103D CONGRESS
1ST SESSION

H. R. 1453

To provide equity in education funding for the States received under chapter 1 of title I of the Elementary and Secondary Education Act of 1965.

IN THE HOUSE OF REPRESENTATIVES

MARCH 24, 1993

Mr. GENE GREEN of Texas (for himself, Mr. SARPALIUS, Mr. BERMAN, Mr. WILSON, Mr. PETE GEREN of Texas, Mr. ORTIZ, Mr. WASHINGTON, Mr. LAUGHLIN, Mr. DE LA GARZA, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. ANDREWS of Texas, Mr. PASTOR, Mr. TEJEDA, Mr. EDWARDS of Texas, Mr. BRYANT, Mr. STENHOLM, Mr. CHAPMAN, Mr. HALL of Texas, Mr. COLEMAN, Mr. FROST, Mr. MARTINEZ, Mr. STRICKLAND, Mr. BROOKS, Ms. ENGLISH of Arizona, Mr. GONZALEZ, Mr. FALEOMAVAEGA, and Mr. PICKLE) introduced the following bill; which was referred to the Committee on Education and Labor

---

A BILL

To provide equity in education funding for the States received under chapter 1 of title I of the Elementary and Secondary Education Act of 1965.

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 "Equal Education

5 Funding Act".

1 **SEC. 2. FORMULA CHANGES.**

2   (a) AMOUNT OF GRANTS.—Subsection (a) of section

3 1005 of the Elementary and Secondary Education Act of

4 1965 is amended—

5   (1) in paragraph (1)—

6   (A) by inserting "AND PUERTO RICO" after

7 "GRANTS FOR TERRITORIES";

8   (B) by striking "1 percent" and inserting

9 "4.5 percent"; and

10   (C) by inserting "and Puerto Rico" after

11 "Virgin Islands" each place it appears;

12   (2) in paragraph (2)—

13   (A) by striking "AND PUERTO RICO" after

14 "GRANTS FOR LOCAL EDUCATIONAL AGEN-

15 CIES";

16   (B) subparagraph (A), by striking "deter-

17 mined by multiplying" and all that follows

18 through the end of clause (ii) and inserting the

19 following:

20 "the sum of—

21   "(i) the product of—

22   "(I) 50 percent of the number of

23 children counted under subsection (c);

24 and

1   ''(II) the average educational cost

2   factor of the State, except as provided

3   in subparagraph (C); and

4   ''(ii) the product of—

5   ''(I) 50 percent of the number of

6   children counted under subsection (c);

7   and

8   ''(II) the average per pupil effort

9   factor of the State, except as provided

10   in subparagraph (C); and

11   (C) by amending subparagraph (C) to read

12   as follows:

13   ''(C)(i) In determining the amount under

14   subparagraph (A)(i)—

15   ''(I) if the amount of the average edu-

16   cational cost factor in the State is less

17   than 80 percent of the amount of the aver-

18   age educational cost factor in the United

19   States, the amount of the average edu-

20   cational cost factor shall be 80 percent of

21   the average educational cost factor in the

22   United States; or

23   ''(II) if the amount of the average

24   educational cost factor in the State is more

25   than 120 percent of the amount of the av-

1 erage educational cost factor in the United

2 States, the amount of the average edu-

3 cational cost factor shall be 120 percent of

4 the average educational cost factor in the

5 United States.

6 ''(ii) In determining the amount under

7 subparagraph (A)(ii)—

8 ''(I) if the amount of the average per

9 pupil effort factor in the State is less than

10 80 percent of the amount of the average

11 per pupil effort factor in the United

12 States, the amount of the average per

13 pupil effort shall be 80 percent of the aver-

14 age per pupil effort factor in the United

15 States; or

16 ''(II) if the amount of the average per

17 pupil effort factor in the State is more

18 than 120 percent of the amount of the av-

19 erage per pupil effort factor in the United

20 States, the amount of the average per

21 pupil effort factor shall be 120 percent of

22 the average per pupil effort factor in the

23 United States.''

24 (3) in paragraph (4), by inserting ''Puerto

25 Rico'' after the ''Virgin Islands''.

1   (b) DETERMINATION OF NUMBER OF CHILDREN.—

2 Subparagraph (A) of section 1005(c)(2) of the Elementary

3 and Secondary Education Act of 1965 is amended by

4 striking ''on the basis of'' and all that follows through ''de-

5 cennial census'' and inserting the following:

6   ''for local educational agencies (or, if such data

7   are not available for such agencies, for coun-

8   ties) on the basis of—

9   ''(i) if available, criteria developed by

10   the Department of Commerce to determine

11   annual poverty statistics by age; or

12   ''(ii) if the information described in

13   clause (i) is not available, annual percent-

14   age adjustments to the most recent poverty

15   statistics available, derived by applying the

16   most recent calculation of the number of

17   students aged 5 to 17 determined by the

18   Bureau of Census in its annual Population

19   Statistics to the percentage in poverty in a

20   State from such poverty statistics.''.

21 **SEC. 3. DEFINITIONS.**

22   Part A of chapter 1 of title I of the Elementary and

23 Secondary Education Act of 1965 is amended by inserting

24 after section 1005, the following:

1 **"SEC. 1005a. TERMS DEFINED FOR BASIC GRANTS.**

2   "For purposes of section 1005—

3   "(1) the term 'average per pupil expenditure'

4 means in the case of a State or the United States,

5 the aggregate current expenditures, during the fiscal

6 year for which the computation is made (or, if un-

7 available, the most recent fiscal year preceding the

8 fiscal year for which the computation is made,) of all

9 local educational agencies in the State plus any di-

10 rect current expenditures by the State or in the

11 United States (which for the purposes of this para-

12 graph means the 50 States and the District of Co-

13 lumbia), divided by the number of children enrolled

14 in schools of such agency on the closest school day

15 to October 1 of such fiscal year;

16   "(2) the term 'average educational cost factor'

17 means the sum of 50 percent of the ratio of the av-

18 erage per pupil expenditure of a State in relation to

19 all States, and 50 percent of the average instruc-

20 tional staff salaries factor of such State;

21   "(3) The term 'average instructional staff sala-

22 ries factor' means the average salary of classroom

23 teachers in elementary and secondary schools in a

24 State divided by the average of such salaries for all

25 States;

1   ''(4) The term 'per pupil income' means the

2 total gross personal income of a State during a spe-

3 cific year as reported by the Department of Com-

4 merce, Bureau of Economic Analysis, divided by the

5 total number of children aged 5 to 17 for such State

6 for the same year as reported by the Department of

7 Commerce, Bureau of Census.

8   ''(5) The term 'average per pupil effort factor'

9 means the average per pupil expenditure of the

10 State divided by the average per pupil income factor

11 of the State; divided by the quotient of the average

12 per pupil expenditure of the United States and the

13 average per pupil income factor of the United

14 States.''.

○