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[Report No. 114-]

To reauthorize the Scholarships for Opportunity and Results Act, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 5, 2015

Mr. BOEHNER (for himself, Mr. CHAFFETZ, Mr. KLINE, Mr. LIPINSKI, Mr. ROKITA, Mr. FRELINGHUYSEN, and Mr. MESSER) introduced the following bill; which was referred to the Committee on Oversight and Government Reform

OCTOBER --, 2015

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Omit the part struck through and insert the part printed in *italic*]

A BILL

To reauthorize the Scholarships for Opportunity and Results Act, and for other purposes.

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; REFERENCES IN ACT.**

4 (a) **SHORT TITLE.**—This Act may be cited as the
5 “Scholarships for Opportunity and Results Reauthoriza-
6 tion Act” or the “SOAR Reauthorization Act”.

7 (b) **REFERENCES IN ACT.**—Whenever in this Act an
8 amendment is expressed in terms of an amendment to or
9 repeal of a section or other provision, the reference shall
10 be considered to be made to that section or other provision
11 of the Scholarships for Opportunity and Results Act (divi-
12 sion C of Public Law 112–10; sec. 38–1853.01 et seq.,
13 D.C. Official Code).

14 **SEC. 2. FINDINGS; PURPOSE.**

15 (a) **FINDINGS.**—Congress finds the following:

16 (1) Parents are best equipped to make decisions
17 for their children, including the educational setting
18 that will best serve the interests and educational
19 needs of their children.

20 (2) In 1995, Congress passed the DC School
21 Reform Act, which granted the District of Columbia
22 the authority to create public charter schools and
23 gave parents greater educational options for their
24 children.

1 (3) In 2003, in partnership with the Mayor of
2 the District of Columbia, the chairman of the DC
3 Council Education Committee, and community activ-
4 ists, Congress passed the DC School Choice Incen-
5 tive Act of 2003 (Public Law 108–199; 118 Stat.
6 126), to provide opportunity scholarships to parents
7 of students in the District of Columbia to enable
8 them to pursue a high-quality education at a private
9 elementary or secondary school of their choice.

10 (4) The DC Opportunity Scholarship Program
11 (DC OSP) was part of a comprehensive three-part
12 funding arrangement that provided additional funds
13 for both the District of Columbia public schools and
14 public charter schools of the District of Columbia.
15 The intent behind the additional resources was to
16 ensure both District of Columbia public and charter
17 schools continued to improve.

18 (5) In 2011, Congress enacted the three-part
19 funding arrangement when it reauthorized the DC
20 OSP and passed the Scholarships for Opportunity
21 and Results (SOAR) Act (division C of Public Law
22 112–10) with bipartisan support.

23 (6) While the National Center for Education
24 Statistics indicates that per pupil expenditure for
25 public schools in the District of Columbia is the

1 highest in the United States, performance on the
2 National Assessment of Educational Progress
3 (NAEP) continues to be near the bottom of the
4 country when examining scores in mathematics and
5 reading for fourth and eighth grades. When Con-
6 gress passed the DC School Choice Incentive Act of
7 2003, students in the District of Columbia ranked
8 52 out of 52 States (including the Department of
9 Defense schools). Since that time, the District of Co-
10 lumbia has made significant gains in mathematics
11 and reading. However, students in the District of
12 Columbia still rank in the bottom three States out
13 of 52 States. According to the 2013 fourth grade
14 math NAEP results, 34 percent of students are
15 below basic, 38 percent are at basic, and 28 percent
16 are at proficient or advanced. The 2013 fourth
17 grade reading results found that 50 percent of
18 fourth grade students in the District of Columbia
19 are at or below basic, 27 percent are at basic, and
20 23 percent are proficient or advanced.

21 (7) Since the inception of the DC OSP, there
22 has been strong demand for the program by parents
23 and the citizens of the District of Columbia. In fact,
24 74 percent of District of Columbia residents support

1 continuing the program (based on the Lester & As-
2 sociates February 2011 Poll).

3 (8) Since the program's inception, parental sat-
4 isfaction has remained high. The program has also
5 been found to result in significantly higher gradua-
6 tion rates for those students who have received and
7 used their opportunity scholarships.

