

115TH CONGRESS
2D SESSION

H. R. 6526

To establish an Office of Rural Education Policy in the Department of Education, make other modifications to Federal law to improve rural schools, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 25, 2018

Mr. LOEBSACK introduced the following bill; which was referred to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To establish an Office of Rural Education Policy in the Department of Education, make other modifications to Federal law to improve rural schools, 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 “Restructuring Under-
5 utilized Resources for Advancing Learning Act” or the
6 “RURAL Act”.

1 **SEC. 2. FINDINGS AND PURPOSES.**

2 (a) FINDINGS.—The Congress finds the following:

3 (1) Rural schools have unique challenges and
4 benefits.

5 (2) More than 33 percent of regular elementary
6 and secondary public schools nationwide are in loca-
7 tions classified as rural. As of the 2010–2011 school
8 year, more than 20 percent of public school students
9 were enrolled in rural school districts.

10 (3) In rural areas of the United States,
11 6,100,000 children live in poverty.

12 (4) Among children living in rural areas, 24
13 percent live in poverty, compared to 20 percent
14 among nonrural children.

15 (5) Rural schools have fewer financial resources
16 than nonrural schools, largely as a result of dimin-
17 ished local property tax bases and inequitable dis-
18 tributions of State funds.

19 (6) There is a substantial pay gap for teachers
20 and administrators in rural school districts. Rural
21 teachers and administrators in the U.S. earn about
22 \$10,000 less than their counterparts in nonrural
23 schools.

24 (7) Rural schools have difficulty recruiting and
25 retaining teachers. A recent survey of rural school
26 superintendents suggests low salaries combined with

1 social and geographic isolation are the primary fac-
2 tors responsible for difficulties recruiting and retain-
3 ing teachers.

4 (8) Low literacy rates among parents in poor
5 rural communities affect the early language develop-
6 ment and educational aspirations of children.

7 (9) Investing in after-school programs helps
8 children in rural communities break out of the cycle
9 of poverty and creates opportunities for at-risk
10 youth.

11 (10) In areas in which resources are limited,
12 after-school programs are often the only source of
13 supplemental enrichment in literacy, nutrition edu-
14 cation, technology, and preparation for college and
15 entrance exams.

16 (11) Children attending rural schools have the
17 lowest median per-student funding for after-school
18 programs under the 21st Century Community
19 Learning Center Program under part B of title IV
20 of the Elementary and Secondary Education Act of
21 1965 (20 U.S.C. 7171 et seq.), as compared to chil-
22 dren attending urban and suburban schools.

23 (b) PURPOSES.—The purposes of this Act are—

24 (1) to establish an Office of Rural Education
25 Policy in the Department of Education;

1 (2) to provide input to the Secretary of Edu-
 2 cation regarding the impact of proposed changes in
 3 law, regulations, policies, rules, and budgets on rural
 4 schools and communities;

5 (3) to provide a tax incentive to individuals
 6 teaching in elementary and secondary schools lo-
 7 cated in rural or high unemployment areas and to
 8 individuals who achieve certification from the Na-
 9 tional Board for Professional Teaching Standards;
 10 and

11 (4) to enhance after-school programs in rural
 12 areas by helping communities establish after-school
 13 programs and improve existing programs by over-
 14 coming barriers to service.

15 **TITLE I—INCENTIVES TO**
 16 **EDUCATE AMERICAN CHILDREN**

17 **SEC. 101. REFUNDABLE TAX CREDIT FOR EDUCATORS AND**
 18 **SCHOOL LEADERS IN ELEMENTARY AND SEC-**
 19 **ONDARY SCHOOLS LOCATED IN HIGH POV-**
 20 **ERTY OR RURAL AREAS.**

21 (a) IN GENERAL.—Subpart C of part IV of sub-
 22 chapter A of chapter 1 of the Internal Revenue Code of
 23 1986 is amended by inserting after section 36B the fol-
 24 lowing new section:

1 **“SEC. 36C. TAX CREDIT FOR EDUCATORS AND SCHOOL**
2 **LEADERS IN ELEMENTARY AND SECONDARY**
3 **SCHOOLS LOCATED IN HIGH POVERTY OR**
4 **RURAL AREAS.**

5 “(a) ALLOWANCE OF CREDIT.—In the case of an eli-
6 gible teacher or school leader, there shall be allowed as
7 a credit against the tax imposed by this subtitle for the
8 taxable year an amount equal to the applicable amount
9 for the eligible academic year ending during such taxable
10 year.

