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PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 5) TO ENSURE  
THE RIGHTS OF PARENTS ARE HONORED AND PROTECTED  
IN THE NATION'S PUBLIC SCHOOLS.

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March 22, 2023.—Referred to the House Calendar and ordered to be printed.

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MRS. HOUCHIN, from the Committee on Rules, submitted the following

R E P O R T

[To accompany H. Res. \_\_]

The Committee on Rules, having had under consideration House Resolution \_\_\_\_, by a record vote of 9 to 3, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for consideration of H.R. 5, the Parents Bill of Rights Act, under a structured rule. The resolution provides two hours of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Education and the Workforce or their respective designees. The resolution waives all points of order against consideration of the bill. The resolution provides that an amendment in the nature of a substitute consisting of the text of Rules Committee Print 118-2 shall be considered as adopted and the bill, as amended, shall be considered as read. The resolution waives all points of order against the amendment in the nature of a substitute to H.R. 5 made in order as original text. The resolution further makes in order only those amendments printed in this report. Each such amendment may be offered only in the order printed in this report, may be offered only by a Member designated in this report, shall be considered as read, shall be debatable for the time specified in this 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 in the House or in the Committee of the Whole. All points of order against the amendments are waived. The resolution provides one motion to recommit.

## EXPLANATION OF WAIVERS

The waiver of all points of order against consideration of H.R. 5 includes a waiver of clause 3(e) of rule XIII, which requires the inclusion of a comparative print for a bill or joint resolution proposing to repeal or amend a statute.

Although the resolution waives all points of order against the amendment in the nature of a substitute to H.R. 5, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against the amendments printed in this report, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

## COMMITTEE VOTES

The results of each record vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

### Rules Committee Record Vote No. 22

Motion by Mr. McGovern to amend the rule to make in order amendment #16 to H.R. 5, offered by Representative Grijalva, which would prohibit the Act to be construed to allow the banning or censorship of books in public elementary or public secondary schools. Defeated: 3–8

Majority Members	Vote	Minority Members	Vote
Mr. Burgess.....	Nay	Mr. McGovern.....	Yea
Mr. Reschenthaler.....		Ms. Scanlon.....	Yea
Mrs. Fischbach.....	Nay	Mr. Neguse.....	Yea
Mr. Massie.....	Nay	Ms. Leger Fernández.....	
Mr. Norman.....	Nay		
Mr. Roy.....	Nay		
Mrs. Houchin.....	Nay		
Mr. Langworthy.....	Nay		
Mr. Cole, Chairman.....	Nay		

### Rules Committee Record Vote No. 23

Motion by Mr. McGovern to amend the rule to make in order amendment #24 to H.R. 5, offered by Representative Landsman, which allows for individual school districts to opt-out of compliance with the Act in order to maintain local control. Defeated: 3–9

Majority Members	Vote	Minority Members	Vote
Mr. Burgess.....	Nay	Mr. McGovern.....	Yea
Mr. Reschenthaler.....	Nay	Ms. Scanlon.....	Yea
Mrs. Fischbach.....	Nay	Mr. Neguse.....	Yea
Mr. Massie.....	Nay	Ms. Leger Fernández.....	
Mr. Norman.....	Nay		
Mr. Roy.....	Nay		
Mrs. Houchin.....	Nay		
Mr. Langworthy.....	Nay		
Mr. Cole, Chairman.....	Nay		

#### Rules Committee Record Vote No. 24

Motion by Ms. Scanlon to amend the rule to make in order amendment #18 to H.R. 5, offered by Representative Frost, which would amend the Sense of Congress on First Amendment Rights to state that parents have a First Amendment right to express support for their children accessing best practice medical care. Defeated: 3–9

Majority Members	Vote	Minority Members	Vote
Mr. Burgess.....	Nay	Mr. McGovern.....	Yea
Mr. Reschenthaler.....	Nay	Ms. Scanlon.....	Yea
Mrs. Fischbach.....	Nay	Mr. Neguse.....	Yea
Mr. Massie.....	Nay	Ms. Leger Fernández.....	
Mr. Norman.....	Nay		
Mr. Roy.....	Nay		
Mrs. Houchin.....	Nay		
Mr. Langworthy.....	Nay		
Mr. Cole, Chairman.....	Nay		

#### Rules Committee Record Vote No. 25

Motion by Mrs. Houchin to report the rule. Adopted: 9–3

Majority Members	Vote	Minority Members	Vote
Mr. Burgess.....	Yea	Mr. McGovern.....	Nay
Mr. Reschenthaler.....	Yea	Ms. Scanlon.....	Nay
Mrs. Fischbach.....	Yea	Mr. Neguse.....	Nay
Mr. Massie.....	Yea	Ms. Leger Fernández.....	
Mr. Norman.....	Yea		
Mr. Roy.....	Yea		
Mrs. Houchin.....	Yea		
Mr. Langworthy.....	Yea		
Mr. Cole, Chairman.....	Yea		

