

Government of the District of Columbia
Office of the Chief Financial Officer



Natwar M. Gandhi
Chief Financial Officer

MEMORANDUM

TO: The Honorable Kwame R. Brown
Chairman, Council of the District of Columbia

FROM: Natwar M. Gandhi 
Chief Financial Officer

DATE: March 20, 2012

SUBJECT: Fiscal Impact Statement – Amendment (by Councilmember Mendelson)
to “South Capitol Street Memorial Amendment Act of 2012”

REFERENCE: Amendment to Bill 19-211 introduced on March 6, 2012

Conclusion

Funds are not sufficient in the FY 2012 through FY 2015 budget and financial plan to implement the amendment introduced on March 6, 2012 to Bill 19-211. The amendment reiterates a requirement which is already in current law, but this requirement cannot be implemented until the underlying bill, which was passed subject to appropriations, is funded.¹

Background

The proposed amendment requires² students ages 5 through 13 be referred by a Local Education Agency (LEA)³ to the Child and Family Services Agency (CFSA) after the accrual of 10 unexcused absences within one school year. Under current regulations, LEAs must report to CFSA students with 10 consecutive unexcused absences.⁴

Additionally, the amendment requires, until school year 2014-2015, students age 14 and over be referred by LEAs to the Court Social Services Division of the Superior Court of the District of Columbia and to the Office of the Attorney General Juvenile Section no later than two days after the

¹ D.C. Law 18-242, The Safe Children and Safe Neighborhoods Educational Neglect Mandatory Reporting Amendment Act of 2010 became effective on October 26, 2010, subject to appropriations. Fiscal impact statement available at: http://app.cfo.dc.gov/services/fiscal_impact/pdf/spring09/B18-529.pdf

² By amending Section 304(b)(2) of Bill 19-211.

³ LEA's include DC Public Schools and DC Public Charter Schools.

⁴ 5-A DCMR § 2103.5, “Truancy Procedure.”

accrual of 25 unexcused absences, and then beginning in school year 2014-2015, the referral be made after the accrual of 20 unexcused absences. This requirement is already included in Bill 19-211.⁵ Under current regulations, LEAs must report to the Courts and the Attorney General after the accrual of 25 unexcused absences.

Financial Plan Impact

Funds are not sufficient in the FY 2012 through FY 2015 budget and financial plan to implement the proposed amendment.

The requirement for LEAs to report children to CFSA after the accrual of 10 unexcused absences is currently an unfunded law.⁶ The provision is part of D.C. Law 18-242, Safe Children and Safe Neighborhoods Educational Neglect Mandatory Reporting Amendment Act of 2010, and was passed subject to the inclusion of its fiscal effect in a budget and financial plan. According to the Fiscal Impact Statement issued on May 18, 2010, implementation of D.C. Law 18-242 is estimated to cost \$229,000 in FY 2012 and \$8.5 million over the budget and financial plan period. To date, funds have not been appropriated to implement this requirement.

The requirement for LEA's to report children ages 14 and over to the Court Social Services Division of the Superior Court of the District of Columbia and to the Office of the Attorney General Juvenile Section beginning in school year 2014-2015 would have no additional costs.

⁵ Section 304(b)(2)

⁶ D.C. Official Code § 4-1321.02(a-1)