

COUNCIL OF THE DISTRICT OF COLUMBIA

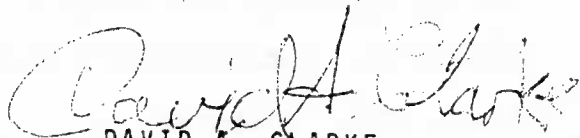
NOTICE

D.C. LAW 6-177

"Authorization for the Establishment of a Public School of Law for the District of Columbia Amendment Act of 1986".

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. 6-472 on first and second readings, September 23, 1986, and October 7, 1986, respectively. This legislation was deemed approved without the signature of the Mayor on October 31, 1986, pursuant to Section 404(e) of "the Act", and was assigned Act No. 6-227, published in the November 21, 1986 edition of the D.C. Register, (Vol. 33 page 7241) and transmitted to Congress on January 7, 1987 for a 30-days 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 6-177, effective February 24, 1987.



DAVID A. CLARKE
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

January 7,8,9,12,13,14,15,16,20,21,22,23,26,27,28,29,30

February 2,3,4,5,6,9,10,11,17,18,19,20,23

D.C. LAW 6 - 177

EFFECTIVE DATE FEB 24 1987

AN ACT

D.C. ACT 6 - 227

Codification
New, subchapter
V of Chapter
of title 31

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

OCT 31 1986

To amend the District of Columbia Public Postsecondary Education Reorganization Act to establish a public school of law for the District of Columbia.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,
That this act may be cited as the "Authorization for the Establishment of a Public School of Law for the District of Columbia Amendment Act of 1986".

Sec. 2. The District of Columbia Public Postsecondary Education Reorganization Act, approved October 26, 1974 (88 Stat. 1423; D.C. Code, sec. 31-1501 et seq.), is amended as follows:

(a) By adding a new title V to read as follows:

"Title V. Establishment of a public school of law.

New, D.C. Code
sec. 31-1541
(1987 supp.)

"Sec. 501. Purposes.

"In enacting this title, the Council of the District of Columbia supports the following statutory purposes:

"(1) To authorize the establishment of a public school of law for the District of Columbia; and

"(2) To ensure that the curriculum, programs,

personnel, students, and clinical operations of the School of Law of Antioch University, in operation as of the effective date of this title, are adopted initially as the programs, personnel, students, and clinical operations of the public school of law for the District of Columbia.

"Sec. 502. Definitions.

New, D.C. Code, sec
31-1542 (1987 su

"For the purposes of this title and title VI, the term:

"(1) "Board of Governors" means the Board of Governors of the District of Columbia School of Law established under section 503.

"(2) "School of Law" means the public school of law for the District of Columbia authorized to be established under section 503 and later transferred to the University pursuant to section 601. Any reference to alumnus, alumna, or degree holder of the School of Law shall include any person who was enrolled in or who received a degree from the Antioch School of Law during the period when it was operated as a part of Antioch University, as well as any person who was enrolled in or who received a degree after the establishment of the public School of Law established under section 503.

"(3) "Committee" means the Board of Governors of the District of Columbia School of Law Nominating Committee established under section 504.

"(4) "Mayor" means the Mayor of the District of

Columbia.

"(5) "Council" means the Council of the District of Columbia.

"(6) "State" means any of the 50 states of the United States in addition to the District of Columbia, Puerto Rico, and the Virgin Islands of the United States.

"Sec. 503. Establishment of Board of Governors and School of Law.

New, D.C. Co
sec. 31-1543
(1987 supp.)

"(a) There is hereby established a body corporate by the name of the Board of Governors of the District of Columbia School of Law ("Board of Governors"). Prior to the effective date of title VI of this act, the Board of Governors shall be charged with the responsibility of governing the School of Law and shall possess all the powers necessary or convenient to accomplish the objects and perform the duties prescribed by this title including the powers:

"(1) To adopt, alter, and use a corporate seal that shall be judicially noticed;

"(2) To make contracts;

"(3) To sue and be sued and to complain and defend in its own name in any court of competent jurisdiction;

"(4) To make, deliver, and receive deeds, leases, and other instruments and to take title to real and other

property in its own name;

"(5) To adopt, prescribe, amend, repeal, and enforce by-laws and rules as it may deem necessary for the governance and administration of the School of Law, with the by-laws and rules, to be adopted pursuant to the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1203; D.C. Code, sec. 1-1501 et seq.); and

"(6) To incur debts and liabilities on or after the effective date of a law appropriating funds for this title, provided that the District of Columbia government and the Board of Governors shall not under any circumstances be held liable for any claims, debts, or obligations incurred by the Antioch School of Law prior to the effective date of the Authorization for the Establishment of a Public School of Law for the District of Columbia Amendment Act of 1986, nor shall the District of Columbia government be held liable for debts incurred after the effective date of the Authorization for the Establishment of a Public School of Law for the District of Columbia Amendment Act of 1986 and prior to the effective date of a law appropriating funds for this title.

"(b) There is hereby established an independent agency of the government of the District of Columbia known as the District of Columbia School of Law ("School of Law") that shall be governed by the Board of Governors until the

effective date of title VI of this act.

