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(Original Signature of Member)

114TH CONGRESS
1ST SESSION

H. R.

To prohibit the awarding of Federal Pell Grants to incarcerated individuals,
and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. COLLINS of New York introduced the following bill; which was referred
to the Committee on _____

A BILL

To prohibit the awarding of Federal Pell Grants to
incarcerated individuals, and for other purposes.

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 “Kids Before Cons
5 Act”.

6 **SEC. 2. LIMITATIONS ON WAIVERS FOR EXPERIMENTAL**
7 **SITES.**

8 Section 487A(b)(3) (20 U.S.C. 1094a(b)(3)) is
9 amended by adding at the end the following:

1 “(C) LIMITATIONS.—Nothing in subpara-
2 graph (B) or any other provision of this Act
3 shall be construed to—

4 “(i) authorize the Secretary to waive
5 the prohibition under section 401(b)(6) on
6 awarding a Federal Pell Grant to an incar-
7 cerated individual or any other individual
8 described in such section 401(b)(6);

9 “(ii) authorize the Secretary to waive
10 the prohibition under 484(b)(5) on award-
11 ing a loan under this title to an incarcer-
12 ated individual; or

13 “(iii) authorize the Secretary to award
14 funds to institutions of higher education
15 for providing postsecondary education to
16 incarcerated individuals.”.

17 **SEC. 3. STUDY ON INCARCERATION RATES.**

18 (a) IN GENERAL.—Not later than 90 days after the
19 date of enactment of this Act, the Secretary of Education
20 shall—

21 (1) carry out a study to determine whether the
22 incarceration rates of students enrolled in a charter
23 school or private school as a result of participation
24 in a voucher program is lower than the incarceration
25 rates of students enrolled in a traditional public

1 school in the same geographic area with similar par-
2 ent income levels; and

3 (2) publish the results of such study on its pub-
4 lically available website.

5 (b) INCARCERATION RATES.—In comparing incarcer-
6 ation rates for purposes of subsection (a), the Secretary
7 of Education—

8 (1) may use incarceration rate data available
9 from prior years; and

10 (2) shall include a comparison of post-gradua-
11 tion incarceration rates of students described in sub-
12 section (a).

13 (c) DEFINITIONS.—In this section:

14 (1) CHARTER SCHOOL.—The term “charter
15 school” has the meaning given the term in section
16 5210 of the Elementary and Secondary Education
17 Act of 1965 (20 U.S.C. 7221i).

18 (2) OTHER ESEA TERMS.—The terms “elemen-
19 tary school”, “parent”, “secondary school”, and
20 “State” have the meanings given the terms in sec-
21 tion 9101 of the Elementary and Secondary Edu-
22 cation Act of 1965 (20 U.S.C. 7801).

23 (3) PRIVATE SCHOOL.—The term “private
24 school” means a private elementary school or sec-
25 ondary school.

1 (4) VOUCHER PROGRAM.—The term “voucher
2 program” means a program that allows participating
3 parents to use State funds to enroll their children in
4 a private school.