

107TH CONGRESS  
1ST SESSION

# S. 339

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

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 14, 2001

Mr. WYDEN (for himself, Mr. FRIST, Mr. SESSIONS, Mr. BREAUX, Ms. LANDRIEU, and Mr. BAYH) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To provide for a rural education development 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. SHORT TITLE.**

4 This Act may be cited as the “Rural Education De-  
5 velopment Initiative for the 21st Century Act”.

6 **SEC. 2. PURPOSE.**

7 The purpose of this Act is to provide rural school stu-  
8 dents in the United States with increased learning oppor-  
9 tunities.

1 **SEC. 3. FINDINGS.**

2 Congress makes the following findings:

3 (1) While there are rural education initiatives  
4 identified at the State and local level, no Federal  
5 education policy focuses on the specific needs of  
6 rural school districts and schools, especially those  
7 that serve poor students.

8 (2) The National Center for Educational Statis-  
9 tics (NCES) reports that while 46 percent of our  
10 Nation's public schools serve rural areas, they only  
11 receive 22 percent of the Nation's education funds  
12 annually.

13 (3) A critical problem for rural school districts  
14 involves the hiring and retention of qualified admin-  
15 istrators and certified teachers (especially in Special  
16 Education, Science, and Mathematics). Con-  
17 sequently, teachers in rural schools are almost twice  
18 as likely to provide instruction in two or more sub-  
19 jects than teachers in urban schools. Rural schools  
20 also face other tough challenges, such as shrinking  
21 local tax bases, high transportation costs, aging  
22 buildings, limited course offerings, and limited re-  
23 sources.

24 (4) Data from the National Assessment of Edu-  
25 cational Progress (NAEP) consistently shows large  
26 gaps between the achievement of students in high-

1 poverty schools and those in other schools. High-pov-  
2 erty schools will face special challenges in preparing  
3 their students to reach high standards of perform-  
4 ance on State and national assessments.

5 **SEC. 4. DEFINITIONS.**

6 In this Act:

7 (1) ELEMENTARY SCHOOL; LOCAL EDU-  
8 CATIONAL AGENCY; SECONDARY SCHOOL; STATE  
9 EDUCATIONAL AGENCY.—The terms “elementary  
10 school”, “local educational agency”, “secondary  
11 school”, and “State educational agency” have the  
12 meanings given the terms in section 14101 of the  
13 Elementary and Secondary Education Act of 1965  
14 (20 U.S.C. 8801).

15 (2) ELIGIBLE LOCAL EDUCATIONAL AGENCY.—  
16 The term “eligible local educational agency” means  
17 a local educational agency that serves—

18 (A) a school age population 15 percent or  
19 more of whom are from families with incomes  
20 below the poverty line; and

21 (B)(i) a school locale code of 6, 7, 8; or

22 (ii) a school age population of 800 or fewer  
23 students.

1           (3) RURAL AREA.—The term “rural area” in-  
2           cludes the area defined by the Department of Edu-  
3           cation using school locale codes 6, 7, and 8.

4           (4) POVERTY LINE.—The term “poverty line”  
5           means the poverty line (as defined by the Office of  
6           Management and Budget, and revised annually in  
7           accordance with section 673(2) of the Community  
8           Services Block Grant Act (42 U.S.C. 9902(2))) ap-  
9           plicable to a family of the size involved.

10          (5) SCHOOL LOCALE CODE.—The term “school  
11          locale code” has the meaning as defined by the De-  
12          partment of Education.

13          (6) SCHOOL AGE POPULATION.—The term  
14          “school age population” means the number of stu-  
15          dents aged 5 through 17.

16          (7) SECRETARY.—The term “Secretary” means  
17          the Secretary of Education.

18 **SEC. 5. PROGRAM AUTHORIZED.**

19          (a) RESERVATION.—From amounts appropriated  
20          under section 9 for a fiscal year the Secretary shall reserve  
21          0.5 percent to make awards to elementary or secondary  
22          schools operated or supported by the Bureau of Indian Af-  
23          fairs to carry out the purpose of this Act.

24          (b) GRANTS TO STATES.—

1           (1) IN GENERAL.—From amounts appropriated  
2 under section 9 that are not reserved under sub-  
3 section (a) for a fiscal year, the Secretary shall  
4 award grants to State educational agencies that have  
5 applications approved under section 7 to enable the  
6 State educational agencies to award grants to eligi-  
7 ble local educational agencies for local authorized ac-  
8 tivities described in subsection (c).

9           (2) FORMULA.—

10           (A) IN GENERAL.—Each State educational  
11 agency shall receive a grant under this section  
12 in an amount that bears the same relation to  
13 the amount of funds appropriated under section  
14 9 that are not reserved under subsection (a) for  
15 a fiscal year as the school age population served  
16 by eligible local educational agencies in the  
17 State bears to the school age population served  
18 by eligible local educational agencies in all  
19 States.

20           (B) DATA.—In determining the school age  
21 population under subparagraph (A) the Sec-  
22 retary shall use the most recent data available  
23 from the Bureau of the Census.

24           (3) DIRECT AWARDS TO LOCAL EDUCATIONAL  
25 AGENCIES.—If a State educational agency elects not

1 to participate in the program under this Act or does  
2 not have an application approved under section 7,  
3 the Secretary may award, on a competitive basis, the  
4 amount the State educational agency is eligible to  
5 receive under paragraph (2) directly to eligible local  
6 educational agencies in the State.

