secondary Edu-
17 cation Act of 1965; and

18 (II) were eligible for, and re-
19 ceived, free or reduced price school
20 lunches under the National School
21 Lunch Act.

22 (iii) The number of pupils who, during
23 the preceding fiscal year—

24 (I) were enrolled in a private or
25 independent school;

1 (II) were eligible for, and re-
2 ceived, free or reduced price school
3 lunches under the National School
4 Lunch Act; and

5 (III) resided in an attendance
6 area of a District of Columbia public
7 school selected to provide services
8 under section 1113 of the Elementary
9 and Secondary Education Act of
10 1965.

11 (3) ALLOCATION FOR FISCAL YEAR 1999 AND
12 THEREAFTER.—

13 (A) CALCULATION BY SECRETARY.—Not-
14 withstanding sections 1124(a)(2), 1124(c)(2),
15 1124A(a)(4), 1125(c)(2), and 1125(d) of the
16 Elementary and Secondary Education Act of
17 1965, for fiscal year 1999 and fiscal years
18 thereafter, the total allocation under part A of
19 title I of such Act for all local educational agen-
20 cies in the District of Columbia, including pub-
21 lic charter schools that are eligible to receive as-
22 sistance under such part, shall be calculated by
23 the Secretary of Education. In making such cal-
24 culation, such Secretary shall treat all such
25 local educational agencies as if they were a sin-

1 gle local educational agency for the District of
2 Columbia.

3 (B) ALLOCATION.—

4 (i) PUBLIC CHARTER SCHOOLS.—For
5 fiscal year 1999 and fiscal years there-
6 after, each public charter school that is eli-
7 gible to receive assistance under part A of
8 title I of the Elementary and Secondary
9 Education Act of 1965 shall receive a por-
10 tion of the total allocation calculated under
11 subparagraph (A) which bears the same
12 ratio to such total allocation as the number
13 described in paragraph (2)(C) bears to the
14 number described in paragraph (2)(D).

15 (ii) DISTRICT OF COLUMBIA PUBLIC
16 SCHOOLS.—For fiscal year 1999 and fiscal
17 years thereafter, the District of Columbia
18 public schools shall receive a portion of the
19 total allocation calculated under subpara-
20 graph (A) which bears the same ratio to
21 such total allocation as the total of the
22 numbers described in clauses (ii) and (iii)
23 of paragraph (2)(D) bears to the aggregate
24 total described in paragraph (2)(D).

1 (4) USE OF ESEA FUNDS.—The Board of Edu-
2 cation may not direct a public charter school in the
3 charter school’s use of funds under part A of title
4 I of the Elementary and Secondary Education Act
5 of 1965.

6 (5) INAPPLICABILITY OF CERTAIN ESEA PROVI-
7 SIONS.—The following provisions of the Elementary
8 and Secondary Education Act of 1965 shall not
9 apply to a public charter school:

10 (A) Paragraphs (5), (8), and (9) of section
11 1112(b).

12 (B) Subsection 1112(c).

13 (C) Section 1113.

14 (D) Section 1115A.

15 (E) Subsections (a), (b), and (c) of section
16 1116.

17 (F) Subsections (a), (c), (d), (e), (f), and
18 (g) of section 1118.

19 (G) Section 1120.

20 (H) Subsections (a) and (c) of section
21 1120A.

22 (I) Section 1120B.

23 (J) Section 1126.

1 (b) PROPERTY AND SALES TAXES.—A public charter
2 school shall be exempt from District of Columbia property
3 and sales taxes.

4 **SEC. 2161. POWERS AND DUTIES OF ELIGIBLE CHARTERING**
5 **AUTHORITIES.**

6 (a) OVERSIGHT.—

7 (1) IN GENERAL.—An eligible chartering au-
8 thority—

9 (A) shall monitor the operations of each
10 public charter school to which the authority has
11 granted a charter;

12 (B) shall ensure that each such school
13 complies with applicable laws and the provisions
14 of the charter granted to the school; and

15 (C) shall monitor the progress of each such
16 school in meeting student academic achievement
17 expectations specified in the charter granted to
18 the school.

19 (2) PRODUCTION OF BOOKS AND RECORDS.—
20 An eligible chartering authority may require a public
21 charter school to which the authority has granted a
22 charter to produce any book, record, paper, or docu-
23 ment, if the authority determines that such produc-
24 tion is necessary for the authority to carry out its
25 functions under this title.

1 (b) FEES.—

2 (1) APPLICATION FEE.—An eligible chartering
3 authority may charge an eligible applicant a fee, not
4 to exceed \$150, for processing a petition to establish
5 a public charter school.

6 (2) ADMINISTRATION FEE.—In the case of an
7 eligible chartering authority that has granted a char-
8 ter to an public charter school, the authority may
9 charge the school a fee, not to exceed one-half of one
10 percent of the annual budget of the school, to cover
11 the cost of undertaking the ongoing administrative
12 responsibilities of the authority with respect to the
13 school that are described in this subtitle. The school
14 shall pay the fee to the eligible chartering authority
15 not later than November 15 of each year.

16 (c) IMMUNITY FROM CIVIL LIABILITY.—

17 (1) IN GENERAL.—An eligible chartering au-
18 thority, a governing board of such an authority, and
19 the directors, officers, employees, and volunteers of
20 such an authority, shall be immune from civil liabil-
21 ity, both personally and professionally, for any act or
22 omission within the scope of their official duties un-
23 less the act or omission—

24 (A) constitutes gross negligence;

25 (B) constitutes an intentional tort; or

1 (C) is criminal in nature.

2 (2) COMMON LAW IMMUNITY PRESERVED.—

3 Paragraph (1) shall not be construed to abrogate
4 any immunity under common law of a person de-
5 scribed in such paragraph.

6 **SEC. 2162. CHARTER RENEWAL.**

7 (a) TERM.—A charter granted to a public charter
8 school shall remain in force for a 5-year period, but may
9 be renewed for an unlimited number of 5-year periods.

10 (b) APPLICATION FOR CHARTER RENEWAL.—In the
11 case of a public charter school that desires to renew its
12 charter, the Board of Trustees of the school shall file an
13 application to renew the charter with the eligible charter-
14 ing authority that granted the charter not later than 120
15 days before the expiration of the charter. The application
16 shall contain the following:

17 (1) A report on the progress of the public char-
18 ter school in achieving the goals, student academic
19 achievement expectations, and other terms of the ap-
20 proved charter.

21 (2) All audited financial statements for the pub-
22 lic charter school for the preceding 4 years.

23 (c) APPROVAL OF CHARTER RENEWAL APPLICA-
24 TION.—The eligible chartering authority that granted a
25 charter shall approve an application to renew the charter

1 that is filed in accordance with subsection (b) unless the
2 authority determines that—

3 (1) the school committed a material violation of
4 the conditions, terms, standards, or procedures set
5 forth in the charter; or

6 (2) the school failed to meet the goals and stu-
7 dent academic achievement expectations set forth in
8 the charter.

9 (d) PROCEDURES FOR CONSIDERATION OF CHARTER
10 RENEWAL.—

11 (1) NOTICE OF RIGHT TO HEARING.—An eligi-
12 ble chartering authority that has received an appli-
13 cation to renew a charter that is filed by a Board
14 of Trustees in accordance with subsection (b) shall
15 provide to the Board written notice of the right to
16 an informal hearing on the application. The eligible
17 chartering authority shall provide the notice not
18 later than 15 days after the date on which the au-
19 thority received the application.

20 (2) REQUEST FOR HEARING.—Not later than
21 15 days after the date on which a Board of Trustees
22 receives a notice under paragraph (1), the Board
23 may request, in writing, an informal hearing on the
24 application before the eligible chartering authority.

25 (3) DATE AND TIME OF HEARING.—

1 (A) NOTICE.—Upon receiving a timely
2 written request for a hearing under paragraph
3 (2), an eligible chartering authority shall set a
4 date and time for the hearing and shall provide
5 reasonable notice of the date and time, as well
6 as the procedures to be followed at the hearing,
7 to the Board.

8 (B) DEADLINE.—An informal hearing
9 under this subsection shall take place not later
10 than 30 days after an eligible chartering au-
11 thority receives a timely written request for the
12 hearing under paragraph (2).

13 (4) FINAL DECISION.—

14 (A) DEADLINE.—An eligible chartering au-
15 thority shall render a final decision, in writing,
16 on an application to renew a charter—

17 (i) not later than 30 days after the
18 date on which the authority provided the
19 written notice of the right to a hearing, in
20 the case of an application with respect to
21 which such a hearing is not held; and

22 (ii) not later than 30 days after the
23 date on which the hearing is concluded, in
24 the case of an application with respect to
25 which a hearing is held.

1 (B) REASONS FOR NONRENEWAL.—An eli-
2 gible chartering authority that denies an appli-
3 cation to renew a charter shall state in its deci-
4 sion, in reasonable detail, the grounds for the
5 denial.

6 (5) ALTERNATIVES UPON NONRENEWAL.—An
7 eligible chartering authority that denies an applica-
8 tion to renew a charter granted to a public charter
9 school, or whose decision approving such an applica-
10 tion is reversed under section 2162(e), may—

11 (A) manage the school directly until alter-
12 native arrangements can be made for students
13 at the school; or

14 (B) place the school in a probationary sta-
15 tus that requires the school to take remedial ac-
16 tions, to be determined by the authority, that
17 directly relate to the grounds for the denial.

18 (6) JUDICIAL REVIEW.—

19 (A) AVAILABILITY OF REVIEW.—A decision
20 by an eligible chartering authority to deny an
21 application to renew a charter shall be subject
22 to judicial review.

23 (B) STANDARD OF REVIEW.—A decision by
24 an eligible chartering authority to deny an ap-
25 plication to renew a charter shall be upheld un-

1 less the decision is arbitrary and capricious or
2 clearly erroneous.

3 (e) BOARD OF EDUCATION RENEWAL REVIEW.—

4 (1) NOTICE OF DECISION TO RENEW.—An eligi-
5 ble chartering authority, other than the Board of
6 Education, that renders a decision to approve an ap-
7 plication to renew a charter granted to a public
8 charter school—

9 (A) shall provide a copy of the decision to
10 the Superintendent, the Board of Education,
11 and the school not later than 3 days after the
12 decision is rendered; and

13 (B) shall publish the decision in the Dis-
14 trict of Columbia Register not later than 5 days
15 after the decision is rendered.

16 (2) RECOMMENDATION OF SUPERINTEND-
17 ENT.—Not later than 30 days after an eligible char-
18 tering authority provides a copy of a decision ap-
19 proving an application to renew a charter to the Su-
20 perintendent under paragraph (1), the Superintend-
21 ent may recommend to the Board of Education, in
22 writing, that the decision be reversed.

23 (3) STANDARD OF REVIEW BY BOARD OF EDU-
24 CATION.—The Board of Education may concur in a
25 recommendation of the Superintendent under para-

1 graph (2), and reverse a decision approving an appli-
2 cation to renew a charter granted to a public charter
3 school, if the Board of Education determines that—

4 (A) the school failed to meet the goals and
5 student academic achievement expectations set
6 forth in the charter, in the case of a school that
7 has a student body the majority of which com-
8 prises students with special needs; or

9 (B) the average test score for all students
10 enrolled in the school was less than the average
11 test score for all students enrolled in the Dis-
12 trict of Columbia public schools on the most re-
13 cently administered the district-wide assess-
14 ments, in the case of a school that has a stu-
15 dent body the majority of which does not com-
16 prise students with special needs.

17 (4) PROCEDURES FOR REVERSING DECISION.—

18 (A) NOTICE OF RIGHT TO HEARING.—In
19 any case in which the Board of Education is
20 considering reversing a decision approving an
21 application to renew a charter granted to a
22 public charter school, the Board of Education
23 shall provide to the Board of Trustees of the
24 school a written notice stating in reasonable de-
25 tail the grounds for the proposed reversal. The

1 notice shall inform the Board of Trustees of the
2 right to an informal hearing on the proposed
3 reversal.

4 (B) REQUEST FOR HEARING.—Not later
5 than 15 days after the date on which a Board
6 of Trustees receives a notice under subpara-
7 graph (A), the Board may request, in writing,
8 an informal hearing on the proposed reversal
9 before the Board of Education.

10 (C) DATE AND TIME OF HEARING.—

11 (i) NOTICE.—Upon receiving a timely
12 written request for a hearing under sub-
13 paragraph (B), the Board of Education
14 shall set a date and time for the hearing
15 and shall provide reasonable notice of the
16 date and time, as well as the procedures to
17 be followed at the hearing, to the Board of
18 Trustees.

19 (ii) DEADLINE.—An informal hearing
20 under this paragraph shall take place not
21 later than 30 days after the Board of Edu-
22 cation receives a timely written request for
23 the hearing under subparagraph (B).

24 (D) FINAL DECISION.—

1 (i) DEADLINE.—The Board of Edu-
2 cation shall render a final decision, in writ-
3 ing, on the proposed reversal—

4 (I) not later than 30 days after
5 the date on which the Board of Edu-
6 cation provided the written notice of
7 the right to a hearing, in the case of
8 a proposed reversal with respect to
9 which such a hearing is not held; and

10 (II) not later than 30 days after
11 the date on which the hearing is con-
12 cluded, in the case of a proposed re-
13 versal with respect to which a hearing
14 is held.

15 (ii) REASONS FOR REVERSAL.—If the
16 Board of Education reverses a decision ap-
17 proving an application to renew a charter,
18 the Board of Education shall state in its
19 decision, in reasonable detail, the grounds
20 for the reversal.

21 (E) JUDICIAL REVIEW.—

22 (i) AVAILABILITY OF REVIEW.—A de-
23 cision by the Board of Education to re-
24 verse a decision approving an application

1 to renew a charter shall be subject to judi-
2 cial review.

