

116TH CONGRESS
1ST SESSION

S. 2761

To amend the Elementary and Secondary Education Act of 1965 to provide that children who have relocated from Puerto Rico to the States are fully considered for purposes of State allotments under the English Language Acquisition grants.

IN THE SENATE OF THE UNITED STATES

OCTOBER 31, 2019

Mr. RUBIO (for himself and Mr. MURPHY) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Elementary and Secondary Education Act of 1965 to provide that children who have relocated from Puerto Rico to the States are fully considered for purposes of State allotments under the English Language Acquisition grants.

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 “Ensuring Linguistic
5 Excellence and Vocational Aptitude by Teaching English
6 Act” or the “ELEVATE Act”.

1 **SEC. 2. TREATMENT OF PUERTO RICO WITH RESPECT TO**
 2 **ALLOTMENTS FOR ENGLISH LANGUAGE AC-**
 3 **QUISITION GRANTS.**

4 (a) CHANGE IN DEFINITION.—Section 3201(5) of the
 5 Elementary and Secondary Education Act of 1965 (20
 6 U.S.C. 7011(5)) is amended—

7 (1) in the paragraph heading, by inserting
 8 “AND MIGRANTS FROM PUERTO RICO” after
 9 “YOUTH”;

10 (2) in the matter preceding subparagraph (A),
 11 by striking “immigrant children and youth” and in-
 12 serting “immigrant children and youth and migrants
 13 from Puerto Rico”;

14 (3) in subparagraph (B), by inserting “in which
 15 the primary language of instruction in public ele-
 16 mentary schools and secondary schools is English”
 17 after “any State”; and

18 (4) in subparagraph (C), by inserting “, other
 19 than Puerto Rico,” after “States”.

20 (b) CONFORMING AMENDMENTS.—Part A of title III
 21 of the Elementary and Secondary Education Act of 1965
 22 (20 U.S.C. 6811 et seq.) is amended—

23 (1) in each of sections 3102 and 3114 (20
 24 U.S.C. 6812 and 6824), by striking “immigrant
 25 children and youth” each place the term appears

1 and inserting “immigrant children and youth and
2 migrants from Puerto Rico”;

3 (2) in section 3111 (20 U.S.C. 6821)—

4 (A) by striking “immigrant children and
5 youth” each place the term appears and insert-
6 ing “immigrant children and youth and mi-
7 grants from Puerto Rico”; and

8 (B) in subsection (c)(2)(A)(ii), by inserting
9 “and migrants” after “such children and
10 youth”;

11 (3) in section 3113(b)(7) (20 U.S.C.
12 6823(b)(7)), by striking “children and youth” and
13 inserting “immigrant children and youth and mi-
14 grants from Puerto Rico”; and

15 (4) in section 3115 (20 U.S.C. 6825)—

16 (A) in the subsection heading of subsection
17 (e), by inserting “AND MIGRANTS FROM PUER-
18 TO RICO”; and

19 (B) by striking “immigrant children and
20 youth” each place the term appears and insert-
21 ing “immigrant children and youth and mi-
22 grants from Puerto Rico”.

23 (c) APPLICABILITY.—The amendments made by sub-
24 sections (a) and (b)—

1 (1) shall apply with respect to grants awarded
2 under title III of the Elementary and Secondary
3 Education Act of 1965 (20 U.S.C. 6801 et seq.) for
4 fiscal years 2020 and 2021 only if the Secretary of
5 Education determines for such fiscal year that the
6 application of such amendments will not result in a
7 State receiving an allotment under title III of such
8 Act for such fiscal year that is less than the allot-
9 ment such State received under such title in fiscal
10 year 2019; and
11 (2) shall apply beginning on and after October
12 1, 2021.

○