## SUMMARY OF THE AMENDMENTS TO H.R. 5 MADE IN ORDER

1. Bacon (NE): Requires Local Education Agencies (LEA) to provide the parents of a child who is a student in an elementary school or secondary school the number of school counselors in that school. (10 minutes)
2. Foxx (NC): Amends H.R. 5 to align the list of rights school districts must provide notice of to actions school districts must take; amends a sense of Congress to express support for parents fundamental rights to direct the education of their children and that courts should use the strict scrutiny test to evaluate laws involving those rights. (10 minutes)
3. Boebert (CO): Amends Section 104 to include Parent's Right to Know if their child's school operates, sponsors, or facilitates athletic programs or activities to permit a person whose biological sex is male to participate in an athletic program or activity that is designated for women or girls. (10 minutes)
4. Boebert (CO): Amends Section 104 to include Parent's Right to Know if their child's school allows a person whose biological sex is male to use restrooms or changing rooms designated for women or girls. (10 minutes)
5. Bonamici (OR): Strikes line 1 and all that follows in H.R.5. Includes a findings section and sense of Congress regarding public education and rights that parents have access to in public schools. Includes titles creating a parent coordinator position in public schools, increasing the authorization level for Full-Service Community Schools, increasing the authorization level for Statewide Family Engagement Centers, and establishing rules of construction prohibiting the banning of books or certain curricular materials. (10 minutes)
6. Crane (AZ), Greene (GA): Adds a private right of action for parents to hold schools accountable for not honoring the rights set forth in Title I and Title II of this bill. (10 minutes)
7. Davidson (OH): Prohibits federal funds under Title I and Title II from going to a local educational agency unless they hold an open enrollment period. (10 minutes)
8. Fitzpatrick (PA): Amends the bill to require the Comptroller General of the United States (GAO) to submit a report to Congress on the cost of the requirements of H.R. 5 to SEAs, LEAs, and elementary and secondary schools and requires the report to also analyze and evaluate the impact of H.R. 5 on protecting parents' rights in the education of the children. (10 minutes)
9. Garbarino (NY), D'Esposito (NY): Provides that nothing in this Act, or the amendments made by this Act, should be construed as authorizing or granting parents the ability to deny any student who is not their own child from accessing any books or other reading materials otherwise available in the library of their child's school. (10 minutes)
10. Green (TN): Revises the bill to include the right to timely notice of any major cyberattack against their child's school that may have compromised student or parent information. (10 minutes)

11. Hunt (TX): Revises H.R.5 to add a provision including whether diversity, equity, and inclusion initiatives factor into a school's plan to eliminate gifted and talented programs. (10 minutes)
12. Jacobs (CA): Strikes "at no cost" in the new paragraph (1)(A) of section 1112(e) of the ESEA, as added by section 104(2) of the bill. (10 minutes)
13. Jacobs (CA): Strikes the provisions relating to reviewing professional development materials in sections 104 and 202. (10 minutes)
14. Lawler (NY): Ensures this bill does not impose requirements on non-public elementary or secondary schools. Adds a sense of Congress that LEAs do not have authority over the curriculums of non-public elementary or secondary schools. (10 minutes)
15. Massie (KY), Boebert (CO), Gaetz (FL), Self (TX): Adds a sense of Congress that the authority of the Department of Education and the Secretary of Education to operate or administer any office or program related to elementary or secondary education should be terminated on or before December 31, 2023. (10 minutes)
16. McCormick (GA): Establishes that parents will be granted the opportunity to address their school board regarding a complaint about a violation of parental rights. (10 minutes)
17. McCormick (GA): Establishes parents' right to be informed of non-curriculum-based initiatives and events, and allows parents to opt-in their children to such initiatives and events. (10 minutes)
18. Miller (OH): Expands the definition of schools to include secondary career and technical schools. (10 minutes)
19. Roy (TX): Allows Title I funds to follow the student to the school they attend (i.e., public, private, or home school). These funds may be used for educational and instructional materials, tutoring, tuition for private school, and extracurricular activities. (10 minutes)
20. Roy (TX): Ensures all funds made available under the Elementary and Secondary Education Act of 1965 after the date of the enactment shall be consolidated and awarded to each State. (10 minutes)
21. Smith (NJ): Requires that the local educational agency discloses to parents any videos or recordings of violent activity of which they are aware. (10 minutes)
22. Tenney (NY): Adds plans to eliminate college credit courses to the list of required disclosures. (10 minutes)

TEXT OF AMENDMENTS TO H.R. 5 MADE IN ORDER

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BACON OF NEBRASKA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 9, line 4, strike “and” at the end.

Page 9, line 9, strike the period, closed quotation mark, and semicolon and insert “; and”.

Page 9, after line 9, insert the following:

“(O) the right to be informed of the total number of school counselors in their child’s school.”.

Page 11, line 4, strike the closed quotation mark and “; and”.

Page 11, after line 4, insert the following new clause:

“(v) SCHOOL COUNSELORS.—A local educational agency receiving funds under this part shall ensure that each elementary school and secondary school served by such agency provides the parents of each child who is a student in such school the information described in paragraph (1)(O).”.

2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE FOXX  
OF NORTH CAROLINA OR HER DESIGNEE, DEBATABLE FOR 10  
MINUTES

Page 6, line 13, insert after “right” the following: “(provided in accordance with the requirements of section 445(a)(2) of the General Education Provisions Act (20 U.S.C. 1232h(a)(2)) with respect to such local educational agency)”.

Page 11, line 4, strike the closed quotes, and “; and”, and insert the following:

“(v) ENROLLMENT OPTIONS.—A local educational agency receiving funds under this part shall ensure that each elementary school and secondary school served by such agency provides the parents of each child who is a student in such school the information described in paragraph (1)(F), including the enrollment and transfer options described in such paragraph.

“(vi) SCHOOL EMPLOYEE OR CONTRACTOR ACTIONS.—A local educational agency receiving funds under this part shall ensure that each elementary school and secondary school served by such agency notifies the parents of any child who is a student in such school if a school employee or contractor takes, with respect to such child, any action described in clause (i) or (ii) of paragraph (1)(L).

“(vii) SCHOOL AND STUDENT SAFETY.—A local educational agency receiving funds under this part shall ensure that each elementary school and secondary school served by such agency notifies—

“(I) the parents of any child who is a student in such school if a school employee or contractor takes, with respect to such child, any action described in clause (i) of paragraph (1)(M); and

“(II) the parents of each child who is a student in such school if any child takes the action described in clause (ii) of paragraph (1)(M).

“(viii) PROFESSIONAL DEVELOPMENT MATERIALS.—A local educational agency receiving funds under this part shall ensure that each elementary school and secondary school served by such agency provides the parents of each child who is a student in such school the opportunity to review professional development materials to ensure the parental right described in paragraph (1)(J); and”.

