

DISTRICT OF COLUMBIA
OFFICIAL CODE

TITLE 38.
EDUCATIONAL INSTITUTIONS.

CHAPTER 9.
MISCELLANEOUS PROVISIONS.

2001 Edition

DISTRICT OF COLUMBIA OFFICIAL CODE
CHAPTER 9. MISCELLANEOUS PROVISIONS.

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CHAPTER 9. MISCELLANEOUS PROVISIONS.

§ 38-901. WHOLE SCHOOL-DAY SESSIONS.

All children of school age being instructed in the schools of the District beyond the 2nd grade shall be given a whole school-day session.

(June 20, 1906, 34 Stat. 316, ch. 3446, § 1.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 31-2201.

1973 Ed., § 31-1101.

§ 38-902. SCHOOL OFFICIALS NOT TO PROFIT ON SUPPLIES OR TEXTBOOKS PURCHASED FOR SCHOOLS.

No school official, teacher, or member of the Board of Education shall receive any pecuniary benefit on account of school supplies or textbooks purchased for the use of the public schools in the District of Columbia.

(Aug. 7, 1894, 28 Stat. 254, ch. 232.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 31-2202.

1973 Ed., § 31-1104.

§ 38-903. REPAIR WORK BY JANITORS.

The janitors of the principal school buildings, in addition to their other duties, shall do all minor repairs to buildings and furniture, glazing, fixing seats and desks, and take care of the heating apparatus, and shall be selected with reference to their qualifications to perform this work.

(Feb. 25, 1885, 23 Stat. 318, ch. 145.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 31-2203.

1973 Ed., § 31-1105.

§ 38-904. SCHOOL NAME CHANGES.

(a) The school formerly known as the M Street High School (old) shall be known as Robert Gould Shaw Junior High School.

(b) The school formerly known as Central High School (old) and annex shall be known as Columbia Junior High School.

(June 29, 1922, 42 Stat. 689, ch. 249.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 31-2204.

1973 Ed., § 31-1106.

§ 38-905. JOHN A. CHAMBERLAIN VOCATIONAL SCHOOL.

The new school building built to replace the Lenox Vocational School shall, when occupied, be known as the John A. Chamberlain Vocational School.

(July 15, 1939, 53 Stat. 1016, ch. 281, § 1.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 31-2205.

1973 Ed., § 31-1107.

§ 38-906. TITLE AND JURISDICTION OVER RESERVATION 277-F TRANSFERRED FOR SCHOOL PURPOSES; AUTHORITY TO CLOSE STREETS AND ALLEYS.

Title to and jurisdiction over reservation 277-F, being part of square 3526, are transferred to the District of Columbia, the said reservation to be included in the site acquired or to be acquired for the McKinley Technical High School; and the Council of the District of Columbia is hereby authorized and directed to close all streets and alleys in the area acquired or to be acquired for the McKinley Technical High School and the Langley Junior High School buildings and grounds, where title to the property on both sides of any such streets or alleys shall be in the District of Columbia, the title to the land in such streets or alleys so closed to revert to the District of Columbia for school purposes.

(Mar. 4, 1925, 43 Stat. 1320, ch. 556.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 31-2206.

1973 Ed., § 31-1108.

§ 38-907. ACCEPTANCE BY BOARD OF EDUCATION OF DONATIONS.

The Board of Education is authorized to receive any donations or contributions that may be made for the benefit of the public schools of the District of Columbia, and to apply the same in such manner as in their opinion shall be best calculated to effect the object of the donors; the Board of Education to account for all funds so received.

(R.S., D.C., § 283; June 20, 1906, 34 Stat. 316, ch. 3446, § 2; Oct. 30, 1975, D.C. Law 1-26, § 3, 22 DCR 2467.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 31-2207.

1973 Ed., § 31-1109.

Legislative History of Laws

Law 1-26 was introduced in Council and assigned Bill No. 1-52, which was referred to the Committee on the Judiciary and the Committee on Criminal Law. The Bill was adopted on first and second readings on July 1, 1975, and July 15, 1975, respectively. Signed by the Mayor on August 4, 1975, it was assigned Act No. 1-38 and transmitted to both Houses of Congress for its review.

§ 38-908. BOND NOT REQUIRED FOR SUPPLIES ISSUED BY DEPARTMENT OF THE ARMY.

On and after July 1, 1943, a bond shall not be required on account of military supplies or equipment issued by the Department of the Army for military instruction and practice by the students of high schools in the District of Columbia.

