

113TH CONGRESS
1ST SESSION

S. _____

To amend the Elementary and Secondary Education Act of 1965, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. HARKIN introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To amend the Elementary and Secondary Education Act of 1965, 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 “Strengthening Amer-
5 ica’s Schools Act of 2013”.

6 **SEC. 2. TABLE OF CONTENTS.**

7 The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. References.
- Sec. 4. Transition.
- Sec. 5. Effective dates.
- Sec. 6. Table of contents of the Elementary and Secondary Education Act of 1965.

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Sec. 7. Authorization of appropriations.

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Sec. 1002. State reservations.

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Sec. 1111. State and local requirements.

Sec. 1112. Local educational agency plans.

Sec. 1113. Eligible school attendance areas.

Sec. 1114. Schoolwide programs.

Sec. 1115. Targeted assistance schools.

Sec. 1116. School performance.

Sec. 1117. Qualifications for teachers and paraprofessionals.

Sec. 1118. Parent and family engagement.

Sec. 1119. Technical correction regarding complaint process for section 1119.

Sec. 1120. Comparability of services.

Sec. 1121. Coordination requirements.

Sec. 1122. Grants for the outlying areas and the Secretary of the Interior.

Sec. 1123. Allocations to States.

Sec. 1124. Education finance incentive grant program.

Sec. 1125. Blue ribbon schools; centers for excellence in early childhood.

Sec. 1126. Grants for State assessments and related activities.

PART B—PATHWAYS TO COLLEGE

Sec. 1201. Improving secondary schools.

PART C—EDUCATION OF MIGRATORY CHILDREN

Sec. 1301. Program purpose.

Sec. 1302. Program authorized.

Sec. 1303. State allocations.

Sec. 1304. State applications; services.

Sec. 1305. Secretarial approval; peer review.

Sec. 1306. Comprehensive needs assessment and service-delivery plan; authorized activities.

Sec. 1307. Bypass.

Sec. 1308. National activities.

Sec. 1309. Performance data; evaluations and study; State assistance.

Sec. 1310. Definitions.

PART D—PREVENTION AND INTERVENTION PROGRAMS FOR CHILDREN AND
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Sec. 1402. Allocation of funds.

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Sec. 1405. Institution-wide projects.

Sec. 1406. Transition services.

Sec. 1407. Program evaluation.

Sec. 1408. Purpose of local agency programs.

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- Sec. 1409. Programs operated by local educational agencies.
- Sec. 1410. Local educational agency applications.
- Sec. 1411. Uses of funds.
- Sec. 1412. Program requirements for correctional facilities receiving funds under this section.
- Sec. 1413. Accountability.
- Sec. 1414. Program evaluations.
- Sec. 1415. Definitions.

PART E—EDUCATIONAL STABILITY OF CHILDREN IN FOSTER CARE

- Sec. 1501. Educational stability of children in foster care.

PART F—GENERAL PROVISIONS

- Sec. 1601. Reorganization.

TITLE II—SUPPORTING TEACHER AND PRINCIPAL EXCELLENCE

- Sec. 2101. Supporting teacher and principal excellence.

TITLE III—LANGUAGE AND ACADEMIC CONTENT INSTRUCTION FOR ENGLISH LEARNERS AND IMMIGRANT STUDENTS

- Sec. 3001. Language and academic content instruction for English learners and immigrant students.

TITLE IV—SUPPORTING SUCCESSFUL, WELL-ROUNDED STUDENTS

- Sec. 4101. Redesignations.
- Sec. 4102. Improving literacy instruction and student achievement.
- Sec. 4103. Improving science, technology, engineering, and math instruction and student achievement.
- Sec. 4104. Increasing access to a well-rounded education.
- Sec. 4105. Successful, safe, and healthy students.
- Sec. 4106. Student non-discrimination.
- Sec. 4107. 21st Century Community Learning Centers.
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- Sec. 4110. Programs of national significance.
- Sec. 4111. Competency-based assessment and accountability demonstration authority.

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- Sec. 5101. Race to the Top.

PART B—INVESTING IN INNOVATION

- Sec. 5201. Investing in innovation.

PART C—MAGNET SCHOOLS ASSISTANCE

- Sec. 5301. Findings and purpose.

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- Sec. 5302. Program authorized.
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- Sec. 7112. Grants to local educational agencies, tribes, and Indian organizations.
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- Sec. 8003. Payments for eligible federally connected children.
- Sec. 8004. Construction.
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- Sec. 8008. Conforming amendment.
- Sec. 8009. Eligibility for impact aid payment.
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- Sec. 9103. Evaluation authority.
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ASSESSMENT SYSTEMS FOR PUBLIC SCHOOLS

- Sec. 10011. Short title.
- Sec. 10012. Definitions.
- Sec. 10013. Establishment of Commission on Effective Regulation and Assessment Systems for Public Schools.
- Sec. 10014. Powers of the Commission.
- Sec. 10015. Duties of the Commission.
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Sec. 11021. Advanced Research Projects Agency-Education.

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Sec. 11211. Technical and conforming amendments.

1 **SEC. 3. REFERENCES.**

2 Except as otherwise expressly provided, whenever in
3 this Act an amendment or repeal is expressed in terms
4 of an amendment to, or repeal of, a section or other provi-
5 sion, the reference shall be considered to be made to a
6 section or other provision of the Elementary and Sec-
7 ondary Education Act of 1965 (20 U.S.C. 6301 et seq.).

8 **SEC. 4. TRANSITION.**

9 (a) **MULTI-YEAR AWARDS.**—Except as otherwise pro-
10 vided in this Act, the recipient of a multi-year award
11 under the Elementary and Secondary Education Act of
12 1965, as that Act was in effect prior to the date of enact-
13 ment of this Act, shall continue to receive funds in accord-
14 ance with the terms of that award, except that no addi-
15 tional funds may be awarded after September 30, 2014.
16 In the case of a State that received a flexibility waiver
17 from the Secretary of Education under the authority of
18 section 9401 of the Elementary and Secondary Education
19 Act of 1965 (20 U.S.C. 7861), as such section was in ef-
20 fect on the day before the date of enactment of this Act,
21 such waiver shall no longer apply, and no additional funds

1 associated with such waiver shall be awarded, after the
2 completion of the original waiver period.

3 (b) **PLANNING AND TRANSITION.**—Notwithstanding
4 any other provision of law, a recipient of funds under the
5 Elementary and Secondary Education Act of 1965, as that
6 Act was in effect prior to the date of enactment of this
7 Act, may use funds available to the recipient under that
8 predecessor authority to carry out necessary and reason-
9 able planning and transition activities in order to ensure
10 an orderly implementation of programs authorized by this
11 Act, and the amendments made by this Act.

12 (c) **ORDERLY TRANSITION.**—The Secretary shall take
13 such steps as are necessary to provide for the orderly tran-
14 sition to, and implementation of, programs authorized by
15 this Act, and by the amendments made by this Act, from
16 programs authorized by the Elementary and Secondary
17 Education Act of 1965, as that Act was in effect prior
18 to the date of enactment of this Act except in such cases
19 where this Act requires specific transition steps to take
20 place.

21 **SEC. 5. EFFECTIVE DATES.**

22 (a) **IN GENERAL.**—Except as otherwise provided in
23 this Act, this Act, and the amendments made by this Act,
24 shall be effective upon the date of enactment of this Act.

1 (b) NONCOMPETITIVE PROGRAMS.—With respect to
2 noncompetitive programs under which any funds are allot-
3 ted by the Secretary of Education to recipients on the
4 basis of a formula, this Act, and the amendments made
5 by this Act, shall take effect on July 1, 2013.

6 (c) COMPETITIVE PROGRAMS.—With respect to pro-
7 grams that are conducted by the Secretary on a competi-
8 tive basis, this Act, and the amendments made by this Act,
9 shall take effect with respect to appropriations for use
10 under those programs for fiscal year 2014.

11 (d) IMPACT AID.—With respect to title VIII (Impact
12 Aid), this Act, and the amendments made by this Act,
13 shall take effect with respect to appropriations for use
14 under that title for fiscal year 2014.

15 **SEC. 6. TABLE OF CONTENTS OF THE ELEMENTARY AND**
16 **SECONDARY EDUCATION ACT OF 1965.**

17 Section 2 is amended to read as follows:

18 **“SEC. 2. TABLE OF CONTENTS.**

19 “The table of contents for this Act is as follows:

“Sec. 1. Short title.

“Sec. 2. Table of contents.

“Sec. 3. Authorization of appropriations.

“TITLE I—IMPROVING THE ACADEMIC ACHIEVEMENT OF THE
DISADVANTAGED

“Sec. 1001. Purpose.

“Sec. 1002. State administration and State accountability and support.

“PART A—IMPROVING BASIC PROGRAMS OPERATED BY LOCAL EDUCATIONAL
AGENCIES

“SUBPART 1—BASIC PROGRAM REQUIREMENTS

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- “Sec. 1111. State and local requirements.
- “Sec. 1112. Local educational agency plans.
- “Sec. 1113. Eligible school attendance areas.
- “Sec. 1114. Schoolwide programs.
- “Sec. 1115. Targeted assistance schools.
- “Sec. 1116. School performance.
- “Sec. 1117. Qualifications for teachers and paraprofessionals.
- “Sec. 1118. Parent and family engagement.
- “Sec. 1119. Participation of children enrolled in private schools.
- “Sec. 1120. Fiscal requirements.
- “Sec. 1120A. Coordination requirements.

“SUBPART 2—ALLOCATIONS

- “Sec. 1121. Grants for the outlying areas and the Secretary of the Interior.
- “Sec. 1122. Allocations to States.
- “Sec. 1124. Basic grants to local educational agencies.
- “Sec. 1124A. Concentration grants to local educational agencies.
- “Sec. 1125. Targeted grants to local educational agencies.
- “Sec. 1125AA. Adequacy of funding of targeted grants to local educational agencies in fiscal years after fiscal year 2001.
- “Sec. 1125A. Education finance incentive grant program.
- “Sec. 1126. Special allocation procedures.

“SUBPART 3—BLUE RIBBON SCHOOLS; CENTERS OF EXCELLENCE IN EARLY CHILDHOOD; GREEN RIBBON SCHOOLS.

- “Sec. 1131. Blue ribbon schools.
- “Sec. 1132. Centers of excellence in early childhood.
- “Sec. 1133. Green ribbon schools.

“SUBPART 4—GRANTS FOR STATE ASSESSMENTS AND RELATED ACTIVITIES.

- “Sec. 1141. Grants for State assessments and related activities.

“PART B—PATHWAYS TO COLLEGE

“SUBPART 1—IMPROVING SECONDARY SCHOOLS

- “Sec. 1201. Secondary school reform.

“SUBPART 2—ACCELERATED LEARNING

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- “Sec. 1222. Funding distribution rule.
- “Sec. 1223. Advanced Placement and International Baccalaureate examination fee program.
- “Sec. 1224. Advanced Placement and International Baccalaureate incentive program grants.
- “Sec. 1225. Supplement, not supplant.
- “Sec. 1226. Definitions.

“PART C—EDUCATION OF MIGRATORY CHILDREN

- “Sec. 1301. Program purpose.
- “Sec. 1302. Program authorized.
- “Sec. 1303. State allocations.
- “Sec. 1304. State applications; services.

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- “Sec. 1305. Secretarial approval; peer review.
- “Sec. 1306. Comprehensive needs assessment and service-delivery plan; authorized activities.
- “Sec. 1307. Bypass.
- “Sec. 1308. National activities.
- “Sec. 1309. Performance data.
- “Sec. 1310. Evaluation and study.
- “Sec. 1311. State assistance in determining number of migratory children.
- “Sec. 1312. Definitions.

“PART D—PREVENTION AND INTERVENTION PROGRAMS FOR CHILDREN AND YOUTH WHO ARE NEGLECTED, DELINQUENT, OR AT-RISK

- “Sec. 1401. Purpose and program authorization.
- “Sec. 1402. Payments for programs under this part.

“SUBPART 1—STATE AGENCY PROGRAMS

- “Sec. 1411. Eligibility.
- “Sec. 1412. Allocation of funds.
- “Sec. 1413. State reallocation of funds.
- “Sec. 1414. State plan and State agency applications.
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- “Sec. 1416. Institution-wide projects.
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“PART E—EDUCATIONAL STABILITY OF CHILDREN IN FOSTER CARE

- “Sec. 1501. Educational stability of children in foster care.
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- “Sec. 1601. Federal regulations.
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- “Sec. 1605. Prohibition against Federal mandates, direction, or control.
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“SUBPART 2—SUBGRANTS TO LOCAL EDUCATIONAL AGENCIES

- “Sec. 2121. Allocations to local educational agencies.
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“SUBPART 1—GRANTS AND SUBGRANTS FOR ENGLISH LANGUAGE ACQUISITION
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“SUBPART 2—ACCOUNTABILITY AND ADMINISTRATION

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“Sec. 3128. Programs for Native Americans and Puerto Rico.

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“Sec. 4103. Definitions.

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- “Sec. 4108. Subgrants to eligible entities in support of birth through kindergarten entry literacy.
- “Sec. 4109. Subgrants to eligible entities in support of kindergarten through grade 12 literacy.
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“PART J—PROGRAMS OF NATIONAL SIGNIFICANCE

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“PART K—COMPETENCY-BASED ASSESSMENT AND ACCOUNTABILITY
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“Sec. 4909. Competency-based assessment and accountability demonstration authority.

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“PART B—INVESTING IN INNOVATION

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- “Sec. 5202. Reservations.
- “Sec. 5203. Program authorized; length of grants; priorities.
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- “Sec. 5302. Definition.
- “Sec. 5303. Program authorized.
- “Sec. 5304. Eligibility.
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- “Sec. 5308. Prohibition.
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- “Sec. 5402. Distribution of funds.

“SUBPART 1—SUCCESSFUL CHARTER SCHOOLS PROGRAM

- “Sec. 5411. Definitions.
- “Sec. 5412. Program authorized.
- “Sec. 5413. Applications.
- “Sec. 5414. Selection criteria; priority.
- “Sec. 5415. Uses of funds.
- “Sec. 5416. Subgrants.
- “Sec. 5417. Performance measures; reports.
- “Sec. 5418. Federal formula allocation during first year and for successive enrollment expansions.
- “Sec. 5419. Records transfer.
- “Sec. 5420. National activities.

“SUBPART 2—CHARTER SCHOOL FACILITY ACQUISITION, CONSTRUCTION, AND RENOVATION

- “Sec. 5431. Purpose.
- “Sec. 5432. Definitions.
- “Sec. 5433. Grants to eligible entities.
- “Sec. 5434. Charter school objectives.
- “Sec. 5435. Applications; selection criteria.
- “Sec. 5436. Reserve account.
- “Sec. 5437. Limitation on administrative costs.
- “Sec. 5438. Audits and reports.
- “Sec. 5439. No full faith and credit for grantee obligations.
- “Sec. 5440. Recovery of funds.

“PART E—VOLUNTARY PUBLIC SCHOOL CHOICE PROGRAMS

- “Sec. 5501. Grants.
- “Sec. 5502. Uses of funds.
- “Sec. 5503. Applications.
- “Sec. 5504. Priorities.
- “Sec. 5505. Requirements and voluntary participation.
- “Sec. 5506. Evaluations.
- “Sec. 5507. Definitions.

“TITLE VI—PROMOTING FLEXIBILITY; RURAL EDUCATION

“PART A—TRANSFERABILITY

- “Sec. 6101. Transferability of funds.

“PART B—RURAL EDUCATION INITIATIVE

- “Sec. 6201. Short title.

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“Sec. 6202. Purpose.

“SUBPART 1—SMALL, RURAL SCHOOL ACHIEVEMENT PROGRAM

“Sec. 6211. Program authorized.

“Sec. 6212. Academic achievement assessments.

“SUBPART 2—RURAL AND LOW-INCOME SCHOOL PROGRAM

“Sec. 6221. Program authorized.

“Sec. 6222. Uses of funds.

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“Sec. 6224. Accountability.

“SUBPART 3—GENERAL PROVISIONS

“Sec. 6231. Choice of participation.

“Sec. 6232. Annual average daily attendance determination.

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“Sec. 6234. Rule of construction.

“TITLE VII—INDIAN, NATIVE HAWAIIAN, AND ALASKA NATIVE
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“PART A—INDIAN EDUCATION

“Sec. 7101. Statement of policy.

“Sec. 7102. Purpose.

“SUBPART 1—FORMULA GRANTS TO LOCAL EDUCATIONAL AGENCIES

“Sec. 7111. Purpose.

“Sec. 7112. Grants to local educational agencies and tribes.

“Sec. 7113. Amount of grants.

“Sec. 7114. Applications.

“Sec. 7115. Authorized services and activities.

“Sec. 7116. Integration of services authorized.

“Sec. 7117. Student eligibility forms.

“Sec. 7118. Payments.

“Sec. 7119. State educational agency review.

“SUBPART 2—SPECIAL PROGRAMS AND PROJECTS TO IMPROVE EDUCATIONAL
OPPORTUNITIES FOR INDIAN CHILDREN AND YOUTH

“Sec. 7121. Improvement of educational opportunities for Indian children and youth.

“Sec. 7122. Professional development for teachers and education professionals.

“SUBPART 3—NATIONAL ACTIVITIES

“Sec. 7131. National research activities.

“Sec. 7132. Improvement of academic success for students through Native American language.

“Sec. 7133. Improving State and tribal educational agency collaboration.

“SUBPART 4—FEDERAL ADMINISTRATION

“Sec. 7141. National Advisory Council on Indian Education.

“Sec. 7142. Peer review.

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“Sec. 7143. Preference for Indian applicants.

“Sec. 7144. Minimum grant criteria.

“SUBPART 5—DEFINITIONS

“Sec. 7151. Definitions.

“PART B—NATIVE HAWAIIAN EDUCATION; ALASKA NATIVE EDUCATION

“SUBPART 1—NATIVE HAWAIIAN EDUCATION

“Sec. 7201. Short title.

“Sec. 7202. Findings.

“Sec. 7203. Purposes.

“Sec. 7204. Native Hawaiian Education Council.

“Sec. 7205. Program authorized.

“Sec. 7206. Administrative provisions.

“Sec. 7207. Definitions.

“SUBPART 2—ALASKA NATIVE EDUCATION

“Sec. 7301. Short title.

“Sec. 7302. Findings.

“Sec. 7303. Purposes.

“Sec. 7304. Program authorized.

“Sec. 7305. Administrative provisions.

“Sec. 7306. Definitions.

“TITLE VIII—IMPACT AID

“Sec. 8001. Purpose.

“Sec. 8002. Payments relating to Federal acquisition of real property.

“Sec. 8003. Payments for eligible federally connected children.

“Sec. 8004. Policies and procedures relating to children residing on Indian lands.

“Sec. 8005. Application for payments under sections 8002 and 8003.

“Sec. 8007. Construction.

“Sec. 8008. Facilities.

“Sec. 8009. State consideration of payments in providing State aid.

“Sec. 8010. Federal administration.

“Sec. 8011. Administrative hearings and judicial review.

“Sec. 8012. Forgiveness of overpayments.

“Sec. 8013. Definitions.

“TITLE IX—GENERAL PROVISIONS

“PART A—DEFINITIONS

“Sec. 9101. Definitions.

“Sec. 9102. Applicability of title.

“Sec. 9103. Applicability to Bureau of Indian Affairs operated schools.

“PART B—FLEXIBILITY IN THE USE OF ADMINISTRATIVE AND OTHER FUNDS

“Sec. 9201. Consolidation of State administrative funds for elementary and secondary education programs.

“Sec. 9202. Single local educational agency States.

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“Sec. 9203. Consolidation of funds for local administration.

“Sec. 9204. Consolidated set-aside for Department of the Interior funds.

“PART C—COORDINATION OF PROGRAMS; CONSOLIDATED STATE AND LOCAL
PLANS AND APPLICATIONS

“Sec. 9301. Purposes.

“Sec. 9302. Optional consolidated State plans or applications.

“Sec. 9303. Consolidated reporting.

“Sec. 9304. General applicability of State educational agency assurances.

“Sec. 9305. Consolidated local plans or applications.

“Sec. 9306. Other general assurances.

“PART D—WAIVERS

“Sec. 9401. Waivers of statutory and regulatory requirements.

“PART E—UNIFORM PROVISIONS

“SUBPART 1—PRIVATE SCHOOLS

“Sec. 9501. Participation by private school children and teachers.

“Sec. 9502. Standards for by-pass.

“Sec. 9503. Complaint process for participation of private school children.

“Sec. 9504. By-pass determination process.

“Sec. 9505. Prohibition against funds for religious worship or instruction.

“Sec. 9506. Private, religious, and home schools.

“SUBPART 2—OTHER PROVISIONS

“Sec. 9521. Maintenance of effort.

“Sec. 9522. Prohibition regarding State aid.

“Sec. 9523. Privacy of assessment results.

“Sec. 9524. School prayer.

“Sec. 9525. Equal access to public school facilities.

“Sec. 9526. General prohibitions.

“Sec. 9527. Prohibitions on Federal Government and use of Federal funds.

“Sec. 9528. Armed Forces recruiter access to students and student recruiting
information.

“Sec. 9529. Prohibition on federally sponsored testing.

“Sec. 9530. Limitations on national testing or certification for teachers.

“Sec. 9531. Prohibition on nationwide database.

“Sec. 9532. Unsafe school choice option.

“Sec. 9533. Prohibition on discrimination.

“Sec. 9534. Civil rights.

“Sec. 9535. Rulemaking.

“Sec. 9536. Severability.

“Sec. 9537. Geographic diversity.

“SUBPART 3—TEACHER LIABILITY PROTECTION

“Sec. 9541. Short title.

“Sec. 9542. Purpose.

“Sec. 9543. Definitions.

“Sec. 9544. Applicability.

“Sec. 9545. Preemption and election of State nonapplicability.

“Sec. 9546. Limitation on liability for teachers.

“Sec. 9547. Allocation of responsibility for noneconomic loss.

“Sec. 9548. Effective date.

“PART F—EVALUATIONS

“Sec. 9601. Evaluation authority.

“PART G—MISCELLANEOUS PROVISIONS

“SUBPART 1—GUN POSSESSION

“Sec. 9701. Gun-free requirements.

“SUBPART 2—ENVIRONMENTAL TOBACCO SMOKE

“Sec. 9721. Short title.

“Sec. 9722. Definitions.

“Sec. 9723. Nonsmoking policy for children’s services.

“Sec. 9724. Preemption.”.

1 SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

2 The Act (20 U.S.C. 6301 et seq.) is amended by in-
3 serting after section 2 the following:

4 “SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

5 “(a) LOCAL EDUCATIONAL AGENCY GRANTS.—

6 “(1) IN GENERAL.—There are authorized to be
7 appropriated to carry out part A of title I (except
8 for sections 1116(g), 1125A, 1132, and subpart 4 of
9 part A of such title) such sums as may be necessary
10 for fiscal year 2014 and each of the 4 succeeding fis-
11 cal years.

12 “(2) SCHOOL IMPROVEMENT GRANTS, NA-
13 TIONAL ACTIVITIES, AND EVALUATION.—

14 “(A) IN GENERAL.—There are authorized
15 to be appropriated to carry out section 1116(g)
16 such sums as may be necessary for fiscal year
17 2014 and each of the 4 succeeding fiscal years.

1 “(B) RESERVATION FOR NATIONAL ACTIVI-
2 TIES.—Of the amounts appropriated under sub-
3 paragraph (A) for a fiscal year, the Secretary
4 shall reserve not more than 2 percent for the
5 national activities described in section
6 1116(f)(6).

7 “(3) EDUCATION FINANCE INCENTIVE GRANT
8 PROGRAM.—There are authorized to be appropriated
9 to carry out section 1125A such sums as may be
10 necessary for fiscal year 2014 and each of the 4 suc-
11 ceeding fiscal years.

12 “(4) CENTERS OF EXCELLENCE IN EARLY
13 CHILDHOOD.—There are authorized to be appro-
14 priated to carry out section 1132 such sums as may
15 be necessary for fiscal year 2014 and each of the 4
16 succeeding fiscal years.

17 “(b) GRANTS FOR STATE ASSESSMENTS AND THE
18 NATIONAL ASSESSMENT OF EDUCATIONAL PROGRESS.—

19 “(1) NATIONAL ASSESSMENT OF EDUCATIONAL
20 PROGRESS.—For the purpose of administering the
21 State assessments under the National Assessment of
22 Educational Progress, there are authorized to be ap-
23 propriated such sums as may be necessary for fiscal
24 year 2014 and each of the 4 succeeding fiscal years.

1 “(2) STATE ASSESSMENTS AND RELATED AC-
2 TIVITIES.—For the purpose of carrying out assess-
3 ment and related activities under subpart 4 of part
4 A of title I, there are authorized to be appropriated
5 such sums as may be necessary for fiscal year 2014
6 and each of the 4 succeeding fiscal years.

7 “(c) PATHWAYS TO COLLEGE.—For the purposes of
8 carrying out part B of title I, Pathways to College, there
9 are authorized to be appropriated such sums as may be
10 necessary for fiscal year 2014 and each of the 4 suc-
11 ceeding fiscal years.

12 “(d) EDUCATION OF MIGRATORY CHILDREN.—For
13 the purposes of carrying out part C of title I, Education
14 of Migratory Children, there are authorized to be appro-
15 priated such sums as may be necessary for fiscal year
16 2014 and each of the 4 succeeding fiscal years.

17 “(e) NEGLECTED AND DELINQUENT.—For the pur-
18 poses of carrying out part D of title I, Prevention and
19 Intervention Programs for Children and Youth Who Are
20 Neglected, Delinquent, or At-Risk, there are authorized to
21 be appropriated such sums as may be necessary for fiscal
22 year 2014 and each of the 4 succeeding fiscal years.

23 “(f) CONTINUOUS IMPROVEMENT AND SUPPORT FOR
24 TEACHERS AND PRINCIPALS.—

1 “(1) IN GENERAL.—For the purposes of car-
2 rying out subparts 1, 2, 3, and 4 of part A of title
3 II, there are authorized to be appropriated such
4 sums as may be necessary for fiscal year 2014 and
5 each of the 4 succeeding fiscal years.

6 “(2) PRINCIPAL RECRUITMENT AND TRAIN-
7 ING.—For the purposes of carrying out subpart 5 of
8 part A of title II, Principal Recruitment and Train-
9 ing, there are authorized to be appropriated such
10 sums as may be necessary for fiscal year 2014 and
11 each of the 4 succeeding fiscal years.

12 “(g) TEACHER PATHWAYS TO THE CLASSROOM.—
13 For the purposes of carrying out part B of title II, Teach-
14 er Pathways to the Classroom, there are authorized to be
15 appropriated such sums as may be necessary for fiscal
16 year 2014 and each of the 4 succeeding fiscal years.

17 “(h) TEACHER INCENTIVE FUND.—For the purposes
18 of carrying out part C of title II, Teacher Incentive Fund,
19 there are authorized to be appropriated such sums as may
20 be necessary for fiscal year 2014 and each of the 4 suc-
21 ceeding fiscal years.

22 “(i) ACHIEVEMENT THROUGH TECHNOLOGY AND IN-
23 NOVATION.—For the purposes of carrying out part D of
24 title II, Achievement through Technology and Innovation,
25 there are authorized to be appropriated such sums as may

1 be necessary for fiscal year 2014 and each of the 4 suc-
2 ceeding fiscal years.

3 “(j) ENGLISH LEARNERS AND IMMIGRANT STU-
4 DENTS.—For the purposes of carrying out title III, Lan-
5 guage and Academic Content Instruction for English
6 Learners and Immigrant Students, there are authorized
7 to be appropriated such sums as may be necessary for fis-
8 cal year 2014 and each of the 4 succeeding fiscal years.

9 “(k) IMPROVING LITERACY AND STUDENT ACHIEVE-
10 MENT.—

11 “(1) IMPROVING LITERACY.—For the purposes
12 of carrying out subpart 1 of part A of title IV, Im-
13 proving Literacy Instruction, there are authorized to
14 be appropriated such sums as may be necessary for
15 fiscal year 2014 and each of the 4 succeeding fiscal
16 years.

17 “(2) EFFECTIVE SCHOOL LIBRARY PRO-
18 GRAMS.—For the purposes of carrying out subpart
19 2 of part A of title IV, Improving Literacy and Col-
20 lege and Career Readiness Through Effective School
21 Library Programs, there are authorized to be appro-
22 priated such sums as may be necessary for fiscal
23 year 2014 and each of the 4 succeeding fiscal years.

24 “(l) IMPROVING SCIENCE, TECHNOLOGY, ENGINEER-
25 ING, AND MATHEMATICS INSTRUCTION AND STUDENT

1 ACHIEVEMENT.—For the purposes of carrying out part B
2 of title IV, Improving Science, Technology, Engineering,
3 and Mathematics Instruction and Student Achievement,
4 there are authorized to be appropriated such sums as may
5 be necessary for fiscal year 2014 and each of the 4 suc-
6 ceeding fiscal years.

7 “(m) INCREASING ACCESS TO A WELL-ROUNDED
8 EDUCATION AND FINANCIAL LITERACY.—For the pur-
9 poses of carrying out part C of title IV, Increasing Access
10 to a Well-Rounded Education and Financial Literacy,
11 there are authorized to be appropriated such sums as may
12 be necessary for fiscal year 2014 and each of the 4 suc-
13 ceeding fiscal years.

14 “(n) SUCCESSFUL, SAFE, AND HEALTHY STU-
15 DENTS.—For the purposes of carrying out part D of title
16 IV, Successful, Safe, and Healthy Students, there are au-
17 thorized to be appropriated such sums as may be nec-
18 essary for fiscal year 2014 and each of the 4 succeeding
19 fiscal years.

20 “(o) 21ST CENTURY COMMUNITY LEARNING CEN-
21 TERS.—For the purposes of carrying out part F of title
22 IV, 21st Century Community Learning Centers, there are
23 authorized to be appropriated such sums as may be nec-
24 essary for fiscal year 2014 and each of the 4 succeeding
25 fiscal years.

1 “(p) PROMISE NEIGHBORHOODS.—For the purposes
2 of carrying out part G of title IV, Promise Neighborhoods,
3 there are authorized to be appropriated such sums as may
4 be necessary for fiscal year 2014 and each of the 4 suc-
5 ceeding fiscal years.

6 “(q) PARENT AND FAMILY INFORMATION AND RE-
7 SOURCE CENTERS.—For the purposes of carrying out part
8 H of title IV, Parent and Family Information and Re-
9 source Centers, there are authorized to be appropriated
10 such sums as may be necessary for fiscal year 2014 and
11 each of the 4 succeeding fiscal years.

12 “(r) READY TO LEARN.—For the purposes of car-
13 rying out part I of title IV, Ready to Learn, there are
14 authorized to be appropriated such sums as may be nec-
15 essary for fiscal year 2014 and each of the 4 succeeding
16 fiscal years.

17 “(s) PROGRAMS OF NATIONAL SIGNIFICANCE.—For
18 the purposes of carrying out part I of title IV, Programs
19 of National Significance, there are authorized to be appro-
20 priated such sums as may be necessary for fiscal year
21 2014 and each of the 4 succeeding fiscal years.

22 “(t) RACE TO THE TOP.—For the purposes of car-
23 rying out part A of title V, Race to the Top, there are
24 authorized to be appropriated such sums as may be nec-

1 essary for fiscal year 2014 and each of the 4 succeeding
2 fiscal years.

3 “(u) INVESTING IN INNOVATION.—For the purposes
4 of carrying out part B of title V, Investing in Innovation,
5 there are authorized to be appropriated such sums as may
6 be necessary for fiscal year 2014 and each of the 4 suc-
7 ceeding fiscal years.

8 “(v) MAGNET SCHOOLS ASSISTANCE.—For the pur-
9 poses of carrying out part C of title V, Magnet Schools
10 Assistance, there are authorized to be appropriated such
11 sums as may be necessary for fiscal year 2014 and each
12 of the 4 succeeding fiscal years.

13 “(w) PUBLIC CHARTER SCHOOLS.—For the purposes
14 of carrying out part D of title V, Public Charter Schools,
15 there are authorized to be appropriated such sums as may
16 be necessary for fiscal year 2014 and each of the 4 suc-
17 ceeding fiscal years.

18 “(x) VOLUNTARY PUBLIC SCHOOL CHOICE.—For the
19 purposes of carrying out part E of title V, Voluntary Pub-
20 lic School Choice, there are authorized to be appropriated
21 such sums as may be necessary for fiscal year 2014 and
22 each of the 4 succeeding fiscal years.

23 “(y) RURAL EDUCATION ACHIEVEMENT PROGRAM.—
24 For the purposes of carrying out part B of title VI, Rural
25 Education Achievement Program, there are authorized to

1 be appropriated such sums as may be necessary for fiscal
2 year 2014 and each of the 4 succeeding fiscal years.

3 “(z) INDIAN, NATIVE HAWAIIAN, AND ALASKA NA-
4 TIVE EDUCATION.—

5 “(1) INDIAN EDUCATION AND NATIVE HAWAI-
6 IAN EDUCATION.—For the purposes of carrying out
7 part A and subpart 1 of part B of title VII, Indian
8 Education and Native Hawaiian Education, there
9 are authorized to be appropriated such sums as may
10 be necessary for fiscal year 2014 and each of the 4
11 succeeding fiscal years.

12 “(2) ALASKA NATIVE EDUCATION.—There are
13 authorized to be appropriated to carry out subpart
14 2 of part B of title VII, Alaska Native Education,
15 such sums as may be necessary for fiscal year 2014
16 and each of the 5 succeeding fiscal years.

17 “(aa) IMPACT AID.—For the purposes of carrying out
18 title VIII, Impact Aid, there are authorized to be appro-
19 priated such sums as may be necessary for fiscal year
20 2014 and each of the 4 succeeding fiscal years, in accord-
21 ance with the following:

22 “(1) PAYMENTS FOR FEDERAL ACQUISITION OF
23 REAL PROPERTY.—For the purpose of making pay-
24 ments under section 8002, there are authorized to
25 be appropriated such sums as may be necessary for

1 fiscal year 2014 and each of the 4 succeeding fiscal
2 years.

3 “(2) BASIC PAYMENTS; PAYMENTS FOR HEAV-
4 ILY IMPACTED LOCAL EDUCATIONAL AGENCIES.—
5 For the purpose of making payments under section
6 8003(b), there are authorized to be appropriated
7 such sums as may be necessary for fiscal year 2014
8 and each of the 4 succeeding fiscal years.

9 “(3) PAYMENTS FOR CHILDREN WITH DISABIL-
10 ITIES.—For the purpose of making payments under
11 section 8003(d), there are authorized to be appro-
12 priated such sums as may be necessary for fiscal
13 year 2014 and each of the 4 succeeding fiscal years.

14 “(4) CONSTRUCTION.—For the purpose of car-
15 rying out section 8007, there are authorized to be
16 appropriated such sums as may be necessary for fis-
17 cal year 2014 and each of the 4 succeeding fiscal
18 years.

19 “(5) FACILITIES MAINTENANCE.—For the pur-
20 pose of carrying out section 8008, there are author-
21 ized to be appropriated such sums as may be nec-
22 essary for fiscal year 2014 and each of the 4 suc-
23 ceeding fiscal years.”.

1 **TITLE I—COLLEGE AND CAREER**
2 **READINESS FOR ALL STUDENTS**

3 **SEC. 1001. PURPOSE.**

4 Section 1001 (20 U.S.C. 6301) is amended to read
5 as follows:

6 **“SEC. 1001. PURPOSE.**

7 “The purpose of this title is to ensure every child has
8 a fair, equal, and significant opportunity to obtain a high-
9 quality education and graduate from high school ready for
10 college, career, and citizenship. This purpose can be ac-
11 complished by—

12 “(1) setting high expectations for children to
13 develop deep content knowledge and the ability to
14 use knowledge to think critically, solve problems,
15 communicate effectively, and collaborate with others,
16 in order to graduate, from high school, college and
17 career ready;

18 “(2) supporting high-quality teaching to con-
19 tinuously improve instruction and encourage new
20 models of teaching and learning;

21 “(3) focusing on increasing student achievement
22 and closing achievement gaps;

23 “(4) providing additional resources and sup-
24 ports to meet the needs of disadvantaged students,
25 including children from low-income families and

1 those attending high-poverty schools, English learn-
2 ers, migratory children, children with disabilities, In-
3 dian children, and neglected or delinquent children;

4 “(5) providing young children with greater ac-
5 cess to high-quality early learning experiences to en-
6 sure they enter school ready to learn;

7 “(6) removing barriers to, and encouraging
8 State and local innovation and leadership in, edu-
9 cation based on the evaluation of success and contin-
10 uous improvement;

11 “(7) removing barriers and promoting integra-
12 tion across all levels of education, and across Fed-
13 eral education programs;

14 “(8) streamlining Federal requirements to re-
15 duce burdens on States, local educational agencies,
16 schools, and educators; and

17 “(9) strengthening parental engagement and
18 coordination of student, family, and community sup-
19 ports to promote student success.”.

20 **SEC. 1002. STATE RESERVATIONS.**

21 Title I (20 U.S.C. 6301 et seq.) is amended—

22 (1) by striking sections 1002 and 1003;

23 (2) by redesignating section 1004 as section
24 1002; and

1 (3) in section 1002 (as redesignated by para-
2 graph (2))—

3 (A) in the section heading, by inserting
4 **“AND STATE ACCOUNTABILITY AND SUP-
5 PORT”** before the period at the end;

6 (B) by redesignating paragraphs (1) and
7 (2) of subsection (a) as subparagraphs (A) and
8 (B), respectively, and by aligning the margins
9 of such subparagraphs with the margins of sub-
10 paragraph (A) of section 1111(a)(1);

11 (C) by redesignating subsection (b) as
12 paragraph (2) of subsection (a), and by aligning
13 the margins of such paragraph with the mar-
14 gins of paragraph (1) of section 1111(a);

15 (D) by striking “IN GENERAL.—Except as
16 provided in subsection (b)” and inserting the
17 following: “STATE ADMINISTRATION.—

18 “(1) IN GENERAL.—Except as provided in para-
19 graph (2)”;

20 (E) in subsection (a)(2), as redesignated
21 by subparagraph (C), by striking “subsection
22 (a)(1)” and inserting “paragraph (1)(A)”; and

23 (F) by adding at the end the following:

24 “(b) ACCOUNTABILITY AND SUPPORT.—

1 “(1) IN GENERAL.—Each State may reserve
2 not more than 6 percent of the amount the State re-
3 ceives under subpart 2 of part A to carry out para-
4 graph (2) and to carry out the State and local edu-
5 cational agency responsibilities under section 1116,
6 which may include carrying out a statewide system
7 of technical assistance and support for local edu-
8 cational agencies and identifying and disseminating
9 evidence-based practices.

10 “(2) USES.—Of the amount reserved under
11 paragraph (1) for any fiscal year, the State edu-
12 cational agency—

13 “(A) shall use not less than 90 percent of
14 that amount by allocating such sums directly to
15 local educational agencies for activities required
16 under section 1116; or

17 “(B) may, with the approval of the local
18 educational agency, directly provide for such ac-
19 tivities or arrange for their provision through
20 other entities such as educational service agen-
21 cies and external providers with expertise in
22 using strategies based on scientifically valid re-
23 search to improve teaching, learning, and
24 schools.

1 “(3) PRIORITY.—The State educational agency,
2 in allocating funds to local educational agencies
3 under this subsection, shall give priority to local edu-
4 cational agencies that—

5 “(A) serve the lowest-performing schools,
6 including schools identified as focus schools and
7 priority schools under subsections (c) and (d) of
8 section 1116;

9 “(B) demonstrate the greatest need for
10 such funds; and

11 “(C) demonstrate the strongest commit-
12 ment to use the funds to enable the lowest-
13 achieving schools to improve student achieve-
14 ment and outcomes through the use of evi-
15 dence-based practices that are consistent with
16 the evidence standards described in section
17 5203(e).

18 “(4) UNUSED FUNDS.—If, after consultation
19 with local educational agencies, the State edu-
20 cational agency determines the amount of funds re-
21 served to carry out this subsection is greater than
22 the amount needed to provide the assistance de-
23 scribed in this subsection, the State educational
24 agency shall allocate the excess amount to local edu-
25 cational agencies in accordance with—

1 “(A) the relative allocations the State edu-
2 cational agency made to those agencies for that
3 fiscal year under subpart 2 of part A; or

4 “(B) section 1126(e).

5 “(5) SPECIAL RULE.—Notwithstanding any
6 other provision of this subsection, the amount of
7 funds reserved by the State educational agency
8 under this subsection in any fiscal year shall not de-
9 crease the amount of funds each local educational
10 agency receives under subpart 2 of part A below the
11 amount received by such local educational agency
12 under such subpart for the preceding fiscal year.

13 “(6) REPORTING.—Each State educational
14 agency shall make publicly available a list of those
15 schools that have received funds or services pursuant
16 to this subsection and the percentage of students
17 from each such school from families with incomes
18 below the poverty line.”.

19 **PART A—IMPROVING THE ACADEMIC**
20 **ACHIEVEMENT OF THE DISADVANTAGED**
21 **SEC. 1111. STATE AND LOCAL REQUIREMENTS.**

22 Section 1111 (20 U.S.C. 6301) is amended to read
23 as follows:

1 **“SEC. 1111. STATE AND LOCAL REQUIREMENTS.**

2 “(a) ACADEMIC STANDARDS, ACADEMIC ASSESS-
3 MENTS, AND ACCOUNTABILITY REQUIREMENTS.—

4 “(1) REQUIREMENTS FOR COLLEGE AND CA-
5 REER READY STATE STANDARDS.—In order to re-
6 ceive a grant under this part, each State shall dem-
7 onstrate the State meets the following requirements:

8 “(A) COLLEGE AND CAREER READY
9 ALIGNED STANDARDS FOR READING OR LAN-
10 GUAGE ARTS AND MATHEMATICS.—

11 “(i) IN GENERAL.—The State shall—

12 “(I) not later than December 31,
13 2014, adopt college and career ready
14 academic content standards in reading
15 or language arts and mathematics
16 that meet the requirements of clauses
17 (ii) and (iii); and

18 “(II) not later than the beginning
19 of the 2015–2016 school year, adopt
20 college and career ready student aca-
21 demic achievement standards in read-
22 ing or language arts and mathematics
23 that meet the requirements of clauses
24 (ii) and (iv).

25 “(ii) ALIGNMENT OF COLLEGE AND
26 CAREER READY STANDARDS.—Each State

1 plan shall demonstrate the State has
2 adopted college and career ready academic
3 content standards and college and career
4 ready student academic achievement stand-
5 ards aligned with—

6 “(I) credit-bearing academic
7 coursework, without the need for re-
8 mediation, at public institutions of
9 higher education in the State; and

10 “(II) relevant State career and
11 technical education standards and the
12 State performance measures identified
13 in the State plan under section 113(b)
14 of the Carl D. Perkins Career and
15 Technical Education Act of 2006; and

16 “(III)(aa) appropriate career
17 skills; or

18 “(bb) standards that are State-
19 developed and voluntarily adopted by
20 a significant number of States.

21 “(iii) REQUIREMENTS FOR ACADEMIC
22 CONTENT STANDARDS.—College and career
23 ready academic content standards shall—

24 “(I) be used by the State, and by
25 local educational agencies, public ele-

1 elementary schools, and public secondary
2 schools in the State, to carry out the
3 requirements of this part;

4 “(II) be the same standards that
5 the State applies to all public elemen-
6 tary and secondary schools and stu-
7 dents in the State;

8 “(III) include the same knowl-
9 edge, skills, and levels of achievement
10 expected of all elementary and sec-
11 ondary school students in the State;
12 and

13 “(IV) be evidence-based and in-
14 clude rigorous content and skills, such
15 as critical thinking, problem solving,
16 and communication skills.

17 “(iv) REQUIREMENTS FOR STUDENT
18 ACADEMIC ACHIEVEMENT STANDARDS.—
19 College and career ready student academic
20 achievement standards for a subject
21 shall—

22 “(I) be aligned with the State’s
23 academic content standards described
24 in clause (iii); and

1 “(II) establish the level of per-
2 formance expected for each grade level
3 that demonstrates the student has
4 mastered the material in the State
5 academic content standards for that
6 grade.

7 “(B) SCIENCE STANDARDS.—A State—

8 “(i) shall demonstrate that the State
9 has adopted, by not later than December
10 31, 2014, statewide academic content
11 standards and student academic achieve-
12 ment standards in science that are aligned
13 with the knowledge and skills needed to be
14 college and career ready, as described in
15 subparagraph (A)(ii); and

16 “(ii) may choose to use such stand-
17 ards as part of the State’s accountability
18 system under paragraph (3), if such stand-
19 ards meet the requirements of clauses (ii)
20 through (iv) of subparagraph (A).

21 “(C) STANDARDS FOR OTHER SUB-
22 JECTS.—If a State adopts high-quality aca-
23 demic content standards and student academic
24 achievement standards in subjects other than
25 reading or language arts, mathematics, and

1 science, such State may choose to use such
2 standards as part of the State's accountability
3 system, consistent with section 1116.

4 “(D) ALTERNATE ACADEMIC ACHIEVE-
5 MENT STANDARDS FOR STUDENTS WITH THE
6 MOST SIGNIFICANT COGNITIVE DISABILITIES.—

7 “(i) IN GENERAL.—The State may,
8 through a documented and validated
9 standards-setting process, adopt alternate
10 academic achievement standards in any
11 subject included in the State's account-
12 ability system under paragraph (3) for stu-
13 dents with the most significant cognitive
14 disabilities, if—

15 “(I) the determination about
16 whether the achievement of an indi-
17 vidual student should be measured
18 against such standards is made sepa-
19 rately for each student in each subject
20 being assessed;

21 “(II) all students who use such
22 alternate academic achievement stand-
23 ards in a subject are assessed using
24 the alternate assessments for such

1 subject described in paragraph (2)(E);

2 and

3 “(III) such alternate academic
4 achievement standards—

5 “(aa) are aligned with the
6 State college and career ready
7 academic content standards;

8 “(bb) provide access to the
9 general curriculum and the stu-
10 dent academic achievement
11 standards; and

12 “(cc) reflect professional
13 judgment as to the highest pos-
14 sible standards achievable by
15 such student.

16 “(ii) PROHIBITION ON ANY OTHER AL-
17 TERNATE OR MODIFIED STANDARDS.—A
18 State shall not develop, or implement for
19 use, under this part any alternate or modi-
20 fied academic achievement standards for
21 students who are children with disabilities
22 that are not alternate academic achieve-
23 ment standards that meet the require-
24 ments of clause (i).

1 “(E) ENGLISH LANGUAGE PROFICIENCY
2 STANDARDS.—A State shall, not later than De-
3 cember 31, 2015, adopt high-quality English
4 language proficiency standards that—

5 “(i) are aligned with the State’s aca-
6 demic content standards in reading or lan-
7 guage arts under subparagraph (A) so that
8 achieving English language proficiency, as
9 measured by the State’s English language
10 proficiency standards, indicates a sufficient
11 knowledge of English to allow the State to
12 validly and reliably measure the student’s
13 achievement on the State’s reading or lan-
14 guage arts student academic achievement
15 standards with no interventions designed
16 to support English learners specifically;

17 “(ii) ensure proficiency in English for
18 each of the domains of speaking, listening,
19 reading, and writing;

20 “(iii) identify not less than 4 levels of
21 English proficiency;

22 “(iv) address the different proficiency
23 levels of English learners and set high ex-
24 pectations regarding academic achievement

1 and linguistic proficiency for English
2 learners at all levels of proficiency;

3 “(v) are updated, not later than 1
4 year after the State adopts any new aca-
5 demic content standards in reading or lan-
6 guage arts under this paragraph, in order
7 to align the English language proficiency
8 standards with the new content standards;
9 and

10 “(vi) support teachers as teachers en-
11 hance instruction to support English learn-
12 ers.

13 “(F) EARLY LEARNING GUIDELINES AND
14 EARLY GRADE STANDARDS.—A State that uses
15 funds provided under this part to support early
16 childhood education shall provide an assurance
17 that, not later than December 31, 2015, the
18 State will establish, or certify the existence of,
19 early learning guidelines and early grade stand-
20 ards in accordance with the following:

21 “(i) EARLY LEARNING GUIDELINES.—
22 In consultation with the State Advisory
23 Council on Early Childhood Education and
24 Care, the lead agency designated under
25 section 658D of the Child Care and Devel-

1 opment Block Grant Act of 1990 (42
2 U.S.C. 9858 et seq.), and the State edu-
3 cational agency, the State shall complete a
4 review, and revise or create, as necessary,
5 the State’s early learning guidelines for
6 young children in order to promote devel-
7 opmentally appropriate, high-quality pro-
8 grams. Such guidelines shall—

9 “**(I)** address each of the age
10 groups of infants, toddlers, and pre-
11 school-aged children;

12 “**(II)** be developed, as appro-
13 priate, in all domains of child develop-
14 ment and learning (including lan-
15 guage, literacy, mathematics, creative
16 arts, science, social studies, social and
17 emotional development, approaches to
18 learning, and physical and health de-
19 velopment) for each age group;

20 “**(III)** reflect research and evi-
21 dence-based developmental and learn-
22 ing expectations, including the foun-
23 dation for and progression in how
24 children develop and learn the req-
25 uisite skills and content from one

1 stage into the next, including what
2 young children should know and be
3 able to do;

4 “(IV) address the cultural and
5 linguistic diversity and the diverse
6 abilities of young children, including
7 infants, toddlers, and preschoolers
8 with disabilities;

9 “(V) inform teaching practices,
10 improve professional development, and
11 support high-quality services in early
12 childhood education programs;

13 “(VI) be made publicly available,
14 including through electronic means;
15 and

16 “(VII) for pre-school age chil-
17 dren, appropriately assist in the tran-
18 sition of such children to kinder-
19 garten.

20 “(ii) EARLY GRADE STANDARDS.—In
21 consultation with the State Advisory Coun-
22 cil on Early Childhood Education and
23 Care, the lead agency designated under
24 section 658D of the Child Care and Devel-
25 opment Block Grant of 1990 (42 U.S.C.

1 9858 et seq.), and the State educational
2 agency, the State shall establish or review
3 and revise, as needed, standards for kin-
4 dergarten through grade 3 aligned with the
5 college and career ready academic content
6 and student academic achievement stand-
7 ards described in subsection (a)(1)(A) to
8 ensure that such standards—

9 “(I) are developed in all domains
10 of child development and learning (in-
11 cluding cognitive, language, literacy,
12 mathematics, creative arts, science,
13 social studies, social and emotional de-
14 velopment, physical development and
15 health, and approaches to learning);

16 “(II) reflect research and evi-
17 dence-based development and learning
18 expectations for each level and ad-
19 dress cultural, linguistic, and ability-
20 level diversity; and

21 “(III) across grade levels, reflect
22 progression in how children develop
23 and learn the requisite skills and con-
24 tent from earlier grades forward, in-
25 cluding preschool.

1 “(G) EXISTING STANDARDS.—Nothing in
2 this part shall prohibit a State from revising,
3 consistent with this section, any standard
4 adopted under this part before, on, or after the
5 date of enactment of the Strengthening Amer-
6 ica’s Schools Act of 2013.

7 “(H) CONSTRUCTION.—Nothing in this
8 section shall be construed to authorize the Sec-
9 retary or other officer or employee of the Fed-
10 eral Government to mandate, direct, or control
11 a State’s college and career ready academic
12 content or student academic achievement stand-
13 ards under subsection (a).

14 “(2) ACADEMIC ASSESSMENTS.—

15 “(A) STATE ASSESSMENTS.—The State
16 shall, beginning not later than the beginning of
17 the 2015–2016 school year, adopt and imple-
18 ment statewide assessments that—

19 “(i) include statewide assessments in
20 reading or language arts, and mathe-
21 matics, annually for grades 3 through 8
22 and not less frequently than once during
23 grades 10 through 12, that—

1 “(I) are aligned with the State’s
2 academic content standards in such
3 subjects under paragraph (1)(A);

4 “(II) are administered to all pub-
5 lic elementary and secondary school
6 students in the State;

7 “(III) measure the individual
8 academic achievement of a student;

9 “(IV) assess the student’s aca-
10 demic achievement based on the
11 State’s student academic achievement
12 standards in the subject in order to
13 measure—

14 “(aa) whether the student is
15 performing at the student’s grade
16 level; and

17 “(bb) the specific grade level
18 at which the student is per-
19 forming in the subject;

20 “(V) measure individual student
21 academic growth, including a meas-
22 urement of the number of years of
23 academic growth each student attains
24 each year; and

1 “(VI) may, at the State’s choos-
2 ing—

3 “(aa) be administered
4 through a single summative as-
5 sessment each year; or

6 “(bb) be administered
7 through multiple statewide as-
8 sessments during the course of
9 the year if the State can dem-
10 onstrate to the Secretary’s satis-
11 faction the results of these mul-
12 tiple assessments, taken in their
13 totality, provide a summative
14 score that provides valid and reli-
15 able information on individual
16 student academic growth, as de-
17 scribed in subclause (V);

18 “(ii) include statewide assessments in
19 science, not less than once during each of
20 the grade spans of grades 3 through 5, 6
21 through 9, and 10 through 12, that—

22 “(I) assess the student’s aca-
23 demic achievement based on the
24 State’s student academic achievement

1 standards in science in order to meas-
2 ure—

3 “(aa) whether the student is
4 performing at the student’s grade
5 level; and

6 “(bb) the specific grade level
7 at which the student is per-
8 forming in the subject;

9 “(II) measure individual student
10 academic growth, including a meas-
11 urement of the number of years of
12 academic growth each student attains
13 each year; and

14 “(iii) include the English language
15 proficiency assessments and any alternate
16 assessments described in subparagraphs
17 (D) and (E), respectively; and

18 “(iv) at the discretion of the State,
19 measure the proficiency of students in the
20 other academic subjects for which the
21 State has adopted academic content stand-
22 ards and student academic achievement
23 standards under paragraph (1)(C).

1 “(B) REQUIREMENTS FOR ASSESS-
2 MENTS.—The assessments administered under
3 this paragraph shall—

4 “(i) be the same academic assess-
5 ments used to measure the achievement of
6 all students, although the individual as-
7 sessment items administered to a student
8 in order to determine the specific grade
9 level at which a student is performing may
10 vary;

11 “(ii) be used only for purposes for
12 which such assessments are valid and reli-
13 able, and be consistent with relevant, na-
14 tionally recognized professional and tech-
15 nical standards;

16 “(iii) be used only if the State edu-
17 cational agency provides to the Secretary
18 evidence that the assessments used are of
19 adequate technical quality for each purpose
20 required under this Act and are consistent
21 with the requirements of this section,
22 which evidence the Secretary may make
23 public;

1 “(iv) involve multiple up-to-date meas-
2 ures of student academic achievement, in-
3 cluding measures that—

4 “(I) assess the full range of aca-
5 demic content and student academic
6 achievement standards under section
7 1111(a)(1) that students are expected
8 to master;

9 “(II) measure students’ mastery
10 of content knowledge and their ability
11 to use knowledge to think critically
12 and solve problems, and to commu-
13 nicate effectively; and

14 “(III) may be partially delivered
15 in the form of portfolios, projects, or
16 extended performance tasks;

17 “(v) provide for—

18 “(I) the participation in such as-
19 sessments of all students;

20 “(II) the inclusion of English
21 learners, who shall be assessed in a
22 valid and reliable manner and pro-
23 vided reasonable accommodations on
24 assessments administered to such stu-
25 dents under this paragraph, including,

1 to the extent practicable, assessments
2 in the language and form most likely
3 to yield accurate data on what such
4 students know and can do in academic
5 content areas, until such students
6 have achieved English language pro-
7 ficiency as determined under subpara-
8 graph (D), except that the State may
9 exempt any English learner at the
10 lowest levels of English language pro-
11 ficiency from the reading or language
12 arts assessment for not more than 2
13 years following the date of the student
14 being identified as an English learner;
15 “(vi) shall—

16 “(I) incorporate the principles of
17 universal design, as defined in section
18 3(a) of the Assistive Technology Act
19 of 1998 (29 U.S.C. 3002(a)), to allow
20 for the greatest possible access for all
21 students;

22 “(II) provide for the reasonable
23 adaptations for children with disabil-
24 ities necessary to measure the aca-
25 demic achievement of such children in

1 a subject, relative to the State aca-
2 demic content standards and State
3 student academic achievement stand-
4 ards under paragraph (1) for such
5 subject;

6 “(III) provide for the valid and
7 reliable accommodations for children
8 with disabilities necessary to measure
9 the academic achievement of such
10 children in a subject, relative to the
11 State academic content standards and
12 State student academic achievement
13 standards under paragraph (1) for
14 such subject; and

15 “(IV) assess children with dis-
16 abilities using the same, unmodified
17 academic content standards used to
18 measure children without disabilities
19 in the same grade level, except in the
20 case of alternate assessments adminis-
21 tered in accordance with subpara-
22 graph (E);

23 “(vii) notwithstanding clause (v)(II),
24 include the academic assessment (using
25 tests written in English) of reading or lan-

1 guage arts of any student who has at-
2 tended school in the United States (not in-
3 cluding Puerto Rico) for 3 or more con-
4 secutive school years, except that, if the
5 local educational agency determines, on a
6 case-by-case individual basis, that aca-
7 demic assessments in another language or
8 form would likely yield more accurate and
9 reliable information on what such student
10 knows and can do, the local educational
11 agency may make a determination to as-
12 sess such student in the appropriate lan-
13 guage other than English for a period that
14 does not exceed 2 additional consecutive
15 years, if such student has not yet reached
16 a level of English language proficiency suf-
17 ficient to yield valid and reliable informa-
18 tion on what such student knows and can
19 do on tests (written in English) of reading
20 or language arts;

21 “(viii) include students who have at-
22 tended schools in a local educational agen-
23 cy for a full academic year but have not at-
24 tended a single school for a full academic
25 year, except the performance of students

1 each major racial and ethnic group,
2 English proficiency status, migrant status,
3 status as a student with a disability, and
4 economically disadvantaged status, except
5 that disaggregation shall not be required
6 for any subgroup that would include 15 or
7 less students, so as to not reveal personally
8 identifiable information about an individual
9 student;

10 “(xi) be consistent with widely accept-
11 ed professional testing standards and ob-
12 jectively measure academic achievement,
13 knowledge, and skills;

14 “(xii) enable itemized score analyses
15 to be produced and reported, consistent
16 with clause (ii), to local educational agen-
17 cies and schools, so that parents, teachers,
18 principals, and administrators can inter-
19 pret and address the specific academic
20 needs of students as indicated by the stu-
21 dents’ achievement on assessment items;

22 “(xiii) produce student achievement
23 and other student data that can be used to
24 inform determinations of individual prin-
25 cipal and teacher effectiveness for purposes

1 of evaluation and for determining the
2 needs of principals and teachers for profes-
3 sional development and support;

4 “(xiv) be administered to not less
5 than 95 percent of all students, and not
6 less than 95 percent of each subgroup of
7 students described in clause (x), who are
8 enrolled in the school; and

9 “(xv) in the case of digital assess-
10 ments or any digital assessment content
11 that is adopted, procured, purchased, or
12 developed for the assessments, incorporate
13 the principles of universal design, as de-
14 fined in section 3(a) of the Assistive Tech-
15 nology Act of 1998 (29 U.S.C. 3002(a))
16 and be interoperable and accessible for all
17 students, including students who are chil-
18 dren with disabilities.

19 “(C) LANGUAGES OF ASSESSMENTS.—The
20 State shall identify the languages other than
21 English that are present in the participating
22 student population in the State and indicate, in
23 the State’s plan under subsection (b), the lan-
24 guages for which yearly student academic as-
25 sements included in the State’s accountability

1 system under paragraph (3) are not available
2 and are needed. The State shall make every ef-
3 fort to develop assessments in such languages
4 and may request assistance from the Secretary
5 if linguistically accessible academic assessments
6 are needed. Upon request, the Secretary shall
7 assist with the identification of appropriate aca-
8 demic assessments in such languages, but shall
9 not mandate a specific academic assessment or
10 mode of instruction.

11 “(D) ASSESSMENTS OF ENGLISH LAN-
12 GUAGE PROFICIENCY.—

13 “(i) IN GENERAL.—Each State plan
14 shall demonstrate that local educational
15 agencies in the State will, not later than
16 the beginning of the 2015–2016 school
17 year, provide for the annual assessment of
18 English language proficiency of all English
19 learners in the schools served by the State
20 educational agency.

21 “(ii) REQUIREMENTS.—The English
22 language proficiency assessment described
23 in clause (i) shall—

1 “(I) be aligned with the State’s
2 English language proficiency stand-
3 ards under paragraph (1)(E);

4 “(II) be designed to measure, in
5 a valid and reliable manner, student
6 progress toward, and attainment of,
7 English language proficiency;

8 “(III) reflect the academic lan-
9 guage that is required for success on
10 the State’s academic assessments,
11 consistent with paragraph (1)(E)(iv);
12 and

13 “(IV) measure each student’s
14 progress in achieving the levels of
15 English proficiency established under
16 the State English language proficiency
17 standards, as described in paragraph
18 (1)(D)(iii).

19 “(E) ALTERNATE ASSESSMENTS FOR STU-
20 DENTS WITH THE MOST SIGNIFICANT COG-
21 NITIVE DISABILITIES.—A State may provide al-
22 ternate assessments that are aligned with alter-
23 nate academic achievement standards described
24 in paragraph (1)(D) for students with the most
25 significant cognitive disabilities, if the State—

1 “(i) ensures that for each subject, the
2 total number of students in each grade
3 level assessed in such subject using the al-
4 ternate assessments does not exceed 1 per-
5 cent of the total number of all students in
6 such grade level in the State who are as-
7 sessed in such subject;

8 “(ii) establishes and monitors imple-
9 mentation of clear and appropriate guide-
10 lines for individualized education program
11 teams (as defined in section 614(d)(1)(B)
12 of the Individuals with Disabilities Edu-
13 cation Act) to apply in determining, on a
14 subject-by-subject basis, when a child’s sig-
15 nificant cognitive disability justifies assess-
16 ment based on alternate academic achieve-
17 ment standards;

18 “(iii) ensures that parents of the stu-
19 dents whom the State plans to assess using
20 alternate assessments are involved in the
21 decision that their child’s academic
22 achievement will be measured against al-
23 ternate academic achievement standards,
24 consistent with section
25 614(d)(1)(A)(i)(VI)(bb) of the Individuals

1 with Disabilities Education Act, and are
2 informed whether participation in such as-
3 sessment may preclude the student from
4 completing the requirements for a regular
5 secondary school diploma, as determined
6 by the State;

7 “(iv) provides evidence that students
8 with the most significant cognitive disabil-
9 ities are, to the maximum extent prac-
10 ticable, included in the general curriculum
11 and in assessments aligned with such cur-
12 riculum, as described in section
13 601(c)(5)(A) of the Individuals with Dis-
14 abilities Education Act;

15 “(v) certifies, consistent with section
16 612(a)(16)(A) of the Individuals with Dis-
17 abilities Education Act, the State’s regular
18 academic assessments described in sub-
19 paragraphs (A), (C), and (D) are univer-
20 sally designed to be accessible to students,
21 including students with sensory, physical,
22 and intellectual disabilities, through the
23 provision of reasonable adaptations and
24 valid and reliable accommodations that
25 produce valid results;

1 “(vi) develops, disseminates informa-
2 tion about, makes available, and promotes
3 the use of reasonable adaptations and valid
4 and reliable accommodations to increase
5 the number of students with the most sig-
6 nificant cognitive disabilities participating
7 in grade-level academic instruction and as-
8 sessments aligned with grade-level aca-
9 demic standards, and promotes the use of
10 appropriate accommodations to increase
11 the number of students with the most sig-
12 nificant cognitive disabilities who are test-
13 ed against grade-level academic achieve-
14 ment standards;

15 “(vii) takes steps to ensure regular
16 and special education teachers and other
17 appropriate staff know how to administer
18 assessments, including how to make appro-
19 priate use of reasonable adaptations and
20 valid and reliable accommodations for such
21 assessments, for students with the most
22 significant cognitive disabilities; and

23 “(viii) requires separate determina-
24 tions about whether a student should be

1 assessed using an alternate assessment for
2 each subject assessed.

3 “(F) COMPUTER ADAPTIVE ASSESS-
4 MENT.—A State may develop and administer
5 computer adaptive assessments as the assess-
6 ments required under subparagraph (A). If a
7 State develops and administers a computer
8 adaptive assessment for such purposes, the as-
9 sessment shall meet the requirements of this
10 paragraph.

11 “(G) REDUCING DUPLICATIVE ASSESS-
12 MENT.—The State shall—

13 “(i) include, in the State plan under
14 subsection (b), a description of how the
15 State will regularly analyze assessment and
16 accommodations practice and use, and re-
17 duce duplicative assessment where appro-
18 priate; and

19 “(ii) ensure that the local educational
20 agencies report, as required in subsection
21 (d), regarding the assessments required by
22 Federal, State, and local laws, regulations,
23 or policies.

24 “(3) STATE-DESIGNED ACCOUNTABILITY SYS-
25 TEMS.—

1 “(A) ACCOUNTABILITY SYSTEM.—Each
2 State shall, not later than the beginning of the
3 2014–2015 school year, demonstrate the State
4 educational agency has developed and is imple-
5 menting a single, statewide accountability sys-
6 tem that—

7 “(i) annually measures and reports on
8 the achievement and academic growth of
9 students in all public elementary schools
10 and secondary schools and local edu-
11 cational agencies in the State, in accord-
12 ance with subparagraph (B);

13 “(ii) differentiates all local educational
14 agencies and all schools in the State ac-
15 cording to academic achievement and stu-
16 dent academic growth, English language
17 proficiency and growth for English learn-
18 ers, and, for high schools, graduation
19 rates, for all students and for each sub-
20 group described in paragraph (2)(B)(x);

21 “(iii) expects the continuous improve-
22 ment of all public schools in the State in
23 the academic achievement and academic
24 growth of all students, including the sub-
25 groups of students described in subpara-

1 graph (D), and establishes ambitious and
2 achievable annual performance targets in
3 accordance with subparagraph (C);

4 “(iv) annually identifies schools that
5 need supports and interventions to prepare
6 college and career ready students;

7 “(v) provides for the improvement,
8 through supports and interventions that
9 address student needs, of all local edu-
10 cational agencies with schools not identi-
11 fied under section 1116(d) that are not
12 meeting performance targets for subgroups
13 described in subparagraph (D);

14 “(vi) develops the capacity of local
15 educational agencies and schools to effec-
16 tively educate their students and continu-
17 ously improve;

18 “(vii) recognizes, and encourages
19 other local educational agencies to rep-
20 licate, the practices of local educational
21 agencies and schools that are successful in
22 effecting significant student achievement
23 or student academic growth; and

24 “(viii) meets the requirements of sec-
25 tion 1116.

1 “(B) MEASUREMENT OF ACHIEVEMENT
2 AND ACADEMIC GROWTH.—

3 “(i) IN GENERAL.—The State ac-
4 countability system shall measure student
5 achievement and academic growth toward
6 the college and career ready academic con-
7 tent and student academic achievement
8 standards under paragraph (1) by annually
9 measuring and reporting on, in the aggre-
10 gate and for each subgroup described in
11 subparagraph (D)—

12 “(I) the number and percentage
13 of students who are in each category
14 described in clause (ii), for each grade
15 and subject covered by an academic
16 assessment included in the account-
17 ability system, based on the State aca-
18 demic assessments for the subject;
19 and

20 “(II) for each such category of
21 students—

22 “(aa) the number and per-
23 centage of students for each
24 grade and subject who are meet-
25 ing or exceeding the State stu-

1 dent academic achievement
2 standards or are achieving suffi-
3 cient academic growth, as de-
4 scribed in clause (iii); and

5 “(bb) the number and per-
6 centage of students for each
7 grade and subject who have not
8 achieved sufficient academic
9 growth, as described in such
10 clause.

11 “(ii) CATEGORIES OF STUDENTS.—
12 The State educational agency shall estab-
13 lish not less than 3 categories of students,
14 which shall include the following:

15 “(I) A category consisting of stu-
16 dents who are meeting or exceeding
17 the State student academic achieve-
18 ment standards under paragraph (1)
19 in a subject for the students’ grade
20 level, as determined based on the
21 State academic assessments under
22 paragraph (2).

23 “(II) A category consisting of
24 students whose proficiency in a sub-
25 ject is below grade level and who are

1 achieving sufficient academic growth,
2 as described in clause (iii).

3 “(III) A category of students
4 whose proficiency in a subject is below
5 grade level and who are not achieving
6 sufficient academic growth, as de-
7 scribed in clause (iii).

8 “(iii) SUFFICIENT ACADEMIC
9 GROWTH.—For purposes of this section,
10 sufficient academic growth for a student
11 means—

12 “(I) a rate of academic growth,
13 based on a comparison of the stu-
14 dent’s performance on the most recent
15 State academic assessment with the
16 preceding State academic assessment
17 or combination of preceding State
18 academic assessments, is such that
19 the student will be performing at or
20 above grade level within 3 years;

21 “(II) a rate of academic growth,
22 based on a comparison of the stu-
23 dent’s performance on the most recent
24 State academic assessment with the
25 preceding State academic assessment

1 or combination of preceding State
2 academic assessments, is such that
3 the student will be performing at or
4 above grade level by the end of the
5 grade span of which, for purposes of
6 this section, shall be the grade spans
7 of grades 3 through 5, 6 through 8,
8 and 9 through 12; or

9 “(III) another aggressive aca-
10 demic growth model approved by the
11 Secretary that supports the State edu-
12 cational agency performance targets
13 under subparagraph (C).

14 “(C) PERFORMANCE TARGETS.—

15 “(i) IN GENERAL.—Each State shall
16 establish, after requesting and receiving
17 input from the local educational agencies
18 of the State, ambitious and achievable an-
19 nual performance targets for the State, for
20 local educational agencies in the State, and
21 for public elementary schools and sec-
22 ondary schools, for each subject and grade
23 level assessed under paragraph (2), that—

24 “(I) are adopted from the waiver
25 agreement entered into with the Sec-

1 retary through the authority under
2 section 9401 before the date of enact-
3 ment of the Strengthening America’s
4 Schools Act of 2013;

5 “(II) subject to approval by the
6 Secretary—

7 “(aa) sets a goal for every
8 public school to meet the achieve-
9 ment level of the highest-per-
10 forming 10 percent of schools in
11 the State as of the date of the
12 application submission, based on
13 the percentage of students meet-
14 ing or exceeding the State aca-
15 demic content and student aca-
16 demic achievement standards;

17 “(bb) requires annual
18 progress toward that goal for all
19 students, including all subgroups
20 of students consistent with sec-
21 tion 1111(a)(3)(D), within a
22 specified reasonable time period;
23 and

24 “(cc) ensures accelerated
25 progress for the subgroups of

1 students that start with the low-
2 est levels of student achievement;
3 or

4 “(III) are equally ambitious to
5 the performance targets described in
6 subclauses (I) and (II) and are ap-
7 proved by the Secretary.

8 “(ii) PERFORMANCE AREAS.—The
9 performance targets required under this
10 subparagraph shall include targets for—

11 “(I) student proficiency, as de-
12 scribed in subparagraph (B)(ii)(I);

13 “(II) student academic growth,
14 as determined in accordance with sub-
15 paragraph (B);

16 “(III) English language pro-
17 ficiency for English learners, as meas-
18 ured by the number of students who
19 are on track to achieving English pro-
20 ficiency, as described in paragraph
21 (1)(D) (i), by not later than 5 years
22 after being identified as English
23 learners; and

24 “(IV) for high schools, high
25 school graduation rates.

1 “(iii) BASELINES.—Each State shall
2 use student performance on the State’s
3 academic assessments used for purposes of
4 receiving funds under this subpart and
5 subpart 2 for the 2014–2015 school year
6 as the baseline for the performance tar-
7 gets, subject to paragraph (5)(B)(iv) and
8 subsection (b)(3)(C).

9 “(iv) ADDITIONAL MEASURES AND
10 PERFORMANCE TARGETS.—A State may
11 develop other measures and performance
12 targets to provide school personnel, par-
13 ents, and community members with infor-
14 mation about the effectiveness of schools in
15 closing performance gaps among subgroups
16 and bringing all students to proficiency,
17 except that any such measure shall not
18 classify individuals who have not attained
19 a high school diploma but have earned a
20 recognized equivalent of such diploma as
21 graduating from high school.

22 “(D) SUBGROUPS OF STUDENTS.—The
23 subgroups described in this subparagraph shall
24 be obtained by disaggregating students enrolled
25 in a school by each major racial and ethnic

1 group, English proficiency status, status as a
2 child with a disability, and economically dis-
3 advantaged status, except that a school shall
4 not be required to disaggregate for any sub-
5 group that includes 15 or less students if such
6 disaggregation would result in the disclosure of
7 personally identifiable information.

8 “(E) SUBJECTS COVERED.—The State
9 shall include in the accountability system the
10 subjects of reading or language arts and mathe-
11 matics, and may include science and any other
12 subject that the State chooses through its State
13 plan, if the State has adopted academic content
14 standards and student academic achievement
15 standards under paragraph (1)(C) and assess-
16 ments under paragraph (2)(B) for the subject.

17 “(F) ACCOUNTABILITY FOR CHARTER
18 SCHOOLS.—The accountability provisions under
19 this Act shall be overseen for public charter
20 schools in accordance with State charter school
21 law.

22 “(G) STUDENTS WITH THE MOST SIGNIFI-
23 CANT COGNITIVE DISABILITIES.—In deter-
24 mining the percentage of students who are
25 meeting or exceeding the State student aca-

1 demic achievement standards or are achieving
2 sufficient academic growth as described in sub-
3 paragraph (B)(iii), for a subject for any pur-
4 pose under this section or section 1116 or
5 1131, a State educational agency may include,
6 for all schools in the State, the performance of
7 the State's students with the most significant
8 cognitive disabilities on alternate assessments
9 as described in paragraph (2)(E) in the sub-
10 jects included in the State's accountability sys-
11 tem, consistent with the 1 percent limitation of
12 subsection (a)(2)(E)(i).

13 “(4) VOLUNTARY PARTNERSHIPS.—A State
14 may enter into a voluntary partnership with another
15 State to develop and implement the academic assess-
16 ments, academic content standards, and student aca-
17 demic achievement standards required under this
18 section.

19 “(5) TRANSITION PROVISIONS.—

20 “(A) IN GENERAL.—The Secretary shall
21 take such steps as are necessary to provide for
22 the orderly transition between the account-
23 ability systems required under subsection
24 (b)(2), as such section was in effect on the day
25 before the date of enactment of the Strength-

1 number of students in such subgroup
2 is less than 15;

3 “(ii) during the transition period, con-
4 tinue all interventions, services, and activi-
5 ties required under section 1116(b), as in
6 effect on the day before the date of enact-
7 ment of such Act, for schools identified for
8 corrective action under such section
9 1116(b)(7);

10 “(iii) after 2 years of using the as-
11 sessments described in clause (i)(I), estab-
12 lish a new baseline, as described in para-
13 graph (3)(C), using the new assessment
14 data; and

15 “(iv) implement sections 1111 and
16 1116, as amended by such Act, except that
17 the State shall not be required to identify
18 proficiency gaps, focus schools, or priority
19 schools under subsection(b), (c), or (d) of
20 section 1116 until 2 full school years after
21 the date of enactment of such Act.

22 “(C) END OF TRANSITION.—The transition
23 to the requirements of this part, as amended by
24 the Strengthening America’s Schools Act of

1 2013, shall be completed by not later than 2
2 years after the date of enactment of such Act.

3 “(b) STATE PLANS.—

4 “(1) IN GENERAL.—For any State desiring to
5 receive a grant under this part, the State edu-
6 cational agency shall submit to the Secretary a plan,
7 developed by the State educational agency in con-
8 sultation with local educational agencies, teachers,
9 principals, specialized instructional support per-
10 sonnel, administrators, other staff, representatives of
11 Indian tribes located in the State, and parents,
12 that—

13 “(A) demonstrates the State’s compliance
14 with this section;

15 “(B) is coordinated with the State plans
16 required by other programs under this Act, the
17 Individuals with Disabilities Education Act, the
18 Rehabilitation Act of 1973 (29 U.S.C. 701 et
19 seq.), the Carl D. Perkins Career and Technical
20 Education Act of 2006, the Head Start Act, the
21 Child Care and Development Block Grant Act
22 of 1990, and the Adult Education and Family
23 Literacy Act, and activities under title IX of
24 the Educational Amendments of 1972;

1 “(C) provides an assurance the State will
2 continue to administer the academic assess-
3 ments required under paragraphs (3)(A) and
4 (7) of this subsection, as such paragraphs were
5 in effect on the day before the date of enact-
6 ment of the Strengthening America’s Schools
7 Act of 2013, and to include the results of such
8 assessments in the State’s accountability sys-
9 tem, until the State has implemented the as-
10 sessments required under subsection (a)(2);

11 “(D) provides an assurance the State will
12 participate in the biennial State academic as-
13 sessments of grade 4 and grade 8 reading and
14 mathematics under the National Assessment of
15 Educational Progress carried out under section
16 303(b)(2) of the National Assessment of Edu-
17 cational Progress Authorization Act if the Sec-
18 retary pays the costs of administering such as-
19 sessments;

20 “(E) describes the State accountability sys-
21 tem under subsection (a)(3) and the State’s
22 plan for blue ribbon schools under section 1131
23 (if the State chooses to carry out such section);

24 “(F) describes the process the State will
25 utilize to review local educational agency plans

1 submitted pursuant to section 1112, including
2 the parent and family engagement plan de-
3 scribed in section 1118 and other provisions re-
4 lated to parent and family engagement;

5 “(G) describes the support the State will
6 provide to local educational agencies for the
7 education of homeless children and youths, and
8 how the State will comply with the require-
9 ments of subtitle B of title VII of the McKin-
10 ney-Vento Homeless Assistance Act;

11 “(H) describes how the State educational
12 agency has involved the committee of practi-
13 tioners established under section 1603(b) in de-
14 veloping the plan and monitoring its implemen-
15 tation;

16 “(I) describes how the State educational
17 agency will coordinate with the State Advisory
18 Council on Early Childhood Education and
19 Care, as appropriate;

20 “(J)(i) if the State funds full-day kinder-
21 garten programs but does not provide access to
22 such programs for all children eligible to attend
23 kindergarten in the State, describes how the
24 State plans to increase the number of students
25 in the State who are enrolled in full-day kinder-

1 garten and a strategy to implement such a
2 plan; and

3 “(ii) if the State provides funding for kin-
4 dergarten programs but does not fund full-day
5 kindergarten programs, describes how the State
6 plans to establish such programs to extend and
7 strengthen the educational continuum for chil-
8 dren entering elementary school;

9 “(K) provides an assurance that the
10 State—

11 “(i) has established a longitudinal
12 data system that includes all elements de-
13 scribed in section 6401(e)(2)(D) of the
14 America COMPETES Act (20 U.S.C.
15 9871), by the date required under the
16 terms for the allocation received by the
17 State through the State Fiscal Stabiliza-
18 tion Fund under section 14001 of the
19 American Recovery and Reinvestment Act
20 of 2009 (Public Law 111–5, 123 Stat.
21 279); or

22 “(ii) if the State was not subject to
23 any such requirement, that the State will
24 establish such a system by a date approved
25 the Secretary;

1 “(L) describes how the State and State
2 educational agency will comply with the require-
3 ments of section 1501, and the State’s plan to
4 ensure such compliance;

5 “(M) in the case of a State that proposes
6 to use funds under this part to support positive
7 behavioral interventions and supports, describes
8 how the State educational agency will—

9 “(i) assist local educational agencies
10 in implementing positive behavioral inter-
11 ventions and supports in schools served by
12 the local educational agency throughout
13 the whole school;

14 “(ii) provide technical assistance and
15 training to local educational agencies to
16 improve and support the development, im-
17 plementation, and coordination of com-
18 prehensive positive behavioral interventions
19 and supports carried out under this Act
20 with activities carried out under the Indi-
21 viduals with Disabilities Education Act;

22 “(iii) in coordination with local edu-
23 cational agencies and schools, implement
24 positive, preventative approaches to school
25 discipline to promote a positive school cli-

1 mate for all students and reduce recidivism
2 of re-entering youth offenders and discon-
3 nected youth; and

4 “(iv) evaluate the effects of providing
5 positive behavioral interventions and sup-
6 ports for all students, including improve-
7 ment of the learning environment, aca-
8 demic achievement, disciplinary problems
9 such as incidents of suspensions, expul-
10 sions, referrals to law enforcement, and
11 other actions that remove students from
12 instruction, and any other effects the State
13 chooses to evaluate;

14 “(N) in the case of a State that proposes
15 to use funds under this part to support early
16 intervening services, describes how the State
17 educational agency will—

18 “(i) assist local educational agencies
19 in implementing early intervening services
20 in schools served by the local educational
21 agency to reduce the need to label children
22 as children with disabilities in order to ad-
23 dress the learning and behavioral needs of
24 such children;

1 “(ii) provide technical assistance and
2 training to local educational agencies to
3 improve coordination of early intervening
4 services provided under this Act with early
5 intervening services carried out under the
6 Individuals with Disabilities Education
7 Act; and

8 “(iii) evaluate the effects of providing
9 early intervening services;

10 “(O) describes how the State will assist
11 local educational agencies in identifying gifted
12 and talented students, including high-ability
13 students who have not previously been formally
14 identified for gifted education services, and im-
15 plement educational approaches at the elemen-
16 tary school and secondary school levels to sup-
17 port the learning needs of gifted and talented
18 students to ensure that such students make ap-
19 propriate learning gains, such as early entrance
20 to kindergarten, enrichment, acceleration, cur-
21 riculum compacting, and dual enrollment in sec-
22 ondary school and postsecondary education;

23 “(P) describes how the State educational
24 agency will—

1 “(i) reduce suspensions, expulsions,
2 referrals to law enforcement, and other
3 disciplinary actions that remove students
4 from instruction;

5 “(ii) facilitate, to the extent prac-
6 ticable, the re-entry of juvenile offenders
7 and disconnected youth into their local
8 educational agencies;

9 “(iii) in coordination with the State
10 department of corrections or similar agen-
11 cy, ensure re-entering juvenile offenders re-
12 ceive referrals to a local educational agency
13 and provide that, for any juvenile who
14 commits an offense subject to school expul-
15 sion and is subsequently committed to a
16 detention center, secure facility, or any
17 other residential placement within the juve-
18 nile or adult criminal justice system for
19 such offense, the period of expulsion shall
20 run concurrently with the period of com-
21 mitment to the detention center, secure fa-
22 cility, or other residential placement; and

23 “(iv) in coordination with local edu-
24 cational agencies and schools, provide an-
25 nual and public reporting on, in the aggre-

1 gate, in-school suspensions, out-of-school
2 suspensions, expulsions, referrals to law
3 enforcement, school-based arrests, and dis-
4 ciplinary transfers (including placements in
5 alternative schools) in the State;

6 “(Q) describe how the State educational
7 agency will plan for pregnant and parenting
8 students to be enrolled, attend, and succeed in
9 school;

10 “(R) describes how—

11 “(i) for the first year following the
12 date of enactment of the Strengthening
13 America’s Schools Act of 2013, the State
14 educational agency will provide for the eq-
15 uitable distribution of elementary school
16 teachers, and secondary school teachers,
17 within local educational agencies and the
18 State using data on the percentage and
19 distribution of the categories of teachers
20 described in subparagraph (S) as transi-
21 tional measures of teacher quality;

22 “(ii) for each school year following the
23 first year after such date of enactment, the
24 State educational agency will provide for
25 the equitable distribution of teachers with-

1 in local educational agencies and the State
2 so that low-income and minority children
3 are not taught at higher rates than other
4 children by teachers with the lowest rat-
5 ings in the State professional growth and
6 improvement system; and

7 “(iii) beginning not later than 1 year
8 after such date of enactment, and for each
9 subsequent year, the State will report to
10 the Secretary the percentage and distribu-
11 tion of teachers in the State, based on the
12 measures used in the State, for each quar-
13 tile of schools based on school poverty
14 level, for high-minority schools, and for
15 low-minority schools; and

16 “(S) describes how the State will annually
17 submit to the Secretary, for each quartile of
18 schools in the State based on school poverty
19 level and for high-minority schools and low-mi-
20 nority schools in the State, data regarding the
21 percentage and distribution of the following cat-
22 egories of teachers:

23 “(i) Teachers who are not classified as
24 highly qualified teachers.

25 “(ii) Teachers who are new.

1 “(iii) Teachers who have not com-
2 pleted a teacher preparation program.

3 “(iv) Teachers who are not teaching
4 in the subject or field for which the teacher
5 is certified or licensed.

6 “(v) Beginning in any year for which
7 data are available from a professional
8 growth and improvement system, and not
9 later than the 2015–2016 school year,
10 teachers with the highest or lowest ratings
11 in the professional growth and improve-
12 ment system, as data from such system be-
13 come available, and in no case later than
14 the 2015–2016 school year.

15 “(2) COMPREHENSIVE PLAN.—A State plan
16 submitted under paragraph (1) may be submitted as
17 part of the comprehensive plan under section 9302.

18 “(3) DURATION OF THE PLAN.—

19 “(A) IN GENERAL.—Each State plan
20 shall—

21 “(i) remain in effect for the duration
22 of the State’s participation under this part
23 or 4 years, whichever is shorter; and

24 “(ii) be periodically reviewed and re-
25 vised as necessary by the State educational

1 agency to reflect changes in the State's
2 strategies and programs under this part.

3 “(B) ADDITIONAL INFORMATION.—

4 “(i) REVISED PLANS.—If a State
5 makes significant changes to its plan, such
6 as adopting new State academic content
7 standards, new State student achievement
8 standards, new academic assessments, or
9 improved performance targets under sub-
10 section (a), the State shall submit a re-
11 vised plan to the Secretary.

12 “(ii) REVIEW OF REVISED PLANS.—
13 The Secretary shall review the information
14 submitted under clause (i) and may, not-
15 withstanding paragraph (4), approve or
16 disapprove changes to the State plan with-
17 out undertaking the peer-review or hearing
18 process described in such paragraph.

19 “(C) RENEWAL.—A State educational
20 agency that desires to continue participating in
21 the program under this part shall submit a re-
22 newed plan every 4 years with improved per-
23 formance targets.

24 “(4) PEER REVIEW AND SECRETARIAL AP-
25 PROVAL.—

1 “(A) SECRETARIAL DUTIES.—The Sec-
2 retary shall—

3 “(i) establish a peer-review process
4 that maximizes collaboration with each
5 State to assist in the review of State plans;

6 “(ii) appoint expert individuals to the
7 peer-review process who—

8 “(I) represent a regionally di-
9 verse cross-section of States;

10 “(II) are representative of par-
11 ents, teachers, State educational agen-
12 cies, and local educational agencies;
13 and

14 “(III) are familiar with edu-
15 cational standards, assessments, ac-
16 countability, the needs of focus and
17 priority schools as described in sub-
18 sections (c) and (d) of section 1116
19 and the needs of disadvantaged stu-
20 dents, students who are children with
21 disabilities, and other educational
22 needs of students;

23 “(iii) ensure the peer-review process
24 provides timely feedback from the peer-re-
25 view panel to the States, and that such

1 feedback shall be made publicly available,
2 including through electronic means;

3 “(iv) not decline approval of a State
4 plan before—

5 “(I) offering the State an oppor-
6 tunity to revise the State plan;

7 “(II) providing technical assist-
8 ance to the State to meet the require-
9 ments of this subsection and sub-
10 sections (a) and (c); and

11 “(III) upon the request of a
12 State, providing a hearing;

13 “(v) have the authority to disapprove
14 a State plan for not meeting the require-
15 ments of this part, and may deny approval
16 to a State plan under this subsection that
17 was recommended by the peer-review panel
18 by making available written findings of the
19 cause for such disapproval;

20 “(vi) approve a State plan not later
21 than 120 days after its submission unless
22 the Secretary determines that the plan
23 does not meet the requirements of this sec-
24 tion;

1 “(vii) if the Secretary determines that
2 the State plan does not meet the require-
3 ments of this subsection and subsection
4 (c), immediately notify the State in writing
5 of such determination and the reasons for
6 such determination; and

7 “(viii) not have the authority to re-
8 quire a State, as a condition of approval of
9 the State plan, to include in, or delete
10 from, such plan 1 or more specific ele-
11 ments of the State’s academic content
12 standards or to use specific academic as-
13 sessment instruments or items.

14 “(B) STATE REVISIONS.—A State plan
15 shall be revised by the State educational agency
16 if necessary to satisfy the requirements of this
17 section.

18 “(c) PARENT AND FAMILY ENGAGEMENT.—Each
19 State plan shall include a description of how the State will
20 strengthen engagement of the parents and families in edu-
21 cation (referred to in this subsection as the ‘parent and
22 family engagement plan’) in accordance with the following:

23 “(1) STATEWIDE PARENT AND FAMILY EN-
24 GAGEMENT STRATEGY.—The parent and family en-
25 gagement plan shall demonstrate how the State

1 plans to increase and enhance the engagement of
2 parents and family members in education through-
3 out the State, through the implementation and rep-
4 lication of evidence-based or promising practices, in
5 order to—

6 “(A) increase student academic growth and
7 achievement, and college and career readiness;

8 “(B) provide parents and family members
9 with the skills and opportunities necessary to
10 become full partners in their child’s education;

11 “(C) improve child development;

12 “(D) strengthen relationships and partner-
13 ships among school personnel and parents and
14 family members, to support student academic
15 growth and achievement, and college and career
16 readiness;

17 “(E) improve the ability of local edu-
18 cational agencies and schools to increase the
19 participation of parents and family members in
20 school improvement strategies, create opportu-
21 nities for co-location and provision of services
22 for parents and family members, and foster
23 conditions for learning; and

1 “(F) focus the activities described in sub-
2 paragraphs (A) through (E) in high-need local
3 educational agencies and high-need schools.

4 “(2) COORDINATION; COLLECTION; DISSEMINA-
5 TION.—The parent and family engagement plan
6 shall describe how the State will—

7 “(A) ensure maximum coordination and
8 minimum duplication of efforts (which may in-
9 clude the designation of a parent and family en-
10 gagement coordinator) among, at a minimum—

11 “(i) Federal, State, and local pro-
12 grams;

13 “(ii) the State Advisory Councils on
14 Early Childhood Education and Care;

15 “(iii) the parent and family informa-
16 tion and resource centers established under
17 part H of title IV; and

18 “(iv) appropriate non-Federal entities
19 (including community-based and philan-
20 thropic organizations and court-appointed
21 special advocates);

22 “(B) collect and disseminate best practices
23 and research on parent and family engagement
24 strategies to—

1 “(i) local educational agencies, includ-
2 ing high-need local educational agencies,
3 and high-need schools in the State, such as
4 through parent and family engagement
5 academies and other leadership develop-
6 ment strategies; and

7 “(ii) institutions of higher education
8 and other organizations with a dem-
9 onstrated record of success in increasing
10 the engagement of parents and family
11 members in education; and

12 “(C) ensure that the process for reviewing
13 local educational agency plans pursuant to sec-
14 tion 1112 includes an assessment and response
15 to each local educational agency regarding the
16 extent to which such plans incorporate the best
17 practices identified in subparagraph (B).

18 “(3) TECHNICAL ASSISTANCE, TRAINING, AND
19 CAPACITY-BUILDING.—The State parent and family
20 engagement plan shall describe the evidence-based
21 technical assistance, professional development, or
22 other capacity-building strategies that the State will
23 provide to, at a minimum, high-need local edu-
24 cational agencies and high-need schools, which—

1 “(A) shall include the provision of tech-
2 nical assistance to local educational agencies
3 that serve schools identified as focus or priority
4 schools under subsection (c) or (d) of section
5 1116;

6 “(B) shall include partnering with the ap-
7 propriate parent and family information and re-
8 source centers;

9 “(C) may include assistance in developing,
10 revising, or implementing the local educational
11 agency plans submitted pursuant to section
12 1112 as such plans relate to supporting parent
13 and family engagement, in conjunction with
14 paragraph (2)(C);

15 “(D) may include assistance related to im-
16 plementing evidence-based parent and family
17 engagement strategies to providers of early care
18 and education; and

19 “(E) may include assistance related to im-
20 plementing evidence-based parent and family
21 engagement strategies for English learner fami-
22 lies, such as those described in section
23 3115(c)(5).

24 “(4) LEVERAGING RESOURCES.—Each State
25 plan shall include a description of how the State will

1 leverage resources of employers, business leaders,
2 philanthropic and non-profit organizations, and
3 other community members to increase and strength-
4 en parent and family engagement.

5 “(d) ANNUAL STATE REPORT CARDS.—

6 “(1) IN GENERAL.—A State that receives a
7 grant under this part shall prepare and disseminate
8 an annual report card for each public elementary
9 school and secondary school in the State, each local
10 educational agency in the State, and the State as a
11 whole.

12 “(2) REQUIREMENTS FOR ALL REPORT
13 CARDS.—The State shall ensure the school, local
14 educational agency, and State report cards required
15 under this subsection are—

16 “(A) uniform across the State;

17 “(B) concise;

18 “(C) presented in a format that is easily
19 understandable and, to the extent practicable,
20 provided in a language that parents can under-
21 stand; and

22 “(D) accessible to the public, which shall
23 include—

24 “(i) making the State report card and
25 all local educational agency and school re-

1 port cards available on a single webpage of
2 the State's website; and

3 “(ii) providing a copy of a school's re-
4 port card to the parents of each student
5 enrolled in the school each year.

6 “(3) REQUIRED STUDENT INFORMATION FOR
7 SCHOOL REPORT CARDS.—Each school report card
8 required under paragraph (1) shall include the fol-
9 lowing:

10 “(A) A clear and concise description of the
11 State's accountability system under subsection
12 (a)(3), including a description of the criteria by
13 which the State evaluates school performance,
14 and the criteria that the State has established
15 to determine the status of schools.

16 “(B) Information on each of the following
17 for the school, in the aggregate and
18 disaggregated and cross-tabulated by the sub-
19 groups described in subsection (a)(2)(B)(x) (ex-
20 cept that such disaggregation or cross-tabula-
21 tion shall not be required in a case in which the
22 results would reveal personally identifiable in-
23 formation about an individual student):

24 “(i) Student achievement at each per-
25 formance level on the State academic as-

1 assessments that are included in the State’s
2 accountability system under subsection
3 (a)(3).

4 “(ii) The percentage of students who
5 do not take the State academic assess-
6 ments.

7 “(iii) The most recent 3-year trend in
8 student achievement in each subject area,
9 and for each grade level, for such assess-
10 ments.

11 “(iv) A comparison of the school’s
12 student academic assessment data to the
13 State average for each tested subject.

14 “(v)(I) the number and percentage of
15 students who are meeting or exceeding the
16 State student academic achievement stand-
17 ards or are achieving sufficient academic
18 growth, as determined in accordance with
19 subsection (a)(3)(B)(iii), for each subject
20 area and grade level; and

21 “(II) The most recent 3-year trend in
22 student academic growth in each subject
23 area, and for each grade level, for the
24 State academic assessments.

1 “(vi) The number and percentage of
2 students with the most significant cog-
3 nitive disabilities who take an alternate as-
4 sessment under subsection (a)(2)(E), by
5 grade and subject.

6 “(vii) The number of students who
7 are English learners, and the performance
8 of such students, on the State’s English
9 language proficiency assessments under
10 sub (a)(2)(D), including the students’ at-
11 tainment of, and progress toward, higher
12 levels of English language proficiency.

13 “(viii) For each high school—

14 “(I) student graduation rates, in-
15 cluding—

16 “(aa) the 4-year adjusted
17 cohort graduation rate, as de-
18 fined in section 9101(30)(A); and

19 “(bb) the cumulative grad-
20 uation rate, as defined in section
21 9101(30)(B);

22 “(II) not later than the beginning
23 of the 2013–2014 school year, the
24 rate at which students who graduated
25 from the high school in the preceding

1 year enrolled in institutions of higher
2 education by the beginning of the next
3 school year; and

4 “(III) not later than the begin-
5 ning of the 2014–2015 school year,
6 the rate of student remediation, in the
7 aggregate, for high school graduates
8 who enroll in public institutions of
9 higher education in the State or in
10 other institutions of higher education
11 (to the extent obtaining the data re-
12 garding remediation from other insti-
13 tutions is practicable).

14 “(ix) Beginning not later than the
15 2015–2016 school year, the evaluation re-
16 sults of teachers and principals as meas-
17 ured by the State’s professional growth
18 and improvement system, except that such
19 information shall not provide individually
20 identifiable information on individual
21 teachers and principals.

22 “(x) Discipline data with respect to all
23 students in the school for the disciplinary
24 exclusionary categories described in sub-
25 paragraphs (A)(v), (D), and (E) of section

1 618(a)(1) of the Individuals with Disabil-
2 ities Education Act.

3 “(xi) The percentage of students pass-
4 ing examinations related to coursework ac-
5 ceptable for postsecondary credit at insti-
6 tutions of higher education, such as Ad-
7 vanced Placement or International Baccalaureate
8 examinations;

9 “(xii) Data regarding pregnant and
10 parenting students in the State, includ-
11 ing—

12 “(I) the number of pregnant and
13 parenting students enrolled in sec-
14 ondary schools;

15 “(II) rates, and data regarding
16 participation, of pregnant and par-
17 enting students in mainstream schools
18 or in the schools in which the students
19 originated;

20 “(III) rates, and data regarding
21 participation, of pregnant and par-
22 enting students in alternative pro-
23 grams;

24 “(IV) the number and percentage
25 of pregnant and parenting students

1 who have achieved proficiency, as de-
2 termined for purposes of subsection
3 (a)(3)(B)(ii) in each grade and sub-
4 ject assessed; and

5 “(V) graduation rates for preg-
6 nant and parenting students.

7 “(xiii) The incidence of school vio-
8 lence, bullying, drug abuse, alcohol abuse,
9 in-school student suspensions, out-of-school
10 student suspensions, expulsions, referrals
11 to law enforcement, school-based arrests,
12 disciplinary transfers (including place-
13 ments in alternative schools), and student
14 detentions, for each category.

15 “(C) The average class size, by grade.

16 “(D) The school’s categorization, if appli-
17 cable, in the State school accountability and im-
18 provement system under section 1116.

19 “(E) The most recently available academic
20 achievement results in grades 4 and 8 of the
21 State’s students on the National Assessment of
22 Educational Progress in reading and mathe-
23 matics, including the percentage of students at
24 each achievement level in the aggregate and by
25 the groups described in section 303(b)(2)(G) of

1 the National Assessment of Educational
2 Progress Authorization Act (20 U.S.C.
3 9622(b)(2)(G)).

4 “(F) The number of local educational
5 agencies in the State that implement positive
6 behavioral interventions and supports.

7 “(G) The number of students—

8 “(i) who are served through the use of
9 early intervening services; and

10 “(ii) who, in the preceding 2-year pe-
11 riod, received early intervening services
12 and who, after receiving such services,
13 have been identified as eligible for, and re-
14 ceive, special education and related services
15 under part B of the Individuals with Dis-
16 abilities Education Act.

17 “(H) The number of local educational
18 agencies in the State that implement school-
19 based mental health programs.

20 “(4) OPTIONAL INFORMATION.—A State may
21 include in each school report card such other infor-
22 mation as the State believes will best provide par-
23 ents, students, and other members of the public with
24 information regarding the progress of each of the

1 State's public elementary and secondary schools.

2 Such information may include—

3 “(A) interscholastic athletic program indi-
4 cators by gender, including number of partici-
5 pants, expenditures, number of coaches, and
6 number of competitive events;

7 “(B) indicators of school climate;

8 “(C) student attendance; and

9 “(D) school readiness of students in kin-
10 dergarten.

11 “(5) LOCAL EDUCATIONAL AGENCY AND STATE
12 REPORT CARDS.—Each local educational agency re-
13 port card and State report card required under
14 paragraph (1)—

15 “(A) shall include the data described in
16 clauses (i) through (xiv) of paragraph (3)(B)
17 for the local educational agency or State, re-
18 spectively, as a whole and disaggregated by the
19 subgroups described in subsection (a)(2)(B)(x);

20 “(B) in the case of a State report card,
21 shall include the data described in paragraph
22 (3)(B)(viii) disaggregated by status as a child
23 in foster care, except that such disaggregation
24 shall not be required in a case in which the
25 number of students in the category would reveal

1 personally identifiable information about an in-
2 dividual student;

3 “(C) in the case of a local educational
4 agency report card, shall include information
5 regarding the assessments administered annu-
6 ally, by grade level and subject, and, for each
7 assessment, whether the assessment is required
8 by Federal, State, or local statute, regulation,
9 or policy; and

10 “(D) may include any optional information
11 described in paragraph (4) for the local edu-
12 cational agency or State, respectively.

13 “(6) DATA.—A State shall only include in a
14 school report card or local educational agency report
15 card, data that do not reveal personally identifiable
16 information about an individual student or teacher.

17 “(7) PREEXISTING REPORT CARDS.—A State
18 educational agency or local educational agency that
19 was providing public report cards on the perform-
20 ance of students, schools, local educational agencies,
21 or the State prior to the date of enactment of the
22 Strengthening America’s Schools Act of 2013, may
23 use those report cards for the purpose of this sub-
24 section as long as any such report card is modified,

1 as may be needed, to contain the information re-
2 quired by this subsection.

3 “(8) COST REDUCTION.—Each State edu-
4 cational agency and local educational agency receiv-
5 ing assistance under this part shall, wherever pos-
6 sible, take steps to reduce data collection costs and
7 duplication of effort by obtaining the information re-
8 quired under this subsection through existing data
9 collection efforts.

10 “(9) CROSS-TABULATED DATA NOT USED FOR
11 ACCOUNTABILITY.—Groups of students obtained by
12 cross-tabulating data under this subsection shall not
13 be considered to be subgroups under section 1116.
14 Such cross-tabulated data shall not be used to deter-
15 mine whether a school is a focus or priority school
16 under subsection (c) or (d) of section 1116.

17 “(e) REPORTING.—

18 “(1) ANNUAL STATE REPORT.—Each State
19 educational agency that receives assistance under
20 this part shall report annually to the Secretary, and
21 make widely available within the State—

22 “(A) information on the State’s progress in
23 developing and implementing the academic as-
24 sessments described in subsection (a)(2);

1 “(B) information on the achievement and
2 academic growth of students, including results
3 disaggregated (except in a case in which the
4 number of students in a category is insufficient
5 to yield statistically reliable information or the
6 results would reveal personally identifiable in-
7 formation about an individual student) by the
8 subgroups described in subsection (a)(2)(B)(x)
9 and by status as a child in foster care;

10 “(C) information on any changes in status
11 for all public schools in the State, in accordance
12 with the State’s system of differentiation de-
13 scribed in subsection (a)(3)(A)(ii) and the cat-
14 egories required under section 1116;

15 “(D) in any year before the State begins to
16 provide the information described in subpara-
17 graph (B), information on the results of stu-
18 dent academic assessments (including results
19 disaggregated by the subgroups described in
20 subsection (a)(2)(B)(x)) required under this
21 section;

22 “(E) information on the acquisition of
23 English language proficiency by students who
24 are English learners;

1 “(F) the number of schools, and the name
2 of each school, identified as a focus or priority
3 school under subsection (c) or (d) of section
4 1116; and

5 “(G) the number of schools identified as
6 blue ribbon schools under section 1131 and the
7 name of each such school.

8 “(2) SECRETARY’S REPORT CARD AND BIEN-
9 NIAL EVALUATION REPORT.—

10 “(A) SECRETARY’S REPORT CARD.—Not
11 later than July 1, 2014, and annually there-
12 after, the Secretary shall prepare and submit to
13 the authorizing committees a national report
14 card on the status of elementary and secondary
15 education in the United States. Such report
16 shall—

17 “(i) analyze existing data from State
18 reports required under this Act, the Indi-
19 viduals with Disabilities Education Act,
20 and the Carl D. Perkins Career and Tech-
21 nical Education Act of 2006, and summa-
22 rize major findings from such reports;

23 “(ii) analyze data from the National
24 Assessment of Educational Progress and
25 international assessments, including the

1 Third International Mathematics and
2 Science Survey;

3 “(iii) identify trends in student
4 achievement, student academic growth,
5 student performance, and high school
6 graduation rates, by analyzing and report-
7 ing on the status and performance of sub-
8 groups of students, including subgroups
9 based on race, ethnicity, and socioeconomic
10 status and the subgroups of children with
11 disabilities and English learners;

12 “(iv) compare the performance of stu-
13 dents, including the subgroups described in
14 clause (iii), across States and local edu-
15 cational agencies across the United States;

16 “(v) identify and report on promising
17 practices, areas of greatest improvement in
18 student achievement and educational at-
19 tainment, and other examples worthy of
20 national attention;

21 “(vi) identify and report on areas of
22 educational concern that warrant national
23 attention; and

24 “(vii)(I) analyze existing data, as of
25 the time of the report, on Federal, State,

1 and local expenditures on education, in-
2 cluding per pupil spending, teacher salaries
3 and pension obligations, school level spend-
4 ing, and other financial data publicly avail-
5 able; and

6 “(II) report on current trends and
7 major findings resulting from the analysis.

8 “(B) SPECIAL RULE.—The information
9 used to prepare the report described in sub-
10 paragraph (A) shall be derived from existing
11 State and local reporting requirements and data
12 sources. Nothing in this paragraph shall be con-
13 strued as authorizing, requiring, or allowing
14 any additional reporting requirements, data ele-
15 ments, or information to be reported to the Sec-
16 retary not otherwise explicitly authorized by any
17 other Federal law.

18 “(C) BIENNIAL REPORT.—The Secretary
19 shall transmit biennially to the authorizing
20 committees a report that provides national and
21 State-level data on the information collected
22 under paragraph (1).

23 “(f) PENALTIES.—If a State that receives a grant
24 under this part fails to meet any requirement of this part,
25 the Secretary may withhold funds for State administration

1 under this part until the Secretary determines that the
2 State has fulfilled those requirements.

3 “(g) PARENTS’ RIGHT-TO-KNOW.—

4 “(1) QUALIFICATIONS.—At the beginning of
5 each school year, a local educational agency that re-
6 ceives funds under this part shall notify the parents
7 of each student attending any school receiving funds
8 under this part that the parents may request, and
9 the agency will provide the parents on request (and
10 in a timely manner), information regarding the pro-
11 fessional qualifications of the student’s classroom
12 teachers, including, at a minimum, the following:

13 “(A) Whether the teacher has met State
14 qualification and licensing criteria for the grade
15 levels and subject areas in which the teacher
16 provides instruction.

17 “(B) Whether the teacher is teaching
18 under emergency or other provisional status
19 through which State qualification or licensing
20 criteria have been waived.

21 “(C) The baccalaureate degree major of
22 the teacher and any other graduate certification
23 or degree held by the teacher, and the field of
24 discipline of the certification or degree.

1 “(D) Whether the student is provided serv-
2 ices by paraprofessionals and, if so, their quali-
3 fications.

4 “(2) EQUITY REPORT CARD.—A local edu-
5 cational agency that receives funds under this part
6 shall make available to parents, separately or as a
7 clearly identified part of the school report card, and
8 through easily accessible means, including electronic
9 means, the following information for each school:

10 “(A) student achievement data at each
11 performance level, for each category of students
12 described in subsection (a)(3)(B)(ii), on the
13 State academic assessments included in the
14 State accountability system under subsection
15 (a)(3), disaggregated by the subgroups de-
16 scribed in subsection (a)(2)(B)(x);

17 “(B) Individual school funding by source,
18 including Federal, State, and local funding and
19 grants;

20 “(C) For each high school, the 4-year ad-
21 justed cohort graduation rate, as described in
22 section 9101(32)(A), and the rate at which stu-
23 dents graduating from the high school in the
24 preceding year enrolled in institutions of higher

1 education by the beginning of the next school
2 year;

3 “(D) Data regarding educational oppor-
4 tunity participation, which data—

5 “(i) shall include, at a minimum, pre-
6 kindergarten and full-day kindergarten op-
7 portunities for children and opportunities
8 for Advanced Placement or International
9 Baccalaureate course work; and

10 “(ii) may include such opportunities
11 as dual enrollment, gifted programming,
12 and other educational programming.

13 “(E) Information regarding each school’s
14 school climate, including student survey results
15 and school discipline data, which may include
16 information such as the incidence of school vio-
17 lence, bullying, in-school student suspensions,
18 out-of-school student suspensions, expulsions,
19 referrals to law enforcement, school-based ar-
20 rests, disciplinary transfers (including place-
21 ments in alternative schools), and student de-
22 tentions.

23 “(F) Other data that, in conjunction with
24 the local educational agency report card de-
25 scribed in subsection (d), is determined, by the

1 State or local educational agency in consulta-
2 tion with parents, families, and educators, to be
3 necessary to allow parents, families, and com-
4 munity members to understand, and compare
5 with other schools in the local educational agen-
6 cy and across the State, the resources available
7 to the school that influence the outcomes for
8 students.

9 “(3) ADDITIONAL INFORMATION.—In addition
10 to the information that parents of students may re-
11 quest under paragraph (1), a school that receives
12 funds under this part shall provide to each indi-
13 vidual parent, with respect to the student—

14 “(A) information on the level of achieve-
15 ment and academic growth of the student on
16 each of the State academic assessments as re-
17 quired under this part; and

18 “(B) timely notice that the student has
19 been assigned, or has been taught for 4 or more
20 consecutive weeks by, a teacher who does not
21 hold a State qualification or license to teach at
22 the grade level and subject area in which the
23 teacher has been assigned.

24 “(4) FORMAT.—The notice and information
25 provided to parents under this subsection shall be in

1 an understandable and uniform format and, to the
2 extent practicable, provided in a language that the
3 parents can understand.

4 “(h) PRIVACY.—Information collected under this sec-
5 tion shall be collected and disseminated in a manner that
6 protects the privacy of individuals.

7 “(i) TECHNICAL ASSISTANCE.—The Secretary shall
8 provide a State educational agency, at the State edu-
9 cational agency’s request, with technical assistance in
10 meeting the requirements of this section.

11 “(j) CONSTRUCTION.—Nothing in this part shall be
12 construed to prescribe the use of the academic assess-
13 ments described in this part for student promotion or
14 graduation purposes.

15 “(k) SPECIAL RULE WITH RESPECT TO BUREAU-
16 FUNDED SCHOOLS.—In determining the assessments to be
17 used by each school operated or funded by the Bureau
18 of Indian Education of the Department of Interior that
19 receives funds under this part, the following shall apply:

20 “(1) STATE ACCREDITED SCHOOLS.—Each such
21 school accredited by the State in which it is oper-
22 ating shall use the assessments the State has devel-
23 oped and implemented to meet the requirements of
24 this section, or such other appropriate assessment as
25 approved by the Secretary of the Interior.

1 “(2) REGIONALLY ACCREDITED SCHOOLS.—
2 Each such school accredited by a regional accred-
3 iting organization shall adopt appropriate assess-
4 ments, in consultation with and with the approval of,
5 the Secretary of the Interior and consistent with as-
6 sessments adopted by other schools in the same
7 State or region, that meets the requirements of this
8 section.

9 “(3) TRIBALLY ACCREDITED SCHOOLS.—Each
10 such school accredited by a tribal accrediting agency
11 or tribal division of education shall use assessments
12 developed by such agency or division, except that the
13 Secretary of the Interior shall ensure that such as-
14 sessments meet the requirements of this section.”.

15 **SEC. 1112. LOCAL EDUCATIONAL AGENCY PLANS.**

16 Section 1112 (20 U.S.C. 6312) is amended to read
17 as follows:

18 **“SEC. 1112. LOCAL EDUCATIONAL AGENCY PLANS.**

19 “(a) PLANS REQUIRED.—

20 “(1) SUBGRANTS.—A local educational agency
21 may receive a subgrant under this part for any fiscal
22 year only if such agency has on file with the State
23 educational agency a plan, approved by the State
24 educational agency, that is coordinated with other
25 programs under this Act, the Individuals with Dis-

1 abilities Education Act, the Carl D. Perkins Career
2 and Technical Education Act of 2006, the McKin-
3 ney-Vento Homeless Assistance Act, and other Acts,
4 as appropriate, and activities under title IX of the
5 Education Amendments of 1972.

6 “(2) CONSOLIDATED APPLICATION.—The plan
7 may be submitted as part of a consolidated applica-
8 tion under section 9305.

9 “(b) PLAN DEVELOPMENT AND DURATION.—

10 “(1) CONSULTATION.—Each local educational
11 agency plan shall be developed in consultation
12 with—

13 “(A) teachers, principals, administrators,
14 and other appropriate school personnel;

15 “(B) representatives of early childhood
16 education programs in the geographic area
17 served by the local educational agency, as ap-
18 propriate; and

19 “(C) parents and family members of chil-
20 dren in schools served under this part.

21 “(2) DURATION.—Each local educational agen-
22 cy plan shall be submitted pursuant to this section
23 for the first year for which this part is in effect fol-
24 lowing the date of enactment of the Strengthening
25 America’s Schools Act of 2013, and such plan shall

1 remain in effect until the date of renewal as deter-
2 mined under paragraph (4) by the State.

3 “(3) REVIEW.—Each local educational agency
4 shall periodically review and, as necessary, revise its
5 plan to reflect changes in the local educational agen-
6 cy’s strategies and programs under this part, and
7 changes in the State performance targets under sec-
8 tion 1111(a)(3).

9 “(4) RENEWAL.—A local educational agency
10 that desires to continue participating in the program
11 under this part shall submit a renewed plan on a
12 periodic basis, as determined by the State.

13 “(c) STATE APPROVAL.—

14 “(1) IN GENERAL.—Each local educational
15 agency plan shall be filed according to a schedule es-
16 tablished by the State educational agency.

17 “(2) APPROVAL.—The State educational agency
18 shall approve a local educational agency’s plan only
19 if the State educational agency determines that the
20 local educational agency’s plan—

21 “(A) enables schools served under this part
22 to substantially help children served under this
23 part meet the academic content and student
24 academic achievement standards expected of all
25 children described in section 1111(a)(1) and the

1 performance targets described in section
2 1111(a)(3)(C); and

3 “(B) meets the requirements of this part.

4 “(d) PLAN PROVISIONS.—In order to help low-achiev-
5 ing children meet college and career ready student aca-
6 demic achievement standards, and to close the achieve-
7 ment gap between high- and low-achieving children each
8 local educational agency plan shall describe each of the
9 following:

10 “(1) How the local educational agency will work
11 with each of the schools served by the agency to—

12 “(A) develop and implement a comprehen-
13 sive program of instruction to meet the aca-
14 demic needs of all students;

15 “(B) identify quickly and effectively stu-
16 dents who may be at risk for academic failure;

17 “(C) provide additional educational assist-
18 ance to individual students assessed as needing
19 help in meeting the State’s college and career
20 ready student academic achievement standards;

21 “(D) identify significant gaps in student
22 achievement among subgroups of students iden-
23 tified under section 1111(a)(2)(B)(x) and de-
24 velop strategies to reduce such gaps in achieve-
25 ment; and

1 “(E) identify and implement effective
2 methods and instructional strategies that are
3 based on scientifically valid research intended to
4 strengthen the core academic programs of the
5 schools, including using multi-tiered systems of
6 support, universal design for learning, and posi-
7 tive behavioral interventions and supports.

8 “(2) How the local educational agency will mon-
9 itor and evaluate the effectiveness of school pro-
10 grams in improving student academic achievement
11 and academic growth, especially for students de-
12 scribed in section 1111(a)(3)(B)(ii)(II).

13 “(3) The strategy the local educational agency
14 will use to implement effective parent and family en-
15 gagement under section 1118.

16 “(4) How the local educational agency will co-
17 ordinate and integrate services provided under this
18 part with other high-quality early childhood edu-
19 cation programs at the local educational agency or
20 individual school level (including programs under
21 section 619 of the Individuals with Disabilities Edu-
22 cation Act) that include plans for the transition of
23 participants in such programs to local elementary
24 school programs and, if appropriate, a description of
25 how the local educational agency will use funds

1 under this part to support preschool programs for
2 children, particularly children participating in a
3 Head Start program, which may be provided directly
4 by the local educational agency or through a sub-
5 contract with the Head Start agency designated by
6 the Secretary of Health and Human Services under
7 section 641 of the Head Start Act, or another com-
8 parable public early childhood education program.

9 “(5) How activities under this part will be co-
10 ordinated and integrated with Federal, State, and
11 local services and programs, including programs sup-
12 ported under this Act, the Carl D. Perkins Career
13 and Technical Education Act of 2006, the Individ-
14 uals with Disabilities Education Act, the Rehabilita-
15 tion Act of 1973, the Head Start Act, the Child
16 Care and Development Block Grant Act of 1990,
17 and the Workforce Investment Act of 1998, violence
18 prevention programs, nutrition programs, and hous-
19 ing programs.

20 “(6) How the local educational agency will co-
21 ordinate and integrate services provided under this
22 part with local workforce development programs that
23 serve disadvantaged or out-of-school youth, such as
24 those providing workforce investment activities
25 under chapter 4 of subtitle B of title I of the Work-

1 force Investment Act of 1998, including a descrip-
2 tion of how the local educational agency will use
3 funds under this part to support such activities.

4 “(7) The poverty criteria that will be used to
5 select school attendance areas under section 1113.

6 “(8) How teachers, in consultation with parents
7 and family members, administrators, and specialized
8 instructional support personnel, in targeted assist-
9 ance schools under section 1115, will identify the eli-
10 gible children most in need of services under this
11 part.

12 “(9) How the local educational agency will iden-
13 tify and address any disparities in the equitable dis-
14 tribution of teachers, consistent with the require-
15 ments of section 1111(b)(1)(L).

16 “(10) How the local educational agency will
17 provide for the equitable distribution of elementary
18 school teachers, and of secondary school teachers,
19 within local educational agencies and the State using
20 data on the percentage and distribution of the cat-
21 egories of teachers described in subsection (e)(13).

22 “(11) A general description of the nature of the
23 programs to be conducted by such agency’s schools
24 under sections 1114 and 1115 and, where appro-
25 priate, educational services outside such schools for

1 children living in local institutions for neglected or
2 delinquent children, and for neglected and delin-
3 quent children in community day school programs.

4 “(12) A description of—

5 “(A) how the local educational agency will
6 provide opportunities for the enrollment, at-
7 tendance, and success of homeless children and
8 youths; and

9 “(B) the services the local educational
10 agency will provide homeless children and
11 youths, including services provided with funds
12 reserved under section 1113(c)(3), and how
13 those services may differ from those provided in
14 prior years.

15 “(13) A description of the support the local
16 educational agency will provide for homeless children
17 and youths, consistent with the requirements of the
18 McKinney-Vento Homeless Assistance Act.

19 “(14) For each quartile of schools in the local
20 educational agency based on school poverty level and
21 for high-minority schools and low-minority schools in
22 the local educational agency, data regarding access
23 at the high school level to rigorous coursework, in-
24 cluding—

1 “(A) access to opportunities to earn post-
2 secondary credit while in high school, such as
3 through Advanced Placement and International
4 Baccalaureate courses and examinations, and
5 dual enrollment; and

6 “(B) student performance on Advanced
7 Placement and International Baccalaureate
8 course examinations.

9 “(15) How the local educational agency will
10 identify and address any disparity within the student
11 subgroups described in section 1111(a)(3)(D) in eq-
12 uitable access to rigorous coursework, including ac-
13 cess to opportunities described in paragraph
14 (14)(A).

15 “(16) How the local educational agency will en-
16 gage in timely, on-going, and meaningful consulta-
17 tion with representatives of Indian tribes in the area
18 served by such local educational agency to improve
19 the coordination of activities under this Act and to
20 meet the unique cultural, language, and academic
21 needs of Indian and Native Hawaiian students.

22 “(17) How the local educational agency will im-
23 plement strategies to facilitate effective transitions
24 for students from middle school to high school and
25 from high school to postsecondary education.

1 “(18) If the local educational agency proposes
2 to use subgrant funds under this part for positive
3 behavioral interventions and supports, a description
4 of the actions the local educational agency will take
5 to provide positive behavioral interventions and sup-
6 ports and coordinate those activities with activities
7 carried out under the Individuals with Disabilities
8 Education Act.

9 “(19) If the local educational agency proposes
10 to use subgrant funds under this part for early in-
11 tervening services, a description of the actions the
12 local educational agency will take to provide early in-
13 tervening services and coordinate those services with
14 early intervening services carried out under the Indi-
15 viduals with Disabilities Education Act.

16 “(20) If the local educational agency proposes
17 to use subgrant funds under this part for school-
18 based mental health programs, a description of the
19 actions the local educational agency will take to pro-
20 vide school-based mental health programs and co-
21 ordinate those activities with activities carried out
22 under the Individuals with Disabilities Education
23 Act.

24 “(21) If the local educational agency proposes
25 to use subgrant funds under this part for periodi-

1 cally updating the crisis management plan of the
2 local educational agency, as described in section
3 4202(d)(5)(B)(iv), a description of the actions the
4 local educational agency will take to develop and im-
5 plement an updated crisis management plan.

6 “(22) A description of how the local educational
7 agency will plan for pregnant and parenting stu-
8 dents to be enrolled, attend, and succeed in school.

9 “(e) ASSURANCES.—Each local educational agency
10 plan shall provide assurances that the local educational
11 agency will—

12 “(1) use the results of the academic assess-
13 ments required under section 1111(a)(2), and other
14 measures or indicators available to the agency, to re-
15 view annually the progress of each school served by
16 the agency and receiving funds under this part to
17 determine whether all of the schools are making the
18 progress necessary to ensure all students will be per-
19 forming at or above grade level on the State aca-
20 demic assessments required under such section, in
21 accordance with the ambitious targets described in
22 the State plan under section 1111(a)(3)(C);

23 “(2) provide to parents and teachers the results
24 from the academic assessments required under sec-
25 tion 1111(a)(2) as soon as is practicably possible

1 after the test is taken in an understandable and uni-
2 form format and, to the extent possible, provided in
3 a language that the parents and, to the greatest ex-
4 tent practicable, family members, can understand;

5 “(3) participate, if selected, in State academic
6 assessments of student achievement in reading and
7 mathematics in grades 4 and 8 carried out under
8 section 303(b)(3) of the National Assessment of
9 Educational Progress Authorization Act;

10 “(4) fulfill such agency’s school improvement
11 responsibilities under section 1116;

12 “(5) ensure that migratory children who are eli-
13 gible to receive services under this part are selected
14 to receive such services on the same basis as other
15 children who are selected to receive services under
16 this part;

17 “(6) engage in timely and meaningful consulta-
18 tion with representatives of Indian tribes located in
19 the area served by the local educational agency;

20 “(7) provide services to eligible children attend-
21 ing private elementary schools and secondary schools
22 in accordance with section 1120, and timely and
23 meaningful consultation with private school officials
24 regarding such services;

1 “(8) inform eligible schools of the local edu-
2 cational agency’s authority to obtain waivers on the
3 school’s behalf under applicable Federal flexibility
4 provisions;

5 “(9) in the case of a local educational agency
6 that chooses to use funds under this part to provide
7 early childhood education services to low-income chil-
8 dren below the age of compulsory school attendance,
9 ensure that such services comply with the education
10 performance standards in effect under section
11 641A(a)(1)(B) of the Head Start Act;

12 “(10) comply with the requirements of section
13 1501 that relate to the local educational agency and
14 describe the local educational agency’s plan to en-
15 sure such compliance;

16 “(11) comply with the requirements of subtitle
17 B of title VII of the McKinney-Vento Homeless As-
18 sistance Act that relate to the local educational
19 agency;

20 “(12) annually submit to the State educational
21 agency the information contained in each school eq-
22 uity report card described in section 1111(g)(2); and

23 “(13) annually submit to the State educational
24 agency, for each quartile of schools in the local edu-
25 cational agency based on school poverty level and for

1 high-minority schools and low-minority schools in
2 the local educational agency, data regarding the per-
3 centage and distribution of the following categories
4 of teachers:

5 “(A) Teachers who are new.

6 “(B) Teachers who have not completed a
7 teacher preparation program.

8 “(C) Teachers who are not teaching in the
9 subject or field for which the teacher is certified
10 or licensed.

11 “(D) Where applicable, teachers who have
12 the highest or lowest ratings in a professional
13 growth and improvement system.

