

109TH CONGRESS
2D SESSION

S. 2363

To extend the educational flexibility program under section 4 of the Education Flexibility Partnership Act of 1999.

IN THE SENATE OF THE UNITED STATES

MARCH 2, 2006

Mr. BURR (for himself, Mr. JEFFORDS, Mr. LEAHY, Mr. ALLARD, Mr. SALAZAR, Mr. CARPER, Mr. ROBERTS, Mr. BROWNBACK, Mr. KENNEDY, Mr. KERRY, Mrs. DOLE, Mr. SANTORUM, Mr. SPECTER, Mr. CORNYN, Mrs. HUTCHISON, Mr. WYDEN, and Mr. FRIST) introduced the following bill; which was read twice, considered, read the third time, and passed

A BILL

To extend the educational flexibility program under section 4 of the Education Flexibility Partnership Act of 1999.

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. EDUCATIONAL FLEXIBILITY PROGRAM EXTEN-**
4 **SION.**

5 (a) EXTENSION AUTHORITY.—Notwithstanding any
6 other provision of law, the Secretary of Education is au-
7 thorized to carry out the educational flexibility program
8 under section 4 of the Education Flexibility Partnership
9 Act of 1999 (20 U.S.C. 5891b), until the date of enact-

1 ment of an Act that reauthorizes programs under part A
2 of title I of the Elementary and Secondary Education Act
3 of 1965 (20 U.S.C. 6311 et seq.), for any State that was
4 an Ed-Flex Partnership State on September 30, 2004.

5 (b) DESIGNATION.—

6 (1) IN GENERAL.—Any designation of a State
7 as an Ed-Flex Partnership State that was in effect
8 on September 30, 2004, shall be extended until the
9 date of enactment of an Act that reauthorizes pro-
10 grams under part A of title I of the Elementary and
11 Secondary Education Act of 1965, if the Secretary
12 of Education makes the determination described in
13 paragraph (2).

14 (2) DETERMINATION.—The determination re-
15 ferred to in paragraph (1) is a determination that
16 the performance of the State educational agency, in
17 carrying out the programs for which the State has
18 received a waiver under the educational flexibility
19 program, justifies the extension of the designation.

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