Public Law 89-791

November 7, 1966
[H. R. 16958]

AN ACT

To authorize the establishment in the District of Columbia of a public college of arts and sciences and a vocational and technical institute.

District of Columbia Public Education Act.

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 Public Education Act".

TITLE I—FEDERAL CITY COLLEGE

Definitions.

SEC. 101. As used in this title—

(1) The term "Federal City College" means the public college of arts and sciences established pursuant to this title. Such college shall be organized and administered to provide (A) a four-year program in the liberal arts and sciences acceptable toward a bachelor of arts degree, including courses in teacher education; (B) a two-year program (i) which is acceptable for full credit toward a bachelor's degree or for a degree of associate in arts, and which may include courses in business education, secretarial training, and business administration, or (ii) in engineering, mathematics or the physical and biological sciences which is designed to prepare a student to work as a technician or at a semiprofessional level in engineering, sciences, or other technical fields which require the understanding and application of basic engineering, scientific, or mathematical principles or knowledge; (C) educational programs of study as may be acceptable for a master's degree; and (D) courses on an individual, noncredit basis to those desiring to further their education without seeking a degree.

(2) The term "Commissioners" means the Board of Commissioners of the District of Columbia.

(3) The term "Board" means the Board of Higher Education established in section 102 of this title.

(4) The term "Board of Education" means the Board of Education of the District of Columbia established by section 2 of the Act of June 30, 1906 (D.C. Code, sec. 31-101).

34 Stat. 316; 45 Stat. 1139; 71 Stat. 340.

Control by Board of Higher Education.

SEC. 102. (a) The Federal City College shall be under the control of a Board of Higher Education, which shall consist of nine members of whom not less than five shall have been residents of the District of Columbia for a period of not less than three years immediately prior to their appointments. The members of the Board (including all members appointed to fill vacancies on such Board) shall be appointed by the Commissioners. The members of the Board shall select a chairman from among their number. Such members shall be appointed for terms of three years; except that the terms of office of the members first taking office shall expire, as designated by the Commissioners at the time of appointment, three at the end of one year, three at the end of two years, and three at the end of three years. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of that term. Members of the Board shall serve without compensation, but may be reimbursed for their travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons serving the Government without compensation.

Ante, p. 499.

Removal for cause.

(b) The Commissioner shall have the power to remove any member of the Board at any time for adequate cause, which relates to his character or to his efficiency as a member, after notice and opportunity for hearing.

Personal liability, exemption.

(c) The members of the Board shall not be personally liable in damages for any official action of the Board in which such members

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participate, nor shall they be liable for any costs that may be taxed against them or the Board on account of any such official action by them as members of the Board, but such costs shall be charged to the District of Columbia and paid as other costs are paid in suits against the municipality; nor shall the Board or any of its members be required to give any bond or security for costs or damages on any appeal whatever.

Powers and duties.

SEC. 103. (a) The Board is vested with the following powers and duties:

(1) To develop detailed plans for and to establish, organize, and operate in the District of Columbia the Federal City College.

(2) To establish policies, standards, and requirements governing admission, programs, graduation (including the award of degrees) and general administration of the Federal City College.

President, appointment.

(3) To appoint and compensate, without regard to the civil service laws or chapter 51 and subchapter III of chapter 53 of title 5, United States Code, a president for the Federal City College.

(4) To employ and compensate such officers as it determines necessary for the Federal City College, and such educational employees for the Federal City College as the president thereof may recommend in writing. Such officers and educational employees may be employed and compensated without regard to—

(A) the civil service laws,

(B) chapter 51 and subchapter III of chapter 53 of title 5, United States Code (relating to classification of positions in Government service), *Ante*, pp. 443, 467.

(C) sections 6301 through 6305 and 6307 through 6311 of title 5, United States Code (relating to annual and sick leave for Federal employees), *Ante*, p. 516.

(D) chapter 15 and sections 7324 through 7327 of title 5, United States Code (relating to political activities of Government employees), *Ante*, pp. 403, 525.