11 “(b) APPLICABLE AMOUNT.—For purposes of this
12 section—

13 “(1) TEACHERS IN SCHOOLS IN RURAL AREAS
14 OR SCHOOLS WITH HIGH POVERTY.—

15 “(A) IN GENERAL.—In the case of an eligi-
16 ble teacher who performs services in a public
17 kindergarten or a public elementary or sec-
18 ondary school described in subparagraph (B)
19 during the eligible academic year, the applicable
20 amount is \$1,000.

21 “(B) SCHOOL DESCRIBED.—A public kin-
22 dergarten or a public elementary or secondary
23 school is described in this subparagraph if—

24 “(i) at least 75 percent of the stu-
25 dents attending such kindergarten or
26 school receive free or reduced-cost lunches

1 under the school lunch program established
2 under the Richard B. Russell National
3 School Lunch Act, or

4 “(ii) such kindergarten or school is
5 designated with a school locale code of 32,
6 33, 41, 42, or 43, as determined by the
7 Secretary of Education.

8 “(2) CERTIFIED TEACHERS.—In the case of an
9 eligible teacher who is described in paragraph (1)
10 and who is certified by the National Board for Pro-
11 fessional Teaching Standards for the eligible aca-
12 demic year, paragraph (1)(A) shall be applied by
13 substituting ‘\$2,000’ for ‘\$1,000’.

14 “(3) ELIGIBLE SCHOOL LEADERS IN SCHOOLS
15 IN RURAL AREAS.—In the case of an eligible school
16 leader who serves in a public kindergarten or a pub-
17 lic elementary or secondary school described in para-
18 graph (1)(B)(ii), paragraph (1)(A) shall be applied
19 by substituting ‘\$2,000’ for ‘\$1,000’.

20 “(c) ELIGIBLE TEACHER.—For purposes of this sec-
21 tion, the term ‘eligible teacher’ means, for any eligible aca-
22 demic year, an individual who is a kindergarten through
23 grade 12 classroom teacher or instructor in a public kin-
24 dergarten or a public elementary or secondary school on
25 a full-time basis for such eligible academic year.

1 “(d) ELIGIBLE SCHOOL LEADER.—For purposes of
 2 this section, the term ‘eligible school leader’ means, for
 3 any eligible academic year, an individual who, on a full-
 4 time basis for such eligible academic year, is a kinder-
 5 garten through grade 12 principal or assistant principal
 6 in a public kindergarten or a public elementary or is a
 7 school superintendent or other administrator employed by
 8 a local educational agency.

9 “(e) ADDITIONAL DEFINITIONS.—For purposes of
 10 this section—

11 “(1) ELEMENTARY AND SECONDARY SCHOOLS;
 12 LOCAL EDUCATIONAL AGENCY.—The terms ‘elemen-
 13 tary school’, ‘secondary school’, and ‘local edu-
 14 cational agency’ have the respective meanings given
 15 such terms by section 9101 of the Elementary and
 16 Secondary Education Act of 1965.

17 “(2) ELIGIBLE ACADEMIC YEAR.—The term ‘el-
 18 igible academic year’ means any academic year end-
 19 ing in a taxable year beginning after December 31,
 20 2017.”.

21 (b) CONFORMING AMENDMENTS.—

22 (1) Paragraph (2) of section 1324(b) of title
 23 31, United States Code, is amended by inserting “,
 24 36C” after “36B”.

1 (2) The table of sections for subpart C of part
 2 IV of subchapter A of chapter 1 of the Internal Rev-
 3 enue Code of 1986 is amended by inserting after the
 4 item relating to section 36B the following new item:

“Sec. 36C. Tax credit for educators and school leaders in elementary and sec-
 ondary schools located in high poverty or rural areas.”.

5 (c) EFFECTIVE DATE.—The amendments made by
 6 this section shall apply to academic years ending in tax-
 7 able years beginning after December 31, 2017.

8 **TITLE II—OFFICE OF RURAL** 9 **EDUCATION POLICY**

10 **SEC. 201. ESTABLISHMENT OF OFFICE OF RURAL EDU-** 11 **CATION POLICY.**

12 (a) IN GENERAL.—Title II of the Department of
 13 Education Organization Act (20 U.S.C. 3411 et seq.) is
 14 amended by adding at the end the following:

15 **“SEC. 221. OFFICE OF RURAL EDUCATION POLICY.**

16 “(a) IN GENERAL.—There shall be, in the Office of
 17 Elementary and Secondary Education of the Department,
 18 an Office of Rural Education Policy (referred to in this
 19 section as the ‘Office’).

