

HR 2218

Empowering Parents through Quality Charter Schools Act

Congress: 112 (2011–2013, Ended)

Chamber: House

Policy Area: Education

Introduced: Jun 16, 2011

Current Status: Received in the Senate and Read twice and referred to the Committee on Health, Education, Labor, and

Latest Action: Received in the Senate and Read twice and referred to the Committee on Health, Education, Labor, and Pensions. (Sep 14, 2011)

Official Text: <https://www.congress.gov/bill/112th-congress/house-bill/2218>

Sponsor

Name: Rep. Hunter, Duncan D. [R-CA-52]

Party: Republican • **State:** CA • **Chamber:** House

Cosponsors (13 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Kline, John [R-MN-2]	R · MN		Jun 16, 2011
Rep. Bucshon, Larry [R-IN-8]	R · IN		Jun 21, 2011
Rep. DesJarlais, Scott [R-TN-4]	R · TN		Jun 21, 2011
Rep. Kelly, Mike [R-PA-3]	R · PA		Jun 21, 2011
Rep. McKeon, Howard P. "Buck" [R-CA-25]	R · CA		Jun 21, 2011
Rep. Miller, George [D-CA-7]	D · CA		Jun 21, 2011
Rep. Petri, Thomas E. [R-WI-6]	R · WI		Jun 21, 2011
Rep. Polis, Jared [D-CO-2]	D · CO		Jun 21, 2011
Rep. Roe, David P. [R-TN-1]	R · TN		Jun 21, 2011
Rep. Walberg, Tim [R-MI-7]	R · MI		Jun 21, 2011
Rep. Gowdy, Trey [R-SC-4]	R · SC		Jun 22, 2011
Rep. Rokita, Todd [R-IN-4]	R · IN		Jul 12, 2011
Rep. Crenshaw, Ander [R-FL-4]	R · FL		Jul 14, 2011

Committee Activity

Committee	Chamber	Activity	Date
Education and Workforce Committee	House	Reported By	Jul 22, 2011
Health, Education, Labor, and Pensions Committee	Senate	Referred To	Sep 14, 2011

Subjects & Policy Tags

Policy Area:

Education

Related Bills

Bill	Relationship	Last Action
112 S 1566	Related bill	Sep 15, 2011: Read twice and referred to the Committee on Health, Education, Labor, and Pensions.
112 HRES 392	Related bill	Sep 8, 2011: Motion to reconsider laid on the table Agreed to without objection.

Empowering Parents through Quality Charter Schools Act - (Sec. 4) Revises subpart 1 (Charter School Programs) of part B (Public Charter Schools) of title V (Promoting Informed Parental Choice and Innovative Programs) of the Elementary and Secondary Education Act of 1965.

(Sec. 5) Replaces the current charter school grant program with a program awarding grants to state entities (state educational agencies, state charter school boards, or Governors) and, through them, subgrants to charter school developers to open new charter schools and expand and replicate high-quality charter schools.

Requires grantees to use 10% of the grant funds to provide technical assistance to subgrantees and authorized public chartering agencies, and work with those agencies to improve the charter school authorization process.

Limits the duration of charter school grants and subgrants to no more than five years. Gives subgrantees no more than 18 months to plan and design their programs.

Limits grantees to no more than one grant over a five-year period. Limits subgrantees to no more than one subgrant per charter school over a five-year period, unless the subgrantee demonstrates at least three years of improved educational results for students enrolled in the applicable charter school.

Requires the Secretary of Education and each grantee to use a peer review process to review applications for charter school grants and subgrants.

Requires grantees to award subgrants in a manner that ensures, to the extent possible, that subgrants are distributed to different areas and assist charter schools representing a variety of educational approaches.

Permits the Secretary to waive certain statutory or regulatory requirements if the waiver is requested by a grant applicant and promotes the purpose of the Charter School program without tampering with what is definitionally required of charter schools.

