

106TH CONGRESS  
1ST SESSION

# H. R. 2725

To provide for a rural education initiative, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

AUGUST 5, 1999

Mr. BARRETT of Nebraska (for himself, Mr. POMEROY, Mr. PETRI, Mr. BALDACCI, Mr. THUNE, and Mr. MINGE) introduced the following bill; which was referred to the Committee on Education and the Workforce

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## A BILL

To provide for a rural education initiative, and for other purposes.

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. RURAL EDUCATION.**

4       Part J of title X of the Elementary and Secondary  
5       Education Act of 1965 (20 U.S.C. 8271 et seq.) is amend-  
6       ed to read as follows:

7       **PART J—RURAL EDUCATION INTIATIVE**

8       **“SEC. 10971. SHORT TITLE.**

9       “‘This part may be cited as the “Rural Education Ini-  
10      tiative Act”’.

1 **“SEC. 10972. FINDINGS.**

2 “Congress makes the following findings:

3 “(1) Under Federal law there is no consistent  
4 definition of rural schools.

5 “(2) Rural school districts do not benefit as  
6 much as the school districts could from Federal edu-  
7 cation funding because the unique needs of rural  
8 school districts do not necessarily fit the categorical  
9 Federal formula programs.

10 “(3) Rural schools often cannot compete for  
11 Federal funding distributed by competitive grants  
12 because the schools lack the personnel needed to  
13 prepare grant applications and the resources to hire  
14 specialists in the writing of Federal grant proposals.

15 “(4) Small school districts with fewer than 600  
16 students often cannot use Federal grant funds dis-  
17 tributed by formula because the formula allocation  
18 does not provide enough revenue to carry out the  
19 program the grant is intended to fund.

20 **“SEC. 10973. FORMULA GRANT PROGRAM AUTHORIZED.**

21 “(a) ALTERNATIVE USES.—

22 “(1) IN GENERAL.—Notwithstanding any other  
23 provision of law, an eligible local educational agency  
24 may use the applicable funding, that the agency is  
25 eligible to receive from the State educational agency  
26 for a fiscal year, to support local or statewide edu-

1 cation reform efforts intended to improve the  
2 achievement of elementary school and secondary  
3 school students and the quality of instruction pro-  
4 vided for the students.

5 “(2) NOTIFICATION.—An eligible local edu-  
6 cational agency shall notify the State educational  
7 agency of the local educational agency’s intention to  
8 use the applicable funding in accordance with para-  
9 graph (1) not later than a date that is established  
10 by the State educational agency for the notification.

11 “(b) ELIGIBILITY.—A local educational agency shall  
12 be eligible to use the applicable funding in accordance with  
13 subsection (a) if—

14 “(1) the total number of students in average  
15 daily attendance at all of the schools served by the  
16 local educational agency is less than 600; and

17 “(2) all of the schools served by the local edu-  
18 cational agency are located in a community with a  
19 Rural-Urban Continuum Code of 6, 7, 8, or 9, as  
20 determined by the Secretary of Agriculture.

21 “(c) APPLICABLE FUNDING.—In this section, the  
22 term “applicable funding” means funds provided under  
23 each of the following provisions of law:

24 “(1) Section 307 of the Department of Edu-  
25 cation Appropriations Act, 1999.

1           “(2) Titles II, IV, and VI.

2           “(d) DISBURSAL.—Each State educational agency  
3 that receives applicable funding for a fiscal year shall dis-  
4 burse the applicable funding to local educational agencies  
5 for alternative uses under this section for the fiscal year  
6 at the same time that the State educational agency dis-  
7 burses the applicable funding to local educational agencies  
8 that do not intend to use the applicable funding for such  
9 alternative uses for the fiscal year.

10          “(e) SUPPLEMENT NOT SUPPLANT.—Funds made  
11 available under this section shall be used to supplement  
12 and not supplant any other Federal, State or local edu-  
13 cation funds.

14          “(f) SPECIAL RULE.—References in Federal law to  
15 funds for the provisions of law set forth in subsection (c)  
16 may be considered to be references to funds for this sec-  
17 tion.

18   **“SEC. 10974. PROGRAM AUTHORIZED.**

19          “(a) IN GENERAL.—The Secretary is authorized to  
20 award grants to eligible local educational agencies to en-  
21 able the local educational agencies to support local or  
22 statewide education reform efforts intended to improve the  
23 achievement of elementary school and secondary school  
24 students and the quality of instruction provided for the  
25 students.

1       “(b) ELIGIBILITY.—A local educational agency shall  
2 be eligible to receive a grant under this section if—

3               “(1)(A) the total number of students in average  
4 daily attendance at all of the schools served by the  
5 local educational agency is less than 600; and

6               “(B) all of the schools served by the local edu-  
7 cational agency are located in a community with a  
8 Rural-Urban Continuum Code of 6, 7, 8, or 9, as  
9 determined by the Secretary of Agriculture; or

10              “(2) the Secretary grants the local educational  
11 agency’s request to waive the criteria described in  
12 paragraph (1).

