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AMENDMENT TO H.R. 2187, AS REPORTED OFFERED BY MR. GEORGE MILLER OF CALIFORNIA

In the table of contents in section 1(b) of the bill, after the item relating to section 103, insert the following:

Sec. 104. Priority projects.

In section 102(a)(1), strike "1 percent" and insert "2 percent".

In section 103, in the matter preceding paragraph (1), strike "facilities—" and insert "facilities, including—".

In section 103(1), insert "water supply and" after "wiring,".

In section 103(1), insert "building envelope," after "such systems,".

After section 103, insert the following:

1 **SEC. 104. PRIORITY PROJECTS.**

2 In selecting a project under section 103, a local edu-
3 cational agency may give priority to projects involving the
4 abatement, removal, or interim controls of asbestos, poly-

1 chlorinated biphenyls, mold, mildew, lead-based hazards,
2 including lead-based paint hazards, or a proven car-
3 cinogen.

Strike section 308 and insert the following:

4 **SEC. 308. CHARTER SCHOOLS.**

5 (a) IN GENERAL.—A local educational agency receiv-
6 ing an allocation under this Act shall reserve an amount
7 of that allocation for charter schools within its jurisdiction
8 for modernization, renovation, repair, and construction of
9 charter school facilities.

10 (b) DETERMINATION OF RESERVED AMOUNT.—The
11 amount to be reserved by a local educational agency under
12 subsection (a) shall be determined based on the combined
13 percentage of students eligible under part A of title I of
14 the Elementary and Secondary Education Act of 1965 (20
15 U.S.C. 6311 et seq.) in the schools of the agency who—

16 (1) are enrolled in charter schools; and

17 (2) the local educational agency, in consultation
18 with the authorized public chartering agency, ex-
19 pects to be enrolled, during the year with respect to
20 which the reservation is made, in charter schools
21 that are scheduled to commence operation during
22 such year.

23 (c) SCHOOL SHARE.—Individual charter schools shall
24 receive a share of the amount reserved under subsection

1 (a) based on the need of each school for modernization,
2 renovation, repair, or construction, as determined by the
3 local educational agency in consultation with charter
4 school administrators.

5 (d) EXCESS FUNDS.—After the consultation de-
6 scribed in subsection (c), if the local educational agency
7 determines that the amount of funds reserved under sub-
8 section (a) exceeds the modernization, renovation, repair,
9 and construction needs of charter schools within the local
10 educational agency's jurisdiction, the agency may use the
11 excess funds for other public school facility modernization,
12 renovation, repair, or construction consistent with this Act
13 and is not required to carry over such funds to the fol-
14 lowing fiscal year for use for charter schools.