

88TH CONGRESS
1ST SESSION

H. R. 8291

IN THE HOUSE OF REPRESENTATIVES

AUGUST 28, 1963

Mr. FOGARTY introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To authorize a two-year program of Federal financial assistance for all elementary and secondary school children in all of the States.

- 1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this title may be cited as the "School Children's
4 Assistance Act of 1962".

DECLARATION OF PURPOSE

6 SEC. 2. It is the purpose of this title to authorize a two-
7 year program of financial assistance for all elementary and
8 secondary school children in all of the States.

9 It is the intent of Congress that the Federal Govern-
10 ment shall continue to fulfill its responsibility to the whole

1 Nation in education by guaranteeing (1) the right of the
2 parent to have his child educated in a school of his own
3 choosing; (2) the perpetuation of freedom of choice on all
4 levels of education; (3) the continuation of the pluralistic
5 system of education currently operative in these United
6 States.

7 It is further the intent of Congress to avoid any con-
8 travention or limitation, either directly or indirectly, of the
9 constitutionally guaranteed rights of any individual in matters
10 of education.

11 It is further the intent of Congress to provide equal
12 opportunity for all children of the Nation, recognizing that
13 the greatest asset of the Nation is the development of the
14 minds of the children of the Nation.

15 It is the purpose of this bill to provide educational oppor-
16 tunities to all children of the Nation by granting to such
17 children financial assistance as part payment of their educa-
18 tion.

19 **ASSURANCE AGAINST FEDERAL INTERFERENCE IN SCHOOLS**

20 **SEC. 3.** In the administration of this title, no depart-
21 ment, agency, officer, or employee of the United States shall
22 exercise any direction, supervision, or control over the policy
23 determination, personnel, curriculum, program of instruction,
24 or the administration or operation of any school or school
25 system.

1 SEC. 4. There is hereby authorized to be appropriated,
2 without any limitation of such appropriation or condition in-
3 consistent with or contrary to the terms or purposes of this
4 title, for the fiscal year beginning July 1, 1962, \$828,000,-
5 000 and for the fiscal year beginning July 1, 1963, \$936,-
6 000,000 for the purpose of making payments as provided
7 in this title.

8 ALLOTMENTS TO SCHOOL PUPILS

9 SEC. 5. The sum of \$20 appropriated pursuant to sec-
10 tion 4 shall be allotted annually to each school pupil for the
11 purposes of defraying part of the cost of his education.

12 A parent or other legal guardian whose child or ward
13 attends a private school or desires to attend a private school
14 shall designate and record this intention on forms to be fur-
15 nished by the Commissioner of Education. The Commis-
16 sioner of Education is authorized to promulgate rules to pro-
17 tect the interest of the child and of the United States in
18 carrying out the purpose of this Act. All school pupils who
19 do not record their intention or desire to attend a private
20 school shall be presumed to attend or desire to attend a pub-
21 lic school, and the allotment for these school pupils shall be
22 paid by the Commissioner of Education to the local educa-
23 tional agency in the political subdivision wherein such a
24 child resides.

25 The allotment granted to an eligible pupil attending a

1 private school shall be made in the form of a check drawn
2 upon the Treasury of the United States which shall be
3 honored for payment only when endorsed by payee to the
4 school of the pupil's attendance and endorsed by an author-
5 ized official of the same institution.

6 DEFINITIONS

7 SEC. 6. For the purposes of this Act—

8 (1) The term "Commissioner" means the United States
9 Commissioner of Education.

10 (2) The term "local education agency" means a board
11 of education or other legally constituted local school authority
12 having administrative control and direction of elementary
13 or secondary schools in a city, county, township, school
14 district, or other political subdivision.

15 (3) The term "State" includes the District of Columbia,
16 Puerto Rico, Guam, American Samoa, and the Virgin
17 Islands.

18 (4) The term "private school" means an elementary or
19 secondary school legally constituted under the laws of the
20 State, which includes within its curriculum all of the neces-
21 sary subjects which must be taught under the education
22 laws of the State, even though such schools also teach addi-
23 tional subjects besides those required by the laws of the
24 State.

25 (5) The term "public schools" means schools provid-

1 ing free education at public expense, under public supervision
2 and direction and without tuition charge to resident pupils,
3 and which is provided as elementary or secondary school
4 education by a State or local education agency.

5 (6) The term "school pupils" means pupils in daily
6 attendance at all elementary and secondary schools within
7 a State, both private and public.

8 (7) The term "elementary and secondary education"
9 shall not include any education provided below the kinder-
10 garten level or beyond grade 12.

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