20 “(b) DIRECTOR; DUTIES.—

21 “(1) IN GENERAL.—The Office shall be headed
 22 by a Director, who shall advise the Secretary on the
 23 characteristics and needs of rural schools and the ef-
 24 fects of current policies and proposed statutory, reg-

1 ulatory, administrative, and budgetary changes on
2 State educational agencies, and local educational
3 agencies, that serve schools with a locale code of 32,
4 33, 41, 42, or 43, as determined by the Secretary.

5 “(2) ADDITIONAL DUTIES OF THE DIRECTOR.—

6 In addition to advising the Secretary with respect to
7 the matters described in paragraph (1), the Director
8 of the Office of Rural Education Policy (referred to
9 in this section as the ‘Director’), through the Office,
10 shall—

11 “(A) establish and maintain a clearing-
12 house for collecting and disseminating informa-
13 tion on—

14 “(i) teacher and principal recruitment
15 and retention at rural elementary schools
16 and rural secondary schools;

17 “(ii) access to, and implementation
18 and use of, technology and distance learn-
19 ing at such schools;

20 “(iii) rigorous coursework delivery
21 through distance learning at such schools;

22 “(iv) student achievement at such
23 schools, including the achievement of low-
24 income and minority students;

1 “(v) innovative approaches in rural
2 education to increase student achievement;

3 “(vi) higher education and career
4 readiness and secondary school completion
5 of students enrolled in such schools;

6 “(vii) access to, and quality of, early
7 childhood development for children located
8 in rural areas;

9 “(viii) access to, or partnerships with,
10 community-based organizations in rural
11 areas;

12 “(ix) the availability of professional
13 development opportunities for rural teach-
14 ers and principals;

15 “(x) the availability of Federal and
16 other grants and assistance that are spe-
17 cifically geared or applicable to rural
18 schools; and

19 “(xi) the financing of such schools;

20 “(B) identify innovative research and dem-
21 onstration projects on topics of importance to
22 rural elementary schools and rural secondary
23 schools, including gaps in such research, and
24 recommend such topics for study by the Insti-

1 tute of Education Sciences and other research
2 agencies;

3 “(C) coordinate the activities within the
4 Department that relate to rural education;

5 “(D) provide information to the Secretary
6 and others in the Department with respect to
7 the activities of other Federal departments and
8 agencies that relate to rural education, includ-
9 ing activities relating to rural housing, rural ag-
10 ricultural services, rural transportation, rural
11 economic development, rural career and tech-
12 nical training, rural health care, rural disability
13 services, and rural mental health;

14 “(E) coordinate with the Bureau of Indian
15 Education, the Bureau of Indian Affairs, the
16 Department of the Interior, and the schools ad-
17 ministered by such agencies regarding rural
18 education;

19 “(F) provide, directly or through grants,
20 cooperative agreements, or contracts, technical
21 assistance and other activities as necessary to
22 support activities related to improving edu-
23 cation in rural areas; and

24 “(G) produce an annual report on the con-
25 dition of rural education that is delivered to the

1 members of the Education and the Workforce
2 Committee of the House of Representatives and
3 the Health, Education, Labor, and Pensions
4 Committee of the Senate and published on the
5 Department's Web site.

6 “(c) IMPACT ANALYSES OF RULES AND REGULA-
7 TIONS ON RURAL SCHOOLS.—

8 “(1) PROPOSED RULEMAKING.—Whenever the
9 Secretary publishes a general notice of proposed
10 rulemaking for any rule or regulation that may have
11 a significant impact on State educational agencies or
12 local educational agencies serving schools with a lo-
13 cale code of 32, 33, 41, 42, or 43, as determined by
14 the Secretary, the Secretary (acting through the Di-
15 rector) shall prepare and make available for public
16 comment an initial regulatory impact analysis. Such
17 analysis shall describe the impact of the proposed
18 rule or regulation on such State educational agencies
19 and local educational agencies and shall set forth,
20 with respect to such agencies, the matters required
21 under section 603 of title 5, United States Code, to
22 be set forth with respect to small entities. The initial
23 regulatory impact analysis (or a summary) shall be
24 published in the Federal Register at the time of the

1 publication of general notice of proposed rulemaking
2 for the rule or regulation.