8 (9) The DC OSP offers low-income families in
9 the District of Columbia important educational al-
10 ternatives while public schools are improved. The
11 program should continue to be reauthorized as part
12 of a three-part comprehensive funding strategy for
13 the District of Columbia school system providing
14 equal funding for public schools, public charter
15 schools, and opportunity scholarships for students to
16 attend private schools.

17 (b) PURPOSE.—It is the purpose of this Act to amend
18 the Scholarships for Opportunity and Results Act to pro-
19 vide low-income parents residing in the District of Colum-
20 bia with expanded educational opportunities for enrolling
21 their children in other schools in the District of Columbia,
22 and provide resources to support educational reforms for
23 District of Columbia Public Schools and District of Co-
24 lumbia public charter schools.

1 **SEC. 3. PROHIBITING IMPOSITION OF LIMITS ON TYPES OF**
2 **ELIGIBLE STUDENTS PARTICIPATING IN THE**
3 **PROGRAM.**

4 Section 3004(a) (sec. 38–1853.04(a), D.C. Official
5 Code) is amended by adding at the end the following new
6 paragraph:

7 “(3) PROHIBITING IMPOSITION OF LIMITS ON
8 ELIGIBLE STUDENTS PARTICIPATING IN THE PRO-
9 GRAM.—

10 “(A) IN GENERAL.—In carrying out the
11 program under this division, the Secretary may
12 not limit the number of eligible students receiv-
13 ing scholarships under section 3007(a), and
14 may not prevent otherwise eligible students
15 from participating in the program under this
16 Act, on any of the following grounds:

17 “(i) The type of school the student
18 previously attended.

19 “(ii) Whether or not the student pre-
20 viously received a scholarship or partici-
21 pated in the program.

22 “(iii) Whether or not the student was
23 a member of the control group used by the
24 Institute of Education Sciences to carry
25 out previous evaluations of the program
26 under section 3009.

1 “(B) RULE OF CONSTRUCTION.—Nothing
2 in subparagraph (A) may be construed to waive
3 the requirement under section 3005(b)(1)(B)
4 that the entity carrying out the program under
5 this Act must carry out a random selection
6 process which gives weight to the priorities de-
7 scribed in section 3006 if more eligible students
8 seek admission in the program than the pro-
9 gram can accommodate.”.

10 **SEC. 4. REQUIRING ELIGIBLE ENTITIES TO UTILIZE INTER-**
11 **NAL FISCAL AND QUALITY CONTROLS.**

12 Section 3005(b)(1) (sec. 38–1853.05(b)(1), D.C. Of-
13 ficial Code) is amended—

14 (1) by striking “and” at the end of subpara-
15 graph (K); and

16 (2) by adding at the end the following new sub-
17 paragraph:

18 “(M) how the entity will ensure that it uti-
19 lizes internal fiscal and quality controls; and”.

20 **SEC. 5. CLARIFICATION OF PRIORITIES FOR AWARDING**
21 **SCHOLARSHIPS TO DETERMINING ELIGIBLE**
22 **STUDENTS.**

23 Section 3006(1) (sec. 38–1853.06(1), D.C. Official
24 Code) is amended—

1 (1) in subparagraph (A), by striking “identified
2 for improvement, corrective action, or restructuring
3 under section 1116 of the Elementary and Sec-
4 ondary Education Act of 1965 (20 U.S.C. 6316)”
5 and inserting “identified as a low-achieving school
6 according to the Office of the State Superintendent
7 of Education of the District of Columbia”; and

8 (2) in subparagraph (C), by striking the semi-
9 colon at the end and inserting the following: “, or
10 whether such students have, in the past, attended a
11 private school;”.