(E) section 3323 and subchapter III of chapter 81 of title 5, United States Code (relating to civil service retirement), and *Ante*, pp. 422, 564.

(F) sections 3326, 3501, 3502, 5531 through 5533, and 6303 of title 5, United States Code (relating to dual pay and dual employment), *Ante*, p. 423.

but the employment and compensation of such officers and educational employees shall be subject to—

(i) sections 7902, 8101 through 8138, and 8145 through 8150 of title 5, United States Code, and sections 292 and 1920 through 1922 of title 18, United States Code (relating to compensation for work injuries), *Ante*, p. 530. *Ante*, pp. 608, 610.

(ii) chapter 87 of title 5, United States Code (relating to Government employees group life insurance), *Ante*, p. 592.

(iii) chapter 89 of title 5, United States Code (relating to health insurance for Government employees), and *Ante*, p. 599.

(iv) sections 1302, 2108, 3305, 3306, 3308 through 3320, 3351, 3363, 3364, 3501 through 3504, 7511, 7512, and 7701 of title 5, United States Code (relating to veteran's preference). *Ante*, p. 401.

Salary schedules.

Periodic adjustment.

Subject to the approval of the Commissioners, the compensation schedules for such officers and employees shall be fixed and adjusted from time to time consistent with the public interest and in accordance with rates for comparable types of positions in like institutions of higher education. Salary levels shall be determined based on duties, responsibilities, and qualifications. The Board, upon the recommendations of the president of the college, shall

establish, with the approval of the Commissioners and without regard to the provisions of any other law, retirement and leave systems for such officers and employees which shall be comparable to such systems in like institutions of higher education.

Noneducational employees.

(5) To employ and compensate noneducational employees of the Board and of the Federal City College in accordance with—

(A) the civil service laws,

(B) chapter 51 and subchapter III of chapter 53 of title 5, United States Code (relating to classification of positions in government service),

(C) section 3323 and subchapter III of chapter 81 of title 5, United States Code (relating to civil service retirement),

(D) sections 7902, 8101 through 8138, and 8145 through 8150 of title 5, United States Code, and sections 292 and 1920 through 1922 of title 18, United States Code (relating to compensation for work injuries),

(E) chapter 87 of title 5, United States Code (relating to government employees group life insurance),

(F) chapter 89 of title 5, United States Code (relating to health insurance for government employees),

(G) sections 1302, 2108, 3305, 3306, 3308 through 3320, 3351, 3363, 3364, 3501 through 3504, 7511, 7512, and 7701 of title 5, United States Code (relating to veteran's preference), and

(H) any other laws applicable to noneducational employees of the Board of Education.

Tuition.

(6) To fix, from time to time, tuition to be paid by students attending the Federal City College. Tuition charged nonresidents shall be fixed in such amounts as will, to the extent feasible, approximate the cost to the District of Columbia of the services for which such charge is imposed. Receipts from the tuition charged students attending the college shall be deposited to the credit of the General Fund of the District of Columbia.

Fees.

(7) To fix, from time to time, fees to be paid by students attending the Federal City College. Receipts from such fees shall be deposited into a revolving fund in a private depository in the District, which fund shall be available, without fiscal year limitation, for such purposes as the Board shall approve. The Board is authorized to make necessary rules respecting deposits into and withdrawals from such fund.

Appropriation estimates.

(8) To transmit annually to the Commissioners estimates of the appropriation required for the Federal City College for the ensuing year.

Trust fund account.

(9) To accept services and moneys, including gifts or endowments, from any source whatsoever, for use in carrying out the purposes of this title. Such moneys shall be deposited in the Treasury of the United States to the credit of a trust fund account which is hereby authorized and may be invested and reinvested as trust funds of the District of Columbia. The disbursement of the moneys from such trust funds shall be in such amounts, to such extent, and in such manner as the Board, in its judgment, may determine necessary to carry out the purposes of this title.

(10) To submit to the Commissioners recommendations relating to legislation affecting the administration and programs of the Federal City College.

