

Nolan
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Olson
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Paulsen
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Peterson
Petri
Pingree (ME)
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Marchant
McAllister
Nunnelee
Palazzo
Reed

Runyan
Rush
Schwartz
Scott, David
Smith (TX)
Whitfield
Williams
Young (AK)

□ 0958

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. GRANGER. Mr. Speaker, on rollcall No. 211, due to a previously scheduled, and very important, constituent event in my district, I will not be present for this vote. Had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Mrs. HARTZLER. Mr. Speaker, on Friday, May 9, 2014, I was unable to vote. Had I been present, I would have voted as follows: on rollcall No. 210, "nay," on rollcall No. 211, "yea."

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 4615

Mr. KING of New York. Mr. Speaker, I ask unanimous consent that the gentleman from California (Mr. PETERS) be removed as cosponsor of H.R. 4615.

The SPEAKER pro tempore (Mr. RODNEY DAVIS of Illinois). Is there objection to the request of the gentleman from New York?

There was no objection.

SUCCESS AND OPPORTUNITY THROUGH QUALITY CHARTER SCHOOLS ACT

The SPEAKER pro tempore. Pursuant to House Resolution 576 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 10.

Will the gentleman from Kansas (Mr. YODER) kindly take the chair.

□ 1000

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 10) to amend the charter school program under the Elementary and Secondary Education Act of 1965, with Mr. YODER (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Thursday, May 8, 2014, all time for general debate had expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on Education and the Workforce, printed in the bill, shall be considered as an original bill for the purpose of amendment under the 5-minute rule and shall be considered read.

The text of the committee amendment in the nature of a substitute is as follows:

H.R. 10

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Success and Opportunity through Quality Charter Schools Act".

SEC. 2. REFERENCES.

Except as otherwise specifically provided, whenever in this Act a section or other provision is amended or repealed, such amendment or re-

peal shall be considered to be made to that section or other provision of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.).

SEC. 3. SUBPART HEADING; PURPOSE.

(a) SUBPART HEADING.—The heading for subpart 1 of part B of title V (20 U.S.C. 7221 et seq.) is amended to read as follows: "**Charter School Program**".

(b) PURPOSE.—Section 5201 (20 U.S.C. 7221) is amended to read as follows:

"SEC. 5201. PURPOSE.

"It is the purpose of this subpart to—

"(1) improve the United States education system and education opportunities for all Americans by supporting innovation in public education in public school settings that prepare students to compete and contribute to the global economy;

"(2) provide financial assistance for the planning, program design, and initial implementation of charter schools;

"(3) expand the number of high-quality charter schools available to students across the Nation;

"(4) evaluate the impact of such schools on student achievement, families, and communities, and share best practices between charter schools and other public schools;

"(5) encourage States to provide support to charter schools for facilities financing in an amount more nearly commensurate to the amount the States have typically provided for traditional public schools;

"(6) improve student services to increase opportunities for students with disabilities, limited English proficient students, and other traditionally underserved students to attend charter schools and meet challenging State academic achievement standards;

"(7) support efforts to strengthen the charter school authorizing process to improve performance management, including transparency, oversight, monitoring, and evaluation of such schools; and

"(8) support quality accountability and transparency in the operational performance of all authorized public chartering agencies, which include State educational agencies, local educational agencies, and other authorizing entities."

SEC. 4. PROGRAM AUTHORIZED.

Section 5202 (20 U.S.C. 7221a) is amended to read as follows:

"SEC. 5202. PROGRAM AUTHORIZED.

"(a) IN GENERAL.—This subpart authorizes the Secretary to carry out a charter school program that supports charter schools that serve elementary school and secondary school students by—

"(1) supporting the startup of charter schools, and the replication and expansion of high-quality charter schools;

"(2) assisting charter schools in accessing credit to acquire and renovate facilities for school use; and

"(3) carrying out national activities to support—

"(A) charter school development;

"(B) the dissemination of best practices of charter schools for all schools;

"(C) the evaluation of the impact of the program on schools participating in the program; and

"(D) stronger charter school authorizing.

"(b) FUNDING ALLOTMENT.—From the amount made available under section 5211 for a fiscal year, the Secretary shall—

"(1) reserve 12.5 percent to support charter school facilities assistance under section 5204;

"(2) reserve not more than 10 percent to carry out national activities under section 5205; and

"(3) use the remaining amount after the Secretary reserves funds under paragraphs (1) and (2) to carry out section 5203.

"(c) PRIOR GRANTS AND SUBGRANTS.—The recipient of a grant or subgrant under this subpart or subpart 2, as such subpart was in effect

on the day before the date of enactment of the Success and Opportunity through Quality Charter Schools Act, shall continue to receive funds in accordance with the terms and conditions of such grant or subgrant.”.

SEC. 5. GRANTS TO SUPPORT HIGH-QUALITY CHARTER SCHOOLS.

Section 5203 (20 U.S.C. 7221b) is amended to read as follows:

“SEC. 5203. GRANTS TO SUPPORT HIGH-QUALITY CHARTER SCHOOLS.

“(a) **IN GENERAL.**—From the amount reserved under section 5202(b)(3), the Secretary shall award grants to State entities having applications approved pursuant to subsection (f) to enable such entities to—

“(1) award subgrants to eligible applicants for opening and preparing to operate—

“(A) new charter schools;

“(B) replicated, high-quality charter school models; or

“(C) expanded, high-quality charter schools; and

“(2) provide technical assistance to eligible applicants and authorized public chartering agencies in carrying out the activities described in paragraph (1) and work with authorized public chartering agencies in the State to improve authorizing quality.

“(b) **STATE USES OF FUNDS.**—

“(1) **IN GENERAL.**—A State entity receiving a grant under this section shall—

“(A) use not less than 90 percent of the grant funds to award subgrants to eligible applicants, in accordance with the quality charter school program described in the State entity’s application approved pursuant to subsection (f), for the purposes described in subparagraphs (A) through (C) of subsection (a)(1);

“(B) reserve not less than 7 percent of such funds to carry out the activities described in subsection (a)(2); and

“(C) reserve not more than 3 percent of such funds for administrative costs which may include technical assistance.

“(2) **CONTRACTS AND GRANTS.**—A State entity may use a grant received under this section to carry out the activities described in subparagraphs (A) and (B) of paragraph (1) directly or through grants, contracts, or cooperative agreements.

“(3) **RULE OF CONSTRUCTION.**—Nothing in this Act shall prohibit the Secretary from awarding grants to States that use a weighted lottery to give slightly better chances for admission to all, or a subset of, educationally disadvantaged students if—

“(A) the use of weighted lotteries in favor of such students is not prohibited by State law, and such State law is consistent with laws described in section 5210(1)(G); and

“(B) such weighted lotteries are not used for the purpose of creating schools exclusively to serve a particular subset of students.

“(c) **PROGRAM PERIODS; PEER REVIEW; GRANT NUMBER AND AMOUNT; DIVERSITY OF PROJECTS; WAIVERS.**—

“(1) **PROGRAM PERIODS.**—

“(A) **GRANTS.**—A grant awarded by the Secretary to a State entity under this section shall be for a period of not more than 5 years.

“(B) **SUBGRANTS.**—A subgrant awarded by a State entity under this section shall be for a period of not more than 5 years, of which an eligible applicant may use not more than 18 months for planning and program design.

“(2) **PEER REVIEW.**—The Secretary, and each State entity receiving a grant under this section, shall use a peer review process to review applications for assistance under this section.

“(3) **GRANT AWARDS.**—The Secretary shall—

“(A) for each fiscal year for which funds are appropriated under section 5211—

“(i) award not less than 3 grants under this section;

“(ii) wholly fund each grant awarded under this section, without making continuation awards; and

“(iii) fully obligate the funds appropriated for the purpose of awarding grants under this section in the fiscal year for which such grants are awarded; and

“(B) midway through the grant period of each grant awarded under this section to a State entity, review the grant to determine whether the State entity will meet the agreed upon uses of funds in the State entity’s application, and if not, reallocate the grant funds that will not be used for such agreed upon uses of funds to other State entities during the succeeding grant competition under this section.

“(4) **DIVERSITY OF PROJECTS.**—Each State entity receiving a grant under this section shall award subgrants under this section in a manner that, to the extent possible, ensures that such subgrants—

“(A) are distributed throughout different areas, including urban, suburban, and rural areas; and

“(B) will assist charter schools representing a variety of educational approaches.

“(5) **WAIVERS.**—The Secretary may waive any statutory or regulatory requirement over which the Secretary exercises administrative authority except any such requirement relating to the elements of a charter school described in section 5210(1), if—

“(A) the waiver is requested in an approved application under this section; and

“(B) the Secretary determines that granting such a waiver will promote the purpose of this subpart.

“(d) **LIMITATIONS.**—

“(1) **GRANTS.**—A State entity may not receive more than 1 grant under this section for a 5-year period.

“(2) **SUBGRANTS.**—An eligible applicant may not receive more than 1 subgrant under this section per individual charter school for a 5-year period, unless the eligible applicant demonstrates to the State entity not less than 3 years of improved educational results in the areas described in subparagraphs (A) and (D) of section 5210(8) for students enrolled in such charter school.

“(e) **APPLICATIONS.**—A State entity desiring to receive a grant under this section shall submit an application to the Secretary at such time and in such manner as the Secretary may require. The application shall include the following:

“(1) **DESCRIPTION OF PROGRAM.**—A description of the State entity’s objectives under this section and how the objectives of the program will be carried out, including a description—

“(A) of how the State entity—

“(i) will support the opening of new charter schools, replicated, high-quality charter school models, or expanded, high-quality charter schools, and a description of the proposed number of each type of charter school or model, if applicable, to be opened under the State entity’s program;

“(ii) will inform eligible charter schools, developers, and authorized public chartering agencies of the availability of funds under the program;

“(iii) will work with eligible applicants to ensure that the eligible applicants access all Federal funds that they are eligible to receive, and help the charter schools supported by the applicants and the students attending the charter schools—

“(I) participate in the Federal programs in which the schools and students are eligible to participate;

“(II) receive the commensurate share of Federal funds the schools and students are eligible to receive under such programs; and

“(III) meet the needs of students served under such programs, including student with disabilities and English learners;

“(iv) will have clear plans and procedures to assist students enrolled in a charter school that closes or loses its charter to attend other high-quality schools;

“(v) in the case in which the State entity is not a State educational agency—

“(I) will work with the State educational agency and the charter schools in the State to maximize charter school participation in Federal and State programs for charter schools; and

“(II) will work with the State educational agency to adequately operate the State entity’s program under this section, where applicable;

“(vi) will ensure each eligible applicant that receives a subgrant under the State entity’s program to open and prepare to operate a new charter school, a replicated, high-quality charter school model, or an expanded, high-quality charter school—

“(I) will ensure such school or model meets the requirements under section 5210(1); and

“(II) is prepared to continue to operate such school or model, in a manner consistent with the eligible applicant’s application, after the subgrant funds have expired;

“(vii) will support charter schools in local educational agencies with large numbers of schools identified by the State for improvement;

“(viii) will work with charter schools to promote inclusion of all students and support all students once they are enrolled to promote retention;

“(ix) will work with charter schools on recruitment practices, including efforts to engage groups that may otherwise have limited opportunities to participate in charter schools, and to ensure such schools do not have in effect policies or procedures that may create barriers to enrollment of students, including educationally disadvantaged students, and are in compliance with all Federal and State laws on enrollment practices;

“(x) will share best and promising practices between charter schools and other public schools, including, where appropriate, instruction and professional development in core academic subjects, and science, technology, engineering, and math education, including computer science;

“(xi) will ensure the charter schools receiving funds under the State entity’s program meet the educational needs of their students, including students with disabilities and English learners;

“(xii) will support efforts to increase quality initiatives, including meeting the quality authorizing elements described in paragraph (2)(E);

“(xiii) in the case of a State entity not described in clause (xiv), will provide oversight of authorizing activity, including how the State will approve, actively monitor, and re-approve or revoke the authority of an authorized public chartering agency based on the performance of the charter schools authorized by such agency in the areas of student achievement, student safety, financial management, and compliance with all applicable statutes and regulations; and

“(xiv) in the case of a State entity defined in subsection (1)(4), will work with the State to provide assistance to and oversight of authorized public chartering agencies for authorizing activity described in clause (xiii);

“(B) of the extent to which the State entity—

“(i) is able to meet and carry out the priorities listed in subsection (f)(2); and

“(ii) is working to develop or strengthen a cohesive statewide system to support the opening of new charter schools, replicated, high-quality charter school models, or expanded, high-quality charter schools;

“(C) of how the State entity will carry out the subgrant competition, including—

“(i) a description of the application each eligible applicant desiring to receive a subgrant will submit, including—

“(I) a description of the roles and responsibilities of eligible applicants, partner organizations, and management organizations, including the administrative and contractual roles and responsibilities;

“(II) a description of the quality controls agreed to between the eligible applicant and the authorized public chartering agency involved,

such as a contract or performance agreement, how a school's performance in the State's academic accountability system will be a primary factor for renewal or revocation of the school's charter, and how the State entity and the authorized public chartering agency involved will reserve the right to revoke or not renew a school's charter based on financial, structural, or operational factors involving the management of the school;

“(III) a description of how the eligible applicant will solicit and consider input from parents and other members of the community on the implementation and operation of each charter school receiving funds under the State entity's program; and

“(IV) a description of the planned activities and expenditures for the subgrant funds for purposes of opening and preparing to operate a new charter school, a replicated, high-quality charter school model, or an expanded, high-quality charter school, and how the school or model will maintain financial sustainability after the end of the subgrant period; and

“(ii) a description of how the State entity will review applications;

“(D) in the case of an entity that partners with an outside organization to carry out the State entity's quality charter school program, in whole or in part, of the roles and responsibilities of this partner;

“(E) of how the State entity will help the charter schools receiving funds under the State entity's program consider the transportation needs of the schools' students; and

“(F) of how the State entity will support diverse charter school models, including models that serve rural communities.