Favors grant applicants to the extent that they are from states that: (1) have a quality authorized public chartering agency that is not a local educational agency (LEA), if the state allows entities other than LEAs to be authorized public chartering agencies; (2) do not impose any limitation on the number or percentage of charter schools that may exist or the number or percentage of students that may attend charter schools; (3) ensure equitable financing, as compared to traditional public schools, for charter schools and students in a prompt manner; and (4) use charter schools and best practices from charter schools to help improve struggling schools and LEAs. Favors grant applicants also to the extent that they: (1) partner with an organization experienced in developing management organizations to support charter school development; (2) effectively support and monitor charter schools; (3) support charter schools that support at-risk students; and (4) authorize all their charter schools to serve as school food authorities.

(Sec. 6) Subsumes subpart 2 (Credit Enhancement Initiatives to Assist Charter School Facility Acquisition, Construction, and Renovation) of part B of title V under subpart 1. (Under subpart 2 the Secretary awards grants to public entities and private nonprofit entities to demonstrate innovative means of enhancing credit to finance the acquisition, construction, or renovation of charter schools.)

Requires the Secretary to award credit enhancement grants to applicants that have the highest-quality applications, after considering the diversity of such applications. (Currently, the Secretary is required to award at least three grants,

including at least one to a public entity, one to a private nonprofit entity, and one to a consortium of such entities, provided an application from each merits approval.)

Prohibits grant recipients from using more than 2.5% (currently, 0.25%) of their grant for administrative costs.

Revises the per-pupil facilities aid program (under which the Secretary makes competitive matching grants to states to provide per-pupil financing to charter schools) to allow states to: (1) partner with organizations to provide up to 50% of the state share of funding for the program; and (2) receive more than one program grant, so long as the amount of the grant funds provided to charter schools increases with each successive grant.

Allows states that are required by state law to provide charter schools with access to adequate facility space to qualify for a grant under the program even if they do not have a per-pupil facilities aid program for charter schools specified in state law, provided they agree to use the funds to develop such a program.

(Sec. 7) Directs the Secretary to conduct national activities that include: (1) awarding competitive grants directly to charter school developers to open, replicate, and expand charter schools in states that have not applied for, have not received, or are nearing the end of, a grant for that purpose; (2) providing state entities with technical assistance in awarding subgrants to charter school developers; (3) providing technical assistance to grantees under the credit enhancement and per-pupil facilities aid programs; (4) disseminating best practices; and (5) evaluating the charter school program's impact, including its impact on student achievement.

(Sec. 8) Requires states and LEAs to ensure that a student's records are transferred as quickly as possible to a charter school or another public school when the student transfers from one such school to the other.

(Sec. 9) Allows charter schools to serve prekindergarten or postsecondary school students.

(Sec. 10) Reauthorizes appropriations under subpart 1 through FY2017.

Directs the Secretary to use: (1) 15% of such funding for credit enhancement grants and the per-pupil facilities aid program, (2) up to 5% of such funding for the Secretary's national activities, and (3) the remaining funds for the charter school grant program.