(11) To make such rules and regulations as the Board deems necessary to carry out the purposes of this title.

(12) To assume control of the District of Columbia Teachers College established pursuant to the Act approved February 25, 1929 (D.C. Code, sec. 31-118), from the Board of Education at such time as may be mutually agreed upon by such Boards and approved by the Commissioners. At such time, the personnel, property, records, and unexpended balances of appropriations, allocations, and other funds available or to be made available for such Teachers College are authorized to be transferred to, and brought under the control of, such Board of Higher Education, except that the laboratory schools shall remain under the control and management, and the employees assigned to such schools shall remain subject to the supervision of, the Board of Education. The noneducational employees of the Teachers College at the time the control of such Teachers College is assumed by the Board of Higher Education, shall retain all benefits provided by any law applicable to noneducational employees of the Board of Education, and shall be subject to any benefits provided for noneducational employees of the Board of Higher Education. The educational employees of the Teachers College at the time the control of such College is assumed by the Board of Higher Education shall be subject to the same benefits provided for all educational employees of the Board of Higher Education pursuant to paragraph (4) of this subsection, except that such educational employees may elect, within ninety days of such time, to remain subject to the provisions of the Act entitled "An Act for the retirement of public school teachers in the District of Columbia", approved August 7, 1946 (60 Stat. 875).

D. C. Teachers College, transfer.

45 Stat. 1276.

D. C. Code 31-721 *et seq.*

(13) To provide for the crediting to educational employees of the Teachers College, pursuant to the leave system established for educational employees of the Board of Higher Education under this title, leave accumulated pursuant to the provisions of the District of Columbia Teachers' Leave Act of 1949.

63 Stat. 842.
D. C. Code 31-691 note.

(b) A person shall, at the time of his registration to attend the Federal City College, be considered to be a legal resident of the District of Columbia for purposes of paragraph (6) of subsection (a) if—

Legal resident.

(1) such person is domiciled in the District of Columbia on the date of such registration and has been so domiciled during all of the three-month period immediately preceding such date; and

(2) in case such person on such date—

(A) has not attained twenty-one years of age,

(B) has not been relieved of the disabilities of minority by order of a court of competent jurisdiction, and

(C) has a living parent or a court-appointed guardian or custodian,

there is domiciled in the District of Columbia on such date an individual who is the parent or court-appointed guardian or custodian of such person, and who has been so domiciled for all of the three-month period immediately preceding such date.

SEC. 104. The Commissioners and the Board of Education may furnish to the Board, upon request of such Board, such space and facilities in private buildings or in public buildings of the government of the District of Columbia, records, information, services, personnel, offices, and equipment as may be available and which are necessary to enable the Board properly to perform its functions under this title.

Space and facilities.

Fiscal accountability.

SEC. 105. All obligations and disbursements for the purpose of this title shall be incurred, made, and accounted for in the same manner as other obligations and disbursements for the District of Columbia and, except as provided in paragraph (9) of section 103 of this title, under the direction and control of the Commissioners.

45 Stat. 1504.

SEC. 106. (a) Sections 586b–586e of subchapter 1 of chapter 18 of the Act of March 3, 1901 (D.C. Code, secs. 29–415—29–418), is amended (1) by striking out "Board of Education" wherever it appears in such subchapter and by inserting in lieu thereof "Board of Higher Education", and (2) by adding at the end thereof the following new section:

"SEC. 586g. As used in this subchapter, the term 'Board of Higher Education' means the Board of Higher Education established pursuant to title I of the District of Columbia Public Education Act."

Licenses, validity.

(b) Nothing contained in the amendment made by this section shall be construed as affecting the validity of any license issued by the Board of Education prior to the date of the enactment of this title.

TITLE II—WASHINGTON TECHNICAL INSTITUTE

Definitions.

SEC. 201. As used in this title—

(1) The term "Washington Technical Institute" means the vocational and technical school established pursuant to this title. Such institute shall provide (A) vocational and technical education designed to fit individuals for useful employment in recognized occupations; and (B) vocational and technical courses on an individual, noncredit basis.

