

Calendar No. 540

105TH CONGRESS
2^D Session

S. 1380

[Report No. 105-301]

A BILL

To amend the Elementary and Secondary
Education Act of 1965 regarding charter schools.

SEPTEMBER 8 (legislative day, AUGUST 31), 1998
Reported with an amendment

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105TH CONGRESS
2D SESSION**S. 1380****[Report No. 105–301]**

To amend the Elementary and Secondary Education Act of 1965 regarding
charter schools.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 5, 1997

Mr. COATS (for himself, Mr. LIEBERMAN, Mr. D’AMATO, Mr. KERREY, and
Ms. LANDRIEU) introduced the following bill; which was read twice and
referred to the Committee on Labor and Human Resources

SEPTEMBER 8 (legislative day, AUGUST 31), 1998

Reported by Mr. JEFFORDS with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

A BILL

To amend the Elementary and Secondary Education Act
of 1965 regarding charter schools.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Charter School Expan-
5 sion Act of 1997”.

1 **SEC. 2. INNOVATIVE CHARTER SCHOOLS.**

2 Title VI of the Elementary and Secondary Education
3 Act of 1965 (20 U.S.C. 7301 et seq.) is amended—

4 (1) in section 6201(a) (20 U.S.C. 7331(a))—

5 (A) in paragraph (1)(C), by striking “and”
6 after the semicolon;

7 (B) by redesignating paragraph (2) as
8 paragraph (3); and

9 (C) by inserting after paragraph (1) the
10 following:

11 “(2) support for planning, designing, and initial
12 implementation of charter schools as described in
13 part C of title X; and”;

14 (2) in section 6301(b) (20 U.S.C. 7351(b))—

15 (A) in paragraph (7), by striking “and”
16 after the semicolon;

17 (B) by redesignating paragraph (8) as
18 paragraph (9); and

19 (C) by inserting after paragraph (7) the
20 following:

21 “(8) planning, designing, and initial implemen-
22 tation of charter schools as described in part C of
23 title X; and”.

1 **SEC. 3. CHARTER SCHOOLS.**

2 (a) PURPOSE.—Section 10301(b) of the Elementary
3 and Secondary Education Act of 1965 (20 U.S.C.
4 8061(b)) is amended—

5 (1) in paragraph (1), by striking “and” after
6 the semicolon;

7 (2) in paragraph (2), by striking the period and
8 inserting “; and”; and

9 (3) by adding at the end the following:

10 “(3) expanding the number of high-quality
11 charter schools available to students across the Na-
12 tion.”.

13 (b) CRITERIA FOR PRIORITY TREATMENT.—Section
14 10302 of such Act of 1965 (20 U.S.C. 8062) is amended
15 by adding at the end the following:

16 “(c) PRIORITY TREATMENT.—

17 “(1) IN GENERAL.—

18 “(A) FISCAL YEARS 1998, 1999, AND 2000.—

19 In awarding grants under this part for any of
20 the fiscal years 1998, 1999, and 2000 from
21 funds appropriated under section 10311 that
22 are in excess of \$51,000,000 for the fiscal year,
23 the Secretary shall give priority to States to the
24 extent that the States meet 1 or more of the
25 criteria described in paragraph (2).

1 “(B) SUCCEEDING FISCAL YEARS.—In
 2 awarding grants under this part for fiscal year
 3 2001 or any succeeding fiscal year from any
 4 funds appropriated under section 10311, the
 5 Secretary shall give priority to States to the ex-
 6 tent that the States meet 1 or more of the cri-
 7 teria described in paragraph (2).

8 “(2) PRIORITY CRITERIA.—The criteria referred
 9 to in paragraph (1) are as follows:

10 “(A) The State has demonstrated signifi-
 11 cant progress in increasing the number of char-
 12 ter schools in the period prior to the period for
 13 which a State educational agency or eligible ap-
 14 plicant applies for a grant under this part.

15 “(B) The State law regarding charter
 16 schools—

17 “(i) provides for at least 1 authorized
 18 public chartering agency that is not a local
 19 educational agency for each individual or
 20 entity seeking to operate a charter school
 21 pursuant to such State law; or

22 “(ii) in the case of a State in which
 23 local educational agencies are the only au-
 24 thorized public chartering agencies; allows

1 for an appeals process for the denial of an
2 application for a charter school.