“(2) ASSURANCES.—Assurances, including a description of how the assurances will be met, that—

“(A) each charter school receiving funds under the State entity's program will have a high degree of autonomy over budget and operations;

“(B) the State entity will support charter schools in meeting the educational needs of their students as described in paragraph (1)(A)(x);

“(C) the State entity will ensure that the authorized public chartering agency of any charter school that receives funds under the State entity's program—

“(i) adequately monitors each charter school in recruiting, enrolling, and meeting the needs of all students, including students with disabilities and English learners; and

“(ii) ensures that each charter school solicits and considers input from parents and other members of the community on the implementation and operation of the school;

“(D) the State entity will provide adequate technical assistance to eligible applicants to—

“(i) meet the objectives described in clauses (vii) and (viii) of paragraph (1)(A) and paragraph (2)(B); and

“(ii) recruit, enroll, and retain traditionally underserved students, including students with disabilities and English learners, at rates similar to traditional public schools;

“(E) the State entity will promote quality authorizing, such as through providing technical assistance and supporting all authorized public chartering agencies in the State to improve the oversight of their charter schools, including by—

“(i) assessing annual performance data of the schools, including, as appropriate, graduation rates and student academic growth;

“(ii) reviewing the schools' independent, annual audits of financial statements conducted in accordance with generally accepted accounting principles, and ensuring any such audits are publically reported; and

“(iii) holding charter schools accountable to the academic, financial, and operational quality controls agreed to between the charter school and the authorized public chartering agency in-

volved, such as through renewal, non-renewal, or revocation of the school's charter;

“(F) the State entity will work to ensure that charter schools are included with the traditional public schools in decision-making about the public school system in the State; and

“(G) the State entity will ensure that each charter school in the State make publicly available, consistent with the dissemination requirements of the annual State report card, information to help parents make informed decisions about the education options available to their children, including information on the educational program, student support services, and annual performance and enrollment data for the groups of students described in section 1111(b)(2)(C)(v)(II).

“(3) REQUESTS FOR WAIVERS.—A request and justification for waivers of any Federal statutory or regulatory provisions that the State entity believes are necessary for the successful operation of the charter schools that will receive funds under the State entity's program under this section, and a description of any State or local rules, generally applicable to public schools, that will be waived, or otherwise not apply to such schools or, in the case of a State entity defined in subsection (i)(4), a description of how the State entity will work with the State to request necessary waivers where applicable.

“(f) SELECTION CRITERIA; PRIORITY.—

“(1) SELECTION CRITERIA.—The Secretary shall award grants to State entities under this section on the basis of the quality of the applications submitted under subsection (e), after taking into consideration—

“(A) the degree of flexibility afforded by the State's public charter school law and how the State entity will work to maximize the flexibility provided to charter schools under the law;

“(B) the ambitiousness of the State entity's objectives for the quality charter school program carried out under this section;

“(C) the quality of the strategy for assessing achievement of those objectives;

“(D) the likelihood that the eligible applicants receiving subgrants under the program will meet those objectives and improve educational results for students;

“(E) the State entity's plan to—

“(i) adequately monitor the eligible applicants receiving subgrants under the State entity's program;

“(ii) work with the authorized public chartering agencies involved to avoid duplication of work for the charter schools and authorized public chartering agencies; and

“(iii) provide adequate technical assistance and support for—

“(I) the charter schools receiving funds under the State entity's program; and

“(II) quality authorizing efforts in the State; and

“(F) the State entity's plan to solicit and consider input from parents and other members of the community on the implementation and operation of the charter schools in the State.

“(2) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to State entities to the extent that they meet the following criteria:

“(A) In the case of a State entity located in a State that allows an entity other than a local educational agency to be an authorized public chartering agency, the State has a quality authorized public chartering agency that is an entity other than a local educational agency.

“(B) The State entity is located in a State that does not impose any limitation on the number or percentage of charter schools that may exist or the number or percentage of students that may attend charter schools in the State.

“(C) The State entity is located in a State that ensures equitable financing, as compared to traditional public schools, for charter schools and students in a prompt manner.

“(D) The State entity is located in a State that uses charter schools and best practices from

charter schools to help improve struggling schools and local educational agencies.

“(E) The State entity partners with an organization that has a demonstrated record of success in developing management organizations to support the development of charter schools in the State.

“(F) The State entity supports charter schools that support at-risk students through activities such as dropout prevention or dropout recovery.

“(G) The State entity authorizes all charter schools in the State to serve as school food authorities.

“(H) The State entity has taken steps to ensure that all authorizing public chartering agencies implement best practices for charter school authorizing.

“(g) LOCAL USES OF FUNDS.—An eligible applicant receiving a subgrant under this section shall use such funds to carry out activities related to opening and preparing to operate a new charter school, a replicated, high-quality charter school model, or an expanded, high-quality charter school, such as—

“(1) preparing teachers and school leaders, including through professional development;

“(2) acquiring equipment, educational materials, and supplies; and

“(3) necessary renovations and minor facilities repairs (excluding construction).

“(h) REPORTING REQUIREMENTS.—Each State entity receiving a grant under this section shall submit to the Secretary, at the end of the third year of the 5-year grant period and at the end of such grant period, a report on—

“(1) the number of students served by each subgrant awarded under this section and, if applicable, how many new students were served during each year of the subgrant period;

“(2) the progress the State entity made toward meeting the priorities described in subsection (f)(2), as applicable;

“(3) how the State entity met the objectives of the quality charter school program described in the State entity's application under subsection (e);

“(4) how the State entity complied with, and ensured that eligible applicants complied with, the assurances described in the State entity's application;

“(5) how the State entity worked with authorized public chartering agencies, including how the agencies worked with the management company or leadership of the schools that received subgrants under this section; and

“(6) the number of subgrants awarded under this section to carry out each of the following:

“(A) The opening of new charter schools.

“(B) The opening of replicated, high-quality charter school models.

“(C) The opening of expanded, high-quality charter schools.

“(i) STATE ENTITY DEFINED.—For purposes of this section, the term ‘State entity’ means—

“(1) a State educational agency;

“(2) a State charter school board;

“(3) a Governor of a State; or

“(4) a charter school support organization.”.

SEC. 6. FACILITIES FINANCING ASSISTANCE.

Section 5204 (20 U.S.C. 7221c) is amended to read as follows:

“SEC. 5204. FACILITIES FINANCING ASSISTANCE.

“(a) GRANTS TO ELIGIBLE ENTITIES.—

“(1) IN GENERAL.—From the amount reserved under section 5202(b)(1), the Secretary shall not use less than 50 percent to award grants to eligible entities that have the highest-quality applications approved under subsection (d), after considering the diversity of such applications, to demonstrate innovative methods of assisting charter schools to address the cost of acquiring, constructing, and renovating facilities by enhancing the availability of loans or bond financing.

“(2) ELIGIBLE ENTITY DEFINED.—For purposes of this section, the term ‘eligible entity’ means—

“(A) a public entity, such as a State or local governmental entity;

“(B) a private nonprofit entity; or
 “(C) a consortium of entities described in subparagraphs (A) and (B).

“(b) GRANTEE SELECTION.—The Secretary shall evaluate each application submitted under subsection (d), and shall determine whether the application is sufficient to merit approval.

“(c) GRANT CHARACTERISTICS.—Grants under subsection (a) shall be of a sufficient size, scope, and quality so as to ensure an effective demonstration of an innovative means of enhancing credit for the financing of charter school acquisition, construction, or renovation.

“(d) APPLICATIONS.—

“(1) IN GENERAL.—To receive a grant under subsection (a), an eligible entity shall submit to the Secretary an application in such form as the Secretary may reasonably require.

“(2) CONTENTS.—An application submitted under paragraph (1) shall contain—

“(A) a statement identifying the activities proposed to be undertaken with funds received under subsection (a), including how the eligible entity will determine which charter schools will receive assistance, and how much and what types of assistance charter schools will receive;

“(B) a description of the involvement of charter schools in the application's development and the design of the proposed activities;

“(C) a description of the eligible entity's expertise in capital market financing;

“(D) a description of how the proposed activities will leverage the maximum amount of private-sector financing capital relative to the amount of public funding used and otherwise enhance credit available to charter schools, including how the eligible entity will offer a combination of rates and terms more favorable than the rates and terms that a charter school could receive without assistance from the eligible entity under this section;

“(E) a description of how the eligible entity possesses sufficient expertise in education to evaluate the likelihood of success of a charter school program for which facilities financing is sought; and

“(F) in the case of an application submitted by a State governmental entity, a description of the actions that the entity has taken, or will take, to ensure that charter schools within the State receive the funding the charter schools need to have adequate facilities.

“(e) CHARTER SCHOOL OBJECTIVES.—An eligible entity receiving a grant under this section shall use the funds deposited in the reserve account established under subsection (f) to assist one or more charter schools to access private sector capital to accomplish one or more of the following objectives:

“(1) The acquisition (by purchase, lease, donation, or otherwise) of an interest (including an interest held by a third party for the benefit of a charter school) in improved or unimproved real property that is necessary to commence or continue the operation of a charter school.

“(2) The construction of new facilities, or the renovation, repair, or alteration of existing facilities, necessary to commence or continue the operation of a charter school.

“(3) The predevelopment costs required to assess sites for purposes of paragraph (1) or (2) and which are necessary to commence or continue the operation of a charter school.

“(f) RESERVE ACCOUNT.—

“(1) USE OF FUNDS.—To assist charter schools to accomplish the objectives described in subsection (e), an eligible entity receiving a grant under subsection (a) shall, in accordance with State and local law, directly or indirectly, alone or in collaboration with others, deposit the funds received under subsection (a) (other than funds used for administrative costs in accordance with subsection (g)) in a reserve account established and maintained by the eligible entity for this purpose. Amounts deposited in such account shall be used by the eligible entity for one or more of the following purposes:

“(A) Guaranteeing, insuring, and reinsuring bonds, notes, evidences of debt, loans, and inter-

ests therein, the proceeds of which are used for an objective described in subsection (e).

“(B) Guaranteeing and insuring leases of personal and real property for an objective described in subsection (e).

“(C) Facilitating financing by identifying potential lending sources, encouraging private lending, and other similar activities that directly promote lending to, or for the benefit of, charter schools.

“(D) Facilitating the issuance of bonds by charter schools, or by other public entities for the benefit of charter schools, by providing technical, administrative, and other appropriate assistance (including the recruitment of bond counsel, underwriters, and potential investors and the consolidation of multiple charter school projects within a single bond issue).

“(2) INVESTMENT.—Funds received under this section and deposited in the reserve account established under paragraph (1) shall be invested in obligations issued or guaranteed by the United States or a State, or in other similarly low-risk securities.

“(3) REINVESTMENT OF EARNINGS.—Any earnings on funds received under subsection (a) shall be deposited in the reserve account established under paragraph (1) and used in accordance with such paragraph.

“(g) LIMITATION ON ADMINISTRATIVE COSTS.—An eligible entity may use not more than 2.5 percent of the funds received under subsection (a) for the administrative costs of carrying out its responsibilities under this section (excluding subsection (k)).

“(h) AUDITS AND REPORTS.—

“(1) FINANCIAL RECORD MAINTENANCE AND AUDIT.—The financial records of each eligible entity receiving a grant under subsection (a) shall be maintained in accordance with generally accepted accounting principles and shall be subject to an annual audit by an independent public accountant.

“(2) REPORTS.—

“(A) GRANTEE ANNUAL REPORTS.—Each eligible entity receiving a grant under subsection (a) annually shall submit to the Secretary a report of its operations and activities under this section.

“(B) CONTENTS.—Each annual report submitted under subparagraph (A) shall include—

“(i) a copy of the most recent financial statements, and any accompanying opinion on such statements, prepared by the independent public accountant reviewing the financial records of the eligible entity;

“(ii) a copy of any report made on an audit of the financial records of the eligible entity that was conducted under paragraph (1) during the reporting period;

“(iii) an evaluation by the eligible entity of the effectiveness of its use of the Federal funds provided under subsection (a) in leveraging private funds;

“(iv) a listing and description of the charter schools served during the reporting period, including the amount of funds used by each school, the type of project facilitated by the grant, and the type of assistance provided to the charter schools;

“(v) a description of the activities carried out by the eligible entity to assist charter schools in meeting the objectives set forth in subsection (e); and

“(vi) a description of the characteristics of lenders and other financial institutions participating in the activities undertaken by the eligible entity under this section (excluding subsection (k)) during the reporting period.

“(C) SECRETARIAL REPORT.—The Secretary shall review the reports submitted under subparagraph (A) and shall provide a comprehensive annual report to Congress on the activities conducted under this section (excluding subsection (k)).