3 (ii) STANDARD OF REVIEW.—A deci-
4 sion by the Board of Education to reverse
5 a decision approving an application to
6 renew a charter shall be upheld unless the
7 decision is arbitrary and capricious or
8 clearly erroneous.

9 **SEC. 2163. CHARTER REVOCATION.**

10 (a) CHARTER OR LAW VIOLATIONS.—An eligible
11 chartering authority that has granted a charter to a public
12 charter school may revoke the charter if the authority de-
13 termines that the school has committed a violation of ap-
14 plicable laws or a material violation of the conditions,
15 terms, standards, or procedures set forth in the charter.

16 (b) FISCAL MISMANAGEMENT.—An eligible charter-
17 ing authority that has granted a charter to a public char-
18 ter school shall revoke the charter if the authority deter-
19 mines that the school—

20 (1) has engaged in a pattern of nonadherence
21 to generally accepted accounting principles;

22 (2) has engaged in a pattern of fiscal mis-
23 management; or

24 (3) is no longer economically viable.

1 (c) PROCEDURES FOR CONSIDERATION OF REVOCA-
2 TION.—

3 (1) NOTICE OF RIGHT TO HEARING.—An eligi-
4 ble chartering authority that is proposing to revoke
5 a charter granted to a public charter school shall
6 provide to the Board of Trustees of the school a
7 written notice stating in reasonable detail the
8 grounds for the proposed revocation. The notice
9 shall inform the Board of the right of the Board to
10 an informal hearing on the proposed revocation.

11 (2) REQUEST FOR HEARING.—Not later than
12 15 days after the date on which a Board of Trustees
13 receives a notice under paragraph (1), the Board
14 may request, in writing, an informal hearing on the
15 proposed revocation before the eligible chartering au-
16 thority.

17 (3) DATE AND TIME OF HEARING.—

18 (A) NOTICE.—Upon receiving a timely
19 written request for a hearing under paragraph
20 (2), an eligible chartering authority shall set a
21 date and time for the hearing and shall provide
22 reasonable notice of the date and time, as well
23 as the procedures to be followed at the hearing,
24 to the Board.

1 (B) DEADLINE.—An informal hearing
2 under this subsection shall take place not later
3 than 30 days after an eligible chartering au-
4 thority receives a timely written request for the
5 hearing under paragraph (2).

6 (4) FINAL DECISION.—

7 (A) DEADLINE.—An eligible chartering au-
8 thority shall render a final decision, in writing,
9 on the revocation of a charter—

10 (i) not later than 30 days after the
11 date on which the authority provided the
12 written notice of the right to a hearing, in
13 the case of a proposed revocation with re-
14 spect to which such a hearing is not held;
15 and

16 (ii) not later than 30 days after the
17 date on which the hearing is concluded, in
18 the case of a proposed revocation with re-
19 spect to which a hearing is held.

20 (B) REASONS FOR REVOCATION.—An eligi-
21 ble chartering authority that revokes a charter
22 shall state in its decision, in reasonable detail,
23 the grounds for the denial.

24 (5) ALTERNATIVES UPON REVOCATION.—An el-
25 igible chartering authority that revokes a charter

1 granted to a public charter school may manage the
2 school directly until alternative arrangements can be
3 made for students at the school.

4 (6) JUDICIAL REVIEW.—

5 (A) AVAILABILITY OF REVIEW.—A decision
6 by an eligible chartering authority to revoke a
7 charter shall be subject to judicial review.

8 (B) STANDARD OF REVIEW.—A decision by
9 an eligible chartering authority to revoke a
10 charter shall be upheld unless the decision is
11 arbitrary and capricious or clearly erroneous.

12 **SEC. 2164. DISCONTINUANCE OF ELIGIBLE CHARTERING**
13 **AUTHORITY.**

14 (a) NOTICE.—In the case of an eligible chartering au-
15 thority that has granted a charter to a public charter
16 school and that becomes unable or unwilling to continue
17 to act in the capacity of an eligible chartering authority
18 with respect to the school, the authority shall provide writ-
19 ten notice of such discontinuance to the school, to the ex-
20 tent feasible, not later than the date that is 120 days be-
21 fore the date on which such discontinuance takes effect.

22 (b) PETITION BY SCHOOL.—A public charter school
23 that has been granted a charter by an eligible chartering
24 authority that becomes unable or unwilling to continue to
25 act in the capacity of an eligible chartering authority with

1 respect to the school shall file a petition with another eligi-
2 ble chartering authority described in subsection (c)(2).
3 The petition shall request that such other authority as-
4 sume the powers and duties of an eligible chartering au-
5 thority with respect to the school and the charter granted
6 to the school. The petition shall be filed—

7 (1) in the case of a public charter school that
8 received a timely notice under subsection (a), not
9 later than 120 days after such notice was received;
10 and

11 (2) in the case of a public charter school that
12 did not receive a timely notice under subsection (a),
13 not later than 120 days after the date on which the
14 eligible chartering authority ceases to act in the ca-
15 pacity of an eligible chartering authority with re-
16 spect to the school.

17 (c) CHARTERING AUTHORITIES REQUIRED TO AS-
18 SUME DUTIES.—

19 (1) IN GENERAL.—If any of the eligible char-
20 tering authorities described in paragraph (2) re-
21 ceives a petition filed by a public charter school in
22 accordance with subsection (b), the eligible charter-
23 ing authority shall grant the petition and assume the
24 powers and duties of an eligible chartering authority

1 with respect to the school and the charter granted
2 to the school.

3 (2) ELIGIBLE CHARTERING AUTHORITIES.—

4 The eligible chartering authorities referred to in
5 paragraph (1) are the following:

6 (A) The Board of Education.

7 (B) Any other entity established, and des-
8 igned as an eligible chartering authority, by
9 the District of Columbia Council by enactment
10 of a bill after the date of the enactment of this
11 Act.

12 (d) INTERIM POWERS AND DUTIES OF SCHOOL.—

13 Except as provided in this section, the powers and duties
14 of a public charter school that has been granted a charter
15 by an eligible chartering authority that becomes unable
16 or unwilling to continue to act in the capacity of an eligible
17 chartering authority with respect to the school shall not
18 be affected by such discontinuance, if the school satisfies
19 the requirements of this section.

20 **SEC. 2165. FEDERAL ENTITIES.**

21 (a) IN GENERAL.—The following Federal agencies
22 and federally-established institutions shall explore whether
23 it is feasible for the agency or institution to establish one
24 or more public charter schools:

25 (1) The Library of Congress.

1 (2) The National Aeronautics and Space Ad-
2 ministration.

3 (3) The Drug Enforcement Agency.

4 (4) The National Science Foundation.

5 (5) The Department of Justice.

6 (6) The Department of Defense.

7 (7) The Smithsonian Institution, including the
8 National Zoological Park, the National Museum of
9 American History, the Kennedy Center for the Per-
10 forming Arts, and the National Gallery of Art.

11 (b) DETERMINATION.—Not later than 120 days after
12 the date of the enactment of this Act, each agency and
13 institution listed in subsection (a) shall make a determina-
14 tion regarding whether it is feasible for the agency or in-
15 stitution to establish one or more public charter schools.

16 (c) REPORT.—Not later than 270 days after the date
17 of the enactment of this Act, any agency or institution
18 listed in subsection (a) that has not filed a petition to es-
19 tablish a public charter school with an eligible chartering
20 authority shall report to the Congress the reasons for the
21 decision.

22 **Subtitle C—Even Start**

23 **SEC. 2201. AMENDMENTS FOR EVEN START PROGRAMS.**

24 (a) AUTHORIZATION OF APPROPRIATIONS.—Section
25 1002 of the Elementary and Secondary Education Act of

1 1965 is amended by striking subsection (b) and inserting
2 the following:

3 “(b) EVEN START.—

4 “(1) IN GENERAL.—For the purpose of carry-
5 ing out part B, other than Even Start programs for
6 the District of Columbia as described in paragraph
7 (2), there are authorized to be appropriated
8 \$118,000,000 for fiscal year 1995 and such sums as
9 may be necessary for each of the four succeeding fis-
10 cal years.

11 “(2) DISTRICT OF COLUMBIA.—For the purpose
12 of carrying out Even Start programs in the District
13 of Columbia as described in section 1211, there are
14 authorized to be appropriated—

15 “(A) for fiscal year 1996, \$2,000,000 for
16 continued funding made in fiscal year 1995,
17 and for new grants, for an aggregate of 8;

18 “(B) for fiscal year 1997, \$3,500,000 for
19 continued funding made in fiscal year 1996 and
20 for new grants, for an aggregate of 14;

21 “(C) for fiscal year 1998, \$5,000,000 for
22 continued funding made in fiscal years 1996
23 and 1997 and for new grants, for an aggregate
24 of 20 grants in such fiscal year;

1 “(D) for fiscal year 1999, \$5,000,000 for
2 continued funding made in fiscal years 1996,
3 1997, and 1998 and for new grants, for an ag-
4 gregate of 20 grants in such fiscal year; and

5 “(E) for fiscal year 2000, \$5,000,000 for
6 continued funding made in fiscal years 1996,
7 1997, 1998, and 1999 and for new grants, for
8 an aggregate of 20 grants in such fiscal year or
9 such number as the Secretary determines ap-
10 propriate pursuant to the evaluation described
11 in section 1211(i)(2).”.

12 (b) EVEN START FAMILY LITERACY PROGRAMS.—
13 Part B of title I of the Elementary and Secondary Edu-
14 cation Act of 1965 is amended—

15 (1) in section 1202(a)(1), by inserting “(1)”
16 after “1002(b)”;

17 (2) in section 1202(b), by inserting “(1)” after
18 “1002(b)”;

19 (3) in section 1202(d)(1)—

20 (A) by inserting “(1)” after “1002(b)”;

21 and

22 (B) by inserting “or under section 1211,”
23 after “subsections (a), (b), and (c),”;

24 (4) in section 1202(d)(3), by inserting “(1)”
25 after “1002(b)”;

1 (5) in section 1202(e)(4), by striking “, the
2 District of Columbia,”;

3 (6) in section 1204(a), by inserting “intensive”
4 after “cost of providing”;

5 (7) in section 1205(4), by inserting “, inten-
6 sive” after “high-quality”;

7 (8) in section 1206(b)(1), by striking “de-
8 scribed in subsection (a)”;

9 (9) by adding at the end the following new sec-
10 tion:

11 **“SEC. 1211. DISTRICT OF COLUMBIA EVEN START INITIA-
12 TIVES.**

13 “(a) D.C. PROGRAM AUTHORIZED.—The Secretary
14 shall provide grants, on a competitive basis, to assist eligi-
15 ble entities to carry out Even Start programs in the Dis-
16 trict of Columbia that build on the findings of the ‘Na-
17 tional Evaluation of the Even Start Family Literacy Pro-
18 gram’, such as providing intensive services in parent train-
19 ing and adult literacy or adult education.

20 “(b) DEFINITION OF ‘ELIGIBLE’.—For the purpose
21 of this section, the term ‘eligible entity’ means a partner-
22 ship composed of at least—

23 “(1) a public school in the District of Columbia;

24 “(2) the local educational agency in existence
25 on September 1, 1995 for the District of Columbia,

1 any other public organization, or an institution of
2 higher education; and

3 “(3) a private nonprofit community-based orga-
4 nization.

5 “(c) USES OF FUNDS; COST-SHARING.—

6 “(1) COMPLIANCE.—Each eligible entity that
7 receives funds under this section shall comply with
8 section 1204(a) and 1204(b)(3), relating to the use
9 of such funds.

10 “(2) COST-SHARING.—Each program funded
11 under this section is subject to the cost-sharing re-
12 quirement of section 1204(b)(1), except that the
13 Secretary may waive that requirement, in whole or
14 in part, for any eligible entity that demonstrates to
15 the Secretary’s satisfaction that such entity other-
16 wise would not be able to participate in the program
17 under this section.

18 “(3) MINIMUM.—Except as provided in para-
19 graph (4), each eligible entity selected to receive a
20 grant under this section shall receive not more than
21 \$250,000 in any fiscal year, except that the Sec-
22 retary may increase such amount if the Secretary
23 determines that—

24 “(A) such entity needs additional funds to
25 be effective; and

1 “(B) the increase will not reduce the
2 amount of funds available to other programs
3 that receive funds under this section.

4 “(4) REMAINING FUNDS.—If funds remain
5 after payments are made under paragraph (3) for
6 any fiscal year, the Secretary shall make such re-
7 maining funds available to each selected eligible en-
8 tity in such fiscal year on a pro rata basis.

9 “(d) PROGRAM ELEMENTS.—Each program assisted
10 under this section shall comply with the program elements
11 described in section 1205, including intensive high quality
12 instruction programs of parent training and adult literacy
13 or adult education.

14 “(e) ELIGIBLE PARTICIPANTS.—

15 “(1) IN GENERAL.—Individuals eligible to par-
16 ticipate in a program under this section are—

17 “(A) the parent or parents of a child de-
18 scribed in subparagraph (B), or any other adult
19 who is substantially involved in the day-to-day
20 care of the child, who—

21 “(i) is eligible to participate in an
22 adult education program under the Adult
23 Education Act; or

1 “(ii) is attending, or is eligible by age
2 to attend, a public school in the District of
3 Columbia; and

4 “(B) any child, from birth through age 7,
5 of an individual described in subparagraph (A).

6 “(2) ELIGIBILITY REQUIREMENTS.—The eligi-
7 bility factors described in section 1206(b) shall apply
8 to programs under this section.

9 “(f) APPLICATIONS.—Each eligible entity that wishes
10 to receive a grant under this section shall submit an appli-
11 cation to the Secretary at such time, in such manner, and
12 containing such information as the Secretary may require.

