

114TH CONGRESS  
1ST SESSION

# H. R. 3421

To allow a State to submit a declaration of intent to the Secretary of Education to combine certain funds to improve the academic achievement of students.

---

## IN THE HOUSE OF REPRESENTATIVES

JULY 29, 2015

Mr. WALKER (for himself, Mr. DESANTIS, Mr. YOHIO, Mr. DUNCAN of South Carolina, Mr. SESSIONS, Mr. CHAFFETZ, Mr. BURGESS, Mr. GOSAR, Mr. COOK, Mr. HUELSKAMP, Mr. OLSON, Mr. BLUM, Mrs. LOVE, Mr. JODY B. HICE of Georgia, Mr. BRAT, Mr. LOUDERMILK, Mr. MEADOWS, Mr. RIBBLE, Mr. HUDSON, Mr. COFFMAN, Mr. HENSARLING, Mr. STEWART, Mr. DUNCAN of Tennessee, Mr. PALMER, Mr. BUCK, Mr. WEBSTER of Florida, Mr. BABIN, Mr. SALMON, Mr. MULVANEY, Mr. HULTGREN, Mr. BRADY of Texas, Mr. RATCLIFFE, Mr. AUSTIN SCOTT of Georgia, Mr. JORDAN, Mr. FRANKS of Arizona, Mr. LAMBORN, Mr. ROGERS of Alabama, Mr. WOODALL, Mr. MCCLINTOCK, Mr. SAM JOHNSON of Texas, Mr. LABRADOR, Mr. GOHMERT, Mr. MCCAUL, Mr. ROUZER, Mr. PALAZZO, Mr. MESSER, and Mr. CONAWAY) introduced the following bill; which was referred to the Committee on Education and the Workforce

---

## A BILL

To allow a State to submit a declaration of intent to the Secretary of Education to combine certain funds to improve the academic achievement of students.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE; PURPOSE; DEFINITIONS.**

2 (a) **SHORT TITLE.**—This Act may be cited as the  
3 “Academic Partnerships Lead Us to Success” or the “A  
4 PLUS Act”.

5 (b) **PURPOSE.**—The purposes of this Act are as fol-  
6 lows:

7 (1) To give States and local communities added  
8 flexibility to determine how to improve academic  
9 achievement and implement education reforms.

10 (2) To reduce the administrative costs and com-  
11 pliance burden of Federal education programs in  
12 order to focus Federal resources on improving aca-  
13 demic achievement.

14 (3) To ensure that States and communities are  
15 accountable to the public for advancing the academic  
16 achievement of all students, especially disadvantaged  
17 children.

18 (c) **DEFINITIONS.**—

19 (1) **IN GENERAL.**—Except as otherwise pro-  
20 vided, the terms used in this Act have the meanings  
21 given the terms in section 9101 of the Elementary  
22 and Secondary Education Act of 1965 (20 U.S.C.  
23 7801 et seq.).

24 (2) **OTHER TERMS.**—In this Act:

25 (A) **ACCOUNTABILITY.**—The term “ac-  
26 countability” means that public schools are an-

1 swerable to parents and other taxpayers for the  
2 use of public funds and shall report student  
3 progress to parents and taxpayers regularly.

4 (B) DECLARATION OF INTENT.—The term  
5 “declaration of intent” means a decision by a  
6 State, as determined by State Authorizing Offi-  
7 cials or by referendum, to assume full manage-  
8 ment responsibility for the expenditure of Fed-  
9 eral funds for certain eligible programs for the  
10 purpose of advancing, on a more comprehensive  
11 and effective basis, the educational policy of  
12 such State.

13 (C) STATE.—The term “State” has the  
14 meaning given such term in section 1122(e) of  
15 the Elementary and Secondary Education Act  
16 of 1965 (20 U.S.C. 6332(e)).

17 (D) STATE AUTHORIZING OFFICIALS.—The  
18 term “State Authorizing Officials” means the  
19 State officials who shall authorize the submis-  
20 sion of a declaration of intent, and any amend-  
21 ments thereto, on behalf of the State. Such offi-  
22 cials shall include not less than 2 of the fol-  
23 lowing:

24 (i) The governor of the State.