Page 12, line 3, strike “Title VIII” and insert the following:

(a) IN GENERAL.—Title VIII

Page 13, after line 21, insert the following:

(b) TABLE OF CONTENTS.—The table of contents in section 2 of the Elementary and Secondary Education Act of 1965 is amended—

(1) by striking the item relating to section 8549C; and

(2) by inserting after the item relating to section 8549B the following:

Sec. 8549C. Sense of Congress on First Amendment Rights.

Sec. 8549D. Technical assistance.

Page 12, after line 11, insert the following new paragraph, and redesignate the succeeding paragraphs accordingly:



“(1) The right of parents to educate their children is a pre-political natural right that the U.S. Supreme Court has recognized as ‘beyond debate’ and rooted in the ‘history and culture of Western civilization’.”.

Page 13, strike lines 15 through 21, and insert the following:

“(b) SENSE OF CONGRESS.—It is the sense of Congress that—

“(1) the First Amendment guarantees parents and other stakeholders the right to assemble and express their opinions on decisions affecting their children and communities, and that educators and policymakers should welcome and encourage that engagement and consider that feedback when making decisions; and

“(2) parents have a fundamental right, protected by the U.S. Constitution, to direct the education of their children, and the strict scrutiny test used by courts to evaluate cases concerning fundamental rights is the correct standard of review for government actions that interfere with the right of parents to educate their children.”.

Page 28, line 22, insert “from the Department of Education” after “Federal funds”.

Page 29, line 2, insert “such” before “Federal funds”.

3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE  
BOEBERT OF COLORADO OR HER DESIGNEE, DEBATABLE FOR  
10 MINUTES

Page 9, line 4, strike “and”.

Page 9, line 9, strike the semicolon, closed quotation marks, and period  
and insert “; and”.

Page 9, after line 9, insert the following:

“(O) the right to know if their child’s school operates,  
sponsors, or facilitates athletic programs or activities that  
permit an individual whose biological sex is male to  
participate in an athletic program or activity that is  
designated for individuals whose biological sex is female.”.

Page 11, line 4, strike the closed quotation marks and “; and”.

Page 11, after line 4, insert the following:

“(v) ATHLETIC PROGRAMS OR ACTIVITIES.—A local  
educational agency receiving funds under this part shall ensure  
that each elementary school and secondary school served by  
such agency provides the parents of each child who is a student  
in such school the information described in paragraph (1)(O).”;  
and

4. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE  
BOEBERT OF COLORADO OR HER DESIGNEE, DEBATABLE FOR  
10 MINUTES

Page 9, line 4, strike “and”.

Page 9, line 9, strike the semicolon, closed quotation marks, and period  
and insert “; and”.

Page 9, after line 9, insert the following:

“(O) the right to know if their child’s school allows an  
individual whose biological sex is male to use restrooms or  
changing rooms designated for individuals whose biological  
sex is female.”.

Page 11, line 4, strike the closed quotation marks and “; and”.

Page 11, after line 4, insert the following:

“(v) ACCOMMODATIONS.—A local educational agency  
receiving funds under this part shall ensure that each  
elementary school and secondary school served by such agency  
provides the parents of each child who is a student in such  
school the information described in paragraph (1)(O).”; and

5. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE  
BONAMICI OF OREGON OR HER DESIGNEE, DEBATABLE FOR 10  
MINUTES

Page 1, strike line 1 and all that follows and insert the following:

## **TITLE I—FINDINGS; SENSE OF CONGRESS**

### **SEC. 101. FINDINGS.**

Congress finds the following:

(1) Education is fundamental to the development of individual citizens and the progress of the Nation.

(2) There is a continuing need to ensure equal access for all students to educational opportunities of high quality, and such educational opportunities should not be denied because of race, religion, color, national origin, disability, or sex (including sexual orientation and gender identity).

(3) Parents have the primary responsibility for the education of their children, and States and localities have the primary responsibility for supporting that parental role.

(4) In our Federal system, the primary public responsibility for education is reserved respectively to the States and the local school systems and other instrumentalities of the States.

(5) The importance of education is increasing as new technologies and alternative approaches to traditional education are considered, as society becomes more complex, and as equal opportunities in education and employment are promoted.

(6) The purposes of the Department of Education include—

(A) to strengthen the Federal commitment to ensuring access to equal educational opportunity for every individual;

(B) to supplement and complement the efforts of States, the local school systems and other instrumentalities of the States, the private sector, public and private educational institutions, public and private nonprofit educational research institutions, community-based organizations, parents, and students to improve the quality of education;

(C) to encourage the increased involvement of the public, parents, and students in Federal education programs;

(D) to promote improvements in the quality and usefulness of education through federally supported research, evaluation, and sharing of information;

(E) to improve the coordination of Federal education programs;

(F) to improve the management and efficiency of Federal education activities, especially with respect to the processes, procedures, and administrative structures for the dispersal of Federal funds, as well as the reduction of unnecessary and duplicative burdens and constraints, including unnecessary paperwork, on the recipients of Federal funds; and

(G) to increase the accountability of Federal education programs to the President, the Congress, and the public.

(7) Parents, families, students, educators, and community members are key stakeholders in the public education system and provide valuable input with respect to such education system.

(8) When parents, families, students, schools, and community members work together, students have better school attendance, earn higher grades and test scores, and have greater long-term success.

(9) All students deserve an education that helps them develop important life skills and prepares them for success in and beyond the classroom.

(10) An inclusive education benefits all students, not just by making them feel valued and accepted, but also by helping them build important knowledge and skills that will prepare them for future success and create a safer environment for all students.

(11) The United States has much to be proud of and learning about the history of our Nation helps students see how far we've come and how they can continue our progress.

(12) Federal law contains numerous provisions that protect parental rights in elementary and secondary education, including the following:

(A) Sections 1111(b)(2)(B)(x), 1112(e)(4), and 1116(f) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(B)(x); 6312(e)(4); 6318(f)) give parents the right to receive communications from schools, to the extent practicable, in a language that they can understand.