13 “(g) SELECTION OF GRANTEES.—In awarding grants
14 under this section, the Secretary shall—

15 “(1) use the selection criteria described in sub-
16 paragraphs (A) through (F) and (H) of section
17 1208(a)(1); and

18 “(2) give priority to applications for programs
19 that—

20 “(A) target services to schools in which a
21 schoolwide program is being conducted under
22 section 1114 of this subtitle; or

23 “(B) are located in areas designated as
24 empowerment zones or enterprise communities.

1 “(h) DURATION OF PROGRAMS.—The priority for
2 subgrants described in section 1208(b) shall apply to
3 grants made under this section, except that—

4 “(1) references in that section to the State edu-
5 cational agency and to subgrants shall be read to
6 refer to the Secretary and to grants under this sec-
7 tion, respectively; and

8 “(2) notwithstanding paragraph (4) of such sec-
9 tion, the Secretary shall not provide continuation
10 funding to a recipient under this section if the Sec-
11 retary determines, after affording the recipient no-
12 tice and an opportunity for a hearing, that the recip-
13 ient has not made substantial progress toward
14 achieving its stated objectives and the purpose of
15 this section.

16 “(i) TECHNICAL ASSISTANCE AND EVALUATION.—

17 “(1) TECHNICAL ASSISTANCE.—(A) The Sec-
18 retary shall use not more than 5 percent of the
19 amounts authorized under section 1002(b)(2) for
20 any fiscal year to provide technical assistance to eli-
21 gible entities, including providing funds to one or
22 more local nonprofit organizations to provide tech-
23 nical assistance to eligible entities in the areas of
24 community development and coalition building, and

1 for the evaluation conducted pursuant to paragraph
2 (2).

3 “(B) The Secretary shall allocate 5 percent of
4 the amounts authorized under section 1002(b)(2) in
5 any fiscal year to contract with the National Center
6 for Family Literacy to provide technical assistance
7 to eligible entities.

8 “(2) EVALUATION.—(A) The Secretary shall
9 use funds available under paragraph (1)(A) to pro-
10 vide an independent evaluation of programs under
11 this section to determine their effectiveness in pro-
12 viding high quality family literacy services includ-
13 ing—

14 “(i) intensive and high quality services in
15 adult literacy or adult education;

16 “(ii) intensive and high quality services in
17 parent training;

18 “(iii) coordination with related programs;

19 “(iv) training of related personnel in ap-
20 propriate skill areas; and

21 to determine if the grant amount provided to grant-
22 ees to carry out such projects is appropriate to ac-
23 complish the goals of this section.

24 “(B)(i) Such evaluation shall be conducted by
25 individuals not directly involved in the administra-

1 tion of a program operated with funds provided
2 under this section. Such independent evaluators and
3 the program administrators shall jointly develop
4 evaluation criteria which provide for appropriate
5 analysis of the factors listed in subparagraph (A).

6 “(ii) In order to determine a program’s effec-
7 tiveness in achieving its stated goals, each evaluation
8 shall contain objective measures of such goals and,
9 whenever feasible, shall obtain the specific views of
10 program participants about such programs.

11 “(C) The Secretary shall prepare and submit to
12 the Committees on Appropriations of the House of
13 Representatives and the Senate, the Committee on
14 Economic and Education Opportunities of the House
15 of Representatives, the Committee on Government
16 Reform and Oversight of the House of Representa-
17 tives, the Committee on Labor and Human Re-
18 sources of the Senate, and the Committee on Gov-
19 ernmental Affairs of the Senate a report regarding
20 the results of such evaluations not later than March
21 1, 1999. The Secretary shall provide an interim re-
22 port by March 1, 1998.”.

1 **Subtitle D—World Class Schools**
2 **Panel; Core Curriculum; Assess-**
3 **ments; and Promotion Gates**

4 **PART 1—WORLD CLASS SCHOOLS PANEL**

5 **SEC. 2251. ESTABLISHMENT.**

6 There is established a panel to be known as the
7 “World Class Schools Panel”.

8 **SEC. 2252. DUTIES OF PANEL.**

9 (a) IN GENERAL.—Not later than July 1, 1996, the
10 Panel shall recommend to the Superintendent and the
11 Board of Education the following:

12 (1) A core curriculum for kindergarten through
13 the 12th grade developed or selected by the Panel.

14 (2) District-wide assessments for measuring
15 student achievement in the curriculum developed or
16 selected under paragraph (1). Such assessments
17 shall be developed at several grade levels, including,
18 at a minimum, the grade levels with respect to which
19 the Superintendent establishes promotion gates, as
20 required under section 2263. To the extent feasible,
21 such assessments shall, at a minimum, be designed
22 to provide information that permits the following
23 comparisons to be made:

1 (A) Comparisons among individual schools
2 and individual students in the District of Co-
3 lumbia.

4 (B) Comparisons between individual
5 schools and individual students in the District
6 of Columbia and schools and students in other
7 States and the Nation as a whole.

8 (C) Comparisons between individual
9 schools and individual students in the District
10 of Columbia and schools and students in other
11 nations whose students historically have scored
12 high on international studies of student achieve-
13 ment.

14 (3) Model professional development programs
15 for teachers using the curriculum developed or se-
16 lected under paragraph (1).

17 (b) CONTENT.—The curriculum and assessments rec-
18 ommended under subsection (a) shall be either newly de-
19 veloped or existing materials that are judged by the Panel
20 to be—

21 (1) “world class”, including having a level of
22 quality and rigor that is equal to, or greater than,
23 the level of quality and rigor of analogous curricula
24 and assessments of other nations (including nations

1 whose students historically score high on inter-
2 national studies of student achievement); and

3 (2) appropriate for the District of Columbia
4 public schools.

5 (c) SUBMISSION TO SECRETARY.—If the curriculum,
6 assessments, and model professional development pro-
7 grams recommended by the Panel are approved by the
8 Board of Education, the Superintendent may submit them
9 to the Secretary of Education as evidence of compliance
10 with sections 1111, 1112, and 1119 of the Elementary
11 and Secondary Education Act of 1965.

12 **SEC. 2253. MEMBERSHIP.**

13 (a) NUMBER AND APPOINTMENT.—The Panel shall
14 be comprised of the Superintendent and 6 other members
15 appointed as follows:

16 (1) 2 members appointed by the Speaker of the
17 House of Representatives.

18 (2) 2 members appointed by the majority leader
19 of the Senate.

20 (3) 1 member appointed by the President.

21 (4) 1 member appointed by the Mayor who—

22 (A) is a parent of a minor student enrolled
23 in a District of Columbia public school; and

24 (B) is active in a parent organization.

1 (b) EXPERTISE.—The members of the Panel ap-
2 pointed under paragraphs (1), (2), and (3) of subsection
3 (a) shall be appointed from among individuals who are na-
4 tionally recognized experts on education reform in the
5 United States or who are nationally recognized experts on
6 education in other nations, including the areas of curricu-
7 lum, assessment, and teacher training.

8 (c) TERMS.—The term of service of each member of
9 the Panel shall begin on the date of appointment of the
10 member and shall end on the date of the termination of
11 the Panel, unless the member resigns from the Panel or
12 becomes incapable of continuing to serve on the Panel.

13 (d) CHAIRPERSON.—The members of the Panel shall
14 select a chairperson from among them.

15 (e) DATE OF APPOINTMENT.—The members of the
16 Panel shall be appointed not later than 30 days after the
17 date of the enactment of this Act.

18 (f) COMMENCEMENT OF DUTIES.—The Panel may
19 begin to carry out its duties under this part when 5 mem-
20 bers of the Panel have been appointed.

21 (g) VACANCIES.—A vacancy on the Panel shall not
22 affect the powers of the Panel, but shall be filled in the
23 same manner as the original appointment.

1 **SEC. 2254. CONSULTATION.**

2 The Panel shall conduct its work in consultation
3 with—

4 (1) officials of the District of Columbia public
5 schools who have been identified by the Superintend-
6 ent as having relevant responsibilities;

7 (2) the consortium established under section
8 2604(e); and

9 (3) any other persons or groups the Panel
10 deems appropriate.

11 **SEC. 2255. ADMINISTRATIVE PROVISIONS.**

12 (a) MEETINGS.—The Panel shall meet on a regular
13 basis, as necessary, at the call of the chairperson or a ma-
14 jority of its members.

15 (b) QUORUM.—A majority of the members shall con-
16 stitute a quorum for the transaction of business.

17 (c) VOTING AND FINAL DECISION.—

18 (1) PROHIBITION ON PROXY VOTING.—No indi-
19 vidual may vote, or exercise any other power of a
20 member, by proxy.

21 (2) FINAL DECISIONS.—In making final deci-
22 sions of the Panel with respect to the exercise of its
23 duties and powers, the Panel shall operate on the
24 principle of majority vote.

25 (d) PUBLIC ACCESS.—The Panel shall ensure public
26 access to its proceedings (other than proceedings, or por-

1 tions of proceedings, relating to internal personnel and
2 management matters) and make available to the public,
3 at reasonable cost, transcripts of such proceedings.

4 (e) **NO PAY FOR PERFORMANCE OF DUTIES.**—Mem-
5 bers of the Commission may not be paid for the perform-
6 ance of duties vested in the Commission.

7 (f) **TRAVEL EXPENSES.**—Each member shall receive
8 travel expenses, including per diem in lieu of subsistence,
9 in accordance with section 5702 and 5703 of title 5, Unit-
10 ed States Code.

11 **SEC. 2256. GIFTS.**

12 The Panel may, during the fiscal year ending Sep-
13 tember 30, 1996, accept donations of money, property,
14 and personal services, except that no donations may be
15 accepted for travel or reimbursement of travel expenses,
16 or for the salaries of employees of the Panel.

17 **SEC. 2257. DIRECTOR AND STAFF; EXPERTS AND CONSULT-**
18 **ANTS.**

19 (a) **DIRECTOR.**—The Chairperson of the Panel, with-
20 out regard to the provisions of title 5, United States Code,
21 relating to the appointment and compensation of officers
22 or employees of the United States, shall appoint a Director
23 to be paid at a rate not to exceed the rate of basic pay
24 for level V of the Executive Schedule.

25 (b) **APPOINTMENT AND PAY OF EMPLOYEES.**—

1 (1) APPOINTMENT.—The Director may appoint
2 not more than 6 additional employees to serve as
3 staff to the Panel without regard to the provisions
4 of title 5, United States Code, governing appoint-
5 ments in the competitive service.

6 (2) PAY.—The employees appointed under
7 paragraph (1) may be paid without regard to the
8 provisions of chapter 51 and subchapter III of chap-
9 ter 53 of title 5, United States Code, relating to
10 classification and General Schedule pay rates, but
11 shall not be paid a rate that exceeds the maximum
12 rate of basic pay payable for GS–15 of the General
13 Schedule.

14 (c) EXPERTS AND CONSULTANTS.—The Panel may
15 procure temporary and intermittent services of experts
16 and consultants under section 3109(b) of title 5, United
17 States Code.

18 (d) STAFF OF FEDERAL AGENCIES.—Upon the re-
19 quest of the Panel, the head of any department or agency
20 of the United States may detail any of the personnel of
21 such agency to the Panel to assist the Panel in its duties
22 under this part.

23 **SEC. 2258. TERMINATION OF PANEL.**

24 The Panel shall terminate upon the completion of its
25 work, but not later than August 1, 1996.

1 **SEC. 2259. AUTHORIZATION OF APPROPRIATIONS.**

2 There are authorized to be appropriated to carry out
3 this part \$2,000,000 for fiscal year 1996. Such sum shall
4 remain available until expended.

5 **PART 2—DUTIES OF BOARD OF EDUCATION WITH**
6 **RESPECT TO CORE CURRICULUM, ASSESS-**
7 **MENTS, AND PROMOTION GATES**

8 **SEC. 2261. DEVELOPMENT OF CORE CURRICULUM AND DIS-**
9 **TRICT-WIDE ASSESSMENTS.**

10 (a) **IN GENERAL.**—If the Board of Education does
11 not approve both the core curriculum and the district-wide
12 assessments recommended by the Panel under section
13 2252, the Superintendent shall develop or select, with the
14 approval of the Board of Education, an alternative cur-
15 rriculum and alternative district-wide assessments that sat-
16 isfy the requirements of paragraphs (1) and (2) of sub-
17 section (a), and subsection (b), of such section, except that
18 the reference to the Panel in section 2252(b) shall be con-
19 sidered a reference to the Superintendent.

20 (b) **DEADLINE.**—If the Board of Education does not
21 approve both the core curriculum and the district-wide as-
22 sessments recommended by the Panel under section 2252,
23 the Superintendent shall meet the requirements of sub-
24 section (a) not later than August 1, 1996.

1 **SEC. 2262. ASSESSMENTS.**

2 (a) ADMINISTRATION OF ASSESSMENTS.—The Su-
3 perintendent shall administer the assessments developed
4 or selected under section 2252 or 2261 to students en-
5 rolled in the District of Columbia public schools and public
6 charter schools on an annual basis.

7 (b) DISSEMINATION OF INFORMATION.—

8 (1) IN GENERAL.—Except as provided by para-
9 graph (2), the information derived from the assess-
10 ments administered under subsection (a) shall be
11 made available, on an annual basis, to the appro-
12 priate congressional committees, the District of Co-
13 lumbia Council, the Mayor, parents, and other mem-
14 bers of the public.

15 (2) LIMITATION.—To release any such informa-
16 tion, the Superintendent shall comply with the re-
17 quirements of section 444 of the General Education
18 Provisions Act (20 U.S.C 1232g).

19 **SEC. 2263. PROMOTION GATES.**

20 (a) KINDERGARTEN THROUGH 4TH GRADE.—Not
21 later than August 1, 1996, the Superintendent shall estab-
22 lish and implement promotion gates with respect to not
23 less than one grade level from kindergarten through and
24 including the 4th grade.