12 **SEC. 6. MODIFICATION OF REQUIREMENTS FOR PARTICI-**
13 **PATING SCHOOLS AND ELIGIBLE ENTITIES.**

14 (a) **CRIMINAL BACKGROUND CHECKS; COMPLIANCE**
15 **WITH REPORTING REQUIREMENTS.**—Section 3007(a)(4)
16 (sec. 38–1853.07(a)(4), D.C. Official Code) is amended—

17 (1) by striking “and” at the end of subpara-
18 graph (E);

19 (2) by striking the period at the end of sub-
20 paragraph (F) and inserting a semicolon; and

21 (3) by adding at the end the following new sub-
22 paragraphs:

23 “(G) conducts criminal background checks
24 on school employees who have direct and unsu-
25 pervised interaction with students; and

1 “(H) complies with all requests for data
2 and information regarding the reporting re-
3 quirements described in section 3010.”.

4 (b) ACCREDITATION.—Section 3007(a) (sec. 38–
5 1853.07(a), D.C. Official Code) is amended—

6 (1) in paragraph (1), by striking “paragraphs
7 (2) and (3)” and inserting “paragraphs (2), (3), and
8 (5)”; and

9 (2) by adding at the end the following new
10 paragraph:

11 “(5) ACCREDITATION REQUIREMENTS.—

12 “(A) IN GENERAL.—None of the funds
13 provided under this division for opportunity
14 scholarships may be used by an eligible student
15 to enroll in a participating private school unless
16 one of the following applies:

17 “(i) In the case of a school that, as of
18 the date of enactment of the SOAR Reau-
19 thorization Act, is a participating school,
20 the school is provisionally or fully accred-
21 ited by an accrediting body described in
22 subparagraphs (A) through (G) of section
23 2202(16) of the District of Columbia
24 School Reform Act of 1995 (sec. 38–
25 1802.02(16)(A–G), D.C. Official Code), or

1 by any other accrediting body determined
2 appropriate by the District of Columbia
3 Office of the State Superintendent for
4 Schools for the purposes of accrediting an
5 elementary or secondary school.

6 “(ii) In the case of a school that, as
7 of the day before the date of enactment of
8 the SOAR Reauthorization Act, is a par-
9 ticipating school but does not meet the re-
10 quirements of clause (i)—

11 “(I) not later than 1 year after
12 the date of enactment of such Act, the
13 school is pursuing full accreditation
14 by an accrediting body described in
15 clause (i); and

16 “(II) not later than 5 years after
17 the date of enactment of such Act, the
18 school meets the requirements of
19 clause (i), except that an eligible enti-
20 ty may extend this deadline for a sin-
21 gle 1-year period if the school provides
22 the eligible entity with evidence from
23 such an accrediting body that the
24 school’s application for accreditation
25 is in process and that the school will

1 be awarded accreditation before the
2 end of such period.

3 ~~“(iii) In the case of a school that, as~~
4 ~~of the date of enactment of the SOAR Re-~~
5 ~~authorization Act, is not a participating~~
6 ~~school, the school meets the requirements~~
7 ~~of clause (i) or, if it does not meet the re-~~
8 ~~quirements of clause (i)—~~

9 ~~“(I) the school is actively pur-~~
10 ~~suing full accreditation by an accred-~~
11 ~~iting body described in clause (i); and~~

12 ~~“(II) the school meets all of the~~
13 ~~other requirements for participating~~
14 ~~schools under this Act.~~

15 ~~“(iii) *In the case of a school that, as*~~
16 ~~*of the date of enactment of the SOAR Reau-*~~
17 ~~*thorization Act, is not a participating*~~
18 ~~*school, the school meets the requirements of*~~
19 ~~*clause (i) or, if it does not meet the require-*~~
20 ~~*ments of clause (i)—*~~

21 ~~“(I) *at the time the school notifies*~~
22 ~~*an eligible entity that it seeks to be a*~~
23 ~~*participating school, the school is ac-*~~
24 ~~*tively pursuing full accreditation by*~~

1 *an accrediting body described in clause*
2 *(i);*

3 *“(II) not later than 5 years after*
4 *the school notifies an eligible entity*
5 *that it seeks to be a participating*
6 *school, the school meets the require-*
7 *ments of clause (i), except that an eli-*
8 *gible entity may extend this deadline*
9 *for a single 1-year period if the school*
10 *provides the eligible entity with evi-*
11 *dence from such an accrediting body*
12 *that the school’s application for accred-*
13 *itation is in process and that the*
14 *school will be awarded accreditation*
15 *before the end of such period; and*