7 (4) MATCHING REQUIREMENT.—Each eligible  
8 local educational agency that receives a grant under  
9 this Act shall contribute resources with respect to  
10 the local authorized activities to be assisted, in cash  
11 or in kind, from non-Federal sources, in an amount  
12 equal to the Federal funds awarded under the grant.

13 (c) LOCAL AUTHORIZED ACTIVITIES.—Grant funds  
14 awarded to local educational agencies under this Act shall  
15 be used for—

16 (1) for local educational technology efforts as  
17 established under section 6844 of title 20, United  
18 States Code;

19 (2) for professional development activities de-  
20 signed to prepare those teachers teaching out of  
21 their primary subject area;

22 (3) for academic enrichment programs estab-  
23 lished under section 10204 of title 20 in United  
24 States Code;

1           (4) innovative academic enrichment programs  
2           related to the educational needs of students at-risk  
3           of academic failure, including remedial instruction in  
4           one or more of the core subject areas of English,  
5           Mathematics, Science, and History; or

6           (5) activities to recruit and retain highly quali-  
7           fied teachers in Special Education, Math, and  
8           Science.

9           (d) **RELATION TO OTHER FEDERAL FUNDING.**—  
10          Funds received under this Act by a State educational  
11          agency or an eligible local educational agency shall not be  
12          taken into consideration in determining the eligibility for,  
13          or amount of, any other Federal funding awarded to the  
14          agency.

15          **SEC. 6. STATE DISTRIBUTION OF FUNDS.**

16          (a) **AWARD BASIS.**—A State educational agency shall  
17          award grants to eligible local educational agencies accord-  
18          ing to a formula or competitive grant program developed  
19          by the State educational agency and approved by the Sec-  
20          retary.

21          (b) **FIRST YEAR.**—For the first year that a State  
22          educational agency receives a grant under this Act, the  
23          State educational agency—

1           (1) shall use not less than 99 percent of the  
2           grant funds to award grants to eligible local edu-  
3           cational agencies in the State; and

4           (2) may use not more than 1 percent for State  
5           activities and administrative costs and technical as-  
6           sistance related to the program.

7           (c) SUCCEEDING YEARS.—For the second and each  
8           succeeding year that a State educational agency receives  
9           a grant under this Act, the State educational agency—

10           (1) shall use not less than 99.5 percent of the  
11           grant funds to award grants to eligible local edu-  
12           cational agencies in the State; and

13           (2) may use not more than 0.5 percent of the  
14           grant funds for State activities and administrative  
15           costs related to the program.

16 **SEC. 7. APPLICATIONS.**

17           Each State educational agency, or local educational  
18           agency eligible for a grant under section 5(b)(3), that de-  
19           sires a grant under this Act shall submit an application  
20           to the Secretary at such time, in such manner, and accom-  
21           panied by such information as the Secretary may require.

22 **SEC. 8. REPORTS; ACCOUNTABILITY; STUDY.**

23           (a) STATE REPORTS.—

24           (1) CONTENTS.—Each State educational agen-  
25           cy that receives a grant under this Act shall provide

1 an annual report to the Secretary. The report shall  
2 describe—

3 (A) the method the State educational agen-  
4 cy used to award grants to eligible local edu-  
5 cational agencies under this Act;

6 (B) how eligible local educational agencies  
7 used funds provided under this Act;

8 (C) how the State educational agency pro-  
9 vided technical assistance for an eligible local  
10 educational agency that did not meet the goals  
11 and objectives described in subsection (c)(3);  
12 and

13 (D) how the State educational agency took  
14 action against an eligible local educational  
15 agency if the local educational agency failed, for  
16 2 consecutive years, to meet the goals and ob-  
17 jectives described in subsection (c)(3).

18 (2) AVAILABILITY.—The Secretary shall make  
19 the annual State reports received under paragraph  
20 (1) available for dissemination to Congress, inter-  
21 ested parties (including educators, parents, students,  
22 and advocacy and civil rights organizations), and the  
23 public.

24 (b) LOCAL EDUCATIONAL AGENCY REPORTS.—Each  
25 eligible local educational agency that receives a grant

1 under section 5(b)(3) shall provide an annual report to  
2 the Secretary. The report shall describe how the local edu-  
3 cational agency used funds provided under this Act and  
4 how the local educational agency coordinated funds re-  
5 ceived under this Act with other Federal, State, and local  
6 funds.

7 (c) REPORT TO CONGRESS.—The Secretary shall pre-  
8 pare and submit to Congress an annual report. The report  
9 shall describe—

10 (1) the methods the State educational agencies  
11 used to award grants to eligible local educational  
12 agencies under this Act;

13 (2) how eligible local educational agencies used  
14 funds provided under this Act; and

15 (3) the progress made by State educational  
16 agencies and eligible local educational agencies re-  
17 ceiving assistance under this Act in meeting specific,  
18 annual, measurable performance goals and objectives  
19 established by such agencies for activities assisted  
20 under this Act.

21 (d) ACCOUNTABILITY.—The Secretary, at the end of  
22 the third year that a State educational agency participates  
23 in the program assisted under this Act, shall permit only  
24 those State educational agencies that met their perform-

1   ance goals and objectives, for two consecutive years, to  
2   continue to participate in the program.

3       (e) **STUDY.**—The Comptroller General of the United  
4   States shall conduct a study regarding the impact of as-  
5   sistance provided under this Act on student achievement.  
6   The Controller General shall report the results of the  
7   study to Congress.

8   **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

9       There are authorized to be appropriated to carry out  
10   this Act \$300,000,000 for each of the fiscal years 2002  
11   through 2005.

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