(B) Section 1111(d) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(d)) gives parents of children in a school identified for support and improvement the right to be involved in the development of the support and improvement plan for the school to improve student outcomes.

(C) Section 1111(h) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(h)) gives parents the right to know how their child's school is performing.

(D) Section 1112(e)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6312(e)(1)), gives parents of children in schools receiving funds under part A of title I of such Act the right to—

(i) know the professional qualifications of the teachers and paraprofessionals who teach their children;

(ii) receive information about the level of achievement of their children; and

(iii) receive notice that their children have been taught for 4 or more consecutive weeks by a teacher who does not meet applicable State certification or licensure requirements.

(E) Section 1112(e)(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6312(e)(2)), gives parents of children in schools receiving funds under part A of title I of such Act the right to information regarding any State or local educational agency policy regarding student participation in any assessments mandated by section 1111(b)(2) of such Act and by the State or local educational agency, which must include a policy, procedure, or parental right to opt the child out of such assessments, where applicable.

(F) Section 1112(e)(3)(A) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6312(e)(3)(A)) gives parents of children identified as English learners and who are participating in a language instruction educational program under title I or title III of such Act the right to receive information with respect to the reasons for that identification, level of English proficiency, methods of instruction, academic needs, exit criteria, individualized education plan objectives, if applicable, and the right to remove their children from the program.

(G) Section 1112(e)(3)(C) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6312(e)(3)(C)) gives parents of English learners in a local educational agency that receives funds under part A of title I of such Act the right to receive information

with respect to how the parents can be involved in the education of their children and be active participants in assisting their children.

(H) Section 1114(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6314(b)) gives parents of children in a school with a schoolwide program plan under title I of such Act the right to be involved in the development of the schoolwide program plan and for the information contained in such plan to be in an understandable and uniform format and, to the extent practicable, provided in a language that the parents can understand.

(I) Section 1116(a) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6318(a)) gives parents of children in a local educational agency that receives funds under part A of title I of such Act the right to meaningfully participate in the development of a district parent and family engagement policy.

(J) Section 1116(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6318(b)) gives parents of children in a school that receives funds under part A of title I of such Act the right to participate in and approve a written parent and family engagement policy, and to be notified of the policy in an understandable and uniform format and, to the extent practicable, provided in a language that the parents can understand.

(K) Section 1116(c) of the Elementary Secondary Education Act of 1965 (20 U.S.C. 6318(c)) gives parents of children in a school that receives funds under part A of title I of such Act the right—

(i) to attend, at the school's invitation and encouragement, an annual meeting—

(I) where parents will be informed about the school's participation in part A of title I of such Act;

(II) that explains the requirements of such part, including that parents have a right to be involved; and

(III) that discusses parent and family engagement policy;

(ii) to be involved in the planning, review, and improvement of programs including the school parent and family engagement policy and the joint development of the schoolwide program;

(iii) timely information about such programs, a description and explanation of the curriculum in use at the school, the forms of academic assessment used to measure student progress, and the achievement levels of the challenging State academic standards; and

(iv) if requested by parents, opportunities for regular meetings to make suggestions and participate, as appropriate, in decisions relating to the education of their children.

(L) Section 1116(d) of the Elementary Secondary Education Act of 1965 (20 U.S.C. 6318(d)) gives parents the right to jointly develop with their child's school, if the school receives funds under part A of title I of such Act, a school-parent compact that outlines how parents, the school staff, and students will share responsibility for improved student academic achievement and how the school and parents will build and develop a partnership to help the children achieve the State's high standards, including—

(i) the importance of ongoing communication between teachers and parents through parent-teacher conferences;

(ii) frequent reports to parents about their children's progress;

(iii) reasonable access to staff; and

(iv) opportunities to volunteer and participate in their child's class and observe classroom activities.

(M) Section 1116(e) of the Elementary Secondary Education Act of 1965 (20 U.S.C. 6318(e)) requires school and local educational agency served under part A of title I of the Act—

(i) to provide to parents assistance, materials, and training to ensure effective involvement of parents and to support a partnership among the school involved, the parents, and the community to improve student academic achievement;

(ii) to educate teachers, specialized instructional support personnel, principals, and other school leaders and staff about

—  
(I) the value and utility of contributions of parents; and

(II) how to—

(aa) reach out to, communicate with, and work with parents as equal partners;

(bb) implement and coordinate parent programs; and

(cc) build ties between parents and the school; and

(iii) to receive information related to school and parent programs, meetings, and other activities in a format and, to the extent practicable, a language the parents can understand.

(N) Section 1116(g) of the Elementary Secondary Education Act of 1965 (20 U.S.C. 6318(g)) requires schools and local educational agencies in a State operating a Statewide Family Engagement Center under part E of title IV of this Act, to be informed about the existence of the program.

(O) Section 4001(a) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7101(a)) requires a State, local educational agency, or other entity receiving funds under title IV of such Act to obtain from parents prior written, informed consent for a child under age 18 to participate in any mental health assessment or service that is funded under such title IV of such Act and conducted in connection with an elementary or secondary school under such title of such Act.

(P) Section 4502 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7242) authorizes the Secretary of Education to award grants to establish Statewide Family Engagement Centers to carry out parent education and family engagement in education programs, or provide comprehensive training and technical assistance to State educational agencies, local educational agencies, schools identified by State educational and local educational agencies, organizations that support family-school partnerships and other organizations that carry out such programs.

(Q) Section 8528(a)(2)(A) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7908(a)(2)(A))—

(i) gives parents of secondary school students the right to submit a written request to their child's local educational agency that receives funds under such Act that their child's name, address, and telephone listing not be released to military recruiters without the prior written consent of the parents; and

(ii) upon receiving such a request, prohibits the local educational agency from releasing the student's name, address, and telephone listing for such purposes without the prior written consent of the parent.