16 *“(III) the school meets all of the*
17 *other requirements for participating*
18 *schools under this Act.*

19 *“(B) REPORTS TO ELIGIBLE ENTITY.—Not*
20 *later than 5 years after the date of enactment*
21 *of the SOAR Reauthorization Act, each partici-*
22 *pating school shall submit to the eligible entity*
23 *a certification that the school has been fully or*
24 *provisionally accredited in accordance with sub-*
25 *paragraph (A), or has been granted an exten-*

1 sion by the eligible entity in accordance with
2 subparagraph (A)(ii)(II).

3 “(C) ASSISTING STUDENTS IN ENROLLING
4 IN OTHER SCHOOLS.—If a participating school
5 fails to meet the requirements of subparagraph
6 (A), the eligible entity shall assist the parents
7 of the eligible students who attend the school in
8 identifying, applying to, and enrolling in an-
9 other participating school under this Act.”.

10 (c) USE OF FUNDS FOR ADMINISTRATIVE EXPENSES
11 AND PARENTAL ASSISTANCE.—Section 3007 (sec. 38–
12 1853.07, D.C. Official Code) is amended—

13 (1) by striking subsections (b) and (c) and in-
14 serting the following:

15 “(b) ADMINISTRATIVE EXPENSES AND PARENTAL
16 ASSISTANCE.—The Secretary shall make \$2,000,000 of
17 the amount provided under the grant each year available
18 to an eligible entity receiving a grant under section
19 3004(a) to cover the following expenses:

20 “(1) The administrative expenses of carrying
21 out its program under this Act during the year, in-
22 cluding—

23 “(A) determining the eligibility of students
24 to participate;

1 “(B) selecting the eligible students to re-
2 ceive scholarships;

3 “(C) determining the amount of the schol-
4 arships and issuing the scholarships to eligible
5 students;

6 “(D) compiling and maintaining financial
7 and programmatic records; and

8 “(E) conducting site visits as described in
9 section 3005(b)(1)(l).

10 “(2) The expenses of educating parents about
11 the entity’s program under this Act, and assisting
12 parents through the application process under this
13 Act, including—

14 “(A) providing information about the pro-
15 gram and the participating schools to parents
16 of eligible students;

17 “(B) providing funds to assist parents of
18 students in meeting expenses that might other-
19 wise preclude the participation of eligible stu-
20 dents in the program; and

21 “(C) streamlining the application process
22 for parents.”; and

23 (2) by redesignating subsection (d) as sub-
24 section (c).

1 (d) CLARIFICATION OF USE OF FUNDS FOR STU-
2 DENT ACADEMIC ASSISTANCE.—Section 3007(c) (sec. 38–
3 1853.07(c), D.C. Official Code), as redesignated by sub-
4 section (c)(2), is amended by striking “identified for im-
5 provement, corrective action, or restructuring under sec-
6 tion 1116 of the Elementary and Secondary Education
7 Act of 1965 (20 U.S.C. 6316)” and inserting “identified
8 as a low-achieving school according to the Office of the
9 State Superintendent of Education of the District of Co-
10 lumbia”.

11 (e) PERMITTING USE OF FUNDS REMAINING UNOB-
12 LIGATED FROM PREVIOUS FISCAL YEARS.—Section 3007
13 (sec. 38–1853.07, D.C. Official Code), as amended by this
14 section, is amended by adding at the end the following
15 new subsection:

16 “(d) PERMITTING USE OF FUNDS REMAINING UN-
17 OBLIGATED FROM PREVIOUS FISCAL YEARS.—To the ex-
18 tent that any funds appropriated for the opportunity
19 scholarship program under this Act for a fiscal year re-
20 main unobligated at the end of the fiscal year, the Sec-
21 retary shall make such funds available during subsequent
22 fiscal years for scholarships for eligible students, except
23 that an eligible entity may use not more than 5 percent
24 of the funds for administrative expenses, parental assist-

1 anee, and tutoring, in addition to the amounts appro-
2 priated for such purposes under section 3007(b) and (c).