(2) The term "Commissioners" means the Board of Commissioners of the District of Columbia.

(3) The term "Vocational Board" means the Board of Vocational Education established by section 202 of this title.

(4) The term "Board of Education" means the Board of Education of the District of Columbia established by section 2 of the Act of June 30, 1906 (D.C. Code, sec. 31–101).

34 Stat. 316; 45 Stat. 1139; 71 Stat. 340.

Control by Board of Vocational Education.

SEC. 202. (a) The Washington Technical Institute shall be under the control of a Board of Vocational Education which shall consist of nine members appointed by the President of the United States. Of the nine members, at least six shall be selected from industry. The members of the Vocational Board shall select a chairman from among their own number. The members of the Vocational Board shall be appointed for terms of three years; except that the terms of office of the members first taking office shall expire, as designated by the President at the time of appointment, three at the end of one year, three at the end of two years, and three at the end of three years. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of that term. A vacancy in the Vocational Board shall be filled in the same manner as the original appointment was made. Members of the Vocational Board shall serve without compensation, but may be reimbursed for their travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons serving the Government without compensation.

Ante, p. 499.

Removal for cause.

(b) The President of the United States may remove, in accordance with the provisions of this subsection, any member of the Vocational Board for adequate cause affecting his character and efficiency as a

member. If the President determines that, with respect to any such member, there is adequate cause affecting his character and efficiency as a member, the President may appoint a special investigating board, consisting of not more than three members, to consider the matter. The investigating board, in considering such matter, shall hold public hearings and, on the basis thereof, report to the President with respect to their findings of fact and recommendations. Following the receipt by him of such report, the President may remove such member from office.

Report to President.

(c) The members of the Vocational Board shall not be personally liable in damages for any official action of the Vocational Board in which such members participate, nor shall they be liable for any costs that may be taxed against them or the Vocational Board on account of any such official action by them as members of the Vocational Board, but such costs shall be charged to the District of Columbia and paid as other costs are paid in suits against the municipality; nor shall the Vocational Board or any of its members be required to give any bond or security for costs or damages on any appeal whatever.

Personal liability, exemption.

SEC. 203. (a) The Board is hereby vested with the following powers and duties:

Powers and duties.

(1) To develop detailed plans for and to establish, organize, and operate in the District of Columbia the Washington Technical Institute.

(2) To establish policies, standards, and requirements governing admission, programs, graduation (including the award of degrees) and general administration of the Washington Technical Institute.

(3) To appoint and compensate, without regard to the civil service laws or chapter 51 and subchapter III of chapter 53 of title 5, United States Code, a president for the Washington Technical Institute.

President, appointment.

(4) To employ and compensate such officers as it determines necessary for the Washington Technical Institute, and such educational employees for the Washington Technical Institute as the president thereof may recommend in writing. Such officers and educational employees may be employed and compensated without regard to—

(A) the civil service laws,

(B) chapter 51 and subchapter III of chapter 53 of title 5, United States Code (relating to classification of positions in Government service),

Ante, p. 443, 467.

(C) sections 6301 through 6305 and 6307 through 6311 of title 5, United States Code (relating to annual and sick leave for Federal employees),

Ante, p. 516.

(D) chapter 15 and sections 7324 through 7327 of title 5, United States Code (relating to political activities of Government employees),

Ante, pp. 403, 525.

(E) section 3323 and subchapter III of chapter 81 of title 5, United States Code (relating to civil service retirement), and

Ante, pp. 422, 564.

(F) sections 3326, 3501, 3502, 5531 through 5533, and 6303 of title 5, United States Code (relating to dual pay and dual employment),

Ante, p. 423.

but the employment and compensation of such officers and educational employees shall be subject to—

(i) sections 7902, 8101 through 8138, and 8145 through 8150 of title 5, United States Code, and sections 292 and 1920

Ante, p. 530.

