[118H4565]

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(Original Signature of Member)

119TH CONGRESS
1ST SESSION

H. R. _____

To amend the weights used to determine amounts for targeted grants and education finance incentive grants for local educational agencies under title I of the Elementary and Secondary Education Act of 1965.

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IN THE HOUSE OF REPRESENTATIVES

Mr. THOMPSON of Pennsylvania introduced the following bill; which was referred to the Committee on _____

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A BILL

To amend the weights used to determine amounts for targeted grants and education finance incentive grants for local educational agencies under 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 ''All Children are Equal

5 Act'' or the ''ACE Act''.

1 **SEC. 2. FINDINGS.**

2   Section 1125AA of the Elementary and Secondary

3 Education Act of 1965 (20 U.S.C. 6336) is amended—

4   (1) by amending the heading to read as follows:

5 **"SEC. 1125AA. INCREASE GRANTS PER FORMULA STUDENT**

6   **AS THE PERCENTAGE OF ECONOMICALLY**

7   **DISADVANTAGED CHILDREN IN A LOCAL**

8   **EDUCATIONAL AGENCY INCREASES.";**

9   and

10   (2) by amending subsection (a) to read as fol-

11   lows:

12   "(a) FINDINGS.—Congress makes the following find-

13 ings:

14   "(1) The current Basic Grant Formula for the

15   distribution of funds under this part does not ade-

16   quately target funds for schools with the highest

17   concentrations of economically disadvantaged stu-

18   dents.

19   "(2) The current formulas for distributing Tar-

20   geted and Education Finance Incentive Grants is in-

21   tended to allocate more funds per formula student to

22   local educational agencies with higher concentrations

23   of such students.

24   "(3) These formula use two weighting systems,

25   one based on the percentage of the aged 5–17 popu-

26   lation in a local education agency that is eligible to

1 receive funds under this title (percentage weighting),
2 and another based on the absolute number of such
3 students (number weighting). Whichever of these
4 weighting systems results in the highest total
5 weighted formula student count for a local edu-
6 cational agency is the weighting system used for
7 that agency in the final allocation of Targeted and
8 Education Finance Incentive Grant funds.

9   ''(4) Since the amount available to be distrib-
10 uted through these formulas is fixed by congres-
11 sional appropriation, any gain in allocation share by
12 one local educational agency causes a loss to other
13 local educational agencies.

14   ''(5) The number weighting alternative is often
15 favorable to very large local educational agencies,
16 even if the agency's formula student percentage is
17 low. But because smaller local education agencies
18 simply do not have enough students to gain from
19 number weighting, they are adversely affected under
20 the number weighting alternative.

21   ''(6) The Congressional Research Service has
22 compared the funding allocations of each local edu-
23 cation agency for school year 2021–2022 under the
24 current dual weighting system with the funding allo-
25 cation it would have that year if all local educational

4

1   agencies had their student count weighted only by
2   percentage weighting.

3   "(7) This data shows that the use of number
4   weighting in these formulas has shifted funding
5   from smaller to larger local educational agencies not-
6   withstanding the level of poverty in either. This is
7   contrary to the intent of Congress, which is to direct
8   more funding per formula student to local edu-
9   cational agencies with high concentrations of pov-
10   erty, as measured by the number of formula stu-
11   dents as a percentage of the aged 5–17 population
12   of the local educational agency.

13   "(8) The National Center for Education Statis-
14   tics confirmed these findings in a statistical analysis
15   report dated May 2019.

16   "(9) Congress has a responsibility to correct
17   this unintended inequity by reducing the power of
18   the number weighting system relative to the percent-
19   age weighting system so that local educational agen-
20   cies with high percentages of poverty but low num-
21   bers of students are not disadvantaged under the
22   formulas used for grants under this part.".

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SEC. 3. TARGETED GRANTS TO LOCAL EDUCATIONAL AGENCIES.

Section 1125(c)(2)(A) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6335(c)(2)(A)) is amended to read as follows:

"(A) IN GENERAL.—For each fiscal year for which the Secretary uses local educational agency data, the weighted child count used to determine a local educational agency's grant under this section—

"(i) for each fiscal year through fiscal year 2025, is the larger of the two amounts determined under subparagraphs (B) and (C); and

"(ii) for fiscal year 2026 and each succeeding fiscal year, is the amount determined under subparagraph (B).".

SEC. 4. EDUCATION FINANCE INCENTIVE GRANT PROGRAM.

(a) STATES WITH AN EQUITY FACTOR LESS THAN 0.10.—Section 1125A(d)(1)(B)(i) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6337(d)(1)(B)(i)) is amended to read as follows:

"(i) IN GENERAL.—For each fiscal year for which the Secretary uses local educational agency data, the weighted child

1 count used to determine a local educational

2 agency's grant under this section—

3   "(I) for each fiscal year through

4 fiscal year 2025, is the larger of the

5 two amounts determined under

6 clauses (ii) and (iii); and

7   "(II) for fiscal year 2026 and

8 each succeeding fiscal year, is the

9 amount determined under clause

10 (iii).".

11 (b) STATES WITH AN EQUITY FACTOR GREATER

12 THAN OR EQUAL TO 0.10 AND LESS THAN 0.20.—Section

13 1125A(d)(2)(B)(i) of the Elementary and Secondary Edu-

14 cation Act of 1965 (20 U.S.C. 6337(d)(2)(B)(i)) is

15 amended to read as follows:

16   "(i) IN GENERAL.—For each fiscal

17 year for which the Secretary uses local

18 educational agency data, the weighted child

19 count used to determine a local educational

20 agency's grant under this section—

21   "(I) for each fiscal year through

22 fiscal year 2025, is the larger of the

23 two amounts determined under

24 clauses (ii) and (iii); and

1   "(II) for fiscal year 2026 and

2   each succeeding fiscal year, is the

3   amount determined under clause

4   (iii).".

5   (c) STATES WITH AN EQUITY FACTOR GREATER

6 THAN OR EQUAL TO 0.20.—Section 1125A(d)(3)(B)(i) of

7 the Elementary and Secondary Education Act of 1965 (20

8 U.S.C. 6337(d)(3)(B)(i)) is amended to read as follows:

9   "(i) IN GENERAL.—For each fiscal

10   year for which the Secretary uses local

11   educational agency data, the weighted child

12   count used to determine a local educational

13   agency's grant under this section—

14   "(I) for each fiscal year through

15   fiscal year 2025, is the larger of the

16   two amounts determined under

17   clauses (ii) and (iii); and

18   "(II) for fiscal year 2026 and

19   each succeeding fiscal year, is the

20   amount determined under clause

21   (iii).".