3 “(d) *PERMITTING USE OF FUNDS REMAINING UNOBLI-*
4 *GATED FROM PREVIOUS FISCAL YEARS.—To the extent that*
5 *any funds appropriated for the opportunity scholarship*
6 *program under this Act for any fiscal year (including a*
7 *fiscal year occurring prior to the enactment of this sub-*
8 *section) remain unobligated at the end of the fiscal year,*
9 *the Secretary shall make such funds available during the*
10 *next fiscal year and (if still unobligated as of the end of*
11 *that fiscal year) any subsequent fiscal year for scholarships*
12 *for eligible students, except that an eligible entity may use*
13 *not more than 5 percent of the funds for administrative ex-*
14 *penses, parental assistance, and tutoring, in addition to the*
15 *amounts appropriated for such purposes under section*
16 *3007(b) and (c).”.*

17 **SEC. 7. PROGRAM EVALUATION.**

18 (a) **REVISION OF EVALUATION PROCEDURES AND**
19 **REQUIREMENTS.—**

20 (1) **IN GENERAL.—**Section 3009(a) (sec. 38–
21 1853.09(a), D.C. Official Code) is amended to read
22 as follows:

23 “(a) **IN GENERAL.—**

1 “(1) DUTIES OF THE SECRETARY AND THE
2 MAYOR.—The Secretary and the Mayor of the Dis-
3 trict of Columbia shall—

4 “(A) jointly enter into an agreement with
5 the Institute of Education Sciences of the De-
6 partment of Education to evaluate annually the
7 opportunity scholarship program under this
8 Act;

9 “(B) jointly enter into an agreement to
10 monitor and evaluate the use of funds author-
11 ized and appropriated for the District of Co-
12 lumbia Public Schools and the District of Co-
13 lumbia public charter schools under this Act;
14 and

15 “(C) make the evaluations described in
16 subparagraphs (A) and (B) public in accord-
17 ance with subsection (c).

18 “(2) DUTIES OF THE SECRETARY.—The Sec-
19 retary, through a grant, contract, or cooperative
20 agreement, shall—

21 “(A) ensure that the evaluation under
22 paragraph (1)(A)—

23 “(i) is conducted using an acceptable
24 quasi-experimental research design for de-
25 termining the effectiveness of the oppor-

1 tunity scholarship program under this Act
2 which does not use a control study group
3 consisting of students who applied for but
4 who did not receive opportunity scholar-
5 ships; and

6 “(ii) addresses the issues described in
7 paragraph (4); and

8 “(B) disseminate information on the im-
9 pact of the program—

10 “(i) in increasing academic achieve-
11 ment and educational attainment of par-
12 ticipating eligible students; and

13 “(ii) on students and schools in the
14 District of Columbia.

15 “(3) DUTIES OF THE INSTITUTE OF EDU-
16 CATION SCIENCES.—The Institute of Education
17 Sciences of the Department of Education shall—

18 “(A) assess participating eligible students
19 in each of the grades 3 through 8, as well as
20 one of the grades in the high school level, by su-
21 pervising the administration of the same read-
22 ing and math assessment used by the District
23 of Columbia Public Schools to comply with sec-
24 tion 1111(b) of the Elementary and Secondary
25 Education Act of 1965 (20 U.S.C. 6311(b));

1 “(B) measure the academic achievement of
2 all participating students in the grades de-
3 scribed in subparagraph (A); and

4 “(C) work with the eligible entities to en-
5 sure that the parents of each student who re-
6 ceives a scholarship under this Act agree to per-
7 mit the student to participate in the evaluations
8 and assessments carried out by the Institute
9 under this subsection.

10 “(4) ISSUES TO BE EVALUATED.—The issues to
11 be evaluated under paragraph (1)(A) shall include
12 the following:

13 “(A) A comparison of the academic
14 achievement of participating eligible students in
15 the measurements described in paragraph (3) to
16 the academic achievement of a comparison
17 group of students with similar backgrounds in
18 the District of Columbia Public Schools.