1 (ii) The highest elected education offi-  
2 cial of the State, if any.

3 (iii) The legislature of the State.

4 (E) STATE DESIGNATED OFFICER.—The  
5 term “State Designated Officer” means the  
6 person designated by the State Authorizing Of-  
7 ficials to submit to the Secretary, on behalf of  
8 the State, a declaration of intent, and any  
9 amendments thereto, and to function as the  
10 point-of-contact for the State for the Secretary  
11 and others relating to any responsibilities aris-  
12 ing under this Act.

13 **SEC. 2. DECLARATION OF INTENT.**

14 (a) IN GENERAL.—Each State is authorized to sub-  
15 mit to the Secretary a declaration of intent permitting the  
16 State to receive Federal funds on a consolidated basis to  
17 manage the expenditure of such funds to advance the edu-  
18 cational policy of the State.

19 (b) PROGRAMS ELIGIBLE FOR CONSOLIDATION AND  
20 PERMISSIBLE USE OF FUNDS.—

21 (1) SCOPE.—A State may choose to include  
22 within the scope of the State’s declaration of intent  
23 any program for which Congress makes funds avail-  
24 able to the State if the program is for a purpose de-  
25 scribed in the Elementary and Education Secondary

1 Act of 1965 (20 U.S.C. 6301). A State may not in-  
2 clude any program funded pursuant to the Individ-  
3 uals with Disabilities Education Act (20 U.S.C.  
4 1400 et seq.).

5 (2) USES OF FUNDS.—Funds made available to  
6 a State pursuant to a declaration of intent under  
7 this Act shall be used for any educational purpose  
8 permitted by State law of the State submitting a  
9 declaration of intent.

10 (3) REMOVAL OF FISCAL AND ACCOUNTING  
11 BARRIERS.—Each State educational agency that op-  
12 erates under a declaration of intent under this Act  
13 shall modify or eliminate State fiscal and accounting  
14 barriers that prevent local educational agencies and  
15 schools from easily consolidating funds from other  
16 Federal, State, and local sources in order to improve  
17 educational opportunities and reduce unnecessary  
18 fiscal and accounting requirements.

19 (c) CONTENTS OF DECLARATION.—Each declaration  
20 of intent shall contain—

21 (1) a list of eligible programs that are subject  
22 to the declaration of intent;

23 (2) an assurance that the submission of the  
24 declaration of intent has been authorized by the

1 State Authorizing Officials, specifying the identity of  
2 the State Designated Officer;

3 (3) the duration of the declaration of intent;

4 (4) an assurance that the State will use fiscal  
5 control and fund accounting procedures;

6 (5) an assurance that the State will meet the  
7 requirements of applicable Federal civil rights laws  
8 in carrying out the declaration of intent and in con-  
9 solidating and using the funds under the declaration  
10 of intent;

11 (6) an assurance that in implementing the dec-  
12 laration of intent the State will seek to advance edu-  
13 cational opportunities for the disadvantaged;

14 (7) a description of the plan for maintaining di-  
15 rect accountability to parents and other citizens of  
16 the State; and

17 (8) an assurance that in implementing the dec-  
18 laration of intent, the State will seek to use Federal  
19 funds to supplement, rather than supplant, State  
20 education funding.

21 (d) DURATION.—The duration of the declaration of  
22 intent shall not exceed 5 years.

23 (e) REVIEW AND RECOGNITION BY THE SEC-  
24 RETARY.—

1           (1) IN GENERAL.—The Secretary shall review  
2           the declaration of intent received from the State  
3           Designated Officer not more than 60 days after the  
4           date of receipt of such declaration, and shall recog-  
5           nize such declaration of intent unless the declaration  
6           of intent fails to meet the requirements under sub-  
7           section (c).

8           (2) RECOGNITION BY OPERATION OF LAW.—If  
9           the Secretary fails to take action within the time  
10          specified in paragraph (1), the declaration of intent,  
11          as submitted, shall be deemed to be approved.