(July 15, 1939, 53 Stat. 1015, ch. 281, § 1; June 12, 1940, 54 Stat. 317, ch. 333, § 1; July 1, 1943, ch. 184, § 1.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 31-2208.

1973 Ed., § 31-1115.

§ 38-909. INSURANCE FOR ARMS ISSUED TO HIGH SCHOOL CADETS.

Arms authorized to be issued by the Department of the Army to high school cadets of the District of Columbia shall hereafter be issued without requiring that the same shall be insured from loss by fire.

(April 27, 1904, 33 Stat. 379, ch. 1628.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 31-2209.

1973 Ed., § 31-1116.

§ 38-910. SOLICITATION OF DONATIONS FROM PUPILS.

No part of any appropriation for the District of Columbia shall be paid to any person employed under or in connection with the public schools of the District of Columbia who shall solicit or receive, or permit to be solicited or received, on any public school premises, any subscription or donation of money or other thing of value from any pupil enrolled in such public schools for presentation of testimonials to school officials or for any purpose except such as may be authorized by the Board of Education at a stated meeting upon the written recommendation of the Superintendent of Schools.

(July 1, 1943, 57 Stat. 324, ch. 184, § 1.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 31-2210.

1973 Ed., § 31-1117.

§ 38-911. RESTRICTION ON USE OF APPROPRIATIONS.

No funds appropriated for the government of the District of Columbia may be used:

- (1) To provide transportation for students enrolled in the public schools of the District of Columbia if the transportation is provided solely to change the racial balance in any public school in the District of Columbia; or
- (2) For the cost of education (including the cost of transportation) of any individual in an elementary or secondary school located outside the District of Columbia, except:
 - (A) Any individual with a disability for whom education facilities do not exist in the public school system of the District of Columbia; and
 - (B) Any individual under the care, custody, or guardianship of the District of Columbia placed in a foster home or in an institution located outside the District of Columbia.

(Aug. 2, 1968, 82 Stat. 615, Pub. L. 90-450, title IV, § 401; Apr. 24, 2007, D.C. Law 16-305, § 52, 53 DCR 6198.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 31-2211.

1973 Ed., § 31-1118.

D.C. Law 16-305, in par. (2)(A), substituted "individual with a disability" for "handicapped individual".

Legislative History of Laws

Law 16-305, the "People First Respectful Language Modernization Act of 2006", was introduced in Council and assigned Bill No. 16-664, which was referred to Committee on the Whole. The Bill was adopted on first and second readings on June 20, 2006, and July 11, 2006, respectively. Signed by the Mayor on July 17, 2006, it was assigned Act No. 16-437 and transmitted to both Houses of Congress for its review. D.C. Law 16-305 became effective on April 24, 2007.

§ 38-912. DRIVER EDUCATION PROGRAM; POLICE OFFICER AND FIREFIGHTER CADET PROGRAMS.

(a) The Board of Education is authorized, within the limits of appropriations therefor, to accept, on a loan basis, and to maintain and provide for insurance of motor vehicles, for use in the driver education programs of the public schools.

(b) There may be appropriated the funds necessary for the administration of comprehensive programs, established in consultation with the Chief of the Metropolitan Police Department and the Chief of the District of Columbia Fire Department, to train and educate students in the public schools to become police officers or firefighter cadets, which funds shall be available for transfer to the Board of Education at the request of the Board, should the Board determine that it will conduct these programs in the public schools.

(c) A student who is a resident of the District of Columbia and who successfully completes a curriculum established pursuant to this section shall be accorded a preference rating which shall be taken into consideration if the student applies for appointment to either the Metropolitan Police Department cadet program or the District of Columbia Fire Department cadet program.

(Oct. 26, 1973, 87 Stat. 508, Pub. L. 93-140, § 20; Mar. 9, 1983, D.C. Law 4-172, § 3, 29 DCR 5745.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 31-2212.

1973 Ed., § 31-1119.

Legislative History of Laws

Law 4-172, "Police Officer and Firefighter Cadet Program Funding Authorization and Human Rights Act of 1977 Amendment Act of 1982," was introduced in Council and assigned Bill No. 4-421, which was referred to the Committee on the Judiciary and the Committee on Education. The Bill was adopted on first and second readings on October 19, 1982, and November 16, 1982, respectively. Signed by the Mayor on December 8, 1982, it was assigned Act No. 4-254 and transmitted to both Houses of Congress for its review.

§ 38-912.01. ISSUANCE OF RULES FOR PROGRAMS ESTABLISHED PURSUANT TO § 38- 912.