14 “(f) PARENTAL NOTIFICATION REGARDING LAN-
15 GUAGE INSTRUCTION PROGRAMS.—

16 “(1) IN GENERAL.—Each local educational
17 agency using funds under this part to provide a lan-
18 guage instruction educational program as deter-
19 mined under part C of title III shall, not later than
20 30 days after the beginning of the school year, in-
21 form a parent or parents of an English learner iden-
22 tified for participation or participating in, such a
23 program of—

24 “(A) the reasons for the identification of
25 their child as an English learner and in need of

1 placement in a language instruction educational
2 program;

3 “(B) the child’s level of English pro-
4 ficiency, how such level was assessed, and the
5 status of the child’s academic achievement;

6 “(C) the methods of instruction used in
7 the program in which their child is, or will be,
8 participating, and the methods of instruction
9 used in other available programs, including how
10 such programs differ in content, instructional
11 goals, and the use of English and a native lan-
12 guage in instruction;

13 “(D) how the program in which their child
14 is, or will be, participating, will meet the edu-
15 cational strengths and needs of their child;

16 “(E) how such program will specifically
17 help their child learn English, and meet age-ap-
18 propriate academic achievement standards for
19 grade promotion and graduation;

20 “(F) the specific exit requirements for the
21 program, including the expected rate of transi-
22 tion from such program into classrooms that
23 are not tailored for English learners, and the
24 expected rate of graduation from secondary

1 school for such program if funds under this
2 part are used for children in secondary schools;

3 “(G) in the case of a child with a dis-
4 ability, how such program meets the objectives
5 of the individualized education program of the
6 child; and

7 “(H) information pertaining to parental
8 rights that includes written guidance—

9 “(i) detailing—

10 “(I) the right that parents have
11 to have their child immediately re-
12 moved from such program upon their
13 request; and

14 “(II) the options that parents
15 have to decline to enroll their child in
16 such program or to choose another
17 program or method of instruction, if
18 available; and

19 “(ii) assisting parents in selecting
20 among various programs and methods of
21 instruction, if more than 1 program or
22 method is offered by the eligible entity.

23 “(2) NOTICE.—The notice and information pro-
24 vided in paragraph (1) to a parent or parents of a
25 child identified for participation in a language in-

1 instruction educational program for English learners
2 shall be in an understandable and uniform format
3 and, to the extent practicable, provided in a lan-
4 guage that the parents can understand.

5 “(3) SPECIAL RULE APPLICABLE DURING THE
6 SCHOOL YEAR.—For those children who have not
7 been identified as English learners prior to the be-
8 ginning of the school year and who are subsequently
9 so identified, the local educational agency shall no-
10 tify the parents of such children within the first 2
11 weeks of the child being placed in a language in-
12 struction educational program consistent with para-
13 graphs (1) and (2).

14 “(4) PARENTAL PARTICIPATION.—Each local
15 educational agency receiving funds under this part
16 shall implement an effective means of outreach to
17 parents and, to the extent practicable, family mem-
18 bers, of English learner students to inform the par-
19 ents and family members regarding how the parents
20 and family members can be involved in the education
21 of their children, and be active participants in assist-
22 ing their children to attain English proficiency,
23 achieve at high levels in core academic subjects, and
24 meet college and career ready State student aca-
25 demic achievement standards and State academic

1 content standards expected of all students, including
2 holding, and sending notice of opportunities for, reg-
3 ular meetings for the purpose of formulating and re-
4 sponding to recommendations from parents and fam-
5 ily members of students assisted under this part.

6 “(5) BASIS FOR ADMISSION OR EXCLUSION.—A
7 student shall not be admitted to, or excluded from,
8 any federally assisted education program on the
9 basis of a surname or language-minority status.”.

10 **SEC. 1113. ELIGIBLE SCHOOL ATTENDANCE AREAS.**

11 Section 1113 (20 U.S.C. 6313) is amended—

12 (1) in subsection (a)—

13 (A) by striking paragraph (3) and insert-
14 ing the following:

15 “(3) RANKING ORDER.—

16 “(A) IN GENERAL.—Except as provided in
17 subparagraph (B), if funds allocated in accord-
18 ance with subsection (c) are insufficient to serve
19 all eligible school attendance areas, a local edu-
20 cational agency shall—

21 “(i) annually rank, without regard to
22 grade spans, such agency’s eligible school
23 attendance areas in which the concentra-
24 tion of children from low-income families
25 exceeds 75 percent, or exceeds 50 percent

1 in the case of the high schools served by
2 such agency, from highest to lowest ac-
3 cording to the percentage of children from
4 low-income families; and

5 “(ii) serve such eligible school attend-
6 ance areas in rank order.

7 “(B) APPLICABILITY.—A local educational
8 agency shall not be required to reduce, in order
9 to comply with subparagraph (A), the amount
10 of funding provided under this part to elemen-
11 tary schools and middle schools from the
12 amount of funding provided under this part to
13 such schools for the fiscal year preceding the
14 data of enactment of the Strengthening Amer-
15 ica’s Schools Act of 2013 in order to provide
16 funding under this part to high schools pursu-
17 ant to subparagraph (A).”;

18 (B) by striking paragraph (5) and insert-
19 ing the following:

20 “(5) MEASURES.—

21 “(A) IN GENERAL.—Except as provided in
22 subparagraph (B), the local educational agency
23 shall use the same measure of poverty, which
24 measure shall be the number of children ages 5
25 through 17 in poverty counted in the most re-

1 cent census data approved by the Secretary, the
2 number of children eligible for free and reduced
3 priced lunches under the Richard B. Russell
4 National School Lunch Act, the number of chil-
5 dren in families receiving assistance under the
6 State program funded under part A of title IV
7 of the Social Security Act, or the number of
8 children eligible to receive medical assistance
9 under the Medicaid program, or a composite of
10 such indicators, with respect to all school at-
11 tendance areas in the local educational agen-
12 cy—

13 “(i) to identify eligible school attend-
14 ance areas;

15 “(ii) to determine the ranking of each
16 area; and

17 “(iii) to determine allocations under
18 subsection (c).

19 “(B) LOW-INCOME FAMILIES IN SEC-
20 ONDARY SCHOOLS.—For measuring the number
21 of students in low-income families in secondary
22 schools, the local educational agency shall use
23 the same measure of poverty, which shall be the
24 calculation producing the greater of the results
25 from among the following 2 calculations:

1 “(i) The calculation described under
2 subparagraph (A).

3 “(ii) A feeder pattern described in
4 subparagraph (C).

5 “(C) FEEDER PATTERN.—In this part, the
6 term ‘feeder pattern’ means an accurate esti-
7 mate of the number of students in low-income
8 families in a secondary school that is calculated
9 by applying the average percentage of students
10 in low-income families of the elementary school
11 attendance areas as calculated under subpara-
12 graph (A) that feed into the secondary school to
13 the number of students enrolled in such
14 school.”; and

15 (C) by adding at the end the following:

16 “(8) RESERVATION FOR EARLY CHILDHOOD
17 EDUCATION.—A local educational agency may re-
18 serve funds made available to carry out this section
19 for early childhood education in eligible school at-
20 tendance areas before making allocations to high
21 schools in eligible school attendance areas pursuant
22 to this section.”; and

23 (2) in subsection (c)—

24 (A) by striking paragraph (3) and insert-
25 ing the following:

1 “(3) RESERVATION FOR HOMELESS CHILDREN
2 AND YOUTH AND OTHER AT-RISK CHILDREN.—

3 “(A) FUNDS FOR HOMELESS CHILDREN
4 AND YOUTH AND OTHER AT-RISK CHILDREN.—

5 A local educational agency shall reserve such
6 funds as are necessary under this part to
7 serve—

8 “(i) homeless children who are attend-
9 ing any public school served by the local
10 educational agency, including providing
11 educationally related support services to
12 children in shelters and other locations
13 where children may live;

14 “(ii) children in local institutions for
15 neglected children;

16 “(iii) if appropriate, children in local
17 institutions for delinquent children, and
18 neglected or delinquent children in commu-
19 nity day programs; and

20 “(iv) children in foster care (as de-
21 fined in section 1502), including providing
22 points of contact (as described in section
23 1501(d)) in local educational agencies for
24 child welfare agencies and children in fos-
25 ter care.

1 “(B) RESERVATION OF FUNDS.—Notwith-
2 standing the requirements of subsections (b)
3 and (c) of section 1120A, funds reserved under
4 subparagraph (A) may be used to provide
5 homeless children and youths with services not
6 ordinarily provided to other students under this
7 part, including—

8 “(i) providing funding for the liaison
9 designated pursuant to section
10 722(g)(1)(J)(ii) of the McKinney-Vento
11 Homeless Assistance Act;

12 “(ii) providing transportation pursu-
13 ant to section 722(g)(1)(J)(iii) of such
14 Act;

15 “(iii) providing services to preschool-
16 aged homeless children and homeless sec-
17 ondary school students;

18 “(iv) providing support services to
19 homeless children and youths in shelters
20 and other locations where they may live;
21 and

22 “(v) removing barriers to homeless
23 children and youths’ enrollment, attend-
24 ance, retention, and success in school.

1 “(C) AMOUNT RESERVED.—The amount of
2 funds reserved in accordance with subparagraph
3 (A)(i) shall be determined by an assessment of
4 the needs of homeless children and youths in
5 the local educational agency. Such needs assess-
6 ment shall include the following:

7 “(i) Information related to child,
8 youth, and family homelessness in the local
9 educational agency obtained through the
10 coordination and collaboration required
11 under subsections (f)(4) and (g)(5) of sec-
12 tion 722 of the McKinney-Vento Homeless
13 Assistance Act.

14 “(ii) The number of homeless children
15 and youths reported by the local edu-
16 cational agency to the State educational
17 agency under section 722(f)(3) of the
18 McKinney-Vento Homeless Assistance Act
19 for the previous school year.”; and

20 (B) in paragraph (4), by striking “eligible
21 under this section and identified for school im-
22 provement, corrective action, and restructuring
23 under section 1116(b)” and inserting “identi-
24 fied as a priority school under section 1116(d)”.

1 **SEC. 1114. SCHOOLWIDE PROGRAMS.**

2 Section 1114 (20 U.S.C. 6314) is amended—

3 (1) in subsection (a)—

4 (A) in paragraph (1), by adding at the end
5 the following: “Funds under this part may be
6 used to support evidence-based activities that
7 address needs identified through the com-
8 prehensive needs assessment under subsection
9 (b)(1)(A) and consistent with the schoolwide
10 program.”;

11 (B) in paragraph (2)—

12 (i) in subparagraph (A)(ii), by strik-
13 ing “provide” and all that follows through
14 the period and inserting “identify par-
15 ticular services as supplemental.”; and

16 (ii) by striking subparagraph (B) and
17 inserting the following:

18 “(B) SUPPLEMENTAL FUNDS.—

19 “(i) IN GENERAL.—A local edu-
20 cational agency serving a school partici-
21 pating in a schoolwide program shall use
22 funds available to carry out this section
23 only to supplement the aggregate amount
24 of funds that would, in the absence of
25 funds under this part, be made available
26 from State and local sources for the school,

1 including funds needed to provide services
2 that are required by law for children with
3 disabilities and children who are English
4 learners.

5 “(ii) COMPLIANCE.—To demonstrate
6 compliance with clause (i), a local edu-
7 cational agency shall demonstrate that the
8 methodology it uses to allocate State and
9 local funds to each school receiving funds
10 under this part ensures the school receives
11 all of the State and local funds the school
12 would otherwise receive if it were not re-
13 ceiving funds under this part.

14 “(iii) NONAPPLICABILITY.—Section
15 1120A(b) shall not apply to schools oper-
16 ating schoolwide programs under this sec-
17 tion.”;

18 (C) in paragraph (3)(B)—

19 (i) by inserting “or” after “civil
20 rights,”; and

21 (ii) by striking “, services to private
22 school children, maintenance of effort,
23 comparability of services, uses of Federal
24 funds to supplement, not supplant non-
25 Federal funds, or the distribution of funds

1 to State educational agencies or local edu-
2 cational agencies”; and

3 (D) by striking paragraph (4) and insert-
4 ing the following:

5 “(4) EXTERNAL PROVIDERS.—A school may
6 carry out a schoolwide program under this sub-
7 section through an external provider if the school
8 demonstrates, in the plan required under subsection
9 (b)(2), that the external provider has expertise in
10 using strategies and programs that are based on sci-
11 entifically valid research to improve teaching, learn-
12 ing, and schools.”;

13 (2) in subsection (b)—

14 (A) in paragraph (1)—

15 (i) in subparagraph (A)—

16 (I) by striking “section 1309(2)”
17 and inserting “section 1312”; and

18 (II) by striking “section
19 1111(b)(1)” and inserting “section
20 1111(a)(1)”; and

21 (ii) in subparagraph (B)—

22 (I) in clause (i), by striking “to
23 meet the State’s proficient and ad-
24 vanced levels of student academic
25 achievement described in section

1 1111(b)(1)(D)” and inserting “to be
2 proficient or advanced students, as de-
3 scribed in section
4 1111(a)(3)(B)(ii)(I)”;

5 (II) in clause (ii), by striking
6 “scientifically based research” and in-
7 serting “scientifically valid research”;
8 and

9 (III) in clause (iii)—

10 (aa) in subclause (I)—

11 (AA) in item (aa), by
12 striking “pupil services” and
13 inserting “specialized in-
14 structional support serv-
15 ices”;

16 (BB) in item (bb), by
17 striking “and” after the
18 semicolon;

19 (CC) in item (cc), by
20 striking “vocational and
21 technical education pro-
22 grams; and” and inserting
23 “career and technical edu-
24 cation programs;”; and

1 (DD) by adding at the
2 end the following:

3 “(dd) implementation of
4 schoolwide positive behavioral
5 interventions and supports, in-
6 cluding through coordination
7 with activities carried out under
8 the Individuals with Disabilities
9 Education Act, in order to im-
10 prove academic outcomes for stu-
11 dents and reduce the need for
12 suspensions, expulsions, and
13 other actions that remove stu-
14 dents from instruction; and

15 “(ee) implementation of
16 early intervening services, includ-
17 ing through coordination with
18 early intervening services carried
19 out under the Individuals with
20 Disabilities Education Act;” and

21 (bb) in subclause (II), by
22 striking “and” after the semi-
23 colon; and

24 (cc) by adding at the end
25 the following:

1 “(III) a multi-tier system of sup-
2 ports and positive behavioral interven-
3 tions and supports; and

4 “(IV) support for programs, ac-
5 tivities, courses, and professional de-
6 velopment in the core academic sub-
7 jects that are targeted toward assist-
8 ing children described in subclause (I)
9 in meeting the academic content and
10 student academic achievement stand-
11 ards described in section 1111(a)(1);
12 and”;

13 (iii) in subparagraph (C), by inserting
14 “and highly rated” after “qualified”;

15 (iv) by striking subparagraphs (D)
16 and (F);

17 (v) by redesignating subparagraphs
18 (E), (G), (H), (I), and (J), as subpara-
19 graphs (D), (E), (F), (G), and (H), respec-
20 tively;

21 (vi) in subparagraph (D), as redesign-
22 ated by clause (v), by inserting “and
23 highly rated” after “qualified”;

24 (vii) in subparagraph (E), as redesign-
25 ated by clause (v), by striking “, Even

1 Start, Early Reading First,” and inserting
2 “, programs under part A of title IV,”;

3 (viii) in subparagraph (F), as redesign-
4 nated by clause (v), by striking “section
5 1111(b)(3)” and inserting “section
6 1111(a)(2)”; and

7 (ix) in subparagraph (G), as redesign-
8 nated by clause (v), by striking “proficient
9 or advanced levels of academic achievement
10 standards required by section 1111(b)(1)”
11 and inserting “proficient and advanced lev-
12 els of academic achievement standards de-
13 scribed in section 1111(a)(1)(A)(iv)”; and
14 (B) in paragraph (2)—

15 (i) in subparagraph (A)—

16 (I) in the matter preceding clause
17 (i), by striking “No Child Left Behind
18 Act of 2001), in consultation with the
19 local educational agency and its school
20 support team or other technical assist-
21 ance provider under section 1117,”
22 and inserting “Strengthening Amer-
23 ica’s Schools Act of 2013), in con-
24 sultation with the local educational
25 agency,”; and

1 (II) in clause (iv), by striking
2 “section 1111(b)(3)” and inserting
3 “section 1111(a)(2)”; and
4 (ii) in subparagraph (B)—
5 (I) in clause (i)—
6 (aa) in subclause (I), by
7 striking “, after considering the
8 recommendation of the technical
9 assistance providers under sec-
10 tion 1117,”; and
11 (bb) in subclause (II), by
12 striking “the No Child Left Be-
13 hind Act of 2001” and inserting
14 “the Strengthening America’s
15 Schools Act of 2013”;
16 (II) in clause (ii), by striking
17 “pupil services personnel” and insert-
18 ing “specialized instructional support
19 personnel”; and
20 (III) in clause (v), by striking
21 “Reading First, Early Reading First,
22 Even Start,” and inserting “part A of
23 title IV,”; and

1 (3) in subsection (c), by striking “Even Start
2 programs or Early Reading First programs” and in-
3 serting “programs under part A of title IV”.

4 **SEC. 1115. TARGETED ASSISTANCE SCHOOLS.**

5 Section 1115 (20 U.S.C. 6315) is amended—

6 (1) in subsection (b)—

7 (A) in paragraph (1)(B)—

8 (i) by striking “challenging” and in-
9 serting “college and career ready”; and

10 (ii) by striking “except that” and all
11 that follows through the period at the end
12 and inserting “including children who are
13 at risk of failing to be ready for elemen-
14 tary school.”; and

15 (B) in paragraph (2)—

16 (i) in subparagraph (A), by striking
17 “or limited English proficient children”
18 and inserting “, or English learners”; and

19 (ii) by striking subparagraph (B) and
20 inserting the following:

21 “(B) HEAD START OR LITERACY PRO-
22 GRAMS.—A child who, at any time in the 2
23 years preceding the year for which the deter-
24 mination is made, participated in a Head Start
25 program, a program under part A of title IV,

1 or in preschool services under this title, is eligi-
2 ble for services under this part.”;

3 (2) in subsection (c)—

4 (A) in paragraph (1)—

5 (i) in the matter preceding subpara-
6 graph (A), by striking “challenging” and
7 inserting “college and career ready”;

8 (ii) in subparagraph (A), by striking
9 “challenging” and inserting “college and
10 career ready”;

11 (iii) in subparagraph (C)—

12 (I) in the matter preceding clause
13 (i), by striking “scientifically based
14 research” and inserting “scientifically
15 valid research”;

16 (II) in clause (ii), by striking
17 “and” after the semicolon; and

18 (III) by adding at the end the
19 following:

20 “(iv) may include a multi-tier system
21 of supports and positive behavioral sup-
22 ports; and

23 “(v) may include support for pro-
24 grams, activities, courses, and professional
25 development in the core academic subjects

1 that are targeted toward children described
2 in subclause (I) to enable such children to
3 meet the academic content and student
4 academic achievement standards described
5 in section 1111;”;

6 (iv) in subparagraph (D), by striking
7 “Even Start, Early Reading First” and in-
8 serting “programs under part A of title
9 IV,”;

10 (v) in subparagraph (E), by inserting
11 “and highly rated” after “qualified”; and

12 (vi) in subparagraph (F)—

13 (I) by striking “subsection (e)(3)
14 and”; and

15 (II) by striking “pupil services
16 personnel” and inserting “specialized
17 instructional support personnel”; and

18 (B) in paragraph (2)—

19 (i) in the matter preceding subpara-
20 graph (A), by striking “proficient and ad-
21 vanced” and inserting “on-track and ad-
22 vanced”; and

23 (ii) in subparagraph (B), by striking
24 “challenging” and inserting “college and
25 career ready”; and

1 (3) in subsection (e)(2)(B)(iii), by striking
2 “pupil services personnel” and inserting “specialized
3 instructional support personnel”.

4 **SEC. 1116. SCHOOL PERFORMANCE.**

5 Section 1116 (20 U.S.C. 6316) is amended to read
6 as follows:

7 **“SEC. 1116. SCHOOL PERFORMANCE.**

8 “(a) SCHOOL ACCOUNTABILITY AND IMPROVEMENT
9 SYSTEM.—

10 “(1) IN GENERAL.—Each State receiving a
11 grant under this part shall establish a school ac-
12 countability and improvement system that—

13 “(A) is part of the accountability system
14 required under section 1111(a)(3) and imple-
15 ments the requirements of such system;

16 “(B) supports schools that are not meeting
17 the State’s performance targets under section
18 1111(a)(3)(C) for all students; and

19 “(C) identifies the public elementary
20 schools and secondary schools in the State that
21 will need local interventions under subsection
22 (b), that are focus schools under subsection (c),
23 and that are priority schools under subsection
24 (d), and the processes to be used to improve

1 schools in each category, in accordance with
2 this section and section 2123(b).

3 “(2) REVIEW AND APPROVAL.—The State shall
4 include information describing the school account-
5 ability and improvement system in the State plan
6 under section 1111(b), which shall be subject to peer
7 review and approval by the Secretary as part of the
8 State plan, in accordance with such section.

9 “(b) LOCAL INTERVENTIONS; REPORTING.—

10 “(1) LOCAL INTERVENTIONS.—Beginning in
11 the 2015–2016 school year, each local educational
12 agency receiving a subgrant under this part shall—

13 “(A) identify each school that, after 2 con-
14 secutive years, has not met the same perform-
15 ance target described in section 1111(a)(3)(C)
16 for the same subgroup described in section
17 1111(a)(3)(D); and

18 “(B) ensure that such school, in collabora-
19 tion with the local educational agency, develops
20 and implements a locally designed intervention
21 to improve student achievement in each such
22 subgroup.

23 “(2) REPORTING.—Each local educational
24 agency that implements locally designed interven-
25 tions under paragraph (1) to support schools that

1 have not met performance targets for a subgroup
2 will report to the State educational agency regarding
3 the resources and interventions used to address the
4 achievement of students in the subgroup, and the
5 outcomes of those efforts. The State educational
6 agency shall annually select the interventions with
7 exemplary outcomes, share such interventions and
8 outcomes with the public, and communicate such
9 interventions and outcomes to the Secretary.

10 “(3) LACK OF IMPROVEMENT.—Each school
11 served under this part that has been identified as a
12 school that has not met the same subgroup perform-
13 ance target, as described in paragraph (1), for the
14 preceding 3 consecutive years shall work with the
15 State educational agency to implement a State-ap-
16 proved intervention based on established best prac-
17 tices within State.

18 “(c) FOCUS SCHOOLS.—

19 “(1) IDENTIFICATION.—Beginning in the
20 2015–2016 school year, a State shall identify as a
21 focus school, for the 3-year period following the
22 school’s identification period (except as provided in
23 paragraph (2))—

24 “(A) each public school in the State that—

1 “(i) is not identified as a priority
2 school under subsection (d); and

3 “(ii) is in the 10 percent of such
4 schools with the greatest achievement gaps
5 among the subgroups described in section
6 1111(a)(3)(D) as compared to the state-
7 wide average, as determined by the State
8 academic assessments under section
9 1111(a)(2); and

10 “(B) each public high school in the State
11 that—

12 “(i) is not identified as a priority
13 school under subsection (d); and

14 “(ii) is in the 10 percent of such
15 schools with the greatest graduation rate
16 gaps among such subgroups as compared
17 to the statewide averages.

18 “(2) IMPROVEMENT STRATEGIES.—For each
19 focus school identified under paragraph (1), the local
20 educational agency serving the school shall, in ac-
21 cordance with the State accountability system de-
22 scribed in section 1111(a)(3), develop and imple-
23 ment a measurable and data-driven correction plan
24 to improve the performance of low-achieving sub-
25 groups in the school in order to close achievement

1 gaps. A correction plan under this paragraph shall
2 be developed with input from teachers, parents, com-
3 munity members, and other stakeholders.

4 “(3) STATE WAIVER.—If a State determines
5 that all schools that would otherwise be considered
6 to be the lowest-achieving 10 percent of schools with
7 the greatest achievement gap, or graduation rate
8 gap, under paragraph (1), are actually performing at
9 a satisfactory level of performance, the State may
10 apply to the Secretary to waive the requirements of
11 this subsection with respect to such schools.

12 “(4) IMPROVEMENT.—The State educational
13 agency shall no longer identify a school that has
14 been identified as a focus school for any remainder
15 of the school’s 3-year identification period if—

16 “(A) at any time during the 3-year period
17 for which a school is so identified, the school
18 has met all of its performance targets as de-
19 scribed in section 1111(a)(3)(C) for the school
20 year; or

21 “(B) after 2 years of the 3-year period, the
22 State determines, based on the most current
23 data, that the school’s rate of improvement is
24 sufficient to enable the school to meet all of the

1 school's performance targets by the end of the
2 3-year period.

3 “(d) PRIORITY SCHOOLS.—

4 “(1) IDENTIFICATION.—

5 “(A) IN GENERAL.—Beginning in the
6 2015–2016 school year, a State shall identify as
7 a priority school, for the 3-year period following
8 the school's identification (except as provided in
9 paragraph (5))—

10 “(i) each school served under this part
11 in the State that is in the lowest-achieving
12 5 percent of elementary schools;

13 “(ii) each school served under this
14 part in the State that is in the lowest-
15 achieving 5 percent of secondary schools;
16 and

17 “(iii) each public high school in the
18 State with a graduation rate of less than
19 60 percent; and

20 “(iv) each school served under this
21 part that has been identified as a focus
22 school under subsection (c) for the 6 pre-
23 ceding consecutive years.

24 “(B) STATE WAIVER.—If a State deter-
25 mines that all schools that would otherwise be

1 considered to be the lowest-achieving 5 percent
2 of schools under clause (i), are actually per-
3 forming at a satisfactory level of performance
4 based on the measures used by the State to
5 identify priority schools, the State may apply to
6 the Secretary to waive the requirements of this
7 subparagraph, and paragraphs (2) through (5),
8 for such schools.

9 “(2) NEEDS ANALYSIS.—Each local educational
10 agency receiving assistance under this part shall
11 conduct a data-driven needs analysis, which may in-
12 volve an external partner with expertise in con-
13 ducting such needs analysis, of each school identified
14 as a priority school, as the case may be, to deter-
15 mine the most appropriate school improvement
16 strategies to improve student performance. Such
17 needs analysis shall include—

18 “(A) a diagnostic review of data related to
19 students and instructional staff;

20 “(B) an analysis of the school governance,
21 curriculum, instruction, student supports, con-
22 ditions for learning, and parent and family en-
23 gagement practices relative to the needs of the
24 student population; and

1 “(C) the resources, which may include
2 community-based supports and early childhood
3 education, available at the school, local edu-
4 cational agency, and community levels to meet
5 student needs and support improved student
6 achievement and outcomes and the implementa-
7 tion of any school improvement strategy.

8 “(3) STATE AND LOCAL RESPONSIBILITIES FOR
9 IDENTIFIED SCHOOLS.—

10 “(A) STATE RESPONSIBILITIES.—Each
11 State receiving a grant under this part shall en-
12 sure that a local educational agency receiving
13 assistance under this part carries out the re-
14 quirements of subparagraph (B) for each school
15 identified as a priority school under paragraph
16 (1) in the State.

17 “(B) LOCAL EDUCATIONAL AGENCY RE-
18 SPONSIBILITIES.—Each local educational agen-
19 cy receiving assistance under this part shall,
20 consistent with the State’s accountability sys-
21 tem under section 1111(a)(3)—

22 “(i) establish a process for selecting
23 an appropriate school improvement strat-
24 egy for each school described in subpara-

1 graph (A) that is served by the local edu-
2 cational agency;

3 “(ii) select the school improvement
4 strategy to be used in each such school and
5 the timeline for implementing the selected
6 school improvement strategy in such
7 school;

8 “(iii) develop a detailed budget cov-
9 ering the 3-year identification period, in-
10 cluding planned expenditures at the school
11 level for activities supporting full and ef-
12 fective implementation of the selected
13 school improvement strategy;

14 “(iv) implement a school improvement
15 strategy at the school in accordance with
16 the requirements of paragraph (4);

17 “(v) use appropriate measures to
18 monitor the effectiveness of the implemen-
19 tation;

20 “(vi) review and select turnaround
21 partners to assist in implementing school
22 improvement strategies;

23 “(vii) align other Federal, State, and
24 local resources with the school improve-
25 ment strategy;

1 “(viii) provide the school with the
2 operational flexibility, including autonomy
3 over staffing, time, and budget, needed to
4 enable full and effective implementation of
5 the selected strategy, including through the
6 modification of practices or policies, if nec-
7 essary;

8 “(ix) collect and use data on an ongo-
9 ing basis to adjust implementation of the
10 school improvement strategy to improve
11 student achievement;

12 “(x) provide an assurance that the im-
13 plementation of the selected school im-
14 provement strategy addresses the needs of
15 all the subgroups of students described in
16 section 1111(a)(3)(D) in the school;

17 “(xi) take steps to sustain successful
18 reforms and practices after the school is no
19 longer identified as a priority school;

20 “(xii) provide technical assistance and
21 other support to ensure students graduate
22 from high school college- and career-ready,
23 as determined by the State’s academic con-
24 tent standards under section 1111(a)(1),
25 through the effective implementation of the

1 school improvement strategy in the school,
2 which—

3 “(I) may include assistance in—

4 “(aa) data collection and
5 analysis;

6 “(bb) recruiting and retain-
7 ing staff;

8 “(cc) teacher and principal
9 evaluation;

10 “(dd) professional develop-
11 ment;

12 “(ee) parent and family en-
13 gagement;

14 “(ff) coordination of services
15 with high-quality early childhood
16 education providers;

17 “(gg) coordination of serv-
18 ices to address students’ social,
19 emotional, and health needs;

20 “(hh) monitoring the imple-
21 mentation of the school improve-
22 ment strategy selected under
23 paragraph (4); and

24 “(II) shall include assistance in
25 the implementation of schoolwide posi-

1 tive behavior supports, school-based
2 mental health programs, and other
3 approaches with evidence of effective-
4 ness, for improving the learning envi-
5 ronment in the school and reducing
6 the need for suspensions, expulsions,
7 and other actions that remove stu-
8 dents from instruction, including ef-
9 fective strategies for improving coordi-
10 nation of community resources;

11 “(xiii) establish partnerships with em-
12 ployers, institutions of higher education,
13 service providers, and others to assist in
14 implementing school improvement strate-
15 gies described in paragraph (4); and

16 “(xiv) review school discipline and cli-
17 mate data, disaggregated by each subgroup
18 described in section 1111(a)(3)(D), in as-
19 sessing the needs of the school and, if low-
20 achieving subgroups receive a dispropor-
21 tionate amount of suspensions, expulsions,
22 or other forms of exclusionary discipline,
23 incorporate evidence-based strategies to re-
24 duce out-of-classroom punishment and pro-

1 mote student engagement in the school's
2 improvement plan.

3 “(C) STATE AS LOCAL EDUCATIONAL
4 AGENCY.—If a school identified as a priority
5 school under this subsection for a 3-year identi-
6 fication period is re-identified as a priority
7 school for the subsequent 3-year period, the
8 State may take over the school and act as the
9 local educational agency for purposes of this
10 subsection, if permitted under State law.

11 “(4) SCHOOL IMPROVEMENT STRATEGIES.—

12 “(A) REQUIRED ACTIVITIES FOR ALL
13 SCHOOL IMPROVEMENT STRATEGIES.—A local
14 educational agency implementing any strategies
15 under this paragraph for a school shall—

16 “(i) provide staff at the school with
17 ongoing professional development, con-
18 sistent with the needs analysis described in
19 paragraph (2);

20 “(ii) conduct regular evaluations for
21 the teachers and principals at the school
22 that provide specific feedback on areas of
23 strength and in need of improvement;

1 “(iii) provide time for collaboration
2 among instructional staff at the school to
3 improve student achievement;

4 “(iv) provide instructional staff at the
5 school with timely access to student data
6 to inform instruction and meet the aca-
7 demic needs of individual students, which
8 may include, in elementary school, school
9 readiness data;

10 “(v) collaborate with parents and fam-
11 ilies, the community, teachers, other school
12 personnel at the school, and representa-
13 tives of Indian tribes located in the area
14 served by the local educational agency, on
15 the selection and implementation of the
16 strategy;

17 “(vi) use data to identify and imple-
18 ment a research-based instructional pro-
19 gram that—

20 “(I) analyzes student progress
21 and performance and develops appro-
22 priate interventions for students who
23 are not making adequate progress;
24 and

1 “(II) provides differentiated in-
2 struction and related instructional
3 supports;

4 “(III) meets the unique cultural,
5 language, and educational needs of all
6 students served by such school;

7 “(vii) in the case of an elementary
8 school with kindergarten entry—

9 “(I) examine factors that con-
10 tribute to school readiness as part of
11 the needs analysis conducted under
12 paragraph (2);

13 “(II) coordinate with appropriate
14 high-quality early childhood programs,
15 such as programs under the Child
16 Care Development and Block Grant
17 Act of 1990, the Head Start Act, pre-
18 kindergarten programs, and other
19 similar Federal, State, and local pro-
20 grams, in order to align instruction to
21 better prepare students for elementary
22 school; and

23 “(III) develop a plan to improve
24 or expand high-quality early childhood
25 options which may include the use of

1 funds under this part for such pur-
2 poses;

3 “(viii) provide ongoing mechanisms
4 for parent and family engagement;

5 “(ix) provide appropriate services and
6 evidence-based, integrated supports for
7 students as identified in the school’s needs
8 analysis;

9 “(x) describe, in a report to the State
10 educational agency and made available to
11 the public upon request, how the local edu-
12 cational agency or school will adopt and
13 implement policies or practices to develop,
14 implement, improve, or expand positive be-
15 havioral interventions and supports, early
16 intervening services, and school-based men-
17 tal health programs in accordance with the
18 requirements of clauses (xi) through (xiv);

19 “(xi)(I) review and analyze the
20 school’s efforts to address behavioral or
21 disciplinary problems; and

22 “(II) assist the school in developing,
23 expanding, or improving the use of
24 schoolwide positive behavioral interventions
25 and supports that are aligned with activi-

1 ties carried out under the Individuals with
2 Disabilities Education Act; and

3 “(xii) review and analyze the school’s
4 efforts to identify and assist students with
5 poor academic achievement and students
6 who are children with disabilities, and as-
7 sist the school in developing, implementing,
8 or improving early intervening services
9 that are coordinated with activities carried
10 out under the Individuals with Disabilities
11 Education Act;

12 “(xiii) review the number of discipline
13 incidents in the school and use that infor-
14 mation to assist the school to implement
15 schoolwide positive behavioral interventions
16 and supports or other early intervening
17 services, or both; and

18 “(xiv) review and analyze the school’s
19 efforts to address mental health needs
20 among students and assist the school in
21 developing or improving school-based men-
22 tal health programs that are coordinated
23 with activities carried out under the Indi-
24 viduals with Disabilities Education Act.

1 “(B) STRATEGIES.—A local educational
2 agency shall identify a school improvement
3 strategy for a school identified as a priority
4 school under paragraph (1) from among the fol-
5 lowing strategies:

6 “(i) TRANSFORMATION STRATEGY.—A
7 local educational agency implementing a
8 transformation strategy in a school shall—

9 “(I) replace the principal, if the
10 principal has served in that role at the
11 school for more than 2 years, with a
12 principal who has a demonstrated
13 record of success in increasing student
14 achievement and—

15 “(aa) training or experience
16 in raising student achievement;
17 or

18 “(bb) training or experience
19 in turning around low-performing
20 schools;

21 “(II) require existing instruc-
22 tional staff and school leadership to
23 reapply for their positions; and

24 “(III) require that all instruc-
25 tional staff and school leadership hir-

1 statistically significant effect on student
2 outcomes, including more than 1 well-de-
3 signed or well-implemented experimental or
4 quasi-experimental study.

5 “(iv) RESTART STRATEGY.—A local
6 educational agency implementing a restart
7 strategy in a school shall carry out the fol-
8 lowing:

9 “(I)(aa) Convert the school into a
10 public charter school, or close and re-
11 open the school as a public charter
12 school in partnership with a nonprofit
13 charter school operator, a nonprofit
14 charter management organization, or
15 a nonprofit education management or-
16 ganization, that has a demonstrated
17 record of improving student achieve-
18 ment for students similar to those
19 served by the school; or

20 “(bb) convert the school to a
21 magnet school or create a new, inno-
22 vative school, as defined by the State.

23 “(II) Ensure that the new
24 school—

1 “(aa) serves the grade levels
2 as the original school for which
3 the strategy is being imple-
4 mented; and

5 “(bb) enrolls any former
6 student of the original school who
7 requests to attend the school and
8 then, after all such students are
9 enrolled, admits additional stu-
10 dents, using a random lottery
11 system if more students apply for
12 admission than can be accommo-
13 dated.

14 “(v) SCHOOL CLOSURE STRATEGY.—A
15 local educational agency implementing a
16 school closure strategy for a school—

17 “(I) shall close the school and en-
18 roll the students who attended the
19 school in other schools, including
20 charter schools, served by the local
21 educational agency that are within
22 reasonable proximity to the closed
23 school, as determined by the local
24 educational agency, and that are high-

1 er-performing than the school that is
2 being closed;

3 “(II) shall provide transpor-
4 tation, or shall pay for the provision
5 of transportation, for each such stu-
6 dent to the student’s new school, con-
7 sistent with State law and local edu-
8 cational agency policy;

9 “(III) shall provide information
10 about high-quality educational op-
11 tions, as well as transition and sup-
12 port services to students, who at-
13 tended the closed school and the stu-
14 dents’ parents; and

15 “(IV) may use school improve-
16 ment funds provided under subsection
17 (f) to pay for the expenses of—

18 “(aa) transitioning students
19 from the school that is being
20 closed to the new school;

21 “(bb) supporting the new
22 school; and

23 “(cc) expanding and offering
24 student supports and services
25 within the new school, which may

1 include high-quality prekindergarten programs and services.

2
3 “(C) FLEXIBILITY.—

4 “(i) FLEXIBILITY FOR CERTAIN
5 LOCAL EDUCATIONAL AGENCIES.—Notwithstanding any other provision of this
6 paragraph—
7

8 “(I) a local educational agency
9 that is eligible for services under subpart 1 or 2 of part B of title VI, as
10 determined by the Secretary, may modify not more than 1 of the elements or activities required under
11 subparagraph (A) of a school improvement strategy selected for a school identified under paragraph (4) in
12 order to better meet the needs of students in such school; and
13
14
15
16
17
18

19 “(II) a State educational agency
20 may apply to the Secretary for a waiver of clauses (i)(I) and (ii)(I) of subparagraph (B).
21
22

23 “(ii) STATE FLEXIBILITY.—Notwithstanding any other provision of this paragraph, a State educational agency may,
24
25

1 with the approval of the Secretary, estab-
2 lish an alternative State-determined, evi-
3 dence-based, school improvement strategy
4 that may be used by local educational
5 agencies in the State in addition to the
6 strategies described in subparagraph (B),
7 except that funds provided under this title
8 shall not be used for school vouchers.

9 “(D) PUBLIC SCHOOL CHOICE.—

10 “(i) IN GENERAL.—In addition to the
11 requirements of subparagraph (A) and the
12 school improvement strategy determined
13 under subparagraph (B) or (C)(ii), a local
14 educational agency shall, not later than 3
15 months before the first day of the school
16 year following identification as a priority
17 school under paragraph (1), provide all
18 students enrolled in the identified school
19 with the option to transfer to another pub-
20 lic school served by the local educational
21 agency that has not been identified under
22 such paragraph, unless such an option is
23 prohibited by State law.

24 “(ii) PRIORITY.—In providing stu-
25 dents the option to transfer to another

1 public school, the local educational agency
2 shall give priority to the lowest-achieving
3 children from low-income families, as de-
4 termined by the local educational agency
5 for the purposes of allocating funds to
6 schools under section 1113(a)(3).

7 “(iii) TREATMENT.—Students who
8 use the option to transfer to another public
9 school shall be enrolled in classes and
10 other activities in the public school to
11 which the students transfer in the same
12 manner as all other children at the public
13 school.

14 “(iv) SPECIAL RULE.—A local edu-
15 cational agency shall permit a child who
16 transfers to another public school under
17 this subparagraph to remain in that school
18 until the child has completed the highest
19 grade in such school.

20 “(5) IMPROVEMENT.—

21 “(A) IN GENERAL.—The State educational
22 agency shall no longer identify a school that has
23 been identified as a priority school for any re-
24 mainder of the school’s 3-year identification pe-
25 riod if—

1 “(i) after 2 years of the 3-year period
2 for which a school is identified as a pri-
3 ority school under paragraph (1), the
4 school has met all of the school’s perform-
5 ance targets as described in section
6 1111(a)(3)(A); or

7 “(ii) after 2 years of the 3-year pe-
8 riod, the State determines, based on the
9 most current data, that the school’s rate of
10 improvement is sufficient to enable the
11 school to meet all of the school’s perform-
12 ance targets by the end of the 3-year pe-
13 riod.

14 “(B) CONTINUED ELIGIBILITY FOR
15 SCHOOL IMPROVEMENT FUNDS.—If an eligible
16 entity, as defined in subsection (f)(1), was re-
17 ceiving school improvement funds under sub-
18 section (f) for a school that improves as de-
19 scribed in subparagraph (A), the eligible entity
20 shall continue to receive such grant funds, and
21 use such funds to carry out the grant activities
22 in such school, for the full period of such grant.

23 “(6) REPEATED CLASSIFICATION AS A PRIORITY
24 SCHOOL.—

1 “(A) IN GENERAL.—For each public school
2 that is identified as a priority school under
3 paragraph (1) for any portion of a 3-year pe-
4 riod and is re-identified under such paragraph
5 for the subsequent time period, the local edu-
6 cational agency shall carry out the requirements
7 of this subsection for such subsequent period by
8 implementing, with respect to such school, the
9 restart strategy or school closure strategy under
10 clause (iv) or (v) of paragraph (4)(B).

11 “(B) SPECIAL RULE.—Notwithstanding
12 subparagraph (A), a local educational agency
13 serving a school described in such paragraph,
14 may, in coordination with the State educational
15 agency and based on a community needs assess-
16 ment, apply to the Secretary for a waiver to im-
17 plement another school improvement model not
18 previously used by the local educational agency
19 for the school.

20 “(e) REPORT ON PROFESSIONAL DEVELOPMENT
21 FUNDS FOR PRIORITY SCHOOLS.—Each local educational
22 agency that receives subgrant funds under this part shall
23 prepare and submit a report to the State educational
24 agency, at the end of each school year, regarding—

1 “(1) the local educational agency’s use of funds
2 for professional development, as required under sec-
3 tion 2123(b), in schools identified as priority schools
4 under subsection (d) that did not receive funds
5 under subsection (f); and

6 “(2) any changes in, or effects on, student per-
7 formance at such schools during such school year.

8 “(f) SCHOOL IMPROVEMENT FUNDS.—

9 “(1) DEFINITIONS.—In this subsection:

10 “(A) ELIGIBLE ENTITY.—the term ‘eligible
11 entity’ means—

12 “(i) a State educational agency;

13 “(ii) a local educational agency that
14 receives funds under this part and serves
15 at least 1 eligible school;

16 “(iii) a consortium of such local edu-
17 cational agencies; or

18 “(iv) an educational service agency
19 that serves at least 1 local educational
20 agency described in clause (ii).

21 “(B) ELIGIBLE SCHOOL.—The term ‘eligi-
22 ble school’ means a school identified as a pri-
23 ority school under subsection (d).

24 “(2) ALLOTMENTS TO STATES.—

1 “(A) IN GENERAL.—From the funds made
2 available to carry out this subsection under sec-
3 tion 3(a)(2) for a fiscal year, the Secretary
4 shall provide States that submit an application
5 described in paragraph (3) with school improve-
6 ment funds through an allotment, as deter-
7 mined under subparagraph (B) and in addition
8 to the amounts made available to States under
9 subpart 2, to enable the States to award sub-
10 grants and carry out the activities described in
11 this subsection to assist eligible schools.

12 “(B) ALLOTMENTS TO STATES.—From the
13 funds made available to carry out this sub-
14 section under section 3(a)(2) for a fiscal year,
15 the Secretary shall allot to each State with an
16 approved application an amount that bears the
17 same relation to such funds as the amount that
18 the State received under subpart 2 for the pre-
19 ceding fiscal year bears to the amount that all
20 States receive under such subpart for such fis-
21 cal year.

22 “(3) STATE APPLICATION.—A State that de-
23 sires to receive school improvement funds under this
24 subsection shall submit an application to the Sec-
25 retary at such time, in such manner, and accom-

1 panied by such information as the Secretary may re-
2 quire. Each application shall include a description
3 of—

4 “(A) the process and the criteria that the
5 State will use to award subgrants under para-
6 graph (5)(A)(i);

7 “(B) the process and the criteria the State
8 will use to determine whether the eligible enti-
9 ty’s proposal for each eligible school meets the
10 requirements of paragraphs (2) and (4), and
11 subparagraphs (A) and (B) of paragraph (3), of
12 subsection (d);

13 “(C) how the State will ensure geographic
14 diversity in making subgrants;

15 “(D) how the State will set priorities in
16 awarding subgrants to eligible entities;

17 “(E) how the State will monitor and evalu-
18 ate the implementation of school improvement
19 strategies by eligible entities, including how the
20 State will use the results of the evaluation to
21 improve State strategies for supporting schools
22 identified under subsection (d); and

23 “(F) how the State will reduce barriers for
24 schools in the implementation of school im-
25 provement strategies, including operational

1 flexibility that would enable complete implemen-
2 tation of the selected school improvement strat-
3 egy.

4 “(4) STATE ADMINISTRATION AND TECHNICAL
5 ASSISTANCE.—A State that receives an allotment
6 under this subsection may reserve not more than a
7 total of 5 percent of such allotment for the adminis-
8 tration of this subsection, which may include activi-
9 ties aimed at building State capacity to support the
10 local educational agency and school improvement,
11 such as providing technical assistance and other sup-
12 port (including regular site visits to monitor imple-
13 mentation of selected school improvement strategies
14 to eligible entities serving eligible schools), either di-
15 rectly or through educational service agencies or
16 other public or private organizations.

17 “(5) SCHOOL IMPROVEMENT ACTIVITIES.—

18 “(A) IN GENERAL.—A State that receives
19 school improvement funds under this subsection
20 shall use not less than 95 percent of such allot-
21 ment to carry out school improvement activities
22 for eligible schools by—

23 “(i) awarding subgrants, on a com-
24 petitive basis, to eligible entities to enable
25 the eligible entities to carry out the activi-

1 ties described in subparagraph (C) for eli-
2 gible schools; or

3 “ (ii) if the State chooses and the local
4 educational agency serving an eligible
5 school agrees, directly providing the activi-
6 ties described in subparagraph (C)(ii) to
7 the eligible school and the local educational
8 agency, or arranging for other entities,
9 such as school support teams or edu-
10 cational service agencies, to provide such
11 activities to the school.

12 “(B) SUBGRANTS.—

13 “(i) APPLICATIONS.—An eligible enti-
14 ty that desires a subgrant under this para-
15 graph shall submit an application to the
16 State at such time, in such manner, and
17 including such information as the State
18 shall require. The application shall include
19 a description of how the eligible entity will
20 carry out the requirements of paragraphs
21 (2) and (4), and subparagraphs (A) and
22 (B) of paragraph (3), of subsection (d) for
23 each eligible school to be served by the
24 grant.

1 “(ii) DEMONSTRATION OF ADDI-
2 TIONAL RESPONSIBILITIES.—Each eligible
3 entity that desires a subgrant under this
4 paragraph shall demonstrate in its applica-
5 tion that the eligible entity has—

6 “(I) adopted human resource
7 policies that prioritize the recruit-
8 ment, retention, and placement of ef-
9 fective staff in eligible schools;

10 “(II) ensured that eligible schools
11 have access to resources to implement
12 the school improvement strategies de-
13 scribed in subsection (d)(4), such as
14 facilities, professional development,
15 and technology;

16 “(III) identified opportunities to
17 reduce duplication, increase efficiency,
18 and assist eligible schools in com-
19 plying with reporting requirements of
20 State and Federal programs;

21 “(IV) developed an early warning
22 indicator system that monitors school-
23 level data, and alerts the eligible
24 school when a student indicates
25 slowed progress toward high school

1 graduation, so that the school can
2 provide appropriate student interven-
3 tions; and

4 “(V) facilitated alignment and
5 coordination between high-quality
6 early childhood education programs
7 and services serving students who will
8 attend eligible schools that are ele-
9 mentary schools, and teachers and
10 principals of such eligible schools.

11 “(iii) SUBGRANT SIZE.—A State shall
12 award subgrants under this paragraph of
13 sufficient size to enable subgrant recipients
14 to fully and effectively implement the se-
15 lected school improvement strategies.

16 “(iv) SUBGRANT PERIOD.—Each
17 subgrant awarded under this paragraph
18 shall be for a 5-year period.

19 “(v) WITHHOLDING FINAL FUND-
20 ING.—In order for a State to award
21 subgrant funds to an eligible entity for the
22 final 2 years of the subgrant cycle, the eli-
23 gible entity shall demonstrate that the
24 schools receiving funds under this para-

1 graph have made significant progress on
2 the leading indicators.

3 “(C) USE OF SUBGRANT FUNDS.—An eligi-
4 ble entity that receives a subgrant under this
5 paragraph shall use the subgrant funds to—

6 “(i) carry out the requirements of
7 subparagraphs (A) and (B) of paragraph
8 (3), and paragraphs (2) and (4), of sub-
9 section (d) in an eligible school that has
10 been identified under such subsection as of
11 the date of the grant award, which may in-
12 clude a maximum 1-year planning period;
13 and

14 “(ii) carry out activities at the local
15 educational agency level that directly sup-
16 port such implementation, such as—

17 “(I) assistance in data collection
18 and analysis;

19 “(II) recruiting and retaining
20 staff;

21 “(III) teacher and principal eval-
22 uation;

23 “(IV) professional development;

1 “(V) coordination of services to
2 address students’ social, emotional,
3 and health needs; and

4 “(VI) progress monitoring.

5 “(D) SUPPLEMENT, NOT SUPPLANT.—An
6 eligible entity or State shall use Federal funds
7 received under this subsection only to supple-
8 ment the funds that would, in the absence of
9 such Federal funds, be made available from
10 non-Federal sources for the education of pupils
11 participating in programs funded under this
12 subsection.

13 “(E) INTERVENTION BY STATE.—In the
14 case of a State educational agency that has
15 taken over a school or local educational agency,
16 the State may use an amount of funds under
17 this subsection similar to the amount that the
18 school or local educational agency would receive,
19 under this subsection, in order to carry out the
20 activities described in subparagraph (C) for the
21 school and local educational agency, either di-
22 rectly or through an eligible entity designated
23 by the State educational agency.

24 “(6) NATIONAL ACTIVITIES.—From amounts
25 appropriated and reserved for this paragraph under

1 section 3(a)(2)(B), the Secretary shall carry out the
2 following national activities:

3 “(A) Activities focused on building State
4 and local educational agency capacity to turn
5 around eligible schools and schools in rural
6 areas through activities such as—

7 “(i) identifying and disseminating ef-
8 fective school improvement strategies, in-
9 cluding in rural areas;

10 “(ii) making available targeted tech-
11 nical assistance, including planning and
12 implementation tools; and

13 “(iii) expanding the availability of
14 turnaround partners capable of assisting in
15 turning around eligible schools, including
16 in rural areas.

17 “(B) Activities focused on building capac-
18 ity to turn around eligible schools, including in
19 rural areas.

20 “(C) The use of data, research, and eval-
21 uation to—

22 “(i) identify schools that are imple-
23 menting school improvement strategies ef-
24 fectively;

1 “(ii) identify effective school improve-
2 ment strategies; and

3 “(iii) collect and disseminate that in-
4 formation to States and local educational
5 agencies in a manner that facilitates rep-
6 lication of effective practices.

7 “(D) Other activities designed to support
8 State and local efforts to improve eligible
9 schools.

10 “(7) EVALUATION.—The Director of the Insti-
11 tute of Education Sciences shall conduct an evalua-
12 tion of the programs carried out under this sub-
13 section.

14 “(g) CONSTRUCTION.—Nothing in this section shall
15 be construed to alter or otherwise affect the rights, rem-
16 edies, and procedures afforded school or school district
17 employees under Federal, State, or local laws (including
18 applicable regulations or court orders) or under the terms
19 of collective bargaining agreements, memoranda of under-
20 standing, or other agreements between such employees
21 and their employers.”.

22 **SEC. 1117. QUALIFICATIONS FOR TEACHERS AND PARA-**
23 **PROFESSIONALS.**

24 Subpart 1 of part A of title I (20 U.S.C. 6311 et
25 seq.) is amended—

1 (1) by striking section 1117;

2 (2) by redesignating section 1119 as section
3 1117, and moving it so as to precede section 1118;

4 (3) by redesignating sections 1120, 1120A, and
5 1120B as sections 1119, 1120, and 1120A, respec-
6 tively; and

7 (4) in section 1117, as redesignated by para-
8 graph (2)—

9 (A) by striking subsections (a) and (b) and
10 inserting the following:

11 “(a) **TEACHER QUALIFICATIONS.**—

12 “(1) **IN GENERAL.**—Except as provided in para-
13 graph (2), each local educational agency receiving
14 assistance under this part shall ensure that all
15 teachers teaching a core academic subject in a pro-
16 gram supported with funds under this part are high-
17 ly qualified teachers and are certified in the subject
18 area in which the teachers are assigned to teach.

19 “(2) **EXCEPTION.**—Each local educational
20 agency located in a State in which the State has
21 fully implemented a professional growth and im-
22 provement system shall only be required to comply
23 with the requirements under paragraph (1) as they
24 relate to new teachers.

1 “(3) SPECIAL RULE FOR SMALL, RURAL, OR RE-
2 MOTE SCHOOLS.—In the case of a local educational
3 agency that is unable to provide a highly qualified
4 teacher to serve as an on-site classroom teacher for
5 a core academic subject in a small, rural, or remote
6 school, the local educational agency may meet the
7 requirements of this section by using distance learn-
8 ing to provide such instruction by a teacher who is
9 a highly qualified teacher for purposes of the core
10 academic subject, as long as—

11 “(A) the teacher who is a highly qualified
12 teacher in the core academic subject—

13 “(i) is responsible for providing at
14 least 50 percent of the direct instruction in
15 the core academic subject through distance
16 learning;

17 “(ii) is responsible for monitoring stu-
18 dent progress; and

19 “(iii) is the teacher who assigns the
20 students their grades; and

21 “(B) an on-site teacher who is a highly
22 qualified teacher for a subject other the core
23 academic subject taught through distance learn-
24 ing is present in the classroom throughout the
25 period of distance learning and provides sup-

1 porting instruction and assistance to the stu-
2 dents.

3 “(b) QUALIFICATIONS FOR AMERICAN INDIAN, ALAS-
4 KA NATIVE, OR NATIVE HAWAIIAN LANGUAGE, CULTURE,
5 OR HISTORY TEACHERS.—

6 “(1) LANGUAGE OR CULTURE.—

7 “(A) IN GENERAL.—Notwithstanding any
8 other provision of law, the requirements of sub-
9 section (a) on local educational agencies with
10 respect to highly qualified teachers shall not
11 apply to a teacher of American Indian, Alaska
12 Native, or Native Hawaiian language or cul-
13 ture, whether the teacher is teaching on a per-
14 manent, part-time, or occasional basis.

15 “(B) COMPETENCY.—A State may require
16 that a local tribe or tribal organization, as de-
17 fined in section 4 of the Indian Self-Determina-
18 tion and Education Assistance Act (25 U.S.C.
19 450b), verify the competency of a public school
20 teacher of American Indian, Alaska Native, or
21 Native Hawaiian language or culture to teach
22 such subject, to the chief administrative officer
23 of the local educational agency or the chief
24 State school officer.

25 “(2) HISTORY.—

1 “(A) IN GENERAL.—Notwithstanding any
2 other provision of law, the requirements of sub-
3 section (a) on local educational agencies with
4 respect to highly qualified teachers, shall not
5 apply to a teacher who is a Native elder or
6 other authority on American Indian, Alaska
7 Native, or Native Hawaiian history and who
8 provides instruction in such subject, whether on
9 a part-time or occasional basis.

10 “(B) COMPETENCY.—A State may require
11 that a local tribe or tribal organization, as de-
12 fined in section 4 of the Indian Self-Determina-
13 tion and Education Assistance Act (25 U.S.C.
14 450b), verify the competency of the instructor
15 described in subparagraph (A) of American In-
16 dian, Alaska Native, or Native Hawaiian his-
17 tory to teach such subject, to the chief adminis-
18 trative officer of the local educational agency or
19 the chief State school officer.”;

20 (B) in subsection (e)(1), by striking “hired
21 after the date of enactment of the No Child
22 Left Behind Act of 2001 and”;

23 (C) by striking subsections (d) and (l);

1 (D) by redesignating subsections (e), (f),
2 (g), (h), (i), (j), and (k), as subsections (d), (e),
3 (f), (g), (h), (i), and (j), respectively;

4 (E) in subsection (d), as redesignated by
5 subparagraph (D), by striking “Subsections (e)
6 and (d)” and inserting “Subsection (e)”; and

7 (F) by striking subsection (i), as redesign-
8 dated by subparagraph (D), and inserting the
9 following:

10 “(i) SPECIAL RULE.—A State educational agency
11 may not require a school or a local educational agency to
12 expend a specific amount of funds for professional devel-
13 opment activities under this part.”.

14 **SEC. 1118. PARENT AND FAMILY ENGAGEMENT.**

15 Section 1118 (20 U.S.C. 6318) is amended to read
16 as follows:

17 **“SEC. 1118. PARENT AND FAMILY ENGAGEMENT.**

18 “(a) LOCAL EDUCATIONAL AGENCY PARENT AND
19 FAMILY ENGAGEMENT ASSESSMENT AND PLAN.—

20 “(1) IN GENERAL.—In order to increase stu-
21 dent academic achievement and improve child devel-
22 opment, a local educational agency may receive
23 funds under this part only if such agency develops
24 and implements a strategic, evidence-based plan to
25 support meaningful engagement of parents and fam-

1 ily members in education (referred to in this section
2 as the ‘parent and family engagement plan’). Such
3 plan shall be—

4 “(A) based on a needs assessment of par-
5 ents and family members, school instructional
6 and leadership personnel, and community lead-
7 ers, conducted to inform the development of the
8 plan; and

9 “(B) be developed and implemented
10 through meaningful consultation with—

11 “(i) parents and family members of
12 participating children;

13 “(ii) youth who have graduated from
14 schools that are part of the local edu-
15 cational agency;

16 “(iii) as applicable, employers, busi-
17 ness leaders, and philanthropic organiza-
18 tions;

19 “(iv) other members of the community
20 who are committed to increasing student
21 academic achievement and improving child
22 development;

23 “(v) to the greatest extent practicable,
24 individuals with expertise in effectively en-

1 gaging parents and family members in
2 education; and

3 “(vi) organizations that have a dem-
4 onstrated record of effectiveness in assist-
5 ing students in becoming college and ca-
6 reer ready, as determined in accordance
7 with the State academic content standards
8 under section 1111(a)(1).

9 “(2) ANNUAL SURVEY.—A local educational
10 agency described in paragraph (1) shall, on an an-
11 nual basis, conduct a survey, through electronic
12 means to the extent practicable, including delivery
13 through mobile devices, of all parents, family mem-
14 bers, and all school instructional and leadership per-
15 sonnel, to—

16 “(A) determine the needs of parents and
17 family members, in order to assist with the
18 learning of their children and engage with
19 school personnel, including all teachers of their
20 children;

21 “(B) identify strategies to support school-
22 family interactions, including identifying and
23 addressing the barriers to effective parental in-
24 volvement in a manner responsive to the cul-
25 tural and language needs of such parents;

1 “(C) determine the level of parent and
2 family engagement in each respondent’s respec-
3 tive school and the level of engagement of
4 school leaders with parent and family members;

5 “(D) identify perceived and actual barriers
6 to the activities described in subparagraph (A);
7 and

8 “(E) determine the perceptions about the
9 school’s conditions for learning.

10 “(3) PARENT AND FAMILY ENGAGEMENT
11 PLAN.—

12 “(A) DEVELOPMENT.—Based on the re-
13 sults of the survey described in paragraph (2),
14 each local educational agency receiving funds
15 under this part shall develop and implement an
16 annual parent and family engagement plan
17 jointly with the parents and family members of
18 participating children and, where applicable,
19 with a parent advisory committee that rep-
20 resents the entire school district. Such plan
21 shall—

22 “(i) be designed to foster the engage-
23 ment of parents and other family members
24 and school instructional and leadership
25 personnel;

1 “(ii) be designed to integrate such en-
2 gagement into the practice of all the local
3 educational agency’s schools that are
4 served under this part;

5 “(iii) establish parent engagement
6 goals for the local educational agency and
7 such schools; and

8 “(iv) establish annual quantifiable
9 performance benchmarks for such goals,
10 which shall require continual progress to-
11 ward the achievement of such goals.

12 “(B) ADDITIONAL ELEMENTS.—The par-
13 ent and family engagement plan shall—

14 “(i) establish the school’s expectations
15 for, and commitment to support, meaning-
16 ful, evidence-based, parent and family en-
17 gagement strategies;

18 “(ii) describe the process through
19 which the school will equip parents and
20 family members, with particular attention
21 to economically disadvantaged parents and
22 family members, to—

23 “(I) act in partnership with local
24 educational agency and school per-
25 sonnel to improve the academic

1 achievement and development of their
2 children; and

3 “(II) participate in school im-
4 provement strategies;

5 “(iii) describe how the local edu-
6 cational agency will provide the coordina-
7 tion, technical assistance, and other sup-
8 port and conditions necessary to assist par-
9 ticipating schools in planning and imple-
10 menting effective parent and family en-
11 gagement strategies, such as—

12 “(I) making facilities of the local
13 educational agency available, as ap-
14 propriate;

15 “(II) making compensatory time
16 available for educators to conduct
17 home visits;

18 “(III) establishing co-location
19 with public assistance programs;

20 “(IV) encouraging the implemen-
21 tation of community school models
22 and related activities; and

23 “(V) utilizing the expertise of,
24 and developing strategies with, organi-
25 zations that have a demonstrated

1 track record of success in supporting
2 parent and family engagement;

3 “(iv) provide for not less than 1
4 school-wide meeting during each academic
5 year, at a convenient time, to which par-
6 ents and family members of participating
7 children shall be invited and encouraged to
8 attend, in order to—

9 “(I) review the parent and family
10 engagement plan;

11 “(II) inform parents and family
12 members of opportunities for engage-
13 ment in their child’s education; and

14 “(III) explain to parents and
15 family members the right of the par-
16 ents and family members to be in-
17 volved, and the benefits of meaningful
18 engagement;

19 “(v) provide parents with an oppor-
20 tunity to develop the knowledge and skills
21 to engage in full partnerships with school
22 instructional and leadership staff of the
23 school in the education of their children;

24 “(vi) provide for professional develop-
25 ment and other evidence-based support to

1 school instructional and leadership per-
2 sonnel regarding effective parent and fam-
3 ily engagement;

4 “(vii) to the extent feasible and appro-
5 priate, coordinate and integrate parent and
6 family engagement programs and strate-
7 gies with other Federal, State, and local
8 programs;

9 “(viii) provide information to school
10 personnel, students, and parents about the
11 school’s use of positive behavioral interven-
12 tions and supports, school-based mental
13 health programs, and the expectations of
14 school personnel, students, and parents in
15 supporting a safe learning environment for
16 all students; and

17 “(ix) describe how the local edu-
18 cational agency will coordinate with parent
19 and family information and resource cen-
20 ters established under part H of title IV.

21 “(b) ANNUAL REVIEW OF PERFORMANCE BENCH-
22 MARKS.—Each year, each local educational agency de-
23 scribed in subsection (a), each school served under this
24 part, and the parent advisory board established under sub-
25 section (g) shall collaboratively review the benchmarks for

1 each of the goals established under subsection (a)(3)(A).

2 Based on the review—

3 “(1) if a local educational agency has met or
4 made continual progress toward meeting, its annual
5 benchmarks in such year, the local educational agen-
6 cy will continue to implement the parent and family
7 engagement plan;

8 “(2) if the local educational agency has not met
9 or made continual progress toward meeting its an-
10 nual benchmarks in such year, the local educational
11 agency and parent advisory board shall jointly deter-
12 mine the cause after taking into the account the re-
13 sults of the end-of-the-year survey described in sub-
14 section (c); and

15 “(3) the local educational agency shall publicly
16 report on whether the agency has met or made con-
17 tinual progress toward meeting such benchmarks,
18 and the degree to which the benchmarks were met.

19 “(c) END-OF-THE-YEAR SURVEY.—As part of the re-
20 view described in subsection (b), a local educational agen-
21 cy shall conduct an end-of-the-year survey of parents and
22 school instructional and leadership personnel, including
23 parents and personnel who participated in the survey de-
24 scribed in subsection (a)(2), to determine whether the

1 needs of parents and personnel were met through the im-
2 plementation of the plan.

3 “(d) REVISION OF PLAN.—The local educational
4 agency and the parent advisory board established under
5 subsection (g) shall address the causes described in sub-
6 section (b)(2) and the results of the survey in subsection
7 (c) in the development or revision of the parent and family
8 engagement plan.

9 “(e) RESERVATION AND USE OF FUNDS.—

10 “(1) IN GENERAL.—Each local educational
11 agency shall reserve not less than 2 percent of such
12 agency’s allocation under subpart 2 to assist schools
13 in carrying out the activities described in this sec-
14 tion, subject to paragraph (2).

15 “(2) EXCEPTION.—The reservation requirement
16 under paragraph (1) shall not apply if 1 percent of
17 the local educational agency’s allocation under sub-
18 part 2 for the fiscal year for which the determina-
19 tion is made is equal to or less than \$5,000.

20 “(3) DISTRIBUTION OF FUNDS.—

21 “(A) IN GENERAL.—A local educational
22 agency shall—

23 “(i) distribute not less than 75 per-
24 cent of funds reserved under paragraph (1)
25 to schools served under this part; and

1 “(D) Supporting home visitation programs.

2 “(E) Engaging in other evidence-based or
3 promising strategies for improving and increas-
4 ing parent and family engagement, which may
5 include family and student supports, as defined
6 in section 4703.

7 “(F) Disseminating information on best
8 practices (such as implementation, replication,
9 impact studies, and evaluations) focused on
10 parent and family engagement, especially best
11 practices for increasing the engagement of eco-
12 nomically disadvantaged parents and family
13 members.

14 “(G) Contracting with experienced parent
15 organizations to assist with training and other
16 activities under this section.

17 “(H) Collaborating, or providing subgrants
18 to schools to enable the schools to collaborate,
19 with community-based organizations, or employ-
20 ers, with a demonstrated track record of suc-
21 cess in improving and increasing student aca-
22 demic achievement and parent and family en-
23 gagement to—

24 “(i) enhance student achievement and
25 development through greater engagement

1 with children, such as experiential learning
2 opportunities and internships;

3 “(ii) increase opportunities for such
4 organizations and employers to support
5 family engagement activities, including by
6 offering family engagement training and
7 supporting adult education and family lit-
8 eracy programs; and

9 “(iii) expand the role of the school as
10 a community resource, such as by using fa-
11 cilities for community events, meetings, ca-
12 reer or health fairs, or adult education and
13 family literacy activities.

14 “(f) ACCESSIBILITY.—In carrying out the parent and
15 family engagement requirements of this part, local edu-
16 cational agencies and schools, to the greatest extent prac-
17 ticable, shall provide opportunities for the full and in-
18 formed participation of parents and family members (in-
19 cluding parents and family members with disabilities), in-
20 cluding providing information and school reports in a for-
21 mat and, to the greatest extent practicable, in a language
22 such parents can understand.

23 “(g) PARENT ADVISORY BOARD.—Each local edu-
24 cational agency described in subsection (a) shall establish
25 a parent advisory board for the purposes of developing,

1 revising, and reviewing the parent and family engagement
2 plan. Such board shall—

3 “(1) consist of a sufficient number of parents
4 of children attending the local educational agency’s
5 schools served under this part to adequately rep-
6 resent the interests and needs of parents at the local
7 educational agency;

8 “(2) meet multiple times throughout the school
9 year; and

10 “(3) be representative of the population served
11 by the local educational agency.”.

12 **SEC. 1119. TECHNICAL CORRECTION REGARDING COM-**
13 **PLAINT PROCESS FOR SECTION 1119.**

14 Section 1119(c)(2) (20 U.S.C. 6320(c)(2)), as redес-
15 igned by section 1117(3), is amended by striking
16 “9505” and inserting “9503”.

17 **SEC. 1120. COMPARABILITY OF SERVICES.**

18 Section 1120 (20 U.S.C. 6321), as redesignated by
19 section 1117(3), is amended—

20 (1) in subsection (a), by striking “involved”;
21 and

22 (2) by striking subsection (c) and inserting the
23 following:

24 “(c) COMPARABILITY.—

25 “(1) IN GENERAL.—

1 “(A) COMPARABILITY.—Beginning for the
2 2015–2016 school year, a local educational
3 agency may receive funds under this part only
4 if the local educational agency demonstrates to
5 the State educational agency that the combined
6 State and local per-pupil expenditures (includ-
7 ing actual personnel and actual non-personnel
8 expenditures) in each school served under this
9 part, in the most recent year for which such
10 data were available, are not less than the aver-
11 age combined State and local per-pupil expendi-
12 tures for those schools that are not served
13 under this part.

14 “(B) ALTERNATIVE COMPARABILITY.—If
15 the local educational agency is serving all of the
16 schools under its jurisdiction under this part,
17 the agency shall demonstrate to the State edu-
18 cational agency that the average combined
19 State and local per-pupil expenditures (includ-
20 ing actual personnel and actual non-personnel
21 expenditures) for its high-poverty schools, in
22 the most recent year for which such data are
23 available, were not less than the average com-
24 bined State and local per-pupil expenditures for
25 its low-poverty schools.

1 “(C) BASIS.—A local educational agency
2 may meet the requirements of subparagraphs
3 (A) and (B) on a local educational agency-wide
4 basis or a grade-span by grade-span basis.

5 “(D) EXCLUSION OF FUNDS.—

6 “(i) IN GENERAL.—For the purpose
7 of complying with this paragraph, a local
8 educational agency shall exclude any State
9 or local funds expended in any school for—

10 “(I) excess costs of providing
11 services to English learners;

12 “(II) excess costs of providing
13 services to children with disabilities;

14 “(III) capital expenditures; and

15 “(IV) such other expenditures as
16 the Secretary determines appropriate.

17 “(ii) CHANGES AFTER THE BEGIN-
18 NING OF THE SCHOOL YEAR.—A local edu-
19 cational agency need not include unpredict-
20 able changes in student enrollment or per-
21 sonnel assignments that occur after the be-
22 ginning of a school year in determining
23 compliance under this subsection.

24 “(2) DOCUMENTATION.—A local educational
25 agency shall demonstrate that it is meeting the re-

1 requirements of paragraph (1) by submitting to the
2 State educational agency the per-pupil expenditures,
3 personnel expenditures, non-personnel expenditures,
4 and total expenditures for each school served by the
5 local educational agency.

6 “(3) INAPPLICABILITY.—This subsection shall
7 not apply to a local educational agency that does not
8 have more than 1 building for each grade span.

9 “(4) PROCESS AND PROCEDURES.—

10 “(A) LOCAL EDUCATIONAL AGENCY RE-
11 SPONSIBILITIES.—Each local educational agen-
12 cy assisted under this part shall, by October 31,
13 2016, report to the State educational agency on
14 its compliance with the requirements of this
15 subsection for the preceding school year, includ-
16 ing a listing, by school, of actual combined per-
17 pupil State and local personnel and non-per-
18 sonnel expenditures.

19 “(B) STATE EDUCATIONAL AGENCY RE-
20 SPONSIBILITIES.—Each State educational agen-
21 cy assisted under this part shall ensure that
22 such information is made publicly available by
23 the State or the local educational agency, in-
24 cluding the school by school listing described in
25 subparagraph (A).

1 “(C) PLAN.—A local educational agency
2 that does not meet the requirements of this
3 subsection in any year shall develop and imple-
4 ment a plan to ensure compliance for the subse-
5 quent school year and may be required by the
6 State educational agency to report on its
7 progress in implementing such plan.

8 “(5) TRANSITION PROVISIONS.—

9 “(A) SCHOOL YEARS PRECEDING THE
10 2015–2016 SCHOOL YEAR.—For school years pre-
11 ceding the 2015–2016 school year, a local edu-
12 cational agency may receive funds under this
13 part only if the local educational agency dem-
14 onstrates to the State educational agency that
15 the local educational agency meets the require-
16 ments of this subsection, as in effect on the day
17 before the date of enactment of the Strength-
18 ening America’s Schools Act of 2013.

19 “(B) TRANSITION BETWEEN REQUIRE-
20 MENTS.—The Secretary shall take such steps as
21 are necessary to provide for the orderly transi-
22 tion between the requirements under this sec-
23 tion, as in effect on the day before the date of
24 enactment of the Strengthening America’s

1 Schools Act of 2013, and the new requirements
2 under this section, as amended by such Act.

3 “(6) RULE OF CONSTRUCTION.—Nothing in
4 this subsection shall be construed to require a local
5 educational agency to transfer school personnel in
6 order to comply with this subsection.

7 “(7) COMPARABLE REQUIREMENTS.—In the
8 case of a State, State educational agency, or local
9 educational agency that has, before the date of en-
10 actment of the Strengthening America’s Schools Act
11 of 2013, enacted requirements relating to the com-
12 parability of educational expenditures that differ
13 from the requirements of this subsection, the Sec-
14 retary shall allow the local educational agency to
15 demonstrate comparability of educational expendi-
16 tures for purposes of this subsection through the en-
17 acted requirements if the Secretary determines that
18 the enacted requirements provide the same, or a
19 higher, standard of comparability for schools served
20 under this part as required by this subsection.”.

21 **SEC. 1121. COORDINATION REQUIREMENTS.**

22 Section 1120A (20 U.S.C. 6322), as redesignated by
23 section 1117(3), is amended to read as follows:

1 **“SEC. 1120A. COORDINATION REQUIREMENTS.**

2 “(a) IN GENERAL.—Each local educational agency
3 receiving assistance under this part shall carry out the ac-
4 tivities described in subsection (b) with Head Start agen-
5 cies (consistent with section 642(e)(5) of the Head Start
6 Act (42 U.S.C. 9801(e)(5)), providers of services under
7 part C of the Individuals with Disabilities Education Act,
8 programs carried out under section 619 of such Act, and,
9 if feasible, other entities carrying out high-quality early
10 childhood education programs and services.

11 “(b) ACTIVITIES.—The activities and services re-
12 ferred to in subsection (a) include—

13 “(1) developing and implementing a systematic
14 procedure for transferring, with parental consent,
15 early childhood program records for each partici-
16 pating child to the school in which such child will
17 enroll;

18 “(2) establishing ongoing communication be-
19 tween early childhood program staff and their coun-
20 terparts in the schools (including teachers, prin-
21 cipals, social workers, local educational agency liai-
22 sons designated under section 722(g)(1)(J)(ii) of the
23 McKinney-Vento Homeless Assistance Act, and
24 health staff) to facilitate the coordination and align-
25 ment of programs;

1 “(3) establishing ongoing communications be-
2 tween the early childhood program and the local
3 educational agency for developing continuity of de-
4 velopmentally appropriate instructional programs
5 and shared expectations for children’s learning and
6 development as children transition to school;

7 “(4) organizing and participating in joint train-
8 ing, including transition-related training for school
9 staff and early childhood programs;

10 “(5) establishing comprehensive transition poli-
11 cies and procedures that support the school readi-
12 ness of children transitioning to school;

13 “(6) conducting outreach to parents, families,
14 and elementary school teachers to discuss the edu-
15 cational, developmental, and other needs of children
16 entering school;

17 “(7) helping parents of children who are
18 English learners understand—

19 “(A) the instructional and other services
20 provided by the school in which such child will
21 enroll after participation in a Head Start pro-
22 gram or other Federal early childhood care and
23 education program; and

1 “(B) as appropriate, the information pro-
2 vided to parents of English learners under sec-
3 tion 3202;

4 “(8) helping parents understand the instruc-
5 tional and other services provided by the school in
6 which their child will enroll after participation in a
7 Head Start program or other Federal early child-
8 hood care and education program; and

9 “(9) developing and implementing a system to
10 increase program participation of underserved popu-
11 lations of eligible children, especially children eligible
12 for a free or reduced price lunch under the Richard
13 B. Russell National School Lunch Act (42 U.S.C.
14 1751 et seq.), parents of children who are English
15 learners, and parents of children with disabilities.”.

16 **SEC. 1122. GRANTS FOR THE OUTLYING AREAS AND THE**
17 **SECRETARY OF THE INTERIOR.**

18 Section 1121 (20 U.S.C. 6331) is amended—

19 (1) in subsection (a), by striking “section
20 1002(a) and 1125A(f)” and inserting “paragraphs
21 (1) and (3) of section 3(a)”;

22 (2) in subsection (b)(3)—

23 (A) in subparagraph (A), by striking “and
24 freely associated States”; and

1 (B) in subparagraph (C)(ii), by striking
2 “challenging State academic content standards”
3 and inserting “college and career ready State
4 academic content standards under section
5 1111(a)(1)”; and

6 (3) by striking subsection (c) and inserting the
7 following:

8 “(c) DEFINITION OF OUTLYING AREA.—As used in
9 subsections (a) and (b), the term ‘outlying area’ has the
10 meaning given that term in subparagraphs (A) and (B)
11 of section 9101(42).”.

12 **SEC. 1123. ALLOCATIONS TO STATES.**

13 Section 1122(a) (20 U.S.C. 6332(a)) is amended by
14 striking “section 1002(a) to carry out this part for each
15 of fiscal years 2002–2007” and inserting “section 3(a)(1)
16 to carry out this part for each of fiscal years 2014 through
17 2019”.

18 **SEC. 1124. EDUCATION FINANCE INCENTIVE GRANT PRO-**
19 **GRAM.**

20 Section 1125A (20 U.S.C. 6337) is amended—

21 (1) in subsection (a), by striking “subsection
22 (f)” and inserting “section 3(a)(3),”;

23 (2) in subsection (b)(1)(A), by striking “sub-
24 section (f)” and inserting “section 3(a)(3)”;

25 (3) by striking subsection (f); and

1 (4) by redesignating subsection (g) as sub-
2 section (f).

3 **SEC. 1125. BLUE RIBBON SCHOOLS; CENTERS FOR EXCEL-**
4 **LENCE IN EARLY CHILDHOOD.**

5 Part A of title I (20 U.S.C. 6301 et seq.) is amended
6 by adding at the end the following:

7 **“Subpart 3—Blue Ribbon Schools; Centers for**
8 **Excellence in Early Childhood**

9 **“SEC. 1131. BLUE RIBBON SCHOOLS.**

10 “(a) PROGRAM PURPOSE.—It is the purpose of this
11 section to assist States and local educational agencies in
12 identifying and rewarding high-performing public schools.

13 “(b) BLUE RIBBON SCHOOLS.—

14 “(1) IDENTIFICATION OF BLUE RIBBON
15 SCHOOLS.—Each State receiving a grant under sub-
16 part 2 may—

17 “(A) define the category of blue ribbon
18 schools, consistent with paragraph (2), for the
19 State as part of its State plan in section
20 1111(b); and

21 “(B) identify, for each school year, the
22 schools in the State that are blue ribbon schools
23 for such year.

24 “(2) BLUE RIBBON SCHOOL CRITERIA.—

1 “(A) IN GENERAL.—If a State elects to
2 carry out this subsection, the State’s blue rib-
3 bon schools shall consist of the highest 5 per-
4 cent of the State’s public elementary schools
5 and secondary schools, as designated by the
6 State based on—

7 “(i) the percentage of proficient or ad-
8 vanced students, as determined under sec-
9 tion 1111(a)(3)(B)(ii), in English or lan-
10 guage arts, and mathematics;

11 “(ii) in the case of high schools, the
12 school’s graduation rates;

13 “(iii) the performance of each cat-
14 egory of students described in section
15 1111(a)(3)(D);

16 “(iv) the percentage of students who
17 are meeting or exceeding the State student
18 academic achievement standards or are
19 achieving sufficient academic growth as de-
20 scribed in section 1111(a)(3)(B)(iii); and

21 “(v) school gains.

22 “(B) NONELIGIBILITY FOR BLUE RIBBON
23 STATUS.—A school identified under subsection
24 (c) or (d) of section 1116 for a year shall not

1 be eligible for blue ribbon school status for the
2 same year.

3 “(c) REWARDS.—

4 “(1) IN GENERAL.—Each State that defines
5 and identifies blue ribbon schools under subsection
6 (b)(1) for a school year may—

7 “(A) provide each blue ribbon school in the
8 State with increased autonomy over the school’s
9 budget, staffing, and time;

10 “(B) allow each blue ribbon school to have
11 flexibility in the use of any funds provided to
12 the school under this Act for any purpose al-
13 lowed under this Act (notwithstanding any
14 other provision of this Act), as long as such use
15 is consistent with the Civil Rights Act of 1964,
16 title IX of the Education Amendments of 1972,
17 section 504 of the Rehabilitation Act of 1973,
18 the Americans with Disabilities Act of 1990 (42
19 U.S.C. 12101), and part B of the Individuals
20 with Disabilities Education Act; and

21 “(C) reserve not more than .5 percent of
22 the funds allotted to the State under subpart 2
23 and use such reserved amounts to distribute re-
24 wards, on a competitive basis, to local edu-
25 cational agencies that serve 1 or more blue rib-

1 bon schools identified under subsection (b) that
2 receive funds under subpart 2 to enable the
3 local educational agencies to provide awards to
4 such blue ribbon schools that receive funds
5 under such subpart.

6 “(2) USE OF REWARDS.—As a condition of re-
7 ceiving an award from a local educational agency
8 under this subsection, a blue ribbon school shall
9 agree to use the award funds to—

10 “(A) improve student achievement; and

11 “(B) provide technical assistance to the
12 lowest-achieving schools in the closest geo-
13 graphic region of the State to the blue ribbon
14 school, in accordance with the State plan under
15 section 1111(b)(1)(F).

16 **“SEC. 1132. CENTERS OF EXCELLENCE IN EARLY CHILD-**
17 **HOOD.**

18 “(a) DEFINITION OF ELIGIBLE EARLY CHILDHOOD
19 EDUCATION PROGRAM.—In this section, the term ‘eligible
20 early childhood education program’ means an early child-
21 hood education program, as defined in section 103 of the
22 Higher Education Act of 1965, that—

23 “(1) serves young children from households that
24 would be eligible to receive a free or reduced price

1 lunch under the Richard B. Russell National School
2 Lunch Act (42 U.S.C. 1751 et seq.);

3 “(2) is nominated, by the Governor of the State
4 in which the program is located and through a com-
5 petitive selection process, to be a center of excellence
6 in early childhood under this section.

7 “(b) PROGRAM AUTHORIZED.—

8 “(1) IN GENERAL.—The Secretary of Edu-
9 cation, acting jointly with the Secretary of Health
10 and Human Services as provided in paragraph (2),
11 shall, subject to the availability of funds under sec-
12 tion 3(b)(4), establish a program under which the
13 Secretary shall—

14 “(A) designate exemplary eligible early
15 childhood education programs as centers of ex-
16 cellence in early childhood for the purposes of
17 sharing best practices among early childhood
18 education programs and to support or recognize
19 the centers of excellence to improve the quality
20 of care in programs in their local region; and

21 “(B) award bonus grants to each center of
22 excellence in early childhood, to enable the cen-
23 ter to carry out the activities described in sub-
24 section (e).

25 “(2) FEDERAL ADMINISTRATION.—

1 “(A) IN GENERAL.—With respect to this
2 section, the Secretary shall bear responsibility
3 for obligating and disbursing funds and ensur-
4 ing compliance with applicable laws and admin-
5 istrative requirements, subject to subparagraph
6 (B).

7 “(B) INTERAGENCY AGREEMENT.—The
8 Secretary of Education and the Secretary of
9 Health and Human Services shall jointly ad-
10 minister activities supported under this sub-
11 section on such terms as such secretaries shall
12 set forth in an interagency agreement.

13 “(c) APPLICATION.—

14 “(1) IN GENERAL.—In order to be eligible to be
15 designated as a center of excellence in early child-
16 hood under subsection (b), an eligible early child-
17 hood education program shall submit an application
18 to the Secretary at such time, in such manner, and
19 containing such information as the Secretary may
20 require.

21 “(2) CONTENTS.—At a minimum, the applica-
22 tion shall include—

23 “(A) evidence that the eligible early child-
24 hood education program has significantly im-
25 proved the school readiness, as determined by

1 the Secretaries, of young children who have
2 participated in the program;

3 “(B) evidence that the eligible early child-
4 hood education program demonstrates improved
5 child outcomes across all the essential domains
6 of school readiness;

7 “(C) evidence that the eligible early child-
8 hood education program has high staff quali-
9 fications that are designed to promote the so-
10 cial, emotional, physical, and cognitive develop-
11 ment of children;

12 “(D) an assurance that the eligible early
13 childhood education program will develop a col-
14 laborative partnership with other providers of
15 early childhood education in the local commu-
16 nity involved to conduct activities under sub-
17 section (e);

18 “(E) a nomination letter, from the Gov-
19 ernor of the State in which the eligible early
20 childhood education program is located, dem-
21 onstrating the eligible early childhood education
22 program’s ability to—

23 “(i) provide the coordination, transi-
24 tion, and training services of the activities
25 proposed to be carried out under the bonus

1 grant, including the coordination of such
2 activities with State and local agencies that
3 provide early childhood education and de-
4 velopment to young children and families
5 in the community served by the eligible
6 early childhood education program; and

7 “(ii) carry out the activities described
8 in subsection (e)(1); and

9 “(F) a description of how the early child-
10 hood program, in order to expand accessibility
11 and continuity of quality early childhood edu-
12 cation and development services and programs,
13 will coordinate activities under subsection (e)
14 with—

15 “(i) programs serving children as-
16 sisted under the Child Care and Develop-
17 ment Block Grant Act of 1990 (42 U.S.C.
18 9858 et seq.);

19 “(ii) the temporary assistance for
20 needy families program funded under part
21 A of title IV of the Social Security Act (42
22 U.S.C. 601 et seq.);

23 “(iii) the block grants to State for so-
24 cial services program funded under subtitle

1 A of title XX of the Social Security Act
2 (42 U.S.C. 1397 et seq.);

3 “(iv) child care programs supported
4 directly through the Community Services
5 Block Grant;

6 “(v) the Head Start and Early Head
7 Start programs carried out under Head
8 Start Act;

9 “(vi) programs supported by grants
10 under part I of title IV;

11 “(vii) other preschool programs sup-
12 ported under this title;

13 “(viii) programs carried out under
14 section 619 and part C of the Individuals
15 with Disabilities Education Act;

16 “(ix) State prekindergarten programs;

17 “(x) programs that support parent
18 and family engagement, including pro-
19 grams funded under section 1118 or, if ap-
20 plicable, grantees supported through par-
21 ent and family information and resource
22 center grants under part H of title IV; and

23 “(xi) other programs of early child-
24 hood education and development; and

1 “(B) award each center of excellence in
2 early childhood a bonus grant for the 5-year
3 term, subject to paragraph (2)(B).

4 “(2) TERM OF DESIGNATION.—

5 “(A) IN GENERAL.—Subject to subpara-
6 graph (B), the Secretary shall designate each
7 early childhood education program as a center
8 of excellence in early childhood under para-
9 graph (1) for a 5-year term. During the period
10 of that designation, the program shall receive a
11 bonus grant under subsection (b).

12 “(B) REVOCATION.—The Secretary may
13 revoke a program’s grant and designation under
14 subparagraph (A) if the Secretary determines
15 that the program has not made substantial
16 progress in meeting the goals and objectives of
17 the grant.

18 “(3) BONUS GRANT AMOUNT.—

19 “(A) MINIMUM AMOUNT OF BONUS
20 GRANT.—Subject to the availability of appro-
21 priations, each bonus grant awarded under this
22 subsection shall be in an amount of not less
23 than \$200,000 per year.

24 “(B) PRIORITY FOR INCREASED BONUS
25 GRANT FUNDING.—In determining the amount

1 of the bonus grant for a center of excellence in
2 early childhood under this section, and subject
3 to the requirements of subparagraph (A), the
4 Secretary—

5 “(i) shall give priority to centers that,
6 through their applications, demonstrate
7 that their programs are of exceptional
8 quality and would serve as exemplary mod-
9 els for programs in the same geographic
10 region; and

11 “(ii) may give consideration to—

12 “(I) the populations served by
13 the centers, such as centers that serve
14 large proportions of young children
15 who are English learners, children
16 who are infants or toddlers with dis-
17 abilities, as defined in 632 of the Indi-
18 viduals with Disabilities Education
19 Act, children with disabilities who are
20 eligible for services under section 619
21 of such Act, homeless children, foster
22 children, or children who receive child
23 protective services, or young children
24 of other underserved populations; and

1 “(II) centers that do an excep-
2 tional job meeting the needs of young
3 children in such populations.

4 “(e) USE OF BONUS GRANT FUNDS.—A center of ex-
5 cellence in early childhood that receives a bonus grant
6 under this subsection shall—

7 “(1) use not less than 15 percent of the funds
8 made available through the grant to disseminate to
9 other early childhood education programs in the
10 State involved (including to early childhood edu-
11 cation programs who serve young children who live
12 on tribal lands or come from families who engage in
13 seasonal or migrant work), best practices for achiev-
14 ing early academic success, including—

15 “(A) best practices for achieving school
16 readiness, including developing early literacy
17 and mathematics skills;

18 “(B) best practices for achieving the acqui-
19 sition of the English language for English
20 learners, if appropriate to the population
21 served;

22 “(C) best practices for providing high-qual-
23 ity comprehensive services, if applicable, for
24 participating young children and their families;
25 and

1 “(D) best practices for facilitating the so-
2 cial and emotional development of children and
3 young children; and

4 “(2) use the remainder of such funds for not
5 less than 2 of the following activities:

6 “(A) In the case of a center of excellence
7 that is a Head Start program, providing Head
8 Start services to additional eligible young chil-
9 dren.

10 “(B) Extending the services of the center
11 of excellence to provide full-day, full-week, or
12 full-year care to young children served by the
13 program, if appropriate to better meet the
14 needs of working families in the community
15 served by the center.

16 “(C) Further coordinating early childhood
17 education programs and services and social
18 services available in the community served by
19 the center for at-risk young children, their fam-
20 ilies, and pregnant women.

21 “(D) Providing professional development
22 for program instructional and support staff, in-
23 cluding joint training for with child care pro-
24 viders, public preschool and elementary school
25 teachers and school leaders, and other providers

1 of early childhood education and development
2 programs.

3 “(E) Developing or maintaining partner-
4 ships with institutions of higher education and
5 nonprofit organizations, including community-
6 based organizations, that recruit, train, place,
7 and support postsecondary education students
8 to serve as mentors and reading partners to
9 preschool children in centers that serve such
10 children.

11 “(F) Carrying out other activities deter-
12 mined by the center to improve the overall qual-
13 ity of the center’s early childhood education
14 program and for which there is evidence that
15 the activities will lead to improved safety, devel-
16 opment, well-being, or school readiness of the
17 young children served by the program.

18 “(G) Sharing best practices concerning the
19 transition of children into elementary school.

20 “(f) REPORTS TO THE SECRETARY.—Each center of
21 excellence in early childhood that receives bonus grant
22 funds under this section shall submit an annual report to
23 the Secretary, at such time and in such manner as the
24 Secretary may require, that contains a description of the
25 activities the center carried out with funds received under

1 this section, including a description of how such funds im-
2 proved services for young children and families.

3 “(g) RESEARCH AND TECHNICAL ASSISTANCE.—
4 From the funds made available to carry out this section,
5 the Secretary may reserve not more than 1 percent of such
6 funds to carry out the following activities:

7 “(1) Supporting a research collaborative among
8 the Institute of Education Sciences, the National In-
9 stitute of Child Health and Human Development,
10 the Office of Planning, Research, and Evaluation
11 within the Administration for Children and Families
12 of the Department of Health and Human Services,
13 and, as appropriate, other Federal entities, to sup-
14 port research on early learning that can inform im-
15 proved State and other standards and licensing re-
16 quirements and improved outcomes for young chil-
17 dren, which collaborative shall—

18 “(A) biennially prepare and publish for
19 public comment a detailed research plan;

20 “(B) support early learning research activi-
21 ties that could include determining—

22 “(i) the characteristics of early learn-
23 ing programs that produce positive devel-
24 opmental outcomes for young children;

1 “(ii) the effects of program quality
2 standards on child outcomes;

3 “(iii) the relationships between spe-
4 cific interventions and types of child and
5 family outcomes;

6 “(iv) the effectiveness of early learn-
7 ing provider training in raising program
8 quality and improving child outcomes;

9 “(v) the effectiveness of professional
10 development strategies in raising program
11 quality and improving child outcomes; and

12 “(vi) how to improve the school readi-
13 ness outcomes of young children who are
14 English learners, children with special
15 needs, and homeless children, including
16 evaluation of professional development pro-
17 grams for working with such children; and

18 “(C) disseminate relevant research findings
19 and best practices.

20 “(2) Evaluating barriers to improving the qual-
21 ity of early learning programs serving low-income
22 young children, including evaluating barriers to suc-
23 cessful interagency collaboration and coordination,
24 by conducting a review of the statewide strategic re-
25 ports developed by State Advisory Councils on Early

1 Childhood Education and Care and other relevant
2 reports, reporting the findings of such review to
3 Congress, and disseminating relevant research find-
4 ings and best practices.

5 **“SEC. 1133. GREEN RIBBON SCHOOLS.**

6 “The Secretary is authorized to identify and recog-
7 nize exemplary schools, programs, and individuals. Such
8 recognitions may include—

9 “(1) a Green Ribbon Schools program, such as
10 the Green Ribbons School program carried out by
11 the Secretary under section 5411(b)(5) as of the day
12 before the date of enactment of the Strengthening
13 America’s Schools Act of 2013, that recognizes ex-
14 cellence in reducing environmental impact, increas-
15 ing health and wellness, and providing sustainability
16 education; and

17 “(2) an award program recognizing excellence
18 exhibited by classified school employees in the public
19 school system.”.

20 **SEC. 1126. GRANTS FOR STATE ASSESSMENTS AND RE-**
21 **LATED ACTIVITIES.**

22 Part A of title I (20 U.S.C. 6301 et seq.), as amended
23 by section 1125, is further amended by adding at the end
24 the following:

1 **“Subpart 4—Grants for State Assessments and**
2 **Related Activities**

3 **“SEC. 1141. GRANTS FOR STATE ASSESSMENTS AND RE-**
4 **LATED ACTIVITIES.**

5 “(a) GRANTS FOR STATE ASSESSMENTS.—From
6 amounts made available under subsection (c)(1) to carry
7 out this subsection, the Secretary shall make grants to
8 States—

9 “(1) to enable States to pay the costs of devel-
10 oping, improving, or administering State assess-
11 ments and standards consistent with section
12 1111(a), which may include the cost of working in
13 voluntary partnerships with other States, at the sole
14 discretion of each such State; and

15 “(2) in the case of States that have developed
16 the assessments and standards consistent with the
17 requirements of section 1111(a), to enable each such
18 State—

19 “(A) to administer such assessments; or

20 “(B) to carry out other activities described
21 in this section, which may include—

22 “(i) developing college and career
23 ready State academic content and student
24 academic achievement standards and
25 aligned assessments in academic subjects

1 for which standards and assessments are
2 not required under section 1111(a);

3 “(ii) developing or improving assess-
4 ments of English language proficiency nec-
5 essary to comply with section
6 1111(a)(2)(D);

7 “(iii) developing multiple measures of
8 student academic achievement, including
9 measures that assess higher-order thinking
10 skills and understanding, and elicit com-
11 plex student demonstrations or applica-
12 tions of knowledge and skills to increase
13 the reliability and validity of State assess-
14 ment systems;

15 “(iv) developing, enhancing, or admin-
16 istering, in publicly funded early childhood
17 education programs and elementary
18 schools, early learning assessments (includ-
19 ing accommodations to provide access for
20 young children with disabilities) to improve
21 instruction for young children;

22 “(v) strengthening the capacity of
23 local educational agencies and schools to
24 provide all students with the opportunity
25 to increase educational achievement, in-

1 cluding carrying out professional develop-
2 ment activities aligned with State student
3 academic achievement standards and as-
4 sessments;

5 “(vi) expanding the range, and im-
6 proving the quality, of accommodations
7 available to English learners and students
8 with disabilities to improve the use of such
9 accommodations, including professional de-
10 velopment activities;

11 “(vii) improving the dissemination of
12 information about student achievement and
13 school performance to parents and fami-
14 lies, including the development of informa-
15 tion and reporting systems designed to—

16 “(I) identify best educational
17 practices based on scientifically valid
18 research; or

19 “(II) assist in linking records of
20 student achievement, length of enroll-
21 ment, and graduation over time;

22 “(viii) providing instructional sup-
23 ports, which may include formative assess-
24 ments;

1 “(ix) developing computer adaptive as-
2 sessments that meet the requirements of
3 section 1111(a);

4 “(x) developing alternate assessments,
5 as described in section 1111(a)(2)(E),
6 aligned to alternate achievement standards;
7 and

8 “(xi) providing professional develop-
9 ment to local educational agency staff to
10 transition between assessment systems, in-
11 cluding technology for that purpose.

12 “(b) GRANTS FOR ENHANCED ASSESSMENT SYS-
13 TEMS.—

14 “(1) GRANT PROGRAM AUTHORIZED.—From
15 amounts made available under subsection (c)(2) to
16 carry out this subsection, the Secretary shall award,
17 on a competitive basis, grants to State educational
18 agencies to enable the State educational agencies to
19 carry out the activities described in paragraph (3).

20 “(2) APPLICATION.—Each State educational
21 agency desiring to receive a grant under this section
22 shall submit an application to the Secretary at such
23 time, in such manner, and accompanied by such in-
24 formation as the Secretary may require.

1 “(3) AUTHORIZED ACTIVITIES.—Each State
2 educational agency that receives a grant under this
3 section shall use the grant funds to—

4 “(A) enable States, or a consortia of
5 States, to collaborate with institutions of higher
6 education or other organizations or agencies to
7 improve the quality, validity, and reliability of
8 State academic assessments beyond the require-
9 ments for such assessments described in section
10 1111(a)(2);

11 “(B) measure student academic achieve-
12 ment using multiple measures of student aca-
13 demic achievement from multiple sources, in-
14 cluding measures that assess higher-order
15 thinking skills and understanding;

16 “(C) chart student progress over time; or

17 “(D) evaluate student academic achieve-
18 ment through the development of comprehensive
19 academic assessment instruments.

20 “(c) ALLOTMENT OF APPROPRIATED FUNDS.—

21 “(1) IN GENERAL.—Except as provided in para-
22 graph (2), for each fiscal year, the Secretary shall
23 use the amount of funds made available for this sec-
24 tion for such year or \$400,000,000 of such funds,
25 whichever is less, to—

1 “(A) reserve one-half of 1 percent for the
2 Bureau of Indian Education;

3 “(B) reserve one-half of 1 percent for the
4 outlying areas; and

5 “(C) from the amounts remaining after the
6 application of subparagraphs (A) and (B), allo-
7 cate to each State, for the purposes of carrying
8 out the activities under subsection (a), an
9 amount equal to—

10 “(i) \$3,000,000; and

11 “(ii) with respect to any amounts re-
12 maining after the allocation is made under
13 clause (i), an amount that bears the same
14 relationship to such total remaining
15 amounts as the number of students ages 5
16 through 17 in the State (as determined by
17 the Secretary on the basis of the most re-
18 cent satisfactory data) bears to the total
19 number of such students in all States.

20 “(2) SPECIAL RULE FOR FISCAL YEAR 2014.—

21 For fiscal year 2014, the Secretary shall use not less
22 than \$800,000,000 or, if a lesser amount is made
23 available for this section for such year, such entire
24 lesser amount, to carry out the requirements of
25 paragraph (1).

1 “(3) REMAINDER.—Any amounts remaining for
2 a fiscal year after the Secretary carries out para-
3 graph (1) shall be made available to award funds
4 under subsection (b) to States according to the qual-
5 ity, needs, and scope of the State application under
6 this section. In determining the grant amount, the
7 Secretary shall ensure that a State’s grant shall in-
8 clude an amount that bears the same relationship to
9 the total funds available under this paragraph for
10 the fiscal year as the number of students ages 5
11 through 17 in the State (as determined by the Sec-
12 retary on the basis of the most recent satisfactory
13 data) bears to the total number of such students in
14 all States.

15 “(4) DEFINITION OF STATE.—In this section,
16 the term ‘State’ means each of the 50 States, the
17 District of Columbia, and the Commonwealth of
18 Puerto Rico.”.

19 **PART B—PATHWAYS TO COLLEGE**

20 **SEC. 1201. IMPROVING SECONDARY SCHOOLS.**

21 Part B of title I (20 U.S.C. 6361 et seq.) is amended
22 to read as follows:

1 **“PART B—PATHWAYS TO COLLEGE**

2 **“Subpart 1—Improving Secondary Schools**

3 **“SEC. 1201. SECONDARY SCHOOL REFORM.**

4 “(a) PURPOSES.—The purposes of this section are to
5 ensure students graduate from secondary school college
6 and career ready and to increase graduation rates by pro-
7 viding grants to eligible entities to provide schools with
8 the necessary resources to implement innovative and effec-
9 tive secondary school reform strategies.

10 “(b) DEFINITIONS.—In this section:

11 “(1) APPLIED LEARNING.—The term ‘applied
12 learning’ means a strategy that—

13 “(A) engages students in opportunities to
14 apply rigorous academic content aligned with
15 college-level expectations to real world experi-
16 ence, through such means as work experience,
17 work-based learning, problem-based learning, or
18 service-learning; and

19 “(B) develops students’ cognitive com-
20 petencies and pertinent employability skills.

21 “(2) CHRONIC ABSENTEEISM.—The term
22 ‘chronic absenteeism’ means a student misses—

23 “(A) 10 percent of the school days per
24 school year; or

25 “(B) not less than 20 school days per
26 school year.

1 “(3) COMPETENCY-BASED LEARNING MODEL.—

2 The term ‘competency-based learning model’ means
3 an education model in which educators use explicit
4 measurable learning objectives to assist students to
5 advance upon mastery of objectives as determined
6 through relevant assessments.

7 “(4) EFFECTIVE SECONDARY SCHOOL REFORM

8 STRATEGIES.—The term ‘effective secondary school
9 reform strategies’ means a set of programs, inter-
10 ventions, and activities with demonstrated effective-
11 ness in improving the academic achievement of
12 struggling students or dropouts.

13 “(5) ELIGIBLE ENTITY.—The term ‘eligible en-

14 tity’ means a high-need local educational agency, or
15 a consortia of such local educational agencies, in
16 partnership with—

17 “(A) 1 or more institutions of higher edu-
18 cation;

19 “(B) 1 or more employers or industry-re-
20 lated organizations; and

21 “(C) 1 or more external partners or quali-
22 fied intermediaries.

23 “(6) ELIGIBLE SECONDARY SCHOOL.—The

24 term ‘eligible secondary school’ means a high school
25 that—

1 “(A) is eligible for funds under part A;

2 “(B) has a graduation rate below 75 per-
3 cent;

4 “(C) does not receive grant funds under
5 section 1116(d); and

6 “(D) is identified as low performing based
7 on the State’s accountability system.

8 “(7) EXTERNAL PARTNER.—The term ‘external
9 partner’ means a public or private nonprofit organi-
10 zation or a nonprofit charter management organiza-
11 tion, with a demonstrated record of successful sec-
12 ondary school reform.

13 “(8) FEEDER MIDDLE SCHOOL.—The term
14 ‘feeder middle school’ means an elementary school or
15 secondary school from which a majority of students
16 go on to attend an eligible secondary school.

17 “(9) QUALIFIED INTERMEDIARY.—The term
18 ‘qualified intermediary’ means an entity that has
19 demonstrated expertise to build and sustain partner-
20 ships with entities such as employers, schools, com-
21 munity-based organizations, postsecondary edu-
22 cational institutions, social service agencies, eco-
23 nomic development organizations, and workforce in-
24 vestment systems, to broker services, resources, and

1 supports for youth and the organizations and sys-
2 tems designed to serve them.

3 “(10) STRUGGLING STUDENT.—The term
4 ‘struggling student’ means a student who—

5 “(A) is at an increased risk for low aca-
6 demic achievement and is unlikely to graduate
7 secondary school within 4 years; or

8 “(B) a student who has dropped out of
9 school.

10 “(c) GRANTS AUTHORIZED.—

11 “(1) IN GENERAL.—

12 “(A) RESERVATION.—From the total
13 amount of funds appropriated to carry out this
14 section for a fiscal year, the Secretary shall re-
15 serve—

16 “(i) not more than 2.5 percent for na-
17 tional activities, which the Secretary shall
18 use for technical assistance, data collection
19 and dissemination, and evaluation and re-
20 porting activities; and

21 “(ii) not less than one half of 1 per-
22 cent for the Bureau of Indian Education
23 for activities consistent with the purposes
24 of this section.

1 “(B) GRANTS.—From the total amount of
2 funds appropriated to carry out this section for
3 a fiscal year and not reserved under subpara-
4 graph (A), the Secretary shall award grants, on
5 a competitive basis, to eligible entities, based on
6 the quality of the applications submitted, of
7 which—

8 “(i) not more than 25 percent of
9 grant funds shall be used for activities de-
10 scribed in subsection (e)(1); and

11 “(ii) not less than 75 percent of grant
12 funds shall be used for activities described
13 in paragraphs (2) and (3) of subsection (e)
14 and subsection (f).

15 “(2) GRANT DURATION.—Grants awarded
16 under this section shall be for a period of 5 years,
17 conditional after 3 years on satisfactory progress on
18 the performance indicators described in subsection
19 (d)(2)(G), as determined by the Secretary.

20 “(3) GRANT CONSIDERATIONS.—In awarding
21 grants under this section, the Secretary shall give
22 special consideration to applications from eligible en-
23 tities—

24 “(A) serving high-need areas, such as high-
25 poverty or rural local educational agencies; or

1 “(B) that demonstrate partnerships with
2 employers to provide students at participating
3 schools with career-related experience or assist-
4 ance in attaining career-related credentials.

5 “(4) ANNUAL REPORT.—Each eligible entity
6 that receives a grant under this section shall submit
7 to the Secretary an annual report including data on
8 the entity’s progress on the performance indicators
9 described in subsection (d)(2)(G).

10 “(d) APPLICATION.—

11 “(1) IN GENERAL.—An eligible entity that de-
12 sires a grant under this section shall submit an ap-
13 plication to the Secretary at such time, in such man-
14 ner, and containing such information as the Sec-
15 retary may reasonably require.

16 “(2) CONTENTS.—Each application submitted
17 under paragraph (1) shall include, at a minimum, a
18 description of the following:

19 “(A) How the eligible entity will use funds
20 awarded under this section to carry out the ac-
21 tivities described in subsection (e)(1).

22 “(B) The role of each entity that com-
23 prises the eligible entity in meeting the pur-
24 poses of this section, including the external

1 partner's capacity and record of success in sec-
2 ondary school reform.

3 “(C) How the eligible entity will sustain
4 the activities proposed, including the availability
5 of funds from non-Federal sources and coordi-
6 nation with other Federal, State, and local
7 funds.

8 “(D) How the eligible entity conducted a
9 comprehensive needs analysis and capacity as-
10 sessment of the eligible secondary schools
11 served by the eligible entity to identify sec-
12 ondary schools proposed to be served by the
13 grant. The needs analysis and capacity assess-
14 ment shall include the following:

15 “(i) An examination of each secondary
16 school's data in the aggregate, and
17 disaggregated by each of the subgroups of
18 students described in section
19 1111(a)(2)(B)(x), on the following:

20 “(I) Graduation rates and char-
21 acteristics of those students who are
22 not graduating, including such stu-
23 dents' attendance, behavior, expulsion
24 rates, suspension rates, course per-

1 performance, and credit accumulation
2 rates.

3 “(II) Rates of dropout recovery
4 (re-entry).

5 “(III) Rates of enrollment and
6 remediation in institutions of higher
7 education, in accordance with section
8 1111(d)(3)(B)(viii).

9 “(IV) The percentage of students
10 who are 2 or more years over-aged or
11 under-credited for their grade level.

12 “(ii) An examination of each eligible
13 secondary school and feeder middle
14 school’s data in the aggregate, and
15 disaggregated by each of the subgroups of
16 students described in section
17 1111(a)(2)(B)(x), as applicable, on the fol-
18 lowing:

19 “(I) Student academic achieve-
20 ment, including the percentage of stu-
21 dents who have on-time credit accu-
22 mulation at the end of each grade and
23 the percentage of students failing a
24 core, credit-bearing, reading or lan-
25 guage arts, science, or mathematics

1 course, or failing 2 or more of any
2 courses.

3 “(II) The percentage of students
4 who have an attendance rate lower
5 than 90 percent.

6 “(III) Annual rates of expulsions,
7 suspensions, school violence, harass-
8 ment, and bullying, as defined under
9 State or local laws or policies.

10 “(IV) Annual, average credit ac-
11 cumulation.

12 “(V) Annual, average attendance
13 rates.

14 “(VI) Annual rates of students
15 who move in and out of the school
16 within a school year.

17 “(VII) Annual, average rates of
18 enrollment in and completion of ad-
19 vanced coursework, including opportu-
20 nities to earn postsecondary credit
21 while in high school, such as Ad-
22 vanced Placement and International
23 Baccalaureate courses and exams,
24 dual enrollment, and early college.

1 sessment) and can be better spent;
2 and

3 “(III) the technical assistance,
4 additional resources, and staff nec-
5 essary to implement the activities
6 identified in subsection (e)(3).

7 “(iv) An assessment of the capacity of
8 the eligible entity to provide technical as-
9 sistance and resources to implement the
10 activities described in subsection (e).

11 “(E) The rationale for the strategies cho-
12 sen to be implemented under subsection (e), in-
13 cluding how such strategies will address the
14 needs identified through the needs analysis.

15 “(F) How the eligible entity will incor-
16 porate students with disabilities, English learn-
17 ers, and struggling students into the activities
18 under subsection (e).

19 “(G) The performance indicators and tar-
20 gets the eligible entity will use to assess the ef-
21 fectiveness of the activities implemented under
22 this section including—

23 “(i) graduation rates;

24 “(ii) dropout recovery (re-entry) rates;

1 “(iii) percentage of students with less
2 than a 90 percent attendance rate;

3 “(iv) percentage of students who have
4 on-time credit accumulation at the end of
5 each grade and the percentage of students
6 failing a core subject course;

7 “(v) rates of expulsions, suspensions,
8 school violence, harassment, and bullying,
9 as defined under State or local laws or
10 policies;

11 “(vi) annual, average attendance
12 rates;

13 “(vii) annual rates of student mobil-
14 ity;

15 “(viii) annual rates of student trans-
16 fers;

17 “(ix) college remediation, enrollment,
18 persistence, and completion rates; and

19 “(x) percentage of students success-
20 fully—

21 “(I) completing Advanced Place-
22 ment or International Baccalaureate
23 courses;

1 “(II) completing rigorous post-
2 secondary education courses while at-
3 tending a secondary school; or

4 “(III) enrolling in and com-
5 pleting, career and technical edu-
6 cation, as defined in section 3 of the
7 Carl D. Perkins Career and Technical
8 Education Act of 2006 (20 U.S.C.
9 2302) or a program that leads to an
10 apprenticeship registered under the
11 Act of August 16, 1937 (commonly
12 known as the ‘National Apprentice-
13 ship Act’; 50 Stat. 664, chapter 663;
14 29 U.S.C. 50 et seq.).

15 “(e) REQUIRED USES OF FUNDS.—

16 “(1) IN GENERAL.—An eligible entity that re-
17 ceives a grant under this section shall use the grant
18 funds to—

19 “(A) implement an early warning indicator
20 system to help high schools and feeder middle
21 schools, served by the eligible entity’s local edu-
22 cational agency, to identify struggling students
23 and create a system of evidence-based interven-
24 tions, by—

1 “(i) identifying and analyzing the aca-
2 demic and non-academic risk factors that
3 most reliably predict dropouts by using
4 longitudinal data of past cohorts of stu-
5 dents;

6 “(ii) identifying specific indicators of
7 student progress and performance, such as
8 attendance and chronic absenteeism, aca-
9 demic performance in core courses, and
10 credit accumulation, to guide decision-
11 making;

12 “(iii) identifying or developing a
13 mechanism for regularly collecting and
14 analyzing data about the impact of inter-
15 ventions on the indicators of student
16 progress and performance;

17 “(iv) analyzing academic indicators to
18 determine whether students are making
19 sufficient academic growth to graduate sec-
20 ondary school in the standard numbers of
21 years; and

22 “(v) identifying and implementing
23 strategies for pairing academic support
24 with integrated student services and case-
25 management interventions for students re-

1 quiring intensive supports, which may in-
2 clude partnerships with other external
3 partners;

4 “(B) provide support and credit recovery
5 opportunities for struggling students, including
6 those who are over-aged and under-credited, at
7 secondary schools served by the eligible entity
8 by offering activities, such as—

9 “(i) a flexible school schedule;

10 “(ii) competency-based learning mod-
11 els and performance-based assessments;
12 and

13 “(iii) the provision of support services;

14 “(C) provide dropout recovery or re-entry
15 programs to secondary schools that are de-
16 signed to encourage and support dropouts re-
17 turning to an educational system, program, or
18 institution following an extended absence in
19 order to graduate college and career ready;

20 “(D) provide evidence-based grade and
21 school transition programs and supports, in-
22 cluding through curricula alignment; and

23 “(E) provide school leaders, instructional
24 staff, noninstructional staff, students, and fami-

1 lies with high-quality, easily accessible and
2 timely information about—

3 “(i) secondary school graduation re-
4 quirements;

5 “(ii) postsecondary education applica-
6 tion processes;

7 “(iii) postsecondary admissions proc-
8 esses and requirements, including public fi-
9 nancial aid and other available private
10 scholarship and grant aid opportunities;
11 and

12 “(iv) other programs and services for
13 increasing rates of college access and suc-
14 cess for students from low-income families.

15 “(2) REQUIRED USE OF FUNDS IN FEEDER
16 MIDDLE SCHOOLS.—An eligible entity that receives a
17 grant under this section shall use the grant funds in
18 feeder middle schools to improve the academic
19 achievement of students and prepare students to
20 graduate college and career ready by—

21 “(A) using early warning indicator and
22 intervention systems described in paragraph
23 (1)(A);

24 “(B) creating a personalized learning envi-
25 ronment;

1 “(C) implementing a transition strategy to
2 support the successful transition of students be-
3 tween grades, including encouraging collabora-
4 tion among elementary, middle, and secondary
5 school grades;

6 “(D) providing high-quality professional
7 development opportunities to school leaders,
8 teachers, and other school staff to prepare staff
9 to—

10 “(i) address the academic challenges
11 of students in middle grades;

12 “(ii) understand the developmental
13 needs of students in the middle grades and
14 how to address those needs in an edu-
15 cational setting;

16 “(iii) implement data-driven interven-
17 tions; and

18 “(iv) provide academic guidance to
19 students so that students can graduate on
20 college and career ready; and

21 “(E) implementing organizational practices
22 and school schedules that allow for collaborative
23 staff participation, team teaching, and common
24 instructional planning time.

1 “(3) REQUIRED USE OF FUNDS IN ELIGIBLE
2 SECONDARY SCHOOLS.—An eligible entity that re-
3 ceives a grant under this section shall use the grant
4 funds in eligible secondary schools to implement a
5 comprehensive approach that will—

6 “(A) personalize the school experience by
7 taking steps such as—

8 “(i) creating opportunities for strug-
9 gling students to receive personalized in-
10 struction, including providing a personal-
11 ized sequence of instructional content and
12 skills development, and opportunities for
13 credit recovery;

14 “(ii) implementing competency-based
15 learning models; and

16 “(iii) providing ongoing evaluation of
17 student academic achievement and the nec-
18 essary supports so that students graduate
19 college and career ready;

20 “(B) increase student engagement by pro-
21 viding applied learning opportunities;

22 “(C) provide school leaders with autonomy
23 through a flexible budget and staffing author-
24 ity;

1 “(D) implement high-quality, evidence-
2 based professional development for teachers and
3 school leaders, provide increased opportunities
4 for teachers to work collaboratively, and im-
5 prove instruction;

6 “(E) improve curriculum and instruction,
7 by—

8 “(i) redesigning academic content and
9 instructional practices to align with high
10 academic standards for all students, the
11 criteria associated with admission to and
12 success in postsecondary education, and
13 the skills necessary to be successful in the
14 workplace;

15 “(ii) increasing rigor by providing op-
16 portunities to earn postsecondary credit
17 while in high school, including through Ad-
18 vanced Placement or International Baccalaureate
19 courses, dual enrollment, and
20 early college; and

21 “(iii) implementing competency-based
22 learning models;

23 “(F) strengthen the transition between
24 high school and postsecondary education
25 through activities such as—

1 “(i) providing academic and career
2 counseling in student-to-counselor ratios
3 that allow students to make informed deci-
4 sions about academic and career options;

5 “(ii) provide high-quality college and
6 career exploration opportunities including
7 college campus visits;

8 “(iii) coordinating secondary and
9 postsecondary support services, and aca-
10 demic calendars, to allow students to visit
11 and take courses at institutions of higher
12 education; and

13 “(iv) providing academic and support
14 services, including financial aid counseling
15 for postsecondary education; and

16 “(G) implement not less than 1 of the fol-
17 lowing effective secondary school reform strate-
18 gies to prepare students for college and a ca-
19 reer, and to improve graduation rates:

20 “(i) Graduation Promise Academies,
21 which include—

22 “(I) 9th grade academies taught
23 by teams of teachers who work with
24 small groups of students;

1 “(II) career academies for upper
2 grades;

3 “(III) extended learning periods,
4 such as block scheduling, to reduce
5 the number of students for whom
6 teachers are responsible and the num-
7 ber of courses students are taking at
8 any one time;

9 “(IV) an after-hours credit recov-
10 ery program;

11 “(V) curriculum coaches who
12 provide high-quality professional de-
13 velopment and support;

14 “(VI) partnerships among par-
15 ents, teachers, administrators, com-
16 munity-based organizations, and com-
17 munity members focused on improving
18 student achievement; and

19 “(VII) a college-going culture, in-
20 cluding student supports and guid-
21 ance.

22 “(ii) Career academies, which imple-
23 ment a college and career ready curriculum
24 that integrates rigorous academics, career
25 and technical education, and experiential

1 learning for high school students in high-
2 skill, high-demand industries, in collabora-
3 tion with local and regional employers.

4 “(iii) Dual enrollment programs that
5 provide dual enrollment opportunities with
6 college credit-bearing courses, including ac-
7 celerated certificate programs with commu-
8 nity colleges or other recognized postsec-
9 ondary credentials.

10 “(iv) Early college high schools that
11 design curricula and sequences of courses
12 in collaboration with teachers from the eli-
13 gible secondary school and faculty from the
14 partner institution of higher education so
15 that students may simultaneously earn
16 credits towards a high school diploma and
17 either an associate degree or transferable
18 postsecondary education credits toward a
19 postsecondary degree at no cost to stu-
20 dents or their families.

21 “(f) ALLOWABLE USES OF FUNDS.—An eligible enti-
22 ty that receives a grant under this section may use grant
23 funds to—

24 “(1) improve parent and family engagement in
25 the educational attainment and achievement of

1 struggling students and dropouts to be college and
2 career ready by—

3 “(A) leveraging community-based services
4 and opportunities; and

5 “(B) providing parents and families with
6 the necessary information, including data on
7 their child’s academic achievement and how to
8 navigate the public school system;

9 “(2) provide extended learning opportunities, by
10 extending the school day, week, or year to increase
11 the total number of school hours to include addi-
12 tional time for instruction in academic subjects and
13 enrichment activities that contribute to a well-round-
14 ed education;

15 “(3) increase student supports through activi-
16 ties such as student advisories, school counseling op-
17 portunities, and one-to-one mentoring; and

18 “(4) create smaller learning communities.

19 “(g) MATCHING FUNDS.—

20 “(1) IN GENERAL.—An eligible entity that re-
21 ceives a grant under this section shall provide
22 matching funds, from non-Federal sources, in an
23 amount equal to not less than 20 percent of the
24 amount of grant funds awarded in the first 3 years
25 of the grant, not less than 50 percent of the amount

1 awarded in the fourth year of the grant, and not less
2 than 75 percent of the amount awarded in the fifth
3 year of the grant, as applicable.

4 “(2) WAIVER.—The Secretary may waive all or
5 part of the matching requirement described in para-
6 graph (1) for a fiscal year for an eligible entity, on
7 a case-by-case basis, if the Secretary determines that
8 applying the matching requirement to such eligible
9 entity would result in serious hardship or an inabil-
10 ity to carry out the authorized activities described in
11 subsection (e).

12 “(h) SUPPLEMENT NOT SUPPLANT.—An eligible en-
13 tity shall use Federal funds received under this section
14 only to supplement the funds that would, in the absence
15 of such Federal funds, be made available from other Fed-
16 eral and non-Federal sources for the activities described
17 in this section, and not to supplant such funds.

18 **“Subpart 2—Accelerated Learning**

19 **“SEC. 1221. PURPOSES.**

20 “The purposes of this subpart are—

21 “(1) to raise student academic achievement
22 by—

23 “(A) increasing the number of teachers
24 serving high-need schools who are qualified to

1 teach Advanced Placement or International
2 Baccalaureate courses; and

3 “(B) increasing the number of students at-
4 tending high-need schools who—

5 “(i) enroll and succeed in Advanced
6 Placement or International Baccalaureate
7 courses; and

8 “(ii) take Advanced Placement or
9 International Baccalaureate examinations;

10 “(2) to increase, and to support statewide and,
11 as applicable, districtwide, efforts to increase the
12 availability of, and enrollment in, Advanced Place-
13 ment or International Baccalaureate courses, and
14 pre-Advanced Placement or pre-International Bacca-
15 laureate courses, in high-need schools; and

16 “(3) to provide high-quality professional devel-
17 opment for teachers of Advanced Placement or
18 International Baccalaureate courses, and pre-Ad-
19 vanced Placement or pre-International Bacca-
20 laureate courses, in high-need schools.

21 **“SEC. 1222. FUNDING DISTRIBUTION RULE.**

22 “From amounts appropriated to carry out this sub-
23 part for a fiscal year, the Secretary shall give priority to
24 funding activities under section 1223 and shall distribute
25 any remaining funds under section 1224.

1 **“SEC. 1223. ADVANCED PLACEMENT AND INTERNATIONAL**
2 **BACCALAUREATE EXAMINATION FEE PRO-**
3 **GRAM.**

4 “(a) GRANTS AUTHORIZED.—From amounts made
5 available to carry out this subpart for a fiscal year, the
6 Secretary shall award grants to State educational agencies
7 having applications approved under this section to enable
8 the State educational agencies to pay, on behalf of low-
9 income students, part or all of the costs of Advanced
10 Placement or International Baccalaureate examination
11 fees, if the low-income students—

12 “(1) are enrolled in an Advanced Placement or
13 International Baccalaureate course; and

14 “(2) plan to take an Advanced Placement or
15 International Baccalaureate examination.

16 “(b) AWARD BASIS.—In determining the amount of
17 the grant awarded to a State educational agency under
18 this section for a fiscal year, the Secretary shall consider
19 the number of children eligible to be counted under section
20 1124(c) in the State in relation to the number of such
21 children so counted in all States.

22 “(c) INFORMATION DISSEMINATION.—A State edu-
23 cational agency that is awarded a grant under this section
24 shall make publicly available information regarding the
25 availability of Advanced Placement or International Bac-
26 calaureate examination fee payments under this section,

1 and shall disseminate such information to eligible sec-
2 ondary school students and parents, including through
3 secondary school teachers and counselors.

4 “(d) APPLICATIONS.—Each State educational agency
5 desiring to receive a grant under this section shall submit
6 an application to the Secretary at such time, in such man-
7 ner, and accompanied by such information as the Sec-
8 retary may require. At a minimum, each State educational
9 agency application shall—

10 “(1) describe the Advanced Placement or Inter-
11 national Baccalaureate examination fees the State
12 educational agency will pay on behalf of low-income
13 students in the State from grant funds awarded
14 under this section;

15 “(2) provide an assurance that any grant funds
16 awarded under this section shall be used only to pay
17 for Advanced Placement or International Bacca-
18 laureate examination fees; and

19 “(3) contain such information as the Secretary
20 may require to demonstrate that the State edu-
21 cational agency will ensure that a student is eligible
22 for payments authorized under this section, includ-
23 ing ensuring that the student is a low-income stu-
24 dent.

1 “(e) REGULATIONS.—The Secretary shall prescribe
2 such regulations as are necessary to carry out this section.

3 “(f) REPORT.—

4 “(1) IN GENERAL.—Each State educational
5 agency awarded a grant under this section shall,
6 with respect to each Advanced Placement or Inter-
7 national Baccalaureate course subject, annually re-
8 port to the Secretary the following data for the pre-
9 ceding year:

10 “(A) The number of students in the State
11 who are taking an Advanced Placement or
12 International Baccalaureate course in such sub-
13 ject.

14 “(B) The number of Advanced Placement
15 or International Baccalaureate examinations
16 taken by students in the State who have taken
17 an Advanced Placement or International Baccalaureate
18 course in such subject.

