

AMENDMENT TO RULES COMMITTEE PRINT 118-2

OFFERED BY MR. DAVIDSON OF OHIO

Add at the end the following:

1 **TITLE VII—MANDATORY OPEN**
2 **ENROLLMENT PERIODS**

3 **SEC. 701. MANDATORY INTRA- AND INTER-DISTRICT OPEN**
4 **ENROLLMENT PERIODS.**

5 (a) **IN GENERAL.**—Notwithstanding any other provi-
6 sion of law, a local educational agency may not receive
7 Federal funds under title I or title II of the Elementary
8 and Secondary Education Act of 1965 (20 U.S.C. 6301
9 et seq.; 20 U.S.C. 6601 et seq.) for a school year unless
10 the agency—

11 (1) holds an open enrollment period as required
12 under subsection (b); and

13 (2) complies with the notification requirements
14 under subsection (d).

15 (b) **OPEN ENROLLMENT PERIOD.**—To be eligible to
16 receive Federal funds as described in subsection (a), each
17 local educational agency shall, before the beginning of
18 each school year, hold an open enrollment period during
19 which—

1 (1) a child who is eligible to attend an elemen-
2 tary or secondary school served by the agency may
3 apply to attend any other elementary or secondary
4 school served by the agency; and

5 (2) a child who is not otherwise eligible to at-
6 tend an elementary or secondary school served by
7 the agency because that child lives outside the geo-
8 graphic region served by the agency may apply to at-
9 tend any elementary or secondary school served by
10 the agency.

11 (c) APPLICATION AND APPROVAL.—

12 (1) IN GENERAL.—A parent of a child seeking
13 to enroll in a school pursuant to subsection (b) shall
14 submit an application to the local educational agency
15 involved at such time, in such manner, and con-
16 taining such information as the agency may reason-
17 ably require.

18 (2) APPROVAL.—A local educational agency
19 that receives an application under paragraph (1)
20 shall—

21 (A) give the application full and fair con-
22 sideration;

23 (B) approve or disapprove the application
24 within a reasonable time; and

1 (C) give the parent who submitted the ap-
2 plication prompt notice of such approval or dis-
3 approval.

4 (3) DURATION OF APPROVAL.—A child with an
5 application approved under paragraph (2) shall re-
6 main eligible to attend the school for which approval
7 was given for a period of not less than one school
8 year.

9 (d) NOTICE.—To be eligible to receive Federal funds
10 as described in subsection (a), each local educational agen-
11 cy shall post on a publicly accessible website of the agency
12 or, if the agency does not operate a website, widely dis-
13 seminate to the public, the following:

14 (1) Information and procedures for open enroll-
15 ment under subsection (b).

16 (2) Information on the application process
17 under subsection (c), including—

18 (A) how and where to obtain an applica-
19 tion;

20 (B) when and how parents will be notified
21 when approval or disapproval occurs; and

22 (C) approval rates based on the most re-
23 cent data available to the agency.

24 (3) Information on how long an enrollment ap-
25 proved under subsection (c) remains valid.

1 (4) Contact information for at least one indi-
2 vidual employee of the agency who is responsible for
3 answering questions on the open enrollment process.

4 (e) ESEA TERMS.—In this section, the terms
5 “child”, “elementary school”, “local educational agency”,
6 “parent”, and “secondary school” have the meanings
7 given those terms in section 8101 of the Elementary and
8 Secondary Education Act of 1965 (20 U.S.C. 7801).