(R) Section 8542 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7922) prohibits the Department of Education from relying on such Act to—

(i) prohibit a parental determination that a child may travel to or from school on foot or by car, bus, or bike when the parents of the child have given permission; or

(ii) expose parents to civil or criminal charges for allowing their child to responsibly and safely travel to and from school

by a means the parents believe is age appropriate.

(S) Section 444 of the General Education Provisions Act (20 U.S.C. 1232g) gives parents the right, with respect to student education records maintained by educational agencies or institutions, to—

- (i) inspect and review such education records;
- (ii) seek amendment of such education records where they contain information that is inaccurate, misleading, or otherwise in violation of the privacy rights of a student; and
- (iii) with some exceptions, exercise some control over the disclosure of personally identifiable information from such education records.

(T) Section 445(c)(1) of the General Education Provisions Act (20 U.S.C. 1232h(c)(1)) requires that parents be consulted about the development and adoption of policies by a local educational agency, which is defined for purposes of that subsection to include an elementary school, secondary school, school district, or local board of education that receives funds under an applicable program, to provide parents with the right to inspect, upon request—

- (i) certain surveys;
- (ii) instruments used to collect personal information from students for the purpose of marketing or sale (or otherwise distributing such information for that purpose), with some exceptions; and
- (iii) instructional materials used as part of the educational curriculum for the student.

(U) Section 445(c)(2) of the General Education Provisions Act (20 U.S.C. 1232h(c)(2)) requires a local educational agency, which is defined for purposes of that subsection to include an elementary school, secondary school, school district, or local board of education that receives funds under an applicable program, to provide parents with advance notice, and an opportunity to opt a student out, of—

- (i) activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing or sale (or to otherwise distribute such information to others for that purpose), with some exceptions;
- (ii) non-emergency, invasive physical examination or screening required as a condition of attendance, administered by their school, scheduled by their school in advance, and not necessary to protect the immediate health and safety of a student, with some exceptions; and
- (iii) certain surveys.

(V) Section 445(b) of the General Education Provisions Act (20 U.S.C. 1232h(b)) gives parents the right to consent before an unemancipated minor student is required to submit to a survey, analysis, or evaluation that is funded by the Department of Education if that survey concerns one or more of the following protected areas—

- (i) political affiliations or beliefs of the student or the student's parent;
- (ii) mental or psychological problems of the student or student's family;
- (iii) sex behavior or attitudes;
- (iv) illegal, anti-social, self-incriminating, or demeaning behavior;
- (v) critical appraisals of other individuals with whom respondents have close family relationships;
- (vi) legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;



(vii) religious practices, affiliations, or beliefs of the student or student's parent; or

(viii) income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

**SEC. 102. SENSE OF CONGRESS.**

It is the sense of Congress that students deserve school environments that promote—

(1) the ability of teachers and administrators to encourage students to reach their full potential and take actions that help them meet that goal;

(2) the empowerment of parents to engage in their child's education and help them succeed;

(3) significant opportunity for all children to receive a fair, equitable, and high-quality education, and to close educational achievement gaps;

(4) learning environments free from discrimination; and

(5) an education that is free from censorship.

## **TITLE II—PARENT COORDINATOR**

**SEC. 201. PARENT COORDINATOR.**

(a) **IN GENERAL.**—For each local educational agency (as defined in section 8101 of the Elementary and Secondary Education Act of 1965 (8 U.S.C. 7801)) that receives financial assistance under such Act, the following requirements shall apply as a condition on continued receipt of such assistance:

(1) The recipient shall ensure that each elementary school and each secondary school under the jurisdiction of the agency has at least 1 full-time employee designated to serve as a parent coordinator.

(2) The recipient shall ensure that students, parents, school staff, and parent groups are made aware of these employees and their roles.

(3) A parent coordinator should not have any other school-related responsibilities that may create a conflict of interest, including serving in the school administrative leadership or local educational agency administrative leadership (such as serving as a principal, vice principal, headmaster, superintendent, board member, or general counsel).

(b) **DUTIES.**—Each parent coordinator described in subsection (a) shall—

(1) establish partnerships with parents, parent-teacher associations, and other parent groups within the community to provide resources and support for parents, students, and schools;

(2) ensure that parents, parent-teacher associations, and other parent groups within the community are familiar with the academic expectations of a school in order to improve student success;

(3) strengthen relationships between the school and parents in the community;

(4) ensure that parents understand their rights under section 1116 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6318), including—

(A) the right to meaningfully participate in the development of

—

(i) a parent and family engagement policy for the local educational agency in accordance with subsection (a) of such section; and

(ii) a parent and family engagement policy of the school in accordance with subsection (b) of such section;

(B) the right to attend, at the school's invitation and encouragement, an annual meeting—

(i) where parents will be informed about the school's participation in part A of title I of such Act (20 U.S.C. 6311 et seq.);

(ii) that explains the requirements of such part, including that parents have the right to be involved; and

(iii) that discusses parent and family engagement policy; and

(C) the right to timely information about programs under this part, including a description and explanation of, the curriculum in use at the school, the forms of academic assessment used to measure student progress, and the achievement levels of the challenging State academic standards;

(5) ensure that parents understand their right to give consent before allowing the child to participate in any mental health assessment or service funded by title IV of such Act (20 U.S.C. 7101 et seq.); and

(6) in carrying out paragraphs (1) through (5), focus on parents from underrepresented groups.

(c) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section such sums as may be necessary for fiscal year 2024 and each of the 5 succeeding fiscal years.

## **TITLE III—ESEA AMENDMENTS**

### **SEC. 301. FAMILY ENGAGEMENT IN EDUCATION PROGRAMS.**

Section 4506 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7246) is amended by striking “\$10,000,000 for each of fiscal years 2017 through 2020” and inserting “\$60,000,000 for each of fiscal years 2024 through 2029”.

