

**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**
2 **SUCCESS ACT**

3 **“SEC. 6571. SHORT TITLE; PURPOSE; DEFINITIONS.**

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

7 “(b) PURPOSE.—The purposes of this part are as fol-
8 lows:

9 “(1) To give States and local communities max-
10 imum flexibility to determine how to improve aca-
11 demic achievement and implement education re-
12 forms.

13 “(2) To reduce the administrative costs and
14 compliance burden of Federal education programs in

1 order to focus Federal resources on improving aca-
2 demic achievement.

3 “(3) To ensure that States and communities
4 are accountable to the public for advancing the aca-
5 demic achievement of all students, especially dis-
6 advantaged children.

7 “(c) DEFINITIONS.—

8 “(1) IN GENERAL.—Except as otherwise pro-
9 vided, the terms used in this part have the meanings
10 given the terms in section 6101.

11 “(2) OTHER TERMS.—In this part:

12 “(A) DECLARATION OF INTENT.—The
13 term ‘declaration of intent’ means a decision by
14 a State made by State Authorizing Officials or
15 by referendum to assume full management re-
16 sponsibility for the expenditure of Federal
17 funds for certain eligible programs for the pur-
18 pose of advancing on a more comprehensive and
19 effective basis the educational policy of such
20 State.

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

23 “(C) STATE AUTHORIZING OFFICIALS.—
24 The term ‘State Authorizing Officials’ means
25 the State officials who shall authorize the sub-

1 mission of a declaration of intent, and any
2 amendments thereto, on behalf of the State.
3 Such officials shall include not less than 2 of
4 the following:

5 “(i) The governor of the State.

6 “(ii) The highest elected education of-
7 ficials of the State, if any.

8 “(iii) The legislature of the State.

9 “(D) STATE DESIGNATED OFFICER.—The
10 term ‘State Designated Officer’ means the per-
11 son designated by the State Authorizing Offi-
12 cials to submit to the Secretary on behalf of the
13 State a declaration of intent, and any amend-
14 ments thereto, and to function as the point-of-
15 contact for the State for the Secretary and oth-
16 ers relating to any responsibilities arising under
17 this part.

18 “(E) ACCOUNTABILITY.—The term “ac-
19 countability” means that public schools are an-
20 swerable to parents and other taxpayers for the
21 use of public funds and shall report student
22 progress to them regularly.

23 **“SEC. 6572. DECLARATION OF INTENT.**

24 “(a) IN GENERAL.—Each State is authorized to sub-
25 mit to the Secretary a declaration of intent permitting the

1 State to receive Federal funds on a consolidated basis to
2 manage the expenditure of such funds to advance the edu-
3 cational policy of the State.

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

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

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

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

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

22 “(2) an assurance that the submission of the
23 declaration of intent has been authorized by the
24 State Authorizing Officials, specifying the identity of
25 the State Designated Officer;

1 “(3) the duration of the declaration of intent
2 shall not exceed 5 years;

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

5 “(5) an assurance that the State will meet the
6 requirements of applicable Federal civil rights laws
7 in carrying out the declaration of intent and in con-
8 solidating and using the funds under the declaration
9 of intent;

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

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

16 “(d) REVIEW AND RECOGNITION BY THE SEC-
17 RETARY.—

18 “(1) IN GENERAL.—The Secretary shall review
19 the declaration of intent received from the State
20 Designated Officer within 60 days of the date of re-
21 ceipt, and shall recognize such declaration of intent
22 unless it fails to meet the requirements of subsection
23 (c).

24 “(2) RECOGNITION BY OPERATION OF LAW.—If
25 the Secretary fails to take action within the time

1 specified in paragraph (1), the declaration of intent,
2 as submitted, shall be deemed to be approved.

3 “(e) AMENDMENT TO DECLARATION OF INTENT.—

4 “(1) IN GENERAL.—The State Authorizing Of-
5 ficials may direct the State Designated Officer to
6 submit amendments to the declaration of intent
7 which is in effect. Such amendments shall be sub-
8 mitted to the Secretary and considered by such offi-
9 cer pursuant to subsection (d).

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

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

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

19 “(C) modifying the duration of such dec-
20 laration of intent; or

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

23 “(3) EFFECTIVE DATE.—The amendment shall
24 specify an effective date. Such effective date shall
25 provide adequate time to assure full compliance with

1 Federal program requirements relating to an eligible
2 program that has been removed from the coverage of
3 the declaration of intent by the proposed amend-
4 ment.

5 “(4) TREATMENT OF PROGRAM FUNDS WITH-
6 DRAWN FROM DECLARATION OF INTENT.—Begin-
7 ning on the effective date of an amendment executed
8 under paragraph (2)(B), each program requirement
9 of each program removed from the declaration of in-
10 tent shall apply to the State’s use of funds made
11 available under the program.

12 **“SEC. 6573. TRANSPARENCY FOR RESULTS OF PUBLIC EDU-
13 CATION.**

14 “(a) IN GENERAL.—Each State operating under a
15 declaration of intent pursuant to under this part shall in-
16 form parents and the general public regarding the student
17 achievement assessment system, demonstrating student
18 progress relative to the State’s determination of student
19 proficiency, for the purpose of public accountability to par-
20 ents and taxpayers.

21 “(b) ACCOUNTABILITY SYSTEM.—The accountability
22 system shall be determined by the State.

23 “(c) REPORT ON STUDENT PROGRESS.—Not later
24 than 1 year after the effective date of the declaration of
25 intent, and annually thereafter, a State shall disseminate

1 widely to parents and the general public a report that de-
2 scribes student progress. The report shall include—

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

6 “(2) a description of how the State has used
7 Federal funds to improve academic achievement, re-
8 duce achievement disparities between various stu-
9 dent groups, and improve educational opportunities
10 for the disadvantaged.

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

13 “(a) IN GENERAL.—For each State consolidating
14 and using funds pursuant to a declaration of intent under
15 this part, for each school year of the declaration of intent,
16 the aggregate amount of funds spent by the State on ele-
17 mentary and secondary education shall be not less than
18 90 percent of the aggregate amount of funds spent by the
19 State on elementary and secondary education for the
20 school year that coincides with the date of enactment of
21 this Act.

22 “(b) EXCEPTION.—The requirement of subsection (a)
23 may be waived by the State Authorizing Officials if the
24 State having a declaration of intent in effect makes a de-
25 termination, supported by specific findings, that uncon-

1 trollable or exceptional circumstances, such as a natural
2 disaster or extreme contraction of economic activity, pre-
3 clude compliance for a specified period, which may be ex-
4 tended. Such determination shall be presented to the Sec-
5 retary by the State Designated Officer and action shall
6 be taken in the manner prescribed by section 6572(d).

7 **“SEC. 6575. ADMINISTRATIVE EXPENSES.**

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

14 “(b) STATES NOT CONSOLIDATING FUNDS UNDER
15 PART A OF TITLE I.—If the declaration of intent does
16 not include within its scope part A of title I, the amount
17 spent on administrative expenses shall be limited to 3 per-
18 cent of the aggregate amount of Federal funds made avail-
19 able to the State pursuant to such declaration of intent.

20 **“SEC. 6576. EQUITABLE PARTICIPATION OF PRIVATE**
21 **SCHOOLS.**

22 “Funds made available by a State pursuant to a dec-
23 laration of intent under this part shall be distributed in
24 a manner that provides for the equitable, as determined

1 by the State, participation of private schools, and the stu-
2 dents and professional staff of such schools.”.