19 “(C) The number of students in the State
20 scoring at each level on Advanced Placement or
21 International Baccalaureate examinations in
22 such subject, disaggregated by each of the sub-
23 groups of students described in section
24 1111(a)(2)(B)(x).

1 “(D) Demographic information regarding
2 students in the State taking Advanced Place-
3 ment or International Baccalaureate courses
4 and Advanced Placement or International Bac-
5 calaureate examinations in that subject,
6 disaggregated by race, ethnicity, sex, English
7 proficiency status, and socioeconomic status.

8 “(2) REPORT TO CONGRESS.—The Secretary
9 shall annually compile the information received from
10 each State educational agency under paragraph (1)
11 and report to the authorizing committees regarding
12 the information.

13 “(g) BUREAU OF INDIAN AFFAIRS AS STATE EDU-
14 CATIONAL AGENCY.—For purposes of this section, the Bu-
15 reau of Indian Affairs shall be treated as a State edu-
16 cational agency.

17 **“SEC. 1224. ADVANCED PLACEMENT AND INTERNATIONAL**
18 **BACCALAUREATE INCENTIVE PROGRAM**
19 **GRANTS.**

20 “(a) GRANTS AUTHORIZED.—

21 “(1) IN GENERAL.—From amounts made avail-
22 able to carry out this subpart for a fiscal year, the
23 Secretary shall award grants, on a competitive basis,
24 to eligible entities to enable such entities to carry

1 out the authorized activities described in subsection
2 (e).

3 “(2) DURATION, RENEWAL, AND PAYMENTS.—

4 “(A) DURATION.—The Secretary shall
5 award a grant under this section for a period
6 of not more than 3 years.

7 “(B) RENEWAL.—The Secretary may
8 renew a grant awarded under this section for
9 an additional period of not more than 2 years,
10 if an eligible entity—

11 “(i) is achieving the objectives of the
12 grant; and

13 “(ii) has shown improvement against
14 baseline data on the performance measures
15 described in subparagraphs (A) through
16 (E) of subsection (g)(1).

17 “(C) PAYMENTS.—The Secretary shall
18 make grant payments under this section on an
19 annual basis.

20 “(b) DEFINITION OF ELIGIBLE ENTITY.—In this sec-
21 tion, the term ‘eligible entity’ means—

22 “(1) a State educational agency;

23 “(2) a high-need local educational agency; or

24 “(3) a partnership consisting of—

1 laureate courses that are offered at high-
2 need schools; and

3 “(iii) increasing the number of stu-
4 dents attending a high-need school, par-
5 ticularly low-income students, who succeed
6 in—

7 “(I) Advanced Placement or
8 International Baccalaureate courses;
9 and

10 “(II) if offered by the school,
11 pre-Advanced Placement or pre-Inter-
12 national Baccalaureate courses;

13 “(B) how the eligible entity will ensure
14 that students have access to courses, including
15 pre-Advanced Placement or pre-International
16 Baccalaureate courses, that will prepare stu-
17 dents to enroll and succeed in Advanced Place-
18 ment or International Baccalaureate courses;

19 “(C) how the eligible entity will provide
20 professional development for teachers that will
21 further the goals and objectives of the grant
22 project;

23 “(D) how the eligible entity will ensure
24 that teachers serving high-need schools are

1 qualified to teach Advanced Placement or Inter-
2 national Baccalaureate courses;

3 “(E) how the eligible entity will provide for
4 the involvement of business and community or-
5 ganizations and other entities, including institu-
6 tions of higher education, in carrying out the
7 activities described in subsection (e);

8 “(F) how the eligible entity will use funds
9 received under this section; and

10 “(G) how the eligible entity will evaluate
11 the outcome of the grant project.

12 “(d) PRIORITY.—In awarding grants under this sec-
13 tion, the Secretary shall give priority to applications from
14 eligible entities that—

15 “(1) are part of a statewide or districtwide
16 strategy, as applicable, for increasing the availability
17 of Advanced Placement or International Baccalaureate
18 courses, and pre-Advanced Placement or
19 pre-International Baccalaureate courses, in high-
20 need schools;

21 “(2) demonstrate a focus on increasing the
22 availability of Advanced Placement or International
23 Baccalaureate courses in core academic subjects;
24 and

1 “(3) propose to carry out activities that target
2 high-need schools.

3 “(e) AUTHORIZED ACTIVITIES.—

4 “(1) IN GENERAL.—Each eligible entity that re-
5 ceives a grant under this section shall use the grant
6 funds to carry out activities designed to increase—

7 “(A) the number of teachers serving high-
8 need schools who are qualified to teach Ad-
9 vanced Placement or International Bacca-
10 laurate courses; and

11 “(B) the number of students attending
12 high-need schools who succeed in the examina-
13 tions for such courses, including through reim-
14 bursing low-income students attending high-
15 need schools for part or all of the cost of Ad-
16 vanced Placement or International Bacca-
17 laurate examination fees.

18 “(2) ALLOWABLE ACTIVITIES.—In addition to
19 the activities described in paragraph (1), an eligible
20 entity that receives a grant under this section may
21 use grant funds for—

22 “(A) high-quality teacher professional de-
23 velopment, in order to expand the pool of teach-
24 ers in the participating State, high-need local
25 educational agency, or high-need school who are

1 qualified to teach Advanced Placement or Inter-
2 national Baccalaureate courses, including
3 through innovative models, such as online acad-
4 emies and training institutes;

5 “(B) pre-Advanced Placement or pre-Inter-
6 national Baccalaureate teacher and counselor
7 high-quality professional development in sec-
8 ondary school to prepare students for success in
9 Advanced Placement or International Bacca-
10 laureate courses and in institutions of higher
11 education;

12 “(C) coordination and articulation between
13 grade levels to prepare students to succeed in
14 Advanced Placement or International Bacca-
15 laureate courses;

16 “(D) purchase of instructional materials
17 for Advanced Placement or International Bac-
18 calaureate courses;

19 “(E) activities to increase the availability
20 of, and participation in, online Advanced Place-
21 ment or International Baccalaureate courses;

22 “(F) carrying out the requirements of sub-
23 section (g); and

24 “(G) in the case of an eligible entity de-
25 scribed in subsection (b)(1), awarding sub-

1 grants to high-need local educational agencies
2 to enable the high-need local educational agen-
3 cies to carry out authorized activities described
4 in subparagraphs (A) through (F).

5 “(f) CONTRACTS.—An eligible entity that is awarded
6 a grant to provide online Advanced Placement or Inter-
7 national Baccalaureate courses under this subpart may
8 enter into a contract with an organization to provide the
9 online Advanced Placement or International Bacca-
10 laureate courses, including contracting for necessary sup-
11 port services.

12 “(g) COLLECTING AND REPORTING REQUIRE-
13 MENTS.—

14 “(1) REPORT.—Each eligible entity receiving a
15 grant under this section shall collect and report to
16 the Secretary annually such data regarding the re-
17 sults of the grant as the Secretary may reasonably
18 require, including—

19 “(A) the number of students served by the
20 eligible entity enrolling in Advanced Placement
21 or International Baccalaureate courses, and
22 pre-Advanced Placement or pre-International
23 Baccalaureate courses, disaggregated by grade
24 level of the student, and the grades received by
25 such students in the courses;

1 “(B) the number of students taking an Ad-
2 vanced Placement or International Baccalaureate
3 examination and the distribution of
4 scores on those examinations, disaggregated by
5 the grade level of the student at the time of ex-
6 amination;

7 “(C) the number of teachers who are cur-
8 rently, as of the date of the report, receiving
9 training to teach Advanced Placement or Inter-
10 national Baccalaureate courses and will teach
11 such courses in the next school year;

12 “(D) the number of teachers becoming
13 qualified to teach Advanced Placement or Inter-
14 national Baccalaureate courses; and

15 “(E) the number of qualified teachers who
16 are teaching Advanced Placement or Inter-
17 national Baccalaureate courses in high-need
18 schools served by the eligible entity.

19 “(2) REPORTING OF DATA.—Each eligible enti-
20 ty receiving a grant under this section shall report
21 the data required under paragraph (1)—

22 “(A) disaggregated by subject area;

23 “(B) in the case of student data,
24 disaggregated in the same manner as informa-

1 tion is disaggregated under section
2 1111(a)(2)(B)(x); and

3 “(C) in a manner that allows for an as-
4 sessment of the effectiveness of the grant pro-
5 gram.

6 “(h) EVALUATION.—From the amount appropriated
7 for this subpart and reserved for evaluation activities in
8 accordance with section 9601(a), the Secretary, acting
9 through the Director of the Institute of Education
10 Sciences, shall, in consultation with the relevant program
11 office at the Department, evaluate the implementation and
12 impact of the activities supported under this section, con-
13 sistent with section 9601, including progress as measured
14 by the performance measures established under subpara-
15 graphs (A) through (E) of subsection (g)(1).

16 “(i) MATCHING REQUIREMENT.—

17 “(1) IN GENERAL.—Subject to paragraph (3),
18 each eligible entity that receives a grant under this
19 section shall provide toward the cost of the activities
20 assisted under the grant, from non-Federal sources,
21 an amount equal to 100 percent of the amount of
22 the grant, except that an eligible entity that is a
23 high-need local educational agency shall provide an
24 amount equal to not more than 50 percent of the
25 amount of the grant.

1 “(2) MATCHING FUNDS.—The eligible entity
2 may provide the matching funds described in para-
3 graph (1) in cash or in-kind, fairly evaluated, but
4 may not provide more than 50 percent of the match-
5 ing funds in-kind. The eligible entity may provide
6 the matching funds from State, local, or private
7 sources.

8 “(3) WAIVER.—The Secretary may waive all or
9 part of the matching requirement described in para-
10 graph (1) for any fiscal year for an eligible entity
11 described in paragraph (1) or (2) of subsection (b),
12 if the Secretary determines that applying the match-
13 ing requirement to such eligible entity would result
14 in serious hardship or an inability to carry out the
15 authorized activities described in subsection (e).

16 **“SEC. 1225. SUPPLEMENT, NOT SUPPLANT.**

17 “Grant funds provided under this subpart shall sup-
18 plement, and not supplant, other non-Federal funds that
19 are available to assist low-income students to pay for the
20 cost of Advanced Placement or International Baccalaureate
21 examination fees or to expand access to Advanced
22 Placement or International Baccalaureate courses, and
23 pre-Advanced Placement or pre-International Baccalaureate
24 courses.

1 **“SEC. 1226. DEFINITIONS.**

2 “In this subpart:

3 “(1) HIGH-NEED SCHOOL.—The term ‘high-
4 need school’ means a secondary school—

5 “(A) with a demonstrated need for Ad-
6 vanced Placement or International Bacca-
7 laureate courses; and

8 “(B) that—

9 “(i) has a high concentration of low-
10 income students; or

11 “(ii) is designated with a school locale
12 code of 33, 41, 42, or 43, as determined
13 by the Secretary.

14 “(2) LOW-INCOME STUDENT.—The term ‘low-
15 income student’ means a student who is eligible for
16 free or reduced-price lunch under the Richard B.
17 Russell National School Lunch Act (42 U.S.C. 1751
18 et seq.).”.

19 **PART C—EDUCATION OF MIGRATORY CHILDREN**

20 **SEC. 1301. PROGRAM PURPOSE.**

21 Section 1301 (20 U.S.C. 6391) is amended to read
22 as follows:

23 **“SEC. 1301. PROGRAM PURPOSE.**

24 “It is the purpose of this part to assist States in pro-
25 viding high-quality and comprehensive educational pro-
26 grams (including, as appropriate, instructional and educa-

1 tionally related support services), during the regular
2 school year and summer or intersession periods, that ad-
3 dress the unique educational needs of migratory children
4 arising from their migratory lifestyle, in order to help such
5 children—

6 “(1) succeed in school;

7 “(2) meet the same State college and career
8 ready academic content and student academic
9 achievement standards under section 1111(a)(1)
10 that all children are expected to meet;

11 “(3) graduate high school ready for postsec-
12 ondary education and careers; and

13 “(4) overcome educational disruption, cultural
14 and language barriers, social isolation, various
15 health-related problems, and other factors that in-
16 hibit the ability of such children to succeed in
17 school.”.

18 **SEC. 1302. PROGRAM AUTHORIZED.**

19 Section 1302 (20 U.S.C. 6392) is amended—

20 (1) by striking “In order to carry out the pur-
21 pose of this part” and inserting “From the amounts
22 made available under section 3(d) for a fiscal year
23 to carry out this part”;

24 (2) by striking “combinations” and inserting
25 “consortia”; and

1 (3) by striking “to establish” and inserting “to
2 enable such agencies or consortia to establish”.

3 **SEC. 1303. STATE ALLOCATIONS.**

4 Section 1303 (20 U.S.C. 6393) is amended—

5 (1) by striking subsection (a) and inserting the
6 following:

7 “(a) STATE ALLOCATIONS.—Except as provided in
8 subsection (b), the amount awarded to each State (other
9 than the Commonwealth of Puerto Rico) under this part
10 for each fiscal year shall be an amount equal to the prod-
11 uct of—

12 “(1) the sum of—

13 “(A) the average number of identified eligi-
14 ble migratory children aged 3 through 21, re-
15 siding in the State, based on data for the pre-
16 ceding 3 years; and

17 “(B) the number of identified eligible mi-
18 gratory children, aged 3 through 21, who re-
19 ceived services under this part in summer or
20 intersession programs provided by the State
21 during the previous year; multiplied by

22 “(2) 40 percent of the average per-pupil ex-
23 penditure in the State, except that the amount cal-
24 culated under this paragraph shall not be less than

1 32 percent, or more than 48 percent, of the average
2 per-pupil expenditure in the United States.”;

3 (2) by redesignating subsections (b) through (e)
4 as subsections (c) through (f), respectively;

5 (3) by inserting after subsection (a) the fol-
6 lowing:

7 “(b) **HOLD HARMLESS.**—Notwithstanding subsection
8 (a), for each of fiscal years 2011 through 2013, no State
9 receiving an allocation under this section shall receive less
10 than 90 percent of the State’s allocation under this section
11 for the previous year.”;

12 (4) in subsection (c), as redesignated by para-
13 graph (2)—

14 (A) by striking paragraphs (2) and (3);

15 (B) by striking “**PUERTO RICO.**—” and all
16 that follows through “For each” and inserting
17 the following: “**PUERTO RICO.**—For each”;

18 (C) by redesignating subparagraphs (A)
19 and (B) as paragraphs (1) and (2), respectively,
20 and by aligning such paragraphs with the mar-
21 gins of paragraph (1) of subsection (e), as re-
22 designated by paragraph (2);

23 (D) in the matter preceding paragraph (1),
24 as redesignated by subparagraph (C)—

1 (i) by striking “which” and inserting
2 “that”; and

3 (ii) by striking “subsection (a)(1)(A)”
4 and inserting “subsection (g)”; and

5 (E) in paragraph (1), as redesignated by
6 subparagraph (C)—

7 (i) by striking “which” and inserting
8 “that”; and

9 (ii) by inserting “, except that the
10 percentage calculated under this paragraph
11 shall not be less than 85 percent” before
12 the semicolon at the end; and

13 (5) in subsection (d), as redesignated by para-
14 graph (2)—

15 (A) in paragraph (1)—

16 (i) by striking “IN GENERAL.—(A)
17 If,” and all that follows through “this
18 part” and inserting the following: “IN
19 GENERAL.—

20 “(A) RATABLE REDUCTIONS.—If the
21 amount available for allocations to States under
22 this part”; and

23 (ii) in subparagraph (B), by striking
24 “If additional” and inserting “REALLOCA-
25 TION.—If additional”;

1 (B) in paragraph (2)—

2 (i) by striking “SPECIAL RULE.—(A)
3 The” and inserting the following: “SPE-
4 CIAL RULE.—

5 “(A) FURTHER REDUCTIONS.—The”;

6 (ii) in subparagraph (A), by striking
7 “required under section 1304” and insert-
8 ing “needed to carry out the approved ac-
9 tivities in the application under section
10 1304”;

11 (iii) in subparagraph (B), by striking
12 “The Secretary shall” and inserting “RE-
13 ALLOCATION.—The Secretary shall”; and

14 (iv) by adding at the end the fol-
15 lowing:

16 “(C) ADDITIONAL REQUIREMENTS.—The
17 Secretary—

18 “(i) shall—

19 “(I) develop and implement a
20 procedure for monitoring the accuracy
21 of the information described in sub-
22 paragraph (A); and

23 “(II) issue, through regulations
24 or guidance, criteria for a system of
25 State quality control for the accuracy

1 of State counts of eligible migratory
2 children; and

3 “(ii) may not reduce the amount of a
4 State allocation under this paragraph on
5 the basis of unintentional errors in such
6 counts for States implementing a system of
7 State quality control that meets the cri-
8 teria described in clause (i)(II), if the dis-
9 crepancy between the initial State count
10 and any subsequent revisions is minimal.”;

11 (6) in subsection (f), as redesignated by para-
12 graph (2)—

13 (A) in the matter preceding paragraph (1),
14 by inserting “best serve migratory children
15 under this part and” after “In order to”;

16 (B) in paragraph (1), by striking “such in-
17 formation as the Secretary finds” and inserting
18 “the most recent information that”;

19 (C) by redesignating paragraphs (2)
20 through (4) as paragraphs (3) through (5), re-
21 spectively;

22 (D) by inserting after paragraph (1) the
23 following:

24 “(2) develop and implement a procedure for
25 monitoring the accuracy of such information, if such

1 a procedure does not create barriers to the families
2 of migratory children who are eligible for services
3 under this part;”;

4 (E) in paragraph (3), as redesignated by
5 subparagraph (C), by striking “develop and im-
6 plement a procedure for more accurately reflect-
7 ing” and inserting “update such procedure, and
8 implement the updated procedure, to more ac-
9 curately reflect the”;

10 (F) in paragraph (4)(A), as redesignated
11 by subparagraph (C), by inserting “of high-
12 quality, sustained, and intensive education serv-
13 ices” after “special programs”; and

14 (G) in paragraph (5), as redesignated by
15 subparagraph (C), by striking “the child whose
16 education has been interrupted” and inserting
17 “migratory children”; and

18 (7) by adding at the end the following:

19 “(g) NONPARTICIPATING STATES.—In the case of a
20 State desiring to receive an allocation under this part for
21 a fiscal year that did not receive an allocation for the pre-
22 vious fiscal year or that has been participating for less
23 than 3 consecutive years, the Secretary shall calculate the
24 State’s number of identified migratory children aged 3
25 through 21 for purposes of subsection (a)(1)(A) by using

1 the most recent data available that identifies the migra-
2 tory children residing in the State until data is available
3 to calculate the 3-year average number of such children
4 in accordance with such subsection.”.

5 **SEC. 1304. STATE APPLICATIONS; SERVICES.**

6 Section 1304 (20 U.S.C. 6394) is amended—

7 (1) in subsection (b)—

8 (A) in paragraph (1)—

9 (i) in the matter preceding subpara-
10 graph (A)—

11 (I) by striking “special” and in-
12 serting “unique”; and

13 (II) by inserting “and out of
14 school migratory children” after “pre-
15 school migratory children”; and

16 (ii) in subparagraph (B)—

17 (I) by striking “migrant” and in-
18 serting “migratory”; and

19 (II) by striking “part A or B of
20 title III” and inserting “part A of
21 title III”;

22 (B) in paragraph (2)—

23 (i) by striking “migratory students”
24 and inserting “migratory children”; and

1 the State and each of its local operating
2 agencies”;

3 (ii) by striking “another” and insert-
4 ing “another or from 1 school district to
5 another”; and

6 (iii) by striking “such move” and in-
7 serting “such a move”;

8 (G) in paragraph (7)—

9 (i) by striking “family literacy serv-
10 ices” and inserting “family literacy activi-
11 ties”;

12 (ii) by striking “program or project
13 serves” and inserting “programs and
14 projects serve”;

15 (iii) by striking “who have parents
16 who” and inserting “whose parents”; and

17 (iv) by striking the period at the end
18 and inserting “; and”; and

19 (H) by adding at the end the following:

20 “(8) such budgetary and other information as
21 the Secretary may require.”;

22 (2) in subsection (c)—

23 (A) in paragraph (2), by striking “part I”
24 and inserting “part F”;

1 (B) by striking paragraph (3) and insert-
2 ing the following:

3 “(3) in the planning and operation of programs
4 and projects at both the State and local agency op-
5 erating levels, there is consultation with parent advi-
6 sory councils for programs of not less than 1 school
7 year in duration, and that all such programs and
8 projects are—

9 (A) conducted in a manner that provides
10 for the same parental involvement as is re-
11 quired for programs and projects under section
12 1118, including, to the extent practicable, de-
13 scriptions required for parental involvement
14 under section 1118(a)(3)(A), unless extraor-
15 dinary circumstances make such provision im-
16 practical; and

17 (B) are developed in a format and lan-
18 guage understandable to the parents;”;

19 (C) in paragraph (4), by inserting “and
20 migratory children who are not attending
21 school” before the semicolon at the end;

22 (D) in paragraph (6), by striking subpara-
23 graph (C) and inserting the following:

24 “(C) family literacy programs that are de-
25 termined to be high quality;” and

1 (E) by striking paragraph (7) and insert-
2 ing the following:

3 “(7) the State has procedures in place to verify
4 the accuracy and completeness of any data regarding
5 the counting of migratory children that is submitted
6 to the Secretary under this part.”; and

7 (3) in subsection (d)—

8 (A) by striking “who are failing” and all
9 that follows through the period and inserting
10 the following: “who have made a move within
11 the previous 1-year period and who—

12 “(1) are failing, or most at risk of failing, to
13 meet the State college and career ready academic
14 content standards and student academic achieve-
15 ment standards adopted under section 1111(a)(1);
16 or

17 “(2) have dropped out of school.”; and

18 (B) in subsection (e)—

19 (i) in paragraph (2), by striking “1”
20 and inserting “one”; and

21 (ii) in paragraph (3), by striking “sec-
22 ondary school students” and inserting
23 “students”.

1 **SEC. 1305. SECRETARIAL APPROVAL; PEER REVIEW.**

2 Section 1305(b) (20 U.S.C. 6395(b)) is amended by
3 striking “may” and inserting “shall, to the extent prac-
4 ticable,”.

5 **SEC. 1306. COMPREHENSIVE NEEDS ASSESSMENT AND**
6 **SERVICE-DELIVERY PLAN; AUTHORIZED AC-**
7 **TIVITIES.**

8 Section 1306 (20 U.S.C. 6396) is amended—

9 (1) in subsection (a)(1)—

10 (A) in the matter preceding subparagraph

11 (A)—

12 (i) by striking “special” and inserting
13 “unique”; and

14 (ii) by inserting “, consistent with the
15 purposes of this part,” after “migratory
16 children”;

17 (B) by striking subparagraph (B);

18 (C) by redesignating subparagraphs (C)
19 through (G) as subparagraphs (E) through (I),
20 respectively;

21 (D) by inserting after subparagraph (A)
22 the following:

23 “(B) addresses the unique educational
24 needs of migratory children;

25 “(C) is developed in collaboration with par-
26 ents of migratory children;

1 “(D) is not used to supplant State efforts
2 regarding, or administrative funding for, this
3 part;”;

4 (E) in subparagraph (E), as redesignated
5 by subparagraph (C), by striking “same chal-
6 lenging” and all that follows through “stand-
7 ards that” and inserting “same State college
8 and career ready academic content and student
9 academic achievement standards adopted under
10 section 1111(a)(1) that”; and

11 (F) in subparagraph (H), as redesignated
12 by subparagraph (C)—

13 (i) by striking “early childhood pro-
14 grams,” and inserting “early childhood
15 education programs,”; and

16 (ii) by striking “part A or B of title
17 III” and inserting “part A of title III”;

18 (2) in subsection (b)—

19 (A) in paragraph (1), by striking “local
20 educational” and inserting “local operating”;

21 (B) by striking paragraph (2) and insert-
22 ing the following:

23 “(2) UNMET NEEDS.—Funds provided under
24 this part shall be used to meet the needs of migra-
25 tory children that are not met by services available

1 from other Federal or non-Federal programs, except
2 that migratory children who are eligible to receive
3 services under part A may receive those services
4 through funds provided under that part or through
5 funds under this part that remain after the agency
6 meets the needs described in paragraph (1).”; and

7 (C) in paragraph (4), by striking “special
8 educational” and inserting “unique edu-
9 cational”.

10 **SEC. 1307. BYPASS.**

11 Section 1307 (20 U.S.C. 6397) is amended, in the
12 matter preceding paragraph (1), by striking “make ar-
13 rangements with” and inserting “award grants to, or
14 enter into contracts with,”.

15 **SEC. 1308. NATIONAL ACTIVITIES.**

16 Section 1308 (20 U.S.C. 6398) is amended—

17 (1) by striking the section heading and insert-
18 ing “**NATIONAL ACTIVITIES.**”;

19 (2) in subsection (a)—

20 (A) in paragraph (1)—

21 (i) by striking “nonprofit entities to
22 improve” and inserting the following: “en-
23 tities to—

24 “(A) improve”;

1 (ii) by inserting “through” before
2 “the establishment”;

3 (iii) by striking the period at the end
4 and inserting “; and”; and

5 (iv) by adding at the end the fol-
6 lowing:

7 “(B) improve the coordination between
8 State educational agencies, local operating
9 agencies, and their counterparts in other na-
10 tions in educating migratory children who move
11 between the United States and such nations.”;
12 and

13 (B) in paragraph (2), by inserting “or con-
14 tracts” after “Grants”;

15 (3) in subsection (b)—

16 (A) by striking paragraph (1) and insert-
17 ing the following:

18 “(1) ASSISTANCE.—In order to determine the
19 number of migratory children in each State, the Sec-
20 retary shall assist each State in maintaining an ef-
21 fective system for the electronic transfer of student
22 records.”;

23 (B) in paragraph (2)—

24 (i) in subparagraph (A)—

1 (I) in the matter preceding clause
2 (i), by striking “The Secretary, in
3 consultation” and all that follows
4 through “may include—” and insert-
5 ing the following: “The Secretary, in
6 consultation with the States, shall
7 continue to ensure the linkage of mi-
8 gratory child record systems for the
9 purpose of electronically exchanging,
10 within and among the States, health
11 and educational information regarding
12 all migratory children eligible under
13 this part. The Secretary shall ensure
14 such linkage occurs in a cost-effective
15 manner, utilizing systems used by the
16 State prior to, or developed after, the
17 date of enactment of the Strength-
18 ening America’s Schools Act of 2013.
19 The Secretary shall determine the
20 minimum data elements that each
21 State receiving funds under this part
22 shall collect, maintain, and exchange,
23 and the requirements of the linkage
24 system that States shall meet for the
25 timely submission of access to such

1 information. Such minimum data ele-
2 ments may include—”; and

3 (II) in clause (ii), by striking
4 “section 1111(b)” and inserting “sec-
5 tion 1111(a)(2)”; and

6 (ii) by striking subparagraph (B) and
7 inserting the following:

8 “(B) CONSULTATION.—The Secretary
9 shall maintain ongoing consultation with the
10 States, local educational agencies, and other mi-
11 gratory student service providers on—

12 “(i) the effectiveness of the system of
13 electronic records transfer described in
14 subparagraph (A); and

15 “(ii) the ongoing improvement of such
16 system.”; and

17 (C) in paragraph (4)—

18 (i) in subparagraph (A)—

19 (I) by striking “2003” and in-
20 sserting “2012, and every 2 years
21 thereafter,”; and

22 (II) by striking “the Committee
23 on Health, Education, Labor, and
24 Pensions of the Senate and the Com-
25 mittee on Education and the Work-

1 force of the House of Representa-
2 tives” and inserting “the authorizing
3 committees”; and

4 (ii) in subparagraph (B)—

5 (I) in clause (ii), by striking “the
6 development and linkage of” and in-
7 serting “maintaining”; and

8 (II) in clause (iii), by striking
9 “measures that may be taken to en-
10 sure” and inserting “improving”;

11 (4) by redesignating subsection (c) as sub-
12 section (f), and transferring such subsection so as to
13 follow subsection (e);

14 (5) by inserting after subsection (b) the fol-
15 lowing:

16 “(c) TECHNICAL ASSISTANCE.—The Secretary may
17 provide technical assistance designed to support State ef-
18 forts to meet the needs of migratory children, which may
19 include supporting the attendance of State and local oper-
20 ating agency staff, and other appropriate individuals, at
21 special meetings convened by the Secretary in order to
22 carry out activities consistent with this section.”;

23 (6) in subsection (d)—

24 (A) by striking “, pursuant to criteria that
25 the Secretary shall establish,”; and

1 (B) by striking “whose education is inter-
2 rupted” and inserting “described in section
3 1304(d)”; and

4 (7) by striking subsection (e) and inserting the
5 following:

6 “(e) IMPROVEMENTS AND COORDINATION.—From
7 any funds made available under this section and remaining
8 after carrying out the requirements under subsections (b)
9 and (d), the Secretary, in consultation with the States,
10 may make grants to, or enter into contracts with, State
11 educational agencies, local educational agencies, institu-
12 tions of higher education, and other public and private
13 nonprofit entities to improve the interstate and intrastate
14 coordination among such agencies’ and entities’ programs
15 available to migratory students consistent with this sec-
16 tion, including the establishment or improvement of pro-
17 grams for academic credit accrual and exchange.”.

18 **SEC. 1309. PERFORMANCE DATA; EVALUATIONS AND**
19 **STUDY; STATE ASSISTANCE.**

20 Part C of title I (20 U.S.C. 6391 et seq.) is further
21 amended—

22 (1) by redesignating section 1309 as section
23 1312; and

24 (2) by inserting after section 1308 the fol-
25 lowing:

1 **“SEC. 1309. PERFORMANCE DATA.**

2 “Consistent with section 1111(d)(3)(B), and in a
3 manner prescribed by the Secretary, each State that re-
4 ceives a grant under this part shall annually submit to
5 the Secretary, and make public, data on—

6 “(1) the academic achievement of migratory
7 students, as measured by the State assessments re-
8 quired under section 1111(a)(2);

9 “(2) such students’ high school graduation
10 rates and rates of enrollment and persistence in, and
11 completion of a program of study at, institutions of
12 higher education; and

13 “(3) the results of such other performance
14 measures and targets as the Secretary may pre-
15 scribe.

16 **“SEC. 1310. EVALUATION AND STUDY.**

17 “(a) PROGRAM EVALUATION.—From the amount re-
18 served for evaluation activities in accordance with section
19 9601(a), the Secretary, acting through the Director of the
20 Institute of Education Sciences, shall, in consultation with
21 the relevant program office at the Department, evaluate
22 the implementation and impact of the activities supported
23 under this part, consistent with section 9601.

24 “(b) STUDY.—The Secretary shall conduct a pilot
25 study, funded as part of the 2012 National Assessment
26 of Educational Progress, on the feasibility of using the

1 National Assessment of Educational Progress for assess-
2 ing and reporting on the academic achievement of migra-
3 tory children in grades 4 and 8 in reading and mathe-
4 matics.

5 **“SEC. 1311. STATE ASSISTANCE IN DETERMINING NUMBER**
6 **OF MIGRATORY CHILDREN.**

7 “Each State that desires to receive assistance under
8 this part shall assist the Secretary in determining the
9 number of migratory children in such State under para-
10 graphs (1) and (2) of subsection (a), and subsection (g),
11 of section 1303 through such procedures as the Secretary
12 may require, except that the Secretary shall not require
13 additional information that is not directly related to deter-
14 mining the migratory status of the child or the administra-
15 tion of this part.”.

16 **SEC. 1310. DEFINITIONS.**

17 Section 1312 (20 U.S.C. 6399), as redesignated by
18 section 1309(1), is amended—

19 (1) by redesignating paragraphs (1) and (2) as
20 paragraphs (3) and (5), respectively;

21 (2) by inserting before paragraph (3), as redesi-
22 gnated by paragraph (1), the following:

23 “(1) **FOOD PROCESSOR.**—The term ‘food proc-
24 essor’ means a position working with a raw agricul-
25 tural, dairy, or fishing product and transforming the

1 product into a more refined product up to the point
2 of an initial commercial sale.

3 “(2) INITIAL COMMERCIAL SALE.—The term
4 ‘initial commercial sale’ means the first point of sale
5 of an agricultural, dairy, or fishing product—

6 “(A) for refining to the next-stage proc-
7 essor;

8 “(B) to the wholesaler;

9 “(C) to the retailer; or

10 “(D) directly to the consumer.”;

11 (3) by inserting after paragraph (3), as redesign-
12 nated by paragraph (1), the following:

13 “(4) MIGRATORY AGRICULTURAL WORKER.—
14 The term ‘migratory agricultural worker’ means an
15 individual who—

16 “(A) made a qualifying move in the pre-
17 ceding 36-month period; and

18 “(B) after making such move, sought or
19 engaged in employment in agricultural work,
20 which may be dairy work or the initial proc-
21 essing of raw agricultural products.”; and

22 (4) by striking paragraph (5), as redesignated
23 by paragraph (1), and inserting the following:

24 “(5) MIGRATORY CHILD.—The term ‘migratory
25 child’ means a child who—

1 “(A) is, or whose parent or spouse is, a
2 migratory agricultural worker or migratory fish-
3 er who is currently engaged in, or seeking to
4 obtain, temporary or seasonal employment, usu-
5 ally for not longer than 15 months, in agricul-
6 tural or fishing work until the point of the ini-
7 tial commercial sale (including employment as a
8 migratory dairy worker, a food processor, or a
9 migratory fisher); and

10 “(B) in the preceding 36 months—

11 “(i) has moved from 1 school district
12 to another;

13 “(ii) in a State that is comprised of a
14 single school district, has moved from 1
15 administrative area to another within such
16 district; or

17 “(iii) resides in a school district of
18 more than 15,000 square miles, and mi-
19 grates a distance of 20 miles or more to a
20 temporary residence to engage in, or to ac-
21 company a parent or spouse engaging in, a
22 fishing activity.

23 “(6) **MIGRATORY FISHER.**—The term ‘migra-
24 tory fisher’ means an individual who made a quali-
25 fying move in the preceding 36 months and, after

1 doing so, sought or engaged in employment in fish-
2 ing work.

3 “(7) QUALIFYING MOVE.—The term ‘qualifying
4 move’—

5 “(A) means—

6 “(i) a move from 1 school district to
7 another, or from 1 administrative area to
8 another within a State that is comprised of
9 a single school district; and

10 “(ii) in the case of a migratory fisher
11 who resides in a school district of more
12 than 15,000 square miles, includes migrat-
13 ing a distance of 20 miles or more to a
14 temporary residence; and

15 “(B) with respect to a qualifying move for
16 a parent or spouse of a migratory child, means
17 a move described in subparagraph (A) that is
18 separated by not more than 1 year from the
19 move or migration described in paragraph
20 (5)(B) of the migratory child.”.

21 **PART D—PREVENTION AND INTERVENTION PRO-**
22 **GRAMS FOR CHILDREN AND YOUTH WHO**
23 **ARE NEGLECTED, DELINQUENT, OR AT-RISK**

24 **SEC. 1401. PURPOSE AND PROGRAM AUTHORIZATION.**

25 Section 1401 (20 U.S.C. 6421) is amended—

1 (1) in subsection (a)—

2 (A) in paragraph (1), by striking “chal-
3 lenging State academic content standards and
4 challenging State student academic achievement
5 standards” and inserting “college and career
6 ready academic content standards and student
7 academic achievement standards under section
8 1111(a)(1)”; and

9 (B) in paragraph (3), by striking “to pre-
10 vent at-risk youth from dropping out of school,
11 and”; and

12 (2) in subsection (b), by striking “1002(d)” and
13 inserting “3(e)”.

14 **SEC. 1402. ALLOCATION OF FUNDS.**

15 (a) Section 1402 (20 U.S.C. 6422) is amended by
16 inserting after subsection (b) the following:

17 “(c) RESERVATION FOR THE SECRETARY OF THE IN-
18 TERIOR.—From the amount appropriated for this part in
19 any fiscal year, the Secretary shall reserve 0.5 percent to
20 provide assistance to the Secretary of the Interior to pro-
21 vide educational services for at-risk Indian children, in-
22 cluding Indian youth in correctional facilities operated by
23 the Secretary of the Interior or by an Indian tribe.”.

24 (b) Section 1412(b) (20 U.S.C. 6432(b)) is amended
25 by striking paragraph (2) and inserting the following:

1 “(2) MINIMUM PERCENTAGE.—The percentage
2 in paragraph (1)(A) shall not be less than 85 per-
3 cent.”.

4 **SEC. 1403. STATE PLAN AND STATE AGENCY APPLICATIONS.**

5 Section 1414 (20 U.S.C. 6434) is amended—

6 (1) in subsection (a)—

7 (A) in paragraph (1)(B)—

8 (i) by striking “from” and inserting
9 “between”; and

10 (ii) by striking “to” and inserting
11 “and”;

12 (B) in paragraph (2)—

13 (i) in subparagraph (A), by striking
14 “academic, vocational, and technical skills”
15 and inserting “college and career readiness
16 (as determined based on the State college
17 and career ready academic content and
18 student academic achievement standards
19 under section 1111(a)(1))”; and

20 (ii) in subparagraph (B), by striking
21 “and” after the semicolon;

22 (C) in subparagraph (C)(iv), by striking
23 the period at the end and inserting “; and”;
24 and

25 (D) by adding at the end the following:

1 “(D) provide assurances that the State
2 educational agency has established—

3 “(i) procedures to ensure that each
4 student who has been placed in the juve-
5 nile justice system is promptly re-enrolled
6 in secondary school or placed in a re-entry
7 program that best meets the educational
8 and social needs of the student;

9 “(ii) procedures for facilitating the
10 transfer of credits that such students
11 earned during placement; and

12 “(iii) opportunities for such students
13 to participate in higher education or career
14 pathways.”; and

15 (2) in subsection (c)—

16 (A) in paragraph (1)—

17 (i) by inserting “and respond to”
18 after “assess”; and

19 (ii) by inserting “, including an as-
20 sessment upon entry into a correctional fa-
21 cility” before the semicolon at the end;

22 (B) in paragraph (8), by striking “voca-
23 tional” and inserting “career”;

24 (C) in paragraph (9)—

1 (i) by striking “encourage” and insert
2 “require, to the extent practicable,”;

3 (ii) by inserting “and after” after
4 “prior to”; and

5 (iii) by inserting “and that transition
6 plans are in place” before the semicolon at
7 the end;

8 (D) in paragraph (11)—

9 (i) by inserting “such” after “transi-
10 tion of”;

11 (ii) by striking “from” and inserting
12 “between”; and

13 (iii) by striking “institution to locally
14 operated” and inserting “institution and
15 locally operated education”;

16 (E) in paragraph (16)—

17 (i) by inserting “and obtain a sec-
18 ondary school diploma” after “reenter
19 school”; and

20 (ii) by inserting “that leads to eco-
21 nomic self-sufficiency” after “employ-
22 ment”; and

23 (F) in paragraph (17), by inserting “cer-
24 tified or licensed” before “teachers”.

1 **SEC. 1404. USE OF FUNDS.**

2 Section 1415(a) (20 U.S.C. 6435(a)) is amended—

3 (1) in paragraph (1)(B), by striking “voca-
4 tional” and inserting “career”; and

5 (2) in paragraph (2)—

6 (A) in subparagraph (B)—

7 (i) in clause (i), by striking “chal-
8 lenging academic content standards and
9 student academic achievement standards”
10 and inserting “college and career ready
11 academic content standards and student
12 academic achievement standards under sec-
13 tion 1111(a)(1)”; and

14 (ii) in clause (iii), by striking “chal-
15 lenging” and inserting “such”;

16 (B) in subparagraph (C)—

17 (i) by striking “part I” and inserting
18 “part F”; and

19 (ii) by striking “and” after the semi-
20 colon;

21 (C) in subparagraph (D), by striking the
22 period at the end and inserting “; and”; and

23 (D) by adding at the end the following:

24 “(E) may include the costs of testing for
25 such children and youth for a recognized equiv-
26 alent of a secondary school diploma.”.

1 **SEC. 1405. INSTITUTION-WIDE PROJECTS.**

2 Section 1416 (20 U.S.C. 6436) is amended—

3 (1) in paragraph (3), by striking “challenging
4 State academic content standards and student aca-
5 demic achievement standards” and inserting “college
6 and career ready academic content standards and
7 student academic achievement standards under sec-
8 tion 1111(a)(1)”;

9 (2) in paragraph (4)—

10 (A) by striking “pupil services” and insert-
11 ing “specialized instructional support services”;
12 and

13 (B) by inserting “and the development and
14 implementation of transition plans” before the
15 semicolon; and

16 (3) in paragraph (6), by inserting “and im-
17 prove” after “assess”.

18 **SEC. 1406. TRANSITION SERVICES.**

19 Section 1418(a) (20 U.S.C. 6438(a)) is amended—

20 (1) by striking paragraph (1) and inserting the
21 following:

22 “(1) projects that facilitate the transition of
23 children and youth between State-operated institu-
24 tions, or institutions in the State operated by the
25 Secretary of the Interior or Indian tribes, and
26 schools served by local educational agencies or

1 schools funded by the Bureau of Indian Education;
2 or”; and

3 (2) in paragraph (2), by striking “vocational”
4 each place the term appears and inserting “career”.

5 **SEC. 1407. PROGRAM EVALUATION.**

6 Section 1419 is amended to read as follows:

7 **“SEC. 1419. PROGRAM EVALUATION.**

8 “From the amount reserved for evaluation activities
9 in accordance with section 9601(a), the Secretary, acting
10 through the Director of the Institute for Education
11 Sciences, shall, in consultation with the relevant program
12 office of the Department, evaluate the implementation and
13 impact of the activities supported under this part, con-
14 sistent with section 9601.”.

15 **SEC. 1408. PURPOSE OF LOCAL AGENCY PROGRAMS.**

16 Section 1421 (20 U.S.C. 6451) is amended—

17 (1) in the matter preceding paragraph (1), by
18 inserting “, including correctional facilities in the
19 State operated by the Secretary of the Interior and
20 Indian tribes” after “facilities”;

21 (2) in paragraph (1), by striking “, training,
22 employment, or further education” and inserting
23 “and college and career readiness (as determined
24 based on the State college and career ready aca-

1 demic content and student academic achievement
2 standards under section 1111(a)(1)”; and

3 (3) in paragraph (3), by inserting “, including
4 schools funded by the Bureau of Indian Education,”
5 after “schools”.

6 **SEC. 1409. PROGRAMS OPERATED BY LOCAL EDUCATIONAL**
7 **AGENCIES.**

8 Section 1422 (20 U.S.C. 6452) is amended—

9 (1) in subsection (a), by inserting “, and includ-
10 ing facilities in the State operated by the Secretary
11 of the Interior and Indian tribes.” after “day pro-
12 grams)”;

13 (2) in subsection (d)—

14 (A) by striking “meet the transitional” and
15 inserting “meet the transitional needs (includ-
16 ing the social and emotional needs)”;

17 (B) by striking “meeting the transitional”
18 and inserting “meeting such transitional”; and

19 (C) by inserting “, schools funded by the
20 Bureau of Indian Education,” after “returning
21 to local educational agencies”.

22 **SEC. 1410. LOCAL EDUCATIONAL AGENCY APPLICATIONS.**

23 Section 1423 (20 U.S.C. 6453) is amended—

24 (1) in paragraph (2)—

1 (A) in subparagraph (A), by inserting “or,
2 as appropriate, an Indian tribe in the State”
3 after “agency”;

4 (B) in subparagraph (B), by inserting “,
5 including such facilities operated by the Sec-
6 retary of the Interior and Indian tribes” after
7 “system”;

8 (2) by redesignating paragraphs (4) through
9 (13) as paragraphs (5) through (14), respectively;

10 (3) by inserting after paragraph (3) the fol-
11 lowing:

12 “(4) a description of the process of consultation
13 and coordination with Indian tribes in the State re-
14 garding services provided under the program to chil-
15 dren and youth who are Indian;”;

16 (4) in paragraph (7), as redesignated by para-
17 graph (2), by striking “, at-risk children or youth,
18 and other participating children or youth,” and in-
19 serting “and at-risk children or youth;”;

20 (5) in paragraph (9), as redesignated by para-
21 graph (2), by inserting “and family members” after
22 “parents”;

23 (6) in paragraph (10), as redesignated by para-
24 graph (2), by striking “vocational” and inserting
25 “career”;

1 (7) in paragraph (13), as redesignated by para-
2 graph (2), by striking and after the semicolon;

3 (8) in paragraph (14), as redesignated by para-
4 graph (2), by striking the period at the end and in-
5 serting “; and”; and

6 (9) by inserting after paragraph (14), as reded-
7 icated by (2), the following:

8 “(15) a description of the demographics of the
9 children and youth served and an assurance that the
10 activities under this subpart meet the cultural, lan-
11 guage, and academic needs of such children and
12 youth.”.

13 **SEC. 1411. USES OF FUNDS.**

14 Section 1424 (20 U.S.C. 6454) is amended—

15 (1) in paragraph (2), by striking “, including”
16 and all that follows through “gang members”;

17 (2) in paragraph (4)—

18 (A) by striking “vocational and technical
19 education” and inserting “career and technical
20 education, costs associated with testing for a
21 recognized equivalent of a secondary school di-
22 ploma”; and

23 (B) by striking “and” after the semicolon;

24 (3) in paragraph (5), by striking the period at
25 the end and inserting “; and”; and

1 (4) by adding at the end the following:

2 “(6) programs for at-risk Indian children and
3 youth, including such children and youth in correc-
4 tional facilities in the area served by the local edu-
5 cational agency that are operated by the Secretary
6 of the Interior or Indian tribes.”.

7 **SEC. 1412. PROGRAM REQUIREMENTS FOR CORRECTIONAL**
8 **FACILITIES RECEIVING FUNDS UNDER THIS**
9 **SECTION.**

10 Section 1425 (20 U.S.C. 6455) is amended—

11 (1) in paragraph (9), by striking “vocational”
12 and inserting “career”;

13 (2) in paragraph (10), by striking “and” after
14 the semicolon;

15 (3) in paragraph (11), by striking the period at
16 the end and inserting a semicolon; and

17 (4) by adding at the end the following:

18 “(12) develop an initial educational services and
19 transition plan for each child or youth served under
20 this subpart upon entry into the correctional facility,
21 in partnership with the child or youth’s family mem-
22 bers and the local educational agency that most re-
23 cently provided services to the child or youth (if ap-
24 plicable), consistent with section 1414(a)(1); and

1 “(13) consult with the local educational agency
2 for a period jointly determined necessary by the cor-
3 rectional facility and local educational agency upon
4 discharge from that facility, to coordinate edu-
5 cational services so as to minimize disruption to the
6 child’s or youth’s achievement.”.

7 **SEC. 1413. ACCOUNTABILITY.**

8 Section 1426 (20 U.S.C. 6456) is amended to read
9 as follows:

10 **“SEC. 1426. ACCOUNTABILITY.**

11 “The State educational agency—

12 “(1) shall require correctional facilities or insti-
13 tutions for delinquent children and youth to annually
14 report on the number of children and youth released
15 from the correctional facility or institution who re-
16 turned or did not return to school, the number of
17 children and youth obtaining a secondary school di-
18 ploma or its recognized equivalent, and the number
19 of children and youth obtaining employment; and

20 “(2) may require correctional facilities or insti-
21 tutions for delinquent children and youth to dem-
22 onstrate, after receiving assistance under this sub-
23 part for 3 years, that there has been an increase in
24 the number of children and youth returning to
25 school, obtaining a secondary school diploma or its

1 recognized equivalent, or obtaining employment after
2 such children and youth are released.”.

3 **SEC. 1414. PROGRAM EVALUATIONS.**

4 Section 1431 (20 U.S.C. 6471) is amended—

5 (1) in the matter preceding subsection (a), by
6 striking “State agency or local educational agency”
7 and inserting “State agency, local educational agen-
8 cy, or Indian tribe”;

9 (2) in subsection (a)—

10 (A) in paragraph (1), by inserting “, in-
11 cluding the ability to become college and career
12 ready, as determined under the State academic
13 content and student academic achievement
14 standards under section 1111(a)(1), and to
15 graduate high school in the standard number of
16 years” before the semicolon at the end; and

17 (B) in paragraph (3), by inserting “or
18 school funded by the Bureau of Indian Edu-
19 cation” after “local educational agency”;

20 (3) in subsection (c), by striking “a State agen-
21 cy or local educational agency” and inserting “a
22 State agency, local educational agency, or Indian
23 tribe”; and

24 (4) by striking subsection (d) and inserting the
25 following:

1 “(d) EVALUATION RESULTS.—

2 “(1) IN GENERAL.—Each State agency, local
3 educational agency, and Indian tribe shall—

4 “(A) submit evaluation results to the State
5 educational agency and the Secretary; and

6 “(B) use the results of evaluations under
7 this section to plan and improve subsequent
8 programs for participating children and youth.

9 “(2) RESULTS TO THE SECRETARY OF THE IN-
10 TERIOR.—Each Indian tribe shall also submit eval-
11 uation results to the Secretary of the Interior.”.

12 **SEC. 1415. DEFINITIONS.**

13 Section 1432(2) (20 U.S.C. 6472(2)) is amended to
14 read as follows:

15 (1) in subsection (a)—

16 (A) by striking “or” before “local” and by
17 inserting “or Indian tribe” after “agency; and

18 (B) in paragraph (3), by inserting “ or
19 school funded by the Bureau of Indian Edu-
20 cation”;

21 (2) in subsection (c), by inserting “or Indian
22 tribe” after agency; and

23 (3) by striking subsection (d) and inserting the
24 following:

25 “(d) EVALUATION RESULTS.—

1 “(1) Each State agency, local educational agen-
2 cy, and Indian tribe shall—

3 “(A) submit evaluation results to the State
4 educational agency and the Secretary; and

5 “(B) use the results of evaluation sunder
6 this section to plan and improve subsequent
7 programs for participating children and youth.

8 “(2) Each Indian tribe shall also submit evalua-
9 tion results to the Secretary of the Interior.”.

10 **PART E—EDUCATIONAL STABILITY OF CHILDREN**
11 **IN FOSTER CARE**

12 **SEC. 1501. EDUCATIONAL STABILITY OF CHILDREN IN FOS-**
13 **TER CARE.**

14 (a) IN GENERAL.—Part E of title I (20 U.S.C. 6491
15 et seq.) is amended to read as follows:

16 **“PART E—EDUCATIONAL STABILITY OF**
17 **CHILDREN IN FOSTER CARE**

18 **“SEC. 1501. EDUCATIONAL STABILITY OF CHILDREN IN FOS-**
19 **TER CARE.**

20 “(a) OBLIGATIONS TO COLLABORATE WITH CHILD
21 WELFARE AGENCIES.—

22 “(1) IN GENERAL.—Each State educational
23 agency receiving assistance under part A shall col-
24 laborate with the State agency responsible for ad-
25 ministering the State plans under parts B and E of

1 title IV of the Social Security Act (42 U.S.C. 621
2 et seq., 670 et seq.) to develop and implement a plan
3 to ensure that the following occurs, for each child in
4 the State, when the child moves to a new school at-
5 tendance area as a result of being placed in foster
6 care (as described in section 1502(1)), changing fos-
7 ter care placements, or leaving foster care:

8 “(A) ATTENDANCE AT A SCHOOL OF ORI-
9 GIN.—

10 “(i) IN GENERAL.—The child enrolls
11 or remains in the child’s school of origin,
12 unless a determination is made that it is in
13 the child’s best interest to attend a dif-
14 ferent school.

15 “(ii) LIMITATION.—A child who leaves
16 foster care shall only be entitled to remain
17 in the child’s school of origin for the re-
18 mainder of the school year.

19 “(B) IMMEDIATE ENROLLMENT.—When a
20 determination is made regarding the school that
21 it is in the best interest of a child in foster care
22 to attend, the child shall be immediately en-
23 rolled in such school, even if the child is unable
24 to produce records normally required for enroll-
25 ment, such as previous academic records, im-

1 munization and medical records, a birth certifi-
2 cate, guardianship records, proof of residency,
3 or other documentation.

4 “(C) RECORDS TRANSFER.—Any records
5 ordinarily kept by a school, including records of
6 immunizations, health screenings, and other re-
7 quired health records, academic records, birth
8 certificates, evaluations for special services or
9 programs, and any individualized education pro-
10 grams (as defined in section 602 of the Individ-
11 uals with Disabilities Education Act (20 U.S.C.
12 1401)), regarding a child in foster care shall
13 be—

14 “(i) maintained so that the records in-
15 volved are available, in a timely fashion,
16 when a child in foster care enters a new
17 school; and

18 “(ii) immediately transferred to the
19 enrolling school, even if the child owes fees
20 or fines or was not withdrawn from pre-
21 vious schools in conformance with local
22 withdrawal procedures.

23 “(2) IMPLEMENTATION.—Each State edu-
24 cational agency receiving assistance under part A
25 shall ensure that the plan described in paragraph

1 (1) is implemented by the local educational agencies
2 in the State.

3 “(b) CREDIT TRANSFER AND DIPLOMAS.—Each
4 State that receives assistance under part A shall have poli-
5 cies for ensuring that—

6 “(1) a child in foster care who is changing
7 schools can transfer school credits and receive par-
8 tial credits for coursework satisfactorily completed
9 while attending a prior school or educational pro-
10 gram;

11 “(2) a child in foster care is afforded opportuni-
12 ties to recover school credits lost due to placement
13 instability while in foster care; and

14 “(3) a child in foster care who has changed sec-
15 ondary schools can receive a secondary school di-
16 ploma either from one of the schools in which the
17 child was enrolled or through a State-issued sec-
18 ondary school diploma system, consistent with State
19 graduation requirements.

20 “(c) TRANSPORTATION.—Not later than 1 year after
21 the date of enactment of the Strengthening America’s
22 Schools Act of 2013, the State educational agency shall
23 enter into an agreement with the State agency responsible
24 for administering the State plans under parts B and E
25 of title IV of the Social Security Act to ensure that chil-

1 dren in foster care, and children leaving foster care, who
2 are attending their schools of origin receive transportation
3 to and from those schools, in accordance with subsection
4 (a)(1) and with section 475(1)(G) of the Social Security
5 Act (42 U.S.C. 675(1)(G)). The agreement shall include
6 a description of the following:

7 “(1) How foster care maintenance payments
8 will be used to help fund the transportation of chil-
9 dren in foster care to their schools of origin.

10 “(2) How children who leave foster care will re-
11 ceive transportation to maintain their enrollment in
12 their schools of origin for the remainder of the aca-
13 demic year, if remaining in their schools of origin is
14 in their best interests.

15 “(d) POINTS OF CONTACT.—

16 “(1) LOCAL EDUCATIONAL AGENCIES.—A State
17 that receives assistance under part A shall ensure
18 that each local educational agency in the State des-
19 ignates an individual employed by the agency to
20 serve as a point of contact for the child welfare
21 agencies responsible for children in foster care en-
22 rolled in the local educational agency and to oversee
23 the implementation of the local educational agency
24 requirements under this section. A local educational
25 agency’s point of contact shall not be the individual

1 designated as its local educational agency liaison
2 under section 722(g)(1)(J)(ii) of the McKinney-
3 Vento Homeless Assistance Act, unless such indi-
4 vidual has the capacity, resources, and time to per-
5 form both roles.

6 “(2) STATE EDUCATIONAL AGENCIES.—Each
7 State educational agency receiving assistance under
8 part A shall designate an individual to serve as a
9 point of contact for child welfare agencies and to
10 oversee the implementation of the State educational
11 agency requirements under this section. A State
12 educational agency’s point of contact shall not be the
13 individual designated as the State’s Coordinator for
14 Education of Homeless Children and Youths under
15 section 722(d)(3) of the McKinney-Vento Homeless
16 Assistance Act, unless such individual has the capac-
17 ity, resources, and time to perform both roles.

18 **“SEC. 1502. DEFINITIONS.**

19 “In this part:

20 “(1) CHILD IN FOSTER CARE.—The term ‘child
21 in foster care’ means a child whose care and place-
22 ment is the responsibility of the agency that admin-
23 isters a State plan under part B or E of title IV of
24 the Social Security Act (42 U.S.C. 621 et seq., 670
25 et seq.), without regard to whether foster care main-

1 tenance payments are made under section 472 of the
2 Social Security Act (42 U.S.C. 672) on behalf of the
3 child.

4 “(2) SCHOOL ATTENDANCE AREA.—The term
5 ‘school attendance area’ has the meaning given the
6 term in section 1113(a)(2).

7 “(3) SCHOOL OF ORIGIN.—The term ‘school of
8 origin’ means, with respect to a child in foster care,
9 any of the following:

10 “(A) The public school in which the child
11 was enrolled prior to entry into foster care.

12 “(B) The public school in which the child
13 is enrolled when a change in foster care place-
14 ment occurs.

15 “(C) The public school the child attended
16 when last permanently housed, as such term is
17 used in section 722(g)(3)(G) of the McKinney-
18 Vento Homeless Assistance Act (42 U.S.C.
19 11432(g)(3)(G)), if such child was eligible for
20 assistance under such Act before the child be-
21 came a child in foster care.”.

22 (b) GUIDANCE.—Not later than 90 days after the
23 date of enactment of this Act, the Secretary, in collabora-
24 tion with the Secretary of Health and Human Services,
25 is directed to issue guidance on the implementation of part

1 E of title I of the Elementary and Secondary Education
2 Act of 1965, including how State and local agencies will
3 work together to ensure that transportation for children
4 in foster care is provided to the school of origin.

5 **PART F—GENERAL PROVISIONS**

6 **SEC. 1601. REORGANIZATION.**

7 (a) IN GENERAL.—Title I (20 U.S.C. 6301 et seq.)
8 is further amended—

9 (1) by striking parts F through H;

10 (2) by redesignating part I as part F; and

11 (3) by redesignating sections 1901 through
12 1908 as sections 1601 through 1608, respectively.

13 (b) TECHNICAL AND CONFORMING AMENDMENTS.—
14 Part F of title I, as redesignated by subsection (a)(2), is
15 further amended—

16 (1) in section 1601(b)(4)(A) (20 U.S.C.
17 6571(b)(4)(A)), as redesignated by subsection
18 (a)(3), by striking “No Child Left Behind Act of
19 2001” and inserting “Strengthening America’s
20 Schools Act of 2013”;

21 (2) in section 1602(a) (20 U.S.C. 6572(a)), as
22 redesignated by subsection (a)(3), by striking
23 “1901” and inserting “1601”;

24 (3) in section 1603(b)(2)(G) (20 U.S.C.
25 6573(b)(2)(G)), as redesignated by subsection

1 (a)(3), by striking “pupil services personnel” and in-
2 serting “specialized instructional support personnel”;
3 and

4 (4) in section 1608 (20 U.S.C. 6578), as redesi-
5 gnated by subsection (a)(3), by striking “No Child
6 Left Behind Act of 2001” and inserting “Strengthen-
7 ing America’s Schools Act of 2013”.

8 **TITLE II—SUPPORTING TEACH-**
9 **ER AND PRINCIPAL EXCEL-**
10 **LENCE**

11 **SEC. 2101. SUPPORTING TEACHER AND PRINCIPAL EXCEL-**
12 **LENCE.**

13 (a) TECHNICAL AMENDMENTS.—The Act (20 U.S.C.
14 6301 et seq.) is amended—

15 (1) in title II, by striking the title heading and
16 inserting “**SUPPORTING TEACHER AND**
17 **PRINCIPAL EXCELLENCE**”;

18 (2) by redesignating subpart 3 of part D of title
19 II as part I of title IV, and transferring such part
20 I so as to follow part H of title IV, as added by sec-
21 tion 4108 of this Act;

22 (3) in part I of title IV, as redesignated by
23 paragraph (2), by striking the part heading and in-
24 serting the following: “**READY-TO-LEARN**”;

1 (4) by redesignating section 2431 as section
2 4901;

3 (5) in section 4901, as redesignated by para-
4 graph (4)—

5 (A) by striking the section heading and in-
6 serting the following: “**READY-TO-LEARN**”;

7 (B) in subsection (a)—

8 (i) in paragraph (1)(E)(ii)—

9 (I) by striking “Even Start pro-
10 viders,”; and

11 (II) by striking “family literacy
12 services” and inserting “family lit-
13 eracy activities”;

14 (ii) in paragraph (2)—

15 (I) by striking “Even Start pro-
16 viders,”; and

17 (II) by striking “family literacy
18 services” and inserting “family lit-
19 eracy activities”;

20 (iii) in paragraph (4)(B), by striking
21 “Even Start, and”;

22 (C) in subsection (c)(2), by striking “rel-
23 evant committees of Congress” and inserting
24 “authorizing committees”; and

1 (D) by striking subsection (e) and insert-
2 ing the following:

3 “(e) FUNDING RULE.—Not less than 60 percent of
4 the amount appropriated to carry out this section for each
5 fiscal year shall be used to carry out activities under sub-
6 paragraphs (B) through (D) of subsection (a)(1).”;

7 (6) by redesignating subpart 5 of part C of title
8 II as subpart 3 of part E of title IX, and transfer-
9 ring such subpart 3 so as to follow subpart 2 of part
10 E of title IX;

11 (7) by redesignating sections 2361, 2362, 2363,
12 2364, 2365, 2366, 2367, and 2368, as sections
13 9541, 9542, 9543, 9544, 9545, 9546, 9547, and
14 9548, respectively; and

15 (8) in section 9546(b), as redesignated by para-
16 graph (7), by striking the matter following para-
17 graph (2) and inserting the following:

18 “(3) A State law that makes a limitation of li-
19 ability inapplicable if the civil action was brought by
20 an officer of a State or local government pursuant
21 to State or local law.”.

22 (b) SUPPORTING TEACHER AND PRINCIPAL EXCEL-
23 LENCE.—Title II (20 U.S.C. 6601 et seq.), as amended
24 by subsection (a), is further amended by striking parts
25 A, B, C, and D, and inserting the following:

1 **“PART A—CONTINUOUS IMPROVEMENT AND**
2 **SUPPORT FOR TEACHERS AND PRINCIPALS**

3 **“SEC. 2101. PURPOSE.**

4 “The purpose of this part is to provide grants to
5 State educational agencies and subgrants to local edu-
6 cational agencies to enable such agencies to improve aca-
7 demic achievement for all students, including students
8 with disabilities and English learners, by—

9 “(1) providing professional development that is
10 based on the result of a rigorous, transparent, and
11 fair evaluation and is designed to improve instruc-
12 tion and student achievement; and

13 “(2) increasing the number and improving the
14 equitable distribution of teachers and principals in
15 accordance with section 1111(b)(1)(R).

16 **“SEC. 2102. DEFINITIONS.**

17 “In this part:

18 “(1) **INDUCTION PROGRAM.**—The term ‘induc-
19 tion program’ has the meaning given the term in
20 section 200 of the Higher Education Act of 1965
21 (20 U.S.C. 1021).

22 “(2) **MENTORING.**—The term ‘mentoring’
23 means supporting teachers or principals to increase
24 the effectiveness and retention of such teachers or
25 principals through a program that—

1 “(A) includes clear criteria for the selec-
2 tion of mentors that takes into account the
3 mentor’s—

4 “(i) record of increasing student
5 achievement; and

6 “(ii) ability to facilitate professional
7 development activities;

8 “(B) provides high-quality training for
9 mentors in how to support teachers or prin-
10 cipals;

11 “(C) provides regularly scheduled time for
12 collaboration, examination of student work and
13 achievement data, and observation of teaching,
14 and identifies and addresses areas for improve-
15 ment; and

16 “(D) matches mentees with mentors in the
17 same field, grade, grade span, or subject area.

18 “(3) STATE.—The term ‘State’ means each of
19 the several States of the United States, the Com-
20 monwealth of Puerto Rico, and the District of Co-
21 lumbia.

22 **“Subpart 1—Grants to States**

23 **“SEC. 2111. ALLOTMENTS TO STATES.**

24 “(a) IN GENERAL.—The Secretary shall make grants
25 to States with applications approved under section 2112

1 to enable the States to carry out the activities specified
2 in section 2113. Each grant shall consist of the allotment
3 determined for a State under subsection (b).

4 “(b) DETERMINATION OF ALLOTMENTS.—

5 “(1) RESERVATION OF FUNDS.—From the total
6 amount appropriated to carry out this subpart for a
7 fiscal year, the Secretary shall reserve—

8 “(A) one-half of 1 percent for allotments
9 for the United States Virgin Islands, Guam,
10 American Samoa, and the Commonwealth of
11 the Northern Mariana Islands, to be distributed
12 among those outlying areas on the basis of their
13 relative need, as determined by the Secretary,
14 in accordance with the purpose of this part; and

15 “(B) one-half of 1 percent for the Sec-
16 retary of the Interior for programs under this
17 part in schools operated or funded by the Bu-
18 reau of Indian Education.

19 “(2) STATE ALLOTMENTS.—

20 “(A) IN GENERAL.—Subject to subpara-
21 graph (B), from the funds appropriated to
22 carry out this subpart and not reserved under
23 paragraph (1), the Secretary shall allot to each
24 State the sum of—

1 “(i) an amount that bears the same
2 relationship to 35 percent of the remaining
3 amount as the number of individuals ages
4 5 through 17 in the State, as determined
5 by the Secretary on the basis of the most
6 recent satisfactory data, bears to the num-
7 ber of those individuals in all such States,
8 as so determined; and

9 “(ii) an amount that bears the same
10 relationship to 65 percent of the remaining
11 amount as the number of individuals, ages
12 5 through 17 from families with incomes
13 below the poverty line, in the State, as de-
14 termined by the Secretary on the basis of
15 the most recent satisfactory data, bears to
16 the number of those individuals in all such
17 States, as so determined.

18 “(B) EXCEPTION.—No State receiving an
19 allotment under subparagraph (A) may receive
20 less than one-half of 1 percent of the total
21 amount allotted under such subparagraph.

22 “(3) REALLOTMENT.—If any State does not re-
23 ceive an allotment under this subsection for any fis-
24 cal year, the Secretary shall reallocate the amount of

1 the allotment to the remaining States in accordance
2 with this subsection.

3 **“SEC. 2112. STATE APPLICATIONS.**

4 “(a) IN GENERAL.—For a State to be eligible to re-
5 ceive a grant under this subpart, the State educational
6 agency shall submit an application to the Secretary at
7 such time, in such manner, and containing such informa-
8 tion as the Secretary may reasonably require.

9 “(b) CONTENTS.—Each application submitted under
10 this section shall include—

11 “(1) a description of how the State educational
12 agency will—

13 “(A) ensure that each local educational
14 agency receiving a subgrant under subpart 2
15 will comply with the requirements of such
16 subgrant, including implementing a professional
17 growth and improvement system;

18 “(B) provide technical assistance to sup-
19 port such implementation; and

20 “(C) ensure that the State educational
21 agency regularly assesses implementation and
22 results across local educational agencies’ profes-
23 sional growth and improvement systems to en-
24 sure comparability across the State in imple-

1 mentation of such systems in differentiating
2 teacher and principal performance levels;

3 “(2) a description of how the State will use
4 funds reserved under section 2113(a);

5 “(3) a description of how the activities to be
6 carried out by the State educational agency under
7 this subpart will be evidence-based and an expla-
8 nation of why the activities are expected to improve
9 student achievement;

10 “(4) a description of how activities under this
11 subpart are aligned with State academic content and
12 student academic achievement standards and State
13 assessments, which include, as appropriate, State
14 early learning standards for children younger than
15 kindergarten;

16 “(5) a description of how the State educational
17 agency, working with local educational agencies, will
18 provide data on each teacher’s student achievement
19 and growth for the State assessments required
20 under section 1111(a)(2) to teachers and local edu-
21 cational agencies, in a timely and useful manner;

22 “(6) a description of how the State educational
23 agency will hold local educational agencies account-
24 able for meeting the requirements of section 1117;

1 “(7) an assurance that the State educational
2 agency will comply with section 9501 (regarding par-
3 ticipation by private school children and teachers);

4 “(8) a description of the activities funded under
5 this subpart, including how such activities will be co-
6 ordinated with the State agency responsible for early
7 childhood education programs and the State Advi-
8 sory Council on Early Childhood Education and
9 Care established under section 642B of the Head
10 Start Act, that are designed to improve and
11 strengthen the knowledge and skills of teachers and
12 principals responsible for educating children in pre-
13 school, where applicable, through grade 3;

14 “(9) a description of how the State educational
15 agency will provide for the equitable distribution of
16 teachers in accordance with section 1111(b)(1)(K);
17 and

18 “(10) an assurance that the State educational
19 agency is encouraging collaboration between higher
20 education-based educator preparation programs, the
21 State, and local educational agencies to promote the
22 readiness of new educators entering the profession
23 through clinical experience and interaction, as well
24 as other activities.

1 “(c) DEEMED APPROVAL.—An application submitted
2 by a State educational agency pursuant to subsection (a)
3 shall be deemed to be approved by the Secretary unless
4 the Secretary makes a written determination, prior to the
5 expiration of the 120-day period beginning on the date on
6 which the Secretary received the application, that the ap-
7 plication is not in compliance with this subpart.

8 “(d) DISAPPROVAL.—The Secretary shall not finally
9 disapprove the application, except after giving the State
10 educational agency notice and an opportunity for a hear-
11 ing.

12 “(e) NOTIFICATION.—If the Secretary finds that the
13 application is not in compliance, in whole or in part, with
14 this subpart, the Secretary shall—

15 “(1) give the State educational agency notice
16 and an opportunity for a hearing; and

17 “(2) notify the State educational agency of the
18 finding of noncompliance and, in such notification,
19 shall—

20 “(A) cite the specific provisions in the ap-
21 plication that are not in compliance; and

22 “(B) request additional information, only
23 as to the noncompliant provisions, needed to
24 make the application compliant.

1 “(f) RESPONSE.—If the State educational agency re-
2 sponds to the Secretary’s notification described in sub-
3 section (e)(2) during the 45-day period beginning on the
4 date on which the agency received the notification, and
5 resubmits the application with the requested information
6 described in subsection (e)(2)(B), the Secretary shall ap-
7 prove or disapprove such application prior to the later of—

8 “(1) the expiration of the 45-day period begin-
9 ning on the date on which the application is resub-
10 mitted; or

11 “(2) the expiration of the 120-day period de-
12 scribed in subsection (c).

13 “(g) FAILURE TO RESPOND.—If the State edu-
14 cational agency does not respond to the Secretary’s notifi-
15 cation described in subsection (e)(2) during the 45-day pe-
16 riod beginning on the date on which the agency received
17 the notification, such application shall be deemed to be
18 disapproved.

19 **“SEC. 2113. STATE USE OF FUNDS.**

20 “(a) IN GENERAL.—A State that receives a grant
21 under section 2111—

22 “(1) shall reserve 95 percent of the funds made
23 available through the grant to make subgrants to
24 local educational agencies as described in subpart 2;

1 “(2) shall use not less than 2 percent but not
2 more than 5 percent of funds made available
3 through the grant to support local educational agen-
4 cies in—

5 “(A) improving the performance and equi-
6 table distribution of principals and, at the
7 State’s discretion, other school leaders, includ-
8 ing through—

9 “(i) activities designed to recruit, pre-
10 pare, place, assist, support, and retain
11 highly rated principals for high-need
12 schools and low-performing schools, includ-
13 ing through compensation or incentives;
14 and

15 “(ii) providing training and support to
16 principals and school leadership teams in
17 high-need schools and low-performing
18 schools on improving instruction and clos-
19 ing achievement gaps; and

20 “(B) providing technical assistance to local
21 educational agencies to support the design and
22 implementation of professional growth and im-
23 provement systems, including—

24 “(i) developing and disseminating re-
25 search-based models and designing high-

1 quality evaluation tools, such as classroom
2 observation rubrics;

3 “(ii) developing and providing training
4 for principals and other evaluators on how
5 to evaluate teachers in order to differen-
6 tiate teacher performance accurately, pro-
7 vide useful feedback, and use evaluation
8 results to inform decisionmaking about
9 professional development, improvement
10 strategies, and personnel decisions;

11 “(iii) developing methods, including
12 training and auditing, for ensuring inter-
13 rater reliability of evaluation results;

14 “(iv) providing information on the ap-
15 propriate collection, reporting, analysis,
16 and use of evaluation data; and

17 “(v) developing a system for auditing
18 the quality of professional growth and im-
19 provement systems, including the correla-
20 tion with student achievement and contin-
21 uous improvement, and improving such
22 systems based on data and feedback; and

23 “(3) shall use funds remaining after making the
24 reservations under paragraphs (1) and (2) to—

1 “(A) plan and administer State activities
2 under this part, including awarding, moni-
3 toring, and enforcing the requirements of sub-
4 grants awarded under subpart 2;

5 “(B) assist local educational agencies in
6 recruiting, preparing, placing, developing, and
7 retaining highly rated teachers for high-need
8 schools and low-performing schools;

9 “(C) provide technical assistance, as nec-
10 essary, to local educational agencies that receive
11 subgrants under subpart 2, to improve perform-
12 ance on the measures described in section
13 2141(b), as applicable;

14 “(D) develop and disseminate the State
15 Report described in subpart 4, and use the in-
16 formation in the State Report to guide efforts
17 under this part; and

18 “(E) provide technical assistance and sup-
19 port to local educational agencies in the devel-
20 opment and implementation of programs and
21 policies that support young children’s transition
22 from early childhood education programs into
23 elementary schools, improve school readiness,
24 and improve the academic achievement of young
25 children.

1 “(b) OPTIONAL USES.—

2 “(1) IN GENERAL.—A State that receives a
3 grant under section 2111 may, from the funds avail-
4 able for the uses described in subsection (a)(2), use
5 an amount equal to not more than 1 percent of the
6 funds made available through the grant to establish,
7 expand, or implement 1 or more teacher or principal
8 preparation academies and to provide for a State au-
9 thorizer, if—

10 “(A) the State does not have in place legal,
11 statutory, or regulatory barriers to the creation
12 or operation of teacher or principal preparation
13 academies;

14 “(B) the State enables candidates attend-
15 ing a teacher or principal preparation academy
16 to be eligible for State financial aid to the same
17 extent as participants in other State-approved
18 teacher or principal preparation programs, in-
19 cluding alternative certification, licensure, or
20 credential programs;

21 “(C) the State enables teachers or prin-
22 cipals who are teaching or working while on al-
23 ternative certificates, licenses, or credentials to
24 teach or work in the State while enrolled in a
25 teacher or principal preparation academy; and

1 “(D) the State will recognize a certificate
2 of completion (from any teacher or principal
3 preparation academy that is not, or is unaffili-
4 ated with, an institution of higher education),
5 as at least the equivalent of a master’s degree
6 in education for the purposes of hiring, reten-
7 tion, compensation, and promotion in the State.

8 “(2) DEFINITIONS.—In this subsection:

9 “(A) TEACHER OR PRINCIPAL PREPARA-
10 TION ACADEMY.—The term ‘teacher or prin-
11 cipal preparation academy’ means a public or
12 other nonprofit institution that will prepare
13 teachers or principals, or both, to serve in high-
14 need schools and that—

15 “(i) enters into an agreement with a
16 State authorizer that specifies the goals ex-
17 pected of the institution, including—

18 “(I) a requirement that—

19 “(aa) teacher or principal
20 candidates, or teachers teaching
21 or principals serving on alter-
22 native certificates, licenses, or
23 credentials, who are enrolled in
24 the academy receive a significant
25 part of their training through

1 clinical preparation that partners
2 candidates with mentor teachers
3 or principals with a demonstrated
4 track record of success in im-
5 proving student growth, including
6 (where applicable) children with
7 disabilities, children living in pov-
8 erty, and English learners; and

9 “(bb) the academy will pro-
10 vide instruction to teacher can-
11 didates that links to the clinical
12 preparation experience;

13 “(II) the number of teachers or
14 principals the academy will produce
15 and the minimum number and per-
16 centage of teachers or principals who
17 will demonstrate success in improving
18 student performance based on mul-
19 tiple measures (including student
20 growth);

21 “(III) a requirement that the
22 teacher preparation component of the
23 academy will only award a certificate
24 of completion (or degree, if the acad-
25 emy is, or is affiliated with, an insti-

1 tution of higher education) after the
2 graduate demonstrates a track record
3 of success in improving student per-
4 formance based on multiple measures
5 (including student growth), either as a
6 student teacher or teacher-of-record
7 on an alternative certificate, license,
8 or credential;

9 “(IV) a requirement that the
10 principal preparation component of
11 the academy will only award a certifi-
12 cate of completion (or degree, if the
13 academy is, or is affiliated with, an
14 institution of higher education) after
15 the graduate demonstrates a track
16 record of success in improving student
17 performance for some or all of a
18 school’s students; and

19 “(V) timelines for producing co-
20 horts of graduates and conferring cer-
21 tificates of completion (or degrees, if
22 the academy is, or is affiliated with,
23 an institution of higher education)
24 from the academy;

1 “(ii) shall not have unnecessary re-
2 strictions placed on the methods the acad-
3 emy will use to train teacher or principal
4 candidates (or teachers or principals that
5 are teaching or working while on alter-
6 native certificates, licenses, or credentials),
7 including restrictions or requirements—

8 “(I) obligating the faculty of the
9 academy to hold advanced degrees, or
10 prohibiting the faculty of the academy
11 from holding advanced degrees;

12 “(II) obligating such faculty to
13 conduct academic research;

14 “(III) related to the physical in-
15 frastructure of the academy;

16 “(IV) related to the number of
17 course credits required as part of the
18 program of study;

19 “(V) related to the under-
20 graduate coursework completed by
21 teachers teaching on alternative cer-
22 tificates, licenses, or credentials, as
23 long as such teachers have success-
24 fully passed all relevant State-ap-
25 proved content area examinations; or

1 “(VI) related to obtaining addi-
2 tional accreditation from a national
3 accrediting body; and

4 “(iii) limits admission to its program
5 to candidates who demonstrate strong po-
6 tential to improve student achievement,
7 based on a rigorous selection process that
8 reviews a candidate’s prior academic
9 achievement or record of professional ac-
10 complishment.

11 “(B) STATE AUTHORIZER.—The term
12 ‘State authorizer’ means an entity designated
13 by the Governor of a State to recognize teacher
14 or principal preparation academies within the
15 State that—

16 “(i) enters into an agreement with a
17 teacher or principal preparation academy
18 that specifies the goals expected of the
19 academy, as described in subparagraph
20 (A)(i);

21 “(ii) may be a nonprofit organization,
22 State educational agency, or other public
23 entity, or consortium of such entities (in-
24 cluding a consortium of States); and

1 “(A) an amount that bears the same rela-
2 tionship to 20 percent of the total amount re-
3 served as the number of individuals age 5
4 through 17 in the geographic area served by the
5 agency, as determined by the Secretary on the
6 basis of the most recent satisfactory data, bears
7 to the number of those individuals in the geo-
8 graphic areas served by all the local educational
9 agencies in the State, as so determined; and

10 “(B) an amount that bears the same rela-
11 tionship to 80 percent of the total amount re-
12 served as the number of individuals age 5
13 through 17 from families with incomes below
14 the poverty line in the geographic area served
15 by the agency, as determined by the Secretary
16 on the basis of the most recent satisfactory
17 data, bears to the number of those individuals
18 in the geographic areas served by all the local
19 educational agencies in the State, as so deter-
20 mined.

21 “(2) HOLD HARMLESS.—

22 “(A) IN GENERAL.—Notwithstanding para-
23 graph (1), the State educational agency shall
24 allocate to each of the eligible local educational
25 agencies in the State an amount that is not less

1 than 90 percent of the allocation the eligible
2 local educational agency received for the pre-
3 vious fiscal year under this part.

4 “(B) RATABLE REDUCTION.—If insuffi-
5 cient funds are appropriated to allocate the
6 amounts that all eligible local educational agen-
7 cies in the State are eligible to receive under
8 subparagraph (A) for a fiscal year, the Sec-
9 retary shall ratably reduce those amounts for
10 the fiscal year.

11 **“SEC. 2122. LOCAL APPLICATIONS AND NEEDS ASSESS-**
12 **MENT.**

13 “(a) IN GENERAL.—To be eligible to receive a
14 subgrant under this subpart, a local educational agency
15 shall—

16 “(1) submit an application to the State edu-
17 cational agency at such time, in such manner, and
18 containing such information as the State educational
19 agency may reasonably require; and

20 “(2) conduct, with the involvement of school
21 staff and other stakeholders, as applicable, an as-
22 sessment of the human capital needs of the local
23 educational agency, including in the areas set forth
24 under section 2141(b), as applicable.

1 “(b) CONTENTS.—Each application submitted under
2 this section shall include the following:

3 “(1) NEEDS ASSESSMENT.—A description of
4 the results of the needs assessment conducted under
5 subsection (a)(2) and how the local educational
6 agency will align uses of funds with such assess-
7 ment.

8 “(2) PERFORMANCE MEASURES.—A description
9 of the performance measures and activities the local
10 educational agency will use to address the needs
11 identified in such assessment.

12 “(3) PROFESSIONAL GROWTH AND IMPROVE-
13 MENT SYSTEM.—An assurance that the local edu-
14 cational agency will create, or improve, and imple-
15 ment a professional growth and improvement system
16 as by a date identified by the local educational agen-
17 cy and approved by the State educational agency
18 that shall not be later than the 2015–2016 school
19 year.

20 “(4) PROFESSIONAL DEVELOPMENT.—A de-
21 scription of the professional development activities
22 that will be made available to teachers and prin-
23 cipals under this subpart and how the local edu-
24 cational agency will ensure that the professional de-
25 velopment needs of teachers and principals, as iden-

1 tified by the professional growth and improvement
2 system, will be met using funds under this subpart.

3 “(5) ENCOURAGING COLLABORATION TO PRO-
4 MOTE EDUCATOR READINESS.—An assurance that
5 the local educational agency is encouraging collabo-
6 ration with higher education-based educator prepa-
7 ration programs to promote the readiness of new
8 educators entering the profession through clinical ex-
9 perience and interaction, as well as other activities.

10 “(6) INTEGRATION OF TECHNOLOGY INTO CUR-
11 RICULA AND INSTRUCTION.—A description of how
12 the local educational agency will integrate funds
13 under this subpart with funds received under part D
14 that are used for professional development to train
15 teachers to integrate technology into curricula and
16 instruction to improve teaching, learning, and tech-
17 nology literacy.

18 “(7) EVIDENCE-BASED ACTIVITIES.—A descrip-
19 tion of how the activities to be carried out by the
20 State educational agency under this subpart will be
21 evidence-based and an explanation of why the activi-
22 ties are expected to improve student achievement.

23 **“SEC. 2123. LOCAL USE OF FUNDS.**

24 “(a) IN GENERAL.—A local educational agency that
25 receives a subgrant under section 2121 shall use subgrant

1 funds to address the achievement of students in schools
2 designated as focus schools under section 1116(c) and pri-
3 ority schools under section 1116(d) and schools not meet-
4 ing their performance targets, as described in section
5 1116(b).

6 “(b) PROFESSIONAL DEVELOPMENT.—

7 “(1) IN GENERAL.—A local educational agency
8 that receives a subgrant under section 2121 shall
9 use subgrant funds to develop and carry out profes-
10 sional development, which may include joint profes-
11 sional development for teachers, principals, and
12 other relevant school staff with early childhood edu-
13 cation program staff.

14 “(2) PRIORITY SCHOOLS; FOCUS SCHOOLS.—
15 Not less than 20 percent of subgrant funds—

16 “(A) shall be used to provide professional
17 development for teachers serving students in
18 schools identified as priority schools under sec-
19 tion 1116(d) and not receiving school improve-
20 ment funds as described in section 1116(f); and

21 “(B) if a local educational agency has ex-
22 cess funds after meeting the needs of teachers
23 serving students in priority schools, as required
24 under subparagraph (A), may be used to pro-
25 vide professional development for teachers serv-

1 ing students in schools identified as focus
2 schools under section 1116(c).

3 “(c) PERMISSIBLE USES OF FUNDS.—A local edu-
4 cational agency that receives a subgrant under section
5 2121 may use subgrant funds to implement strategies that
6 lead to increased student achievement for all students, in-
7 cluding English learners and students with disabilities, by
8 carrying out 1 or more of the following activities:

9 “(1) Developing, implementing and improving
10 an induction program or a mentoring program.

11 “(2) Improving within-district equity in the dis-
12 tribution of teachers consistent with the require-
13 ments of section 1111(b)(1)(R).

14 “(3) Developing and implementing a profes-
15 sional growth and improvement system.

16 “(4) Carrying out in-service training for school
17 personnel in—

18 “(A) the techniques and supports needed
19 for early identification of children with trauma
20 histories, and children with, or at risk of, men-
21 tal illness;

22 “(B) the use of referral mechanisms that
23 effectively link such children to appropriate
24 treatment and intervention services in the

1 school and in the community, where appro-
2 priate; and

3 “(C) forming partnerships between school-
4 based mental health programs and public or
5 private mental health organizations.

6 “(5) Increasing teacher capacity to evaluate
7 student work and use student achievement data and
8 creating career ladders to provide opportunities for
9 highly rated teachers or paraprofessionals to ad-
10 vance or take on additional roles and responsibilities.

11 “(6) Recruiting, preparing, placing, supporting,
12 developing, rewarding, and retaining highly rated
13 teachers and principals in high-need schools and low-
14 performing schools.

15 “(7) Reducing class size for prekindergarten
16 through grade 3, by an amount and to a level con-
17 sistent with what scientifically valid research has
18 found to improve student achievement.

19 “(d) SUPPLEMENT, NOT SUPPLANT.—Funds re-
20 ceived under this subpart shall be used to supplement, and
21 not supplant, non-Federal funds that would otherwise be
22 used for activities authorized under this subpart.

1 **“Subpart 3—National Leadership Activities**

2 **“SEC. 2131. NATIONAL LEADERSHIP ACTIVITIES.**

3 “From the funds made available to carry out this
4 part for a fiscal year, the Secretary is authorized to set
5 aside not more than 1 percent to carry out the following
6 activities related to the purpose of this part:

7 “(1) Research and development.

8 “(2) Technical assistance.

9 “(3) Outreach and dissemination activities di-
10 rectly or through grants, contracts, or cooperative
11 agreements.

12 “(4) Activities relating to gifted and talented
13 students, as described in section 2132.

14 **“SEC. 2132. GIFTED AND TALENTED STUDENTS.**

15 “The Secretary shall—

16 “(1) acting through the Director of the Insti-
17 tute of Education Sciences, continue research and
18 development activities related to the education of
19 gifted and talented students, particularly research
20 and development activities related to such students
21 who reside in rural communities or have been under-
22 represented as gifted and talented;

23 “(2) support a National Research Center on the
24 Gifted and Talented that conducts research and
25 serves as a national clearinghouse for evidence-based

1 best practices to improve the identification and in-
2 struction of gifted and talented students; and

3 “(3) administer demonstration grants, in con-
4 sultation with the Director of the Institute of Edu-
5 cation Sciences, to programs that build and enhance
6 the ability of elementary school and secondary school
7 personnel to support gifted and talented students.

8 **“Subpart 4—Accountability**

9 **“SEC. 2141. ACCOUNTABILITY.**

10 “(a) IN GENERAL.—

11 “(1) STATE REPORT.—Each State that receives
12 a grant under subpart 1 shall annually submit to the
13 Secretary, in a manner prescribed by the Secretary,
14 and make public, a State Report on program per-
15 formance and results under such grant. Such State
16 Report shall provide the information required under
17 subsection (b).

18 “(2) LOCAL EDUCATIONAL AGENCY REPORT.—
19 Each local educational agency that receives a
20 subgrant under subpart 2 shall annually submit to
21 the State, in a manner prescribed by the State, and
22 make public, a Local Educational Agency Report on
23 program performance and results under such
24 subgrant. Such Local Educational Agency Report

1 shall provide the information required under sub-
2 section (b).

3 “(3) FERPA COMPLIANCE.—Each State and
4 local educational agency that submits a report in
5 compliance with this subsection shall collect, report,
6 and disseminate information contained in such re-
7 port in compliance with section 444 of the General
8 Education Provisions Act (20 U.S.C. 1232g, com-
9 monly known as the ‘Family Educational Rights and
10 Privacy Act of 1974’).

11 “(4) TEACHER AND PRINCIPAL PRIVACY.—No
12 State or local educational agency shall publicly re-
13 port information in compliance with this subsection
14 in a case in which the results would reveal personally
15 identifiable information about an individual teacher
16 or principal.

17 “(b) INFORMATION.—Each State Report and Local
18 Educational Agency Report shall contain, as appro-
19 priate—

20 “(1) a description of how funds have been used,
21 including how funds have been used to address the
22 needs of teachers serving students in schools not
23 meeting performance targets, as described in section
24 1116(b), and schools identified as focus schools and

1 priority schools under subsections (c) and (d) of sec-
2 tion 1116 and the results of the use of those funds;

3 “(2) the number of highly rated teachers in the
4 local educational agency teaching in schools identi-
5 fied as focus schools and priority schools under sub-
6 sections (c) and (d) of section 1116;

7 “(3) student achievement data, by teacher prep-
8 aration program within the State, for students
9 taught by such program’s graduates;

10 “(4) a description of the professional growth
11 and improvement system required under section
12 2122;

13 “(5) a description of how chosen professional
14 development activities improved teacher and prin-
15 cipal performance using the professional growth and
16 improvement system; and

17 “(6) how funds have been used to contribute to
18 the equitable distribution of teachers.

19 **“Subpart 5—Principal Recruitment and Training**

20 **“SEC. 2151. PRINCIPAL RECRUITMENT AND TRAINING**
21 **GRANT PROGRAM.**

22 “(a) DEFINITIONS.—In this section:

23 “(1) ASPIRING PRINCIPAL.—The term ‘aspiring
24 principal’ means an individual who is enrolled in a
25 principal preparation program’s preservice residency

1 that provides training in instructional leadership, or-
2 ganizational management, and the development of
3 teachers.

4 “(2) CURRENT PRINCIPAL.—The term ‘current
5 principal’ means an individual who, as of the date of
6 the determination of participation in a program
7 under this section, is employed as a principal or has
8 been employed as a principal.

9 “(3) ELIGIBLE ENTITY.—The term ‘eligible en-
10 tity’ means—

11 “(A) a local educational agency or edu-
12 cational service agency that serves an eligible
13 school or a consortium of such agencies;

14 “(B) a State educational agency or a con-
15 sortium of such agencies;

16 “(C) a State educational agency in part-
17 nership with 1 or more local educational agen-
18 cies or educational service agencies that serve
19 an eligible school;

20 “(D) an entity described in subparagraph
21 (A), (B), or (C) in partnership with 1 or more
22 nonprofit organizations or institutions of higher
23 education; or

24 “(E) an institution of higher education or
25 a nonprofit organization, if the institution or

1 nonprofit organization can demonstrate a
2 record of—

3 “(i) preparing principals who have
4 been able to improve student achievement
5 substantially; and

6 “(ii) placing a significant percentage
7 of such principals in eligible schools.

8 “(4) ELIGIBLE SCHOOL.—The term ‘eligible
9 school’ means a public school, including a public
10 charter school, that meets 1 or more of the following
11 criteria:

12 “(A) Is a high-need school.

13 “(B) Is identified as a priority school
14 under section 1116(d).

15 “(C) Is identified as a focus school under
16 section 1116(e).

17 “(D) In the case of a public school con-
18 taining middle grades, feeds into a public high
19 school that has less than a 60 percent gradua-
20 tion rate.

21 “(E) Is a rural school served by a local
22 educational agency that is eligible to receive as-
23 sistance under part B of title VI.

24 “(5) HIGH-NEED SCHOOL.—

1 “(A) IN GENERAL.—The term ‘high-need
2 school’ means—

3 “(i) an elementary school or middle
4 school in which not less than 50 percent of
5 the enrolled students are children from
6 low-income families; or

7 “(ii) a high school in which not less
8 than 40 percent of the enrolled students
9 are children from low-income families,
10 which may be calculated using comparable
11 data from feeder schools.

12 “(B) LOW-INCOME FAMILY.—For purposes
13 of subparagraph (A), the term ‘low-income fam-
14 ily’ means a family—

15 “(i) in which the children are eligible
16 for a free or reduced price lunch under the
17 Richard B. Russell National School Lunch
18 Act (42 U.S.C. 1751 et seq.);

19 “(ii) receiving assistance under a
20 State program funded under part A of title
21 IV of the Social Security Act (42 U.S.C.
22 601 et seq.); or

23 “(iii) in which the children are eligible
24 to receive medical assistance under the
25 Medicaid program.

1 “(6) MENTOR PRINCIPAL.—The term ‘mentor
2 principal’ means an individual with the following
3 characteristics:

4 “(A) Strong instructional leadership skills
5 in an elementary school or secondary school set-
6 ting.

7 “(B) Strong verbal and written commu-
8 nication skills, which may be demonstrated by
9 performance on appropriate assessments.

10 “(C) Knowledge, skills, and attitudes to—

11 “(i) establish and maintain a profes-
12 sional learning community that effectively
13 extracts information from data to improve
14 the school culture and personalize instruc-
15 tion for all students to result in improved
16 student achievement;

17 “(ii) create and maintain a learning
18 culture within the school that provides a
19 climate conducive to the development of all
20 members of the school community, includ-
21 ing one of continuous learning for adults
22 tied to student learning and other school
23 goals;

24 “(iii) engage in continuous profes-
25 sional development, utilizing a combination

1 of academic study, developmental simula-
2 tion exercises, self-reflection, mentorship,
3 and internship;

4 “(iv) understand youth development
5 appropriate to the age level served by the
6 school and from this knowledge set high
7 expectations and standards for the aca-
8 demic, social, emotional, and physical de-
9 velopment of all students; and

10 “(v) actively engage the community to
11 create shared responsibility for student
12 academic performance and successful de-
13 velopment.

14 “(7) MIDDLE GRADE.—The term ‘middle grade’
15 means any of grades 5 through 8.

16 “(8) SCHOOL-LEVEL STUDENT OUTCOMES.—
17 The term ‘school-level student outcomes’ means, at
18 the whole school level and for each subgroup of stu-
19 dents described in section 1111(a)(3)(D) who are
20 served by the school—

21 “(A) student academic achievement and
22 student growth; and

23 “(B) additional outcomes, including, at the
24 high school level, graduation rates and the per-

1 centage of students taking college-level
2 coursework.

3 “(b) PROGRAM AUTHORIZED.—

4 “(1) PRINCIPAL RECRUITMENT AND TRAINING
5 GRANT PROGRAM.—The Secretary shall award
6 grants to eligible entities to enable such entities to
7 recruit, prepare, place, and support principals in eli-
8 gible schools.

9 “(2) DURATION.—

10 “(A) IN GENERAL.—

11 “(i) NOT MORE THAN 5 YEAR DURA-
12 TION.—A grant awarded under this section
13 shall be not more than 5 years in duration.

14 “(ii) RENEWAL.—The Secretary
15 may—

16 “(I) renew a grant awarded
17 under this section based on perform-
18 ance; and

19 “(II) in renewing a grant under
20 subclause (I), award the grantee in-
21 creased funding to scale up or rep-
22 licate the grantee’s program.

23 “(B) PERFORMANCE.—In evaluating per-
24 formance for purposes of subparagraph
25 (A)(ii)(I)—

1 “(i) the Secretary’s primary consider-
2 ation shall be the extent to which the prin-
3 cipals recruited, prepared, placed, or sup-
4 ported by the grantee have improved
5 school-level student outcomes in eligible
6 schools; and

7 “(ii) the Secretary shall also consider
8 the percentage of program graduates—

9 “(I) who become principals in eli-
10 gible schools;

11 “(II) who remain principals in el-
12 igible schools for multiple years; and

13 “(III) who are highly rated prin-
14 cipals, as determined by the State
15 educational agency.

16 “(c) APPLICATION AND SELECTION CRITERIA.—

17 “(1) APPLICATION.—An eligible entity that de-
18 sires a grant under this section shall submit to the
19 Secretary an application at such time, in such man-
20 ner, and accompanied by such information as the
21 Secretary may require.

22 “(2) SELECTION CRITERIA.—In awarding
23 grants under this section, the Secretary shall con-
24 sider—

1 “(A) the extent to which the entity has the
2 capacity to implement the activities described in
3 subsection (e) that the entity proposes to imple-
4 ment;

5 “(B) the extent to which the entity has a
6 demonstrated record of effectively preparing
7 high-quality principals or an evidenced-based
8 plan for preparing principals to improve school-
9 level student outcomes in eligible schools;

10 “(C) the extent to which the entity has a
11 demonstrated record of effectiveness or an evi-
12 dence-based plan for providing principals
13 trained by the entity with the guidance, sup-
14 port, and tools they need to improve school-level
15 student outcomes in eligible schools, including
16 providing principals with resources, such as
17 funding to ensure supports for quality teaching,
18 access to best practices, and decisionmaking au-
19 thority over areas such as personnel, budget,
20 curriculum, or scheduling;

21 “(D) the likelihood of the entity sustaining
22 the project with funds other than funds pro-
23 vided under this section, which other funds may
24 include funds provided under this title other

1 than this section, once the grant is no longer
2 available to the entity; and

3 “(E) the extent to which the proposed
4 project will serve rural areas or high-poverty
5 areas.

6 “(d) AWARDING GRANTS.—

7 “(1) PRIORITY.—In awarding grants under this
8 section, the Secretary shall give priority to an eligi-
9 ble entity with a record of preparing or developing
10 principals who—

11 “(A) have improved school-level student
12 outcomes;

13 “(B) have become principals in eligible
14 schools; and

15 “(C) remain principals in eligible schools
16 for multiple years.

17 “(2) GRANTS FOR RURAL SCHOOLS AND LOW-
18 EST PERFORMING SCHOOLS.—In awarding grants
19 under this section, the Secretary shall, consistent
20 with the quality of applications—

21 “(A) award not less than 1 grant to an eli-
22 gible entity that intends to establish a program
23 that focuses on training or supporting prin-
24 cipals and other school leaders for rural schools;
25 and

1 “(B) award not less than 1 grant to an eli-
2 gible entity that intends to establish a program
3 to train and support principals and other school
4 leaders to lead reform efforts in persistently
5 low-achieving schools in a State or more than 1
6 State.

7 “(3) REFORM EFFORTS.—An eligible entity
8 that receives a grant under this section to carry out
9 a program described in paragraph (2)(B)—

10 “(A) during the first year of the grant,
11 shall use grant funds—

12 “(i) to bring together experts and
13 stakeholders who are committed to dra-
14 matic and effective reform of persistently
15 low-achieving schools who can provide
16 input about what the evidence base shows
17 regarding effective school leadership in
18 such schools;

19 “(ii) to collect and develop, in con-
20 sultation with experts and stakeholders, a
21 core body of knowledge regarding effective
22 school reform leadership in persistently
23 low-achieving schools, which is evidence-
24 based;

1 “(iii) to develop, drawing on the core
2 body of knowledge developed in clause (ii),
3 a leadership training program for prin-
4 cipals, mentors, and other school leaders,
5 to prepare and support the principals,
6 mentors, and leaders to lead effective
7 school reform efforts in persistently low-
8 achieving schools; and

9 “(B) during each year of the grant after
10 the first year, shall use grant funds—

11 “(i) to carry out the leadership train-
12 ing program described in subparagraph
13 (A)(iii);

14 “(ii) to ensure that the leadership
15 training program described in subpara-
16 graph (A)(iii) is informed, on an ongoing
17 basis, by consultation with experts and
18 stakeholders, and by the program’s track-
19 ing of the performance of its graduates in
20 leading school reform efforts in persistently
21 low-achieving schools;

22 “(iii) to select cohorts of trained or
23 experienced principals to lead school re-
24 form efforts in persistently low-achieving
25 schools;

1 “(iv) to provide support for, and en-
2 courage interaction among, cohorts of prin-
3 cipals after completion of the leadership
4 training program described in subpara-
5 graph (A)(iii); and

6 “(v) to disseminate information to
7 principals, mentors, and other school lead-
8 ers engaging in reform efforts in persist-
9 ently low-achieving schools.

10 “(e) ACTIVITIES.—Each eligible entity that receives
11 a grant under this section shall use grant funds to carry
12 out the following:

13 “(1) To recruit and select, using rigorous, com-
14 petency-based, selection criteria, and train and sup-
15 port a diverse group of aspiring principals or current
16 principals, or both, for work in eligible schools.

17 “(2) Tracking participants to determine if such
18 individuals are attaining, or have attained, the com-
19 petencies needed to complete the training and enter
20 into an effective leadership role, and provide coun-
21 seling and, if appropriate, separation, to participants
22 who the entity determines will not attain, or have
23 not attained, those competencies.

24 “(3) If the eligible entity provides a program
25 for aspiring principals—

1 demic, social, emotional, and physical de-
2 velopment of all students; and

3 “(v) actively engage the community to
4 create shared responsibility for student
5 academic performance and successful de-
6 velopment; and

7 “(B) the program shall provide aspiring
8 principals with—

9 “(i) a preservice residency that is not
10 less than 1 year in length, and that in-
11 cludes coaching from a mentor principal,
12 and instructional leadership and organiza-
13 tional management experience;

14 “(ii) focused coursework on instruc-
15 tional leadership, organizational manage-
16 ment, and the use of a variety of data for
17 purposes of—

18 “(I) instruction;

19 “(II) evaluation and development
20 of teachers; and

21 “(III) development of highly ef-
22 fective school organizations; and

23 “(iii) ongoing support, mentoring, and
24 professional development for not less than
25 2 years after the aspiring principals com-

1 plete the residency and commence work as
2 assistant principals and principals.

3 “(4) To train mentors for principals who are
4 serving or who wish to serve in eligible schools or for
5 aspiring principals who wish to serve in such eligible
6 schools, or for both.

7 “(5) Providing differentiated training to partici-
8 pants in competencies that evidence shows are criti-
9 cal to improving school-level student outcomes in el-
10 igible schools, such as—

11 “(A) recruiting, training, supervising, sup-
12 porting, and evaluating teachers and other
13 staff;

14 “(B) developing teams of effective school
15 staff, and distributing among members of such
16 teams responsibilities for leading and improving
17 their schools;

18 “(C) establishing learning communities
19 where principals and teachers—

20 “(i) share a school mission and goals
21 with an explicit vision of quality teaching
22 and learning that guides all instructional
23 decisions;

24 “(ii) commit to improving student
25 outcomes and performances;

1 “(iii) set a continuous cycle of collec-
2 tive inquiry and improvement;

3 “(iv) foster a culture of collaboration
4 where teachers and principals work to-
5 gether on a regular basis to analyze and
6 improve teaching and learning; and

7 “(v) support and share leadership;

8 “(D) where applicable for participants
9 serving elementary schools, offering high-quality
10 early childhood education to the students such
11 participants are serving and facilitating the
12 transition of children from early learning set-
13 tings to elementary school;

14 “(E) setting high expectations for student
15 achievement;

16 “(F) addressing the unique needs of spe-
17 cific student populations served, such as stu-
18 dents with disabilities, students who are
19 English learners, and students who are home-
20 less or in foster care;

21 “(G) managing budget resources and
22 school time to support high-quality instruction
23 and improvements in student achievement, such
24 as by extending the school day and year and

1 providing common planning time to teachers
2 and staff;

3 “(H) working effectively with students’
4 parents and other members of the community;

5 “(I) using technology and multiple sources
6 of data to personalize instruction;

7 “(J) monitoring and improving the align-
8 ment and effectiveness of curriculum, instruc-
9 tion, and assessment, using a variety of data
10 providing evidence of student and school out-
11 comes; and

12 “(K) developing and maintaining a positive
13 school culture where students, teachers and
14 other staff are motivated to collaborate and
15 work together to achieve goals.

16 “(6) Delivering high-quality, differentiated,
17 school-level support services and training to current
18 principals of eligible schools, if the eligible entity
19 provides a program for current principals, or during
20 the period described in paragraph (3)(C) to individ-
21 uals who have completed the aspiring principal resi-
22 dency, if the eligible entity provides a program for
23 aspiring principals, to help meet the specific needs
24 of the eligible schools they serve, which may in-
25 clude—

1 “(A) training and support for the design of
2 school-wide improvement plans based on the di-
3 agnosis of school conditions and needs informed
4 by data and analysis of classroom and school
5 practices; and

6 “(B) support in organizing and training
7 the teams described in paragraph (5)(B).

8 “(7) Making available any training materials
9 funded under the grant, such as syllabi, assign-
10 ments, or selection rubrics, to the Department for
11 public dissemination.

12 “(8) Tracking the effectiveness of the program
13 based on, at a minimum—

14 “(A) school-level student outcomes at the
15 schools where program graduates have served
16 as principals;

17 “(B) the percentage of program graduates
18 who become principals in eligible schools; and

19 “(C) the percentage of program graduates
20 who remain principals in eligible schools for
21 multiple years.

22 “(9) Using the data on the effectiveness of the
23 program for, among other purposes, the continuous
24 improvement of the program.

1 “(f) ANNUAL REPORT.—An eligible entity that re-
2 ceives a grant under this section shall submit an annual
3 report, beginning in the third year of the grant, to the
4 Secretary regarding—

5 “(1) school-level student outcomes resulting
6 from implementation of the grant activities; and

7 “(2) data on—

8 “(A) the percentage of program graduates
9 who become principals in eligible schools;

10 “(B) the percentage of graduates who re-
11 main principals in eligible schools for multiple
12 years; and

13 “(C) the percentage of program graduates
14 who are highly rated, as determined by the
15 State educational agency.

16 “(g) MATCHING REQUIREMENT.—

17 “(1) MATCHING REQUIREMENT.—

18 “(A) IN GENERAL.—An eligible entity that
19 receives a grant under this section shall con-
20 tribute annually to the activities assisted under
21 such grant matching funds in an amount equal
22 to not less than 20 percent of the amount of
23 the grant from non-Federal sources.

1 “(B) MATCHING FUNDS.—The matching
2 funds requirement under subparagraph (A) may
3 be met by—

4 “(i) contributions that are in cash or
5 in kind, fairly evaluated; and

6 “(ii) payments of a salary or stipend
7 to an aspiring principal during the aspiring
8 principal’s residency year.

9 “(2) WAIVER.—The Secretary may waive or re-
10 duce the matching requirement under paragraph (1)
11 if the eligible entity demonstrates a need for such
12 waiver or reduction due to financial hardship.

13 “(h) SUPPLEMENT, NOT SUPPLANT.—Grant funds
14 provided under this section shall be used to supplement,
15 and not supplant, any other Federal, State, or local funds
16 otherwise available to carry out the activities described in
17 this section.

18 **“PART B—TEACHER PATHWAYS TO THE**
19 **CLASSROOM**

20 **“SEC. 2201. TEACHER PATHWAYS.**

21 “(a) PURPOSE.—It is the purpose of this section to
22 support the recruitment, selection, preparation, place-
23 ment, retention, and support of teachers in high-need sub-
24 jects or fields who will improve student academic achieve-
25 ment and student outcomes at high-needs schools.

1 “(b) DEFINITIONS.—In this section:

2 “(1) ELIGIBLE ENTITY.—The term ‘eligible en-
3 tity’ means—

4 “(A) a partnership of—

5 “(i) 1 or more institutions of higher
6 education or nonprofit organizations; and

7 “(ii) a high-need local educational
8 agency and 1 or more other local edu-
9 cational agencies or State educational
10 agencies; or

11 “(B) an institution of higher education or
12 a nonprofit organization that can demonstrate a
13 record of—

14 “(i) preparing teachers who are suc-
15 cessful in improving student achievement;
16 and

17 “(ii) placing a significant percentage
18 of those teachers in high-need schools.

19 “(2) TEACHER IN A HIGH-NEED SUBJECT OR
20 FIELD.—The term ‘teacher in a high-need subject or
21 field’ means a teacher of—

22 “(A) students with disabilities;

23 “(B) English learners; or

24 “(C) science, technology, engineering, or
25 mathematics.

1 “(c) AUTHORIZATION OF GRANT AWARDS.—The Sec-
2 retary shall award grants to eligible entities to pay for the
3 Federal share of the cost of carrying out the activities de-
4 scribed in this section.

5 “(d) APPLICATIONS.—An eligible entity that desires
6 to receive a grant under this section shall submit an appli-
7 cation to the Secretary at such time, in such manner, and
8 accompanied by such information as the Secretary may
9 require.

10 “(e) CONSIDERATIONS.—In awarding grants under
11 this section, the Secretary shall consider the geographic
12 diversity of the eligible entities, including the distribution
13 of grants among urban, suburban, and rural areas.

14 “(f) PRIORITY.—In awarding grants under this sec-
15 tion, the Secretary shall give priority to applicants that
16 demonstrate a record of—

17 “(1) recruiting college undergraduates, recent
18 college graduates, graduate students, and profes-
19 sionals with a demonstrated history of significant
20 academic achievement to become teachers;

21 “(2) recruiting and selecting candidates who
22 are members of groups underrepresented in the
23 teaching profession; and

1 “(3) preparing teachers who consistently im-
2 prove student academic achievement at high-need
3 schools.

4 “(g) REQUIRED USE OF FUNDS.—An eligible entity
5 that receives a grant under this section shall use the grant
6 funds for the following:

7 “(1) To recruit, select, prepare, place, retain,
8 and support teachers for high-need schools and
9 teachers in high-need subjects or fields.

10 “(2) To prepare all teachers to teach students
11 with disabilities and English learners.

12 “(3) To prepare teachers in classroom manage-
13 ment, instructional planning and delivery, learning
14 theory and cognitive development, literacy develop-
15 ment, and student assessment.

16 “(4) To provide school-based, clinical experience
17 at a high-need school that includes observation of
18 and feedback on teacher candidates’ teaching.

19 “(5) To provide ongoing mentoring and sup-
20 port, which may include coursework, for participants
21 for at least 1 school year.

22 “(h) PERMISSIBLE USE OF GRANT FUNDS.—An eli-
23 gible entity that receives a grant under this section may
24 use the grant funds to provide financial stipends for teach-
25 er candidates who are not the teacher of record.

1 “(i) PERFORMANCE AND GRANT RENEWAL.—

2 “(1) TRACKING PERFORMANCE.—An eligible
3 entity that receives a grant under this section
4 shall—

5 “(A) track the placement rate, retention
6 rate, and performance in improving student
7 academic achievement of teachers recruited and
8 prepared by programs funded by the grant; and

9 “(B) submit data on such performance to
10 the Secretary.

11 “(2) CONDITIONS FOR GRANT RENEWAL.—The
12 Secretary shall evaluate the information submitted
13 under paragraph (1) and renew a grant awarded
14 under this section only if the data indicate the
15 teachers are successful in improving student aca-
16 demic achievement.

17 “(j) FISCAL AGENT.—The fiscal agent for an eligible
18 entity that receives a grant under this section may be a
19 local educational agency, State educational agency, insti-
20 tution of higher education, or nonprofit organization that
21 is a partner in the eligible entity.

22 “(k) MATCHING REQUIREMENTS.—

23 “(1) FEDERAL SHARE.—Except as provided in
24 paragraph (2)(B), the Federal share for this section
25 shall be a percentage of the cost of the activities as-

1 sisted under the grant as determined by the Sec-
2 retary.

3 “(2) NON-FEDERAL SHARE.—

4 “(A) IN GENERAL.—The non-Federal
5 share provided by an eligible entity receiving a
6 grant under this section shall be a percentage
7 of the cost of the activities assisted under the
8 grant as determined by the Secretary. The non-
9 Federal share may include in-kind contribu-
10 tions.

11 “(B) SPECIAL RULE.—The Secretary may
12 waive or reduce the amount of the non-Federal
13 share described in subparagraph (A) for any
14 fiscal year if the eligible entity demonstrates to
15 the Secretary that the funds needed to carry
16 out that subparagraph are unavailable due to
17 economic hardship, as determined by the Sec-
18 retary.

19 “(1) EVALUATION.—From the amount appropriated
20 for this subpart and reserved for evaluation activities in
21 accordance with section 9601(a), the Secretary, acting
22 through the Director of the Institute of Education
23 Sciences, shall, in consultation with the relevant program
24 office at the Department—

1 “(1) evaluate the implementation and impact of
2 the program under this section;

3 “(2) identify best practices for recruiting, se-
4 lecting, preparing, placing, retaining, and supporting
5 teachers in high-need subjects or fields for high-need
6 schools; and

7 “(3) disseminate research on best practices.

8 **“PART C—TEACHER INCENTIVE FUND PROGRAM**

9 **“SEC. 2301. PURPOSES; DEFINITIONS.**

10 “(a) PURPOSES.—The purposes of this part are to
11 assist States, local educational agencies, and nonprofit or-
12 ganizations to develop, implement, improve, or expand
13 strategies to ensure that the most effective teachers and
14 principals are serving in the lowest-performing schools.

15 “(b) DEFINITIONS.—Except as otherwise provided, in
16 this part:

17 “(1) ELIGIBLE ENTITY.—The term ‘eligible en-
18 tity’ means—

19 “(A) a local educational agency or a con-
20 sortium of local educational agencies, which
21 may include a charter school that is a local edu-
22 cational agency;

23 “(B) a State educational agency, or other
24 State agency designated by the chief executive
25 of a State to participate under this subpart; or

1 “(C) an institution of higher education or
2 nonprofit organization, in partnership with an
3 entity described in subparagraph (A) or (B).

4 “(2) HIGHLY EFFECTIVE TEACHER OR PRIN-
5 CIPAL.—The term ‘highly effective teacher or prin-
6 cipal’ means a teacher or principal who has not less
7 than 3 years of—

8 “(A) receiving the highest ratings in a pro-
9 fessional growth and improvement system; or

10 “(B) if a professional growth and improve-
11 ment system has not yet been implemented, re-
12 ceiving the highest rating category of an exist-
13 ing local educational agency teacher or principal
14 evaluation system.

15 “(3) HUMAN CAPITAL SYSTEM.—The term
16 ‘human capital system’ means an evidence-based and
17 data-driven system for—

18 “(A) identifying, recruiting, training, hir-
19 ing, placing, and retaining those individuals
20 who are or are most likely to be highly effective
21 teachers and principals;

22 “(B) attracting highly effective teachers
23 and principals to high-need schools, including
24 by providing highly effective teachers and prin-
25 cipals in such schools with support and develop-

1 ment opportunities focused on increasing stu-
2 dent achievement; and

3 “(C) retaining highly effective teachers and
4 principals in high-need schools over time by cre-
5 ating school environments that enable excellent
6 teaching, including through strategies such as
7 personalized learning, project-based learning,
8 blended learning, distributed leadership, career
9 pathways, and time for collaboration and use of
10 student data in professional learning commu-
11 nities.

12 **“SEC. 2302. TEACHER INCENTIVE FUND GRANTS.**

13 “(a) IN GENERAL.—From the amounts appropriated
14 to carry out this part, the Secretary is authorized to award
15 grants, on a competitive basis, to eligible entities to enable
16 the eligible entities to develop, implement, improve, or ex-
17 pand strategies, including incentives and human capital
18 systems to increase the number of highly effective teachers
19 and principals serving in high-need schools.

20 “(b) PRIORITY.—In awarding a grant under this
21 part, the Secretary shall give priority to an eligible entity
22 that concentrates the proposed activities in high-need
23 schools designated as priority schools, as described in sec-
24 tion 1116(d), and then to an eligible entity that con-
25 centrates the proposed activities in a State or local edu-

1 cational agency that has already developed a professional
2 growth and improvement system required under section
3 2122.

4 “(c) APPLICATIONS.—To be eligible to receive a grant
5 under this part, an eligible entity shall submit an applica-
6 tion to the Secretary, at such time and in such manner
7 as the Secretary may reasonably require. The application
8 shall include, as applicable—

9 “(1) a description of the strategy that the eligi-
10 ble entity proposes to develop, implement, improve,
11 or expand;

12 “(2) a description and evidence of the support
13 and commitment of teachers and principals in the
14 school to be served by the project, the community,
15 including community-based organizations, and the
16 local educational agencies, including a demonstration
17 of consultation with teachers and principals in the
18 design and development of the proposal;

19 “(3) a description of the local educational agen-
20 cy or school to be served by the project, including
21 such student academic achievement, demographic,
22 and socioeconomic information as the Secretary may
23 request;

24 “(4) a description of the quality of teachers and
25 principals in the local educational agency and the

1 schools to be served by the project and how the
2 project will increase the quality of teachers and prin-
3 cipals in a high-need school;

4 “(5) a description of how the eligible entity will
5 use grant funds under this part in each year of the
6 grant to continuously increase the number of highly
7 effective teachers and principals in the highest-need
8 schools;

9 “(6) a description of how the eligible entity will
10 continue funding and carrying out the project after
11 the grant period ends;

12 “(7) a description of the State, local, or other
13 public or private funds that will be used to supple-
14 ment the grant and sustain the activities assisted
15 under the grant at the end of the grant period; and

16 “(8) a description of the rationale and evidence
17 base for the proposed activities and of any prior ex-
18 perience of the eligible entity in developing and im-
19 plementing such activities.

20 “(d) USE OF FUNDS.—An eligible entity that receives
21 a grant under this part shall use the grant funds to carry
22 out activities that are designed to develop, implement, im-
23 prove, or expand strategies to increase the number of
24 highly effective teachers or principals serving in high-need
25 schools, consistent with this part, which may include—

1 “(1) paying bonuses and increased salaries, if
2 the eligible entity uses an increasing share of non-
3 Federal funds to pay the bonuses and increased sal-
4 aries each year of the grant, to highly effective
5 teachers or principals who work in high-need
6 schools;

7 “(2) improving a professional growth and im-
8 provement system required under section 2122;

9 “(3) reforming the local educational agency’s
10 system of compensating teachers and principals; and

11 “(4) developing and implementing a human
12 capital system.

13 “(e) DURATION OF GRANTS.—

14 “(1) IN GENERAL.—The Secretary may award
15 a grant under this part for a period of not more
16 than 5 years.

17 “(2) LIMITATION.—A local educational agency
18 may receive (whether individually or as part of a
19 consortium or partnership) a grant under this part
20 only twice. A second grant may be awarded only if
21 the Secretary determines that the eligible entity has
22 demonstrated sufficient progress and demonstrates
23 the sustainability of the grant project after the expi-
24 ration of the grant period.

1 “(f) **EQUITABLE GEOGRAPHIC DISTRIBUTION.**—To
2 the extent practicable, the Secretary shall ensure an equi-
3 table geographic distribution of grants under this part, in-
4 cluding the distribution between rural and urban areas.

5 “(g) **SUPPLEMENT, NOT SUPPLANT.**—Grant funds
6 provided under this part shall be used to supplement, not
7 supplant, other Federal, State, or local funds available to
8 carry out the activities described in this part.

9 **“PART D—ACHIEVEMENT THROUGH**
10 **TECHNOLOGY AND INNOVATION**

11 **“SEC. 2401. SHORT TITLE.**

12 “‘This part may be cited as the ‘Achievement Through
13 Technology and Innovation Act of 2013’ or the ‘ATTAIN
14 Act’.

15 **“SEC. 2402. PURPOSES AND GOALS.**

16 “‘The purposes and goals of this part are—

17 “(1) to ensure that through effective and inno-
18 vative uses of technology every student has access to
19 personalized, rigorous, and relevant learning to meet
20 the goals of this part to raise student achievement,
21 close the achievement gap, and ensure highly effec-
22 tive teaching, and to prepare all students to be tech-
23 nology literate and make sufficient academic growth
24 to succeed in the 21st century digital economy;

1 “(2) to evaluate, build upon, and increase the
2 use of evidence-based and innovative systemic edu-
3 cation transformations that center on the use of
4 technology that leads to school improvement, im-
5 proved productivity, and increased student achieve-
6 ment;

7 “(3) to ensure that all educators are connected
8 in an ongoing manner to technology-based and on-
9 line resources and supports, including through en-
10 hanced ongoing, meaningful professional develop-
11 ment to ensure that—

12 “(A) all educators are technology literate
13 and effectively use technology to improve in-
14 struction; and

15 “(B) education administrators possess the
16 capacity to—

17 “(i) provide leadership in the use of
18 technology for systemic education trans-
19 formation; and

20 “(ii) improve educational productivity;

21 “(4) to improve student engagement, oppor-
22 tunity, attendance, graduation rates, and technology
23 access through enhanced or redesigned curriculum
24 or instruction;

1 “(5) to more effectively collect and use student
2 performance and other data in a timely manner to
3 inform instruction, address individualized student
4 needs, support school decisionmaking, and support
5 school improvement and increased student achieve-
6 ment, including through delivery of computer-based
7 and online assessments;

8 “(6) to enhance the use of technology, online
9 learning, and blended learning for systemic edu-
10 cation transformation, including curricula redesign
11 and new instructional strategies to personalize learn-
12 ing; and

13 “(7) to increase education productivity and re-
14 duce costs through the use of technology, blended
15 learning, and online learning, including for the deliv-
16 ery of online assessments.

17 **“SEC. 2403. DEFINITIONS.**

18 “In this part:

19 “(1) **BLENDED LEARNING.**—The term ‘blended
20 learning’ means the combination of online learning
21 and traditional in-person classroom instruction, or
22 technology-based learning, in a supervised classroom
23 setting with some element of student control over
24 time, place, path or pace.

1 “(2) DIGITAL LEARNING.—The term ‘digital
2 learning’ means any instructional practice that effec-
3 tively uses technology to strengthen a student’s
4 learning experience and encompasses a wide spec-
5 trum of tools and practices, including—

6 “(A) interactive learning resources that en-
7 gage students in academic content;

8 “(B) access to online databases and other
9 primary source documents;

10 “(C) the use of data to personalize learn-
11 ing and provide targeted supplementary instruc-
12 tion;

13 “(D) student collaboration with content ex-
14 perts and peers;

15 “(E) online and computer-based assess-
16 ments;

17 “(F) digital content, adaptive, and simula-
18 tion software or courseware,

19 “(G) online courses, online instruction, or
20 digital learning platforms;

21 “(H) mobile and wireless technologies for
22 learning in school and at home;

23 “(I) learning environments that allow for
24 rich collaboration and communication;

1 “(J) authentic audiences for learning in a
2 relevant, real world experience; and

3 “(K) teacher participation in virtual pro-
4 fessional communities of practice.

5 “(3) ELIGIBLE TECHNOLOGY.—The term ‘eligi-
6 ble technology’ means modern information, com-
7 puter, and communication technology hardware,
8 software, services, or tools, including computer or
9 mobile hardware devices and other computer and
10 communications hardware, software applications,
11 systems and platforms, and digital and online con-
12 tent, courseware, and online instruction and other
13 online services and supports.

14 “(4) E-RATE PROGRAM.—The term ‘E-rate pro-
15 gram’ means the Schools and Libraries Universal
16 Service Support Mechanism under section
17 254(h)(1)(B) of the Communications Act of 1934
18 (47 U.S.C. 254(h)(1)(B)).

19 “(5) STUDENT TECHNOLOGY LITERACY.—The
20 term ‘student technology literacy’ means student
21 knowledge and skills in using contemporary informa-
22 tion, communication, and learning technologies in a
23 manner necessary for successful employment, life-
24 long learning, and citizenship in the knowledge-

1 based, digital, and global 21st century, including, at
2 a minimum, the ability to—

3 “(A) effectively communicate and collabo-
4 rate;

5 “(B) analyze and solve problems;

6 “(C) access, evaluate, manage, and create
7 information and otherwise gain information lit-
8 eracy;

9 “(D) demonstrate creative thinking, con-
10 struct knowledge, and develop innovative prod-
11 ucts and processes; and

12 “(E) carry out the activities described in
13 subparagraphs (A) through (D) in a safe and
14 ethical manner.

15 “(6) TECHNOLOGY READINESS SURVEY.—The
16 term ‘technology readiness survey’ means a survey
17 completed by a local educational agency that pro-
18 vides standardized information comparable to the in-
19 formation collected through the technology readiness
20 survey administered under the Race to the Top As-
21 sessment program under section 14006 of division A
22 of the American Recovery and Reinvestment Act of
23 2009 (Public Law 111–5) on the quantity and types
24 of technology infrastructure and access available to
25 the students served by the local educational agency,

1 including computer devices, Internet connectivity,
2 operating systems, related network infrastructure,
3 data systems, and—

4 “(A) requiring—

5 “(i) an internal review of the degree
6 to which instruction, additional student
7 support, and professional development is
8 delivered in digital formats, media, and
9 platforms and is available to students and
10 educators at any time;

11 “(ii) an internal review of the ability
12 of educators to use assessments and other
13 student data to personalize and strengthen
14 instruction and identify professional devel-
15 opment needs and priorities; and

16 “(iii) any other information required
17 by the State educational agency serving
18 the local educational agency; and

19 “(B) may include an assessment of local
20 community needs to ensure students have ade-
21 quate online access and access to devices for
22 school-related work during out-of-school time.

1 **“SEC. 2404. ALLOCATION OF FUNDS; LIMITATION.**

2 “(a) ALLOCATION OF FUNDS BETWEEN STATE AND
3 LOCAL INITIATIVES.—The funds made available to carry
4 out this part shall be available to carry out subpart 1.

5 “(b) LIMITATION.—

6 “(1) LOCAL ADMINISTRATIVE COSTS.—Of the
7 funds made available to a local educational agency
8 under this part for a fiscal year, not more than 3
9 percent may be used by the local educational agency
10 for administrative costs.

