

108TH CONGRESS  
1ST SESSION

# H. R. 3582

To amend the Elementary and Secondary Education Act of 1965 to prohibit federally subsidized discrimination in supplemental educational services, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 21, 2003

Ms. BALDWIN (for herself, Mr. SCOTT of Virginia, Ms. CARSON of Indiana, Mr. VAN HOLLEN, Mr. HOEFFEL, Mr. MCGOVERN, Mr. FROST, Ms. NORTON, Mr. MCDERMOTT, Mr. SERRANO, Ms. SCHAKOWSKY, Mr. PAYNE, Ms. LEE, Mr. MEEKS of New York, Mrs. JONES of Ohio, Ms. MCCOLLUM, Mrs. MCCARTHY of New York, Ms. WOOLSEY, Mr. KUCINICH, Ms. MAJETTE, Mr. HINOJOSA, and Mr. GRIJALVA) introduced the following bill; which was referred to the Committee on Education and the Workforce

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## A BILL

To amend the Elementary and Secondary Education Act of 1965 to prohibit federally subsidized discrimination in supplemental educational services, 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 “Every Child is Created  
5 Equal Act of 2003”.

1 **SEC. 2. PROHIBITION OF FEDERALLY SUBSIDIZED DIS-**  
2 **CRIMINATION IN SUPPLEMENTAL EDU-**  
3 **CATIONAL SERVICES.**

4 (a) SUPPLEMENTAL EDUCATION SERVICES.—Sub-  
5 section (e) of section 1116 of the Elementary and Sec-  
6 ondary Education Act of 1965 (20 U.S.C. 6316) is amend-  
7 ed—

8 (1) in paragraph (3)—

9 (A) in subparagraph (D), by striking  
10 “and” after the semicolon at the end;

11 (B) in subparagraph (E), by striking the  
12 period at the end and inserting “; and”; and

13 (C) by adding at the end the following new  
14 subparagraph:

15 “(F) specifically state that, as a recipient  
16 of Federal funds, the provider is subject to sec-  
17 tion 9534.”.

18 (2) in paragraph (5)(C), by inserting before the  
19 period the following: “as a recipient of Federal  
20 funds”; and

21 (3) in paragraph (9), by inserting before the pe-  
22 riod the following: “or permit discrimination based  
23 on religion with respect to employment or provision  
24 of services”.

1 (b) CIVIL RIGHTS.—Subsection (a) of section 9534  
2 of the Elementary and Secondary Education Act of 1965  
3 (20 U.S.C. 7914) is amended to read as follows:

4 “(a) IN GENERAL.—Discrimination on the basis of  
5 race, color, religion, sex (except as otherwise permitted  
6 under Title IX of the Education Amendments of 1972),  
7 national origin, or disability in any program funded under  
8 this Act is prohibited.”.

9 **SEC. 3. SUPPLEMENTAL EDUCATIONAL SERVICES PRO-**  
10 **VIDERS TO SERVE ALL ELIGIBLE STUDENTS.**

11 Paragraph (1) of section 1116(e) of the Elementary  
12 and Secondary Education Act of 1965 (20 U.S.C.  
13 6316(e)) is amended by inserting after “eligible children”  
14 the following: “(including students with disabilities and  
15 limited English proficient students)”.

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