19 “(B) The success of the program under
20 this Act in expanding choice options for parents
21 of participating eligible students and increasing
22 ~~their satisfaction with their child’s school~~ *the*
23 *satisfaction of such parents and students with*
24 *their choice.*

1 “(C) The reasons parents of participating
2 eligible students choose for their children to
3 participate in the program, including important
4 characteristics for selecting schools.

5 “(D) A comparison of the retention rates,
6 high school graduation rates, ~~college admission~~
7 *college enrollment* rates, college persistence
8 rates, and college graduation rates of partici-
9 pating eligible students with the rates of stu-
10 dents in the comparison group described in sub-
11 paragraph (A).

12 “(E) A comparison of the ~~college admis-~~
13 ~~sion~~ *college enrollment* rates, college persistence
14 rates, and college graduation rates of students
15 who participated in the program in 2004, 2005,
16 2011, 2012, 2013, 2014, and 2015 as the re-
17 sult of winning the Opportunity Scholarship
18 Program lottery with the rates of students who
19 entered but did not win such lottery in those
20 years and who, as a result, served as the con-
21 trol group for previous evaluations of the pro-
22 gram under this Act.

23 “(F) A comparison of the safety of the
24 schools attended by participating eligible stu-
25 dents and the schools in the District of Colum-

1 bia attended by students in the comparison
2 group described in subparagraph (A), based on
3 the perceptions of the students and parents.

4 “(G) Such other issues with respect to par-
5 ticipating eligible students as the Secretary con-
6 siders appropriate for inclusion in the evalua-
7 tion, such as the impact of the program on pub-
8 lic elementary schools and secondary schools in
9 the District of Columbia.

10 “(5) PROHIBITING DISCLOSURE OF PERSONAL
11 INFORMATION.—

12 “(A) IN GENERAL.—Any disclosure of per-
13 sonally identifiable information shall be in com-
14 pliance with section 444 of the General Edu-
15 cation Provisions Act (commonly known as the
16 ‘Family Educational Rights and Privacy Act of
17 1974’) (20 U.S.C. 1232g).

18 “(B) STUDENTS NOT ATTENDING PUBLIC
19 SCHOOLS.—With respect to any student who is
20 not attending a public elementary school or sec-
21 ondary school, personally identifiable informa-
22 tion may not be disclosed outside of the group
23 of individuals carrying out the evaluation for
24 ~~such student~~, *such student or the group of indi-*
25 *viduals providing information for carrying out*

1 *the evaluation of such student, other than to the*
2 *parents of such student.”.*

3 (2) TRANSITION FROM CURRENT EVALUA-
4 TION.—The Secretary of Education shall terminate
5 the current evaluations conducted under section
6 3009(a) of the Scholarships for Opportunity and Re-
7 sults Act (sec. 38–1853.09, D.C. Official Code), as
8 in effect prior to the date of enactment of this Act,
9 after obtaining data for the 2015–2016 school year,
10 and shall submit the reports required with respect to
11 the evaluations in accordance with section 3009(b)
12 of such Act. Effective with respect to the 2016–2017
13 school year, the Secretary shall conduct new evalua-
14 tions in accordance with the provisions of section
15 3009(a) of such Act as amended by this Act, *and*
16 *as a component of the new evaluations, the Secretary*
17 *shall continue to monitor and evaluate the students*
18 *who were evaluated in the most recent evaluation*
19 *under such section prior to the enactment of this Act,*
20 *along with their corresponding test scores and other*
21 *information.*

22 (b) DUTY OF MAYOR TO ENSURE INSTITUTE HAS
23 ALL INFORMATION NECESSARY TO CARRY OUT EVALUA-
24 TIONS.—Section 3011(a)(1) (sec. 38–1853.11(a)(1), D.C.
25 Official Code) is amended to read as follows:

1 “(1) INFORMATION NECESSARY TO CARRY OUT
2 EVALUATIONS.—Ensure that all District of Colum-
3 bia public schools and District of Columbia public
4 charter schools make available to the Institute of
5 Education Sciences of the Department of Education
6 all of the information the Institute requires to carry
7 out the assessments and perform the evaluations re-
8 quired under section 3009(a).”.

