AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 5
OFFERED BY MR. WALKER OF NORTH CAROLINA

In title VI of the Elementary and Secondary Education Act of 1965, as proposed to be amended by section 601(a) of the bill, redesignate part F as part G and insert after part E the following (and redesignate provisions accordingly):

1  “PART F—ACADEMIC PARTNERSHIPS LEAD US TO SUCCESS ACT

2  “SEC. 6571. SHORT TITLE; PURPOSE; DEFINITIONS.

3  “(a) SHORT TITLE.—This part may be cited as the ‘Academic Partnerships Lead Us to Success Act’ or the ‘A PLUS Act’.

4  “(b) PURPOSE.—The purposes of this part are as follows:

5  “(1) To give States and local communities maximum flexibility to determine how to improve academic achievement and implement education reforms.

6  “(2) To reduce the administrative costs and compliance burden of Federal education programs in
order to focus Federal resources on improving academic achievement.

“(3) To ensure that States and communities are accountable to the public for advancing the academic achievement of all students, especially disadvantaged children.

“(c) DEFINITIONS.—

“(1) IN GENERAL.—Except as otherwise provided, the terms used in this part have the meanings given the terms in section 6101.

“(2) OTHER TERMS.—In this part:

“(A) DECLARATION OF INTENT.—The term ‘declaration of intent’ means a decision by a State made by State Authorizing Officials or by referendum to assume full management responsibility for the expenditure of Federal funds for certain eligible programs for the purpose of advancing on a more comprehensive and effective basis the educational policy of such State.

“(B) STATE.—The term ‘State’ has the meaning given such term in section 1122(e).

“(C) STATE AUTHORIZING OFFICIALS.—The term ‘State Authorizing Officials’ means the State officials who shall authorize the sub-
mission of a declaration of intent, and any
amendments thereto, on behalf of the State.
Such officials shall include not less than 2 of
the following:

“(i) The governor of the State.
“(ii) The highest elected education of-
ficials of the State, if any.
“(iii) The legislature of the State.
“(D) STATE DESIGNATED OFFICER.—The
term ‘State Designated Officer’ means the per-
son designated by the State Authorizing Offi-
cials to submit to the Secretary on behalf of the
State a declaration of intent, and any amend-
ments thereto, and to function as the point-of-
contact for the State for the Secretary and oth-
ers relating to any responsibilities arising under
this part.
“(E) ACCOUNTABILITY.—The term “ac-
countability” means that public schools are an-
swerable to parents and other taxpayers for the
use of public funds and shall report student
progress to them regularly.

“SEC. 6572. DECLARATION OF INTENT.
“(a) IN GENERAL.—Each State is authorized to sub-
mit to the Secretary a declaration of intent permitting the
State to receive Federal funds on a consolidated basis to
manage the expenditure of such funds to advance the edu-
cational policy of the State.

“(b) PROGRAMS ELIGIBLE FOR CONSOLIDATION AND
PERMISSIBLE USE OF FUNDS.—

“(1) SCOPE.—A State may choose to include
within the scope of its declaration of intent any pro-
gram for which Congress makes funds available to
the State if the program is for a purpose described
in section 1001. A State may not include any pro-
gram funded pursuant to the Individuals with Dis-
abilities Education Act (20 U.S.C. 1400 et seq.).

“(2) USES OF FUNDS.—Funds made available
to a State pursuant to a declaration of intent under
this part shall be used for any educational purpose
permitted by State law of the State submitting a
declaration of intent.

“(c) CONTENTS OF DECLARATION.—Each such dec-
laration shall contain—

“(1) a list of eligible programs that are subject
to the declaration of intent;

“(2) an assurance that the submission of the
declaration of intent has been authorized by the
State Authorizing Officials, specifying the identity of
the State Designated Officer;
“(3) the duration of the declaration of intent shall not exceed 5 years;

“(4) an assurance that the State will use fiscal control and fund accounting procedures;

“(5) an assurance that the State will meet the requirements of applicable Federal civil rights laws in carrying out the declaration of intent and in consolidating and using the funds under the declaration of intent;

“(6) an assurance that in implementing the declaration of intent the State will seek to advance educational opportunities for the disadvantaged; and

“(7) a description of the plan for maintaining direct accountability to parents and other citizens of the State.