3 “(C) The State law regarding charter
4 schools provides for the automatic waiver of
5 most State and local education laws and regula-
6 tions, except those laws and regulations related
7 to health, safety, and civil rights.

8 “(D) The State law regarding charter
9 schools provides for periodic review and evalua-
10 tion by the authorized public chartering agency
11 of each charter school to determine whether the
12 charter school is meeting or exceeding the aca-
13 demic performance requirements and goals for
14 charter schools as set forth under State law or
15 the school’s charter.

16 “(f) AMOUNT CRITERIA.—In determining the amount
17 of a grant to be awarded under this part to a State edu-
18 cational agency, the Secretary shall take into consider-
19 ation the number of charter schools that will be created
20 under this part in the State.”.

21 “(e) APPLICATIONS.—Section 10303(b) of such Act
22 (20 U.S.C. 8063(b)) is amended—

23 (1) by redesignating paragraph (2) as para-
24 graph (3); and

1 (2) by inserting after paragraph (1) the follow-
 2 ing:

3 “(2) describe how the State educational agen-
 4 cy—

5 “(A) will inform each charter school in the
 6 State regarding—

7 “(i) Federal funds that the charter
 8 school is eligible to receive; and

9 “(ii) Federal programs in which the
 10 charter school may participate;

11 “(B) will ensure that each charter school
 12 in the State receives the charter school’s com-
 13 mensurate share of Federal education funds
 14 that are allocated by formula; and

15 “(C) will disseminate best or promising
 16 practices of charter schools to each local edu-
 17 cational agency in the State; and”.

18 (d) NATIONAL ACTIVITIES.—Section 10305 of such
 19 Act (20 U.S.C. 8065) is amended to read as follows:

20 “SEC. 10305. NATIONAL ACTIVITIES.

21 “The Secretary shall reserve for each fiscal year the
 22 lesser of 5 percent of the amount appropriated to carry
 23 out this part for the fiscal year or \$5,000,000, to carry
 24 out the following activities:

1 “(1) To provide charter schools, either directly
2 or through State educational agencies, with—

3 “(A) information regarding—

4 “(i) Federal funds that charter
5 schools are eligible to receive; and

6 “(ii) other Federal programs in which
7 charter schools may participate; and

8 “(B) assistance in applying for Federal
9 education funds that are allocated by formula,
10 including assistance with filing deadlines and
11 submission of applications.

12 “(2) To provide for the completion of the 4-year
13 national study (which began in 1995) of charter
14 schools.

15 “(3) To provide—

16 “(A) information to applicants for assist-
17 ance under this part;

18 “(B) assistance to applicants for assistance
19 under this part with the preparation of applica-
20 tions under section 10303;

21 “(C) assistance in the planning and start-
22 up of charter schools;

23 “(D) training and technical assistance to
24 existing charter schools;

1 “(E) information to applicants and charter
2 schools regarding gaining access to private cap-
3 ital to support charter schools; and

4 “(F) for the dissemination of best or prom-
5 ising practices in charter schools to other public
6 schools.”.

7 (e) COMMENSURATE TREATMENT; RECORDS TRANS-
8 FER; PAPERWORK REDUCTION.—Part C of title X of such
9 Act (20 U.S.C. 8061 et seq.) is amended—

10 (1) by redesignating sections 10306 and 10307
11 as sections 10310 and 10311, respectively; and

12 (2) by inserting after section 10305 the follow-
13 ing:

14 **“SEC. 10306. FEDERAL FORMULA ALLOCATION DURING**
15 **FIRST YEAR AND FOR SUCCESSIVE ENROLL-**
16 **MENT EXPANSIONS.**

17 “For purposes of the allocation to schools by the
18 States or their agencies of funds under part A of title I,
19 and any other Federal funds which the Secretary allocates
20 to States on a formula basis, the Secretary and each State
21 educational agency shall take such measures not later
22 than 6 months after the date of enactment of the Charter
23 School Expansion Act of 1997 as are necessary to ensure
24 that every charter school receives the Federal funding for
25 which the charter school is eligible not later than 5 months

1 after the charter school first opens, notwithstanding the
2 fact that the identity and characteristics of the students
3 enrolling in that charter school are not fully and com-
4 pletely determined until that charter school actually opens.
5 The measures similarly shall ensure that every charter
6 school expanding its enrollment in any subsequent year
7 of operation receives the Federal funding for which the
8 charter school is eligible not later than 5 months after
9 such expansion.

