

STATE EDUCATION OFFICE OF THE DISTRICT OF COLUMBIA

NOTICE OF FINAL RULEMAKING

The State Education Office, pursuant to the authority set forth in the District of Columbia Nonresident Tuition Act, approved September 8, 1960, (74 Stat. 853, D.C. Official Code, § 38-302 *et seq.* (2001), and the State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2601 *et seq.* (2001), hereby gives notice that it has taken final action to adopt the following amendment to §2008.13 of chapter 20 of Title 5 DCMR. No changes have been made to the text of the proposed rules as published with the Notice of Proposed Rulemaking in the D.C. Register on June 24, 2005, at 52 DCR 5946. The purpose of the amendment is to establish new tuition rates for non-resident students attending public and public charter schools in the District of Columbia. These final rules will be effective upon publication of this notice in the D.C. Register.

5 DCMR § 2008.13, is amended to read as follows:

2008.13 The following shall be the non-resident tuition rates currently in effect for public and public charter schools in the District of Columbia:

SCHEDULE OF 2005-06 NON-RESIDENT TUITION RATES

The rates displayed in the charts below are the same as the per-pupil allocations provided by the Uniform Per Student Funding Formula during the FY 2005 school year. Based on these rates, the tuition cost for each student who is not a resident of the District of Columbia and who is enrolled in the District of Columbia Public Schools or in a public charter school in the District of Columbia shall be calculated in the following manner:

(a) **Using the Grade Level Table below, determine the rate for the grade level or span at which the student, based on grade assignment or age, will be enrolled.**

Rates by Grade Level or Applicable Grade Range

Grade Levels	Yearly Rate	Half-Yearly Rate	Daily Rate
Pre-School/Pre-Kindergarten	\$8,077	\$4,039	\$45
Kindergarten	\$8,077	\$4,039	\$45
Grades 1-3	\$7,111	\$3,556	\$40
Grades 4-5	\$6,904	\$3,452	\$38
Ungraded ES	\$7,111	\$3,556	\$40
Grades 6-8	\$7,111	\$3,556	\$40
Ungraded MS/JHS	\$7,111	\$3,556	\$40
Grades 9-12	\$8,077	\$4,039	\$45
Ungraded SHS	\$8,077	\$4,039	\$45
Alternative	\$8,975	\$4,488	\$50
Special Education Schools	\$8,077	\$4,039	\$45

Adult	\$5,178	\$2,589	\$29
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(b) If the student is enrolled in a daytime special education program, use the table below to determine the rates for services the student will receive. Add this amount to the grade level cost in paragraph (a) of this section.

Rates for Special Needs Students Enrolled in a Daytime Special Education Program

Level/Program	Yearly Rate	Half-Yearly Rate	Daily Rate
Level 1: Special Education	\$3,797	\$1,899	\$21
Level 2: Special Education	\$5,868	\$2,934	\$33
Level 3: Special Education	\$10,355	\$5,178	\$58
Level 4: Special Education	\$18,640	\$9,320	\$104
LEP/NEP	\$2,761	\$1,381	\$15

(c) If the student is enrolled in a residential school that serves special needs students, use the table below to determine the rates for any of the listed services that the student will receive. Add these amounts to the totals from paragraphs (a) and (b) of this section.

Rates for Special Needs Students Enrolled in a Residential School

Level/Program	Yearly Rate	Half-Yearly Rate	Daily Rate
Level 1: Special Education - Residential	\$2,582	\$1,291	\$14
Level 2: Special Education - Residential	\$9,389	\$4,695	\$52
Level 3: Special Education - Residential	\$20,303	\$10,152	\$113
Level 4: Special Education - Residential	\$20,168	\$10,093	\$112
Level 5: Special Education - Residential	\$64,894	\$32,447	\$361
LEP/NEP - Residential	\$46,94	\$23,47	\$26

(d) Any student enrolled in a residential school, whether or not the student has special needs, is entitled to the Residential Rate listed below, which covers the cost of room and board. Add this amount to the total of paragraphs (a), (b), and (c) in this section. This amount is the student's total non-resident tuition rate for the regular school year program.

Rates for Room and Board for students Enrolled in a Residential School

Program	Yearly Rate	Half-Yearly Rate	Daily Rate
Residential (Room and Board)	\$11,736	\$5,868	\$65

- (e) A non-resident student who wishes to attend summer school in the District of Columbia must register for the summer program separately from the regular school year program. Students will be admitted on a space-available basis. The non-resident tuition rates for summer school are displayed below.

Additional Rates for Non-Resident Students Enrolled in Summer School

Program	Rate
Summer School	\$1,174

The rates in this schedule only apply to non-resident students enrolled in the regular school program of the District of Columbia Public Schools or a public charter school in the District of Columbia. Some schools may offer services that are not considered part of the regular school program, and participation in such programs may require payment of additional fees.

DEPARTMENT OF HEALTH

NOTICE OF FINAL RULEMAKING

The Director of the Department of Health, pursuant to the authority set forth in section 17 of the Nurse Staffing Agency Act of 2003 (hereinafter "the Act"), effective March 10, 2004, D.C. Law 15-74, D.C. Official Code § 44-1051.01 *et seq.*, at 44-1051.17, and in accordance with Mayor's Order 2004-83, dated May 21, 2004, hereby gives notice of his adoption of the following amendments to Chapter 49 of Title 22 of the District of Columbia Municipal Regulations, governing the licensure and operating standards for nurse staffing agencies.

Final rules to establish licensure and operating standards for nurse staffing agencies were published on November 19, 2004, at 51 DCR 10633. Continued consultation between the Department of Health and affected stakeholders has resulted in agreement to modify a small number of provisions in the previously-published rules. These amendments will: (1) reduce the amount of the annual license renewal fee; (2) provide that the nursing staff supervisor, a licensed registered nurse, does not have to be a full-time employee; and (3) extend the permissible period for pre-employment communicable disease screening.

These rules were published as Emergency and Proposed Rulemaking in the *D.C. Register* on July 1, 2005, at 52 DCR 6232. One comment was received, wherein the proposed amendments were supported. No changes have been made to the rulemaking since the previous publication.

Chapter 49 of Title 22 of the DCMR is amended as follows:

Section 4902.2 is amended to read as follows:

4902.2 The fee for each renewal license shall be \$500.

Section 4904.2 is amended to read as follows:

4904.2 All nursing personnel and health aides, as defined in the Act and in these rules, must be evaluated by and must report to a Registered Nurse licensed in the District of Columbia who is an employee of the nurse staffing agency. Each nurse staffing agency must have at least one supervisory employee, qualified as described herein, accessible by and available to the agency and to its staff at all times.

Section 4904.7 is amended to read as follows:

4904.7 At the time of initial employment of each employee or staff member for whom it is reasonably foreseeable that he or she will come into contact with one or more patients, the nurse staffing agency must verify that the employee or staff member has been screened for communicable disease within the previous twelve (12) months, or according to superseding time guidelines issued by the federal Centers for Disease Control and Prevention, and that the employee or staff member is certified to be free of communicable disease.