"(c) Except as provided in subsection (r) of this section, the Board of Governors shall consist of 15 members selected in the following manner:

"(1) Ten members shall be appointed by the Mayor by and with the advice and consent of the Council;

"(2) One member shall be a full-time student in good standing at the School of Law and shall be elected by the student community at an election at which each currently registered student at the School of Law shall be entitled to vote;

"(3) Three members shall be holders of the degree Juris Doctor from the School of Law and shall be elected by a postal ballot election at which each holder of the degree Juris Doctor from the School of Law shall be sent a ballot and shall be entitled to vote; and

"(4) One member shall be a member of the District of Columbia Bar, selected by the Board of Governors of the District of Columbia Bar.

"(d) A majority of the members of the Board of Governors appointed pursuant to paragraph (1) of subsection (c), and all of the members of the Board of Governors elected pursuant to paragraph (3) of subsection (c) of this section, shall be members of the bar of the highest court of any state.

"(e) All of the members of the Board of Governors shall be residents of the District of Columbia.

"(f) The Board of Governors shall hold its 1st meeting no later than 30 days after the confirmation or election of at least 14 of its members. The 1st meeting of the Board of Governors shall be open and shall be convened by a member of the Board of Governors designated by the Mayor. All meetings of the Board of Governors and of its committees shall be held in accordance with section 742 of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 831; D.C. Code sec. 1-1504).

"(g) The student member of the Board of Governors shall serve for a term of 1-year, beginning immediately after the spring commencement exercises following her or his election and ending at the close of the spring commencement exercises in the next succeeding year.

"(h) Except as indicated in subsection (j) of this section, each non-student member of the Board of Governors shall serve for a term of 5 years, beginning immediately after the spring commencement exercises next following the non-student member's election or following the non-student member's confirmation by the Council, and ending at the close of the spring commencement exercises in the 5th year thereafter.

"(i) A member of the Board of Governors who has completed a full 5 year term may be reappointed or re-elected to serve only 1 additional term, and may not be re-elected or reappointed for a period of at least 5-years.

"(j) The terms of office of the original non-student members 1st appointed or elected shall be determined by lot to provide:

"(1) Two members to serve until the close of the 2nd spring commencement following election or appointment;

"(2) Three members to serve until close of the 3rd spring commencement following election or appointment;

"(3) Three members to serve until close of the 4th spring commencement following election or appointment;

"(4) Three members to serve until close of the 5th spring commencement following election or appointment;
and

"(5) Three members to serve until close of the 6th spring commencement following election or appointment.

"(k) Any member of the Board of Governors elected or appointed to fill a vacancy resulting from a cause other than the expiration of a member's term shall serve only for the remainder of the term for which the member's predecessor was elected or appointed.

"(l) A person may serve as a member of the Board of Governors after the expiration of the member's term until

the member's successor has qualified to take office, but may not serve as chairperson or vice-chairperson of the Board during the holdover period.

"(m) A chairperson and vice-chairperson of the Board of Governors:

"(1) Shall be chosen by the Governors from among the members by a majority vote;

"(2) Shall serve a term of 1 year as chairperson or vice-chairperson; and

"(3) May be re-elected as chairperson or as vice-chairperson.

"(n) The Dean of the School of Law, to be selected pursuant to section 506(c)(9), shall be a non-voting ex-officio member of the Board of Governors.

"(o) Except for the non-voting Dean, and except for the retired members of the faculty, no faculty member or other paid employee of the School of Law may serve as a member of the Board of Governors.

"(p) Members of the Board of Governors may be employees of the District of Columbia or of the United States unless they hold positions involving conflict of interest with their responsibilities and duties as Governors.

"(q) All initial Mayoral nominations to the Board of Governors shall be submitted to the Council not later than

45 days after the effective date of this title.

"(r) In the period between the effective date of this title and the election or confirmation by the Council of at least 14 of the 15 members of the Board of Governors, the School of Law shall be governed by an interim Board of Governors, consisting of 4 members, 1 of whom shall be the Mayor, 1 of whom shall be the Corporation Counsel for the District of Columbia, 1 of whom shall be the immediate past Dean of the Antioch School of Law, and 1 of whom shall be the immediate past President of the District of Columbia Bar or the immediate past President's designee.

"(s) Members of the Board of Governors shall receive compensation pursuant to the provisions of section 1108 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Code, sec. 1-612.8), with a limit of \$4,000 per annum, while actually engaged in service as members of the Board of Governors.

"Sec. 504. Board of Governors Nominating Committee. New, D.C. Code
sec. 31-1544

"(a) There is established within the government of the (1987 supp.) District of Columbia a committee to be known as the Board of Governors of the District of Columbia School of Law Nominating Committee ("Committee").

"(b) The Committee shall consist of 5 members to be appointed by the Mayor with the advice and consent of the

Council within 30 days after the effective date of this title.

"(c) No individual may be appointed as a member of the Committee unless the individual:

"(1) Is a citizen of the United States;

"(2) Is a resident of the District of Columbia who has maintained her or his domicile within the District of Columbia for the 12 months immediately preceding the date of her or his appointment; and

"(3) Is not a member of the Council of the District of Columbia or an officer or an employee of the government of the District of Columbia, including the judicial branch.