25 (b) 5TH THROUGH 8TH GRADES.—Not later than Au-
26 gust 1, 1997, the Superintendent shall establish and im-

1 plement promotion gates with respect to not less than one
2 grade level from the 5th grade through and including the
3 8th grade.

4 (c) 9TH THROUGH 12TH GRADES.—Not later than
5 August 1, 1998, the Superintendent shall establish and
6 implement promotion gates with respect to not less than
7 one grade level from the 9th grade through and including
8 the 12th grade.

9 (d) INTERIM DEADLINE.—Not later than February
10 1, 1996, the Superintendent shall designate the grade lev-
11 els with respect to which promotion gates will be estab-
12 lished and implemented.

13 **Subtitle E—Per Capita District of**
14 **Columbia Public School and**
15 **Public Charter School Funding**

16 **SEC. 2301. ANNUAL BUDGETS FOR SCHOOLS.**

17 (a) IN GENERAL.—For fiscal year 1997 and for each
18 subsequent fiscal year, the Mayor shall make annual pay-
19 ments from the general fund of the District of Columbia
20 in accordance with the formula established under sub-
21 section (b).

22 (b) FORMULA.—

23 (1) IN GENERAL.—The Mayor and the District
24 of Columbia Council, in consultation with the Board

1 of Education and the Superintendent, shall establish
2 a formula which determines the amount—

3 (A) of the annual payment to the Board of
4 Education for the operating expenses of the
5 District of Columbia public schools, which for
6 purposes of this paragraph includes the operat-
7 ing expenses of the Board of Education and the
8 Office of the Superintendent; and

9 (B) of the annual payment to each public
10 charter school for the operating expenses of
11 each such public charter school established in
12 accordance with subtitle B.

13 (2) FORMULA CALCULATION.—Except as pro-
14 vided in paragraph (3), the amount of the annual
15 payment under paragraph (1) shall be calculated by
16 multiplying a uniform dollar amount used in the for-
17 mula established under such paragraph by—

18 (A) the number of students calculated
19 under section 2302 that are enrolled at District
20 of Columbia public schools, in the case of the
21 payment under paragraph (1)(A); or

22 (B) the number of students calculated
23 under section 2302 that are enrolled at each
24 public charter school, in the case of a payment
25 under paragraph (1)(B).

1 (3) EXCEPTION.—Notwithstanding paragraph
2 (2), the Mayor and the District of Columbia Council,
3 in consultation with the Board of Education and the
4 Superintendent, may adjust the formula—

5 (A) to increase or decrease the amount of
6 the annual payment to the District of Columbia
7 public schools or each public charter school
8 based on a calculation of—

9 (i) the number of students served by
10 such schools in certain grade levels; and

11 (ii) the cost of educating students at
12 such certain grade levels; and

13 (B) to increase the amount of the annual
14 payment if the District of Columbia public
15 schools or each public charter school serve a
16 high number of students with special needs (as
17 such term is defined under paragraph (4)).

18 (4) DEFINITION.—The Mayor and the District
19 of Columbia Council shall develop a definition of the
20 term “students with special needs” for purposes of
21 carrying out this title.

22 **SEC. 2302. CALCULATION OF NUMBER OF STUDENTS.**

23 (a) SCHOOL REPORTING REQUIREMENT.—

24 (1) IN GENERAL.—Not later than September
25 15 of each year, beginning in fiscal year 1997, each

1 District of Columbia public school and public charter
2 school shall submit a report to the Mayor, District
3 of Columbia Council, Board of Education, the Au-
4 thority, and the eligible chartering authority that ap-
5 proved its charter, containing the information de-
6 scribed in subsection (b).

7 (2) SPECIAL RULE.—Not later than April 1 of
8 each year, beginning in 1997, each public charter
9 school shall submit a report in the same form and
10 manner as described in paragraph (1) to ensure ac-
11 curate payment under section 2303(a)(2)(B)(ii).

12 (b) CALCULATION OF NUMBER OF STUDENTS.—Not
13 later than 30 days after the date of the enactment of this
14 Act, and not later than October 15 of each year thereafter,
15 the Board of Education shall calculate the following:

16 (1) The number of students, including non-
17 resident students, enrolled in kindergarten through
18 grade 12 of the District of Columbia public schools
19 and in public charter schools established in accord-
20 ance with this title and the number of students
21 whose tuition for enrollment in other schools is paid
22 for by funds available to the District of Columbia
23 public schools.

1 (2) The amount of fees and tuition assessed
2 and collected from the nonresident students de-
3 scribed in paragraph (1).

4 (3) The number of students, including non-
5 resident students, enrolled in pre-school and pre-kin-
6 dergarten in the District of Columbia public schools
7 and in public charter schools established in accord-
8 ance with this title.

9 (4) The amount of fees and tuition assessed
10 and collected from the nonresident students de-
11 scribed in paragraph (3).

12 (5) The number of full time equivalent adult
13 students enrolled in adult, community, continuing,
14 and vocational education programs in the District of
15 Columbia public schools and in public charter
16 schools established in accordance with this title.

17 (6) The amount of fees and tuition assessed
18 and collected from resident and nonresident adult
19 students described in paragraph (5).

20 (7) The number of students, including non-
21 resident students, enrolled in non-grade level pro-
22 grams in District of Columbia public schools and in
23 public charter schools established in accordance with
24 this title.

1 (8) The amount of fees and tuition assessed
2 and collected from nonresident students described in
3 paragraph (7).

4 (c) ANNUAL REPORTS.—Not later than 30 days after
5 the date of the enactment of this Act, and not later than
6 October 15 of each year thereafter, the Board of Edu-
7 cation shall prepare and submit to the Authority, the
8 Mayor, the District of Columbia Council, the Comptroller
9 General of the United States, and the appropriate congres-
10 sional committees a report containing a summary of the
11 most recent calculations made under subsection (b).

12 (d) AUDIT OF INITIAL CALCULATIONS.—

13 (1) IN GENERAL.—The Comptroller General of
14 the United States shall conduct an audit of the ini-
15 tial calculations described in subsection (b).

16 (2) CONDUCT OF AUDIT.—In conducting the
17 audit, the Comptroller General of the United
18 States—

19 (A) shall provide an opinion as to the accu-
20 racy of the information contained in the report
21 described in subsection (b); and

22 (B) shall identify any material weaknesses
23 in the systems, procedures, or methodology used
24 by the Board of Education—

1 (i) in determining the number of stu-
2 dents, including nonresident students, en-
3 rolled in the District of Columbia public
4 schools and in public charter schools estab-
5 lished in accordance with this title and the
6 number of students whose tuition for en-
7 rollment in other school systems is paid for
8 by funds available to the District of Co-
9 lumbia public schools; and

10 (ii) in assessing and collecting fees
11 and tuition from nonresident students.

12 (3) SUBMISSION OF AUDIT.—Not later than 45
13 days after the date on which the Comptroller Gen-
14 eral of the United States receives the initial annual
15 report from the Board of Education under sub-
16 section (c), the Comptroller General shall submit to
17 the Authority, the Mayor, the District of Columbia
18 Council, and the appropriate congressional commit-
19 tees the audit conducted under this subsection.

20 (4) AUTHORIZATION OF APPROPRIATIONS.—
21 There are authorized to be appropriated to the
22 Comptroller General of the United States \$75,000
23 for fiscal year 1996 for the purpose of carrying out
24 this subsection.

1 **SEC. 2303. PAYMENTS TO PUBLIC CHARTER SCHOOLS.**

2 (a) IN GENERAL.—

3 (1) ESCROW FOR PUBLIC CHARTER SCHOOLS.—

4 Except as provided in subsection (b), for any fiscal
5 year, not later than 10 days after the date of enact-
6 ment of the District of Columbia Appropriations Act
7 for such fiscal year, the Mayor shall place in escrow
8 an amount equal to the aggregate of the amounts
9 determined under section 2301(b)(1)(B) for use only
10 by District of Columbia public charter schools.

11 (2) TRANSFER OF ESCROW FUNDS.—

12 (A) 1997 INITIAL PAYMENT.—Beginning
13 in 1997, not later than October 15 of each
14 year, the Mayor shall transfer, by electronic
15 funds transfer, an amount equal to 75 percent
16 of the amount of the annual payment for a pub-
17 lic charter school determined by using the for-
18 mula established pursuant to section 2301(b) to
19 a bank designated by each public charter
20 school.

21 (B) 1997 FINAL PAYMENT.—

22 (i) Except as provided in clause (ii),
23 not later than May 1 of each year begin-
24 ning in 1997, the Mayor shall transfer the
25 remainder of the annual payment for a
26 public charter school in the same manner

1 as the initial payment was made under
2 subparagraph (A).

3 (ii) Beginning in 1997, not later than
4 March 15, if the enrollment number of a
5 public charter school has changed from the
6 number reported to the Mayor, District of
7 Columbia Council, Board of Education, the
8 Authority, and the eligible chartering au-
9 thority that approved its charter as re-
10 quired under section 2302(a)(2), the
11 Mayor shall increase the payment in an
12 amount equal to 50 percent of the amount
13 provided for each student who has enrolled
14 without another student withdrawing or
15 dropping out, or shall reduce the payment
16 in an amount equal to 50 percent of the
17 amount provided for each student who has
18 withdrawn or dropped out of school with-
19 out another student replacement.

20 (C) PRO RATA REDUCTION OR INCREASE
21 IN PAYMENTS.—

22 (i) If the funds made available to the
23 District of Columbia public schools for any
24 fiscal year are insufficient to pay the full
25 amount that each school is eligible to re-

1 ceive under this subtitle for such year, the
2 Mayor shall ratably reduce such amounts
3 for such year.

4 (ii) If additional funds become avail-
5 able for making payments under this sub-
6 title for such fiscal year, amounts that
7 were reduced under subparagraph (A) shall
8 be increased on the same basis as such
9 amounts were reduced.

10 (D) UNEXPENDED FUNDS.—Any funds
11 that remain in the escrow account for public
12 charter schools on September 30 of a fiscal year
13 shall revert to the general fund of the District
14 of Columbia.

15 (b) EXCEPTION FOR NEW SCHOOLS.—

16 (1) AUTHORIZATION.—There are authorized to
17 be appropriated \$200,000 for any fiscal year for the
18 purpose of carrying out this subsection.

19 (2) DISBURSEMENT TO MAYOR.—The Secretary
20 of the Treasury shall make available and disburse to
21 the Mayor, not later than August 1 of each of the
22 years 1996 through 2000, such funds as have been
23 appropriated under paragraph (1).

24 (3) ESCROW.—The Mayor shall place in escrow,
25 for use by public charter schools, any sum disbursed

1 under paragraph (2) that has not yet been paid
2 under paragraph (4).

3 (4) PAYMENTS TO SCHOOLS.—The Mayor shall
4 pay to public charter schools described in paragraph
5 (5), in accordance with this subsection, any sum dis-
6 bursed under paragraph (2).

7 (5) SCHOOLS DESCRIBED.—The schools re-
8 ferred to in paragraph (4) are public charter schools
9 that—

10 (A) did not operate as public charter
11 schools during any portion of the fiscal year
12 preceding the fiscal year for which funds are
13 authorized to be appropriated under paragraph
14 (1); and

15 (B) operated as public charter schools dur-
16 ing the fiscal year for which funds are author-
17 ized to be appropriated under paragraph (1).

18 (6) FORMULA.—

19 (A) 1996.—The amount of the payment to
20 a public charter school described in paragraph
21 (5) that begins operation in fiscal year 1996
22 shall be calculated by multiplying \$6,300 by $\frac{1}{12}$
23 of the total anticipated enrollment as set forth
24 in the petition to establish the public charter
25 school; and

1 (B) 1997 THROUGH 2000.—The amount of
2 the payment to a public charter school de-
3 scribed in paragraph (5) that begins operation
4 in any of fiscal years 1997 through 2000 shall
5 be calculated by multiplying the uniform dollar
6 amount used in the formula established under
7 2301(b) by $\frac{1}{12}$ of the total anticipated enroll-
8 ment as set forth in the petition to establish the
9 public charter school.

10 (7) PAYMENT TO SCHOOLS.—

11 (A) TRANSFER.—On September 1 of each
12 of the years 1996 through 2000, the Mayor
13 shall transfer, by electronic funds transfer, the
14 amount determined under paragraph (6) for
15 each public charter school from the escrow ac-
16 count established under subsection (a) to a
17 bank designated by each such school.

18 (B) PRO RATA AND REMAINING FUNDS.—
19 Subparagraphs (C) and (D) of subsection (a)(2)
20 shall apply to payments made under this sub-
21 section.

1 **Subtitle F—School Facilities**
2 **Repair and Improvement**

3 **PART 1—SCHOOL FACILITIES**

4 **SEC. 2351. AGREEMENT FOR TECHNICAL ASSISTANCE.**

5 (a) IN GENERAL.—Not later than December 31,
6 1995, the Administrator of the General Services Adminis-
7 tration and the Superintendent shall enter into a Memo-
8 randum of Agreement or Understanding (referred to in
9 this subtitle as the “Agreement”) authorizing, to the ex-
10 tent provided in this subtitle, the Administrator to provide
11 technical assistance to the District of Columbia public
12 schools regarding school facilities repair and improve-
13 ments, including contracting for and supervising the re-
14 pair and improvements of such facilities and the coordina-
15 tion of such efforts.