10 **“SEC. 10307. SOLICITATION OF INPUT FROM CHARTER**
11 **SCHOOL OPERATORS.**

12 “To the extent practicable, the Secretary shall ensure
13 that administrators, teachers, and other individuals di-
14 rectly involved in the operation of charter schools are con-
15 sulted in the development of any rules or regulations re-
16 quired to implement this part, as well as in the develop-
17 ment of any rules or regulations relevant to charter
18 schools that are required to implement part A of title I
19 of the Elementary and Secondary Education Act of 1965
20 (20 U.S.C. 6311 et seq.); the Individuals with Disabilities
21 Education Act (20 U.S.C. 1400 et seq.); or any other pro-
22 gram administered by the Secretary that provides edu-
23 cation funds to charter schools or regulates the activities
24 of charter schools.

1 **~~“SEC. 10308. RECORDS TRANSFER.~~**

2 ~~“State educational agencies and local educational~~
 3 ~~agencies, to the extent practicable, shall ensure that a stu-~~
 4 ~~dent’s records and, if applicable, a student’s individualized~~
 5 ~~education program as defined in section 602(11) of the~~
 6 ~~Individuals with Disabilities Education Act (20 U.S.C.~~
 7 ~~1401(11)), are transferred to a charter school upon the~~
 8 ~~transfer of the student to the charter school, in accordance~~
 9 ~~with applicable State law.~~

10 **~~“SEC. 10309. PAPERWORK REDUCTION.~~**

11 ~~“To the extent practicable, the Secretary and each~~
 12 ~~authorized public chartering agency shall ensure that im-~~
 13 ~~plementation of this part results in a minimum of paper-~~
 14 ~~work for any eligible applicant or charter school.”.~~

15 ~~(f) PART C DEFINITIONS.—Section 10310(1) of such~~
 16 ~~Act (as redesignated by subsection (e)(1)) (20 U.S.C.~~
 17 ~~8066(1)) is amended—~~

18 ~~(1) in subparagraph (A), by striking “an ena-~~
 19 ~~bling statute” and inserting “a specific State statute~~
 20 ~~authorizing the granting of charters to schools”;~~

21 ~~(2) in subparagraph (H), by inserting “is a~~
 22 ~~school to which parents choose to send their chil-~~
 23 ~~dren, and that” before “admits”;~~

24 ~~(3) in subparagraph (J), by striking “and”~~
 25 ~~after the semicolon;~~

1 (4) in subparagraph (K), by striking the period
2 and inserting “; and”; and

3 (5) by adding at the end the following:

4 “(L) has a written performance contract
5 with the authorized public chartering agency in
6 the State.”.

7 (g) AUTHORIZATION OF APPROPRIATIONS.—Section
8 10311 of such Act (as redesignated by subsection (c)(1))
9 (20 U.S.C. 8067) is amended by striking “\$15,000,000
10 for fiscal year 1995” and inserting “\$100,000,000 for fis-
11 cal year 1998”.

12 (h) TITLE XIV DEFINITIONS.—Section 14101 of
13 such Act (20 U.S.C. 8801) is amended—

14 (1) in paragraph (14), by inserting “; including
15 a public elementary charter school,” after “residen-
16 tial school”; and

17 (2) in paragraph (25), by inserting “; including
18 a public secondary charter school,” after “residential
19 school”.

20 (i) CONFORMING AMENDMENT.—The matter preced-
21 ing paragraph (1) of section 10304(e) of such Act (20
22 U.S.C. 8064(e)) is amended by striking “10306(1)” and
23 inserting “10310(1)”.

1 **SECTION 1. SHORT TITLE.**

2 *This Act may be cited as the “Charter School Expan-*
 3 *sion Act of 1998”.*

4 **SEC. 2. INNOVATIVE CHARTER SCHOOLS.**

5 *Title VI of the Elementary and Secondary Education*
 6 *Act of 1965 (20 U.S.C. 7301 et seq.) is amended—*

7 *(1) in section 6201(a) (20 U.S.C. 7331(a))—*

8 *(A) in paragraph (1)(C), by striking “and”*
 9 *after the semicolon;*

10 *(B) by redesignating paragraph (2) as*
 11 *paragraph (3); and*

12 *(C) by inserting after paragraph (1) the fol-*
 13 *lowing:*

14 *“(2) support for planning, designing, and initial*
 15 *implementation of charter schools as described in part*
 16 *C of title X; and”;* and

