

117TH CONGRESS  
1ST SESSION

# H. R. 5328

To direct the Secretary of Education to establish a grant program to make grants to the parents of students served by local educational agencies that teach critical race theory, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 22, 2021

Mr. BISHOP of North Carolina (for himself, Mr. DUNCAN, Mr. HARRIS, Mr. WEBER of Texas, Mr. PERRY, Mr. TIFFANY, Mr. STEUBE, Mr. BUDD, Mr. NEWHOUSE, Mr. GOOD of Virginia, Mr. GREEN of Tennessee, Mr. FEENSTRA, and Mr. GIBBS) introduced the following bill; which was referred to the Committee on Education and Labor

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## A BILL

To direct the Secretary of Education to establish a grant program to make grants to the parents of students served by local educational agencies that teach critical race theory, 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.**

4 This Act may be cited as the “No Corrupt Racist  
5 Training Act” or the “No CRT Act”.

1 **SEC. 2. OPPORTUNITY GRANT PROGRAM.**

2 (a) IN GENERAL.—The Secretary shall establish a  
3 grant program (to be known as the “Opportunity Grant  
4 Program”) to make grants to parents of eligible students  
5 for the purposes described in subsection (d).

6 (b) APPLICATION.—

7 (1) IN GENERAL.—To be eligible to receive a  
8 grant under this section, a parent of an eligible stu-  
9 dent shall submit to the Secretary an application  
10 demonstrating—

11 (A) the household income of such eligible  
12 student; and

13 (B) with respect to school year 2021–2022,  
14 that the local educational agency serving such  
15 eligible student teaches or advances any of the  
16 following through curriculum or other activities:

17 (i) Any race is inherently superior or  
18 inferior to any other race.

19 (ii) The United States is a fundamen-  
20 tally racist country.

21 (iii) The Declaration of Independence  
22 or the United States Constitution are fun-  
23 damentally racist documents.

24 (iv) An individual’s moral worth is de-  
25 termined by his or her race.

1 (v) An individual, by virtue of his or  
2 her race, is inherently racist or oppressive,  
3 whether consciously or unconsciously.

4 (vi) An individual, because of his or  
5 her race, bears responsibility for the ac-  
6 tions committed by members of his or her  
7 race.

8 (2) OTHER REQUIREMENTS.—The Secretary  
9 shall accept applications under paragraph (1) on an  
10 annual rolling basis and make such application avail-  
11 able as a standardized form in electronic and written  
12 format.

13 (c) AMOUNT OF GRANTS.—Subject to the availability  
14 of appropriations, each parent of an eligible student who  
15 the Secretary determines qualifies for a grant under this  
16 section shall receive a grant under this section in an  
17 amount that—

18 (1) in the case of an eligible student with a  
19 household income less than or equal to 100 percent  
20 of the reduced price lunch rate income, is equal to  
21 100 percent of the per-pupil funding with respect to  
22 the local educational agency serving such eligible  
23 student, as determined by the Secretary;

24 (2) in the case of an eligible student with a  
25 household income greater than 100 percent but less

1       than or equal to 150 percent of the reduced price  
2       lunch rate income, is equal to 90 percent of the per-  
3       pupil funding with respect to the local educational  
4       agency serving such eligible student, as determined  
5       by the Secretary;

6           (3) in the case of an eligible student with a  
7       household income greater than 150 percent but less  
8       than or equal to 200 percent of the reduced price  
9       lunch rate income, is equal to 80 percent of the per-  
10      pupil funding with respect to the local educational  
11      agency serving such eligible student, as determined  
12      by the Secretary; and

13          (4) in the case of an eligible student with a  
14      household income greater than 200 percent but less  
15      than or equal to 250 percent of the reduced price  
16      lunch rate income, is equal to 70 percent of the per-  
17      pupil funding with respect to the local educational  
18      agency serving such eligible student, as determined  
19      by the Secretary.

