

have been damaged and destroyed and an estimated 473,000 elementary, high school and college students have been affected by the disaster, most of whom have been displaced. At a HELP Committee hearing he convened with Senator Enzi, Kennedy heard moving testimony from Superintendent Diane Roussel of Jefferson Parish who said: “Money isn’t always the answer to solving the ills in our public schools, but when we’re talking about equipment, supplies, rebuilding, and maintaining our teaching workforce, money is the answer.”

Main Points on the Bill:

- This bill provides one-time, temporary impact aid to local school districts and private schools.
 - The bill provides immediate relief to the schools that have opened their doors to these students in a time of crisis, without opening political or ideological battles.
 - The bill is based on a model that is used in at least 13 programs that exist in current law, including under the No Child Left Behind Act and the Individuals with Disabilities in Education Act (IDEA) through which private schools receive secular benefits and assistance through the public schools.
 - The aid provided by the bill flows through the public school system, to ensure greater accountability for the money.
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 - States must establish income eligibility criteria for aid to students enrolled in private schools.
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- Each eligible district will receive quarterly installment payments for each student enrolled in a given quarter in either a public or a private school in that district. Maximum total payment is \$6,000 per student and \$7,500 per student with disabilities, not to exceed cost of tuition at private schools.
 - The bill limits the allowable uses of the funds so that the aid provided for private school students cannot be used for religious purposes.
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- Parents must opt-in to religious instruction if it is offered at a private school.
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- The bill provides funding for a displaced student in private school only if he or she was enrolled in a private school as a displaced student prior to the date of enactment.
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- Schools who participate in the program are not allowed to discriminate in enrollment on the basis of race, color, national origin, disability, or sex. Religious schools also cannot

discriminate on the basis of religion in enrolling displaced students. The bill explicitly states that existing civil rights laws apply to recipients of these funds.

- The program sunsets at the end of the school year, and funds can only be used for expenses incurred during this school year.
- The bill includes findings that affirmatively state that the type and level of aid to private schools in the bill is only being provided because of the extraordinary circumstances arising from Katrina – over 370,000 students displaced.

Summary of Enzi/Kennedy Amendment to Reconciliation Bill

This amendment redirects additional savings generated by the education provisions in the Reconciliation bill to two purposes:

- 1) Further decreasing origination fees for student borrowers by one half of one percentage point (\$1 B)
- 2) Providing immediate relief for the elementary and secondary students and schools affected by Hurricane Katrina (\$1.66 B)

Origination Fees:

The underlying bill reduces origination fees for students by 50 basis points. This amendment would reduce those fees by an additional 50 basis points, for a total 1% reduction.

Hurricane Katrina Elementary and Secondary Education Recovery:

Districts Damaged by the Hurricane: The Secretary may award special school reopening grants to States for local educational agencies significantly impacted by Hurricane Katrina. The grants would supplement, not supplant, FEMA funds. Funds shall be used for recovering data, initial replacement of instructional materials and equipment, establishing temporary facilities, and other related activities necessary to reopen schools. Grantees will be prohibited from using funds for construction or renovation of schools. Appropriates \$450 million for these purposes.

Funds for Displaced Students: The Secretary shall award one-time emergency impact aid to states for the 2005-2006 school year for local educational agencies that have displaced students enrolled in public or private schools in their area, and for Bureau of Indian Affairs-funded schools that have enrolled displaced students. Each eligible district will receive quarterly installment payments for each student enrolled in a public or private school in their area in a given quarter, for a maximum total payment of \$6,000 per student and \$7,500 per student with disabilities.

From these amounts, the LEA will provide impact aid payments on behalf of each student enrolled in an eligible private school located in the district. Total per-pupil assistance for private

school students shall be equal to that provided to displaced students in public schools, except that it may not exceed the cost of tuition. Funding for students enrolled in private schools cannot be used for religious purposes, and existing civil rights laws apply to recipients of these funds.

States must establish income eligibility criteria for aid to students enrolled in private schools.

Funds can only be used for expenses incurred during the 2005-2006 school year. Appropriates \$1.2 billion.

Reciprocity for Highly-Qualified Teachers: Grants temporary reciprocity for NCLB purposes in recognizing highly-qualified teachers and paraprofessionals displaced by Katrina. Also authorizes an extension of one year for Alabama, Louisiana, and Mississippi areas impacted by Katrina relative to the deadline in Sec. 1119 of NCLB for highly qualified teachers and paraprofessionals.

Homeless Education: Authorizes an additional appropriation of \$10 million for the Education for Homeless Children and Youth program under NCLB. Funds shall be distributed to State education agencies to assist local educational agencies in supporting students who are newly homeless due to Katrina.

**Statement of Senator Edward M. Kennedy on Enzi/Kennedy
Amendment to Reconciliation Bill**

(As Prepared for Delivery)
November 1, 2005

For weeks, we have seen the recurring horrible images of devastation caused by Katrina and the slow troubled process of rebuilding the Gulf Coast. These images remind us that we are all part of the American family, and we have a responsibility to help members of that family when they are in need. This amendment seeks to live up to that responsibility and it is long overdue. This amendment will provide much needed relief to the hundreds of thousands of children affected by Hurricane Katrina. I am proud to support it. I thank my colleagues Senator Enzi, Senator Dodd and Senator Alexander for their work on this proposal.