“(i) NO FULL FAITH AND CREDIT FOR GRANTEE OBLIGATION.—No financial obligation of an eligible entity entered into pursuant to this section

(such as an obligation under a guarantee, bond, note, evidence of debt, or loan) shall be an obligation of, or guaranteed in any respect by, the United States. The full faith and credit of the United States is not pledged to the payment of funds which may be required to be paid under any obligation made by an eligible entity pursuant to any provision of this section.

“(j) RECOVERY OF FUNDS.—

“(1) IN GENERAL.—The Secretary, in accordance with chapter 37 of title 31, United States Code, shall collect—

“(A) all of the funds in a reserve account established by an eligible entity under subsection (f)(1) if the Secretary determines, not earlier than 2 years after the date on which the eligible entity first received funds under this section (excluding subsection (k)), that the eligible entity has failed to make substantial progress in carrying out the purposes described in subsection (f)(1); or

“(B) all or a portion of the funds in a reserve account established by an eligible entity under subsection (f)(1) if the Secretary determines that the eligible entity has permanently ceased to use all or a portion of the funds in such account to accomplish any purpose described in subsection (f)(1).

“(2) EXERCISE OF AUTHORITY.—The Secretary shall not exercise the authority provided in paragraph (1) to collect from any eligible entity any funds that are being properly used to achieve one or more of the purposes described in subsection (f)(1).

“(3) PROCEDURES.—The provisions of sections 451, 452, and 458 of the General Education Provisions Act 20 U.S.C. 124, 1234a, 1234g shall apply to the recovery of funds under paragraph (1).

“(4) CONSTRUCTION.—This subsection shall not be construed to impair or affect the authority of the Secretary to recover funds under part D of the General Education Provisions Act (20 U.S.C. 1234 et seq.).

“(k) PER-PUPIL FACILITIES AID PROGRAM.—

“(1) DEFINITION OF PER-PUPIL FACILITIES AID PROGRAM.—In this subsection, the term ‘per-pupil facilities aid program’ means a program in which a State makes payments, on a per-pupil basis, to charter schools to provide the schools with financing—

“(A) that is dedicated solely for funding charter school facilities; or

“(B) a portion of which is dedicated for funding charter school facilities.

“(2) GRANTS.—

“(A) IN GENERAL.—From the amount under section 5202(b)(1) remaining after the Secretary makes grants under subsection (a), the Secretary shall make grants, on a competitive basis, to States to pay for the Federal share of the cost of establishing or enhancing, and administering per-pupil facilities aid programs.

“(B) PERIOD.—The Secretary shall award grants under this subsection for periods of not more than 5 years.

“(C) FEDERAL SHARE.—The Federal share of the cost described in subparagraph (A) for a per-pupil facilities aid program shall be not more than—

“(i) 90 percent of the cost, for the first fiscal year for which the program receives assistance under this subsection;

“(ii) 80 percent in the second such year;

“(iii) 60 percent in the third such year;

“(iv) 40 percent in the fourth such year; and

“(v) 20 percent in the fifth such year.

“(D) STATE SHARE.—A State receiving a grant under this subsection may partner with 1 or more organizations to provide up to 50 percent of the State share of the cost of establishing or enhancing, and administering the per-pupil facilities aid program.

“(E) MULTIPLE GRANTS.—A State may receive more than 1 grant under this subsection, so long as the amount of such funds provided to charter schools increases with each successive grant.

“(3) USE OF FUNDS.—

“(A) *IN GENERAL*.—A State that receives a grant under this subsection shall use the funds made available through the grant to establish or enhance, and administer, a per-pupil facilities aid program for charter schools in the State of the applicant.

“(B) *EVALUATIONS; TECHNICAL ASSISTANCE; DISSEMINATION*.—From the amount made available to a State through a grant under this subsection for a fiscal year, the State may reserve not more than 5 percent to carry out evaluations, to provide technical assistance, and to disseminate information.

“(C) *SUPPLEMENT, NOT SUPPLANT*.—Funds made available under this subsection shall be used to supplement, and not supplant, State and local public funds expended to provide per pupil facilities aid programs, operations financing programs, or other programs, for charter schools.

“(4) *REQUIREMENTS*.—

“(A) *VOLUNTARY PARTICIPATION*.—No State may be required to participate in a program carried out under this subsection.

“(B) *STATE LAW*.—

“(i) *IN GENERAL*.—Except as provided in clause (ii), to be eligible to receive a grant under this subsection, a State shall establish or enhance, and administer, a per-pupil facilities aid program for charter schools in the State, that—

“(I) is specified in State law; and

“(II) provides annual financing, on a per-pupil basis, for charter school facilities.

“(ii) *SPECIAL RULE*.—Notwithstanding clause (i), a State that is required under State law to provide its charter schools with access to adequate facility space, but which does not have a per-pupil facilities aid program for charter schools specified in State law, may be eligible to receive a grant under this subsection if the State agrees to use the funds to develop a per-pupil facilities aid program consistent with the requirements of this subsection.

“(5) *APPLICATIONS*.—To be eligible to receive a grant under this subsection, a State shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.”

SEC. 7. NATIONAL ACTIVITIES.

Section 5205 (20 U.S.C. 7221d) is amended to read as follows:

“SEC. 5205. NATIONAL ACTIVITIES.

“(a) *IN GENERAL*.—From the amount reserved under section 5202(b)(2), the Secretary shall—

“(1) use not less than 75 percent of such funds to award grants in accordance with subsection (b); and

“(2) use not more than 25 percent of such funds to—

“(A) provide technical assistance to State entities in awarding subgrants under section 5203, and eligible entities and States receiving grants under section 5204;

“(B) disseminate best practices; and

“(C) evaluate the impact of the charter school program, including the impact on student achievement, carried out under this subpart.

“(b) *GRANTS*.—

“(1) *IN GENERAL*.—The Secretary shall make grants, on a competitive basis, to eligible applicants for the purpose of carrying out the activities described in section 5202(a)(1), subparagraphs (A) through (C) of section 5203(a)(1), and section 5203(g).

“(2) *TERMS AND CONDITIONS*.—Except as otherwise provided in this subsection, grants awarded under this subsection shall have the same terms and conditions as grants awarded to State entities under section 5203.

“(3) *CHARTER MANAGEMENT ORGANIZATIONS*.—The Secretary shall—

“(A) use not less than 75 percent of the funds described in subsection (a)(1) to make grants, on a competitive basis, to eligible applicants described in paragraph (4)(C); and

“(B) notwithstanding paragraphs (1)(A) and (2) of section 5203(f)—

“(i) award grants to eligible applicants on the basis of the quality of the applications submitted under this subsection; and

“(ii) in awarding grants to eligible applicants described in paragraph (4)(C), give priority to each such eligible applicant that—

“(I) demonstrates a high proportion of high-quality charter schools within the network of the eligible applicant;

“(II) demonstrates success in serving students who are educationally disadvantaged;

“(III) does not have a significant proportion of charter schools that have been closed, had their charter revoked for compliance issues, or had their affiliation with such eligible applicant revoked;

“(IV) has sufficient procedures in effect to ensure timely closure of low-performing or financially-mismanaged charter schools and clear plans and procedures in effect for the students in such schools to attend other high-quality schools; and

“(V) demonstrates success in working with schools identified for improvement by the State.

“(4) *ELIGIBLE APPLICANT DEFINED*.—For purposes of this subsection, the term ‘eligible applicant’ means an eligible applicant (as defined in section 5210) that—

“(A) desires to open a charter school in—

“(i) a State that did not apply for a grant under section 5203; or

“(ii) a State that did not receive a grant under section 5203; or

“(B) is a charter management organization.

“(c) *CONTRACTS AND GRANTS*.—The Secretary may carry out any of the activities described in this section directly or through grants, contracts, or cooperative agreements.”

SEC. 8. RECORDS TRANSFER.

Section 5208 (20 U.S.C. 7221g) is amended—

(1) by inserting “as quickly as possible and” before “to the extent practicable”; and

(2) by striking “section 602” and inserting “section 602(14)”.

SEC. 9. DEFINITIONS.

Section 5210 (20 U.S.C. 7221i) is amended—

(1) by amending paragraph (1) to read as follows:

“(1) *CHARTER SCHOOL*.—The term ‘charter school’ means a public school that—

“(A) in accordance with a specific State statute authorizing the granting of charters to schools, is exempt from significant State or local rules that inhibit the flexible operation and management of public schools, but not from any rules relating to the other requirements of this paragraph;

“(B) is created by a developer as a public school, or is adapted by a developer from an existing public school, and is operated under public supervision and direction;

“(C) operates in pursuit of a specific set of educational objectives determined by the school’s developer and agreed to by the authorized public chartering agency;

“(D) provides a program of elementary or secondary education, or both;

“(E) is nonsectarian in its programs, admissions policies, employment practices, and all other operations, and is not affiliated with a sectarian school or religious institution;

“(F) does not charge tuition;

“(G) complies with the Age Discrimination Act of 1975, title VI of the Civil Rights Act of 1964, title IX of the Education Amendments of 1972, section 504 of the Rehabilitation Act of 1973, part B of the Individuals with Disabilities Education Act, the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), and section 444 of the General Education Provisions Act (20 U.S.C. 1232(g)) (commonly known as the ‘Family Education Rights and Privacy Act of 1974’);

“(H) is a school to which parents choose to send their children, and admits students on the basis of a lottery if more students apply for admission than can be accommodated, except that in cases in which students who are enrolled in

a charter school affiliated (such as by sharing a network) with another charter school, those students may be automatically enrolled in the next grade level at such other charter school, so long as a lottery is used to fill seats created through regular attrition in student enrollment;

“(I) agrees to comply with the same Federal and State audit requirements as do other elementary schools and secondary schools in the State, unless such State audit requirements are waived by the State;

“(J) meets all applicable Federal, State, and local health and safety requirements;

“(K) operates in accordance with State law;

“(L) has a written performance contract with the authorized public chartering agency in the State that includes a description of how student performance will be measured in charter schools pursuant to State assessments that are required of other schools and pursuant to any other assessments mutually agreeable to the authorized public chartering agency and the charter school; and

“(M) may serve prekindergarten or postsecondary students.”

(2) by redesignating paragraphs (2) through (4) as paragraphs (4) through (6), respectively;

(3) by inserting after paragraph (1), the following:

“(2) *CHARTER MANAGEMENT ORGANIZATION*.—The term ‘charter management organization’ means a not-for-profit organization that manages a network of charter schools linked by centralized support, operations, and oversight.

“(3) *CHARTER SCHOOL SUPPORT ORGANIZATION*.—The term ‘charter school support organization’ means a nonprofit, nongovernmental entity that is not an authorized public chartering agency, which provides on a statewide basis—

“(A) assistance to developers during the planning, program design, and initial implementation of a charter school; and

“(B) technical assistance to charter schools to operate such schools.”

(4) in paragraph (5)(B), as so redesignated, by striking “under section 5203(d)(3)”;

and

(5) by adding at the end the following:

“(7) *EXPANDED, HIGH-QUALITY CHARTER SCHOOL*.—The term ‘expanded, high-quality charter school’ means a high-quality charter school that has either significantly increased its enrollment or added one or more grades to its school.

“(8) *HIGH-QUALITY CHARTER SCHOOL*.—The term ‘high-quality charter school’ means a charter school that—

“(A) shows evidence of strong academic results, which may include strong academic growth as determined by a State;

“(B) has no significant issues in the areas of student safety, operational and financial management, or statutory or regulatory compliance;

“(C) has demonstrated success in significantly increasing student academic achievement, including graduation rates where applicable, consistent with the requirements under title I, for all students served by the charter school; and

“(D) has demonstrated success in increasing student academic achievement, including graduation rates where applicable, for the groups of students described in section 1111(b)(2)(C)(v)(II), except that such demonstration is not required in a case in which the number of students in a group is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student.

“(9) *REPLICATED, HIGH-QUALITY CHARTER SCHOOL MODEL*.—The term ‘replicated, high-quality charter school model’ means a high-quality charter school that has opened a new campus under an existing charter or an additional charter if required by State law.”

SEC. 10. AUTHORIZATION OF APPROPRIATIONS.

Section 5211 (20 U.S.C. 7221j) is amended to read as follows:

“SEC. 5211. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to carry out this subpart \$300,000,000 for fiscal

year 2015 and each of the 5 succeeding fiscal years.”.

SEC. 11. CONFORMING AMENDMENTS.

(a) *REPEAL*.—Subpart 2 of part B of title V (20 U.S.C. 7223 et seq.) is repealed.

(b) *TABLE OF CONTENTS*.—The table of contents in section 2 is amended—

(1) by striking the item relating to subpart 1 of part B of title V and inserting the following:

“Subpart 1—Charter School Program”;

(2) by striking the item relating to section 5203 and inserting the following:

“Sec. 5203. Grants to support high-quality charter schools.”;

(3) by striking the item relating to section 5204 and inserting the following:

“Sec. 5204. Facilities financing assistance.”; and

(4) by striking the items relating to subpart 2 of part B of title V.

The Acting CHAIR. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in part A of House Report 113-444. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. KLINE

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in part A of House Report 113-444.

Mr. KLINE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, beginning line 15, strike “limited English proficient students” and insert “English learners”.