The Board of Education may issue rules necessary for the implementation and operation of programs of education and training as may be established by the Board pursuant to § 38-912.

(Mar. 9, 1983, D.C. Law 4-172, § 5, 29 DCR 5745.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 31-2212.1.

Legislative History of Laws

For legislative history of D.C. Law 4-172, see Historical and Statutory Notes following § 38-912.

§ 38-913. SUBSISTENCE AND TRANSPORTATION OF CHILDREN WITH DISABILITIES.

The Board of Education is authorized to provide for the furnishing of subsistence supplies and transportation for children with severe disabilities attending special education schools or classes established for their benefit in the public school system of the District of Columbia.

(Oct. 26, 1973, 87 Stat. 508, Pub. L. 93-140, § 21; Apr. 24, 2007, D.C. Law 16-305, § 53, 53 DCR 6198.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 31-2213.

1973 Ed., § 31-1120.

Effect of Amendments

D.C. Law 16-305, in the section heading, substituted "children with disabilities" for "handicapped children"; and substituted "children with severe disabilities" for "severely handicapped children".

Legislative History of Laws

For Law 16-305, see notes following § 38-911.

§ 38-914. CEREMONIAL EXPENSES.

The President of the Federal City College, the President of the Washington Technical Institute, the President of the District of Columbia Teachers College, and the Superintendent of Schools are hereby authorized to utilize moneys appropriated for the purposes of this section for such expenses as they may respectively deem necessary to conduct such official ceremonial, and graduation activities as are normally associated with the programs of educational institutions.

(Oct. 26, 1973, 87 Stat. 508, Pub. L. 93-140, § 24.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 31-2214.

1973 Ed., § 31-1121.

§ 38-915. OFFICIAL EXPENSES.

The Mayor of the District of Columbia, the Chairman and members of the Council of the District of Columbia, the Chief Judge of the District of Columbia Court of Appeals, the Chief Judge of the Superior Court of the District of Columbia, the Executive Officer of the District of Columbia Court System, the Superintendent of Schools, the City Administrator, the Director of the District of Columbia Public Library, and the Chief Executive Officer of the University of the District of Columbia are authorized to provide for the expenditure, within the limits of specified annual appropriation, of funds for appropriate purposes related to their official capacity as they may respectively deem necessary. Their determination thereof shall be final and conclusive, and their certificate shall be sufficient voucher for the expenditure of appropriations made pursuant to this section.

(Oct. 26, 1973, 87 Stat. 509, Pub. L. 93-140, § 26; Sept. 23, 1978, D.C. Law 2-111, § 2, 25 DCR 1462; Oct. 24, 1981, D.C. Law 4-46, § 2, 28 DCR 4271; Jan. 26, 1982, D.C. Law 4-61, § 7, 28 DCR 4771.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 31-2215.

1973 Ed., § 31-1122.

Legislative History of Laws

Law 2-111 was introduced in Council and assigned Bill No. 2-334, which was referred to the Committee of the Whole. The Bill was adopted on first and second readings on June 13, 1978 and June 27, 1978, respectively. Signed by the Mayor on July 17, 1978, it was assigned Act No. 2-232 and transmitted to both Houses of Congress for its review.

Law 4-46 was introduced in Council and assigned Bill No. 4-202, which was referred to the Committee on Human Services. The Bill was adopted on first, first amended and second readings on June 16, 1981, June 30, 1981 and July 14, 1981, respectively. Signed by the Mayor on August 6, 1981, it was assigned Act No. 4-81 and transmitted to both Houses of Congress for its review.

Law 4-61 was introduced in Council and assigned Bill No. 4-264, which was referred to the Committee on Transportation and Environmental Affairs. The Bill was adopted on first and second readings on September 15, 1981 and September 29, 1981, respectively. Signed by the Mayor on October 30, 1981, it was assigned Act No. 4-107 and transmitted to both Houses of Congress for its review.

§ 38-916. FUNDING OF PUBLIC SCHOOLS--DECLARATION OF POLICY.

In recognition of:

- (1) The critical importance of high quality public education for all students in the District of Columbia;
- (2) The need in District of Columbia public schools for smaller classes and supplemental instructional resources to address the needs of the many students requiring special attention;
- (3) The need to attract and retain highly qualified teachers and principals;
- (4) The need for District of Columbia public school graduates to possess educational skills that render them competitive with graduates of suburban schools as regards employment and higher education;
- (5) The need to restore and repair school facilities throughout the District of Columbia; and
- (6) The fact that in recent years the budget for the District of Columbia public schools has increased at a rate substantially below that of almost all other District of Columbia agencies:

IT IS HEREBY DECLARED, that funding of the public schools be acknowledged as of the highest priority of the District of Columbia. This priority status for public education funding will be given due consideration by the District of Columbia Board of Education, the Council of the District of Columbia and the Mayor of the District of Columbia in all future proposals, recommendations, and legislative enactments affecting financial support of the public schools.

