

COUNCIL OF THE DISTRICT OF COLUMBIA


NOTICE

D.C. LAW 3-82

"Educational Policy Amendments Act of 1980".

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P. L. 93-198, "the Act", the Council of the District of Columbia adopted Bill No. 3-3, on first, amended first and second readings, April 22, 1980, May 6, 1980 and May 20, 1980, respectively. Following the signature of the Mayor on June 12, 1980, this legislation was assigned Act No. 3-196, published in June 20, 1980, edition of the D.C. Register, (Vol. 27 page 2647) and transmitted to Congress on June 16, 1980 for a 30-day review, in accordance with Section 602 (c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and, therefore, cites this enactment as D.C. Law 3-82 effective August 22, 1980.



ARRINGTON DIXON  
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

June	16,17,18,19,20,23,24,25,26,27,30
July	1,2,21,22,23,24,25,28,29,30,31
August	1,4,5,6,18,19,20,21

D.C. LAW 3-82  
EFFECTIVE DATE AUG 22 1980

AN ACT  
D.C. ACT 3-196  
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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
  
JUN 12 1980  
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To provide for greater authority in the District of Columbia Board of Education and the Board of Trustees of the University of the District of Columbia with respect to student tuition and fees, to establish accounts, and for other purposes.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,  
That this act may be cited as the "Educational Policy Amendments Act of 1980".

Sec. 2. The District of Columbia Nonresident Tuition Act, approved September 3, 1960 (74 Stat. 353; D.C. Code, sec. 31-307 et seq.) is amended as follows:

(a) Section 2(b) (D.C. Code, sec. 31-307(b)) is amended by striking the phrase "with the approval of the Board of Commissioners of the District of Columbia" and inserting the following proviso at the end of the subsection:

CODIFICATION  
D.C. Code,  
sec. 31-307(b)

" : PROVIDED, That such amounts and changes in the amounts fixed by this subsection are set by the Board in accordance with the provisions of section 105(a) of the District of Columbia Administrative Procedure Act (D.C. Code, sec. 1-1505(a)). Following the final adoption of such amounts, the Board shall transmit a copy to the Mayor and a copy to the Council of the District of Columbia."

(b) Section 2(c) (D.C. Code, sec. 31-307(c)) is amended by striking the phrase "paid into the Treasury of the United States, to the credit of the District of Columbia" and inserting the phrase "paid to the D.C. Treasurer under regulations established by the Mayor and accounted for in the General Fund as a separate revenue source allocable to provide authority for such school purposes as the Board of Education may approve. Any unexpended balance at the end of fiscal year 1981 or each succeeding year thereafter shall be reserved as a restricted fund balance and used to provide authority to expend for subsequent years

D.C. Code,  
sec. 31-307(c)

Proposed Amendment

subject to the direction of the Board: PROVIDED, That the base of the budget of the Board of Education shall be reduced by an amount equal to the estimated revenue from non-resident tuition for fiscal year 1981." in lieu thereof; and

(c) Section 3(a) (D.C. Code, sec. 31-308(a)) is amended by striking out the phrase "with the approval of the Commissioners of the District of Columbia," and by inserting the following proviso at the end of the subsection: ": PROVIDED, That such rules and all changes proposed to such rules are issued by the Board in accordance with the provisions of section 105(a) of the District of Columbia Administrative Procedure Act (D.C. Code, sec. 1-1505(a)). Following the final adoption of such rules, the Board shall transmit a copy to the Mayor and a copy to the Council of the District of Columbia."

D.C. Code,  
sec. 31-308(a)

Sec. 3. The District of Columbia Public Postsecondary Education Reorganization Act, approved October 25, 1974 (88 Stat. 1423; D.C. Code, sec. 31-1701 et seq.) is amended as follows:

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(a) Section 206 (a), (f), (g), (h), and (i) (D.C. Code, sec. 31-1716 (a), (f), (g), (h), and (i)) is amended to read as follows:

D.C. Code,  
sec. 31-1716

"(e) The Trustees are authorized to transfer during the fiscal year any appropriation balance available for one item of appropriation to another item of appropriation or to a new program designated by action of the Trustees: PROVIDED, That any such action under this subsection shall be taken in accordance with the provisions of the reprogramming policy and laws of the District of Columbia.