Page 10, beginning line 1, amend subparagraph (B) to read as follows:

“(B) prior to the start of the final year of the grant period of each grant awarded under this section to a State entity, review whether the State entity is using the grant funds for the agreed upon uses of funds and whether the full amount of the grant will be needed for the remainder of the grant period and may, as determined necessary based on that review, terminate or reduce the amount of the grant and reallocate the remaining grant funds to other State entities during the succeeding grant competition under this section.”.

Page 11, beginning line 5, amend paragraph (1) to read as follows:

“(1) *GRANTS*.—The Secretary shall not award a grant to a State entity under this section in a case in which such award would result in more than 1 grant awarded under this section being carried out in a State at the same time.”.

Page 14, line 14, insert “, including supporting the use of charter schools to improve, or in turning around, struggling schools” after “improvement”.

Page 14, line 18, insert “including through the use of fair disciplinary practices” after “retention”.

Page 19, line 16, strike “(1)(A)(x)” and insert “(1)(A)(xi)”.

Page 20, line 8, strike “(vii) and (viii)” and insert “(viii) and (ix)”.

Page 20, line 22, strike “and student” and insert “, student”.

Page 20, line 23, insert “, and rates of student attrition” after “growth”.

Page 21, line 17, strike “make” and insert “makes”.

Page 22, line 2, insert before the period at the end the following: “, except that such data shall not be made publicly available in a case in which the number of students in a group is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student”.

Page 42, line 13, strike “(4)(C)” and insert “(4)(B)”.

Page 42, line 21, strike “(4)(C)” and insert “(4)(B)”.

Page 42, beginning line 21, strike “give priority to each such eligible applicant that” and inserting “take into consideration whether such an eligible applicant”.

Page 49, line 17, insert “or permitted” after “required”.

The Acting CHAIR. Pursuant to House Resolution 576, the gentleman from Minnesota (Mr. KLINE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. KLINE. Mr. Chairman, I rise in support of the manager’s amendment which makes important changes to the bill to support the growth of high-performing charter schools.

Charter schools epitomize choice and flexibility in education. Reform-minded States and school districts all across the country have embraced this innovative educational model to transform underperforming traditional public schools.

The manager’s amendment improves the existing charter school program and the underlying bill by clarifying the grant award language, ensuring charter school funding is used for the intended purposes.

Additionally, the manager’s amendment adds quality authorizing provisions, to include looking at school attrition rates, and asks States to assist schools in developing fair discipline practices that will help promote student retention.

Mr. Chairman, the act is an important piece of legislation that will streamline and modernize the charter school program to support the startup, replication, and expansion of high-quality charter schools. The manager’s amendment includes commonsense changes to improve the underlying legislation.

I urge my colleagues to support the manager’s amendment and the Success and Opportunity through Quality Charter Schools Act.

I reserve the balance of my time.

Mr. GEORGE MILLER of California. Mr. Chairman, I claim the time in opposition, although I am not in opposition.

The Acting CHAIR. Without objection, the gentleman from California is recognized for 5 minutes.

There was no objection.

Mr. GEORGE MILLER of California. Mr. Chairman, I rise in strong support

of this amendment and thank the chairman for working with me to include important improvements in the underlying bill.

I am especially pleased that this amendment includes provisions to promote the use of nondiscriminatory discipline practices as charter schools work to serve and retain all students.

We know that the overreliance on out-of-school suspension and expulsion disproportionately impacts educational successes of minority students and students with disabilities. According to the most recent civil rights data collection, the negative impacts on unequal implementation of these disciplines is impacting minority kids as young as 4 years old.

This is unacceptable, and I am pleased that this amendment seeks to better position charter schools to understand, implement, and report on the use of their fair practices.

I want to thank Mr. DAVIS, Ms. WILSON, Mr. CONYERS, Ms. FUDGE, Ms. CLARKE, and Mr. GRAYSON for helping to ensure that these improvements in H.R. 10 are included.

I yield back the balance of my time.

Mr. KLINE. Mr. Chairman, I urge my colleagues to support this amendment and the underlying bill.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Minnesota (Mr. KLINE).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. CASSIDY

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part A of House Report 113-444.

Mr. CASSIDY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 6, after line 17, insert the following:

“(d) *GAO REPORT*.—Not later than 3 years after the date of enactment of the Success and Opportunity through Quality Charter Schools Act, the Comptroller General of the United States shall submit a report to the Secretary and Congress that—

“(1) examines whether the funds authorized to be reserved by State entities for administrative costs under section 5203(b)(1)(C) is appropriate; and

“(2) if determined not to be appropriate, makes recommendations on the appropriate reservation of funding for such administrative costs.”.

The Acting CHAIR. Pursuant to House Resolution 576, the gentleman from Louisiana (Mr. CASSIDY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Louisiana.

Mr. CASSIDY. Mr. Chairman, the intent of my amendment is to provide greater accountability over the use and allocation of administrative costs associated with the funds authorized in this bill. It is important we attempt to maximize the ability of the dollar to reach the classroom.

The amendment simply requires that, within 3 years after the enactment of H.R. 10, the Government Accountability Office would provide a report on whether the amount of funding for State administrative costs is appropriate.

If the funds are determined inappropriate, GAO must provide a recommendation on what an appropriate level of funding would be.

My amendment is budget neutral, with no additional reporting requirements. It is simple and straightforward, ensuring that the millions of taxpayer dollars will go to classrooms, not caught up in bureaucracy.

We all know how easy it is for administrative costs in the public sector to balloon. This amendment helps to prevent this from happening.

I reserve the balance of my time.

Mr. KLINE. Mr. Chairman, I claim time in opposition, although I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman from Minnesota is recognized for 5 minutes.

There was no objection.

Mr. KLINE. Mr. Chairman, I rise in support of this amendment, which will require a GAO study on the money allocated for administrative costs.

As the gentleman from Louisiana said, we need to ensure that we are providing flexibility in the use of funds to run a quality, efficient, and effective program; and that means carefully balancing small administrative set-asides while supporting the underlying program purposes.

I support this amendment and urge my colleagues to do so as well.

I reserve the balance of my time.

Mr. CASSIDY. Mr. Chairman, I yield back the balance of my time.

Mr. KLINE. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Louisiana (Mr. CASSIDY).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MS. CASTOR OF FLORIDA

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part A of House Report 113-444.

Ms. CASTOR of Florida. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 6, after line 17, insert the following: "(d) CONFLICTS OF INTEREST.—The Secretary shall develop and enforce conflict of interest guidelines for any charter school receiving assistance under this subpart, which shall include disclosures of any person affiliated with the charter school that has a financial interest in the charter school."

The Acting CHAIR. Pursuant to House Resolution 576, the gentlewoman from Florida (Ms. CASTOR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Florida.

Ms. CASTOR of Florida. Mr. Chairman, the Castor amendment directs the Secretary of the Department of Education to develop and enforce conflict of interest guidelines for any charter school receiving assistance under this law.

These guidelines must include disclosures of any person affiliated with the charter school that has a financial interest in the charter school.

We all know that a conflict of interest is a situation in which an individual who has an obligation or duty to act for the benefit of the public—in this case, students and schools—exploits that relationship for personal benefit—typically for money—if the individual tries to perform that duty while, at the same time, trying to achieve a personal gain.

In the context of charter schools, there have been very serious cases all across the country over the past few years involving conflicts of interest in charter schools. Despite the overriding duty and responsibility to students and schools, individuals have acted to benefit or enrich themselves with public money—taxpayer money.

In my State of Florida, we have had a number of cases of conflict of interest in the approval and operation of charter schools. Recently, the Department of Education raised serious questions in an audit about expenditures of money and conflicts of interest of Florida's largest charter school management company. The preliminary audit report findings are very disturbing.

It appears that the charter school corporation entered into leases with development companies tied to the president of the company's family, that they hired an architectural firm that employs the president's brother-in-law, and that the board of directors transferred public funds to another organization with the same board of directors.

In Arizona, The Arizona Republic has reported that boardmembers and administrators from more than a dozen State-funded charter schools are profiting from their affiliations by doing business with the schools they oversee.

The newspaper reviewed thousands of pages of Federal tax returns, audits, corporate filings, and records with the Arizona State Board of Charter Schools.

The analysis looked at the 50 largest nonprofit charter schools in the State, as well as schools with assets of more than \$10 million. They found at least 17 contracts or arrangements totaling more than \$70 million over 5 years and involving about 40 school sites in which the money from the nonprofit charter school went to for-profit and nonprofit companies run by board of directors, executives, or their relatives.

In Colorado, an audit report took a certain charter school network to task for egregious financial improprieties and for severe nepotism. The report said that the CEO was paying himself over \$340,000 per year. He hired his wife

as chief operating officer and paid her over \$200,000 a year, and the chief financial officer was paid over \$320,000 per year.

This far exceeds what the standard salary is for a charter school or even when you look at the salaries for our larger district superintendents.

This charter school company then hired 20 members of their own family, according to the report and audit, and they racked up over \$400,000 in credit card charges in one year.

In California, State auditors found that the president of the American Indian Public Charter School in Oakland had given \$350,000 in improper payouts to his wife. They also found another \$350,000 had been spent on unauthorized construction projects, all going to companies owned by the CEO.

Also, Mr. Chair, just last week, a report was issued by the Center for Popular Democracy and Integrity in Education entitled, "Charter School Vulnerabilities to Waste, Fraud, and Abuse." That title was borrowed from the title of a section of a report that appeared in the Department of Education's Office of Inspector General's recent report.

The report stated that the OIG experienced a steady increase in the number of charter school complaints, State-level agencies were failing to provide adequate oversight needed to ensure Federal funds were being properly used and accounted for. They estimated over \$100 million in taxpayer losses due to fraud, abuse, and waste in charter schools.

We can do much better. The conflict of interest problems afflicting charter schools across the country endanger the outstanding work being done by many charter schools.

For example, the Pepin Academies in my hometown of Tampa is a tuition-free public charter school for students with identified learning disabilities. They have an individualized education plan. They serve a very important population, and I believe in their mission.

If charter schools are going to effectively carry out their mission for students, using public funds, it is clear that we need more accountability and better procedures in place to protect taxpayer investment.

I include for the RECORD the press report that I referenced, along with the letters of support from First Focus, School Superintendents Association, NEA, and AFT.

[From the Republic, Nov. 17, 2012]

INSIDERS BENEFITING IN CHARTER DEALS

(By Anne Ryman)

Board members and administrators from more than a dozen state-funded charter schools are profiting from their affiliations by doing business with schools they oversee.

The deals, worth more than \$70 million over the last five years, are legal, but critics of the arrangements say they can lead to conflicts of interest. Charter executives, on the other hand, say they are able to help the schools get better deals on services and goods ranging from air-conditioners to textbooks and thus save taxpayers money.

The Arizona Republic reviewed thousands of pages of federal tax returns, audits, corporate filings, and records filed with the Arizona State Board for Charter Schools. The analysis looked at the 50 largest non-profit charter schools in the state as well as schools with assets of more than \$10 million. For-profit schools were not analyzed because their tax records are not public.

The Republic's analysis found at least 17 contracts or arrangements, totaling more than \$70 million over five years and involving about 40 school sites, in which money from the non-profit charter school went to for-profit or non-profit companies run by board members, executives or their relatives.

Arizona has 535 charter schools that enrolled about 144,800 students this school year, or about 14 percent of students in public schools.

Arizona's regulations on charter schools are relatively lax. The state allows charters to seek exemptions from state laws that require schools to obtain competitive bids for goods or services. Nearly 90 percent of the state's charter holders have gotten permanent exemptions from the state Board for Charter Schools, according to the state's database.

The schools' purchases from their own officials range from curriculum and business consulting to land leases and transportation services. A handful of non-profit schools outsource most of their operations to a board member's for-profit company. The transactions are legal provided schools report the relationships on their federal tax forms and board members abstain from voting on their own contracts.

In one case, school officials in Phoenix thought they were exempt from purchasing laws and failed to put a contract out to bid for non-academic services that were worth hundreds of thousands of dollars. In another case, a Glendale school purchased a van for almost twice its value and had to get the money refunded.

It's impossible to know whether any money was potentially diverted from classrooms through insider transactions or lack of competitive bidding. Several charters said they saved money but were unable to provide specifics; others did not respond to interview requests. Some said they contracted with a school official's company because the quality of the product or service was better than what was on the market.

Educators and ethicists say the arrangements raise questions about whether the schools are being used partly for personal gain.

"This is crony capitalism," said Alex Molnar, an education professor at the University of Colorado-Boulder who has studied charter schools. "This is greasing the palms of special-interest and favored individuals."

A for-profit company paid by a charter school, even a company that operates most of the school, does not have to disclose spending details or how much profit it makes. Some board members who did business with their schools told The Republic they made a profit on the transactions. Others said they lost money. Some refused to comment.

Charter-school leaders say most executives and board members operate with good intentions when they conduct business transactions with their schools. The schools want to stretch their funding, and school leaders who own businesses can give the schools a good deal on products or services.

Being exempt from purchasing laws gives schools more flexibility, allowing them to focus more on the classroom and less on red tape, charter-school officials say.

"I see a lot of my schools really using thrifty, cost-effective methods," said Eileen

Sigmund, president and CEO of the Arizona Charter Schools Association, a non-profit group that provides support services for charter schools.

For example, she said, one charter-school leader picked through Northern Arizona University's surplus equipment to get desks for classrooms.

Because Arizona charter schools receive on average \$1,700 less in annual state funding per child than district schools, charters "really have to be efficient," she said.