(Feb. 17, 1988, D.C. Law 7-68, § 2, 34 DCR 7737.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 31-2216.

Legislative History of Laws

Law 7-68, "District of Columbia Public School Support Initiative of 1986," was submitted to the electors of the District of Columbia on November 3, 1987, as Initiative No. 25. The results of the voting, certified by the Board of Elections and Ethics on November 17, 1987, were 54,729 for the Initiative and 16,223 against the Initiative. It was assigned Act No. 7-102 after certification and was transmitted to both Houses of Congress for its review on November 23, 1987.

§ 38-917. FUNDING OF PUBLIC SCHOOLS--PUBLIC HEARINGS.

In furtherance of this declared policy and in order to afford the people of the District of Columbia a full opportunity to express their views on the fiscal needs of the public schools, the following public hearings and transmissions of hearing records are required:

- (1) Beginning in fiscal year 2009, by no later than November 30, but prior to the annual submission by the Chancellor of a proposed operating budget to the Mayor of the District of Columbia, and upon 15 days public notice, the Chancellor shall solicit oral and written public input for the purpose of ascertaining the views of the public on programs and levels of public funding to be sought for the public schools. The operating budget proposed by the Chancellor shall, consistent with the public policy declared in this measure, give due consideration to the record established by the testimony and exhibits on the subjects listed in paragraph (4) of this section. The Chancellor shall transmit the record of this testimony to the Mayor of the District of Columbia and to the Council of the District of Columbia at or before the hearings held by them pursuant to paragraphs (2) and (3) of this section.
- (2) At least 15 days prior to the Mayor's annual submission of a budget recommendation with respect to the public schools to the Council of the District of Columbia, and upon 15 days public notice, and in accordance with § 38-103, the Mayor of the District of Columbia shall conduct a public hearing for the purpose of soliciting the views of the public on levels of public funding to be sought for the operation of the public schools. The public schools budget recommendation submitted by the Mayor to the Council of the District of Columbia shall, consistent with the public policy declared in this measure, give due consideration to the record established by the testimony and exhibits on the subjects listed in paragraph (4) of this section. The Mayor shall transmit the record of this hearing to the Council of the District of Columbia at or before the hearing held pursuant to paragraph (3) of this section.
- (3) At the public hearings required by § 47-304, the Council of the District of Columbia, not more than 30 days or less than 15 days before the adoption of the Budget Request Act, shall solicit testimony and exhibits on the subjects listed at paragraph (4) of this section, and consistent with the public policy declared in this measure shall adopt a budget giving due consideration to the record established by the testimony and exhibits on those subjects.
- (4) The hearings required by paragraphs (1), (2) and (3) of this section shall solicit and receive

testimony and exhibits on the following subjects:

(A) The current and prospective educational needs of pupils in the District of Columbia public schools, educational programs that can address these needs and support systems needed for safety and efficiency;

(B) The relative levels of support provided in recent years and sought in the current budget requests for the District of Columbia public schools and other agencies of the District of Columbia Government. Particular attention will be placed on the levels of funding provided in the past and sought for agencies such as the Department of Corrections and the Department of Human Services, which must address the problems resulting in part from an educational system that lacks sufficient resources to address fully the needs of all of its students;

(C) The programs and levels of funding supported by the findings of relevant professional studies and commissions; and

(D) The levels of funding for public school systems in surrounding jurisdictions that have reputations for providing high quality education to their students.

(Feb. 17, 1988, D.C. Law 7-68, § 3, 34 DCR 7737; Apr. 20, 1999, D.C. Law 12-264, § 30, 46 DCR 2118; June 12, 2007, D.C. Law 17-9, § 1008, 54 DCR 4102; Mar. 21, 2009, D.C. Law 17-325, § 3, 56 DCR 499; Mar. 25, 2009, D.C. Law 17-353, § 204, 56 DCR 1117.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 31-2217.

Effect of Amendments

D.C. Law 17-9 substituted "Chancellor" for "District of Columbia Board of Education" and "Board of Education".

