

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: To allow a State to submit a declaration of intent to the Secretary of Education to combine certain funds to improve the academic achievement of students.

**IN THE SENATE OF THE UNITED STATES—114th Cong., 1st Sess.**

**S. 1177**

To reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

Referred to the Committee on \_\_\_\_\_ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by \_\_\_\_\_

Viz:

1 After part B of title X, insert the following:

2 **PART C—A PLUS ACT**

3 **SECTION 10301. 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 added  
10 flexibility to determine how to improve academic  
11 achievement and implement education reforms.

1           (2) To reduce the administrative costs and com-  
2           pliance burden of Federal education programs in  
3           order to focus Federal resources on improving aca-  
4           demic achievement.

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

9           (c) DEFINITIONS.—

10           (1) IN GENERAL.—Except as otherwise pro-  
11           vided, the terms used in this part have the meanings  
12           given the terms in section 9101 of the Elementary  
13           and Secondary Education Act of 1965 (20 U.S.C.  
14           7801 et seq.).

15           (2) OTHER TERMS.—In this part:

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

21           (B) DECLARATION OF INTENT.—The term  
22           “declaration of intent” means a decision by a  
23           State, as determined by State Authorizing Offi-  
24           cials or by referendum, to assume full manage-  
25           ment responsibility for the expenditure of Fed-

1           eral funds for certain eligible programs for the  
2           purpose of advancing, on a more comprehensive  
3           and effective basis, the educational policy of  
4           such State.

5           (C) STATE.—The term “State” has the  
6           meaning given such term in section 1122(e) of  
7           the Elementary and Secondary Education Act  
8           of 1965 (20 U.S.C. 6332(e)).

9           (D) STATE AUTHORIZING OFFICIALS.—The  
10          term “State Authorizing Officials” means the  
11          State officials who shall authorize the submis-  
12          sion of a declaration of intent, and any amend-  
13          ments thereto, on behalf of the State. Such offi-  
14          cials shall include not less than 2 of the fol-  
15          lowing:

- 16                   (i) The governor of the State.  
17                   (ii) The highest elected education offi-  
18                   cial of the State, if any.  
19                   (iii) The legislature of the State.

20          (E) STATE DESIGNATED OFFICER.—The  
21          term “State Designated Officer” means the  
22          person designated by the State Authorizing Of-  
23          ficials to submit to the Secretary, on behalf of  
24          the State, a declaration of intent, and any  
25          amendments thereto, and to function as the

1 point-of-contact for the State for the Secretary  
2 and others relating to any responsibilities arising  
3 under this part.

4 **SEC. 10302. DECLARATION OF INTENT.**

5 (a) IN GENERAL.—Each State is authorized to submit  
6 to the Secretary a declaration of intent permitting the  
7 State to receive Federal funds on a consolidated basis to  
8 manage the expenditure of such funds to advance the educational  
9 policy of the State.

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

12 (1) SCOPE.—A State may choose to include  
13 within the scope of the State's declaration of intent  
14 any program for which Congress makes funds available  
15 to the State if the program is for a purpose described  
16 in the Elementary and Education Secondary  
17 Act of 1965 (20 U.S.C. 6301). A State may not include  
18 any program funded pursuant to the Individuals  
19 with Disabilities Education Act (20 U.S.C.  
20 1400 et seq.).

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

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

10       (c) CONTENTS OF DECLARATION.—Each declaration  
11 of intent shall contain—

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

14           (2) an assurance that the submission of the  
15 declaration of intent has been authorized by the  
16 State Authorizing Officials, specifying the identity of  
17 the State Designated Officer;

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

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

21           (5) an assurance that the State will meet the  
22 requirements of applicable Federal civil rights laws  
23 in carrying out the declaration of intent and in con-  
24 solidating and using the funds under the declaration  
25 of intent;

1           (6) an assurance that in implementing the dec-  
2           laration of intent the State will seek to advance edu-  
3           cational opportunities for the disadvantaged;

4           (7) a description of the plan for maintaining di-  
5           rect accountability to parents and other citizens of  
6           the State; and

7           (8) an assurance that in implementing the dec-  
8           laration of intent, the State will seek to use Federal  
9           funds to supplement, rather than supplant, State  
10          education funding.