11 “(2) STATE ADMINISTRATIVE COSTS.—Of the
12 funds made available to a State educational agency
13 under section 2412(a)(1)(A), not more than 60 per-
14 cent may be used by the State educational agency
15 for administrative costs.

16 **“SEC. 2405. E-RATE RESTRICTION.**

17 “Funds awarded under this part may be used to ad-
18 dress the networking needs of a recipient of such funds
19 under the E-rate program, except that such funds may
20 not be duplicative of support received by the recipient
21 under the E-rate program.

22 **“SEC. 2406. RULE OF CONSTRUCTION REGARDING PUR-**
23 **CHASING.**

24 “Nothing in this part shall be construed to permit
25 a recipient of funds under this part to purchase goods or
26 services using such funds without ensuring that the pur-

1 chase is free of any conflict of interest between such recipi-
2 ent, or any partner of such recipient, and the person or
3 entity from whom such goods or services are purchased.

4 **“Subpart 1—State and Local Grants**

5 **“SEC. 2411. ALLOTMENT AND REALLOTMENT.**

6 “(a) RESERVATIONS AND ALLOTMENT.—From the
7 amount made available to carry out this subpart for a fis-
8 cal year—

9 “(1) the Secretary shall reserve—

10 “(A) three-quarters of 1 percent for the
11 Secretary of the Interior for programs under
12 this subpart for schools operated or funded by
13 the Bureau of Indian Education; and

14 “(B) 1 percent to provide assistance under
15 this subpart to the outlying areas; and

16 “(2) subject to subsection (b), the Secretary
17 shall use the remainder to award grants by allotting
18 to each State educational agency an amount that
19 bears the same relationship to such remainder for
20 such year as the amount received under part A of
21 title I for such year by such State educational agen-
22 cy bears to the amount received under such part for
23 such year by all State educational agencies.

24 “(b) MINIMUM ALLOTMENT.—The amount of any
25 State educational agency’s allotment under subsection

1 (a)(2) for any fiscal year shall not be less than one-half
2 of 1 percent of the amount made available for allotments
3 to State educational agencies under this subpart for such
4 year.

5 “(c) REALLOTMENT OF UNUSED FUNDS.—The Sec-
6 retary shall reallocate any unused amount of a State edu-
7 cational agency’s allotment to the remaining State edu-
8 cational agencies that use their entire allotments under
9 this subpart in accordance with this section.

10 “(d) MATCHING FUNDS.—

11 “(1) IN GENERAL.—A State educational agency
12 that receives a grant under subsection (a)(2) shall
13 provide matching funds, from non-Federal sources,
14 in an amount equal to 20 percent of the amount of
15 grant funds provided to the State educational agency
16 to carry out the activities supported by the grant.
17 Such matching funds may be provided in cash or in-
18 kind except that any such in-kind contributions shall
19 be provided for the purpose of supporting the State
20 educational agency’s activities under section 2414.

21 “(2) WAIVER.—The Secretary may waive the
22 matching requirement under paragraph (1) for a
23 State educational agency that demonstrates that
24 such requirement imposes an undue financial hard-
25 ship on the State educational agency.

1 **“SEC. 2412. USE OF ALLOTMENT BY STATE.**

2 “(a) IN GENERAL.—

3 “(1) IN GENERAL.—Of the amount provided to
4 a State educational agency under section 2411(a)(2)
5 for a fiscal year—

6 “(A) the State educational agency may use
7 not more than 10 percent of such amount or
8 \$100,000, whichever amount is greater, to
9 carry out activities under section 2414; and

10 “(B) the State educational agency shall
11 distribute the remainder in accordance with
12 paragraphs (2) and (3).

13 “(2) DISTRIBUTION OF REMAINDER.—The
14 State educational agency shall—

15 “(A)(i) use 80 percent of the remainder to
16 award Improving Teaching and Learning
17 through Technology subgrants to local edu-
18 cational agencies having applications approved
19 under section 2415(c) for the activities de-
20 scribed in section 2416(b); and

21 “(ii) allot to each such local educational
22 agency an amount that bears the same relation-
23 ship to 80 percent of the remainder for such
24 year as the amount received under part A of
25 title I for such year by such local educational
26 agency bears to the amount received under such

1 part for such year by all local educational agen-
2 cies within the State, subject to subsection
3 (b)(2); and

4 “(B) use 20 percent of the remainder to
5 award Systemic Education Transformation
6 through Technology Integration subgrants,
7 through a State-determined competitive process,
8 to local educational agencies having applications
9 approved under section 2415(b) for the activi-
10 ties described in section 2416(a).

11 “(3) OPTION IN YEARS WITH INSUFFICIENT
12 AMOUNTS APPROPRIATED.—If the amount provided
13 to a State educational agency under section
14 2411(a)(2) for a fiscal year is not large enough to
15 provide every local educational agency with a min-
16 imum subgrant under subsection (b)(3), the State
17 educational agency may distribute 100 percent of
18 the remainder described in paragraph (1)(B) as ei-
19 ther formula grants under paragraph (2)(A) or com-
20 petitive grants under paragraph (2)(B).

21 “(b) SUFFICIENT AMOUNTS.—

22 “(1) SPECIAL RULE.—In awarding subgrants
23 under subsection (a)(2)(B), the State educational
24 agency shall—

1 “(A) ensure the subgrants are of sufficient
2 size and scope to be effective, consistent with
3 the purposes of this part;

4 “(B) ensure subgrants are of sufficient du-
5 ration to be effective, consistent with the pur-
6 poses of this part, including by awarding sub-
7 grants for a period of not less than 2 years that
8 may be renewed for not more than an addi-
9 tional 1 year;

10 “(C) give preference in the awarding of
11 subgrants, and the providing of all technical as-
12 sistance, to local educational agencies that serve
13 schools identified as priority schools or focus
14 schools under subsection (c) or (d) of section
15 1116, including those schools with high popu-
16 lations of—

17 “(i) English learners;

18 “(ii) students with disabilities; or

19 “(iii) other subgroups of students who
20 have not met the State’s student academic
21 achievement standards; and

22 “(D) ensure an equitable distribution
23 among urban and rural areas of the State, ac-
24 cording to the demonstrated need for assistance

1 under this subpart of the local educational
2 agencies serving the areas.

3 “(2) **ADDITIONAL RESERVATION.**—A State edu-
4 cational agency that forms a State purchasing con-
5 sortium under subsection 2414(c) may reserve an
6 additional 1 percent to carry out the activities de-
7 scribed in subsection 2414 (c)(1) if such State edu-
8 cational agency receives direct approval from the
9 local educational agencies receiving subgrants under
10 subsection (a)(2).

11 “(3) **MINIMUM FORMULA-BASED SUBGRANT.**—
12 The amount of any local educational agency’s
13 subgrant under subsection (a)(2)(A) for any fiscal
14 year shall be not less than \$3,000.

15 “(c) **REALLOTMENT OF UNUSED FUNDS.**—If any
16 local educational agency does not apply for a subgrant
17 under subsection (a) for a fiscal year, or does not use the
18 local educational agency’s entire allotment under this sub-
19 part for such fiscal year, the State shall reallocate any unused
20 funds to the remaining local educational agencies.

21 **“SEC. 2413. STATE APPLICATIONS.**

22 “(a) **IN GENERAL.**—To be eligible to receive a grant
23 under this subpart, a State educational agency shall sub-
24 mit to the Secretary, at such time and in such manner
25 as the Secretary may specify, an application containing

1 the information described in subsection (b) and such other
2 information as the Secretary may reasonably require.

3 “(b) CONTENTS.—Each State educational agency ap-
4 plication submitted under subsection (a) shall include each
5 of the following:

6 “(1) A description of how the State educational
7 agency will support local educational agencies that
8 receive subgrants under this subpart in meeting the
9 purposes and goals of this part and the requirements
10 of this subpart, including through technical assist-
11 ance in using technology to redesign curriculum and
12 instruction, improve educational productivity, and
13 deliver computer-based and online assessment.

14 “(2) A description of the State educational
15 agency’s long-term goals and strategies for improv-
16 ing student academic achievement, including student
17 technology literacy, through the effective use of tech-
18 nology.

19 “(3) A description of the priority area upon
20 which the State educational agency will focus its as-
21 sistance under this subpart, which shall be identified
22 from among the core academic subjects, grade levels,
23 and student subgroup populations with the largest
24 achievement gaps in the State.

1 “(4) A description of how the State educational
2 agency will support local educational agencies to im-
3 plement professional development programs pursu-
4 ant to section 2416(b)(1)(A).

5 “(5) A description of how the State educational
6 agency will ensure that teachers, paraprofessionals,
7 school librarians, and administrators possess the
8 knowledge and skills to use technology—

9 “(A) for curriculum redesign to change
10 teaching and learning and improve student
11 achievement;

12 “(B) for assessment, data analysis, and to
13 personalize learning;

14 “(C) to improve student technology lit-
15 eracy; and

16 “(D) for their own ongoing professional de-
17 velopment and for access to teaching resources
18 and tools.

19 “(6) A description of the process, activities, and
20 performance measures that the State educational
21 agency will use to evaluate the impact and effective-
22 ness of activities described in section 2414.

23 “(7) Identification of the State college and ca-
24 reer ready academic content standards and college
25 and career ready student academic achievement

1 standards that the State educational agency will use
2 to ensure that each student is technologically lit-
3 erate, consistent with the definition of student tech-
4 nology literacy, and a description of how the State
5 educational agency will assess student performance
6 in gaining technology literacy, only for the purpose
7 of tracking progress towards achieving the 8th grade
8 technology literacy goal and not for accountability
9 purposes as described in section 1111(a)(3), includ-
10 ing through embedding such assessment items in
11 other State tests or performance-based assessment
12 portfolios, or through other valid and reliable means.
13 Nothing in this subpart shall be construed to require
14 States to develop a separate test to assess student
15 technology literacy.

16 “(8) An assurance that financial assistance pro-
17 vided under this subpart will supplement, and not
18 supplant, State and local funds.

19 “(9) A description of how the State educational
20 agency consulted with local educational agencies in
21 the development of the State application.

22 “(10) An assurance that the State educational
23 agency will provide matching funds as required
24 under section 2411(d).

1 “(11) A description of how the State edu-
2 cational agency will ensure that funds received under
3 this part do not duplicate support received under the
4 E-rate program.

5 “(12) An assurance that the State educational
6 agency will protect the privacy and safety of stu-
7 dents and teachers, consistent with the requirements
8 of section 444 of the General Education Provisions
9 Act (20 U.S.C. 1232g) (commonly known as the
10 ‘Family Educational Rights and Privacy Act of
11 1974’).

12 “(13) A description of how the State edu-
13 cational agency will, in providing technical and other
14 assistance to local educational agencies, give priority
15 to schools identified as priority schools or focus
16 schools under subsection (c) or (d) of section 1116,
17 including those schools with high populations of—

18 “(A) English learners;

19 “(B) students with disabilities; or

20 “(C) other subgroups of students who have
21 not met the State’s student academic achieve-
22 ment standards;

23 “(14) A description of how the State edu-
24 cational agency will ensure that the State edu-

1 cational agency's data systems and eligible tech-
2 nology are interoperable.

3 “(15) A description of—

4 “(A) the State's process for the adoption,
5 acquisition, distribution, and use of content;

6 “(B) how the State will ensure integrity of
7 such processes;

8 “(C) how such processes support the goals
9 of this part or how a State will change such
10 processes to support such goals; and

11 “(D) how the State will ensure content
12 quality.

13 “(16) A description of the technology readiness
14 in the State, as determined by local educational
15 agency responses to the technology readiness survey,
16 including—

17 “(A) an assurance that not less than 90
18 percent of the local educational agencies served
19 by the State educational agency have completed
20 and submitted the technology readiness survey
21 to the State educational agency; and

22 “(B) an assurance that the results of the
23 technology readiness survey for each such local
24 educational agency are made available to the

1 Secretary and the public through the website of
2 the local educational agency.

3 **“SEC. 2414. STATE ACTIVITIES.**

4 “(a) MANDATORY ACTIVITIES.—From funds made
5 available under section 2412(a)(1)(A), a State educational
6 agency shall carry out each of the following activities:

7 “(1) Identify the State college and career ready
8 academic content standards and college and career
9 ready student academic achievement standards that
10 the State educational agency will use to ensure that
11 each student is technologically literate consistent
12 with the definition of student technology literacy.

13 “(2) Assess student performance in gaining
14 technology literacy consistent with paragraph (1), in-
15 cluding through embedding such assessment items in
16 other State tests, performance-based assessments, or
17 portfolios, or through other means, except that such
18 assessments shall be used only to track student tech-
19 nology literacy and shall not be used for account-
20 ability purposes as described in section 1111(a)(3),
21 and widely disseminate such results.

22 “(3) Providing guidance, technical assistance,
23 and other assistance, including in the priority area
24 identified by the State pursuant to section
25 2413(b)(3), to local educational agencies to—

1 “(A) identify and address technology readi-
2 ness needs;

3 “(B) redesign curriculum and instruction,
4 improve educational productivity, and deliver
5 computer-based and online assessment;

6 “(C) use technology, consistent with the
7 principles of universal design for learning, to
8 support the learning needs of all students, in-
9 cluding students with disabilities and English
10 learners;

11 “(D) support principals so that principals
12 have the expertise to evaluate teachers’ pro-
13 ficiency in implementing digital tools for teach-
14 ing and learning;

15 “(4) Developing or utilizing research-based or
16 innovative strategies for the delivery of specialized or
17 rigorous academic courses and curricula through the
18 use of technology, including digital learning tech-
19 nologies and assistive technology.

20 “(5) Integrating and coordinating activities
21 under this part with other educational resources and
22 programs across the State.

23 “(6) Disseminating information, including mak-
24 ing publicly available on the website of the State
25 educational agency, promising practices to improve

1 technology instruction, and acquiring and imple-
2 menting technology tools and applications.

3 “(7) Coordinating with teacher and principal
4 preparation programs to align digital learning teach-
5 ing standards.

6 “(8) Providing, or supporting local educational
7 agencies in providing, sustained and intensive, high-
8 quality professional development pursuant to section
9 2416(b)(1)(A).

10 “(b) PERMISSIVE ACTIVITIES.—From funds made
11 available under section 2412(a)(1)(A), a State educational
12 agency may carry out 1 or more of the following activities
13 that assist local educational agencies:

14 “(1) State leadership activities and technical as-
15 sistance that support achieving the purposes and
16 goals of this part.

17 “(2) Developing or utilizing research-based or
18 innovative strategies for the delivery of specialized or
19 rigorous academic courses and curricula through the
20 use of technology, including distance learning tech-
21 nologies.

22 “(3) Assessing student performance in gaining
23 technology literacy consistent with subsection (a)(2),
24 including through embedding such assessment items

1 in other State tests, performance-based assessments,
2 or portfolios, or through other means.

3 “(c) PURCHASING CONSORTIA.—

4 “(1) IN GENERAL.—From funds made available
5 under section 2412(a)(1)(A), a State educational
6 agency receiving a grant under this subpart may—

7 “(A) form a State purchasing consortium
8 with 1 or more State educational agencies re-
9 ceiving such a grant to carry out the State ac-
10 tivities described in subsections (a) and (b), in-
11 cluding purchasing eligible technology;

12 “(B) encourage local educational agencies
13 to form local purchasing consortia under section
14 2415; and

15 “(C) promote pricing opportunities to local
16 educational agencies for the purchase of eligible
17 technology that are—

18 “(i) negotiated by the State edu-
19 cational agency or the State purchasing
20 consortium of the State educational agen-
21 cy; and

22 “(ii) available to such local edu-
23 cational agencies.

1 “(2) RESTRICTIONS.—A State educational
2 agency receiving a grant under section
3 2412(a)(1)(A) shall not—

4 “(A) except for promoting the pricing op-
5 portunities described in paragraph (1)(C), make
6 recommendations to local educational agencies
7 for, or require, use of any specific commercial
8 products and services by local educational agen-
9 cies;

10 “(B) require local educational agencies to
11 participate in a State purchasing consortia or
12 local purchasing consortia; or

13 “(C) use more than the amount reserved
14 under subsection 2412(a)(1)(A) to carry out the
15 activities described in paragraph (1) unless the
16 State educational agency receives approval in
17 accordance with section 2412(b)(2).

18 **“SEC. 2415. LOCAL APPLICATIONS.**

19 “(a) IN GENERAL.—Each local educational agency
20 desiring a subgrant under this subpart shall submit to the
21 State educational agency an application containing a new
22 or updated local long-range strategic educational tech-
23 nology plan, and such other information as the State edu-
24 cational agency may reasonably require, and shall include
25 each of the following:

1 “(1) A description of how the local educational
2 agency will align and coordinate the local edu-
3 cational agency’s use of funds under this subpart
4 with—

5 “(A) the local educational agency’s efforts
6 to boost student achievement and close achieve-
7 ment gaps;

8 “(B) the local educational agency’s tech-
9 nology plan;

10 “(C) the local educational agency’s plans
11 and activities for improving student achieve-
12 ment, including plans and activities under sec-
13 tions 1111, 1112, 1116, and 2123, as applica-
14 ble; and

15 “(D) funds available from other Federal,
16 State, and local sources.

17 “(2) An assurance that financial assistance pro-
18 vided under this subpart will supplement, and not
19 supplant, other funds available to carry out activities
20 assisted under this subpart.

21 “(3) A description of the process used to assess
22 and, as needed, update technologies throughout the
23 local educational agency.

24 “(4) A description of how the local educational
25 agency will—

1 “(A) enable schools served by the local
2 educational agency to build the technological
3 capacity and infrastructure (including through
4 local purchasing of eligible technology), nec-
5 essary for the full implementation of online as-
6 sessments for all students (including students
7 with disabilities and English learners); and

8 “(B) ensure the interoperability of data
9 systems and eligible technology.

10 “(5) A description of the results of the tech-
11 nology readiness survey completed by the local edu-
12 cational agency.

13 “(6) A description of the local educational agen-
14 cy’s student technology literacy standards, the agen-
15 cy’s goals for the technology skills for teachers and
16 administrators, and an assurance that the student
17 technology literacy standards meet the requirements
18 of section 2403.

19 “(7) A description of how the local educational
20 agency will evaluate teachers’ proficiency and
21 progress in implementing technology for teaching
22 and learning.

23 “(8) A description of how the local educational
24 agency will ensure that principals have the expertise
25 to evaluate teachers’ proficiency and progress in im-

1 plementing technology for teaching and learning and
2 the interoperability of data systems and eligible tech-
3 nology.

4 “(9) A description of—

5 “(A) the local educational agency’s pro-
6 curement process and process for the creation,
7 acquisition, distribution, and use of content;

8 “(B) how the local educational agency will
9 ensure the integrity of such processes;

10 “(C) how such processes support the goals
11 described in paragraph (1) or how a local edu-
12 cational agency will change such processes to
13 support such goals; and

14 “(D) how the local educational agency will
15 ensure content quality.

16 “(10) An assurance that the local educational
17 agency will protect the privacy and safety of stu-
18 dents and teachers, consistent with requirements
19 section 444 of the General Education Provisions Act
20 (20 U.S.C. 1232g) (commonly known as the ‘Family
21 Educational Rights and Privacy Act of 1974’).

22 “(11) A description of how the local educational
23 agency will ensure that the subgrant received under
24 subsection (a) is not duplicative of support received
25 under the E-rate program.

1 “(12) Such other information as the State edu-
2 cational agency may reasonably require.

3 “(b) COMPETITIVE GRANTS; SYSTEMIC EDUCATION
4 TRANSFORMATION THROUGH TECHNOLOGY INTEGRA-
5 TION.—In addition to the information described in sub-
6 section (a), a local educational agency submitting an appli-
7 cation for a Systemic Education Transformation Through
8 Technology Integration subgrant shall submit to the State
9 educational agency an application containing each of the
10 following:

11 “(1) A description of how the local educational
12 agency will use the subgrant funds to implement
13 systemic education transformation, which is a com-
14 prehensive set of programs, practices, and tech-
15 nologies to improve student achievement and close
16 achievement gaps that—

17 “(A) collectively lead to school or school
18 district change and improvement, including in
19 the use of technology; and

20 “(B) incorporate all of the following ele-
21 ments:

22 “(i) Reform or redesign of curriculum,
23 instruction, assessment, use of data, or
24 other practices through the use of tech-
25 nology in order to increase student learn-

1 ing opportunity, and engagement in learn-
2 ing.

3 “(ii) Improvement of educator quality,
4 knowledge and skills, and effectiveness
5 through ongoing, sustainable, timely, and
6 contextual professional development de-
7 scribed in section 2416(b)(1)(A).

8 “(iii) Ongoing use of formative and
9 other assessments and other timely data
10 sources and data systems to more effec-
11 tively identify individual student learning
12 needs and personalize learning.

13 “(iv) Engagement of school district
14 leaders, school leaders, and classroom edu-
15 cators.

16 “(v) Programs, practices, and tech-
17 nologies that are based on scientific re-
18 search.

19 “(2) An assurance that the local educational
20 agency will use not less than 25 percent of the
21 subgrant funds to implement a program of profes-
22 sional development described in section
23 2416(b)(1)(A).

1 “(3) A description of how the local educational
2 agency will evaluate the impact of 1 or more pro-
3 grams or activities carried out under this subpart.

4 “(c) FORMULA GRANTS; IMPROVING TEACHING AND
5 LEARNING THROUGH TECHNOLOGY.—In addition to the
6 information described in subsection (a), a local educational
7 agency submitting an application for an Improving Teach-
8 ing and Learning Through Technology subgrant shall sub-
9 mit to the State educational agency an application con-
10 taining each of the following:

11 “(1) An assurance that the local educational
12 agency will use not less than 40 percent of the
13 subgrant funds for ensuring educators, including
14 teachers and administrators, are technology literate,
15 prepared to use technology to improve the cur-
16 riculum and instruction, and are connected online to
17 supports and resources, including—

18 “(A) for professional development de-
19 scribed in section 2416(b)(1)(A); and

20 “(B) to provide educators with ongoing ac-
21 cess to technology tools, applications, supports
22 and other resources, including those related
23 specifically to such professional development ac-
24 tivities.

1 “(2) A description of the local educational agen-
2 cy’s program of professional development described
3 in section 2416(b)(1)(A).

4 “(3) A description of the use of technology
5 tools, applications, and other resources to improve
6 student learning and achievement in the area of pri-
7 ority identified under paragraph (4).

8 “(4) A description of the priority area subgrant
9 funds will target, identified from among the core
10 academic subjects, grade levels, and student sub-
11 group populations in which the most number of stu-
12 dents served by the local educational agency are not
13 proficient.

14 “(5) A description of how funds will be used to
15 integrate technology to redesign the curriculum or
16 instruction, implement computer-based and online
17 assessments, improve use of data to personalize
18 learning, or improve education productivity.

19 “(d) COMBINED APPLICATIONS.—A local educational
20 agency that submits an application under subsection (b),
21 may, upon notice to the State educational agency, submit
22 a single application that will also be considered as an ap-
23 plication for subgrant funds awarded under subsection (c),
24 if the application addresses each application requirement
25 under subsections (a), (b), and (c).

1 **“SEC. 2416. LOCAL ACTIVITIES.**

2 “(a) COMPETITIVE GRANTS; SYSTEMIC EDUCATION
3 TRANSFORMATION THROUGH TECHNOLOGY INTEGRA-
4 TION.—A local educational agency that receives funds
5 through a subgrant under section 2412(a)(2)(B), shall
6 carry out activities to improve student learning, tech-
7 nology literacy, and achievement, as follows:

8 “(1) Use not less than 5 percent of such funds
9 to evaluate the impact of 1 or more programs or ac-
10 tivities carried out under the subgrant as identified
11 in the local educational agency’s application and ap-
12 proved by the State educational agency.

13 “(2) Use funds remaining after carrying out
14 paragraph (1) to implement a plan for systemic edu-
15 cation transformation in 1 or more schools, in ac-
16 cordance with section 2415(b)(1), including each of
17 the following:

18 “(A) Using not less than 25 percent of
19 subgrant funds to ensure educators, including
20 teachers and administrators, are technology lit-
21 erate, prepared to use technology to improve
22 the curriculum and instruction, and are con-
23 nected online to supports and resources, includ-
24 ing through the following:

25 “(i) Professional development activi-
26 ties, as described in subsection (b)(1)(A).

1 “(ii) The acquisition and implementa-
2 tion of technology tools, applications, and
3 other resources to provide educators with
4 ongoing access and support, including for
5 use in the professional development activi-
6 ties described in clause (i).

7 “(B) Acquiring and effectively imple-
8 menting technology tools, applications, and
9 other resources in conjunction with enhancing
10 or redesigning the curriculum or instruction in
11 order to—

12 “(i) increase student learning oppor-
13 tunity or access, student engagement in
14 learning, or student attendance or gradua-
15 tion rates;

16 “(ii) improve student achievement in
17 1 or more of the core academic subjects;
18 and

19 “(iii) improve student technology lit-
20 eracy.

21 “(C) Acquiring and effectively imple-
22 menting eligible technology, tools, applications,
23 and other resources to—

24 “(i) conduct ongoing formative and
25 other assessments and use other timely

1 data sources and data systems to more ef-
2 fectively identify and address individual
3 student learning needs;

4 “(ii) support personalized student
5 learning, including through instructional
6 software and digital content that supports
7 the learning needs of each student, or
8 through providing access to high-quality
9 courses and instructors otherwise not avail-
10 able except through technology and online
11 learning;

12 “(iii) conduct other activities con-
13 sistent with research-based or innovative
14 systemic education transformation, includ-
15 ing activities that increase parental in-
16 volvement; and

17 “(iv) address readiness shortfalls iden-
18 tified under the technology readiness sur-
19 vey completed by the local educational
20 agency.

21 “(b) FORMULA GRANTS; IMPROVING TEACHING AND
22 LEARNING THROUGH TECHNOLOGY.—A local educational
23 agency that receives funds through a subgrant under sec-
24 tion 2412(a)(2)(A), shall carry out activities to improve
25 student learning, technology literacy, and achievement in

1 the area of priority identified under section 2415(c)(4),
2 as follows:

3 “(1) Use not less than 40 percent of such funds
4 for professional development activities that are
5 aligned with activities supported under section 2123
6 to improve educator effectiveness and quality
7 through support for the following:

8 “(A) Training of school personnel, which—

9 “(i) shall include the development, ac-
10 quisition, or delivery of—

11 “(I) training that is ongoing, sus-
12 tainable, timely, and directly related
13 to up-to-date teaching content areas;

14 “(II) training in strategies and
15 pedagogy in the core academic sub-
16 jects that involve use of technology
17 and curriculum redesign as key com-
18 ponents of changing teaching and
19 learning and improving student
20 achievement and technology literacy;

21 “(III) training in the use of com-
22 puter-based and online assessments,
23 and in the use of student performance
24 and other data for individualized in-
25 struction;

1 “(IV) training that includes on-
2 going communication and follow-up
3 with instructors, facilitators, and
4 peers; and

5 “(ii) may include—

6 “(I) the use of, and training of,
7 instructional technology specialists,
8 mentors, master teachers, or coaches
9 to serve as experts and train other
10 teachers in the effective use of tech-
11 nology; and

12 “(II) the use of technology, such
13 as distance learning and online virtual
14 educator-to-educator peer commu-
15 nities, as a means for delivering pro-
16 fessional development.

17 “(B) The acquisition and implementation
18 of eligible technology, tools, applications, and
19 other resources to be employed in the profes-
20 sional development activities described in sub-
21 paragraph (A).

22 “(2) Use funds remaining after carrying out
23 paragraph (1) to acquire or implement technology
24 tools, applications, and other resources to improve
25 student learning, technology literacy, and achieve-

1 ment in the area of priority identified by the local
2 educational agency, including through 1 or more of
3 the following:

4 “(A) Conducting ongoing formative assess-
5 ment and using other timely data sources and
6 data systems to more effectively identify and
7 address individual student learning needs.

8 “(B) Supporting personalized student
9 learning, including through instructional soft-
10 ware and digital content that supports the
11 learning needs of each student, or through pro-
12 viding access to high-quality courses and in-
13 structors not otherwise available except through
14 technology such as online learning.

15 “(C) Increasing parental involvement
16 through improved communication with teachers
17 and access to student assignments and grades.

18 “(D) Enhancing accountability, instruc-
19 tion, and data-driven decisionmaking through
20 data systems that allow for management, anal-
21 ysis, and disaggregating of student, teacher,
22 and school data.

23 “(E) Such other activities as are appro-
24 priate and consistent with the goals and pur-
25 poses of this part.

1 “(c) MULTIPLE GRANTS.—A local educational agency
2 that receives subgrants under both subparagraph (A) and
3 subparagraph (B) of section 2412(a)(2) may use all such
4 subgrant funds for activities authorized under subsection
5 (a).

6 “(d) MODIFICATION OF FUNDING ALLOCATIONS.—A
7 State educational agency may authorize a local edu-
8 cational agency to modify the percentage of the local edu-
9 cational agency’s subgrant funds required to carry out the
10 activities described in subsections (a) or (b) if the local
11 educational agency demonstrates that such modification
12 will assist the local educational agency in more effectively
13 carrying out such activities.

14 “(e) PURCHASING CONSORTIA.—Local educational
15 agencies receiving subgrants under subsection (a) or (b)
16 may—

17 “(1) form a local purchasing consortia with
18 other such local educational agencies to carry out
19 the activities described in subsection (a) or (b), in-
20 cluding purchasing eligible technology; and

21 “(2) use such funds for purchasing eligible
22 technology through a State purchasing consortia
23 under section 2414(c).

1 **“SEC. 2417. REPORTING.**

2 “(a) LOCAL EDUCATIONAL AGENCIES.—Each local
3 educational agency receiving a subgrant under this part
4 shall submit to the State educational agency that awarded
5 such subgrant an annual report that meets the require-
6 ments of subsection (c).

7 “(b) STATE EDUCATIONAL AGENCIES.—Each State
8 educational agency receiving a grant under this subpart
9 shall submit to the Secretary an annual report that meets
10 the requirements of subsection (c).

11 “(c) REPORT REQUIREMENTS.—A report submitted
12 under subsection (a) or (b) shall include, at a minimum,
13 a description of—

14 “(1) the status of the State educational agen-
15 cy’s plan described in section 2413(b)(1) or the local
16 educational agency’s technology plan under section
17 2415(a)(1)(B), as applicable;

18 “(2) the categories of eligible technology ac-
19 quired with funds under this subpart and how such
20 technology is being used;

21 “(3) the professional development activities
22 funded under this subpart, including types of activi-
23 ties and entities involved in providing such profes-
24 sional development to classroom teachers and other
25 staff, such as school librarians;

1 “(4) the instruction, strategies, activities, and
2 curricula used in the programs funded under this
3 subpart; and

4 “(5) the types of programs funded under this
5 subpart.

6 **“Subpart 2—Internet Safety**

7 **“SEC. 2421. INTERNET SAFETY.**

8 “(a) IN GENERAL.—No funds made available under
9 this part to a local educational agency for an elementary
10 school or secondary school that does not receive services
11 at discount rates under section 254(h)(5) of the Commu-
12 nications Act of 1934 (47 U.S.C. 254(h)(5)) may be used
13 to purchase computers used to access the Internet, or to
14 pay for direct costs associated with accessing the Internet,
15 for such school unless the school, school board, local edu-
16 cational agency, or other authority with responsibility for
17 administration of such school both—

18 “(1)(A) has in place a policy of Internet safety
19 for minors that includes the operation of a tech-
20 nology protection measure with respect to any of its
21 computers with Internet access that protects against
22 access through such computers to visual depictions
23 that are—

24 “(i) obscene;

25 “(ii) child pornography; or

1 “(iii) harmful to minors; and

2 “(B) is enforcing the operation of such tech-
3 nology protection measure during any use of such
4 computers by minors; and

5 “(2)(A) has in place a policy of Internet safety
6 that includes the operation of a technology protec-
7 tion measure with respect to any of its computers
8 with Internet access that protects against access
9 through such computers to visual depictions that
10 are—

11 “(i) obscene; or

12 “(ii) child pornography; and

13 “(B) is enforcing the operation of such tech-
14 nology protection measure during any use of such
15 computers.

16 “(b) TIMING AND APPLICABILITY OF IMPLEMENTA-
17 TION.—

18 “(1) IN GENERAL.—The local educational agen-
19 cy with responsibility for a school covered by sub-
20 section (a) shall certify the compliance of such
21 school with the requirements of subsection (a) as
22 part of the application process for each program
23 funding year.

24 “(2) PROCESS.—

1 “(A) SCHOOLS WITH INTERNET SAFETY
2 POLICIES AND TECHNOLOGY PROTECTION
3 MEASURES IN PLACE.—A local educational
4 agency with responsibility for a school covered
5 by subsection (a) that has in place an Internet
6 safety policy meeting the requirements of sub-
7 section (a) shall certify its compliance with sub-
8 section (a) during each annual program applica-
9 tion cycle under this part.

10 “(B) SCHOOLS WITHOUT INTERNET SAFE-
11 TY POLICIES AND TECHNOLOGY PROTECTION
12 MEASURES IN PLACE.—

13 “(i) CERTIFICATION.—A local edu-
14 cational agency with responsibility for a
15 school covered by subsection (a) that does
16 not have in place an Internet safety policy
17 meeting the requirements of subsection (a)
18 for each year in which the local educational
19 agency is applying for funds for such
20 school under this part, shall certify that it
21 is undertaking such actions, including any
22 necessary procurement procedures, to put
23 in place an Internet safety policy that
24 meets such requirements.

1 “(ii) INELIGIBILITY.—Any school cov-
2 ered by subsection (a) for which the local
3 educational agency concerned is unable to
4 certify compliance with such requirements
5 for a year shall be ineligible for all funding
6 under this part for such year and all sub-
7 sequent years until such time as such
8 school comes into compliance with such re-
9 quirements.

10 “(c) DISABLING DURING CERTAIN USE.—An admin-
11 istrator, supervisor, or person authorized by the respon-
12 sible authority under subsection (a) may disable the tech-
13 nology protection measure concerned to enable access for
14 bona fide research or other lawful purposes.

15 “(d) NONCOMPLIANCE.—

16 “(1) USE OF GENERAL EDUCATION PROVISIONS
17 ACT REMEDIES.—Whenever the Secretary has reason
18 to believe that any recipient of funds under this part
19 is failing to comply substantially with the require-
20 ments of this section, the Secretary may—

21 “(A) withhold further payments to the re-
22 cipient under this part;

23 “(B) issue a complaint to compel compli-
24 ance of the recipient through a cease and desist
25 order; or

1 “(C) enter into a compliance agreement
2 with a recipient to bring it into compliance with
3 such requirements,
4 in same manner as the Secretary is authorized to
5 take such actions under sections 455, 456, and 457,
6 respectively, of the General Education Provisions
7 Act.

8 “(2) RECOVERY OF FUNDS PROHIBITED.—The
9 actions authorized by paragraph (1) are the exclu-
10 sive remedies available with respect to the failure of
11 a school to comply substantially with a provision of
12 this section, and the Secretary shall not seek a re-
13 covery of funds from the recipient for such failure.

14 “(3) RECOMMENCEMENT OF PAYMENTS.—
15 Whenever the Secretary determines (whether by cer-
16 tification or other appropriate evidence) that a re-
17 cipient of funds who is subject to the withholding of
18 payments under paragraph (1)(A) has cured the fail-
19 ure providing the basis for the withholding of pay-
20 ments, the Secretary shall cease the withholding of
21 payments to the recipient under that paragraph.

22 “(e) DEFINITIONS.—In this subpart:

23 “(1) ACCESS TO INTERNET.—A computer shall
24 be considered to have access to the Internet if such
25 computer is equipped with a modem or is connected

1 to a computer network that has access to the Inter-
2 net.

3 “(2) ACQUISITION OR OPERATION.—An elemen-
4 tary school or secondary school shall be considered
5 to have received funds under this part for the acqui-
6 sition or operation of any computer if such funds are
7 used in any manner, directly or indirectly—

8 “(A) to purchase, lease, or otherwise ac-
9 quire or obtain the use of such computer; or

10 “(B) to obtain services, supplies, software,
11 or other actions or materials to support, or in
12 connection with, the operation of such com-
13 puter.

14 “(3) CHILD PORNOGRAPHY.—The term ‘child
15 pornography’ has the meaning given that term in
16 section 2256 of title 18, United States Code.

17 “(4) COMPUTER.—The term ‘computer’ in-
18 cludes any hardware, software, or other technology
19 attached or connected to, installed in, or otherwise
20 used in connection with a computer.

21 “(5) HARMFUL TO MINORS.—The term ‘harm-
22 ful to minors’ means any picture, image, graphic
23 image file, or other visual depiction that—

1 “(A) taken as a whole and with respect to
2 minors, appeals to a prurient interest in nudity,
3 sex, or excretion;

4 “(B) depicts, describes, or represents, in a
5 patently offensive way with respect to what is
6 suitable for minors, an actual or simulated sex-
7 ual act or sexual contact, actual or simulated
8 normal or perverted sexual acts, or a lewd exhi-
9 bition of the genitals; and

10 “(C) taken as a whole, lacks serious lit-
11 erary, artistic, political, or scientific value as to
12 minors.

13 “(6) MINOR.—The term ‘minor’ means an indi-
14 vidual who has not attained the age of 17.

15 “(7) OBSCENE.—The term ‘obscene’ has the
16 meaning applicable to that term under section 1460
17 of title 18, United States Code.

18 “(8) SEXUAL ACT AND SEXUAL CONTACT.—The
19 terms ‘sexual act’ and ‘sexual contact’ have the
20 meanings given those terms in section 2246 of title
21 18, United States Code.

22 “(f) SEVERABILITY.—If any provision of this section
23 is held invalid, the remainder of this section shall not be
24 affected thereby.”.

1 **TITLE III—LANGUAGE AND ACA-**
2 **DEMIC CONTENT INSTRUCC-**
3 **TION FOR ENGLISH LEARN-**
4 **ERS AND IMMIGRANT STU-**
5 **DENTS**

6 **SEC. 3001. LANGUAGE AND ACADEMIC CONTENT INSTRUCC-**
7 **TION FOR ENGLISH LEARNERS AND IMMI-**
8 **GRANT STUDENTS.**

9 Title III (20 U.S.C. 6801 et seq.) is amended to read
10 as follows:

11 **“TITLE III—LANGUAGE AND ACA-**
12 **DEMIC CONTENT INSTRUCC-**
13 **TION FOR ENGLISH LEARN-**
14 **ERS AND IMMIGRANT STU-**
15 **DENTS**

16 **“PART A—ENGLISH LANGUAGE ACQUISITION,**
17 **LANGUAGE ENHANCEMENT, AND ACADEMIC**
18 **ACHIEVEMENT ACT**

19 **“SEC. 3101. SHORT TITLE.**

20 “This part may be cited as the ‘English Language
21 Acquisition, Language Enhancement, and Academic
22 Achievement Act’.

23 **“SEC. 3102. PURPOSES.**

24 “The purposes of this part are—

1 “(1) to ensure that English learners, including
2 immigrant children and youth, achieve English pro-
3 ficiency;

4 “(2) to supplement the other services under this
5 Act and related programs designed to ensure that
6 English learners develop high levels of academic at-
7 tainment and meet the college and career ready
8 standards under section 1111(a)(1);

9 “(3) to support States as they—

10 “(A) adopt English language proficiency
11 standards that include not less than 4 levels of
12 English proficiency;

13 “(B) establish statewide frameworks for
14 identifying and supporting English learners;
15 and

16 “(C) adopt valid and reliable assessments
17 of English proficiency aligned to—

18 “(i) English language proficiency
19 standards;

20 “(ii) the statewide criteria for identi-
21 fying English learners,;

22 “(iii) entering and exiting criteria;
23 and

24 “(iv) a statewide system for sup-
25 porting English learners; and

1 “(4) to support the efforts of early childhood
2 educators, teachers, school leaders, State educational
3 agencies, and local educational agencies to develop
4 and enhance the capacity and flexibility needed to—

5 “(A) provide evidence-based, linguistically
6 and culturally appropriate services to assist
7 English learners supported under this part in—

8 “(i) attaining English language pro-
9 ficiency;

10 “(ii) meeting college and career ready
11 academic content standards under section
12 1111(a)(1); and

13 “(iii) achieving school readiness before
14 kindergarten entry;

15 “(B) implement such services effectively;

16 “(C) evaluate the impact of such services
17 on school readiness, English language pro-
18 ficiency, and academic content knowledge;

19 “(D) modify such services as appropriate
20 to meet the needs of students; and

21 “(E) create the conditions for learning nec-
22 essary to meet the needs of English learners so
23 English learners can access rigorous academic
24 content; and

1 “(5) to promote family and community partici-
2 pation in language instruction educational programs
3 in communities for parents of English learners.

4 **“Subpart 1—Grants and Subgrants for English**
5 **Language Acquisition and Language Enhancement**

6 **“SEC. 3111. FORMULA GRANTS TO STATES.**

7 “(a) IN GENERAL.—In the case of each State edu-
8 cational agency having a plan approved by the Secretary
9 for a fiscal year under section 3113, the Secretary shall
10 make a grant for the year to the agency for the purposes
11 specified in subsection (b). The grant shall consist of the
12 allotment determined for the State educational agency
13 under subsection (c).

14 “(b) USE OF FUNDS.—

15 “(1) SUBGRANTS TO ELIGIBLE ENTITIES.—The
16 Secretary may make a grant under subsection (a)
17 only if the State educational agency involved agrees
18 to expend not less than 95 percent of the State edu-
19 cational agency’s allotment under subsection (c) for
20 a fiscal year—

21 “(A) to award subgrants, from allocations
22 under section 3114, to eligible entities to carry
23 out the activities described in section 3115
24 (other than subsection (e) of that section); and

1 “(B) to award subgrants under section
2 3114(d)(1) to eligible entities that are described
3 in that subsection to carry out the activities de-
4 scribed in section 3115(d).

5 “(2) STATE ACTIVITIES.—

6 “(A) IN GENERAL.—Subject to subpara-
7 graph (B), each State educational agency re-
8 ceiving a grant under subsection (a) may re-
9 serve not more than 10 percent of the agency’s
10 allotment under subsection (c) for the purpose
11 of carrying out 1 or more of the following ac-
12 tivities:

13 “(i) Establishing and implementing a
14 framework for identifying English learners
15 that includes not less than 4 levels of
16 English proficiency that—

17 “(I) can reasonably be measured;

18 “(II) are based on actual student
19 performance; and

20 “(III) shall be used for identifica-
21 tion, placement in English language
22 instruction, reporting, and account-
23 ability purposes.

24 “(ii) Establishing and implementing
25 standardized, statewide evidence-based en-

1 reach and school readiness in early edu-
2 cation settings.

3 “(ix) As appropriate, developing cur-
4 ricula appropriate for dual-language in-
5 structional environments.

6 “(x) Planning, administration, and
7 interagency coordination.

8 “(B) LIMITATION.—A State may use not
9 more than one-third of the amount reserved
10 under subparagraph (A) or \$175,000, which-
11 ever is greater, for the activities described in
12 subparagraph (A)(x).

13 “(c) RESERVATIONS AND ALLOTMENTS.—

14 “(1) RESERVATIONS.—From the amount appro-
15 priated under section 3(j) for each fiscal year, the
16 Secretary shall reserve—

17 “(A) 0.5 percent or \$5,000,000 of such
18 amount, whichever is greater, for payments to
19 eligible entities that are defined under section
20 3112(a) for activities, approved by the Sec-
21 retary, consistent with this subpart;

22 “(B) 0.5 percent of such amount for pay-
23 ments to outlying areas, to be allotted in ac-
24 cordance with their respective needs for assist-
25 ance under this subpart (as determined by the

1 Secretary) for activities that are approved by
2 the Secretary and consistent with the purposes
3 of this subpart;

4 “(C) 3.5 percent of such amount for na-
5 tional activities under subpart 3, except that
6 not more than 0.5 percent of such amount shall
7 be reserved for evaluation activities conducted
8 by the Secretary and not more than \$2,000,000
9 of such amount may be reserved for the Na-
10 tional Clearinghouse for English Learner Sup-
11 port and Educational Programs described in
12 section 3203; and

13 “(D) 3 percent of such amount for tech-
14 nical assistance provided to States under sec-
15 tion 3122(c).

16 “(2) STATE ALLOTMENTS.—

17 “(A) IN GENERAL.—Except as provided in
18 subparagraph (B), from the amount appro-
19 priated under section 3(j) for each fiscal year
20 that remains after making the reservations
21 under paragraph (1), the Secretary shall allot
22 to each State educational agency having a plan
23 approved under section 3113(c)—

24 “(i) an amount that bears the same
25 relationship to 80 percent of the remainder

1 as the number of English learners in the
2 State bears to the number of such children
3 in all States , as determined by using data
4 in accordance with paragraph (3); and

5 “(ii) an amount that bears the same
6 relationship to 20 percent of the remainder
7 as the number of immigrant children and
8 youth in the State bears to the number of
9 such children and youth in all States, as
10 determined based only on data available
11 from the American Community Survey
12 conducted by the Department of Com-
13 merce.

14 “(B) MINIMUM ALLOTMENTS.—No State
15 educational agency shall receive an allotment
16 under this paragraph that is less than
17 \$500,000.

18 “(C) REALLOTMENT.—If any State edu-
19 cational agency described in subparagraph (A)
20 does not submit a plan to the Secretary for a
21 fiscal year, or submits a plan (or any amend-
22 ment to a plan) that the Secretary, after rea-
23 sonable notice and opportunity for a hearing,
24 determines does not satisfy the requirements of
25 this subpart, the Secretary shall reallocate any

1 portion of such allotment to the remaining
2 State educational agencies in accordance with
3 subparagraph (A).

4 “(D) SPECIAL RULE FOR PUERTO RICO.—
5 The total amount allotted to Puerto Rico for
6 any fiscal year under subparagraph (A) shall
7 not exceed 0.5 percent of the total amount al-
8 lotted to all States for that fiscal year.

9 “(3) USE OF DATA FOR DETERMINATIONS.—In
10 making State allotments under paragraph (2)(A)(i),
11 for each fiscal year, the Secretary shall determine
12 the number of English learners in a State and in all
13 States, for each fiscal year, using the most accurate,
14 up-to-date data, which may be—

15 “(A) data available from the American
16 Community Survey conducted by the Depart-
17 ment of Commerce, which may be multiyear es-
18 timates;

19 “(B) the number of students assessed as
20 not having attained English language pro-
21 ficiency, based on the State’s English language
22 proficiency assessment under section
23 1111(a)(2)(D), which may be multi-year esti-
24 mates;

1 “(C) a combination of data available under
2 subparagraphs (A) and (B); or

3 “(D) the most reliable source of data avail-
4 able to the Secretary for determining the num-
5 ber of immigrant children and youth in a State
6 and in all States.

7 **“SEC. 3112. NATIVE AMERICAN AND ALASKA NATIVE CHIL-**
8 **DREN IN SCHOOL.**

9 “(a) ELIGIBLE ENTITIES.—For the purpose of car-
10 rying out programs under this part for individuals served
11 by elementary schools, secondary schools, and postsec-
12 ondary schools operated predominately for Native Amer-
13 ican children (including Alaska Native children), the fol-
14 lowing shall be considered to be an eligible entity:

15 “(1) An Indian tribe.

16 “(2) A tribally sanctioned educational author-
17 ity.

18 “(3) A Native Hawaiian or Native American
19 Pacific Islander native language educational organi-
20 zation.

21 “(4) An elementary school or secondary school
22 that is operated or funded by the Bureau of Indian
23 Education of the Department of the Interior, or a
24 consortium of such schools.

1 “(5) An elementary school or secondary school
2 operated under a contract with or grant from the
3 Bureau of Indian Education of the Department of
4 the Interior, in consortium with another such school
5 or a tribal or community organization.

6 “(6) An elementary school or secondary school
7 operated by the Bureau of Indian Education of the
8 Department of the Interior and an institution of
9 higher education, in consortium with an elementary
10 school or secondary school operated under a contract
11 with or grant from the Bureau of Indian Education
12 of the Department of the Interior or a tribal or com-
13 munity organization.

14 “(b) SUBMISSION OF APPLICATIONS FOR ASSIST-
15 ANCE.—Notwithstanding any other provision of this part,
16 an entity that is considered to be an eligible entity under
17 subsection (a) that desires to receive Federal financial as-
18 sistance under this subpart, shall submit an application
19 to the Secretary.

20 “(c) SPECIAL RULES.—

21 “(1) INELIGIBILITY FOR MULTIPLE AWARDS
22 FOR SAME PERIOD.—An eligible entity described in
23 subsection (a) that receives a grant under this sec-
24 tion shall not be eligible to receive a subgrant under
25 section 3114 for the same period.

1 “(2) NATIVE AMERICAN LANGUAGE PRO-
2 GRAMS.—An eligible entity described in subsection
3 (a) that receives a grant under this section may, in
4 addition to other activities supported under this sub-
5 part, use the grant funds to support Native Amer-
6 ican language immersion programs and Native
7 American language restoration programs, which may
8 be taught by traditional or tribal leaders.

9 **“SEC. 3113. STATE EDUCATIONAL AGENCY PLANS.**

10 “(a) PLAN REQUIRED.—Each State educational
11 agency desiring a grant under this subpart shall submit
12 a plan to the Secretary at such time, in such manner, and
13 containing such information as the Secretary may require.

14 “(b) CONTENTS.—Each plan submitted under sub-
15 section (a) shall—

16 “(1) describe the process that the agency will
17 use in awarding subgrants to eligible entities under
18 this subpart;

19 “(2) include high-quality, evidence-based
20 English language proficiency standards aligned with
21 the college and career ready standards adopted by
22 the State and described in section 1111(a)(1) for
23 each grade level that—

1 “(A) set high expectations regarding aca-
2 demic achievement and linguistic proficiency for
3 English learners at all levels of proficiency; and

4 “(B) support teachers as teachers enhance
5 curriculum and instruction to support English
6 learners;

7 “(3) include a statewide framework for identi-
8 fying, supporting, and exiting English learners
9 that—

10 “(A) is aligned with the English language
11 proficiency standards described in paragraph
12 (2); and

13 “(B) includes not less than 4 levels of pro-
14 ficiency;

15 “(4) describe the statewide framework adopted
16 under paragraph (3), including a justification for the
17 number of levels of proficiency, the defining charac-
18 teristics of each level, and a description of the extent
19 to which students can use the English language to
20 access rigorous academic content at each level of
21 English language proficiency;

22 “(5) include a State English language pro-
23 ficiency assessment system that—

24 “(A) is valid, reliable, and aligned to the
25 English language proficiency standards de-

1 scribed in paragraph (2) and the statewide
2 framework described in paragraph (3); and

3 “(B) provides relevant information to edu-
4 cators to better meet the needs of the English
5 learners being served;

6 “(6) describe how the State will ensure that—

7 “(A) each student is proficient in academic
8 English not more than 5 years after being iden-
9 tified as an English learner; and

10 “(B) in the case of a student who is an
11 English learner who will graduate from sec-
12 ondary school in less than 5 years of being
13 identified as an English learner—

14 “(i) such English learner student will
15 receive not less than 5 years of services to
16 help the student attain English proficiency;

17 “(ii) such English learner student will
18 continue to receive services to gain English
19 proficiency after graduation from sec-
20 ondary school, through a memorandum of
21 understanding between the local edu-
22 cational agency and a local institution of
23 higher education; and

24 “(iii) if such English learner student
25 does not attain English proficiency not

1 more than 5 years after being identified as
2 an English learner, the student will not be
3 counted as a graduating student in the
4 State or local educational agency's calcula-
5 tion of the graduation rate;

6 “(7) provide an assurance the State will include
7 English language proficiency assessment results as a
8 representative and significant portion of the State-
9 designed professional growth and improvement sys-
10 tem, and a description of the process for doing so;

11 “(8) provide an assurance the State will include
12 English language proficiency assessment results as a
13 significant portion of the State-designed professional
14 growth and improvement system for all teachers of
15 English learners, and a description of the process for
16 doing so;

17 “(9) describe how the State educational agency
18 will support local educational agencies in assisting
19 English learners in acquiring proficiency in each of
20 the 4 language domains of reading, writing, speak-
21 ing, and listening, as measured by the State's
22 English language proficiency assessment;

23 “(10) describe how the State educational agen-
24 cy will encourage and facilitate the sharing of high-
25 ly-effective practices for serving English learners

1 among local educational agencies, and, to the extent
2 practicable, early childhood education programs;

3 “(11) describe how the State educational agen-
4 cy will coordinate programs and activities carried
5 out under this subpart with the other programs and
6 activities that such agency carries out under this
7 Act, the Individuals with Disabilities Education Act,
8 the Carl D. Perkins Career and Technical Education
9 Act of 2006, the Head Start Act, the Child Care
10 and Development Block Grant Act of 1990 (42
11 U.S.C. 9858 et seq.), the Workforce Investment Act
12 of 1998 (29 U.S.C. 2801 et seq.), and the McKin-
13 ney-Vento Homeless Assistance Act;

14 “(12) describe how the agency will assist eligi-
15 ble entities in increasing the extent to which English
16 learners acquire English language proficiency within
17 the time frame described in paragraph (6), as in-
18 formed by evidence-based practices;

19 “(13) provide an assurance eligible entities in
20 the State will be given the flexibility to teach
21 English learners using a language instruction cur-
22 riculum that has been demonstrated to be effective;

23 “(14) describe how the agency will manage sub-
24 grants awarded under this subpart, including—

1 “(A) how the agency will ensure subgrant
2 funds are expended to support the provision of
3 services to help English learners achieve
4 English language proficiency and meet the
5 State’s college and career ready academic con-
6 tent standards, which may include using a evi-
7 dence-based language instruction curriculum;

8 “(B) how the agency will monitor eligible
9 entities receiving a subgrant under this part to
10 ensure compliance with applicable Federal fiscal
11 requirements, while also assisting such entities
12 in building their capacity to offer high-quality
13 services; and

14 “(C) how the agency will, in awarding sub-
15 grants under section 3114, address the needs of
16 local educational agencies of all sizes and in all
17 geographic areas, including local educational
18 agencies that serve rural and urban schools;

19 “(15) identify the lowest performing local edu-
20 cational agencies in the State (regarding the activi-
21 ties described in this title) and describe how the
22 State will ensure that those local educational agen-
23 cies improve; and

24 “(16) provide an assurance the plan has been
25 developed in consultation with local educational

1 agencies, teachers, administrators of programs de-
2 scribed under this part, parents, family members,
3 community partners, and other relevant stake-
4 holders.

5 “(c) APPROVAL.—

6 “(1) IN GENERAL.—The Secretary, after using
7 a peer review process, shall approve a plan sub-
8 mitted under subsection (a) if the plan meets the re-
9 quirements of this section.

10 “(2) FREQUENCY AND DURATION.—The State
11 shall resubmit the plan submitted under subsection
12 (a) every 4 years, and such resubmissions shall coin-
13 cide with the years that the State submits a State
14 plan under title I.

15 “(3) ADDITIONAL INFORMATION.—

16 “(A) AMENDMENTS.—If a State edu-
17 cational agency amends the plan approved
18 under this subsection, the agency shall submit
19 the amendment to the Secretary.

20 “(B) APPROVAL.—The Secretary shall ap-
21 prove an amendment to an approved plan, un-
22 less the Secretary determines that the amend-
23 ment will result in the agency not meeting the
24 requirements, or fulfilling the purposes, of this
25 part.

1 “(d) CONSOLIDATED PLAN.—A plan submitted under
2 subsection (a) may be submitted as part of a State consoli-
3 dated plan.

4 “(e) SECRETARY ASSISTANCE.—The Secretary shall
5 provide technical assistance, if requested, in the develop-
6 ment of English language proficiency standards, perform-
7 ance targets, and assessments.

8 **“SEC. 3114. WITHIN-STATE ALLOCATIONS.**

9 “(a) IN GENERAL.—After making the reservation re-
10 quired under subsection (d)(1), each State educational
11 agency receiving a grant under section 3111(c)(2) shall
12 award subgrants for a fiscal year by allocating, in a timely
13 manner, to each eligible entity in the State having a plan
14 approved under section 3116, an amount that bears the
15 same relationship to the amount received under the grant
16 and remaining after making such reservation as the popu-
17 lation of English learners in public and nonpublic schools
18 served by the eligible entity bears to the population of
19 English learners in public and nonpublic schools served
20 by all eligible entities in the State.

21 “(b) LIMITATION.—A State educational agency shall
22 not award a subgrant from an allocation made under sub-
23 section (a) if the amount of such subgrant would be less
24 than \$10,000.

1 “(c) REALLOCATION.—Whenever a State educational
2 agency determines that an amount from an allocation
3 made to an eligible entity under subsection (a) for a fiscal
4 year will not be used by the entity for the purpose for
5 which the allocation was made, the agency shall, in accord-
6 ance with such rules as the agency determines to be appro-
7 priate, reallocate such amount, consistent with such sub-
8 section, to other eligible entities in the State that the agen-
9 cy determines will use the amount to carry out that pur-
10 pose.

11 “(d) REQUIRED RESERVATION.—A State educational
12 agency receiving a grant under this subpart for a fiscal
13 year—

14 “(1) may reserve not more than 15 percent of
15 the agency’s allotment under section 3111(c)(2) to
16 award subgrants to eligible entities in the State that
17 have experienced a significant increase, as compared
18 to the average of the 2 preceding fiscal years, in the
19 percentage or number of immigrant children and
20 youth, including students with interrupted formal
21 education, who have enrolled, during the fiscal year
22 preceding the fiscal year for which the subgrant is
23 made, in public and nonpublic elementary schools
24 and secondary schools in the geographic areas under
25 the jurisdiction of, or served by, such entities; and

1 “(2) in awarding subgrants under paragraph
2 (1)—

3 “(A) shall consider eligible entities that
4 satisfy the requirement of such paragraph but
5 have limited or no experience in serving immi-
6 grant children and youth, including students
7 with interrupted formal education,;

8 “(B) shall consider eligible entities that ex-
9 perience a significant increase in the percentage
10 of immigrant children and youth served, includ-
11 ing students with interrupted formal education,
12 and eligible entities that experience a significant
13 increase in the number of immigrant children
14 and youth served, including students with inter-
15 rupted formal education; and

16 “(C) shall consider the quality of each local
17 plan under section 3116 and ensure that each
18 subgrant is of sufficient size and scope to meet
19 the purposes of this part.

20 **“SEC. 3115. SUBGRANTS TO ELIGIBLE ENTITIES.**

21 “(a) PURPOSES OF SUBGRANTS.—A State edu-
22 cational agency may make a subgrant to an eligible entity
23 from funds received by the agency under this subpart only
24 if the entity agrees to expend the funds to supplement the
25 education of English learners by helping English learners

1 learn English and meet the State college and career ready
2 academic content and student academic achievement
3 standards. The eligible subgrantee shall carry out activi-
4 ties with such funds, using evidence-based approaches and
5 methodologies that have been demonstrated to be effective
6 for teaching English learners and immigrant children and
7 youth, for the following purposes:

8 “(1) Developing and implementing new lan-
9 guage instruction educational programs and aca-
10 ademic content instruction programs for English
11 learners and immigrant children and youth, includ-
12 ing early childhood education programs, elementary
13 school programs, and secondary school programs.

14 “(2) Carrying out highly-focused, innovative, lo-
15 cally designed, evidence-based activities to expand or
16 enhance existing language instruction educational
17 programs and academic content instruction pro-
18 grams for English learners and immigrant children
19 and youth.

20 “(3) Implementing, within an individual school,
21 whole school programs for restructuring, reforming,
22 and upgrading all relevant programs, activities, and
23 operations relating to language instruction edu-
24 cational programs and academic content instruction

1 for English learners and immigrant children and
2 youth.

3 “(4) Implementing, within the entire jurisdic-
4 tion of a local educational agency, agencywide pro-
5 grams for restructuring, reforming, and upgrading
6 all relevant programs, activities, and operations re-
7 lating to language instruction educational programs
8 and academic content instruction for English learn-
9 ers and immigrant children and youth.

10 “(b) ADMINISTRATIVE EXPENSES.—Each eligible en-
11 tity receiving funds under section 3114(a) for a fiscal year
12 may use not more than 2 percent of such funds for the
13 cost of administering this subpart.

14 “(c) ALLOWABLE ACTIVITIES.—An eligible agency
15 that receives a subgrant under section 3114 may use
16 subgrant funds to meet the academic and language needs
17 of English learners, in order to meet the performance tar-
18 gets described under section 3121, by carrying out the fol-
19 lowing activities:

20 “(1)(A) Developing an individual performance
21 target for each English learner that is not less than
22 the rate of growth in English proficiency necessary
23 for the student to achieve proficiency not more than
24 5 years after being identified as an English learner;
25 and

1 “(B) in the case of a student who will graduate
2 from secondary school in less than 5 years, ensuring
3 that—

4 “(i) such student will receive not less than
5 4 years of services to help the student attain
6 English proficiency;

7 “(ii) the student will continue to receive
8 services to gain English proficiency after grad-
9 uation from secondary school, through a part-
10 nership between the local educational agency
11 and a local institution of higher education; and

12 “(iii) if a student described in this sub-
13 paragraph does not attain English proficiency
14 not more than 5 years after being identified as
15 an English learner, the student will not be
16 counted as a graduating student in the local
17 educational agency’s calculation of the gradua-
18 tion rate.

19 “(2) Developing and carrying out sustained,
20 long term, job-embedded, data driven professional
21 development for educators that includes—

22 “(A) specific knowledge and skills school
23 leaders need to—

1 “(i) implement evidence-based strate-
2 gies to create positive conditions for learn-
3 ing;

4 “(ii) create conditions for learning;

5 “(iii) support effective, evidence-based
6 instructional programs;

7 “(iv) design comprehensive profes-
8 sional growth plans for educators who
9 serve English learners;

10 “(v) develop the capacity of content-
11 area teachers to meet the unique cultural,
12 language, and academic needs of English
13 learners; and

14 “(vi) meet the unique needs, cultural
15 and otherwise, of families of English learn-
16 ers;

17 “(B) specific knowledge and skills teachers
18 of English learners need to—

19 “(i) implement evidence-based instruc-
20 tional strategies for improving English
21 learner acquisition of academic language;

22 “(ii) meet the academic and language
23 needs of English learners of different ages;
24 and

1 “(iii) meet the unique needs, cultural
2 and otherwise, of families of English learn-
3 ers; and

4 “(C) specific knowledge and skills content-
5 area teachers need to—

6 “(i) adapt, accommodate, and enhance
7 academic content curricula and assess-
8 ments, to the greatest extent practicable,
9 to ensure that English learners can access
10 academic content while maintaining the
11 high expectations necessary to meet the
12 performance targets described under sec-
13 tion 3121 and the college and career ready
14 standards described in section 1111(a)(1);

15 “(ii) execute evidence-based instruc-
16 tional strategies for improving English
17 learner acquisition of content-specific lan-
18 guage and concepts;

19 “(iii) execute evidence-based instruc-
20 tional practices for improving English
21 learner acquisition of academic language;
22 and

23 “(iv) meet the unique needs, cultural
24 and otherwise, of families of English learn-
25 ers.

1 “(3) Implementing and carrying out opportuni-
2 ties for teachers of English learners and content-
3 area teachers to plan collaboratively during contract
4 hours.

5 “(4) Implementing or enhancing schoolwide
6 data analysis and intervention teams to improve the
7 achievement of English learners.

8 “(5) Developing, implementing, and carrying
9 out not less than 1 of the following family engage-
10 ment strategies:

11 “(A) Implementing community school mod-
12 els and related activities, such as opening school
13 facilities to community-based organizations, es-
14 tablishing parent institutes, operating or sup-
15 porting co-location with family literacy pro-
16 grams, and establishing co-location with public
17 assistance programs.

18 “(B) Providing compensatory time to allow
19 teachers to conduct home visits, or establishing
20 a home visiting program in collaboration with a
21 community-based organization.

22 “(C) Establishing native-language family
23 outreach call centers.

24 “(D) Other evidence-based outreach strate-
25 gies.

1 “(6) As necessary, acquiring evidence-based
2 curricular and instructional materials designed to
3 meet the needs of English learners.

4 “(d) ACTIVITIES BY AGENCIES EXPERIENCING SUB-
5 STANTIAL INCREASES IN IMMIGRANT CHILDREN AND
6 YOUTH.—

7 “(1) IN GENERAL.—An eligible entity receiving
8 funds under section 3114(d)(1) shall use the funds
9 to pay for activities that provide enhanced instruc-
10 tional opportunities for immigrant children and
11 youth, including students with interrupted formal
12 education, which may include—

13 “(A) family literacy, parent and family
14 outreach, and leadership development activities
15 designed to assist parents and family members
16 in becoming engaged participants in the edu-
17 cation and development of their children;

18 “(B) recruitment of, and support for, per-
19 sonnel, including early childhood educators,
20 teachers, and paraprofessionals who have been
21 specifically trained, or are being trained, to pro-
22 vide services to immigrant children and youth;

23 “(C) the provision of tutorials, mentoring,
24 and academic or career counseling for immi-
25 grant children and youth;

1 “(D) identification, development, and ac-
2 quisition of curricular materials, educational
3 software, and technologies to be used in the
4 program carried out with funds awarded under
5 section 3114(a);

6 “(E) basic instructional services that are
7 directly attributable to the presence in the local
8 educational agency involved of immigrant chil-
9 dren and youth, including the payment of costs
10 of providing additional classroom supplies and
11 costs of transportation;

12 “(F) such other costs that are directly at-
13 tributable to such additional basic instructional
14 services or that are designed to assist immi-
15 grant children and youth to achieve in elemen-
16 tary schools and secondary schools in the
17 United States, such as programs of introduction
18 to the educational system and civics education;
19 and

20 “(G) activities, coordinated with commu-
21 nity-based organizations (including community-
22 based organizations providing early childhood
23 education programs), institutions of higher edu-
24 cation, private sector entities, or other entities
25 with expertise in working with immigrants, to

1 assist parents of immigrant children and youth
2 by offering comprehensive community services.

3 “(2) DURATION OF SUBGRANTS.—The duration
4 of a subgrant made by a State educational agency
5 under section 3114(d)(1) shall be determined by the
6 agency in the agency’s discretion.

7 “(e) SELECTION OF METHOD OF INSTRUCTION.—

8 “(1) IN GENERAL.—An eligible entity receiving
9 a subgrant from a State educational agency under
10 this subpart shall select 1 or more methods or forms
11 of evidence-based instruction to be used in the pro-
12 grams and activities undertaken by the entity in as-
13 sisting English learners in attaining English lan-
14 guage proficiency and meeting State college and ca-
15 reer ready academic content standards and student
16 academic achievement standards under section
17 1111(a)(1) in order to be college and career ready.

18 “(2) CONSISTENCY.—The selection of methods
19 or forms of instruction, as described under para-
20 graph (1), shall be consistent with sections 3125
21 through 3128.

22 “(f) SUPPLEMENT, NOT SUPPLANT.—Federal funds
23 made available under this subpart shall be used so as to
24 supplement the level of Federal, State, and local public
25 funds that, in the absence of such availability, would have

1 been expended for programs for English learners and im-
2 migrant children and youth and in no case to supplant
3 such Federal, State, and local public funds.

4 **“SEC. 3116. LOCAL PLANS.**

5 “(a) PLAN REQUIRED.—Each eligible entity desiring
6 a subgrant from a State educational agency under section
7 3114 shall submit a plan to the State educational agency
8 at such time, in such manner, and containing such infor-
9 mation as the State educational agency may require.

10 “(b) CONTENTS.—Each plan submitted under sub-
11 section (a) for a subgrant under section 3114(a) shall, at
12 a minimum—

13 “(1) describe the evidence-based programs and
14 activities proposed to be developed, implemented,
15 and administered under the subgrant, including how
16 such programs and activities will enable children to
17 speak, read, write, and comprehend the English lan-
18 guage, meet State college and career ready academic
19 content standards and student academic achieve-
20 ment standards under section 1111(a)(1), and be
21 college and career ready;

22 “(2) describe how the eligible entity will hold el-
23 elementary schools and secondary schools receiving
24 funds under this subpart accountable for—

1 “(A) assessing annually, in accordance
2 with section 1111(a)(2)(D), the English lan-
3 guage proficiency of all English learners partici-
4 pating in programs funded under this subpart;
5 and

6 “(B) meeting timelines, progress criteria,
7 and performance targets for English learners in
8 order to ensure that students served by pro-
9 grams carried out under this part—

10 “(i) achieve English proficiency; and

11 “(ii) meet the State’s college and ca-
12 reer ready academic content standards
13 under section 1111(a)(1);

14 “(3) describe how the eligible entity will engage
15 family and community members and involve them in
16 activities carried out using subgrant funds;

17 “(4) describe how the eligible entity will consult
18 with teachers, researchers, school administrators,
19 parents, family and community members, and, if ap-
20 propriate, with education-related community groups
21 and nonprofit organizations, and institutions of
22 higher education, in developing and implementing
23 such plan;

24 “(5) describe how language instruction and aca-
25 demic content instruction carried out under the

1 subgrant will ensure that English learners being
2 served by the programs develop English language
3 proficiency and demonstrate such proficiency
4 through academic content mastery;

5 “(6) describe how the eligible entity will, if ap-
6 plicable, coordinate activities under the plan with
7 local Head Start and Early Head Start agencies, in-
8 cluding migrant and seasonal Head Start agencies,
9 and other early childhood education providers; and

10 “(7) contain an assurance that—

11 “(A) the eligible entity is not in violation
12 of State law, including State constitutional law,
13 regarding the education of English learners,
14 consistent with sections 3124 through 3128;

15 “(B) each local educational agency that is
16 included in the eligible entity complies with sec-
17 tion 3202 prior to, and throughout, each school
18 year; and

19 “(C) in developing the plan, the eligible en-
20 tity considered how best to target funds to
21 schools with high concentrations of English
22 learners and to support continuous improve-
23 ment in the services offered to English learners
24 in the area served by the eligible entity.

1 “(c) TEACHER ENGLISH FLUENCY.—Each eligible
2 entity receiving a subgrant under this subpart shall in-
3 clude in the plan a certification that all teachers in any
4 language instruction educational program for English
5 learners that is, or will be, funded under this part are flu-
6 ent in the language used for instruction, including having
7 written and oral communications skills.

8 **“Subpart 2—Accountability and Administration**

9 **“SEC. 3121. LOCAL EVALUATION AND ACCOUNTABILITY.**

10 “(a) EVALUATION.—

11 “(1) IN GENERAL.—Each eligible entity that re-
12 ceives a subgrant from a State educational agency
13 under subpart 1 shall provide such agency, at the
14 conclusion of every second fiscal year during which
15 the subgrant is received, with an evaluation, in a
16 form prescribed by the agency, that includes—

17 “(A) a description of the programs and ac-
18 tivities conducted by the entity with funds re-
19 ceived under subpart 1 during the 2 imme-
20 diately preceding fiscal years;

21 “(B) a description of the progress made by
22 children in learning the English language as
23 measured by the State English language pro-
24 ficiency assessment described in section
25 3113(b)(5) and meeting college and career

1 ready academic content standards and student
2 academic achievement standards under section
3 1111(a)(1);

4 “(C) the number and percentage of chil-
5 dren in the programs and activities who meet
6 the target established under section
7 3113(b)(6)(A); and

8 “(D) a description of the progress made by
9 children in meeting college and career ready
10 academic content standards and student aca-
11 demic achievement standards under section
12 1111(a)(1) for each of the 2 years after such
13 children are no longer receiving services under
14 this part; and

15 “(E) a description of the progress made by
16 former English learners in meeting college and
17 career ready academic content standards and
18 student achievement standards under section
19 1111(a)(1).

20 “(2) USE OF EVALUATION.—An evaluation pro-
21 vided by an eligible entity under subsection (a) shall
22 be used by the entity and the State educational
23 agency—

24 “(A) for improvement of programs and ac-
25 tivities;

1 transition into classrooms not tailored to
2 limited English learners;

3 “(iii) are meeting the college and ca-
4 reer ready standards under section
5 1111(a)(1); and

6 “(iv) are not exempted from the State
7 reading or language arts academic assess-
8 ment in accordance with section
9 1111(a)(2)(B)(v)(II); and

10 “(B) include such other information as the
11 State educational agency may require.

12 “(4) EVALUATION MEASURES.—A State shall
13 approve evaluation measures for use under para-
14 graph (3) that are designed to assess—

15 “(A) the progress of children in attaining
16 English proficiency, including a child’s level of
17 comprehension, speaking, listening, reading,
18 and writing skills in English;

19 “(B) student attainment of college and ca-
20 reer ready student academic achievement stand-
21 ards under section 1111(a)(1) on assessments
22 described in section 1111(a)(2); and

23 “(C) progress in meeting the annual State
24 performance targets described in section 3122.

25 “(b) ACCOUNTABILITY.—

1 “(1) IN GENERAL.—Each eligible entity that re-
2 ceives a subgrant from a State educational agency
3 under this title shall annually reach an agreement
4 with the State educational agency on a local English
5 proficiency performance target for the percentage of
6 English learners served by the eligible entity under
7 this title who are making progress in achieving
8 English proficiency not more than 5 years after
9 being identified as an English learner. For purposes
10 of this paragraph, English proficiency shall be meas-
11 ured using the English language proficiency assess-
12 ment described in section 3113(b)(5).

13 “(2) STUDENTS WHO WILL GRADUATE IN LESS
14 THAN 5 YEARS.—In the case of a student who will
15 graduate from secondary school in less than 5 years,
16 if such does not attain English proficiency not more
17 than 5 years after being identified as an English
18 learner, the student shall not be counted as a grad-
19 uating student in the local educational agency’s cal-
20 culation of the graduation rate.

21 “(3) TECHNICAL ASSISTANCE.—During the de-
22 velopment of the improvement plan described in
23 paragraph (4), and throughout the implementation
24 of such plan, the State educational agency shall—

1 “(B) ENTITIES IN NEED OF IMPROVE-
2 MENT.—If an eligible entity fails to meet the
3 local performance targets described in para-
4 graph (1) a year after being identified as being
5 in need of improvement, as described in sub-
6 paragraph (A)(i), the State educational agency
7 shall—

8 “(i) identify such eligible entity as
9 being in need of State support;

10 “(ii) require such eligible entity to de-
11 velop and implement a plan to modify the
12 entity’s curriculum, program, and method
13 of instruction; and

14 “(iii) submit such plan to the State
15 educational agency for approval.

16 “(C) ENTITIES IN NEED OF STATE SUP-
17 PORT.—If an eligible entity fails to meet the
18 local performance targets described in para-
19 graph (1) a year after being identified as being
20 in need of State support, as described in sub-
21 paragraph (B)(i), the State educational agency
22 shall—

23 “(i) identify such eligible entity as
24 being in need of State action;

1 “(ii) manage the subgrant funds and
2 the eligible entity’s subgrant programs for
3 4 years, or until the local performance tar-
4 get is reached if such target is reached in
5 less than 4 years; and

6 “(iii) after 4 years, or after the local
7 performance target is reached if such tar-
8 get is reached in less than 4 years, insti-
9 tute a 2 year probationary period, during
10 which the State educational agency shall
11 once again manage the subgrant funds and
12 programs if the eligible entity fails to meet
13 the local performance target at any time
14 during the probationary period.

15 **“SEC. 3122. STATE ACCOUNTABILITY.**

16 “(a) IN GENERAL.—Each State educational agency,
17 with input from subgrantees, shall establish in the State
18 plan submitted under section 3113, a State performance
19 target for the percentage of English learners served by the
20 State under this title who are making progress in achiev-
21 ing English proficiency not more than 5 years after being
22 identified as an English learner. The State performance
23 target established under this subsection shall be subject
24 to approval by the Secretary. Each State educational
25 agency shall ensure that the local performance targets de-

1 scribed in section 3121(b)(1) result, in the aggregate, in
2 the State achieving the State’s performance target for
3 English learners.

4 “(b) IMPROVEMENT PLAN.—If a State educational
5 agency has failed to meet the State’s performance target
6 for 2 consecutive years, the Secretary shall require the
7 State educational agency to develop an improvement plan
8 that will ensure that the State educational agency meets
9 the State performance target. The improvement plan shall
10 specifically address the factors that prevented the agency
11 from meeting such performance target.

12 “(c) TECHNICAL ASSISTANCE.—During the develop-
13 ment of the improvement plan described in subsection (b),
14 and throughout the implementation of such plan, the Sec-
15 retary shall—

16 “(1) provide technical assistance to the State
17 educational agency using the funds described in sec-
18 tion 3111(c)(1)(D);

19 “(2) assist the State educational agency in de-
20 veloping a plan to improve and disseminate the pro-
21 fessional development described in section
22 3115(e)(2); and

23 “(3) develop, in consultation with the State
24 educational agency, a plan to incorporate evidence-
25 based strategies and methodologies to improve the

1 specific programs and method of instruction in use
2 in such State.

3 “(d) ACCOUNTABILITY.—

4 “(1) IN GENERAL.—If a State educational
5 agency fails to meet its performance target for 4
6 consecutive years, the Secretary shall—

7 “(A) require such State educational agency
8 to modify its State plan and the methods of in-
9 struction in use in the State; or

10 “(B) require such State educational agency
11 to—

12 “(i) identify low-performing local edu-
13 cational agencies in the State;

14 “(ii) develop and implement a plan to
15 partner such low-performing local edu-
16 cational agencies with high-performing
17 local educational agencies in the State that
18 have met the local performance targets for
19 the previous 3 years; and

20 “(iii) reallocate any grant funding
21 under this title that would have otherwise
22 been distributed to an identified low-per-
23 forming local educational agency to such
24 agency’s high-performing partner local
25 educational agency, as described in clause

1 (ii), to enable the high-performing partner
2 agency to provide technical assistance.

3 “(2) STUDENTS WHO WILL GRADUATE IN LESS
4 THAN 5 YEARS.—In the case of a student who will
5 graduate from secondary school in less than 5 years,
6 if such student does not attain English proficiency
7 not more than 5 years after being identified as an
8 English learner, the student shall not be counted as
9 a graduating student in the State educational agen-
10 cy’s calculation of the graduation rate.

11 **“SEC. 3123. REPORTING REQUIREMENTS.**

12 “(a) STATES.—Each State educational agency that
13 receives assistance under this part shall provide annually
14 to the Secretary, and make widely available within the
15 State, a report containing information about—

16 “(1) the State’s progress in developing and im-
17 plementing the English language proficiency stand-
18 ards described in section 3111(b)(2)(A)(iv);

19 “(2) the achievement, academic growth, and ac-
20 quisition of English language proficiency of students
21 served under this title;

22 “(3) programs and activities carried out by the
23 State educational agency under this part; and

1 “(4) the effectiveness of such programs and ac-
2 tivities in improving the education provided to
3 English learners.

4 “(b) SECRETARY.—Every second year, the Secretary
5 shall prepare and submit to the authorizing committees
6 of Congress a report containing—

7 “(1) information about programs and activities
8 carried out to serve English learners under this part,
9 and the effectiveness of such programs and activities
10 in improving the academic achievement and English
11 proficiency of English learners;

12 “(2) information about the types of language
13 instruction educational programs used by eligible en-
14 tities receiving funding under this part to teach
15 English learners;

16 “(3) a critical synthesis of data reported by eli-
17 gible entities to States under section 3121(a)(3);

18 “(4) a description of technical assistance and
19 other assistance provided by State educational agen-
20 cies under section 3111(b)(2)(A);

21 “(5) an estimate of the number of certified or
22 licensed teachers working in language instruction
23 educational programs and educating English learn-
24 ers, and an estimate of the number of such teachers
25 that will be needed for the succeeding 5 fiscal years;

1 “(6) the major findings of scientifically based
2 research carried out under this title;

3 “(7) the number of programs or activities, if
4 any, that were subject to accountability measures
5 described in section 3121(b)(4) due to a failure to
6 meet local performance targets;

7 “(8) the number of English learners served by
8 eligible entities receiving funding under this part
9 who were transitioned out of language instruction
10 educational programs funded under this part into
11 classrooms where instruction is not tailored for
12 English learners; and

13 “(9) other information gathered from other re-
14 ports submitted to the Secretary under this title, as
15 applicable.

16 **“SEC. 3124. COORDINATION WITH RELATED PROGRAMS.**

17 “In order to maximize Federal efforts aimed at serv-
18 ing the educational needs of English learners, the Sec-
19 retary shall coordinate and ensure close cooperation with
20 other entities carrying out programs serving language-mi-
21 nority and English learners that are administered by the
22 Department and other agencies.

23 **“SEC. 3125. RULES OF CONSTRUCTION.**

24 “Nothing in this part shall be construed—

1 “(1) to prohibit a local educational agency from
2 serving English learners simultaneously with chil-
3 dren with similar educational needs, in the same
4 educational settings where appropriate;

5 “(2) to require a State or a local educational
6 agency to establish, continue, or eliminate any par-
7 ticular type of instructional program for English
8 learners;

9 “(3) to limit the preservation or use of Native
10 American languages;

11 “(4) to prohibit the use of dual language pro-
12 grams to serve the needs of English learners and
13 children with similar educational needs, in the same
14 educational setting as appropriate.

15 **“SEC. 3126. LEGAL AUTHORITY UNDER STATE LAW.**

16 “Nothing in this part shall be construed to negate
17 or supersede State law, or the legal authority under State
18 law of any State agency, State entity, or State public offi-
19 cial, over programs that are under the jurisdiction of the
20 State agency, entity, or official.

21 **“SEC. 3127. CIVIL RIGHTS.**

22 “Nothing in this part shall be construed in a manner
23 inconsistent with any Federal law guaranteeing a civil
24 right.

1 **“SEC. 3128. PROGRAMS FOR NATIVE AMERICANS AND**
2 **PUERTO RICO.**

3 “Notwithstanding any other provision of this part,
4 programs authorized under this part that serve Native
5 American (including Native American Pacific Islander)
6 children and children in the Commonwealth of Puerto Rico
7 may include programs of instruction, teacher training,
8 curriculum development, evaluation, and assessment de-
9 signed for Native American children learning and studying
10 Native American languages and children of limited Span-
11 ish proficiency, except that an outcome of programs serv-
12 ing such children shall be increased English proficiency
13 among such children.

14 **“SEC. 3129. PROHIBITION.**

15 “In carrying out this part, the Secretary shall neither
16 mandate nor preclude the use of a particular curricular
17 or pedagogical approach to educating English learners.

18 **“Subpart 3—National Activities**

19 **“SEC. 3131. PROFESSIONAL DEVELOPMENT GRANTS.**

20 “(a) GRANTS AUTHORIZED.—The Secretary shall use
21 funds made available under section 3111(c)(1)(C) to
22 award grants, on a competitive basis and for a period of
23 not more than 5 years, to institutions of higher education
24 or nonprofit institutions with relevant experience or exper-
25 tise and capacity (in consortia with State educational

1 agencies or local educational agencies) in order to enable
2 such consortia to—

3 “(1) provide for professional development activi-
4 ties that will improve classroom instruction for
5 English learners;

6 “(2) assist educational personnel working with
7 English learners to meet high professional stand-
8 ards, including standards for certification and licen-
9 sure as teachers who work in language instruction
10 educational programs and academic content instruc-
11 tion programs or serve English learners.

12 “(b) USES OF FUNDS.—Grants awarded under this
13 section may be used to—

14 “(1) support partnerships between State or
15 local educational agencies and institutions of higher
16 education to support the work of individuals who are
17 completing baccalaureate and masters programs
18 (such as programs in the areas of teacher training,
19 program administration, policy, research, evaluation,
20 assessment, and curriculum development) and to im-
21 prove educational services and programs for English
22 learners, provided that recipients of fellowships or
23 assistance are required, on completion of their stud-
24 ies, to—

1 “(A) assist in the education of English
2 learners through work in a school, local edu-
3 cational agency, or other educational agency or
4 organization for a period of time equivalent to
5 the period of time during which the individual
6 receives assistance under this section; or

7 “(B) repay all or a prorated part of the fi-
8 nancial assistance received under this section;

9 “(2) support research on promising instruc-
10 tional strategies or programs that have practical ap-
11 plications for teachers, counselors, parents and fam-
12 ily members, school leaders, and others responsible
13 for educating or improving the education of English
14 learners and their families;

15 “(3) support strategies that promote school
16 readiness for English learners and the transition
17 from early childhood education programs, such as
18 Head Start or State preschool programs, to elemen-
19 tary school programs;

20 “(4) support strategies that promote high
21 school graduation for English learners;

22 “(5) support strategies that strengthen and in-
23 crease family and community member engagement
24 in education;

1 “(6) support the development of curricula that
2 are appropriate to the needs of the participating
3 consortium; and

4 “(7) support the dissemination of information
5 gathered in accordance with paragraphs (1) through
6 (5), particularly evidence-based best practices and
7 the provision of technical assistance.

8 **“SEC. 3132. COMMISSION ON ASSESSMENT OF ENGLISH**
9 **LEARNERS.**

10 “(a) COMMISSION ON ASSESSMENT OF ENGLISH
11 LEARNERS.—

12 “(1) IN GENERAL.—The Secretary shall estab-
13 lish an independent commission on the assessment
14 and advancement of English learners (referred to in
15 this section as the ‘commission’) to carry out the ac-
16 tivities described in subsection (c).

17 “(2) DATE OF APPOINTMENT.—The members
18 of the commission shall be appointed not later than
19 6 months after the date of enactment of the
20 Strengthening America’s Schools Act of 2013.

21 “(b) COMPOSITION.—

22 “(1) IN GENERAL.—The commission shall be
23 comprised of individuals with experience and exper-
24 tise in the educational advancement and develop-

1 ment of English learners, including individuals with
2 expertise in—

3 “(A) the practice of teaching English to
4 speakers of other languages;

5 “(B) measurement and educational assess-
6 ment systems; and

7 “(C) educational assessment and account-
8 ability practices.

9 “(2) EXPERTISE OF MEMBERS.—The Secretary
10 shall ensure that the individuals selected in accord-
11 ance with paragraph (1) are experts who are com-
12 petent, by virtue of their training, expertise, or expe-
13 rience, to evaluate instruction, assessments, and
14 models for English learners.

15 “(c) DUTIES OF THE COMMISSION.—The commission
16 shall provide the Secretary with advice and recommenda-
17 tions about the following issues:

18 “(1) The development and approval of stand-
19 ards pertaining to English learners, in order to as-
20 sist the Secretary in the review and approval of
21 statewide accountability systems that are required
22 under section 3113(b)(5) and section 1111(a)(3).

23 “(2) The provision of regulations and guidance
24 pertaining to the inclusion of English learners in as-
25 sessment and accountability systems, including rec-

1 ommendations about appropriate accommodations
2 and appropriate weights for assessments involving
3 English learners, including the English language
4 proficiency assessments described in section
5 3113(b)(5).

6 “(3) Ensuring that State English language pro-
7 ficiency standards under section 3113(b)(2) and sec-
8 tion 1111(a)(1)(D) are properly aligned with college
9 and career ready academic content standards under
10 section 1111(a)(1).

11 “(4) The formation of peer review panels, under
12 section 1111(b)(4), with regard to—

13 “(A) the inclusion on the panels of experts
14 about English learners; and

15 “(B) processes to ensure that the work of
16 the peer review panel is consistent with the
17 standards and guidance developed by the com-
18 mission.

19 “(5) Identifying ways to support local capacity-
20 building efforts to assist local educational agencies
21 and schools in properly supporting English learners.

22 “(6) Ensuring that the research, development,
23 and dissemination activities of the Department ad-
24 dress identified gaps in knowledge for effectively in-

1 including English learners in assessment and account-
2 ability practices.

3 “(7) Ways to address the needs of English
4 learners in all program planning at the Department,
5 including inter- and intra-agency coordination.

6 “(8) The development of improved early learn-
7 ing assessment strategies and instruments that take
8 into account the development of English learners
9 across all of the essential domains of school readi-
10 ness.

11 “(d) INDEPENDENTLY COMMISSIONED RESEARCH.—
12 The commission may independently commission research
13 that is directly relevant to the implementation of account-
14 ability provisions under this Act for English learners.

15 “(e) ANNUAL REPORT.—The commission shall, be-
16 ginning not later than 1 year after the date on which all
17 members of the commission have been appointed, submit
18 an annual report to the Secretary and the authorizing
19 committees of Congress containing the recommendations
20 described in subsection (e).

21 **“SEC. 3133. ENGLISH LANGUAGE ACQUISITION TECH-**
22 **NOLOGY INNOVATION GRANTS.**

23 “(a) PURPOSES.—The Secretary shall use funds
24 made available under section 3111(e)(1)(C) to provide
25 English language acquisition technology innovation grants

1 for purposes of pursuing breakthrough research and devel-
2 opment in educational technology and providing the effec-
3 tive use of that technology to improve English proficiency
4 and academic achievement for English learners, by—

5 “(1) identifying and promoting advances in fun-
6 damental and applied sciences and engineering that
7 could be translated into new language learning or in-
8 struction technologies;

9 “(2) developing novel language learning or in-
10 struction technologies, and the enabling processes
11 and contexts for effective use of those technologies;

12 “(3) developing, testing, and evaluating the im-
13 pact and efficacy of those technologies;

14 “(4) accelerating technological advances in
15 areas in which the private sector, by itself, is not
16 likely to accelerate such advances because of difficul-
17 ties in implementation or adoption, or technical and
18 market uncertainty;

19 “(5) coordinating activities with nongovern-
20 mental entities to demonstrate technologies and re-
21 search applications to facilitate technology transfer;
22 and

23 “(6) encouraging educational research on
24 English language acquisition using new technologies
25 and the data produced by those technologies.

1 “(b) AUTHORITIES OF SECRETARY.—The Secretary
2 is authorized to—

3 “(1) establish processes for the development
4 and execution of English language acquisition tech-
5 nology innovation grant projects and the solicitation
6 of entities to carry out the projects in a manner that
7 is—

8 “(A) tailored to the purposes of the
9 English language acquisition technology innova-
10 tion grants and not constrained by other De-
11 partment-wide administrative requirements that
12 could detract from achieving program results;

13 “(B) designed to heighten transparency;
14 and

15 “(C) designed to heighten public- and pri-
16 vate-sector involvement to ensure that invest-
17 ments are made in the most promising areas;

18 “(2) award grants, contracts, cooperative agree-
19 ments, and cash prizes, and enter into other trans-
20 actions (in accordance with such regulations as the
21 Secretary may establish regarding other trans-
22 actions);

23 “(3) obtain independent, periodic, rigorous eval-
24 uations, as appropriate, of—

1 “(A) the effectiveness of the processes
2 being used to award and evaluate the effective-
3 ness of the English language acquisition tech-
4 nology innovation grants in achieving the stated
5 purposes; and

6 “(B) the effectiveness of individual projects
7 assisted by English language acquisition tech-
8 nology innovation grants, using evidence stand-
9 ards developed in consultation with the Insti-
10 tute of Education Sciences, and the suitability
11 of ongoing projects assisted by such grants for
12 further investment or increased scale;

13 “(4) disseminate, through the comprehensive
14 centers established under section 203 of the Edu-
15 cational Technical Assistance Act of 2002 (20
16 U.S.C. 9602), the regional educational laboratories
17 system established under section 174 of the Edu-
18 cation Sciences Reform Act of 2002 (20 U.S.C.
19 9564), or such other means as the Secretary deter-
20 mines to be appropriate, information on effective
21 practices and technologies developed with the sup-
22 port of English language acquisition technology in-
23 novation grants; and

24 “(5) collect, analyze, synthesize, and dissemi-
25 nate, through the comprehensive centers established

1 under section 203 of the Educational Technical As-
2 sistance Act of 2002 (20 U.S.C. 9602), the regional
3 educational laboratories system established under
4 section 174 of the Education Sciences Reform Act of
5 2002 (20 U.S.C. 9564), or such other means as the
6 Secretary determines to be appropriate, information
7 and educational research and processes related to
8 the education of English learners.

9 “(c) EVALUATION FUNDS.—The Secretary may use
10 funds made available for English language acquisition
11 technology innovation grants to pay the cost of the evalua-
12 tions under subsection (b)(3).

13 “(d) NONDUPLICATION.—To the maximum extent
14 practicable, the Secretary shall ensure that grants, con-
15 tracts, cooperative agreements, cash prizes, or other as-
16 sistance or arrangements awarded or entered into pursu-
17 ant to this section that are designed to carry out the pur-
18 poses of the English language acquisition technology inno-
19 vation grants do not duplicate activities under programs
20 carried out under Federal law other than this section by
21 the Department or other Federal agencies.

22 **“PART B—GENERAL PROVISIONS**

23 **“SEC. 3201. DEFINITIONS.**

24 “Except as otherwise provided, in this title:

1 “(1) CHILD.—The term ‘child’ means any indi-
2 vidual aged 3 through 21.

3 “(2) COMMUNITY-BASED ORGANIZATION.—The
4 term ‘community-based organization’ means a pri-
5 vate nonprofit organization of demonstrated effec-
6 tiveness, Indian tribe, or tribally sanctioned edu-
7 cational authority, that is representative of a com-
8 munity or significant segments of a community and
9 that provides educational or related services to indi-
10 viduals in the community. Such term includes a Na-
11 tive Hawaiian or Native American Pacific Islander
12 native language educational organization.

13 “(3) ELIGIBLE ENTITY.—The term ‘eligible en-
14 tity’ means—

15 “(A) 1 or more local educational agencies;

16 or

17 “(B) 1 or more local educational agencies,
18 in collaboration with an institution of higher
19 education, community-based organization, or
20 State educational agency.

21 “(4) IMMIGRANT CHILDREN AND YOUTH.—The
22 term ‘immigrant children and youth’ means individ-
23 uals who—

24 “(A) are aged 3 through 21;

25 “(B) were not born in any State; and

1 “(C) have not been attending one or more
2 schools in any one or more States or operated
3 by the Department of Defense Education Au-
4 thority for more than 3 full academic years.

5 “(5) INDIAN TRIBE.—The term ‘Indian tribe’
6 has the meaning given the term in section 4 of the
7 Indian Self-Determination and Education Assistance
8 Act (25 U.S.C. 450b).

9 “(6) LANGUAGE INSTRUCTION EDUCATIONAL
10 PROGRAM.—The term ‘language instruction edu-
11 cational program’ means an instruction course—

12 “(A) in which an English learner is placed
13 for the purpose of developing and attaining
14 English proficiency, while meeting college and
15 career ready academic content standards and
16 student academic achievement standards under
17 section 1111(a)(1); and

18 “(B) that may make instructional use of
19 both English and a child’s native language to
20 enable the child to develop and attain English
21 proficiency, and may include the participation
22 of English proficient children if such course is
23 designed to enable all participating children to
24 become proficient in English and a second lan-
25 guage.

1 “(7) NATIVE AMERICAN AND NATIVE AMERICAN
2 LANGUAGE.—The terms ‘Native American’ and ‘Na-
3 tive American language’ shall have the meanings
4 given such terms in section 103 of the Native Amer-
5 ican Languages Act (25 U.S.C. 2902).

6 “(8) NATIVE HAWAIIAN OR NATIVE AMERICAN
7 PACIFIC ISLANDER NATIVE LANGUAGE EDUCATIONAL
8 ORGANIZATION.—The term ‘Native Hawaiian or Na-
9 tive American Pacific Islander native language edu-
10 cational organization’ means a nonprofit organiza-
11 tion with—

12 “(A) a majority of its governing board and
13 employees consisting of fluent speakers of the
14 traditional Native American languages used in
15 the organization’s educational programs; and

16 “(B) not less than 5 years successful expe-
17 rience in providing educational services in tradi-
18 tional Native American languages.

19 “(9) NATIVE LANGUAGE.—The term ‘native
20 language’, when used with reference to an English
21 learner, means—

22 “(A) the language normally used by such
23 individual; or

1 “(B) in the case of a child or youth, the
2 language normally used by the parents of the
3 child or youth.

4 “(10) PARAPROFESSIONAL.—The term ‘para-
5 professional’ means an individual who is employed in
6 a preschool, elementary school, or secondary school
7 under the supervision of a certified or licensed teach-
8 er, including individuals employed in language in-
9 struction educational programs, special education,
10 and migrant education.

11 “(11) STATE.—The term ‘State’ means each of
12 the 50 States, the District of Columbia, and the
13 Commonwealth of Puerto Rico.

14 “(12) TRIBALLY SANCTIONED EDUCATIONAL
15 AUTHORITY.—The term ‘tribally sanctioned edu-
16 cational authority’ means—

17 “(A) any department or division of edu-
18 cation operating within the administrative
19 structure of the duly constituted governing body
20 of an Indian tribe; and

21 “(B) any nonprofit institution or organiza-
22 tion that is—

23 “(i) chartered by the governing body
24 of an Indian tribe to operate a school de-
25 scribed in section 3112(a) or otherwise to

1 oversee the delivery of educational services
2 to members of the tribe; and

3 “(ii) approved by the Secretary for
4 the purpose of carrying out programs
5 under subpart 1 of part A for individuals
6 served by a school described in section
7 3112(a).

8 **“SEC. 3202. PARENTAL NOTIFICATION.**

9 “(a) IN GENERAL.—Each eligible entity receiving
10 funds under this title to provide a language instruction
11 educational program and academic content instruction
12 program shall, not later than 30 days after the beginning
13 of the school year, inform a parent or the parents of an
14 English learner identified for participation in, or partici-
15 pating in, such program of—

16 “(1) the reasons for the identification of their
17 child as an English learner and in need of placement
18 in a language instruction educational program and
19 academic content instruction program;

20 “(2) the child’s level of English language pro-
21 ficiency, how that level was assessed, whether the
22 child is on track to achieve English proficiency not
23 later than 5 years after being identified as an
24 English learner, and the status of the child’s aca-
25 demic achievement;

1 “(3) the method of instruction used in the pro-
2 gram in which their child is, or will be, participating,
3 and the methods of instruction used in other avail-
4 able programs, including how such programs differ
5 in content, instructional goals, and use of English
6 and a native language in instruction;

7 “(4) how the program in which their child is,
8 or will be participating, will appropriately respond to
9 the educational strengths and needs of the child;

10 “(5) how the program will specifically help their
11 child learn English and reflect age appropriate aca-
12 demic achievement standards for grade promotion
13 and graduation;

14 “(6) the specific exit requirements for the pro-
15 gram, the expected rate of transition from the pro-
16 gram into classrooms that are not tailored for
17 English learners, and the expected rate of gradua-
18 tion from secondary school for English learners in
19 the program if the child is in secondary school;

20 “(7) in the case of a child with a disability, how
21 the program meets the objectives of the child’s indi-
22 vidualized education program; and

23 “(8) information pertaining to parental rights
24 that includes written guidance—

25 “(A) detailing—

1 “(i) the parent’s right to have the
2 parent’s child immediately removed from
3 the program upon the parent’s request;
4 and

5 “(ii) the options that parents have to
6 decline to enroll their child in such pro-
7 gram or to choose another program or
8 method of instruction, if available; and

9 “(B) assisting parents in selecting among
10 various programs and methods of instruction, if
11 more than 1 program or method is offered by
12 the eligible entity.

13 “(b) SEPARATE NOTIFICATION.—In addition to pro-
14 viding the information required to be provided under sub-
15 section (a), each eligible entity that is using funds pro-
16 vided under this title to provide a language instruction
17 educational program, and that has failed to make progress
18 on the local performance targets described in section 3122
19 for any fiscal year for which part A is in effect, shall sepa-
20 rately inform a parent or the parents of a child identified
21 for participation in such program, or participating in such
22 program, of such failure not later than 30 days after the
23 eligible entity receives notification of such failure from the
24 State.

1 “(c) RECEIPT OF INFORMATION.—The information
2 described in subsection (a) shall be provided in an under-
3 standable and uniform format and, to the extent prac-
4 ticable, in a language that the parent can understand.

5 “(d) SPECIAL RULE APPLICABLE DURING SCHOOL
6 YEAR.—For a child who has not been identified for par-
7 ticipation in a language instruction educational program
8 and academic content instruction program prior to the be-
9 ginning of the school year, the eligible entity shall carry
10 out subsections (a) and (b) with respect to the parents
11 of the child not later than 2 weeks after the child is placed
12 in such program.

13 “(e) PARENT AND FAMILY ENGAGEMENT.—

14 “(1) IN GENERAL.—Each eligible entity using
15 funds provided under this title to provide a language
16 instruction educational program and academic con-
17 tent instruction program shall implement an effec-
18 tive means of outreach to parents and family mem-
19 bers of English learners to inform such parents and
20 family members of how they can—

21 “(A) be full partners in the education of
22 their children, including ensuring that immi-
23 grant parents and family members are well in-
24 formed about the elements of the educational
25 system in the United States; and

1 “(B) be active participants in assisting
2 their children—

3 “(i) to learn English;

4 “(ii) to achieve at high levels in core
5 academic subjects;

6 “(iii) to meet the same college and ca-
7 reer ready academic content standards and
8 student academic achievement standards
9 under section 1111(a)(1) as all children
10 are expected to meet to become college and
11 career ready; and

12 “(iv) to understand expectations for
13 college readiness and career success.

14 “(2) RECEIPT OF RECOMMENDATIONS.—The
15 outreach described in paragraph (1) shall include
16 holding, and sending notice of opportunities for, reg-
17 ular meetings for the purpose of formulating and re-
18 sponding to recommendations from parents de-
19 scribed in such paragraph.

20 “(f) BASIS FOR ADMISSION OR EXCLUSION.—A child
21 shall not be admitted to, or excluded from, any Federally
22 assisted education program on the basis of a surname or
23 language-minority status.

1 **“SEC. 3203. NATIONAL CLEARINGHOUSE.**

2 “The Secretary shall establish and support the oper-
3 ation of a National Clearinghouse for English Learner
4 Support and Educational Programs, which shall collect,
5 analyze, synthesize, and disseminate information about
6 programs that support the academic achievement of
7 English learners, and related programs. The National
8 Clearinghouse shall —

9 “(1) be administered as an adjunct clearing-
10 house of the Educational Resources Information
11 Center Clearinghouses system supported by the Of-
12 fice of Educational Research and Improvement;

13 “(2) coordinate activities with Federal data and
14 information clearinghouses and entities operating
15 Federal dissemination networks and systems;

16 “(3) develop a system for improving the oper-
17 ation and effectiveness of programs that receive
18 Federal funding that serve English learners;

19 “(4) collect and disseminate information on—

20 “(A) educational research and processes
21 related to the education of English learners;

22 “(B) accountability systems that monitor
23 the academic progress of English learners in
24 language instruction educational programs, in-
25 cluding information on academic content and

1 English proficiency assessments for language
2 instruction educational programs;

3 “(C) effective practices for meeting the
4 academic and cultural needs of English learn-
5 ers; and

6 “(D) effective practices for engaging the
7 families and caretakers of English learners; and

8 “(5) publish, on an annual basis, a list of grant
9 recipients under this title.

10 **“SEC. 3204. REGULATIONS.**

11 “In developing regulations under this title, the Sec-
12 retary shall consult with State educational agencies and
13 local educational agencies, organizations representing
14 English learners, and organizations representing teachers
15 and other personnel involved in the education of English
16 learners.”.

17 **TITLE IV—SUPPORTING SUC-**
18 **CESSFUL, WELL-ROUNDED**
19 **STUDENTS**

20 **SEC. 4101. REDESIGNATIONS.**

21 Title IV (20 U.S.C. 7101 et seq.) is amended—

22 (1) by striking the title heading and inserting
23 the following: **“SUPPORTING SUCCESSFUL,**
24 **WELL-ROUNDED STUDENTS”**;

1 (2) by redesignating subpart 3 of part A as
2 subpart 1 of part G of title IX, as added by section
3 9104(a) of this Act, and transferring such subpart
4 1 so as to follow the part heading of such part G
5 as added by section 9104(a) of this Act;

6 (3) by redesignating section 4141 as section
7 9701;

8 (4) by redesignating part C as subpart 2 of
9 part G of title IX, as added by section 9104(a) of
10 this Act, and transferring such subpart 2 so as to
11 follow subpart 1 of part G of title IX, as redesign-
12 ated by paragraph (2);

13 (5) by redesignating sections 4301, 4302, 4303,
14 and 4304, as sections 9721, 9722, 9723, and 9724,
15 respectively;

16 (6) in section 9721, as redesignated by para-
17 graph (5), by striking “part” and inserting “sub-
18 part”;

19 (7) in section 9722, as redesignated by para-
20 graph (5)—

21 (A) in the matter preceding paragraph (1),
22 by striking “part” and inserting “subpart”; and

23 (B) in paragraph (2)(B), by striking
24 “part” and inserting “subpart”;

1 (8) in section 9723(e)(3), by striking the mat-
2 ter following subparagraph (B) and inserting the fol-
3 lowing:

4 “(C) such other matters as justice may re-
5 quire.”; and

6 (9) in section 9724, as redesignated by para-
7 graph (5), by striking “part” both places the term
8 appears and inserting “subpart”.

9 **SEC. 4102. IMPROVING LITERACY INSTRUCTION AND STU-**
10 **DENT ACHIEVEMENT.**

11 Part A of title IV (20 U.S.C. 7101 et seq.) is amend-
12 ed to read as follows:

13 **“PART A—IMPROVING LITERACY INSTRUCTION**
14 **AND STUDENT ACHIEVEMENT**

15 **“Subpart 1—Improving Literacy Instruction**

16 **“SEC. 4101. SHORT TITLE.**

17 “This part may be cited as the ‘Improving Literacy
18 Instruction and Student Achievement Act’.

19 **“SEC. 4102. PURPOSES.**

20 “The purposes of this part are—

21 “(1) to improve student academic achievement
22 in reading and writing by providing Federal support
23 to State educational agencies to develop, improve,
24 coordinate, and implement comprehensive literacy
25 plans that ensure high-quality instruction and effec-

1 tive strategies in reading and writing from birth
2 through grade 12; and

3 “(2) to assist State educational agencies in
4 achieving the purpose described in paragraph (1)
5 by—

6 “(A) supporting the development and im-
7 plementation of comprehensive early learning
8 through grade 12 literacy programs in every
9 State that are based on scientifically valid re-
10 search, to ensure that every child can read and
11 write at grade level or above;

12 “(B) providing children with learning op-
13 portunities in high-quality, language rich, lit-
14 erature rich, informational text rich, culturally
15 relevant, and developmentally appropriate envi-
16 ronments so that the children develop the fun-
17 damental knowledge and skills necessary for lit-
18 eracy engagement, development, and achieve-
19 ment in pre-kindergarten through grade 12;

20 “(C) educating parents in the ways the
21 parents can support their child’s communication
22 and literacy development;

23 “(D) supporting efforts to link and align
24 standards and research-based instruction and
25 teaching practices in early learning programs;

1 “(E) supporting high-quality and effective
2 strategies for children to develop oral language,
3 reading, and writing abilities through high-quality
4 research-based instruction and teaching
5 practices;

6 “(F) improving academic achievement by
7 establishing adolescent literacy initiatives that
8 provide explicit and systematic instruction in
9 oral language, reading, and writing development
10 across the curriculum;

11 “(G) identifying and supporting children
12 reading and writing significantly below grade
13 level by providing evidence-based, intensive
14 interventions, including interventions conducted
15 during extended learning time, to help the children
16 acquire the language and literacy skills the
17 children need to stay on track for graduation;

18 “(H) providing assistance to local educational
19 agencies in order to provide educators
20 with ongoing, job-embedded professional development,
21 and other support, that focuses on—

22 “(i) effective literacy instruction; and

23 “(ii) the special knowledge and skills
24 necessary to teach and support literacy de-

1 velopment effectively across the develop-
2 mental and age span;

3 “(I) supporting State educational agencies
4 and local educational agencies in improving
5 reading, writing, and literacy-based academic
6 achievement for children, especially children
7 who are low-income individuals, are English
8 learners, are migratory, are children with dis-
9 abilities, are Indian or Alaskan Native, are ne-
10 glected or delinquent, are homeless, are in the
11 custody of the child welfare system, or have
12 dropped out of school;

13 “(J) supporting State educational agencies
14 and local educational agencies in using age ap-
15 propriate and developmentally and linguistically
16 appropriate instructional materials and strate-
17 gies that assist teachers as the teachers work
18 with children to develop reading and writing
19 competencies appropriate to the children’s
20 grade and skill levels;

21 “(K) strengthening coordination among
22 schools, early literacy programs, family literacy
23 programs, juvenile justice programs, public li-
24 braries, and outside-of-school programs that
25 provide children with strategies, curricula,

1 interventions, and assessments designed to ad-
2 vance early and continuing language and lit-
3 eracy development in ways appropriate for each
4 context;

5 “(L) supporting professional development
6 for educators based on scientific approaches to
7 adult learning; and

8 “(M) evaluating whether the professional
9 development activities and approaches are effec-
10 tive in building knowledge and skills of edu-
11 cators and their use of appropriate and effective
12 practices.

13 **“SEC. 4103. DEFINITIONS.**

14 “In this part:

15 “(1) CHILD.—The term ‘child’ means an indi-
16 vidual from the age of birth through the final year
17 for which the State provides free public education.

18 “(2) CLASSROOM-BASED INSTRUCTIONAL AS-
19 SESSMENT.—The term ‘classroom-based instruc-
20 tional assessment’ means an assessment for children
21 from birth through grade 3 that—

22 “(A) is valid and reliable for the age and
23 population of children served in the program;

24 “(B) is used to evaluate children’s develop-
25 mental progress and learning and includes sys-

1 tematic observations by teachers of children
2 performing tasks, including academic and lit-
3 eracy tasks, that are part of the children’s daily
4 classroom experience; and

5 “(C) is used to improve classroom instruc-
6 tion.

7 “(3) COMPREHENSIVE LITERACY INSTRU-
8 TION.—The term ‘comprehensive literacy instruc-
9 tion’ means instruction that—

10 “(A) incorporates effective literacy instruc-
11 tion; and

12 “(B) is designed to support—

13 “(i) developmentally appropriate, con-
14 textually explicit, systematic instruction,
15 and frequent practice, in reading across
16 content areas; and

17 “(ii) developmentally appropriate and
18 contextually explicit instruction, and fre-
19 quent practice, in writing across content
20 areas.

21 “(4) DEVELOPMENTAL DELAY.—The term ‘de-
22 velopmental delay’ has the meaning given the term
23 in section 632 of the Individuals with Disabilities
24 Education Act (20 U.S.C. 1432).

1 “(5) EARLY LEARNING PROGRAM.—The term
2 ‘early learning program’ means a program serving
3 children between the ages of birth and kindergarten
4 entry.

5 “(6) EFFECTIVE-LITERACY INSTRUCTION.—

6 “(A) IN GENERAL.—The term ‘effective lit-
7 eracy instruction’ means literacy instruction
8 that—

9 “(i) includes age-appropriate, explicit,
10 systematic, and intentional instruction in
11 phonological awareness, phonic decoding,
12 vocabulary, language structure, reading
13 fluency, and reading comprehension;

14 “(ii) includes age-appropriate, explicit
15 instruction in writing, including opportuni-
16 ties for children to write with clear pur-
17 poses, with critical reasoning appropriate
18 to the topic and purpose, and with specific
19 instruction and feedback from instructional
20 staff;

21 “(iii) makes available and uses di-
22 verse, high-quality print materials that re-
23 flect the reading and development levels,
24 and interests, of children;

1 “(iv) uses differentiated instructional
2 approaches, including individual and small
3 group instruction and discussion;

4 “(v) provides opportunities for chil-
5 dren to use language with peers and adults
6 in order to develop language skills, includ-
7 ing developing vocabulary;

8 “(vi) includes frequent practice of
9 reading and writing strategies;

10 “(vii) uses age-appropriate, valid, and
11 reliable screening assessments, diagnostic
12 assessments, formative assessments, and
13 summative assessments to identify a child’s
14 learning needs, to inform instruction, and
15 to monitor the child’s progress and the ef-
16 fects of instruction;

17 “(viii) uses strategies to enhance chil-
18 dren’s motivation to read and write and
19 children’s engagement in self-directed
20 learning;

21 “(ix) incorporates the principles of
22 universal design for learning;

23 “(x) depends on teachers’ collabora-
24 tion in planning, instruction, and assessing

1 a child’s progress and on continuous pro-
2 fessional learning; and

3 “(xi) links literacy instruction to the
4 State college and career ready academic
5 content standards under section
6 1111(a)(1), including the ability to navi-
7 gate, understand, and write about, complex
8 print and digital subject matter.

9 “(B) BIRTH THROUGH KINDERGARTEN.—
10 When used with respect to instruction for chil-
11 dren from birth to kindergarten entry, the term
12 ‘effective literacy instruction’ also includes—

13 “(i) developing such children’s alpha-
14 bet knowledge, reading aloud to children,
15 discussing reading and writing with chil-
16 dren, and modeling age and develop-
17 mentally appropriate reading and writing
18 strategies; and

19 “(ii) encouraging children’s early at-
20 tempts at oral communication, reading,
21 and writing.

22 “(C) KINDERGARTEN THROUGH GRADE
23 12.—When used with respect to the instruction
24 of children in kindergarten through grade 12,

1 the term ‘effective literacy instruction’ also in-
2 cludes—

3 “(i) providing systematic and inten-
4 sive interventions, which can be provided
5 inside or outside the classroom as well as
6 before, during, or after regular school
7 hours, to supplement regular instruction
8 for children reading below grade level;

9 “(ii) providing reading and writing
10 opportunities that build academic vocabu-
11 lary and knowledge of different text struc-
12 tures in core academic subjects;

13 “(iii) enabling children to write, com-
14 municate, and create knowledge, in ways
15 that fit purpose, audience, occasion, dis-
16 cipline, and format, including practice in—

17 “(I) adhering to language con-
18 ventions, including spelling, punctua-
19 tion, and grammar;

20 “(II) planning and revising to
21 improve clarity, coherence, logical de-
22 velopment, and language usage; and

23 “(III) writing individually and
24 collaboratively with feedback from in-
25 structors and peers; and

1 “(iv) cultivating shared responsibility
2 for children’s literacy learning by coordi-
3 nating writing tasks, instructional prac-
4 tices, and criteria for feedback across aca-
5 demic content areas.

6 “(7) ELIGIBLE ENTITY.—The term ‘eligible en-
7 tity’ means an entity—

8 “(A) that serves high-need children; and

9 “(B)(i) when used with respect to a
10 subgrant under section 4108, that consists of—

11 “(I) 1 or more local educational
12 agencies providing early learning pro-
13 grams that have a demonstrated
14 record of providing comprehensive lit-
15 eracy instruction for the age group
16 such agencies or programs propose to
17 serve;

18 “(II) 1 or more public or private
19 early learning programs, such as a
20 Head Start program, a child care pro-
21 gram, a State-funded prekindergarten
22 program, a public library program, or
23 a family literacy program, that have a
24 demonstrated record of providing
25 comprehensive literacy instruction for

1 the age group such programs propose
2 to serve; or

3 “(III) 1 or more local educational
4 agencies providing early learning pro-
5 grams, or 1 or more public or private
6 early learning programs, such as a
7 Head Start program, a child care pro-
8 gram, a State-funded prekindergarten
9 program, a public library program, or
10 a family literacy program, in partner-
11 ship with 1 or more public or private
12 nonprofit organizations or agencies
13 that have a demonstrated record of ef-
14 fectiveness—

15 “(aa) in improving the early
16 literacy development of children
17 from birth through kindergarten
18 entry; and

19 “(bb) in providing profes-
20 sional development aligned with
21 the activities described in section
22 4108(e)(1); or

23 “(ii) when used with respect to a
24 subgrant under section 4109—

25 “(I) that is—

1 “(aa) a local educational
2 agency;

3 “(bb) a consortium of local
4 educational agencies; or

5 “(cc) a local educational
6 agency or consortium of local
7 educational agencies acting in
8 partnership with 1 or more public
9 or private nonprofit organizations
10 or agencies that have a dem-
11 onstrated record of effectiveness
12 in—

13 “(AA) improving lit-
14 eracy achievement of chil-
15 dren consistent with the
16 purposes of their participa-
17 tion from kindergarten
18 through grade 12; and

19 “(BB) providing profes-
20 sional development aligned
21 with the activities described
22 in subsection (b) and (c) of
23 section 4109; and

24 “(II)(aa) has the highest num-
25 bers or proportion of children who are

1 counted under section 1124(c), in
2 comparison to other local educational
3 agencies in the State;

4 “(bb) is among or consists of the
5 local educational agencies in the State
6 with the highest numbers or percent-
7 ages of children reading or writing
8 below grade level, based on the most
9 currently available State academic as-
10 sessment data under section
11 1111(a)(2); or

12 “(cc) has jurisdiction over a sig-
13 nificant number or percentage of
14 schools that are identified as persist-
15 ently low-achieving under section
16 1116(e)(2).

17 “(8) ENGLISH LANGUAGE ACQUISITION.—

18 “(A) IN GENERAL.—The term ‘English
19 language acquisition’ means the process by
20 which a non-native English speaker acquires
21 proficiency in speaking, listening, reading, and
22 writing the English language.

23 “(B) INCLUSIONS FOR ENGLISH LEARNERS
24 IN SCHOOL.—For an English learner in school,
25 such term includes not only the social language

1 proficiency needed to participate in the school
2 environment, but also the academic language
3 proficiency needed to acquire literacy and aca-
4 demic content and demonstrate the child's
5 learning.

6 “(9) FAMILY LITERACY SERVICES.—The term
7 ‘family literacy services’ means literacy services pro-
8 vided to participants on a voluntary basis that are
9 of sufficient intensity and quality, that better enable
10 parents to support their children's learning needs,
11 and that integrate—

12 “(A) interactive literacy activities between
13 or among family members who are primary
14 caregivers and their children, including family
15 literacy education to improve literacy of par-
16 ents; and

17 “(B) training for family members who are
18 primary caregivers regarding how to be the pri-
19 mary teacher for their children and full part-
20 ners in the education of their children.

21 “(10) FORMATIVE ASSESSMENT.—The term
22 ‘formative assessment’ means an assessment that—

23 “(A) is teacher-generated or selected by
24 teachers or instructional leaders for use during
25 learning;

1 “(B) is embedded within the learning ac-
2 tivity and linked directly to the intended out-
3 comes of the current unit of instruction; and

4 “(C) provides feedback to help adjust on-
5 going teaching and learning to improve chil-
6 dren’s achievement of intended instructional
7 outcomes.

8 “(11) HIGH-QUALITY PROFESSIONAL DEVELOP-
9 MENT.—The term ‘high-quality professional develop-
10 ment’ means professional development that—

11 “(A) is job-embedded, ongoing, and based
12 on scientifically valid research;

13 “(B) is sustained, intensive, and class-
14 room-focused, and is not limited in scope to a
15 1-day or short-term workshop or conference;

16 “(C) is designed to increase the knowledge
17 and expertise of teachers, early childhood edu-
18 cators and administrators, principals, other in-
19 structional leaders, and other program staff in
20 applying—

21 “(i) effective literacy instruction; and

22 “(ii) instructional strategies and prac-
23 tices that are appropriate to the age, devel-
24 opment, and needs of children and improve
25 learning, including strategies and practices

1 consistent with the principles of universal
2 design for learning;

3 “(D) includes and supports teachers in ef-
4 fectively administering age and developmentally
5 appropriate assessments, and analyzing the re-
6 sults of these assessments for the purposes of
7 planning, monitoring, adapting, and improving
8 effective classroom instruction or teaching
9 strategies to improve child literacy;

10 “(E) includes instructional strategies uti-
11 lizing one-to-one, small group, and classroom-
12 based instructional materials and approaches
13 based on scientifically valid research on literacy;

14 “(F) provides ongoing instructional literacy
15 coaching—

16 “(i) to ensure high-quality implemen-
17 tation of comprehensive literacy instruction
18 that is—

19 “(I) content centered;

20 “(II) integrated across the cur-
21 rriculum;

22 “(III) collaborative; and

23 “(IV) school, setting, and class-
24 room embedded; and

1 “(ii) that uses student data to im-
2 prove instruction;

3 “(G) includes and supports teachers in set-
4 ting high reading and writing achievement goals
5 for all children and provides the teachers with
6 the instructional tools and skills to help chil-
7 dren reach such goals;

8 “(H) for educators serving children in kin-
9 dergarten through grade 12—

10 “(i) supports effective literacy instruc-
11 tion through core academic subjects, and
12 through career and technical education
13 subjects where such career and technical
14 education subjects provide for the integra-
15 tion of core academic subjects; and

16 “(ii) includes explicit instruction in
17 discipline-specific thinking and how to read
18 and interpret discipline-specific text struc-
19 tures and features;

20 “(I) is differentiated for educators working
21 with children from birth through kindergarten
22 entry, children in kindergarten through grade
23 3, and children in grades 4 through 12, and, as
24 appropriate, based on the grade or needs of the
25 children; and

1 “(J) supports family literacy experiences
2 and practices, and educating parents, teachers,
3 and other caregivers about literacy development
4 and child literacy development.

5 “(12) INSTRUCTIONAL LEADER.—The term ‘in-
6 structional leader’ means an individual who—

7 “(A) is an employee or officer of a school;
8 and

9 “(B) is responsible for—

10 “(i) the school’s performance; and

11 “(ii) the daily instructional and mana-
12 gerial operations of the school.

13 “(13) LITERACY COACH.—The term ‘literacy
14 coach’ means a professional—

15 “(A) who has—

16 “(i) previous teaching experience;

17 “(ii) demonstrated abilities in working
18 with adult learners; and

19 “(iii)(I) a master’s degree with a con-
20 centration in reading and writing edu-
21 cation or demonstrated proficiency in
22 teaching reading or writing in a core aca-
23 demic subject consistent with effective lit-
24 eracy instruction; or

1 “(II) in the case of a literacy coach
2 for children from birth through kinder-
3 garten entry, a concentration, credential,
4 or significant experience in child develop-
5 ment and early literacy development;

6 “(B) who supports teachers to—

7 “(i) apply research on how children
8 become successful readers, writers, and
9 communicators;

10 “(ii) apply multiple forms of assess-
11 ment to guide instructional decisionmaking
12 and use data to improve literacy instruc-
13 tion;

14 “(iii) improve children’s writing and
15 reading in and across content areas such
16 as mathematics, science, social studies, and
17 language arts;

18 “(iv) develop and implement differen-
19 tiated instruction and teaching approaches
20 to serve the needs of the full range of
21 learners, including English learners and
22 children with disabilities;

23 “(v) apply principles of universal de-
24 sign for learning;

1 and teach literacy across the content areas
2 and developmental domains; and

3 “(iii) to work cooperatively and col-
4 laboratively with other professionals in em-
5 ploying strategies to help teachers teach
6 literacy across the content areas so that
7 the teachers can meet the needs of all chil-
8 dren, including children with disabilities,
9 English learners, and children who are
10 reading at or above grade level.

11 “(14) LOCAL EDUCATIONAL AGENCY.—The
12 term ‘local educational agency’—

13 “(A) has the meaning given the term in
14 section 9101; and

15 “(B) includes any public charter school
16 that constitutes a local educational agency
17 under State law.

18 “(15) READING.—The term ‘reading’ means a
19 complex system of deriving meaning from print that
20 is developmentally appropriate, that requires all of
21 the following:

22 “(A) The skills and knowledge to under-
23 stand how phonemes, or speech sounds, are
24 connected to print.

1 “(B) The ability to read with comprehen-
2 sion.

3 “(C) The ability to decode unfamiliar
4 words with fluency.

5 “(D) The use of background knowledge
6 and vocabulary to make meaning from a text.

7 “(E) The development and use of appro-
8 priate active strategies to interpret and con-
9 struct meaning from print.

10 “(F) The development and maintenance of
11 a motivation to read.

12 “(16) SCIENTIFICALLY VALID RESEARCH.—The
13 term ‘scientifically valid research’ has the meaning
14 given the term in section 200 of the Higher Edu-
15 cation Act of 1965 (20 U.S.C. 1021).

16 “(17) SCREENING ASSESSMENT.—The term
17 ‘screening assessment’ means an assessment that
18 is—

19 “(A) valid, reliable, and based on scientif-
20 ically based reading research; and

21 “(B) a brief procedure designed as a first
22 step in identifying children who may be at high
23 risk for delayed development or academic fail-
24 ure and in need of further diagnosis of their

1 need for special services or additional reading
2 instruction.

3 “(18) STATE.—The term ‘State’ means each of
4 the 50 States, the District of Columbia, and the
5 Commonwealth of Puerto Rico.