9 **SEC. 8. FUNDING FOR DISTRICT OF COLUMBIA PUBLIC**
10 **SCHOOLS AND PUBLIC CHARTER SCHOOLS.**

11 (a) MANDATORY WITHHOLDING OF FUNDS FOR
12 FAILURE TO COMPLY WITH CONDITIONS.—Section
13 3011(b) (sec. 38–1853.11(b), D.C. Official Code) is
14 amended to read as follows:

15 “(b) ENFORCEMENT.—If, after reasonable notice and
16 an opportunity for a hearing, the Secretary determines
17 that the Mayor has failed to comply with any of the re-
18 quirements of subsection (a), the Secretary may withhold
19 from the Mayor, in whole or in part—

20 “(1) the funds otherwise authorized to be ap-
21 propriated under section 3014(a)(2), if the failure to
22 comply relates to the District of Columbia public
23 schools;

24 “(2) the funds otherwise authorized to be ap-
25 propriated under section 3014(a)(3), if the failure to

1 comply relates to the District of Columbia public
2 charter schools; or

3 “(3) the funds otherwise authorized to be ap-
4 propriated under both section 3014(a)(2) and sec-
5 tion 3014(a)(3), if the failure relates to both the
6 District of Columbia public schools and the District
7 of Columbia public charter schools.”.

8 (b) RULES FOR USE OF FUNDS PROVIDED FOR SUP-
9 PORT OF PUBLIC CHARTER SCHOOLS.—Section 3011
10 (sec. 38–1853.11, D.C. Official Code) is amended—

11 (1) by redesignating subsection (c) as sub-
12 section (d); and

13 (2) by inserting after subsection (b) the fol-
14 lowing new subsection:

15 “(c) SPECIFIC RULES REGARDING FUNDS PROVIDED
16 FOR SUPPORT OF PUBLIC CHARTER SCHOOLS.—The fol-
17 lowing rules shall apply with respect to the funds provided
18 under this Act for the support of District of Columbia
19 public charter schools:

20 “(1) The Secretary may direct the funds pro-
21 vided for any fiscal year, or any portion thereof, to
22 the Office of the State Superintendent of Education
23 of the District of Columbia (OSSE).

24 “(2) The OSSE may transfer the funds to sub-
25 grantees who are specific District of Columbia public

1 charter schools or networks of such schools or who
2 are District of Columbia-based non-profit organiza-
3 tions with experience in successfully providing sup-
4 port or assistance to District of Columbia public
5 charter schools or networks of schools.

6 “(3) The funds shall be available to any Dis-
7 trict of Columbia public charter school in good
8 standing with the District of Columbia Charter
9 School Board (Board), and the OSSE and Board
10 may not restrict the availability of the funds to cer-
11 tain types of schools on the basis of the school’s lo-
12 cation, governing body, or any other characteristic.”.

13 **SEC. 9. REVISION OF CURRENT MEMORANDUM OF UNDER-**
14 **STANDING.**

15 The Secretary of Education and the Mayor of the
16 District of Columbia shall revise the memorandum of un-
17 derstanding which is in effect under section 3012(d) of
18 the Scholarships for Opportunity and Results Act (sec.
19 38–1853.12(d), D.C. Official Code) as of the day before
20 the date of the enactment of this Act to address the fol-
21 lowing:

22 (1) The amendments made by this Act.

23 (2) The need to ensure that participating
24 schools under such Act meet fire code standards and
25 maintain certificates of occupancy.

1 (3) The need to ensure that District of Colum-
2 bia public schools and District of Columbia public
3 charter schools meet the requirements under such
4 Act to comply with all reasonable requests for infor-
5 mation necessary to carry out the evaluations re-
6 quired under section 3009(a) of such Act.

7 **SEC. 10. EXTENSION OF AUTHORIZATION OF APPROPRIA-**
8 **TIONS.**

9 Section 3014(a) (sec. 38–1853.14(a), D.C. Official
10 Code) is amended by striking “each of the 4 succeeding
11 fiscal years” and inserting “each of the 9 succeeding fiscal
12 years”.

13 **SEC. 11. EFFECTIVE DATE.**

14 The amendments made by this Act shall apply with
15 respect to school year 2016–2017 and each succeeding
16 school year.