Public Law 86-725

AN ACT

September 8, 1960
[H. R. 7124]

To require the payment of tuition on account of certain persons who attend the public schools of the District of Columbia, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "District of Columbia Nonresident Tuition Act".

District of Columbia Nonresident Tuition Act.

SEC. 2. (a) In the case of (1) each adult who attends a public school of the District of Columbia and does not reside in the District of Columbia, and (2) each child who attends such a public school and does not have a parent or guardian who resides in the District of Columbia, or is not an orphan, there shall be paid to the Board of Education the amount fixed by the Board of Education pursuant to subsection (b) of this section.

Board of Education.

Determination of amounts.

(b) The amount which shall be paid with respect to each person subject to subsection (a) of this section shall be fixed by the Board of Education with the approval of the Board of Commissioners of the District of Columbia as the amount necessary to cover the expense of tuition and cost of textbooks and school supplies used by such person.

(c) All amounts received by the Board of Education under this section shall be paid into the Treasury of the United States, to the credit of the District of Columbia.

(d) Notwithstanding the provisions of subsection (a) of this section, upon the submission of evidence satisfactory to the Board of Education that care, custody, and substantial support are supplied by the person or persons with whom a child is residing in the District of Columbia, and that the parent or guardian of such child is unable to supply such care, custody, and support, or that such child is self-supporting, such child shall be considered a resident of the District of Columbia for the purpose of school attendance and exempt from the requirement to pay tuition.

SEC. 3. (a) The Board of Education shall take such action as may be necessary to determine which of the persons, attending or desiring to attend the public schools of the District of Columbia, for whom tuition shall be paid as required by section 2, and said Board is authorized, with the approval of the Commissioners of the District of Columbia, to make regulations to carry out the intent and purposes of this Act.

Regulations.

(b) Any person who makes a statement required or authorized by this Act to be filed with the Board of Education knowing that the information set forth in such statement is false, shall be fined not more than $300 or imprisoned for not more than ninety days, or both. Any person violating any regulation made pursuant to the authority in this Act shall be fined not more than $100 or imprisoned for not more than thirty days.

(c) All prosecutions for violations of this Act, or regulations made pursuant thereto, shall be conducted in the name of the District of Columbia by the Corporation Counsel or any of his assistants. As used in this Act the term "Corporation Counsel" means the attorney for the District of Columbia, by whatever title such attorney may be known, designated by the Board of Commissioners of the District of Columbia to perform the functions prescribed for the Corporation Counsel in this Act.

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Definitions.

SEC. 4. As used in this Act—

(1) the term "child" means a person who is less than twenty-one years of age;

(2) the term "orphan" means a child who resides in the District of Columbia and who does not have a living parent or guardian;

(3) the term "adult" means a person who is twenty-one years of age, or older;

(4) the term "guardian" means a person (A) appointed as a guardian for a child by a court of competent jurisdiction, and (B) who has control or custody of such child;

(5) the term "parent" means a person (A) who (i) is a natural parent of a child, (ii) is a stepfather or stepmother of a child, or (iii) has adopted a child, and (B) who has custody or control of such child; and

(6) the term "Board of Education" means the Board of Education of the District of Columbia.

D. C. Code title 1, app.

SEC. 5. (1) Nothing in this Act shall be construed so as to affect the authority vested in the Commissioners of the District of Columbia by Reorganization Plan Numbered 5 of 1952 (66 Stat. 824). The performance of any function vested by this Act in the Commissioners of the District of Columbia or in any office or agency under the jurisdiction and control of said Commissioners may be delegated by said Commissioners in accordance with section 3 of such plan.

D. C. Code 31-301a.

(2) This Act shall not be construed as superseding the Act approved April 23, 1958 (72 Stat. 98), and such Act approved April 23, 1958, shall continue in full force and effect.

Repeals.

SEC. 6. The following provisions of law are repealed:

30 Stat. 1056.

(1) The last paragraph under the heading "Public Schools" in the Act of March 3, 1899, as amended (D.C. Code, sec. 31–301).

38 Stat. 536.

(2) The last paragraph under the side heading "Miscellaneous" which follows the center heading "Public Schools" in the Act of July 21, 1914 (D.C. Code, sec. 31–302).

38 Stat. 910.

(3) The last paragraph under the side heading "Miscellaneous" which follows the center heading "Public Schools" in the Act of March 3, 1915 (D.C. Code, sec. 31–303).

40 Stat. 470.

(4) The second paragraph under the center heading "Public Schools" in the Act of March 28, 1918 (D.C. Code, sec. 31–304).

58 Stat. 515.

(5) The last paragraph under the heading "Capital Outlay" which follows the center heading "Public Schools" in the Act of June 28, 1944 (D.C. Code, sec. 31–305).

63 Stat. 309.

(6) The last paragraph under the heading "Capital Outlay" which follows the center heading "Public Schools" in the Act of June 29, 1949 (D.C. Code, sec. 31–306).

D. C. Teachers College.

SEC. 7. Nothing contained in this Act shall be construed as preventing the Board of Education from requiring students of the District of Columbia Teachers College to pay tuition, and the said Board is authorized, in its discretion, to require the payment of tuition by the students of such college, whether or not resident in the District of Columbia, with the exception of those students who are authorized to be excused from the payment of tuition by an Act other than this Act.

Effective date.

SEC. 8. This Act shall take effect on the first day of the school semester which commences at least sixty days after the date of enactment of this Act.

Approved September 8, 1960.