

111TH CONGRESS
1ST SESSION

S. 242

To amend the Elementary and Secondary Education Act of 1965 to specify the purposes for which funds provided under part A of title I of that Act may be used.

IN THE SENATE OF THE UNITED STATES

JANUARY 14, 2009

Mrs. FEINSTEIN (for herself and Mr. ENSIGN) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Elementary and Secondary Education Act of 1965 to specify the purposes for which funds provided under part A of title I of that Act may be used.

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 “Title I Education
5 Funding Integrity Act of 2009”.

6 **SEC. 2. DIRECT AND INDIRECT INSTRUCTIONAL SERVICES.**

7 Subpart 1 of part A of title I of the Elementary and
8 Secondary Education Act of 1965 (20 U.S.C. 6311 et
9 seq.) is amended by adding at the end the following:

1 **“SEC. 1120C. DIRECT AND INDIRECT INSTRUCTIONAL SERV-**
 2 **ICES.**

3 “(a) IN GENERAL.—

4 “(1) USE OF FUNDS.—Notwithstanding any
 5 other provision of this Act, a local educational agen-
 6 cy shall use funds received under this part only for
 7 direct instructional services and indirect instruc-
 8 tional services.

9 “(2) LIMITATION ON INDIRECT INSTRUCTIONAL
 10 SERVICES.—A local educational agency may use not
 11 more than 10 percent of funds received under this
 12 part for indirect instructional services.

13 “(b) INSTRUCTIONAL SERVICES.—

14 “(1) DIRECT INSTRUCTIONAL SERVICES.—In
 15 this section, the term ‘direct instructional services’
 16 means—

17 “(A) the implementation of instructional
 18 interventions and corrective actions to improve
 19 student achievement;

20 “(B) the extension of academic instruction
 21 beyond the normal school day and year, includ-
 22 ing during summer school;

23 “(C) the employment of teachers and other
 24 instructional personnel, including providing
 25 teachers and instructional personnel with em-
 26 ployee benefits;

1 “(D) the provision of instructional services
2 to prekindergarten children to prepare such
3 children for the transition to kindergarten;

4 “(E) the purchase of instructional re-
5 sources, such as books, materials, computers,
6 other instructional equipment, and wiring to
7 support instructional equipment;

8 “(F) the development and administration
9 of curricula, educational materials, and assess-
10 ments;

11 “(G) the transportation of students to as-
12 sist the students in improving academic achieve-
13 ment;

14 “(H) the employment of title I coordina-
15 tors, including providing title I coordinators
16 with employee benefits; and

17 “(I) the provision of professional develop-
18 ment for teachers and other instructional per-
19 sonnel.

20 “(2) INDIRECT INSTRUCTIONAL SERVICES.—In
21 this section, the term ‘indirect instructional services’
22 includes—

23 “(A) the purchase or provision of facilities
24 maintenance, gardening, landscaping, or jani-
25 torial services, or the payment of utility costs;

1 “(B) the payment of travel and attendance
2 costs at conferences or other meetings;

3 “(C) the payment of legal services;

4 “(D) the payment of business services, in-
5 cluding payroll, purchasing, accounting, and
6 data processing costs; and

7 “(E) any other services determined appro-
8 priate by the Secretary that indirectly improve
9 student achievement.”.

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