6 “(19) STATE LITERACY LEADERSHIP TEAM.—

7 “(A) IN GENERAL.—The term ‘State lit-
8 eracy leadership team’ means a team that—

9 “(i) is appointed and coordinated by
10 the State educational agency;

11 “(ii) assumes the responsibility to
12 guide the improvement or development and
13 implementation of a statewide, comprehen-
14 sive literacy plan;

15 “(iii) shall include, at a minimum—

16 “(I) a school principal with lit-
17 eracy expertise;

18 “(II) a teacher with literacy ex-
19 pertise;

20 “(III) a teacher or administrator
21 with expertise in special education;

22 “(IV) a teacher or administrator
23 with expertise in teaching the English
24 language to English learners;

1 “(V) a representative from the
2 State educational agency who oversees
3 literacy initiatives; and

4 “(VI) a representative from high-
5 er education who is actively involved
6 in research, development, or teacher
7 preparation in comprehensive literacy
8 instruction and intervention based on
9 scientifically valid research;

10 “(iv) may include—

11 “(I) a literacy specialist serving
12 in a school district within the State;

13 “(II) a literacy coach;

14 “(III) a librarian;

15 “(IV) a representative with fam-
16 ily literacy expertise;

17 “(V) a representative from a
18 State child-serving agency with exper-
19 tise in comprehensive language and
20 literacy instruction and strategies;

21 “(VI) a school counselor;

22 “(VII) a teacher of a core aca-
23 demic subject;

24 “(VIII) a special education ad-
25 ministrator;

1 “(IX) a professor from a 4-year
2 institution of higher education;

3 “(X) a parent;

4 “(XI) a business leader;

5 “(XII) the Governor or a dele-
6 gated representative of the Governor;

7 “(XIII) a representative from the
8 State board of education;

9 “(XIV) a representative from the
10 State legislature;

11 “(XV) a representative of a non-
12 profit and community-based organiza-
13 tion providing comprehensive literacy
14 instruction and support; and

15 “(XVI) a representative from a
16 school district superintendent’s office;
17 and

18 “(v) shall include, among the individ-
19 uals selected to be members of the council
20 pursuant to clauses (iii) and (iv), not less
21 than 5 individuals who have literacy exper-
22 tise in 1 of each of the areas of—

23 “(I) birth through kindergarten
24 entry, such as the State Head Start
25 collaboration director;

1 “(II) kindergarten entry through
2 grade 3;

3 “(III) grades 4 through 12;

4 “(IV) English learners; and

5 “(V) special education.

6 “(B) INCLUSION OF A PREEXISTING PART-
7 NERSHIP.—If, before the date of enactment of
8 the Strengthening America’s Schools Act of
9 2013, a State educational agency established a
10 consortium, partnership, or any other similar
11 body that was considered a literacy partnership
12 for purposes of subpart 1 or 2 of part B of title
13 I (as such title was in effect on such date) and
14 that includes the individuals required under
15 clauses (iii) and (v) of subparagraph (A), such
16 consortium, partnership, or body may be con-
17 sidered a State literacy leadership team for pur-
18 poses of subparagraph (A).

19 “(20) SUMMATIVE ASSESSMENT.—The term
20 ‘summative assessment’ means an assessment that—

21 “(A) is valid, reliable, and based on sci-
22 entifically valid research on literacy and English
23 language acquisition; and

24 “(B) for children from birth through kin-
25 dergarten entry, measures how young children

1 have progressed over time relative to develop-
2 mental norms, and for children in kindergarten
3 through grade 12, measures what children have
4 learned over time, relative to academic content
5 standards.

6 “(21) WRITING.—The term ‘writing’ means—

7 “(A) composing meaning in print or
8 through other media, including technologies, to
9 communicate and to create new knowledge in
10 ways appropriate to the context of the writing
11 and the literacy development stage of the writ-
12 er;

13 “(B) composing ideas individually and col-
14 laboratively in ways that are appropriate for a
15 variety of purposes, audiences, and occasions;

16 “(C) choosing vocabulary, tone, genre, and
17 conventions, such as spelling and punctuation,
18 suitable to the purpose, audience, and occasion;
19 and

20 “(D) revising compositions for clarity of
21 ideas, coherence, logical development, and preci-
22 sion of language use.

23 **“SEC. 4104. PROGRAM AUTHORIZED.**

24 “(a) RESERVATIONS AND AWARDS TO STATE EDU-
25 CATIONAL AGENCIES.—

1 “(1) IN GENERAL.—From the amounts appro-
2 priated to carry out this part for a fiscal year, the
3 Secretary shall—

4 “(A) reserve not more than a total of 4
5 percent of such amounts for dissemination of
6 information and technical assistance under sec-
7 tion 4110;

8 “(B) reserve not more than 5 percent of
9 such amounts to award planning grants, on a
10 competitive basis, to State educational agencies
11 serving States, in accordance with section 4105;

12 “(C) in the case of a fiscal year for which
13 the amounts to carry out this part are less than
14 \$500,000,000, use the amount not reserved
15 under subparagraphs (A) and (B) to make
16 awards, on a competitive basis, to State edu-
17 cational agencies serving States that have appli-
18 cations approved under section 4106 to enable
19 the State educational agencies to carry out the
20 activities described in section 4106(a); and

21 “(D) in the case of a fiscal year for which
22 the amounts appropriated to carry out this part
23 are equal to or exceeding \$500,000,000—

24 “(i) reserve a total of 1 percent of
25 such amount for—

1 “(I) allotments for the United
2 States Virgin Islands, Guam, Amer-
3 ican Samoa, and the Commonwealth
4 of the Northern Mariana Islands, to
5 be distributed among such outlying
6 areas on the basis of their relative
7 need, as determined by the Secretary
8 in accordance with the purposes of
9 this part; and

10 “(II) the Secretary of the Inte-
11 rior for programs under sections 4105
12 through 4109 in schools operated or
13 funded by the Bureau of Indian Edu-
14 cation; and

15 “(ii) use the amount not reserved
16 under clause (i) and subparagraphs (A)
17 and (B) to make awards, as described in
18 paragraph (2), to State educational agen-
19 cies serving States that have applications
20 approved under section 4106 to enable the
21 State educational agencies to carry out the
22 activities described in section 4106(a).

23 “(2) SPECIAL RULES FOR YEARS WITH FUNDS
24 EQUAL OR EXCEEDING \$500,000,000.—

1 “(A) PROPORTIONAL DIVISION.—In each
2 fiscal year described in paragraph (1)(D), the
3 amount reserved under paragraph (1)(D)(i)
4 shall be divided between the uses described in
5 subclauses (I) and (II) of such paragraph in the
6 same proportion as the amount reserved under
7 section 1121(a) is divided between the uses de-
8 scribed in paragraphs (1) and (2) of such sec-
9 tion for such fiscal year.

10 “(B) CONSULTATION.—A State edu-
11 cational agency that receives an allotment
12 under paragraph (1)(D)(ii) shall engage in
13 timely and meaningful consultation with rep-
14 resentatives of Indian tribes located in the
15 State in order to improve the coordination and
16 quality of activities designed to develop effective
17 approaches to achieve the purposes of this part
18 consistent with the cultural, language, and edu-
19 cational needs of Indian children.

20 “(C) STATE ALLOTMENT FORMULA.—The
21 Secretary shall allot the amount made available
22 under paragraph (1)(D)(ii) for a fiscal year
23 among the States in proportion to the number
24 of children, from birth through age 17, who re-
25 side within the State and are from families with

1 incomes below the poverty line for the most re-
2 cent fiscal year for which satisfactory data are
3 available, compared to the number of such chil-
4 dren who reside in all States for that fiscal
5 year.

6 “(3) MINIMUM AWARD AMOUNT.—No State
7 educational agency receiving an award under this
8 section for a fiscal year may receive less than one-
9 fourth of 1 percent of the total amount appropriated
10 to carry out this part for the fiscal year.

11 “(4) PUERTO RICO.—The amount allotted
12 under paragraph (1)(C) to the Commonwealth of
13 Puerto Rico for a fiscal year may not exceed one-
14 fourth of 1 percent of the total amount appropriated
15 to carry out this part for such fiscal year.

16 “(b) PEER REVIEW.—

17 “(1) IN GENERAL.—The Secretary shall con-
18 vene a peer review panel to evaluate the applications
19 to carry out section 4105 or 4106 using the evalua-
20 tion criteria described in paragraph (2).

21 “(2) DEVELOPMENT OF EVALUATION CRI-
22 TERIA.—The Secretary shall report to the author-
23 izing committees regarding the peer review process
24 and evaluation criteria that shall be used to evaluate

1 the grant applications to carry out sections 4105
2 and 4106.

3 “(3) MEMBERSHIP.—

4 “(A) COMPOSITION.—A peer review panel
5 convened under paragraph (1) shall be com-
6 posed of not less than 9 members, of whom—

7 “(i) 3 shall be appointed by the Sec-
8 retary;

9 “(ii) 3 shall be appointed by the Sec-
10 retary from among individuals—

11 “(I) recommended by the Chair-
12 man of the National Research Council
13 of the National Academy of Sciences;
14 and

15 “(II) with expertise in com-
16 prehensive language and literacy in-
17 struction and strategies; and

18 “(iii) 3 shall be appointed by the Sec-
19 retary from among individuals—

20 “(I) recommended by the Direc-
21 tor of the National Institute of Child
22 Health and Human Development; and

23 “(II) with expertise concerning
24 literacy development in children from
25 birth through grade 12.

1 “(B) COMPETENCY AND EXPERTISE.—The
2 peer review panel convened under paragraph (1)
3 may include—

4 “(i) classroom teachers with expertise
5 in literacy, and literacy coaches, includ-
6 ing—

7 “(I) special education teachers;

8 “(II) teachers of children who are
9 English learners; and

10 “(III) early childhood educators;

11 “(ii) experts who provide high-quality
12 professional development to teachers and
13 other instructional staff to support chil-
14 dren’s literacy development;

15 “(iii) experts in the screening assess-
16 ment, diagnostic assessment, and other as-
17 sessment of children’s literacy develop-
18 ment; and

19 “(iv) experts in comprehensive literacy
20 instruction and strategies in reading and
21 writing, language development, and
22 English language acquisition, as appro-
23 priate, including reading and writing in
24 core academic subjects.

1 “(4) DISTRIBUTION OF RECOMMENDATIONS.—

2 Not later than 120 days after a peer review panel
3 submits to the Secretary the panel’s recommenda-
4 tion regarding an application by a State educational
5 agency for a grant under section 4105 or 4106, the
6 Secretary shall notify the State educational agency
7 that the application has been approved or dis-
8 approved and shall provide to such State educational
9 agency a copy of the peer review panel’s rec-
10 ommendation.

11 “(c) CONFLICTS OF INTEREST.—

12 “(1) PEER REVIEW PANELS.—The Secretary
13 shall ensure that each member of a peer review
14 panel described in subsection (b) does not stand to
15 benefit financially from a grant or subgrant awarded
16 under this part.

17 “(2) STATE LITERACY LEADERSHIP TEAMS.—

18 Each State educational agency that receives funding
19 under this part shall ensure that each member of a
20 State literacy leadership team participating in a pro-
21 gram or activity assisted under this part does not
22 stand to benefit financially from a grant or subgrant
23 awarded under this part.

24 “(d) SUPPLEMENT NOT SUPPLANT.—Award funds
25 provided under this part shall supplement, and not sup-

1 plant, non-Federal funds that would, in the absence of
2 such award funds, be made available for literacy instruc-
3 tion and support of children participating in programs as-
4 sisted under this part.

5 “(e) MAINTENANCE OF EFFORT.—Each State edu-
6 cational agency that receives a grant or allotment under
7 this section, and each eligible entity that receives a
8 subgrant under section 4108 or 4109, shall maintain for
9 the fiscal year for which the grant or subgrant is received
10 and for each subsequent fiscal year the expenditures of
11 the State educational agency or eligible entity, respec-
12 tively, for literacy instruction at a level not less than the
13 level of such expenditures maintained by the State edu-
14 cational agency or eligible entity, respectively, for the fis-
15 cal year preceding such fiscal year for which the grant
16 or subgrant is received.

17 **“SEC. 4105. STATE PLANNING GRANTS.**

18 “(a) PLANNING GRANTS AUTHORIZED.—

19 “(1) IN GENERAL.—From amounts made avail-
20 able under section 4104(a)(1)(B), the Secretary may
21 award planning grants to State educational agencies
22 to enable the State educational agencies to complete
23 comprehensive planning to carry out activities that
24 improve literacy for children from birth through
25 grade 12.

1 “(2) GRANT PERIOD.—A planning grant award-
2 ed under this section shall be for a period of not
3 more than 1 year.

4 “(3) NONRENEWABILITY.—The Secretary shall
5 not award a State educational agency more than 1
6 planning grant under this section.

7 “(b) APPLICATION.—

8 “(1) IN GENERAL.—Each State educational
9 agency desiring a planning grant under this section
10 shall submit an application to the Secretary at such
11 time, in such manner, and accompanied by such in-
12 formation as the Secretary may require.

13 “(2) CONTENTS.—Each application submitted
14 under this subsection shall, at a minimum, include
15 a description of how the State educational agency
16 will develop a plan for improving State efforts to de-
17 velop, coordinate, implement, and assess comprehen-
18 sive literacy activities that ensure high-quality in-
19 struction and effective strategies in reading and
20 writing for all children in early learning programs
21 and kindergarten through grade 12 programs. Such
22 plan shall—

23 “(A) describe the activities for which as-
24 sistance under this section is sought, dem-
25 onstrating a particular focus on children who

1 are reading or writing below grade level and
2 children whose early literacy skills are below the
3 appropriate age or developmental level;

4 “(B) provide a budget for the use of the
5 planning grant funds to complete the required
6 activities described in subsection (c);

7 “(C) include an analysis of data on child
8 literacy and language and student academic
9 achievement in reading to identify and establish
10 baseline and benchmark levels against which to
11 monitor child progress and improvement in lit-
12 eracy; and

13 “(D) provide an assurance that all State
14 agencies responsible for administering early
15 learning programs and services (including the
16 State Head Start Collaboration Office and the
17 State agency responsible for administering child
18 care) and the State Advisory Council on Early
19 Childhood Education and Care collaborated
20 with the State educational agency to write the
21 early learning portion of the grant application
22 submitted under this subsection.

23 “(3) APPROVAL OF APPLICATIONS.—The Sec-
24 retary shall evaluate applications under this sub-
25 section based on the quality of the response of the

1 applications to the requirements under this sub-
2 section.

3 “(c) REQUIRED ACTIVITIES.—A State educational
4 agency receiving planning grant funds under this section
5 shall carry out each of the following activities:

6 “(1) Reviewing reading, writing, or other lan-
7 guage and literacy resources and programs, such as
8 school library programs, and data across the State
9 to identify any literacy needs and gaps in the State.

10 “(2) Forming or designating a State literacy
11 leadership team which shall execute the following
12 functions:

13 “(A) Creating a comprehensive State lit-
14 eracy plan that—

15 “(i) is designed to improve language
16 development, reading, writing, and aca-
17 demic achievement for children, especially
18 children reading below grade level and chil-
19 dren whose literacy skills are below the ap-
20 propriate age or developmental level;

21 “(ii) includes—

22 “(I) a needs assessment and an
23 implementation plan, including an
24 analysis of data on child literacy and
25 student academic achievement in

1 reading to identify baseline and
2 benchmark levels of literacy and early
3 literacy skills in order to monitor
4 progress and improvement; and

5 “(II) a plan to improve reading
6 achievement among all children;

7 “(iii) ensures high-quality instruction,
8 consistent with the characteristics of effec-
9 tive literacy instruction and strategies, in
10 early learning programs and kindergarten
11 through grade 12 programs; and

12 “(iv) provides for activities designed
13 to improve literacy achievement for chil-
14 dren who read or write below grade level,
15 including such children who—

16 “(I) attend schools that are iden-
17 tified under section 1116(c)(2); or

18 “(II) are counted under section
19 1124(e);

20 “(B) Providing recommendations to guide
21 the State educational agency in the State edu-
22 cational agency’s process of strengthening State
23 literacy standards and embedding State literacy
24 standards with the State’s college and career
25 ready academic content standards and college

1 and career ready student academic achievement
2 standards, and early learning and development
3 standards.

4 “(C) Providing recommendations to guide
5 the State educational agency in the State edu-
6 cational agency’s process of measuring, assess-
7 ing, and monitoring progress in literacy at the
8 school, local educational agency, and State lev-
9 els.

10 “(D) Identifying criteria for high-quality
11 professional development providers, which pro-
12 viders may include qualified teachers within the
13 State, for the State educational agency and
14 local educational agencies.

15 “(E) Advising the State educational agen-
16 cy on how to help ensure that local educational
17 agencies and schools provide timely and appro-
18 priate data to teachers to inform and improve
19 instruction.

20 “(F) Providing recommendations to guide
21 the State educational agency in the State edu-
22 cational agency’s planning process of building
23 educators’ capacity to provide high-quality com-
24 prehensive literacy instruction.

1 **“SEC. 4106. STATE IMPLEMENTATION GRANTS.**

2 “(a) IMPLEMENTATION GRANTS AUTHORIZED.—

3 “(1) IN GENERAL.—From amounts made avail-
4 able under subparagraphs (C) or (D)(ii) of section
5 4104(a)(1) (as applicable), the Secretary shall award
6 implementation grants to State educational agencies
7 to enable the State educational agencies—

8 “(A) to implement the comprehensive lit-
9 eracy plan that meets the criteria in section
10 4105(c)(2)(A) for early learning programs and
11 kindergarten through grade 12 programs;

12 “(B) to carry out State activities under
13 section 4107; and

14 “(C) to award subgrants under sections
15 4108 and 4109.

16 “(2) LIMITATION.—The Secretary shall not
17 award an implementation grant under this section to
18 a State for any year for which the State has received
19 a planning grant under section 4105.

20 “(3) DURATION OF GRANTS.—An implementa-
21 tion grant under this section shall be awarded for a
22 period of not more than 5 years.

23 “(4) RENEWALS.—

24 “(A) IN GENERAL.—The Secretary may
25 renew a grant under this section for a period of
26 not more than 2 years.

1 “(B) CONDITIONS.—In order to be eligible
2 to have an implementation grant renewed under
3 this paragraph, the State educational agency
4 shall demonstrate to the satisfaction of the Sec-
5 retary that, during the project period—

6 “(i) with respect to children from
7 birth through kindergarten entry, the State
8 educational agency has collaborated with
9 the State agencies that oversee child care
10 and other early learning programs, and
11 has collaborated with the State Advisory
12 Council on Early Childhood Education and
13 Care, to comply with the terms of the
14 grant, including using the funds—

15 “(I) to increase access to high-
16 quality professional development;

17 “(II) for developmentally appro-
18 priate curricula and teaching mate-
19 rials; and

20 “(III) for developmentally appro-
21 priate classroom-based instructional
22 assessments and developmentally ap-
23 propriate screening assessments and
24 diagnostic assessments; and

1 “(ii) with respect to children in kin-
2 dergarten through grade 12, demonstrates
3 that there has been significant progress in
4 student academic achievement, as meas-
5 ured by appropriate assessments, including
6 the assessments included in the State ac-
7 countability system under section
8 1111(a)(3)(A).

9 “(b) STATE APPLICATIONS.—

10 “(1) IN GENERAL.—A State educational agency
11 that desires to receive an implementation grant
12 under this section shall submit an application to the
13 Secretary at such time, in such manner, and con-
14 taining such information as the Secretary may re-
15 quire. The State educational agency shall collaborate
16 with the State agency responsible for administering
17 early learning programs and the State agency re-
18 sponsible for administering child care programs in
19 the State in writing and implementing the early
20 learning portion of the grant application under this
21 subsection.

22 “(2) CONTENTS.—An application described in
23 paragraph (1) shall include the following:

24 “(A) A description of the members of the
25 State literacy leadership team and a description

1 of how the State educational agency has devel-
2 oped a comprehensive State literacy plan, con-
3 sistent with the requirements of section
4 4105(c)(2)(A).

5 “(B) An implementation plan that includes
6 a description of how the State educational agen-
7 cy will—

8 “(i) carry out the State activities de-
9 scribed in section 4107;

10 “(ii) assist eligible entities with—

11 “(I) providing strategic and in-
12 tensive comprehensive literacy instruc-
13 tion based on scientifically valid re-
14 search for children who are reading
15 and writing below grade level, includ-
16 ing through—

17 “(aa) the use of multitiered
18 systems of support; and

19 “(bb) addressing the literacy
20 needs of children with disabilities
21 or developmental delays and
22 English learners in programs
23 serving children from birth
24 through grade 12;

1 “(II) providing training to par-
2 ents, as appropriate, so that the par-
3 ents can participate in the literacy re-
4 lated activities described in sections
5 4108 and 4109 to assist in the lan-
6 guage and literacy development of
7 their children;

8 “(III) selecting and using read-
9 ing and writing assessments;

10 “(IV) providing classroom-based
11 instruction that is supported by one-
12 to-one and small group work;

13 “(V) using curricular materials
14 and instructional tools, which may in-
15 clude technology, to improve instruc-
16 tion and literacy achievement;

17 “(VI) providing for high-quality
18 professional development; and

19 “(VII) using the principles of
20 universal design for learning;

21 “(iii) ensure that local educational
22 agencies in the State have leveraged and
23 are effectively leveraging the resources
24 needed to implement effective comprehen-
25 sive literacy instruction, and have the ca-

1 capacity to implement literacy initiatives ef-
2 fectively; and

3 “(iv) continually coordinate and align
4 the activities assisted under this part with
5 reading, writing, and other literacy re-
6 sources and programs across the State and
7 locally that serve children and their fami-
8 lies and promote comprehensive literacy in-
9 struction and learning, including strength-
10 ening partnerships among schools, librar-
11 ies, local youth-serving agencies, and pro-
12 grams, in order to improve literacy for all
13 children.

14 “(C) A description of the key data metrics,
15 and the performance targets for such metrics,
16 that will be used and reported annually under
17 section 4111(b)(1), which shall include—

18 “(i) metrics established consistent
19 with section 1111(a)(3)(A), for children in
20 grades 3 through 12; and

21 “(ii) the relevant program metrics and
22 performance targets that the State shall
23 use to monitor the implementation of its
24 plan under section 4111.

1 “(D) An assurance that the State edu-
2 cational agency, and any eligible entity receiv-
3 ing a subgrant from the State educational agen-
4 cy under section 4108 or 4109, will, if re-
5 quested, participate in the national evaluation
6 under section 4110.

7 “(E) An assurance that the State edu-
8 cational agency will use implementation grant
9 funds for literacy programs as follows:

10 “(i) Not less than 10 percent of such
11 grant funds shall be used for State and
12 local programs and activities pertaining to
13 children from birth through kindergarten
14 entry.

15 “(ii) Not less than 30 percent of such
16 grant funds shall be used for State and
17 local programs and activities, allocated eq-
18 uitably among the grades of kindergarten
19 through grade 5.

20 “(iii) Not less than 30 percent of such
21 grant funds shall be used for State and
22 local programs and activities, allocated eq-
23 uitably among grades 6 through 12.

24 “(iv) Not more than 10 percent of
25 such implementation grant funds shall be

1 who are reading and writing below
2 grade level according to State assess-
3 ments.

4 “(c) APPROVAL OF APPLICATIONS.—

5 “(1) IN GENERAL.—The Secretary shall evalu-
6 ate State educational agency applications under sub-
7 section (b) based on the quality of the response of
8 the applications to the application requirements
9 under such subsection.

10 “(2) PEER REVIEW.—The Secretary shall con-
11 vene a peer review panel in accordance with section
12 4104(b) to evaluate applications for each implemen-
13 tation grant awarded to a State educational agency
14 under this section.

15 “(3) EARLY LEARNING.—In order for a State
16 educational agency’s application under this section
17 to be approved by the Secretary, the application
18 shall contain an assurance that the State agencies
19 responsible for administering early learning pro-
20 grams and services, including the State agency re-
21 sponsible for administering child care programs, in-
22 cluding, as applicable, the State Advisory Council on
23 Early Childhood Education and Care, approve of
24 and will be extensively consulted in the implementa-
25 tion of activities consistent with section 4108, with

1 respect to the early learning portion of the applica-
2 tion.

3 **“SEC. 4107. STATE ACTIVITIES.**

4 “(a) REQUIRED ACTIVITIES.—A State educational
5 agency shall use the implementation grant funds described
6 in section 4106(b)(2)(E)(iv) to carry out the activities pro-
7 posed in a State’s implementation plan under section
8 4106(b)(2)(B), including the following activities:

9 “(1) In consultation with the State literacy
10 leadership team, providing technical assistance, or
11 engaging qualified providers to provide technical as-
12 sistance, to eligible entities to enable the eligible en-
13 tities to design and implement literacy programs
14 under section 4108 or 4109.

15 “(2) Consulting with the State literacy leader-
16 ship team and coordinating with institutions of high-
17 er education in the State—

18 “(A) in order to provide recommendations
19 to strengthen and enhance preservice courses
20 for students preparing, at institutions of higher
21 education in the State, to teach children from
22 birth through grade 12 in explicit, systematic,
23 and intensive instruction in evidence-based lit-
24 eracy methods; and

1 “(B) by following up on reviews completed
2 by the State literacy leadership team with rec-
3 ommendations to ensure that such institutions
4 offer courses that meet the highest standards.

5 “(3) Reviewing and updating, in collaboration
6 with teachers, statewide educational and professional
7 organizations representing teachers, and statewide
8 educational and professional organizations rep-
9 resenting institutions of higher education, State li-
10 censure or certification standards in the area of lit-
11 eracy instruction in early education through grade
12 12.

13 “(4) Making publicly available, including on the
14 State educational agency’s website, information on
15 promising instructional practices to improve child lit-
16 eracy achievement.

17 “(b) PERMISSIVE ACTIVITIES.—After carrying out
18 the activities described in subsection (a), a State edu-
19 cational agency may use remaining implementation grant
20 funds described in section 4106(b)(2)(E)(iv) to carry out
21 1 or more of the following activities:

22 “(1) Training the personnel of eligible entities
23 to use data systems to improve child literacy learn-
24 ing.

1 “(2) Developing literacy coach training pro-
2 grams and training literacy coaches.

3 “(3) Building public support among local edu-
4 cational agency personnel, early learning programs,
5 and the community for comprehensive literacy in-
6 struction for children from birth through grade 12.

7 “(4) Administration and evaluation of activities
8 carried out under this part.

9 **“SEC. 4108. SUBGRANTS TO ELIGIBLE ENTITIES IN SUP-
10 PORT OF BIRTH THROUGH KINDERGARTEN
11 ENTRY LITERACY.**

12 “(a) SUBGRANTS.—

13 “(1) IN GENERAL.—A State educational agen-
14 cy, in consultation with the State agencies respon-
15 sible for administering early learning programs and
16 services, including the State agency responsible for
17 administering child care programs, including, as ap-
18 plicable, the State Advisory Council on Early Child-
19 hood Education and Care, shall use a portion of im-
20 plementation grant funds provided under subpara-
21 graph (C) or (D)(ii) of section 4104(a)(1) to award
22 subgrants, on a competitive basis, to eligible entities
23 to enable the eligible entities to support high-quality
24 early literacy initiatives for children from birth
25 through kindergarten entry.

1 “(2) DURATION.—The term of a subgrant
2 under this section shall be determined by the State
3 educational agency awarding the subgrant.

4 “(b) SUFFICIENT SIZE AND SCOPE.—Each subgrant
5 awarded under this section shall be of sufficient size and
6 scope to allow the eligible entity to carry out high-quality
7 early literacy initiatives for children from birth through
8 kindergarten entry.

9 “(c) LOCAL APPLICATIONS.—An eligible entity desir-
10 ing to receive a subgrant under this section shall submit
11 an application to the State educational agency, at such
12 time, in such manner, and containing such information as
13 the State educational agency may require. Such applica-
14 tion shall include a description of—

15 “(1) how the subgrant funds will be used to en-
16 hance the language and literacy development and
17 school readiness of children, from birth through kin-
18 dergarten entry, in early learning programs, which
19 shall include an analysis of data that support the
20 proposed use of subgrant funds;

21 “(2) the programs that the eligible entity pro-
22 poses to assist under the subgrant, including demo-
23 graphic and socioeconomic information on the chil-
24 dren enrolled in the programs;

1 “(3) a budget for the eligible entity that
2 projects the cost of developing and implementing lit-
3 eracy initiatives to carry out the activities described
4 in subsection (e);

5 “(4) how, if the eligible entity is requesting a
6 planning period, which shall not exceed 1 year, the
7 eligible entity will use that planning period to pre-
8 pare for successful implementation of a plan to sup-
9 port the development of learning and literacy con-
10 sistent with the purposes of this part;

11 “(5) the literacy initiatives, if any, in place and
12 how these initiatives will be coordinated and inte-
13 grated with activities supported under this section;

14 “(6) how the subgrant funds will be used to
15 prepare and provide ongoing assistance to staff in
16 the programs, through high-quality professional de-
17 velopment;

18 “(7) how the subgrant funds will be used to
19 provide services, incorporate activities, and select
20 and use literacy instructional materials that—

21 “(A) meet the diverse developmental and
22 linguistic needs of children, including English
23 learners and children with disabilities and de-
24 velopmental delays; and

1 “(B) are based on scientifically valid re-
2 search on child development and learning for
3 children from birth through kindergarten entry;

4 “(8) how the subgrant funds will be used to
5 provide screening assessments, diagnostic assess-
6 ments, and classroom-based instructional assess-
7 ments and assessments of developmental progress;

8 “(9) how families and caregivers will be in-
9 volved, as appropriate, in supporting their child’s lit-
10 eracy development, instruction, and assessment;

11 “(10) how the subgrant funds will be used to
12 help children, particularly children experiencing dif-
13 ficulty with spoken and written language, to make
14 the transition from early childhood education pro-
15 grams to formal classroom instruction;

16 “(11) how the activities assisted under the
17 subgrant will be coordinated with comprehensive lit-
18 eracy instruction at the kindergarten through grade
19 12 levels;

20 “(12) how the subgrant funds will be used—

21 “(A) to evaluate the success of the activi-
22 ties assisted under the subgrant in enhancing
23 the early language and literacy development of
24 children from birth through kindergarten entry;
25 and

1 “(B) to evaluate data for program im-
2 provement; and

3 “(13) such other information as the State edu-
4 cational agency may require.

5 “(d) APPROVAL OF LOCAL APPLICATIONS.—The
6 State educational agency, in consultation with the State
7 agencies responsible for administering early learning pro-
8 grams, including the State agency responsible for admin-
9 istering child care programs and the State Advisory Coun-
10 cil on Early Childhood Education and Care, shall—

11 “(1) select applications for funding under this
12 section based on the quality of the applications sub-
13 mitted, including the relationship between literacy
14 activities proposed and the research base or data
15 supporting such investments, as appropriate, and the
16 recommendations of—

17 “(A) the State literacy leadership team;
18 and

19 “(B) other experts in the area of early lit-
20 eracy; and

21 “(2) place priority for funding programs based
22 on the criteria in section 4106(b)(2)(F).

23 “(e) LOCAL USES OF FUNDS.—

24 “(1) IN GENERAL.—An eligible entity that re-
25 ceives a subgrant under this section shall use the

1 subgrant funds, consistent with the entity’s approved
2 application under subsection (c), to—

3 “(A) enhance and improve early learning
4 programs to ensure that children in such pro-
5 grams are provided with high-quality oral lan-
6 guage and literature- and print-rich environ-
7 ments in which to develop early literacy skills;

8 “(B) carry out high-quality professional
9 development opportunities for early childhood
10 educators, teachers, and instructional leaders;

11 “(C) acquire, provide training for, and im-
12 plement screening assessments, diagnostic as-
13 sessments, and classroom-based instructional
14 assessments;

15 “(D) select, develop, and implement a
16 multitier system of support;

17 “(E) integrate research-based instructional
18 materials, activities, tools, and measures into
19 the programs offered by the eligible entity to
20 improve development of early learning language
21 and literacy skills;

22 “(F) train providers and personnel to sup-
23 port, develop, and administer high-quality early
24 learning literacy initiatives that—

25 “(i) utilize data—

1 “(I) to inform instructional de-
2 sign; and

3 “(II) to assess literacy needs;
4 and

5 “(ii) provide time and support for per-
6 sonnel to meet to plan comprehensive lit-
7 eracy instruction;

8 “(G) provide family literacy services, as
9 appropriate, and educate parents, teachers, and
10 other caregivers about child literacy develop-
11 ment;

12 “(H) annually collect, summarize, and re-
13 port to the State educational agency data—

14 “(i) to document child progress in
15 early literacy and language skills develop-
16 ment as a result of activities carried out
17 under this section;

18 “(ii) to stimulate and accelerate im-
19 provement by identifying the programs
20 served by the eligible entity that produce
21 significant gains in skills development; and

22 “(iii) for all subgroups of children and
23 categories of children, including children in
24 the subgroups described in section
25 1111(a)(2)(B)(x), in a manner that—

1 “(I) utilizes a variety of meas-
2 ures of child literacy and language
3 skills development; and

4 “(II) is consistent across the
5 State; and

6 “(I) coordinate the involvement of families,
7 early learning program staff, principals, other
8 instructional leaders, and teachers in literacy
9 development of children served under this part.

10 “(2) CURRICULA AND ASSESSMENT MATERIALS
11 LIMITATION.—Each eligible entity that receives a
12 subgrant under this section shall not use more than
13 20 percent of the subgrant funds in the first year
14 of subgrant funding, and not more than 10 percent
15 of the subgrant funds in each year thereafter, to
16 purchase curricula and assessment materials.

17 “(f) PROHIBITION.—The use of assessment items
18 and data on any assessment authorized under this section
19 to provide rewards or sanctions for individual children,
20 early learning program providers, teachers, program direc-
21 tors, or principals is prohibited.

1 **“SEC. 4109. SUBGRANTS TO ELIGIBLE ENTITIES IN SUP-**
2 **PORT OF KINDERGARTEN THROUGH GRADE**
3 **12 LITERACY.**

4 “(a) SUBGRANTS TO LOCAL EDUCATIONAL AGEN-
5 CIES.—

6 “(1) SUBGRANTS.—A State educational agency
7 shall use a portion of the implementation grant
8 funds provided under subparagraph (C) or (D)(ii) of
9 section 4104(a)(1) to award subgrants, on a com-
10 petitive basis, to eligible entities to enable the eligi-
11 ble entities to carry out the authorized activities de-
12 scribed in subsections (b) and (c).

13 “(2) SUFFICIENT SIZE AND SCOPE.—A State
14 educational agency shall award subgrants under this
15 section of sufficient size and scope to allow the eligi-
16 ble entities to carry out high-quality literacy initia-
17 tives in each grade level for which the subgrant
18 funds are provided.

19 “(3) LOCAL APPLICATIONS.—An eligible entity
20 desiring to receive a subgrant under this section
21 shall submit an application to the State educational
22 agency at such time, in such manner, and containing
23 such information as the State educational agency
24 may require. Such application shall include, for each
25 school that the eligible entity identifies as partici-

1 pating in a subgrant program under this section, the
2 following information:

3 “(A) A description of the eligible entity’s
4 capacity to identify how subgrant funds will be
5 used to inform and improve comprehensive lit-
6 eracy instruction at the school.

7 “(B) How the school, local educational
8 agency, or a provider of high-quality profes-
9 sional development will provide ongoing high-
10 quality professional development to all teachers,
11 including early childhood educators, principals,
12 and other instructional leaders served by the
13 school, including early learning program admin-
14 istrators.

15 “(C) How the school will identify children
16 in need of literacy interventions or other sup-
17 port services and provide appropriate scientif-
18 ically valid instructional interventions or other
19 support services which may include extended
20 learning time for struggling children.

21 “(D) A budget for the school that projects
22 the cost of developing and implementing literacy
23 initiatives to carry out the activities described
24 in subsections (b) and (c) as applicable.

1 “(E) An explanation of how the school will
2 integrate comprehensive literacy instruction into
3 core academic subjects.

4 “(F) A description of how the school will
5 coordinate comprehensive literacy instruction
6 with early learning and before- and after-school
7 programs and activities in the area served by
8 the local educational agency, such as school li-
9 brary programs.

10 “(G) A description of the assessments that
11 will be used in an assessment system to improve
12 comprehensive literacy instruction and track
13 child literacy progress.

14 “(H) A description of how families and
15 caregivers will be involved in supporting their
16 children’s literacy instruction and assessment.

17 “(I) A description of how, if an eligible en-
18 tity is requesting a planning period, the eligible
19 entity will use that planning period to prepare
20 for successful implementation of a plan to sup-
21 port the development of learning and literacy
22 consistent with the purposes of this part.

23 “(J) A description of the literacy initia-
24 tives, if any, in place and how these initiatives

1 will be coordinated and integrated with activi-
2 ties supported under this section.

3 “(K) An assurance that the eligible entity
4 will, if requested, participate in the national
5 evaluation described in section 4110.

6 “(b) LOCAL USES OF FUNDS FOR KINDERGARTEN
7 THROUGH GRADE 5.—An eligible entity that receives a
8 subgrant under this section shall use the subgrant funds
9 to carry out the following activities pertaining to children
10 in kindergarten through grade 5:

11 “(1) Developing and implementing a literacy
12 plan across content areas that—

13 “(A) serves the needs of all children, in-
14 cluding children with disabilities and English
15 learners, especially children who are reading or
16 writing below grade level;

17 “(B) provides intensive, supplemental, ac-
18 celerated, and explicit intervention and support
19 in reading and writing for children whose lit-
20 eracy skills are below grade level; and

21 “(C) supports activities that are provided
22 primarily during the regular school day but
23 which may be augmented by after-school and
24 out-of-school time instruction.

1 “(2) Acquiring, providing training for, selecting,
2 and administering assessments, and managing, mon-
3 itoring, and planning instruction based on the as-
4 sessment data.

5 “(3) Providing high-quality professional devel-
6 opment opportunities for teachers, literacy coaches,
7 literacy specialists, English as a second language
8 specialists (as appropriate), principals, and other
9 program staff.

10 “(4) Training principals, specialized instruc-
11 tional support personnel, and other school district
12 personnel to support, develop, administer, and evalu-
13 ate high-quality kindergarten through grade 5 lit-
14 eracy initiatives that—

15 “(A) utilize data—

16 “(i) to inform instructional decisions;
17 and

18 “(ii) to assess professional develop-
19 ment needs; and

20 “(B) provide time and support for teachers
21 and other instructional staff to meet to plan
22 comprehensive literacy instruction.

23 “(5) Coordinating the involvement of early
24 learning program staff, principals, other instruc-
25 tional leaders, teachers, teacher literacy teams,

1 English as a second language specialists (as appro-
2 priate), special educators, and school librarians in
3 the literacy development of children served under
4 this part.

5 “(6) Engaging families and encouraging family
6 literacy experiences and practices to support literacy
7 development.

8 “(7) Annually collecting, summarizing, and re-
9 porting to the State educational agency data—

10 “(A) to document and monitor for the pur-
11 pose of improving practice, improvements, or
12 increases in children’s reading and writing pur-
13 suant to activities carried out under this sec-
14 tion;

15 “(B) to stimulate and accelerate improve-
16 ment by identifying the schools that produce
17 significant gains in literacy achievement; and

18 “(C) for all children and categories of chil-
19 dren, including the subgroups of children de-
20 scribed in section 1111(a)(2)(B)(x), in a man-
21 ner that utilizes a variety of measures and that
22 is consistent across the State.

23 “(c) LOCAL USES OF FUNDS FOR GRADES 6
24 THROUGH 12.—An eligible entity that receives a subgrant
25 under this section shall use subgrant funds to carry out

1 the following activities pertaining to children in grades 6
2 through 12:

3 “(1) Developing and implementing a literacy
4 plan described in paragraphs (1), (2), (3), (6), and
5 (7) of subsection (b) for children in grades 6
6 through 12.

7 “(2) Training principals, specialized instruc-
8 tional support personnel, and other instructional
9 leaders to support, develop, administer, and evaluate
10 high-quality adolescent literacy initiatives that—

11 “(A) utilize data—

12 “(i) to inform instructional decisions
13 and allow for personalization of instruction
14 based on a child’s need; and

15 “(ii) to assess professional develop-
16 ment needs;

17 “(B) assess the quality of adolescent com-
18 prehensive literacy instruction in core academic
19 subjects, and career and technical education
20 subjects where such career and technical edu-
21 cation subjects provide for the integration of
22 core academic subjects;

23 “(C) provide time for teachers to meet to
24 plan research-based adolescent comprehensive
25 literacy instruction in core academic subjects,

1 and career and technical education subjects
2 where such career and technical education sub-
3 jects provide for the integration of core aca-
4 demic subjects; and

5 “(D) include explicit instruction in dis-
6 cipline-specific thinking and how to read and
7 interpret discipline-specific text structures and
8 features.

9 “(3) Coordinating the involvement of principals,
10 other instructional leaders, teachers, teacher literacy
11 teams, English as a second language specialists (as
12 appropriate), special educators, and school librarians
13 in the literacy development of children served under
14 this part.

15 “(d) ALLOWABLE USES.—An eligible entity that re-
16 ceives a subgrant under this section may, in addition to
17 carrying out the activities described in subsections (b) and
18 (c), use subgrant funds to carry out the following activities
19 pertaining to children in kindergarten through grade 12:

20 “(1) Providing a planning period of not more
21 than 1 year for eligible entities to establish the ele-
22 ments necessary for successful implementation of a
23 literacy program for kindergarten through grade 12.

24 “(2) Recruiting, placing, training, and compen-
25 sating literacy coaches.

1 “(3) Connecting out-of-school learning opportu-
2 nities to in-school learning in order to improve the
3 literacy achievement of the children.

4 “(4) Training families and caregivers to sup-
5 port the improvement of adolescent literacy.

6 “(5) Providing for a multitier system of sup-
7 port.

8 “(6) Forming a school literacy leadership team
9 to help implement, assess, and identify necessary
10 changes to the literacy initiatives in 1 or more
11 schools to ensure success.

12 “(7) Providing high-quality, literacy-rich envi-
13 ronments that engage children with materials and
14 experiences at the children’s reading and writing lev-
15 els.

16 “(8) Providing time for teachers (and other lit-
17 eracy staff, as appropriate, such as school librarians)
18 to meet to plan comprehensive literacy instruction.

19 “(e) LIMITATION OF USE TO CERTAIN SCHOOLS.—
20 An eligible entity receiving a subgrant under this section
21 shall, in distributing the subgrant funds, provide the
22 subgrant funds only to schools, including public charter
23 schools, that have the highest percentages or numbers of
24 children counted under section 1124(c).

1 **“SEC. 4110. NATIONAL EVALUATION, INFORMATION DIS-**
2 **SEMINATION, AND TECHNICAL ASSISTANCE.**

3 “(a) NATIONAL EVALUATION.—

4 “(1) IN GENERAL.—From the amount reserved
5 in accordance with section 9601, the Secretary shall
6 enter into a contract with an organization inde-
7 pendent of the Department for a 5-year national
8 evaluation of the grant and subgrant programs as-
9 sisted under this part. Such evaluation shall include
10 scientifically valid research that applies rigorous and
11 systematic procedures to obtain valid knowledge rel-
12 evant to the implementation and effect of the pro-
13 grams.

14 “(2) CONTENTS OF EVALUATION.—The evalua-
15 tion described in this subsection shall include an
16 analysis of each of the following:

17 “(A) The impact of the implementation of
18 literacy initiatives and practices supported
19 under this part on—

20 “(i) increasing academic outcomes, in-
21 cluding child literacy development in read-
22 ing and writing, and speaking (as appro-
23 priate), grade promotion, and graduation
24 to the extent predictable;

1 “(ii) promoting the appropriate early
2 literacy development of young children;
3 and

4 “(iii) strengthening the literacy skills
5 of English learners and children with dis-
6 abilities.

7 “(B) The fidelity of implementation of core
8 program features, such as coherence of the pro-
9 gram across grades, quality of technical assist-
10 ance, State and local educational agency leader-
11 ship, professional development for teachers and
12 administrators, use of quality materials and
13 pedagogy, and use of assessment.

14 “(C) The relationship between implementa-
15 tion of core features and children’s academic
16 outcomes.

17 “(D) Other inquiries as designated by the
18 Secretary, such as—

19 “(i) the core functions of literacy ini-
20 tiatives that have demonstrated the great-
21 est impact on child literacy achievement,
22 especially among children reading below
23 grade level;

24 “(ii) effective strategies to integrate
25 State and local standards, curricula, as-

1 sessments, instruction, materials, and
2 interventions to improve literacy;

3 “(iii) the types of literacy activities
4 and professional development that most ef-
5 fectively improve the early reading, writing,
6 and language skills of children from birth
7 through kindergarten entry;

8 “(iv) the impact of adolescent literacy
9 initiatives on adolescent motivation, en-
10 engagement, and participation in adolescent
11 literacy activities;

12 “(v) the relationship between chil-
13 dren’s literacy achievement and secondary
14 school success, including improving grad-
15 uation rates; and

16 “(vi) effective strategies to integrate
17 school and public library programs to im-
18 prove literacy.

19 “(3) PROGRAM IMPROVEMENT.—The Secretary
20 shall—

21 “(A) provide the findings of the evaluation
22 conducted under this section to State edu-
23 cational agencies and subgrant recipients for
24 use in program improvement;

1 “(B) make such findings publicly available,
2 including on the Department’s website; and

3 “(C) submit such findings to the author-
4 izing committees.

5 “(b) INFORMATION DISSEMINATION AND TECHNICAL
6 ASSISTANCE.—

7 “(1) IN GENERAL.—From amounts reserved
8 under section 4104(a)(1)(A), the Secretary, in col-
9 laboration with the regional educational laboratories
10 established under section 174 of the Education
11 Sciences Reform Act of 2002, the comprehensive
12 centers established under section 203 of the Edu-
13 cational Technical Assistance Act of 2002, and the
14 Director of the National Institute of Child Health
15 and Human Development, shall—

16 “(A) distribute information on—

17 “(i) comprehensive literacy instruc-
18 tion, including best practices and model
19 programs identified in the evaluation;

20 “(ii) other inquiries designated by the
21 Secretary under subsection (a)(2)(D); or

22 “(iii) other relevant Federal studies of
23 literacy activities; and

24 “(B) provide technical assistance in order
25 to assist States and local educational agencies

1 in improving comprehensive literacy instruction
2 and learning.

3 “(2) DISSEMINATION AND COORDINATION.—

4 The Secretary shall disseminate the information de-
5 scribed in paragraph (1)(A) to—

6 “(A) recipients of Federal financial assist-
7 ance under this part, the Head Start Act, the
8 Individuals with Disabilities Education Act, and
9 the Adult Education and Family Literacy Act;
10 and

11 “(B) each Bureau-funded school (as de-
12 fined in section 1141 of the Education Amend-
13 ments of 1978 (25 U.S.C. 2021)).

14 “(3) USE OF NETWORKS.—In carrying out this
15 subsection, the Secretary shall, to the extent prac-
16 ticable, use information and dissemination networks
17 developed and maintained through other public and
18 private entities.

19 **“SEC. 4111. RULES OF CONSTRUCTION.**

20 “(a) CHILD ELIGIBILITY.—Nothing in this part shall
21 be construed to prohibit children eligible for assistance
22 under title I or III or children eligible for assistance under
23 part B or C of the Individuals with Disabilities Education
24 Act from receiving literacy instruction and intervention
25 under this part.

1 “(b) IDEA EVALUATION.—The screening assess-
2 ments, diagnostic assessments, and formative assessments
3 of reading and writing authorized under this part shall
4 not be construed to constitute an evaluation required
5 under part B or C of the Individuals with Disabilities Edu-
6 cation Act, except that assessments administered under
7 this Act may be used in conjunction with other assess-
8 ments as part of an evaluation under part B or C of the
9 Individuals with Disabilities Education Act, provided that
10 the respective evaluation requirements under part B or C
11 of such Act are met.

12 **“Subpart 2—Improving Literacy and College and Ca-**
13 **reer Readiness Through Effective School Li-**
14 **brary Programs**

15 **“SEC. 4113. PURPOSE.**

16 “The purpose of this subpart is to improve students’
17 literacy skills and readiness for higher education and ca-
18 reers, by providing students with effective school library
19 programs.

20 **“SEC. 4114. DEFINITIONS.**

21 “In this subpart:

22 “(1) EFFECTIVE SCHOOL LIBRARY PROGRAM.—
23 The term ‘effective school library program’ means a
24 school library program that—

1 “(A) is staffed by a State certified or li-
2 censed school librarian;

3 “(B) has up-to-date books, materials,
4 equipment, and technology (including
5 broadband);

6 “(C) includes regular collaboration between
7 classroom teachers and school librarians to as-
8 sist with development and implementation of
9 the curriculum and other school reform efforts;
10 and

11 “(D) supports the development of digital
12 literacy skills.

13 “(2) ELIGIBLE ENTITY.—The term ‘eligible en-
14 tity’ means—

15 “(A) a local educational agency in which
16 not less than 20 percent of the students served
17 by the local educational agency are from fami-
18 lies with incomes below the poverty line;

19 “(B) a local educational agency that has a
20 percentage of low-income children that is in the
21 highest quartile among all local educational
22 agencies in the State; or

23 “(C) a consortia of local educational agen-
24 cies described in subparagraph (A) or (B).

1 **“SEC. 4115. IMPROVING LITERACY AND COLLEGE AND CA-**
2 **REER READINESS THROUGH EFFECTIVE**
3 **SCHOOL LIBRARY PROGRAM GRANTS.**

4 “(a) GRANTS TO LOCAL EDUCATIONAL AGENCIES.—

5 “(1) IN GENERAL.—From amounts appro-
6 priated under section 3(k) for this subpart, the Sec-
7 retary shall award grants, on a competitive basis, to
8 eligible entities to enable such entities to carry out
9 the authorized activities described in subsection (b).

10 “(2) SUFFICIENT SIZE AND SCOPE.—The Sec-
11 retary shall award grants under this section of suffi-
12 cient size and scope to allow the eligible entities to
13 carry out effective school library programs for which
14 the grant funds are provided.

15 “(3) DISTRIBUTION.—The Secretary shall en-
16 sure that grants under this section are equitably dis-
17 tributed among the different geographic regions of
18 the United States, and among eligible entities serv-
19 ing urban and rural areas.

20 “(4) DURATION.—A grant awarded under this
21 section shall be for a period of 3 years.

22 “(5) LOCAL APPLICATIONS.—An eligible entity
23 desiring to receive a grant under this section shall
24 submit an application to the Secretary at such time,
25 in such manner, and containing such information as
26 the Secretary may require. Such application shall in-

1 clude, for each school that the eligible entity identi-
2 fies as participating in a grant program under this
3 section, the following information:

4 “(A) a needs assessment relating to the
5 need for literacy improvement at all grade levels
6 and the need for effective school library pro-
7 grams, based on the age and condition of school
8 library resources, including—

9 “(i) book collections;

10 “(ii) access to advanced technology;

11 “(iii) the availability of well-trained,
12 State-certified or licensed school librarians;

13 and

14 “(iv) the current level of coordination
15 and shared planning time among school li-
16 brarians and classroom teachers;

17 “(B) a description of which grade spans
18 will be served, and an assurance that funding
19 will be distributed to serve students in elemen-
20 tary, middle, and high schools;

21 “(C) how the eligible entity will extensively
22 involve school librarians, teachers, administra-
23 tors, and parents in the activities assisted under
24 this section, and the manner in which the eligi-
25 ble entity will carry out the activities described

1 in subsection (b) using programs and materials
2 that are grounded in scientifically valid re-
3 search;

4 “(D) the manner in which the eligible enti-
5 ty will effectively coordinate the funds and ac-
6 tivities provided under this section with Fed-
7 eral, State, and local funds and activities under
8 this subpart and other literacy, library, tech-
9 nology, and professional development funds and
10 activities, including those funded through the
11 Institute of Museum and Library Services; and

12 “(E) the manner in which the eligible enti-
13 ty will collect and analyze data on the quality
14 and impact of activities carried out under this
15 section by schools served by the eligible entity.

16 “(b) LOCAL ACTIVITIES.—Funds under this section
17 may be used to develop and enhance effective school li-
18 brary programs, which may include activities to—

19 “(1) acquire up-to-date school library resources,
20 including books and reading materials that—

21 “(A) are appropriate for students in all
22 grade levels to be served and for students with
23 special learning needs, including students who
24 are English learners; and

1 “(B) engage the interest of readers at all
2 reading levels;

3 “(2) acquire and use advanced technology, in-
4 corporated into the curricula of the school, to de-
5 velop and enhance the digital literacy skills of stu-
6 dents;

7 “(3) facilitate Internet links and other resource-
8 sharing networks among schools and school libraries,
9 and public and academic libraries, where possible;

10 “(4) provide—

11 “(A) professional development in the ac-
12 quisition of digital literacy skills and literacy in-
13 struction that is appropriate for all grades, in-
14 cluding the assessment of student literacy
15 needs, the coordination of reading and writing
16 instruction across content areas, and training in
17 literacy strategies in all content areas for school
18 librarians; and

19 “(B) activities that foster increased col-
20 laboration among school librarians, teachers,
21 and administrators; and

22 “(5) provide students with access to school li-
23 braries during nonschool hours, including the hours
24 before and after school, during weekends, and dur-
25 ing summer vacation periods.

1 “(c) SUPPLEMENT NOT SUPPLANT.—Funds made
2 available under this section shall be used to supplement,
3 and not supplant, other Federal, State, and local funds
4 expended to carry out activities relating to library, tech-
5 nology, or professional development activities.

6 “(d) ACCOUNTABILITY AND REPORTING.—Each eli-
7 gible entity that receives funds under this section for a
8 fiscal year shall prepare and submit a report to the Sec-
9 retary regarding how the funding was used and the extent
10 to which the availability of, the access to, and the use of,
11 up-to-date school library resources in the elementary
12 schools and secondary schools served by the eligible entity
13 was increased.”.

14 **SEC. 4103. IMPROVING SCIENCE, TECHNOLOGY, ENGINEER-**
15 **ING, AND MATH INSTRUCTION AND STUDENT**
16 **ACHIEVEMENT.**

17 (a) REDESIGNATION.—Title IV (20 U.S.C. 7101 et
18 seq.) is amended—

19 (1) by redesignating part B as part F, and
20 transferring such part F so as to follow part E, as
21 added by section 4106;

22 (2) by striking section 4206; and

23 (3) by redesignating sections 4201, 4202, 4203,
24 4204, and 4205, as sections 4601, 4602, 4603,
25 4604, and 4605, respectively.

1 (b) IMPROVING SCIENCE, TECHNOLOGY, ENGINEER-
2 ING, AND MATH INSTRUCTION AND STUDENT ACHIEVE-
3 MENT.—Title IV (20 U.S.C. 7101 et seq.) is amended by
4 inserting after part A the following:

5 **“PART B—IMPROVING SCIENCE, TECHNOLOGY,**
6 **ENGINEERING, AND MATHEMATICS IN-**
7 **STRUCTION AND STUDENT ACHIEVEMENT**
8 **“Subpart 1—Improving STEM Instruction and**
9 **Student Achievement**

10 **“SEC. 4201. PURPOSE.**

11 “The purpose of this subpart is to improve student
12 academic achievement in science, technology, engineering,
13 and mathematics, including computer science, by—

14 “(1) improving instruction in such subjects
15 through grade 12;

16 “(2) improving student engagement in, and in-
17 creasing student access to, such subjects;

18 “(3) improving the quality and effectiveness of
19 classroom instruction by recruiting, training, and
20 supporting highly rated teachers and providing ro-
21 bust tools and supports for students and teachers in
22 such subjects; and

23 “(4) closing student achievement gaps, and pre-
24 paring more students to be college and career ready
25 in such subjects.

1 **“SEC. 4202. DEFINITIONS.**

2 “In this subpart:

3 “(1) ELIGIBLE ENTITY.—The term ‘eligible en-
4 tity’ means—

5 “(A) a State educational agency; or

6 “(B) a State educational agency in part-
7 nership with 1 or more State educational agen-
8 cies.

9 “(2) ELIGIBLE SUBGRANTEE.—The term ‘eligi-
10 ble subgrantee’ means—

11 “(A) a high-need local educational agency;

12 “(B) an educational service agency serving
13 more than 1 high-need local educational agency;

14 “(C) a consortium of high-need local edu-
15 cational agencies; or

16 “(D) an entity described in subparagraph
17 (A) or (C) of paragraph (3) that has signed a
18 memorandum of agreement with an entity de-
19 scribed in subparagraph (A), (B), or (C) of this
20 paragraph to implement the requirements of
21 this subpart in partnership with such entity.

22 “(3) OUTSIDE PARTNER.—The term ‘outside
23 partner’ means an entity that has expertise and a
24 demonstrated record of success in improving student
25 learning and engagement in the identified subjects

1 described in section 4204(b)(2), including any of the
2 following:

3 “(A) A nonprofit or community-based or-
4 ganization, which may include a cultural organi-
5 zation, such as a museum or learning center.

6 “(B) A business.

7 “(C) An institution of higher education.

8 “(D) An educational service agency.

9 “(4) STATE.—The term ‘State’ means—

10 “(A) any of the 50 States;

11 “(B) the District of Columbia;

12 “(C) the Bureau of Indian Education; or

13 “(D) the Commonwealth of Puerto Rico.

14 **“SEC. 4203. GRANTS; ALLOTMENTS.**

15 “(a) RESERVATIONS.—

16 “(1) IN GENERAL.—From the amounts appro-
17 priated for this part for a fiscal year, the Secretary
18 shall reserve—

19 “(A) not more than 2 percent to provide
20 technical assistance to States under this sub-
21 part;

22 “(B) not more than 5 percent for State ca-
23 pacity-building grants under this subpart, if the
24 Secretary is awarding such grants in accord-
25 ance with paragraph (2); and

1 “(C) 10 percent for the STEM Master
2 Teacher Corps program under subpart 2.

3 “(2) CAPACITY-BUILDING GRANTS.—

4 “(A) IN GENERAL.—In any year for which
5 funding is distributed competitively, as de-
6 scribed in subsection (b)(1), the Secretary may
7 award 1 capacity-building grant to each State
8 that does not receive a grant under subsection
9 (b), on a competitive basis, to enable such State
10 to become more competitive in future years.

11 “(B) DURATION.—Grants awarded under
12 subparagraph (A) shall be for a period of 1
13 year.

14 “(b) COMPETITIVE GRANTS.—

15 “(1) IN GENERAL.—For each fiscal year for
16 which the amount appropriated to carry out this
17 part, and not reserved under subsection (a)(1), is
18 less than \$500,000,000, the Secretary shall award
19 grants, on a competitive basis, to eligible entities to
20 enable such eligible entities to carry out the activi-
21 ties described in this subpart.

22 “(2) DURATION.—Grants awarded under this
23 subsection shall be for a period of not more than 3
24 years.

25 “(3) RENEWAL.—

1 “(A) IN GENERAL.—If an eligible entity
2 demonstrates progress, as measured by the
3 metrics described in section 4206(a), the Sec-
4 retary may renew a grant for an additional 2-
5 year period.

6 “(B) REDUCED FUNDING.—Grant funds
7 awarded under subparagraph (A) shall be
8 awarded at a reduced amount.

9 “(c) FORMULA GRANTS.—

10 “(1) IN GENERAL.—For each fiscal year for
11 which the amount appropriated to carry out this
12 part, and not reserved under subsection (a)(1), is
13 equal to or more than \$500,000,000, the Secretary
14 shall award grants to States, based on the formula
15 described in paragraph (2).

16 “(2) DISTRIBUTION OF FUNDS.—The Secretary
17 shall allot to each State—

18 “(A) an amount that bears the same rela-
19 tionship to 35 percent of the excess amount de-
20 scribed in paragraph (1) as the number of indi-
21 viduals ages 5 through 17 in the State, as de-
22 termined by the Secretary on the basis of the
23 most recent satisfactory data, bears to the num-
24 ber of those individuals in all such States, as so
25 determined; and

1 “(B) an amount that bears the same rela-
2 tionship to 65 percent of the excess amount as
3 the number of individuals ages 5 through 17
4 from families with incomes below the poverty
5 line, in the State, as determined by the Sec-
6 retary on the basis of the most recent satisfac-
7 tory data, bears to the number of those individ-
8 uals in all such States, as so determined.

9 “(3) FUNDING MINIMUM.—No State receiving
10 an allotment under this subsection may receive less
11 than one-half of 1 percent of the total amount allot-
12 ted under paragraph (1) for a fiscal year.

13 “(4) PUERTO RICO.—The amount allotted
14 under paragraph (2) to the Commonwealth of Puer-
15 to Rico for a fiscal year may not exceed one-half of
16 1 percent of the total amount allotted under para-
17 graph (1) for such fiscal year.

18 “(5) REALLOTMENT OF UNUSED FUNDS.—If a
19 State does not successfully apply, the Secretary shall
20 reallot the amount of the State’s allotment to the re-
21 maining States in accordance with this subsection.

22 **“SEC. 4204. APPLICATIONS.**

23 “(a) IN GENERAL.—Each eligible entity or State de-
24 siring a grant under this subpart, whether through a com-
25 petitive grant under section 4203(b) or through an allot-

1 ment under section 4203(c), shall submit an application
2 to the Secretary at such time, in such manner, and accom-
3 panied by such information as the Secretary may require.

4 “(b) CONTENTS.—At a minimum, an application sub-
5 mitted under subsection (a) shall include the following:

6 “(1) A description of the needs, including as-
7 sets, identified by the State or eligible entity, based
8 on a State analysis, which—

9 “(A) may include results from a relevant
10 pre-existing analysis of science, technology, en-
11 gineering, and mathematics education quality
12 and outcomes in the State or States served by
13 the eligible entity;

14 “(B) shall include data for elementary
15 school and secondary school grades, as applica-
16 ble, to the extent that such data are available,
17 on—

18 “(i) student achievement in science
19 and mathematics, including such data col-
20 lected in accordance with the requirements
21 of section 1111(a)(3)(A), and student
22 achievement in technology and engineering;

23 “(ii) science, technology, engineering,
24 and mathematics teacher evaluations;

1 “(iii) student access to mathematics
2 and science courses needed to enroll in
3 credit-bearing coursework at institutions of
4 higher education in the State or States
5 served by the eligible entity;

6 “(iv) access to science, technology, en-
7 gineering, and mathematics courses for
8 students through grade 12 who—

9 “(I) are eligible to receive a free
10 or reduced priced lunch under the
11 Richard B. Russell National School
12 Lunch Act (42 U.S.C. 1751 et seq.);
13 or

14 “(II) come from families with an
15 income that is below the poverty line;

16 “(v) student achievement gaps in
17 science, technology, engineering, and math-
18 ematics subjects;

19 “(vi) the percentage of students who
20 successfully—

21 “(I) complete Advanced Place-
22 ment or International Baccalaureate
23 courses in science, technology, engi-
24 neering, and mathematics subjects; or

1 “(II) complete rigorous, credit-
2 bearing postsecondary education
3 courses in science, technology, engi-
4 neering, and mathematics subjects;

5 “(vii) the information collected under
6 section 1111(d)(3)(B)(viii)(III);

7 “(viii) available instructional systems
8 and supports, such as curricula, instruc-
9 tional materials, professional development,
10 teacher evaluation systems, and assess-
11 ments;

12 “(ix) science, technology, engineering,
13 and mathematics teacher qualifications;
14 and

15 “(x) teacher shortages and teacher
16 distribution among local educational agen-
17 cies and schools in science, technology, en-
18 gineering, and mathematics subjects;

19 “(C) shall include labor market informa-
20 tion regarding the industry and business work-
21 force needs within the eligible entity;

22 “(D) shall include an analysis of the qual-
23 ity of pre-service preparation at all public insti-
24 tutions of higher education (including alter-
25 native pathways to teacher licensure or certifi-

1 cation) for individuals preparing to teach
2 science, technology, engineering, and mathe-
3 matics subjects in a preschool, elementary
4 school, or secondary school in the State; and

5 “(E) shall include an analysis of the imple-
6 mentation of any multi-tiered systems of sup-
7 port that have been employed in the State or
8 States served by the eligible entity to address
9 the learning needs of students in any science,
10 technology, engineering, and mathematics sub-
11 jects.

12 “(2) An identification of the specific science,
13 technology, engineering, and mathematics subjects
14 that the State or eligible entity will address through
15 the activities described in section 4205, consistent
16 with the needs identified under paragraph (1) (re-
17 ferred to in this subpart as ‘identified subjects’).

18 “(3) A description, in a manner that addresses
19 any needs identified under paragraph (1), of—

20 “(A) how grant funds will be used by the
21 State or eligible entity to improve instruction in
22 identified subjects using evidence-based pro-
23 grams of instruction that are aligned with the
24 college and career ready standards and aca-

1 demic assessments under paragraphs (1) and
2 (2) of section 1111(a);

3 “(B) how grant funds will be used to sup-
4 port subgrantees and other high-need local edu-
5 cational agencies in the employment of multi-
6 tiered systems of support to provide early inter-
7 vening services, as described in section
8 613(a)(4)(A)(ii) of the Individuals with Disabil-
9 ities Education Act, and to increase student
10 achievement in identified subjects;

11 “(C) the process that the State or eligible
12 entity will use for awarding subgrants, includ-
13 ing how relevant stakeholders will be involved;

14 “(D) how the State’s or eligible entity’s ac-
15 tivities and subgrants will be coordinated with
16 other Federal, State, and local programs and
17 activities, including career and technical edu-
18 cation programs authorized under the Carl D.
19 Perkins Career and Technical Education Act of
20 2006 (20 U.S.C. 2301 et seq.);

21 “(E) the technical assistance that the
22 State or eligible entity will provide to sub-
23 grantees to support the activities undertaken by
24 the subgrantees;

1 “(F) how the State or eligible entity will
2 evaluate the activities funded, both at the State
3 and subgrantee level, with funds provided under
4 this subpart, and in a manner consistent with
5 any evaluation activities carried out by the In-
6 stitute of Education Sciences under section
7 4207, or the National Science Foundation;

8 “(G) how the State or eligible entity will
9 allocate funds in a manner that will provide
10 services to both elementary schools and sec-
11 ondary schools;

12 “(H) how the State or eligible entity will
13 provide targeted support to improve instruction
14 in high-need local educational agencies and
15 high-need schools;

16 “(I) how the State or eligible entity’s pro-
17 posed project will ensure an increase in access
18 for students who are members of groups under-
19 represented in science, technology, engineering,
20 and mathematics subject fields to high-quality
21 courses in 1 or more of the identified subjects;
22 and

23 “(J) how the State or eligible entity will
24 continue to involve stakeholders in education re-

1 form efforts related to science, technology, engi-
2 neering, and mathematics instruction.

3 “(4) Assurances that the State or eligible entity
4 will monitor implementation of approved subgrantee
5 plans.

6 “(c) **ADDITIONAL FUNDING.**—A State or eligible en-
7 tity that submits a request to use the additional State ac-
8 tivities reservation described in section 4205(d)(2), shall
9 provide, in a manner that addresses the needs identified
10 under subsection (b)(1), a description of the activities that
11 the eligible entity will carry out with such funds, con-
12 sistent with section 4205.

13 **“SEC. 4205. AUTHORIZED ACTIVITIES.**

14 “(a) **REQUIRED ACTIVITIES.**—Each State or eligible
15 entity that receives a grant under this subpart shall use
16 the grant funds to carry out each of the following activi-
17 ties:

18 “(1) Increasing access for students through
19 grade 12 who are members of groups underrep-
20 resented in science, technology, engineering, and
21 mathematics subject fields to high-quality courses in
22 the identified subjects.

23 “(2) Implementing evidence-based programs of
24 instruction based on high-quality standards and as-
25 sessments in the identified subjects.

1 “(3) Providing professional development and
2 other comprehensive systems of support for teachers
3 and school leaders to promote high-quality instruc-
4 tion and instructional leadership in the identified
5 subjects.

6 “(4) Providing technical assistance to sub-
7 grantees and other high-need schools and local edu-
8 cational agencies in order to improve student
9 achievement and narrow achievement gaps in identi-
10 fied subjects, including through—

11 “(A) the development and implementation
12 of multi-tiered systems of support; and

13 “(B) the development of curriculum or in-
14 structional materials consistent with the prin-
15 cipals of universal design for learning, as de-
16 fined in section 103 of the Higher Education
17 Act of 1965.

18 “(b) PERMISSIBLE ACTIVITIES.—Each State or eligi-
19 ble entity that receives a grant under this subpart may
20 use the grant funds to carry out 1 or more of the following
21 activities:

22 “(1) Recruiting qualified teachers and instruc-
23 tional leaders who are trained in identified subjects,
24 including teachers who have transitioned into the

1 teaching profession from a career in science, tech-
2 nology, engineering, and mathematics fields.

3 “(2) Providing induction and mentoring serv-
4 ices to new teachers in identified subjects.

5 “(3) Developing instructional supports, such as
6 curricula and assessments, which shall be evidence-
7 based and aligned with State college and career
8 ready academic content standards under section
9 1111(a)(1), and may include Internet-based cur-
10 ricula and Internet-based instructional supports.

11 “(4) Implementing an interdisciplinary ap-
12 proach, by integrating instruction in 1 or more
13 science, technology, engineering, and mathematics
14 subjects with reading, English language arts, or in-
15 struction in other core academic subjects and
16 noncore academic subjects.

17 “(c) SUBGRANTS.—

18 “(1) IN GENERAL.—Each State or eligible enti-
19 ty that receives a grant under this section shall
20 award subgrants, on a competitive basis, to eligible
21 subgrantees.

22 “(2) MINIMUM SUBGRANT.—A State or eligible
23 entity shall award subgrants under this subsection
24 that are of sufficient size and scope to support high-

1 quality, evidence-based, effective programs that are
2 consistent with the purpose of this subpart.

3 “(3) SUBGRANTEE APPLICATION.—

4 “(A) IN GENERAL.—Each eligible sub-
5 grantee desiring a subgrant under this sub-
6 section shall submit an application to the State
7 or eligible entity at such time, in such manner,
8 and accompanied by such information as the
9 State or eligible entity may require.

10 “(B) CONTENTS OF SUBGRANTEE APPLI-
11 CATION.—At a minimum, the application de-
12 scribed in subparagraph (A) shall include the
13 following:

14 “(i) A description of the activities that
15 the eligible subgrantee will carry out, and
16 how such activities will improve teaching
17 and student academic achievement in the
18 identified subjects, in a manner consistent
19 with scientifically valid research.

20 “(ii) A description of how the eligible
21 subgrantee will use funds provided under
22 this subsection to serve students and
23 teachers in high-need schools.

24 “(iii) A description of how funds pro-
25 vided under this subsection will be coordi-

1 nated with other Federal, State, and local
2 programs and activities, including career
3 and technical education programs author-
4 ized under the Carl D. Perkins Career and
5 Technical Education Act of 2006 (20
6 U.S.C. 2301 et seq.).

7 “(iv) If the eligible subgrantee is
8 working with outside partners, a descrip-
9 tion of how such outside partners will be
10 involved in improving instruction and in-
11 creasing access to high-quality learning ex-
12 periences in the identified subjects.

13 “(4) SUBGRANTEE USE OF FUNDS.—

14 “(A) REQUIRED USE OF FUNDS.—Each
15 subgrantee under this subsection shall use the
16 subgrant funds to carry out activities for stu-
17 dents through grade 12, consistent with the ac-
18 tivities described in the subgrantee’s applica-
19 tion, which shall include—

20 “(i) high-quality teacher and instruc-
21 tional leader recruitment, support, and
22 evaluation in the identified subjects;

23 “(ii) professional development, which
24 may include development and support for
25 instructional coaches, to enable teachers

1 and instructional leaders to increase stu-
2 dent achievement in identified subjects,
3 through—

4 “(I) implementation of classroom
5 assessments; and

6 “(II) differentiation of instruc-
7 tion in identified subjects for all stu-
8 dents, including for students who are
9 children with disabilities and students
10 who are English learners;

11 “(iii) activities to—

12 “(I) improve the content knowl-
13 edge of teachers; and

14 “(II) facilitate professional col-
15 laboration, which may include pro-
16 viding time for such collaborations;

17 “(iv) the development, adoption, and
18 improvement of high-quality curricula and
19 instructional supports that—

20 “(I) are aligned with State col-
21 lege and career ready academic con-
22 tent standards under section
23 1111(a)(1); and

1 “(II) the eligible subgrantee will
2 use to improve student academic
3 achievement in identified subjects;

4 “(v) the development or improvement,
5 and implementation, of multi-tiered sys-
6 tems of support to provide early inter-
7 vening services and to increase student
8 achievement in 1 or more of the identified
9 subjects; and

10 “(vi) integrating instruction in the
11 identified subjects with instruction in read-
12 ing, English language arts, or other core
13 and noncore academic subjects.

14 “(B) ALLOWABLE USE OF FUNDS.—In ad-
15 dition to the required activities described in
16 subparagraph (A), each eligible subgrantee that
17 receives a subgrant under this subsection, may
18 also use the subgrant funds to—

19 “(i) support the participation of low-
20 income students in nonprofit competitions
21 related to science, technology, engineering,
22 and mathematics subjects (such as robot-
23 ics, science research, invention, mathe-
24 matics, computer science, and technology
25 competitions); and

1 “(ii) broaden secondary school stu-
2 dents’ access to, and interest in, careers
3 that require academic preparation in 1 or
4 more identified subjects.

5 “(C) LIMITATION.—Each subgrantee that
6 receives a subgrant under this subsection shall
7 not expend more than 15 percent of the
8 subgrant funds on the activities described in
9 subparagraph (B).

10 “(D) MATCHING FUNDS.—A State or eligi-
11 ble entity shall require an eligible subgrantee
12 receiving a subgrant under this subsection to
13 demonstrate that such subgrantee has obtained
14 a commitment from 1 or more outside partners
15 to match, using non-Federal funds or in-kind
16 contributions, not less than 15 percent of the
17 amount of subgrant funds. In the case of sig-
18 nificant financial hardship, an eligible sub-
19 grantee may apply to the State or eligible entity
20 for, and the State or eligible entity may grant,
21 a waiver of a portion of the minimum matching
22 funds requirement.

23 “(d) STATE ACTIVITIES.—

1 “(1) IN GENERAL.—Each State or eligible enti-
2 ty that receives a grant under this subpart may use
3 not more than 5 percent of grant funds for—

4 “(A) administrative costs;

5 “(B) monitoring the implementation of
6 subgrants;

7 “(C) providing technical assistance to sub-
8 grantees; and

9 “(D) evaluating subgrants in coordination
10 with the evaluation described in section 4207.

11 “(2) RESERVATION.—Each State or eligible en-
12 tity that receives a grant under this subpart may
13 submit a request to the Secretary to reserve not
14 more than 15 percent of grant funds, inclusive of
15 the amount described in paragraph (1), for addi-
16 tional State activities, consistent with subsections
17 (a) and (b).

18 **“SEC. 4206. PERFORMANCE METRICS; REPORT.**

19 “(a) ESTABLISHMENT OF PERFORMANCE
20 METRICS.—The Secretary, acting through the Director of
21 the Institute of Education Sciences, shall establish per-
22 formance metrics to evaluate the effectiveness of the ac-
23 tivities carried out under this subpart.

24 “(b) ANNUAL REPORT.—Each State or eligible entity
25 that receives a grant under this subpart shall prepare and

1 submit an annual report to the Secretary, which shall in-
2 clude information relevant to the performance metrics de-
3 scribed in subsection (a).

4 **“SEC. 4207. EVALUATION.**

5 “From the amount reserved in accordance with sec-
6 tion 9601, the Secretary shall—

7 “(1) acting through the Director of the Insti-
8 tute of Education Sciences, and in consultation with
9 the Director of the National Science Foundation—

10 “(A) evaluate the implementation and im-
11 pact of the activities supported under this sub-
12 part, including progress measured by the
13 metrics established under section 4206(a); and

14 “(B) identify best practices to improve in-
15 struction in science, technology, engineering,
16 and mathematics subjects; and

17 “(2) disseminate, in consultation with the Na-
18 tional Science Foundation, research on best prac-
19 tices to improve instruction in science, technology,
20 engineering, and mathematics subjects.

21 **“SEC. 4208. SUPPLEMENT NOT SUPPLANT.**

22 “Funds received under this subpart shall be used to
23 supplement, and not supplant, funds that would otherwise
24 be used for activities authorized under this subpart.

1 **“SEC. 4209. MAINTENANCE OF EFFORT.**

2 “A State that receives funds under this subpart for
3 a fiscal year shall maintain the fiscal effort provided by
4 the State for the subjects supported by the funds under
5 this part at a level equal to or greater than the level of
6 such fiscal effort for the preceding fiscal year.

7 **“Subpart 2—STEM Master Teacher Corps Program**

8 **“SEC. 4221. PURPOSE.**

9 “The purpose of this subpart is to establish a STEM
10 Master Teacher Corps program that—

11 “(1) elevates the status of the STEM teaching
12 profession by recognizing and rewarding outstanding
13 STEM teachers;

14 “(2) attracts and retains effective STEM teach-
15 ers, particularly in high-need schools, by offering
16 them additional compensation, instructional re-
17 sources, and instructional leadership roles; and

18 “(3) creates a network of outstanding STEM
19 teacher-leaders who will—

20 “(A) share best practices and resources;

21 “(B) take on leadership responsibilities in
22 their schools, districts, States (if part of the
23 participating area), or consortia with the au-
24 thority to provide professional support to their
25 STEM colleagues not participating in the
26 STEM Master Teacher Corps;

1 “(C) aid in the development and retention
2 of beginning teachers by serving as their role
3 models and providing them with instructional
4 support; and

5 “(D) inform the development of STEM
6 education policy.

7 **“SEC. 4222. DEFINITIONS.**

8 “In this subpart:

9 “(1) ELIGIBLE ENTITY.—The term ‘eligible en-
10 tity’ means a consortium of high-need local edu-
11 cational agencies or 1 or more State educational
12 agencies, acting in partnership with 1 or more—

13 “(A) institutions of higher education; or

14 “(B) nonprofit organizations with a dem-
15 onstrated record of success in preparing or im-
16 proving the effectiveness of STEM teachers.

17 “(2) PARTICIPATING AREA.—The term ‘partici-
18 pating area’ means—

19 “(A) in the case of an eligible entity that
20 includes a State educational agency or consor-
21 tium of State educational agencies, the State or
22 States; or

23 “(B) in the case of an eligible entity that
24 includes a consortium of local educational agen-
25 cies, the area served by such agencies.

1 “(3) RURAL SCHOOL.—The term ‘rural school’
2 means a public school—

3 “(A) designated with a school locale code
4 of Distant Town, Remote Town, Fringe Rural,
5 Distant Rural, or Remote Rural; and

6 “(B) served by a local educational agency
7 in which not less than two-thirds of the stu-
8 dents served by the agency attend a school des-
9 igned with 1 of the school locale codes listed
10 in subparagraph (A).

11 “(4) STEM.—The term ‘STEM’ means science,
12 technology, engineering, and mathematics, including
13 computer science.

14 **“SEC. 4223. STEM MASTER TEACHER CORPS PROGRAM.**

15 “(a) IN GENERAL.—

16 “(1) GRANTS AUTHORIZED.—From the amount
17 reserved under section 4203(a)(1)(C), the Secretary,
18 in consultation with the Director of the National
19 Science Foundation and the heads of other appro-
20 priate Federal agencies, as determined by the Sec-
21 retary, shall establish a STEM Master Teacher
22 Corps program by awarding, on a competitive basis,
23 1 or more grants of not less than \$15,000,000 each
24 to eligible entities to enable the eligible entities to

1 establish the program, in accordance with section
2 4225.

3 “(2) PLANNING GRANTS.—The Secretary may
4 award planning grants to eligible entities to enable
5 the entities to make plans to establish the program,
6 in accordance with section 4225.

7 “(b) DURATION OF GRANT.—

8 “(1) IN GENERAL.—A grant awarded under
9 this subpart shall be for a period of not more than
10 5 years.

11 “(2) REVIEW.—The Secretary shall—

12 “(A) review, 3 years after an eligible entity
13 is awarded a grant under this subpart, the per-
14 formance of the entity during the 3-year period;
15 and

16 “(B) fund the remaining grant period for
17 such entity if the Secretary determines, based
18 on such review, that the entity is achieving sat-
19 isfactory results.

20 “(c) MATCHING REQUIREMENT.—

21 “(1) IN GENERAL.—Except as provided in para-
22 graph (2), an eligible entity that receives a grant
23 under this subpart shall provide, from non-Federal
24 sources, an amount equal to not less than 50 per-
25 cent of the amount of the grant, which may be pro-

1 vided in cash or in-kind, to carry out the activities
2 supported by the grant.

3 “(2) EXCEPTION.—

4 “(A) IN GENERAL.—The Secretary may
5 waive the 50 percent matching requirement
6 under paragraph (1) for an eligible entity that
7 the Secretary determines is unable to meet such
8 requirement. The Secretary shall set a match-
9 ing requirement for such eligible entities ac-
10 cording to the sliding scale described in sub-
11 paragraph (B).

12 “(B) SLIDING SCALE.—The amount of a
13 match under subparagraph (A) shall be estab-
14 lished based on a sliding fee scale that takes
15 into account—

16 “(i) the relative poverty of the popu-
17 lation to be targeted by the eligible entity;
18 and

19 “(ii) the ability of the eligible entity to
20 obtain such matching funds.

21 “(3) CONSIDERATION.—The Secretary shall not
22 consider an eligible entity’s ability to match funds
23 when determining which eligible entities will receive
24 grant awards under this subpart.

1 **“SEC. 4224. APPLICATION.**

2 “(a) IN GENERAL.—An eligible entity desiring a
3 grant under this subpart shall submit an application to
4 the Secretary at such time, in such manner, and con-
5 taining such information as the Secretary may require.

6 “(b) CONTENTS.—An application submitted under
7 this section shall include—

8 “(1) a description of the STEM Master Teach-
9 er Corps program that the eligible entity intends to
10 carry out, including the number of Corps members
11 the entity intends to select, the intended distribution
12 of subjects and grade levels taught, the geographic
13 and economic characteristics of the local educational
14 agencies that are part of the participating area, such
15 as the rural-urban continuum codes and proportion
16 of high-need schools served, and the type of activi-
17 ties proposed for recruitment of Corps members;

18 “(2) a description of the roles and responsibil-
19 ities that each participating local educational agency,
20 State, institution of higher education, or nonprofit
21 organization, as applicable, will have;

22 “(3) a demonstration that the entity has suffi-
23 cient capacity to carry out the activities described in
24 section 4225;

25 “(4) a description of the member selection proc-
26 ess and criteria that the applicant will use to select

1 members of the STEM Master Teacher Corps, in ac-
2 cordance with section 4225(b);

3 “(5) a description of how the eligible entity in-
4 tends to facilitate networking and sharing of best
5 practices and educational resources relating to
6 STEM education among Corps members, particu-
7 larly at rural schools, if applicable, and make a se-
8 lection of these best practices and resources more
9 widely available to other teachers and the STEM
10 educational community, including through electronic
11 means;

12 “(6) a demonstration that the entity has a clear
13 plan for—

14 “(A) offering research-based professional
15 development to Corps members, including train-
16 ing on instructional leadership, mentoring, en-
17 gaging and effectively teaching historically
18 underachieving or underrepresented groups in
19 STEM fields, such as girls, minorities, low-in-
20 come students, English learners, and students
21 with disabilities, and effective STEM teaching
22 methods, such as incorporating hands-on
23 STEM projects into their lesson plans; and

24 “(B) tracking the effectiveness of such
25 professional development;

1 “(7) a demonstration that the entity has a clear
2 plan for evaluating the impact of the professional
3 support provided by STEM Master Teacher Corps
4 members to other teachers in their school, district,
5 State (if part of the participating area), or consor-
6 tium;

7 “(8) a description of how the local educational
8 agencies and schools served by the eligible entity in-
9 tend to align STEM Master Teacher Corps mem-
10 bers’ duties with school systems and activities al-
11 ready in place, if applicable, such as professional de-
12 velopment and mentoring;

13 “(9) an explanation of how STEM Master
14 Teacher Corps members will be afforded the time,
15 authority, and resources to fulfill requirements
16 under the program, and how other teachers will be
17 afforded the time to receive professional support
18 from Corps members;

19 “(10) a demonstration that the entity has a
20 clear plan for oversight to ensure that STEM Mas-
21 ter Teacher Corps members carry out the respon-
22 sibilities described in section 4225(c) to the fullest
23 extent practicable, and a description of the actions
24 to be taken if a member does not carry out such re-
25 sponsibilities; and

1 “(11) a description of how the grant funds will
2 be financially managed.

3 “(c) CRITERIA FOR AWARDING GRANTS.—

4 “(1) IN GENERAL.—The Secretary shall award
5 grants under this subpart on the basis of merit con-
6 sidering, at a minimum, the following:

7 “(A) The extent to which the local edu-
8 cational agencies that are part of the eligible
9 entity are committed to integrating the pro-
10 gram into existing school structures, policies,
11 operations, and budgets, such as by enabling
12 STEM Master Teacher Corps members to take
13 on leadership roles in their schools, districts,
14 States, if part of the participating area, or con-
15 sortia, in addition to their classroom duties, in-
16 cluding assisting in the development and imple-
17 mentation of professional development activities
18 and driving the instructional program of the
19 school.

20 “(B) The quality of the proposed profes-
21 sional development, teacher leadership and
22 mentorship activities, and networking opportu-
23 nities.

24 “(C) Demonstration that the local edu-
25 cational agencies and schools they serve have

1 removed barriers to full participation in the
2 program, including affording Corps members
3 and the teachers they mentor the time to par-
4 ticipate in activities required by the program.

5 “(D) The number and quality of the indi-
6 viduals that will be served by the program.

7 “(E) The capacity of the eligible entity to
8 effectively carry out the program.

9 “(2) PRIORITY.—In awarding grants under this
10 subpart, the Secretary shall give priority to—

11 “(A) eligible entities that intend to include
12 large numbers of teachers in the STEM Master
13 Teacher Corps; and

14 “(B) eligible entities that intend to include
15 rural schools, particularly high-need rural
16 schools, in the participating area to be served.

17 **“SEC. 4225. REQUIRED USE OF FUNDS.**

18 “(a) IN GENERAL.—An eligible entity receiving a
19 grant under this subpart shall use grant funds to—

20 “(1) administer the selection of teachers for
21 membership in the STEM Master Teacher Corps, in
22 accordance with the requirements of subsection (b);

23 “(2) provide compensation to each public school
24 teacher who is selected and serves as a member of
25 the STEM Master Teacher Corps, in recognition of

1 the teacher's teaching accomplishments, leadership,
2 and increased responsibilities, which amount shall—

3 “(A) supplement, and not supplant, the
4 teacher's base salary; and

5 “(B) be equal to—

6 “(i) in the case of a teacher who
7 teaches at a high-need public school, in-
8 cluding a high-need charter school,
9 \$15,000 per year for each year the teacher
10 serves as a member of the Corps; and

11 “(ii) in the case of a teacher who
12 teaches at a public school, including a
13 charter school, that is not a high-need
14 school, \$5,000 per year for each year the
15 teacher serves as a member of the Corps;

16 “(3) provide research-based professional devel-
17 opment activities for members of the STEM Master
18 Teacher Corps, as described in section 4224(b)(6),
19 and track the effectiveness of such professional de-
20 velopment in order to determine whether to alter
21 professional development activities;

22 “(4) provide discretionary resources for STEM
23 Master Teacher Corps members at high-need public
24 schools to use in their classrooms and schools, in-
25 cluding for after school activities to enrich STEM

1 education and for equipment and technology to fa-
2 cilitate long distance networking, mentoring, and
3 sharing of best practices;

4 “(5) assist in coordinating instructional leader-
5 ship roles for STEM Master Teacher Corps mem-
6 bers and mentoring relationships between STEM
7 Master Teacher Corps members and other teachers
8 in the same school, school district, State, if part of
9 the participating area, or consortium in which the
10 Corps members serve as instructional leaders;

11 “(6) facilitate efforts by STEM Master Teacher
12 Corps members to inform STEM education policy at
13 the national, State, and local levels;

14 “(7) help defray costs associated with affording
15 STEM Master Teacher Corps members the time to
16 fulfill their duties as Corps members; and

17 “(8) support other activities that advance the
18 purpose of this subpart.

19 “(b) SELECTING MEMBERS OF THE STEM MASTER
20 TEACHER CORPS.—

21 “(1) SELECTION CRITERIA FOR CORPS MEM-
22 BERS.—The eligible entity shall select, as members
23 of the STEM Master Teacher Corps, exemplary
24 STEM teachers at the elementary school and sec-
25 ondary school levels who teach in the participating

1 area, which may also include special education
2 teachers and teachers of English learners who teach
3 a STEM subject. In selecting the members, the eligi-
4 ble entity shall—

5 “(A) make decisions based on the teach-
6 er’s—

7 “(i) ability to improve student aca-
8 demic achievement in the STEM fields, as
9 demonstrated by, if applicable, student
10 academic growth in such fields;

11 “(ii) ability to enhance student en-
12 gagement in such fields;

13 “(iii) record of leadership in the
14 teacher’s school and involvement in profes-
15 sional and outreach activities;

16 “(iv) record of teaching students not
17 on grade level or not making sufficient
18 growth to graduate college and career
19 ready; and

20 “(v) demonstrated ability to facilitate
21 student academic achievement growth with
22 the students described in clause (iv), where
23 such measures are available; and

24 “(B) evaluate the teacher’s ability and
25 record based on multiple measures, such as—

1 “(i) teacher evaluations of pedagogical
2 skills;

3 “(ii) an assessment of content knowl-
4 edge;

5 “(iii) the performance and improve-
6 ment of the teacher’s students on tests;

7 “(iv) demonstration of practical pro-
8 fessional experience in the teacher’s dis-
9 cipline, such as having worked in industry
10 or research;

11 “(v) involvement in STEM discipline
12 professional societies;

13 “(vi) STEM outreach and community
14 involvement; and

15 “(vii) certification by the National
16 Board for Professional Teaching Stand-
17 ards, or other equivalently rigorous, per-
18 formance-based, peer-reviewed certification,
19 as a high-performing teacher.

20 “(2) OVERALL CORPS MEMBERSHIP REQUIRE-
21 MENTS.—An eligible entity receiving a grant under
22 this subpart shall ensure that—

23 “(A) not more than 5 percent of the
24 STEM teachers who teach in the participating
25 area are members of the Corps;

1 “(B) not less than 75 percent of the
2 STEM Master Teacher Corps members are
3 teachers at high-need schools;

4 “(C) the proportion of STEM Master
5 Teacher Corps members in the participating
6 area who teach at rural high-need schools is not
7 less than the proportion of all teachers who
8 teach at rural high-need schools in the partici-
9 pating area;

10 “(D) there are multiple cohorts of STEM
11 Master Teacher Corps members; and

12 “(E) the STEM Master Teacher Corps in-
13 cludes teachers from each of science, tech-
14 nology, engineering, and mathematics, if teach-
15 ers from each of these disciplines meeting the
16 standards of Corps membership are available in
17 the participating area and may include teachers
18 of career and technical education.

19 “(3) PARTICIPATION OF PRIVATE SCHOOL
20 TEACHERS.—An eligible entity may select STEM
21 teachers who teach at private schools in the partici-
22 pating area to be members of the STEM Master
23 Teacher Corps, except that—

1 “(A) not more than 5 percent of teachers
2 selected as STEM Master Teacher Corps mem-
3 bers shall be teachers at private schools; and

4 “(B) private school teachers shall not be
5 eligible for compensation described in sub-
6 section (a)(2), discretionary resource funds de-
7 scribed in subsection (a)(4), or for defrayment
8 funds described in subsection (a)(7).

9 “(c) CORPS MEMBER REQUIREMENTS.—Each teach-
10 er selected to be a member of the STEM Master Teacher
11 Corps who wishes to join the Corps shall enter into an
12 agreement with the eligible entity, under which the teacher
13 shall, as a condition of receiving the compensation de-
14 scribed in subsection (a)(2) and the discretionary re-
15 sources described in subsection (a)(4), agree to carry out
16 the responsibilities of a master teacher as required by the
17 eligible entity, including—

18 “(1) participating in professional development
19 activities offered by the program;

20 “(2) networking and sharing best practices and
21 educational resources with other members of the
22 STEM Master Teacher Corps; and

23 “(3) contributing to the professional develop-
24 ment of the teacher’s colleagues, which may include
25 providing school-based professional support to other

1 STEM teachers through regular weekly professional
2 development sessions and individual coaching, where
3 possible, leading professional learning communities,
4 and taking on other instructional leadership roles in
5 the teacher’s school, district, State, if part of the
6 participating area, or consortium.

7 “(d) COLLECTION FOR NONCOMPLIANCE.—

8 “(1) MONITORING COMPLIANCE.—Each eligible
9 entity that receives a grant under this subpart shall
10 monitor whether each teacher the entity selects to be
11 a member of the STEM Master Teacher Corps is in
12 compliance with the Corps member requirements de-
13 scribed in subsection (c).

14 “(2) COLLECTION OF REPAYMENT.—

15 “(A) IN GENERAL.—A teacher selected to
16 be a member of the STEM Master Teacher
17 Corps shall repay the additional compensation
18 provided for a school year described in sub-
19 section (a)(2) to the eligible entity if—

20 “(i) the entity finds the teacher not in
21 compliance with the Corps member re-
22 quirements described in subsection (c) and
23 the entity determines the teacher should no
24 longer be a member of the Corps for such
25 year; or

1 “(ii) the teacher withdraws during
2 such year from membership in the Corps
3 without an accepted excuse, as determined
4 by the eligible entity.

5 “(B) COMPENSATION RETURNED TO THE
6 TREASURY.—

7 “(i) IN GENERAL.—Except as pro-
8 vided in clause (ii), an eligible entity that
9 receives repaid compensation under sub-
10 paragraph (A) shall return such compensa-
11 tion to the United States Treasury.

12 “(ii) ADMINISTRATIVE COSTS.—An el-
13 igible entity that receives repaid compensa-
14 tion under subparagraph (A) may retain a
15 percentage, determined by the Secretary,
16 of such repayment to defray administrative
17 costs associated with the collection.

18 **“SEC. 4226. PERFORMANCE METRICS; REPORT.**

19 “(a) ESTABLISHMENT OF PERFORMANCE
20 METRICS.—The Secretary, acting through the Director of
21 the Institute of Education Sciences, shall establish per-
22 formance metrics to evaluate the effectiveness of the ac-
23 tivities carried out under this subpart.

24 “(b) ANNUAL REPORT.—Each eligible entity that re-
25 ceives a grant under this subpart shall prepare and submit

1 an annual report to the Secretary, which shall include in-
2 formation relevant to the performance metrics described
3 in subsection (a).

4 **“SEC. 4227. SUPPLEMENT NOT SUPPLANT.**

5 “Funds received under this subpart shall be used to
6 supplement, and not supplant, funds that would otherwise
7 be used for activities authorized under this subpart.

8 **“SEC. 4228. EVALUATION.**

9 “From the amount reserved in accordance with sec-
10 tion 9601, the Secretary shall—

11 “(1) acting through the Director of the Insti-
12 tute of Education Sciences, and in consultation with
13 the Director of the National Science Foundation—

14 “(A) evaluate the implementation and im-
15 pact of the activities supported under this sub-
16 part, with regard to the program’s success in
17 achieving the purpose described in section 4221;

18 “(B) identify optimal strategies for the de-
19 sign, implementation, and continuing develop-
20 ment of the STEM Master Teacher Corps pro-
21 gram; and

22 “(C) identify best practices for developing,
23 supporting, and retaining STEM teachers based
24 on lessons learned from the STEM Master
25 Teacher Corps program; and

1 “(2) disseminate findings from the evaluation
2 conducted under paragraph (1) to the STEM edu-
3 cation field and make the findings publicly avail-
4 able.”.

5 **SEC. 4104. INCREASING ACCESS TO A WELL-ROUNDED EDU-**
6 **CATION.**

7 Title IV (20 U.S.C. 7101 et seq.) is amended by in-
8 serting after part B, as added by section 4103 of this Act,
9 the following:

10 **“PART C—INCREASING ACCESS TO A WELL-**
11 **ROUNDED EDUCATION AND FINANCIAL LIT-**
12 **ERACY**

13 **“Subpart 1—Increasing Access to a Well-rounded**
14 **Education**

15 **“SEC. 4301. PURPOSE.**

16 “The purpose of this subpart is to improve the aca-
17 demic achievement of low-income students by giving stu-
18 dents increased access to high-quality instruction for a
19 well-rounded education.

20 **“SEC. 4302. DEFINITIONS.**

21 “In this subpart:

22 “(1) COVERED SUBJECTS.—The term ‘covered
23 subjects’ means any of the following academic sub-
24 jects:

25 “(A) Arts.

1 “(B) Civics and government.

2 “(C) Economics.

3 “(D) Environmental education.

4 “(E) Financial literacy.

5 “(F) Foreign languages.

6 “(G) Geography.

7 “(H) Health education.

8 “(I) History.

9 “(J) Music.

10 “(K) Physical education.

11 “(L) Social studies.

12 “(2) ELIGIBLE ENTITY.—The term ‘eligible en-
13 tity’ means a State educational agency in partner-
14 ship with—

15 “(A) a nonprofit organization with a dem-
16 onstrated record of success in improving stu-
17 dent achievement in 1 or more covered subjects;

18 “(B) an institution of higher education;

19 “(C) a local educational agency;

20 “(D) an educational service agency; or

21 “(E) 1 or more other State educational
22 agencies.

23 “(3) ELIGIBLE SUBGRANTEE.—The term ‘eligi-
24 ble subgrantee’ means—

25 “(A) a high-need local educational agency;

1 “(B) an educational service agency serving
2 more than 1 high-need local educational agency;
3 or

4 “(C) a consortium of high-need local edu-
5 cational agencies.

6 “(4) LOW-INCOME STUDENT.—The term ‘low-
7 income student’ means a student—

8 “(A) from a family with an income below
9 the poverty line; or

10 “(B) who is eligible for free or reduced-
11 price lunch under the Richard B. Russell Na-
12 tional School Lunch Act (42 U.S.C. 1751 et
13 seq.).

14 **“SEC. 4303. GRANT PROGRAM.**

15 “(a) GRANTS TO ELIGIBLE ENTITIES.—From
16 amounts appropriated to carry out this subpart for a fiscal
17 year, and not reserved in accordance with section 9601,
18 the Secretary shall make grants to eligible entities to en-
19 able the eligible entities to carry out the activities de-
20 scribed in subsection (e).

21 “(b) DURATION.—A grant under this section shall be
22 for a period of not more than 5 years.

23 “(c) PAYMENTS.—

24 “(1) CONTINGENT PAYMENTS.—After the third
25 year of a grant under this section, the Secretary

1 shall make continued funding under the grant con-
2 tingent upon the eligible entity's progress toward
3 reaching the goals established under the metrics de-
4 scribed in subsection (h)(1).

5 “(2) FORMULA.—

6 “(A) DISTRIBUTION TRIGGER.—

7 “(i) AMOUNT TO TRIGGER FOR-
8 MULA.—If the amount of funds appro-
9 priated to carry out this subpart for a fis-
10 cal year equals or exceeds \$500,000,000,
11 then the Secretary shall award grants to
12 eligible entities based on the formula de-
13 scribed under subparagraph (B).

14 “(ii) AMOUNT TO TRIGGER COMPETI-
15 TIVE GRANT PROCESS.—If the funds ap-
16 propriated to carry out this subpart for a
17 fiscal year are less than \$500,000,000,
18 then the Secretary shall award grants to
19 eligible entities on a competitive basis.

20 “(B) FORMULA.—From funds made avail-
21 able to carry out this subpart for a fiscal year,
22 and not reserved in accordance with section
23 9601, the Secretary shall allot to each eligible
24 entity having an application approved under
25 subparagraph (C)—

1 “(i) an amount that bears the same
2 relationship to 80 percent of the remainder
3 as the number of individuals ages 5
4 through 17 from families with incomes
5 below the poverty line, in the State, as de-
6 termined by the Secretary on the basis of
7 the most recent satisfactory data, bears to
8 the number of those individuals in all
9 States that have an application approved
10 under such subparagraph; and

11 “(ii) an amount that bears the same
12 relationship to 20 percent of the remainder
13 as the number of individuals ages 5 to 17
14 in the State, as determined by the Sec-
15 retary on the basis of the most recent sat-
16 isfactory data, bears to the number of
17 those individuals in all States that have an
18 application approved under such subpara-
19 graph.

20 “(C) EXCEPTIONS.—

21 “(i) MINIMUM GRANT AMOUNT.—Sub-
22 ject to clause (ii), no State receiving an al-
23 lotment under subparagraph (B) may re-
24 ceive less than 1 percent of the total
25 amount allotted under such subparagraph.

1 “(ii) PUERTO RICO.—The percentage
2 of the amount allotted under subparagraph
3 (B) that is allotted to the Commonwealth
4 of Puerto Rico for a fiscal year may not
5 exceed the amount under clause (i).

6 “(D) PEER REVIEW REQUIREMENTS.—The
7 Secretary shall establish a peer review process
8 to ensure that applications submitted for for-
9 mula funding, as described in subparagraph
10 (B), are of high quality and meet the require-
11 ments and purposes of this subpart.

12 “(d) APPLICATION.—

13 “(1) IN GENERAL.—Each eligible entity desir-
14 ing a grant under this section shall submit an appli-
15 cation to the Secretary at such time, in such man-
16 ner, and accompanied by such information as the
17 Secretary may require.

18 “(2) CONTENTS.—The application shall, at a
19 minimum—

20 “(A) describe the needs identified by the
21 eligible entity, based on the eligible entity’s
22 analysis of—

23 “(i) student access to, and quality of
24 instruction in, covered subjects, including a
25 comparison of such access and quality be-

1 tween low-income and non-low-income stu-
2 dents in the State served by the eligible en-
3 tity;

4 “(ii) the capacity of high-need local
5 educational agencies in such State to de-
6 liver high-quality instruction in covered
7 subjects, including an analysis of instruc-
8 tional supports, curricula, professional
9 growth and improvement systems, and
10 teacher qualifications, effectiveness, knowl-
11 edge, and skills;

12 “(iii) the capacity of the eligible entity
13 to provide local educational agencies with
14 the support, including professional develop-
15 ment and technical assistance, needed to
16 deliver high-quality instruction and develop
17 curricula in covered subjects; and

18 “(iv) standards, assessments, cur-
19 ricula, accommodations, and other sup-
20 ports used in such State in covered sub-
21 jects;

22 “(B) identify the covered subjects that the
23 eligible entity will address through the activities
24 described in subsection (e), consistent with the
25 needs identified in subparagraph (A);

1 “(C) describe, in a manner that addresses
2 the needs identified in subparagraph (A)—

3 “(i) how access to high-quality courses
4 in the subjects identified in subparagraph
5 (B) will be increased for low-income stu-
6 dents in such State;

7 “(ii) how the knowledge and skills of
8 teachers will be evaluated and improved so
9 that such teachers will deliver high-quality
10 instruction in such subjects;

11 “(iii) how the eligible entity will pro-
12 vide assistance to high-need local edu-
13 cational agencies to improve student access
14 to, and achievement in, the subjects identi-
15 fied in subparagraph (B), including
16 through principal training; and

17 “(iv) how the eligible entity will en-
18 sure that all activities funded through a
19 grant awarded under this section are evi-
20 dence-based;

21 “(D) describe how activities funded
22 through a grant awarded under this section will
23 be aligned with other Federal, State, and local
24 funding, programs, and strategies, as appro-
25 priate; and

1 “(E) if applicable, describe the eligible en-
2 tity’s plan for disbursing funds to eligible sub-
3 grantees to implement the activities described
4 in subsection (e).

5 “(3) COMPETITIVE PRIORITY.—If grants are
6 awarded competitively, consistent with subsection
7 (c)(2)(A)(ii), the Secretary shall give priority to ap-
8 plications from eligible entities that—

9 “(A) include in the application a plan to
10 implement an interdisciplinary approach, by in-
11 tegrating instruction in 1 or more covered sub-
12 jects with reading, English, language arts,
13 science, or mathematics instruction; and

14 “(B) include in the application a plan to
15 provide expanded learning time in the schools
16 served by eligible subgrantees, in order to in-
17 crease access to covered subjects.

18 “(e) AUTHORIZED ACTIVITIES.—

19 “(1) IN GENERAL.—Each eligible entity that re-
20 ceives a grant under this section shall use the grant
21 funds to increase access for low-income students, in-
22 cluding students who are English learners and stu-
23 dents who are children with disabilities, to high-qual-
24 ity instruction in at least 1 of the covered subjects
25 by carrying out 1 or more of the following activities:

1 “(A) Improving the knowledge and skills of
2 teachers through professional growth and im-
3 provement systems, and other instructional sup-
4 ports.

5 “(B) Building local capacity to develop and
6 implement, high-quality curricula, instructional
7 supports, and assessments that are aligned with
8 the State college and career ready academic
9 content and achievement standards, consistent
10 with section 1111(a)(1), in such subjects.

11 “(2) SPECIAL RULE.—Each eligible entity that
12 receives a grant under this section shall use grant
13 funds to meet the needs identified in subsection
14 (d)(2)(A) and the Secretary shall not require any eli-
15 gible entity to address a specific subject or to ad-
16 dress all covered subjects.

17 “(3) STATE ADMINISTRATION.—Each eligible
18 entity that receives a grant under this section may
19 reserve not more than 4 percent of grant funds for
20 administration costs of the grant.

21 “(f) SUBGRANTS.—

22 “(1) IN GENERAL.—Each eligible entity that re-
23 ceives a grant under this section may, in accordance
24 with paragraph (2), award subgrants, on a competi-
25 tive basis, to eligible subgrantees to enable such eli-

1 gible subgrantees to carry out the activities de-
2 scribed in subsection (e).

3 “(2) MINIMUM GRANT.—Each subgrant under
4 this subsection shall be of sufficient size and scope
5 to support a high-quality, effective program that is
6 consistent with the purpose of this subpart.

7 “(g) EVALUATION.—From the amount reserved in
8 accordance with section 9601, the Secretary shall—

9 “(1) acting through the Director of the Insti-
10 tute of Education Sciences—

11 “(A) evaluate, in consultation with the rel-
12 evant program office at the Department of
13 Education, the implementation and impact of
14 the activities supported under this section, in-
15 cluding progress as measured by the metrics es-
16 tablished under subsection (h)(1); and

17 “(B) identify best practices to improve in-
18 struction in covered subjects; and

19 “(2) disseminate research on best practices to
20 improve instruction in covered subjects.

21 “(h) ACCOUNTABILITY.—

22 “(1) PERFORMANCE METRICS.—The Secretary,
23 acting through the Director of the Institute of Edu-
24 cation Sciences, shall, in consultation with the rel-
25 evant program office at the Department, establish

1 performance metrics to evaluate the outcomes of
2 grant projects that are assisted under this subpart.

3 “(2) ANNUAL REPORTS.—Each eligible entity
4 that receives a grant under this section shall prepare
5 and submit an annual report to the Secretary, which
6 shall include information about the performance
7 metrics described in paragraph (1).

8 “(i) SUPPLEMENT NOT SUPPLANT.—An eligible enti-
9 ty shall use Federal funds received under this section only
10 to supplement the funds that would, in the absence of such
11 Federal funds, be made available from other Federal and
12 non-Federal sources for the activities described in this sec-
13 tion, and not to supplement such funds.

14 “(j) MAINTENANCE OF EFFORT.—A State that re-
15 ceives assistance under this subpart shall maintain the fis-
16 cal effort provided by the State for the subjects supported
17 by a grant under this subpart at a level equal to or greater
18 than the level of such fiscal effort for the preceding fiscal
19 year.

20 **“Subpart 2—Financial Literacy Education**

21 **“SEC. 4311. SHORT TITLE.**

22 “This subpart may be cited as the ‘Financial Literacy
23 for Students Act’.

1 **“SEC. 4312. STATEWIDE INCENTIVE GRANTS FOR FINAN-**
2 **CIAL LITERACY EDUCATION.**

3 “(a) GRANTS AUTHORIZED.—From amounts made
4 available under this subpart, the Secretary may award
5 grants to State educational agencies to enable State edu-
6 cational agencies, on a statewide basis—

7 “(1) to integrate financial literacy education
8 into each public elementary school and public sec-
9 ondary school within the State that is eligible to re-
10 ceive funds under title I; and

11 “(2) to provide professional development re-
12 garding the teaching of financial literacy in core aca-
13 demic subjects to each secondary school teacher of
14 financial literacy or entrepreneurship within the
15 State.

16 “(b) PERMISSIBLE USES OF FUNDS.—In carrying
17 out the grant activities described in subsection (a), the
18 State educational agency may use grant funds to—

19 “(1) implement school-based financial literacy
20 activities, including after school activities;

21 “(2) enhance student understanding and experi-
22 ential learning with consumer, economic, entrepre-
23 neurship, and personal finance concepts; and

24 “(3) promote partnerships with community-
25 based organizations, financial institutions, local busi-

1 nesses, entrepreneurs, or other organizations pro-
2 viding financial literacy activities.

3 “(c) LIMITATION ON USES OF FUNDS.—A State edu-
4 cational agency receiving grant funds under this section
5 shall not use more than 20 percent of such grant funds
6 to carry out the following:

7 “(1) Teacher professional development pro-
8 grams to embed financial literacy or personal finance
9 or entrepreneurship education into core academic
10 subjects.

11 “(2) Curriculum development.

12 “(3) An evaluation of the impact of financial
13 literacy or personal finance education on students’
14 understanding of financial literacy concepts.

15 “(d) MATCHING FUNDS.—A State educational agen-
16 cy that receives a grant under this section shall provide
17 matching funds, from non-Federal sources, in an amount
18 equal to 25 percent of the amount of grant funds provided
19 to the State to carry out the activities supported by the
20 grant.”.

21 **SEC. 4105. SUCCESSFUL, SAFE, AND HEALTHY STUDENTS.**

22 Title IV (20 U.S.C. 7101 et seq.) is amended by in-
23 serting after part C, as added by section 4104 of this Act,
24 the following:

1 **“PART D—SUCCESSFUL, SAFE, AND HEALTHY**
2 **STUDENTS**

3 **“SEC. 4401. PURPOSE.**

4 “The purpose of this part is to assist States and local
5 educational agencies in developing and implementing com-
6 prehensive programs and strategies to foster positive con-
7 ditions for learning in public schools, in order to increase
8 academic achievement for all students through the provi-
9 sion of Federal assistance to States for the—

10 “(1) promotion of student physical health and
11 well-being, nutrition, and fitness;

12 “(2) promotion of student mental health and
13 well-being;

14 “(3) prevention of school violence, harassment,
15 and substance abuse among students; and

16 “(4) promotion of safe and supportive schools.

17 **“SEC. 4402. DEFINITIONS.**

18 “In this part:

19 “(1) CHILD AND ADOLESCENT PSYCHIA-
20 TRIST.—The term ‘child and adolescent psychiatrist’
21 means an individual who—

22 “(A) possesses State medical licensure; and

23 “(B) has completed residency training pro-
24 grams in both general psychiatry and child and
25 adolescent psychiatry.

1 case management services, to promote
2 positive student academic achievement, de-
3 velopmental, and social growth, including
4 non-cognitive skill development.

5 “(ix) To the extent practicable, pro-
6 vide access to school nurses, school coun-
7 selors, and school social workers for the
8 promotion of student physical health, men-
9 tal health, and well-being.

10 “(3) CONTROLLED SUBSTANCE.—The term
11 ‘controlled substance’ means a drug or other sub-
12 stance identified under Schedule I, II, III, IV, or V
13 of section 202(c) of the Controlled Substances Act
14 (21 U.S.C. 812(e)).

15 “(4) DRUG.—The term ‘drug’ includes—

16 “(A) a controlled substance;

17 “(B) with respect to alcohol and tobacco,
18 the illegal use of such substances; and

19 “(C) with respect to inhalants and anabolic
20 steroids, the harmful, abusive, or addictive use
21 of such substances.

22 “(5) DRUG AND VIOLENCE PREVENTION.—The
23 term ‘drug and violence prevention’ means—

24 “(A) with respect to drugs, prevention,
25 early intervention, rehabilitation referral, or

1 education related to the abuse and illegal use of
2 drugs, in order to—

3 “(i) raise awareness about the costs
4 and consequences of drug use and abuse;

5 “(ii) change attitudes, perceptions,
6 and social norms about the dangers and
7 acceptability of alcohol, tobacco, and
8 drugs; and

9 “(iii) reduce access to and use of alco-
10 hol, tobacco, and drugs; and

11 “(B) with respect to violence, the pro-
12 motion of school safety in and around the
13 school building, on pathways to and from the
14 school and students’ homes, at school-sponsored
15 activities, and through electronic and social
16 media involving students or school personnel,
17 through the creation and maintenance of a
18 school environment that—

19 “(i) is free of—

20 “(I) weapons;

21 “(II) violent and disruptive acts;

22 “(III) harassment;

23 “(IV) sexual harassment, dating
24 violence, and abuse; and

1 “(V) victimization associated
2 with prejudice and intolerance;

3 “(ii) fosters individual responsibility
4 and respect for the rights and dignity of
5 others;

6 “(iii) employs positive, preventative
7 approaches to school discipline, such as
8 schoolwide positive behavior supports and
9 interventions and restorative justice, that
10 improve student engagement while mini-
11 mizing students’ removal from instruction
12 and reducing the frequency of discipline in-
13 fractions and disparities among the sub-
14 groups of students described in section
15 1116(b)(1)(B); and

16 “(iv) demonstrates preparedness and
17 readiness to respond to, and recover from,
18 incidents of school violence.

19 “(6) ELIGIBLE LOCAL APPLICANT.—The term
20 ‘eligible local applicant’ means—

21 “(A) a local educational agency;

22 “(B) a consortium of local educational
23 agencies; or

24 “(C) a nonprofit organization that has a
25 track record of success in implementing the ac-

1 tivities proposed in the grant application and
2 has signed a memorandum of understanding
3 with a local educational agency or consortium
4 of local educational agencies that the organiza-
5 tion will, upon receipt of a subgrant under this
6 part—

7 “(i) implement school-based activities
8 and programs described in section
9 4404(i)(1)(A)(iii) in 1 or more schools
10 served by the local educational agency or
11 consortium; and

12 “(ii) conduct school-level measurement
13 of conditions for learning that are con-
14 sistent with the State’s conditions for
15 learning measurement system under sec-
16 tion 4404(h).

17 “(7) HARASSMENT.—The term ‘harassment’
18 means conduct, including bullying, that—

19 “(A) is sufficiently severe, persistent, or
20 pervasive to limit or interfere with a student’s
21 ability to participate in or benefit from a pro-
22 gram or activity of a public school or edu-
23 cational agency, including acts of verbal, non-
24 verbal, or physical aggression, intimidation, or

1 hostility, and communications made available
2 through electronic means; and

3 “(B) is based on—

4 “(i) a student’s actual or perceived
5 race, color, national origin, sex, disability,
6 sexual orientation, gender identity, or reli-
7 gion;

8 “(ii) the actual or perceived race,
9 color, national origin, sex, disability, sexual
10 orientation, gender identity, or religion of
11 a person with whom a student associates
12 or has associated; or

13 “(iii) any other distinguishing charac-
14 teristics that may be enumerated by a
15 State or local educational agency.

16 “(8) OTHER QUALIFIED PSYCHOLOGIST.—The
17 term ‘other qualified psychologist’ means an indi-
18 vidual who has demonstrated competence in coun-
19 seling children in a school setting and who—

20 “(A) is licensed in psychology by the State
21 in which the individual works; and

22 “(B) practices in the scope of the individ-
23 ual’s education, training, and experience with
24 children in school settings.

1 “(9) PHYSICAL EDUCATION INDICATORS.—The
2 term ‘physical education indicators’ means a set of
3 measures for instruction on physical activity, health-
4 related fitness, physical competence, and cognitive
5 understanding about physical activity. Such indica-
6 tors shall include—

7 “(A) for the State, for each local edu-
8 cational agency in the State, and for each ele-
9 mentary school and secondary school in the
10 State, the average number of minutes per week
11 (averaged over the school year) that all students
12 spend in required physical education, and the
13 average number of minutes per week (averaged
14 over the school year) that all students engage in
15 moderate to vigorous physical activity, as meas-
16 ured against established recommended guide-
17 lines of the Centers for Disease Control and
18 Prevention and the Department of Health and
19 Human Services;

20 “(B) for the State, the percentage of local
21 educational agencies that have a required, age-
22 appropriate physical education curriculum that
23 adheres to Centers for Disease Control and
24 Prevention guidelines and State standards;

1 “(C) for the State, for each local edu-
2 cational agency in the State, and for each ele-
3 mentary school and secondary school in the
4 State, the percentage of elementary school and
5 secondary school physical education teachers
6 who are licensed or certified in the State to
7 teach physical education;

8 “(D) for the State, and for each local edu-
9 cational agency in the State, the percentage of
10 elementary schools and secondary schools that
11 have a physical education teacher who is cer-
12 tified or licensed to teach physical education
13 and adapted physical education in the State;

14 “(E) for each school in the State, the num-
15 ber of indoor square feet and the number of
16 outdoor square feet used primarily for physical
17 education; and

18 “(F) for the State, the percentage of local
19 educational agencies that have a school wellness
20 council that—

21 “(i) includes members appointed by
22 the local educational agency super-
23 intendent;

24 “(ii) may include parents, students,
25 representatives of the school food author-

1 “(I) crisis intervention services;

2 “(II) appropriate referrals for
3 students potentially in need of mental
4 health services, including suicide pre-
5 vention; and

6 “(III) ongoing mental health
7 services; and

8 “(iii) providing services that establish
9 or expand school counseling and mental
10 health programs that—

11 “(I) are comprehensive in ad-
12 dressing the counseling, social, emo-
13 tional, behavioral, mental health, and
14 educational needs of all students;

15 “(II) use a developmental, pre-
16 ventive approach to counseling and
17 mental health services;

18 “(III) are linguistically appro-
19 priate and culturally responsive;

20 “(IV) increase the range, avail-
21 ability, quantity, and quality of coun-
22 seling and mental health services in
23 the elementary schools and secondary
24 schools of the local educational agen-
25 cy;

1 “(V) expand counseling and men-
2 tal health services through—

3 “(aa) school counselors,
4 school social workers, school psy-
5 chologists, other qualified psy-
6 chologists, child and adolescent
7 psychiatrists, or other qualified
8 health or mental health profes-
9 sionals, such as school nurses;
10 and

11 “(bb) school-based mental
12 health services partnership pro-
13 grams;

14 “(VI) use innovative approaches
15 to—

16 “(aa) increase children’s un-
17 derstanding of peer and family
18 relationships, work and self, deci-
19 sionmaking, or academic and ca-
20 reer planning; or

21 “(bb) improve peer inter-
22 action;

23 “(VII) provide counseling and
24 mental health services in settings that
25 meet the range of student needs;

1 “(VIII) include professional de-
2 velopment appropriate to the activities
3 covered in this paragraph for teach-
4 ers, school leaders, instructional staff,
5 and appropriate school personnel, in-
6 cluding training in appropriate identi-
7 fication and early intervention tech-
8 niques by school counselors, school so-
9 cial workers, school psychologists,
10 other qualified psychologists, child
11 and adolescent psychiatrists, or other
12 qualified health professionals, such as
13 school nurses;

14 “(IX) ensure a team approach to
15 school counseling and mental health
16 services in the schools served by the
17 local educational agency;

18 “(X) demonstrate that the local
19 educational agency is working to-
20 ward—

21 “(aa) a 1:250 ratio of school
22 counselors to students, as rec-
23 ommended by the American
24 School Counselor Association;

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1 “(bb) a 1:250 ratio of school
2 social workers to students, as
3 recommended by the School So-
4 cial Work Association of Amer-
5 ica;

6 “(cc) a 1:700 ratio of school
7 psychologists to students, as rec-
8 ommended by the National Asso-
9 ciation of School Psychologists;
10 and

11 “(dd) a 1:750 ratio of school
12 nurses to students in the general
13 population, a 1:225 ratio for stu-
14 dents requiring daily professional
15 school nursing services, and a
16 1:125 ratio for students with
17 complex needs, as recommended
18 by the National Association of
19 School Nurses; and

20 “(XI) ensure that school coun-
21 selors, school psychologists, other
22 qualified psychologists, school social
23 workers, or child and adolescent psy-
24 chiatrists paid from funds made avail-
25 able under the programs spend a ma-

1 jority of their time counseling or pro-
2 viding mental health services to stu-
3 dents or in other activities directly re-
4 lated to counseling or providing such
5 services;

6 “(C) provide training for the school per-
7 sonnel, health professionals (such as school
8 nurses), and mental health professionals who
9 will participate in the programs; and

10 “(D) provide technical assistance and con-
11 sultation to school systems, mental health agen-
12 cies, and families participating in the programs.

13 “(12) PROGRAMS TO PROMOTE PHYSICAL AC-
14 TIVITY, EDUCATION, AND FITNESS, AND NUTRI-
15 TION.—The term ‘programs to promote physical ac-
16 tivity, education, and fitness, and nutrition’ means
17 programs that—

18 “(A) increase and enable active student
19 participation in physical well-being activities
20 and provide teacher and school leader profes-
21 sional development to encourage and increase
22 such participation;

23 “(B) are comprehensive in nature;

24 “(C) include opportunities for professional
25 development for teachers of physical education

1 to stay abreast of the latest research, issues,
2 and trends in the field of physical education;
3 and

4 “(D) include 1 or more of the following ac-
5 tivities:

6 “(i) Fitness education and assessment
7 to help students understand, improve, or
8 maintain their physical well-being.

9 “(ii) Instruction in a variety of motor
10 skills and physical activities designed to
11 enhance the physical, mental, social, and
12 emotional development of every student.

13 “(iii) Development of, and instruction
14 in, cognitive concepts about motor skill and
15 physical fitness that support a lifelong
16 healthy lifestyle.

17 “(iv) Opportunities to develop positive
18 social and cooperative skills through phys-
19 ical activity.

20 “(v) Instruction in healthy eating hab-
21 its and good nutrition.

22 “(13) SCHOOL-BASED MENTAL HEALTH SERV-
23 ICES PARTNERSHIP PROGRAM.—The term ‘school-
24 based mental health services partnership program’
25 means a program that—

1 “(A) includes a public or private mental
2 health entity or health care entity and may in-
3 clude a child welfare agency, family-based men-
4 tal health entity, family organization, trauma
5 network, or other community-based entity;

6 “(B) provides comprehensive school-based
7 mental health services and supports;

8 “(C) provides comprehensive staff develop-
9 ment for school and community service per-
10 sonnel working in the school;

11 “(D) includes the early identification of so-
12 cial, emotional, or behavioral problems, or sub-
13 stance use disorders, and the provision of early
14 intervening services;

15 “(E) provides for the treatment or referral
16 for treatment of students with social, emotional,
17 or behavioral health problems, or substance use
18 disorders;

19 “(F) includes the development and imple-
20 mentation of programs to assist children in
21 dealing with trauma and violence;

22 “(G) includes the development of mecha-
23 nisms, based on best practices, for children to
24 report incidents of violence or plans by other
25 children or adults to commit violence;

1 “(H) is based on trauma-informed and evi-
2 dence-based practices;

3 “(I) is coordinated, where appropriate,
4 with early intervening services carried out
5 under the Individuals with Disabilities Edu-
6 cation Act; and

7 “(J) is provided by qualified mental and
8 behavioral health professionals who are certified
9 or licensed by the State involved and practicing
10 within their area of expertise.

11 “(14) SCHOOL COUNSELOR.—The term ‘school
12 counselor’ means an individual who has documented
13 competence in counseling children and adolescents in
14 a school setting and who—

15 “(A) is licensed by the State or certified by
16 an independent professional regulatory author-
17 ity;

18 “(B) in the absence of such State licensure
19 or certification, possesses national certification
20 in school counseling or a specialty of counseling
21 granted by an independent professional organi-
22 zation; or

23 “(C) holds a minimum of a master’s de-
24 gree in school counseling from a program ac-
25 credited by the Council for Accreditation of

1 Counseling and Related Educational Programs
2 or the equivalent.

3 “(15) SCHOOL HEALTH INDICATORS.—The
4 term ‘school health indicators’ means a set of meas-
5 urements for determining the number of students
6 seen in the school health office with, or for, social
7 and emotional disturbances, abuse and neglect, sub-
8 stance use disorders, acute and chronic illness, and
9 oral and visual health issues, (to the extent the
10 school health office has applicable information), and
11 the number of student deaths on school property, if
12 any.

13 “(16) SCHOOL NURSE.—The term ‘school
14 nurse’ means a graduate of an accredited school of
15 nursing program who is licensed by the State as a
16 registered nurse.

17 “(17) SCHOOL PSYCHOLOGIST.—The term
18 ‘school psychologist’ means an individual who—

19 “(A) has completed a minimum of 60
20 graduate semester hours in school psychology
21 from an institution of higher education and has
22 completed 1,200 clock hours in a supervised
23 school psychology internship, of which 600
24 hours are in the school setting;

1 “(B) is licensed or certified in school psy-
2 chology by the State in which the individual
3 works; or

4 “(C) in the absence of such State licensure
5 or certification, possesses national certification
6 by the National School Psychology Certification
7 Board.

8 “(18) SCHOOL SOCIAL WORKER.—The term
9 ‘school social worker’ means an individual who—

10 “(A) holds a master’s degree in social work
11 from a program accredited by the Council on
12 Social Work Education; and

13 “(B)(i) is licensed or certified by the State
14 in which services are provided; or

15 “(ii) in the absence of such State licensure
16 or certification, possesses a national credential
17 or certification as a school social work specialist
18 granted by an independent professional organi-
19 zation.