20      (d) USE OF FUNDS.—Any amounts made available  
21      to a parent under this section may be used—

22          (1) with respect to an eligible student, to pay  
23      the tuition and fees for a private elementary school  
24      or a private secondary school;

1           (2) for private tutoring (including through a  
2     learning pod or microschool);

3           (3) for the home school expenses of such eligi-  
4     ble student;

5           (4) to purchase educational materials, including  
6     instruction materials and textbooks for such eligible  
7     student;

8           (5) for purchasing electronic devices to facili-  
9     tate the education of such eligible student; or

10          (6) for such other purposes as the Secretary de-  
11     termines appropriate.

12          (e) RULES OF CONSTRUCTION.—Nothing in this sec-  
13     tion shall be construed to—

14           (1) impact any aspect of private, religious, or  
15     home education providers;

16           (2) exclude private, religious, or home education  
17     providers from receiving funds pursuant to a grant  
18     under this section; or

19           (3) require a qualified educational service pro-  
20     vider to alter any creed, practice, admissions policy,  
21     or curriculum in order to receive funds pursuant to  
22     a grant under this section.

23          (f) RENEWAL.—

1           (1) IN GENERAL.—The Secretary shall renew  
2           opportunity grants for parents of eligible students  
3           with an approved application under paragraph (2).

4           (2) APPLICATION.—To be eligible to receive a  
5           renewal under this subsection, a parent of an eligible  
6           student shall submit to the Secretary an application  
7           demonstrating the information described in sub-  
8           section (b)(1).

9           (3) ADJUSTMENT.—The Secretary shall adjust  
10          the grant amount to account for any change in  
11          household income of the eligible student but may not  
12          provide less than the amount described in subsection  
13          (c)(4).

14          (g) FUNDING.—From any amounts appropriated  
15          under title I of the Elementary and Secondary Education  
16          Act, the Secretary shall use 10 percent of such amounts  
17          to carry out this section and award opportunity grants to  
18          parents with approved applications in accordance with this  
19          section.

20          (h) DEFINITIONS.—In this section:

21               (1) ELIGIBLE STUDENT.—The term “eligible  
22               student” means a student—

23                       (A) served by a local educational agency  
24                       that teaches or advances any of the following  
25                       through curriculum or other activities:

1 (i) Any race is inherently superior or  
2 inferior to any other race.

3 (ii) The United States is a fundamen-  
4 tally racist country.

5 (iii) The Declaration of Independence  
6 or the United States Constitution are fun-  
7 damentally racist documents.

8 (iv) An individual's moral worth is de-  
9 termined by his or her race.

10 (v) An individual, by virtue of his or  
11 her race, is inherently racist or oppressive,  
12 whether consciously or unconsciously.

13 (vi) An individual, because of his or  
14 her race, bears responsibility for the ac-  
15 tions committed by members of his or her  
16 race.

17 (B) From a household with a household in-  
18 come that is less than 250 percent of the re-  
19 duced price lunch rate income.

20 (2) ESEA TERMS.—The terms “local edu-  
21 cational agency”, “parent”, and “Secretary” have  
22 the meanings given such terms in section 8101 of  
23 the Elementary and Secondary Education Act of  
24 1965 (20 U.S.C. 7801).

1           (3) HOUSEHOLD INCOME.—The term “house-  
2       hold income” has the meaning given such term in  
3       section 36B(d)(2) of the Internal Revenue Code of  
4       1986 (26 U.S.C. 36B(d)(2)).

5           (4) REDUCED PRICE LUNCH RATE INCOME.—  
6       The term “reduced price lunch rate income” means  
7       185 percent of the applicable family size income lev-  
8       els contained in the nonfarm income poverty guide-  
9       lines prescribed by the Office of Management and  
10      Budget, as adjusted annually in accordance with  
11      subparagraph (B) of section 9(b)(1) of the Richard  
12      B. Russell National School Lunch Act (42 U.S.C.  
13      1758(b)(1)).

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