"(d) Each member of the Committee shall serve for a term of 5 years, except that, of the original members 1st appointed pursuant to paragraph (b) of this section, 1 shall be chosen by lot to serve for 1 year, 1 for 2 years, 1 for 3 years, 1 for 4 years, and 1 for 5 years.

"(e) Whenever a vacancy on the Committee occurs, the vacancy shall be filled in the same manner in which the original appointment was made. Any individual appointed to fill a vacancy, occurring other than upon the expiration of a term, shall serve only for the remainder of the term of that member's immediate predecessor.

"(f) Within 10 days following the date on which the 5

members are first appointed pursuant to subsection (b) of this section, the members so appointed shall hold their 1st meeting as members of the Committee.

"(g) Except as otherwise provided in this section, the Committee shall act only at meetings called by the chairperson of the Committee or by a majority of the members of the Committee and only after notice of the time and place of the meeting has been given to each member of the Committee and to the general public.

"(h) The Committee shall choose annually from among its members a chairperson and any other officers as it deems necessary.

"(i) The Committee may, pursuant to the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1203; D.C. Code, sec. 1-1501 et seq.), adopt rules of procedure as may be necessary to govern the business of the Committee.

"(j) Each agency of the government of the District of Columbia shall furnish to the Committee, upon request, records, information, services, and other assistance and facilities as may be necessary to enable the Committee to perform its function properly.

"(k) The Committee shall have the function of nominating individuals to the Mayor for appointment as members of the Board of Governors.

"(l) When there is a need to fill 1 or more positions on the Board of Governors subject to Mayoral appointment, the Committee shall submit to the Mayor a list of candidates containing a number of names equal to 3 times the number of positions to be filled.

"(m) Within 30 days after the first meeting of the Committee, the Committee shall develop a list of 30 names and submit it to the Mayor for consideration in connection with the initial filling of the 10 positions that are subject to Mayoral appointment as established in section 503(c)(1).

"(n) In the event that a vacancy on the Board of Governors occurs other than by expiration of the term of an incumbent the Committee shall, within 30 days after the vacancy occurs, submit a list of 3 persons as nominees for appointment by the Mayor to fill the vacancy. If more than 1 vacancy exists or will exist for any reason at the same time, the Committee shall submit to the Mayor a list of prospective nominees consisting of 3 times the number of vacancies. In filling the vacancies, the Mayor may appoint more than 1 individual from any list currently before the Mayor.

"(o) When the terms of 1 or more members of the Board of Governors appointed by the Mayor are due to expire at the close of the spring commencement exercises in any year, the

Committee shall submit to the Mayor the list of proposed nominees not later than January 15 of that year; the Mayor shall transmit to the Council not later than February 15 of that year the nomination of a person to succeed each trustee whose term is about to expire. The Council shall act on each nomination made in accordance with this subsection within 45 days, excluding Saturdays, Sundays, and holidays, and if no action is taken by the Council within the time specified, the nomination shall be deemed approved.

"(p) All Mayoral appointments to the Board of Governors shall be made from among the names of persons on a list transmitted to the Mayor by the Committee.

"(q) Each Mayoral nomination shall be submitted by the Mayor to the Council within 45 days, excluding Saturdays, Sundays, and holidays, of the receipt by the Mayor of the appropriate list of nominees transmitted to the Mayor by the Committee. Nominations of persons to serve on the Board of Governors that the Mayor fails to submit to the Council within the 45-day period, excluding Saturdays, Sundays, and holidays, required by this subsection shall be made by the Committee by majority vote and shall be submitted to the Council in timely manner.

"Sec. 505. Suspension, removal, and termination of Governors.

New, D.C. Cod
sec. 31-1545
(1987 supp.)

"(a) Any member of the Board of Governors shall be

automatically suspended from serving on the Board of Governors after the member has been found guilty of a felony by a court of competent jurisdiction. Upon a final determination of the member's guilt, the member's term shall be automatically terminated.

"(b) The Board of Governors shall have the power to remove any member, after fair notice and an opportunity to be heard, at any time for adequate cause that relates to the member's character or efficiency as a member of the Board of Governors.

"(c) The tenure of any student member of the Board of Governors shall automatically terminate if the status of the student member ceases to be that of a full-time student at the School of Law.

"(d) The interim Board of Governors and the Board of Governors of the School of Law shall be subject to the same contracting restrictions placed upon comparable District officials by the Mayor under the Mayor's Order 86-44, which was issued pursuant to the District of Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C. Code, sec. 1-1181 et seq.).

"Sec. 506. Duties and limitations of the Board of Governors. New, D.C. Code
sec. 31-1546
(1987 supp.)

"(a) The Board of Governors shall operate the School of Law in a manner that shall maintain any accreditation

necessary to qualify the graduates of the School of Law to take the bar examinations of the District of Columbia and of the several states.

"(b) The Board of Governors shall, to the degree feasible, operate the School of Law as a clinical law school committed to representing the legal needs of low-income persons, particularly those who reside in the District of Columbia. The Board of Governors shall also, to the degree feasible, recruit and enroll students from racial, ethnic, or other population groups that in the past have been underrepresented among persons admitted to the bar in the several states and in the District of Columbia.

