

*Edward J. Markey*  
*Markey # 1*

AMENDMENT NO. \_\_\_\_\_

Calendar No. \_\_\_\_\_

Purpose: To prohibit any Federal department or agency, State, or scholarship granting organization administering the Federal school voucher program from prioritizing private schools over public schools, including charter schools.

**IN THE SENATE OF THE UNITED STATES—119th Cong., 2d Sess.**

**S. 3747**

To amend the Higher Education Act of 1965 to recognize students who have completed secondary school education in a home school setting as high school graduates, and for other purposes.

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 \_\_\_\_\_

Viz:

1 At the end, add the following:

2 **SEC. 3. TREATMENT OF PRIVATE SCHOOLS AND PUBLIC**  
3 **SCHOOLS THAT RECEIVE SCHOLARSHIPS.**

4 (a) DEFINITIONS.—In this section, the terms “cov-  
5 ered State”, “eligible student”, “scholarship granting or-  
6 ganization”, and “qualified contribution” have the mean-  
7 ings given such terms in section 25F of the Internal Rev-  
8 enue Code of 1986.

1 (b) PROHIBITION.—No officer or employee of the  
2 Federal Government, a covered State, or a scholarship  
3 granting organization that distributes qualified contribu-  
4 tions shall make or enforce a policy or practice related  
5 to section 25F of the Internal Revenue Code of 1986 that  
6 directly or indirectly prioritizes eligible students attending  
7 private schools over public schools, including charter  
8 schools, such as—

9 (1) awarding scholarships to eligible students  
10 who enroll in, or intend to enroll in, private schools  
11 over eligible students enrolled in public schools, on  
12 the sole basis of school type;

13 (2) requiring or implementing any limitation on  
14 the type of school—

15 (A) that an eligible student who receives a  
16 scholarship from a scholarship granting organi-  
17 zation may attend;

18 (B) with which a scholarship granting or-  
19 ganization may associate; or

20 (C) that a scholarship granting organiza-  
21 tion may advertise to eligible students and fam-  
22 ilies; and

23 (3) requiring or implementing any restriction—

24 (A) on scholarship funding at any school;

25 or

- 1 (B) for any service, program, or activity
- 2 for which such school already receives Federal,
- 3 State, or local assistance.