16 (b) AGREEMENT PROVISIONS.—The Agreement shall
17 include the following:

18 (1) GENERAL AUTHORITY.—Provisions that
19 give the Administrator authority—

20 (A) to supervise and direct District of Co-
21 lumbia public school personnel responsible for
22 public school facilities repair and improvements;

23 (B) to develop, coordinate and implement a
24 systemic and comprehensive facilities revitaliza-
25 tion program, taking into account the “Prelimi-

1 nary Facilities Master Plan 2005” (prepared by
2 the Superintendent’s Task Force on Education
3 Infrastructure for the 21st Century) to repair
4 and improve District of Columbia public school
5 facilities, including a list of facilities and ren-
6 ovation schedule that prioritizes facilities to be
7 repaired and improved;

8 (C) to accept private goods and services for
9 use by District of Columbia public schools, in
10 consultation with the nonprofit corporation re-
11 ferred to in section 2603;

12 (D) to recommend specific repair and im-
13 provement projects in District of Columbia pub-
14 lic school facilities by members and units of the
15 National Guard and military reserve, consistent
16 with section 2351(b)(1)(B); and

17 (E) to access all District of Columbia pub-
18 lic school facilities and any records or docu-
19 ments regarding such facilities.

20 (2) COOPERATION.—Assurances by the Admin-
21 istrator and the Superintendent to cooperate with
22 each other, and with the nonprofit corporation re-
23 ferred to in section 2603, in any way necessary, to
24 ensure implementation of the Agreement.

1 (c) DURATION OF AGREEMENT.—The Agreement
2 shall remain in effect until the agency designated pursuant
3 to section 2352(a)(2) assumes responsibility for the Dis-
4 trict of Columbia public school facilities but shall termi-
5 nate not later than 24 months after the date that the
6 Agreement is signed, whichever is earlier.

7 **SEC. 2352. FACILITIES REVITALIZATION PROGRAM.**

8 (a) PROGRAM.—Not later than 24 months after the
9 date that the Agreement is signed, the Mayor and the Dis-
10 trict of Columbia Council shall—

11 (1) in consultation with the Administrator, the
12 Authority, the Board of Education, and the Super-
13 intendent, design and implement a facilities repair,
14 maintenance, improvement, and management pro-
15 gram; and

16 (2) designate a new or existing agency or au-
17 thority to administer such program to repair, im-
18 prove, and maintain the physical condition and safe-
19 ty of District of Columbia public school facilities.

20 (b) PROCEEDS.—Such management program shall
21 include provisions that—

22 (1) identify short-term funding for capital and
23 maintenance of such facilities, which may include re-
24 taining proceeds from the sale or lease of a District
25 of Columbia public school facility; and

1 (2) identify and designate long-term funding for
2 capital and maintenance of such facilities.

3 (c) IMPLEMENTATION.—Upon implementation of
4 such program, the agency or authority created or des-
5 igned pursuant to subsection (a)(2) shall assume au-
6 thority and responsibility for repair, maintenance, im-
7 provement, and management of District of Columbia pub-
8 lic schools.

9 **SEC. 2353. DEFINITIONS.**

10 For purposes of this subtitle, the following terms
11 have the following meanings:

12 (1) ADMINISTRATOR.—The term “Administrator”
13 means the Administrator of the General Services Adminis-
14 tration.

15 (2) FACILITIES.—The term “facilities” means build-
16 ings, structures, and real property.

17 **SEC. 2354. AUTHORIZATION OF APPROPRIATIONS.**

18 There are authorized to be appropriated for each of
19 fiscal years 1996 and 1997, \$2,000,000 to the District
20 of Columbia public schools for use by the Administrator
21 to carry out this subtitle.

22 **PART 2—WAIVERS**

23 **SEC. 2361. WAIVERS.**

24 (a) IN GENERAL.—All District of Columbia fees, all
25 requirements found in the document “The District of Co-

1 lumbia Public Schools Standard Contract Provisions”
2 published by the District of Columbia public schools for
3 use with construction maintenance projects, shall be
4 waived, for purposes of repair and improvement of the
5 District of Columbia public schools for a period of 24
6 months after the date of enactment of this Act.

7 (b) LIMITATION.—

8 (1) WAIVER APPLICATION.—A waiver under
9 subsection (a) shall apply only to contractors, sub-
10 contractors, and any other groups, entities, or indi-
11 viduals who donate materials and services to the
12 District of Columbia public schools.

13 (2) INSURANCE REQUIREMENTS.—Nothing in
14 this section shall be construed to waive the require-
15 ments for a contractor to maintain adequate insur-
16 ance coverage.

17 **SEC. 2362. APPLICATION FOR PERMITS.**

18 An application for a permit during the 24-month pe-
19 riod described in section 2311(a), required by the District
20 of Columbia government for the repair or improvement of
21 a District of Columbia public school shall be acted upon
22 not later than 20 days after receipt of the application by
23 the respective District of Columbia permitting authorities.

1 **Subtitle G—Department of**
2 **Education “D.C. Desk”**

3 **SEC. 2401. ESTABLISHMENT.**

4 There shall be established within the Office of the
5 Secretary of the Department of Education a District of
6 Columbia Technical Assistance Office (in this subtitle re-
7 ferred to as the “D.C. Desk”).

8 **SEC. 2402. DIRECTOR FOR DISTRICT OF COLUMBIA CO-**
9 **ORDINATED TECHNICAL ASSISTANCE.**

10 The D.C. Desk shall be administered by a Director
11 for District of Columbia Coordinated Technical Assist-
12 ance. The Director shall be appointed by the Secretary
13 and shall not be paid at a rate that exceeds the maximum
14 rate of basic pay payable for GS–15 of the General Sched-
15 ule.

16 **SEC. 2403. DUTIES.**

17 The Director of the D.C. Desk shall—

18 (1) coordinate with the Superintendent a com-
19 prehensive technical assistance strategy by the De-
20 partment of Education that supports the District of
21 Columbia public schools first year reforms and long-
22 term plan described in section 2101;

23 (2) identify all Federal grants for which the
24 District of Columbia public schools are eligible to

1 apply to support implementation of its long term
2 plan;

3 (3) identify private and public resources avail-
4 able to the District of Columbia public schools that
5 are consistent with the long-term plan described in
6 section 2101; and

7 (4) provide additional technical assistance as
8 assigned by the Secretary which supports reform in
9 the District of Columbia public schools.

10 **Subtitle H—Residential School**

11 **SEC. 2451. PLAN.**

12 (a) IN GENERAL.—The Superintendent may develop
13 a plan to establish a residential school for the 1997–1998
14 school year.

15 (b) REQUIREMENTS.—If developed, the plan for the
16 residential school shall include, at a minimum—

17 (1) options for the location of the school, in-
18 cluding renovation or building of a new facility;

19 (2) financial plans for the facility, including an-
20 nual costs to operate the school, capital expenditures
21 required to open the facility, maintenance of facili-
22 ties, and staffing costs; and

23 (3) staff development and training plans.

24 **SEC. 2452. USE OF FUNDS.**

25 Funds under this subtitle shall be used for—

1 (1) planning requirements as described in sec-
2 tion 2451; and

3 (2) capital costs associated with the start-up of
4 a residential school, including the purchase of real
5 and personal property and the renovation of existing
6 facilities.

7 **SEC. 2453. FUTURE FUNDING.**

8 The Superintendent shall identify, not later than De-
9 cember 31, 1996, in a report to the Mayor, City Council,
10 the Authority, the Appropriations Committees of the
11 House of Representatives and the Senate, the House Gov-
12 ernmental Reform Committee, the House Economic and
13 Educational Opportunities Committee, and the Senate
14 Labor and Human Resources Committee and the Govern-
15 mental Affairs Committee, non-Federal funding sources
16 for operation of the residential school.

17 **SEC. 2454. GIFTS.**

18 The Superintendent may accept donations of money,
19 property, and personal services for purposes of the estab-
20 lishment and operation of a residential school.

21 **SEC. 2455. AUTHORIZATION OF APPROPRIATIONS.**

22 There are authorized to be appropriated to the Dis-
23 trict \$2,000,000 for fiscal year 1996 to carry out this sub-
24 title for initial start-up expenses of a residential school in

1 the District of Columbia, of which not more than
2 \$100,000 may be used to carry out section 2451.

3 **Subtitle I—Progress Reports and**
4 **Accountability**

5 **SEC. 2501. DISTRICT OF COLUMBIA COUNCIL REPORT.**

6 Not later than 60 days after the date of the enact-
7 ment of this Act, the Chairman of the District of Columbia
8 Council shall submit to the appropriate congressional com-
9 mittees a report describing legislative and other actions
10 the District of Columbia Council has taken or will take
11 to facilitate the implementation of the reforms described
12 in section 2502.

13 **SEC. 2502. SUPERINTENDENT'S REPORT ON REFORMS.**

14 Not later than August 1, 1996, the Superintendent
15 shall submit to the appropriate congressional committees,
16 the Board of Education, the Mayor, and the District of
17 Columbia Council a progress report that includes the fol-
18 lowing:

19 (1) The status of the approval by the Board of
20 Education of the core curriculum—

21 (A) recommended by the Panel under sec-
22 tion 2252(a)(1); or

23 (B) selected or developed by the Super-
24 intendent under section 2261.

1 (2) The status of the approval by the Board of
2 Education of the district-wide assessments for meas-
3 uring student achievement—

4 (A) recommended by the Panel under sec-
5 tion 2252(a)(2); or

6 (B) selected or developed by the Super-
7 intendent under section 2261.

8 (3) The status of the establishment and imple-
9 mentation of promotion gates under section 2263.

10 (4) Identification of strategies to assist students
11 who do not meet promotion gate criteria.

12 (5) The status of the implementation of a policy
13 that provides rewards and sanctions for individual
14 schools based on student performance on district-
15 wide assessments.

16 (6) A description of the activities carried out
17 under the program established under section
18 2604(e).

19 (7) The status of implementation by the Board
20 of Education, after consultation with the Super-
21 intendent and unions (including unions that rep-
22 resent teachers and unions that represent principals)
23 of a policy for performance-based evaluation of prin-
24 cipals and teachers.

1 (8) A description of how the private sector part-
2 nership described in subtitle K is working collabo-
3 ratively with the Board of Education and the Super-
4 intendent.

5 (9) The status of implementation of policies de-
6 veloped by the Superintendent and the Board of
7 Education that establish incentive pay awards for
8 staff of District of Columbia public schools who
9 meet annual performance goals based on district-
10 wide assessments at individual schools.

11 (10) A description of how staffing decisions
12 have been revised to delegate staffing to individual
13 schools and transfer additional decisionmaking with
14 respect to budgeting to the individual school level.

15 (11) A description of, and the status of imple-
16 mentation of, policies adopted by the Board of Edu-
17 cation that require competitive appointments for all
18 positions.

19 (12) The status of implementation of policies
20 regarding alternative teacher certification require-
21 ments.

22 (13) The status of implementation of testing re-
23 quirements for teacher licensing renewal.

1 (14) The status of efforts to increase the in-
2 volvement of families in the education of students,
3 including—

4 (A) the development of family resource
5 centers;

6 (B) the expansion of Even Start programs
7 described in part B of chapter 1 of title I of the
8 Elementary and Secondary Education Act of
9 1965; and

10 (C) the development and implementation of
11 policies to increase parental involvement in edu-
12 cation.

13 (15) A description of, and the status of imple-
14 mentation of, a policy to allow District of Columbia
15 public schools to be used after school hours as com-
16 munity centers, including the establishment of at
17 least one prototype pilot project in one school.

18 (16) A description of, and the status of imple-
19 mentation of, a policy to increase the participation
20 of tutors and mentors for students, beginning not
21 later than the 8th grade.

22 (17) A description of the status of implementa-
23 tion of the agreement with the Administrator of the
24 General Services Administration under part 1 of
25 subtitle E.

1 (18) A description of the status of the District
2 of Columbia public school central office budget and
3 staffing reductions from the level at the end of fiscal
4 year 1995 and a review of the market-based provi-
5 sion of services provided by the central office to
6 schools.

7 (19) The development by the Superintendent of
8 a system of parental choice among District of Co-
9 lumbia public schools where per pupil funding fol-
10 lows the student (“Public School Vouchers”) and
11 adoption by the Board of Education.

12 (20) The status of the processing of public
13 charter school petitions submitted to the Board of
14 Education in accordance with subtitle B.

15 (21) The status of the revision and implementa-
16 tion by the Board of Education of the discipline pol-
17 icy for the District of Columbia public schools in
18 order to ensure a safe, disciplined environment con-
19 ducive to learning.

20 **Subtitle J—Low-Income**
21 **Scholarships**

22 **SEC. 2551. DISTRICT OF COLUMBIA SCHOLARSHIP COR-**
23 **PORATION.**

24 (a) GENERAL REQUIREMENTS.—

1 (1) IN GENERAL.—There is authorized to be es-
2 tablished a private, nonprofit corporation, to be
3 known as the “District of Columbia Scholarship
4 Corporation” (referred to in this subtitle as the
5 “Corporation”), which is not an agency or establish-
6 ment of the United States Government.

7 (2) DUTIES.—The Corporation shall have the
8 responsibility and authority to administer, publicize,
9 and evaluate the District of Columbia Scholarship
10 Program, and to determine student and school eligi-
11 bility.

12 (3) CONSULTATION.—The Corporation shall ex-
13 ercise its authority in a manner consistent with
14 maximizing educational choices and opportunities for
15 the maximum number of interested families, and in
16 consultation with other school scholarship programs
17 in the District of Columbia.

18 (4) APPLICATION OF PROVISIONS.—The Cor-
19 poration shall be subject to the provisions of this
20 Act, and, to the extent consistent with this section,
21 to the District of Columbia Nonprofit Corporation
22 Act (D.C. Code, 29–501 et seq.).

23 (5) RESIDENCE.—The Corporation shall have
24 its place of business in the District of Columbia and

1 shall be considered, for purposes of venue in civil ac-
2 tions, to be a resident thereof.

3 (b) ORGANIZATION AND MANAGEMENT, BOARD OF
4 DIRECTORS.—

5 (1) MEMBERSHIP.—

6 (A) IN GENERAL.—The Corporation shall
7 have a Board of Directors (referred to in this
8 subtitle as the “Board”), comprised of 7 mem-
9 bers with 6 members of the Board appointed by
10 the President not later than 30 days after re-
11 ceipt of nominations from the Speaker of the
12 House of Representatives and the majority
13 leader of the Senate.