20 **“SEC. 4403. ALLOCATION OF FUNDS.**

21 “From amounts made available to carry out this part,
22 the Secretary shall allocate—

23 “(1) in each year for which funding is made
24 available to carry out this part, not more than 2 per-

1 cent of such amounts for technical assistance and
2 evaluation;

3 “(2) for the first 3 years for which funding is
4 made available to carry out this part—

5 “(A) except as provided in subparagraph
6 (B)—

7 “(i) not more than 30 percent of such
8 amounts or \$30,000,000, whichever
9 amount is more, for State conditions for
10 learning measurement systems grants, dis-
11 tributed to every State (by an application
12 process consistent with section 4404(d)) in
13 an amount proportional to each State’s
14 share of funding under part A of title I, to
15 develop or improve the State’s conditions
16 for learning measurement system described
17 in section 4404(h), and to conduct a needs
18 analysis to meet the requirements of sec-
19 tion 4404(d)(2)(D); and

20 “(ii) not more than 68 percent of such
21 amounts for Successful, Safe, and Healthy
22 Students State Grants under section 4404;
23 and

24 “(B) for any fiscal year for which the
25 amount remaining available after funds are re-

1 served under paragraph (1) is less than
2 \$30,000,000, all of such remainder for the
3 State conditions for learning measurement sys-
4 tems grants described in subparagraph (A)(i);
5 and

6 “(3) for the fourth year and each subsequent
7 year for which funding is made available to carry
8 out this part, not less than 98 percent of such
9 amounts for Successful, Safe, and Healthy Students
10 State Grants under section 4404.

11 **“SEC. 4404. SUCCESSFUL, SAFE, AND HEALTHY STUDENTS**
12 **STATE GRANTS.**

13 “(a) PURPOSE.—The purpose of this section is to
14 provide funding to eligible States to implement com-
15 prehensive programs that—

16 “(1) address conditions for learning in schools
17 in the State; and

18 “(2) are based on—

19 “(A) scientifically valid research; and

20 “(B) an analysis of need that considers, at
21 a minimum, the indicators in the State’s condi-
22 tions for learning measurement system de-
23 scribed in subsection (h).

24 “(b) STATE GRANTS.—

1 “(1) IN GENERAL.—From amounts allocated
2 under section 4403 for Successful, Safe, and
3 Healthy Students State Grants, the Secretary shall
4 award grants to eligible States to carry out the pur-
5 pose of this section.

6 “(2) AWARDS TO STATES.—

7 “(A) FORMULA GRANTS.—Except as pro-
8 vided in subparagraph (B), if the total amount
9 allocated under section 4403 for Successful,
10 Safe, and Healthy Students State Grants for a
11 fiscal year is \$500,000,000 or greater, the Sec-
12 retary shall allot to each State that meets the
13 eligibility requirements of subsection (c) with an
14 approved application an amount that bears the
15 same relationship to such total amount as the
16 amount received under part A of title I by such
17 eligible State for the preceding fiscal year bears
18 to the amount received under such part for the
19 preceding fiscal year by all eligible States.

20 “(B) MINIMUM STATE ALLOTMENT.—

21 “(i) IN GENERAL.—No State receiving
22 an allotment under subparagraph (A) may
23 receive less than one-half of 1 percent of
24 the total amount allotted under such sub-
25 paragraph.

1 “(ii) PUERTO RICO.—The amount al-
2 lotted under subparagraph (A) to the Com-
3 monwealth of Puerto Rico for a fiscal year
4 may not exceed one-half of 1 percent of the
5 total amount allotted under such subpara-
6 graph for such fiscal year.

7 “(C) COMPETITIVE GRANTS.—

8 “(i) IN GENERAL.—If the total
9 amount allocated under section 4403 for
10 Successful, Safe, and Healthy Students
11 State Grants for a fiscal year is less than
12 \$500,000,000, the Secretary shall award
13 grants under this section to States that
14 meet the eligibility requirements of sub-
15 section (c) on a competitive basis.

16 “(ii) SUFFICIENT SIZE AND SCOPE.—
17 In awarding grants on a competitive basis
18 pursuant to clause (i), the Secretary shall
19 ensure that grant awards are of sufficient
20 size and scope to carry out required and
21 approved activities under this section.

22 “(c) ELIGIBILITY.—To be eligible to receive a grant
23 under this section, a State shall demonstrate to the Sec-
24 retary that the State has—

1 “(1) established a statewide physical education
2 requirement that is consistent with widely recognized
3 standards; and

4 “(2) required all local educational agencies in
5 the State to—

6 “(A) establish policies that prevent and
7 prohibit harassment in schools; and

8 “(B) provide—

9 “(i) annual notice to parents, stu-
10 dents, and educational professionals de-
11 scribing the full range of prohibited con-
12 duct contained in such local educational
13 agency’s discipline policies; and

14 “(ii) grievance procedures for students
15 or parents to register complaints regarding
16 the prohibited conduct contained in such
17 local educational agency’s discipline poli-
18 cies, including—

19 “(I) the name of the local edu-
20 cational agency official who is des-
21 ignated as responsible for receiving
22 such complaints; and

23 “(II) timelines that the local edu-
24 cational agency will follow in the reso-
25 lution of such complaints.

1 “(d) APPLICATIONS.—

2 “(1) IN GENERAL.—A State that desires to re-
3 ceive a grant under this section shall submit an ap-
4 plication at such time, in such manner, and con-
5 taining such information as the Secretary may re-
6 quire.

7 “(2) CONTENT OF APPLICATION.—At a min-
8 imum, the application shall include—

9 “(A) documentation of the State’s eligi-
10 bility to receive a grant under this section, as
11 described in subsection (c);

12 “(B) an assurance that the policies used to
13 prohibit harassment in schools that are required
14 under subsection (c)(2)(A) emphasize alter-
15 natives to school suspension that minimize stu-
16 dents’ removal from grade-level instruction, pro-
17 mote mental health, and only allow out-of-
18 school punishments in severe or persistent
19 cases;

20 “(C) a plan for improving conditions for
21 learning in schools in the State in a manner
22 consistent with the requirements of this part
23 that may be a part of a broader statewide child
24 and youth plan, if such a plan exists and is con-
25 sistent with the requirements of this part;

1 “(D) a needs analysis of the conditions for
2 learning in schools in the State, which—

3 “(i) shall include a description of, and
4 data measuring, the State’s conditions for
5 learning; and

6 “(ii) may be a part of a broader state-
7 wide child and youth needs analysis, if
8 such an analysis exists and is consistent
9 with the requirements of this part;

10 “(E) a description of how the activities the
11 State proposes to implement with grant funds
12 are responsive to the results of the needs anal-
13 ysis described in subparagraph (D); and

14 “(F) a description of how the State will—

15 “(i) develop, adopt, adapt, or improve
16 and implement the State’s conditions for
17 learning measurement system and how the
18 State will ensure that all local educational
19 agencies and schools in the State partici-
20 pate in such system;

21 “(ii) ensure the quality and validity of
22 the State’s conditions for learning data col-
23 lection, including the State’s plan for sur-
24 vey administration as required under sub-

1 section (h)(2)(A) and for ensuring the reli-
2 ability and validity of survey instruments;

3 “(iii) coordinate the proposed activi-
4 ties with other Federal and State pro-
5 grams, including programs funded under
6 this part, which may include programs to
7 expand learning time and for before- and
8 after-school programming in order to pro-
9 vide sufficient time to carry out activities
10 described in this part;

11 “(iv) assist local educational agencies
12 to align activities with funds the agencies
13 receive under the program with other fund-
14 ing sources in order to support a coherent
15 and nonduplicative program;

16 “(v) solicit and approve subgrant ap-
17 plications, including how the State will—

18 “(I) allocate funds for statewide
19 activities and subgrants for each year
20 of the grant, consistent with allocation
21 requirements under subsection (i)(2);
22 and

23 “(II) consider the results of the
24 needs analysis described in subpara-

1 graph (D) in the State’s distribution
2 of subgrants;

3 “(vi) address the needs of diverse geo-
4 graphic areas in the State, including rural
5 and urban communities;

6 “(vii) provide assistance to local edu-
7 cational agencies and schools in their ef-
8 forts to prevent and appropriately respond
9 to incidents of harassment, including build-
10 ing the capacity of such agencies and
11 schools to educate family and community
12 members regarding the agencies’ and
13 schools’ respective roles in preventing and
14 responding to such incidents; and

15 “(viii) provide assistance to local edu-
16 cational agencies and schools in their ef-
17 forts to implement positive, preventative
18 approaches to school discipline, such as
19 schoolwide positive behavior supports and
20 interventions and restorative justice, that
21 improve student engagement while mini-
22 mizing students’ removal from instruction
23 and reducing the frequency of discipline in-
24 fractions and disciplinary disparities

1 among the subgroups of students described
2 in section 1116(b)(2)(B);

3 “(ix) provide assistance to local edu-
4 cational agencies and schools in their ef-
5 forts to increase the provision of physical
6 activity and physical education opportuni-
7 ties during the school day and implement
8 programs to promote physical activity, edu-
9 cation, and fitness, and nutrition; and

10 “(x) provide assistance to local edu-
11 cational agencies and schools in their ef-
12 forts to improve access to State-licensed or
13 State-certified school counselors, school
14 psychologists, and school social workers or
15 other State-licensed or State-certified
16 mental health professional qualified under
17 State law to provide mental health services
18 to students in schools.

19 “(3) REVIEW PROCESS.—The Secretary shall
20 establish a peer review process to review applications
21 submitted under this subsection.

22 “(e) DURATION.—

23 “(1) IN GENERAL.—A State that receives a
24 grant under this section may receive funding for not

1 more than 5 years in accordance with this sub-
2 section.

3 “(2) INITIAL PERIOD.—The Secretary shall
4 award grants under this section for an initial period
5 of not more than 3 years.

6 “(3) GRANT EXTENSION.—The Secretary may
7 extend a grant awarded to a State under this section
8 for not more than an additional 2 years if the State
9 shows sufficient improvement, as determined by the
10 Secretary, against baseline data for the performance
11 metrics established under subsection (j).

12 “(f) RESERVATION AND USE OF FUNDS.—A State
13 that receives a grant under this section shall—

14 “(1) reserve not more than 10 percent of the
15 grant funds for administration of the program, tech-
16 nical assistance, and the development, improvement,
17 and implementation of the State’s conditions for
18 learning measurement system, as described in sub-
19 section (h); and

20 “(2) use the remainder of grant funds after
21 making the reservation under paragraph (1) to
22 award subgrants, on a competitive basis, to eligible
23 local applicants.

24 “(g) REQUIRED STATE ACTIVITIES.—A State that
25 receives a grant under this section shall—

1 “(1) not later than 1 year after receipt of the
2 grant, develop, adapt, improve, or adopt and imple-
3 ment the statewide conditions for learning measure-
4 ment system described in subsection (h) (unless the
5 State can demonstrate, to the satisfaction of the
6 Secretary, that an appropriate system has already
7 been implemented) that annually measures the
8 State’s progress in the conditions for learning for
9 every public school in the State;

10 “(2) collect information in each year of the
11 grant on the conditions for learning at the school-
12 building level through comprehensive needs assess-
13 ments of student, school staff, and family percep-
14 tions, experiences, and behaviors;

15 “(3) collect annual incident data at the school-
16 building level that are accurate and complete;

17 “(4) publicly report, at the local educational
18 agency and school level, the data collected in the
19 State’s conditions for learning measurement system,
20 described in subsection (h), each year in a timely
21 and highly accessible manner, and in a manner that
22 does not reveal personally identifiable information;

23 “(5) use, on a continuous basis, the results of
24 the data collected in the State’s conditions for learn-
25 ing measurement system to—

1 “(A) identify and address conditions for
2 learning statewide;

3 “(B) help subgrantees identify and address
4 school and student needs; and

5 “(C) provide individualized assistance to
6 low-performing schools identified under section
7 1116 and schools with significant conditions for
8 learning weaknesses;

9 “(6) encourage local educational agencies to—

10 “(A) integrate physical activity, education,
11 and fitness into a range of subjects throughout
12 the school day and locations within schools;

13 “(B) encourage consultation with a variety
14 of stakeholders, including families, students,
15 school officials, and other organizations with
16 wellness and physical activity, education, and
17 fitness expertise; and

18 “(C) regularly monitor schools’ efforts in
19 improving wellness and physical activity, edu-
20 cation, and fitness understanding and habits
21 among students;

22 “(7) encourage local educational agencies to—

23 “(A) integrate healthy eating and nutrition
24 education into various times of the school day
25 and locations within schools to encourage con-

1 sultation with a variety of stakeholders, includ-
2 ing families, students, school officials, and other
3 organizations with nutrition education exper-
4 tise; and

5 “(B) regularly monitor schools’ efforts in
6 improving nutrition understanding and healthy
7 eating among students;

8 “(8) encourage local educational agencies to im-
9 plement programs that expand student access to
10 State-licensed or State-certified school counselors,
11 school psychologists, and school social workers or
12 other State-licensed or State-certified mental health
13 professional that are qualified under State law to
14 provide mental health services to students in schools;

15 “(9) award subgrants, consistent with sub-
16 section (i), to eligible local applicants; and

17 “(10) monitor subgrants and provide technical
18 assistance to subgrantees on the implementation of
19 grant activities.

20 “(h) CONDITIONS FOR LEARNING MEASUREMENT
21 SYSTEM.—

22 “(1) IN GENERAL.—Each State that receives a
23 grant under this part shall establish a State report-
24 ing and information system that measures conditions
25 for learning in the State and is part of the State’s

1 system for reporting the data required under section
2 1111 and part of any State longitudinal data system
3 that links statewide elementary and secondary data
4 systems with early childhood, postsecondary, and
5 workforce data systems.

6 “(2) SYSTEM ACTIVITIES.—The State reporting
7 and information system described in paragraph (1)
8 shall—

9 “(A) contain, at a minimum, data from
10 valid and reliable surveys of students and staff
11 and the indicators in subparagraph (B) that
12 allow staff at the State, local educational agen-
13 cies, and schools to examine and improve
14 school-level conditions for learning;

15 “(B) collect school-level data on—

16 “(i) physical education indicators, as
17 applicable;

18 “(ii) individual student attendance
19 and truancy;

20 “(iii) in-school suspensions, out-of-
21 school suspensions, expulsions, referrals to
22 law enforcement, school-based arrests, and
23 disciplinary transfers (including place-
24 ments in alternative schools) by student;

1 “(iv) the frequency, seriousness, and
2 incidence of violence and drug-related of-
3 fenses resulting in disciplinary action in el-
4 ementary schools and secondary schools in
5 the State;

6 “(v) the incidence and prevalence, age
7 of onset, perception of and actual health
8 risk, and perception of social disapproval
9 of drug use and violence, including harass-
10 ment, by youth and school personnel in
11 schools and communities;

12 “(vi) school health indicators, includ-
13 ing acute and chronic physical, mental,
14 and emotional health care needs; and

15 “(vii) student access to State-licensed
16 or State-certified school counselors, school
17 psychologists, and school social workers or
18 other State-licensed or State-certified men-
19 tal health professional qualified under
20 State law to provide such services to stu-
21 dents in schools, including staff-to-student
22 ratios;

23 “(C) collect and report data, including, at
24 a minimum, the data described in clauses (ii),
25 (iii), and (v) of subparagraph (B), in the aggre-

1 gate and disaggregated by the categories of
2 race, ethnicity, gender, disability status, mi-
3 grant status, English proficiency, and status as
4 economically disadvantaged, and cross-tabulated
5 across all of such categories by gender and by
6 disability;

7 “(D) protect student privacy, consistent
8 with applicable data privacy laws and regula-
9 tions, including section 444 of the General Edu-
10 cation Provisions Act (20 U.S.C. 1232g, com-
11 monly known as the ‘Family Educational
12 Rights and Privacy Act of 1974’); and

13 “(E) to the extent practicable, utilize a
14 web-based reporting system.

15 “(3) COMPILING STATISTICS.—In compiling the
16 statistics required to measure conditions for learning
17 in the State—

18 “(A) the offenses described in paragraph
19 (2)(B)(iv) shall be defined pursuant to the
20 State’s criminal code, and aligned to the extent
21 practicable, with the Federal Bureau of Inves-
22 tigation’s Uniform Crime Reports categories,
23 but shall not identify victims of crimes or per-
24 sons accused of crimes; and the collected data
25 shall include incident reports by school officials,

1 anonymous student surveys, and anonymous
2 teacher surveys;

3 “(B) the performance metrics that are es-
4 tablished under subsection (j) shall be collected
5 and the performance on such metrics shall be
6 defined and reported uniformly statewide;

7 “(C) the State shall collect, analyze, and
8 use the data under subparagraph (2)(B) at
9 least annually; and

10 “(D) grant recipients and subgrant recipi-
11 ents shall use the data for planning and contin-
12 uous improvement of activities implemented
13 under this part, and may collect data for indi-
14 cators that are locally defined, and that are not
15 reported to the State, to meet local needs (so
16 long as such indicators are aligned with the
17 conditions for learning).

18 “(i) SUBGRANTS.—

19 “(1) IN GENERAL.—

20 “(A) AWARDING OF SUBGRANTS.—A State
21 that receives a grant under this section shall
22 award subgrants, on a competitive basis, to eli-
23 gible local applicants—

24 “(i) based on need as identified by—

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1 “(I) the State’s conditions for
2 learning measurement system de-
3 scribed in subsection (h); or

4 “(II) in the case of a State for
5 which the learning measurement sys-
6 tem described in subsection (h) is not
7 yet implemented, other data deter-
8 mined appropriate by the State;

9 “(ii) that are of sufficient size and
10 scope to enable the eligible local applicants
11 to carry out approved activities; and

12 “(iii) to implement programs that—

13 “(I) are comprehensive in nature;

14 “(II) are based on scientifically
15 valid research;

16 “(III) are consistent with achiev-
17 ing the conditions for learning for the
18 State; and

19 “(IV) address 1 or more of the
20 uses described in clauses (i) through
21 (iii) of paragraph (2)(A).

22 “(B) ASSISTANCE.—A State that receives
23 a grant under this section shall provide assist-
24 ance to subgrant applicants and recipients in

1 the selection of scientifically valid programs and
2 interventions.

3 “(C) PARTNERSHIPS ALLOWED.—An eligi-
4 ble local applicant may apply for a subgrant
5 under this subsection in partnership with 1 or
6 more community-based organizations.

7 “(2) ALLOCATION.—

8 “(A) IN GENERAL.—In awarding sub-
9 grants under this section, each State shall en-
10 sure that, for the aggregate of all subgrants
11 awarded by the State—

12 “(i) not less than 20 percent of
13 subgrant funds are used to carry out drug
14 and violence prevention;

15 “(ii) not less than 20 percent of
16 subgrant funds are used to carry out pro-
17 grams to promote mental health; and

18 “(iii) not less than 20 percent of
19 subgrant funds are used to carry out pro-
20 grams to promote physical activity, edu-
21 cation, and fitness, and nutrition.

22 “(B) RULE OF CONSTRUCTION.—Nothing
23 in this paragraph shall be construed to require
24 States, in making subgrants to eligible local ap-
25 plicants, to require the eligible local applicants

1 to use 20 percent of subgrant funds for each of
2 the uses described in clauses (i) through (iii) of
3 subparagraph (A).

4 “(3) APPLICATIONS.—An eligible local applicant
5 that desires to receive a subgrant under this sub-
6 section shall submit to the State an application at
7 such time, in such manner, and containing such in-
8 formation as the State may require.

9 “(4) PRIORITY.—In awarding subgrants under
10 this subsection, a State shall give priority to applica-
11 tions that—

12 “(A) demonstrate the greatest need, ac-
13 cording to the results of the State’s conditions
14 for learning surveys described in subsection
15 (h)(2); and

16 “(B) propose to serve schools with the
17 highest concentrations of poverty, based on the
18 percentage of students receiving or are eligible
19 to receive a free or reduced price lunch under
20 the Richard B. Russell National School Lunch
21 Act (42 U.S.C. 1751 et seq.).

22 “(5) ACTIVITIES OF SUBGRANT RECIPIENTS.—
23 Each recipient of a subgrant under this subsection
24 shall, for the duration of the subgrant—

25 “(A) carry out activities—

1 “(i) the need for which has been iden-
2 tified—

3 “(I) at a minimum, through the
4 State’s conditions for learning meas-
5 urement system described in sub-
6 section (h); or

7 “(II) in the case of a State that
8 has not yet implemented the learning
9 measurement system described in sub-
10 section (h), through the State’s needs
11 analysis described in subsection
12 (d)(2)(D); and

13 “(ii) that are part of a comprehensive
14 strategy or framework to address such
15 need; and

16 “(iii) that include 1 or more of the
17 following:

18 “(I) Drug and violence preven-
19 tion.

20 “(II) Programs to promote men-
21 tal health.

22 “(III) Programs to promote
23 physical activity, education, and fit-
24 ness, and nutrition;

1 “(B) ensure that each framework, inter-
2 vention, or program selected be based on sci-
3 entifically valid research and be used for the
4 purpose for which such framework, interven-
5 tion, or program was found to be effective;

6 “(C) use school-level data from the State’s
7 conditions for learning measurement system de-
8 scribed in subsection (h), to inform the imple-
9 mentation and continuous improvement of ac-
10 tivities carried out under this part;

11 “(D) use data from the statewide condi-
12 tions for learning measurement system to iden-
13 tify challenges outside of school or off school
14 grounds (including the need for safe passages
15 for students to and from school), and collabo-
16 rate with 1 or more community-based organiza-
17 tion to address such challenges;

18 “(E) collect, and report to the State edu-
19 cational agency, data for schools served by the
20 subgrant recipient, in a manner consistent with
21 the State’s conditions for learning measurement
22 system described in subsection (h);

23 “(F) establish policies to expand access to
24 quality physical activity opportunities, including
25 local school wellness policies;

1 “(G) if the local educational agency to be
2 served through the grant does not have an ac-
3 tive school wellness council consistent with the
4 requirements of the Child Nutrition Act of
5 1966 (42 U.S.C. 1771 et seq.), establish such
6 a school wellness council, which may be part of
7 an existing school council that has the capacity
8 and willingness to address school wellness;

9 “(H) engage family members and commu-
10 nity-based organizations in the development of
11 conditions for learning surveys, and in the plan-
12 ning, implementation, and review of the
13 subgrant recipient’s efforts under this part;

14 “(I) consider and accommodate the unique
15 needs of students with disabilities and English
16 learners in implementing activities; and

17 “(J) establish policies to expand access to
18 quality counseling and mental health programs
19 and services.

20 “(j) ACCOUNTABILITY.—

21 “(1) ESTABLISHMENT OF PERFORMANCE
22 METRICS.—The Secretary, acting through the Direc-
23 tor of the Institute of Education Sciences, shall es-
24 tablish program performance metrics to measure the

1 effectiveness of the activities carried out under this
2 part.

3 “(2) ANNUAL REPORT.—Each State that re-
4 ceives a grant under this part shall prepare and sub-
5 mit an annual report to the Secretary, which shall
6 include information relevant to the conditions for
7 learning, including progress toward meeting out-
8 comes for the metrics established under paragraph
9 (1).

10 “(k) EVALUATION.—From the amount reserved in
11 accordance with section 9601, the Secretary, acting
12 through the Director of the Institute of Education
13 Sciences, shall conduct an evaluation of the impact of the
14 practices funded or disseminated under this section.

15 **“SEC. 4405. TECHNICAL ASSISTANCE.**

16 “From the amount allocated under section 4403(3),
17 the Secretary shall provide technical assistance to appli-
18 cants, recipients, and subgrant recipients of the programs
19 funded under this part.

20 **“SEC. 4406. PROHIBITED USES OF FUNDS.**

21 “No funds appropriated under this part may be used
22 to pay for—

23 “(1) school resource officer or other security
24 personnel salaries, metal detectors, security cameras,

1 or other security-related salaries, equipment, or ex-
2 penses;

3 “(2) drug testing programs; or

4 “(3) the development, establishment, implemen-
5 tation, or enforcement of zero-tolerance discipline
6 policies, other than those expressly required under
7 the Gun-Free Schools Act (20 U.S.C. 7151 et seq.).

8 **“SEC. 4407. FEDERAL AND STATE NONDISCRIMINATION**
9 **LAWS.**

10 “Nothing in this part shall be construed to invalidate
11 or limit nondiscrimination principles or rights, remedies,
12 procedures, or legal standards available to victims of dis-
13 crimination under any other Federal law or law of a State
14 or political subdivision of a State, including title VI of the
15 Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), title
16 IX of the Education Amendments of 1972 (20 U.S.C.
17 1681 et seq.), section 504 or 505 of the Rehabilitation
18 Act of 1973 (29 U.S.C. 794 and 794a), or the Americans
19 with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).
20 The obligations imposed by this part are in addition to
21 those imposed by title VI of the Civil Rights Act of 1964
22 (42 U.S.C. 2000d et seq.), title IX of the Education
23 Amendments of 1972 (20 U.S.C. 1681 et seq.), section
24 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794),

1 and the Americans with Disabilities Act of 1990 (42
2 U.S.C. 12101 et seq.).”

3 **SEC. 4106. STUDENT NON-DISCRIMINATION.**

4 Title IV (20 U.S.C. 7101 et seq.) is amended by in-
5 serting after part D, as added by section 4105 of this Act,
6 the following:

7 **“PART E—STUDENT NON-DISCRIMINATION**

8 **“SEC. 4501. SHORT TITLE.**

9 “This part may be cited as the ‘Student Non-Dis-
10 crimination Act of 2013’.

11 **“SEC. 4502. FINDINGS AND PURPOSES.**

12 “(a) FINDINGS.—The Congress finds the following:

13 “(1) Public school students who are lesbian,
14 gay, bisexual, or transgender (referred to in this
15 part as ‘LGBT’), or are perceived to be LGBT, or
16 who associate with LGBT people, have been and are
17 subjected to pervasive discrimination, including har-
18 assment, bullying, intimidation, and violence, and
19 have been deprived of equal educational opportuni-
20 ties, in schools in every part of the Nation.

21 “(2) While discrimination of any kind is harm-
22 ful to students and to the education system, actions
23 that target students based on sexual orientation or
24 gender identity represent a distinct and severe prob-

1 lem that remains inadequately addressed by current
2 Federal law.

3 “(3) Numerous social science studies dem-
4 onstrate that discrimination at school has contrib-
5 uted to high rates of absenteeism, academic under-
6 achievement, dropping out, and adverse physical and
7 mental health consequences among LGBT youth.

8 “(4) When left unchecked, discrimination in
9 schools based on sexual orientation or gender iden-
10 tity can lead, and has led, to life-threatening violence
11 and to suicide.

12 “(5) Public school students enjoy a variety of
13 constitutional rights, including rights to equal pro-
14 tection, privacy, and free expression, which are in-
15 fringed when school officials engage in or fail to take
16 prompt and effective action to stop discrimination on
17 the basis of sexual orientation or gender identity.

18 “(6) Provisions of Federal statutory law ex-
19 pressly prohibit discrimination on the basis of race,
20 color, sex, religion, disability, and national origin.
21 The Department of Education and the Department
22 of Justice, as well as numerous courts, have cor-
23 rectly interpreted the prohibitions on sex discrimina-
24 tion to include discrimination based on sex stereo-
25 types and gender identity, even when that sex-based

1 discrimination coincides or overlaps with discrimina-
2 tion based on sexual orientation. However, the ab-
3 sence of express Federal law prohibitions on dis-
4 crimination on the basis of sexual orientation and
5 gender identity has created unnecessary uncertainty
6 that risks limiting access to legal remedies under
7 Federal law for LGBT students and their parents.

8 “(b) PURPOSES.—The purposes of this part are—

9 “(1) to ensure that all students have access to
10 public education in a safe environment free from dis-
11 crimination, including harassment, bullying, intimi-
12 dation, and violence, on the basis of sexual orienta-
13 tion or gender identity;

14 “(2) to provide a comprehensive Federal prohi-
15 bition of discrimination in public schools based on
16 actual or perceived sexual orientation or gender
17 identity;

18 “(3) to provide meaningful and effective rem-
19 edies for discrimination in public schools based on
20 actual or perceived sexual orientation or gender
21 identity;

22 “(4) to invoke congressional powers, including
23 the power to enforce the 14th Amendment to the
24 Constitution and to provide for the general welfare
25 pursuant to section 8 of article I of the Constitution

1 and the power to make all laws necessary and proper
2 for the execution of the foregoing powers pursuant
3 to section 8 of article I of the Constitution, in order
4 to prohibit discrimination in public schools on the
5 basis of sexual orientation or gender identity; and

6 “(5) to allow the Department of Education and
7 the Department of Justice to effectively combat dis-
8 crimination based on sexual orientation and gender
9 identity in public schools, through regulation and en-
10 forcement, as the Departments have issued regula-
11 tions under and enforced title IX of the Education
12 Amendments of 1972 and other nondiscrimination
13 laws in a manner that effectively addresses discrimi-
14 nation.

15 **“SEC. 4503. DEFINITIONS AND RULE.**

16 “(a) DEFINITIONS.—For purposes of this part:

17 “(1) EDUCATIONAL AGENCY.—The term ‘edu-
18 cational agency’ means a local educational agency,
19 an educational service agency, and a State edu-
20 cational agency, as those terms are defined in sec-
21 tion 9101.

22 “(2) GENDER IDENTITY.—The term ‘gender
23 identity’ means the gender-related identity, appear-
24 ance, or mannerisms or other gender-related charac-

1 teristics of an individual, with or without regard to
2 the individual's designated sex at birth.

3 “(3) HARASSMENT.—The term ‘harassment’
4 means conduct, including bullying, that is suffi-
5 ciently severe, persistent, or pervasive to limit or
6 interfere with a student's ability to participate in or
7 benefit from a program or activity of a public school
8 or educational agency, including acts of verbal, non-
9 verbal, or physical aggression, intimidation, or hos-
10 tility, and communications made available through
11 electronic means, if such conduct is based on—

12 “(A) a student's actual or perceived sexual
13 orientation or gender identity; or

14 “(B) the actual or perceived sexual ori-
15 entation or gender identity of a person with
16 whom a student associates or has associated.

17 “(4) PROGRAM OR ACTIVITY.—The terms ‘pro-
18 gram or activity’ and ‘program’ have the same
19 meanings given such terms as applied under section
20 606 of the Civil Rights Act of 1964 (42 U.S.C.
21 2000d–4a) to the operations of public entities under
22 paragraph (2)(B) of such section.

23 “(5) PUBLIC SCHOOL.—The term ‘public
24 school’ means an elementary school (as the term is
25 defined in section 9101) that is a public institution,

1 and a secondary school (as so defined) that is a pub-
2 lic institution.

3 “(6) SEXUAL ORIENTATION.—The term ‘sexual
4 orientation’ means homosexuality, heterosexuality, or
5 bisexuality.

6 “(7) STUDENT.—The term ‘student’ means an
7 individual within the age limits for which the State
8 provides free public education who is enrolled in a
9 public school or who, regardless of official enroll-
10 ment status, attends classes or participates in the
11 programs or activities of a public school or local edu-
12 cational agency.

13 “(b) RULE.—Consistent with Federal law, in this
14 part the term ‘includes’ means ‘includes but is not limited
15 to’.

16 **“SEC. 4504. PROHIBITION AGAINST DISCRIMINATION.**

17 “(a) IN GENERAL.—No student shall, on the basis
18 of actual or perceived sexual orientation or gender identity
19 of such individual or of a person with whom the student
20 associates or has associated, be excluded from participa-
21 tion in, be denied the benefits of, or be subjected to dis-
22 crimination under any program or activity if any part of
23 the program or activity receives Federal financial assist-
24 ance.

1 “(b) HARASSMENT.—For purposes of this part, dis-
2 crimination includes harassment of a student on the basis
3 of actual or perceived sexual orientation or gender identity
4 of such student or of a person with whom the student as-
5 sociates or has associated.

6 “(c) RETALIATION PROHIBITED.—

7 “(1) PROHIBITION.—No person shall be ex-
8 cluded from participation in, be denied the benefits
9 of, or be subjected to discrimination, retaliation, or
10 reprisal under any program or activity receiving
11 Federal financial assistance based on the person’s
12 opposition to conduct made unlawful by this part.

13 “(2) DEFINITION.—For purposes of this sub-
14 section, ‘opposition to conduct made unlawful by this
15 part’ includes—

16 “(A) opposition to conduct believed to be
17 made unlawful by this part or conduct that
18 could be believed to become unlawful under this
19 part if allowed to continue;

20 “(B) any formal or informal report, wheth-
21 er oral or written, to any governmental entity,
22 including public schools and educational agen-
23 cies and employees of the public schools or edu-
24 cational agencies, regarding conduct made un-
25 lawful by this part, conduct believed to be made

1 unlawful by this part, or conduct that could be
2 believed to become unlawful under this part if
3 allowed to continue;

4 “(C) participation in any investigation,
5 proceeding, or hearing related to conduct made
6 unlawful by this part, conduct believed to be
7 made unlawful by this part, or conduct that
8 could be believed to become unlawful under this
9 part if allowed to continue; and

10 “(D) assistance or encouragement provided
11 to any other person in the exercise or enjoy-
12 ment of any right granted or protected by this
13 part,

14 if in the course of that opposition to conduct made
15 unlawful by this part, the person involved does not
16 purposefully provide information known to be mate-
17 rially false to any public school or educational agen-
18 cy or other governmental entity regarding conduct
19 made unlawful by this part, or conduct believed to
20 be made unlawful by this part, or conduct that could
21 be believed to become unlawful under this part if al-
22 lowed to continue.

1 **“SEC. 4505. FEDERAL ADMINISTRATIVE ENFORCEMENT; RE-**
2 **PORT TO CONGRESSIONAL COMMITTEES.**

3 “(a) REQUIREMENTS.—Each Federal department
4 and agency which is empowered to extend Federal finan-
5 cial assistance to any education program or activity, by
6 way of grant, loan, or contract other than a contract of
7 insurance or guaranty, is authorized and directed to effec-
8 tuate the provisions of section 4504 with respect to such
9 program or activity by issuing rules, regulations, or orders
10 of general applicability which shall be consistent with
11 achievement of the objectives of the statute authorizing
12 the financial assistance in connection with which the ac-
13 tion is taken. No such rule, regulation, or order shall be-
14 come effective unless and until approved by the President.

15 “(b) ENFORCEMENT.—Compliance with any require-
16 ment adopted pursuant to this section may be effected—

17 “(1) by the termination of or refusal to grant
18 or to continue assistance under such program or ac-
19 tivity to any recipient as to whom there has been an
20 express finding on the record, after opportunity for
21 hearing, of a failure to comply with such require-
22 ment, but such termination or refusal shall be lim-
23 ited to the particular political entity, or part thereof,
24 or other recipient as to whom such a finding has
25 been made, and shall be limited in its effect to the

1 particular program, or part thereof, in which such
2 noncompliance has been so found; or

3 “(2) by any other means authorized by law,
4 except that no such action shall be taken until the depart-
5 ment or agency concerned has advised the appropriate per-
6 son or persons of the failure to comply with the require-
7 ment and has determined that compliance cannot be se-
8 cured by voluntary means.

9 “(c) REPORTS.—In the case of any action termi-
10 nating, or refusing to grant or continue, assistance be-
11 cause of failure to comply with a requirement imposed
12 pursuant to this section, the head of the Federal depart-
13 ment or agency shall file with the committees of the House
14 of Representatives and Senate having legislative jurisdic-
15 tion over the program or activity involved a full written
16 report of the circumstances and the grounds for such ac-
17 tion. No such action shall become effective until 30 days
18 have elapsed after the filing of such report.

19 **“SEC. 4506. PRIVATE CAUSE OF ACTION.**

20 “(a) PRIVATE CAUSE OF ACTION.—Subject to sub-
21 section (c), and consistent with the cause of action recog-
22 nized under title VI of the Civil Rights Act of 1964 (42
23 U.S.C. 2000d et seq.) and title IX of the Education
24 Amendments of 1972 (20 U.S.C. 1681 et seq.), and their
25 implementing regulations, an aggrieved person may bring

1 an action in a court of competent jurisdiction, asserting
2 a violation of this part or the requirements adopted to ef-
3 fectuate this part. Aggrieved persons may be awarded all
4 appropriate relief, including equitable relief, compensatory
5 damages, and costs of the action.

6 “(b) **RULE OF CONSTRUCTION.**—This section shall
7 not be construed to preclude an aggrieved person from ob-
8 taining remedies under any other provision of law or to
9 require such person to exhaust any administrative com-
10 plaint process or notice of claim requirement before seek-
11 ing redress under this section.

12 “(c) **STATUTE OF LIMITATIONS.**—For actions
13 brought pursuant to this section, the statute of limitations
14 period shall be determined in accordance with section
15 1658(a) of title 28, United States Code. The tolling of
16 any such limitations period shall be determined in accord-
17 ance with the law governing actions under section 1979
18 of the Revised Statutes (42 U.S.C. 1983) in the State in
19 which the action is brought.

20 **“SEC. 4507. CAUSE OF ACTION BY THE ATTORNEY GEN-
21 ERAL.**

22 “The Attorney General is authorized to institute for
23 or in the name of the United States a civil action for a
24 violation of this part or the requirements adopted to effec-
25 tuate this part in any appropriate district court of the

1 United States against such parties and for such relief as
2 may be appropriate, including equitable relief and compen-
3 satory damages. Whenever a civil action is instituted for
4 a violation of this part, or the requirements adopted to
5 effectuate this part, the Attorney General may intervene
6 in such action upon timely application and shall be entitled
7 to the same relief as if the Attorney General had instituted
8 the action. Nothing in this part shall adversely affect the
9 right of any person to sue or obtain relief in any court
10 for any activity that violates this part, including require-
11 ments adopted to effectuate this part.

12 **“SEC. 4508. STATE IMMUNITY.**

13 “(a) STATE IMMUNITY.—A State shall not be im-
14 mune under the 11th Amendment to the Constitution
15 from suit in Federal court for a violation of this part or
16 the requirements adopted to effectuate this part.

17 “(b) WAIVER.—An educational agency’s, including a
18 State educational agency’s, receipt or use of Federal fi-
19 nancial assistance shall constitute a waiver of sovereign
20 immunity, under the 11th Amendment or otherwise, to a
21 suit brought by an aggrieved person for a violation of sec-
22 tion 4504 or the requirements adopted to effectuate sec-
23 tion 4504.

24 “(c) REMEDIES.—In a suit against a State for a vio-
25 lation of this part, remedies (including remedies both at

1 law and in equity) are available for such a violation to
2 the same extent as such remedies are available for such
3 a violation in the suit against any public or private entity
4 other than a State.

5 **“SEC. 4509. ATTORNEY’S FEES.**

6 “Section 722(b) of the Revised Statutes (42 U.S.C.
7 1988(b)) is amended by inserting ‘the Student Non-Dis-
8 crimination Act of 2013,’ after ‘Religious Land Use and
9 Institutionalized Persons Act of 2000,’.

10 **“SEC. 4510. EFFECT ON OTHER LAWS.**

11 “(a) FEDERAL AND STATE NONDISCRIMINATION
12 LAWS.—Nothing in this part or the requirements adopted
13 to effectuate this part shall be construed to preempt, inval-
14 idate, or limit rights, remedies, procedures, or legal stand-
15 ards available to victims of discrimination or retaliation,
16 under any other Federal law or law of a State or political
17 subdivision of a State, including titles IV and VI of the
18 Civil Rights Act of 1964 (42 U.S.C. 2000e et seq., 2000d
19 et seq.), title IX of the Education Amendments of 1972
20 (20 U.S.C. 1681 et seq.), section 504 of the Rehabilitation
21 Act of 1973 (29 U.S.C. 794), the Americans with Disabil-
22 ities Act of 1990 (42 U.S.C. 12101 et seq.), or section
23 1979 of the Revised Statutes (42 U.S.C. 1983). The obli-
24 gations imposed by this part are in addition to those im-
25 posed by titles IV and VI of the Civil Rights Act of 1964

1 (42 U.S.C. 2000c et seq., 2000d et seq.), title IX of the
2 Education Amendments of 1972 (20 U.S.C. 1681 et seq.),
3 section 504 of the Rehabilitation Act of 1973 (29 U.S.C.
4 794), the Americans with Disabilities Act of 1990 (42
5 U.S.C. 12101 et seq.), and section 1979 of the Revised
6 Statutes (42 U.S.C. 1983).

7 “(b) **FREE SPEECH AND EXPRESSION LAWS AND RE-**
8 **LIGIOUS STUDENT GROUPS.**—Nothing in this part shall
9 be construed to alter legal standards regarding, or affect
10 the rights available to individuals or groups under, other
11 Federal laws that establish protections for freedom of
12 speech and expression, such as legal standards and rights
13 available to religious and other student groups under the
14 First Amendment and the Equal Access Act (20 U.S.C.
15 4071 et seq.).

16 **“SEC. 4511. SEVERABILITY.**

17 “If any provision of this part, or any application of
18 such provision to any person or circumstance, is held to
19 be unconstitutional, the remainder of this part, and the
20 application of the provision to any other person or cir-
21 cumstance shall not be impacted.

22 **“SEC. 4512. EFFECTIVE DATE.**

23 “This part shall take effect 60 days after the date
24 of enactment of the Student Non-Discrimination Act of

1 2013 and shall not apply to conduct occurring before the
2 effective date of this part.”.

3 **SEC. 4107. 21ST CENTURY COMMUNITY LEARNING CEN-**
4 **TERS.**

5 Part F of title IV, as redesignated by section 4103(a)
6 of this Act, is amended—

7 (1) in section 4601, as redesignated by section
8 4103(a) of this Act—

9 (A) in subsection (a)—

10 (i) in the matter preceding paragraph

11 (1)—

12 (I) by striking “to provide” and
13 inserting “to assist States in pro-
14 viding”; and

15 (II) by striking “communities”
16 and inserting “eligible entities”;

17 (ii) in paragraph (1)—

18 (I) by inserting “students with
19 before school, after school, or summer
20 learning” after provide;

21 (II) by striking “, particularly
22 students”; and

23 (III) by striking the comma after
24 “low-performing schools”;

25 (iii) in paragraph (2)—

1 (I) by inserting “who attend low-
2 performing schools” after “offer stu-
3 dents”; and

4 (II) by striking “and” after the
5 semicolon; and

6 (iv) by striking paragraph (3) and in-
7 serting the following:

8 “(3) significantly increase the number of hours
9 in a regular school day, week, or year in order to
10 provide students with additional time for academic
11 work and for additional subjects and enrichment ac-
12 tivities that increase student achievement and en-
13 gagement; and

14 “(4) comprehensively redesign and implement
15 an expanded school day, expanded school week, or
16 expanded school year schedule for all students in a
17 high-need school, to provide additional time for—

18 “(A) instruction in core academic subjects;

19 “(B) instruction in additional subjects and
20 enrichment activities; and

21 “(C) teachers and staff to collaborate,
22 plan, and engage in professional development
23 within and across grades and subjects.”; and

24 (B) in subsection (b)—

25 (i) in paragraph (1)—

1 (I) in the matter preceding sub-
2 paragraph (A), by striking “that—”
3 and inserting “that provides 1 or
4 more of the following:”;

5 (II) in subparagraph (A)—

6 (aa) by striking “assists”
7 and inserting “Before school,
8 after school, or summer learning
9 programs that assist”;

10 (bb) by striking “(such as
11 before and after school or during
12 summer recess)” after “not in
13 session”; and

14 (cc) by striking “; and” and
15 inserting a period; and

16 (III) by striking subparagraph
17 (B) and inserting the following:

18 “(B) Expanded learning time programs
19 that significantly increase the total number of
20 hours in a regular school day, week, or year, in
21 order to provide students with the greatest aca-
22 demic needs with—

23 “(i) additional time to participate in
24 academic activities that—

1 “(I) are aligned with the instruc-
2 tion that such students receive during
3 the regular school day; and

4 “(II) are targeted to the aca-
5 demic needs of such students; and

6 “(ii) time to engage in enrichment
7 and other activities that complement the
8 academic program and contribute to a
9 well-rounded education, which may include
10 music and the arts, physical education, and
11 experiential and work-based learning op-
12 portunities.

13 “(C) Expanded learning time initiatives
14 that use an expanded school day, expanded
15 school week, or expanded school year schedule
16 to increase the total number of school hours for
17 the school year at a high-need school by not less
18 than 300 hours and redesign the school’s pro-
19 gram in a manner that includes additional
20 time—

21 “(i) for academic work, and to sup-
22 port innovation in teaching, in order to im-
23 prove the proficiency of participating stu-
24 dents, particularly struggling students, in
25 core academic subjects;

1 “(ii) to advance student learning for
2 all students in all grades;

3 “(iii) for additional subjects and en-
4 richment activities that contribute to a
5 well-rounded education, which may include
6 music and the arts, physical education, and
7 experiential and work-based learning op-
8 portunities; and

9 “(iv) for teachers to engage in collabo-
10 ration and professional planning, within
11 and across grades and subjects.”;

12 (ii) by striking paragraphs (2) and (3)
13 and inserting the following:

14 “(2) ELIGIBLE ENTITY.—

15 “(A) IN GENERAL.—The term ‘eligible en-
16 tity’ means a partnership of—

17 “(i) 1 or more high-need local edu-
18 cational agencies in partnership with 1 or
19 more public entities or nonprofit organiza-
20 tions with a demonstrated record of suc-
21 cess in designing and implementing before
22 school, after school, summer learning, or
23 expanded learning time activities; or

24 “(ii) 1 or more public entities or non-
25 profit organizations with a demonstrated

1 record of success in designing and imple-
2 menting before school, after school, sum-
3 mer learning, or expanded learning time
4 activities, in partnership with 1 or more
5 high-need local educational agencies.

6 “(B) SPECIAL RULE.—A State educational
7 agency shall deem a rural local educational
8 agency applying for a grant under section 4604
9 without a partnering public or nonprofit entity
10 to be an eligible entity if the rural local edu-
11 cational agency demonstrates that such agency
12 is unable to partner with a public or nonprofit
13 organization in reasonable geographic proximity
14 or of sufficient quality to meet the requirements
15 of this part.”; and

16 (iii) by redesignating paragraph (4) as
17 paragraph (3);

18 (2) in section 4602, as redesignated by section
19 4103(a) of this Act—

20 (A) in subsection (a)—

21 (i) by striking “under section 4206”
22 and inserting “to carry out this part”;

23 (ii) by striking paragraph (1);

1 (iii) by redesignating paragraphs (2)
2 and (3) as paragraphs (1) and (2), respec-
3 tively; and

4 (iv) in paragraph (2), as redesignated
5 by clause (iii), by striking “Bureau of In-
6 dian Affairs” and inserting “Bureau of In-
7 dian Education”;

8 (B) in subsection (b)(1), by striking
9 “under section 4206” and inserting “to carry
10 out this part”; and

11 (C) in subsection (c)—

12 (i) in paragraph (1), by striking
13 “4204” and inserting “4604”;

14 (ii) in paragraph (2)—

15 (I) in subparagraph (B)—

16 (aa) by striking “responsible
17 for administering youth develop-
18 ment programs and adult learn-
19 ing activities” and inserting “as
20 applicable”; and

21 (bb) by striking “4204(b)”
22 and inserting “4604(b)”; and

23 (II) by striking the undesignated
24 matter following subparagraph (B)
25 and inserting the following:

1 “(C) supervising the awarding of funds to
2 eligible entities (in consultation with the Gov-
3 ernor and other State agencies responsible for
4 administering youth development programs and
5 adult learning activities).”; and

6 (iii) in paragraph (3)—

7 (I) in subparagraph (A)—

8 (aa) by inserting “com-
9 prehensive” after “Monitoring
10 and”; and

11 (bb) by inserting “(directly,
12 or through a grant or contract)
13 of the effectiveness” after “eval-
14 uation”;

15 (II) by striking subparagraph (B)

16 and inserting the following:

17 “(B) Providing capacity building, training,
18 professional development, and technical assist-
19 ance under this part to eligible entities, relating
20 to activities such as—

21 “(i) coordinating activities carried out
22 under this part with other Federal, State,
23 and local programs so as to implement
24 high-quality programs; and

1 “(ii) aligning activities carried out
2 under this part with State academic con-
3 tent standards.”; and

4 (III) by striking subparagraphs
5 (C) and (D);

6 (3) in section 4603(a), as redesignated by sec-
7 tion 4103(a) of this Act—

8 (A) in the matter preceding paragraph (1),
9 by striking “4202” and inserting “4602”;

10 (B) in paragraph (3), by striking “serve—
11 ” through “subparagraph (A)” and inserting
12 “serve students who primarily attend high-need
13 schools and schools that are identified through
14 a State’s accountability and improvement sys-
15 tem under subsection (b) or (c)(2) of section
16 1116”;

17 (C) in paragraph (4)—

18 (i) by inserting “the State’s rigorous,
19 high-quality competition for grants under
20 section 4204, including” after “describes”;
21 and

22 (ii) by striking “, which shall include”
23 through “standards”;

24 (D) by striking paragraph (5) and insert-
25 ing the following:

1 “(5) describes how the State educational agency
2 will ensure that awards made under this part are of
3 sufficient size and scope to support high-quality, ef-
4 fective programs that are consistent with the pur-
5 pose of this part;”;

6 (E) by striking paragraph (7) and insert-
7 ing the following:

8 “(7) describes how the State educational agency
9 will assist eligible entities in coordinating funds re-
10 ceived through the grant with other funding
11 streams, in order to support a coherent and sustain-
12 able approach to funding and implementing pro-
13 grams and activities under this part and other pro-
14 grams under this Act;”;

15 (F) in paragraph (8)(A), by striking “not
16 less than 3 years and not more than 5 years”
17 and inserting “not more than 3 years, and may
18 extend a grant for an additional period of not
19 more than 2 years if the eligible entity is
20 achieving the intended outcomes of the grant”;

21 (G) in paragraph (10)—

22 (i) by inserting “, if any,” after
23 “transportation needs”; and

24 (ii) by striking “4204(b)” and insert-
25 ing “4604(b)”;

1 (H) in paragraph (11), by striking “before
2 and after school (or summer school) programs,
3 the heads of the State health and mental health
4 agencies or their designees,” and inserting “be-
5 fore school, after school, summer learning, and
6 expanded learning time programs and initia-
7 tives,”;

8 (I) in paragraph (12), by striking “before
9 and after school” and inserting “before school,
10 after school, summer learning, and expanded
11 learning time”;

12 (J) in paragraph (13)—

13 (i) in the matter preceding subpara-
14 graph (A), by inserting “, on a regular
15 basis, and not less than every 3 years after
16 the receipt of the grant” after “will evalu-
17 ate”;

18 (ii) by striking subparagraph (A) and
19 inserting the following:

20 “(A) a description of the benchmarks and
21 performance goals that will be used to hold eli-
22 gible entities accountable and to determine
23 whether to provide eligible entities receiving a
24 grant under section 4604 with an additional 2-

1 year period of grant funding after the initial 3-
2 year grant; and”]; and

3 (iii) in subparagraph (B), by striking
4 “and” after the semicolon;

5 (K) in paragraph (14), by striking the pe-
6 riod at the end and inserting “; and”]; and

7 (L) by adding at the end the following:

8 “(15) contains an assurance that each eligible
9 entity that applies for an award under section 4604
10 shall have the flexibility to apply for funds to carry
11 out programs described in subparagraph (A), (B), or
12 (C) of section 4601(b)(1).”];

13 (4) in section 4604, as redesignated by section
14 4103(a) of this Act—

15 (A) in subsection (a), by striking
16 “4202(c)(1)” and inserting “4602(c)(1)”];

17 (B) in subsection (b)(2)—

18 (i) by striking subparagraph (A) and
19 inserting the following:

20 “(A) a description of the before school,
21 after school, summer learning, or expanded
22 learning time activities to be funded, includ-
23 ing—

1 “(i) evidence that research-based
2 strategies for student achievement and en-
3 gagement will be utilized in the program;

4 “(ii) as applicable, an explanation of
5 how the program will offer students—

6 “(I) academic instruction that is
7 aligned with the academic needs of
8 the students, including English learn-
9 ers and students with disabilities; and

10 “(II) engaging enrichment activi-
11 ties that are aligned with the develop-
12 mental needs and interests of the stu-
13 dents, and that contribute to a well-
14 rounded education;

15 “(iii) an assurance that the program
16 will take place in a safe learning environ-
17 ment and an easily accessible facility;

18 “(iv) if applicable, a description of
19 how students participating in the program
20 will travel safely to and from home; and

21 “(v) a description of how the eligible
22 entity will disseminate information about
23 the program to the community in a man-
24 ner that is understandable and acces-
25 sible;”;

1 (ii) in subparagraph (B)—

2 (I) by striking “activity” and in-
3 sserting “program”; and

4 (II) by adding at the end “and
5 help keep students on a path to make
6 sufficient academic growth”;

7 (iii) by striking subparagraphs (L)
8 and (M);

9 (iv) by striking subparagraph (E) and
10 inserting the following:

11 “(E) as applicable, an explanation of how
12 the program will offer students—

13 “(i) academic instruction that is
14 aligned with the academic needs of the stu-
15 dents; and

16 “(ii) engaging enrichment activities
17 that are aligned with the developmental
18 needs and interests of the students, and
19 that contribute to a well-rounded edu-
20 cation;”;

21 (v) in subparagraph (F), by striking
22 “schools eligible” and all that follows
23 through “such students” and inserting
24 “high-need schools and schools that are
25 identified through a State’s accountability

1 and improvement system under subsections
2 (b) or (c)(2) of section 1116”;

3 (vi) by striking subparagraph (H) and
4 inserting the following:

5 “(H) a description of the capacity of the
6 eligible entity partners described in section
7 4601(b)(2)(A)(ii) to successfully implement the
8 program, including the quality and experience
9 of the management team of such partners;”;

10 (vii) in subparagraph (I)—

11 (I) by striking “in the center”;

12 and

13 (II) by striking “(including the
14 needs of working families)”;

15 (viii) by striking subparagraph (J)

16 and inserting the following:

17 “(J) a description of the education and
18 training activities that program staff and teach-
19 ers, as applicable, have received or will receive
20 to effectively administer the proposed pro-
21 gram;” and

22 (ix) by redesignating subparagraph

23 (N) as subparagraph (L);

24 (C) by striking subsections (d) and (h) and
25 redesignating subsections (e) through (g) and

1 (i) as subsections (d) through (f) and (g), re-
2 spectively;

3 (D) in subsection (f), as redesignated by
4 subparagraph (C), by striking “not less than 3
5 years and not more than 5 years” and inserting
6 “not more than 3 years, and may be extended
7 for an additional period of not more than 2
8 years, if an eligible entity is achieving the in-
9 tended outcomes of the grant”;

10 (E) by striking subsection (g), as redesign-
11 nated by subparagraph (C), and inserting the
12 following:

13 “(g) PRIORITY.—

14 “(1) IN GENERAL.—In awarding grants under
15 this part, a State educational agency shall give pri-
16 ority to high-quality applications that—

17 “(A) are based on strong research evidence
18 for improving student learning, as measured by
19 student achievement and other measures of stu-
20 dent learning and development that are appro-
21 priate for, and aligned to, the program’s goals
22 and design;

23 “(B) propose to serve the highest percent-
24 age of students from low-income families;

1 “(C) include a partnership agreement,
2 signed by each partner of the eligible entity,
3 that—

4 “(i) shows that the staff of each part-
5 ner are committed to work collaboratively
6 to implement the proposed activities, in-
7 cluding through coordinated planning, col-
8 laborative implementation, and joint pro-
9 fessional development and training oppor-
10 tunities;

11 “(ii) sets clear expectations, including
12 measurable goals for each partner;

13 “(iii) requires the collection and re-
14 porting of data about the outcomes of pro-
15 grams funded under this part, in order to
16 monitor progress toward achieving such
17 goals and inform implementation; and

18 “(iv) specifies how student informa-
19 tion will be shared to advance the goals of
20 the proposed program and activities, in-
21 cluding student academic achievement and
22 engagement data, as appropriate and in
23 accordance with Federal, State, and local
24 laws; and

1 “(D) are submitted by eligible entities that
2 will provide matching funds to carry out the ac-
3 tivities supported by the grant, as described in
4 paragraph (2).

5 “(2) MATCHING FUNDS.—

6 “(A) AMOUNT OF MATCHING FUNDS.—In
7 awarding grants under this section, a State
8 educational agency shall give priority to applica-
9 tions from eligible entities that, in addition to
10 meeting the requirements of paragraph (1),
11 provide matching funds in an amount not less
12 than—

13 “(i) for the first year of an initial
14 grant under this section, 10 percent of the
15 cost of the activities;

16 “(ii) for the second year of such
17 grant, 20 percent of the cost of the activi-
18 ties;

19 “(iii) for the third year of such grant,
20 and for the first year of a subsequent
21 grant under this section, 30 percent of the
22 cost of the activities; and

23 “(iv) for the second or any succeeding
24 year of such subsequent grant, 40 percent
25 of the cost of the activities.

1 “(B) CASH OR IN-KIND.—The eligible enti-
2 ty may provide the matching funds described in
3 subparagraph (A) in cash or in-kind, fairly eval-
4 uated, including plant, equipment, or services,
5 but may not provide more than 50 percent of
6 the matching funds in-kind.

7 “(C) WAIVER.—A State educational agen-
8 cy may waive all or part of the matching re-
9 quirement for priority described in this para-
10 graph, on a case-by-case basis, upon a showing
11 of serious financial hardship.”; and

12 (F) by adding at the end the following:

13 “(h) SPECIAL RULE.—In implementing 21st Century
14 Community Learning Centers, the Department shall not
15 give priority to, show preference for, or provide direction
16 about whether communities use 21st Century Community
17 Learning Centers funds for eligible entities described in
18 subparagraph (A), (B), or (C) of section 4601(b)(1).”;

19 (5) in section 4605, as redesignated by section
20 4103(a) of this Act—

21 (A) in subsection (a)—

22 (i) in the matter preceding paragraph
23 (1), by striking “before and after school
24 activities (including during summer recess
25 periods)” and inserting “before school,

1 after school, summer learning, or expanded
2 learning time activities”;

3 (ii) by redesignating paragraphs (1)
4 through (12) as paragraphs (2) through
5 (13), respectively;

6 (iii) by inserting before paragraph (2),
7 as redesignated by clause (ii), the fol-
8 lowing:

9 “(1) high-quality expanded learning time pro-
10 grams or initiatives;”;

11 (iv) in paragraph (6), as redesignated
12 by clause (ii), by striking “(including those
13 provided by senior citizen volunteers)”;

14 (v) in paragraph (7), as redesignated
15 by clause (ii), by striking “limited English
16 proficient students” and inserting “English
17 learners”; and

18 (B) by striking subsection (b) and insert-
19 ing the following:

20 “(b) PERFORMANCE INDICATORS.—Each State edu-
21 cational agency that receives a grant under this part shall
22 collect, and annually report to the Secretary, information
23 on the following performance indicators, disaggregated, as
24 appropriate, by the subgroups described in section
25 1111(a)(2)(B)(x):

1 “(1) The average time added to the school day,
2 school week, or school year, if applicable.

3 “(2) Student participation and attendance rates
4 for the programs funded under this part.

5 “(3) Student achievement in core academic sub-
6 jects and high school graduation rates, as applicable,
7 for students who participate in such programs.”.

8 **SEC. 4108. PROMISE NEIGHBORHOODS.**

9 Title IV (20 U.S.C. 7101 et seq.) is amended by in-
10 serting after part F, as redesignated by section 4103(a)
11 of this Act, the following:

12 **“PART G—PROMISE NEIGHBORHOODS**

13 **“SEC. 4701. SHORT TITLE.**

14 “‘This part may be cited as the ‘Promise Neighbor-
15 hoods Act of 2013’.

16 **“SEC. 4702. PURPOSE.**

17 “‘The purpose of this part is to significantly improve
18 the academic and developmental outcomes of children liv-
19 ing in our Nation’s most distressed communities from
20 birth through college and career entry, including ensuring
21 school readiness, high school graduation, and college and
22 career readiness for such children, through the use of
23 data-driven decisionmaking and access to a community-
24 based continuum of high-quality services, beginning at
25 birth.

1 **“SEC. 4703. DEFINITIONS.**

2 “In this part:

3 “(1) CHILD.—The term ‘child’ means an indi-
4 vidual from birth through age 21.

5 “(2) COLLEGE AND CAREER READINESS.—The
6 term ‘college and career readiness’ means the level
7 of preparation a student needs in order to meet the
8 State academic content and achievement standards
9 under section 1111(a)(1).

10 “(3) COMMUNITY OF PRACTICE.—The term
11 ‘community of practice’ means a group of entities
12 that interact regularly to share best practices to ad-
13 dress 1 or more persistent problems, or improve
14 practice with respect to such problems, in 1 or more
15 neighborhoods.

16 “(4) COMPREHENSIVE SCHOOL READINESS AS-
17 SESSMENT.—The term ‘comprehensive school readi-
18 ness assessment’ means an objective tool that—

19 “(A) screens for school readiness across
20 domains, including language, cognitive, phys-
21 ical, motor, sensory, and social-emotional do-
22 mains, and through a developmental screening.;
23 and

24 “(B) may also include other sources of in-
25 formation, such as child observations by parents
26 and others, verbal and written reports, child

1 work samples (for children aged 3 to 5), and
2 health and developmental histories.

3 “(5) DEVELOPMENTAL SCREENING.—The term
4 ‘developmental screening’ means the use of a stand-
5 ardized tool to identify a child who may be at risk
6 of a developmental delay or disorder.

7 “(6) EXPANDED LEARNING TIME.—The term
8 ‘expanded learning time’ means the activities and
9 programs described in subparagraphs (A), (B), and
10 (C) of section 4601(b)(1).

11 “(7) FAMILY AND COMMUNITY ENGAGEMENT.—
12 The term ‘family and community engagement’
13 means the process of engaging family and commu-
14 nity members in education meaningfully and at all
15 stages of the planning, implementation, and school
16 and neighborhood improvement process, including,
17 at a minimum—

18 “(A) disseminating a clear definition of the
19 neighborhood to the members of the neighbor-
20 hood;

21 “(B) ensuring representative participation
22 by the members of such neighborhood in the
23 planning and implementation of the activities of
24 each grant awarded under this part;

1 “(C) regular engagement by the eligible
2 entity and the partners of the eligible entity
3 with family members and community partners;

4 “(D) the provision of strategies and prac-
5 tices to assist family and community members
6 in actively supporting student achievement and
7 child development; and

8 “(E) collaboration with institutions of
9 higher education, workforce development cen-
10 ters, and employers to align expectations and
11 programming with college and career readiness.

12 “(8) FAMILY AND STUDENT SUPPORTS.—The
13 term ‘family and student supports’ includes—

14 “(A) health programs (including both men-
15 tal health and physical health services);

16 “(B) school, public, and child-safety pro-
17 grams;

18 “(C) programs that improve family sta-
19 bility;

20 “(D) workforce development programs (in-
21 cluding those that meet local business needs,
22 such as internships and externships);

23 “(E) social service programs;

24 “(F) legal aid programs;

25 “(G) financial literacy education programs;

1 “(H) adult education and family literacy
2 programs;

3 “(I) parent, family, and community en-
4 gagement programs; and

5 “(J) programs that increase access to
6 learning technology and enhance the digital lit-
7 eracy skills of students.

8 “(9) FAMILY MEMBER.—The term ‘family
9 member’ means a parent, relative, or other adult
10 who is responsible for the education, care, and well-
11 being of a child.

12 “(10) INTEGRATED STUDENT SUPPORTS.—The
13 term ‘integrated student supports’ means wrap-
14 around services, supports, and community resources,
15 which shall be offered through a site coordinator for
16 at-risk students, that have been shown by evidence-
17 based research—

18 “(A) to increase academic achievement and
19 engagement;

20 “(B) to support positive child development;
21 and

22 “(C) to increase student preparedness for
23 success in college and the workforce.

24 “(11) NEIGHBORHOOD.—The term ‘neighbor-
25 hood’ means a defined geographical area in which

1 there are multiple signs of distress, demonstrated by
2 indicators of need, including poverty, childhood obe-
3 sity rates, academic failure, and rates of juvenile de-
4 linquency, adjudication, or incarceration.

5 “(12) PIPELINE SERVICES.—The term ‘pipeline
6 services’ means a continuum of supports and serv-
7 ices for children from birth through college entry,
8 college success, and career attainment, including, at
9 a minimum, strategies to address through services or
10 programs (including integrated student supports)
11 the following:

12 “(A) Prenatal education and support for
13 expectant parents.

14 “(B) High-quality early learning opportu-
15 nities.

16 “(C) High-quality schools and out-of-
17 school-time programs and strategies.

18 “(D) Support for a child’s transition to el-
19 ementary school, including the administration
20 of a comprehensive school readiness assessment.

21 “(E) Support for a child’s transition from
22 elementary school to middle school, from middle
23 school to high school, and from high school into
24 and through college and into the workforce.

25 “(F) Family and community engagement.

1 “(G) Family and student supports.

2 “(H) Activities that support college and
3 career readiness, including coordination between
4 such activities, such as—

5 “(i) assistance with college admis-
6 sions, financial aid, and scholarship appli-
7 cations, especially for low-income and low-
8 achieving students; and

9 “(ii) career preparation services and
10 supports.

11 “(I) Neighborhood-based support for col-
12 lege-age students who have attended the schools
13 in the pipeline, or students who are members of
14 the community, facilitating their continued con-
15 nection to the community and success in college
16 and the workforce.

17 **“Subpart 1—Promise Neighborhood Partnership**
18 **Grants**

19 **“SEC. 4711. PROGRAM AUTHORIZED.**

20 “(a) IN GENERAL.—

21 “(1) PROGRAM AUTHORIZED.—From amounts
22 appropriated to carry out this subpart, the Secretary
23 shall award grants, on a competitive basis, to eligible
24 entities to implement a comprehensive, evidence-
25 based continuum of coordinated services and sup-

1 ports that engages community partners to improve
2 academic achievement, student development, and col-
3 lege and career readiness, measured by common out-
4 comes, by carrying out the activities described in
5 section 4714 in neighborhoods with high concentra-
6 tions of low-income individuals and persistently low-
7 achieving schools or schools with an achievement
8 gap.

9 “(2) SUFFICIENT SIZE AND SCOPE.—Each
10 grant awarded under this subpart shall be of suffi-
11 cient size and scope to allow the eligible entity to
12 carry out the purpose of this part.

13 “(b) DURATION.—A grant awarded under this sub-
14 part—

15 “(1) shall be for a period of not more than 5
16 years; and

17 “(2) may be renewed for not more than 1 addi-
18 tional grant period, if the eligible entity dem-
19 onstrates significant improvement in relation to the
20 performance metrics established under section
21 4716(a).

22 “(c) CONTINUED FUNDING.—Continued funding of a
23 grant under this subpart, including a grant renewed under
24 subsection (b)(2), after the third year of the grant period
25 shall be contingent on the eligible entity’s progress toward

1 meeting the performance metrics described in section
2 4716(a).

3 “(d) MATCHING REQUIREMENT.—

4 “(1) IN GENERAL.—Each eligible entity receiv-
5 ing a grant under this subpart shall contribute
6 matching funds in an amount equal to not less than
7 100 percent of the amount of the grant. Such
8 matching funds shall come from Federal, State,
9 local, and private sources.

10 “(2) PRIVATE SOURCES.—The Secretary—

11 “(A) shall require that a portion of the
12 matching funds come from private sources; and

13 “(B) may allow the use of in-kind dona-
14 tions to satisfy the matching funds require-
15 ment.

16 “(3) ADJUSTMENT.—The Secretary may adjust
17 the matching funds requirement for applicants that
18 demonstrate high need, including applicants from
19 rural areas or applicant that wish to provide services
20 on tribal lands.

21 “(e) FINANCIAL HARDSHIP WAIVER.—

22 “(1) IN GENERAL.—The Secretary may waive
23 or reduce, on a case-by-case basis, the matching re-
24 quirement described in subsection (d), for a period

1 of 1 year at a time, if the eligible entity dem-
2 onstrates significant financial hardship.

3 “(2) PRIVATE SOURCES WAIVER.—The Sec-
4 retary may waive or reduce, on a case-by-case basis,
5 the requirement described in subsection (d) that a
6 portion of matching funds come from private sources
7 if the eligible entity demonstrates an inability to ac-
8 cess such funds in the State.

9 **“SEC. 4712. ELIGIBLE ENTITIES.**

10 “In this subpart, the term ‘eligible entity’ means not
11 less than 1 nonprofit entity working in coordination with
12 not less than 1 of the following entities:

13 “(1) A high-need local educational agency.

14 “(2) A charter school funded by the Bureau of
15 Indian Education that is not a local educational
16 agency, except that such school shall not be the fis-
17 cal agent for the eligible entity partnership.

18 “(3) An institution of higher education, as de-
19 fined in section 102 of the Higher Education Act of
20 1965.

21 “(4) The office of a chief elected official of a
22 unit of local government.

23 “(5) An Indian tribe or tribal organization, as
24 defined under section 4 of the Indian Self-Deter-

1 mination and Education Assistance Act (25 U.S.C.
2 450b).

3 **“SEC. 4713. APPLICATION REQUIREMENTS.**

4 “(a) IN GENERAL.—An eligible entity desiring a
5 grant under this subpart shall submit an application to
6 the Secretary at such time, in such manner, and con-
7 taining such information as the Secretary may require.

8 “(b) CONTENTS OF APPLICATION.—At a minimum,
9 an application described in subsection (a) shall include the
10 following:

11 “(1) A plan to significantly improve the aca-
12 demic outcomes of children living in a neighborhood
13 that is served by the eligible entity, by providing
14 pipeline services that address the needs of children
15 in the neighborhood, as identified by the needs anal-
16 ysis described in paragraph (4) and supported by
17 evidence-based practices.

18 “(2) A description of the neighborhood that the
19 eligible entity will serve.

20 “(3) Measurable annual goals for the outcomes
21 of the grant, including—

22 “(A) performance goals, in accordance with
23 the metrics described in section 4716(a), for
24 each year of the grant; and

1 “(B) projected participation rates and any
2 plans to expand the number of children served
3 or the neighborhood proposed to be served by
4 the grant program.

5 “(4) An analysis of the needs and assets of the
6 neighborhood identified in paragraph (2), includ-
7 ing—

8 “(A) a description of the process through
9 which the needs analysis was produced, includ-
10 ing a description of how parents, family, and
11 community members were engaged in such
12 analysis;

13 “(B) an analysis of community assets, in-
14 cluding programs already provided from Fed-
15 eral and non-Federal sources, within, or acces-
16 sible to, the neighborhood, including, at a min-
17 imum—

18 “(i) early learning programs, includ-
19 ing high-quality child care, Early Head
20 Start programs, Head Start programs, and
21 prekindergarten programs;

22 “(ii) the availability of healthy food
23 options and opportunities for physical ac-
24 tivity;

1 “(iii) existing family and student sup-
2 ports;

3 “(iv) locally owned businesses and em-
4 ployers; and

5 “(v) institutions of higher education;

6 “(C) evidence of successful collaboration
7 within the neighborhood;

8 “(D) the steps that the eligible entity is
9 taking, at the time of the application, to ad-
10 dress the needs identified in the needs analysis;
11 and

12 “(E) any barriers the eligible entity, public
13 agencies, and other community-based organiza-
14 tions have faced in meeting such needs.

15 “(5) A description of the data used to identify
16 the pipeline services to be provided, including data
17 regarding—

18 “(A) school readiness;

19 “(B) academic achievement and college
20 and career readiness;

21 “(C) graduation rates;

22 “(D) health indicators;

23 “(E) rates of enrollment, remediation, per-
24 sistence, and completion at institutions of high-
25 er education, as available; and

1 “(F) conditions for learning, including
2 school climate surveys, discipline rates, and stu-
3 dent attendance and incident data.

4 “(6) A description of the process used to de-
5 velop the application, including the involvement of
6 family and community members.

7 “(7) An estimate of—

8 “(A) the number of children, by age, who
9 will be served by each pipeline service; and

10 “(B) for each age group, the percentage of
11 children (of such age group), within the neigh-
12 borhood, who the eligible entity proposes to
13 serve, disaggregated by each service, and the
14 goals for increasing such percentage over time.

15 “(8) A description of how the pipeline services
16 will facilitate the coordination of the following activi-
17 ties:

18 “(A) Providing high-quality early learning
19 opportunities for children, beginning prenatally
20 and extending through grade 3, by—

21 “(i) supporting high-quality early
22 learning opportunities that provide chil-
23 dren with access to programs that support
24 the cognitive and developmental skills, in-

1 cluding social and emotional skills, needed
2 for success in elementary school;

3 “(ii) providing for opportunities,
4 through parenting classes, baby academies,
5 home visits, family and community engage-
6 ment, or other evidence-based strategies,
7 for families and expectant parents to—

8 “(I) acquire the skills to promote
9 early learning, development, and
10 health and safety, including learning
11 about child development and positive
12 discipline strategies (such as through
13 the use of technology and public
14 media programming);

15 “(II) learn about the role of fam-
16 ilies and expectant parents in their
17 child’s education; and

18 “(III) become informed about
19 educational opportunities for their
20 children, including differences in qual-
21 ity among early learning opportuni-
22 ties;

23 “(iii) ensuring successful transitions
24 between early learning programs and ele-
25 mentary school, including through the es-

1 tablishment of memoranda of under-
2 standing between early learning providers
3 and local educational agencies serving
4 young children and families;

5 “(iv) ensuring appropriate screening,
6 diagnostic assessments, and referrals for
7 children with disabilities, developmental
8 delays, or other special needs, consistent
9 with the Individuals with Disabilities Edu-
10 cation Act (20 U.S.C. 1400 et seq.), where
11 applicable;

12 “(v) improving the early learning
13 workforce in the community, including
14 through—

15 “(I) investments in the recruit-
16 ment, retention, distribution, and sup-
17 port of high-quality professionals, es-
18 pecially those with certification and
19 experience in child development;

20 “(II) the provision of high-quality
21 teacher preparation and professional
22 development; or

23 “(III) the use of joint profes-
24 sional development for early learning

1 providers and elementary school
2 teachers and administrators; and

3 “(vi) enhancing data systems and
4 data sharing among the eligible entity,
5 partners, early learning providers, schools,
6 and local educational agencies operating in
7 the neighborhood.

8 “(B) Supporting, enhancing, operating, or
9 expanding rigorous and comprehensive edu-
10 cation reforms designed to significantly improve
11 educational outcomes for children in early
12 learning programs through grade 12, which
13 may include—

14 “(i) operating schools or working in
15 close collaboration with local schools to
16 provide high-quality academic programs,
17 curricula, and integrated student supports;

18 “(ii) providing expanded learning
19 time, which may include the integration
20 and use of arts education in such learning
21 time; and

22 “(iii) providing programs and activi-
23 ties that ensure that students—

1 “(I) are prepared for the college
2 admissions, scholarship, and financial
3 aid application processes; and

4 “(II) graduate college and career
5 ready.

6 “(C) Supporting access to a healthy life-
7 style, which may include—

8 “(i) the provision of high-quality and
9 nutritious meals;

10 “(ii) access to programs that promote
11 physical activity, physical education, and
12 fitness; and

13 “(iii) education to promote a healthy
14 lifestyle and positive body image.

15 “(D) Providing social, health, and mental
16 health services and supports, including referrals
17 for essential care and preventative screenings,
18 for children, family, and community members,
19 which may include—

20 “(i) dental services;

21 “(ii) vision care; and

22 “(iii) speech, language, and auditory
23 screenings and referrals.

24 “(E) Supporting students and family mem-
25 bers as the students transition from early learn-

1 ing programs into elementary school, from ele-
2 mentary school to middle school, from middle
3 school to high school, from high school into and
4 through college and into the workforce, includ-
5 ing through evidence-based strategies to ad-
6 dress challenges that students may face as they
7 transition, such as the following:

8 “(i) Early college high schools.

9 “(ii) Dual enrollment programs.

10 “(iii) Career academies.

11 “(iv) Counseling and support services.

12 “(v) Dropout prevention and recovery
13 strategies.

14 “(vi) Collaboration with the juvenile
15 justice system and reentry counseling for
16 adjudicated youth.

17 “(vii) Advanced Placement or Inter-
18 national Baccalaureate courses.

19 “(viii) Teen parent classrooms.

20 “(ix) Graduation and career coaches.

21 “(9) A description of the strategies that will be
22 used to provide pipeline services (including a de-
23 scription of the process used to identify such strate-
24 gies and the outcomes expected and a description of
25 which programs and services will be provided to chil-

1 dren, family members, community members, and
2 children not attending schools or programs operated
3 by the eligible entity or its partner providers) to sup-
4 port the purpose of this part.

5 “(10) An explanation of the process the eligible
6 entity will use to establish and maintain family and
7 community engagement.

8 “(11) An explanation of how the eligible entity
9 will continuously evaluate and improve the con-
10 tinuum of high-quality pipeline services, including—

11 “(A) a description of the metrics, con-
12 sistent with section 4716(a), that will be used
13 to inform each component of the pipeline; and

14 “(B) the processes for using data to im-
15 prove instruction, optimize integrated student
16 supports, provide for continuous program im-
17 provement, and hold staff and partner organiza-
18 tions accountable.

19 “(12) An identification of the fiscal agent,
20 which may be any entity described in section 4712
21 (not including paragraph (2) of such section).

22 “(13) A list of the non-Federal sources of fund-
23 ing that the eligible entity will secure to comply with
24 the matching funds requirement described in section
25 4711(d), in addition to other programs from which

1 the eligible entity has already secured funding, in-
2 cluding programs funded by the Department or pro-
3 grams of the Department of Health and Human
4 Services, the Department of Housing and Urban De-
5 velopment, the Department of Justice, or the De-
6 partment of Labor.

7 “(c) MEMORANDUM OF UNDERSTANDING.—An eligi-
8 ble entity, as part of the application described in this sec-
9 tion, shall submit a preliminary memorandum of under-
10 standing, signed by each partner entity or agency. The
11 preliminary memorandum of understanding shall describe,
12 at a minimum—

13 “(1) each partner’s financial and programmatic
14 commitment with respect to the strategies described
15 in the application, including an identification of the
16 fiscal agent;

17 “(2) each partner’s long-term commitment to
18 providing pipeline services that, at a minimum, ac-
19 counts for the cost of supporting the continuum of
20 supports and services (including a plan for how to
21 support services and activities after grant funds are
22 no longer available) and potential changes in local
23 government;

24 “(3) each partner’s mission and the plan that
25 will govern the work that the partners do together;

1 “(4) each partner’s long-term commitment to
2 supporting the continuum of supports and services
3 through data collection, monitoring, reporting, and
4 sharing; and

5 “(5) each partner’s commitment to ensure
6 sound fiscal management and controls, including evi-
7 dence of a system of supports and personnel.

8 **“SEC. 4714. USE OF FUNDS.**

9 “(a) IN GENERAL.—Each eligible entity that receives
10 a grant under this subpart shall use the grant funds to—

11 “(1) implement the pipeline services, as de-
12 scribed in the application under section 4713; and

13 “(2) continuously evaluate the success of the
14 program and improve the program based on data
15 and outcomes.

16 “(b) SPECIAL RULES.—

17 “(1) FUNDS FOR PIPELINE SERVICES.—Each
18 eligible entity that receives a grant under this sub-
19 part shall, following the second year of the grant
20 and each subsequent year, including each year of a
21 renewal grant, use not less than 80 percent of grant
22 funds to carry out the activities described in sub-
23 section (a)(1).

24 “(2) OPERATIONAL FLEXIBILITY.—Each eligi-
25 ble entity that operates a school in a neighborhood

1 served by a grant program under this subpart shall
2 provide such school with the operational flexibility,
3 including autonomy over staff, time, and budget,
4 needed to effectively carry out the activities de-
5 scribed in the application under section 4713.

6 “(3) LIMITATION ON USE OF FUNDS FOR
7 EARLY CHILDHOOD EDUCATION PROGRAMS.—Funds
8 under this subpart that are used to improve early
9 childhood education programs shall not be used to
10 carry out any of the following activities:

11 “(A) Assessments that provide rewards or
12 sanctions for individual children or teachers.

13 “(B) A single assessment that is used as
14 the primary or sole method for assessing pro-
15 gram effectiveness.

16 “(C) Evaluating children, other than for
17 the purposes of improving instruction, class-
18 room environment, professional development, or
19 parent and family engagement, or program im-
20 provement.

21 **“SEC. 4715. REPORT AND PUBLICLY AVAILABLE DATA.**

22 “(a) REPORT.—Each eligible entity that receives a
23 grant under this subpart shall prepare and submit an an-
24 nual report to the Secretary, which shall include—

1 “(1) information about the number and per-
2 centage of children in the neighborhood who are
3 served by the grant program, including a description
4 of the number and percentage of children accessing
5 each support or service offered as part of the pipe-
6 line services;

7 “(2) information relating to the performance
8 metrics described in section 4716(a); and

9 “(3) other indicators that may be required by
10 the Secretary, in consultation with the Director of
11 the Institute of Education Sciences.

12 “(b) **PUBLICLY AVAILABLE DATA.**—Each eligible en-
13 tity that receives a grant under this subpart shall make
14 publicly available, including through electronic means, the
15 information described in subsection (a). To the extent
16 practicable, such information shall be provided in a form
17 and language accessible to parents and families in the
18 neighborhood, and such information shall be a part of
19 statewide longitudinal data systems.

20 **“SEC. 4716. PERFORMANCE ACCOUNTABILITY AND EVALUA-**
21 **TION.**

22 “(a) **PERFORMANCE METRICS.**—Each eligible entity
23 that receives a grant under this subpart shall collect data
24 on performance indicators of pipeline services and family
25 and student supports and report the results to the Sec-

1 retary, who shall use the results as a consideration in con-
2 tinuing grants after the third year and in awarding grant
3 renewals. The indicators shall, at a minimum, include the
4 following:

5 “(1) Evidence of increasing qualifications for
6 staff in early care and education programs attended
7 by children in the neighborhood.

8 “(2) With respect to the children served by the
9 grant—

10 “(A) the percentage of children who are
11 ready for kindergarten, as measured by a com-
12 prehensive developmental screening instrument;

13 “(B) the percentage of school-age children
14 proficient in core academic subjects;

15 “(C) evidence of narrowing student
16 achievement gaps among the categories de-
17 scribed in section 1111(a)(2)(B)(x);

18 “(D) the percentage of children who are
19 reading at grade level by the end of grade 3;

20 “(E) the percentage of children who suc-
21 cessfully transition from grade 8 to grade 9;

22 “(F) for each school year during the grant
23 period, the percentage of students in prekinde-
24 rgarten, elementary school, and secondary school
25 who miss more than 10 percent of school days

1 for any reason, excused or unexcused, and the
2 number and percentage of students who are
3 suspended or expelled for any reason, starting
4 in prekindergarten;

5 “(G) the percentage of children who grad-
6 uate with a high school diploma;

7 “(H) the percentage of children who enter
8 postsecondary education and remain after 1
9 year;

10 “(I) the percentage of children who are
11 healthy, as measured by a child-health index
12 that includes cognitive, nutritional, physical, so-
13 cial, mental-health, and emotional domains;

14 “(J) the percentage of children who feel
15 safe, as measured by a school climate survey;

16 “(K) rates of student mobility and home-
17 lessness;

18 “(L) opportunities for family members of
19 children to receive education and job training;
20 and

21 “(M) the percentage of children who have
22 digital literacy skills and access to broadband
23 internet and a connected computing device at
24 home and at school.

1 “(b) EVALUATION.—The Secretary shall evaluate the
2 implementation and impact of the activities funded under
3 this subpart, in accordance with section 9601.

4 **“Subpart 2—Promise School Grants**

5 **“SEC. 4721. PROGRAM AUTHORIZED.**

6 “(a) IN GENERAL.—

7 “(1) PROGRAM AUTHORIZED.—From amounts
8 appropriated to carry out this subpart, the Secretary
9 shall award grants, on a competitive basis, to eligible
10 entities to implement school-centered, evidence-based
11 strategies and integrated student supports that le-
12 verage community partnerships to improve student
13 achievement and child development by carrying out
14 the activities described in section 4724 in schools
15 with high concentrations of low-income children.

16 “(2) SUFFICIENT SIZE AND SCOPE.—Each
17 grant awarded under this subpart shall be of suffi-
18 cient size and scope to allow the eligible entity to
19 carry out the purpose of this part.

20 “(b) GENERAL PROVISIONS.—The requirements of
21 subsections (b), (c), (d), and (e) of section 4711 and sec-
22 tion 4714(b) shall apply to a grant under this subpart in
23 the same manner as such subsections apply to a grant
24 under subpart 1, except that the performance metrics used

1 for section 4711(c) shall be the metrics under section
2 4726(a).

3 **“SEC. 4722. DEFINITION OF ELIGIBLE ENTITY.**

4 “In this subpart, the term ‘eligible entity’ means—

5 “(1) not less than 1 high-need local educational
6 agency (including a charter school that is a local
7 educational agency) in partnership with 1 or more
8 nonprofit entities or institutions of higher education;
9 or

10 “(2) a school funded by the Bureau of Indian
11 Education that falls under the definition of a local
12 educational agency in partnership with 1 or more
13 nonprofit entities or institutions of higher education.

14 **“SEC. 4723. APPLICATION REQUIREMENTS; PRIORITY.**

15 “(a) IN GENERAL.—An eligible entity desiring a
16 grant under this subpart shall submit an application to
17 the Secretary at such time, in such manner, and con-
18 taining such information as the Secretary may require.

19 “(b) CONTENTS OF APPLICATION.—At a minimum,
20 the application described in subsection (a) shall include
21 the following:

22 “(1) A description of the local educational agen-
23 cy, schools, and students that will be served by the
24 grant program.

1 “(2) A description of the steps that the eligible
2 entity is taking—

3 “(A) to meet the needs identified in the
4 analysis described in paragraph (4); and

5 “(B) to remove any barriers that the eligi-
6 ble entity has identified in meeting such needs.

7 “(3) The designation of a site coordinator, with
8 appropriate qualifications and appropriate time, au-
9 tonomy, and support to provide—

10 “(A) leadership in building relationships
11 and establishing and sustaining partnerships
12 that support school improvement, school turn-
13 around efforts in accordance with section
14 1116(c), increases in student achievement, posi-
15 tive child development, and parent, family, and
16 community engagement; and

17 “(B) effective coordination of student serv-
18 ices at all stages of the continuum of high-qual-
19 ity pipeline services.

20 “(4) An analysis of the needs and assets of the
21 schools and communities that will be assisted under
22 the grant. Such analysis shall include—

23 “(A) student data, including information
24 about—

1 “(i) kindergarten readiness, as meas-
2 ured by a comprehensive developmental
3 screening instrument;

4 “(ii) academic achievement;

5 “(iii) credit accumulation;

6 “(iv) grade-to-grade promotion;

7 “(v) graduation;

8 “(vi) attendance; and

9 “(vii) discipline; and

10 “(B) information about the assets de-
11 scribed in section 4713(b)(4)(B) with respect to
12 such schools and communities.

13 “(5) An explanation of how the eligible entity
14 and its program partners will use evidence-based
15 practice, data, research, and partnerships to provide
16 pipeline services that—

17 “(A) address the needs identified in para-
18 graph (4);

19 “(B) conduct family and community en-
20 gagement;

21 “(C) enable teachers and administrators,
22 including early learning providers, to com-
23 plement and enrich efforts to help children—

24 “(i) achieve learning gains;

25 “(ii) prepare for graduation; and

1 “(iii) plan for the future, including
2 preparing for college and careers; and

3 “(D) coordinate and leverage other pro-
4 grams that serve children, the schools served by
5 the grant, and the neighborhood.

6 “(6) An explanation of the extent to which the
7 eligible entity and its program partners will serve or
8 involve children residing in the neighborhood regard-
9 less of whether such children attend a school served
10 by the grant, including by carrying out the activities
11 described in section 4713(b)(8).

12 “(7) A description of the capacity of the eligible
13 entity for measuring student outcomes and school-
14 specific outcomes.

15 “(8) A description of how the strategies sup-
16 ported with funds under this subpart will be—

17 “(A) coordinated with other programs and
18 strategies carried out by the local educational
19 agency; and

20 “(B) to the greatest extent practicable, co-
21 ordinated with other agencies, such as agencies
22 that provide reentry services to adjudicated
23 youth.

24 “(9) A description of the strategy the eligible
25 entity will use to—

1 “(A) conduct family and community en-
2 gagement; and

3 “(B) make schools the centers of their re-
4 spective communities.

5 “(10) A list of the non-Federal sources of fund-
6 ing that the eligible entity will secure to comply with
7 the matching funds requirement pursuant to sec-
8 tions 4711(d) and 4721, in addition to other pro-
9 grams the eligible entity has already secured funding
10 from, including programs funded by the Depart-
11 ment, or programs of the Department of Health and
12 Human Services, the Department of Housing and
13 Urban Development, the Department of Justice, or
14 the Department of Labor.

15 “(c) MEMORANDUM OF UNDERSTANDING.—An eligi-
16 ble entity, as part of the application described in this sec-
17 tion, shall submit a preliminary memorandum of under-
18 standing that meets the requirements of section 4713(e).

19 “(d) PRIORITY.—In awarding grants under this sub-
20 part, the Secretary shall give priority to applicants that—

21 “(1) propose to include significant investments,
22 as determined by the Secretary, in high-quality early
23 learning programs, consistent with section
24 4713(b)(8)(A); and

1 “(2) provide schools served by the grant with
2 the operational flexibility, including autonomy over
3 staff, time, and budget, needed to effectively carry
4 out the activities described in the application under
5 this section.

6 **“SEC. 4724. USE OF FUNDS.**

7 “(a) IN GENERAL.—Each eligible entity that receives
8 a grant under this subpart shall use the grant funds to—

9 “(1) implement the activities described in the
10 application under section 4723; and

11 “(2) continuously evaluate the success of the
12 grant program and improve the grant program
13 based on data and outcomes.

14 “(b) SPECIAL RULE.—

15 “(1) LIMITATION ON USE OF FUNDS FOR
16 EARLY CHILDHOOD EDUCATION PROGRAMS.—Funds
17 under this subpart that are used to improve early
18 childhood education programs shall not be used to
19 carry out any of the following activities:

20 “(A) Assessments that provide rewards or
21 sanctions for individual children or teachers.

22 “(B) A single assessment that is used as
23 the primary or sole method for assessing pro-
24 gram effectiveness.

1 “(C) Evaluating children, other than for
2 the purposes of improving instruction, class-
3 room environment, professional development, or
4 parent and family engagement, or program im-
5 provement.

6 **“SEC. 4725. REPORT AND PUBLICLY AVAILABLE DATA.**

7 “(a) REPORT.—Each eligible entity that receives a
8 grant under this subpart shall prepare and submit an an-
9 nual report to the Secretary, which shall include—

10 “(1) information about the number and per-
11 centage of children served by the grant program,
12 disaggregated the subgroups described in section
13 1111(a)(2)(B)(x);

14 “(2) information relating to the performance
15 metrics described in section 4726(a); and

16 “(3) other indicators that may be required by
17 the Secretary, in consultation with the Director of
18 the Institute of Education Sciences.

19 “(b) PUBLICLY AVAILABLE DATA.—Each eligible en-
20 tity that receives a grant under this subpart shall make
21 publicly available, including through electronic means, the
22 information described in subsection (a). To the extent
23 practicable, such information shall be provided in a form
24 and language accessible to parents and families in the
25 neighborhood.

1 **“SEC. 4726. PERFORMANCE ACCOUNTABILITY AND EVALUA-**
2 **TION.**

3 “(a) PERFORMANCE METRICS.—Each eligible entity
4 receiving a grant under this subpart shall collect data on
5 performance indicators of pipeline services and family and
6 student supports and report the results to the Secretary,
7 who shall use the results as a consideration in continuing
8 grants after the third year and awarding grant renewals.
9 The indicators shall, at a minimum, include the indicators
10 described in paragraphs (1) and (2) of section 4716(a).

11 “(b) EVALUATION.—The Secretary shall evaluate the
12 implementation and impact of the activities funded under
13 this subpart, in accordance with section 9601.

14 **“Subpart 3—General Provisions**

15 **“SEC. 4731. NATIONAL ACTIVITIES.**

16 “From the amounts appropriated to carry out this
17 part for a fiscal year, in addition to the amounts that may
18 be reserved in accordance with section 9601, the Secretary
19 may reserve not more than 8 percent for national activi-
20 ties, which may include—

21 “(1) research on the activities carried out under
22 subparts 1 and 2;

23 “(2) identification and dissemination of best
24 practices, including through support for a commu-
25 nity of practice;

1 “(3) technical assistance, including assistance
2 relating to family and community engagement and
3 outreach to potential partner organizations;

4 “(4) professional development, including devel-
5 opment of materials related to professional develop-
6 ment; and

7 “(5) other activities consistent with the purpose
8 of this part.”.

9 **SEC. 4109. PARENT AND FAMILY INFORMATION AND RE-**
10 **SOURCE CENTERS.**

11 Title IV (20 U.S.C. 7101 et seq.) is amended by in-
12 serting after part G, as added by section 4108 of this Act,
13 the following:

14 **“PART H—PARENT AND FAMILY INFORMATION**
15 **AND RESOURCE CENTERS**

16 **“SEC. 4801. PURPOSE.**

17 “The purpose of this part is to increase and enhance
18 parent and family engagement in education by—

19 “(1) providing support and technical assistance
20 to State educational agencies;

21 “(2) supporting a community of practice related
22 to effective parent and family engagement strategies
23 and practices; and

1 “(3) as appropriate, providing information and
2 training to local educational agencies, schools, par-
3 ents and families, and community members.

4 **“SEC. 4802. DEFINITION OF ELIGIBLE ENTITY.**

5 “‘In this part, the term ‘eligible entity’ means—

6 “(1) a nonprofit organization (including a state-
7 wide nonprofit organization); or

8 “(2) a consortium consisting of a nonprofit or-
9 ganization (including a statewide nonprofit organiza-
10 tion) and a State educational agency or local edu-
11 cational agency.

12 **“SEC. 4803. GRANTS AUTHORIZED.**

13 “(a) PARENT AND FAMILY INFORMATION AND RE-
14 SOURCE CENTERS.—The Secretary is authorized to award
15 grants, on a competitive basis, to eligible entities to enable
16 such eligible entities to operate State parent and family
17 information and resource centers that—

18 “(1) assist the State educational agency in
19 identifying, implementing, and replicating effective,
20 evidence-based parent, family, and community en-
21 gagement strategies, including assisting the State
22 educational agency in carrying out parent and family
23 engagement strategies that are funded under section
24 1118 and other provisions of this Act;

1 “(2) provide technical assistance, training, in-
2 formation, and support regarding parent and family
3 engagement, as appropriate (including support in
4 turning around schools), to, at a minimum, high-
5 need schools, schools that are served by high-need
6 local educational agencies, and early care and edu-
7 cation providers that primarily serve low-income par-
8 ents and families; and

9 “(3) strengthen partnerships among parents,
10 family members, community-based organizations (in-
11 cluding faith-based organizations), early care and
12 education providers, schools, local educational agen-
13 cies, employers, and other appropriate community
14 members who are committed to improving and en-
15 hancing parent, family, and community engagement
16 in order to improve student achievement and sup-
17 port positive child development.

18 “(b) DURATION.—Grants awarded under this part
19 shall be for a period of 5 years.

20 “(c) GEOGRAPHIC DISTRIBUTION.—In awarding
21 grants under this part, the Secretary shall ensure that not
22 less than 1 grant is awarded to an eligible entity in each
23 State, except that competitions conducted pursuant to sec-
24 tion 4806(b)(2)(B), or for which no eligible entity from
25 a State applies, shall be open to all eligible entities.

1 “(d) PRIORITY.—In awarding grants under this part,
2 the Secretary shall give priority to applications from eligi-
3 ble entities that have a demonstrated record of effective-
4 ness in increasing and enhancing the engagement of par-
5 ents and families whose children attend a high-need school
6 or a school that is served by a high-need local educational
7 agency.

8 **“SEC. 4804. APPLICATIONS.**

9 “(a) SUBMISSION.—Each eligible entity that desires
10 a grant under this part shall submit an application to the
11 Secretary at such time, in such manner, and accompanied
12 by such information as the Secretary may require.

13 “(b) ASSURANCES.—Each application submitted
14 under subsection (a) shall include, at a minimum, an as-
15 surance that the eligible entity will—

16 “(1)(A) be governed by a board of directors, of
17 which not less than 50 percent is comprised of mem-
18 bers who are—

19 “(i) parents or family members of school-
20 aged children in the State that the eligible enti-
21 ty serves, including educationally and economi-
22 cally disadvantaged parents; and

23 “(ii) community stakeholders who are com-
24 mitted to improving schools and increasing par-
25 ent and family engagement; or

1 “(B) be an organization or consortium that rep-
2 resents the interests of parents and family members
3 of school-aged children;

4 “(2) use not less than 60 percent of the funds
5 received under this part for each fiscal year to sup-
6 port parent and family engagement in high-need
7 local educational areas;

8 “(3) reserve not less than 30 percent of the
9 funds received under this part for each fiscal year to
10 support parent and family engagement of low-income
11 parents and family members whose children attend
12 early childhood education programs;

13 “(4) operate a parent and family information
14 and resource center of sufficient size, scope, and
15 quality to effectively carry out the purpose of this
16 part;

17 “(5) ensure that parents and family members,
18 including economically disadvantaged parents and
19 family members with children who attend high-need
20 schools or schools that are served by high-need local
21 educational agencies, have access to leadership devel-
22 opment training and other evidence-based strategies
23 that provide the skills and resources parents and
24 family members need to support school improve-

1 ment, increase student achievement, and promote
2 positive student development; and

3 “(6) demonstrate to the Secretary that a por-
4 tion of the services provided by the eligible entity
5 under the grant is supported through non-Federal
6 contributions, which contributions may be in cash or
7 in-kind.

8 “(c) CONTENTS.—In addition to the requirements de-
9 scribed in subsection (b), each application submitted
10 under subsection (a) shall, at a minimum—

11 “(1) describe how the eligible entity will serve
12 both urban and rural areas throughout the State
13 that is served by the eligible entity;

14 “(2) demonstrate the eligible entity’s record of
15 effectiveness in carrying out parent and family en-
16 gagement activities, including the provision of high-
17 quality technical assistance to State educational
18 agencies and local educational agencies;

19 “(3) describe the process through which the eli-
20 gible entity will—

21 “(A) leverage relationships with, and col-
22 lect and exchange information among, partners;
23 and

1 “(B) disseminate information about evi-
2 dence-based best practices to support parent
3 and family engagement strategies;

4 “(4) describe the eligible entity’s strategy for
5 serving parents and family members of children in
6 the area served by the eligible entity, including par-
7 ents and family members of students who are served
8 by high-need local educational agencies;

9 “(5) describe how the eligible entity will assist
10 the State educational agency in effectively sup-
11 porting high-need local educational agencies in—

12 “(A) increasing parent and family member
13 understanding of, and opportunities to develop,
14 the knowledge and skills to engage as full part-
15 ners in supporting academic achievement, child
16 development, and school improvement; and

17 “(B) employing evidence-based strategies
18 to—

19 “(i) increase the participation of eco-
20 nomically disadvantaged and English
21 learner parents and family members, and
22 low-income parents and family members of
23 children with disabilities, in school activi-
24 ties; and

1 “(ii) improve parent and family en-
2 gagement strategies in low-performing
3 schools served by high-need local edu-
4 cational agencies; and

5 “(6) describe how the eligible entity will coordi-
6 nate its activities with the parent training and infor-
7 mation centers assisted under section 671 of the In-
8 dividuals with Disabilities Education Act;

9 “(7) identify the Federal, State, and local serv-
10 ices and programs that prepare children to be ready
11 for institutions of higher education and careers with
12 which the eligible entity will coordinate, including—

13 “(A) programs supported under this Act;

14 “(B) violence prevention programs;

15 “(C) programs that serve at-risk or out-of-
16 school youth;

17 “(D) nutrition programs;

18 “(E) housing programs;

19 “(F) Head Start and other early childhood
20 education programs;

21 “(G) adult education and literacy activities
22 (as defined in section 203 of the Adult Edu-
23 cation and Family Literacy Act); and

24 “(H) workforce development programs.

1 **“SEC. 4805. USES OF FUNDS.**

2 “(a) **REQUIRED ACTIVITIES.**—Each eligible entity
3 that receives a grant under this part shall use such grant
4 funds to provide services to parents, family members, edu-
5 cators, and community members and to assist State edu-
6 cational agencies, local educational agencies, and, where
7 applicable, districtwide parent advisory committees in sup-
8 porting parent and family engagement in education by
9 carrying out the following activities:

10 “(1) Providing technical assistance to State
11 educational agencies in—

12 “(A) reviewing and responding to local
13 parent and family engagement plans described
14 in section 1118(a) (including, at a minimum,
15 such plans submitted by high-need local edu-
16 cational agencies) in order to support evidence-
17 based strategies and best practices in parent
18 and family engagement;

19 “(B) the implementation of Federal and
20 State laws, regulations, and guidance relating
21 to parent and family engagement;

22 “(C) the implementation or replication of
23 statewide, evidence-based programs and strate-
24 gies, such as professional development for edu-
25 cators related to parent and family engagement,
26 especially that impact parents and family mem-

1 bers who are educationally and economically
2 disadvantaged;

3 “(D) ensuring that schools and classrooms
4 are welcoming of family and community mem-
5 bers; and

6 “(E) applicable evaluation, reporting, and
7 accountability processes.

8 “(2) Obtaining and disseminating information
9 about the range of options, programs, services, and
10 resources (including curricula) that are available at
11 the national level, the State level, and the local level
12 to assist school and local educational agency per-
13 sonnel in implementing evidence-based parent and
14 family engagement strategies.

15 “(3) Coordinating parent and family engage-
16 ment strategies with relevant Federal, State, and
17 local services and programs.

18 “(4) Working with individuals and organiza-
19 tions with expertise in identifying and implementing
20 evidence-based practices to improve parent and fam-
21 ily engagement.

22 “(5) Coordinating and integrating early care
23 and education programs with school-age programs,
24 especially those programs focusing on supporting the
25 transition of young children into kindergarten

1 through grade 3, such as by increasing awareness of
2 school readiness expectations among family and
3 community members.

4 “(6) Implementing parent institutes or other
5 leadership development strategies to ensure that par-
6 ents and family members have the skills and re-
7 sources needed to understand student and school
8 data in order to make decisions, effectively commu-
9 nicate with school officials and educators, support
10 school improvement, and increase student achieve-
11 ment.

12 “(b) PERMISSIVE ACTIVITIES.—In addition to the ac-
13 tivities required under subsection (a), each eligible entity
14 that receives a grant under this part may use such grant
15 funds to carry out the following activities:

16 “(1) Developing and disseminating templates
17 for schools and local educational agencies to use to
18 provide information about curricula, academic expect-
19 ations, academic assessments, and the results of
20 academic assessments to family members in a man-
21 ner and a language that such family members can
22 understand.

23 “(2) Providing training, information, and sup-
24 port to organizations that support partnerships

1 among schools, parents, family members, and dis-
2 trictwide parent advisory committees, as applicable.

3 “(3) Providing professional development to, and
4 supporting a community of practice among, school
5 and local educational agency staff (which may be
6 provided jointly to educators and family members) to
7 assist school and agency staff in developing and im-
8 plementing strategies to increase and strengthen on-
9 going communication with parents and family mem-
10 bers, including professional development opportuni-
11 ties that prepare teachers to have more focused,
12 goal-oriented, and reciprocal parent-teacher con-
13 ferences.

14 **“SEC. 4806. ADMINISTRATIVE PROVISIONS.**

15 “(a) MATCHING FUNDS FOR GRANT RENEWAL.—
16 For each fiscal year after the first fiscal year for which
17 an eligible entity receives assistance under this part, the
18 eligible entity shall demonstrate that a portion of the serv-
19 ices provided by the eligible entity is supported through
20 non-Federal contributions, which contributions may be in
21 cash or in-kind.

22 “(b) PERFORMANCE ACCOUNTABILITY.—

23 “(1) PERFORMANCE INDICATORS.—Each eligi-
24 ble entity receiving a grant under this part shall
25 submit to the Secretary an annual report regarding

1 the parent and family information and resource cen-
2 ters assisted under this part. Such report shall be
3 made publicly available, including through electronic
4 means, and shall include, at a minimum, a descrip-
5 tion of how each parent and family information and
6 resource center has performed with respect to the
7 following indicators:

8 “(A) The number of local educational
9 agencies or other entities that received assist-
10 ance or support in the previous academic year.

11 “(B) The number of parents and family
12 members whose children participated in the pre-
13 vious academic year in programs, activities, or
14 strategies supported by the parent and family
15 information and resource center, and—

16 “(i) the number of such parents
17 whose children are eligible to be counted
18 under section 1124(c)(1)(A);

19 “(ii) the number of such parents
20 whose children are English learners; and

21 “(iii) the number of such parents who
22 are parents of children with disabilities.

23 “(C) The outcomes directly attributable to
24 the provision of assistance or support provided
25 by the parent and family information and re-

1 source center, such as increased parent and
2 family member participation in school planning
3 activities, parent-teacher conferences, or the
4 local educational agency budgeting process.

5 “(D) Other evidence-based indicators that
6 the Secretary may reasonably require.

7 “(2) PERFORMANCE GOALS.—

8 “(A) IN GENERAL.—Each eligible entity
9 that is awarded a grant under this part shall
10 establish, in consultation with the Secretary,
11 annual performance goals for each of the indi-
12 cators described in paragraph (1). Such per-
13 formance goals shall be made publicly available,
14 including through electronic means.

15 “(B) CONSEQUENCES FOR POOR PERFORM-
16 ANCE.—If an eligible entity receiving grant
17 funds under this part does not meet the per-
18 formance goals established under this para-
19 graph for 2 consecutive years, after the provi-
20 sion of technical assistance in the second con-
21 secutive year, the Secretary shall terminate the
22 grant and conduct a new competition for the
23 grant.

24 “(C) LOSS OF ELIGIBILITY.—If an eligible
25 entity has received a grant under this part and

1 such grant has been terminated in accordance
2 with subparagraph (B), the eligible entity shall
3 not be eligible to participate in future grant
4 competitions, or receive grant funds, under this
5 part.

6 “(3) TECHNICAL ASSISTANCE.—The Secretary
7 shall provide technical assistance to each eligible en-
8 tity receiving a grant under this part that does not
9 meet the performance goals established under para-
10 graph (2).

11 “(c) REPORT TO CONGRESS.—The Secretary shall
12 prepare and submit an annual report to the authorizing
13 committees, which shall—

14 “(1) include the information that each eligible
15 entity submits to the Secretary in accordance with
16 subsection (b)(1);

17 “(2) summarize and synthesize the best prac-
18 tices collected by the parent and family information
19 and resource centers for increasing and improving
20 parent, family, and community engagement; and

21 “(3) be made available to the public (including
22 through electronic means).

23 “(d) RULE OF CONSTRUCTION.—Nothing in this part
24 shall be construed to prohibit a parent and family informa-
25 tion and resource center from—

1 “(1) allowing its employees or agents to meet
2 with family members at a site that is not on school
3 grounds; or

4 “(2) working with another public or nonprofit
5 agency that serves children.

6 “(e) PARENTAL RIGHTS.—Notwithstanding any
7 other provision of this part—

8 “(1) no individual (including a parent who edu-
9 cates a child at home, parent of a public school stu-
10 dent, or parent of a private school student) shall be
11 required to participate in any program of parent or
12 family education or developmental screening under
13 this part; and

14 “(2) a program or center assisted under this
15 part shall not take any action that infringes in any
16 manner on the right of a parent to direct the edu-
17 cation of such parent’s child.”.

18 **SEC. 4110. PROGRAMS OF NATIONAL SIGNIFICANCE.**

19 The Act (20 U.S.C. 6301 et seq.) is amended—

20 (1) by redesignating subpart 1 of part D of title
21 V as part J of title IV, and transferring such part
22 J so as to follow part I of title IV, as redesignated
23 by section 2101(a) of this Act;

24 (2) in part J of title IV, as redesignated under
25 paragraph (1), by striking the heading and inserting

1 the following: “**PROGRAMS OF NATIONAL SIG-**
2 **NIFICANCE**”;

3 (3) by striking section 5414;

4 (4) by redesignating sections 5411, 5412, and
5 5413, as sections 4905, 4906, and 4907, respec-
6 tively;

7 (5) in section 4905, as redesignated under
8 paragraph (4)—

9 (A) in subsection (a)—

10 (i) by striking “challenging State aca-
11 demic content and student academic
12 achievement standards” and inserting “col-
13 lege and career ready academic content
14 and student academic achievement stand-
15 ards under section 1111(a)(1)”; and

16 (ii) by inserting “nonprofit” before
17 “private”; and

18 (B) by striking subsection (b), and insert-
19 ing the following:

20 “(b) USES OF FUNDS.—A nonprofit entity receiving
21 a grant under subsection (a) shall use the grant funds to
22 carry out 1 of the following activities:

23 “(1) Providing funding for economically dis-
24 advantaged students, including students from mili-
25 tary families and recent immigrants, and their

1 teachers, to participate in programs based in Wash-
2 ington, D.C. that increase civic responsibility and
3 understanding of the Federal Government among
4 young people.

5 “(2) Developing, implementing, evaluating, and
6 disseminating innovative, research-based approaches
7 to civic learning, which may include hands-on civic
8 engagement activities, for low-income elementary
9 school and secondary school students that dem-
10 onstrate innovation, scalability, accountability, and a
11 focus on underserved populations.

12 “(3) Supporting a national principal and teach-
13 er certification process that provides a framework
14 for measuring and improving teaching and instruc-
15 tional leadership with a focus on educators working
16 in schools that are eligible for funding under part A
17 of title I, including comprehensive rigorous teaching
18 standards, leadership standards, and high-quality
19 metrics designed to reward educator effectiveness
20 and inform and deliver high-quality professional de-
21 velopment for all educators.

22 “(4) Creating a national teacher corps of out-
23 standing college graduates to teach in underserved
24 communities in order to—

1 “(A) increase the supply of effective teach-
2 ers in low-income communities; and

3 “(B) provide and support the retention of
4 teachers for high-need fields.

5 “(5) Supporting a national network of providers
6 of high-quality, evidence-based professional develop-
7 ment in writing instruction for teachers across all
8 academic subjects and grades.

9 “(6) Encouraging parents and caregivers to
10 read aloud to their children by supporting programs
11 through which, during pediatric exams, doctors and
12 nurses train parents and caregivers who may not be
13 skilled readers.

14 “(7) Supporting the research and implementa-
15 tion of highly effective, evidence-based strategies, in-
16 structional and other wise, and the expansion of pro-
17 grams designed to engage and support students who
18 are recent immigrant and students with interrupted
19 formal education, and families of such students, in
20 order to improve the language acquisition and aca-
21 demic achievement of such students.

22 “(8) Researching and promoting the use of in-
23 structional technology and strategies across all con-
24 tent areas that will drastically accelerate the lan-
25 guage acquisition in English learners and will sup-

1 port English learners as they access rigorous aca-
2 demic content.

3 “(9) Preparing young children from low-income
4 families for reading success by the third grade by—

5 “(A) distributing inexpensive books;

6 “(B) training volunteers to serve at-risk
7 children;

8 “(C) developing motivational literacy ac-
9 tivities for at-risk children; and

10 “(D) providing information on literacy re-
11 sources, such as those provided by local librar-
12 ies and other community-based organizations.

13 “(10) Supporting model projects and programs
14 that encourage involvement in the performing and
15 visual arts, for—

16 “(A) persons with disabilities, by—

17 “(i) increasing access to all forms of
18 the arts for all persons, including those liv-
19 ing with intellectual, physical, and sensory
20 disabilities; and

21 “(ii) fostering a greater awareness of
22 the need for arts programs for individuals
23 with disabilities; and

24 “(B) children, youth, and educators.

1 “(11) Implementing a coordinated program of
2 scientifically based research, demonstration projects,
3 innovative strategies, and professional development
4 for teachers and other instructional leaders working
5 in high-poverty schools to—

6 “(A) enhance the ability of educators to
7 meet the special educational needs of gifted and
8 talented students, including high-ability stu-
9 dents who have not been formally identified as
10 gifted; and

11 “(B) prioritize students who have been
12 underrepresented in gifted education programs,
13 including students who are economically dis-
14 advantaged, of minority backgrounds, English
15 learners, students with disabilities, and students
16 in rural communities.

17 “(12) Supporting the research and implementa-
18 tion of highly effective, evidence-based strategies and
19 the expansion of programs designed to engage and
20 support students who experience homelessness, or
21 are at risk of homelessness, and families of such stu-
22 dents, in order to improve social and emotional well-
23 being, health outcomes, and academic achievement
24 of such students.

1 “(13) Providing social, emotional, and academic
2 support to students from military families, and fami-
3 lies of such students, by—

4 “(A) developing, implementing, evaluating,
5 and disseminating innovative, research-based
6 approaches to providing early intervening serv-
7 ices that mitigate the effect of deployment of
8 family members;

9 “(B) providing training to teachers and
10 volunteers on the unique needs of such stu-
11 dents; and

12 “(C) supporting model projects and pro-
13 grams for tutoring and counseling.

14 “(14) Developing, implementing, evaluating,
15 and disseminating innovative, research-based ap-
16 proaches to teaching financial literacy, which may
17 include curriculum and hands-on activities, for low-
18 income elementary school and secondary school stu-
19 dents that demonstrate innovation, scalability, ac-
20 countability, and a focus on underserved popu-
21 lations.

22 “(15) Promoting gender equity in education by
23 supporting educational agencies and institutions in
24 meeting the requirements of title IX of the Edu-

1 cation Amendments of 1972 (20 U.S.C. 1681 et
2 seq.).

3 “(16) Other high-quality, nationally significant
4 programs that meet the purposes of this Act.”;

5 (6) in section 4906(c), as redesignated under
6 paragraph (4), by striking “and in recognizing
7 States, local educational agencies, and schools under
8 section 5411(b)(3), only if funds are used for such
9 recognition programs”;

10 (7) in section 4907, as redesignated under
11 paragraph (4)—

12 (A) in subsection (a)(1), by striking
13 “5412” and inserting “4906”; and

14 (B) by striking subsection (d); and

15 (8) in each of sections 4905, 4906, and 4907,
16 as redesignated under paragraph (4), by striking
17 “subpart” each place the term appears and inserting
18 “part”.

19 **SEC. 4111. COMPETENCY-BASED ASSESSMENT AND AC-**
20 **COUNTABILITY DEMONSTRATION AUTHOR-**
21 **ITY.**

22 Title IV (20 U.S.C. 7101 et seq.) is amended by in-
23 serting after part J, as redesignated under section
24 4110(1), the following:

1 **“PART K—COMPETENCY-BASED ASSESSMENT**
2 **AND ACCOUNTABILITY DEMONSTRATION AU-**
3 **THORITY**

4 **“SEC. 4909. COMPETENCY-BASED ASSESSMENT AND AC-**
5 **COUNTABILITY DEMONSTRATION.**

6 “(a) DEFINITIONS.—In this part:

7 “(1) COLLEGE AND CAREER READY STAND-
8 ARDS.—The term ‘college and career ready stand-
9 ards’ means the academic content and student aca-
10 demic achievement standards adopted by a State
11 under section 1111(a)(1).

12 “(2) COMPETENCY.—The term ‘competency’
13 means a target for student learning representing key
14 content-specific concepts and higher order skills,
15 such as critical thinking, problem solving, and self-
16 directed learning that is—

17 “(A) applied within or across content do-
18 mains; and

19 “(B) aligned with college and career ready
20 standards.

21 “(3) CORE INDICATORS.—The term ‘core indi-
22 cators’ means—

23 “(A) State academic assessments that
24 meet the requirements of section 1111(a)(2)(B)
25 and that provide data that can be compared

1 with data regarding the State academic assess-
2 ments required under section 1111(a)(2); and

3 “(B) State graduation rates.

4 “(4) ELIGIBLE ENTITY.—The term ‘eligible en-
5 tity’ means a State educational agency or consor-
6 tium of State educational agencies.

7 “(5) MASTERY.—The term ‘mastery’ means a
8 level of knowledge or skill development demonstrated
9 by a student signifying that the student has met a
10 standard and is prepared to progress to a subse-
11 quent standard.

12 “(6) PERFORMANCE ASSESSMENT.—The term
13 ‘performance assessment’ means a multi-step assess-
14 ment that—

15 “(A) includes complex activities with clear
16 criteria, expectations, and processes that enable
17 students to interact with meaningful content;
18 and

19 “(B) measures the depth at which students
20 learn content and apply complex skills to create
21 or refine an original product or solution.

22 “(7) UNIVERSAL DESIGN.—The term ‘universal
23 design’ has the meaning given the term in section
24 3(a) of the Assistive Technology Act of 1998 (29
25 U.S.C. 3002(a)).

1 “(b) DEMONSTRATION AUTHORITY.—

2 “(1) IN GENERAL.—The Secretary may provide
3 eligible entities, in accordance with paragraph (3),
4 with the authority to incorporate competency-based
5 accountability into the State accountability system
6 required under section 1111(a)(3) in accordance
7 with an application approved under subsection (c).

8 “(2) DEMONSTRATION PERIOD.—Each award of
9 demonstration authority under this part shall be for
10 a period of 3 years.

11 “(3) INITIAL DEMONSTRATION AUTHORITY; EX-
12 PANSION; RENEWAL.—

13 “(A) INITIAL LIMIT.—During the initial 3-
14 year period of demonstration authority under
15 this section, the Secretary may not provide
16 more than 3 eligible entities with the authority
17 described in paragraph (1).

18 “(B) EXPANSION OF DEMONSTRATION AU-
19 THORITY.—After the end of the initial dem-
20 onstration period described in subparagraph
21 (A), the Secretary may provide additional eligi-
22 ble entities with demonstration authority de-
23 scribed in paragraph (1), subject to each of the
24 requirements of this part as applicable, if the
25 Secretary determines that the demonstration

1 authority provided under this part during the
2 initial demonstration period has effectively sup-
3 ported student progress on core indicators
4 among students served by the eligible entities,
5 including subgroups of students described in
6 section 1111(a)(3)(D).

7 “(C) RENEWAL REQUIREMENTS.—The
8 Secretary may renew an award of demonstra-
9 tion authority under this part for additional 2-
10 year periods if the eligible entity demonstrates
11 progress on core indicators.

12 “(c) APPLICATIONS.—To be eligible to participate in
13 the demonstration under this part, an eligible entity shall
14 submit an application to the Secretary at such time, in
15 such manner, and containing such information as the Sec-
16 retary may require, that describes the competency-based
17 accountability system that will be used by the eligible enti-
18 ty, including—

19 “(1) an assurance that the competency-based
20 accountability system will only utilize summative as-
21 sessments for accountability purposes that—

22 “(A) are determined by the Secretary to
23 provide comparable data across the eligible enti-
24 ty, demonstrate inter-rater reliability, and meet

1 the requirements for assessments described in
2 section 1111(a)(2)(B);

3 “(B) have been field-tested;

4 “(C) are aligned to college and career
5 ready standards and State-approved com-
6 petencies;

7 “(D) have been developed in collaboration
8 with stakeholders representing the interests of
9 students with disabilities, English learners, and
10 civil rights organizations in the State, as dem-
11 onstrated through modifications made to the as-
12 sessments resulting from such collaboration;
13 and

14 “(E) incorporate the principles of universal
15 design;

16 “(2) how the competency-based accountability
17 system will—

18 “(A) incorporate a system of formative, in-
19 terim, and summative assessments, including
20 the use of performance assessments and other
21 sources of evidence of student learning that de-
22 termine mastery of State-approved com-
23 petencies aligned to college and career ready
24 standards and competencies;

1 “(B) allow students to demonstrate
2 progress toward mastery of such standards and
3 State-approved competencies;

4 “(C) assess mastery of State-approved
5 competencies when students are ready to dem-
6 onstrate mastery of such standards and com-
7 petencies;

8 “(D) provide students with multiple oppor-
9 tunities to demonstrate mastery of such stand-
10 ards and competencies;

11 “(E) ensure that summative assessments
12 comply with the requirements for academic as-
13 sessments, as described in section
14 1111(a)(2)(B), while engaging and supporting
15 teachers in scoring assessments, including the
16 use of high quality professional development,
17 standardized and calibrated scoring rubrics, and
18 other strategies to ensure inter-rater reliability
19 and comparability of determinations of mastery
20 across the State;

21 “(F) provide educators, students, and par-
22 ents with real-time data to inform instructional
23 practice and continuously improve student per-
24 formance;

1 “(G) be used in conjunction with the ac-
2 countability requirements described in section
3 1111(a)(3) and section 1116 to improve the
4 academic outcomes of focus schools identified
5 under section 1116(c), priority schools identi-
6 fied under section 1116(d), and all other
7 schools that fail to meet the school performance
8 targets, established in accordance with section
9 1111(a)(3)(C), for any subgroup described in
10 section 1111(a)(3)(D);

11 “(H) require not less than 1 year of aca-
12 demic growth within a school year for each stu-
13 dent and assure instructional support and tar-
14 geted intervention are in place for those stu-
15 dents performing below their peers; and

16 “(I) only utilize a student’s individualized
17 education program, as defined in section 602 of
18 the Individuals with Disabilities Education Act,
19 for purposes specifically allowed under such
20 Act;

21 “(3) the eligible entity’s plan to—

22 “(A) ensure that all students, including
23 each student subgroup described in section
24 1111(a)(3)(D)—

1 “(i) are held to the same high stand-
2 ard;

3 “(ii) demonstrate annually, at a min-
4 imum, at least 1 year of academic growth
5 consistent with the requirement in section
6 1111(a)(3)(B); and

7 “(iii) receive the instructional support
8 needed to attain mastery of college and ca-
9 reer ready standards and State-approved
10 competencies;

11 “(B) train local educational agency and
12 school staff to implement the assessments de-
13 scribed in paragraph (2)(A);

14 “(C) acclimate students to the new assess-
15 ment and accountability systems; and

16 “(D) ensure that each local educational
17 agency has the technological infrastructure to
18 operate the competency-based accountability
19 system described in this section; and

20 “(4) a description of how instruction and pro-
21 fessional development will be enhanced within the
22 competency-based system to personalize the edu-
23 cational experience for each student to ensure all
24 students graduate college and career ready, as deter-

1 mined in accordance with State academic achieve-
2 ment standards under section 1111(a)(1).

3 “(d) PEER REVIEW.—The Secretary shall—

4 “(1) implement a peer review process, which
5 shall include a review team comprised of practi-
6 tioners and experts who are knowledgeable about
7 competency-based learning systems, to inform the
8 awarding of the demonstration authority under this
9 part; and

10 “(2) make publicly available the applications
11 submitted under subsection (c) and the peer com-
12 ments and recommendations on such applications.

13 “(e) DEMONSTRATION AUTHORITY WITHDRAWN.—
14 The Secretary may withdraw the demonstration authority
15 provided to an eligible entity under this part if—

16 “(1) at any point after the first 2 years of the
17 3-year demonstration period described in subsection
18 (b)(2), the Secretary determines that student per-
19 formance for all students served by the eligible enti-
20 ty or any student subgroup described under section
21 1111(a)(3)(D) has declined on core indicators; or

22 “(2) after providing a State with a renewal of
23 demonstration authority under subsection (b)(3), the
24 Secretary makes a determination that student per-
25 formance has declined on core indicators for 2 con-

1 secutive years during the State’s participation in the
2 demonstration under this part.

3 “(f) DISSEMINATION OF BEST PRACTICES.—The
4 Secretary shall disseminate best practices on the imple-
5 mentation of competency-based accountability systems, in-
6 cluding on—

7 “(1) the effective use of formative, interim, and
8 summative assessments to inform instruction;

9 “(2) the development of summative assessments
10 that meet the requirements of section
11 1111(a)(2)(B), can be compared with the State as-
12 sessments required under section 1111(a)(2), and
13 include assessment tasks that determine mastery of
14 State-approved competencies aligned to college and
15 career ready standards; and

16 “(3) the development of standardized and cali-
17 brated scoring rubrics, and other strategies to en-
18 sure inter-rater reliability and comparability of de-
19 terminations of mastery across the State.”.

20 **TITLE V—PROMOTING**
21 **INNOVATION**

22 **SEC. 5001. PROMOTING INNOVATION.**

23 Title V (20 U.S.C. 7201 et seq.) is amended by strik-
24 ing the title heading and inserting the following:

1 **“TITLE V—PROMOTING**
2 **INNOVATION”.**

3 **PART A—RACE TO THE TOP**

4 **SEC. 5101. RACE TO THE TOP.**

5 Part A of title V (20 U.S.C. 7201 et seq.) is amended
6 to read as follows:

7 **“PART A—RACE TO THE TOP**

8 **“SEC. 5101. PURPOSES.**

9 “The purposes of this part are to provide incentives
10 for States and high-need local educational agencies to im-
11 plement comprehensive reforms and innovative strategies
12 that are designed to lead to—

13 “(1) significant improvements in outcomes for
14 all students, including improvements in student
15 readiness, student academic achievement, high
16 school graduation rates, and rates of student enroll-
17 ment, persistence, and completion in institutions of
18 higher education; and

19 “(2) significant reductions in achievement gaps
20 between the groups of students described in section
21 1111(a)(2)(B)(x).