"(c) Prior to the effective date of title VI of this act, it shall be the duty of the Board of Governors to:

"(1) Establish and approve general policies and procedures for governing the School of Law, including admissions, curricula, and standards for the bestowal of degrees;

"(2) Prepare and submit to the Mayor, on a date fixed by the Mayor, an annual operating budget and an annual capital budget for the School of Law for each fiscal year. The budget shall include a proposed financial operating plan for the upcoming fiscal year, and a capital and educational improvements plan for the next 5 fiscal years. The Mayor and the Council shall, after review and consideration of the

~~annual budgets submitted by the Board of Governors,~~
establish the maximum amount of the capital and operating budgets for the School of Law that will be allocated to the Board of Governors, except that the combined amounts appropriated for the School of Law's capital and operating budgets shall not exceed \$3 million per year for each of the fiscal years ending September 30, 1987, 1988, and 1989;

"(3) Transfer during the fiscal year any appropriation balance available for 1 item of appropriation to another item of appropriation, or to a new program designated by action of the Board of Governors, in accordance with the provisions of the reprogramming policy and laws of the District of Columbia;

"(4) Enter into negotiations and binding contracts pursuant to regulations adopted by the Board of Governors in accordance with section 503(a)(5);

"(5) Enter into negotiations and binding contracts pursuant to regulations adopted by the Board of Governors to perform research, training, and demonstrations on a reimbursable basis for the governments of the United States and the District of Columbia, as well as for other public and private agencies;

"(6) Solicit and receive contributions to support the operations and programs of the School of Law. The Board of Governors may accept services, moneys, gifts, endowments,

donations, and bequests. The Board of Governors shall establish in 1 or more financial institutions in the District of Columbia a District of Columbia School of Law fund. There shall be deposited in the fund all gifts and contributions in whatever form, funds received for services rendered, other than tuition, and all moneys not included in the annual operating and capital improvements funds appropriated by Congress. The Board of Governors is authorized to administer the fund in whatever manner the Board of Governors may deem wise and prudent, provided that the administration is lawful, in accordance with the fiduciary responsibilities of the Board of Governors, in accordance with the Prohibition of Investment of Public Funds in Financial Institutions and Companies Making Loans to or Doing Business with the Republic of South Africa or Namibia Act of 1983, effective March 8, 1984 (D.C. Law 5-50; D.C. Code, sec. 1-721 et seq.), and does not impose any financial burden on the District of Columbia;

"(7) Fix, after satisfying the public notice and publication requirements contained in section 5(a) of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1203; D.C. Code, sec. 1-1506(a)), tuition, and fees in addition to tuition, to be paid by resident and non-resident students attending the School of Law, in accordance with section 510;

"(8) 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. These revenues and receipts shall be accounted for as a separate revenue source and shall be allocated to provide for the purposes that the Board of Governors may approve. Any unexpended balance at the end of the fiscal year ending September 30, 1987, or any succeeding fiscal year, shall be reserved as a restricted balance and used to provide authority to expend for subsequent years subject to the direction of the Board of Governors;

"(9) Select, appoint, and fix the compensation for a Dean of the School of Law, and approve the appointment and compensation of the academic faculty members and of the administrative staff of the School of Law, and of other officers as it deems necessary, subject to the provisions of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; 2-139; D.C. Code, sec. 1-601.1 et seq.). The Dean shall serve in that position at the pleasure of the Board of Governors;

"(10) Submit from time to time recommendations to the Mayor and to the Council relating to legislation affecting the administration and programs of the School of Law;

"(11) Perform whatever appropriate duties and make whatever appropriate rules may be necessary to carry out the purposes of this title, pursuant to the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1203; D.C. Code, sec. 1-1501 et seq.); and

"(12) Generally determine, control, supervise, manage, and govern all affairs of the School of Law.

"Sec. 507. Retirement.

New, D.C. Co
sec. 1547
(1987 supp.)

"The employees of the School of Law, including but not limited to those formerly employed by the Antioch University at the Antioch School of Law, shall be covered by the same retirement systems applicable to employees of the University of the District of Columbia.

"Sec. 508. Employment rights.

New, D.C. Co
sec. 31-1548
(1987 supp.)

"All persons employed at the Antioch School of Law on the effective date of this title shall be employed by the School of Law on whatever terms regarding service credit, seniority, tenure, or other employment rights as may be adopted by the Board of Governors. All persons employed by the School of Law on the effective date of title VI shall be employed by the University on whatever terms regarding service credit, seniority, tenure, or other employment rights as may be adopted by the Trustees of the University.

"Sec. 509. Review of records.

New, D.C. Co
sec. 31-1549
(1987 supp.)

"The District of Columbia Auditor shall, upon request,

be provided access to all books, accounts, records, reports, findings and all other papers, things, or property belonging to, or in use by, the School of Law, in accordance with the provisions of section 455 of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 774; D.C. Code, sec. 47-117).

"Sec. 510. Preferential tuition for District of Columbia residents.

New, D.C. Code
sec. 31-158
(1987 supp.

"(a) The Board of Governors shall, in accordance with section 506(c)(7), fix tuition to allow bona fide residents of the District of Columbia to attend the School of Law on a preferential tuition basis.