Actions Timeline

- **Sep 14, 2011:** Received in the Senate and Read twice and referred to the Committee on Health, Education, Labor, and Pensions.
- **Sep 13, 2011:** Considered as unfinished business. (consideration: CR H6119-6123)
- **Sep 13, 2011:** The House resolved into Committee of the Whole House on the state of the Union for further consideration.
- **Sep 13, 2011:** The House rose from the Committee of the Whole House on the state of the Union to report H.R. 2218.
- **Sep 13, 2011:** The previous question was ordered pursuant to the rule. (consideration: CR H6120)
- **Sep 13, 2011:** The House adopted the amendment in the nature of a substitute as agreed to by the Committee of the Whole House on the state of the Union. (text: CR 9/8/2011 H5993-5996)
- **Sep 13, 2011:** Ms. Hanabusa moved to recommit with instructions to Education and the Workforce. (consideration: CR H6120-6122; text: CR H6120-6121)
- **Sep 13, 2011:** DEBATE - The House proceeded with 10 minutes of debate on the Hanabusa motion to recommit with instructions. The instructions contained in the motion seek to require the bill to be reported back to the House with an amendment to require each state entity that receives a grant, to have in effect policies and procedures for charter schools that require criminal background checks to be conducted for school employees prohibit the employment of an individual for a position as a school employee if they refuse to consent to a criminal background check, make false statements in connection with the background check or have been convicted of a felony.
- **Sep 13, 2011:** On motion to recommit with instructions Failed by recorded vote: 189 - 231 (Roll no. 704).
- **Sep 13, 2011:** Passed/agreed to in House: On passage Passed by recorded vote: 365 - 54 (Roll no. 705).
- **Sep 13, 2011:** On passage Passed by recorded vote: 365 - 54 (Roll no. 705).
- **Sep 13, 2011:** Motion to reconsider laid on the table Agreed to without objection.
- **Sep 8, 2011:** Considered under the provisions of rule H. Res. 392. (consideration: CR H5988-6005)
- **Sep 8, 2011:** Rule provides for consideration of H.R. 2218 and H.R. 1892 each with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measures will be considered read. Specified amendments are in order.
- **Sep 8, 2011:** House resolved itself into the Committee of the Whole House on the state of the Union pursuant to H. Res. 392 and Rule XVIII.
- **Sep 8, 2011:** The Speaker designated the Honorable Steve Womack to act as Chairman of the Committee.
- **Sep 8, 2011:** GENERAL DEBATE - The Committee of the Whole proceeded with one hour of general debate on H.R. 2218.
- **Sep 8, 2011:** DEBATE - Pursuant to the provisions of H. Res. 392, the Committee of the Whole proceeded with 10 minutes of debate on the Kline Part A amendment No. 1.
- **Sep 8, 2011:** DEBATE - Pursuant to the provisions of H. Res. 392, the Committee of the Whole proceeded with 10 minutes of debate on the Davis (CA) Part A amendment No. 2.
- **Sep 8, 2011:** DEBATE - Pursuant to the provisions of H. Res. 392, the Committee of the Whole proceeded with 10 minutes of debate on the Paulsen Part A amendment No. 3.
- **Sep 8, 2011:** DEBATE - Pursuant to the provisions of H. Res. 392, the Committee of the Whole proceeded with 10 minutes of debate on the Lujan Part A amendment No. 4.
- **Sep 8, 2011:** DEBATE - Pursuant to the provisions of H. Res. 392, the Committee of the Whole proceeded with 10 minutes of debate on the Polis (CO) Part A amendment No. 5.
- **Sep 8, 2011:** DEBATE - Pursuant to the provisions of H. Res. 392, the Committee of the Whole proceeded with 10 minutes of debate on the Moore (WI) Part A amendment No. 6.
- **Sep 8, 2011:** DEBATE - Pursuant to the provisions of H. Res. 392, the Committee of the Whole proceeded with 10 minutes of debate on the Holt Part A amendment No. 7.
- **Sep 8, 2011:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Holt amendment No. 7, the Chair put the question on adoption of the amendment and by voice vote announced that the ayes had prevailed. Mr. Kline demanded a recorded vote, and the Chair postponed further proceedings on adoption of the amendment until a time to be announced.
- **Sep 8, 2011:** DEBATE - Pursuant to the provisions of H. Res. 392, the Committee of the Whole proceeded with 10 minutes of debate on the King (IA) Part A amendment No. 8.
- **Sep 8, 2011:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Holt amendment No. 8, the Chair put the question on adoption of the amendment and by voice vote announced that the noes had prevailed. Mr. King (IA)

demanded a recorded vote, and the Chair postponed further proceedings on adoption of the amendment until a time to be announced.

- **Sep 8, 2011:** Mr. Kline moved that the Committee now rise.
- **Sep 8, 2011:** On motion that the Committee now rise Agreed to by voice vote.
- **Sep 8, 2011:** Committee of the Whole House on the state of the Union rises leaving H.R. 2218 as unfinished business.
- **Sep 7, 2011:** Rules Committee Resolution H. Res. 392 Reported to House. Rule provides for consideration of H.R. 2218 and H.R. 1892 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. Specified amendments are in order.
- **Jul 22, 2011:** Reported (Amended) by the Committee on Education and the Workforce. H. Rept. 112-178.
- **Jul 22, 2011:** Placed on the Union Calendar, Calendar No. 117.
- **Jun 22, 2011:** Committee Consideration and Mark-up Session Held.
- **Jun 22, 2011:** Ordered to be Reported (Amended) by the Yeas and Nays: 34 - 5.
- **Jun 16, 2011:** Introduced in House
- **Jun 16, 2011:** Referred to the House Committee on Education and the Workforce.