

46. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
WALKER OF NORTH CAROLINA OR HIS DESIGNEE, DEBATABLE
FOR 10 MINUTES

36R

**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:

- 1 **“PART G—A PLUS ACT**
- 2 **“SECTION 6701. SHORT TITLE; PURPOSE; DEFINITIONS.**
- 3 “(a) **SHORT TITLE.**—This part may be cited as the
- 4 “Academic Partnerships Lead Us to Success Act” or the
- 5 ‘A PLUS Act’.
- 6 “(b) **PURPOSE.**—The purposes of this part are as fol-
- 7 lows:
- 8 “(1) To give States and local communities
- 9 added flexibility to determine how to improve aca-
- 10 demic achievement and implement education re-
- 11 forms.
- 12 “(2) To reduce the administrative costs and
- 13 compliance burden of Federal education programs in
- 14 order to focus Federal resources on improving aca-
- 15 demic achievement.

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

5 “(c) DEFINITIONS.—In this part:

6 “(1) ACCOUNTABILITY.—The term ‘account-
7 ability’ means that public schools are answerable to
8 parents and other taxpayers for the use of public
9 funds and shall report student progress to parents
10 and taxpayers regularly.

11 “(2) DECLARATION OF INTENT.—The term
12 ‘declaration of intent’ means a decision by a State,
13 as determined by State Authorizing Officials or by
14 referendum, to assume full management responsi-
15 bility for the expenditure of Federal funds for cer-
16 tain eligible programs for the purpose of advancing,
17 on a more comprehensive and effective basis, the
18 educational policy of such State.

19 “(3) STATE.—The term ‘State’ has the mean-
20 ing given such term in section 1122(e).

21 “(4) STATE AUTHORIZING OFFICIALS.—The
22 term ‘State Authorizing Officials’ means the State
23 officials who shall authorize the submission of a dec-
24 laration of intent, and any amendments thereto, on

1 behalf of the State. Such officials shall include not
2 less than 2 of the following:

3 “(A) The governor of the State.

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

6 “(C) The legislature of the State.

7 “(5) STATE DESIGNATED OFFICER.—The term
8 ‘State Designated Officer’ means the person des-
9 ignated by the State Authorizing Officials to submit
10 to the Secretary, on behalf of the State, a declara-
11 tion of intent, and any amendments thereto, and to
12 function as the point-of-contact for the State for the
13 Secretary and others relating to any responsibilities
14 arising under this part.

15 **“SEC. 6702. DECLARATION OF INTENT.**

16 “(a) IN GENERAL.—Each State is authorized to sub-
17 mit to the Secretary a declaration of intent permitting the
18 State to receive Federal funds on a consolidated basis to
19 manage the expenditure of such funds to advance the edu-
20 cational policy of the State.

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

23 “(1) SCOPE.—A State may choose to include
24 within the scope of the State’s declaration of intent
25 any program for which Congress makes funds avail-

1 able to the State if the program is for a purpose de-
2 scribed in this Act. A State may not include any
3 program funded pursuant to the Individuals with
4 Disabilities Education Act (20 U.S.C. 1400 et seq.).

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

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

19 “(c) CONTENTS OF DECLARATION.—Each declara-
20 tion of intent shall contain—

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

23 “(2) an assurance that the submission of the
24 declaration of intent has been authorized by the

1 State Authorizing Officials, specifying the identity of
2 the State Designated Officer;

3 “(3) the duration of the declaration of intent;

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

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

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

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

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

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

23 “(e) REVIEW AND RECOGNITION BY THE SEC-
24 RETARY.—

1 “(1) IN GENERAL.—The Secretary shall review
2 the declaration of intent received from the State
3 Designated Officer not more than 60 days after the
4 date of receipt of such declaration, and shall recog-
5 nize such declaration of intent unless the declaration
6 of intent fails to meet the requirements under sub-
7 section (c).

8 “(2) RECOGNITION BY OPERATION OF LAW.—If
9 the Secretary fails to take action within the time
10 specified in paragraph (1), the declaration of intent,
11 as submitted, shall be deemed to be approved.

12 “(f) AMENDMENT TO DECLARATION OF INTENT.—

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

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

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

24 “(B) reduce the scope of such declaration
25 of intent by excluding coverage of a Federal

1 program included in the original declaration of
2 intent;

3 “(C) modify the duration of such declara-
4 tion of intent; or

5 “(D) achieve such other modifications as
6 the State Authorizing Officials deem appro-
7 priate.

8 “(3) EFFECTIVE DATE.—The amendment shall
9 specify an effective date. Such effective date shall
10 provide adequate time to assure full compliance with
11 Federal program requirements relating to an eligible
12 program that has been removed from the coverage of
13 the declaration of intent by the proposed amend-
14 ment.

15 “(4) TREATMENT OF PROGRAM FUNDS WITH-
16 DRAWN FROM DECLARATION OF INTENT.—Begin-
17 ning on the effective date of an amendment executed
18 under paragraph (2)(B), each program requirement
19 of each program removed from the declaration of in-
20 tent shall apply to the State’s use of funds made
21 available under the program.

22 **“SEC. 6703. TRANSPARENCY FOR RESULTS OF PUBLIC EDU-
23 CATION.**

24 “(a) IN GENERAL.—Each State operating under a
25 declaration of intent under this part shall inform parents

1 and the general public regarding the student achievement
2 assessment system, demonstrating student progress rel-
3 ative to the State's determination of student proficiency,
4 as described in paragraph (2), for the purpose of public
5 accountability to parents and taxpayers.

6 “(b) ACCOUNTABILITY SYSTEM.—The State shall de-
7 termine and establish an accountability system to ensure
8 accountability under this part.

9 “(c) REPORT ON STUDENT PROGRESS.—Not later
10 than 1 year after the effective date of the declaration of
11 intent, and annually thereafter, a State shall disseminate
12 widely to parents and the general public a report that de-
13 scribes student progress. The report shall include—

14 “(1) student performance data disaggregated in
15 the same manner as data are disaggregated under
16 section 1111(b)(3)(A); and

17 “(2) a description of how the State has used
18 Federal funds to improve academic achievement, re-
19 duce achievement disparities between various stu-
20 dent groups, and improve educational opportunities
21 for the disadvantaged.

22 **“SEC. 6704. ADMINISTRATIVE EXPENSES.**

23 “(a) IN GENERAL.—Except as provided in subsection
24 (b), the amount that a State with a declaration of intent
25 may expend for administrative expenses shall be limited

1 to 1 percent of the aggregate amount of Federal funds
2 made available to the State through the eligible programs
3 included within the scope of such declaration of intent.

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

11 **“SEC. 6705. EQUITABLE PARTICIPATION OF PRIVATE**
12 **SCHOOLS.**

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