"(b) An applicant for preferential tuition shall make a showing of the applicant's bona fide residence in the District of Columbia. Any applicant for the preferential tuition established under subsection (a) of this section shall be presumed to be a bona fide resident of the District of Columbia if the applicant has been, for 2 continuous years prior to the date of the applicant's enrollment in the School of Law:

"(1) Domiciled in the District of Columbia and paid District of Columbia income taxes; or

"(2) Enrolled in a college or university located outside the District of Columbia and been claimed as a

dependent on District of Columbia resident tax returns filed by a parent or spouse of the applicant.

"(c) Any applicant for the preferential tuition established under subsection (a) of this section who is not presumed to be a bona fide resident of the District of Columbia shall be required to establish by a preponderance of the evidence to the Board of Governors or its designee that the applicant:

"(1) Was a bona fide resident of the District of Columbia for a reasonable duration of time prior to the applicant's request for preferential tuition; and

"(2) Remains a bona fide resident of the District of Columbia.

"(d) In determining whether an applicant for preferential tuition under subsection (c) of this section is in fact a bona fide resident of the District of Columbia, the following factors shall be taken into consideration:

"(1) Whether the applicant has maintained a year-round home in the District of Columbia, as evidenced by lease or mortgage agreements;

"(2) Where the applicant's driver's license, if any, was issued;

"(3) Where the applicant's motor vehicle, if any, is registered;

"(4) Where the applicant is registered to vote;

"(5) What address the applicant has used over the past several years for purposes of filing federal income tax returns, if any; and

"(6) Whether the applicant is a graduate of a public or private District of Columbia high school.

"(e) Any applicant denied preferential tuition shall be permitted to appeal the denial by whatever procedures and to whatever officer of the School of Law as the Board of Governors shall establish for final determination.

"Sec. 511. Mayoral stipends.

New, D.C. Co
sec. 31-1551
(1987 supp.)

"The Mayor shall make available tuition stipends for students of the School of Law who are bona fide residents of the District of Columbia and who agree to employment by the District of Columbia government, or by any public service organization or institution designated by the Mayor, for a period of time immediately following the students' graduation from the School of Law. The length of service required shall be established by the terms of the stipends. Any stipend recipient who fails to perform the post-graduation work requirement shall be held liable to the District of Columbia for 3 times the amount of stipend funds provided to the recipient.

"Sec. 512. Full faith and credit of the District of Columbia not pledged.

New, D.C. Co
sec. 31-1552
(1987 supp.)

"The full faith and credit of the District of Columbia

is not pledged for the payment of any principal of or interest on any obligation maintained or entered into by the Antioch School of Law, directly or indirectly, in whole or in part. The District of Columbia is not responsible or liable for payment of any principal of or interest on any obligation entered into by the Antioch School of Law, directly or indirectly, in whole or part.

"Sec. 513. Merger Transition Committee.

New, D.C. Co
sec. 31-1553
(1987 supp.)

"(a) Within 6 months of the effective date of this act the Trustees of the University and the Board of Governors of the School of Law shall appoint a merger study committee comprised of an equal number of members from each board, not to exceed a total number of 8 persons. The committee shall be chaired by a 9th member to be appointed by the President of the District of Columbia Bar. The committee shall meet monthly and submit written minutes of its meetings to both full boards, as well as to the Council.

"(b) No later than 24 months after the effective date of this act, the merger study committee shall adopt a final plan for completing the merger required by title VI of the District of Columbia Post-Secondary Education Reorganization Act, approved October 26, 1974 (88 Stat. 1423; D.C. Code, sec. 31-1501 et seq.). The plan shall be promptly submitted to the Trustees, to the Board of Governors, and to the Council. The plan shall include time limits for

accomplishing any necessary prerequisites to the merger and shall identify who would be responsible for these accomplishments. The final plan shall include a complete and accurate listing of all existing debts of the School of Law, including the schedule of required payments on these debts, a listing of all executory contracts to which the School of Law is a signatory, a listing of all personal and real property owned by the School of Law and an accurate description of the condition, market value, and location of the property, a listing of all employment contracts, including the parties and terms of the contracts, on which the School of Law is a signatory, a proposed 5-year budget for continued operation of the School of Law, including a statement of projected revenues, the source of the revenues, and the plans for expenditure of the revenues, and the last 3 years of audited financial statements."

(b) By adding a new title VI to read as follows:

"Title VI. Establishment of District of Columbia School of Law within the University of the District of Columbia.

New, subchapter 6 of Chapter 1 of title 31

"Sec. 601. (a) There is hereby established a public school of law component of the University known as the District of Columbia School of Law that shall be governed by the Trustees of the University.

New, D.C. Code sec. 31-1561 (1987 supp.)

"(b) Except as provided in section 602, all functions,

powers, and duties of the Board of Governors of the School of Law established under title V shall be vested in and exercised by the Trustees. All employees, property (real and personal), and unexpended balances (available or to be made available) of appropriations, allocations, and all other funds and assets and liabilities of the School of Law are transferred to the Trustees.

"Sec. 602. Board of Governors.

New, D.C. Code
sec. 31-1562
(1987 supp.)