14 (B) HOUSE NOMINATIONS.—The President
15 shall appoint 3 of the members from a list of
16 9 individuals nominated by the Speaker of the
17 House of Representatives in consultation with
18 the minority leader of the House of Representa-
19 tives.

20 (C) SENATE NOMINATIONS.—The Presi-
21 dent shall appoint 3 members from a list of 9
22 individuals nominated by the majority leader of
23 the Senate in consultation with the minority
24 leader of the Senate.

1 (D) DEADLINE.—The Speaker of the
2 House of Representatives and majority leader
3 of the Senate shall submit their nominations to
4 the President not later than 30 days after the
5 date of the enactment of this Act.

6 (E) APPOINTEE OF MAYOR.—The Mayor
7 shall appoint 1 member not later than 60 days
8 after the date of the enactment of this Act.

9 (F) POSSIBLE INTERIM MEMBERS.—If the
10 President does not appoint the 6 members of
11 the Board in the 30-day period described in
12 subparagraph (A), the nominees of the Speaker
13 of the House of Representatives and of the Sen-
14 ate, together with the appointee of the Mayor,
15 shall serve as an interim Board of Directors
16 with all the powers and other duties of the
17 Board described in this subtitle, until the Presi-
18 dent makes the appointments as described in
19 this subsection.

20 (2) POWERS.—All powers of the Corporation
21 shall vest in and be exercised under the authority of
22 its Board of Directors.

23 (3) ELECTIONS.—Members of the Board annu-
24 ally shall elect 1 of the members to be chairperson.

1 (4) RESIDENCY.—All members appointed to the
2 Board must be residents of the District of Columbia
3 at the time of appointment and while serving on the
4 Board.

5 (5) NONEMPLOYEE.—No member of the Board
6 may be an employee of the United States Govern-
7 ment or the District of Columbia government when
8 appointed or during tenure on the Board, unless the
9 individual is on a leave of absence from such a posi-
10 tion while serving on the Board.

11 (6) INCORPORATION.—The members of the ini-
12 tial Board of Directors shall serve as incorporators
13 and shall take whatever steps are necessary to estab-
14 lish the Corporation under the District of Columbia
15 Nonprofit Corporation Act (D.C. Code 29–501 et
16 seq.).

17 (7) GENERAL TERM.—The term of office of
18 each member shall be 5 years, except that any mem-
19 ber appointed to fill a vacancy occurring prior to the
20 expiration of the term for which the predecessor was
21 appointed shall be appointed for the remainder of
22 such term.

23 (8) CONSECUTIVE TERM.—No member of the
24 Board shall be eligible to serve in excess of 2 con-
25 secutive terms of 5 years each. A partial term shall

1 be considered as 1 full term. Any vacancy on the
2 Board shall not affect its power, but shall be filled
3 in a manner consistent with this subtitle.

4 (9) NO BENEFIT.—No part of the income or as-
5 sets of the Corporation shall inure to the benefit of
6 any Director, officer, or employee except as salary or
7 reasonable compensation for services.

8 (10) POLITICAL ACTIVITY.—The Corporation
9 may not contribute to or otherwise support any po-
10 litical party or candidate for elective public office.

11 (11) NO OFFICERS.—The members of the
12 Board shall not, by reason of such membership, be
13 considered to be officers or employees of the United
14 States.

15 (12) STIPENDS.—The members of the Board,
16 while attending meetings of the Board or while en-
17 gaged in duties related to such meetings or other ac-
18 tivities of the Board pursuant to this subtitle, shall
19 be entitled to a stipend. Such stipend shall be at the
20 rate of \$150 per day for which the Board member
21 has been officially recorded as having worked, except
22 that no member may be paid a total stipend amount
23 in any calendar year in excess of \$5,000.

24 (c) OFFICERS AND STAFF.—

1 (1) EXECUTIVE DIRECTOR.—The Corporation
2 shall have an Executive Director, and such other
3 staff, as may be appointed by the Board for terms
4 and at rates of compensation to be fixed by the
5 Board.

6 (2) ANNUAL RATE.—No staff of the Corpora-
7 tion may be compensated by the Corporation at an
8 annual rate of pay which exceeds the basic rate of
9 pay in effect from time to time for level IV of the
10 Executive Schedule under section 5312 of title 5,
11 United States Code.

12 (3) CITIZENSHIP.—No individual other than a
13 citizen of the United States may be a member of the
14 Board of Directors, or staff of the Corporation.

15 (4) SERVICE.—All officers and employees shall
16 serve at the pleasure of the Board.

17 (5) QUALIFICATION.—No political test or quali-
18 fication may be used in selecting, appointing, pro-
19 moting, or taking other personnel actions with re-
20 spect to officers, agents, or employees of the Cor-
21 poration.

22 (d) POWERS OF THE CORPORATION.—

23 (1) GENERALLY.—The Corporation is author-
24 ized to obtain grants from, and make contracts with,

1 individuals and with private, State, and Federal
2 agencies, organizations, and institutions.

3 (2) HIRING AUTHORITY.—The Corporation may
4 hire, or accept the voluntary services of, consultants,
5 experts, advisory boards, and panels to aid the Cor-
6 poration in carrying out the purposes of this sub-
7 title.

8 (e) FINANCIAL MANAGEMENT AND RECORDS.—

9 (1) AUDITS.—The accounts of the Corporation
10 shall be audited annually in accordance with gen-
11 erally accepted auditing standards by independent
12 certified public accountants. The audits shall be con-
13 ducted at the place where the accounts of the Cor-
14 poration are normally kept. All books, accounts, fi-
15 nancial records, reports, files, and all other papers,
16 things, or property belonging to or in use by the
17 Corporation and necessary to facilitate the audits
18 shall be made available to the person conducting the
19 audit.

20 (2) REPORT.—The report by each such inde-
21 pendent audit shall be included in the annual report
22 to Congress required by section 2602.

23 **SEC. 2552. FUNDING.**

24 (a) FUND.—There is hereby established in the Treas-
25 ury a fund that shall be known as the District of Columbia

1 Scholarship Fund, to be administered by the Secretary of
2 the Treasury.

3 (b) DISBURSEMENT.—The Secretary of the Treasury
4 shall make available and disburse to the corporation, at
5 the beginning of each of fiscal years 1996 through 2000,
6 such funds as have been appropriated to the District of
7 Columbia Scholarship Fund for the fiscal year in which
8 such disbursement is to be made.

9 (c) AVAILABILITY.—Funds authorized to be appro-
10 priated under this subtitle shall remain available until ex-
11 pended.

12 (d) USES.—Funds authorized to be appropriated
13 under this subtitle shall be used by the Corporation in a
14 prudent and financially responsible manner, solely for
15 scholarships, contracts, and administrative costs.

16 (e) AUTHORIZATION.—

17 (1) IN GENERAL.—There are authorized to be
18 appropriated to the Fund—

19 (A) \$5,000,000 for fiscal year 1996; and

20 (B) \$7,000,000 for fiscal year 1997, and

21 \$10,000,000 for each of fiscal years 1998

22 through 2000.

23 (2) LIMITATION.—Not more than \$500,000

24 may be used in any fiscal year by the Corporation

25 for any purpose other than assistance to students.

1 **SEC. 2553. SCHOLARSHIPS AUTHORIZED.**

2 (a) IN GENERAL.—The District of Columbia Scholar-
3 ship Corporation established under section 2501 is author-
4 ized in accordance with this subtitle to award scholarships
5 to students in grades K–12—

6 (1) who are District of Columbia residents; and

7 (2) whose families are at or below 185 percent
8 of the Federal poverty guidelines updated annually
9 in the Federal Register by the Department of
10 Health and Human Services under authority of sec-
11 tion 673(2) of the Omnibus Budget Reconciliation
12 Act of 1981.

13 (b) USE OF SCHOLARSHIP.—A scholarship may be
14 used only for—

15 (1) the cost of the tuition of a private or inde-
16 pendent school located within the geographic bound-
17 aries of the District of Columbia or the cost of the
18 tuition of public, private, or independent school lo-
19 cated within Montgomery County, Maryland; Prince
20 Georges County, Maryland; Arlington County, Vir-
21 ginia; Alexandria City, Virginia; Falls Church City,
22 Virginia; or Fairfax County, Virginia; or

23 (2) the cost of fees and other expenses for in-
24 structional services provided to students on school
25 grounds outside of regular school hours or the cost
26 of transportation for a student enrolled in a District

1 of Columbia public school, public charter school, or
2 independent or private school participating in the
3 tuition scholarship program.

4 (c) NOT SCHOOL AID.—A scholarship shall be consid-
5 ered assistance to the student and shall not be considered
6 assistance to the school.

7 **SEC. 2554. ELIGIBILITY.**

8 (a) IN GENERAL.—A student who is entitled to re-
9 ceive a public school education in the District of Columbia
10 and who meets the requirements of section 2553(a) is eli-
11 gible for a scholarship under subsections (c) and (d) of
12 section 2555.

13 (b) PRIORITY IN YEAR ONE.—In fiscal year 1996,
14 priority shall be given to students currently enrolled in a
15 District of Columbia public school or preparing to enter
16 kindergarten in 1996.

17 (c) SUBSEQUENT PRIORITY.—In subsequent fiscal
18 years, priority shall be given to scholarship recipients from
19 the preceding year.

20 **SEC. 2555. SCHOLARSHIPS.**

21 (a) AWARDS.—From the funds made available under
22 this subtitle, the Corporation shall award scholarships and
23 make payments, on behalf of the student, to participating
24 schools as described in section 2559.

1 (b) NOTIFICATION.—Each school that enrolls schol-
2 arship students shall notify the Corporation—

3 (A) not later than 10 days after the date
4 that a student is enrolled, of the names, ad-
5 dresses, and grade level of each scholarship stu-
6 dent to the Corporation; and

7 (B) not later than 10 days after the date
8 of the withdrawal of any scholarship student.

9 (c) TUITION SCHOLARSHIP AMOUNT.—

10 (1) BELOW POVERTY LEVEL.—For a student
11 whose family income is at or below the poverty level,
12 a tuition scholarship amount may not exceed the
13 lesser of—

14 (A) the cost of a school's tuition; or

15 (B) \$3,000 in 1996 with such amount ad-
16 justed in proportion to changes in the
17 Consumer Price Index of all urban consumers
18 published by the Department of Labor for each
19 of fiscal years 1997 through 2000.

20 (2) ABOVE POVERTY LEVEL.—For a student
21 whose family income is greater than the poverty
22 level, but not more than 185 percent above the pov-
23 erty level, a tuition scholarship amount may not ex-
24 ceed the lesser of—

1 (A) 50 percent of the cost of a school's tui-
2 tion; or

3 (B) \$1,500 in 1996 with such amount ad-
4 justed in proportion to changes in the
5 Consumer Price Index of all urban consumers
6 published by the Department of Labor for each
7 of fiscal years 1997 through 2000.

8 (d) FEE OR TRANSPORTATION SCHOLARSHIP
9 AMOUNT.—The fee or transportation scholarship amount
10 may not exceed the lesser of—

11 (1) fees for instructional services provided to
12 students on school grounds outside of regular school
13 hours or the costs of transportation for students en-
14 rolled in the District of Columbia public schools,
15 public charter schools, or independent or private
16 schools participating in the tuition scholarship pro-
17 gram; or

18 (2) \$500 in fiscal year 1996 with such amount
19 adjusted in proportion to the changes in the
20 Consumer Price Index of all urban consumers pub-
21 lished by the Department of Labor for each of the
22 fiscal years 1997 through 2000.

23 (e) PROPORTION OF DIFFERENT TYPES OF SCHOL-
24 ARSHIPS.—In each year, the Corporation shall ensure that
25 the number of scholarships awarded for tuition and the

1 number awarded for fees or transportation shall be equal,
2 to the extent practicable.

3 (f) FUNDING SHORTFALL.—If, after the District of
4 Columbia Scholarship Corporation determines the total
5 number of eligible applicants for an academic year sur-
6 passes the amount of funds available in a fiscal year to
7 fund all awards for such academic year, a random selec-
8 tion process shall be used to determine which eligible ap-
9 plicants receive awards.

10 (g) EXCEPTION.—Subsection (e) shall not apply to
11 individuals receiving scholarship priority described in sub-
12 sections (b) and (c) of section 2554.

13 **SEC. 2556. SCHOOL ELIGIBILITY FOR TUITION SCHOLAR-**
14 **SHIPS.**

15 (a) APPLICATION.—A school that desires to accept
16 tuition scholarship students for a school year shall file an
17 application with the Corporation by July 1 of the preced-
18 ing school year, except that in fiscal year 1996, schools
19 shall file such applications by such date as the Corporation
20 shall designate for such purpose. In the application, the
21 school shall—

22 (1) certify that it has operated during the cur-
23 rent school year with not less than 25 students,

24 (2) assure that it will comply with all applicable
25 requirements of this subtitle; and

1 (3) provide the most recent financial audit,
2 completed not earlier than 3 years before the date
3 such application is filed, from an independent cer-
4 tified public accountant using generally accepted au-
5 diting standards.

6 (b) ELIGIBILITY CERTIFICATION.—

7 (1) IN GENERAL.—Except as provided in para-
8 graph (3), not later than 60 days after receipt of
9 such information, the Corporation shall certify the
10 eligibility of a school to participate in the tuition
11 scholarship program.

12 (2) CONTINUATION.—Eligibility shall continue
13 in subsequent years unless revoked as described in
14 subsection (d).

15 (3) EXCEPTION FOR 1996.—In fiscal year 1996
16 after receipt of the information described in sub-
17 section (a), the Corporation shall certify the eligi-
18 bility of a school to participate in the tuition scholar-
19 ship program at the earliest practicable date.