22 **“SEC. 5102. RESERVATION OF FUNDS.**

23 “From amounts made available to carry out this part
24 for a fiscal year, the Secretary may reserve not more than
25 5 percent to carry out activities in accordance with this

1 part related to technical assistance, evaluation, outreach,
2 and dissemination.

3 **“SEC. 5103. RACE TO THE TOP PROGRAM.**

4 “(a) PROGRAM AUTHORIZED.—

5 “(1) IN GENERAL.—For each fiscal year for
6 which funds are appropriated under this part and
7 from such funds that are not reserved under section
8 5102, the Secretary shall, in accordance with para-
9 graph (2), determine the educational goals that are
10 the greatest priority for the United States and
11 award grants, through a grant competition, to eligi-
12 ble entities to enable such eligible entities to carry
13 out comprehensive reforms and innovative strategies
14 in furtherance of such goals.

15 “(2) SELECTION OF GOALS AND CATEGORIES
16 OF ENTITIES.—

17 “(A) IN GENERAL.—The Secretary shall
18 determine the priorities for grants awarded
19 through a grant competition under this part by
20 selecting in advance of the application period—

21 “(i) 1 or more categories of entities
22 described in paragraph (3) that may apply
23 for and receive the grants through such
24 grant competition; and

1 “(ii) 1 or more goals described in
2 paragraph (4) to be supported under the
3 grants.

4 “(B) ANNOUNCEMENT.—The Secretary
5 shall ensure that information regarding the se-
6 lections of goals and categories of entities for
7 the grants under this part for an upcoming
8 grant competition is made widely available to el-
9 igible entities and that the eligible entities will
10 have sufficient time to prepare a grant applica-
11 tion based on the Secretary’s decisions for the
12 upcoming grant competition.

13 “(3) ELIGIBLE ENTITIES.—The categories of
14 entities that may be selected for grants under this
15 part are the following:

16 “(A) A State.

17 “(B) A high-need local educational agency.

18 “(C) A consortium of States.

19 “(D) A consortium of high-need local edu-
20 cational agencies.

21 “(4) EDUCATIONAL GOALS.—The goals that the
22 Secretary shall select to support through grants
23 under this part are 1 or more of the following:

1 “(A) Increasing the access of children from
2 low-income families to highly rated teachers and
3 school leaders, including by—

4 “(i) developing and implementing a
5 professional growth and improvement sys-
6 tem;

7 “(ii) improving the effectiveness of
8 teachers (including early childhood edu-
9 cation educators) and school leaders, in-
10 cluding through high-quality preparation,
11 recruitment, professional development,
12 evaluation, and other personnel policies;
13 and

14 “(iii) ensuring that all teachers are
15 prepared to effectively serve the needs of
16 students who are children with disabilities
17 or English learners, particularly through
18 the general education curriculum.

19 “(B) Strengthening the availability and
20 use of high-quality and timely data to improve
21 instructional practices, policies, and student
22 outcomes.

23 “(C) Implementing—

24 “(i) elementary and secondary school
25 academic standards that prepare students

1 to be college and career ready, in accord-
2 ance with section 1111(a)(1); and

3 “(ii) strategies that translate such
4 standards into classroom practice, includ-
5 ing in the areas of assessment, instruc-
6 tional materials, and professional develop-
7 ment.

8 “(D) Turning around the schools served by
9 the eligible entity that are identified through a
10 State’s accountability and improvement system
11 under subsection (c) or (d) of section 1116.

12 “(E) Creating successful conditions for the
13 creation, expansion, and replication of high-per-
14 forming public charter schools and the creation
15 of new, innovative, and highly autonomous pub-
16 lic schools that will enroll a large percentage of
17 students from low-income families.

18 “(F) Providing more equitable State and
19 local resources to high-poverty schools.

20 “(G) Improving school readiness by—

21 “(i) increasing the number and per-
22 centage of children from low-income fami-
23 lies, in each age group of infants, toddlers,
24 and preschoolers, who are enrolled in high-

1 quality early childhood education pro-
2 grams; and

3 “(ii) designing and implementing an
4 integrated system of high-quality early
5 childhood education programs and services
6 that strengthens the coordination and col-
7 laboration among Federal, State, and local
8 early childhood education programs.

9 “(b) DURATION OF GRANTS.—

10 “(1) IN GENERAL.—Each grant awarded under
11 this part shall be for a period of not more than 4
12 years.

13 “(2) REQUIREMENTS FOR ADDITIONAL FUND-
14 ING.—Before receiving funding under any grant
15 under this part for the second or any subsequent
16 year of the grant, the eligible entity receiving the
17 grant shall demonstrate to the Secretary that the el-
18 igible entity is—

19 “(A) making progress in implementing the
20 plan under section 5104(a)(3) at a rate that the
21 Secretary determines will result in full imple-
22 mentation of the plan during the remainder of
23 the grant period; and

24 “(B) making progress, as measured by the
25 annual performance measures and targets es-

1 tablished by the eligible entity under section
2 5105, at a rate that the Secretary determines
3 will result in reaching the targets and achieving
4 the objectives of the grant, during the remain-
5 der of the grant period.

6 “(c) INTERAGENCY AGREEMENT.—The Secretary
7 shall establish an interagency agreement with the Sec-
8 retary of Health and Human Services to jointly administer
9 any grant competition for the goal of improving early
10 childhood education, as described in subsection (a)(4)(G),
11 and any grants issued under such grant competition.

12 **“SEC. 5104. APPLICATION PROCESS.**

13 “(a) IN GENERAL.—Each eligible entity that desires
14 to receive a grant under this part shall submit an applica-
15 tion to the Secretary at such time, in such manner, and
16 containing such information as the Secretary may reason-
17 ably require. At a minimum, each such application shall
18 include the following:

19 “(1) Documentation of the eligible entity’s
20 record, as applicable, in the areas to be measured by
21 the performance measures identified by the Sec-
22 retary under section 5105(2).

23 “(2) Evidence of conditions of innovation and
24 reform that the eligible entity has established and

1 the eligible entity’s plan for implementing additional
2 conditions for innovation and reform, including—

3 “(A) a description of how the eligible enti-
4 ty has identified and eliminated ineffective
5 practices in the past, and its plan for doing so
6 in the future;

7 “(B) a description of how the eligible enti-
8 ty has identified and promoted effective prac-
9 tices in the past, and its plan for doing so in
10 the future; and

11 “(C) steps the eligible entity has taken and
12 will take to eliminate statutory, regulatory, pro-
13 cedural, or other barriers to facilitate the full
14 implementation of its proposed plan under
15 paragraph (3).

16 “(3) A comprehensive and coherent plan for
17 using funds under this part, and other Federal,
18 State, and local funds, to improve the eligible enti-
19 ty’s performance on the performance measures iden-
20 tified under section 5105(2), including how the ap-
21 plicant will implement reforms and innovative strate-
22 gies to achieve the goals selected by the Secretary
23 under section 5103(a)(2).

24 “(4) In the case of an eligible entity that is de-
25 scribed in subparagraph (A) or (C) of section

1 5103(a)(3), evidence of collaboration among the eli-
2 gible entity, local educational agencies in the State
3 (including the local educational agencies partici-
4 pating in carrying out the plan under paragraph
5 (3)), schools that are expected to benefit from the
6 activities under the plan, parents, teachers, and
7 other stakeholders, in developing and implementing
8 the plan, including evidence of the commitment and
9 capacity to implement such plan.

10 “(5) In the case of an eligible entity described
11 in subparagraph (B) or (D) of section 5103(a)(3),
12 evidence of the eligible entity’s collaboration with its
13 school leaders, teachers, parents, and other stake-
14 holders in developing the plan under paragraph (3),
15 including evidence of the commitment and capacity
16 to implement that plan.

17 “(6) The eligible entity’s annual performance
18 measures and targets, in accordance with the re-
19 quirements of section 5105.

20 “(b) CRITERIA FOR EVALUATING APPLICATIONS.—

21 “(1) IN GENERAL.—The Secretary shall award
22 grants under this part on a competitive basis, based
23 on the quality of the applications submitted by eligi-
24 ble entities.

1 “(2) PUBLICATION OF EXPLANATION.—The
2 Secretary shall publish an explanation of how the
3 application review process will ensure an equitable,
4 transparent, and objective evaluation.

5 “(c) PRIORITY.—In awarding grants under this part,
6 the Secretary shall—

7 “(1) give priority to any eligible entity de-
8 scribed in subparagraph (B) or (D) of section
9 5103(a)(3) that serves a school designated with a
10 school locale code of 33, 41, 42, or 43, as deter-
11 mined by the Secretary; and

12 “(2) for any grant competition under this part
13 for the goal of improving early childhood education,
14 as described in section 5103(a)(4)(G), give priority
15 to any eligible entity that provides a full-day kinder-
16 garten program to all kindergarten students, or to
17 all kindergarten students from low-income families,
18 served by the eligible entity.

19 **“SEC. 5105. PERFORMANCE MEASURES.**

20 “Each eligible entity receiving a grant under this part
21 shall establish, subject to approval by the Secretary, an-
22 nual performance measures and targets for the programs
23 and activities carried out under this part. Such perform-
24 ance measures and targets shall, at a minimum, track the
25 eligible entity’s progress in—

1 “(1) implementing the plan described in section
2 5104(a)(3); and

3 “(2) making progress on any other performance
4 measure identified by the Secretary.

5 **“SEC. 5106. USES OF FUNDS.**

6 “(a) USE OF STATE GRANT FUNDS.—

7 “(1) IN GENERAL.—Each eligible entity de-
8 scribed in subparagraph (A) or (C) of section
9 5103(a)(3) that receives a grant under this part
10 shall—

11 “(A) except as provided in paragraph (3),
12 use not less than 50 percent of the grant funds
13 to award subgrants under paragraph (2) to the
14 local educational agencies that will participate
15 in the plan for any purpose included in the eli-
16 gible entity’s plan described in section
17 5104(a)(3); and

18 “(B) use any amount of the grant not dis-
19 tributed under subparagraph (A) for any pur-
20 pose included in the eligible entity’s plan.

21 “(2) AMOUNT OF SUBGRANTS.—For a fiscal
22 year, the amount of a subgrant under paragraph
23 (1)(A) for a local educational agency that will par-
24 ticipate in the eligible entity’s plan shall bear the
25 same relation to the amount available for all such

1 subgrants by the eligible entity for such year, as the
2 amount made available to the local educational agen-
3 cy under part A of title I for the most recent year
4 for which such data are available bears to the total
5 amount made available for such year to all local edu-
6 cational agencies selected to participate in the eligi-
7 ble entity's plan.

8 “(3) EXCEPTION.—An eligible entity described
9 in subparagraph (A) or (C) of section 5103(a)(3)
10 that receives a grant under this part for the goal of
11 improving early childhood education, as described in
12 section 5103(a)(4)(G)—

13 “(A) shall not be subject to the require-
14 ments of paragraph (1)(A); and

15 “(B) may use grant funds to award sub-
16 grants to public or private nonprofit agencies
17 and organizations for activities consistent with
18 any purpose included in the eligible entity's
19 plan described in section 5104(a)(3).

20 “(b) USE OF SUBGRANT FUNDS.—Each local edu-
21 cational agency or public or private nonprofit agency or
22 organization that receives a subgrant under paragraph
23 (1)(A) or (3)(B) of subsection (a) from an eligible entity
24 shall use subgrant funds for any purpose included in the

1 eligible entity’s plan described in section 5104(a)(3), sub-
2 ject to any requirements of the eligible entity.

3 “(c) USE OF HIGH-NEED LOCAL EDUCATIONAL
4 AGENCY GRANT FUNDS.—Each eligible entity described
5 in subparagraph (B) or (D) of section 5103(a)(3) that re-
6 ceives a grant under this part shall use such funds for
7 any purpose included in the eligible entity’s plan described
8 in section 5104(a)(3).

9 “(d) SPECIAL RULE.—

10 “(1) LIMITATION ON USE OF FUNDS.—Notwith-
11 standing any other provision of this section, grant or
12 subgrant funds under this part shall only be used to
13 fund a program or activity that is an allowable use
14 of funds under another section of this Act (excluding
15 this part and section 8007, as amended by section
16 8004 of the Strengthening America’s Schools Act of
17 2013), the Individuals with Disabilities Education
18 Act, the Adult Education and Family Literacy Act,
19 or the Carl D. Perkins Career and Technical Edu-
20 cation Act of 2006, except that grant or subgrant
21 funds for the goal of improving early childhood edu-
22 cation, as described in section 5103(a)(4)(G), may
23 also be used to fund a program or activity that is
24 an allowable use of funds under the Head Start Act

1 or the Child Care and Development Block Grant Act
2 of 1990.

3 “(2) LIMITATION OF USE OF FUNDS FOR EARLY
4 CHILDHOOD EDUCATION PROGRAMS.—Grant or
5 subgrant funds under this part that are used to im-
6 prove early childhood education programs shall not
7 be used to carry out any of the following activities:

8 “(A) Assessments that provide rewards or
9 sanctions for individual children or teachers.

10 “(B) A single assessment that is used as
11 the primary or sole method for assessing pro-
12 gram effectiveness.

13 “(C) Evaluating children, other than for
14 the purposes of improving instruction, class-
15 room environment, professional development, or
16 parent and family engagement, or program im-
17 provement.

18 **“SEC. 5107. REPORTING.**

19 “(a) ANNUAL REPORT.—An eligible entity that re-
20 ceives a grant under this part shall submit to the Sec-
21 retary, at such time and in such manner as the Secretary
22 may require, an annual report including, at a minimum—

23 “(1) data on the eligible entity’s progress in
24 achieving the targets for the annual performance

1 measures and targets established under section
2 5105; and

3 “(2) a description of the challenges the eligible
4 entity has faced in implementing its program under
5 this part, and how the eligible entity has addressed,
6 or plans to address, such challenges.

7 “(b) LOCAL REPORT.—Each local educational agency
8 and each public or private nonprofit agency or organiza-
9 tion that receives a subgrant from an eligible entity under
10 section 5106(a) shall submit to the eligible entity such in-
11 formation as the eligible entity may require to complete
12 the annual report required by subsection (a).”.

13 **PART B—INVESTING IN INNOVATION**

14 **SEC. 5201. INVESTING IN INNOVATION.**

15 Part B of title V (20 U.S.C. 7221 et seq.) is amended
16 to read as follows:

17 **“PART B—INVESTING IN INNOVATION**

18 **“SEC. 5201. PURPOSES.**

19 “The purposes of this part are to—

20 “(1) fund the identification, development, eval-
21 uation, and expansion of innovative, research- and
22 evidence-based practices, programs, and strategies in
23 order to significantly—

24 “(A) increase student academic achieve-
25 ment and close achievement gaps;

1 “(B) increase high school graduation rates;

2 “(C) increase college enrollment readiness

3 and rates of college enrollment;

4 “(D) improve teacher and school leader ef-

5 fectiveness; and

6 “(E) improve school readiness and

7 strengthen collaboration and coordination

8 among elementary schools and early childhood

9 care and education; and

10 “(2) support the rapid development, expansion,

11 adoption, and implementation of tools and resources

12 that improve the efficiency, effectiveness, or pace of

13 adoption of such educational practices, programs,

14 and strategies.

15 **“SEC. 5202. RESERVATIONS.**

16 “(a) ARPA-ED.—The Secretary may reserve not

17 more than 30 percent of the funds appropriated under sec-

18 tion 3(u) for each fiscal year to carry out the activities

19 of the Advanced Research Projects Agency-Education es-

20 tablished under section 221 of the Department of Edu-

21 cation Organization Act, except that the amount so re-

22 served for any fiscal year shall not exceed \$100,000,000.

23 “(b) NATIONAL ACTIVITIES.—The Secretary may re-

24 serve not more than 5 percent of the funds appropriated

1 under section 3(u) for any fiscal year to carry out activi-
2 ties of national significance. Such activities may include—

3 “(1) capacity-building;

4 “(2) technical assistance;

5 “(3) dissemination of best practices developed
6 with grant funds provided under this part; and

7 “(4) carrying out prize awards consistent with
8 section 24 of the Stevenson-Wydler Technology In-
9 novation Act of 1980 (15 U.S.C. 3719).

10 “(c) AVAILABILITY OF FUNDS.—Funds for the activi-
11 ties described in subsection (a), and for prize awards
12 under subsection (b)(4), shall be available until expended.

13 **“SEC. 5203. PROGRAM AUTHORIZED; LENGTH OF GRANTS;
14 PRIORITIES.**

15 “(a) PROGRAM AUTHORIZATION.—

16 “(1) IN GENERAL.—From amounts made avail-
17 able to carry out this part and not reserved under
18 section 5202 for a fiscal year, the Secretary shall
19 award grants, on a competitive basis, to eligible enti-
20 ties.

21 “(2) ELIGIBLE ENTITY.—In this part, the term
22 ‘eligible entity’ means—

23 “(A) a local educational agency or a con-
24 sortium of local educational agencies; or

1 “(B) a partnership between a nonprofit or-
2 ganization or an educational service agency
3 and—

4 “(i) 1 or more local educational agen-
5 cies; or

6 “(ii) a consortium of public schools.

7 “(b) DURATION OF GRANTS.—The Secretary—

8 “(1) shall award grants under this part for a
9 period of not more than 3 years; and

10 “(2) may extend such grants for an additional
11 2-year period if the grantee demonstrates to the Sec-
12 retary that it is making significant progress on the
13 program performance measures identified in section
14 5206.

15 “(c) RURAL SET-ASIDE.—The Secretary shall ensure
16 that not less than 22 percent of the funds awarded under
17 subsection (a) for any fiscal year are for projects that meet
18 both of the following requirements, except that the Sec-
19 retary shall not be required to make such awards unless
20 a sufficient number of otherwise eligible high quality appli-
21 cations are received:

22 “(1) The eligible entity includes—

23 “(A) a local educational agency with an
24 urban-centric district locale code of 32, 33, 41,
25 42, or 43, as determined by the Secretary;

1 “(B) a consortium of such local edu-
2 cational agencies; or

3 “(C) if the applicant is a partnership, an
4 educational service agency or a nonprofit orga-
5 nization with demonstrated expertise in serving
6 students from rural areas.

7 “(2) A majority of the schools to be served by
8 the project are designated with a school locale code
9 of 41, 42, or 43, or a combination of such codes, as
10 determined by the Secretary, and—

11 “(A) are served by a local educational
12 agency in which 20 percent or more of the chil-
13 dren ages 5 through 17 years old are from fam-
14 ilies with incomes below the poverty line;

15 “(B) are served by a local educational
16 agency in which the total number of students in
17 average daily attendance at all of the schools
18 served by the local educational agency is fewer
19 than 600; or

20 “(C) are served by a local educational
21 agency located in a county that has a total pop-
22 ulation density of fewer than 10 persons per
23 square mile.

24 “(d) PRIORITIES.—In awarding grants under this
25 part, the Secretary shall give priority to an eligible entity

1 that includes, in its application under section 5204, a plan
2 to—

3 “(1) address the needs of high-need local edu-
4 cational agencies;

5 “(2) improve school readiness; or

6 “(3) address the unique learning needs of stu-
7 dents who are children with disabilities or English
8 learners.

9 “(e) STANDARDS OF EVIDENCE.—The Secretary
10 shall set standards for the quality of evidence that an ap-
11 plicant shall provide in order to demonstrate that the ac-
12 tivities it proposes to carry out with funds under this part
13 are likely to succeed in improving student outcomes, in-
14 cluding, where applicable, academic achievement and grad-
15 uation rates. These standards shall include the following:

16 “(1) Strong evidence that the activities pro-
17 posed by the applicant will have a statistically sig-
18 nificant effect on student outcomes.

19 “(2) Moderate evidence that the activities pro-
20 posed by the applicant will improve outcomes.

21 “(3) A rationale based on research findings or
22 a reasonable hypothesis that the activities proposed
23 by the applicant will improve student outcomes.

24 “(f) SUPPORT FOR NEW PRACTICES, STRATEGIES,
25 OR PROGRAMS.—

1 “(1) IN GENERAL.—The Secretary shall ensure
2 that not less than one-half of the funds awarded
3 under subsection (a) for any fiscal year are for
4 projects that—

5 “(A) meet an evidence standard described
6 in paragraph (2) or (3) of subsection (e); and

7 “(B) do not meet the evidence standard
8 described in paragraph (1) of such subsection.

9 “(2) EXCEPTION.—The Secretary shall not be
10 required to make the awards described in paragraph
11 (1) unless a sufficient number of otherwise eligible
12 high-quality applications are received.

13 **“SEC. 5204. APPLICATIONS.**

14 “Each eligible entity that desires to receive a grant
15 under this part shall submit an application to the Sec-
16 retary at such time, in such manner, and containing such
17 information as the Secretary may reasonably require. At
18 a minimum, each application shall—

19 “(1) describe the project for which the appli-
20 cant is seeking a grant and how the evidence sup-
21 porting that project meets the standards of evidence
22 established by the Secretary under section 5203(e);

23 “(2) describe how the applicant will address at
24 least 1 of the areas described in section 5205(a)(1);

1 “(3) provide an estimate of the number of chil-
2 dren that the applicant plans to serve under the pro-
3 posed project, including the percentage of those chil-
4 dren who are from low-income families;

5 “(4) demonstrate that the applicant has estab-
6 lished 1 or more partnerships with public or private
7 organizations and that the partner or partners will
8 provide matching funds, except that the Secretary
9 may waive the matching funds requirement on a
10 case-by-case basis, upon a showing of exceptional
11 circumstances;

12 “(5) describe the applicant’s plan for continuing
13 the proposed project after funding under this part
14 ends;

15 “(6) if the applicant is a local educational agen-
16 cy—

17 “(A) document the local educational agen-
18 cy’s record during the previous 3 years in—

19 “(i) increasing student achievement,
20 including achievement for each subgroup of
21 students described in section
22 1111(a)(2)(B)(x); and

23 “(ii) closing achievement gaps; and

24 “(B) demonstrate how the local edu-
25 cational agency has made significant improve-

1 ments in other outcomes, as applicable, on the
2 performance measures described in section
3 5206;

4 “(7) if the applicant is a partnership that in-
5 cludes a nonprofit organization or educational serv-
6 ice agency, provide evidence that the nonprofit orga-
7 nization or educational service agency has helped at
8 least 1 school or local educational agency, during the
9 previous 3 years, significantly—

10 “(A) increase student achievement, includ-
11 ing achievement for each subgroup of students
12 described in section 1111(a)(2)(B)(x); and

13 “(B) close achievement gaps;

14 “(8) provide a description of the applicant’s
15 plan for independently evaluating the effectiveness of
16 activities carried out with funds under this part;

17 “(9) provide an assurance that the applicant
18 will—

19 “(A) cooperate with evaluations, as re-
20 quested by the Secretary;

21 “(B) make data available to third parties
22 for validation and further study; and

23 “(C) participate in communities of prac-
24 tice; and

1 “(iv) Turning around the lowest-per-
2 forming schools.

3 “(v) Improving school readiness for
4 students who are low-income, English
5 learners, or children with disabilities.

6 “(vi) Other areas relating to school
7 improvement consistent with the purposes
8 of this part, as determined by the Sec-
9 retary.

10 “(B) Use the grant funds to develop or ex-
11 pand strategies to improve the performance of
12 high-need students on the applicable perform-
13 ance measures described in section 5206.

14 “(2) PERMISSIVE USE OF FUNDS.—Each eligi-
15 ble entity that receives a grant under this part may
16 use the grant funds for an independent evaluation,
17 as required under section 5204(a)(8), of the innova-
18 tive practice carried out with the grant.

19 “(b) AUTHORITY TO SUBGRANT.—

20 “(1) IN GENERAL.—If an eligible entity that re-
21 ceives a grant under this part includes a nonprofit
22 organization or educational service agency, such
23 nonprofit organization or educational service agency
24 may use the grant funds to award subgrants to

1 other entities to provide support to 1 or more
2 schools or local educational agencies.

3 “(2) COMPLIANCE WITH REQUIREMENTS OF
4 GRANTEES.—Each entity awarded a subgrant under
5 paragraph (1) shall comply with the requirements of
6 this part relating to grantees, as appropriate.

7 **“SEC. 5206. PERFORMANCE MEASURES.**

8 “The Secretary shall establish performance measures
9 for the programs and activities carried out under this part.
10 These measures, at a minimum, shall track the grantee’s
11 progress in improving outcomes for each subgroup of stu-
12 dents described in section 1111(a)(2)(B)(x) that is served
13 by the grantee, including, as applicable, by—

14 “(1) increasing student achievement and de-
15 creasing achievement gaps;

16 “(2) increasing high school graduation rates;

17 “(3) increasing college readiness and rates of
18 college enrollment;

19 “(4) improving teacher and school leader effec-
20 tiveness;

21 “(5) improving school readiness; and

22 “(6) any other indicator as the Secretary or
23 grantee may determine.

1 **“SEC. 5207. REPORTING.**

2 “An eligible entity that receives a grant under this
3 part shall submit to the Secretary, at such time and in
4 such manner as the Secretary may require, an annual re-
5 port that includes, among other things, information on the
6 entity’s progress on the performance measures established
7 under section 5206, and the data supporting that
8 progress.”.

9 **PART C—MAGNET SCHOOLS ASSISTANCE**

10 **SEC. 5301. FINDINGS AND PURPOSE.**

11 Section 5301 (20 U.S.C. 7231) is amended—

12 (1) in subsection (a)—

13 (A) by striking paragraph (2) and insert-
14 ing the following:

15 “(2) The use of magnet schools has increased
16 dramatically since the inception of the magnet
17 schools assistance program under this Act, with
18 more than 1,500,000 students nationwide attending
19 such schools.”; and

20 (B) in paragraph (4), by striking subpara-
21 graph (B) and inserting the following:

22 “(B) to ensure that all students have equi-
23 table access to a high-quality public education
24 that will prepare them to succeed in a highly
25 competitive economy comprised of people from

1 many different racial and ethnic backgrounds;
2 and”; and

3 (2) in subsection (b)—

4 (A) in paragraph (2)—

5 (i) by inserting “, particularly whole-
6 school programs,” after “magnet school
7 programs”; and

8 (ii) by striking “challenging State aca-
9 demic content standards and student aca-
10 demic achievement standards” and insert-
11 ing “college and career ready State aca-
12 demic content standards and student aca-
13 demic achievement standards under section
14 1111(a)(1)”; and

15 (B) by striking paragraphs (3) and (4) and
16 inserting the following:

17 “(3) the development and design of evidence-
18 based educational methods and practices that pro-
19 mote diversity and increase high-quality public edu-
20 cational options;

21 “(4) courses of instruction within magnet
22 schools that will substantially increase the college
23 and career readiness of students attending such
24 schools;”.

1 **SEC. 5302. PROGRAM AUTHORIZED.**

2 Section 5303 (20 U.S.C. 7231b) is amended, in the
3 matter preceding paragraph (1), by inserting “competi-
4 tive” after “to award”.

5 **SEC. 5303. APPLICATIONS AND REQUIREMENTS.**

6 Section 5305 (20 U.S.C. 7231d) is amended—

7 (1) by striking subsection (b) and inserting the
8 following:

9 “(b) INFORMATION AND ASSURANCES.—Each appli-
10 cation submitted under subsection (a) shall include—

11 “(1) a description of—

12 “(A) how a grant awarded under this part
13 will be used to—

14 “(i) improve student academic
15 achievement for all students and subgroups
16 of students described in section
17 1111(a)(2)(B)(x) attending the magnet
18 school program; and

19 “(ii) promote desegregation, including
20 how the proposed magnet school program
21 will increase interaction among students of
22 different social, economic, ethnic, and ra-
23 cial backgrounds, including the policies,
24 programs, and activities aimed at increas-
25 ing interaction among such students;

1 “(B)(i) a description of the evidence that
2 the magnet school program that the applicant
3 proposes to implement would improve student
4 academic achievement and reduce minority
5 group isolation; or

6 “(ii) if such evidence is not available, a ra-
7 tionale, based on current research findings, for
8 how the program would improve student aca-
9 demic achievement and reduce minority group
10 isolation;

11 “(C) how the applicant will continue the
12 magnet school program after assistance under
13 this part is no longer available, and, if applica-
14 ble, an explanation of why magnet schools es-
15 tablished or supported by the applicant with
16 grant funds under this part cannot be contin-
17 ued without the use of grant funds under this
18 part;

19 “(D) how grant funds under this part will
20 be used—

21 “(i) to improve student academic
22 achievement for all students attending the
23 magnet school programs; and

24 “(ii) to implement services and activi-
25 ties that are consistent with other pro-

1 grams under this Act, and other Acts, as
2 appropriate;

3 “(E) the student application process, and
4 selection criteria, if any, to be used by the pro-
5 posed magnet school program;

6 “(F) how the applicant will conduct out-
7 reach and disseminate information about the
8 proposed magnet school program, including the
9 application and selection process, in a timely,
10 clear, and accessible manner to all students and
11 their parents and families and, to the extent
12 practicable, in a language they can understand;
13 and

14 “(G) how the applicant will assess, mon-
15 itor, and evaluate the impact of the activities
16 funded under this part on student academic
17 achievement and integration; and

18 “(2) assurances that the applicant will—

19 “(A) use grant funds under this part for
20 the purpose specified in section 5301(b);

21 “(B) employ highly rated school leaders
22 and teachers in the courses of instruction as-
23 sisted under this part;

1 “(C) not engage in discrimination based on
2 race, religion, color, national origin, sex, or dis-
3 ability in—

4 “(i) the hiring, promotion, or assign-
5 ment of employees of the applicant or
6 other personnel for whom the applicant has
7 any administrative responsibility;

8 “(ii) the assignment of students to
9 schools, or to courses of instruction within
10 the schools, of such applicant, except to
11 carry out the approved plan; and

12 “(iii) designing or operating extra-
13 curricular activities for students;

14 “(D) carry out a high-quality education
15 program that will result in greater parent and
16 family decisionmaking and engagement; and

17 “(E) give students residing in the local at-
18 tendance area of the proposed magnet school
19 program equitable consideration for placement
20 in the program, consistent with desegregation
21 guidelines and the capacity of the applicant to
22 accommodate the students.”; and

23 (2) in subsection (c), by striking “will be met”
24 and inserting “are being met”.

1 **SEC. 5304. PRIORITY.**

2 Section 5306 (20 U.S.C. 7231e) is amended by strik-
3 ing paragraphs (1), (2), and (3), and inserting the fol-
4 lowing:

5 “(1) have the highest quality applications and
6 demonstrate the greatest need for assistance, based
7 on the expense or difficulty of effectively carrying
8 out approved desegregation plans and the magnet
9 school program for which the grant is sought;

10 “(2) propose to carry out new magnet school
11 programs, significantly revise existing magnet school
12 programs, or significantly expand magnet school
13 programs, in a manner that—

14 “(A) is aligned with other programs that
15 have demonstrated a record of success in in-
16 creasing student academic achievement and re-
17 ducing minority group isolation; or

18 “(B) has a strong research basis for im-
19 proving student academic achievement and re-
20 ducing minority group isolation;

21 “(3) select, or propose to select, students to at-
22 tend magnet school programs solely or primarily by
23 lottery, rather than through academic examination
24 or other selective enrollment methods; and

25 “(4) propose to serve the entire student popu-
26 lation of a school.”.

1 **SEC. 5305. USE OF FUNDS.**

2 Section 5307 (20 U.S.C. 7231f) is amended—

3 (1) in subsection (a), by striking paragraphs
4 (1) through (7) and inserting the following:

5 “(1) for planning, outreach, and promotional
6 activities directly related to the development, expansion,
7 sion, continuation, or enhancement of academic programs
8 and services offered at magnet schools;

9 “(2) for the acquisition of books, educational
10 technology, materials, and equipment necessary to
11 conduct programs in magnet schools;

12 “(3) for—

13 “(A) the compensation, or subsidization of
14 the compensation, of elementary school and secondary
15 school teachers, leaders, and other instructional staff
16 who are highly rated; and

17 “(B) high-quality professional development
18 and staff capacity-building activities, including
19 those designed to recruit, prepare, support, and
20 retain highly rated school teachers, leaders, and
21 other instructional staff;

22 “(4) with respect to a magnet school program
23 offered to less than the entire student population of
24 a school, for instructional activities that are designed
25 to make available the special curriculum that is offered
26 by the magnet school program to students who

1 are enrolled in the school but who are not enrolled
2 in the magnet school program;

3 “(5) for activities, which may include the for-
4 mation of partnerships with public or nonprofit or-
5 ganizations, to help enhance the program or promote
6 parent and family decisionmaking and engagement
7 that will build the recipient’s capacity to operate
8 magnet school programs once the grant period has
9 ended;

10 “(6) to enable the local educational agency, or
11 consortium of such agencies, to have more flexibility
12 in designing magnet schools for students in all
13 grades; and

14 “(7) for other operational costs that cannot be
15 met with other State or local sources.”; and

16 (2) in subsection (b), by striking “based on the
17 State’s challenging academic content standards and
18 student academic achievement standards or directly
19 related to improving student reading skills or knowl-
20 edge of mathematics, science, history, geography,
21 English, foreign languages, art, or music, or to im-
22 proving vocational, technological, and professional
23 skills” and inserting “and making sufficient aca-
24 demic growth”.

1 **SEC. 5306. LIMITATIONS.**

2 Section 5309 (20 U.S.C. 7231h) is amended—

3 (1) in subsection (a), by striking “a period that
4 shall not exceed 3 fiscal years” and inserting “an
5 initial period of not more than 3 fiscal years, and
6 may be renewed for not more than an additional 2
7 years if the Secretary finds that the grantee is
8 achieving the intended outcomes of the grant and
9 shows improvement in increasing student academic
10 achievement and reducing minority-group isolation,
11 and other indicators of success established by the
12 Secretary”; and

13 (2) in subsection (b)—

14 (A) by striking “50” and inserting “40”;

15 and

16 (B) by striking “15” and inserting “10”.

17 **SEC. 5307. EVALUATIONS.**

18 Section 5310 (20 U.S.C. 7231i) is amended to read
19 as follows:

20 **“SEC. 5310. EVALUATIONS.**

21 “(a) **IMPACT OF ACTIVITIES.**—From the amount re-
22 served for evaluation activities in accordance with section
23 9601(a), the Secretary, acting through the Director of the
24 Institute of Education Sciences, shall, in consultation with
25 the relevant program office at the Department, evaluate

1 the implementation and impact of the activities supported
2 under this part, consistent with section 9601, including—

3 “(1) how, and the extent to which, magnet
4 school programs lead to educational quality and im-
5 provement;

6 “(2) the extent to which magnet school pro-
7 grams enhance student access to a high quality edu-
8 cation;

9 “(3) the extent to which magnet school pro-
10 grams lead to the elimination, reduction, or preven-
11 tion of minority group isolation in elementary
12 schools and secondary schools with substantial pro-
13 portions of minority students; and

14 “(4) the extent to which magnet school pro-
15 grams differ from other school programs in terms of
16 the organizational characteristics and resource allo-
17 cations of such magnet school programs.

18 “(b) DISSEMINATION.—The Secretary shall collect
19 and disseminate to the general public information on suc-
20 cessful magnet school programs.”.

21 **SEC. 5308. AVAILABILITY OF FUNDS FOR GRANTS TO AGEN-**
22 **CIES NOT PREVIOUSLY ASSISTED.**

23 Section 5311 (20 U.S.C. 7231j) is amended to read
24 as follows:

1 **“SEC. 5311. AVAILABILITY OF FUNDS FOR GRANTS TO**
2 **AGENCIES NOT PREVIOUSLY ASSISTED.**

3 “For any fiscal year for which the amount appro-
4 priated pursuant to section 3(v) exceeds \$75,000,000, the
5 Secretary shall give priority in using such amounts in ex-
6 cess of \$75,000,000 to awarding grants to local edu-
7 cational agencies or consortia of such agencies that did
8 not receive a grant under this part for the preceding fiscal
9 year.”.

10 **PART D—PUBLIC CHARTER SCHOOLS**

11 **SEC. 5401. PUBLIC CHARTER SCHOOLS.**

12 Part D of title V (20 U.S.C. 7241 et seq.) is amended
13 to read as follows:

14 **“PART D—PUBLIC CHARTER SCHOOLS**

15 **“SEC. 5401. PURPOSE.**

16 “The purpose of this part is to support the creation,
17 expansion, and replication of high-performing charter
18 schools that serve the needs and increase the academic
19 achievement of all students.

20 **“SEC. 5402. DISTRIBUTION OF FUNDS.**

21 “From the funds appropriated to carry out this part
22 for a fiscal year—

23 “(1) 85 percent shall be available to carry out
24 subpart 1; and

25 “(2) 15 percent shall be available to carry out
26 subpart 2.

1 **“Subpart 1—Successful Charter Schools Program**

2 **“SEC. 5411. DEFINITIONS.**

3 “In this subpart:

4 “(1) CHARTER SCHOOL.—The term ‘charter
5 school’ means a public school that—

6 “(A) is governed by a separate and inde-
7 pendent board that exercises authority over 1 or
8 more schools, including authority in the areas
9 of governance, personnel, budget, schedule, and
10 instructional program;

11 “(B) has ongoing, significant autonomy in
12 the areas of—

13 “(i) the hiring, replacement, and sala-
14 ries of the school staff;

15 “(ii) the school budget;

16 “(iii) scheduling formats for the
17 school day and school year;

18 “(iv) the instructional programs of the
19 school, including instructional models and
20 curricula; and

21 “(v) the management and daily oper-
22 ation of the school;

23 “(C) in accordance with a specific State
24 statute authorizing the granting of charters to
25 schools, is exempt from significant State or
26 local rules that inhibit the flexible operation

1 and management of public schools, but not
2 from any rules relating to the other require-
3 ments of this paragraph;

4 “(D) is created by a developer as a public
5 school, or is adapted by a developer from an ex-
6 isting public school, and is operated under pub-
7 lic supervision and direction;

8 “(E) operates in pursuit of a specific set of
9 educational objectives determined by the
10 school’s developer and agreed to by the charter
11 school authorizer;

12 “(F) provides 1 or more programs of ele-
13 mentary education, secondary education, or
14 both, including early childhood education, and
15 may also provide adult education, in accordance
16 with State law;

17 “(G) is nonsectarian in its programs, ad-
18 missions policies, employment practices, and all
19 other operations, and is not affiliated with a
20 sectarian school or religious institution;

21 “(H) does not charge tuition;

22 “(I) complies with the Age Discrimination
23 Act of 1975, title VI of the Civil Rights Act of
24 1964, title IX of the Education Amendments of
25 1972, section 504 of the Rehabilitation Act of

1 1973, title II of the Americans with Disabilities
2 Act of 1990, and part B of the Individuals with
3 Disabilities Education Act;

4 “(J) is a school to which parents choose to
5 send their children, and that admits students
6 on the basis of a lottery if more students apply
7 for admission than can be accommodated, ex-
8 cept as modified by the Secretary by regulation
9 in accordance with clause (iv) or (v) of section
10 1116(d)(4)(B);

11 “(K) complies with the same Federal and
12 State audit requirements as do other elemen-
13 tary schools, secondary schools, and early child-
14 hood education and adult education programs,
15 as applicable, in the State, unless such require-
16 ments are specifically waived for the purpose of
17 this program;

18 “(L) meets all applicable Federal, State,
19 and local health and safety requirements;

20 “(M) operates in accordance with State
21 law; and

22 “(N) has a written performance contract
23 with a charter school authorizer that includes—

1 any other goals to be achieved by the end
2 of the contract period;

3 “(iv) the obligations and responsibil-
4 ities of the charter school and the charter
5 school authorizer; and

6 “(v) a description of the autonomy
7 that will be granted to the charter school
8 in each area described under subparagraph
9 (B).

10 “(2) CHARTER SCHOOL AUTHORIZER.—The
11 term ‘charter school authorizer’ means any public or
12 nonprofit entity that has the authority under State
13 law, and is approved by the Secretary, to authorize
14 or approve a public charter school.

15 “(3) DEVELOPER.—The term ‘developer’ means
16 any individual, group of individuals, or public non-
17 profit organization that—

18 “(A) has applied for, or been granted, a
19 charter for a charter school; or

20 “(B) has received authorization to start a
21 charter school.

22 “(4) ELIGIBLE ENTITY.—The term ‘eligible en-
23 tity’ means—

24 “(A) a State educational agency;

1 “(B) a local educational agency, except a
2 charter school that is considered a local edu-
3 cational agency under State law;

4 “(C) a charter school authorizer; or

5 “(D) a charter management organization.

6 “(5) EXPAND.—The term ‘expand’ means to in-
7 crease the student enrollment of an existing high-
8 performing charter school by more than 50 percent
9 or through the addition of not less than 2 grades to
10 such existing charter school over the course of a
11 grant or subgrant under this part.

12 “(6) HIGH-PERFORMING CHARTER SCHOOL.—
13 The term ‘high-performing charter school’ means—

14 “(A) in the case of a charter school that
15 was not open or did not enroll students in the
16 preceding school year, a charter school that has
17 a written performance contract with a charter
18 school authorizer that includes, for the students
19 enrolled at the school as a whole and for each
20 subgroup described in section 1111(a)(3)(D) for
21 the most recent year for which such data are
22 available—

23 “(i) student academic achievement
24 and growth goals (as measured, in the case
25 of a charter school that is an elementary

1 school or secondary school, by performance
2 on the statewide academic assessments re-
3 quired under section 1111(a)(2) and indi-
4 vidual academic growth, consistent with
5 section 1111(a)) that are higher than the
6 average student academic achievement and
7 growth results, consistent with section
8 1111, in demographically similar schools in
9 the State;

10 “(ii) student retention goals that are
11 similar to, or greater than, the average
12 student retention rates in demographically
13 similar schools in the State; and

14 “(iii) if the charter school is a high
15 school, goals for graduation rates, rates of
16 student enrollment at institutions of higher
17 education, and rates of student persistence
18 at institutions of higher education that are
19 higher than such average rates in demo-
20 graphically similar schools in the State; or

21 “(B) in the case of a charter school that
22 was open and enrolled students for the pre-
23 ceding school year, a charter school that has,
24 for the students enrolled at the school as a
25 whole and for each subgroup described in sec-

1 tion 1111(a)(3)(D) for the most recent year for
2 which such data are available—

3 “(i) student academic achievement
4 and growth results (as measured, in the
5 case of a charter school that is an elemen-
6 tary school or secondary school, by per-
7 formance on the statewide academic as-
8 sessments required under section
9 1111(a)(2) and individual academic
10 growth, consistent with section 1111) that
11 are significantly higher than the average
12 student academic achievement and growth
13 results, consistent with section 1111, in de-
14 mographically similar schools in the State;

15 “(ii) student retention rates that are
16 similar to or higher than the average stu-
17 dent retention rates in demographically
18 similar schools in the State; and

19 “(iii) if the school is a high school,
20 higher graduation rates, rates of student
21 enrollment at institutions of higher edu-
22 cation, and rates of student persistence at
23 institutions of higher education than such
24 average rates in demographically similar
25 schools in the State.

1 “(7) REPLICATE.—The term ‘replicate’ means
2 to open 1 or more new campuses of, or schools based
3 on, an existing high-performing charter school under
4 a new or existing charter, or both, over the course
5 of a grant or subgrant under this part.

6 **“SEC. 5412. PROGRAM AUTHORIZED.**

7 “(a) IN GENERAL.—From the amount available to
8 carry out this subpart, the Secretary shall award grants,
9 on a competitive basis, to eligible entities to enable such
10 eligible entities to award subgrants to developers to create,
11 expand, or replicate 1 or more high-performing charter
12 schools, including through conversion of an existing public
13 school into a charter school.

14 “(b) ALLOCATIONS.—The Secretary shall use not less
15 than 25 percent of funds to award grants to eligible enti-
16 ties described in 5411(4)(A).

17 “(c) CONSIDERATIONS.—In awarding grants under
18 this subpart, the Secretary shall consider—

19 “(1) the geographic diversity of the eligible en-
20 tities, including the distribution of grants among
21 urban, suburban, and rural areas; and

22 “(2) the number of eligible entities in a State
23 that are receiving grants under this subpart in any
24 fiscal year.

25 “(d) GRANT AMOUNT.—

1 “(1) In determining the amount of each grant
2 to be awarded under subsection (a), the Secretary
3 shall consider—

4 “(A) the number of operating charter
5 schools under the jurisdiction or in the service
6 area of the eligible entity;

7 “(B) to the extent practicable, the number
8 of students, including students on charter
9 school waiting lists, that will be served by high-
10 performing charter schools that receive funds
11 under this subpart; and

12 “(C) the amount of funds that is needed to
13 implement the activities described in the ap-
14 proved application.

15 “(e) DURATION.—

16 “(1) IN GENERAL.—Each grant awarded under
17 this subpart shall be for an initial period of not
18 more than 3 years.

19 “(2) RENEWAL.—The Secretary may renew a
20 grant awarded under this subpart for an additional
21 period of not more than 2 years, if the eligible entity
22 is achieving the objectives of the grant and has
23 shown improvement on the performance measures
24 and targets described in section 5417(a).

25 “(f) LIMITATIONS.—

1 “(1) GRANTS.—An eligible entity described
2 under subparagraph (A) of section 5411(4) may not
3 receive more than 1 grant at a time under this sec-
4 tion.

5 “(2) SUBGRANTS.—A developer may not receive
6 more than 1 grant or subgrant at a time under this
7 section.

8 “(g) RESERVATIONS.—

9 “(1) ADMINISTRATIVE EXPENSES.—An eligible
10 entity that receives a grant under this subpart may
11 use not more than a total of 5 percent of grant
12 funds for administrative expenses associated with
13 the grant, including for improvement of the eligible
14 entity’s oversight or management of charter schools.

15 “(2) IMPROVING AUTHORIZER QUALITY.—An el-
16 igible entity described in subparagraph (A), (B), or
17 (C) of section 5411(4) shall use 5 percent of grant
18 funds for improving authorizer quality, including
19 charter school oversight and monitoring systems and
20 procedures for revoking or not renewing charters.

21 “(h) WAIVER.—The Secretary may waive a statutory
22 or regulatory requirement over which the Secretary exer-
23 cises administrative authority, except a requirement de-
24 scribed in section 5411(1), if—

1 “(C) the performance measures the eligible
2 entity will use to measure outcomes;

3 “(D) how the eligible entity will provide in-
4 formation and support to parents, families, and
5 students regarding the available charter school
6 options in a simple, clear, and easily accessible
7 format and, to the extent practicable, in a lan-
8 guage that such parents, families, and students
9 can understand;

10 “(E) how the eligible entity will coordinate
11 the grant funds received under this subpart
12 with other Federal, State, and local funds;

13 “(F) how the eligible entity will ensure
14 that each charter school within such eligible en-
15 tity’s jurisdiction or service area—

16 “(i) meets the requirements of section
17 5411(1); and

18 “(ii) provides equitable access and ef-
19 fectively serves the needs of all students,
20 including children with disabilities and
21 English learners, and implements outreach
22 and recruitment practices that include
23 families of such students;

24 “(G) how the eligible entity will award sub-
25 grants to developers, on a competitive basis and

1 through a high-quality review process, including
2 a description of the subgrant application;

3 “(H) how the eligible entity will target
4 subgrants to high-performing charter schools
5 that plan to serve students who attend schools
6 that have been identified through the State ac-
7 countability and improvement system described
8 in section 1116;

9 “(I) the eligible entity’s record, if applica-
10 ble, of success in creating, expanding, repli-
11 cating, managing, and overseeing high-per-
12 forming charter schools, and closing unsuccess-
13 ful schools;

14 “(J) how the eligible entity will hold char-
15 ter schools within such eligible entity’s jurisdic-
16 tion accountable if such schools do not meet the
17 objectives specified in the performance contract
18 described in section 5411(1)(N), including by
19 closing unsuccessful schools; and

20 “(K) how charter school authorizers are
21 approved, monitored, held accountable for es-
22 tablishing rigorous standards, periodically re-
23 viewed, and re-approved in the State in which
24 the eligible entity operates, based on the per-
25 formance of the charter schools that such char-

1 students, including students with dis-
2 abilities and English learners; and

3 “(iii) how a charter school that is con-
4 sidered a local educational agency under
5 State law, or a local educational agency in
6 which a charter school is located, will com-
7 ply with subsections (a)(5) and (e)(1)(B)
8 of section 613 of the Individuals with Dis-
9 abilities Education Act.

10 “(B) Information about the eligible entity’s
11 record of funding charter schools, including
12 funding charter school facilities.

13 “(C) Information about the number of
14 charter schools in the State that—

15 “(i) have been closed or have had
16 charters revoked or not renewed in the pre-
17 ceding 5-year period, and the reasons for
18 such closures, revocations, or nonrenewals;

19 “(ii) have been identified, through the
20 State accountability and improvement sys-
21 tem, as focus schools or priority schools
22 under subsection (c) or (d) of section 1116
23 in the preceding 5-year period;

1 “(iii) have met objectives specified in
2 the performance contract described in sec-
3 tion 5411(1)(N); and

4 “(iv) the charter school authorizer has
5 authorized that are high-performing char-
6 ter schools, and the percentage of such
7 charter schools as compared to the total
8 number of charter schools that the charter
9 school authorizer has authorized.

10 “(3) LOCAL EDUCATIONAL AGENCIES.—Each
11 eligible entity described in section 5411(4)(B) shall
12 include in the application described in paragraph (1)
13 (in addition to the requirements described in such
14 paragraph), a description of the eligible entity’s poli-
15 cies and procedures for—

16 “(A) ensuring that charter schools under
17 the jurisdiction of such eligible entity have equi-
18 table access to school facilities and school facili-
19 ties financing;

20 “(B) complying with subsections (a)(5)
21 and (e)(1)(B) of section 613 of the Individuals
22 with Disabilities Education Act; and

23 “(C) supporting public school choice.

24 “(4) CHARTER SCHOOL AUTHORIZERS.—Each
25 eligible entity described in section 5411(4)(C) shall

1 include in the application described in paragraph (1)
2 (in addition to the requirements of such paragraph),
3 the following:

4 “(A) A demonstration that the eligible en-
5 tity has explicit and clear policies and proce-
6 dures in place for the approval, monitoring, re-
7 newal, and closure of charter schools, and an
8 assurance that such policies and procedures
9 make student academic achievement and
10 growth, consistent with section 1111, for all
11 students and for each subgroup of students de-
12 scribed in section 1111(a)(3)(D), a primary fac-
13 tor in such decisions.

14 “(B) A description of how the eligible enti-
15 ty will make publicly available (in a clear and
16 uniform format, a timely manner, and a form
17 that is easily accessible, and, to the extent prac-
18 ticable, in a language that families and students
19 can understand)—

20 “(i) information about the criteria and
21 procedures for granting, denying, revoking,
22 and renewing charters for charter schools;
23 and

24 “(ii) the results of decisions relating
25 to the granting, denial, revocation, and re-

1 newal of charters for charter schools, in-
2 cluding performance data and other rel-
3 evant information on which each decision
4 is based.

5 “(C) Information about the number of
6 charter schools that the charter school author-
7 izer has authorized in each of the following cat-
8 egories:

9 “(i) Charter schools that have been
10 closed or have had charters revoked or not
11 renewed by the eligible entity in the pre-
12 ceding 5-year period, and the reasons for
13 such closures, revocations, or nonrenewals.

14 “(ii) Charter schools that have been
15 identified as focus schools or priority
16 schools under subsection (c) or (d) of sec-
17 tion 1116 through the State accountability
18 and improvement system.

19 “(iii) Charter schools that have met
20 objectives specified in the performance con-
21 tract described in section 5411(1)(N).

22 “(iv) Charter schools that are high-
23 performing charter schools, and the per-
24 centage of such charter schools as com-
25 pared to the total number of charter

1 schools that the charter school authorizer
2 has authorized.

3 “(5) CHARTER MANAGEMENT ORGANIZA-
4 TIONS.—Each eligible entity described in section
5 5411(4)(D) shall include in the application described
6 in paragraph (1) (in addition to the requirements of
7 such paragraph), a description of—

8 “(A) the qualifications of such eligible enti-
9 ty’s management team; and

10 “(B) a multi-year financial and operating
11 model for each of the high-performing charter
12 schools that such eligible entity will create, ex-
13 pand, or replicate under the grant.

14 “(6) SPECIAL RULE.—In the case of a devel-
15 oper that plans to open a charter school in a juris-
16 diction or service area where no eligible entity will
17 be awarding subgrants under this subpart for the
18 fiscal year for which the developer applies, the Sec-
19 retary may award a grant to such developer if such
20 developer has an approved application that includes
21 the requirements described in subparagraphs (A)
22 through (F) of paragraph (1) and paragraph (5).
23 The requirements of subsections (b) and (c) of sec-
24 tion 5416 and section 5417(c) shall apply to a devel-
25 oper receiving a grant under this paragraph in the

1 same manner as such sections apply to a developer
2 receiving a subgrant under section 5416, except that
3 the developer shall submit the data under section
4 5417(e) directly to the Secretary.

5 **“SEC. 5414. SELECTION CRITERIA; PRIORITY.**

6 “(a) SELECTION CRITERIA.—

7 “(1) IN GENERAL.—In awarding grants to eligi-
8 ble entities under this subpart, the Secretary shall
9 consider—

10 “(A) the quality of the eligible entity’s ap-
11 plication;

12 “(B) the eligible entity’s record, if applica-
13 ble, of success in creating, expanding, repli-
14 cating, managing, and overseeing high-per-
15 forming charter schools;

16 “(C) the eligible entity’s record of dis-
17 continuing funding or closing low-performing
18 charter schools, including, as applicable, by re-
19 voking or not renewing the charters of such
20 charter schools, and the eligible entity’s com-
21 mitment to discontinuing funding or closing
22 low-performing charter schools in the future;

23 “(D) the extent to which the eligible entity
24 demonstrates that such eligible entity will
25 award subgrants targeted to serving students

1 who attend schools that have been identified as
2 focus schools or priority schools under sub-
3 section (c) or (d) of section 1116 through the
4 State accountability and improvement system;

5 “(E) the quality of the eligible entity’s
6 plan for supporting subgrant recipients,
7 through such activities as technical assistance,
8 directly or through grants, contracts, or cooper-
9 ative agreements, in order to—

10 “(i) improve student academic
11 achievement and growth, consistent with
12 section 1111, for all students and for each
13 subgroup of students described in section
14 1111(a)(3)(D); and

15 “(ii) promote effective outreach to,
16 and recruitment of, students who are chil-
17 dren with disabilities and students who are
18 English learners, and the parents and fam-
19 ilies of such students; and

20 “(F) the extent to which the State in
21 which the eligible entity operates provides for
22 and enforces high-quality standards for charter
23 school authorizers, including by establishing
24 standards for rigorous and periodic reviews.

1 “(2) STATE EDUCATIONAL AGENCIES.—In the
2 case of an applicant that is an eligible entity de-
3 scribed in section 5411(4)(A), in addition to the ele-
4 ments described in paragraph (1), the Secretary
5 shall also consider the extent to which such eligible
6 entity—

7 “(A) ensures that charter schools receive
8 equitable funding compared to other public
9 schools in the State, and a commensurate share
10 of Federal, State, and local revenues compared
11 to public schools in the State, including equi-
12 table State funding to support early childhood
13 education programs operated by charter schools
14 in the State, in accordance with State law; and

15 “(B) provides charter schools with equi-
16 table access to funds for facilities (which may
17 include funds for leasing or purchasing facilities
18 or for making tenant improvements), assistance
19 for facilities acquisition, access to public facili-
20 ties, the ability to share in the proceeds of
21 bonds and levies, or other support related to fa-
22 cilities.

23 “(3) LOCAL EDUCATIONAL AGENCIES.—In the
24 case of an applicant that is an eligible entity de-
25 scribed in section 5411(4)(B) (except for a charter

1 school that is considered a local educational agency
2 under State law), in addition to the elements de-
3 scribed in paragraph (1), the Secretary shall also
4 consider—

5 “(A) if charter schools are operating with-
6 in the area served by such eligible entity, the
7 extent to which the eligible entity has policies
8 and procedures in place to ensure that—

9 “(i) charter schools have equitable ac-
10 cess to school facilities; or

11 “(ii) charter schools are not denied
12 access to available public school facilities;
13 and

14 “(B) the extent to which the eligible entity
15 demonstrates support for public school choice.

16 “(4) CHARTER SCHOOL AUTHORIZERS.—In the
17 case of an applicant that is an eligible entity de-
18 scribed in section 5411(4)(C), in addition to the ele-
19 ments described in paragraph (1), the Secretary
20 shall also consider the eligible entity’s record of suc-
21 cess in authorizing and supporting high-performing
22 charter schools.

23 “(5) CHARTER MANAGEMENT ORGANIZA-
24 TIONS.—In the case of an applicant that is an eligi-
25 ble entity described in section 5411(4)(D), in addi-

1 tion to the elements described in paragraph (1), as
2 applicable, the Secretary shall also consider—

3 “(A) the quality of the eligible entity’s
4 management team; and

5 “(B) the quality and sustainability of the
6 eligible entity’s multi-year financial and oper-
7 ating model.

8 “(b) PRIORITY.—

9 “(1) STUDENTS FROM LOW-INCOME FAMI-
10 LIES.—In awarding grants under this subpart, the
11 Secretary shall give priority to eligible entities that
12 propose to create, expand, or replicate high-per-
13 forming charter schools that plan to enroll a large
14 percentage of students from low-income families.

15 “(2) DIVERSITY.—In awarding grants under
16 this subpart, the Secretary may give priority to eligi-
17 ble entities that propose to create, expand, or rep-
18 licate a high-performing charter school that will have
19 a diverse student population.

20 “(3) STATE EDUCATIONAL AGENCIES.—In the
21 case of an applicant that is an eligible entity de-
22 scribed in section 5411(4)(A), the Secretary shall
23 give priority to such eligible entities—

24 “(A) from States that do not have a law
25 that prohibits, or effectively inhibits, increasing

1 the number of high-performing charter schools
2 in the State;

3 “(B) from States that—

4 “(i) provide for, and adequately sup-
5 port, 2 or more charter school authorizers,
6 of which not less than 1 is a statewide
7 charter school authorizer; or

8 “(ii) in the case of a State in which
9 local educational agencies are the only
10 charter school authorizers—

11 “(I) allow for an appeals process
12 through which developers have an op-
13 portunity to appeal a denial to an-
14 other authorizer that will issue a final
15 determination regarding whether or
16 not to grant the developer a charter;
17 and

18 “(II) require charter school au-
19 thorizers to indicate an affirmative in-
20 terest in serving as charter school au-
21 thorizers; and

22 “(C) that have a policy or procedure in
23 place that ensures that—

1 “(i) charter schools are reauthorized
2 or have their charter renewed not less than
3 once every 5 years; and

4 “(ii) charter schools submit independ-
5 ently audited financial statements to the
6 authorizer.

7 **“SEC. 5415. USES OF FUNDS.**

8 “(a) **REQUIRED USES OF FUNDS.**—Each eligible en-
9 tity receiving a grant under section 5412(a) shall—

10 “(1) use not less than 95 percent of the re-
11 maining grant funds, after the reservations made
12 under section 5412(g), to award subgrants to 1 or
13 more developers, as described in section 5416, to en-
14 able such developers to create, expand, or replicate
15 1 or more high-performing charter schools (which
16 may include opening new schools or converting exist-
17 ing schools into charter schools) in the area served
18 by the eligible entity or under the jurisdiction of the
19 eligible entity;

20 “(2) in awarding subgrants, give priority to de-
21 velopers that propose to create, expand, or replicate
22 a high-performing charter school in which a large
23 percentage of the students enrolled are from low-in-
24 come families;

1 “(3) provide developers who are receiving a
2 subgrant with support and technical assistance in—

3 “(A) improving student academic achieve-
4 ment and growth, consistent with section 1111;

5 “(B) effectively serving the needs of all
6 students, including students who are children
7 with disabilities and students who are English
8 learners; and

9 “(C) implementing outreach and recruit-
10 ment practices that includes families of stu-
11 dents who are children with disabilities and
12 English learners;

13 “(4) directly, or through a partnership with a
14 nonprofit organization (such as a community-based
15 organization), develop and implement parent, family,
16 and student information, outreach, and recruitment
17 programs to provide information and support to par-
18 ents, families, and students about the public school
19 choice options available to them, including students
20 who are children with disabilities and students who
21 are English learners, in a simple, clear, and easily
22 accessible format and, to the extent practicable, in
23 a language that such parents, families, and students
24 can understand.

1 “(b) PERMISSIBLE USE OF FUNDS.—Each eligible
2 entity receiving a grant under section 5412(a) may use
3 not more than 2.5 percent of grant funds to disseminate
4 information to public schools in the eligible entity’s juris-
5 diction or service area about lessons learned through the
6 grant activities, in order to—

7 “(1) successfully address the education needs of
8 all students, including students who are children
9 with disabilities and students who are English learn-
10 ers; and

11 “(2) replicate high-performing charter school
12 models.

13 **“SEC. 5416. SUBGRANTS.**

14 “(a) APPLICATIONS.—Each developer that desires to
15 receive a subgrant under this subpart shall submit an ap-
16 plication to the appropriate eligible entity at such time,
17 in such form, and including such information and assur-
18 ances as the eligible entity may reasonably require, which
19 shall include the information required under subpara-
20 graphs (A) through (F) of paragraph (1) and paragraph
21 (5) of section 5413(b).

22 “(b) USE OF FUNDS.—A developer that receives a
23 subgrant under this subpart shall use such subgrant funds
24 to create, expand, or replicate 1 or more high-performing

1 charter schools, which may include carrying out the fol-
2 lowing activities:

3 “(1) If necessary, carrying out not more than
4 12 months of planning and program design, unless
5 such developer demonstrates the need for an addi-
6 tional planning period of not more than 3 months.

7 “(2) Recruiting and providing preparation, in-
8 duction, and professional development for teachers,
9 school leaders, and other staff who will work in a
10 charter school that is supported by the developer.

11 “(3) Acquiring necessary equipment, supplies,
12 and educational materials, including curricula, as-
13 sessments, and instructional materials.

14 “(4) Professional development and implementa-
15 tion of systems for the delivery of appropriate serv-
16 ices for students who are children with disabilities
17 and students who are English learners, including
18 through centralizing, purchasing, or sharing the pro-
19 vision of such services with other organizations.

20 “(5) Develop transportation systems to provide
21 transportation to students to and from the school.

22 “(6) Paying operational costs for a charter
23 school that cannot be met through State or local
24 funding sources.

1 “(7) Directly, or through a partnership with a
2 nonprofit organization (including a community-based
3 organization), developing and implementing parent,
4 family, and student information and outreach pro-
5 grams to provide information and support to par-
6 ents, families, and students about each charter
7 school, in a simple, clear, and easily accessible for-
8 mat and, to the extent practicable, in a language
9 that the parents, families, and students can under-
10 stand.

11 “(8) Developing and implementing effective out-
12 reach and recruitment strategies to inform families
13 of students who are children with disabilities and
14 students who are English learners about the charter
15 school, the charter school admissions process, and
16 the charter school’s plan to effectively provide appro-
17 priate educational and related services to such stu-
18 dents.

19 “(9) Evaluating and disseminating information,
20 including through technical assistance, about the ef-
21 fectiveness of the activities supported by the
22 subgrant.

23 “(c) LIMITATIONS.—Not more than 1 percent of
24 subgrant funds may be used to carry out the activities de-
25 scribed in subsection (b)(9).

1 **“SEC. 5417. PERFORMANCE MEASURES; REPORTS.**

2 “(a) PERFORMANCE MEASURES AND TARGETS.—

3 Each eligible entity receiving a grant under this subpart
4 shall establish performance measures and annual targets,
5 approved by the Secretary, for the charter schools that
6 are created, expanded, or replicated with funds provided
7 through a grant or subgrant under this subpart. Such
8 measures and targets shall include, at a minimum, in the
9 aggregate and disaggregated by each subgroup of students
10 described in section 1111(a)(3)(D)—

11 “(1) the number of students enrolled in each
12 charter school;

13 “(2) the number of students enrolled in each
14 high-performing charter school;

15 “(3) the number of students enrolled in each
16 high-performing charter school who were formerly
17 attending a school that has been identified as a
18 focus school or priority school under subsection (c)
19 or (d) of section 1116 through the State account-
20 ability and improvement system;

21 “(4) student academic achievement and growth,
22 consistent with section 1111, including, if applicable,
23 performance on the State academic assessments re-
24 quired under section 1111(a)(2), and student growth
25 consistent with section 1111;

26 “(5) student retention rates;

1 tity and characteristics of the students enrolling in that
2 charter school are not fully and completely determined
3 until that charter school actually opens. The measures
4 similarly shall ensure that every charter school expanding
5 its enrollment in any subsequent year of operation receives
6 the Federal funding for which the charter school is eligible
7 not later than 5 months after such expansion.

8 “(b) ADJUSTMENT AND LATE OPENINGS.—

9 “(1) IN GENERAL.—The measures described in
10 subsection (a) shall include provision for appropriate
11 adjustments, through recovery of funds or reduction
12 of payments for the succeeding year, in cases where
13 payments made to a charter school on the basis of
14 estimated or projected enrollment data exceed the
15 amounts that the school is eligible to receive on the
16 basis of actual or final enrollment data.

17 “(2) RULE.—For charter schools that first
18 open after November 1 of any academic year, the
19 State, in accordance with guidance provided by the
20 Secretary and applicable Federal statutes and regu-
21 lations, shall ensure that such charter schools that
22 are eligible for the funds described in subsection (a)
23 for such academic year have a full and fair oppor-
24 tunity to receive those funds during the charter
25 schools’ first year of operation.

1 **“SEC. 5419. RECORDS TRANSFER.**

2 “State educational agencies and local educational
3 agencies receiving funds under part A of title I or any
4 other Federal funds from the Secretary, shall, in the most
5 timely manner possible and to the extent practicable, en-
6 sure that a student’s records and, if applicable, a student’s
7 individualized education program as defined in section 602
8 of the Individuals with Disabilities Education Act, are
9 transferred to a charter school upon the transfer of the
10 student to the charter school, and to another public school
11 upon the transfer of the student from a charter school
12 to another public school, in accordance with applicable
13 State law.

14 **“SEC. 5420. NATIONAL ACTIVITIES.**

15 “From funds made available under this subpart for
16 each fiscal year, the Secretary may reserve not more than
17 5 percent for national activities to carry out (directly or
18 through grants, contracts that use a competitive bidding
19 process, or cooperative agreements) research, develop-
20 ment, data collection, technical assistance, outreach, and
21 dissemination activities, including—

22 “(1) research, technical assistance, and other
23 activities to assist eligible entities receiving a grant
24 under this subpart, and other eligible entities in im-
25 proving the entity’s capacity to—

1 “(A) create, expand, replicate, operate, or
2 support high-performing charter schools that
3 meet the needs of, and improve the outcomes
4 for, all students, including students who are
5 children with disabilities and students who are
6 English learners;

7 “(B) support charter school authorizers to
8 improve quality through the adoption of re-
9 search-based policies and procedures and in-
10 creased capacity; and

11 “(C) work to turn around schools that
12 have been identified as focus schools or priority
13 schools under subsection (c) or (d) of section
14 1116 through the State accountability and im-
15 provement system;

16 “(2) providing for the research and dissemina-
17 tion of information about specific charter school
18 models and program characteristics for which there
19 is strong evidence of a significant impact on improv-
20 ing student academic achievement and growth, con-
21 sistent with section 1111, for all students, including
22 students who are children with disabilities and
23 English learners;

24 “(3) developing and implementing activities
25 that help parents, families, students, and the com-

1 munity identify and access high-performing charter
2 schools;

3 “(4) providing for the collection of information
4 regarding the financial resources available to charter
5 schools (including access to private capital) and
6 widely disseminating to charter schools any such rel-
7 evant information and model descriptions of success-
8 ful programs; and

9 “(5) carrying out other related activities.

10 **“Subpart 2—Charter School Facility Acquisition,**
11 **Construction, and Renovation**

12 **“SEC. 5431. PURPOSE.**

13 “The purpose of this subpart is to provide grants to
14 eligible entities to improve access to facilities and facilities
15 financing for high-performing charter schools and assist
16 such schools to address the cost of acquiring, constructing,
17 and renovating facilities.

18 **“SEC. 5432. DEFINITIONS.**

19 “In this subpart:

20 “(1) **ELIGIBLE ENTITY.**—The term ‘eligible en-
21 tity’ means—

22 “(A) a State educational agency;

23 “(B) a local educational agency, except a
24 charter school that is considered a local edu-
25 cational agency under State law;

1 “(C) a nonprofit entity;

2 “(D) a State financing authority; or

3 “(E) a consortium of entities described in
4 any of subparagraphs (A) through (D).

5 “(2) HIGH-PERFORMING CHARTER SCHOOL.—

6 The term ‘high-performing charter school’ has the
7 meaning given such term in section 5411.

8 “(3) PER-PUPIL FACILITIES AID PROGRAM.—

9 The term ‘per-pupil facilities aid program’ means a
10 program—

11 “(A) that is specified in State law;

12 “(B) that provides annual financing, on a
13 per-pupil basis, for charter school facilities; and

14 “(C) in which a State makes payments, on
15 a per-pupil basis, to charter schools to provide
16 such schools with financing—

17 “(i) that is dedicated solely for fund-
18 ing charter school facilities; or

19 “(ii) a portion of which is dedicated
20 for funding charter school facilities.

21 **“SEC. 5433. GRANTS TO ELIGIBLE ENTITIES.**

22 “(a) CREDIT ENHANCEMENT GRANTS.—The Sec-
23 retary shall use not less than 65 percent of the amount
24 available to carry out this subpart to award grants on a
25 competitive basis to eligible entities to enable such eligible

1 entities to demonstrate innovative credit enhancement
2 methods of assisting high-performing charter schools to
3 access private sector capital to address the cost of acquir-
4 ing, constructing, and renovating facilities by enhancing
5 the availability of loans or bond financing.

6 “(b) OTHER FACILITIES GRANTS.—The Secretary
7 shall use the remainder of the amount available to carry
8 out this subpart to award grants on a competitive basis
9 to eligible entities to—

10 “(1) improve access to facilities and facilities fi-
11 nancing for high-performing charter schools, through
12 methods that may include—

13 “(A) leveraging State and local facilities
14 funds, including the cost of implementing school
15 bond programs that include high-performing
16 charter schools;

17 “(B) implementing open-facilities-access
18 programs or making available renovated or
19 adapted space for high-performing charter
20 schools; and

21 “(C) assisting with constructing or improv-
22 ing, at low cost, facilities for high-performing
23 charter schools through innovative methods;
24 and

1 “(2) support an eligible entity described in sec-
2 tion 5432(1)(A) in the establishment, enhancement,
3 and administration of a per-pupil facilities aid pro-
4 gram through Federal payments that shall be not
5 more than—

6 “(A) 90 percent of the cost, for the first
7 fiscal year for which the program receives as-
8 sistance under this subsection;

9 “(B) 80 percent in the second such year;

10 “(C) 60 percent in the third such year;

11 “(D) 40 percent in the fourth such year;

12 and

13 “(E) 20 percent in the fifth such year.

14 “(c) STATE SHARE OF PER-PUPIL FACILITIES AID
15 PROGRAM.—A State receiving a grant under subsection
16 (b)(2) may partner with 1 or more organizations to pro-
17 vide not more than 50 percent of the State share of the
18 cost of establishing, enhancing, or administering the per-
19 pupil facilities aid program.

20 “(d) GRANT AMOUNT.—In determining the amount
21 of each grant to be awarded under this subpart, the Sec-
22 retary shall consider—

23 “(1) the quality of the application submitted
24 under section 5435;

1 “(2) the number of students that are served or
2 may be served by high-performing charter schools
3 that would receive assistance under the grant pro-
4 gram; and

5 “(3) the amount of funds that is needed to im-
6 plement the activities described in the approved ap-
7 plication.

8 “(e) SUPPLEMENT NOT SUPPLANT.—Funds made
9 available under this section shall be used to supplement,
10 and not supplant, State and local public funds expended
11 to provide programs for charter schools.

12 **“SEC. 5434. CHARTER SCHOOL OBJECTIVES.**

13 “An eligible entity receiving a grant under this sub-
14 part shall use the funds to assist 1 or more high-per-
15 forming charter schools to accomplish 1 or both of the fol-
16 lowing objectives:

17 “(1) The acquisition (by purchase, lease, dona-
18 tion, or otherwise) of an interest (including an inter-
19 est held by a third party for the benefit of a charter
20 school) in improved or unimproved real property
21 that is necessary to commence or continue the oper-
22 ation of a charter school.

23 “(2) The construction of new facilities, or the
24 renovation, repair, or alteration of existing facilities,

1 necessary to commence or continue the operation of
2 a charter school.

3 **“SEC. 5435. APPLICATIONS; SELECTION CRITERIA.**

4 “(a) IN GENERAL.—Each eligible entity desiring a
5 grant under this subpart shall submit an application to
6 the Secretary at such time, in such manner, and con-
7 taining such information and assurances as the Secretary
8 may require.

9 “(b) CONTENTS.—An application submitted under
10 subsection (a) shall include—

11 “(1) a description of the activities that the eligi-
12 ble entity proposes to carry out using funds received
13 under this subpart;

14 “(2) a demonstration that the eligible entity will
15 consider the quality of a charter school when deter-
16 mining—

17 “(A) which charter schools will receive as-
18 sistance under this subpart;

19 “(B) how much grant assistance will be
20 provided to each charter school; and

21 “(C) the type of assistance that each char-
22 ter school will receive;

23 “(3) a description of the eligible entity’s record
24 of successfully carrying out the activities that such
25 eligible entity proposes to carry out;

1 “(4) if applicable, the eligible entity’s record of
2 leveraging private-sector funding and a description
3 of how the proposed activities will leverage the max-
4 imum amount of private-sector financing capital rel-
5 ative to the amount of government funding;

6 “(5) an explanation of how the eligible entity
7 possesses sufficient expertise in education to evalu-
8 ate the likelihood of success of a charter school for
9 which facilities financing is sought;

10 “(6) in the case of an application submitted by
11 an eligible entity that includes 1 or more State or
12 local educational agencies, a description of the agen-
13 cy’s policies and procedures for ensuring that char-
14 ter schools have equitable access to school facilities;
15 and

16 “(7) such other information as the Secretary
17 may reasonably require.

18 “(c) SELECTION CRITERIA.—In awarding grants
19 under this subpart, the Secretary shall consider—

20 “(1) the quality of the eligible entity’s applica-
21 tion;

22 “(2) the extent to which the eligible entity pro-
23 poses to support high-performing charter schools
24 that plan to enroll a large percentage of students
25 from low-income families;

1 “(3) the extent to which the eligible entity pro-
2 poses to support high-performing charter schools
3 that plan to enroll a large percentage of students
4 who attend schools that have been identified as focus
5 schools or priority schools under subsection (c) or
6 (d) of section 1116 through the State accountability
7 and improvement system;

8 “(4) the geographic diversity of the eligible en-
9 tities, including the distribution of grants between
10 urban and rural areas; and

11 “(5) the number of eligible entities in a State
12 that are receiving grants under this subpart in any
13 fiscal year.

14 **“SEC. 5436. RESERVE ACCOUNT.**

15 “(a) USE OF FUNDS.—To assist charter schools with
16 addressing the cost of acquiring, constructing, and ren-
17 ovating facilities and accessing facilities and facilities fi-
18 nancing, an eligible entity receiving a grant under section
19 5433(a) shall, in accordance with State and local law, di-
20 rectly or indirectly, alone or in collaboration with others,
21 deposit the funds received under this subpart (other than
22 funds used for administrative costs in accordance with sec-
23 tion 5437) in a reserve account established and main-
24 tained by the eligible entity for this purpose. Amounts de-

1 posited in such account shall be used by the eligible entity
2 for 1 or more of the following purposes:

3 “(1) Guaranteeing, insuring, and reinsuring
4 bonds, notes, evidences of debt, loans, and interests
5 therein, the proceeds of which are used for an objec-
6 tive described in section 5434.

7 “(2) Guaranteeing and insuring leases of per-
8 sonal and real property for an objective described in
9 section 5434.

10 “(3) Facilitating financing by identifying poten-
11 tial lending sources, encouraging private lending,
12 and other similar activities that directly promote
13 lending to, or for the benefit of, charter schools.

14 “(4) Facilitating the issuance of bonds by char-
15 ter schools, or by other public entities for the benefit
16 of charter schools, by providing technical, adminis-
17 trative, and other appropriate assistance (including
18 the recruitment of bond counsel, underwriters, and
19 potential investors and the consolidation of multiple
20 charter school projects within a single bond issue).

21 “(b) INVESTMENT.—Funds received under this sub-
22 part and deposited in the reserve account established
23 under subsection (a) shall be invested in obligations issued
24 or guaranteed by the United States or a State, or in other
25 similarly low-risk securities.

1 “(c) REINVESTMENT OF EARNINGS.—Any earnings
2 on funds received under this subpart shall be deposited
3 in the reserve account established under subsection (a)
4 and used in accordance with such subsection.

5 **“SEC. 5437. LIMITATION ON ADMINISTRATIVE COSTS.**

6 “An eligible entity may use not more than 2.5 percent
7 of the funds received under this subpart for the adminis-
8 trative costs of carrying out its responsibilities under this
9 subpart.

10 **“SEC. 5438. AUDITS AND REPORTS.**

11 “(a) FINANCIAL RECORD MAINTENANCE AND
12 AUDIT.—The financial records of each eligible entity re-
13 ceiving a grant under this subpart shall be maintained in
14 accordance with generally accepted accounting principles
15 and shall be subject to an annual audit by an independent
16 public accountant.

17 “(b) REPORTS.—

18 “(1) GRANTEE ANNUAL REPORTS.—Each eligi-
19 ble entity receiving a grant under this subpart annu-
20 ally shall submit to the Secretary a report of its op-
21 erations and activities under this subpart.

22 “(2) CONTENTS.—Each annual report sub-
23 mitted under paragraph (1) shall include—

24 “(A) a copy of the most recent financial
25 statements, and any accompanying opinion on

1 such statements, prepared by the independent
2 public accountant reviewing the financial
3 records of the eligible entity;

4 “(B) a copy of any report made on an
5 audit of the financial records of the eligible en-
6 tity that was conducted under subsection (a)
7 during the reporting period;

8 “(C) if applicable, an evaluation by the eli-
9 gible entity of the effectiveness of its use of the
10 Federal funds provided under this subpart in
11 leveraging private funds;

12 “(D) a listing and description of the char-
13 ter schools served during the reporting period
14 and the performance of such charter schools in
15 increasing student achievement and growth,
16 consistent with section 1111;

17 “(E) a description of the activities carried
18 out by the eligible entity to assist charter
19 schools in meeting the objectives set forth in
20 section 5434; and

21 “(F) a description of the characteristics of
22 lenders and other financial institutions partici-
23 pating in the activities undertaken by the eligi-
24 ble entity under this subpart during the report-
25 ing period, if applicable.

1 “(3) SECRETARIAL REPORT.—The Secretary
2 shall review the reports submitted under paragraph
3 (1) and shall provide a comprehensive annual report
4 to Congress on the activities conducted under this
5 subpart.

6 **“SEC. 5439. NO FULL FAITH AND CREDIT FOR GRANTEE OB-**
7 **LIGATIONS.**

8 “No financial obligation of an eligible entity entered
9 into pursuant to this subpart (such as an obligation under
10 a guarantee, bond, note, evidence of debt, or loan) shall
11 be an obligation of, or guaranteed in any respect by, the
12 United States. The full faith and credit of the United
13 States is not pledged to the payment of funds which may
14 be required to be paid under any obligation made by an
15 eligible entity pursuant to any provision of this subpart.

16 **“SEC. 5440. RECOVERY OF FUNDS.**

17 “(a) IN GENERAL.—The Secretary, in accordance
18 with chapter 37 of title 31, United States Code, shall col-
19 lect—

20 “(1) all of the funds in a reserve account estab-
21 lished by an eligible entity under section 5436(a) if
22 the Secretary determines, not earlier than 2 years
23 after the date on which the eligible entity first re-
24 ceived funds under this subpart, that the eligible en-

1 tity has failed to make substantial progress in car-
2 rying out the purposes described in such section; or

3 “(2) all or a portion of the funds in a reserve
4 account established by an eligible entity under sec-
5 tion 5436(a) if the Secretary determines that the eli-
6 gible entity has permanently ceased to use all or a
7 portion of the funds in such account to accomplish
8 any purpose described in such section.

9 “(b) EXERCISE OF AUTHORITY.—The Secretary shall
10 not exercise the authority provided in subsection (a) to
11 collect from any eligible entity any funds that are being
12 properly used to achieve 1 or more of the purposes de-
13 scribed in section 5436(a).

14 “(c) PROCEDURES.—The provisions of sections 451,
15 452, and 458 of the General Education Provisions Act
16 shall apply to the recovery of funds under subsection (a).

17 “(d) CONSTRUCTION.—This section shall not be con-
18 strued to impair or affect the authority of the Secretary
19 to recover funds under part D of the General Education
20 Provisions Act.”.

21 **PART E—VOLUNTARY PUBLIC SCHOOL CHOICE**

22 **SEC. 5501. VOLUNTARY PUBLIC SCHOOL CHOICE.**

23 Title V (20 U.S.C. 7201 et seq.) is further amended
24 by adding at the end the following:

1 **“PART E—VOLUNTARY PUBLIC SCHOOL CHOICE**
2 **PROGRAMS**

3 **“SEC. 5501. GRANTS.**

4 “(a) AUTHORIZATION.—From funds made available
5 to carry out this part, the Secretary shall award grants,
6 on a competitive basis, to eligible entities to enable the
7 entities to establish or expand a program of public school
8 choice (referred to in this part as a ‘program’) in accord-
9 ance with this part in order to increase student academic
10 achievement and student growth by increasing the edu-
11 cational options available to students who are served by
12 high-need local educational agencies.

13 “(b) DURATION.—Grants awarded under subsection
14 (a) may be awarded for a period of 3 years and may be
15 renewed for not more than an additional 2 years if the
16 Secretary finds that the grantee is achieving the objectives
17 of the grant.

18 **“SEC. 5502. USES OF FUNDS.**

19 “(a) REQUIRED USE OF FUNDS.—An eligible entity
20 that receives a grant under this part shall use the grant
21 funds to establish or expand inter- or intra-district public
22 school choice programs for students attending the lowest-
23 performing schools that enable those students to attend
24 high-quality public elementary schools and secondary
25 schools, including charter schools.

1 “(b) PERMISSIBLE USES OF FUNDS.—An eligible en-
2 tity that receives a grant under this part may use the
3 grant funds for—

4 “(1) planning or designing a program (for not
5 more than 1 year);

6 “(2) transportation services to and from high-
7 quality schools for participating students;

8 “(3) improving public school finance systems to
9 allow school funding to follow students, including
10 tuition transfer payments to high-quality public ele-
11 mentary schools or secondary schools to which stu-
12 dents transfer under the program;

13 “(4) capacity-enhancing activities that enable
14 high-quality public elementary schools or secondary
15 schools to accommodate transfer requests under the
16 program;

17 “(5) public education and recruitment cam-
18 paigns to inform students attending the lowest-per-
19 forming schools and their parents about the program
20 and to facilitate their participation; and

21 “(6) other costs reasonably necessary to imple-
22 ment the program, such as the development of lot-
23 tery systems.

1 “(c) NONPERMISSIBLE USES OF FUNDS.—An eligible
2 entity that receives a grant under this part may not use
3 the grant funds for school construction.

4 “(d) ADMINISTRATIVE EXPENSES.—The eligible enti-
5 ty may use not more than 5 percent of the funds made
6 available through a grant under this part for any fiscal
7 year for administrative expenses.

8 **“SEC. 5503. APPLICATIONS.**

9 “(a) SUBMISSION.—An eligible entity that desires a
10 grant under this part shall submit an application to the
11 Secretary at such time, in such manner, and containing
12 such information as the Secretary may require.

13 “(b) CONTENTS.—An application submitted under
14 subsection (a) shall include a comprehensive plan that de-
15 scribes—

16 “(1) the activities to be carried out;

17 “(2) how the activities—

18 “(A) will increase access to high-quality
19 schools for students attending the lowest-per-
20 forming schools;

21 “(B) will increase the student academic
22 achievement and student growth of students
23 participating in the grant activities, including
24 English learners and students with disabilities;
25 and

1 “(C) if applicable, will increase diversity
2 within a school or local educational agency;

3 “(3) how students will be selected to participate
4 in grant activities, including the design and imple-
5 mentation of a lottery system if the program is over-
6 subscribed, and how students and parents will be in-
7 formed of their opportunity to participate;

8 “(4) how the program will be coordinated with
9 and leverage other related Federal and non-Federal
10 funding and programs;

11 “(5) how the applicant will continue to imple-
12 ment the plan after the period of the grant has ex-
13 pired;

14 “(6) if the activities required under section
15 5505(a)(2) are to be carried out in partnership with
16 a public or other nonprofit organization, a descrip-
17 tion of the organization’s experience, capacity, re-
18 sponsibilities, and how the eligible entity will mon-
19 itor the public or other nonprofit organization’s ef-
20 fectiveness in carrying out such activities; and

21 “(7) such other information as the Secretary
22 may require.

23 “(c) SELECTION CRITERIA.—In selecting grantees
24 under this part, the Secretary shall consider—

1 “(1) the quality of the applicant’s comprehen-
2 sive plan;

3 “(2) the extent to which the applicant can dem-
4 onstrate that its grant activities will increase student
5 academic achievement and student growth for stu-
6 dents participating in the grant activities, including
7 English learners and students with disabilities; and

8 “(3) the extent to which the applicant can dem-
9 onstrate that its grant activities will ensure that par-
10 ents and students are informed of the program, in
11 a clear and uniform format and, to the extent prac-
12 ticable, in a language that the parents and students
13 can understand, to increase the likelihood that par-
14 ents will have their children participate in the grant-
15 ee’s program.

16 **“SEC. 5504. PRIORITIES.**

17 “In awarding grants under this part, the Secretary
18 shall give priority to an eligible entity that proposes to—

19 “(1) establish or expand an inter-district choice
20 program that serves a large percentage of students
21 from low-income families; and

22 “(2) establish or expand a program that will in-
23 crease diversity.

1 **“SEC. 5505. REQUIREMENTS AND VOLUNTARY PARTICIPA-**
2 **TION.**

3 “(a) PARENT AND COMMUNITY INVOLVEMENT AND
4 NOTICE.—In carrying out a program under this part, an
5 eligible entity shall carry out the following:

6 “(1) Develop the program with—

7 “(A) the involvement of parents and other
8 education stakeholders in the community to be
9 served; and

10 “(B) individuals who will carry out the
11 program, including administrators, teachers,
12 principals, and other staff.

13 “(2) Develop and carry out the following activi-
14 ties, alone or in partnership with a public or other
15 nonprofit organization that has a record of success
16 in implementing such activities:

17 “(A) Disseminating timely and accurate in-
18 formation about the program to parents of stu-
19 dents attending the lowest-performing schools,
20 in a clear and uniform format and, to the ex-
21 tent practicable, in a language that they can
22 understand, including through the use of a vari-
23 ety of effective and innovative outreach ap-
24 proaches, such as by sending customized letters
25 to each family about available programs.

1 “(B) Providing education and training to
2 parents of students attending the lowest-per-
3 forming schools to enable the parents to use the
4 information provided under subparagraph (A)
5 in their decisions about their children’s edu-
6 cation.

7 “(b) SELECTION OF STUDENTS.—An eligible entity
8 that receives a grant under this part shall select students
9 to participate in a program on the basis of a lottery, if
10 more students apply for admission to the program than
11 can be accommodated.

12 “(c) VOLUNTARY PARTICIPATION.—Student partici-
13 pation in a program funded under this part shall be vol-
14 untary.

15 “(d) PERFORMANCE MEASURES.—

16 “(1) IN GENERAL.—Each eligible entity award-
17 ed a grant under this part shall establish perform-
18 ance measures and targets that—

19 “(A) are approved by the Secretary;

20 “(B) are implemented for each program
21 established or expanded with funds provided
22 under this part; and

23 “(C) at a minimum, track—

24 “(i) the number of students partici-
25 pating;

1 “(ii) the participating students’ aca-
2 demic achievement and student growth;

3 “(iii) in the case of participating high
4 school students, their graduation rates;

5 “(iv) the extent to which students in
6 schools participating in the programs or
7 schools funded under this part are being
8 educated in diverse schools and classrooms;
9 and

10 “(v) any other measure required by
11 the Secretary.

12 “(2) REPORTS.—Each eligible entity awarded a
13 grant under this part shall annually report to the
14 Secretary on its performance on the measures and
15 targets established under paragraph (1), and shall
16 provide that information both in the aggregate and
17 disaggregated for each subgroup of students de-
18 scribed in section 1111(a)(2)(B)(x).

19 **“SEC. 5506. EVALUATIONS.**

20 “From the amount reserved for evaluation activities
21 in accordance with section 9601(a), the Secretary, acting
22 through the Director of the Institute of Education
23 Sciences, shall, in consultation with the relevant program
24 office at the Department, evaluate the implementation and

1 impact of the activities supported under this part, con-
2 sistent with section 9601, including—

3 “(1) how, and the extent to which, the pro-
4 grams promote educational equity and excellence;

5 “(2) the characteristics of the students partici-
6 pating in the programs; and

7 “(3) the effect of the programs on the academic
8 achievement and student growth of students partici-
9 pating in the programs both in the aggregate and
10 disaggregated for each subgroup of students de-
11 scribed in section 1111(a)(2)(B)(x).

12 **“SEC. 5507. DEFINITIONS.**

13 “In this part:

14 “(1) CHARTER SCHOOL.—The term ‘charter
15 school’ has the meaning given such term in section
16 5411.

17 “(2) ELIGIBLE ENTITY.—The term ‘eligible en-
18 tity’ means—

19 “(A) 1 or more high-need local educational
20 agencies applying with 1 or more other local
21 educational agencies; or

22 “(B) a State educational agency applying
23 with 1 or more high-need local educational
24 agencies.

1 “(3) LOWEST-PERFORMING SCHOOL.—The term
2 ‘lowest-performing school’ means a public elemen-
3 tary school or secondary school that has been identi-
4 fied as a focus school under section 1116(e) or a pri-
5 ority school under section 1116(d).”.

6 **TITLE VI—PROMOTING FLEXI-**
7 **BILITY; RURAL EDUCATION**

8 **SEC. 6101. PROMOTING FLEXIBILITY.**

9 Title VI (20 U.S.C. 7301 et seq.) is amended—

10 (1) by striking the title heading and inserting
11 the following: “**PROMOTING FLEXIBILITY;**
12 **RURAL EDUCATION**”; and

13 (2) by striking part A and inserting the fol-
14 lowing:

15 **“PART A—TRANSFERABILITY**

16 **“SEC. 6101. TRANSFERABILITY OF FUNDS.**

17 “(a) TRANSFERS BY STATES.—

18 “(1) AUTHORITY TO TRANSFER.—Except as
19 provided in paragraph (2), in accordance with this
20 part, a State may transfer up to 100 percent of the
21 State funds allotted to the State for a fiscal year for
22 use for State-level activities described in this Act
23 that are carried out as part of a grant program in
24 which funds for the grant are distributed by a for-

1 mula to 1 or more other State formula grant pro-
2 grams under this Act for such fiscal year.

3 “(2) PROHIBITION AGAINST TRANSFERRING
4 FUNDS OUT CERTAIN TITLES.—A State may not
5 transfer, pursuant to paragraph (1), any funds that
6 originate in title I or III out of such respective title.

7 “(b) TRANSFERS BY LOCAL EDUCATIONAL AGEN-
8 CIES.—

9 “(1) AUTHORITY TO TRANSFER.—Except as
10 provided in paragraph (2), in accordance with this
11 part, a local educational agency may transfer 100
12 percent of the funds allocated to it for a fiscal year
13 for use for local-level activities described in this Act
14 that are carried out as part of a grant program in
15 which funds for the grant are distributed by a for-
16 mula to 1 or more other local educational agency
17 formula grant programs under this Act for such fis-
18 cal year.

19 “(2) PROHIBITION AGAINST TRANSFERRING
20 FUNDS OUT OF CERTAIN TITLES.—A local edu-
21 cational agency may not transfer, pursuant to para-
22 graph (1), any funds that originate in title I, III,
23 part A of title VII, or VIII out of such respective
24 title.

1 “(3) SPECIAL RULE WITH RESPECT TO RURAL
2 DISTRICTS.—Except as provided in paragraph (2), a
3 local educational agency that is eligible to receive as-
4 sistance under part B may transfer 100 percent of
5 the funds allocated to it for a fiscal year for use for
6 local-level activities described in this Act that are
7 carried out as part of a grant program in which
8 funds for the grant are distributed by a formula to
9 1 or more other local educational agency formula
10 grant programs under this Act for such fiscal year
11 or to carry out activities under a grant program in
12 which funds for the grant are distributed by formula
13 to States.

14 “(c) APPLICABLE RULES.—

15 “(1) IN GENERAL.—Except as otherwise pro-
16 vided in this part, funds transferred pursuant to this
17 section are subject to each of the rules and require-
18 ments applicable to the funds under the provision to
19 which the transferred funds are transferred.

20 “(2) CONSULTATION.—Each State educational
21 agency or local educational agency that transfers
22 funds under this section shall conduct consultations
23 in accordance with section 9501, if such transfer
24 transfers funds from a program that provides for

1 the participation of students, teachers, or other edu-
2 cational personnel, from private schools.”.

3 **SEC. 6102. RURAL EDUCATION.**

4 Part B of title VI (20 U.S.C. 7341 et seq.) is amend-
5 ed—

6 (1) by striking section 6211;

7 (2) by redesignating sections 6212 and 6213 as
8 sections 6211 and 6212, respectively;

9 (3) in section 6211, as redesignated by para-
10 graph (2)—

11 (A) in the section heading, by striking
12 “**GRANT**”;

13 (B) in subsection (a), by striking “activi-
14 ties authorized” and all that follows through
15 the period at the end of paragraph (5) and in-
16 serting “activities consistent with section
17 6101(b).”;

18 (C) in subsection (b)—

19 (i) in paragraph (1)—

20 (I) by striking “paragraph (3)”
21 and inserting “paragraphs (3) and
22 (4)”;

23 (II) by striking “section
24 6211(b)” and inserting “subsection
25 (d)”;

1 (III) by striking “section
2 6211(e)” and inserting “subpart 2 of
3 part A of title II”; and

4 (ii) by striking paragraph (2) and in-
5 serting the following:

6 “(2) DETERMINATION OF INITIAL AMOUNT.—

7 “(A) IN GENERAL.—The initial amount re-
8 ferred to in paragraph (1) is equal to \$100
9 multiplied by the total number of students in
10 excess of 50 students, in average daily attend-
11 ance at the schools served by the local edu-
12 cational agency, plus \$20,000, except that the
13 initial amount may not exceed \$60,000.

14 “(B) APPROPRIATION MORE THAN
15 \$211,723,832.—Notwithstanding subparagraph
16 (A), if the appropriation for this part is more
17 than \$211,723,832, a grant under this part
18 shall not be less than \$25,000, and the initial
19 amount may not exceed \$80,000.”; and

20 (iii) by inserting after paragraph (3)
21 the following:

22 “(4) COALITIONS OF LIKE SCHOOL DIS-
23 TRICTS.—

24 “(A) IN GENERAL.—Notwithstanding para-
25 graph (1) and subject to subparagraph (B), in

1 within such local educational
2 agency; and

3 “(CC) 4,000.

4 “(B) LIMITATION.—Notwithstanding sub-
5 paragraph (A), no local educational agency
6 shall receive more than \$60,000 under this
7 paragraph.”.

8 (D) by redesignating subsection (d) as sub-
9 section (e);

10 (E) by inserting after subsection (c) the
11 following:

12 “(d) ELIGIBILITY.—

13 “(1) IN GENERAL.—A local educational agency
14 shall be eligible for a grant under this section if—

15 “(A)(i)(I) the total number of students in
16 average daily attendance at all of the schools
17 served by the local educational agency is fewer
18 than 600;

19 “(II) in the case of a local educational
20 agency described in paragraph (4) of subsection
21 (b), the total number of students in average
22 daily attendance at all schools served by the
23 local educational agency is fewer than the prod-
24 uct of—

25 “(aa) 600; and

1 “(bb) the number of constituent
2 school districts within the local educational
3 agency; or

4 “(III) each county or locale in which a
5 school served by the local educational agency is
6 located has a total population density of fewer
7 than 10 persons per square mile; and

8 “(ii) each of the schools served by the local
9 educational agency is designated with a school
10 locale code of 32, 33, 41, 42, or 43, as deter-
11 mined by the Secretary; or

12 “(B) the agency meets at least 1 of the cri-
13 teria established in subparagraph (A)(i) and the
14 Secretary, in accordance with paragraph (2),
15 grants the State educational agency’s request to
16 waive the criterion described in subparagraph
17 (A)(ii).

18 “(2) CERTIFICATION.—The Secretary shall de-
19 termine whether to waive the criterion described in
20 paragraph (1)(A)(ii) based on a demonstration by
21 the local educational agency, and with the concu-
22 rence of the State educational agency, that the local
23 educational agency is located in an area defined as
24 rural by a governmental agency of the State.”; and

1 (F) by striking subsection (e), as redesignig-
2 nated by subparagraph (D), and inserting the
3 following:

4 “(e) SPECIAL ELIGIBILITY RULE.—A local edu-
5 cational agency may receive grant funding under subpart
6 1 or subpart 2, but may not receive grant funding under
7 both such subparts.”;

8 (4) by striking section 6212, as redesignated by
9 paragraph (2), and inserting the following:

10 **“SEC. 6212. ACADEMIC ACHIEVEMENT ASSESSMENTS.**

11 “Each local educational agency that uses or receives
12 funds under this subpart for a fiscal year shall administer
13 assessments that are consistent with section 1111(a)(2).”;

14 (5) in section 6221—

15 (A) in subsection (a)(1), by striking
16 “under section 6234 for” and inserting “to
17 carry out”;

18 (B) in subsection (b)(1)(B), by striking “6,
19 7, or 8,” and inserting “33, 41, 42, or 43,”;
20 and

21 (C) in subsection (c)—

22 (i) in the matter preceding paragraph
23 (1), by striking “under section 6234 for”
24 and inserting “to carry out”; and

1 (ii) in paragraph (1), by striking “Bu-
2 reau of Indian Affairs” and inserting “Bu-
3 reau of Indian Education”;

4 (6) in section 6222, by striking subsection (a)
5 and inserting the following:

6 “(a) LOCAL AWARDS.—Grant funds awarded to local
7 educational agencies under this subpart shall be used to
8 carry out local-level activities consistent with section
9 6101(b).”;

10 (7) in section 6224—

11 (A) in subsection (c)—

12 (i) in the matter preceding paragraph
13 (1), by striking “the Committee on Edu-
14 cation and the Workforce of the House of
15 Representatives and the Committee on
16 Health, Education, Labor, and Pensions of
17 the Senate” and inserting “the authorizing
18 committees”; and

19 (ii) by striking “local educational
20 agencies and schools” and inserting the
21 following:

22 “(2) how local educational agencies and
23 schools”;

24 (B) in subsection (d)—

1 (i) in the subsection heading, by strik-
2 ing “ASSESSMENT” and inserting “AS-
3 SESSMENTS”; and

4 (ii) by striking “an assessment that is
5 consistent with section 1111(b)(3)” and in-
6 serting “assessments that are consistent
7 with section 1111(a)(2)”; and

8 (C) by striking subsection (e);

9 (8) by striking section 6234;

10 (9) by redesignating sections 6231 through
11 6233 as sections 6232 through 6234, respectively;

12 (10) by inserting before section 6232, as reded-
13 icated by paragraph (9), the following:

14 **“SEC. 6231. CHOICE OF PARTICIPATION.**

15 “If a local educational agency is eligible for funding
16 under subpart 1 and subpart 2 of this part, such local
17 educational agency may choose to participate in either
18 subpart 1 or subpart 2.”;

19 (11) in section 6232, as redesignated by para-
20 graph (9)—

21 (A) in subsection (a), by striking “6212”
22 and inserting “6211”; and

23 (B) in subsection (b)—

1 (i) by striking “under section 6212 or
2 subpart 2” each place the term appears
3 and inserting “under this part”; and

4 (ii) by striking “under this section”
5 and inserting “under this part”; and

6 (12) in section 6233, as redesignated by para-
7 graph (9), by striking “subpart 1 or subpart 2” and
8 inserting “this part”.

9 **SEC. 6103. GENERAL PROVISIONS.**

10 Title VI (20 U.S.C. 7301 et seq.) is amended by
11 striking part C.

12 **TITLE VII—INDIAN, NATIVE HA-**
13 **WAIAN, AND ALASKA NATIVE**
14 **EDUCATION**

15 **PART A—INDIAN EDUCATION**

16 **SEC. 7101. PURPOSE.**

17 Section 7102 (20 U.S.C. 7402) is amended to read
18 as follows:

19 **“SEC. 7102. PURPOSE.**

20 “It is the purpose of this part to support the efforts
21 of local educational agencies, Indian tribes and organiza-
22 tions, postsecondary institutions, and other entities—

23 “(1) to ensure the academic achievement of
24 American Indian and Alaska Native students by

1 meeting their unique cultural, language, and edu-
2 cational needs, consistent with section 1111(a);

3 “(2) to ensure that Indian and Alaska Native
4 students gain knowledge and understanding of Na-
5 tive communities, languages, tribal histories, tradi-
6 tions, and cultures; and

7 “(3) to ensure that principals, teachers, and
8 other staff who serve Indian and Alaska Native stu-
9 dents have the ability to provide culturally appro-
10 priate and effective instruction to such students.”.

11 **Subpart 1—Formula Grants to Local Educational**
12 **Agencies**

13 **SEC. 7111. FORMULA GRANT PURPOSE.**

14 Section 7111 (20 U.S.C. 7421) is amended to read
15 as follows:

16 **“SEC. 7111. PURPOSE.**

17 “(a) PURPOSE.—It is the purpose of this subpart to
18 support the efforts of local educational agencies, Indian
19 tribes and organizations, postsecondary institutions, and
20 other entities to improve the academic achievement of
21 American Indian and Alaska Native students by meeting
22 their unique cultural, language, and educational needs.

23 “(b) PROGRAMS.—This subpart carries out the pur-
24 pose described in subsection (a) by authorizing programs
25 of direct assistance for—

1 “(1) meeting the unique educational and cul-
2 turally related academic needs of Indians and Alaska
3 Natives, including gaining knowledge of Native
4 American languages, history, traditions, and cul-
5 tures;

6 “(2) the education of Indian children and
7 adults;

8 “(3) the training of Indian persons as educators
9 and counselors, and in other professions serving In-
10 dian people; and

11 “(4) research, evaluation, data collection, and
12 technical assistance.”.

13 **SEC. 7112. GRANTS TO LOCAL EDUCATIONAL AGENCIES,**
14 **TRIBES, AND INDIAN ORGANIZATIONS.**

15 Section 7112 (20 U.S.C. 7422) is amended—

16 (1) in subsection (a), by striking “and Indian
17 tribes” and inserting “, Indian tribes, and Indian or-
18 ganizations”;

19 (2) in subsection (b)(2), by striking “a reserva-
20 tion” and inserting “an Indian reservation”; and

21 (3) by striking subsection (c) and inserting the
22 following:

23 “(c) INDIAN TRIBES AND INDIAN ORGANIZATIONS.—

24 “(1) IN GENERAL.—If a local educational agen-
25 cy that is otherwise eligible for a grant under this

1 subpart does not establish a committee under section
2 7114(e)(5) for such grant, an Indian tribe, an In-
3 dian organization, or a consortium of such entities,
4 that represents more than one-half of the eligible In-
5 dian children who are served by such local edu-
6 cational agency may apply for such grant.

7 “(2) UNAFFILIATED INDIAN TRIBES.—An In-
8 dian tribe that operates a school and is not affiliated
9 with either the local educational agency or the Bu-
10 reau of Indian Education shall be eligible to apply
11 for a grant under this subpart.

12 “(3) SPECIAL RULE.—

13 “(A) IN GENERAL.—The Secretary shall
14 treat each Indian tribe, Indian organization, or
15 consortium of such entities applying for a grant
16 pursuant to paragraph (1) or (2) as if such
17 tribe, Indian organization, or consortium were a
18 local educational agency for purposes of this
19 subpart .

20 “(B) EXCEPTIONS.—Notwithstanding sub-
21 paragraph (A), such Indian tribe, Indian orga-
22 nization, or consortium shall not be subject to
23 the requirements of subsections (b)(7) or (c)(5)
24 of section 7114 or section 7118(c) or 7119.

1 “(4) ASSURANCE TO SERVE ALL INDIAN CHIL-
2 DREN.—An Indian tribe, Indian organization, or
3 consortium of such entities that is eligible to apply
4 for a grant under paragraph (1) shall include, in the
5 application required under section 7114, an assur-
6 ance that the entity will use the grant funds to pro-
7 vide services to all Indian students served by the
8 local educational agency.

9 “(d) INDIAN COMMUNITY-BASED ORGANIZATION.—

10 “(1) IN GENERAL.—If no local educational
11 agency pursuant to subsection (b), and no Indian
12 tribe, Indian organization, or consortium pursuant
13 to subsection (c), applies for a grant under this sub-
14 part, an Indian community-based organization serv-
15 ing the community of the local educational agency
16 may apply for such grant.

17 “(2) APPLICABILITY OF SPECIAL RULE.—The
18 Secretary shall apply the special rule in subsection
19 (c)(3) to a community-based organization applying
20 or receiving a grant under paragraph (1) in the
21 same manner as such rule applies to an Indian tribe,
22 Indian organization, or consortium.

23 “(3) DEFINITION OF INDIAN COMMUNITY-
24 BASED ORGANIZATION.—In this subsection, the term

1 ‘Indian community-based organization’ means any
2 organization that—

3 “(A) is composed primarily of Indian par-
4 ents and community members, tribal govern-
5 ment education officials, and tribal members
6 from a specific community;

7 “(B) assists in the social, cultural, and
8 educational development of Indians in such
9 community;

10 “(C) meets the unique cultural, language,
11 and academic needs of Indian students; and

12 “(D) demonstrates organizational capacity
13 to manage the grant.

14 “(e) CONSORTIA.—

15 “(1) IN GENERAL.—A local educational agency,
16 Indian tribe, or Indian organization that meets the
17 eligibility requirements under this section may form
18 a consortium with other eligible local educational
19 agencies, Indian tribes, or Indian organizations for
20 the purpose of obtaining grants and operating pro-
21 grams under this subpart.

22 “(2) REQUIREMENTS FOR LOCAL EDUCATIONAL
23 AGENCIES IN CONSORTIA.—In any case where 2 or
24 more local educational agencies that are eligible
25 under subsection (b) form or participate in a consor-

1 tium to obtain a grant, or operate a program, under
2 this subpart, each local educational agency partici-
3 pating in such a consortium shall—

4 “(A) provide, in the application submitted
5 under section 7114, an assurance that the eligi-
6 ble Indian children served by such local edu-
7 cational agency will receive the services of the
8 programs funded under this subpart; and

9 “(B) agree to be subject to all require-
10 ments, assurances, and obligations applicable to
11 a local educational agency receiving a grant
12 under this subpart.”.

13 **SEC. 7113. AMOUNT OF GRANTS.**

14 Section 7113 (20 U.S.C. 7423) is amended—

15 (1) in subsection (b)—

16 (A) in paragraph (1)—

17 (i) by striking “Bureau of Indian Af-
18 fairs” and inserting “Bureau of Indian
19 Education”; and

20 (ii) by striking “\$3,000” and insert-
21 ing “\$10,000”; and

22 (B) in paragraph (3), by striking “\$4,000”
23 and inserting “\$15,000”;

24 (2) in subsection (d)—

1 (A) in the subsection heading, by striking
2 “BUREAU OF INDIAN AFFAIRS” and inserting
3 “BUREAU OF INDIAN EDUCATION”;

4 (B) in paragraph (1)(A)(i), by striking
5 “the Bureau of Indian Affairs” and inserting
6 “the Bureau of Indian Education”; and

7 (C) in paragraph (2), by striking “section
8 7114(c)(4)” and inserting “section 7114(c)(5)”;
9 and

10 (3) in subsection (e), by striking “under section
11 7152(a)” and inserting “to carry out this subpart”.

12 **SEC. 7114. APPLICATIONS.**

13 (a) IN GENERAL.—Section 7114 (20 U.S.C. 7424)
14 is amended—

15 (1) in subsection (b)—

16 (A) in paragraph (2)—

17 (i) in subparagraph (A)—

18 (I) by striking “is consistent
19 with” and inserting “supports”; and

20 (II) by inserting “, tribal,” after
21 “State”; and

22 (ii) in subparagraph (B), by striking
23 “such goals” and all that follows through
24 the semicolon at the end and inserting
25 “such goals, to ensure such students meet

1 the same college and career ready State
2 academic achievement standards under sec-
3 tion 1111(a)(1) for all children;”;

4 (B) by striking paragraph (3) and insert-
5 ing the following:

6 “(3) explains how the local educational agency
7 will use the funds made available under this subpart
8 to supplement other Federal, State, and local pro-
9 grams that meet the needs of such students;”;

10 (C) in paragraph (5)—

11 (i) in subparagraph (A), by striking
12 “and” after the semicolon; and

13 (ii) by adding at the end the fol-
14 lowing:

15 “(C) the parents of Indian children, and
16 representatives of Indian tribes, on the com-
17 mittee described in subsection (c)(5) will par-
18 ticipate in the planning of the professional de-
19 velopment materials;”;

20 (D) in paragraph (6)—

21 (i) in subparagraph (B)—

22 (I) in clause (i), by striking “sub-
23 section (c)(4); and” and inserting
24 “subsection (c)(5);”;

1 (II) by adding at the end the fol-
2 lowing:

3 “(iii) the Indian tribes whose children
4 are served by the local educational agency;
5 and”; and

6 (ii) in subparagraph (C), by striking
7 the period at the end and inserting “;
8 and”; and

9 (E) by adding at the end the following:

10 “(7) describes—

11 “(A) the formal process the local edu-
12 cational agency used to collaborate with Indian
13 tribes located in the community in the develop-
14 ment of the comprehensive programs; and

15 “(B) the actions taken as a result of the
16 collaboration.”;

17 (2) in subsection (c)—

18 (A) in paragraph (1), by striking “the edu-
19 cation of Indian children, and not to supplant
20 such funds” and inserting “services and activi-
21 ties consistent with those described in this sub-
22 part, and not to supplant such funds”;

23 (B) by redesignating paragraphs (2), (3),
24 and (4) as paragraphs (3), (4), and (5), respec-
25 tively;

1 (C) by inserting after paragraph (1) the
2 following:

3 “(2) the local educational agency will use funds
4 received under this subpart only for activities de-
5 scribed and authorized under this subpart;”;

6 (D) in paragraph (3), as redesignated by
7 subparagraph (B)—

8 (i) in subparagraph (A), by striking
9 “and” after the semicolon;

10 (ii) in subparagraph (B)—

11 (I) by inserting “, as measured
12 by the State academic assessments re-
13 quired under section 1111(a)(2), high
14 school graduation rates, and other
15 academic outcomes as appropriate,”
16 after “effective”; and

17 (II) by inserting “and” after the
18 semicolon; and

19 (iii) by adding at the end the fol-
20 lowing:

21 “(C) determine the extent to which such
22 activities address the unique cultural, language,
23 and educational needs of Indian students;”;

24 (E) in paragraph (4)(C), as redesignated
25 by subparagraph (B)—

1 (i) by inserting “representatives of In-
2 dian tribes with reservations located within
3 50 miles of any of the schools that have
4 Indian children in any such school,” after
5 “Indian children and teachers”; and

6 (ii) by striking “and” after the semi-
7 colon; and

8 (F) in paragraph (5), as redesignated by
9 subparagraph (B)—

10 (i) by inserting “and family members”
11 after “parents” each place the term ap-
12 pears;

13 (ii) in subparagraph (A)—

14 (I) by redesignating clauses (ii)
15 and (iii) as clauses (iii) and (iv), re-
16 spectively; and

17 (II) by inserting after clause (i)
18 the following:

19 “(ii) representatives of Indian tribes
20 with reservations located within 50 miles of
21 any of the schools that have children in
22 any such school;”;

23 (iii) in subparagraph (B), by adding
24 “or representatives of Indian tribes de-

1 scribed in subparagraph (A)(ii)” after
2 “children”;

3 (iv) in subparagraph (D)—

4 (I) in clause (i), by striking
5 “and” after the semicolon; and

6 (II) by adding at the end the fol-
7 lowing:

8 “(iii) determined that the program
9 will directly enhance the educational expe-
10 rience of Indian and Alaska Native stu-
11 dents;”;

12 (v) in subparagraph (E), by striking
13 the period at the end and inserting a semi-
14 colon; and

15 (vi) by adding at the end the fol-
16 lowing:

17 “(F) that shall determine the extent to
18 which the activities of the local educational
19 agency will address the unique cultural, lan-
20 guage, and education needs of Indian students;
21 and

22 “(G) that shall determine the extent to
23 which grant funds will directly enhance the edu-
24 cational experiences of American Indian stu-
25 dents;” and

1 (G) by adding at the end the following:

2 “(6) the local educational agency will coordinate
3 activities under this title with other Federal pro-
4 grams supporting educational and related services
5 administered by such agency; and

6 “(7) the local educational agency conducted
7 outreach to parents and family members to meet the
8 requirements under subsection (c)(5).”; and

9 (3) by adding at the end the following:

10 “(d) OUTREACH.—The Secretary shall monitor the
11 applications for grants under this subpart to identify eligi-
12 ble local educational agencies and schools operated by the
13 Bureau of Indian Education that have not applied for such
14 grants, and shall undertake appropriate outreach activities
15 to encourage and assist eligible entities to submit applica-
16 tions for such grants.

17 “(e) TECHNICAL ASSISTANCE.—The Secretary shall,
18 directly or by contract, provide technical assistance to a
19 local educational agency upon request (in addition to any
20 technical assistance available under other provisions of
21 this Act or available through the Institute of Education
22 Sciences) to support the services and activities provided
23 under this subpart, including technical assistance for—

24 “(1) the development of applications under this
25 subpart;

1 “(2) improvement in the quality of implementa-
2 tion, content, and evaluation of activities supported
3 under this subpart; and

4 “(3) integration of activities under this subpart
5 with other educational activities carried out by the
6 local educational agency.”.

7 **SEC. 7115. AUTHORIZED SERVICES AND ACTIVITIES.**

8 Section 7115 (20 U.S.C. 7425) is amended—

9 (1) in subsection (a)—

10 (A) by adjusting the margin of paragraph
11 (1) to align with paragraphs (2) and (3); and

12 (B) in paragraph (1), by inserting “solely
13 for the services and activities described in such
14 application” after “section 7114(a)”;

15 (2) in subsection (b)—

16 (A) by redesignating paragraphs (1)
17 through (11) as paragraphs (2) through (12),
18 respectively;

19 (B) by inserting before paragraph (2), as
20 redesignated by subparagraph (A), the fol-
21 lowing:

22 “(1) activities that support Native American
23 language immersion programs and Native American
24 language restoration programs, which may be taught
25 by traditional leaders;”;

1 (C) in paragraph (3), as redesignated by
2 subparagraph (A), by striking “early childhood”
3 and inserting “high-quality early education”;

4 (D) in paragraph (4), as redesignated by
5 subparagraph (A), by striking “challenging
6 State academic content and student academic
7 achievement standards” and inserting “college
8 and career ready State academic content and
9 student academic achievement standards under
10 section 1111(a)”;

11 (E) by striking paragraph (5), as redesignated by subparagraph (A), and inserting the
12 following:
13

14 “(5) integrated educational services in combina-
15 tion with other programs to meet the unique needs
16 of Indian children and their families, including pro-
17 grams that promote parental involvement—

18 “(A) in school activities; and

19 “(B) to increase student achievement;”;

20 (F) by striking paragraph (7), as redesignated by subparagraph (A), and inserting the
21 following:
22

23 “(7) activities to educate individuals so as to
24 prevent violence, suicide, and substance abuse;”;

1 (G) by striking paragraphs (10) and (11),
2 as redesignated by subparagraph (A), and in-
3 serting the following:

4 “(10) activities that incorporate culturally and
5 linguistically relevant curriculum content into class-
6 room instruction that is responsive to the unique
7 learning styles of Indian and Alaska Native children
8 to ensure that such children are better able to meet
9 the student academic achievement standards, con-
10 sistent with section 1111(a);

11 “(11) family literacy activities;”;

12 (H) in paragraph (12), as redesignated by
13 subparagraph (A), by striking “children” and
14 all that follows through the period and inserting
15 “children; and”; and

16 (I) by adding at the end the following:

17 “(13) dropout prevention strategies and strate-
18 gies—

19 “(A) to meet the educational needs of at-
20 risk Indian students in correctional facilities;
21 and

22 “(B) to support Indian students who are
23 transitioning from such facilities to schools
24 served by local educational agencies.”;

25 (3) in subsection (c)—

1 (A) in paragraph (1)—

2 (i) by striking “section 7114(c)(4)”

3 and inserting “section 7114(c)(5)”; and

4 (ii) by striking “; and” and inserting
5 a semicolon;

6 (B) in paragraph (2), by striking the pe-
7 riod and inserting “; and”; and

8 (C) by adding at the end the following:

9 “(3) the local educational agency identifies in
10 its application how the use of such funds in a
11 schoolwide program will produce benefits to the In-
12 dian students that would not be achieved if the
13 funds were not used in a schoolwide program.”; and

14 (4) by adding at the end the following:

15 “(e) **LIMITATION ON USE OF FUNDS.**—Funds pro-
16 vided to a grantee under this subpart may not be used
17 for long-distance travel expenses for training activities
18 available locally or regionally.”.

19 **SEC. 7116. INTEGRATION OF SERVICES AUTHORIZED.**

20 Section 7116 (20 U.S.C. 7426) is amended—

21 (1) in subsection (d)(9), by striking “section
22 7114(c)(4)” and inserting “section 7114(c)(5)”;

23 (2) in subsection (g), in the matter preceding
24 paragraph (1)—

1 (A) by striking “the No Child Left Behind
2 Act of 2001” and inserting “the Strengthening
3 America’s Schools Act of 2013”;

4 (B) by inserting “the Secretary of Health
5 and Human Services,” after “the Secretary of
6 the Interior,”; and

7 (C) by inserting “and coordination” after
8 “providing for the implementation”;

9 (3) by striking subsection (o) and inserting the
10 following:

11 “(o) REPORT ON STATUTORY OBSTACLES TO, AND
12 BEST PRACTICES FOR, PROGRAM INTEGRATION.—

13 “(1) IN GENERAL.—Not later than 3 years
14 after the date of enactment of the Strengthening
15 America’s Schools Act of 2013, the Secretary of
16 Education shall submit a report to the authorizing
17 committees, the Committee on Indian Affairs of the
18 Senate, and the Committee on Natural Resources of
19 the House of Representatives on the results of the
20 implementation of the demonstration projects au-
21 thorized under this section.

22 “(2) CONTENTS.—Such report shall identify—

23 “(A) statutory barriers to the ability of
24 participants to integrate more effectively their
25 education and related services to Indian stu-

1 dents in a manner consistent with the objectives
2 of this section; and

3 “(B) the best practices for program inte-
4 gration that result in increased student pro-
5 ficiency, graduation rates, and other relevant
6 academic outcomes for Indian and Alaska Na-
7 tive students.”.

8 **SEC. 7117. STUDENT ELIGIBILITY FORMS.**

9 Section 7117 (20 U.S.C. 7427) is amended—

10 (1) in subsection (b)(1)—

11 (A) in subparagraph (A)(ii), by inserting
12 “or membership” after “enrollment”; and

13 (B) in subparagraph (B), by inserting “or
14 membership” after “enrollment”;

15 (2) by striking subsections (d) and (e) and in-
16 serting the following:

17 “(d) DOCUMENTATION AND TYPES OF PROOF.—

18 “(1) TYPES OF PROOF.—For purposes of deter-
19 mining whether a child is eligible to be counted for
20 the purpose of computing the amount of a grant
21 award under section 7113, the membership of the
22 child, or any parent or grandparent, of the child, in
23 a tribe or band of Indians (as so defined) may be
24 established by proof other than an enrollment num-
25 ber, notwithstanding the availability of an enroll-

1 ment number for a member of such tribe or band.
2 Nothing in subsection (b) shall be construed to re-
3 quire the furnishing of an enrollment number.

4 “(2) NO NEW OR DUPLICATE DETERMINA-
5 TIONS.—Once a child is determined to be an Indian
6 eligible to be counted for such grant award, the local
7 educational agency shall maintain a record of such
8 determination and shall not require a new or dupli-
9 cate determination to be made for such child for a
10 subsequent application for a grant under this sub-
11 part.

12 “(3) PREVIOUSLY FILED FORMS.—An Indian
13 student eligibility form that was on file as required
14 by this section on the day before the date of enact-
15 ment of the Strengthening America’s Schools Act of
16 2013 and that met the requirements of this section,
17 as this section was in effect on the day before the
18 date of enactment of such Act, shall remain valid for
19 such Indian student.”;

20 (3) by redesignating subsections (f) and (g) as
21 subsections (e) and (f), respectively;

22 (4) in subsection (f), as redesignated by para-
23 graph (3), by striking “the Bureau of Indian Af-
24 fairs” and inserting “the Bureau of Indian Edu-
25 cation”; and

1 (5) by inserting after subsection (f), as redesignig-
2 nated by paragraph (3), the following:

3 “(g) TECHNICAL ASSISTANCE.—The Secretary shall,
4 directly or through contract, provide technical assistance
5 to a local educational agency upon request, in addition to
6 any technical assistance available under section 1116 or
7 available through the Institute of Education Sciences, to
8 support the services and activities described under this
9 section, including for the—

10 “(1) development of applications under this sec-
11 tion;

12 “(2) improvement in the quality of implementa-
13 tion, content of activities, and evaluation of activities
14 supported under this subpart;

15 “(3) integration of activities under this title
16 with other educational activities established by the
17 local educational agency; and

18 “(4) coordination of activities under this title
19 with programs administered by each Federal agency
20 providing grants for the provision of educational and
21 related services.”.

1 **Subpart 2—Special Programs and Projects to Im-**
2 **prove Educational Opportunities for Indian**
3 **Children and Youth**

4 **SEC. 7121. SPECIAL PROGRAMS AND PROJECTS TO IM-**
5 **PROVE EDUCATIONAL OPPORTUNITIES FOR**
6 **INDIAN CHILDREN AND YOUTH.**

7 Subpart 2 of part A of title VII is amended by insert-
8 ing “**and Youth**” after “**Children**” in the subpart
9 heading.

10 **SEC. 7122. IMPROVEMENT OF EDUCATIONAL OPPORTUNI-**
11 **TIES FOR INDIAN CHILDREN AND YOUTH.**

12 Section 7121 (20 U.S.C. 7441) is amended—

13 (1) in the heading, by adding “**AND YOUTH**”
14 after “**CHILDREN**”;

15 (2) in subsection (a), by inserting “and youth”
16 after “children” both places the term appears;

17 (3) in subsection (c)—

18 (A) by inserting “and youth” after “chil-
19 dren” each place the term appears; and

20 (B) in paragraph (1)—

21 (i) in subparagraph (D), by inserting
22 “emotional,” after “social,”;

23 (ii) by striking subparagraph (G) and
24 inserting the following:

25 “(G) high-quality early childhood education
26 programs that are effective in preparing young

1 children to be making sufficient academic
2 growth by the end of grade 3, including kinder-
3 garten and prekindergarten programs, family-
4 based preschool programs that emphasize school
5 readiness, screening and referral, and the provi-
6 sion of services to Indian children and youth
7 with disabilities;”;

8 (iii) in subparagraph (K), by striking
9 “family literacy services” and inserting
10 “family literacy activities”;

11 (iv) in subparagraph (L), by striking
12 “qualified tribal elders and seniors; or”
13 and inserting “traditional leaders;”;

14 (v) in subparagraph (M), by striking
15 the period at the end and inserting “; or”;
16 and

17 (vi) by adding at the end the fol-
18 lowing:

19 “(N) other services that meet the purpose
20 described in this section.”;

21 (C) in paragraph (2), by striking “Profes-
22 sional development of” and inserting “High-
23 quality professional development of”;

24 (4) in subsection (d)—

1 (A) in paragraph (1)(C), by striking
2 “make a grant payment for a grant described
3 in this paragraph to an eligible entity after the
4 initial year of the multi-year grant only if the
5 Secretary determines” and inserting “award
6 grants for an initial period of not more than 3
7 years and may renew such grants for not more
8 than an additional 2 years if the Secretary de-
9 termines”; and

10 (B) in paragraph (3)(B)—

11 (i) in clause (i), by striking “parents
12 of Indian children and representatives of
13 Indian tribes” and inserting “family mem-
14 bers of Indian children and youth and offi-
15 cial representatives designated by the In-
16 dian tribes”; and

17 (ii) in clause (iii)—

18 (I) by striking “information” and
19 inserting “evidence”; and

20 (II) by striking “scientifically
21 based” and inserting “evidence-
22 based”; and

23 (5) by adding at the end the following:

24 “(f) CONTINUATION.—Notwithstanding any other
25 provision of this section, a grantee that is carrying out

1 activities pursuant to a grant awarded under this section
2 prior to the date of enactment of the Strengthening Amer-
3 ica’s Schools Act of 2013 may continue to carry out such
4 activities under such grant in accordance with the terms
5 of that grant award.”.

