

103^D CONGRESS
1ST SESSION

S. 232

To provide assistance to States to enable such States to raise the quality of instruction in mathematics and science by providing equipment and materials necessary for hands-on instruction.

IN THE SENATE OF THE UNITED STATES

JANUARY 27 (legislative day, JANUARY 5), 1993

Mr. HATFIELD introduced the following bill; which was read twice and referred to the Committee on Labor and Human Resources

A BILL

To provide assistance to States to enable such States to raise the quality of instruction in mathematics and science by providing equipment and materials necessary for hands-on instruction.

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 “Elementary Mathe-
5 matics and Science Equipment Act”.

6 **SEC. 2. STATEMENT OF PURPOSE.**

7 It is the purpose of this Act to raise the quality of
8 instruction in mathematics and science in the Nation’s ele-

1 elementary schools by providing equipment and materials
2 necessary for hands-on instruction through assistance to
3 State and local educational agencies and schools.

4 **SEC. 3. PROGRAM AUTHORIZED.**

5 (a) GRANTS.—The Secretary is authorized to make
6 allotments to State educational agencies under section 4
7 to enable such agencies to award grants to local edu-
8 cational agencies for the purpose of providing equipment
9 and materials to elementary schools to improve mathe-
10 matics and science education in such schools.

11 (b) AUTHORIZATION OF APPROPRIATIONS.—There
12 are authorized to be appropriated \$30,000,000 for fiscal
13 year 1994, and such sums as necessary for each of the
14 fiscal years 1995, 1996, 1997, and 1998 to carry out this
15 Act.

16 **SEC. 4. ALLOTMENTS OF FUNDS.**

17 (a) IN GENERAL.—From the amount appropriated
18 under section 3(b) for any fiscal year, the Secretary shall
19 reserve—

20 (1) not more than one-half of 1 percent for al-
21 lotment among Guam, American Samoa, the Virgin
22 Islands, the Northern Mariana Islands, the Republic
23 of the Marshall Islands, the Federated States of Mi-
24 cronesia, and the Republic of Palau according to

1 their respective needs for assistance under this Act;
2 and

3 (2) one-half of 1 percent for programs for In-
4 dian students served by schools funded by the Sec-
5 retary of the Interior which are consistent with the
6 purposes of this part.

7 (b) ALLOTMENT.—

8 (1) IN GENERAL.—Except as provided in para-
9 graph (2) and from the amount not reserved pursu-
10 ant to subsection (a), the Secretary shall make allot-
11 ments among State educational agencies in the
12 States as follows:

13 (A) One-half of such remainder shall be
14 distributed among such State educational agen-
15 cies by allotting to each State educational agen-
16 cy an amount which bears the same ratio to
17 such one-half of such remainder as the number
18 of children aged 5 to 11, inclusive, in the State
19 bears to the number of such children in all
20 States.

21 (B) One-half of such remainder shall be
22 distributed among such State educational agen-
23 cies according to each State's share of alloca-
24 tions under chapter 1 of title I of the Elemen-
25 tary and Secondary Education Act of 1965.

1 (2) MINIMUM.—No State shall receive in any
2 fiscal year an allotment under paragraph (1) which
3 is less than—

4 (A) one-half of 1 percent of the amount
5 available under this subsection in such fiscal
6 year; or

7 (B) the amount allotted to such State for
8 fiscal year 1988 under title II of the Education
9 for Economic Security Act.

10 (c) REALLOTMENT OF UNUSED FUNDS.—The
11 amount of any State's allotment under subsection (b) for
12 any fiscal year to carry out this Act which the Secretary
13 determines will not be required for that fiscal year to carry
14 out this Act shall be available for reallocation from time
15 to time, on such dates during that year as the Secretary
16 may determine, to other States in proportion to the origi-
17 nal allotments to those States under subsection (b) for
18 that year but with such proportionate amount for any of
19 those other States being reduced to the extent it exceeds
20 the sum the Secretary estimates that the State needs and
21 will be able to use for that year, and the total of those
22 reductions shall be similarly reallocated among the States
23 whose proportionate amounts were not so reduced. Any
24 amounts reallocated to a State under this subsection during

1 a year shall be deemed a subpart of its allotment under
2 subsection (b) for that year.