Charter schools are public schools that are independently run by non-profits, for-profits, school districts or state universities.

Charters get less funding on average largely because, unlike school districts, they can't ask voters in their surrounding areas to pass bonds and overrides to bring in more money. About 96 percent of charter schools operating now are authorized by the state and the rest by school districts or state universities.

Molnar, the education professor, said because charters are publicly funded, they should be subject to state procurement laws. Board members shouldn't be allowed to do business with their own schools, either.

[From the denverchannel.com, May 6, 2010]

SCHOOL CEO RIPPED FOR HIRING WIFE, PAYING HIMSELF \$340K

A new audit report rips the founders of the Cesar Chavez Charter School Network for egregious financial impropriety and "severe nepotism."

The Colorado Department of Education is now calling for an investigation by the Pueblo County District Attorney and the IRS.

The Cesar Chavez Network operates three schools, one in Denver and two in Pueblo.

The report said Chief Executive Officer Lawrence Hernandez was paying himself \$340,000 per year. He hired his wife as chief operating officer and paid her \$201,000 a year. The chief financial officer was paid \$321,000.

"This far exceeds what is the standard salary for a charter school or even if you look at some of our larger district superintendents," said CDE commissioner Dwight D. Jones.

In fact, Hernandez, who oversaw just three schools, made almost twice as much as the superintendent of the largest school district in the state—Jefferson County. Jeffco School Superintendent Cindy Stevenson makes \$180,000 a year overseeing 94 elementary schools, 20 middle schools, 17 high schools, 10 option schools and 14 charter schools.

Hernandez and his wife then hired 20 members of their own family from 2002 to 2008, according to the CDE report and audit. Hernandez's wife's stepbrother was a board member and the owner of a janitorial service that was a vendor for the schools.

And, according to the report, school officials racked up \$400,000 in credit card charges in one year.

"I call it questionable use of taxpayer money," Jones said. "I think it's very concerning and have requested that Pueblo City Schools take immediate action to correct some of the improprieties that were identified."

[From Seven Days/The East Bay News Blog,
Jun. 18, 2012]

IT'S TIME TO CLOSE THE AMERICAN INDIAN PUBLIC CHARTER SCHOOLS

(By Robert Gammon)

For the past decade Ben Chavis and his so-called American Indian Public Charter schools in Oakland have gotten away with egregious conduct that would be considered grossly unacceptable for any other school—because they have had high test scores.

First, there was the revelation that Chavis routinely abused his students verbally, humiliating them in front of their classmates, to force them score higher on tests or quit the school altogether.

Then came the news that Chavis had hurled racist and sexist comments at others in front of students, and that his schools had stopped serving American Indian children.

But that's not all. Earlier this year, a draft report by state auditors uncovered evidence that Chavis had engaged in fraud and was illegally pocketing taxpayer funds. Then last week, the Express reported that one of the schools' eye-popping test scores appear to be the product not of academic excellence. Instead, there's evidence that the school has been routinely cherry-picking top students from local elementary schools in violation of district regulations. At minimum, Chavis' schools appear to be nothing more than a rigged system in which mostly high-scoring students apply to get in, are accepted, and then continue to score well on tests.

Then, the state's final audit came out and revealed some truly disturbing evidence, including \$350,000 of what appear to be improper payouts to Chavis' wife; \$355,000 in payments to Chavis for a summer school program that violated state law; and \$348,000 to companies that Chavis owns and did unauthorized construction projects.

Alameda County schools Superintendent Sheila Jordan requested the audit after receiving complaints from former school employees of financial impropriety by Chavis and his wife. Jordan has turned the final audit results over to Alameda County District Attorney's Office for possible criminal prosecution.

[From the Miami Herald, Apr. 21, 2014]

SOUTH MIAMI-BASED CHARTER SCHOOL MANAGEMENT COMPANY UNDER FEDERAL SCRUTINY

(By Kathleen McGrory)

The state's largest charter school management company has come under scrutiny from the U.S. Department of Education for potential conflicts of interests in its business practices, federal authorities have confirmed.

The Education Department's Inspector General Office is auditing the South Miami-based Academica Corp. as part of a broader examination of school management companies nationwide. The audit will be complete this summer, department spokeswoman Catherine Grant said.

A preliminary audit report obtained by the Herald/Times identified potential conflicts of interest between the for-profit company Academica and the Mater Academy charter schools it manages. One example the auditors cited was the transfer of money from Mater Academy to its private support organization, which shares the same board of directors.

When asked about the potential conflicts of interest raised in the report, Academica attorney Marcos Daniel Jiménez, in an email to the Herald/Times, touted the charter school network's academic record and commitment to its students.

Jiménez also said Academica had sent a response letter to the U.S. Department of Education correcting what he called "inaccuracies and false statements" contained in the preliminary report. But Academica declined the Herald/Times request to be provided the response, saying the Education Department considered the report and the response from Academica to be confidential.

The Education Department's findings come as the Florida Legislature considers a bill that could weaken school districts' ability to control business practices at new charter schools.

Under current law, school systems have the power to negotiate contracts with new charter schools. HB 7083 would mandate the use of a standardized contract, meaning school districts would give up most of their leverage.

Charter schools are funded by tax dollars, but run by non-profit governing boards that function independently of local school boards. Some are managed by for-profit companies like Academica.

Academica oversees nearly 100 charter and virtual charter schools in Florida, according to its website. It also manages schools in Texas, Nevada, Utah, California and Washington, D.C.

CHARTER SCHOOL VULNERABILITIES TO WASTE, FRAUD, AND ABUSE, A REPORT FROM THE CENTER FOR POPULAR DEMOCRACY & INTEGRITY IN EDUCATION, MAY 2014

The Center for Popular Democracy is a nonprofit organization that promotes equity, opportunity, and a dynamic democracy in partnership with innovative base-building organizations, organizing networks and alliances, and progressive unions across the country.

Integrity in Education is a nonprofit organization dedicated to restoring integrity in education. Integrity in Education exists to shine a light on the people making a positive difference for children, and to expose and oppose the corporate interest groups standing in their way.

PREAMBLE

The title of this report, Charter School Vulnerabilities to Waste, Fraud, and Abuse, was borrowed from the title of a section of a report that appeared in The Department of Education's Office of the Inspector General's Semiannual Report to Congress, No. 60. The report references a memorandum issued by the OIG to the Department. The OIG stated that the purpose of the memorandum was to, "alert you of our concern about vulnerabilities in the oversight of charter schools." The report went on to state that the OIG had experienced, "a steady increase in the number of charter school complaints" and that state level agencies were failing "to provide adequate oversight needed to ensure that Federal funds [were] properly used and accounted for."

The purpose of this report is to echo the warning issued by the OIG and to inform the public and lawmakers of the mounting risk that an inadequately regulated charter industry presents to our communities and taxpayers. Our examination, which focused on 15 large charter markets, found fraud, waste, and abuse cases totaling over \$100 million in losses to taxpayers. Despite rapid growth in the charter school industry, no agency, federal or state, has been given the resources to properly oversee it. Given this inadequate oversight, we worry that the fraud and mismanagement that has been uncovered thus far might be just the tip of the iceberg. Our hope is that lawmakers will use the information and concrete recommendations that we outline in this report to pass meaningful oversight legislation.

Ms. CASTOR of Florida. I ask for approval of this amendment regarding conflict of interest.

I yield back the balance of my time.

□ 1015

Mr. KLINE. Mr. Chairman, I rise in opposition to this amendment and claim the time.

The Acting CHAIR. The gentleman from Minnesota is recognized for 5 minutes.

Mr. KLINE. Mr. Chairman, this amendment would require the Secretary of Education to not only develop, but also enforce, guidelines on conflict of interest for charter schools. The gentlewoman points out that there are charter schools and charter school managers who sometimes don't perform as they should.

We believe very strongly that the underlying law and that the underlying bill here addresses that issue, because this amendment is an overreach of Federal authority. Each State that allows charter schools has determined what requirements the schools must follow in creating, opening, and operating the schools. We address the authorizing responsibilities in the underlying bill.

Simply put, this amendment is unnecessary. The underlying bill includes several provisions to have States help schools run more effectively and includes a set-aside of each State grant for quality authorizing. Quality authorizing will help each charter school run more effectively, both in academics and in operations.

We do not need the Secretary of Education getting more involved in these schools by layering on more burdensome requirements. These are issues best addressed at the State and local level, and the underlying bill already provides support for these efforts.

Mr. Chairman, I urge my colleagues to oppose this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Florida (Ms. CASTOR).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. CASTOR of Florida. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Florida will be postponed.

AMENDMENT NO. 4 OFFERED BY MS. MOORE

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in part A of House Report 113-444.

Ms. MOORE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 8, line 1, strike "7 percent" and insert "5 percent".

Page 8, line 3, strike "and".

Page 8, line 6, strike the period at the end and insert "; and".

Page 8, after line 6, insert the following:

"(D) reserve not less than 2 percent of such funds for oversight of the use of public funds (which shall cover Federal, State, and local funds) and private funds by each public chartering agency in the State of the State entity for each charter school authorized by such agency, by each local educational agency in the State for each charter school served by such agency, and by the State as a whole for each charter school in the State, which shall include the investigation of fraud, waste, mismanagement and misconduct, including monitoring the annual filing and public re-

porting of independently audited financial statements (including disclosure of amount and duration of any Federal, State, and local, and private financial and in-kind contributions of support, and expenditures of such support)."

The Acting CHAIR. Pursuant to House Resolution 576, the gentlewoman from Wisconsin (Ms. MOORE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Wisconsin.

Ms. MOORE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chair, I rise to offer an amendment to H.R. 10, which reauthorizes our Nation's charter school program. I would just like to start out by saying this is a great improvement over the charter school legislation that we have seen in past times.

When the charter school movement began, as many of you may recall, lawmakers exempted those schools from many of the rules governing traditional public schools in order to allow educators their ability to explore new, innovative methods and models of teaching.

This yielding of exempting them from this rule yielded some unintended consequences. There have been stories in many States, and you just heard Ms. CASTOR of Florida talk about financial waste, fraud, murky funders or managers, conflicts of interest. It is a problem, notwithstanding our desire to see innovation.

This has got to be addressed because taxpayer dollars are, in fact, lost along with private funds, as well as innovation. The greatest cost, of course, is our children, who become, sometimes, puppets of other folks' financial interests.

A new report from the Center for Popular Democracy and Integrity in Education released just this month examined 15 of the largest charter markets and found \$100 million in losses to taxpayers since charter schools entered these markets.

It is very important to put sensible oversight into place to ensure that public funds are not being wasted or misused. This amendment does just that. It simply requires that States receiving charter school grants must set aside 2 percent of that grant to provide financial oversight of charters of publicly funded money and to disclose private contributions that they receive.

I just want to say, anticipating some rebuttal, that the funds would be set aside and the authorizing agencies of these charter schools, be they the State or the local education agency, would be able to use the set-aside for appropriate financial oversight.

With that, I reserve the balance of my time.

Mr. KLINE. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Minnesota is recognized for 5 minutes.

Mr. KLINE. Mr. Chairman, this amendment will force States to reserve

more funds for review of public and private charter school funding.

The underlying bill, Mr. Chairman, includes audits as an important aspect of quality authorizing measures.

In addition, States already require multiple audits of their charter schools. This amendment will take money away from the quality authorizing set-aside, where funds will otherwise be used to support measures to open and run schools with effective operations practices in addition to high-quality academics.

Mr. Chairman, I urge my colleagues to oppose this amendment.

Mr. GEORGE MILLER of California. Will the gentleman yield?

Mr. KLINE. I yield to the gentleman from California.

Mr. GEORGE MILLER of California. Unfortunately, I too oppose this amendment of my good friend, Ms. MOORE, for the reasons that the chairman has just said, that we believe that much of this is already taken care of in the underlying bill and that we are directing money away from the program for responsibilities that should in fact be the responsibility of the authorizers, be they the State or local authorizers. That is their job. We are trying to strengthen that in this legislation to lead to high-quality expansion of these programs, with the caveat being that you can only authorize those high-quality programs that deal with the question of accountability and so forth.

I too find myself in the unfortunate position of opposing my friend on this legislation and expect the States, in response to continuing to receive these grants, to step up to their responsibility to deal with these problems.

Mr. KLINE. I reserve the balance of my time.

Ms. MOORE. Mr. Chairman, I think it is unfortunate that the gentleman from California is opposing this amendment as well and my Republican friends opposing it, because we often find ourselves talking about unfunded mandates. What my amendment does is try to make sure that we are providing not only the guidance and insistence that there be audits, but that we actually provide the ways and means for it to be done.

It is one thing to say, oh, yeah, they are going to audit themselves. With what? Audits cost money. So I find it unfortunate that they would pass this unfunded mandate on to these chartering agencies.

I would urge my colleagues to vote for this amendment. I think it improves the bill. I think it provides the needed resources for this accountability, these accountability activities.

With that, I yield back the balance of my time.

Mr. KLINE. Mr. Chair, how much time do I have?

The Acting CHAIR. The gentleman from Minnesota has 3½ minutes remaining.

Mr. KLINE. Mr. Chairman, I yield myself such time as I may consume.

I think the points were made. I thank the ranking member, Mr. MILLER, for making those points.

What concerns me about the gentleman's amendment is this is going to take money away from the purposes for which we have designed it and put it in this bill. We are trying to make sure that good, high-quality charter schools can be expanded and replicated, and this will detract from that ability.