Ante, pp. 608, 610.

through 1922 of title 18, United States Code (relating to compensation for work injuries),

Ante, p. 592.

(ii) chapter 87 of title 5, United States Code (relating to Government employees group life insurance),

Ante, p. 599.

(iii) chapter 89 of title 5, United States Code (relating to health insurance for Government employees), and

(iv) sections 1302, 2108, 3305, 3306, 3308 through 3320, 3351, 3363, 3364, 3501 through 3504, 7511, 7512, and 7701 of title 5, United States Code (relating to veteran's preference).

Ante, p. 401.

Salary schedules.
Periodic adjustment.

Subject to the approval of the Commissioners, the compensation schedules for such officers and employees shall be fixed and adjusted from time to time consistent with the public interest and in accordance with rates for comparable types of positions in like technical institutes. Salary levels shall be determined based on duties, responsibilities, and qualifications. The Vocational Board, upon the recommendations of the president of the Washington Technical Institute, shall establish, with the approval of the Commissioner and without regard to the provisions of any other law, retirement and leave systems for such officers and employees which shall be comparable to such systems in like technical institutes.

Noneducational employees.

(5) To employ and compensate noneducational employees of the Vocational Board and the Washington Technical Institute in accordance with—

(A) the civil service laws,

(B) chapter 51 and subchapter III of chapter 53 of title 5, United States Code (relating to classification of positions in Government service),

(C) section 3323 and subchapter III of chapter 81 of title 5, United States Code (relating to civil service retirement),

(D) sections 7902, 8101 through 8138, and 8145 through 8150 of title 5, United States Code, and sections 292 and 1920 through 1922 of title 18, United States Code (relating to compensation for work injuries),

(E) chapter 87 of title 5, United States Code (relating to Government employees group life insurance),

(F) chapter 89 of title 5, United States Code (relating to health insurance for Government employees),

(G) sections 1302, 2108, 3305, 3306, 3308 through 3320, 3351, 3363, 3364, 3501 through 3504, 7511, 7512, and 7701 of title 5, United States Code (relating to veteran's preference), and

(H) any other laws applicable to noneducational employees of the Board of Education.

Tuition.

(6) To fix, from time to time, tuition to be paid by students attending the Washington Technical Institute. Tuition charged nonresidents shall be fixed in such amounts as will, to the extent feasible, approximate the cost to the District of Columbia of the services for which such charge is imposed. Receipts from the tuition charged students attending the institute shall be deposited to the credit of the general fund of the District of Columbia.

Fees.

(7) To fix, from time to time, fees to be paid by students attending the Washington Technical Institute. Receipts from such fees shall be deposited into a revolving fund in a private depository in the District, which fund shall be available, without fiscal year

limitation, for such purposes as the Vocational Board shall approve. The Vocational Board is authorized to make necessary rules respecting deposits into and withdrawals from such fund.

(8) To transmit annually to the Commissioners estimates of the appropriation required for the Washington Technical Institute for the ensuing year. Appropriation estimates.

(9) To accept services and moneys, including gifts or endowments, from any source whatsoever, for use in carrying out the purposes of the title. Such moneys shall be deposited in the Treasury of the United States to the credit of a trust fund account which is hereby authorized and may be invested and reinvested as trust funds of the District of Columbia. The disbursement of the moneys from such trust funds shall be in such amounts, to such extent, and in such manner as the Vocational Board, in its judgment, may determine necessary to carry out the purposes of this title. Trust fund account.

(10) To submit to the Commissioners recommendations relating to legislation affecting the administration and programs of the Washington Technical Institute.

(11) To make such rules and regulations as the Vocational Board deems necessary to carry out the purposes of this title.

(b) A person shall, at the time of his registration to attend the Washington Technical Institute, be considered to be a legal resident of the District of Columbia for purposes of paragraph (6) of subsection (a) if— Legal resident.