12          (f) AMENDMENT TO DECLARATION OF INTENT.—

13               (1) IN GENERAL.—The State Authorizing Offi-  
14               cials may direct the State Designated Officer to sub-  
15               mit amendments to a declaration of intent that is in  
16               effect. Such amendments shall be submitted to the  
17               Secretary and considered by the Secretary in accord-  
18               ance with subsection (e).

19               (2) AMENDMENTS AUTHORIZED.—A declaration  
20               of intent that is in effect may be amended to—

21                       (A) expand the scope of such declaration of  
22                       intent to encompass additional eligible pro-  
23                       grams;

24                       (B) reduce the scope of such declaration of  
25                       intent by excluding coverage of a Federal pro-

1           gram included in the original declaration of in-  
2           tent;

3           (C) modify the duration of such declara-  
4           tion of intent; or

5           (D) achieve such other modifications as the  
6           State Authorizing Officials deem appropriate.

7           (3) EFFECTIVE DATE.—The amendment shall  
8           specify an effective date. Such effective date shall  
9           provide adequate time to assure full compliance with  
10          Federal program requirements relating to an eligible  
11          program that has been removed from the coverage of  
12          the declaration of intent by the proposed amend-  
13          ment.

14          (4) TREATMENT OF PROGRAM FUNDS WITH-  
15          DRAWN FROM DECLARATION OF INTENT.—Begin-  
16          ning on the effective date of an amendment executed  
17          under paragraph (2)(B), each program requirement  
18          of each program removed from the declaration of in-  
19          tent shall apply to the State's use of funds made  
20          available under the program.

21 **SEC. 3. TRANSPARENCY FOR RESULTS OF PUBLIC EDU-**  
22 **CATION.**

23          (a) IN GENERAL.—Each State operating under a  
24          declaration of intent under this Act shall inform parents  
25          and the general public regarding the student achievement

1 assessment system, demonstrating student progress rel-  
 2 ative to the State's determination of student proficiency,  
 3 as described in paragraph (2), for the purpose of public  
 4 accountability to parents and taxpayers.

5 (b) ACCOUNTABILITY SYSTEM.—The State shall de-  
 6 termine and establish an accountability system to ensure  
 7 accountability under this Act.

8 (c) REPORT ON STUDENT PROGRESS.—Not later  
 9 than 1 year after the effective date of the declaration of  
 10 intent, and annually thereafter, a State shall disseminate  
 11 widely to parents and the general public a report that de-  
 12 scribes student progress. The report shall include—

13 (1) student performance data disaggregated in  
 14 the same manner as data are disaggregated under  
 15 section 1111(b)(3)(A) of the Elementary and Sec-  
 16 ondary Education Act of 1965 (20 U.S.C.  
 17 6311(b)(3)(A)); and

18 (2) a description of how the State has used  
 19 Federal funds to improve academic achievement, re-  
 20 duce achievement disparities between various stu-  
 21 dent groups, and improve educational opportunities  
 22 for the disadvantaged.

23 **SEC. 4. ADMINISTRATIVE EXPENSES.**

24 (a) IN GENERAL.—Except as provided in subsection  
 25 (b), the amount that a State with a declaration of intent

1 may expend for administrative expenses shall be limited  
2 to 1 percent of the aggregate amount of Federal funds  
3 made available to the State through the eligible programs  
4 included within the scope of such declaration of intent.

5 (b) STATES NOT CONSOLIDATING FUNDS UNDER  
6 PART A OF TITLE I.—If the declaration of intent does  
7 not include within its scope part A of title I of the Elemen-  
8 tary and Secondary Education Act of 1965 (20 U.S.C.  
9 6311 et seq.), the amount spent by the State on adminis-  
10 trative expenses shall be limited to 3 percent of the aggre-  
11 gate amount of Federal funds made available to the State  
12 pursuant to such declaration of intent.

13 **SEC. 5. EQUITABLE PARTICIPATION OF PRIVATE SCHOOLS.**

14 Each State consolidating and using funds pursuant  
15 to a declaration of intent under this Act shall provide for  
16 the participation of private school children and teachers  
17 in the activities assisted under the declaration of intent  
18 in the same manner as participation is provided to private  
19 school children and teachers under section 9501 of the El-  
20 ementary and Secondary Education Act of 1965 (20  
21 U.S.C. 7881).

