

109TH CONGRESS
2^D SESSION

S. 2363

IN THE HOUSE OF REPRESENTATIVES

MARCH 6, 2006

Referred to the Committee on Education and the Workforce

AN ACT

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,*

1 **SECTION 1. EDUCATIONAL FLEXIBILITY PROGRAM EXTEN-**
2 **SION.**

3 (a) **EXTENSION AUTHORITY.**—Notwithstanding any
4 other provision of law, the Secretary of Education is au-
5 thorized to carry out the educational flexibility program
6 under section 4 of the Education Flexibility Partnership
7 Act of 1999 (20 U.S.C. 5891b), until the date of enact-
8 ment of an Act that reauthorizes programs under part A
9 of title I of the Elementary and Secondary Education Act
10 of 1965 (20 U.S.C. 6311 et seq.), for any State that was
11 an Ed-Flex Partnership State on September 30, 2004.

12 (b) **DESIGNATION.**—

13 (1) **IN GENERAL.**—Any designation of a State
14 as an Ed-Flex Partnership State that was in effect
15 on September 30, 2004, shall be extended until the
16 date of enactment of an Act that reauthorizes pro-
17 grams under part A of title I of the Elementary and
18 Secondary Education Act of 1965, if the Secretary
19 of Education makes the determination described in
20 paragraph (2).

21 (2) **DETERMINATION.**—The determination re-
22 ferred to in paragraph (1) is a determination that
23 the performance of the State educational agency, in
24 carrying out the programs for which the State has

1 received a waiver under the educational flexibility
2 program, justifies the extension of the designation.

Passed the Senate March 2, 2006.

Attest: EMILY J. REYNOLDS,
Secretary.