

AMENDMENT NO. _____ Calendar No. _____

Purpose: To ensure local governance of education.

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

S. 1177

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 Mrs. FISCHER (for herself, Mr. KING, and Mr. TESTER) to the amendment (No. _____) proposed by _____

Viz:

1 On page 800, between lines 17 and 18, insert the fol-
2 lowing:

3 **SEC. 9115A. LOCAL GOVERNANCE.**

4 Subpart 2 of part F of title IX (20 U.S.C. 7901 et
5 seq.), as amended by sections 4001(3), 9114, and 9115,
6 and redesignated by section 9106(1), is further amended
7 by adding at the end the following:

8 **“SEC. 9540. LOCAL GOVERNANCE.**

9 “(a) RULE OF CONSTRUCTION.—Nothing in this Act
10 shall be construed to allow the Secretary to—

1 “(1) exercise any governance or authority over
2 school administration, including the development
3 and expenditure of school budgets, unless otherwise
4 authorized under this Act;

5 “(2) issue any regulation without first com-
6 plying with the rulemaking requirements of section
7 553 of title 5, United States Code; or

8 “(3) issue any non-regulatory guidance without
9 first, to the extent feasible, considering input from
10 stakeholders.

11 “(b) **AUTHORITY UNDER OTHER LAW.**—Nothing in
12 subsection (a) shall be construed to affect any authority
13 the Secretary has under any other Federal law.”.