13       “(c) AMOUNT.—

14              “(1) IN GENERAL.—The Secretary shall award  
15 a grant to a local educational agency under this sec-  
16 tion for a fiscal year in an amount equal to the  
17 amount determined under paragraph (2) for the fis-  
18 cal year minus the total amount received under the  
19 provisions of law described under section 10973(c)  
20 for the fiscal year.

21              “(2) DETERMINATION.—The amount referred  
22 to in paragraph (1) is as follows:

23                      “(A) If the number of children in average  
24 daily attendance at the schools served by such

1           agency is greater than 0 and less than 50, then  
2           the amount is \$20,000.

3           “(B) If the number of such children is  
4           greater than or equal to 50 and less than 150,  
5           then the amount is \$30,000.

6           “(C) If the number of such children is  
7           greater than or equal to 150 and less than 300,  
8           then the amount is \$40,000.

9           “(D) If the number of such children is  
10          greater than or equal to 300 and less than 450,  
11          then the amount is \$50,000.

12          “(E) If the number of such children is  
13          greater than or equal to 450 and less than 600,  
14          then the amount is \$60,000.

15          “(3) CENSUS DETERMINATION.—

16               “(A) IN GENERAL.—Each local educational  
17               agency desiring a grant under this section shall  
18               conduct a census not later than December 1 of  
19               each year to determine the number of kinder-  
20               garten through grade 12 students in average  
21               daily attendance at the schools served by the  
22               local educational agency.

23               “(B) SUBMISSION.—Each local educational  
24               agency shall submit the number described in

1           subparagraph (A) to the Secretary not later  
2           than March 1 of each year.

3           “(4) PENALTY.—If the Secretary determines  
4           that a local educational agency has knowingly sub-  
5           mitted false information under paragraph (3) for the  
6           purpose of gaining additional funds under this sec-  
7           tion, then the local educational agency shall be fined  
8           an amount equal to twice the difference between the  
9           amount the local educational agency received under  
10          this section, and the correct amount the local edu-  
11          cational agency would have received under this sec-  
12          tion if the agency had submitted accurate informa-  
13          tion under paragraph (3).

14          “(d) DISBURSAL.—The Secretary shall disburse the  
15          funds awarded to a local educational agency under this  
16          section for a fiscal year not later than July 1 of that year.

17          “(e) SUPPLEMENT NOT SUPPLANT.—Funds made  
18          available under this section shall be used to supplement  
19          and not supplant any other Federal, State or local edu-  
20          cation funds.

21          “(f) AUTHORIZATION OF APPROPRIATIONS.—There  
22          are authorized to be appropriated to carry out this section  
23          such sums as may be necessary for each of fiscal years  
24          2000 through 2004.

1 **“SEC. 10975. ACCOUNTABILITY.**

2 “(a) **ACADEMIC ACHIEVEMENT.**—

3 “(1) **IN GENERAL.**—Each local educational  
4 agency that uses or receives funds under section  
5 10973 or 10974 for a fiscal year shall—

6 “(A) administer a test, that is used State-  
7 wide, to assess the academic achievement of  
8 students in the schools served by the local edu-  
9 cational agency; or

10 “(B) in the case of a local educational  
11 agency for which there is no Statewide test de-  
12 scribed in subparagraph (A), administer a test,  
13 that is selected by the local educational agency,  
14 to assess the academic achievement of students  
15 in the schools served by the local educational  
16 agency.

17 “(2) **SPECIAL RULE.**—Each local educational  
18 agency that uses or receives funds under section  
19 10973 or 10974 shall use the same test described in  
20 paragraph (1) for each year of participation in the  
21 program under such section.

22 “(b) **STATE EDUCATIONAL AGENCY DETERMINATION**  
23 **REGARDING CONTINUING PARTICIPATION.**—Each State  
24 educational agency that receives funding under the provi-  
25 sions of law described in section 10973(c) shall—



1           “(1) after the 5th year that a local educational  
2           agency participates in a program under section  
3           10973 or 10974 and on the basis of the results of  
4           the tests described in subsection (a), determine  
5           whether the students served by the local educational  
6           agency participating in the program performed bet-  
7           ter on the tests after the 5th year of the participa-  
8           tion compared to the results on the tests after the  
9           1st year of the participation;

10           “(2) only permit those local educational agen-  
11           cies that so participated and performed better on the  
12           tests to continue to so participate for an additional  
13           period of 5 years; and

14           “(3) prohibit those local educational agencies  
15           that so participated and did not perform better on  
16           the tests from such participation for a period of 5  
17           years from the date of the determination.”.

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