3 (d) DEFINITIONS.—For the purposes of this Act—

4 (1) the term “elementary school” has the same
5 meaning given such term in section 1471(8) of the
6 Elementary and Secondary Education Act of 1965;

7 (2) the term “local educational agency” has the
8 same meaning given such term in section 1471(12)
9 of the Elementary and Secondary Education Act of
10 1965;

11 (3) the term “Secretary”, unless otherwise
12 specified, means the Secretary of Education;

13 (4) the term “State” means each of the 50
14 States, the District of Columbia, and the Common-
15 wealth of Puerto Rico; and

16 (5) the term “State educational agency” has
17 the same meaning given to such term by section
18 1471(23) of the Elementary and Secondary Edu-
19 cation Act of 1965.

20 (e) DATA.—The number of children aged 5 to 11, in-
21 clusive, in a State and in all States shall be determined
22 by the Secretary on the basis of the most recent satisfac-
23 tory data available to the Secretary.

1 **SEC. 5. STATE APPLICATION.**

2 (a) APPLICATION.—Each State educational agency
3 desiring to receive an allotment under this Act shall file
4 an application with the Secretary which covers a period
5 of 5 fiscal years. Such application shall be filed at such
6 time, in such manner, and containing or accompanied by
7 such information as the Secretary may reasonably require.

8 (b) CONTENTS OF APPLICATION.—Each application
9 described in subsection (a) shall—

10 (1) provide assurances that—

11 (A) the State educational agency shall use
12 the allotment provided under this Act to award
13 grants to local educational agencies within the
14 State to enable such local educational agencies
15 to carry out the purpose of this Act;

16 (B) the State educational agency will pro-
17 vide such fiscal control and funds accounting as
18 the Secretary may require;

19 (C) every public elementary school in the
20 State is eligible to receive a grant under this
21 Act once over the 5-year duration of the pro-
22 gram assisted under this Act;

23 (D) funds provided under this Act will sup-
24 plement, not supplant, State and local funds
25 made available for activities authorized under
26 this Act;

1 (E) during the 5-year period described in
2 the application, the State educational agency
3 will evaluate its standards and programs for
4 teacher preparation and inservice professional
5 development for elementary mathematics and
6 science;

7 (F) the State educational agency will take
8 into account the needs for greater access to and
9 participation in mathematics and science by
10 students and teachers from historically
11 underrepresented groups, including females, mi-
12 norities, individuals with limited-English pro-
13 ficiency, the economically disadvantaged, and
14 individuals with disabilities; and

15 (G) the needs of teachers and students in
16 areas with high concentrations of low-income
17 students and sparsely populated areas will be
18 considered in awarding grants under this Act;

19 (2) provide a description of how funds made
20 available under this Act will be coordinated with
21 State and local funds and other Federal resources,
22 particularly with respect to programs for the profes-
23 sional development and inservice training of elemen-
24 tary school teachers in science and mathematics; and

25 (3) describe procedures—

1 (A) for submitting applications for assist-
2 ance in accordance with sections 6 and 7;

3 (B) for the distribution of grant payments
4 under this Act within the State; and

5 (C) for approval of applications by the
6 State educational agency, including appropriate
7 procedures to assure that such agency will not
8 disapprove an application without notice and
9 opportunity for a hearing.

10 (c) STATE ADMINISTRATION.—Not more than 5 per-
11 cent of the funds allotted to each State educational agency
12 under this part shall be used for the administrative costs
13 of such agency associated with carrying out the program
14 assisted under this Act.

15 **SEC. 6. LOCAL APPLICATION.**

16 (a) APPLICATION.—A local educational agency that
17 desires to receive a grant under this part shall submit an
18 application to the State educational agency. Each such ap-
19 plication shall contain assurances that each school served
20 by the local educational agency shall be eligible for only
21 one grant under this Act.

