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

Page 580, line 24, strike the closing quotation mark and second period.

Page 580, after line 24, insert the following:

“PART G—A PLUS ACT

“SECTION 6701. SHORT TITLE; PURPOSE; DEFINITIONS.

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

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

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

“(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.—In this part:

“(1) ACCOUNTABILITY.—The term ‘accountability’ means that public schools are answerable to parents and other taxpayers for the use of public funds and shall report student progress to parents and taxpayers regularly.

“(2) DECLARATION OF INTENT.—The term ‘declaration of intent’ means a decision by a State, as determined 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.

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

“(4) STATE AUTHORIZING OFFICIALS.—The term ‘State Authorizing Officials’ means the State officials who shall authorize the submission 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:

“(A) The governor of the State.

“(B) The highest elected education official of the State, if any.

“(C) The legislature of the State.

“(5) STATE DESIGNATED OFFICER.—The term ‘State Designated Officer’ means the person designated by the State Authorizing Officials to submit to the Secretary, on behalf of the State, a declaration of intent, and any amendments thereto, and to function as the point-of-contact for the State for the Secretary and others relating to any responsibilities arising under this part.

“SEC. 6702. DECLARATION OF INTENT.

“(a) IN GENERAL.—Each State is authorized to submit 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 educational 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 the State’s declaration of intent any program for which Congress makes funds avail-
able to the State if the program is for a purpose de-
scribed in this Act. A State may not include any
program funded pursuant to the Individuals with
Disabilities 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.

“(3) REMOVAL OF FISCAL AND ACCOUNTING
BARRIERS.—Each State educational agency that op-
erates under a declaration of intent under this part
shall modify or eliminate State fiscal and accounting
barriers that prevent local educational agencies and
schools from easily consolidating funds from other
Federal, State, and local sources in order to improve
educational opportunities and reduce unnecessary
fiscal and accounting requirements.

“(c) CONTENTS OF DECLARATION.—Each declara-
tion of intent 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;

“(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 con-
solidating 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;

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

“(8) an assurance that in implementing the
declaration of intent, the State will seek to use Fed-
eral funds to supplement, rather than supplant,
State education funding.

“(d) DURATION.—The duration of the declaration of
intent shall not exceed 5 years.

“(e) REVIEW AND RECOGNITION BY THE SEC-
RETARY.—
“(1) IN GENERAL.—The Secretary shall review
the declaration of intent received from the State
Designated Officer not more than 60 days after the
date of receipt of such declaration, and shall recog-
nize such declaration of intent unless the declaration
of intent fails to meet the requirements under sub-
section (c).

“(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.

“(f) AMENDMENT TO DECLARATION OF INTENT.—

“(1) IN GENERAL.—The State Authorizing Of-
ficials may direct the State Designated Officer to
submit amendments to a declaration of intent that
is in effect. Such amendments shall be submitted to
the Secretary and considered by the Secretary in ac-
cordance with subsection (e).

“(2) AMENDMENTS AUTHORIZED.—A declara-
tion of intent that is in effect may be amended to—

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

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

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

“(D) achieve such other modifications as 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. 6703. TRANSPARENCY FOR RESULTS OF PUBLIC EDUCATION.

“(a) IN GENERAL.—Each State operating under a declaration of intent 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, as described in paragraph (2), for the purpose of public accountability to parents and taxpayers.

“(b) ACCOUNTABILITY SYSTEM.—The State shall determine and establish an accountability system to ensure accountability under this part.

“(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)(3)(A); 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. 6704. 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 by the State 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. 6705. Equitable Participation of Private Schools.

“Each State consolidating and using funds pursuant to a declaration of intent under this part shall provide for the participation of private school children and teachers in the activities assisted under the declaration of intent in the same manner as participation is provided to private school children and teachers under section 9501.”.