20 (c) NEW SCHOOLS.—

21 (1) IN GENERAL.—A school that did not oper-
22 ate in the preceding academic year may apply for a
23 1-year provisional certification of eligibility to par-
24 ticipate in the tuition scholarship program for a sin-
25 gle school year by providing to the Corporation not

1 later than July 1 of the preceding calendar year for
2 which such school intends to begin operations—

3 (A) a list of the organization’s board of di-
4 rectors;

5 (B) letters of support from not less than
6 10 members of the community;

7 (C) a business plan;

8 (D) intended course of study;

9 (E) assurances that it will begin operations
10 with not less than 25 students; and

11 (F) assurances that it will comply with all
12 applicable requirements of this subtitle.

13 (2) CERTIFICATION.—Not later than 60 days
14 after the date of receipt of the information referred
15 to in paragraph (1), the Corporation shall certify in
16 writing the school’s provisional eligibility for the tui-
17 tion scholarship program unless good cause exists to
18 deny certification.

19 (3) DENIAL OF CERTIFICATION.—If certifi-
20 cation or provisional certification is denied for par-
21 ticipation in the tuition scholarship program, the
22 Corporation shall provide a written explanation to
23 the applicant school of the reasons for such decision.

24 (d) REVOCATION OF ELIGIBILITY.—

1 (1) IN GENERAL.—Upon written petition from
2 the parent of a tuition scholarship student or on the
3 Corporation’s own motion, the Corporation may,
4 after notice and hearing, revoke a school’s certifi-
5 cation of eligibility for tuition scholarships for the
6 subsequent school year for good cause, including a
7 finding of a pattern of violation of program require-
8 ments described in section 2557(a).

9 (2) EXPLANATION.—If the eligibility of a school
10 is revoked, the Corporation shall provide a written
11 explanation for its decision to such school.

12 **SEC. 2557. TUITION SCHOLARSHIP PARTICIPATION RE-**
13 **QUIREMENTS FOR INDEPENDENT AND PRI-**
14 **VATE SCHOOLS.**

15 (a) INDEPENDENT AND PRIVATE SCHOOL REQUIRE-
16 MENTS.—Independent and private schools participating in
17 the tuition scholarship program shall—

18 (1) not discriminate on the basis of race, color,
19 or national origin, or on the basis of a student’s dis-
20 abilities if the school is equipped to provide an ap-
21 propriate education;

22 (2) abide by all applicable health and safety re-
23 quirements of the District of Columbia public
24 schools;

1 (3) provide to the Corporation not later than
2 June 30 of each year the most recent financial audit
3 completed not earlier than 3 years before the date
4 the application is filed from an independent certified
5 public accountant using generally accepted auditing
6 standards;

7 (4) abide by all local regulations in effect for
8 independent or private schools;

9 (5) provide data to the Corporation as set forth
10 in section 2562, and conform to tuition requirements
11 as set forth in section 2555; and

12 (6) charge tuition scholarship recipients the
13 same tuition amount as other students who are resi-
14 dents of the District of Columbia and enrolled in the
15 same school.

16 (b) COMPLIANCE.—The Corporation may require
17 documentation of compliance with the requirements of
18 subsection (a), but neither the Corporation nor any gov-
19 ernmental entity may impose additional requirements
20 upon independent and private schools as a condition of
21 participation.

22 (c) WITHDRAWAL FROM PROGRAM.—Schools may
23 withdraw from the tuition scholarship program at any
24 time, refunding to the Corporation the proportion of any
25 scholarship payments already received for the remaining

1 days in the school year on a pro rata basis. If a school
2 withdraws during an academic year, it shall permit schol-
3 arship students to complete the year at their own expense.

4 **SEC. 2558. CHILDREN WITH DISABILITIES.**

5 Nothing in this subtitle shall affect the rights of stu-
6 dents or the obligations of the District of Columbia public
7 schools under the Individuals with Disabilities Education
8 Act.

9 **SEC. 2559. PAYMENTS FOR TUITION SCHOLARSHIPS.**

10 (a) IN GENERAL.—

11 (1) PROPORTIONAL PAYMENT.—The Corpora-
12 tion shall make tuition scholarship payments to par-
13 ticipating schools not later than October 15 of each
14 year equal to half the total value of the scholarships
15 awarded to students enrolled at such school, and
16 half of such amount not later than January 15 of
17 the following calendar year.

18 (2) PRO RATA AMOUNTS FOR STUDENT
19 WITHDRAWAL.—

20 (A) BEFORE PAYMENT.—If a student with-
21 draws before a tuition scholarship payment is
22 made, the school shall receive a pro rata
23 amount based on the school's tuition for the
24 number of days the student was enrolled.

1 (B) AFTER PAYMENT.—If a student with-
2 draws after a tuition scholarship payment is
3 made, the school shall refund to the Corpora-
4 tion the proportion of any scholarship payments
5 already received for the remaining days of the
6 school year on a pro rata basis. Such refund
7 shall occur not later than 30 days after the
8 date of the withdrawal of a student.

9 (b) FUND TRANSFERS.—The Corporation shall make
10 tuition scholarship payments to participating schools by
11 electronic funds transfer. If such an arrangement is not
12 available, the school shall submit an alternative proposal
13 to the Corporation for approval.

14 **SEC. 2560. TUITION SCHOLARSHIP APPLICATION PROCE-**
15 **DURES.**

16 The Corporation shall implement a schedule and pro-
17 cedures for processing applications for the tuition scholar-
18 ship program that includes a list of eligible schools, dis-
19 tribution of information to parents and the general public,
20 and deadlines for steps in the application and award proc-
21 ess.

22 **SEC. 2561. TUITION SCHOLARSHIP REPORTING REQUIRE-**
23 **MENTS.**

24 (a) IN GENERAL.—A school enrolling tuition scholar-
25 ship students shall report not later than July 30 of each

1 year in a manner prescribed by the Corporation, the fol-
2 lowing data:

3 (1) Standardized test scores, if any, for scholar-
4 ship students.

5 (2) Grade advancement for scholarship stu-
6 dents.

7 (3) Disciplinary actions taken with respect to
8 scholarship students.

9 (4) Graduation, college admission test scores,
10 and college admission rates, if applicable for scholar-
11 ship students.

12 (5) Types and amounts of parental involvement
13 required for all families.

14 (6) Student attendance for scholarship stu-
15 dents.

16 (7) General information on curriculum, pro-
17 grams, facilities, credentials of personnel, and dis-
18 ciplinary rules.

19 (b) CONFIDENTIALITY.—No personal identifiers may
20 be used in the body of such report except that the Cor-
21 poration may request such confidential information solely
22 for the purpose of verification.

1 **SEC. 2562. FEE OR TRANSPORTATION SCHOLARSHIP PRO-**
2 **CEDURES AND CRITERIA.**

3 (a) POLICIES AND PROCEDURES.—The Corporation
4 shall implement policies and procedures and criteria for
5 administering scholarships for use with providers approved
6 by the Corporation either for the cost of fees for instruc-
7 tional services provided to students on school grounds out-
8 side of regular school hours or for the costs of transpor-
9 tation for students enrolled in District of Columbia public
10 schools, public charter schools, or independent or private
11 schools participating in the tuition scholarship program.

12 (b) INFORMATION DISSEMINATION.—The Corpora-
13 tion shall distribute information describing the policies
14 and procedures and criteria developed pursuant to sub-
15 section (a), using the most efficient and practicable meth-
16 ods available, to potential applicants and other interested
17 parties within the geographic boundaries of the District
18 of Columbia.

19 **SEC. 2563. PROGRAM APPRAISAL.**

20 (a) STUDY.—Not later than 4 years after the date
21 of enactment of this Act, the Corporation shall provide
22 for an evaluation of the tuition scholarship program, in-
23 cluding—

24 (1) comparison of test scores between tuition
25 scholarship students and District of Columbia public

1 school students of similar background, including by
2 income level;

3 (2) comparison of graduation rates between tui-
4 tion scholarship students and District of Columbia
5 public school students of similar background, includ-
6 ing by income level; and

7 (3) satisfaction of parents of scholarship stu-
8 dents.

9 (b) REPORT TO CONGRESS.—Not later than Septem-
10 ber 1 of each year, the Corporation shall submit a progress
11 report on the scholarship program to the appropriate con-
12 gressional committees.

13 **SEC. 2564. JUDICIAL REVIEW.**

14 (a) IN GENERAL.—

15 (1) JURISDICTION.—The United States District
16 Court for the District of Columbia shall have juris-
17 diction over any legal challenges to the tuition schol-
18 arship program and shall provide expedited review.

19 (2) PROTECTABLE INTERESTS.—Parents and
20 children shall be considered to have a separate
21 protectable interest and entitled to intervene as de-
22 fendants in any such action.

23 (3) TIMELY REVIEW.—The court shall render a
24 prompt decision.

1 (b) APPEALS.—If the tuition scholarship program or
2 any part thereof is enjoined or ruled invalid, the decision
3 is directly appealable to the United States Supreme Court.

4 **Subtitle K—Partnerships With**
5 **Business**

6 **SEC. 2601. PURPOSE.**

7 It is the purpose of this title to leverage private sector
8 funds utilizing initial Federal investments in order to pro-
9 vide students and teachers within the District of Columbia
10 public schools and public charter schools with access to
11 state-of-the-art educational technology, to establish a re-
12 gional job training and employment center, to strengthen
13 workforce preparation initiatives for students within the
14 District of Columbia public schools and public charter
15 schools, and to coordinate private sector investments in
16 carrying out this title.

17 **SEC. 2602. DUTIES OF THE SUPERINTENDENT OF THE DIS-**
18 **TRICT OF COLUMBIA PUBLIC SCHOOLS.**

19 Not later than 45 days after the date of the enact-
20 ment of this Act, the Superintendent of the District of
21 Columbia public schools—

22 (1) shall provide a grant to a private, nonprofit
23 corporation that meets the eligibility criteria under
24 section 2603 for the purposes of carrying out the
25 duties under section 2604; and

1 (2) shall establish a nonprofit organization in
2 accordance with the District of Columbia Nonprofit
3 Corporation Act for the purpose of carrying out the
4 duties under section 2605.

5 **SEC. 2603. ELIGIBILITY CRITERIA FOR PRIVATE, NON-**
6 **PROFIT CORPORATION.**

7 A private, nonprofit corporation shall be eligible to
8 receive a grant under section 2602(1) if the corporation
9 is a national business organization which is incorporated
10 in the District of Columbia and which—

11 (1) has a board of directors which includes
12 members who are also chief executive officers of
13 technology-related corporations involved in education
14 and workforce development issues;

15 (2) has extensive practical experience with ini-
16 tiatives that link business resources and expertise
17 with education and training systems;

18 (3) has experience in working with State and
19 local educational entities throughout the United
20 States on the integration of academic studies with
21 workforce preparation programs; and

22 (4) has a nationwide structure through which
23 additional resources can be leveraged and innovative
24 practices disseminated.

1 **SEC. 2604. DUTIES OF THE PRIVATE, NONPROFIT CORPORA-**
2 **TION.**

3 (a) DISTRICT EDUCATION AND LEARNING TECH-
4 NOLOGIES ADVANCEMENT COUNCIL.—

5 (1) ESTABLISHMENT.—The corporation shall
6 establish a council to be known as the “District
7 Education and Learning Technologies Advancement
8 Council” or “DELTA Council” (in this title referred
9 to as the “council”).

10 (2) MEMBERSHIP.—

11 (A) IN GENERAL.—The corporation shall
12 appoint members to the council. An individual
13 shall be appointed as a member to the council
14 on the basis of the commitment of the individ-
15 ual, or the entity which the individual is rep-
16 resenting, to providing time, energy, and re-
17 sources to the council.

18 (B) COMPENSATION.—Members of the
19 council shall serve without compensation.

20 (3) DUTIES.—The council—

21 (A) shall advise the corporation in the du-
22 ties of the corporation under subsections (b)
23 through (d) of this section; and

24 (B) shall assist the corporation in
25 leveraging private sector resources for the pur-

1 pose of carrying out such duties of the corpora-
2 tion.

3 (b) ACCESS TO STATE-OF-THE-ART EDUCATIONAL
4 TECHNOLOGY.—

5 (1) IN GENERAL.—The corporation, in conjunc-
6 tion with the Superintendent, students, parents, and
7 teachers, shall establish and implement strategies to
8 ensure access to state-of-the-art educational tech-
9 nology within the District of Columbia public schools
10 and public charter schools established in accordance
11 with this Act.

12 (2) TECHNOLOGY ASSESSMENT.—

13 (A) IN GENERAL.—In establishing and im-
14 plementing the strategies under paragraph (1),
15 the corporation, not later than 90 days after
16 the date of the enactment of this Act, shall pro-
17 vide for an assessment of the current availabil-
18 ity of state-of-the-art educational technology
19 within the District of Columbia public schools
20 and public charter schools established in ac-
21 cordance with this Act.

22 (B) CONDUCT OF ASSESSMENT.—In pro-
23 viding for the assessment under subparagraph
24 (A), the corporation—

1 (i) shall provide for on-site inspections
2 of the state-of-the-art educational tech-
3 nology within a minimum sampling of Dis-
4 trict of Columbia public schools and public
5 charter schools established in accordance
6 with this Act; and

7 (ii) shall ensure proper input from
8 students, parents, teachers, and other
9 school officials through the use of focus
10 groups and other appropriate mechanisms.

11 (C) RESULTS OF ASSESSMENT.—The cor-
12 poration shall ensure that the assessment car-
13 ried out under this paragraph provides, at a
14 minimum, necessary information on state-of-
15 the-art educational technology within the Dis-
16 trict of Columbia public schools and public
17 charter schools established in accordance with
18 this Act, including—

19 (i) the extent to which typical public
20 schools within the District of Columbia
21 have access to such state-of-the-art edu-
22 cational technology and training for such
23 technology;

24 (ii) how such schools are using such
25 technology;

1 (iii) the need for additional technology
2 and the need for infrastructure for the im-
3 plementation of such additional technology;

4 (iv) the need for computer hardware,
5 software, training, and funding for such
6 additional technology or infrastructure;
7 and

8 (v) the potential for computer linkages
9 among District of Columbia public schools
10 and public charter schools.