So I urge my colleagues to vote "no," and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Wisconsin (Ms. MOORE).

The amendment was rejected.

AMENDMENT NO. 5 OFFERED BY MS. BASS

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in part A of House Report 113-444.

Ms. BASS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 14, line 16, insert " , including eliminating any barriers to enrollment for foster youth or unaccompanied homeless youth," after "students".

The Acting CHAIR. Pursuant to House Resolution 576, the gentleman from California (Ms. BASS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Ms. BASS. Mr. Chairman, I rise today to offer an amendment along with fellow congressional Caucus on Foster Youth cochairs TOM MARINO, JIM McDERMOTT, and MICHELE BACHMANN. I also want to thank the chairman and the ranking member for their leadership on this issue.

This amendment will help ensure that foster and homeless youth are not unfairly disadvantaged in the enrollment process for charter schools.

Across the country, charter schools often have requirements that don't exist in traditional public schools. For example, they may require parent interviews or parent involvement volunteer service during the academic year. Sadly, foster and homeless students might not be able to meet that requirement because they might not have adults in their life that are available to meet these standards, and foster parents may be unwilling or unable to do this. In turn, these youth may not be able to attend charter schools.

This really isn't acceptable, especially since the academic achievement gap between foster youth and their peers is quite significant. In fact, a recent study by the Stuart Foundation in California indicated that test results for students in foster care fell into the two lowest performance levels for language arts and mathematics at twice the rate of the statewide student population. Additionally, the 2010 graduation rate for all high school seniors was 84 percent; but for students in foster

care, it was just 58 percent, the lowest rate among at-risk student groups.

Foster and homeless youth need more educational options, not less. This amendment will provide the nearly 400,000 foster youth and 1.7 million homeless youth in the United States with greater access to quality schools.

In the spirit of National Foster Care Month this May, I want to thank the Democrats and Republicans in the Foster Youth Caucus who came together to author this commonsense but necessary amendment.

I urge my colleagues to support the amendment.

Mr. GEORGE MILLER of California. Will the gentleman yield?

Ms. BASS. I yield to the gentleman.

Mr. GEORGE MILLER of California. Mr. Chair, I rise in support of this amendment to ensure that all students reap the benefits of the public charter schools. That is the purpose of this legislation, and certainly including foster youth.

I also rise to thank the gentleman for her just unrelenting effort to make sure that foster youth are not diminished because of their family status, if you will, because of the uncertain situation that they find themselves, many times in different situations throughout a given year, maybe in different schools. Both in her time in the State legislature and here in the Congress, she has just been remarkable in her advocacy on behalf of these students.

We all know the difficulty that these students have, the uncertainty that they have to deal with. Just the proximity of their families to be able to go to school creates a great deal of hardship and difficulty for these students. We definitely owe them an extra effort to make sure that they get full inclusion in those academic offerings and participation in the charter schools in this country.

Thank you so very, very much.

Ms. BASS. Thank you, Mr. Ranking Member, and I urge my colleagues to support the amendment.

I yield back the balance of my time.

Mr. KLINE. Mr. Chairman, I claim the time in opposition although I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman from Minnesota is recognized for 5 minutes.

There was no objection.

Mr. KLINE. Mr. Chairman, I yield 1 minute to the gentleman from Virginia (Mr. CANTOR), the distinguished majority leader.

Mr. CANTOR. Mr. Chairman, I thank the chairman, the gentleman from Minnesota, as well.

Mr. Chairman, I rise today in support of the amendment and in strong support of the Success and Opportunity Through Quality Charter Schools Act.

Mr. Chairman, a great education is the foundation that Americans need to climb the economic ladder of success and to build a bright future. America doesn't work when our students are trapped in failing schools or denied the

opportunity to attend the school that meets their learning needs.

For far too many children in our country, a quality education remains out of reach. Kids without access to a quality education struggle to even see any opportunity to get ahead. They struggle to lift themselves out of a life of poverty.

Expanding education opportunity for all students everywhere is the civil rights issue of our time. Fortunately, we have a chance today to bring more opportunities to students all over America who are looking for that chance to learn, to grow, and to succeed.

□ 1030

The legislation before us today will reform existing programs and will authorize grants so that high-performing charter schools can expand and be replicated throughout the country. It will also give families and students more freedom, flexibility, and choice when it comes to deciding where they can go to school.

Currently, Mr. Chairman, there are almost 1 million students stuck on waiting lists for charter schools simply because there aren't enough slots. I say we help those students by expanding those slots so they can get off the waiting lists and into the classroom.

Taking such action would seem like the obvious and smart thing to do. However, there are some who are more beholden to special interests than to the children's needs. In New York City, the mayor there, Bill de Blasio, recently attempted to deliver on his threat to kick public charter schools out of the space that they share or were planning to share with other traditional public schools. This kind of activity completely undermines the essence of education reform.

Fortunately for New York City students, Governor Cuomo did not allow this to become a reality. Those kids who would otherwise have ended up without a school in the fall now have one. This bill provides even more opportunities for States like New York State to help high quality charter schools expand and replicate.

Those who choose to wage a war on kids stand on the wrong side of this debate and risk allowing themselves to become enemies of opportunity and roadblocks to success. Bottom line, the expansion of charter schools will work.

In my hometown of Richmond, I have toured the Patrick Henry School of Science and Arts, one of only a few charter schools in all of Virginia. There I met a retired public school teacher named Gwen. Gwen's grandson had a particular interest in science, but Gwen felt that the school he attended wasn't offering a strong enough science curriculum to match her grandson's needs and desires. Fortunately, Gwen had a choice and now sends her grandson to Patrick Henry. More families deserve that kind of choice.

In visits to other charter schools throughout the country, I have met dozens of children who were once trapped in failing schools and schools that couldn't meet their individual learning needs. These kids are now attending charter schools and they are thriving.

These are not isolated cases. Nationally, charter school students do better than non-charter students in reading, math, and science. While the growth of charters is relatively new, charter schools currently make up more than a quarter of the Newsweek/U.S. News Best High Schools in America. The question is: Shouldn't more of our children have the chance to attend a quality school that happens to be a charter school?

Mr. Chairman, this legislation is about upward mobility. It is about giving families and students more hope for their future. This legislation is about expanding education opportunity for more kids so that we can begin to create an America that works again and works again for everybody.

This should not be a partisan issue. This is a bill we can all proudly get behind. Today, let's stand united and show our constituents that we understand a strong education is the first rung in climbing that economic ladder of success.

I want to thank Chairman KLINE, the gentleman from Minnesota, for his tireless work in the area of education, and in this bill in the area of charter schools. I also want to thank the gentleman from California, the ranking member, for his work on this legislation.

I urge my colleagues in the House in a bipartisan fashion to support this legislation.

Mr. KLINE. Mr. Chairman, this amendment ensures that foster kids do not face barriers to enrollment in charter schools. The amendment does improve the bill and does help foster kids.

I want to thank the gentlewoman from California (Ms. BASS) for offering this amendment.

I am pleased to yield the remainder of my time to the gentleman from Colorado (Mr. POLIS).

Mr. POLIS. Mr. Chairman, I want to thank Chairman KLINE and Ranking Member MILLER for their work, and Representative BASS for her leadership in working with youth and foster care, and homeless youth in particular, on this bill.

Before I came to Congress I founded a charter school with the focus of serving homeless youth and youth in transitional housing called the Academy of Urban Learning in Denver. Not every area, not every city, not every county might have a charter school with a particular focus of working with kids that are in transitional housing, so it is incumbent upon us to ensure that all public charter schools that are supported under this bill ensure that they don't have barriers for foster youth or barriers for youth in transitional housing.

There are a lot of particular needs around kids that are going through turmoil in their home life, whether it is at the elementary level or whether it is at the high school level. By adding the language Representative BASS introduced in her bipartisan amendment, we can ensure that any participant in the Federal charter school program doesn't have any barriers to enrolling kids.

This week here on the floor of the House has been characterized by partisan rancor around Benghazi and Lois Lerner. How wonderful that Democrats and Republicans can come together not only around this amendment by KAREN BASS, but also around the bill itself. The upgrade of the Federal Charter Schools Program to the 2.0 version takes into account the learning of the last 15 years to ensure that our very limited Federal footprint and investment has the maximum possible impact on increasing student achievement and increasing transparency and accountability for public charter schools.

I thank Representative BASS for offering her amendment, which I am proud to support.

Mr. KLINE. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. BASS).

The amendment was agreed to.

AMENDMENT NO. 6 OFFERED BY MR. MESSER

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in part A of House Report 113-444.

Mr. MESSER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 16, line 7, strike "and".

Page 16, line 13, insert "and" at the end.

Page 16, after line 13, insert the following:

"(xv) will work with eligible applicants receiving a subgrant under the State entity's program to support the opening of charter schools or charter school models described in clause (i) that are secondary schools;"

The Acting CHAIR. Pursuant to House Resolution 576, the gentleman from Indiana (Mr. MESSER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Indiana.

Mr. MESSER. Mr. Chairman, I want to thank the chairman and ranking member for their leadership on this bill.

I rise today to offer a simple amendment that will encourage the opening, replication, and expansion of high quality secondary charter schools.

Too many students don't have the chance to attend the secondary charter school of their choice because there simply are not enough of these schools to meet the demand for them. Many charter networks don't have a secondary school, and where there are such schools the demand for the spots

in these schools exceeds the number of slots available.

The underlying bill takes a big step in the right direction to meet this challenge by clarifying that State-determined weighted lotteries are permitted under the charter school program.

The bill allows for children to continue in the school program of their choice by ensuring students in affiliated charter schools can attend the next immediate grade in a charter school network. This is very important. It will help alleviate the need for students to essentially win the lottery twice. However, I believe more can and must be done.

My amendment is designed to help build on the progress made by the underlying bill. It would simply require State entities applying for charter school program grant funds to explain how they will work with eligible applicants within the State to encourage the opening, replication, and expansion of high quality secondary charter schools.

By encouraging grantees to open, replicate, and expand high quality secondary charter schools, more students who want to continue attending such schools will be able to do so.

As the founder and chairman of the Congressional School Choice Caucus, one of my top priorities is ensuring that more families have access to high quality educational opportunities. Supporting the growth of successful secondary charter schools is critically important to this effort.

I urge my colleagues to support this amendment and the underlying bill.

I reserve the balance of my time.

Mr. POLIS. Mr. Chairman, I claim the time in opposition, although I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman from Colorado is recognized for 5 minutes.

There was no objection.

Mr. POLIS. Mr. Chairman, I rise in strong support of the Messer amendment, which encourages States to support the opening or replication of charter schools that are secondary schools.

The area that this impacts and improves in the bill is one of the most important policy changes over the previous authorizing program. Under the current Federal Charter Schools Program, only new schools can be funded and participate in this program.

What we allow under this bill is the replication and expansion of models that we know work. For instance, if there is a K-8 school that wants to expand into high school or there is a school that wants to grow from 400 to 600 students, if we have the evidence-based information that shows that that school is transforming lives and helping kids achieve, we want to ensure that we can have the maximum possible impact with our limited Federal dollars.

What this amendment does is it ensures that States as part of their plan

allow for the replication and expansion of public charter schools.

I want to thank my colleague from Indiana for recognizing the importance of charter schools in serving high school students and the opportunity that these models have to provide a flexible educational environment for older students to prepare them for college and careers.

The charter school models that are allowed give schools the flexibility they need to meet the needs of the students, whether it is longer hours, longer school years, additional support service, or daycare vouchers for pregnant or young mother teens. This flexibility can be critical to helping students succeed at the secondary level.

This amendment improves the bill and makes sure that States encourage the opening, replication, and expansion of public charter high schools. Having founded two public charter high schools myself before I served in the United States Congress, I can personally give testimony to the transformational impact that it has on young people every day. In many cases, young people that would otherwise be dropouts or not even in the public education system are able to have a specific educational product that is tailored around their real world needs. There is a charter school for pregnant teens in Montrose, Colorado. Whether it is a vocational or work focus school that gives kids the skills they need to compete in the workforce, the Messer amendment is a step forward in building upon the language which is already an improvement over the existing authorization, and brings it to a better place that we can all be proud of, Democrats and Republicans.

I reserve the balance of my time.

Mr. MESSER. Mr. Chairman, I want to thank my colleague, the gentleman from Colorado (Mr. POLIS), for his support of this amendment, and, more importantly, for his remarkable vision and leadership in charter schools across the country.

I have no further comments, and I yield back the balance of my time.

Mr. POLIS. Mr. Chairman, in this week of partisan divisions here on the floor of the House of Representatives, we have a unique opportunity in this amendment, in this bill, to come together around supporting public charter schools.

This week, Mr. Chairman, is Public Charter Schools Week. What better way to celebrate than to upgrade the Federal Charter Schools Program with language that Democrats, Republicans, and all important stakeholders can agree on. Truly, all stakeholders are part of this discussion. Authorizers, including districts and States and special districts, public charter schools themselves, teachers unions, teachers, were all at the table to ensure that we can create a program that builds upon the successes of the two decades of the public charter school movement and will allow it to reach even greater heights in the next decade.

On behalf of Ranking Member MILLER and myself, we are proud to support the Messer amendment. We are also proud to support the underlying bill.