17 *(2) in section 6301(b) (20 U.S.C. 7351(b))—*

18 *(A) in paragraph (7), by striking “and”*
 19 *after the semicolon;*

20 *(B) by redesignating paragraph (8) as*
 21 *paragraph (9); and*

22 *(C) by inserting after paragraph (7) the fol-*
 23 *lowing:*

24 *“(8) planning, designing, and initial implemen-*
 25 *tation of charter schools as described in part C of title*
 26 *X; and”.*

1 **SEC. 3. CHARTER SCHOOLS.**

2 (a) *PURPOSE.*—Section 10301(b) of the Elementary
3 and Secondary Education Act of 1965 (20 U.S.C. 8061(b))
4 is amended—

5 (1) in paragraph (1), by striking “and” after the
6 semicolon;

7 (2) in paragraph (2), by striking the period and
8 inserting “; and”; and

9 (3) by adding at the end the following:

10 “(3) expanding the number of high-quality char-
11 ter schools available to students across the Nation.”.

12 (b) *CRITERIA FOR PRIORITY TREATMENT.*—Section
13 10302 of such Act of 1965 (20 U.S.C. 8062) is amended
14 by adding at the end the following:

15 “(e) *PRIORITY TREATMENT.*—

16 “(1) *IN GENERAL.*—

17 “(A) *FISCAL YEARS 1999, 2000, AND 2001.*—

18 *In awarding grants under this part for any of*
19 *the fiscal years 1999, 2000, and 2001 from funds*
20 *appropriated under section 10311 that are in ex-*
21 *cess of \$51,000,000 for the fiscal year, the Sec-*
22 *retary shall give priority to States to the extent*
23 *that the States meet 1 or more of the criteria de-*
24 *scribed in paragraph (2).*

25 “(B) *SUCCEEDING FISCAL YEARS.*—*In*
26 *awarding grants under this part for fiscal year*

1 2002 or any succeeding fiscal year from any
2 funds appropriated under section 10311, the Sec-
3 retary shall give priority to States to the extent
4 that the States meet 1 or more of the criteria de-
5 scribed in paragraph (2).

6 “(2) *PRIORITY CRITERIA.*—The criteria referred
7 to in paragraph (1) are as follows:

8 “(A) *The State has demonstrated progress,*
9 *in increasing the number of high quality charter*
10 *schools that are held accountable in the terms of*
11 *the schools’ charters for meeting clear and meas-*
12 *urable objectives for the educational progress of*
13 *the students attending the schools, in the period*
14 *prior to the period for which a State educational*
15 *agency or eligible applicant applies for a grant*
16 *under this part.*

17 “(B) *The State—*

18 “(i) *provides for 1 authorized public*
19 *chartering agency that is not a local edu-*
20 *cational agency, such as a State chartering*
21 *board, for each individual or entity seeking*
22 *to operate a charter school pursuant to such*
23 *State law; or*

24 “(ii) *in the case of a State in which*
25 *local educational agencies are the only au-*

1 *thorized public chartering agencies, allows*
2 *for an appeals process for the denial of an*
3 *application for a charter school.*

4 *“(C) The State provides for periodic review*
5 *and evaluation by the authorized public charter-*
6 *ing agency of each charter school, at least once*
7 *every 5 years unless required more frequently by*
8 *State law, to determine whether the charter*
9 *school is meeting the terms of the school’s char-*
10 *ter, and is meeting or exceeding the academic*
11 *performance requirements and goals for charter*
12 *schools as set forth under State law or the*
13 *school’s charter.*

14 *“(D)(i) In the case of a charter school for*
15 *which the authorized public chartering agency is*
16 *a State entity, the State requires the school to*
17 *participate in State assessments, and makes the*
18 *results available to the public as required by*
19 *State law or regulation.*

20 *“(ii) In the case of a charter school for*
21 *which the authorized public chartering agency is*
22 *a local educational agency, the State requires the*
23 *school to participate in the local assessments re-*
24 *quired of other public schools in the school dis-*
25 *trict served by the local educational agency, and*

1 *makes the results available to the public as re-*
 2 *quired by local law or regulation that is applica-*
 3 *ble to all public schools in the school district.*

4 “(f) *AMOUNT CRITERIA.*—*In determining the amount*
 5 *of a grant to be awarded under this part to a State edu-*
 6 *cational agency, the Secretary shall take into consideration*
 7 *the number of charter schools that will be created under this*
 8 *part in the State.”.*

