

109TH CONGRESS  
1ST SESSION

# H. R. 3748

To provide additional funds to local educational agencies for elementary and secondary education and pupil services for students displaced by Hurricane Katrina, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 13, 2005

Ms. EDDIE BERNICE JOHNSON of Texas (for herself, Mr. HINOJOSA, Mr. ORTIZ, Mr. GENE GREEN of Texas, Mr. DOGGETT, Ms. JACKSON-LEE of Texas, Mr. REYES, Mr. CUELLAR, Ms. LEE, Mr. KENNEDY of Rhode Island, Mr. NADLER, Mr. BOREN, Mr. BROWN of Ohio, Ms. CARSON, Mr. HONDA, Mr. BERMAN, Mr. GRIJALVA, Mr. CUMMINGS, Mr. SCOTT of Georgia, Mr. McDERMOTT, Ms. SOLIS, Mr. OWENS, and Mr. CLEAVER) introduced the following bill; which was referred to the Committee on Education and the Workforce

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## A BILL

To provide additional funds to local educational agencies for elementary and secondary education and pupil services for students displaced by Hurricane Katrina, 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 “Displaced Student Re-  
5   lief Act”.

1 **SEC. 2. EDUCATION AND PUPIL SERVICES FOR ELEMEN-**  
2 **TARY AND SECONDARY STUDENTS DIS-**  
3 **PLACED BY HURRICANE KATRINA.**

4 (a) IN GENERAL.—From funds appropriated under  
5 this section, the Secretary of Education shall make grants  
6 to local educational agencies in fiscal years 2005 and 2006  
7 for the purpose of facilitating the enrollment, attendance,  
8 and success in public elementary and secondary schools  
9 of displaced students.

10 (b) MAXIMUM GRANT AMOUNT.—The maximum  
11 amount of the grant a local educational agency may re-  
12 ceive under this section for any fiscal year is—

13 (1) the number of displaced students in the ge-  
14 ographic area served by the local educational agency,  
15 as determined by the Secretary; multiplied by

16 (2) \$8,305.

17 (c) USE OF FUNDS.—Local educational agencies  
18 shall use funds received under this section for education  
19 and pupil services for displaced students who are enrolled  
20 in public schools served by the agency. Such services may  
21 include the following:

22 (1) Outreach to families affected by a specified  
23 hurricane disaster in order to facilitate such families  
24 in enrolling displaced students in school.

1           (2) Hiring additional teachers, paraprofes-  
2           sionals, and pupil services personnel required due to  
3           the enrollment of such students.

4           (3) Procurement of additional equipment and  
5           classroom supplies required due to the enrollment of  
6           such students.

7           (4) Procurement of additional classroom space  
8           required due to the enrollment of such students.

9           (5) Transportation services provided to such  
10          students.

11          (6) Counseling and other mental health services  
12          for such students.

13          (d) APPLICATION.—No local educational agency may  
14          receive a grant under this section unless the local edu-  
15          cational agency submits an application to the Secretary  
16          at such time, in such manner, and containing or accom-  
17          panied by such information as the Secretary may reason-  
18          ably require.

19          (e) SCHOOL LUNCHES.—Notwithstanding any other  
20          provision of law, a displaced student is deemed eligible for  
21          free lunches under section 9 of the Richard B. Russell Na-  
22          tional School Lunch Act (42 U.S.C. 1758).

23          (f) REPORTS.—6 months after the date of the enact-  
24          ment of this Act, and every 6 months thereafter, the Sec-  
25          retary of Education shall submit reports to the appro-

1 priate committees of the Congress concerning the imple-  
2 mentation of this section.

3 (g) DEFINITIONS.—For purposes of this section:

4 (1) The term “child” means any person within  
5 the age limits for which the State in which the per-  
6 son is located provides free public education.

7 (2) The term “displaced student” means a child  
8 who—

9 (A) is a homeless child or youth (as de-  
10 fined in section 725 of the McKinney-Vento  
11 Homeless Assistance Act (42 U.S.C. 11434a));

12 (B) but for a specified hurricane disaster,  
13 would be enrolled during a school year in an el-  
14 elementary or secondary school in a State;

15 (C) is unable, due to such disaster, to ac-  
16 cess the education and pupil services that the  
17 child otherwise would be receiving at such  
18 school; and

19 (D) due to such disaster, is enrolled at a  
20 public elementary or secondary school in a dif-  
21 ferent geographic location in a State.

22 (3) The term “local educational agency” has  
23 the meaning given such term in section 9101 of the  
24 Elementary and Secondary Education Act of 1965  
25 (8 U.S.C. 7801).

1           (4) The terms “pupil services” and “pupil serv-  
2           ices personnel” have the meanings given such terms  
3           in section 9101 of the Elementary and Secondary  
4           Education Act of 1965 (8 U.S.C. 7801).

5           (5) The term “specified hurricane disaster”  
6           means any major disaster resulting from Hurricane  
7           Katrina declared by the President under the Robert  
8           T. Stafford Disaster and Emergency Assistance Act  
9           (42 U.S.C. 5121 et seq.).

10          (6) The term “State” has the meaning given  
11          such term in section 9101 of the Elementary and  
12          Secondary Education Act of 1965 (8 U.S.C. 7801).

13          (h) AUTHORIZATION OF APPROPRIATIONS.—To carry  
14          out this section, there are authorized to be appropriated  
15          such sums as may be necessary for fiscal years 2005 and  
16          2006. Amounts made available under the preceding sen-  
17          tence for fiscal year 2005 shall remain available for ex-  
18          penditure during fiscal year 2006.

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