By ensuring that States that apply for this program explain how they will work with applicants to encourage replication and expansion at the secondary level, we can ensure that the needs of all students are better met. Particularly, in many areas of our country we have high schools that are persistently failing, with dropout rates of 50 percent year after year, where half the kids coming in the door in ninth grade don't leave in 12th. Through upgrading with better opportunities for parents to choose, we can turn it around and make sure that kids have the opportunity to graduate and have a good job in an economy in the 21st century that increasingly relies on both a high school education and a college education.

I rise in support of this amendment. I urge my colleagues to vote "yes" on this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Indiana (Mr. MESSER).

The amendment was agreed to.

□ 1045

The Acting CHAIR. The Chair understands that amendment No. 7 will not be offered.

AMENDMENT NO. 8 OFFERED BY MS. JACKSON LEE

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in part A of House Report 113-444.

Ms. JACKSON LEE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 21, line 15, strike "and".

Page 22, line 2, strike the period at the end and insert "; and".

Page 22, after line 2, insert the following:

"(H) the State entity will ensure that charter schools and local educational agencies serving charter schools post on their websites materials with respect to charter school student recruitment, student orientation, enrollment criteria, student discipline policies, behavior codes, and parent contract requirements, including any financial obligations (such as fees for tutoring or extra-curricular activity)."

The Acting CHAIR. Pursuant to House Resolution 576, the gentlewoman from Texas (Ms. JACKSON LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE. Let me thank the proponents of this bill.

Mr. Chairman, this is a very important bill, and I believe it opens the doors of opportunity for quality and excellence in charter schools. I hope, as we move forward as to the issues dealing with charter schools that are located in minority communities and

that are created by minority members of the community, like in Texas, where in some instances there is an unfair process, H.R. 10 will bring an evenness and a quality in excellence and also opportunity for the creativity of charter schools that can lift up at-risk children. I think that is one of the key elements of, hopefully, this legislation.

I want to cite in my own district that we have, yes, KIPP and Harmony that are well-known across the country and somewhat around the world. It is my understanding that KIPP is now moving to Israel, but we also have a school like Pro-Vision, its work of which I have known for over 20 years. It lifts at-risk children up to the levels of opportunity.

My amendment is an amendment that directs the Web site publication of materials on the Web sites of charter schools regarding student recruitment, orientation materials, enrollment criteria, student discipline policies, behavior codes, and parent contract requirements.

It would also include any financial obligations, such as fees for tutoring or extracurricular. That is transparency. That is allowing, if you will, the opportunity for parents to have full information in a different setting from public schools.

My children went to public schools. I went to public schools. I believe in public schools—I strongly believe in them—but I believe this new idea, that of the partnership of charter schools with public schools, should include a format of transparency.

I should be clear that public schools have a challenge with transparency as well. As I interact with my constituents, many parents don't know the opportunities that they may have in a public school—vanguard or the special classes that they may have or sufficient arts and music and which school has it; yet as this is going to be a federally funded program, it is important to ensure that our parents have information.

Certainly, they should have information regarding the kind of discipline atmosphere that is there. They should also know whether or not there are serious commitments to making sure that their children's holistic futures are in front of them and that they are not subjected to policies that would intervene on issues dealing with bullying or with the prevention of bullying.

This is a very good amendment to H.R. 10, and I ask my colleagues to support it.

I reserve the balance of my time.

Mr. KLINE. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR (Mr. POE of Texas). The gentleman from Minnesota is recognized for 5 minutes.

Mr. KLINE. Mr. Chairman, I want to say to my colleague that I really appreciate her effort to ensure that all schools, both traditional public schools and public charter schools, share the information needed by parents.

We agree on that point, and I believe that the underlying bill addresses it; so I must, regrettably, oppose the gentleman's amendment, but I certainly thank her for the discussion.

I reserve the balance of my time.

Ms. JACKSON LEE. Mr. Chairman, it is not often that we mention our great disappointment on the floor of the House. We usually battle it out. I know I am right on this amendment, and I am highly disappointed in the majority's representation.

I would like to submit for the RECORD a letter from the AFT, which is supporting the Jackson Lee amendment extremely enthusiastically, and a letter from the National Education Association, which is endorsing the Jackson Lee amendment.

It is strongly supported by the NEA, which gives me pause as to why this amendment is an amendment that is not agreed to.

AMERICAN FEDERATION OF TEACHERS,
Washington, DC, May 8, 2014.

HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVE: On behalf of the more than 1.5 million members of the American Federation of Teachers—including individual AFT members who teach in charter schools and who, with me, wrote to you this week—I offer our collective views on H.R. 10, the Success and Opportunity through Quality Charter Schools Act, as well as our position on several important amendments that will be considered during today's debate on the underlying bill.

The bill combines a number of existing charter school programs into one that would provide federal funds for new charters; expand and replicate existing charters; acquire, construct and renovate facilities; establish and administer per-pupil facilities-aid programs; and, fund national activities. H.R. 10 provides important accountability measures for charter schools but, primarily, provides for their expansion.

Since our former President Albert Shanker first promoted them, the AFT has believed that publicly financed charter schools have a role in public education. The best charters have served as incubators of good practice and have helped provide parents and students access to high-quality public education. For example, in 2013, University Prep, a unionized public charter school started by Steve Barr, founder of Green Dot Public Schools, and me several years ago in New York City, graduated every single child, all of whom were admitted to college.

The reality in communities across the country is a mixed bag—while many charter schools are well-managed and serve the children who are accepted and decide to attend, many others do not provide equitable access for all students, are poorly managed, and are not transparent with their finances. Further, there are unfortunately too many instances where charters are used as a tool to destabilize or compete with other public schools.

H.R. 10 includes many provisions to bring charter schools closer to the standards of accountability, equitable access, and transparency that traditional public schools must meet, but there are still real gaps. Improved accountability and transparency is owed to the students who attend charter schools and to the taxpayers who financially support these schools. In requiring these new standards, Congress would in no way be limiting charter schools' potential to serve as laboratories of innovation. It would, however, be

ensuring that those innovations are transparent, sustainable, and scalable, and that all our public school students and their schools are treated equitably.

The AFT is pleased the bill includes some improvements over current law in the areas of ensuring equitable access to charter schools for all students; in seeking to prevent charter schools from allowing barriers to enrollment that result in the exclusion of English language learners, students with disabilities, and other disadvantaged students from enrolling; and, in ensuring that charter schools are appropriately monitored in the areas of student safety and financial management. We also appreciate the bipartisan acknowledgement that charter schools need better oversight by state entities.

However, we believe that H.R. 10 can be strengthened by approving the following amendments aimed at improving the overall bill. To this end, we urge you to support:

Moore: This amendment would require states receiving charter school grants to set aside 2 percent of the grant amount for financial oversight of charters. It would also ensure that charter schools include private and public contributions in their audits.

A report from the Center for Popular Democracy and Integrity in Education outlines \$100 million in losses to taxpayers in 15 of the largest charter markets since charter schools entered these markets. This is a problem that needs to be addressed.

H.R. 10 would provide \$300 million annually in support of charter schools. The Moore amendment would help ensure that these funds are being properly spent and that charters are incubators of innovation, not enablers of waste, cronyism, or fraud. It would also help monitor the influence of private investors by requiring the disclosure of private contributions.

Wilson/Davis/Duckworth/Grayson/McKinley/Fudge: This amendment would require that information about each charter school be made available, including disaggregated enrollment and academic performance data. This amendment will better ensure that parents have information on how charter schools are educating students, and will shine a light on enrollment rates of populations that have often been excluded from charter schools.

Additionally, the AFT urges your support for the following additional amendments:

Jackson Lee: This amendment requires charters to publicize their information on student recruitment, orientation materials, enrollment criteria, student discipline policies, behavior codes, and parent contract requirements, which should include any financial obligations such as fees for tutoring and extra-curricular activities.

Langevin: This amendment would provide for comprehensive career counseling, a much needed resource in all schools.

Castor: This amendment would develop and enforce conflict of interest guidelines for all charter schools receiving federal assistance.

Bonamici: This amendment requires states to report on the sharing of best practices by charter and traditional public schools.

Sincerely,

RANDI WEINGARTEN,
President.

NATIONAL EDUCATION ASSOCIATION,
Washington, DC, May 8, 2014.

DEAR REPRESENTATIVE: On behalf of the three million members of the National Education Association (NEA), and the students they serve, we offer our views on select amendments to the Success and Opportunity through Quality Charter Schools Act (H.R. 10) scheduled for votes Friday. While the underlying bill includes some improvements to existing law, it falls short of what is needed

to ensure greater accountability and transparency. Votes associated with amendments to H.R. 10 may be included in the NEA Legislative Report Card for the 113th Congress.

NEA supports high-quality charter schools that operate in a manner that is transparent and accountable to parents and taxpayers; ensures equity and access; and solicits and benefits from input from parents, educators, and the communities they serve. We caution, however, that charter schools are not a panacea for solving all education challenges.

Some provisions of the underlying bill represent improvements, such as requiring greater charter authorizer accountability, and including weighted lotteries to address under-enrollment of disadvantaged students. However, the underlying bill falls short in key areas: including no mandatory disclosure and reporting on key data including funding from private sources, no independent audit requirements, no open meetings requirements and no conflict of interest guidelines. Please refer to NEA's full letter on the underlying bill for more details.

NEA's views on specific amendments are listed below.

The following are amendments strongly supported by NEA:

#3 by Rep. Castor—Requires the Secretary of Education to develop and enforce conflict of interest guidelines for all charter schools receiving federal assistance. Guidelines must include disclosures from anyone affiliated with the charter school that has a financial interest in the school.

#4 by Rep. Moore—This amendment would establish a two percent set-aside of funds to assist with state oversight of their charter schools, and ensure disclosure of private sources of funding in audits.

#7 by Reps. Grayson/Clarke/Wilson—This amendment ensures that an application by a state entity to receive grants through the Charter School Program contains an assurance that charter schools will also measure student retention rates in their annual performance assessments—as well as graduation rates and student academic growth, as currently required by this bill.

#8 by Rep. Jackson Lee—This amendment ensures that charter schools make certain information publicly available on their website including student recruitment, enrollment criteria, student discipline policies, behavior codes, and any parent contract requirements or financial obligations.

#9 by Reps. Wilson/R. Davis/Duckworth/Grayson/McKinley/Fudge—This amendment will ensure collection and public dissemination of information that will help parents make informed decisions about education options for their children, including disaggregated data on student outcomes, suspensions, and expulsions.

#12 by Rep. Loretta Sanchez—This amendment requires states to report how they have worked with their charter schools to foster community involvement.

NEA is also supportive of these amendments to H.R. 10:

#5 by Reps. Bass/Marino/McDermott/Bachmann—This amendment ensures there are no unnecessary barriers for foster youth in charter school enrollment and ensures the inclusion and retention of all students no matter the involvement or lack of involvement of parents.

#10 by Reps. Langevin/G. Thompson—This amendment would add comprehensive career counseling to the criteria that the Secretary of Education will take into account when prioritizing grants to school districts.

#11 by Rep. Bonamici—This amendment would clarify the reporting requirements of State entities to include the sharing of best practices by charters and traditional public schools.

We thank you for your consideration of our views on these select amendments and urge your support for them.

Sincerely,

MARY KUSLER,

Director, Government Relations.

Ms. JACKSON LEE. Mr. Chairman, let me conclude my remarks by saying that, across America, children are bullied every day, and across America, parents are baffled by the educational system.

Any time that you can reinforce this idea of transparency, I believe that it is an important step forward, and I would hope that my colleagues would be able to support this amendment. I believe it is a strong, but positive amendment.

I yield to the gentleman from Minnesota for an inquiry, please, to the chairman of the committee.

What modification could occur with this amendment? It is a strong amendment that is supported by educational groups, and it just reinforces, I believe, in a more specific manner the intent of H.R. 10.

Mr. KLINE. Will the gentlewoman yield?

Ms. JACKSON LEE. I yield to the gentleman from Minnesota.

Mr. KLINE. I thank the gentlelady.

Mr. Chairman, my concern with the amendment is that this puts additional reporting requirements on the charter schools that are not required of traditional public schools.

We are trying to make it easier, and we are trying to streamline the process. We are trying to expand the charter school movement of quality charter schools, and I don't think we should be adding additional burdens onto charter schools which make it harder for them to move forward.

The Acting CHAIR. The time of the gentlewoman has expired.

Mr. KLINE. Mr. Chairman, I do appreciate the gentlelady's efforts to get information out there.

As I said earlier, unfortunately, I want to be very, very careful in avoiding adding additional burdens or more red tape or more requirements to charter schools at the very time when we are trying to streamline the system and make it easier to expand and to replicate quality charter schools.

So, unfortunately, I encourage my colleagues to vote "no" on the amendment.

I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Chair, I would like to offer my thanks and appreciation to Chairman KLINE and Ranking Member MILLER for all of their work in their stewardship in bringing this strongly bipartisan bill to the House Floor for consideration.

They have both worked hard on ways to improve education for our nation's youth and I have had the pleasure of working with the Chair on many issues of mutual interest for the improvement of education.

Mr. Chair, thank you for this opportunity to explain my amendment to H.R. 10. My amendment directs State Education Agencies that award Federally funded grants to charter

schools under this bill to work with those schools so that they provide information on their websites regarding student recruitment, orientation materials, enrollment criteria, student discipline policies, behavior codes, and parent contract requirements, which should include any financial obligations such as fees for tutoring, and extra-circular activities.