"The Board of Governors established under title V

shall:

"(1) Advise and make recommendations to the Trustees regarding the mission, educational design, internal organization, management structure, personnel policy, financial aid policy, fiscal policy, acceptance of major gifts, and development plans with major programatic implications, major new innovative undertakings, and general policy governing client service, including: areas, volume, priorities, professional responsibility, and approval of the School of Law's annual budget to be submitted to the President for review and approval by the Trustees for inclusion in the University's budget.

"(2) Meet quarterly and transmit minutes of all meetings and reports, recommendations, or resolutions to the Board of Trustees of the University;

"(3) Generally supervise, manage, and govern all the

affairs of the School of Law of the University of the District of Columbia. Toward this end, the Board of Governors is authorized to adopt whatever policies and rules it may deem wise: Provided, that the general authority exercised by the Board of Governors over the School of Law shall be subject to final review of the Trustees of the University, either on its own initiative or at the request of the President and that nothing herein shall be deemed a restriction on the responsibilities and authority vested in the Trustees under this title.

"Sec. 603. Effective date.

"This title shall take effect 36 months after the effective date of the Authorization for the Establishment of a Public School of Law for the District of Columbia Amendment Act of 1986."

(c) By amending section 206(b) (D.C. Code, sec. 31-1516(2)) by adding a new paragraph (3) to read as follows:

"(3) Operate a public law school component, established under title VI of this act, in a manner that shall:

(A) Maintain any accreditation necessary to qualify the graduates of the School of Law to take the bar examinations of the District of Columbia and of the several states;

(B) Represent, to the maximum extent feasible, the legal needs of low-income persons, particularly those who reside in the District of Columbia, through the training of law students; and

(C) Recruit and enroll, to the maximum extent feasible, students from racial, ethnic, and other population groups that in the past have been underrepresented among persons admitted to the bar of the District of Columbia and the several states;"

(d) By amending section 206(f) (D.C. Code, sec. 31-1516(6)) by inserting after the word "projects;" the phrase, "Provided, further, that the District of Columbia government and the Trustees shall not under any circumstances be held liable for any claims, debts, or obligations incurred by the Antioch School of Law prior to the effective date of title V."

Sec. 3. The District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Code, sec. 1-601.1 et seq.), is amended as follows:

(a) Section 103(a)(3) (D.C. Code, sec. 1-601.2(a)(3)) is amended by inserting after the phrase "educational employees of", the phrase "the School of Law,"

D.C. Code,
sec. 1-601.
(1987 supp.)

(b) Section 202(d) (D.C. Code, sec. 1-602.2(4)) is amended by inserting after the phrase "educational employees

D.C. Code,
sec. 1-602.
(1987 supp.)

of", the phrase "the Board of Governors of the School of Law,".

(c) Section 203 (D.C. Code, sec. 1-602.3) is amended as follows:

(1) The heading is amended by inserting after the phrase "Educational Employees of" the phrase "the Board of Governors of the School of Law,";

(2) Subsection (a) is amended by inserting after the phrase "Educational Employees of", the phrase "the Board of Governors of the School of Law,"; and

(3) Subsection (b) is amended to read as follows:

"(b) Educational employees of the Board of Governors of the School of Law and of the Board of Trustees of the University of the District of Columbia shall not be governed by the provisions of section 901 of this act relating to the development of job descriptions in consultation with the Mayor. The Boards of Governors of the School of Law, and the Board of Trustees of the University of the District of Columbia, shall develop, respectively, policies on classification, appointment, promotion, retention, and tenure of employees consistent with the educational missions of their respective schools and in accordance with the sound policies and practices of the American Bar Association in the case of the School of Law, and of land-grant universities that meet the standards established by the

College and Universities Personnel Association in the case of the University of the District of Columbia.

Additionally, educational employees shall not be covered by titles VIII, X, XI (except as it provides for pay setting), XIII, XIV, XIX, and XXIV."

(d) Section 301 (D.C. Code, sec. 1-603.1) is amended to read as follows:

D.C. Code
sec. 1-6
(1987 su

(1) Subsection (6) is amended by inserting after the phrase "means an employee of", the phrase "the Board of Governors of the School of Law,";

(2) Subsection (6)(F) is amended by inserting after the phrase "of academic units at", the phrase "the School of Law,"; and

(3) Subsection (13) is amended by inserting after the phrase "but not limited to," the phrase "the Board of Governors of the School of Law,".

(e) Section 403 (D.C. Code, sec. 1-604.3) is amended as follows:

D.C. Code
sec. 1-6
(1987 su

(1) The heading is amended by inserting after the phrase "Authority of", the phrase "the Board of Governors of the School of Law,"; and

(2) By inserting at the beginning after the word "The", the phrase "Board of Governors of the School of Law, the".

(f) Section 404 (D.C. Code, sec. 1-604.4) is amended

D.C. Code
sec. 1-6
(1987 su

as follows:

(1) Subsection (b) is amended by inserting after the word "The", the phrase "Board of Governors of the School of Law, the";

(2) A new subsection (c)(3) is added to read as follows:

"(3) The Board of Governors of the School of Law shall issue rules and regulations to implement the provisions of titles VII and XXVII, and section 203, 403, and 1111 for educational employees under its jurisdiction.";
and

(3) Subsection (d) is amended by inserting at the beginning after the word "The", the phrase "Board of Governors of the School of Law, the".