3 “(2) FINAL RULE.—Whenever the Secretary
4 promulgates a final version of a rule or regulation
5 with respect to which an initial regulatory impact
6 analysis is required by paragraph (1), the Secretary
7 (acting through the Director) shall prepare a final
8 regulatory impact analysis with respect to the final
9 version of such rule or regulation. Such analysis
10 shall set forth, with respect to State educational
11 agencies and local educational agencies serving
12 schools with a locale code of 32, 33, 41, 42, or 43,
13 as determined by the Secretary, the matters required
14 under section 604 of title 5, United States Code, to
15 be set forth with respect to small entities. The Sec-
16 retary shall make copies of the final regulatory im-
17 pact analysis available to the public and shall pub-
18 lish, in the Federal Register at the time of publica-
19 tion of the final version of the rule or regulation, a
20 statement describing how a member of the public
21 may obtain a copy of such analysis.

22 “(3) REGULATORY FLEXIBILITY ANALYSIS.—If
23 a regulatory flexibility analysis is required by chap-
24 ter 6 of title 5, United States Code, for a rule or
25 regulation to which this subsection applies, such

1 analysis shall specifically address the impact of the
 2 rule or regulation on State educational agencies and
 3 local educational agencies serving schools with a lo-
 4 cale code of 32, 33, 41, 42, or 43, as determined by
 5 the Secretary.”.

6 (b) EFFECTIVE DATE.—Section 221(c) of the De-
 7 partment of Education Organization Act, as added by sub-
 8 section (a), shall apply to regulations proposed more than
 9 30 days after the date of the enactment of this Act.

10 **TITLE III—EXPANDED LEARNING** 11 **OPPORTUNITIES**

12 **SEC. 401. EXPANDED LEARNING OPPORTUNITIES.**

13 Subtitle D of the Consolidated Farm and Rural De-
 14 velopment Act is amended by inserting after section 365
 15 (7 U.S.C. 2008) the following:

16 **“SEC. 366. EXPANDED LEARNING OPPORTUNITIES.**

17 “(a) PURPOSE.—The purpose of this section is to en-
 18 hance expanded learning time opportunities in rural areas
 19 by helping communities—

20 “(1) establish expanded learning time opportu-
 21 nities, including after-school programs; and

22 “(2) improve existing programs by overcoming
 23 barriers to service.

24 “(b) DEFINITIONS.—In this section:

1 “(1) ELIGIBLE ENTITY.—The term ‘eligible en-
2 tity’ means a local educational agency (as such term
3 is defined in section 8101 of the Elementary and
4 Secondary Education Act of 1965 (20 U.S.C.
5 7801)), educational service agency, community-based
6 organization, public or private entity, or a consor-
7 tium of 2 or more such agencies, organizations, or
8 entities.

9 “(2) EXPANDED LEARNING TIME.—The term
10 ‘expanded learning time’ means expanding a school
11 day, week, or year schedule to significantly increase
12 the total number of school hours, in order to include
13 additional time for—

14 “(A) instruction and enrichment in core
15 academic subjects, other academic subjects, and
16 other activities that contribute to a well-round-
17 ed education; and

18 “(B) instructional and support staff to col-
19 laborate, plan, and engage in professional devel-
20 opment (including professional development on
21 family and community engagement) within and
22 across grades and subjects.

23 “(3) RURAL AREA.—The term ‘rural area’
24 means an area that is served by an elementary or
25 secondary school that is designated with a school lo-

1 cale code of 32, 33, 41, 42, or 43, as determined by
2 the Secretary of Education.

3 “(c) GRANTS.—

4 “(1) IN GENERAL.—The Secretary shall make
5 grants to eligible entities to improve, expand, or es-
6 tablish expanded learning time programs and after-
7 school programs (taking place during non-school
8 hours), in rural areas.

9 “(2) REQUIREMENT.—Each grant under this
10 section shall be in an amount of not less than
11 \$25,000.

12 “(d) DURATION.—

13 “(1) TERM OF GRANT.—The term of a grant
14 under this section may not be for less than 3 years.

15 “(2) RENEWAL.—The Secretary may renew a
16 grant under this section for a period of not less than
17 3 years, based on the performance of the eligible en-
18 tity during the previous grant term.

19 “(e) USES.—As a condition of the receipt of a grant
20 under this section, an eligible entity shall use the grant
21 funds to carry out the activities described in subsection
22 (c)(1), including transportation, professional development,
23 training, recruitment and retention of staff, staff com-
24 pensation for additional hours worked, increasing access
25 to technology, and planning.

