

105TH CONGRESS
2D SESSION

S. 2213

To allow all States to participate in activities under the Education Flexibility Partnership Demonstration Act.

IN THE SENATE OF THE UNITED STATES

JUNE 24, 1998

Mr. FRIST (for himself, Mr. WYDEN, Mr. KERREY, Mr. DEWINE, Mr. GLENN, Mr. KEMPTHORNE, Mr. FORD, Mr. HELMS, Mr. GRASSLEY, Mr. ROTH, Ms. COLLINS, and Mr. SMITH of Oregon) introduced the following bill; which was read twice and referred to the Committee on Labor and Human Resources

A BILL

To allow all States to participate in activities under the Education Flexibility Partnership Demonstration Act.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Education Flexibility
5 Amendments of 1998”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) States differ substantially in demographics,
9 in level of urbanization, in geography, and in school

governance. The administrative and funding mechanisms that help schools in 1 State improve may not prove successful in other States.

(2) State and local educational agencies are required to complete numerous reporting requirements established by Federal rule or regulation. States and schools need flexibility, with respect to Federal and State rules and regulations, to devise the best way in differing situations to achieve the goals of Federal and State education laws.

(3) To achieve the State goals for the education of children in the State, the focus must be on results, not process.

(4) Activities assisted under the Education Flexibility Partnership Demonstration Act, as implemented by 12 States—

(A) represent a significant step in focusing on results not process; and

(B) give States substantial flexibility in exchange for accountability.

SEC. 3. EXPANSION OF THE EDUCATION FLEXIBILITY PARTNERSHIP DEMONSTRATION ACT.

(a) IN GENERAL.—Section 311(e) of the Goals 2000: Educate America Act (20 U.S.C. 5891(e)) is amended—

(1) in paragraph (2)—

1 (A) by amending subparagraph (A) to read
2 as follows:

3 “(A) IN GENERAL.—The Secretary may
4 carry out an education demonstration program
5 under which the Secretary authorizes—

6 “(i) a State educational agency that
7 serves an eligible State to waive statutory
8 or regulatory requirements applicable to 1
9 or more programs or Acts described in
10 subsection (b), other than requirements de-
11 scribed in subsection (c), for the State edu-
12 cational agency or any local educational
13 agency or school within the State; and

14 “(ii) a State educational agency that
15 serves an eligible State and participated in
16 the program under this subsection prior to
17 the date of enactment of the Education
18 Flexibility Amendments of 1998 to waive
19 statutory or regulatory requirements appli-
20 cable to 1 or more programs or Acts de-
21 scribed in subsection (b), title III of the
22 Elementary and Secondary Education Act
23 of 1965, or the Adult Education Act, other
24 than requirements described in subsection
25 (c), for the State educational agency or

1 any local educational agency or school
2 within the State.”;

3 (B) by striking subparagraph (B); and

4 (C) by redesignating subparagraph (C) as
5 subparagraph (B); and

6 (2) in paragraph (3)—

7 (A) in subparagraph (A), by inserting “(i)”
8 after “(A)”;

9 (B) in subparagraph (B), by striking the
10 period and inserting “; or”;

11 (C) by redesignating subparagraph (B) (as
12 amended by subparagraph (B)) as clause (ii);
13 and

14 (D) by adding at the end the following:

15 “(B) has a consolidated State plan or a
16 consolidated State application approved by the
17 Secretary under section 14302 of the Elemen-
18 tary and Secondary Education Act of 1965.”.

19 (b) FUNDING.—Section 311(e) of the Goals 2000:
20 Educate America Act (20 U.S.C. 5891(e)) is amended fur-
21 ther by adding at the end the following:

22 “(h) FUNDING.—Notwithstanding any other provi-
23 sion of law and using any funds available to the Secretary,
24 the Secretary shall make available such funds as are nec-

1 essary to carry out this subsection for each of the fiscal
2 years 1999 through 2003.”.

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