### **SEC. 302. FULL-SERVICE COMMUNITY SCHOOLS.**

Section 4601 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7251) is amended—

(1) in the matter preceding paragraph (1) of subsection (a), by inserting “(except for section 4625)” after “part”;

(2) in the matter preceding clause (i) of subsection (b)(2)(B), by inserting “(except for section 4625)” after “subpart 2”; and

(3) by adding at the end the following:

“(c) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out section 4625—

“(1) \$500,000,000 for fiscal year 2024;

“(2) \$600,000,000 for fiscal year 2025;

“(3) \$700,000,000 for fiscal year 2026;

“(4) \$850,000,000 for fiscal year 2027; and

“(5) \$1,000,000,000 for fiscal year 2028.”.

## **TITLE IV—RULES OF CONSTRUCTION**

### **SEC. 401. PROHIBITION ON BOOK BANS AND CENSORSHIP.**

Nothing in this Act may be construed to allow the banning or censorship of books in public elementary or public secondary schools.

### **SEC. 402. PROHIBITION ON FEDERAL INVOLVEMENT IN CURRICULUM.**

Nothing in this Act may be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum or program of instruction of any educational institution, school, or school system, including with respect to—

(1) Black history;

(2) Asian American, Native Hawaiian, and Pacific Islander history;

(3) Latino history;

(4) Native American history;

(5) women’s history;

(6) LGBTQ+ history; and

(7) history of the Holocaust or anti-Semitism.

6. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE CRANE  
OF ARIZONA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 29, after line 20, insert the following:

## **TITLE VII—PRIVATE RIGHT OF ACTION**

### **SEC. 701. PRIVATE RIGHT OF ACTION.**

(a) **IN GENERAL.**—A parent aggrieved by a failure to comply with a provision of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) amended by title I of this Act, or a provision of the General Education Provisions Act (20 U.S.C. 1221 et seq.) amended by title II of this Act, may commence a civil action against the individual or entity responsible for the failure.

(b) **RELIEF.**— In any action under subsection (a), the court may award appropriate relief, including—

- (1) temporary, preliminary, or permanent injunctive relief;
- (2) compensatory damages;
- (3) punitive or exemplary damages; and
- (4) reasonable fees for attorneys.

(c) **STATUTE OF LIMITATIONS.**—An action under this section shall be brought not later than 30 days after the date on which the failure to comply occurred.

(d) **ATTORNEY GENERAL.**—In a case in which a parent commences a civil action under subsection (a), the Attorney General shall have the exclusive authority to oversee, as appropriate, any investigation conducted by the Federal Government in connection with such action.

(e) **DEFINITION.**—In this section, the term “parent” has the meaning given such term in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

7. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE  
DAVIDSON OF OHIO OR HIS DESIGNEE, DEBATABLE FOR 10  
MINUTES

Add at the end the following:

**TITLE VII—MANDATORY OPEN  
ENROLLMENT PERIODS**

**SEC. 701. MANDATORY INTRA- AND INTER-DISTRICT OPEN ENROLLMENT PERIODS.**

(a) **IN GENERAL.**—Notwithstanding any other provision of law, a local educational agency may not receive Federal funds under title I or title II of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.; 20 U.S.C. 6601 et seq.) for a school year unless the agency—

(1) holds an open enrollment period as required under subsection

(b); and

(2) complies with the notification requirements under subsection (d).

(b) **OPEN ENROLLMENT PERIOD.**—To be eligible to receive Federal funds as described in subsection (a), each local educational agency shall, before the beginning of each school year, hold an open enrollment period during which—

(1) a child who is eligible to attend an elementary or secondary school served by the agency may apply to attend any other elementary or secondary school served by the agency; and

(2) a child who is not otherwise eligible to attend an elementary or secondary school served by the agency because that child lives outside the geographic region served by the agency may apply to attend any elementary or secondary school served by the agency.

(c) **APPLICATION AND APPROVAL.**—

(1) **IN GENERAL.**—A parent of a child seeking to enroll in a school pursuant to subsection (b) shall submit an application to the local educational agency involved at such time, in such manner, and containing such information as the agency may reasonably require.

(2) **APPROVAL.**—A local educational agency that receives an application under paragraph (1) shall—

(A) give the application full and fair consideration;

(B) approve or disapprove the application within a reasonable time; and

(C) give the parent who submitted the application prompt notice of such approval or disapproval.

(3) **DURATION OF APPROVAL.**—A child with an application approved under paragraph (2) shall remain eligible to attend the school for which approval was given for a period of not less than one school year.

(d) **NOTICE.**—To be eligible to receive Federal funds as described in subsection (a), each local educational agency shall post on a publicly accessible website of the agency or, if the agency does not operate a website, widely disseminate to the public, the following:

(1) Information and procedures for open enrollment under subsection (b).

(2) Information on the application process under subsection (c), including—

(A) how and where to obtain an application;

(B) when and how parents will be notified when approval or disapproval occurs; and

(C) approval rates based on the most recent data available to the agency.

(3) Information on how long an enrollment approved under subsection (c) remains valid.

(4) Contact information for at least one individual employee of the agency who is responsible for answering questions on the open enrollment process.

(e) ESEA TERMS.—In this section, the terms “child”, “elementary school”, “local educational agency”, “parent”, and “secondary school” have the meanings given those terms in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

8. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE FITZPATRICK OF PENNSYLVANIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Add at the end the following:

## **TITLE VII—GAO REPORT**

### **SEC. 701. GAO REPORT.**

Not later than one year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Education and the Workforce and the Committee on Appropriations of the House of Representatives and the Committee on Health, Education, Labor, and Pensions and the Committee on Appropriations of the Senate a report that evaluates and analyzes the impact of this Act, and the amendments made by this Act, on—

- (1) protecting parents' rights in the education of their children; and
- (2) costs to State educational agencies, local educational agencies, elementary schools, and secondary schools (as such terms are defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)).

9. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GARBARINO OF NEW YORK OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Add at the end the following:

**TITLE VII—RULE OF  
CONSTRUCTION ON STUDENT  
ACCESS TO BOOKS AND OTHER  
READING MATERIALS**

**SEC. 701. RULE OF CONSTRUCTION ON STUDENT ACCESS TO BOOKS AND  
OTHER READING MATERIALS.**

Nothing in this Act, or the amendments made by this Act, shall be construed as authorizing or granting parents the right or ability to deny any student who is not their child from accessing any books or other reading materials that are otherwise available in the library of their child's school.

10. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GREEN  
OF TENNESSEE OR HIS DESIGNEE, DEBATABLE FOR 10  
MINUTES

Page 9, line 4, strike “and”.

Page 9, line 9, strike the punctuation after “event” and insert “; and”.

Page 9, after line 9, insert the following new subparagraph:

“(O) the right to timely notice of any major cyberattack  
against their child’s school that may have compromised  
student or parent information.”.

Page 11, line 4, strike the punctuation after “school” and insert a period.

Page 11, after line 4, insert the following new clause:

“(v) CYBERATTACKS.—A local educational agency  
receiving funds under this part shall ensure that each  
elementary school and secondary school served by such agency  
provides the parents of each child who is a student in such  
school notifications described in paragraph (1)(O).”.



11. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE HUNT  
OF TEXAS OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 7, line 21, strike “school;” and insert “school, including whether advancement of diversity, equity, and inclusion initiatives factored into the decision to eliminate such gifted and talented programs;”.

Page 11, line 4, strike “school.” and insert “school, including whether advancement of diversity, equity, and inclusion initiatives factored into the decision to eliminate such gifted and talented programs.”.

12. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE  
JACOBS OF CALIFORNIA OR HER DESIGNEE, DEBATABLE FOR  
10 MINUTES

Page 6, line 14, strike “, at no cost,”.

13. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE  
JACOBS OF CALIFORNIA OR HER DESIGNEE, DEBATABLE FOR  
10 MINUTES

Page 7, beginning line 22, strike subparagraph (J) and redesignate the  
succeeding subparagraphs accordingly.

Page 18, strike line 1 and all that follows through the end of line 2.

14. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE  
LAWLER OF NEW YORK OR HIS DESIGNEE, DEBATABLE FOR 10  
MINUTES

Add at the end the following:

## **TITLE VII—INAPPLICABILITY TO NON-PUBLIC SCHOOLS**

### **SEC. 701. RULE OF CONSTRUCTION.**

Nothing in this Act may be construed to impose any requirements on non-public elementary or secondary schools.

### **SEC. 702. SENSE OF CONGRESS.**

It is the sense of Congress that local educational agencies do not have the authority to exercise any direction, supervision, or control over the curriculum or program of instruction of non-public elementary or secondary schools.

15. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE  
MASSIE OF KENTUCKY OR HIS DESIGNEE, DEBATABLE FOR 10  
MINUTES

Add at the end the following:

**TITLE VII—SENSE OF CONGRESS  
RELATING TO TERMINATION OF  
CERTAIN FUNCTIONS OF THE  
DEPARTMENT OF EDUCATION**

**SEC. 701. SENSE OF CONGRESS RELATING TO TERMINATION OF THE  
ELEMENTARY AND SECONDARY EDUCATION FUNCTIONS OF THE  
DEPARTMENT OF EDUCATION.**

It is the sense of Congress that the authority of the Department of Education and the Secretary of Education to operate or administer any office or program related to elementary or secondary education should be terminated on or before December 31, 2023.

16. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE  
MCCORMICK OF GEORGIA OR HIS DESIGNEE, DEBATABLE FOR  
10 MINUTES

Page 11, line 23, insert “and on any violations of the rights specified in paragraph (1)” after “agency”.

17. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE  
MCCORMICK OF GEORGIA OR HIS DESIGNEE, DEBATABLE FOR  
10 MINUTES

Page 9, line 4, strike “and”.

Page 9, line 9, strike all punctuation after “event” and insert “; and”.

Page 9, after line 9, insert the following new subparagraph:

“(O) the right to be informed of any non-curriculum-based celebratory initiatives or non-curriculum-based events for students (other than initiatives or events related to birthdays or Federal legal public holidays) that are organized by the school and that will be made available to their child.”.

Page 5, line 9, strike “and”.

Page 5, line 18, strike all punctuation after “speaker” and insert “; and”.

Page 5, after line 18, insert the following new paragraph:

“(12) ensure that each elementary school and secondary school served by the local educational agency provides to the parents of students enrolled at such school, before any non-curriculum-based celebratory initiative or non-curriculum-based event described in subsection (e)(1)(O)—

“(A) timely notice and a description of such initiative or event;  
and

“(B) timely notice that a parent of a student is required to grant permission, in written or electronic form, in order for the child to participate or attend such an initiative or event, and the procedure required for the parent to provide such permission.”.

18. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE  
MILLER OF OHIO OR HIS DESIGNEE, DEBATABLE FOR 10  
MINUTES

In title I, insert “(including secondary career and technical education schools)” after “secondary school” each place such term appears.

Page 13, after line 21, add the following new section:

**SEC. 106. DEFINITION OF SECONDARY CAREER AND TECHNICAL EDUCATION  
SCHOOL.**

Section 8101 the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801) is amended—

(1) by redesignating paragraphs (45) through (52) as paragraphs (46) through (53), respectively; and

(2) by inserting after paragraph (44) the following new paragraph:

“(45) **SECONDARY CAREER AND TECHNICAL EDUCATION SCHOOL.**—The term ‘secondary career and technical education school’ means a secondary school that is an area career and technical education school described in subparagraph (A) or (B) of paragraph (3) of section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2032(3)(A); (B)).”.

Page 29, line 13, insert “(including public secondary career and technical education school)” after “secondary school”.