11 (3) SHORT-TERM TECHNOLOGY PLAN.—

12 (A) IN GENERAL.—Based upon the results
13 of the technology assessment under paragraph
14 (2), the corporation shall develop a 3-year plan
15 that includes goals, priorities, and strategies for
16 obtaining the resources necessary to implement
17 strategies to ensure access to state-of-the-art
18 educational technology within the District of
19 Columbia public schools and public charter
20 schools established in accordance with this Act.

21 (B) IMPLEMENTATION.—The corporation,
22 in conjunction with schools, students, parents,
23 and teachers, shall implement the plan devel-
24 oped under subparagraph (A).

1 (4) LONG-TERM TECHNOLOGY PLAN.—Prior to
2 the completion of the implementation of the short-
3 term plan under paragraph (3), the corporation shall
4 develop a plan under which the corporation will con-
5 tinue to coordinate the donation of private sector re-
6 sources for maintaining the continuous improvement
7 and upgrading of state-of-the-art educational tech-
8 nology within the District of Columbia public schools
9 and public charter schools established in accordance
10 with this Act.

11 (c) DISTRICT EMPLOYMENT AND LEARNING CEN-
12 TER.—

13 (1) ESTABLISHMENT.—The corporation shall
14 establish a center to be known as the “District Em-
15 ployment and Learning Center” or “DEAL Center”
16 (in this title referred to as the “center”), which shall
17 serve as a regional institute providing job training
18 and employment assistance.

19 (2) DUTIES.—

20 (A) JOB TRAINING AND EMPLOYMENT AS-
21 SISTANCE PROGRAM.—The center shall estab-
22 lish a program to provide job training and em-
23 ployment assistance in the District of Columbia.

1 (B) CONDUCT OF PROGRAM.—In carrying
2 out the program established under subpara-
3 graph (A), the center—

4 (i) shall provide job training and em-
5 ployment assistance to youths who have at-
6 tained the age of 18 but have not attained
7 the age of 26, who are residents of the
8 District of Columbia, and who are in need
9 of such job training and employment as-
10 sistance for an appropriate period not to
11 exceed 2 years;

12 (ii) shall work to establish partner-
13 ships and enter into agreements with ap-
14 propriate governmental agencies of the
15 District of Columbia to serve individuals
16 participating in appropriate Federal pro-
17 grams, including programs under the Job
18 Training Partnership Act (29 U.S.C. 1501
19 et seq.), the Job Opportunities and Basic
20 Skills Training Program under part F of
21 title IV of the Social Security Act, the Carl
22 D. Perkins Vocational and Applied Tech-
23 nology Education Act (20 U.S.C. 2301 et
24 seq.), and the School-to-Work Opportuni-
25 ties Act of 1994 (20 U.S.C. 6101 et seq.);

1 (iii) shall conduct such job training,
2 as appropriate, through a consortia of col-
3 leges, universities, community colleges, and
4 other appropriate providers in the District
5 of Columbia metropolitan area;

6 (iv) shall design modular training pro-
7 grams that allow students to enter and
8 leave the training curricula depending on
9 their opportunities for job assignments
10 with employers; and

11 (v) shall utilize resources from busi-
12 nesses to enhance work-based learning op-
13 portunities and facilitate access by stu-
14 dents to work-based learning and work-ex-
15 perience through temporary work assign-
16 ments with employers in the District of
17 Columbia metropolitan area.

18 (C) COMPENSATION.—The center may pro-
19 vide compensation to youths participating in the
20 program under this paragraph for part-time
21 work assigned in conjunction with training.
22 Such compensation may include needs-based
23 payments and reimbursement of expenses.

24 (d) WORKFORCE PREPARATION INITIATIVES.—

1 (1) IN GENERAL.—The corporation shall estab-
2 lish initiatives with the District of Columbia public
3 schools and public charter schools established in ac-
4 cordance with this Act, appropriate governmental
5 agencies, and businesses and other private entities,
6 to facilitate the integration of rigorous academic
7 studies with workforce preparation programs in Dis-
8 trict of Columbia public schools and public charter
9 schools.

10 (2) CONDUCT OF INITIATIVES.—In carrying out
11 the initiatives under paragraph (1), the corporation
12 shall, at a minimum, actively develop, expand, and
13 promote the following programs:

14 (A) Career academy programs in secondary
15 schools, as established in certain District of Co-
16 lumbia public schools, which provide a “school-
17 within-a-school” concept, focusing on career
18 preparation and the integration of the academy
19 programs with vocational and technical curricu-
20 lum.

21 (B) Programs carried out in the District of
22 Columbia that are funded under the School-to-
23 Work Opportunities Act of 1994 (20 U.S.C.
24 6101 et seq.).

1 (e) PROFESSIONAL DEVELOPMENT PROGRAM FOR
2 TEACHERS AND ADMINISTRATORS.—

3 (1) ESTABLISHMENT OF PROGRAM.—The cor-
4 poration shall establish a consortium consisting of
5 the corporation, teachers, school administrators, and
6 a consortium of universities located in the District of
7 Columbia (in existence on the date of the enactment
8 of this Act) for the purpose of establishing a pro-
9 gram for the professional development of teachers
10 and school administrators employed by the District
11 of Columbia public schools and public charter
12 schools established in accordance with this Act.

13 (2) CONDUCT OF PROGRAM.—In carrying out
14 the program established under paragraph (1), the
15 consortium established under such paragraph, in
16 consultation with the World Class Schools Panel and
17 the Superintendent, shall, at a minimum, provide for
18 the following:

19 (A) Professional development for teachers
20 which is consistent with the model professional
21 development programs for teachers under sec-
22 tion 402(a)(3), or is consistent with the core
23 curriculum developed by the Superintendent
24 under section 411(a)(1), as the case may be,
25 except that in fiscal year 1996, such profes-

1 sional development shall focus on curriculum
2 for elementary grades in reading and mathe-
3 matics that have been demonstrated to be effec-
4 tive for students from low-income backgrounds.

5 (B) Private sector training of teachers in
6 the use, application, and operation of state-of-
7 the-art technology in education.

8 (C) Training for school principals and
9 other school administrators in effective private
10 sector management practices for the purpose of
11 site-based management in the District of Co-
12 lumbia public schools and training in the man-
13 agement of public charter schools established in
14 accordance with this Act.

15 (f) OTHER PRIVATE SECTOR ASSISTANCE AND CO-
16 ORDINATION.—The corporation shall coordinate private
17 sector involvement and voluntary assistance efforts in sup-
18 port of repairs and improvements to schools in the District
19 of Columbia, including—

20 (1) private sector monetary and in-kind con-
21 tributions to repair and improve school building fa-
22 cilities consistent with section 601;

23 (2) the development of proposals to be consid-
24 ered by the Superintendent for inclusion in the long-
25 term reform plan to be developed pursuant to sec-

1 tion 101, and other proposals to be submitted to the
2 Superintendent, the Board of Education, the Mayor,
3 the District of Columbia Council, the Authority, the
4 Administrator of the General Services Administra-
5 tion, or the Congress; and

6 (3) a program of rewards for student accom-
7 plishment at participating local businesses.

8 **SEC. 2605. JOBS FOR D.C. GRADUATES PROGRAM.**

9 (a) IN GENERAL.—The nonprofit organization estab-
10 lished under section 2602(2) shall establish a program, to
11 be known as the “Jobs for D.C. Graduates Program”, to
12 assist the District of Columbia public schools and public
13 charter schools established in accordance with this Act in
14 organizing and implementing a school-to-work transition
15 system with a priority on providing assistance to at-risk
16 youths and disadvantaged youths.

17 (b) CONDUCT OF PROGRAM.—In carrying out the
18 program established under subsection (a), the nonprofit
19 organization, consistent with the policies of the nationally-
20 recognized Jobs for America’s Graduates, Inc.—

21 (1) shall establish performance standards for
22 such program;

23 (2) shall provide ongoing enhancement and im-
24 provements in such program;

1 (3) shall provide research and reports on the re-
2 sults of such program; and

3 (4) shall provide pre-service and in-service
4 training of all staff.

5 **SEC. 2606. MATCHING FUNDS.**

6 The corporation shall, to the extent practicable, pro-
7 vide funds, an in kind contribution, or a combination
8 thereof, for the purpose of carrying out the duties of the
9 corporation under section 2604, as follows:

10 (1) For fiscal year 1996, \$1 for every \$1 of
11 Federal funds provided under this title for section
12 2604.

13 (2) For fiscal year 1997, \$3 for every \$1 of
14 Federal funds provided under this title for section
15 2604.

16 (3) For fiscal year 1998, \$5 for every \$1 of
17 Federal funds provided under this title for section
18 2604.

19 **SEC. 2607. REPORT.**

20 The corporation shall prepare and submit to the Con-
21 gress on a quarterly basis, or, with respect to fiscal year
22 1996, on a biannual basis, a report which shall contain—

23 (1) the activities the corporation has carried
24 out, including the duties of the corporation described
25 in section 2604, for the 3-month period ending on

1 the date of the submission of the report, or, with re-
2 spect to fiscal year 1996, the 6-month period ending
3 on the date of the submission of the report;

4 (2) an assessment of the use of funds or other
5 resources donated to the corporation;

6 (3) the results of the assessment carried out
7 under section 2604(b)(2); and

8 (4) a description of the goals and priorities of
9 the corporation for the 3-month period beginning on
10 the date of the submission of the report, or, with re-
11 spect to fiscal year 1996, the 6-month period begin-
12 ning on the date of the submission of the report.

13 **SEC. 2608. AUTHORIZATION OF APPROPRIATIONS.**

14 (a) AUTHORIZATION.—

15 (1) DELTA COUNCIL; ACCESS TO STATE-OF-
16 THE-ART EDUCATIONAL TECHNOLOGY; WORKFORCE
17 PREPARATION INITIATIVES; OTHER PRIVATE SECTOR
18 ASSISTANCE AND COORDINATION.—There are au-
19 thorized to be appropriated to carry out subsections
20 (a), (b), (d) and (f) of section 2604 \$1,000,000 for
21 each of the fiscal years 1996, 1997, and 1998.

22 (2) DEAL CENTER.—There are authorized to be
23 appropriated to carry out section 2604(c)
24 \$2,000,000 for each of the fiscal years 1996, 1997,
25 and 1998.

1 (3) PROFESSIONAL DEVELOPMENT PROGRAM
2 FOR TEACHERS AND ADMINISTRATORS.—There are
3 authorized to be appropriated to carry out section
4 2604(e) \$1,000,000 for each of the fiscal years
5 1996, 1997, and 1998.

6 (4) JOBS FOR D.C. GRADUATES PROGRAM.—
7 There are authorized to be appropriated to carry out
8 section 2605—

9 (A) \$2,000,000 for fiscal year 1996; and

10 (B) \$3,000,000 for each of the fiscal years
11 1997 through 2000.

12 (b) AVAILABILITY.—Amounts authorized to be appro-
13 priated under subsection (a) are authorized to remain
14 available until expended.

15 **SEC. 2609. TERMINATION OF FEDERAL SUPPORT; SENSE OF**
16 **THE CONGRESS RELATING TO CONTINU-**
17 **ATION OF ACTIVITIES.**

18 (a) TERMINATION OF FEDERAL SUPPORT.—The au-
19 thority under this title to provide assistance to the cor-
20 poration or any other entity established pursuant to this
21 title (except for assistance to the nonprofit organization
22 established under section 2602(2) for the purpose of car-
23 rying out section 2605) shall terminate on October 1,
24 1998.

1 (b) SENSE OF THE CONGRESS RELATING TO CON-
2 TINUATION OF ACTIVITIES.—It is the sense of the Con-
3 gress that—

4 (1) the activities of the corporation under sec-
5 tion 2604 should continue to be carried out after
6 October 1, 1998, with resources made available from
7 the private sector; and

8 (2) the corporation should provide oversight
9 and coordination of such activities after such date.

10 **Subtitle L—Parent Attendance at**
11 **Parent-Teacher Conferences**

12 **SEC. 2651. ESTABLISHMENT.**

13 (a) POLICY.—Notwithstanding any other provision of
14 law, the Mayor of the District of Columbia is authorized
15 to develop and implement a policy requiring all residents
16 with children attending a District of Columbia public
17 school system to attend and participate in at least 1 par-
18 ent-teacher conference every 90 days during the school
19 year.

20 (b) WITHHOLD BENEFITS.—The Mayor is authorized
21 to withhold payment of benefits received under the pro-
22 gram under part A of title IV of the Social Security Act
23 as a condition of participation in these parent-teacher con-
24 ferences.

1 **SEC. 2652. SUBMISSION OF PLAN.**

2 If the Mayor elects to utilize the powers granted
3 under section 2651, the Mayor shall submit to the Sec-
4 retary of Health and Human Services a plan for imple-
5 mentation. The plan shall include—

6 (1) plans to administer the program;

7 (2) plans to conduct evaluations on the success
8 or failure of the program;

9 (3) plans to monitor the participation of par-
10 ents;

11 (4) plans to withhold and reinstate benefits;

12 and

13 (5) long-term plans for the program.

14 **SEC. 2653. REPORTS TO CONGRESS.**

15 Beginning on October 1, 1996 and each year there-
16 after, the District shall annually report to the Secretary
17 of Health and Human Services and to the Congress on
18 the progress and results of the program described in sec-
19 tion 2651 of this Act.

1 This Act may be cited as the “District of Columbia
2 Appropriations Act, 1996”.

 Passed the House of Representatives November 2,
1995.

Attest:

Clerk.