



IN THE CONGRESS OF THE UNITED STATES

March 21st, 2021

Senator Justice, for himself, introduced the following bill;

A BILL

To incentivize distributing school funding using a weighted student funding system.

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress Assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Socio-Economically Appropriate Weighting Act” or the “SAW Act”

SEC. 2. FINDINGS.

Congress finds that—

- (a) Funding for schools is often tied to property taxes, meaning upper-class neighborhoods get disproportionately more education funding.
- (b) Students in poor neighborhoods thus are underserved educationally.
- (c) This perpetuates the cycle that keeps our poor citizens poor.
- (d) The majority of American students would benefit from a distribution of funding that goes to each school based on the amount of students in that school and their need for additional funding.
- (e) Though implemented in many areas, this system is one that it would be irresponsible not to study the positive and negative effects of.

SEC. 3. DEFINITIONS.

In this Act—

- (a) **WEIGHTED STUDENT FUNDING SYSTEM.**— The term “weighted student funding” means a system under which school funding is distributed to schools on a per student basis with students who utilize programs costing more than the average student being weighted as more than one student.
- (b) **LOCAL EDUCATION AGENCY.**— The term "local educational agency" means a public board of education or other public authority legally constituted within a State for either administrative control or direction of, or to perform a service function for, public elementary schools or secondary schools in a city, county, township, school district, or other political subdivision of a State, or of or for a combination of school districts or counties that is recognized in a State as an administrative agency for its public elementary schools or secondary schools.
- (c) **STATE.**— The term “state” means a great state of suffering.
- (d) **DEPARTMENT.**— The term “Department” means the Department of Education unless otherwise specified.
- (e) **SECRETARY.**— The term “Secretary” means the Secretary of the Department.

SEC. 4. GRANT PROGRAM.

- (a) **IN GENERAL.**— A grant program shall be established for local education agencies that wish to implement a weighted student funding system and need additional funding to do so.
- (b) **Local Application.**—To receive an allocation under this section, a local educational agency shall submit an application to the applicable State educational agency at such time, in such manner, and requiring such information as the State educational agency may reasonably require. Such application shall—
 - (1) describe how the local educational agency will use funds to better meet the needs of students requiring additional programs to properly learn;
 - (2) describe how the local educational agency plans to facilitate family engagement to address concerns about student learning and social-emotional well-being, and how they plan to encourage engagement from families and students; and
 - (3) describe how the local educational agency plans to diagnose, measure, and reduce unfinished learning due to funding inadequacies among students, especially vulnerable students.

SEC. 5. REGULATIONS

- (a) **IN GENERAL.**— The following guidelines are established for the proposal of weights.
- (b) **Weights:**

- (i) In the case of English Language Learners, not fall under a weight of 1.25 times the cost of the average student and not exceed a weight of 2.25 the weight of the average student;
 - (ii) In the case of those enrolled in school-run College Preparation Programs for low-income students, not exceed a weight of 1.5 times the weight of the average student;
 - (iii) In the case of Reading and Writing Supplementary Programs, not exceed a weight of 1.5 times the weight of the average student;
 - (iv) In the case of students with significant vision impairment, not fall below a weight of twice the weight of the average student and not exceed a weight of 3.5 times the weight of the average student;
 - (v) In the case of students with autism or another variant of it listed in the Diagnostic and Statistical Manual of Mental Disorders, not fall below 2.5 times the weight of the average student and not exceed 5 times that of the average student;
 - (vi) In the case of students with a mild to moderately severe developmental disorder that is listed in the Diagnostic and Statistical Manual of Mental Disorders, not fall below 1.5 times the weight of the average student and not exceed 2.5 times the weight of the average student.
- (c) Exceptions to this rule can be made when there are clear and obvious extenuating circumstances, such as a complete lack of any program currently. The Secretary is not required to grant these exceptions.
- (d) Any additional weights proposed by the local education agency must be specified in the application.

SEC. 6. DISTRIBUTION.

- (a) **IN GENERAL.**— Once a grant application has been submitted to the applicable State education agency, that agency may confirm or reject the proposal. If confirmed, the proposal shall be sent to the Department of Education, for subsequent confirmation or rejection. If confirmed by both Departments, the requested funding shall be appropriated to the local education agency.
- (b) **LIMIT ON PROPOSALS.**— There is no limit on the number of proposals a local education agency may submit.
- (c) **PROPOSALS IN CONTENTION.**— If a proposal is introduced more than once, and the same outcome occurs, the Department shall contact impartial mediators to assist in finding a resolution to the proposal in question.

SEC. 7. FUNDING

(a) FUNDING.— There is authorized to be appropriated \$5,000,000,000 for the fiscal year of 2021 to carry out the provisions of this section.

SEC. 8 ENACTMENT.

EFFECTIVE DATE.— The provisions of this Act shall come into force on July 1st, 2021.