(1) such person is domiciled in the District of Columbia on the date of such registration and has been so domiciled during all of the three-month period immediately preceding such date; and

(2) in case such person on such date—

(A) has not attained twenty-one years of age,

(B) has not been relieved of the disabilities of minority by order of a court of competent jurisdiction, and

(C) has a living parent or a court-appointed guardian or custodian,

there is domiciled in the District of Columbia on such date an individual who is the parent or court-appointed guardian or custodian of such person, and who has been so domiciled for all of the three-month period immediately preceding such date.

SEC. 204. The Commissioners and the Board of Education may furnish to the Vocational Board, upon request of such Board, such space and facilities in private buildings or in public buildings of the government of the District of Columbia, records, information, services, personnel, offices, and equipment as may be available and which are necessary to enable the Vocational Board properly to perform its functions under this title. Space and facilities.

SEC. 205. All obligations and disbursements for the purpose of this title shall be incurred, made, and accounted for in the same manner as other obligations and disbursements for the District of Columbia and, except as provided in paragraph (9) of section 203 of this title, under the direction and control of the Commissioners. Fiscal accountability.

TITLE III—AUTHORIZATION OF APPROPRIATIONS

SEC. 301. (a) There is authorized to be appropriated from the revenues of the District of Columbia not to exceed $50,000,000 to carry out the purposes of titles I and II of this Act. The authorization made

by this subsection shall include any amounts made available pursuant to the amendment made by subsection (b) of this section.

Loan authorization.
Ante, p. 857.

(b) Subsection (b) of the first section of the Act approved June 6, 1958 (D.C. Code, sec. 9-220(b)), is amended—

(1) by striking out "$250,000,000" in the first sentence and inserting in lieu thereof "$290,000,000", and

(2) by inserting immediately before the period at the end of the first sentence the following: "and (3) $40,000,000 of the principal amount of loans authorized to be advanced pursuant to this subsection shall be utilized to carry out the purposes of titles I and II of the District of Columbia Public Education Act".

Approved November 7, 1966.

Public Law 89-792

November 7, 1966
[H. R. 16715]

AN ACT

To amend the Manpower Development and Training Act of 1962.

Manpower Development and Training Amendments of 1966.

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 "Manpower Development and Training Amendments of 1966".

79 Stat. 76.
42 USC 2572b.

SEC. 2. (a) Section 104(a) of the Manpower Development and Training Act of 1962 (hereinafter referred to as "the Act") is amended by striking out "1967" and inserting in lieu thereof "1968".

42 USC 2572c.

(b) Section 105 of the Act is amended by striking out "1967" where it appears in the first sentence and inserting in lieu thereof "1968", and by amending the last sentence thereof to read as follows: "Of the funds appropriated for a fiscal year to carry out this Act, not more than $300,000 may be used for purposes of this section."

76 Stat. 25;
77 Stat. 422.
42 USC 2582.

SEC. 3. (a) Section 202 of the Act is amended by redesignating subsection (c) through (h), and all cross references thereto, as (d) through (i), respectively, and by inserting after subsection (b) the following new subsection:

Referral for training.

"(c) The Secretary of Labor shall provide, where appropriate, a special program of testing, counseling, selection, and referral of persons forty-five years of age or older for occupational training and further schooling designed to meet the special problems faced by such persons in the labor market."

(b) Section 202 of the Act is further amended by striking out the last subsection and inserting in lieu thereof the following new subsections:

"(j) Whenever appropriate, the Secretary of Labor may also refer, for the attainment of basic education and communications and employment skills, those eligible persons who indicate their intention to and will thereby be able to pursue, subsequently or concurrently, courses of occupational training of a type for which there appears to be a reasonable expectation of employment, or who have completed or do not need occupational training but do require such other preparation to render them employable. Such referrals shall be considered a referral for training within the meaning of this Act.

"(k) The Secretary of Labor may enter into an agreement with the Secretary of Health, Education, and Welfare for the purpose of furthering the objectives of this Act by facilitating the provision of appropriate physical examinations, medical treatment, and prostheses for persons selected or otherwise eligible to be selected for training under this Act. The agreement may provide that where any such person cannot reasonably be expected to pay the cost of the services