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

13          (e) REVIEW AND RECOGNITION BY THE SEC-  
14          RETARY.—

15                (1) IN GENERAL.—The Secretary shall review  
16                the declaration of intent received from the State  
17                Designated Officer not more than 60 days after the  
18                date of receipt of such declaration, and shall recog-  
19                nize such declaration of intent unless the declaration  
20                of intent fails to meet the requirements under sub-  
21                section (c).

22                (2) RECOGNITION BY OPERATION OF LAW.—If  
23                the Secretary fails to take action within the time  
24                specified in paragraph (1), the declaration of intent,  
25                as submitted, shall be deemed to be approved.

1 (f) AMENDMENT TO DECLARATION OF INTENT.—

2 (1) IN GENERAL.—The State Authorizing Offi-  
3 cials may direct the State Designated Officer to sub-  
4 mit amendments to a declaration of intent that is in  
5 effect. Such amendments shall be submitted to the  
6 Secretary and considered by the Secretary in accord-  
7 ance with subsection (e).

8 (2) AMENDMENTS AUTHORIZED.—A declaration  
9 of intent that is in effect may be amended to—

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

13 (B) reduce the scope of such declaration of  
14 intent by excluding coverage of a Federal pro-  
15 gram included in the original declaration of in-  
16 tent;

17 (C) modify the duration of such declara-  
18 tion of intent; or

19 (D) achieve such other modifications as the  
20 State Authorizing Officials deem appropriate.

21 (3) EFFECTIVE DATE.—The amendment shall  
22 specify an effective date. Such effective date shall  
23 provide adequate time to assure full compliance with  
24 Federal program requirements relating to an eligible  
25 program that has been removed from the coverage of

1 the declaration of intent by the proposed amend-  
2 ment.

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

10 **SEC. 10303. TRANSPARENCY FOR RESULTS OF PUBLIC EDU-**  
11 **CATION.**

12 (a) IN GENERAL.—Each State operating under a  
13 declaration of intent under this part shall inform parents  
14 and the general public regarding the student achievement  
15 assessment system, demonstrating student progress rel-  
16 ative to the State’s determination of student proficiency,  
17 as described in paragraph (2), for the purpose of public  
18 accountability to parents and taxpayers.

19 (b) ACCOUNTABILITY SYSTEM.—The State shall de-  
20 termine and establish an accountability system to ensure  
21 accountability under this part.

22 (c) REPORT ON STUDENT PROGRESS.—Not later  
23 than 1 year after the effective date of the declaration of  
24 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)(3)(A) of the Elementary and Sec-  
6 ondary Education Act of 1965 (20 U.S.C.  
7 6311(b)(3)(A)); and

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

13 **SEC. 10304. ADMINISTRATIVE EXPENSES.**

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

20 (b) STATES NOT CONSOLIDATING FUNDS UNDER  
21 PART A OF TITLE I.—If the declaration of intent does  
22 not include within its scope part A of title I of the Elemen-  
23 tary and Secondary Education Act of 1965 (20 U.S.C.  
24 6311 et seq.), the amount spent by the State on adminis-  
25 trative expenses shall be limited to 3 percent of the aggre-

1 gate amount of Federal funds made available to the State  
2 pursuant to such declaration of intent.

3 **SEC. 10305. EQUITABLE PARTICIPATION OF PRIVATE**  
4 **SCHOOLS.**

5 Each State consolidating and using funds pursuant  
6 to a declaration of intent under this part shall provide for  
7 the participation of private school children and teachers  
8 in the activities assisted under the declaration of intent  
9 in the same manner as participation is provided to private  
10 school children and teachers under section 9501 of the El-  
11 ementary and Secondary Education Act of 1965 (20  
12 U.S.C. 7881).