Page 29, line 18, insert “(including public secondary career and technical education school)” after “secondary school”.



19. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ROY OF TEXAS OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Add at the end the following:

## **TITLE VII—SUPPORT CHILDREN HAVING OPEN OPPORTUNITIES FOR LEARNING**

**SEC. 701. FEDERAL FUNDING UNDER THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965 TO FOLLOW THE STUDENT.**

Title VIII of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801 et seq.) is amended by adding at the end the following:

**“PART H—FUNDS TO FOLLOW THE STUDENT**

**“SEC. 8701. FUNDS TO FOLLOW THE STUDENT.**

“(a) IN GENERAL.—

“(1) FUNDS TO FOLLOW THE STUDENT.—Notwithstanding any other provision of law and to the extent permitted under State law, a State educational agency shall allocate grant funds provided under title I, for the purposes of ensuring that funding under such title follows children, whether learning in person or remotely, to the public school, private school, or home school they attend—

“(A) among the local educational agencies in the State based on the number of eligible children enrolled in the public schools operated by each local educational agency; and

“(B) directly to the eligible children, through education savings accounts, residing in the State who are enrolled in private schools or home schools.

“(2) ALLOWABLE USES OF FUNDS.—Funds allocated under paragraph (1) may be used for, but not limited to—

“(A) curriculum and curricular materials;

“(B) books or other instructional materials;

“(C) technological educational materials;

“(D) online educational materials;

“(E) tutoring or educational classes outside the home;

“(F) private school tuition;

“(G) extracurricular activities;

“(H) testing fees;

“(I) diagnostic tools; and

“(J) educational therapies for student with disabilities.

“(3) PLAN.—

“(A) IN GENERAL.—Each State that carries out allocations described in paragraph (1) shall establish a plan whereby the parent or guardian of each eligible child in the State will annually notify the relevant local educational agency of the public school or private school which the child will attend, or if the child will instead attend home school.

“(B) DATA COLLECTION.—Information collected under this section by the State shall be used for the sole purposes of calculating the allocation of funds and distribution of funds under this section.

“(b) DEFINITIONS.—In this section:

“(1) ELIGIBLE CHILD.—The term ‘eligible child’ means a child aged 5 to 17.

“(2) HOME SCHOOL.—The term ‘home school’ means a home school as defined by the laws of the State in which the eligible child resides.

“(c) STUDENT ENROLLMENT IN PUBLIC SCHOOLS, PRIVATE SCHOOLS, AND HOME SCHOOLS.—

“(1) IDENTIFICATION OF ELIGIBLE CHILDREN.—On an annual basis, on a date to be determined by the State educational agency, each local educational agency that receives grant funding in accordance with subsection (a) shall inform the State educational agency of the number of eligible children enrolled in public schools served by the local educational agency and private schools and home schools located in the school district served by the local educational agency in order to provide allocations for each eligible child in equal amounts regardless of where the child attends school in the State.

“(2) ALLOCATION TO LOCAL EDUCATIONAL AGENCIES AND ELIGIBLE CHILDREN.—Based on the identification of eligible children in paragraph (1), the State educational agency shall provide—

“(A) to a local educational agency an amount equal to the sum of the amount available for each eligible child in the State multiplied by the number of eligible children identified by the local educational agency under paragraph (1) enrolled in public schools served by the local educational agency; and

“(B) to an eligible child residing in the State who is enrolled in a private school or home school, through an education savings account, an amount equal to the sum of the amount available for an eligible child in the State.

“(3) DISTRIBUTION TO PUBLIC SCHOOLS.—Each local educational agency that receives funds under paragraph (2)(A) shall distribute such funds to the public schools served by the local educational agency—

“(A) based on the number of eligible children enrolled in such schools; and

“(B) in a manner that would, in the absence of such Federal funds, supplement the funds made available from non-Federal resources for the education of pupils participating in programs under this Act, and not to supplant such funds (in accordance with the method of determination described in section 1117).

“(4) DISTRIBUTION TO ELIGIBLE CHILDREN.—Each State that carries out allocations described in paragraph (1) shall distribute amounts to the eligible children residing in that State who enroll in a private school or home school—

“(A) through an education savings account, as described in paragraph (2)(B); and

“(B) in a manner that would, in the absence of such Federal funds, supplement the funds made available from non-Federal resources for the education of pupils participating in programs under this Act, and not to supplant such funds (in accordance with the method of determination described in section 1117).

“(d) APPLICATION OF PARTICIPATION OF CHILDREN ENROLLED IN PRIVATE SCHOOLS.—The provisions of section 1116 shall apply to this section.

“(e) RULE OF CONSTRUCTION.—Nothing in this section shall permit, allow, encourage, or authorize Federal or State control over non-public education providers.”.

20. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE ROY OF TEXAS OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 1, strike line 1 and all that follows and insert the following:

**SEC. 1. FEDERAL FUNDING UNDER THE ESEA.**

Notwithstanding any other provision of law, any funds made available under the Elementary and Secondary Education Act of 1965 after the date of the enactment of this section shall be consolidated and awarded to each State—

- (1) in an amount that is proportional to the number of students in such State relative to the total number of students in the United States; and
- (2) to carry out educational activities permitted by the laws of such State.

21. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SMITH  
OF NEW JERSEY OR HIS DESIGNEE, DEBATABLE FOR 10  
MINUTES

Page 10, line 17, insert “(including whether such agency is aware of  
videos or recordings of such violent activity)” after “injuries”.

22. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE  
TENNEY OF NEW YORK OR HER DESIGNEE, DEBATABLE FOR 10  
MINUTES

Page 7, line 20, insert “or college credit” after “gifted and talented”.

Page 7, line 21, insert “, including Advanced Placement and dual-enrollment classes” before the semicolon.

Page 11, line 3, insert “or college credit” after “gifted and talented”.

Page 11, line 4, insert “, including Advanced Placement and dual-enrollment classes” before the semicolon.