D.C. Law 17-325 rewrote pars. (1) and (2) which had read as follows:

"(1) Within a period of not more than 90 or less than 45 days prior to the annual submission by the Chancellor of a proposed budget to the Mayor of the District of Columbia, and upon 15 days public notice, the Chancellor shall conduct a public hearing for the purpose of soliciting the views of the public on programs and levels of public funding to be sought for the public schools. The budget proposed by the Chancellor shall, consistent with the public policy declared in this measure, give due consideration to the record established by the testimony and exhibits on the subjects listed in paragraph (4) of this section. The Chancellor shall transmit the record of this hearing to the Mayor of the District of Columbia and to the Council of the District of Columbia at or before the hearings held by them pursuant to paragraphs (2) and (3) of this section.

"(2) Within a period of not more than 60 days or less than 30 days prior to the Mayor's annual submission of a budget recommendation with respect to the public schools to the Council of the District of Columbia, and upon 15 days public notice, the Mayor of the District of Columbia shall conduct a public hearing for the purpose of soliciting the views of the public on levels of public funding to be sought for the public schools. In no event shall this hearing be prior to the annual submission by the Chancellor of its proposed budget to the Mayor. The public schools budget recommendation submitted by the Mayor to the Council of the District of Columbia shall, consistent with the public policy declared in this measure, give due consideration to the record established by the testimony and exhibits on the subjects listed in paragraph (4) of this section. The Mayor shall transmit the record of this hearing to the Council of the District of Columbia at or before the hearing held pursuant to paragraph (3) of this section."

D.C. Law 17-353, in par. (2), validated a previously made technical correction.

Emergency Act Amendments

For temporary (90 day) amendment of section, see § 3 of Public Schools Hearing Emergency Amendment Act of 2009 (D.C. Act 18-11, February 25, 2009, 56 DCR 1915).

Legislative History of Laws

For legislative history of D.C. Law 7-68, see Historical and Statutory Notes following § 38-916.

Law 12-264, the "Technical Amendments Act of 1998," was introduced in Council and assigned Bill No. 12-804, which was referred to the Committee of the Whole. The Bill was adopted on first and second readings on November 10, 1998, and December 1, 1998, respectively. Signed by the Mayor on January 7, 1999, it was assigned Act No. 12-626 and transmitted to both Houses of Congress for its review. D.C. Law 12-264 became effective on April 20, 1999.

For Law 17-9, see notes under § 38-103.

For Law 17-325, see notes following § 38-103.

For Law 17-353, see notes following § 38-102.

§ 38-918. WRITTEN PROCEDURES FOR EVALUATING FACILITIES NEEDS.

The District of Columbia Public Schools shall develop and submit for Council approval by November 1, 1997, written procedures outlining an ongoing process for evaluating facilities needs, to include:

- (1) Annual community input and deliberations; and
- (2) Annual demographic projections based on census, economic development (which shall include housing starts), and other factors.

(Mar. 20, 1998, D.C. Law 12-60, § 1301, 44 DCR 7378.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 31-2218.

Temporary Addition of Section

Section 1301 of D.C. Law 12-59 added § 31-2218 [1981 Ed.].

Section 2001(b) of D.C. Law 12-59 provided that the act shall expire after 225 days of its having taken effect.

Section 2002 of D.C. Law 12-59 provided that the act shall apply as of October 1, 1997.

Emergency Act Amendments

For temporary addition of section, see § 1301 of the Fiscal Year 1998 Revised Budget Support Emergency Act of 1997 (D.C. Act 12-152, October 17, 1997, 44 DCR 6196), and § 1301 of the Fiscal Year 1998 Revised Budget Support Congressional Review Emergency Act of 1997 (D.C. Act 12-239, January 13, 1998, 45 DCR 508).

Section 2002 of D.C. Act 12-152 provides for the application of the act.

Legislative History of Laws

Law 12-59, the "Fiscal Year 1998 Revised Budget Support Temporary Act of 1997," was introduced in Council and assigned Bill No. 12-350. The Bill was adopted on first and second readings on September 8, 1997, and September 22, 1997, respectively. Signed by the Mayor on October 24, 1997, it was assigned Act No. 12-190 and transmitted to both Houses of Congress for its review. D.C. Law 12-59 became effective on March 20, 1998.

Law 12-60, the "Fiscal Year 1998 Revised Budget Support Act of 1998," was introduced in Council and assigned Bill No. 12-353, which was referred to the Committee of the Whole. The Bill was adopted on first and second readings on September 8, 1997, and October 7, 1997, respectively. Signed by the Mayor on October 24, 1997, it was assigned Act No. 12-191 and transmitted to both Houses of Congress for its review. D.C. Law 12-60 became effective on March 20, 1998.