My amendment has the support of the National Educational Association and the American Federation of Teachers. I have letters from both organizations that I would like included in the RECORD along with my statement.

Charter schools were new—but today they have become for many parents an important public education option. Not all public charter schools have been successful, but the work of those that have been successful have led us to this point of considering legislation to provide additional Federal funding for the creation of additional charter schools.

This amendment is a pro-education consumer amendment that would educate parents who are investigating the public charter school option for their child's education.

The Jackson Lee Amendment will make it possible for parents to learn more about how schools deal with important education issues such as academic performance, enrichment programs, anti quality of education life issues programs for children with learning disabilities like dyslexia are taught.

Many public charter schools provide this information online, and the amendment would support this good transparency practice. The Jackson Lee amendment is good for parents and for charter schools because parents would have access to information that helps them make education decisions for their children; and charter schools would speak to a larger audience regarding their education programs.

This information being provided on Charter School websites would help us better understand what public charter schools are offering to parents and students. It would also bring additional transparency regarding the drivers of higher enrollment in public charter schools and promote greater public awareness regarding policies on such as discipline, counseling, drop-outs, bullying, as well as programs that impact of education on children with learning disabilities like dyslexia on student retention.

In Houston, I have had the benefit of seeing the work of public charter schools at work: Harmony Public Schools, YesPrep Public Charter Schools, and KIPP Public Charter Schools have made tremendous advancements.

It is my hope that charter school districts and charter schools will take up the challenge of providing hard data to make the case for their approaches to education.

I offered two amendments for consideration by the House Rules Committee that would strengthen the legislative goals of H.R. 10.

I also offered a second Jackson Lee Amendment in the form of a "Sense of the Congress" on the promotion of, and support for anti-bullying programs in charter schools, including those that serve rural communities not supported by the Rules Committee. I regret that this amendment was not made in order for consideration of this bill because the prevention of bullying is one of the most challenging problems facing school officials.

Bullying is not a new behavior. Kids have been exposed to bullying in school for generations. Now, however, bullying has taken on

new heights and sometimes victims of bullies suffer severe and lasting consequences.

For victims of bullying, they go to school every day facing harassment, taunting, and humiliation. Studies show that 25–35 percent of teens encountered some type of bullying in their lifetime. Bullying is a form of violent behavior that happens not only in the schools but everywhere.

The National Center for Educational Studies reports show that 14 percent of 12- to 18-year-olds surveyed report being victims of direct or indirect bullying. 1 out of 4 kids is bullied. The Department of Justice reports that 1 out of every 4 kids will be abused by another youth.

I introduced H.R. 2585, the Juvenile Accountability Block Grant Reauthorization and the Bullying Prevention and Intervention Act of 2013. This bill amends the Omnibus Crime Control and Safe Streets Act of 1968 by expanding the juvenile accountability block grant program with respect to programs for the prevention of bullying to include intervention programs. The bill's objective is to reduce and prevent bullying and establish best practices for all activities that are likely to help reduce bullying among young people.

This year a million children will be teased, taunted, and physically assaulted by their peers. Bullying is the most common form of violence faced by our nation's youth.

The frequency and intensity of bullying that young people face are astounding:

1 in 7 students in grades K–12 is either a bully or a victim of bullying.

90 percent of 4th to 8th grade students report being victims of bullying of some type.

56 percent of students have personally witnessed some type of bullying at school.

71 percent of students report incidents of bullying as a problem at their school.

15 percent of all students who don't show up for school report it to being out of fear of being bullied while at school.

1 out of 20 students has seen a student with a gun at school.

282,000 students are physically attacked in secondary schools each month.

Consequences of bullying:

15 percent of all school absenteeism is directly related to fears of being bullied at school.

According to bullying statistics, 1 out of every 10 students who drops out of school does so because of repeated bullying.

Suicides linked to bullying are the saddest statistic.

Statistics on gun violence:

Homicide is the 2nd leading cause of death for young people ages 15 to 24 years old.

Homicide is the leading cause of death for African Americans between ages 10 and 24.

Thirteen young people from ages 10–24 become victims of homicide every day.

82.8 percent of those youths were killed with a firearm.

Every 30 minutes, a child or teenager in America is injured by a gun.

Every 3 hours and 15 minutes, a child or teenager loses their life to a firearm.

In 2010, 82 children under 5 years of age lost their lives due to guns.

One of four high school males reportedly carry a weapon to school, with 8.6 percent of reportedly carry a gun.

87 percent of youth said shootings are motivated by a desire to “get back at those who

have hurt them, and 86 percent said, “other kids picking on them, making fun of them or bullying them” causes teenagers to turn to lethal violence in the schools.

In 2011, over 707,000 young people, aged 10 to 24 years, had to be rushed to the emergency room as a result of physical assault injuries.

Victims of bullying often suffer in silence and parents are the last ones to know that their child is being bullied or may be a bully. What once was thought to be a childhood ritual has been proven by school psychologists, law enforcement officials, parents, and students to be much more serious.

Anti-bullying programs can help children understand the seriousness of bullying; and assist parents in learning the signs of bullying as well as learning how to speak to their children about the issue of bullying.

Mr. Chair, I ask my colleagues to support my amendment to make information available on publicly funded charter school websites so that parents are afforded the opportunity to make the best education decisions for their children.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Ms. JACKSON LEE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Texas will be postponed.

AMENDMENT NO. 9 OFFERED BY MS. WILSON OF FLORIDA

The Acting CHAIR. It is now in order to consider amendment No. 9 printed in part A of House Report 113-444.

Ms. WILSON of Florida. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 21, beginning line 16, amend subparagraph (G) to read as follows:

“(G) The State entity will ensure that each charter school in the State makes publicly available, consistent with the dissemination requirements of the annual State report card, information to help parents make informed decisions about the education options available to their children, including information for each school on—

“(i) the educational program;
“(ii) student support services;
“(iii) annual performance and enrollment data, disaggregated by the groups of students described in section 1111(b)(2)(C)(v)(II); and
“(iv) any other information the State requires all other public schools to report for purposes of section 1111(h)(1)(D).”

The Acting CHAIR. Pursuant to House Resolution 576, the gentlewoman from Florida (Ms. WILSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Florida.

Ms. WILSON of Florida. Mr. Chairman, I rise to offer an amendment to H.R. 10.

Although I have very significant concerns about charter schools, it is important to note that defeating H.R. 10 would not eliminate charter schools; it would just maintain the broken status quo. As lawmakers, we must make laws better. We must shape the narrative to benefit the entire Nation.

So, today, I am offering a bipartisan amendment to H.R. 10 to increase accountability, quality, transparency, and to put into priority order access and services for disadvantaged students who are currently underserved by charter schools.

It would require charter schools to disclose information relating to their demographic makeup, how well they educate students, school attendance, average class size, academic achievement gains, parental involvement, and discipline. It holds charter schools to the same disclosure standards as traditional public schools.

We know, when public charters are held to the same standards of accountability, equitable access, and transparency, as in traditional public schools, all of our students receive a better education, but when public charters are not held to these standards, a student's learning suffers, and taxpayers' money is wasted.

I want to thank Chairman KLINE and Ranking Member MILLER for their leadership on this issue and for their support of my amendment. I also thank the cosponsors of this amendment, Representatives RODNEY DAVIS, TAMMY DUCKWORTH, ALAN GRAYSON, DAVID MCKINLEY, and MARCIA FUDGE.

Thank you for your commitment to provide every child access to a quality education. I would appreciate your support on my amendment.

I now yield to the gentleman from Illinois, Representative RODNEY DAVIS.

Mr. RODNEY DAVIS of Illinois. Thank you to my colleague from Florida for yielding time, and thank you for your leadership on this issue.

First, I want to commend my colleagues on the Education and the Workforce Committee—Chairman KLINE, Ranking Member MILLER, and all of those who serve on that committee on both sides of the aisle—for their work in crafting this bipartisan bill that promotes quality charter schools.

Mr. Chairman, my district is located in central and southwestern Illinois, and we are fortunate to have many effective public schools and also charter schools, including the public schools that my three children attend in Taylorville, Illinois.

Successful charter schools can partner with public schools and give children at all levels, in many of the areas of our country, more opportunities to receive the quality education they deserve.

In over the last decade, charter schools have more than doubled in number and now serve, roughly, 2.6 million students. As this number continues to grow, we must make sure

charter schools are also like our public schools—accountable and transparent to the taxpayers and, most importantly, to parents.

The amendment I am offering, along with my colleagues, would do just that by requiring charter schools to collect the same data required of public schools by our States. Additionally, our amendment ensures this information is made public, so parents can make the best decisions for their students.

I want to thank my colleagues for their work on this amendment; and I, again, thank Chairman KLINE for his leadership on this issue.

Ms. WILSON of Florida. Mr. Chairman, I now yield to the gentleman from Colorado (Mr. POLIS).

Mr. POLIS. I thank the gentlelady for working on this important amendment.

Mr. Chairman, public school choice is only as good as informational options are placed before parents. Too often, only the already enfranchised parents have the ability to choose a school that works for their kids.

What this amendment ensures is that all parents are able to find publicly available information, consistent with State law, about the quality of public school options in their areas, in order to help make better informed decisions in the education marketplace.

For public education to work and for competition to have a constructive impact on public education, parents and families need to be able to make informed decisions.

This amendment is an important step towards helping families have the information they need to make public school choice work, to make sure that public charter schools that offer the transformational opportunity to help kids succeed have the information placed in the hands of the most at-risk families, as well as of the families who are already enfranchised through active parents.

I strongly support this amendment, and I encourage my colleagues to include it in the bill.

Ms. WILSON of Florida. Mr. Chairman, I yield back the balance of my time.

Mr. KLINE. Mr. Chairman, I claim the time in opposition to the amendment, although I do not oppose it.

The Acting CHAIR. Without objection, the gentleman from Minnesota is recognized for 5 minutes.

There was no objection.

Mr. KLINE. Mr. Chairman, I very much appreciate the work that Ms. WILSON and the other coauthors of this amendment have put into this. I think it helps the bill, and I would urge my colleagues to support this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Florida (Ms. WILSON).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. KLINE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Florida will be postponed.

The Acting CHAIR. The Committee will rise informally.

The Speaker pro tempore (Mr. AMODEI) assumed the chair.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has agreed to without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 83. Concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for an event to celebrate the birthday of King Kamehameha I.

The message also announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

S. 2197. An act to repeal certain requirements regarding newspaper advertising of Senate stationery contracts.

The SPEAKER pro tempore. The Committee will resume its sitting.

SUCCESS AND OPPORTUNITY THROUGH QUALITY CHARTER SCHOOLS ACT

The Committee resumed its sitting.

□ 1100

AMENDMENT NO. 10 OFFERED BY MR. LANGEVIN

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in part A of House Report 113-444.

Mr. LANGEVIN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 25, line 10, strike “or dropout” and inserting “, dropout”.

Page 25, line 11, insert before the period at the end the following: “, or comprehensive career counseling practices”.

The Acting CHAIR. Pursuant to House Resolution 576, the gentleman from Rhode Island (Mr. LANGEVIN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Rhode Island.

Mr. LANGEVIN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would like to, first of all, thank Chairman KLINE and Ranking Member MILLER for their hard work in bringing this bill to the floor. While it is not perfect, I certainly appreciate their bipartisan work on the public charter school program.

Mr. Chairman, my amendment basically adds comprehensive career counseling to the criteria that the Secretary of Education will take into account when prioritizing grants awarded

under this bill. The amendment would provide school counselors with the most up-to-date information and training for current and future workforce trends and needs. As students plan their path forward, this knowledge will be invaluable.

I am proud to be joined in offering this amendment by my good friend and colleague, Congressman G.T. THOMPSON from Pennsylvania. As coauthors of the bipartisan Congressional Career and Technical Education Caucus, Representative THOMPSON and I are committed to expanding skills and training that will provide students of all ages with the capabilities necessary to meet the demands of the modern economy. It is a true partnership, and I appreciate his leadership.

Comprehensive career counseling is a vital part of skills training. It helps to better align school curricula with local workforce trends and available postsecondary opportunities.

This amendment will help school counselors connect high school students to the skills they need to succeed in the 21st century workforce.

As we all can see, it has become clear that high school diplomas are no longer sufficient training for the modern job market. While not every job will require a college degree, some sort of postsecondary education will be absolutely necessary. Whether it comes from a community college, a skills training program, or on-the-job training, we need to change what it means to be college- and career-ready. We need to provide students with the knowledge and expertise that will truly prepare them for what is next.

Comprehensive career counseling and training doesn't just belong to charter schools. It is a tool that all students should be able to access, and I look forward to working with my colleagues to expand this program to other schools in the future. Today, we have an opportunity to take a first step in that direction.

I urge my colleagues to join me in supporting this amendment.

With that, I yield to the gentleman from California (Mr. GEORGE MILLER), the ranking member.

Mr. GEORGE MILLER of California. I thank the gentleman for yielding.

I rise in support of this amendment. He states it quite correctly: all secondary schools should be equipped to assist bridging the divide from high school to college to career.

I thank the gentleman for offering the amendment, and I urge my colleagues to vote in support of it.

Mr. LANGEVIN. I reserve the balance of my time.

Mr. THOMPSON of Pennsylvania. Mr. Chairman, I claim the time in opposition, although I am certainly not opposed to this amendment.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.