9 (c) *APPLICATIONS.*—*Section 10303(b) of such Act (20*
 10 *U.S.C. 8063(b)) is amended—*

11 (1) *by redesignating paragraph (2) as para-*
 12 *graph (3); and*

13 (2) *by inserting after paragraph (1) the follow-*
 14 *ing:*

15 “(2) *describe how the State educational agency—*

16 “(A) *will inform each charter school in the*
 17 *State regarding—*

18 “(i) *Federal funds that the charter*
 19 *school is eligible to receive; and*

20 “(ii) *Federal programs in which the*
 21 *charter school may participate;*

22 “(B) *will ensure that each charter school in*
 23 *the State receives the charter school’s commensu-*
 24 *rate share of Federal education funds that are*
 25 *allocated by formula each year, including during*

1 *the first year of operation of the charter school;*
 2 *and*

3 “(C) *will disseminate best or promising*
 4 *practices of charter schools to each local edu-*
 5 *cational agency in the State; and”.*

6 (d) *NATIONAL ACTIVITIES.*—*Section 10305 of such Act*
 7 *(20 U.S.C. 8065) is amended to read as follows:*

8 **“SEC. 10305. NATIONAL ACTIVITIES.**

9 *“The Secretary shall reserve for each fiscal year the*
 10 *lesser of 5 percent of the amount appropriated to carry out*
 11 *this part for the fiscal year or \$5,000,000, to carry out the*
 12 *following activities:*

13 “(1) *To provide charter schools, either directly or*
 14 *through State educational agencies, with—*

15 “(A) *information regarding—*

16 “(i) *Federal funds that charter schools*
 17 *are eligible to receive; and*

18 “(ii) *other Federal programs in which*
 19 *charter schools may participate; and*

20 “(B) *assistance in applying for Federal*
 21 *education funds that are allocated by formula,*
 22 *including assistance with filing deadlines and*
 23 *submission of applications.*

24 “(2) *To provide for the completion of the 4-year*
 25 *national study (which began in 1995) of charter*

1 *schools, and to provide for related studies with respect*
 2 *to enhancing parent and student educational choices,*
 3 *strengthening accountability and autonomy for*
 4 *schools, ensuring access to charter schools, and in-*
 5 *creasing student achievement.*

6 *“(3) To provide—*

7 *“(A) information to applicants for assist-*
 8 *ance under this part;*

9 *“(B) assistance to applicants for assistance*
 10 *under this part with the preparation of applica-*
 11 *tions under section 10303;*

12 *“(C) assistance in the planning and startup*
 13 *of charter schools;*

14 *“(D) training and technical assistance to*
 15 *existing charter schools;*

16 *“(E) information to applicants and charter*
 17 *schools regarding financial resources available to*
 18 *charter schools, including access to private cap-*
 19 *ital; and*

20 *“(F) for the dissemination of best or prom-*
 21 *ising practices in charter schools to other public*
 22 *schools.”.*

23 *(e) COMMENSURATE TREATMENT; RECORDS TRANS-*
 24 *FER; PAPERWORK REDUCTION.—Part C of title X of such*
 25 *Act (20 U.S.C. 8061 et seq.) is amended—*

1 (1) by redesignating sections 10306 and 10307
2 as sections 10310 and 10311, respectively; and

3 (2) by inserting after section 10305 the follow-
4 ing:

5 **“SEC. 10306. FEDERAL FORMULA ALLOCATION DURING**
6 **FIRST YEAR AND FOR SUCCESSIVE ENROLL-**
7 **MENT EXPANSIONS.**

8 *“For purposes of the allocation to schools by the States*
9 *or their agencies of funds under part A of title I, and any*
10 *other Federal funds which the Secretary allocates to States*
11 *on a formula basis, the Secretary and each State edu-*
12 *cational agency shall take such measures not later than 6*
13 *months after the date of enactment of the Charter School*
14 *Expansion Act of 1998 as are necessary to ensure that every*
15 *charter school receives the Federal funding for which the*
16 *charter school is eligible not later than 5 months after the*
17 *charter school first opens, notwithstanding the fact that the*
18 *identity and characteristics of the students enrolling in that*
19 *charter school are not fully and completely determined until*
20 *that charter school actually opens. The measures similarly*
21 *shall ensure that every charter school expanding its enroll-*
22 *ment in any subsequent year of operation receives the Fed-*
23 *eral funding for which the charter school is eligible not later*
24 *than 5 months after such expansion. The measures shall in-*
25 *clude provision for appropriate adjustments, through recov-*