Miscellaneous Notes

Application of Law 12-60: Section 2002 of D.C. Law 12-60 provided that the act shall apply as of October 1, 1997.

§ 38-919. COMMUNITY INPUT AND DEMOGRAPHIC ANALYSIS IN ANNUAL CAPITAL REQUEST.

The District of Columbia Public Schools shall submit annually with its capital request a report that details how the capital request reflects the required community input and demographic analysis.

(Mar. 20, 1998, D.C. Law 12-60, § 1302, 44 DCR 7378.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 31-2219.

Temporary Addition of Section

Section 1302 of D.C. Law 12-59 added § 31-2219 [1981 Ed.].

Section 2001(b) of D.C. Law 12-59 provided that the act shall expire after 225 days of its having taken effect.

Section 2002 of D.C. Law 12-59 provided that the act shall apply as of October 1, 1997.

Emergency Act Amendments

For temporary addition of section, see § 1302 of the Fiscal Year 1998 Revised Budget Support Emergency

Act of 1997 (D.C. Act 12-152, October 17, 1997, 44 DCR 6196), and § 1302 of the Fiscal Year 1998 Revised Budget Support Congressional Review Emergency Act of 1997 (D.C. Act 12-239, January 13, 1998, 45 DCR 508).

Legislative History of Laws

For legislative history of D.C. Law 12-59, see Historical and Statutory Notes following § 38-918.

For legislative history of D.C. Law 12-60, see Historical and Statutory Notes following § 38-918.

§ 38-920. AERONAUTICS COURSES AUTHORIZED.

The Board of Education is hereby authorized and directed to establish and to include in the curricula of the senior high schools of the District of Columbia, as an additional optional course, a course in aeronautics, which shall include instruction in aerodynamics, the theory of flight, the airplane and its engine, mechanics, engineering, meteorology, practical air navigation, map reading, and such other allied subjects as the Board in its discretion may deem it advisable to prescribe. Such course shall be 1st offered during the high-school term beginning in 1942. Thereafter such additional courses in aeronautics may be added as deemed desirable by the Board of Education. The same credit toward graduation may be given for said course as is given for other optional courses in said schools.

(Dec. 16, 1941, 55 Stat. 806, ch. 585, § 1.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 31-901.

1973 Ed., § 31-1201.

§ 38-921. TEACHERS OF AERONAUTICS.

The Board is further authorized to employ a sufficient number of teachers of aeronautics, not to exceed 6, adequately to instruct those pupils who elect to pursue the said course, at the salary rates authorized for teachers in the senior high schools.

(Dec. 16, 1941, 55 Stat. 807, ch. 585, § 2.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 31-902.

1973 Ed., § 31-1202.

§ 38-922. FREE TEXTBOOKS, MAPS, AND SUPPLIES.

The Board shall provide the pupils of the senior high schools, free of charge, with the use of all aeronautical textbooks, maps, and other necessary educational supplies required for said course.

(Dec. 16, 1941, 55 Stat. 807, ch. 585, § 3.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 31-903.

1973 Ed., § 31-1203.

§ 38-923. ANNUAL ESTIMATES OF EXPENSES.[REPEALED]

(Dec. 16, 1941, 55 Stat. 807, ch. 585, § 5; Sept. 24, 2010, D.C. Law 18- 223, § 4036, 57 DCR 6242.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 31-904.

1973 Ed., § 31-1204.

For temporary (90 day) repeal of section, see § 4036 of Fiscal Year 2011 Budget Support Emergency Act of 2010 (D.C. Act 18-463, July 2, 2010, 57 DCR 6542).

For Law 18-223, see notes following § 38-103.

§ 38-924. ESTABLISHED; FUNCTIONS; DUTIES; DIRECTOR; ADVISORY BOARD.

There is hereby established in the municipal government of the District of Columbia the Department of General Services, hereinafter referred to as the "Department," which shall under the direction of the Mayor of the District of Columbia carry out in the District of Columbia the state functions contemplated by § 484 (j) and (k) of Title 40, United States Code, and such other duties relating to the distribution of surplus property, or other functions, as the Mayor may in his discretion assign to such Department, and for the purposes of § 484 (j), the District of Columbia shall be deemed to be a state. The Mayor is authorized to appoint a Director for such Department and such other personnel as may be necessary with compensation to be fixed in accordance with Chapter 51 and subchapter III of Chapter 53 of Title 5, United States Code. The Mayor is also authorized to appoint an advisory board for such Department to be composed of not more than 10 members; provided, that the membership of such board shall include representatives of the tax-supported, tax-exempt, and nonprofit educational institutions in the District of Columbia; and provided further, that the members of such advisory board shall serve without compensation and at the pleasure of the Mayor. Such advisory board may submit reports and recommendations to the Mayor as well as to the Department.

