

Baldwin Title IV Amendment #1

ROM15347

S.L.C. Jimmy Baldini

AMENDMENT NO. _____ Calendar No. _____

Purpose: To amend title IV to provide grants and contracts to local educational agencies and community-based organizations to initiate, expand, and improve physical education programs.

IN THE SENATE OF THE UNITED STATES—114th Cong., 1st Sess.

S. _____

To reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Ms. BALDWIN

Viz:

1 On page 373, between lines 19 and 20, insert the following:
2

3 **SEC. 4003. PHYSICAL EDUCATION PROGRAM.**

4 Title IV (20 U.S.C. 7101 et seq.), as amended by
5 sections 4001 and 4002, is further amended by adding
6 at the end the following:

7 **“PART C—PHYSICAL EDUCATION PROGRAM**

8 **“SEC. 4301. PURPOSE.**

9 “The purpose of this part is to award grants and con-
10 tracts to initiate, expand, and improve physical education

1 programs for all students in kindergarten through grade
2 12.

3 **“SEC. 4302. PROGRAM AUTHORIZED.**

4 “(a) AUTHORIZATION.—From amounts made avail-
5 able to carry out this part, the Secretary is authorized to
6 award grants or contracts to local educational agencies
7 and community-based organizations to pay the Federal
8 share of the costs of initiating, expanding, and improving
9 physical education programs (including after-school pro-
10 grams) for students in kindergarten through grade 12,
11 by—

12 “(1) providing materials and support to enable
13 students to participate actively in physical education
14 activities; and

15 “(2) providing funds for staff and teacher
16 training and education relating to physical edu-
17 cation.

18 “(b) PROGRAM ELEMENTS.—A physical education
19 program that receives assistance under this part may pro-
20 vide for 1 or more of the following:

21 “(1) Fitness education and assessment to help
22 students understand, improve, or maintain their
23 physical well-being.

24 “(2) Instruction in a variety of motor skills and
25 physical activities designed to enhance the physical,

1 mental, and social or emotional development of every
2 student.

3 “(3) Development of, and instruction in, cog-
4 nitive concepts about motor skill and physical fitness
5 that support a lifelong healthy lifestyle.

6 “(4) Opportunities to develop positive social
7 and cooperative skills through physical activity par-
8 ticipation.

9 “(5) Instruction in healthy eating habits and
10 good nutrition.

11 “(6) Opportunities for professional development
12 for teachers of physical education to stay abreast of
13 the latest research, issues, and trends in the field of
14 physical education.

15 “(e) SPECIAL RULE.—For purposes of this part, ex-
16 tra-curricular activities, such as team sports and Reserve
17 Officers’ Training Corps program activities, shall not be
18 considered as part of the curriculum of a physical edu-
19 cation program assisted under this part.

20 **“SEC. 4303. APPLICATIONS.**

21 “(a) SUBMISSION.—Each local educational agency or
22 community-based organization desiring a grant or con-
23 tract under this part shall submit to the Secretary an ap-
24 plication that contains a plan to initiate, expand, or im-
25 prove physical education programs in order to make

1 progress toward meeting State standards for physical edu-
2 cation.

3 “(b) PRIVATE SCHOOL AND HOME-SCHOOLED STU-
4 DENTS.—An application for a grant or contract under this
5 part may provide for the participation, in the activities
6 funded under this part, of—

7 “(1) students enrolled in private nonprofit ele-
8 mentary schools or secondary schools, and their par-
9 ents and teachers; or

10 “(2) home-schooled students, and their parents
11 and teachers.

12 **“SEC. 4304. REQUIREMENTS.**

13 “(a) ANNUAL REPORT TO THE SECRETARY.—In
14 order to continue receiving funding after the first year of
15 a multiyear grant or contract under this part, the adminis-
16 trator of the grant or contract for the local educational
17 agency or community-based organization shall submit to
18 the Secretary an annual report that—

19 “(1) describes the activities conducted during
20 the preceding year; and

21 “(2) demonstrates that progress has been made
22 toward meeting State standards for physical edu-
23 cation.

24 “(b) ADMINISTRATIVE EXPENSES.—Not more than 5
25 percent of the funds made available under this part to a

1 local educational agency or community-based organization
2 for any fiscal year may be used for administrative ex-
3 penses.

4 **“SEC. 4305. ADMINISTRATIVE PROVISIONS.**

5 “(a) FEDERAL SHARE.—The Federal share under
6 this part may not exceed—

7 “(1) 90 percent of the total cost of a program
8 for the first year for which the program receives as-
9 sistance under this part; and

10 “(2) 75 percent of such cost for the second and
11 each subsequent such year.

12 “(b) PROPORTIONALITY.—To the extent practicable,
13 the Secretary shall ensure that grants awarded under this
14 part shall be equitably distributed among local educational
15 agencies, and community-based organizations, serving
16 urban and rural areas.

17 “(c) REPORT TO CONGRESS.—Not later than June
18 1, 2017, the Secretary shall submit a report to Congress
19 that—

20 “(1) describes the programs assisted under this
21 part;

22 “(2) documents the success of such programs in
23 improving physical fitness; and

24 “(3) makes such recommendations as the Sec-
25 retary determines appropriate for the continuation

1 and improvement of the programs assisted under
2 this part.

3 “(d) AVAILABILITY OF FUNDS.—Amounts made
4 available to the Secretary to carry out this part shall re-
5 main available until expended.

6 **“SEC. 4306. SUPPLEMENT, NOT SUPPLANT.**

7 “Funds made available under this part shall be used
8 to supplement, and not supplant, any other Federal, State,
9 or local funds available for physical education activities.

10 **“SEC. 4307. AUTHORIZATION OF APPROPRIATIONS.**

11 “There are authorized to be appropriated to carry out
12 this part such sums as may be necessary for each of fiscal
13 years 2016 through 2021.”.