“(d) Review and Recognition by the Secretary.—

“(1) In General.—The Secretary shall review the declaration of intent received from the State Designated Officer within 60 days of the date of receipt, and shall recognize such declaration of intent unless it fails to meet the requirements of subsection (e).

“(2) Recognition by operation of law.—If the Secretary fails to take action within the time
specified in paragraph (1), the declaration of intent, as submitted, shall be deemed to be approved.

“(e) Amendment to Declaration of Intent.—

“(1) In general.—The State Authorizing Officials may direct the State Designated Officer to submit amendments to the declaration of intent which is in effect. Such amendments shall be submitted to the Secretary and considered by such officer pursuant to subsection (d).

“(2) Amendments Authorized.—A declaration of intent in effect may be amended to—

“(A) expand the scope of such declaration of intent to encompass additional eligible programs;

“(B) reduce the scope of such declaration of intent by excluding coverage of a Federal program included in the original declaration of intent;

“(C) modifying the duration of such declaration of intent; or

“(D) such other modifications that the State Authorizing Officials deem appropriate.

“(3) Effective date.—The amendment shall specify an effective date. Such effective date shall provide adequate time to assure full compliance with
Federal program requirements relating to an eligible program that has been removed from the coverage of the declaration of intent by the proposed amendment.

“(4) Treatment of Program Funds Withdrawn from Declaration of Intent.—Beginning on the effective date of an amendment executed under paragraph (2)(B), each program requirement of each program removed from the declaration of intent shall apply to the State’s use of funds made available under the program.

“SEC. 6573. TRANSPARENCY FOR RESULTS OF PUBLIC EDUCATION.

“(a) In General.—Each State operating under a declaration of intent pursuant to under this part shall inform parents and the general public regarding the student achievement assessment system, demonstrating student progress relative to the State’s determination of student proficiency, for the purpose of public accountability to parents and taxpayers.

“(b) Accountability System.—The accountability system shall be determined by the State.

“(c) Report on Student Progress.—Not later than 1 year after the effective date of the declaration of intent, and annually thereafter, a State shall disseminate
widely to parents and the general public a report that describes student progress. The report shall include—

“(1) student performance data disaggregated in the same manner as data are disaggregated under section 1111(b)(2)(B)(xii); and

“(2) a description of how the State has used Federal funds to improve academic achievement, reduce achievement disparities between various student groups, and improve educational opportunities for the disadvantaged.

“SEC. 6574. MAINTENANCE OF FUNDING LEVELS SPENT BY STATES ON EDUCATION.

“(a) IN GENERAL.—For each State consolidating and using funds pursuant to a declaration of intent under this part, for each school year of the declaration of intent, the aggregate amount of funds spent by the State on elementary and secondary education shall be not less than 90 percent of the aggregate amount of funds spent by the State on elementary and secondary education for the school year that coincides with the date of enactment of this Act.

“(b) EXCEPTION.—The requirement of subsection (a) may be waived by the State Authorizing Officials if the State having a declaration of intent in effect makes a determination, supported by specific findings, that uncon-
trollable or exceptional circumstances, such as a natural disaster or extreme contraction of economic activity, preclude compliance for a specified period, which may be extended. Such determination shall be presented to the Secretary by the State Designated Officer and action shall be taken in the manner prescribed by section 6572(d).

“SEC. 6575. ADMINISTRATIVE EXPENSES.

“(a) IN GENERAL.—Except as provided in subsection (b), the amount that a State with a declaration of intent may expend for administrative expenses shall be limited to 1 percent of the aggregate amount of Federal funds made available to the State through the eligible programs included within the scope of such declaration of intent.

“(b) STATES NOT CONSOLIDATING FUNDS UNDER PART A OF TITLE I.—If the declaration of intent does not include within its scope part A of title I, the amount spent on administrative expenses shall be limited to 3 percent of the aggregate amount of Federal funds made available to the State pursuant to such declaration of intent.

“SEC. 6576. EQUITABLE PARTICIPATION OF PRIVATE SCHOOLS.

“Funds made available by a State pursuant to a declaration of intent under this part shall be distributed in a manner that provides for the equitable, as determined
by the State, participation of private schools, and the students and professional staff of such schools.”.