"(f) The Trustees may enter into negotiations and binding contracts pursuant to regulations adopted by the Trustees: PROVIDED, That such rules and regulations are not inconsistent with policies embodied in District-wide contracting and procurement rules and regulations: PROVIDED, FURTHER, That all such rules and regulations are adopted by the Board in accordance with section 105(a) of the District of Columbia Administrative Procedure Act (D.C. Code, sec.

1-1505(a)). The authority provided in this subsection shall not extend to contracts for capital construction projects.

"(q) Enter into negotiations and binding contracts pursuant to the regulations adopted by the Trustees under subsection (f) to perform organized research, training and demonstrations on a reimbursable basis for the United States and the government of the District of Columbia and other public and private agencies.

"(h) Fix tuition, and fees in addition to tuition, to be paid by resident and non-resident students attending the University: PROVIDED, That such tuition and fees are adopted by the Trustees in accordance with the provisions of section 105(a) of the District of Columbia Administrative Procedure Act (D.C. Code, sec. 1-1505(a)).

"(i) Deposit all revenues and receipts of any nature whatever derived from tuition and fees received from students with the D.C. Treasurer under regulations established by the Mayor, which revenues shall be accounted for

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in the Municipal University Fund as a separate revenue source allocated to provide authority for such university purposes as the Board of Trustees may approve. Any unexpended balance at the end of fiscal year 1991 or each succeeding fiscal year thereafter shall be reserved as a restricted fund balance and used to provide authority to expend for subsequent years subject to the direction of the board of Trustees: PROVIDED, That the base of the budget of the University shall be reduced by an amount equal to the estimated revenue from tuition for fiscal year 1991.";

(b) Section 301 (D.C. Code, sec. 31-1721) is amended by adding a new subsection at the end thereof which reads as follows:

D.C. Code,  
sec. 31-1721

"(c) The Trustees are authorized to purchase and sell books at such prices as they determine necessary to approximate the cost of the sale of such books, excluding personnel and overhead costs. All receipts from the sale of such books shall be deposited with the D.C. Treasurer and accounted for within the

Municipal University Fund as a separate revenue source allocable to provide authority for the purchase of books as the Board of Trustees may approve. Any unexpended balance at the end of fiscal year 1981 or each succeeding fiscal year thereafter shall be reserved as a restricted fund balance and used to provide authority to expend for subsequent years, for the purchase of books, subject to the direction of the Board of Trustees. Such funds which are available from the general revenues of the District of Columbia and appropriated in fiscal year 1981 for the purpose of the procurement of books by the Trustees and receipts from the sale of such books shall also be deposited with the D.C. Treasurer and accounted for in an account within the Municipal University Fund: PROVIDED, That the base of the budget of the University shall be reduced in fiscal year 1982 by an amount equal to the funds appropriated in fiscal year 1981 for the



purpose of procurement of such books and receipts from the sale of such books.";

(c) Section 405 (D.C. Code, sec. 31-1735) is amended to read as follows:

D.C. Code,  
sec. 31-1735

"(a) The Board of Education of the District of Columbia is authorized to transfer during the fiscal year any appropriation balance available for one item of appropriation to another item of appropriation or to a new program designated by action of the Board: PROVIDED, That any such action under this subsection shall be taken in accordance with the reprogramming policy and laws of the District of Columbia.

"(b) The Board of Education may enter into negotiations and binding contracts pursuant to regulations adopted by the Board: PROVIDED, That such rules and regulations are not inconsistent with policies embodied in District-wide contracting and procurement rules and regulations: PROVIDED, FURTHER, That all such rules and regulations are adopted by the Board in accordance with section 105(a) of the District of Columbia

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Administrative Procedure Act (D.C. Code, sec. 1-1505(a)). The authority provided in this subsection shall not extend to contracts for capital construction projects.

