



**COUNCIL OF THE DISTRICT OF COLUMBIA**  
**THE JOHN A. WILSON BUILDING**  
**1350 PENNSYLVANIA AVENUE, NW**  
**WASHINGTON, D.C. 20004**

**CHRISTINA HENDERSON**  
Councilmember, At-Large  
Chairperson, Committee on Health

**Committee Member**  
Hospitals and Health Equity  
Judiciary and Public Safety  
Transportation and the Environment

**Statement of Introduction for the**  
**Out of School Time Special Education Inclusion and Standards Amendment Act of 2023**  
**January 13, 2023**

Today, I am introducing the Out of School Time Special Education Inclusion and Standards Amendment Act of 2023, along with Councilmembers Robert C. White, Jr., Janeese Lewis George, Charles Allen, Vincent C. Gray, Brianne K. Nadeau, Brooke Pinto, and Matthew Frumin.

This bill would require the Office of Out of School Time Grants and Youth Outcomes (“Office”) to coordinate with the Office of the State Superintendent of Education (“OSSE”) to develop standards to train or recruit Out of School Time (“OST”) providers for students with individualized education programs (“IEPs”).

The Individuals with Disabilities Education Act requires public schools to provide a free and appropriate education and related services to students with disabilities. [OSSE data](#) reveals that 1 out of 5 students in the District had a disability in 2019. This statistic includes students with specific learning disabilities, a speech or language impairment, a traumatic brain injury, or a visual impairment. Many disabled students have IEPs that ensure their educational needs are met. However, students with disabilities do not receive universal access to OST programs, which are more accessible to their peers. OST programming enriches children’s lives, opening doors to learning in new ways and exploring the world around them.

Many urban jurisdictions, including the District, have worked to ensure more inclusive access to out-of-school programming for students with disabilities. The Department of Parks and Recreation created the [Therapeutic Recreation Center](#) in Ward 7, where children and adults with disabilities can participate in programming including swimming, crafting, and putt-putt golf. However, the District can and should build on these offerings throughout the city by partnering with amazing OST providers who want to serve students with disabilities. There are currently real impediments to broader access, including the need to proactively address logistical difficulties, training existing and new OST staff to provide care to students with disabilities, recruiting staff who are qualified to provide programming and medical care to students, and setting a pay standard that permits OST providers to recruit and retain capable staff. This bill would require OSSE and the Office to work together to develop these standards so that our amazing OST program providers can serve a group of students that have been underserved for so long.

Disability is a natural part of life, and expanding opportunities for children with disabilities to learn and play outside of school is essential to foster strong communities, ensure students’ full participation in public life, and make the District a leader in accessible OST programming access. I look forward to working with my colleagues to advance this legislation during this Council Period.

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Councilmember Robert C. White, Jr.



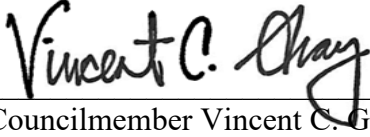
Councilmember Christina Henderson



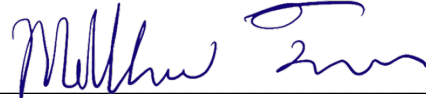
Councilmember Janeese Lewis George



Councilmember Charles Allen



Councilmember Vincent C. Gray



Councilmember Matthew Frumin



Councilmember Brooke Pinto



Councilmember Brianne K. Nadeau

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the Office of Out of School Time Grants and Youth Outcomes Establishment Act of 2016 to require the Office of Out of School Time Grants and Youth Outcomes, in coordination with the Office of the State Superintendent of Education, to develop standards to train or recruit Out of School Time providers for students with Individualized Education Programs.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Out of School Time Special Education Inclusion and Standards Amendment Act of 2023”.

Sec. 2. The Office of Out of School Time Grants and Youth Outcomes Establishment Act of 2016, effective April 7, 2017 (D.C. Law 21-261; D.C. Official Code § 2-1555.01 *et seq.*), is amended as follows:

(a) Section 2(a) (D.C. Official Code § 2-1555.01(a)) is amended by adding a new paragraph (2A) to read as follows:

40 “(2A) “Individualized Education Program” or “IEP” shall have the same meaning  
41 as provided in section 1414(d)(1)(A)(i) of the Individuals with Disabilities Education Act,  
42 approved April 13, 1970 (84 Stat. 175; 20 U.S.C. § (614)(d)(1)(A)(i)).”.

43 (b) Section 4(a) (D.C. Official Code § 2-1555.03(a)) is amended as follows:

44 (1) Paragraph (9) is amended by striking the phrase “; and” and inserting a  
45 semicolon in its place.

46 (2) Paragraph (10) is amended by striking the period and inserting the phrase “;  
47 and” in its place.

48 (3) A new paragraph (11) is added to read as follows:

49 “(11) Implement the duties outlined in section 4a.”.

50 (c) A new section 4a is added to read as follows:

51 “Sec. 4a. Special education inclusion and standards.

52 “(a)(1) By March 31, 2024, in consultation with the Office of the State Superintendent of  
53 Education (“OSSE”), the Office shall develop standards to train or recruit out-of-school-time  
54 program providers to accommodate students with IEPs.

55 “(2) The Office shall submit the standards developed pursuant to subsection (a) of  
56 this section to the Council committee with oversight of OSSE and the Office by March 31, 2024.

57 “(3) In addition to the standards developed pursuant to subsection (a) of this  
58 section, the Office shall undertake a study to determine financial standards that will enable the  
59 Office and out-of-school-time program providers to attract and retain providers qualified to  
60 provide Out of School Time programming to students with IEPs; and

61           “(b) Beginning January 1, 2025, OST shall provide out-of-school-time programming to  
62 students with IEPs in accordance with the standards developed pursuant to subsection (a) of this  
63 section.”.

64           Sec. 3. Fiscal impact statement.

65           The Council adopts the fiscal impact statement in the committee report statement  
66 required by section 602(c)(3) of the District of Columbia Home Rule Act, approved 1 December  
67 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

68           Sec. 4. Effective date.

69           This act shall take effect following approval by the Mayor (or in the event of veto by the  
70 Mayor, action by the Council to override the veto), a 30-day period of congressional review as  
71 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December  
72 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1), and publication in the District of  
73 Columbia Register.