Our fellow citizens are still reeling from the direct effects of the disaster, and the cost of the recovery will be immense, at a time when the federal budget is already drained by the huge ongoing cost of the war in Iraq. The last thing we should be doing here in Congress is cutting the budget in order to pay for even more tax breaks for the wealthiest Americans. Our priority should be to help our neighbors in times of trouble, not cut priorities that will help the neediest among us, as this overall reconciliation bill will do. That is the wrong priority for America.

But in this process there have been opportunities to do the right thing, to find ways to redirect federal funds to the right priorities for America. The higher education provisions in this bill are one example. Those provisions provide over \$11.5 billion in new aid and benefits for students.

This amendment will build on that by providing an additional \$1 billion to further decrease loan fees for students struggling to afford college.

The bulk of our amendment is dedicated to addressing the urgent and unmet need of the hundreds of thousands of elementary and secondary students who were displaced by Hurricane Katrina. It will help ensure that they do not lose a year of their education – wherever they have temporarily landed.

We owe a great debt of gratitude to many educators and communities across the nation who stepped up to the plate so quickly to help displaced school children continue their education. It's been two months since this unprecedented disaster struck, and the federal government has still provided no assistance to these schools, these communities, or these children.

President Bush did not include relief for elementary and secondary schools and displaced students in the request for Katrina relief he sent to Congress at the end of last week. We cannot wait and hope this critical need is addressed somewhere down the line. These schools are struggling to educate displaced students now, and they need our help now. They should not have to wait any longer.

The impact of Hurricane Katrina on school children was unprecedented. The hurricane caused massive dislocation; over 370,000 students were displaced from their local schools. Over 700 schools were damaged or destroyed. Texas schools alone enrolled 45,000 students.

In Massachusetts, 370,000 children would be one-third of all the students in the state – six times the number enrolled in the Boston Public Schools. Given the extraordinary circumstances, we must support the families whose lives have been turned upside-down, and help them continue their children's education.

Our amendment is a bipartisan compromise that provides one-time emergency impact aid for students enrolled in either public or private schools. Local school districts will report the number of displaced students enrolled in their areas, including students with special needs, and they will receive supplemental aid in quarterly payments, for a maximum of \$6,000 a pupil, or \$7,500 a pupil for those with disabilities.

The funds will go to public school districts, which will then make payments on behalf of dislocated children enrolled in private schools in their areas. Funds will be used to help cover the additional costs incurred as a result of enrolling displaced students.

Under current law, federal funds are available to support the education of disadvantaged and disabled students in private schools. Thirteen existing programs direct resources to private schools. The amendment follows that model. It will expedite relief to affected families and provide accountability for public funds.

The amendment also contains strong civil rights protections. Schools that participate in the program must not discriminate in enrollment on the basis of race, color, national origin, disability, or sex. It explicitly states that existing civil rights laws apply to recipients of these funds, and it prohibits federal funds from being used for religious purposes.

This will be a temporary, one-time emergency impact aid program. The sponsors of the bill all

agree that it is not intended to be a precedent for anything except another disaster in which over 370,000 school children are displaced. The legislation sunsets at the end of the school year.

The bottom line is that we need to put partisan fights aside and get help to those so desperately seeking to find normalcy for their lives again.

People like Tiresheka Carto, age 26. Her children, Tyrion and Tyrone are now settled in a new school in Aldine, Texas. "I don't think they know the severity of everything, so it's fun for them right now," she said. "They don't know everything they left in New Orleans isn't there right now." When Tiresheka left Louisiana, she was less than a year away from completing her degree in sign language interpretation from Delgado Community College in New Orleans. Now she's hoping to complete her education and find work. When Aldine Elementary School's speech pathologist Susan Collins heard her story, she introduced Tiresheka to district administrators. They interviewed her on the spot. District officials also have referred her to an area training program.

Schools like Aldine Elementary and schools across the country are doing all they can to help displaced families and we must support them in their efforts.

Some schools on the Gulf Coast have beaten the odds and re-opened, but they need our help as well. The state tax base in Louisiana has been destroyed. With existing resources, only 21 of 117 schools in New Orleans are expected to re-open during this school year.

Jefferson Parish Superintendent Diane Roussel, who spoke to the Senate Education Committee last month about her district, recently said in an interview, "Right now, I sit with no federal funding for this, no state funding for this, no insurance money for this."

Before the hurricane, Jefferson Parish employed 3,800 professional staff, and they planned to pay full salaries and benefits until the end of October. But now, the district may need to lay off staff because they lack the needed funds.

Our amendment will provide special grants for affected districts to help struggling schools reopen their doors. It covers textbooks and instructional materials, temporary facilities while repairs are being made, and re-compilation of data that was destroyed. It pays the salaries of teachers and other personnel working to reopen these schools. It provides needed funds to help schools on the Gulf Coast reopen, so that children can return to their own schools as quickly as possible.

These communities need schools in order to rebuild. We need to do everything in our power to help them re-open their doors for returning students.

Our amendment also includes additional funding to help children who are newly homeless as a result of the hurricane.

In sum, our amendment offers immediate, essential short-term support to the schools and children affected by the devastation of Hurricane Katrina. I strongly urge my colleagues to support this amendment. Our children and our schools cannot wait any longer for the relief they

so obviously and urgently need and deserve.

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