1 *ery of funds or reduction of payments for the succeeding*
 2 *year, in cases where payments made to a charter school on*
 3 *the basis of estimated or projected enrollment data exceed*
 4 *the amounts which the school is eligible to receive on the*
 5 *basis of actual or final enrollment data.*

6 **“SEC. 10307. SOLICITATION OF INPUT FROM CHARTER**
 7 **SCHOOL OPERATORS.**

8 *“To the extent practicable, the Secretary shall ensure*
 9 *that administrators, teachers, and other individuals di-*
 10 *rectly involved in the operation of charter schools are con-*
 11 *sulted in the development of any rules or regulations re-*
 12 *quired to implement this part, as well as in the development*
 13 *of any rules or regulations relevant to charter schools that*
 14 *are required to implement part A of title I, the Individuals*
 15 *with Disabilities Education Act (20 U.S.C. 1400 et seq.),*
 16 *or any other program administered by the Secretary that*
 17 *provides education funds to charter schools or regulates the*
 18 *activities of charter schools.*

19 **“SEC. 10308. RECORDS TRANSFER.**

20 *“State educational agencies and local educational*
 21 *agencies, to the extent practicable, shall ensure that a stu-*
 22 *dent’s records and, if applicable, a student’s individualized*
 23 *education program as defined in section 602(11) of the In-*
 24 *dividuals with Disabilities Education Act (20 U.S.C.*
 25 *1401(11)), are transferred to a charter school upon the*

1 *transfer of the student to the charter school, and to a tradi-*
 2 *tional public school upon the transfer of the student from*
 3 *a charter school to a traditional public school, in accord-*
 4 *ance with applicable State law.*

5 **“SEC. 10309. PAPERWORK REDUCTION.**

6 *“To the extent practicable, the Secretary and each au-*
 7 *thorized public chartering agency shall ensure that imple-*
 8 *mentation of this part results in a minimum of paperwork*
 9 *for any eligible applicant or charter school.”.*

10 *(f) PART C DEFINITIONS.—Section 10310(1) of such*
 11 *Act (as redesignated by subsection (e)(1)) (20 U.S.C.*
 12 *8066(1)) is amended—*

13 *(1) in subparagraph (A), by striking “an ena-*
 14 *bling statute” and inserting “a specific State statute*
 15 *authorizing the granting of charters to schools”;*

16 *(2) in subparagraph (H), by inserting “is a*
 17 *school to which parents choose to send their children,*
 18 *and that” before “admits”;*

19 *(3) in subparagraph (J), by striking “and” after*
 20 *the semicolon;*

21 *(4) in subparagraph (K), by striking the period*
 22 *and inserting “; and”; and*

23 *(5) by adding at the end the following:*

24 *“(L) has a written performance contract*
 25 *with the authorized public chartering agency in*

1 *the State that includes performance objectives for*
 2 *student achievement and how the objectives will*
 3 *be measured by State assessments, or in the case*
 4 *of a charter school for which the authorized pub-*
 5 *lic chartering agency is a local educational agen-*
 6 *cy, by the local assessments required of other*
 7 *public schools in the school district served by the*
 8 *local educational agency.”.*

9 (g) *AUTHORIZATION OF APPROPRIATIONS.—Section*
 10 *10311 of such Act (as redesignated by subsection (e)(1)) (20*
 11 *U.S.C. 8067) is amended by striking “\$15,000,000 for fiscal*
 12 *year 1995” and inserting “\$100,000,000 for fiscal year*
 13 *1999”.*

14 (h) *TITLE XIV DEFINITIONS.—Section 14101 of such*
 15 *Act (20 U.S.C. 8801) is amended—*

16 (1) *in paragraph (14), by inserting “, including*
 17 *a public elementary charter school,” after “residential*
 18 *school”; and*

19 (2) *in paragraph (25), by inserting “, including*
 20 *a public secondary charter school,” after “residential*
 21 *school”.*

22 (i) *CONFORMING AMENDMENT.—The matter preceding*
 23 *paragraph (1) of section 10304(e) of such Act (20 U.S.C.*
 24 *8064(e)) is amended by striking “10306(1)” and inserting*
 25 *“10310(1)”.*