22 (b) CONTENTS OF APPLICATION.—Each application
23 described in subsection (a) shall—

24 (1) provide assurances that the local edu-
25 cational agency shall use the grant such agency re-

1 ceives under this Act to award grants to schools
2 served by such agency to enable such schools to
3 carry out the purposes of this Act;

4 (2) describe how the local educational agency
5 plans to set priorities on the use and distribution
6 among schools of grant funds received under this
7 Act to meet the purpose of this Act;

8 (3) include assurances that the local edu-
9 cational agency has made every effort to match on
10 a dollar-for-dollar basis from private or public
11 sources the grant funds received under this Act, ex-
12 cept that no such application shall be penalized or
13 denied assistance under this Act based on failure to
14 provide such matching funds;

15 (4) describe how funds under this Act will be
16 coordinated with State, local, and other Federal re-
17 sources, especially with respect to programs for the
18 professional development and inservice training of el-
19 ementary school teachers in science and mathe-
20 matics; and

21 (5) describe the process which will be used to
22 determine different levels of grant amounts to be
23 awarded to schools with different needs.

1 (c) PRIORITY.—In awarding grants under this Act,
2 the State educational agency shall give priority to local
3 applications that—

4 (1) assign highest priority to providing assist-
5 ance to schools which are most seriously under-
6 equipped;

7 (2) are attentive to the needs of
8 underrepresented groups in science and mathe-
9 matics;

10 (3) demonstrate how science and mathematics
11 equipment will be part of a comprehensive plan of
12 curriculum planning or implementation and teacher
13 training supporting hands-on laboratory activities;

14 (4) give priority to providing equipment and
15 materials for students in grades 1 through 6; and

16 (5) provide assurances that equipment and ma-
17 terials provided under this Act shall be equitably
18 available to all children in the classroom.

19 **SEC. 7. PARTICIPATION OF PRIVATE NONPROFIT ELEMEN-**
20 **TARY SCHOOLS.**

21 (a) PARTICIPATION OF PRIVATE SCHOOLS.—To the
22 extent consistent with the number of children in the State
23 or in the school district of each local educational agency
24 who are enrolled in private nonprofit elementary schools,
25 such State educational agency shall, after consultation

1 with appropriate private school representatives, make pro-
2 vision to include services and arrangements for the benefit
3 of such children as will assure the equitable participation
4 of such children in the purposes and benefits of this Act.

5 (b) WAIVER.—If by reason of any provision of State
6 law a local educational agency is prohibited from providing
7 for the participation of children or teachers from private
8 nonprofit elementary schools as required by subsection (a),
9 or if the Secretary determines that a State or local edu-
10 cational agency has substantially failed or is unwilling to
11 provide for such participation on an equitable basis, the
12 Secretary shall waive such requirements and shall arrange
13 for the provision of services to such children or teachers
14 subject to the requirement of this Act. Such waivers shall
15 be subject to consultation, withholding, notice, and judicial
16 review requirements described in section 1017 of the Ele-
17 mentary and Secondary Education Act of 1965.

18 **SEC. 8. PROGRAM REQUIREMENTS.**

19 (a) COORDINATION.—Each State educational agency
20 receiving a grant under this Act shall—

21 (1) disseminate information to school districts
22 and schools, including private nonprofit elementary
23 schools, regarding the grant program assisted under
24 this Act;

1 (2) evaluate applications of local educational
2 agencies;

3 (3) award grants to local educational agencies
4 based on the priorities described in section 6(c); and

5 (4) evaluate local educational agencies' end-of-
6 the-year summaries.

7 (b) LIMITATIONS ON USE OF FUNDS.—

8 (1) IN GENERAL.—Grant funds and matching
9 funds under this Act only shall be used to purchase
10 science equipment, science materials, or mathemati-
11 cal manipulative materials and shall not be used for
12 computers, computer peripherals, software, text-
13 books, or staff development costs.

14 (2) CAPITAL IMPROVEMENTS.—Grant funds
15 under this Act may not be used for capital improve-
16 ments. Not more than 50 percent of matching funds
17 provided by the local educational agency may be
18 used for capital improvements of classroom science
19 facilities to support the hands-on instruction that
20 this Act is intended to support, such as the installa-
21 tion of electrical outlets, plumbing, lab tables or
22 counters, or ventilation mechanisms.

23 **SEC. 9. FEDERAL ADMINISTRATION.**

24 (a) TECHNICAL ASSISTANCE AND EVALUATION PRO-
25 CEDURES.—The Secretary shall provide technical assist-

1 ance and, in consultation with State and local representa-
2 tives of the program assisted under this Act, shall develop
3 procedures for State and local evaluations of the programs
4 under this part.

5 (b) REPORT.—The Secretary shall report to the Con-
6 gress each year on the program assisted under this Act.

○