(g) Section 406(b) (D.C. Code, sec. 1-604.6(b)) is amended by adding a new subsection (b)(13) to read as follows:

D.C. Code
sec. 1-60
(1987 sup

"(13) For non-educational employees of the Board of Governors of the School of Law, the personnel authority is the Board of Governors of the District of Columbia School of Law.".

(h) Section 810A (D.C. Code, sec. 1-609.1) is amended as follows:

D.C. Code
sec. 1-60
(1987 sup

(1) Subsection (a) is amended by inserting after the phrase "the term 'Board' means", the phrase "the Board

of Governors of the School of Law for educational employees of the School of Law,"; and

(2) Subsection (b) is amended by adding a new subparagraph (3) to read as follows:

"(3) School of Law.

"In keeping with the purpose of this act, the Board of Governors of the School of Law shall issue rules embodying principles of merit and equal employment governing, among other things, appointment, promotion, retention, reassignment, professional development and training, classification, salary administration (except as provided in section 203 of this act); employee benefits, reduction-in-force, adverse action, grievances, and appeals. The rules concerning adverse actions and appeals shall be consistent with titles V, VI, VII, XVI, and XVII of this act."

(i) Section 903(a) (D.C. Code, sec. 1-610.3(a)) is amended by adding a new subparagraph (8) to read as follows:

D.C. Cod
sec. 1-6
(1987 su

"(8) The Board of Governors of the School of Law may appoint officers of the School of Law, persons who report directly to the Dean, persons who head major units of the School of Law, academic administrators and persons in a confidential relationship to these officers and persons, excluding those listed in the definition of the Educational Service."

(j) Section 904(d) (D.C. Code, sec. 1-610.4(d)) is amended by inserting after the phrase "shall not apply to any employees of" the phrase "the Board of Governors of the School of Law, of".

D.C. Code,
sec. 1-610
(1987 supp

(k) Section 1101(c) (D.C. Code, sec. 1-612.1(c)) is amended by inserting after the phrase "The Mayor", the phrase "or the Board of Governors of the School of Law,".

D.C. Code,
sec. 1-612
(1987 supp

(l) Section 1102(b) (D.C. Code, sec. 1-612.2(b)) is amended by inserting after the phrase "shall provide for meaningful consultation with" the phrase "the Board of Governors of the School of Law,".

D.C. Code,
sec. 1-612
(1987 supp

(m) Section 1104(a) (D.C. Code, sec. 1-612.4(a)) is amended to read as follows:

D.C. Code,
sec. 1-612
(1987 supp

"(a) The Mayor shall develop, in consultation with the Board of Governors of the School of Law, the Board of Education, and the Board of Trustees of the University of the District of Columbia, a new compensation system for all employees in the Career and Excepted Services. Any comments that the Board of Governors of the District of Columbia School of Law, the Board of Education, or the Board of Trustees of the University of the District of Columbia wish to make on the proposed system shall be presented along with the proposed pay system submitted by the Mayor."

(n) Section 1105(a) (D.C. Code, sec. 1-612.5(a)) is amended by inserting after the phrase "in consultation with"

D.C. Code,
sec. 1-612
(1987 supp

the phrase "the Board of Governors of the School of Law,".

(o) Section 1111 (D.C. Code, sec. 1-612.11) is amended as follows: D.C. Code,
sec. 1-612
(1987 supp

(1) Subsection (b) is amended by inserting after the phrase "of subsection (a) of this section" the phrase "the Board of Governors of the School of Law shall for educational employees of the School of Law,".

(2) Subsection (i) is amended by adding 2 new paragraphs (10) and (11) to read as follows:

"(10) If the Council by resolution approves pay changes, adjustments, and other changes in a compensation system proposed by the Board of Governors of the School of Law, the changes shall become effective on the 1st day of the 1st pay period beginning on or after October 1st in the year in which the Board of Governors submits them, as provided in paragraph (5) of this subsection. If the Council takes no action on the proposed change submitted by the Board of Governors of the School of Law within 60 calendar days of the submission of the proposed change, the changes shall be deemed to have been approved by the Council on the day next following the expiration of this 60-day period.

"(11) If the Council disapproves the change or changes proposed by the Board of Governors of the School of Law, pursuant to paragraph (10) of this subsection, the

Board may submit a new proposal."

(p) Section 1201(a)(2) (D.C. Code, sec. 1-613.1) is amended by inserting after the phrase "work for all employees of", the phrase "the Board of Governors of the School of Law,". D.C. Code, sec. 1-613 (1987 supp

(q) Section 1202(f) (D.C. Code, sec. 1-613.2) is amended by inserting after the phrase "University of the District of Columbia", the phrase "and the Board of Governors of the School of Law". D.C. Code, sec. 1-613 (1987 supp

(r) Section 1203(a)(1) (D.C. Code, sec. 1-613.3) is amended by inserting after the phrase "University of the District of Columbia", the phrase "or Board of Governors of the School of Law". D.C. Code, sec. 1-613 (1987 supp

(s) Section 1401 (D.C. Code, sec. 1-615.1) is amended by inserting after the phrase "Board of Education," the phrase "the Board of Governors of the School of Law,". D.C. Code, sec. 1-615 (1987 supp

(t) Section 1501(a) (D.C. Code, sec. 1-617.1) is amended by inserting after the phrase "The Mayor," the phrase "the Board of Governors of the School of Law,". D.C. Code, sec. 1-617 (1987 supp

(u) Section 1602 (D.C. Code, sec. 1-617.2) is amended by inserting after the phrase "The Mayor," the phrase "the Board of Governors of the School of Law,". D.C. Code, sec. 1-617 (1987 supp

(v) Section 1715(a) (D.C. Code, sec. 1-618.15) is amended by inserting after the phrase "University of the District of Columbia", the phrase "or the Board of Governors". D.C. Code, sec. 1-618 (1987 supp

of the ~~school of Law~~".