(Aug. 16, 1950, 64 Stat. 450, ch. 720, § 1.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 31-301.

1973 Ed., § 31-1301.

Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 401 of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to a single Commissioner. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.

Miscellaneous Notes

Educational Agency for Surplus Property abolished: The District of Columbia Educational Agency for Surplus Property was abolished and the functions thereof transferred to the Board of Commissioners of the District of Columbia by Reorganization Plan No. 5 of 1952. All functions of the District of Columbia Educational Agency for Surplus Property including the functions of all officers, employees, and subordinate agencies were transferred to Director of the Department of General Administration by Reorganization Order No. 3 of the Board of Commissioners, dated August 28, 1952 and effective September 2, 1952. Reorganization Order No. 18 abolished the District of Columbia Educational Agency for Surplus Property and transferred its functions to the Administrative Services Office created in the Department of General Administration by that Order. The executive functions of the Board of Commissioners were transferred to the Commissioner of the District of Columbia by Reorganization Plan No. 3 of 1967. Reorganization Order No. 18 was revoked by Organization Order No. 3, dated December 13, 1967, and functions relative to education surplus property were assigned to the Administrative Services Office of the Department of General Administration by Part IVA of Organization Order No. 3. Functions stated in Parts IVA and IVD of Organization Order No. 3 were transferred to the Director of the Department of General Services by Commissioner's Order No. 69- 96, dated March 7, 1969.

The functions of the Department of General Services were transferred, in part, to the Department of Public Works by Reorganization Plan No. 4 of 1983, effective March 1, 1984, and transferred, in part, to the Department of Administrative Services by Reorganization Plan No. 5 of 1983, effective March 1, 1984.

Council's acceptance of plan of operation for surplus federal property: Pursuant to Resolution 6-241, the

"District of Columbia Plan of Operation for Surplus Federal Property Acceptance Resolution of 1985," effective July 9, 1985, the Council accepted the permanent plan of operation for disposition of surplus federal property.

Rescission of Old Police Precinct #9 from surplus real estate list: Pursuant to Resolution 6-516, the "Sale of Surplus Real Estate Removal Resolution of 1985," effective January 28, 1986, the Council rescinded its findings regarding the property known as the Old Police Precinct #9, located at 525 9th Street, N.E., which appeared on the surplus real estate list established by Resolution 4-171.

§ 38-925. WORKING CAPITAL FUND; RULES AND REGULATIONS.

There is hereby authorized to be appropriated from any money in the Treasury to the credit of the District of Columbia not exceeding \$15,000 as a working capital fund for the operation of the Department, which fund shall be used as a permanent revolving fund for all necessary expenses of such Department. There shall be deposited to the credit of such fund such amounts as may be appropriated pursuant to this chapter, together with such amounts as the respective branches of the government of the District of Columbia and the private educational institutions authorized by law to participate in the distribution of surplus property shall pay as fees for services rendered by the Department. The Mayor is authorized to promulgate rules and regulations governing the manner in which the Department shall carry out its duties, including the fixing of reasonable fees to be charged for its services.

(Aug. 16, 1950, 64 Stat. 450, ch. 720, § 2; Aug. 1, 1979, D.C. Law 3-13, § 2, 25 DCR 10563.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 31-302.

1973 Ed., § 31-1302.

Legislative History of Laws

Law 3-13 was introduced in Council and assigned Bill No. 3-50, which was referred to the Committee on Government Operations. The Bill was adopted on first and second readings on May 8, 1979, and May 22, 1979, respectively. Signed by the Mayor on June 8, 1979, it was assigned Act No. 3-50 and transmitted to both Houses of Congress for its review.

Miscellaneous Notes

Transfer of unexpended balances: Section 7(g) of the Act of June 14, 1980, D.C. Law 3-70, provided for the transfer to the Department of General Services Internal Service Fund, or successor fund established by the Mayor, any unexpended balances in the Educational Surplus Property Fund.

Educational Agency for Surplus Property abolished: See Historical and Statutory Notes following § 38-924.

§ 38-926. TERMINATION.