1 “(f) EVALUATION.—The Secretary may use not more
2 than 1 percent of the funds appropriated in a fiscal year
3 under subsection (k)—

4 “(1) to conduct evaluations of the effectiveness
5 of programs and activities carried out under sub-
6 section (c); and

7 “(2) to disseminate the results of those evalua-
8 tions for the purpose of refining, improving, and
9 strengthening programs.

10 “(g) OUTREACH, TRAINING, AND TECHNICAL AS-
11 SISTANCE.—The Secretary may use not more than 3 per-
12 cent of the funds appropriated in a fiscal year under sub-
13 section (k)—

14 “(1) to conduct outreach, including bidders’
15 conferences, to ensure widespread knowledge of the
16 availability of resources described in subsection (c);

17 “(2) to disseminate information on best prac-
18 tices and successful program models for serving chil-
19 dren and youth in rural areas; and

20 “(3) to provide capacity building, training, and
21 technical assistance to after-school programs and
22 providers in rural areas.

23 “(h) APPLICATION.—

24 “(1) IN GENERAL.—To be eligible to receive a
25 grant under this section, each eligible entity shall

1 submit to the Secretary an application at such time,
2 in such manner, and containing such information as
3 the Secretary may require.

4 “(2) CONTENTS.—An application submitted
5 pursuant to paragraph (1) shall include—

6 “(A) a description of the expanded learn-
7 ing time program to be funded, including—

8 “(i) an assurance that the program
9 will take place in a safe and easily acces-
10 sible facility;

11 “(ii) a description of how children and
12 youth participating in the program will
13 travel safely between the program site and
14 home;

15 “(iii) a description of how the eligible
16 entity will disseminate information about
17 the program, including the location of the
18 program, to the community in a manner
19 that is understandable and accessible;

20 “(iv)(I) a description of the services to
21 be provided to children and youth, which
22 may include—

23 “(aa) academic enrichment and
24 youth development activities;

1 “(bb) drug and violence preven-
2 tion programs;
3 “(cc) counseling programs;
4 “(dd) art, music, physical fitness,
5 and recreational programs;
6 “(ee) technology education pro-
7 grams;
8 “(ff) character education pro-
9 grams; and
10 “(gg) service-learning programs;
11 “(II) the roles and responsibilities of
12 the partners in providing such services;
13 and
14 “(III) how such services enhance an
15 existing expanded learning time program;
16 and
17 “(v) an assurance that the program
18 will provide a nutritious snack or meal that
19 meets nutrition standards established by
20 the Secretary;
21 “(B) an assurance that the proposed pro-
22 gram was developed, and will be carried out, in
23 active collaboration with the schools the stu-
24 dents attend;

1 “(C) an assurance that funds provided
2 under this section will be used to increase the
3 level of State, local, and other non-Federal
4 funds that would, in the absence of funds under
5 this section, be made available for programs
6 and activities authorized under this section, and
7 in no case supplant Federal, State, local, or
8 non-Federal funds;

9 “(D) a description of the partnership be-
10 tween a local educational agency, a community-
11 based organization, or another public entity or
12 private entity, if applicable; and

13 “(E) such additional assurances as the
14 Secretary determines to be necessary to ensure
15 compliance with this section.

16 “(i) PRIORITY.—The Secretary shall give priority to
17 applications that—

18 “(1) propose partnerships between 2 or more el-
19 igible entities; or

20 “(2) propose that a majority of the students
21 participating in the expanded learning time program
22 are eligible for free or reduced price school meals
23 under the Richard B. Russell National School Lunch
24 Act (42 U.S.C. 1751 et seq.) and section 4 of the
25 Child Nutrition Act of 1966 (42 U.S.C. 1773).

1 “(j) CONSTRUCTION.—Nothing in this Act shall be
2 construed to alter or otherwise affect the rights, remedies,
3 and procedures afforded to employees of a school or local
4 educational agency under Federal, State, or local laws (in-
5 cluding applicable regulations or court orders as well as
6 requirements that school districts negotiate and meet and
7 confer in good faith) or under the terms of collective bar-
8 gaining agreements, memoranda of understanding, or
9 other agreements between such employers and their em-
10 ployees.

11 “(k) AUTHORIZATION OF APPROPRIATIONS.—There
12 are authorized to be appropriated to carry out this sec-
13 tion—

14 “(1) \$25,000,000 for fiscal year 2019;

15 “(2) \$50,000,000 for fiscal year 2020; and

16 “(3) such sums as are necessary for each of fis-
17 cal years 2021 through 2023.”.

○