(w) Section 1716(a) (D.C. Code, ~~sec. 1-618.16~~) is amended by inserting after the phrase "The Mayor," the phrase "the Board of Governors of the School of Law for its educational employees,". D.C. Code, sec. 1-618 (1987 supp)

(x) Section 1717(b) (D.C. Code, sec. 1-618.17(b)) is amended by inserting after the phrase "University of the District of Columbia," the phrase "the Board of Governors of the School of Law,". D.C. Code, sec. 1-618 (1987 supp)

(y) Section 1801(b) (D.C. Code, sec. 1-619.1) is amended by inserting after the phrase "Board of Education," the phrase "Board of Governors of the School of Law,". D.C. Code, sec. 1-619 (1987 supp)

(z) Section 1803(a) (D.C. Code, sec. 1-619.3) is amended by inserting after the phrase "Board of Education," the phrase "Board of Governors of the School of Law,". D.C. Code, sec. 1-619 (1987 supp)

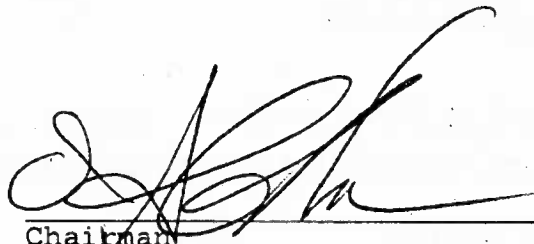
(aa) Section 2801 (D.C. Code, sec. 1-629.1) is amended by inserting after the phrase "Board of Education," the phrase "The Board of Governors of the School of Law,". D.C. Code, sec. 1-629 (1987 supp)

(bb) Section 3401 (D.C. Code, sec. 1-635.1) is amended by inserting after the phrase "The Mayor," the phrase "the Board of Governors of the School of Law,". D.C. Code, sec. 1-635 (1987 supp)

Sec. 4. (a) This act shall take effect after a 30-day period of Congressional review following approval by the Mayor (or in the event 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 (87 Stat. 813; D.C. Code, sec. 1-233(c)(1)).

(b) The provisions of section 3 are repealed on the first day following the 36 month period after the effective date of this act.



Chairman
Council of the District of Columbia

DEEMED APPROVED WITHOUT
SIGNATURE UPON EXPIRATION
OF 10-DAY MAYORAL REVIEW PERIOD

NOT SIGNED
Mayor
District of Columbia

APPROVED: October 31, 1986



COUNCIL OF THE DISTRICT OF COLUMBIA
Council Period Six — Second Session

RECORD OF OFFICIAL COUNCIL VOTE

DOCKET NO: B 6-472

Item on Consent Calendar

ACTION & DATE: Adopted First Reading, 9-23-86

VOICE VOTE: By Majority, Members Schwartz and Kane voted no
 Recorded vote on request

Absent: all present

ROLL CALL VOTE: — RESULT _____ (/ /)

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					MASON					SPAULDING				
SMITH, JR.					RAY					WILSON				
CRAWFORD					ROLARK					WINTER				
JARVIS					SCHWARTZ									
KANE					SHACKLETON									

X — Indicates Vote A.B. — Absent N.V. — Present, not voting

CERTIFICATION RECORD

Russell J. ...
 Secretary to the Council

10/15/86
 Date

Item on Consent Calendar

ACTION & DATE: Adopted Final Reading, 10-7-86

VOICE VOTE: By Majority, Members Schwartz and Kane voted no
 Recorded vote on request

Absent: all present

ROLL CALL VOTE: — RESULT _____ (/ /)

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					MASON					SPAULDING				
SMITH, JR.					RAY					WILSON				
CRAWFORD					ROLARK					WINTER				
JARVIS					SCHWARTZ									
KANE					SHACKLETON									

X — Indicates Vote A.B. — Absent N.V. — Present, not voting

CERTIFICATION RECORD

Russell J. ...
 Secretary to the Council

10/15/86
 Date

Item on Consent Calendar

ACTION & DATE: _____

VOICE VOTE: _____
 Recorded vote on request

Absent: _____

ROLL CALL VOTE: — RESULT _____ (/ /)

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					MASON					SPAULDING				
SMITH, JR.					RAY					WILSON				
CRAWFORD					ROLARK					WINTER				
JARVIS					SCHWARTZ									
KANE					SHACKLETON									

X — Indicates Vote A.B. — Absent N.V. — Present, not voting

CERTIFICATION RECORD

Secretary to the Council

Date