

**PROPOSED AMENDMENTS TO THE DISTRICT OF COLUMBIA  
SCHOOL REFORM ACT OF 1995**

**Bill and Report Language**

**SIBLING PREFERENCE**

**Report Language**

The Subcommittee is aware that new charter schools are not authorized to give a preference in enrollment to siblings of enrolled students. This presents a hardship to parents who must send one or more of their children to different schools if all of their children are not selected in a lottery. Therefore, the Subcommittee has included an amendment to make the District of Columbia School Reform Act of 1995 more family friendly by allowing new or existing schools to grant a sibling preference in enrollment.

**Bill Language**

**SEC. \_\_\_\_ . STUDENT ADMISSION, ENROLLMENT, AND WITHDRAWAL.**

Section 2206 of the District of Columbia School Reform Act of 1995 (Public Law 104-134; 110 Stat. 1321-\_\_ ; D.C. Code § 31-\_\_\_\_) is amended—

(1) in subsection (a) by adding at the end the following:

“(1) ENROLLMENT OF SIBLINGS.—A new or existing public charter school may give priority in enrollment to the siblings of enrolled students.

(2) in subsection (d) by striking paragraph (2).

**NOTE: A possible alternative:** Only strike (d)(2) with report language specifying intent.

**EXTEND THE AUTHORIZATION OF THE D.C. SCHOOL REFORM ACT**

Report Language

The Subcommittee is aware that the District of Columbia School Reform Act's authorization will end April 2001. The Subcommittee is also aware that public charter schools are granted 15-year charters under the Act and that the Authority granting the charter must review a school's charter at least once every five years to determine if the charter should be revoked. The Subcommittee recognizes that stability and consistency in governance and oversight are critical to the success of public charter schools. To promote such stability and to ensure that the structure and direction provided by the Act remain in place for enough time to permit real change to occur and take hold, the Subcommittee has included an amendment to permanently authorize the Act [extend the authorization of the Act for an additional \_\_\_\_ years].

Bill Language

**SEC. \_\_\_\_ . GENERAL EFFECTIVE DATE.**

Section. 2003 of the District of Columbia School Reform Act of 1995 (Public Law 104-134; 110 Stat. 1321-112; D.C. Code § 31-2851) is amended by striking "shall be effective" and all that follows through the period at the end and inserting "shall take effect on the date of the enactment of this Act".

**OR**

is amended by striking "5," and inserting "15".

RESTORATION OF INITIAL SEPTEMBER PAYMENT

Report Language

The Subcommittee has included an amendment to restore a provision that was inadvertently removed in the course of last year's amendments. The provision provides for an initial September payment to new public charter schools for which they otherwise would receive no funding.

Bill Language

**SEC. \_\_\_\_\_. RESTORATION OF INITIAL SEPTEMBER PAYMENT.**

Section 2403 of the District of Columbia School Reform Act of 1995 (Public Law 104-134; 110 Stat. 1321-\_\_ ; D.C. Code § 31-\_\_\_\_) is amended—

(1) by renaming subsection (b) as subsection (c) "NEW CHARTER SCHOOL FUND", and

(2) by inserting new subsection (b) "EXCEPTION FOR NEW SCHOOLS".—

(1) AUTHORIZATION.—There are authorized to be appropriated such sums as may be necessary for each fiscal year to carry out this subsection.

(2) DISBURSEMENT TO MAYOR.—The Secretary of the Treasury shall make available and disburse to the Mayor, not later than August 1 of each of the fiscal years 1996 and thereafter, such funds as have been appropriated under paragraph (1).

(3) ESCROW.— The mayor shall place in escrow, for use by public charter schools, any sum disbursed under paragraph (2) and not paid under paragraph (4).

(4) PAYMENTS TO SCHOOLS.— The Mayor shall pay to public charter schools described in paragraph (5), in accordance with this subsection, any sum disbursed under paragraph (2).

(5) SCHOOLS DESCRIBED.— The schools referred to in paragraph (4) are public charter schools that---

(A) did not operate as public charter schools during the fiscal year preceding the fiscal year the fiscal year for which funds are authorized to be appropriated under paragraph (1).

(6) FORMULA.—

(A) 1996.— The amount of the payment to a public charter school described in paragraph (5) that begins operating in fiscal year 1996 shall be calculated by multiplying \$6,300 by 1/12 of the total anticipated enrollment as set forth in the petition to establish the public charter school; and

(B) 1997 AND THEREAFTER.— The amount of the payment to a public charter school described in paragraph (5) that begins operation in any fiscal year following 1996 shall be calculated by multiplying the uniform dollar amount used in the formula established under section 2401(b) by 1/12 of the total anticipated enrollment as set forth in the petition to establish the public charter school.

(7) PAYMENTS TO SCHOOLS.—

(A) TRANSFER.—On September 1 of each of the years 1996 and thereafter, the Mayor shall transfer, by electronic funds transfer, the amount determined under paragraph (6) for each public charter school from the escrow account established under subsection (a) to a bank designated by each such school.

(B) PRO RATA AND REMAINING FUNDS.—Subparagraphs (C) and (D) of subsection (a)(2) shall apply to payments made under this subsection,

except that for purposes of this subparagraph references to District of Columbia public schools in such subparagraphs (C) and (D) shall be read to refer to public charter schools.

**ACCOUNTABILITY**

**Return of Public Funds and Assets to the District of Columbia**

**SEC. \_\_\_\_\_. RECOVERY OF PUBLIC FUNDS AND ASSETS UPON CHARTER NONRENEWAL OR REVOCATION.**

Section 2212 of the District of Columbia School Reform Act of 1995 (Public Law 104-134; 110 Stat. 1321-\_\_; D.C. Code § 31-\_\_\_\_) is amended by adding at the end the following:

“(7) RECOVERY OF PUBLIC FUNDS AND ASSETS UPON

NONRENEWAL.—

When a charter is not renewed, any unencumbered funds, ~~and all~~ equipment and property purchased with public funds shall revert to the ownership of the eligible chartering authority that granted the charter or the District of Columbia government through a procedure established by the Chief Financial Officer in consultation with District of Columbia Public Schools, eligible chartering authorities, and public charter schools. The reversion of such equipment and property shall include recoverable assets, but not intangible or irrecoverable costs such as rental or leasing fees, normal maintenance, and limited renovations. Any additional issues, such as shared use of facilities or partial ownership of facilities or property shall be addressed in the charter contract prior to the expenditure of funds and in procedures established by the Chief Financial Officer.

Section. 2213 of the District of Columbia School Reform Act of 1995, as amended (Public Law 104-134; 110 Stat. 1321-\_\_ ; D.C. Code § 31-\_\_\_\_) is amended by adding at the end the following:

“(d) RECOVERY OF PUBLIC FUNDS AND ASSETS UPON  
REVOCAION.—

When a charter is revoked, any unencumbered funds, ~~and all~~ equipment and property purchased with public funds shall revert to the ownership of the eligible chartering authority that granted the charter or the District of Columbia government through a procedure established by the Chief Financial Officer in consultation with District of Columbia Public Schools, eligible chartering authorities, and public charter schools. The reversion of such equipment and property shall include recoverable assets, but not intangible or irrecoverable costs such as rental or leasing fees, normal maintenance, and limited renovations. Any additional issues, such as shared use of facilities or partial ownership of facilities or property shall be addressed in the charter contract prior to the expenditure of funds and in procedures established by the Chief Financial Officer.