"(c) There is established in the General Fund, an account entitled the Material Fund which shall be limited to public school use. The Board of Education is authorized to transfer its authority from the Material Fund to an Internal Service Fund, which transferred authority if not obligated by the end of the first quarter of fiscal year 1981, or each succeeding fiscal year thereafter shall expire."


Sec. 4. Section 4(a)(2) of the District of Columbia Fund Accounting Act of 1980, approved by the Council of the District of Columbia on April 1, 1980 (Council Bill 3-197) is amended by deleting the phrase "and (D) Hospital Fund" and inserting the phrase "(D) Hospital Fund; and (E) Material Fund" in lieu thereof.

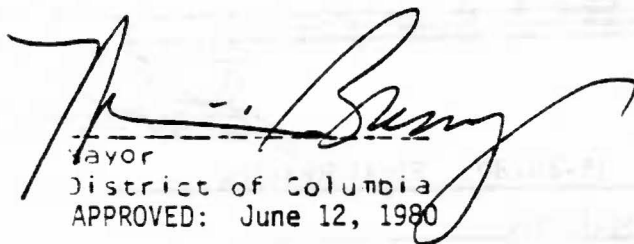
D.C. Code,  
sec. 47-293(a)

Sec. 5. This act shall take effect after a thirty (30) day period of Congressional review following approval by the Mayor (or in the event

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of veto by the Mayor, action by the Council of the District of Columbia to override the veto) as provided in section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (37 Stat. 813; D.C. Code, sec. 1-147(c)(1)).

  
Chairman  
Council of the District of Columbia

  
Mayor  
District of Columbia  
APPROVED: June 12, 1980

# COUNCIL OF THE DISTRICT OF COLUMBIA

## RECORD OF OFFICIAL COUNCIL ACTION

DOCKET NO: Bill 3-3

ACTION: To Adopt (4-22-80) First Reading

VOICE VOTE: By Majority

Absent: All Present

ROLL CALL VOTE:

COUNCIL MEMBER	AYE	NAY	N.Y.	A.B.	COUNCIL MEMBER	AYE	NAY	N.Y.	A.B.	COUNCIL MEMBER	AYE	NAY	N.Y.	A.B.
DIXON					KANE					SHACKLETON				
WINTER					MASON					SPAULDING				
CLARKE					MOORE					WILSON				
HARDY					RAY									
TARVTS					ROLARK									

CERTIFICATION OF RECORD

*John P. Brown*  
Secretary to the Council

ACTION: To Adopt (5-6-80) Amended First Reading

VOICE VOTE: Unanimous

Absent: All Present

ROLL CALL VOTE:

COUNCIL MEMBER	AYE	NAY	N.Y.	A.B.	COUNCIL MEMBER	AYE	NAY	N.Y.	A.B.	COUNCIL MEMBER	AYE	NAY	N.Y.	A.B.
DIXON					KANE					SHACKLETON				
WINTER					MASON					SPAULDING				
CLARKE					MOORE					WILSON				
HARDY					RAY									
TARVTS					ROLARK									

CERTIFICATION OF RECORD

*John P. Brown*  
Secretary to the Council

ACTION: To Adopt (5-20-80) Final Reading

VOICE VOTE: By Majority

Absent: Hardy

ROLL CALL VOTE:

COUNCIL MEMBER	AYE	NAY	N.Y.	A.B.	COUNCIL MEMBER	AYE	NAY	N.Y.	A.B.	COUNCIL MEMBER	AYE	NAY	N.Y.	A.B.
DIXON					KANE					SHACKLETON				
WINTER					MASON					SPAULDING				
CLARKE					MOORE					WILSON				
HARDY					RAY									
TARVTS					ROLARK									

CERTIFICATION OF RECORD

*John P. Brown*  
Secretary to the Council