The authority of the Department and of the advisory board shall terminate upon direction of the Mayor of the District of Columbia and in any event no later than the repeal of § 484 (j) and (k) of Title 40, United States Code. Upon such termination, the assets of the Department shall be disposed of as the Mayor may direct.

(Aug. 16, 1950, 64 Stat. 451, ch. 720, § 3.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 31-303.

1973 Ed., § 31-1303.

Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 401 of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to a single Commissioner. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate

changes in terminology were made in this section.

Miscellaneous Notes

Educational Agency for Surplus Property abolished: See Historical and Statutory Notes following § 38-924.

§ 38-927. EDUCATION IN PARTNERSHIP WITH TECHNOLOGY CORPORATION ESTABLISHED.[REPEALED]

(Feb. 24, 1987, D.C. Law 6-170, § 2, 33 DCR 7188; Apr. 29, 1998, D.C. Law 12-86, § 401(j), 45 DCR 1172.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 31-2501.

§ 38-928. FUNCTIONS.[REPEALED]

(Feb. 24, 1987, D.C. Law 6-170, § 3, 33 DCR 7188; Apr. 29, 1998, D.C. Law 12-86, § 401(j), 45 DCR 1172.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 31-2502.

§ 38-929. PRIVATE PARTICIPATION.[REPEALED]

(Feb. 24, 1987, D.C. Law 6-170, § 4, 33 DCR 7188; Apr. 29, 1998, D.C. Law 12-86, § 401(j), 45 DCR 1172.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 31-2503.

§ 38-930. BOARD OF DIRECTORS; COMPOSITION; APPOINTMENT; TERM OF OFFICE; VACANCIES; QUORUM.[REPEALED]

(Feb. 24, 1987, D.C. Law 6-170, § 5, 33 DCR 7188; Apr. 29, 1998, D.C. Law 12-86, § 401(j), 45 DCR 1172.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 31-2504.

§ 38-931. POWERS OF THE EPTC.[REPEALED]

(Feb. 24, 1987, D.C. Law 6-170, § 6, 33 DCR 7188; Apr. 29, 1998, D.C. Law 12-86, § 401(j), 45 DCR 1172.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 31-2505.

§ 38-932. DUTIES AND RESPONSIBILITIES; AUTHORIZATIONS; PROMULGATION OF RULES.[REPEALED]

(Feb. 24, 1987, D.C. Law 6-170, § 7, 33 DCR 7188; May 10, 1989, D.C. Law 7-231, § 38, 36 DCR 492; Apr. 29, 1998, D.C. Law 12-86, § 401(j), 45 DCR 1172.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 31-2506.

§ 38-933. CONFLICT OF INTEREST.[REPEALED]

(Feb. 24, 1987, D.C. Law 6-170, § 8, 33 DCR 7188; Apr. 29, 1998, D.C. Law 12-86, § 401(j), 45 DCR 1172.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 31-2507.

§ 38-934. CAPITALIZATION.[REPEALED]

(Feb. 24, 1987, D.C. Law 6-170, § 9, 33 DCR 7188; Apr. 8, 1992, D.C. Law 9-93, § 2, 39 DCR 1371; Apr. 29, 1998, D.C. Law 12-86, § 401(j), 45 DCR 1172.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 31-2508.

§ 38-935. EXEMPTION FROM DISTRICT OF COLUMBIA TAXES AND ASSESSMENTS.[REPEALED]

(Feb. 24, 1987, D.C. Law 6-170, § 10, 33 DCR 7188; Apr. 29, 1998, D.C. Law 12-86, § 401(j), 45 DCR 1172.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 31-2509.

§ 38-936. ANNUAL AUDIT; REPORT.[REPEALED]

(Feb. 24, 1987, D.C. Law 6-170, § 11, 33 DCR 7188; Apr. 29, 1998, D.C. Law 12-86, § 401(j), 45 DCR 1172.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 31-2510.

§ 38-937. EMPLOYEE REQUIREMENTS.[REPEALED]

(Feb. 24, 1987, D.C. Law 6-170, § 12, 33 DCR 7188; Apr. 29, 1998, D.C. Law 12-86, § 401(j), 45 DCR 1172.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 31-2511.

§ 38-938. TITLE TO PROPERTY UPON DISSOLUTION.[REPEALED]

(Feb. 24, 1987, D.C. Law 6-170, § 13, 33 DCR 7188; Apr. 29, 1998, D.C. Law 12-86, § 401(j), 45 DCR 1172.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 31-2512.