6 **SEC. 7123. PROFESSIONAL DEVELOPMENT FOR TEACHERS**
7 **AND EDUCATION PROFESSIONALS.**

8 Section 7122 (20 U.S.C. 7442) is amended—

9 (1) in subsection (a), by striking paragraphs
10 (1) and (2) and inserting the following:

11 “(1) to increase the number of qualified Indian
12 teachers and administrators serving Indian students;

13 “(2) to provide training to qualified Indian indi-
14 viduals to become educators; and”;

15 (2) in subsection (d), by adding at the end the
16 following:

17 “(3) CONTINUATION.—Notwithstanding any
18 other provision of this section, a grantee that is car-
19 rying out activities pursuant to a grant awarded
20 under this section prior to the date of enactment of
21 the Strengthening America’s Schools Act of 2013
22 may continue to carry out such activities under such
23 grant in accordance with the terms of that award.”;

24 (3) by striking subsection (e) and inserting the
25 following:

1 “(e) APPLICATION.—Each eligible entity desiring a
2 grant under this section shall submit an application to the
3 Secretary at such time, in such manner, and accompanied
4 by such information, as the Secretary may reasonably re-
5 quire. At a minimum, an application under this section
6 shall describe how the eligible entity will—

7 “(1) recruit qualified Indian individuals, such
8 as students who may not be of traditional college
9 age, to become teachers or principals;

10 “(2) use funds made available under the grant
11 to support the recruitment, preparation, and profes-
12 sional development of Indian teachers or principals
13 in local educational agencies that serve a high pro-
14 portion of Indian students; and

15 “(3) assist participants in meeting the require-
16 ments under subsection (h).”;

17 (4) by striking subsection (g) and inserting the
18 following:

19 “(g) GRANT PERIOD.—The Secretary shall award
20 grants under this section for an initial period of not more
21 than 3 years, and may renew such grants for not more
22 than an additional 2 years if the Secretary finds that the
23 grantee is achieving the objectives of the grant.”; and

24 (5) in subsection (h)(1)(A), by striking clause
25 (ii) and inserting the following:

1 “(ii) in a local educational agency that
2 serves a high proportion of Indian stu-
3 dents; or”.

4 **Subpart 3—National Activities**

5 **SEC. 7131. NATIONAL ACTIVITIES.**

6 Subpart 3 of part A of title VII (20 U.S.C. 7451 et
7 seq.) is amended—

8 (1) in section 7131—

9 (A) in subsection (a)—

10 (i) in the matter preceding paragraph
11 (1), by striking “under section 7152(b)”
12 and inserting “to carry out this subpart”;

13 (ii) in paragraph (1), by striking “the
14 education” and inserting “improving the
15 academic achievement and development”;

16 (iii) by striking paragraph (2);

17 (iv) by redesignating paragraph (3) as
18 paragraph (2);

19 (v) in paragraph (2), as redesignated
20 by clause (iv), by striking “Indians; and”
21 and inserting “Indian students;”; and

22 (vi) by inserting after paragraph (2),
23 as redesignated by clause (iv), the fol-
24 lowing:

1 “(3) provide technical assistance and logistical
2 support to grantees under this subpart; and”;

3 (B) by striking subsection (c) and insert-
4 ing the following:

5 “(c) COORDINATION.—Research activities supported
6 under this section—

7 “(1) shall be coordinated with appropriate of-
8 fices within the Department; and

9 “(2) may include collaborative research activi-
10 ties that are jointly funded and carried out by the
11 Bureau of Indian Education and the Institute of
12 Education Sciences.”;

13 (2) by striking sections 7132, 7133, 7134,
14 7135, and 7136; and

15 (3) by adding at the end the following:

16 **“SEC. 7132. IMPROVEMENT OF ACADEMIC SUCCESS FOR**
17 **STUDENTS THROUGH NATIVE AMERICAN**
18 **LANGUAGE.**

19 “(a) PURPOSE.—It is the purpose of this section to
20 improve educational opportunities and academic achieve-
21 ment of Indian and Alaska Native students through Na-
22 tive American language programs and to foster the acqui-
23 sition of Native American language.

24 “(b) DEFINITION OF ELIGIBLE ENTITY.—In this sec-
25 tion, the term ‘eligible entity’ means a State educational

1 agency, local educational agency, Indian tribe, Indian or-
2 ganization, federally supported elementary school or sec-
3 ondary school for Indian students, Indian institution (in-
4 cluding an Indian institution of higher education), or a
5 consortium of such entities.

6 “(c) GRANTS AUTHORIZED.—The Secretary shall
7 award grants to eligible entities to enable such entities to
8 carry out the following activities:

9 “(1) Native American language programs
10 that—

11 “(A) provide instruction through the use of
12 a Native American language for not less than
13 10 children for an average of not less than 500
14 hours per year per student;

15 “(B) provide for the involvement of par-
16 ents, caregivers, and families of students en-
17 rolled in the program;

18 “(C) utilize, and may include the develop-
19 ment of, instructional courses and materials for
20 learning Native American languages and for in-
21 struction through the use of Native American
22 languages;

23 “(D) provide support for professional de-
24 velopment activities; and

1 “(E) include a goal of all students achiev-
2 ing—

3 “(i) fluency in a Native American lan-
4 guage; and

5 “(ii) academic proficiency in mathe-
6 matics, English, reading or language arts,
7 and science.

8 “(2) Native American language restoration pro-
9 grams that—

10 “(A) provide instruction in not less than 1
11 Native American language;

12 “(B) provide support for professional de-
13 velopment activities for teachers of Native
14 American languages;

15 “(C) develop instructional materials for the
16 programs; and

17 “(D) include the goal of increasing pro-
18 ficiency and fluency in not less than 1 Native
19 American language.

20 “(d) APPLICATION.—

21 “(1) IN GENERAL.—An eligible entity that de-
22 sires to receive a grant under this section shall sub-
23 mit an application to the Secretary at such time, in
24 such manner, and accompanied by such information
25 as the Secretary may require.

1 “(2) CERTIFICATION.—An eligible entity that
2 submits an application for a grant to carry out the
3 activity specified in subsection (c)(1), shall include
4 in such application a certification that assures that
5 such entity has experience and a demonstrated
6 record of effectiveness in operating and admin-
7 istering a Native American language program or any
8 other educational program in which instruction is
9 conducted in a Native American language.

10 “(e) GRANT DURATION.—The Secretary shall make
11 grants under this section only on a multi-year basis. Each
12 such grant shall be for a period not to exceed 5 years.

13 “(f) DEFINITION.—In this section, the term ‘average’
14 means the aggregate number of hours of instruction
15 through the use of a Native American language to all stu-
16 dents enrolled in a Native American language program
17 during a school year divided by the total number of stu-
18 dents enrolled in the program.

19 “(g) ADMINISTRATIVE COSTS.—

20 “(1) IN GENERAL.—Except as provided in para-
21 graph (2), not more than 5 percent of the funds pro-
22 vided to a grantee under this section for any fiscal
23 year may be used for administrative purposes.

24 “(2) EXCEPTION.—An elementary school or
25 secondary school for Indian students that receives

1 funds from a recipient of a grant under subsection
2 (c) for any fiscal year may use not more than 10
3 percent of the funds for administrative purposes.

4 **“SEC. 7133. IMPROVING STATE AND TRIBAL EDUCATION**
5 **AGENCY COLLABORATION.**

6 “The Secretary, in consultation with the Director of
7 the Bureau of Indian Education, shall conduct a study of
8 the relationship among State educational agencies, local
9 educational agencies, and other relevant State and local
10 agencies, and tribes or tribal representatives to—

11 “(1) identify examples of best practices in col-
12 laboration among those entities that result in the
13 provision of better services to Indian students; and

14 “(2) provide recommendations on—

15 “(A) State educational agency functions
16 that tribal educational agencies could perform;

17 “(B) areas and agency functions in which
18 greater State educational agency and tribal
19 education agency collaboration is needed; and

20 “(C) other steps to reducing barriers to
21 serving Indian students, especially such stu-
22 dents who are at risk of academic failure.”.

1 **Subpart 4—Federal Administration**

2 **SEC. 7141. NATIONAL ADVISORY COUNCIL ON INDIAN EDU-**
3 **CATION.**

4 Section 7141(b)(1) (20 U.S.C. 7471(b)(1)) is amend-
5 ed by inserting “and the Secretary of the Interior” after
6 “advise the Secretary”.

7 **Subpart 5—Definitions; Authorization of**
8 **Appropriations**

9 **SEC. 7151. DEFINITIONS; AUTHORIZATION OF APPROPRIA-**
10 **TIONS.**

11 Subpart 5 of part A of title VII (20 U.S.C. 7491 et
12 seq.) is amended—

13 (1) in the subpart heading, by striking “; **Au-**
14 **thorizations of Appropriations**”;

15 (2) by striking section 7152; and

16 (3) in section 7151—

17 (A) by striking paragraph (2);

18 (B) by redesignating paragraph (3) as
19 paragraph (2); and

20 (C) by adding at the end the following:

21 “(3) TRADITIONAL LEADERS.—The term ‘tradi-
22 tional leaders’ has the meaning given the term in the
23 Native American Languages Act of 1990 (25 U.S.C.
24 2902).”.

1 **PART B—NATIVE HAWAIIAN EDUCATION; ALASKA**

2 **NATIVE EDUCATION**

3 **SEC. 7201. NATIVE HAWAIIAN EDUCATION AND ALASKA NA-**

4 **TIVE EDUCATION.**

5 Title VII (20 U.S.C. 7401 et seq.) is amended—

6 (1) in part B, by striking the part heading and
7 inserting the following: “**NATIVE HAWAIIAN EDU-**
8 **CATION; ALASKA NATIVE EDUCATION**”;

9 (2) by inserting before section 7201 the fol-
10 lowing:

11 **“Subpart 1—Native Hawaiian Education”;**

12 (3) in section 7201, by striking “part” and in-
13 serting “subpart”;

14 (4) by redesignating part C as subpart 2 of
15 part B; and

16 (5) in subpart 2 of part B, as redesignated by
17 paragraph (4), by striking the heading and inserting
18 **“Alaska Native Education”**.

19 **Subpart 1—Native Hawaiian Education**

20 **SEC. 7202. FINDINGS.**

21 Section 7202 (20 U.S.C. 7512) is amended to read
22 as follows:

23 **“SEC. 7202. FINDINGS.**

24 “Congress finds the following:

25 “(1) Native Hawaiians are a distinct and
26 unique indigenous people with a historical continuity

1 to the original inhabitants of the Hawaiian archi-
2 pelago, whose society was organized as a nation and
3 internationally recognized as a nation by the United
4 States, and many other countries.

5 “(2) Native Hawaiians have a cultural, historic,
6 and land-based link to the indigenous people who ex-
7 ercised sovereignty over the Hawaiian Islands.

8 “(3) The political relationship between the
9 United States and the Native Hawaiian people has
10 been recognized and reaffirmed by the United
11 States, as evidenced by the inclusion of Native Ha-
12 waiians in many Federal statutes.

13 “(4) In 1993, 2005, and 2009, the Kameha-
14 meha Schools Bishop Estate released the findings of
15 the Native Hawaiian Educational Assessment
16 Project, which found that despite the successes of
17 the programs established under title IV of the Au-
18 gustus F. Hawkins-Robert T. Stafford Elementary
19 and Secondary School Improvement Amendments of
20 1988, many of the same educational needs still ex-
21 isted for Native Hawaiians.

22 “(5) The percentage of Native Hawaiian stu-
23 dents served by the State of Hawaii Department of
24 Education rose 30 percent from 1980 to 2008, and
25 there are and will continue to be geographically

1 rural, isolated areas with a high Native Hawaiian
2 population density.

3 “(6) The Native Hawaiian people are deter-
4 mined to preserve, develop, and transmit to future
5 generations their ancestral territory and their cul-
6 tural identity in accordance with their own spiritual
7 and traditional beliefs, customs, practices, language,
8 and social institutions.

9 “(7) The State of Hawaii, in the constitution
10 and statutes of the State of Hawaii—

11 “(A) reaffirms and protects the unique
12 right of the Native Hawaiian people to practice
13 and perpetuate their culture and religious cus-
14 toms, beliefs, practices, and language;

15 “(B) recognizes the traditional language of
16 the Native Hawaiian people as an official lan-
17 guage of the State of Hawaii, which may be
18 used as the language of instruction for all sub-
19 jects and grades in the public school system;
20 and

21 “(C) promotes the study of the Hawaiian
22 culture, language, and history by providing a
23 Hawaiian education program and using commu-
24 nity expertise as a suitable and essential means
25 to further the program.”.

1 **SEC. 7203. PURPOSES.**

2 Section 7203 (20 U.S.C. 7513) is amended to read
3 as follows:

4 **“SEC. 7203. PURPOSES.**

5 “The purposes of this subpart are to—

6 “(1) develop, implement, assess, expand, and
7 evaluate innovative educational programs, Native
8 Hawaiian language medium programs, Native Ha-
9 waiian culture-based education programs, and other
10 education programs to improve the academic
11 achievement of Native Hawaiian students by meet-
12 ing their unique cultural and language needs to help
13 such students meet college and career ready State
14 academic content and student academic achievement
15 standards adopted under section 1111(a)(1);

16 “(2) provide guidance to appropriate Federal,
17 State, and local agencies to more effectively and effi-
18 ciently focus resources, including resources made
19 available under this subpart, on the development and
20 implementation of—

21 “(A) innovative educational programs for
22 Native Hawaiian students;

23 “(B) rigorous and substantive Native Ha-
24 waiian language programs; and

25 “(C) Native Hawaiian culture-based edu-
26 cational programs; and

1 “(3) create a system by which information from
2 programs funded under this subpart will be col-
3 lected, analyzed, evaluated, reported, and used in de-
4 cision making activities with respect to the types of
5 grants awarded under this subpart.”.

6 **SEC. 7204. NATIVE HAWAIIAN EDUCATION COUNCIL.**

7 Section 7204 (20 U.S.C. 7514) is amended to read
8 as follows:

9 **“SEC. 7204. NATIVE HAWAIIAN EDUCATION COUNCIL.**

10 “(a) GRANT AUTHORIZED.—

11 “(1) IN GENERAL.—In order to better effec-
12 tuate the purposes of this subpart through the co-
13 ordination of educational and related services and
14 programs available to Native Hawaiian students, in-
15 cluding those programs receiving funding under this
16 subpart, the Secretary shall award a grant to an
17 education council, as described in subsection (b).

18 “(2) DURATION OF GRANT.—A grant under
19 this section shall be for a period of 5 years.

20 “(3) FUNDING.—For each fiscal year, the Sec-
21 retary shall use the amount described in section
22 7205(h)(1) to make a payment under the grant.
23 Funds made available through the grant shall re-
24 main available until expended.

25 “(b) COMPOSITION.—

1 “(1) ELIGIBILITY.—To be eligible to receive the
2 grant under subsection (a), the council shall be an
3 education council (referred to in this section as the
4 ‘Education Council’) that meets the requirements of
5 this subsection.

6 “(2) IN GENERAL.—The Education Council
7 shall consist of 15 members, of whom—

8 “(A) 1 shall be the President of the Uni-
9 versity of Hawaii (or a designee);

10 “(B) 1 shall be the Governor of the State
11 of Hawaii (or a designee);

12 “(C) 1 shall be the Superintendent of the
13 State of Hawaii Department of Education (or a
14 designee);

15 “(D) 1 shall be the chairperson of the Of-
16 fice of Hawaiian Affairs (or a designee);

17 “(E) 1 shall be the executive director of
18 Hawaii’s Charter School Network (or a des-
19 ignee);

20 “(F) 1 shall be the chief executive officer
21 of the Kamehameha Schools (or a designee);

22 “(G) 1 shall be the chairperson of the
23 Queen Liliuokalani Trust (or a designee);

24 “(H) 1 shall be a member, selected by the
25 other members of the Education Council, who

1 represents a private grant making entity (or a
2 designee);

3 “(I) 1 shall be the mayor of the County of
4 Hawaii (or a designee);

5 “(J) 1 shall be the Mayor of Maui County
6 (or a designee from the Island of Maui);

7 “(K) 1 shall be the Mayor of the County
8 of Kauai (or a designee);

9 “(L) 1 shall be appointed by the Mayor of
10 Maui County from the Island of either Molokai
11 or Lanai;

12 “(M) 1 shall be the Mayor of the City and
13 County of Honolulu (or a designee);

14 “(N) 1 shall be the Chairperson of the Ha-
15 waiian Homes Commission (or a designee); and

16 “(O) 1 shall be the Chairperson of the Ha-
17 waii Workforce Development Council (or a des-
18 ignedee representing the private sector).

19 “(3) REQUIREMENTS.—Any designee serving on
20 the Council shall demonstrate, as determined by the
21 individual who appointed such designee with input
22 from the Native Hawaiian community, not less than
23 5 years of experience as a consumer or provider of
24 Native Hawaiian education or cultural activities,

1 with traditional cultural experience given due consid-
2 eration.

3 “(4) LIMITATION.—A member of the Education
4 Council, including a designee, may not receive, as an
5 individual, grant funds awarded under this subpart
6 while serving on the Education Council.

7 “(5) NO COMPENSATION.—None of the funds
8 made available through the grant may be used to
9 provide compensation to any member of the Edu-
10 cation Council or member of a working group estab-
11 lished by the Education Council, for functions de-
12 scribed in this section.

13 “(6) ADMINISTRATIVE PROVISIONS RELATING
14 TO EDUCATION COUNCIL.—The Education Council
15 shall meet at the call of the Chair of the Council,
16 or upon request by a majority of the members of the
17 Education Council, but in any event not less often
18 than every 120 days.

19 “(7) CHAIR, VICE CHAIR.—

20 “(A) SELECTION.—The Education Council
21 shall select a Chair and Vice Chair from among
22 the members of the Education Council.

23 “(B) SERVICE.—The Chair and Vice Chair
24 selected under subparagraph (A) shall each
25 serve for one 2-year term.

1 “(c) USE OF FUNDS FOR TECHNICAL ASSISTANCE
2 AND ASSESSMENT.—The Education Council shall use
3 funds made available through the grant under this section
4 to carry out, directly or through subgrant or contract, the
5 following activities:

6 “(1) Providing technical assistance to Native
7 Hawaiian organizations that are grantees or poten-
8 tial grantees under this subpart.

9 “(2) Obtaining from such grantees information
10 and data regarding grants awarded under this sub-
11 part, including information and data about—

12 “(A) the effectiveness of such grantees in
13 meeting the educational priorities recommended
14 by the Education Council under subsection
15 (e)(1)(B), using metrics consistent with such
16 priorities; and

17 “(B) the effectiveness of such grantees in
18 carrying out any of the activities described in
19 section 7205(c) that are related to the specific
20 goals and purposes of each grantee’s grant
21 project, using metrics consistent with such
22 goals and purposes.

23 “(3) Assessing and defining the educational
24 needs of Native Hawaiians.

1 “(4) Assessing the programs and services avail-
2 able to address the educational needs of Native Ha-
3 waiians.

4 “(5) Assessing and evaluating the individual
5 and aggregate impact achieved by grantees under
6 this subpart in improving Native Hawaiian edu-
7 cational performance and meeting the goals of this
8 subpart.

9 “(6) Providing direction and guidance, through
10 the issuance of reports and recommendations, to ap-
11 propriate Federal, State, and local agencies in order
12 to focus and improve the use of resources, including
13 resources made available under this subpart, relating
14 to Native Hawaiian student education, and serve,
15 where appropriate, in an advisory capacity.

16 “(7) Hiring an executive director to enable the
17 Commission to carry out the activities described in
18 this subsection.

19 “(d) USE OF FUNDS FOR COMMUNITY CONSULTA-
20 TIONS.—The Education Council shall use funds made
21 available through the grant under this section to hold not
22 less than 1 community consultation each year on each of
23 the Islands of Hawaii, Maui, Molokai, Lanai, Oahu, and
24 Kauai, at which—

1 “(1) not less than 3 members of the Education
2 Council shall be in attendance;

3 “(2) the Education Council shall gather com-
4 munity input regarding—

5 “(A) entities that are, at the time of the
6 community consultation, receiving a grant
7 under this subpart;

8 “(B) priorities and needs; and

9 “(C) other Native Hawaiian educational
10 issues; and

11 “(3) the Education Council shall report to the
12 community on the outcomes of the grants awarded
13 under this subpart.

14 “(e) REPORTS.—

15 “(1) ANNUAL EDUCATION COUNCIL REPORT.—

16 The Education Council shall use funds made avail-
17 able through the grant under this section to prepare
18 and submit to the Secretary, before the end of each
19 calendar year, annual reports that contain—

20 “(A) a description of the activities of the
21 Education Council during the preceding cal-
22 endar year;

23 “(B) recommendations of the Education
24 Council, if any, regarding priorities to be estab-
25 lished under section 7205(b);

1 “(C) significant barriers to achieving the
2 goals under this subpart;

3 “(D) a summary of each community con-
4 sultation session, as described in subsection (d);
5 and

6 “(E) recommendations to establish funding
7 priorities based on an assessment of—

8 “(i) the educational needs of Native
9 Hawaiians;

10 “(ii) programs and services currently
11 available to address such needs, including
12 the effectiveness of such programs in im-
13 proving educational performance of Native
14 Hawaiians; and

15 “(iii) priorities for funding in specific
16 geographic communities.

17 “(2) REPORT BY THE SECRETARY.—Not later
18 than 2 years after the date of enactment of the
19 Strengthening America’s Schools Act of 2013, the
20 Secretary shall prepare and submit to the Com-
21 mittee on Indian Affairs of the Senate and the au-
22 thorizing committees a report that—

23 “(A) summarizes the annual reports of the
24 Education Council;

1 “(B) describes the allocation and use of
2 funds under this subpart and the information
3 gathered since the first annual report submitted
4 by the Education Council to the Secretary
5 under this section; and

6 “(C) contains recommendations for
7 changes in Federal, State, and local policy to
8 advance the purposes of this subpart.”.

9 **SEC. 7205. PROGRAM AUTHORIZED.**

10 Section 7205 (20 U.S.C. 7515) is amended to read
11 as follows:

12 **“SEC. 7205. PROGRAM AUTHORIZED.**

13 “(a) GRANTS AND CONTRACTS.—In order to carry
14 out programs that meet the purposes of this subpart, the
15 Secretary is authorized to award grants to, or enter into
16 contracts with—

17 “(1) Native Hawaiian educational organiza-
18 tions;

19 “(2) Native Hawaiian community-based organi-
20 zations;

21 “(3) public and private nonprofit organizations,
22 agencies, and institutions with experience in success-
23 fully developing or operating Native Hawaiian edu-
24 cation and workforce development programs or pro-

1 grams of instruction in the Native Hawaiian lan-
2 guage;

3 “(4) charter schools; and

4 “(5) consortia of the organizations, agencies,
5 institutions, and schools described in paragraphs (1)
6 through (4).

7 “(b) PRIORITY.—In awarding grants and entering
8 into contracts under this subpart, the Secretary shall give
9 priority to—

10 “(1) programs that meet the educational prior-
11 ities recommended by the Education Council under
12 section 7204(e)(1)(B);

13 “(2) programs designed to improve the aca-
14 demic achievement of Native Hawaiian students by
15 meeting their unique cultural and linguistic needs in
16 order to help such students meet college and career
17 ready academic standards adopted under section
18 1111(a)(1); and

19 “(3) programs in which a State educational
20 agency, local educational agency, institution of high-
21 er education, or a State educational agency or local
22 educational agency in partnership with an institution
23 of higher education apply for a grant or contract
24 under this subpart as part of a partnership or con-
25 sortium.

1 “(c) AUTHORIZED ACTIVITIES.—Activities provided
2 through programs carried out under this subpart may in-
3 clude—

4 “(1) the development and maintenance of a
5 statewide Native Hawaiian early childhood education
6 system to provide a continuum of high-quality serv-
7 ices for Native Hawaiian children from the prenatal
8 period through the age of kindergarten entry;

9 “(2) the operation of family-based education
10 centers that provide such services as—

11 “(A) programs for Native Hawaiian par-
12 ents and their infants from the prenatal period
13 of infancy through age 3;

14 “(B) preschool programs for Native Ha-
15 waiian children; and

16 “(C) research on, and development and as-
17 sessment of, family-based early childhood edu-
18 cation programs for Native Hawaiians;

19 “(3) activities that enhance beginning reading
20 and literacy in either the Hawaiian or the English
21 language among Native Hawaiian students in kin-
22 dergarten through grade 3 and assistance in ad-
23 dressing the distinct features of combined English
24 and Hawaiian literacy for Hawaiian speakers in
25 grades 5 and 6;

1 “(4) activities to meet the special needs of Na-
2 tive Hawaiian students with disabilities, including—

3 “(A) the identification of such students
4 and their needs;

5 “(B) the provision of support services to
6 the families of those students; and

7 “(C) other activities consistent with the re-
8 quirements of the Individuals with Disabilities
9 Education Act;

10 “(5) activities that address the special needs of
11 Native Hawaiian students who are gifted and tal-
12 ented, including—

13 “(A) educational, psychological, social,
14 emotional, and developmental activities designed
15 to assist in the educational progress of such
16 students; and

17 “(B) activities that involve the parents of
18 such students in a manner designed to assist in
19 the students’ educational progress;

20 “(6) the development of academic and career
21 and technical curricula to address the needs of Na-
22 tive Hawaiian children, youth, and adults, including
23 curricula materials in the Hawaiian language and
24 mathematics, science, engineering, and technology

1 curricula that incorporate Native Hawaiian tradition
2 and culture;

3 “(7) professional development activities for edu-
4 cators, including—

5 “(A) the development of programs to pre-
6 pare prospective teachers to address the unique
7 needs of Native Hawaiian students within the
8 context of Native Hawaiian culture, language,
9 and traditions;

10 “(B) in-service programs to improve the
11 ability of teachers who teach in schools with
12 concentrations of Native Hawaiian students to
13 meet those students’ unique needs; and

14 “(C) the recruitment and preparation of
15 Native Hawaiian individuals, and other individ-
16 uals who live in communities with a high con-
17 centration of Native Hawaiians, to become
18 teachers or leaders;

19 “(8) the operation of community-based learning
20 centers that address the needs of Native Hawaiian
21 families and communities through the coordination
22 of public and private programs and services, includ-
23 ing—

24 “(A) early childhood education programs,
25 including preschool programs;

1 “(B) before- and after-school programs
2 and weekend academies;

3 “(C) career and technical and adult edu-
4 cation programs; and

5 “(D) programs that recognize and support
6 the unique cultural and educational needs of
7 Native Hawaiian children and youth and incor-
8 porate appropriately qualified Native Hawaiian
9 elders and seniors;

10 “(9) activities, including program co-location, to
11 enable Native Hawaiian individuals to enter and
12 complete programs of postsecondary education, in-
13 cluding—

14 “(A) the provision of full or partial schol-
15 arships for undergraduate or graduate study
16 that are awarded to students based on their
17 academic promise and financial need, with a
18 priority, at the graduate level, given to Native
19 Hawaiian students entering professions in
20 which Native Hawaiians are underrepresented;

21 “(B) family literacy activities;

22 “(C) counseling and support services for
23 students receiving scholarship assistance;

1 “(D) counseling and guidance for Native
2 Hawaiian secondary school students who have
3 the potential to receive scholarships;

4 “(E) assistance with completing the higher
5 education admissions and financial aid applica-
6 tion process; and

7 “(F) faculty development activities de-
8 signed to promote the matriculation of Native
9 Hawaiian students;

10 “(10) activities that recognize and support the
11 unique needs of Native Hawaiian youth regarding
12 the completion of quality workforce preparation and
13 training programs and activities, including appren-
14 ticeship programs;

15 “(11) research and data collection activities to
16 determine the educational status and needs of Na-
17 tive Hawaiian children and youth;

18 “(12) other research and evaluation activities
19 related to programs carried out under this subpart;
20 and

21 “(13) other activities, consistent with the pur-
22 poses of this subpart, to meet the educational needs
23 of Native Hawaiian children and youth.

1 “(d) ADDITIONAL ACTIVITIES.—From funds made
2 available to carry out this subpart, the Secretary shall sup-
3 port the following:

4 “(1) The development of a body of Native Ha-
5 waiian law.

6 “(2) The repair and renovation of public
7 schools that serve high concentrations of Native Ha-
8 waiian students.

9 “(3) Informal education programs that present
10 traditional Hawaiian knowledge, science, astronomy,
11 and the environment through State museums or
12 learning centers.

13 “(4) Public charter schools serving high con-
14 centrations of Native Hawaiian students.

15 “(5) The perpetuation of, and expansion of ac-
16 cess to, Hawaiian culture and history through digital
17 archives.

18 “(e) SPECIAL RULE AND CONDITIONS.—

19 “(1) INSTITUTIONS OUTSIDE HAWAII.—The
20 Secretary may not establish a policy under this sec-
21 tion that prevents a Native Hawaiian student en-
22 rolled at a 2- or 4-year degree-granting institution
23 of higher education outside of the State of Hawaii
24 from receiving a scholarship pursuant to subsection
25 (c)(9)(A).

1 “(2) SCHOLARSHIP CONDITIONS.—The Sec-
2 retary shall establish conditions for receipt of a
3 scholarship awarded under subsection (c)(9)(A). The
4 conditions shall require that an individual seeking
5 such a scholarship enter into a contract to provide
6 professional services, either during the scholarship
7 period or upon completion of a program of postsec-
8 ondary education, to the Native Hawaiian commu-
9 nity.

10 “(f) TREATMENT OF FUNDS.—

11 “(1) IN GENERAL.—Except as provided in para-
12 graph (2), funds made available under this subpart
13 shall be used to supplement, and not supplant, any
14 State or local funds used to achieve the purposes of
15 this subpart.

16 “(2) EXCEPTION.—Paragraph (1) shall not
17 apply to any nonprofit entity or Native Hawaiian
18 community-based organization that receives a grant
19 or other funds under this subpart.

20 “(g) ADMINISTRATIVE COSTS.—

21 “(1) IN GENERAL.—Except as provided in para-
22 graph (2), not more than 5 percent of funds pro-
23 vided to a recipient of a grant or contract under
24 subsection (a) for any fiscal year may be used for
25 administrative purposes.

1 “(2) EXCEPTION.—Not more than 10 percent
2 of funds provided under subsection (a) for any fiscal
3 year to a nonprofit entity serving the Native Hawai-
4 ian community may be used for administrative pur-
5 poses.

6 “(h) RESERVATION; AVAILABILITY OF FUNDS.—

7 “(1) RESERVATION.—From the funds made
8 available to carry out this subpart, the Secretary
9 shall reserve, for each of fiscal years 2012 through
10 2017, not less than \$500,000 for the Education
11 Council.

12 “(2) AVAILABILITY.—Funds made available to
13 carry out this subpart and funds reserved under this
14 subsection shall remain available until expended.”.

15 **SEC. 7206. ADMINISTRATIVE PROVISIONS.**

16 Section 7206 (20 U.S.C. 7516) is amended to read
17 as follows:

18 **“SEC. 7206. ADMINISTRATIVE PROVISIONS.**

19 “(a) APPLICATION REQUIRED.—

20 “(1) IN GENERAL.—No grant may be made
21 under this subpart, and no contract may be entered
22 into under this subpart, unless the entity seeking the
23 grant or contract submits an application to the Sec-
24 retary at such time, in such manner, and containing
25 such information as the Secretary may determine to

1 be necessary to carry out the provisions of this sub-
2 part.

3 “(2) ACADEMIC PROJECTS.—Applications sub-
4 mitted under this subpart to carry out projects and
5 activities that are academic in nature shall de-
6 scribe—

7 “(A) the criteria that will be used to en-
8 sure that such projects and activities use evi-
9 dence-based strategies and methods; and

10 “(B) the process through which the appli-
11 cant will monitor and report such activities, in-
12 cluding the achievement of identified objectives.

13 “(b) APPLICATIONS TO EDUCATION COUNCIL.—The
14 Secretary shall provide to the Education Council a copy
15 of each grant or contract application submitted under this
16 subpart.

17 “(c) ANNUAL REPORT.—

18 “(1) IN GENERAL.—Each entity that receives a
19 grant under this subpart (except for section 7204)
20 shall submit to the Secretary an annual report, in
21 such form and containing such information as the
22 Secretary may require, that determines the extent to
23 which activities carried out with funds provided
24 under this subpart are effective in improving the

1 educational achievement of Native Hawaiian stu-
2 dents served by such funds.

3 “(2) CONTENT.—As a part of the information
4 reported under paragraph (1), each entity that re-
5 ceives a grant under this subpart shall provide data,
6 using information from the most recent year for
7 which data are available, on—

8 “(A) the academic achievement of the Na-
9 tive Hawaiian students the entity serves, as
10 measured by the State assessments required
11 under section 1111(a)(2) and the high school
12 graduation rates and institution of higher edu-
13 cation attendance rates of those students; and

14 “(B) such other measures as the Secretary
15 may prescribe.”

16 **SEC. 7207. DEFINITIONS.**

17 Section 7207 (20 U.S.C. 7517) is amended—

18 (1) in the matter preceding paragraph (1), by
19 striking “part” and inserting “subpart”;

20 (2) by redesignating paragraphs (1) through
21 (6) as paragraphs (2) through (7), respectively; and

22 (3) by inserting before paragraph (2), as red-
23 igned by paragraph (2), the following:

1 “(1) COMMUNITY CONSULTATION.—The term
2 ‘community consultation’ means a public gath-
3 ering—

4 “(A) to discuss Native Hawaiian education
5 concerns; and

6 “(B) about which the public has been given
7 not less than 30 days notice.”.

8 **Subpart 2—Alaska Native Education**

9 **SEC. 7301. ALASKA NATIVE EDUCATION.**

10 Subpart 2 of part B of title VII (20 U.S.C. 7541
11 et seq.), as amended by section 7201, is further amended
12 by striking sections 7301 through 7306 and inserting the
13 following:

14 **“SEC. 7301. SHORT TITLE.**

15 “‘This subpart may be cited as the ‘Alaska Native
16 Educational Equity, Support, and Assistance Act’.

17 **“SEC. 7302. FINDINGS.**

18 “Congress finds the following:

19 “(1) The attainment of educational success is
20 critical to the betterment of the conditions, long-
21 term well-being, and preservation of the culture and
22 languages of Alaska Natives.

23 “(2) It is the policy of the Federal Government
24 to encourage the maximum participation by Alaska
25 Natives in the planning and the management of

1 Alaska Native education programs and to support
2 efforts developed by and undertaken within the Alas-
3 ka Native community to improve educational oppor-
4 tunity for all students.

5 “(3) Alaska Native children enter and exit
6 school with serious educational handicaps.

7 “(4) The educational achievement of Alaska
8 Native children is far below national norms. Alaska
9 Native performance on standardized tests is low,
10 Alaska Native student dropout rates are high, Na-
11 tives are significantly underrepresented among hold-
12 ers of baccalaureate degrees in the State of Alaska,
13 and Alaska Natives are more likely than other Alas-
14 kans to be without access to employment. As a re-
15 sult, Alaska Native students are being denied their
16 opportunity to become full participants in society
17 and an entire generation is being condemned to an
18 underclass status and a life of limited choices.

19 “(5) The programs and activities authorized
20 under this subpart are essential if educational handi-
21 caps are to be overcome.

22 “(6) The sheer magnitude of the geographic
23 and other barriers to be overcome in delivering edu-
24 cational services in rural Alaska and Alaska villages
25 should be addressed through the development and

1 implementation of innovative, model programs in a
2 variety of areas.

3 “(7) Alaska Native children should be afforded
4 the opportunity to begin their formal education on
5 a par with their non-Native peers. The Federal Gov-
6 ernment should lend support to efforts developed by
7 and undertaken within the Alaska Native community
8 to improve educational opportunity for all students.

9 “(8) In 1983, pursuant to Public Law 98–63
10 (97 Stat. 326), Alaska ceased to receive educational
11 funding from the Bureau of Indian Affairs.

12 **“SEC. 7303. PURPOSES.**

13 “The purposes of this subpart are as follows:

14 “(1) To address the critical need to meet the
15 unique educational needs of Alaska Natives.

16 “(2) To authorize the development and expan-
17 sion of effective supplemental educational programs
18 to benefit Alaska Natives.

19 “(3) To supplement existing programs and au-
20 thorities in the area of education to further the pur-
21 poses of this subpart.

22 “(4) To provide direction and guidance to ap-
23 propriate Federal, State, and local agencies to focus
24 resources, including resources made available under

1 this subpart, on meeting the educational needs of
2 Alaska Natives.

3 “(5) To ensure the maximum participation by
4 Alaska Natives in the planning and management of
5 programs designed to serve Alaska Natives.

6 **“SEC. 7304. PROGRAM AUTHORIZED.**

7 “(a) GENERAL AUTHORITY.—

8 “(1) GRANTS AND CONTRACTS.—The Secretary
9 is authorized to make grants to, or enter into con-
10 tracts with, the following entities in order to enable
11 such entities to carry out programs that meet the
12 purposes of this subpart:

13 “(A) Alaska Native organizations.

14 “(B) Educational entities with experience
15 in developing or operating Alaska Native pro-
16 grams or programs of instruction conducted in
17 Alaska Native languages.

18 “(C) Cultural and community-based orga-
19 nizations with experience in developing or oper-
20 ating programs to benefit the educational needs
21 of Alaska Natives.

22 “(D) Consortia of organizations and enti-
23 ties described in this paragraph.

1 “(2) PERMISSIBLE ACTIVITIES.—Activities pro-
2 vided through programs carried out under this sub-
3 part may include the following:

4 “(A) The development and implementation
5 of plans, methods, and strategies to improve the
6 education of Alaska Natives.

7 “(B) The development of curricula and
8 programs that address the educational needs of
9 Alaska Native students, including the following:

10 “(i) Curricula materials that reflect
11 the cultural diversity, languages, history,
12 or the contributions of Alaska Natives.

13 “(ii) Instructional programs that
14 make use of Alaska Native languages and
15 cultures.

16 “(iii) Networks that develop, test, and
17 disseminate best practices and introduce
18 successful programs, materials, and tech-
19 niques to meet the educational needs of
20 Alaska Native students in urban and rural
21 schools.

22 “(C) Training and professional develop-
23 ment activities for educators, including the fol-
24 lowing:

1 “(i) Pre-service and in-service training
2 and professional development programs to
3 prepare teachers to develop appreciation
4 for and understanding of Alaska Native
5 cultures, values, and ways of knowing and
6 learning in order to effectively address the
7 cultural diversity and unique needs of
8 Alaska Native students.

9 “(ii) The recruitment and preparation
10 of teachers who are Alaska Native.

11 “(iii) Programs that will lead to the
12 certification and licensing of Alaska Native
13 teachers, principals, and superintendents.

14 “(D) The development and operation of
15 home instruction programs for Alaska Native
16 preschool children, to ensure the active involve-
17 ment of parents in their children’s education
18 from the earliest ages.

19 “(E) Family literacy activities.

20 “(F) The development and operation of
21 student enrichment programs, including such
22 programs in science, technology, engineering,
23 and mathematics that—

24 “(i) are designed to prepare Alaska
25 Native students to excel in such subjects;

1 “(ii) provide appropriate support serv-
2 ices to the families of such students that
3 are needed to enable such students to ben-
4 efit from the programs; and

5 “(iii) include activities that recognize
6 and support the unique cultural and edu-
7 cational needs of Alaska Native children,
8 and incorporate appropriately qualified
9 Alaska Native elders and other tradition
10 bearers.

11 “(G) Research and data collection activi-
12 ties to determine the educational status and
13 needs of Alaska Native children and adults.

14 “(H) Other research and evaluation activi-
15 ties related to programs carried out under this
16 subpart.

17 “(I) Remedial and enrichment programs to
18 assist Alaska Native students to be college or
19 career ready upon graduation from high school.

20 “(J) Parenting education for parents and
21 caregivers of Alaska Native children to improve
22 parenting and caregiving skills (including skills
23 relating to discipline and cognitive develop-
24 ment), including parenting education provided
25 through in-home visitation of new mothers.

1 “(K) Culturally based education programs
2 designed and provided by an entity with dem-
3 onstrated experience in—

4 “(i) providing programs of study, both
5 on site and in local schools, to share the
6 rich and diverse cultures of Alaska Native
7 peoples among youth, elders, teachers, and
8 the larger community;

9 “(ii) instructing Alaska Native youth
10 in leadership, communication, Native cul-
11 ture, arts, and languages;

12 “(iii) increasing the high school grad-
13 uation rate of the Alaska Native students
14 who are served;

15 “(iv) providing instruction in Alaska
16 Native history and ways of living to stu-
17 dents and teachers in the local school dis-
18 trict;

19 “(v) providing intergenerational learn-
20 ing and internship opportunities to Alaska
21 Native youth and young adults; and

22 “(vi) providing cultural immersion ac-
23 tivities aimed at Alaska Native cultural
24 preservation.

1 “(L) A statewide on-site exchange pro-
2 gram, for both students and teachers, involving
3 schools and culture camps that demonstrates
4 effectiveness in facilitating cultural relation-
5 ships between urban and rural Alaskans to
6 build mutual respect and understanding, and
7 foster a statewide sense of common identity
8 through host family, school, and community
9 cross-cultural immersion. Such a program
10 should be competitively awarded.

11 “(M) Activities carried out through Head
12 Start programs carried out under the Head
13 Start Act, including the training of teachers for
14 such programs.

15 “(N) Other early childhood education pro-
16 grams.

17 “(O) Education programs for at-risk urban
18 Alaska Native students in kindergarten through
19 grade 12 that are operated by tribes or tribal
20 organizations that have demonstrated experi-
21 ence in increasing graduation rates among such
22 students and that—

23 “(i) include a culturally informed cur-
24 riculum intended to preserve and promote
25 Alaska Native culture;

1 “(ii) partner effectively with the local
2 educational agency by providing a school-
3 within-a school program model;

4 “(iii) provide high-quality academic
5 instruction, small classroom sizes, and so-
6 cial-emotional support for students from
7 elementary school through high school;

8 “(iv) work with parents to increase
9 parental involvement in their students’
10 education;

11 “(v) have a proven track record of im-
12 proving academic proficiency and increas-
13 ing graduation rates;

14 “(vi) provide college preparation and
15 career planning; and

16 “(vii) incorporate a strong data collec-
17 tion and continuous evaluation component
18 at all levels of the program.

19 “(P) A statewide program that has dem-
20 onstrated effectiveness in providing technical
21 assistance and support to schools and commu-
22 nities in order to engage adults in promoting
23 the academic progress and overall well-being of
24 young people through strengths-based ap-
25 proaches to child and youth development, posi-

1 tive youth-adult relationships, improved condi-
2 tions for learning (such as school climate and
3 student connection to school and community),
4 and increased connections between schools and
5 families.

6 “(Q) Career preparation activities to en-
7 able Alaska Native children and adults to pre-
8 pare for meaningful employment, including pro-
9 grams providing career and technical prepara-
10 tion, mentoring, training, and apprenticeship
11 activities.

12 “(R) The provision of operational support
13 and the purchase of equipment to develop re-
14 gional career and technical schools in rural
15 areas of Alaska, including boarding schools, for
16 Alaska Native students in grades 9 through 12,
17 or at higher levels of education, to provide the
18 students with necessary resources to prepare for
19 skilled employment opportunities.

20 “(S) Other activities, consistent with the
21 purposes of this subpart, to meet the edu-
22 cational needs of Alaska Native children and
23 adults.

24 “(T) Regional leadership academies that
25 demonstrate effectiveness in building respect

1 and understanding and fostering a sense of
2 Alaska Native identity to promote Alaska Na-
3 tive students pursuit of, and success in, com-
4 pleting higher education or career training.

5 “(3) HOME INSTRUCTION PROGRAMS.—Home
6 instruction programs for Alaska Native preschool
7 children carried out under paragraph (2)(D) may in-
8 clude the following:

9 “(A) Programs for parents and their in-
10 fants, from the prenatal period of the infant
11 through age 3.

12 “(B) Preschool programs.

13 “(C) Training, education, and support for
14 parents in such areas as reading readiness, ob-
15 servation, story telling, and critical thinking.

16 “(b) LIMITATION ON ADMINISTRATIVE COSTS.—Not
17 more than 5 percent of funds provided to a grantee under
18 this section for any fiscal year may be used for administra-
19 tive purposes.

20 “(c) PRIORITIES.—In awarding grants or contracts
21 to carry out activities described in this subpart, the Sec-
22 retary shall give priority to applications from Alaska Na-
23 tive regional nonprofit organizations, Alaska Native orga-
24 nizations, or consortia that include not less than 1 Alaska
25 Native regional nonprofit organization.

1 **“SEC. 7305. ADMINISTRATIVE PROVISIONS.**

2 “(a) APPLICATION REQUIRED.—No grant may be
3 made under this subpart, and no contract may be entered
4 into under this subpart, unless the entity seeking the
5 grant or contract submits an application to the Secretary
6 in such form, in such manner, and containing such infor-
7 mation as the Secretary may determine necessary to carry
8 out the provisions of this subpart.

9 “(b) APPLICATIONS.—A State educational agency or
10 local educational agency may apply for an award under
11 this subpart only as part of a consortium involving an
12 Alaska Native organization. The consortium may include
13 other eligible applicants.

14 “(c) CONSULTATION REQUIRED.—Each applicant for
15 an award under this subpart shall provide for ongoing ad-
16 vice from and consultation with representatives of the
17 Alaska Native community.

18 “(d) LOCAL EDUCATIONAL AGENCY COORDINA-
19 TION.—Each entity that applies for an award under this
20 subpart shall inform each local educational agency that
21 serves students who would participate in the program that
22 such entity plans to carry out under the grant or contract
23 about the application described in subsection (a).

24 **“SEC. 7306. DEFINITIONS.**

25 “In this subpart:

1 “(1) ALASKA NATIVE.—The term ‘Alaska Na-
2 tive’ has the same meaning as the term ‘Native’ has
3 in section 3(b) of the Alaska Native Claims Settle-
4 ment Act (43 U.S.C. 1602(b)).

5 “(2) ALASKA NATIVE ORGANIZATION.—The
6 term ‘Alaska Native organization’ means a federally
7 recognized tribe, a consortium of tribes, a regional
8 nonprofit Alaska Native association, or another or-
9 ganization, that—

10 “(A) has or commits to acquire expertise
11 in the education of Alaska Natives; and

12 “(B) has Alaska Natives in substantive
13 and policymaking positions within the tribe,
14 consortium, association, or organization.”.

15 **TITLE VIII—IMPACT AID**

16 **SEC. 8001. PURPOSE.**

17 Section 8001 (20 U.S.C. 7701) is amended, in the
18 matter preceding paragraph (1), by striking “challenging
19 State standards” and inserting “college and career ready
20 State academic content and student academic achievement
21 standards under section 1111(a)(1)”.

22 **SEC. 8002. PAYMENTS RELATING TO FEDERAL ACQUISI- 23 TION OF REAL PROPERTY.**

24 (a) AMENDMENTS.—Section 8002 (20 U.S.C. 7702)
25 is amended—

1 (1) in subsection (b)(1)(B), by striking
2 “8014(a)” and inserting “3(aa)(1)”;

3 (2) in subsection (f)—

4 (A) by aligning the margins of paragraphs
5 (2) and (3) with the margins of paragraph (1);
6 and

7 (B) by striking paragraphs (4) and (5);

8 (3) by striking subsection (g) and inserting the
9 following:

10 “(g) FORMER DISTRICTS.—

11 “(1) CONSOLIDATIONS.—For fiscal year 2006
12 and all succeeding fiscal years, if a local educational
13 agency described in paragraph (2) is formed at any
14 time after 1938 by the consolidation of 2 or more
15 former school districts, the local educational agency
16 may elect to have the Secretary determine its eligi-
17 bility and any amount for which the local edu-
18 cational agency is eligible under this section for any
19 fiscal year on the basis of 1 or more of those former
20 districts, as designated by the local educational
21 agency.

22 “(2) ELIGIBLE LOCAL EDUCATIONAL AGEN-
23 CIES.—A local educational agency referred to in
24 paragraph (1) is—

1 “(A) any local educational agency that, for
2 fiscal year 1994 or any preceding fiscal year,
3 applied, and was determined to be eligible
4 under section 2(e) of the Act of September 30,
5 1950 (Public Law 874, 81st Congress) as the
6 section was in effect for that fiscal year; or

7 “(B) a local educational agency formed by
8 the consolidation of 2 or more districts, at least
9 1 of which was eligible for assistance under this
10 section for the fiscal year preceding the year of
11 consolidation, if—

12 “(i) for fiscal years 2006 through
13 2013, the local educational agency had no-
14 tified the Secretary of the designation not
15 later than 30 days after the date of enact-
16 ment of the Strengthening America’s
17 Schools Act of 2013; and

18 “(ii) for fiscal year 2014, and any
19 subsequent fiscal year, the local edu-
20 cational agency includes the designation in
21 its application under section 8005 or any
22 timely amendment to such application.

23 “(3) AVAILABILITY OF FUNDS.—Notwith-
24 standing any other provision of law limiting the pe-
25 riod during which the Secretary may obligate funds

1 appropriated for any fiscal year after 2005, the Sec-
2 retary may obligate funds remaining after final pay-
3 ments have been made from any of such fiscal years
4 to carry out this subsection.”;

5 (4) in subsection (h)—

6 (A) in the matter preceding paragraph (1),
7 by striking “8014(a)” and inserting “3(aa)(1)”;

8 (B) in paragraph (1)(C), by striking
9 “8014(a)” and inserting “3(aa)(1)”;

10 (C) in paragraph (2)—

11 (i) in subparagraph (C)(ii), by strik-
12 ing “8014(a)” and inserting “3(aa)(1)”;
13 and

14 (ii) in subparagraph (D), by striking
15 “8014(a) of this title” and inserting
16 “3(aa)(1)”;

17 (5) by striking paragraph (1) of subsection (i)
18 and inserting the following:

19 “(1) IN GENERAL.—The calculation of the
20 foundation payment under subsection (h)(1)(B) for
21 a local educational agency described in paragraph
22 (2) of this subsection shall be equal to 90 percent
23 of the payment received in fiscal year 2005, for fis-
24 cal year 2009 and each succeeding fiscal year.”;

25 (6) by striking subsections (k) and (m);

1 (7) by redesignating subsections (l) and (n) as
2 subsections (j) and (k), respectively;

3 (8) in subsection (j) (as redesignated by para-
4 graph (7)), in the matter preceding paragraph (1),
5 by striking “(h)(4)(B)” and inserting “(h)(3)”; and
6 (9) by adding at the end the following:

7 “(l) RECORDS.—The Secretary may base a deter-
8 mination of eligibility under subsection (a)(1) on original
9 records (including facsimiles or other reproductions of
10 those records) documenting the assessed value of real
11 property, prepared by a legally authorized official as of
12 the time of the Federal acquisition, or other records that
13 the Secretary determines to be appropriate and reliable,
14 including Federal agency records or local historical
15 records.”.

16 (b) EFFECTIVE DATE.—Notwithstanding section
17 5(d), this section, and the amendments made by this sec-
18 tion, shall take effect with respect to applications sub-
19 mitted under section 8002 of the Elementary and Sec-
20 ondary Education Act of 1965 on or after the date of en-
21 actment of this Act.

22 **SEC. 8003. PAYMENTS FOR ELIGIBLE FEDERALLY CON-**
23 **NECTED CHILDREN.**

24 Section 8003 (20 U.S.C. 7703) is amended—

25 (1) in subsection (a)—

1 (A) in paragraph (1), in the matter pre-
2 ceding subparagraph (A), by inserting after “of
3 such agency” the following: “(including those
4 children enrolled in a State that has a State
5 open enrollment policy but not including chil-
6 dren enrolled in a distance learning program
7 who are not residing within the geographic
8 boundaries of the agency)”; and

9 (B) in paragraph (5)(A), by inserting after
10 “1984,” the following: “or under lease of off-
11 base property under subchapter IV of chapter
12 169 of title 10, United States Code (10 U.S.C.
13 2871 et seq.), to be children described in para-
14 graph (1)(B) if the property described is within
15 the fenced security perimeter of the military fa-
16 cility or is attached to, and under any type of
17 force protection agreement with, the military in-
18 stallation where such housing is situated,”;

19 (2) in subsection (b)—

20 (A) in each of paragraphs (1)(A) and
21 (2)(A)(i), by striking “8014(b)” and inserting
22 “3(aa)(2)”;

23 (B) in paragraph (2)—

24 (i) in subparagraph (B)—

1 (I) in the subparagraph heading,
2 by striking “CONTINUING”;

3 (II) by striking clauses (i) and
4 (ii) and inserting the following:

5 “(i) IN GENERAL.—A heavily im-
6 pacted local educational agency is eligible
7 to receive a basic support payment under
8 subparagraph (A) with respect to a num-
9 ber of children determined under sub-
10 section (a)(1) if the agency—

11 “(I) is a local educational agency
12 whose boundaries are the same as a
13 Federal military installation, or whose
14 boundaries are the same as island
15 property designated by the Secretary
16 of the Interior to be property that is
17 held in trust by the Federal Govern-
18 ment, and that has no taxing author-
19 ity;

20 “(II) is a local educational agen-
21 cy that—

22 “(aa) has an enrollment of
23 children described in subsection
24 (a)(1) that constitutes a percent-
25 age of the total student enroll-

1 ment of the agency that is not
2 less than 45 percent;

3 “(bb) has a per-pupil ex-
4 penditure that is less than—

5 “(AA) for an agency
6 that has a total student en-
7 rollment of 500 or more stu-
8 dents, 125 percent of the av-
9 erage per-pupil expenditure
10 of the State in which the
11 agency is located; or

12 “(BB) for an agency
13 that has a total student en-
14 rollment of less than 500
15 students, 150 percent of the
16 average per-pupil expendi-
17 ture of the State in which
18 the agency is located, or the
19 average per-pupil expendi-
20 ture of 3 or more com-
21 parable local educational
22 agencies in the State in
23 which the agency is located;
24 and

25 “(cc) is an agency that—

1 “(AA) has a tax rate
2 for general fund purposes
3 that is not less than 95 per-
4 cent of the average tax rate
5 for general fund purposes of
6 comparable local educational
7 agencies in the State; or

8 “(BB) was eligible to
9 receive a payment under this
10 subsection for fiscal year
11 2012 and is located in a
12 State that by State law has
13 eliminated ad valorem tax as
14 a revenue source for local
15 educational agencies;

16 “(III) is a local educational agen-
17 cy that has an enrollment of children
18 described in subsection (a)(1) that
19 constitutes a percentage of the total
20 student enrollment of the agency
21 which is not less than 30 percent, and
22 has a tax rate for general fund pur-
23 poses which is not less than 125 per-
24 cent of the average tax rate for gen-
25 eral fund purposes for comparable

1 local educational agencies in the
2 State; or

3 “(IV) is a local educational agen-
4 cy that has a total student enrollment
5 of not less than 25,000 students, of
6 which not less than 50 percent are
7 children described in subsection (a)(1)
8 and not less than 5,500 of such chil-
9 dren are children described in sub-
10 paragraphs (A) and (B) of subsection
11 (a)(1).

12 “(ii) LOSS OF ELIGIBILITY.—

13 “(I) IN GENERAL.—A heavily im-
14 pacted local educational agency that
15 met the requirements of clause (i) for
16 a fiscal year shall be ineligible to re-
17 ceive a basic support payment under
18 subparagraph (A) if the agency fails
19 to meet the requirements of such
20 clause for the subsequent fiscal year,
21 except that such agency shall continue
22 to receive a basic support payment
23 under this paragraph for the fiscal
24 year for which the ineligibility deter-
25 mination is made.

1 “(II) EXCEPTION.—Notwith-
2 standing subclause (I) and clause (i),
3 a local educational agency that ob-
4 tains eligibility for a basic support
5 payment under subparagraph (A) by
6 meeting the requirements of clause
7 (i)(II) for a fiscal year and, for the
8 subsequent fiscal year, meets all of
9 the requirements of such clause except
10 for the requirement of item (cc) of
11 such clause, shall be eligible to receive
12 a basic support payment under sub-
13 paragraph (A). If, for the next subse-
14 quent fiscal year, such local edu-
15 cational agency again fails to meet the
16 requirement of such item (cc), the
17 local educational agency shall be ineli-
18 gible to receive a basic support pay-
19 ment under subparagraph (A), except
20 that such agency shall continue to re-
21 ceive a basic support payment under
22 this paragraph for the fiscal year for
23 which the ineligibility determination is
24 made.”; and

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1 (III) by adding at the end the
2 following:

3 “(iv) SPECIAL RULE.—Notwith-
4 standing clause (i)(II)(aa), a local edu-
5 cational agency shall be considered eligible
6 to receive a basic support payment under
7 subparagraph (A) with respect to the num-
8 ber of children determined under sub-
9 section (a)(1) for a fiscal year if the agen-
10 cy—

11 “(I) has an enrollment of chil-
12 dren described in subsection (a)(1),
13 including, for purposes of determining
14 eligibility, those children described in
15 subparagraphs (F) and (G) of such
16 subsection, that constitutes a percent-
17 age of the total student enrollment of
18 the agency that is not less than 35
19 percent;

20 “(II) was eligible to receive as-
21 sistance under this paragraph for fis-
22 cal year 2001; and

23 “(III) meets the requirements of
24 items (bb) and (cc) of clause (i)(II)

1 for the fiscal year for which the deter-
2 mination is being made.

3 “(v) APPLICATION.—With respect to
4 the first fiscal year for which a heavily im-
5 pacted local educational agency described
6 in clause (i) applies for a basic support
7 payment under subparagraph (A), or with
8 respect to the first fiscal year for which a
9 heavily impacted local educational agency
10 applies for a basic support payment under
11 subparagraph (A) after becoming ineligible
12 under clause (i) for 1 or more preceding
13 fiscal years, the agency shall apply for
14 such payment at least 1 year prior to the
15 start of that first fiscal year.”;

16 (ii) by striking subparagraphs (C) and
17 (D) and inserting the following:

18 “(C) MAXIMUM AMOUNT FOR HEAVILY IM-
19 PACTED LOCAL EDUCATIONAL AGENCIES.—

20 “(i) IN GENERAL.—Except as pro-
21 vided for in subparagraph (D), the max-
22 imum amount that a heavily impacted local
23 educational agency is eligible to receive
24 under this paragraph for any fiscal year is
25 the sum of the total weighted student

1 units, as computed under subsection (a)(2)
2 and subject to clause (ii), multiplied by the
3 greater of—

4 “(I) four-fifths of the average
5 per-pupil expenditure of the State in
6 which the local educational agency is
7 located for the third fiscal year pre-
8 ceding the fiscal year for which the
9 determination is made; or

10 “(II) four-fifths of the average
11 per-pupil expenditure of all of the
12 States for the third fiscal year pre-
13 ceding the fiscal year for which the
14 determination is made.

15 “(ii) SPECIAL RULES.—

16 “(I) CALCULATIONS FOR LOCAL
17 EDUCATIONAL AGENCIES WITH LARGE
18 NUMBERS OF CERTAIN ELIGIBLE
19 CHILDREN.—

20 “(aa) IN GENERAL.—In the
21 case of a local educational agency
22 with respect to which 35 percent
23 or more of the total student en-
24 rollment of the schools of the
25 agency are children described in

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1 subparagraph (D) or (E) of sub-
2 section (a)(1), and that has an
3 enrollment of children described
4 in subparagraph (A), (B), or (C)
5 of such subsection equal to at
6 least 10 percent of the agency's
7 total enrollment, the Secretary
8 shall calculate the weighted stu-
9 dent units of the children de-
10 scribed in subparagraph (D) or
11 (E) of such subsection by multi-
12 plying the number of such chil-
13 dren by a factor of 0.55.

14 “(bb) EXCEPTION.—Not-
15 withstanding subclause (I), any
16 local educational agency that re-
17 ceived a payment under this
18 clause for fiscal year 2006, shall
19 not be required to have an enroll-
20 ment of children described in
21 subparagraph (A), (B), or (C) of
22 subsection (a)(1) equal to at least
23 10 percent of the agency's total
24 enrollment for purposes of sub-
25 clause (I).

1 “(II) CALCULATIONS FOR LOCAL
2 EDUCATIONAL AGENCIES WITH SMALL
3 NUMBERS OF ELIGIBLE CHILDREN.—
4 For a local educational agency that
5 has an enrollment of 100 or fewer
6 children described in subsection
7 (a)(1), the Secretary shall calculate
8 the total number of weighted student
9 units for purposes of subsection (a)(2)
10 by multiplying the number of such
11 children by a factor of 1.75.

12 “(III) CALCULATIONS FOR CER-
13 TAIN OTHER LOCAL EDUCATIONAL
14 AGENCIES.—For a local educational
15 agency that does not qualify under
16 paragraph (2)(B)(i)(I) and has an en-
17 rollment of more than 100 but not
18 more than 1,000 children described in
19 subsection (a)(1), the Secretary shall
20 calculate the total number of weighted
21 student units for purposes of sub-
22 section (a)(2) by multiplying the num-
23 ber of such children by a factor of
24 1.25.

1 “(D) MAXIMUM AMOUNT FOR LARGE
2 HEAVILY IMPACTED LOCAL EDUCATIONAL
3 AGENCIES.—

4 “(i) APPLICABLE FORMULA.—

5 “(I) IN GENERAL.—Subject to
6 clause (ii), the maximum amount that
7 a heavily impacted local educational
8 agency described in subclause (II) is
9 eligible to receive under this para-
10 graph for any fiscal year shall be de-
11 termined in accordance with the for-
12 mula described in paragraph (1)(C).

13 “(II) LARGE HEAVILY IMPACTED
14 LOCAL EDUCATIONAL AGENCIES.—A
15 heavily impacted local educational
16 agency described in this subclause is a
17 local educational agency that has a
18 total student enrollment of not less
19 than 25,000 students, of which not
20 less than 50 percent are children de-
21 scribed in subsection (a)(1) and not
22 less than 5,500 of such children are
23 children described in subparagraphs
24 (A) and (B) of subsection (a)(1).

1 “(ii) FACTOR.—For purposes of calcu-
2 lating the maximum amount described in
3 clause (i), the factor used in determining
4 the weighted student units under sub-
5 section (a)(2) with respect to children de-
6 scribed in subparagraphs (A) and (B) of
7 subsection (a)(1) shall be 1.35.”;

8 (iii) by striking subparagraph (E);

9 (iv) by redesignating subparagraphs
10 (F) through (H) as subparagraph (E)
11 through (G), respectively;

12 (v) in subparagraph (E) (as redesign-
13 ated by clause (iv))—

14 (I) by striking clause (ii);

15 (II) by striking “; and” at the
16 end of clause (i) and inserting a pe-
17 riod; and

18 (III) by striking “the Secretary”
19 and all that follows through “shall
20 use” and inserting “the Secretary
21 shall use”;

22 (vi) in subparagraph (F) (as redesign-
23 ated by clause (iv)), in the matter pre-
24 ceding clause (i), by striking

1 “(C)(i)(II)(bb)” and inserting
2 “(B)(i)(II)(bb)”;

3 (vii) in subparagraph (G) (as redesignated by clause (iv))—

4 (I) in clause (i)—

5 (aa) by striking “(B), (C),
6 (D), or (E),”, and inserting “(B),
7 (C), or (D),”;

8 (bb) by striking “by reason
9 of” and inserting “due to”;

10 (cc) by inserting after
11 “clause (iii)” the following: “or
12 as the direct result of base re-
13 alignment and closure or
14 modularization as determined by
15 the Secretary of Defense, force
16 structure change, or force reloca-
17 tion,”; and

18 (dd) by inserting before the
19 period at the end the following:
20 “or during such time as activities
21 associated with base realignment
22 and closure, modularization, force
23 structure change, or force reloca-
24 tion are ongoing”; and
25

1 (II) in clause (ii), by striking
2 “(D) or (E)” in both places such term
3 appears and inserting “(C) or (D)”;
4 and
5 (viii) by adding at the end the fol-
6 lowing:

7 “(H) SPECIAL RULE.—The Secretary
8 shall—

9 “(i) deem each local educational agen-
10 cy that received a fiscal year 2009 basic
11 support payment for heavily impacted local
12 educational agencies under this paragraph
13 as eligible to receive a basic support pay-
14 ment for heavily impacted local educational
15 agencies under this paragraph for each of
16 fiscal years 2011, 2012, 2013, and 2014;
17 and

18 “(ii) make a payment to such local
19 educational agency under such section for
20 each of fiscal years 2011, 2012, 2013, and
21 2014.

22 “(I) CONTINUED ELIGIBILITY FOR A HEAV-
23 ILY IMPACTED LOCAL EDUCATIONAL AGENCY
24 ENTERING INTO AN INTERGOVERNMENTAL CO-
25 OPERATIVE AGREEMENT WITH A STATE EDU-

1 CATIONAL AGENCY.—For any fiscal year, a
2 heavily impacted local educational agency that
3 received a basic support payment under this
4 paragraph for the fiscal year prior to the fiscal
5 year for which such local educational agency en-
6 tered into an intergovernmental cooperative
7 agreement with a State educational agency shall
8 remain eligible to receive a basic support pay-
9 ment under this paragraph for the duration of
10 the intergovernmental cooperative agreement,
11 but in no case for more than 5 years.”; and

12 (C) in paragraph (3)—

13 (i) in subparagraph (A), by striking
14 “8014(b)” and inserting “3(aa)(2)”;

15 (ii) in subparagraph (B)—

16 (I) by redesignating clause (iv) as
17 clause (v); and

18 (II) by inserting after clause (iii)
19 the following:

20 “(iv) In the case of a local educational
21 agency that is providing a program of dis-
22 tance learning to children not residing
23 within the geographic boundaries of the
24 agency, the Secretary shall disregard such
25 children from such agency’s total enroll-

1 ment when calculating the percentage
2 under clause (i)(I) and shall disregard any
3 funds received for such children when cal-
4 culating the total current expenditures at-
5 tributed to the operation of such agency
6 when calculating the percentage under
7 clause (i)(II).”;

8 (iii) in subparagraph (C), by striking
9 “subparagraph (D) or (E) of paragraph
10 (2), as the case may be” and inserting
11 “paragraph (2)(D)”; and

12 (iv) by striking subparagraph (D) and
13 inserting the following:

14 “(D) RATABLE DISTRIBUTION.—

15 “(i) IN GENERAL.—For each fiscal
16 year described in subparagraph (A) for
17 which the sums appropriated under section
18 3(aa)(2) exceed the amount required to
19 pay each local educational agency 100 per-
20 cent of the local educational agency’s
21 threshold payment under subparagraph
22 (B) or (C), the Secretary shall distribute
23 such excess sums to each eligible local edu-
24 cational agency that has not received the
25 agency’s maximum payment amount com-

1 puted under paragraph (1) or (2) (as the
2 case may be) by multiplying—

3 “(I) a percentage, the denomi-
4 nator of which is the difference be-
5 tween the maximum payment amount
6 computed under paragraph (1) or (2)
7 (as the case may be) for all local edu-
8 cational agencies and the amount of
9 the threshold payment (as calculated
10 under subparagraphs (B) and (C)) of
11 all local educational agencies, and the
12 numerator of which is the aggregate
13 amount of funds appropriated under
14 section 3(aa)(2) that exceeds the
15 amount of such threshold payments
16 for all local educational agencies; by

17 “(II) the difference between the
18 maximum payment amount computed
19 under paragraph (1) or (2) (as the
20 case may be) for the agency and the
21 amount of the threshold payment as
22 calculated under subparagraphs (B)
23 and (C) for the agency.

24 “(ii) INSUFFICIENT PAYMENTS.—For
25 each fiscal year described in subparagraph

1 (A) for which the sums appropriated under
2 section 3(aa)(2) are insufficient to pay
3 each local educational agency all of the
4 local educational agency's threshold pay-
5 ment described in clause (i), the Secretary
6 shall ratably reduce the payment to each
7 local educational agency under this para-
8 graph.

9 “(iii) INCREASES.—If the sums appro-
10 priated under section 3(aa)(2) are suffi-
11 cient to increase the threshold payment
12 above the 100 percent threshold payment
13 described in clause (i), then the Secretary
14 shall increase payments on the same basis
15 as such payments were reduced, except no
16 local educational agency may receive a pay-
17 ment amount greater than 100 percent of
18 the maximum payment calculated under
19 this subsection.”;

20 (3) in subsection (c), by amending paragraph
21 (2) to read as follows:

22 “(2) EXCEPTION.—Calculation of payments for
23 a local educational agency shall be based on data
24 from the fiscal year for which the agency is making
25 an application for payment if such agency—

1 “(A) is newly established by a State, for
2 the first year of operation of such agency only;

3 “(B) was eligible to receive a payment
4 under this section for the previous fiscal year
5 and has had an overall increase in enrollment
6 (as determined by the Secretary in consultation
7 with the Secretary of Defense, the Secretary of
8 Interior, or the heads of other Federal agen-
9 cies)—

10 “(i) of not less than 10 percent, or
11 100 students, of children described in—

12 “(I) subparagraph (A), (B), (C),
13 or (D) of subsection (a)(1); or

14 “(II) subparagraph (F) or (G) of
15 subsection (a)(1), but only to the ex-
16 tent such children are civilian depend-
17 ents of employees of the Department
18 of Defense or the Department of the
19 Interior; and

20 “(ii) that is the direct result of closure
21 or realignment of military installations
22 under the base closure process or the relo-
23 cation of members of the Armed Forces
24 and civilian employees of the Department
25 of Defense as part of force structure

1 changes or movements of units or per-
2 sonnel between military installations or be-
3 cause of actions initiated by the Secretary
4 of Interior or the head of another Federal
5 agency; or

6 “(C) was eligible to receive a payment
7 under this section for the previous fiscal year
8 and has had an overall increase in enrollment
9 (as determined by the Secretary)—

10 “(i) of not less than 10 percent of
11 children described in subsection (a)(1), or
12 not less than 100 of such children; and

13 “(ii) that is the direct result of the
14 closure of a local educational agency that
15 received a payment under paragraph (1) or
16 (2) of subsection (b) in the previous fiscal
17 year.”;

18 (4) in subsection (d)(1), by striking “8014(c)”
19 and inserting “3(aa)(3)”;

20 (5) in subsection (e)—

21 (A) by striking paragraphs (1) and (2) and
22 inserting the following:

23 “(1) IN GENERAL.—Subject to paragraph (2),
24 the total amount the Secretary shall pay a local edu-
25 cational agency under subsection (b)—

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1 “(A) for fiscal year 2014, shall not be less
2 than 90 percent of the total amount that the
3 local educational agency received under para-
4 graphs (1) and (2) of subsection (b) for fiscal
5 year 2013;

6 “(B) for fiscal year 2015, shall not be less
7 than 85 percent of the total amount that the
8 local educational agency received under para-
9 graphs (1) and (2) of subsection (b) for fiscal
10 year 2013; and

11 “(C) for fiscal year 2016, shall not be less
12 than 80 percent of the total amount that the
13 local educational agency received under para-
14 graphs (1) and (2) of subsection (b) for fiscal
15 year 2013.”; and

16 (B) by redesignating paragraph (3) as
17 paragraph (2); and

18 (6) by striking subsection (g).

19 **SEC. 8004. CONSTRUCTION.**

20 Section 8007 (20 U.S.C. 7707) is amended—

21 (1) by striking “8014(e)” each place the term
22 appears and inserting “3(aa)(4)”; and

23 (2) in subsection (a)(2), by adding at the end
24 the following:

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1 “(C) The agency is eligible under section
2 8003(b)(2) or is receiving a basic support pay-
3 ment under circumstances described in section
4 8003(b)(2)(B)(ii).”.

5 **SEC. 8005. FACILITIES.**

6 Section 8008(a) (20 U.S.C. 7708(a)) is amended by
7 striking “8014(f)” and inserting “3(aa)(5)”.

8 **SEC. 8006. FEDERAL ADMINISTRATION.**

9 Section 8010 (20 U.S.C. 7710) is amended—

10 (1) in subsection (c)(2)(E), by striking “under
11 section 8003(b)” and all that follows through the pe-
12 riod at the end and inserting “under this title.”; and

13 (2) in subsection (d)(2), by striking “section
14 8014” and inserting “section 3(aa)”.

15 **SEC. 8007. DEFINITIONS.**

16 Section 8013 (20 U.S.C. 7713) is amended—

17 (1) in paragraph (1), by striking “and Marine
18 Corps” and inserting “Marine Corps, and Coast
19 Guard”; and

20 (2) in paragraph (5)(A)(iii)(II), by striking
21 “Stewart B. McKinney Homeless Assistance Act”
22 and inserting “McKinney-Vento Homeless Assis-
23 tance Act”.

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1 SEC. 8008. CONFORMING AMENDMENT.

2 Title VIII (20 U.S.C. 7701 et seq.) is amended by
3 striking section 8014.

4 SEC. 8009. ELIGIBILITY FOR IMPACT AID PAYMENT.

5 (a) LOCAL EDUCATIONAL AGENCIES.—Notwith-
6 standing section 8013(9) of the Elementary and Sec-
7 ondary Education Act of 1965 (20 U.S.C. 7713(9)),
8 North Chicago Community Unit School District 187,
9 North Shore District 112, and Township High School Dis-
10 trict 113 in Lake County, Illinois, and Glenview Public
11 School District 34 and Glenbrook High School District
12 225 in Cook County, Illinois, shall be considered local edu-
13 cational agencies as such term is used in, and for purposes
14 of, title VIII of such Act.

15 (b) COMPUTATION.—Notwithstanding any other pro-
16 vision of law, federally connected children (as determined
17 under section 8003(a) of the Elementary and Secondary
18 Education Act of 1965 (20 U.S.C. 7703(a))) who are in
19 attendance in the North Shore District 112, Township
20 High School District 113, Glenview Public School District
21 34, and Glenbrook High School District 225 described in
22 subsection (a), shall be considered to be in attendance in
23 the North Chicago Community Unit School District 187
24 described in subsection (a) for purposes of computing the
25 amount that the North Chicago Community Unit School

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1 District 187 is eligible to receive under subsection (b) or
2 (d) of section 8003 of such Act if—

3 (1) such school districts have entered into an
4 agreement for such students to be so considered and
5 for the equitable apportionment among all such
6 school districts of any amount received by the North
7 Chicago Community Unit School District 187 under
8 such section; and

9 (2) any amount apportioned among all such
10 school districts pursuant to paragraph (1) is used by
11 such school districts only for the direct provision of
12 educational services.

13 **SEC. 8010. REPEAL OF SUNSET UNDER THE NDAA AMEND-**
14 **MENTS TO IMPACT AID.**

15 Section 563(c) of the National Defense Authorization
16 Act for Fiscal Year 2013 (Public Law 112–239) is amend-
17 ed—

18 (1) in the heading, by striking “, IMPLEMENTA-
19 TION, AND REPEAL” and inserting “AND IMPLEMEN-
20 TATION”;

21 (2) in paragraph (1), by striking “for a 2-year
22 period”; and

23 (3) by striking paragraph (4).

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1 **TITLE IX—GENERAL**
2 **PROVISIONS**

3 **SEC. 9101. DEFINITIONS.**

4 (a) IN GENERAL.—Section 9101 (20 U.S.C. 7801)
5 is amended to read as follows:

6 **“SEC. 9101. DEFINITIONS.**

7 “Except as otherwise provided, in this Act:

8 “(1) ADJUSTED COHORT; ENTERING COHORT;
9 TRANSFERRED INTO; TRANSFERRED OUT.—

10 “(A) ADJUSTED COHORT.—Subject to
11 clauses (ii) and (iii) of subparagraph (D) and
12 subparagraphs (E) through (G), the term ‘ad-
13 justed cohort’ means the difference of—

14 “(i) the sum of—

15 “(I) the entering cohort; plus

16 “(II) any students that trans-
17 ferred into the cohort in any of grades
18 9 through 12; minus

19 “(ii) any students that are removed
20 from the cohort as described in subpara-
21 graph (E).

22 “(B) ENTERING COHORT.—The term ‘en-
23 tering cohort’, when used with respect to a sec-
24 ondary school, means the number of first-time
25 students in grade 9 enrolled in the secondary

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1 school 1 month after the start of the secondary
2 school's academic year.

3 “(C) TRANSFERRED INTO.—The term
4 ‘transferred into’, when used with respect to a
5 secondary school student, means a student
6 who—

7 “(i) was a first-time student in grade
8 9 during the same school year as the en-
9 tering cohort; and

10 “(ii) enrolls after the entering cohort
11 is calculated as described in subparagraph
12 (B).

13 “(D) TRANSFERRED OUT.—

14 “(i) IN GENERAL.—The term ‘trans-
15 ferred out’ when used with respect to a
16 secondary school student, means a student
17 who the secondary school or local edu-
18 cational agency has confirmed has trans-
19 ferred—

20 “(I) to another school from which
21 the student is expected to receive a
22 regular secondary school diploma; or

23 “(II) to another educational pro-
24 gram from which the student is ex-

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1 pected to receive a regular secondary
2 school diploma.

3 “(ii) CONFIRMATION REQUIRE-
4 MENTS.—

5 “(I) DOCUMENTATION RE-
6 QUIRED.—The confirmation of a stu-
7 dent’s transfer to another school or
8 educational program described in
9 clause (i) requires documentation
10 from the receiving school or program
11 that the student enrolled in the receiv-
12 ing school or program.

13 “(II) LACK OF CONFIRMATION.—
14 A student who was enrolled, but for
15 whom there is no confirmation of the
16 student having transferred out, shall
17 remain in the cohort as a nongraduate
18 for reporting and accountability pur-
19 poses under this Act.

20 “(iii) PROGRAMS NOT PROVIDING
21 CREDIT.—A student enrolled in a GED or
22 other alternative educational program that
23 does not issue or provide credit toward the
24 issuance of a regular secondary school di-
25 ploma shall not be considered transferred

1 out and shall remain in the adjusted co-
2 hort.

3 “(E) COHORT REMOVAL.—To remove a
4 student from a cohort, a school or local edu-
5 cational agency shall require documentation to
6 confirm that the student has transferred out,
7 emigrated to another country, or is deceased.

8 “(F) TREATMENT OF OTHER DEPARTURES
9 AND WITHDRAWALS.—A student who was re-
10 tained in a grade, enrolled in a GED program
11 or other program that provides a recognized
12 equivalent of a secondary school diploma, aged
13 out of a secondary school or secondary school
14 program, or left secondary school for any other
15 reason, including expulsion, shall not be consid-
16 ered transferred out, and shall remain in the
17 adjusted cohort.

18 “(G) SPECIAL RULE.—For secondary
19 schools that start after grade 9, the entering
20 cohort shall be calculated 1 month after the
21 start of the secondary school’s academic year in
22 the earliest secondary school grade at the sec-
23 ondary school.

24 “(2) ADVANCED PLACEMENT OR INTER-
25 NATIONAL BACCALAUREATE COURSE.—The term

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1 ‘Advanced Placement or International Baccalaureate
2 course’ means—

3 “(A) a course of postsecondary-level in-
4 struction provided to middle school or sec-
5 ondary school students, terminating in an Ad-
6 vanced Placement or International Bacca-
7 laureate examination; or

8 “(B) another highly rigorous, evidence-
9 based, postsecondary preparatory program ter-
10 minating in—

11 “(i) an examination or courses that
12 are widely accepted for credit at institu-
13 tions of higher education; or

14 “(ii) another examination or courses
15 approved by the Secretary.

16 “(3) ADVANCED PLACEMENT OR INTER-
17 NATIONAL BACCALAUREATE EXAMINATION.—The
18 term ‘Advanced Placement or International Bacca-
19 laureate examination’ means an Advanced Place-
20 ment examination administered by the College
21 Board, an International Baccalaureate examination
22 administered by the International Baccalaureate Or-
23 ganization, or another such examination approved by
24 the Secretary.

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1 “(4) AUTHORIZING COMMITTEES.—The term
2 ‘authorizing committees’ means the Committee on
3 Education and the Workforce of the House of Rep-
4 resentatives and the Committee on Health, Edu-
5 cation, Labor, and Pensions of the Senate.

6 “(5) AVERAGE DAILY ATTENDANCE.—

7 “(A) IN GENERAL.—Except as provided
8 otherwise by State law or this paragraph, the
9 term ‘average daily attendance’ means—

10 “(i) the aggregate number of days of
11 attendance of all students during a school
12 year; divided by

13 “(ii) the number of days school is in
14 session during that year.

15 “(B) CONVERSION.—The Secretary shall
16 permit the conversion of average daily member-
17 ship (or other similar data) to average daily at-
18 tendance for local educational agencies in
19 States that provide State aid to local edu-
20 cational agencies on the basis of average daily
21 membership (or other similar data).

22 “(C) SPECIAL RULE.—If the local edu-
23 cational agency in which a child resides makes
24 a tuition or other payment for the free public
25 education of the child in a school served by an-

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1 other local educational agency, the Secretary
2 shall, for the purpose of this Act—

3 “(i) consider the child to be in attend-
4 ance at a school of the agency making the
5 payment; and

6 “(ii) not consider the child to be in at-
7 tendance at a school of the agency receiv-
8 ing the payment.

9 “(6) AVERAGE PER-PUPIL EXPENDITURE.—The
10 term ‘average per-pupil expenditure’ means, in the
11 case of a State or of the United States—

12 “(A) without regard to the source of
13 funds—

14 “(i) the aggregate current expendi-
15 tures, during the most recent fiscal year
16 for which satisfactory data are available, of
17 all local educational agencies in the State
18 or, in the case of the United States, for all
19 States (which, for the purpose of this para-
20 graph, means the 50 States and the Dis-
21 trict of Columbia); plus

22 “(ii) any direct current expenditures
23 by the State for the operation of those
24 agencies; divided by

1 “(B) the aggregate number of children in
2 average daily attendance to whom those agen-
3 cies provided free public education during that
4 year.

5 “(7) CHARTER MANAGEMENT ORGANIZATION.—
6 The term ‘charter management organization’ means
7 a nonprofit organization that operates, manages, or
8 oversees multiple charter schools by centralizing or
9 sharing certain functions and resources among such
10 schools.

11 “(8) CHILD.—The term ‘child’ means any per-
12 son within the age limits for which the State pro-
13 vides free public education.

14 “(9) CHILD WITH A DISABILITY.—The term
15 ‘child with a disability’ has the same meaning given
16 that term in section 602 of the Individuals with Dis-
17 abilities Education Act.

18 “(10) CONDITIONS FOR LEARNING.—The term
19 ‘conditions for learning’ means conditions that ad-
20 vance student achievement and positive child and
21 youth development by supporting schools that—

22 “(A) promote physical, mental, and emo-
23 tional health;

24 “(B) ensure the safety of students and
25 staff;

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1 “(C) promote social, emotional, and char-
2 acter development; and

3 “(D) have the following attributes:

4 “(i) Provide opportunities for physical
5 activity and good nutrition.

6 “(ii) Are free of violence, harassment,
7 and weapons.

8 “(iii) Prevent use and abuse of drugs
9 and controlled substances.

10 “(iv) Help staff and students to model
11 positive social and emotional skills.

12 “(v) Employ adults who have high ex-
13 pectations for student conduct, character,
14 and academic achievement.

15 “(vi) Engage parents and family
16 members in meaningful and sustained
17 ways to promote positive student academic
18 achievement and developmental outcomes.

19 “(11) CONSOLIDATED LOCAL APPLICATION.—
20 The term ‘consolidated local application’ means an
21 application submitted by a local educational agency
22 pursuant to section 9305.

23 “(12) CONSOLIDATED LOCAL PLAN.—The term
24 ‘consolidated local plan’ means a plan submitted by
25 a local educational agency pursuant to section 9305.

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1 “(13) CONSOLIDATED STATE APPLICATION.—

2 The term ‘consolidated State application’ means an
3 application submitted by a State educational agency
4 pursuant to section 9302.

5 “(14) CONSOLIDATED STATE PLAN.—The term
6 ‘consolidated State plan’ means a plan submitted by
7 a State educational agency pursuant to section
8 9302.

9 “(15) CORE ACADEMIC SUBJECTS.—The term
10 ‘core academic subjects’ means English, reading or
11 language arts, mathematics, science, foreign lan-
12 guages, civics and government, economics, arts, his-
13 tory, and geography.

14 “(16) COVERED PROGRAM.—The term ‘covered
15 program’ means each of the programs authorized
16 by—

17 “(A) part A of title I;

18 “(B) part C of title I;

19 “(C) part D of title I;

20 “(D) part A of title II;

21 “(E) part A of title III;

22 “(F) part B of title IV; and

23 “(G) subpart 2 of part B of title VI.

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1 “(17) CURRENT EXPENDITURES.—The term
2 ‘current expenditures’ means expenditures for free
3 public education—

4 “(A) including expenditures for adminis-
5 tration, instruction, attendance and health serv-
6 ices, pupil transportation services, operation
7 and maintenance of plant, fixed charges, and
8 net expenditures to cover deficits for food serv-
9 ices and student body activities; but

10 “(B) not including expenditures for com-
11 munity services, capital outlay, and debt serv-
12 ice, or any expenditures made from funds re-
13 ceived under title I.

14 “(18) DEPARTMENT.—The term ‘Department’
15 means the Department of Education.

16 “(19) DEVELOPMENTAL DELAY.—The term ‘de-
17 velopmental delay’ has the meaning given the term
18 in section 632 of the Individuals with Disabilities
19 Education Act (20 U.S.C. 1432).

20 “(20) DISTANCE LEARNING.—The term ‘dis-
21 tance learning’ means the transmission of edu-
22 cational or instructional programming to geographi-
23 cally dispersed individuals and groups via tele-
24 communications.

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1 “(21) EARLY CHILDHOOD EDUCATION PRO-
2 GRAM.—The term ‘early childhood education pro-
3 gram’ has the meaning given the term in section 103
4 of the Higher Education Act of 1965 (20 U.S.C.
5 1003).

6 “(22) EDUCATIONAL SERVICE AGENCY.—The
7 term ‘educational service agency’ means a regional
8 public multiservice agency authorized by State stat-
9 ute to develop, manage, and provide services or pro-
10 grams to local educational agencies.

11 “(23) ELEMENTARY SCHOOL.—The term ‘ele-
12 mentary school’ means a nonprofit institutional day
13 or residential school, including a public elementary
14 charter school, that provides elementary education,
15 as determined under State law.

16 “(24) ENGLISH LEARNER.—The term ‘English
17 learner’ means an individual—

18 “(A) who is aged 3 through 21;

19 “(B) who is enrolled or preparing to enroll
20 in an elementary school or secondary school;

21 “(C)(i) who was not born in the United
22 States or whose native language is a language
23 other than English;

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1 “(ii)(I) who is a Native American or Alas-
2 ka Native, or a native resident of the outlying
3 areas; and

4 “(II) who comes from an environment
5 where a language other than English has had
6 a significant impact on the individual’s level of
7 English language proficiency; or

8 “(iii) who is migratory, whose native lan-
9 guage is a language other than English, and
10 who comes from an environment where a lan-
11 guage other than English is dominant; and

12 “(D) whose difficulties in speaking, read-
13 ing, writing, or understanding the English lan-
14 guage may be sufficient to deny the indi-
15 vidual—

16 “(i) the ability to meet or exceed the
17 State student academic achievement stand-
18 ards under section 1111(a)(1) in a subject
19 for the individual’s grade level, as deter-
20 mined based on the State academic assess-
21 ments described in section 1111(a)(2);

22 “(ii) the ability to successfully achieve
23 in classrooms where the language of in-
24 struction is English; or

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1 “(iii) the opportunity to participate
2 fully in society.

3 “(25) EVIDENCE-BASED.—The term ‘evidence-
4 based’, when used with respect to a program, prac-
5 tice, or policy, means—

6 “(A) based on a comprehensive, unbiased
7 review and weighing of 1 or more evaluation
8 studies that—

9 “(i) have been carried out consistent
10 with the principles of scientific research;

11 “(ii) have strong internal and external
12 validity; and

13 “(iii) support the direct attribution of
14 1 or more outcomes to the program, prac-
15 tice, or policy; or

16 “(B) in the absence of any study described
17 in subparagraph (A), based on a comprehensive,
18 unbiased review and weighing of data analysis,
19 research, or 1 or more evaluation studies of rel-
20 evant programs, practices, or policies, that—

21 “(i) were carried out consistent with
22 the principles of scientifically based re-
23 search; and

24 “(ii) are accompanied by strategies to
25 generate more robust evidence over time

1 through research, evaluation, and data
2 analysis, including—

3 “(I) the measurement of per-
4 formance with reliable process and
5 outcome indicators; and

6 “(II) the implementation of eval-
7 uations with strong internal and ex-
8 ternal validity where feasible and ap-
9 propriate.

10 “(26) EXPANDED LEARNING TIME.—The term
11 ‘expanded learning time’ means using a longer
12 school day, week, or year schedule to significantly
13 increase the total number of school hours, in order
14 to include additional time for—

15 “(A) instruction in core academic subjects;

16 “(B) instruction in other subjects and en-
17 richment and other activities that contribute to
18 a well-rounded education, including music and
19 the arts, physical education, and experiential
20 and work-based learning; and

21 “(C) instructional and support staff to col-
22 laborate, plan, and engage in professional devel-
23 opment, including on family and community en-
24 gagement, within and across grades and sub-
25 jects.

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1 “(27) FAMILY LITERACY ACTIVITIES.—The
2 term ‘family literacy activities’ means activities
3 that—

4 “(A) are of sufficient intensity in terms of
5 hours, and of sufficient duration, to make sus-
6 tainable improvements in the literacy rates of a
7 family;

8 “(B) better enable parents to support their
9 children’s learning needs; and

10 “(C) integrate all of the following activi-
11 ties:

12 “(i) Parent adult education and lit-
13 eracy activities that lead to readiness for
14 postsecondary education or training, career
15 advancement, and economic self-suffi-
16 ciency.

17 “(ii) Interactive literacy activities be-
18 tween parents and their children.

19 “(iii) Training for parents regarding
20 how to be the primary teacher for their
21 children and full partners in the education
22 of their children.

23 “(iv) Age-appropriate education to
24 prepare children for success in school and
25 life experiences.

1020

1 “(28) FAMILY MEMBER.—The term ‘family
2 member’ means a parent, relative, or other adult
3 who is responsible for the care and well-being of a
4 child.

5 “(29) FORMER ENGLISH LEARNER.—The term
6 ‘former English learner’ means a student who is pro-
7 ficient in English, as determined by the State as-
8 sessment of English language proficiency under sec-
9 tion 1111(a)(2)(D), but previously was an English
10 learner, as defined in this section.

11 “(30) FREE PUBLIC EDUCATION.—The term
12 ‘free public education’ means education that is pro-
13 vided—

14 “(A) at public expense, under public super-
15 vision and direction, and without tuition charge;
16 and

17 “(B) as elementary or secondary edu-
18 cation, as determined under State law, except
19 that, notwithstanding State law, such term—

20 “(i) includes preschool education; and

21 “(ii) does not include any education
22 provided beyond grade 12.

23 “(31) GIFTED AND TALENTED.—The term
24 ‘gifted and talented’, when used with respect to stu-
25 dents, children, or youth, means students, children,

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1 or youth who give evidence of high achievement ca-
2 pability in areas such as intellectual, creative, artis-
3 tic, or leadership capacity, or in specific academic
4 fields, and who need services or activities not ordi-
5 narily provided by the school in order to fully de-
6 velop those capabilities.

7 “(32) GRADUATION RATES.—The term ‘gradua-
8 tion rates’ shall, at a minimum, include both of the
9 following:

10 “(A) A 4-year adjusted cohort graduation
11 rate for a school year, defined as the percent
12 obtained by calculating the product of—

13 “(i) the result of—

14 “(I) the number of students
15 who—

16 “(aa) formed the adjusted
17 cohort 4 years earlier; and

18 “(bb) graduate in 4 years or
19 less with a regular secondary
20 school diploma; divided by

21 “(II) the number of students who
22 formed the adjusted cohort for that
23 year’s graduating class 4 years ear-
24 lier; multiplied by

25 “(ii) 100.

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1 “(B) A cumulative graduation rate for a
2 school year, defined as the percent obtained by
3 calculating the product of—

4 “(i) the result of—

5 “(I) the sum of—

6 “(aa) the number of stu-
7 dents who—

8 “(AA) form the ad-
9 justed cohort for that year’s
10 graduating class; and

11 “(BB) graduate in 4
12 years or less with a regular
13 secondary school diploma;
14 plus

15 “(bb) the number of addi-
16 tional students from previous co-
17 horts who graduate with a reg-
18 ular secondary school diploma by
19 the end of the school year in—

20 “(AA) more than 4
21 years but not more than 6
22 years; or

23 “(BB) before exceeding
24 the age for eligibility for a
25 free appropriate public edu-

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1 cation (as defined in section
2 602 of the Individuals with
3 Disabilities Education Act)
4 under State law; divided by
5 “(II) the sum of—

6 “(aa) the number of stu-
7 dents who form the adjusted co-
8 hort for that year’s graduating
9 class; plus

10 “(bb) the number of addi-
11 tional student graduates de-
12 scribed in subclause (I)(bb); mul-
13 tiplied by

14 “(ii) 100.

15 “(33) HIGH SCHOOL.—The term ‘high school’
16 means a secondary school that—

17 “(A) grants a diploma, as defined by the
18 State; and

19 “(B) includes, at least, grade 12.

20 “(34) HIGHLY QUALIFIED TEACHER.—

21 “(A) IN GENERAL.—The term ‘highly
22 qualified teacher’ means—

23 “(i) with respect to any public elemen-
24 tary school, middle school, or high school

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1 teacher teaching in a State, a teacher
2 who—

3 “(I)(aa) has obtained State cer-
4 tification as a teacher (including cer-
5 tification obtained through alternative
6 routes to certification) or passed the
7 State teacher licensing examination,
8 and holds a license to teach in the
9 State, except that when used with re-
10 spect to any teacher teaching in a
11 charter school, the term means that
12 the teacher meets the requirements
13 set forth in the State’s charter school
14 law; or

15 “(bb) has passed a rigorous State
16 test for subject matter knowledge and
17 is making satisfactory progress to-
18 wards obtaining full certification or li-
19 censure within 3 years through par-
20 ticipation in a high-quality, State-ap-
21 proved alternative certification pro-
22 gram; and

23 “(II) has not had certification or
24 licensure requirements waived on an

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1 emergency, temporary, or provisional
2 basis;

3 “(ii) with respect to—

4 “(I) an elementary school teacher
5 who is new to the profession, that the
6 teacher holds at least a bachelor’s de-
7 gree and—

8 “(aa) if teaching more than
9 a single subject, has dem-
10 onstrated, by receiving a passing
11 score on a rigorous State test,
12 subject knowledge and teaching
13 skills in reading, writing, mathe-
14 matics, and other areas of the
15 basic elementary school cur-
16 riculum (which may consist of
17 passing a State-required certifi-
18 cation or licensing test or tests in
19 reading, writing, mathematics,
20 and other areas of the basic ele-
21 mentary school curriculum); or

22 “(bb) if teaching a single
23 subject, meets either the require-
24 ment in item (aa) or (bb) of sub-
25 clause (II); and

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1 “(II) a middle school or high
2 school teacher who is new to the pro-
3 fession, that the teacher holds at least
4 a bachelor’s degree and has dem-
5 onstrated a high level of competency
6 in each of the academic subjects in
7 which the teacher teaches by—

8 “(aa) receiving a passing
9 score on a rigorous State aca-
10 demic subject test in each of the
11 academic subjects in which the
12 teacher teaches (which may con-
13 sist of a passing level of perform-
14 ance on a State-required certifi-
15 cation or licensing test or tests in
16 each of the academic subjects the
17 teacher teaches); or

18 “(bb) successful completion,
19 in each of the academic subjects
20 in which the teacher teaches, of
21 an academic major, a graduate
22 degree, coursework equivalent to
23 an undergraduate academic
24 major, or advanced certification
25 or credentialing; and

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1 “(iii) with respect to an elementary
2 school, middle school, or high school teach-
3 er who is not new to the profession, that
4 the teacher holds at least a bachelor’s de-
5 gree and—

6 “(I) has met the applicable
7 standard in subclause (I) or (II) of
8 clause (ii), which includes an option
9 for a test; or

10 “(II) demonstrates competence in
11 all the academic subjects in which the
12 teacher teaches based on a high objec-
13 tive uniform State standard of evalua-
14 tion, which may include multiple sub-
15 jects, that—

16 “(aa) is set by the State for
17 both grade-appropriate academic
18 subject-matter knowledge and
19 teaching skills;

20 “(bb) is aligned with State
21 academic content and student
22 academic achievement standards
23 under section 1111(a)(1) and de-
24 veloped in consultation with core
25 content specialists, teachers,

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1 principals, and school administra-
2 tors;

3 “(cc) provides objective, co-
4 herent information about the
5 teacher’s attainment of core con-
6 tent knowledge in the academic
7 subjects in which a teacher
8 teaches;

9 “(dd) is applied uniformly to
10 all teachers in the same academic
11 subject and the same grade level
12 throughout the State;

13 “(ee) takes into consider-
14 ation, but is not based primarily
15 on, the time the teacher has been
16 teaching in the academic subject;

17 “(ff) is made available to the
18 public on request; and

19 “(gg) may involve multiple,
20 objective measures of teacher
21 competency.

22 “(B) SPECIAL RULE.—Notwithstanding
23 the requirements of subparagraph (A), a State
24 may deem a teacher to be a highly qualified

1 teacher for purposes of this Act, if the teacher
2 is—

3 “(i) a teacher with a bachelor’s degree
4 who has received and maintained, for the
5 State in which the teacher teaches, a rat-
6 ing in the highest categories of a profes-
7 sional growth and improvement system;

8 “(ii) a teacher in a rural local edu-
9 cational agency, as described in section
10 6211(d), who teaches multiple subjects, if
11 the teacher is a highly qualified teacher in
12 1 of the core academic subjects that the
13 teacher teaches and becomes highly quali-
14 fied in the additional subjects in not more
15 than 3 years by meeting the requirements
16 of clause (ii) or (iii) of subparagraph (A);

17 “(iii) a science teacher who holds a
18 broad field science or individual science
19 certification or licensure and whom the
20 State determines is highly qualified for
21 purposes of this paragraph;

22 “(iv) a teacher who has been deter-
23 mined to be highly qualified by the State
24 as of the day before the date of enactment

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1 of the Strengthening America's Schools
2 Act of 2013; or

3 “(v) a teacher who is a participant in
4 an exchange visitor program and whom the
5 State determines is highly qualified for the
6 purposes of this paragraph.

7 “(C) SPECIAL EDUCATION TEACHERS.—
8 The definition of the term ‘highly qualified
9 teacher’ shall also include a special education
10 teacher who is highly qualified as determined
11 under section 602(10) of the Individuals with
12 Disabilities Education Act.

13 “(35) HIGH-NEED LOCAL EDUCATIONAL AGEN-
14 CY.—The term ‘high-need local educational agency’
15 means a local educational agency—

16 “(A) that serves not fewer than 10,000
17 children from families with incomes below the
18 poverty line;

19 “(B) for which not less than 20 percent of
20 the children served by the agency are from fam-
21 ilies with incomes below the poverty line; or

22 “(C) that is in the highest quartile of local
23 educational agencies in the State, based on stu-
24 dent poverty.

25 “(36) HIGH-NEED SCHOOL.—

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1 “(A) IN GENERAL.—The term ‘high-need
2 school’ means—

3 “(i) an elementary school or middle
4 school in which not less than 50 percent of
5 the enrolled students are children from
6 low-income families; or

7 “(ii) a high school in which not less
8 than 40 percent of the enrolled students
9 are children from low-income families,
10 which may be calculated using comparable
11 data from feeder schools.

12 “(B) LOW-INCOME FAMILY.—For purposes
13 of subparagraph (A), the term ‘low-income fam-
14 ily’ means a family—

15 “(i) in which the children are eligible
16 for a free or reduced price lunch under the
17 Richard B. Russell National School Lunch
18 Act (42 U.S.C. 1751 et seq.);

19 “(ii) receiving assistance under a
20 State program funded under part A of title
21 IV of the Social Security Act (42 U.S.C.
22 601 et seq.); or

23 “(iii) in which the children are eligible
24 to receive medical assistance under the
25 Medicaid program.

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1 “(37) INSTITUTION OF HIGHER EDUCATION.—

2 The term ‘institution of higher education’ has the
3 meaning given that term in section 101(a) of the
4 Higher Education Act of 1965.

5 “(38) LEADING INDICATORS.—The term ‘lead-
6 ing indicators’ means areas in which a priority
7 school is expected to demonstrate improvement, such
8 as—

9 “(A) average student attendance rates;

10 “(B) teacher attendance rates;

11 “(C) on-time grade promotion;

12 “(D) credit accumulation rates;

13 “(E) expulsion, suspension, violence, and
14 harassment rates;

15 “(F) teacher retention and turnover rates;

16 “(G) percentage of students failing a core,
17 credit-bearing course; and

18 “(H) entrance and placement examina-
19 tions, and preparation courses, for postsec-
20 ondary education.

21 “(39) LOCAL EDUCATIONAL AGENCY.—

22 “(A) IN GENERAL.—The term ‘local edu-
23 cational agency’ means a public board of edu-
24 cation or other public authority legally con-
25 stituted within a State for either administrative

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1 control or direction of, or to perform a service
2 function for, public elementary schools or sec-
3 ondary schools in a city, county, township,
4 school district, or other political subdivision of
5 a State, or of or for a combination of school
6 districts or counties that is recognized in a
7 State as an administrative agency for its public
8 elementary schools or secondary schools.

9 “(B) ADMINISTRATIVE CONTROL AND DI-
10 RECTION.—The term includes any other public
11 institution or agency having administrative con-
12 trol and direction of a public elementary school
13 or secondary school.

14 “(C) BIE SCHOOLS.—The term includes an
15 elementary school or secondary school funded
16 by the Bureau of Indian Education but only to
17 the extent that including the school makes the
18 school eligible for programs for which specific
19 eligibility is not provided to the school in an-
20 other provision of law and the school does not
21 have a student population that is smaller than
22 the student population of the local educational
23 agency receiving assistance under this Act with
24 the smallest student population, except that the
25 school shall not be subject to the jurisdiction of

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1 any State educational agency other than the
2 Bureau of Indian Affairs.

3 “(D) EDUCATIONAL SERVICE AGENCIES.—
4 The term includes educational service agencies
5 and consortia of those agencies.

6 “(E) STATE EDUCATIONAL AGENCY.—The
7 term includes the State educational agency in a
8 State in which the State educational agency is
9 the sole educational agency for all public
10 schools.

11 “(40) MAGNET SCHOOL.—The term ‘magnet
12 school’ means a public elementary school, public sec-
13 ondary school, public elementary education center,
14 or public secondary education center, that offers a
15 special curriculum capable of attracting substantial
16 numbers of students of different racial backgrounds.

17 “(41) MULTI-TIER SYSTEM OF SUPPORTS.—The
18 term ‘multi-tier system of supports’ means a com-
19 prehensive system of differentiated supports that in-
20 cludes evidence-based instruction, universal screen-
21 ing, progress monitoring, formative assessments, re-
22 search-based interventions matched to students’
23 needs, and educational decision-making using stu-
24 dent outcome data.

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1 “(42) MUTUAL CONSENT.—The term ‘mutual
2 consent’ means a process through which—

3 “(A) the principal or hiring team and the
4 teacher agree to the placement at a school;

5 “(B) the principal or hiring team selects
6 teachers for the school from an unrestricted
7 pool of internal and external candidates based
8 on an assessment of the qualifications of the in-
9 dividual candidates; and

10 “(C) the local educational agency ensures
11 that other schools served by the local edu-
12 cational agency are not being forced to accept
13 teachers displaced from persistently low-achiev-
14 ing schools.

15 “(43) NATIVE AMERICAN AND NATIVE AMER-
16 ICAN LANGUAGE.—The terms ‘Native American’ and
17 ‘Native American language’ have the same meaning
18 given those terms in section 103 of the Native
19 American Languages Act of 1990 (25 U.S.C. 2902).

20 “(44) OUTLYING AREA.—The term ‘outlying
21 area’—

22 “(A) means American Samoa, the Com-
23 monwealth of the Northern Mariana Islands,
24 Guam, and the United States Virgin Islands;

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1 “(B) means the Republic of Palau, to the
2 extent permitted under section 105(f)(1)(B)(ix)
3 of the Compact of Free Association Amend-
4 ments Act of 2003 (Public Law 108–188; 117
5 Stat. 2751) and until an agreement for the ex-
6 tension of United States education assistance
7 under the Compact of Free Association becomes
8 effective for the Republic of Palau; and

9 “(C) for the purpose of any discretionary
10 grant program under this Act, includes the Re-
11 public of the Marshall Islands and the Fed-
12 erated States of Micronesia, to the extent per-
13 mitted under section 105(f)(1)(B)(viii) of the
14 Compact of Free Association Amendments Act
15 of 2003 (Public Law 108–188; 117 Stat.
16 2751).

17 “(45) PARENT.—The term ‘parent’ includes a
18 legal guardian or other person standing in loco
19 parentis (such as a grandparent or stepparent with
20 whom the child lives, or a person who is legally re-
21 sponsible for the child’s welfare).

22 “(46) POSITIVE BEHAVIORAL INTERVENTIONS
23 AND SUPPORTS.—The term ‘positive behavioral
24 interventions and supports’ means a management
25 system and set of activities establishing the social

1 culture of a school and the use of evidence-based be-
2 havioral practices needed for schools to prevent
3 problem behaviors and provide effective learning en-
4 vironments for all students.

5 “(47) POVERTY LINE.—The term ‘poverty line’
6 means the poverty line (as defined by the Office of
7 Management and Budget and revised annually in ac-
8 cordance with section 673(2) of the Community
9 Services Block Grant Act (42 U.S.C. 9902(2)) appli-
10 cable to a family of the size involved.

11 “(48) PROFESSIONAL DEVELOPMENT.—The
12 term ‘professional development’ means activities
13 based on scientifically valid research that are coordi-
14 nated and aligned to increase the effectiveness of
15 educators (including teachers, principals, other
16 school leaders, specialized instructional support per-
17 sonnel, paraprofessionals, and, as applicable, early
18 childhood educators) and are regularly assessed to
19 determine the activities’ effectiveness, and that—

20 “(A) are designed and implemented to im-
21 prove student achievement and classroom prac-
22 tice;

23 “(B) are aligned with—

1 “(i) State academic content standards
2 and student academic achievement stand-
3 ards developed under section 1111(a)(1);

4 “(ii) related academic and school im-
5 provement goals of the school, local edu-
6 cational agency, and, as appropriate, state-
7 wide and local curricula; and

8 “(iii) rigorous teaching standards;

9 “(C) increase educators’—

10 “(i) knowledge and understanding
11 about how students learn;

12 “(ii) academic content knowledge;

13 “(iii) ability to analyze student work
14 and achievement data from multiple
15 sources, including how to adjust instruc-
16 tional strategies, assessments, and mate-
17 rials based on such analysis; and

18 “(iv) ability to instruct students with
19 disabilities and English learners so that
20 they are able to meet the State academic
21 content standards and student academic
22 achievement standards;

23 “(D) are informed by, and aligned with,
24 such educators’ evaluations under the applicable
25 professional growth and improvement system;

1 “(E) are job-embedded, ongoing, collabo-
2 rative, data-driven, and classroom-focused; and

3 “(F) are, as appropriate—

4 “(i) designed to provide educators
5 with the knowledge and skills to work more
6 effectively with parents and families; and

7 “(ii) provided jointly for school staff
8 and other early childhood education pro-
9 gram providers, where applicable, to ad-
10 dress the transition to elementary school,
11 including issues related to school readiness
12 across all major domains of early learning.

13 “(49) PROFESSIONAL GROWTH AND IMPROVE-
14 MENT SYSTEM.—

15 “(A) IN GENERAL.—The term ‘professional
16 growth and improvement system’ means a rig-
17 orous, transparent, and fair system of evalua-
18 tion and support based on research and best
19 practices for teachers and principals that—

20 “(i) provides meaningful feedback to
21 teachers and principals on the results of
22 their evaluation;

23 “(ii) establishes multiple categories of
24 teacher and principal performance to en-
25 sure that the evaluation provides meaning-

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1 ful differentiation and is aligned with stu-
2 dent academic achievement results;

3 “(iii) evaluates teachers and principals
4 regularly consistent with research and best
5 practices, including by using multiple
6 measures;

7 “(iv) is directly aligned with profes-
8 sional development activities;

9 “(v) is developed and implemented
10 with teacher and principal involvement;

11 “(vi) provides training for the eval-
12 uators who are responsible for conducting
13 classroom and school level observations;

14 “(vii) for principals—

15 “(I) is based in significant part
16 on evidence of improved student aca-
17 demic achievement and growth and
18 student outcomes, including the
19 English language proficiency of
20 English learner students, and evidence
21 of providing strong instructional lead-
22 ership and support to teachers and
23 other staff; and

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1 “(II) may include other measures
2 of principal performance such as par-
3 ent and family engagement; and

4 “(viii) for teachers, is based in signifi-
5 cant part on each of the following:

6 “(I) Evidence of improved stu-
7 dent academic achievement and
8 growth that is limited to evidence-
9 based or externally validated meas-
10 ures.

11 “(II) Observations of classroom
12 teaching.

13 “(III) Other measures that in-
14 form teacher performance, which may
15 include student perception surveys.

16 “(B) RULES OF CONSTRUCTION.—Nothing
17 in this paragraph shall be construed to—

18 “(i) require a State or local edu-
19 cational agency to change the components
20 of a teacher and principal evaluation sys-
21 tem that has been approved by the Sec-
22 retary pursuant to the Secretary’s waiver
23 authority under section 9401 on the day
24 before the date of enactment of the

1 Strengthening America's Schools Act of
2 2013; and

3 “(ii) alter or otherwise affect the
4 rights, remedies, and procedures afforded
5 school or school district employees under
6 Federal, State, or local laws (including ap-
7 plicable regulations or court orders) or
8 under the terms of collective bargaining
9 agreements, memoranda of understanding,
10 or other agreements between such employ-
11 ees and their employers.

12 “(50) REGULAR SECONDARY SCHOOL DI-
13 PLOMA.—

14 “(A) IN GENERAL.—The term ‘regular sec-
15 ondary school diploma’ means the standard sec-
16 ondary school diploma awarded to the prepon-
17 derance of students in the State that is fully
18 aligned with State standards, or a higher di-
19 ploma. Such term shall not include a GED or
20 other recognized equivalent of a diploma, a cer-
21 tificate of attendance, or any lesser diploma
22 award.

23 “(B) EXCEPTION FOR STUDENTS WITH
24 SIGNIFICANT COGNITIVE DISABILITIES.—For a
25 student who has a significant cognitive dis-

1 ability and is assessed using an alternate as-
2 sessment aligned to alternate academic achieve-
3 ment standards under section 1111(a)(1)(C),
4 receipt of a regular secondary school diploma or
5 a State-defined alternate diploma aligned with
6 completion of the student's right to a free ap-
7 propriate public education under the Individuals
8 with Disabilities Education Act shall be counted
9 as graduating with a regular secondary school
10 diploma for the purposes of this Act, except
11 that not more than 1 percent of students served
12 by a State or a local educational agency, as ap-
13 propriate, shall be counted as graduates with a
14 regular secondary school diploma under this
15 subparagraph.

16 “(51) SCIENTIFICALLY BASED RESEARCH.—

17 The term ‘scientifically based research’—

18 “(A) means research that involves the ap-
19 plication of rigorous, systematic, and objective
20 procedures to obtain reliable and valid knowl-
21 edge relevant to education activities and pro-
22 grams; and

23 “(B) includes research that—

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1 “(i) employs systematic, empirical
2 methods that draw on observation or ex-
3 periment;

4 “(ii) involves rigorous data analyses
5 that are adequate to test the stated
6 hypotheses and justify the general conclu-
7 sions drawn;

8 “(iii) relies on measurements or obser-
9 vational methods that provide reliable and
10 valid data across evaluators and observers,
11 across multiple measurements and observa-
12 tions, and across studies by the same or
13 different investigators;

14 “(iv) is evaluated using experimental
15 or quasi-experimental designs in which in-
16 dividuals, entities, programs, or activities
17 are assigned to different conditions and
18 with appropriate controls to evaluate the
19 effects of the condition of interest, with a
20 preference for random-assignment experi-
21 ments, or other designs to the extent that
22 those designs contain within-condition or
23 across-condition controls;

24 “(v) ensures that experimental studies
25 are presented in sufficient detail and clar-

1 ity to allow for replication or, at a min-
2 imum, offer the opportunity to build sys-
3 tematically on their findings; and

4 “(vi) has been accepted by a peer-re-
5 viewed journal or approved by a panel of
6 independent experts through a comparably
7 rigorous, objective, and scientific review.

8 “(52) SCIENTIFICALLY VALID RESEARCH.—The
9 term ‘scientifically valid research’ includes applied
10 research, basic research, and field-initiated research
11 in which the rationale, design, and interpretation are
12 soundly developed in accordance with principles of
13 scientific research.

14 “(53) SECONDARY SCHOOL.—The term ‘sec-
15 ondary school’ means a nonprofit institutional day or
16 residential school, including a public secondary char-
17 ter school, that provides secondary education, as de-
18 termined under State law, except that the term does
19 not include any education beyond grade 12.

20 “(54) SECRETARY.—The term ‘Secretary’
21 means the Secretary of Education.

22 “(55) SPECIALIZED INSTRUCTIONAL SUPPORT
23 PERSONNEL; SPECIALIZED INSTRUCTIONAL SUPPORT
24 SERVICES.—

1 “(A) SPECIALIZED INSTRUCTIONAL SUP-
2 PORT PERSONNEL.—The term ‘specialized in-
3 structional support personnel’ means school
4 counselors, school social workers, school psy-
5 chologists, school nurses, and other qualified
6 professional personnel involved in providing as-
7 sessment, diagnosis, counseling, educational,
8 therapeutic, and other necessary services (in-
9 cluding related services as that term is defined
10 in section 602 of the Individuals with Disabil-
11 ities Education Act) as part of a comprehensive
12 program to meet student needs.

13 “(B) SPECIALIZED INSTRUCTIONAL SUP-
14 PORT SERVICES.—The term ‘specialized instruc-
15 tional support services’ means the services pro-
16 vided by specialized instructional support per-
17 sonnel.

18 “(56) STATE.—The term ‘State’ means each of
19 the 50 States, the District of Columbia, the Com-
20 monwealth of Puerto Rico, and each of the outlying
21 areas.

22 “(57) STATE ADVISORY COUNCIL ON EARLY
23 CHILDHOOD EDUCATION AND CARE.—The term
24 ‘State Advisory Council on Early Childhood Edu-
25 cation and Care’ means the State Advisory Council

1 on Early Childhood Education and Care designated
2 or established under section 642B(b)(1)(A) of the
3 Head Start Act (42 U.S.C. 9837b(b)(1)(A)).

4 “(58) STATE EDUCATIONAL AGENCY.—The
5 term ‘State educational agency’ means the agency
6 primarily responsible for the State supervision of
7 public elementary schools and secondary schools.

8 “(59) STUDENT WITH INTERRUPTED FORMAL
9 EDUCATION.—The term ‘student with interrupted
10 formal education’ means a student identified as an
11 English learner who—

12 “(A) enrolled in a United States school
13 after grade 2;

14 “(B) has completed successfully 2 or more
15 years less of schooling than students of the
16 same age;

17 “(C) performs 2 years or more below grade
18 level, as measured by State college and career
19 ready student academic achievement standards;
20 and

21 “(D) is preliterate in such student’s first
22 language.

23 “(60) TEACHER MENTORING.—The term
24 ‘teacher mentoring’ means supporting teachers or
25 principals to increase the effectiveness and retention

1 of such teachers or principals through a program
2 that—

3 “(A) includes clear criteria for the selec-
4 tion of mentors that takes into account the
5 mentor’s—

6 “(i) effectiveness; and

7 “(ii) ability to facilitate adult learn-
8 ing;

9 “(B) provides high-quality training for
10 mentors in how to support teachers or prin-
11 cipals effectively;

12 “(C) provides regularly scheduled time for
13 collaboration, examination of student work and
14 achievement data, and ongoing opportunities for
15 mentors and mentees to observe each other’s
16 teaching or leading, and identify and address
17 areas for improvement; and

18 “(D) matches mentees with mentors in the
19 same field, grade, grade span, or subject area.

20 “(61) TEACHER OF ENGLISH LEARNERS.—The
21 term ‘teacher of English learners’ means a teacher
22 who—

23 “(A) teaches students who are identified as
24 English learners;

1 “(B) has as a primary role to support
2 English learners with English language acquisi-
3 tion; and

4 “(C) is responsible for tracking the
5 progress toward English proficiency of English
6 learners.

7 “(62) TURNAROUND PARTNER.—The term
8 ‘turnaround partner’ means a public or private non-
9 profit organization, institution of higher education,
10 or charter management organization, with a dem-
11 onstrated record of successful school improvement.

12 “(63) UNIVERSAL DESIGN FOR LEARNING.—
13 The term ‘universal design for learning’ has the
14 meaning given the term in section 103 of the Higher
15 Education Act of 1965.

16 “(64) YOUNG CHILD.—The term ‘young child’
17 means an individual who has not reached the age at
18 which the State in which the child resides requires
19 mandatory school attendance.”.

20 (b) CONFORMING AMENDMENTS.—The Act (20
21 U.S.C. 6301 et seq.) is amended—

22 (1) in section 1604(b) (20 U.S.C. 6574(b)), as
23 redesignated by section 1601(a)(3) of this Act, by
24 striking “the Committee on Education and the
25 Workforce of the House of Representatives and the

1 Committee on Health, Education, Labor and Pen-
2 sions of the Senate” and inserting “the authorizing
3 committees”;

4 (2) in section 3122(b) (20 U.S.C. 6843(b)), as
5 redesignated by section 3001(3) of this Act, by
6 striking “the Committee on Education and the
7 Workforce of the House of Representatives and the
8 Committee on Health, Education, Labor, and Pen-
9 sions of the Senate” and inserting “the authorizing
10 committees”; and

11 (3) in section 9401(e)(4) (20 U.S.C.
12 7861(e)(4)), by striking “the Committee on Edu-
13 cation and the Workforce of the House of Rep-
14 resentatives and the Committee on Health, Edu-
15 cation, Labor, and Pensions of the Senate” and in-
16 serting “the authorizing committees”.

17 **SEC. 9102. UNSAFE SCHOOL CHOICE OPTION.**

18 Section 9532(a) (20 U.S.C. 7912(a)) is amended by
19 striking “attending” and all that follows through “victim
20 of” and inserting “who is threatened with, or becomes a
21 victim of,”.

22 **SEC. 9103. GEOGRAPHIC DIVERSITY.**

23 Subpart 2 of part E of title IX (20 U.S.C.) is amend-
24 ed by adding at the end the following:

1 **“SEC. 9537. GEOGRAPHIC DIVERSITY.**

2 “When awarding grants on a competitive basis under
3 this Act, the Secretary shall ensure geographic diversity.”.

4 **SEC. 9104. EVALUATION AUTHORITY.**

5 Section 9601 (20 U.S.C. 7941) is amended to read
6 as follows:

7 **“SEC. 9601. EVALUATION AUTHORITY.**

8 “(a) RESERVATION OF FUNDS.—Except as provided
9 in subsection (b), the Secretary may reserve not less than
10 1 percent and not more than 3 percent of the amount ap-
11 propriated to carry out each categorical program and dem-
12 onstration project authorized under this Act. The reserved
13 amounts shall be used by the Secretary, acting through
14 the Director of the Institute of Education Sciences, to—

15 “(1) conduct—

16 “(A) comprehensive, high-quality evalua-
17 tions of the program or project that—

18 “(i) provide information to inform pol-
19 icy-making and to support continuous pro-
20 gram improvement; and

21 “(ii) use methods appropriate for the
22 questions being asked; and

23 “(B) impact evaluations that employ exper-
24 imental or quasi-experimental designs, where
25 practicable and appropriate, and other rigorous

1 methodologies that permit the strongest possible causal inferences;

2 “(2) provide technical assistance to grant recipients on—

3 “(A) the conduct of the evaluation activities that the grantees carry out under this Act;

4 and

5 “(B) the collection and reporting of performance data relating to the program or project;

6 “(3) evaluate the aggregate short- and long-term effects and cost efficiencies across Federal programs assisted or authorized under this Act and related Federal preschool, elementary, and secondary programs under any other Federal law;

7 “(4) increase the usefulness of evaluations of grant recipients in order to ensure the continuous progress of the program or project by improving the quality, timeliness, efficiency, dissemination, and use of information relating to performance under the program or project; and

8 “(5) identify and disseminate research and best practices related to the programs and projects authorized under this Act to build the evidence base

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1 for the programs and projects that effectively meet
2 the goals of this Act.

3 “(b) TITLE I.—The Secretary shall reserve under
4 subsection (a) 1 percent of the funds appropriated to carry
5 out title I.

6 “(c) EVALUATION PLAN.—Beginning not later than
7 1 year after the date of enactment of the Strengthening
8 America’s Schools Act of 2013, the Secretary shall annu-
9 ally develop and submit to Congress a plan that—

10 “(1) describes the timeline for evaluation of the
11 programs and projects authorized under this Act;
12 and

13 “(2) describes the specific evaluation activities
14 that the Secretary intends to carry out for such pro-
15 grams and projects during the next year.

16 “(d) EVALUATION ACTIVITIES AUTHORIZED ELSE-
17 WHERE.—If, under any other provision of this Act (other
18 than title I), funds are authorized to be reserved or used
19 for evaluation activities with respect to a program or
20 project, the Secretary may not reserve additional funds
21 under this section for the evaluation of that program or
22 project.

23 “(e) SPECIAL RULE REGARDING ALLOCATION FOR
24 IMPACT EVALUATIONS.—The Secretary shall use not less
25 than 30 percent of the funds reserved under this section

1 for each of the fiscal years 2014 through 2019, in the ag-
2 gregate for each year, for impact evaluations that meet
3 the requirements of subsection (a)(1).”.

4 **SEC. 9105. CONFORMING AMENDMENTS.**

5 (a) REORGANIZATION.—Title IX (20 U.S.C. 7801 et
6 seq.) is amended by adding at the end the following:

7 **“PART G—MISCELLANEOUS PROVISIONS”.**

8 (b) CONFORMING AMENDMENTS.—Title IX (20
9 U.S.C. 7801 et seq.) is amended—

10 (1) in section 9401 (20 U.S.C. 7861)—

11 (A) in subsection (b)(1)(C), by striking “,
12 in accordance with section 1111(b),”; and

13 (B) in subsection (c), by striking “subpart
14 1 of part B of title V” and inserting “subpart
15 1 of part D of title V”;

16 (2) by striking paragraph (1) of section
17 9501(b) (20 U.S.C. 7881(b)) and inserting the fol-
18 lowing:

19 “(1) IN GENERAL.—This section applies to pro-
20 grams under—

21 “(A) part C of title I;

22 “(B) part A of title II, to the extent pro-
23 vided in paragraph (3);

24 “(C) part A of title III;

25 “(D) part A of title IV;

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1 “(E) part B of title IV;

2 “(F) part D of title IV; and

3 “(G) part E of title IV.”; and

4 (3) in section 9534(b) (20 U.S.C. 7914(b)), by
5 striking “part B of title V” each place the term ap-
6 pears and inserting “part D of title V”.

7 **TITLE X—COMMISSION ON EF-**
8 **FECTIVE REGULATION AND**
9 **ASSESSMENT SYSTEMS FOR**
10 **PUBLIC SCHOOLS**

11 **SEC. 10011. SHORT TITLE.**

12 This title may be cited as the “Commission on Effec-
13 tive Regulation and Assessment Systems for Public
14 Schools Act”.

15 **SEC. 10012. DEFINITIONS.**

16 In this title:

17 (1) **CHAIRPERSON.**—The term “Chairperson”
18 means the Chairperson of the Commission.

19 (2) **COMMISSION.**—The term “Commission”
20 means the Commission on Effective Regulation and
21 Assessment Systems for Public Schools.

1 **SEC. 10013. ESTABLISHMENT OF COMMISSION ON EFFEC-**
2 **TIVE REGULATION AND ASSESSMENT SYS-**
3 **TEMS FOR PUBLIC SCHOOLS.**

4 (a) IN GENERAL.—Not later than 30 days after the
5 date of enactment of this Act, the Secretary shall establish
6 a commission to be known as the “Commission on Effec-
7 tive Regulation and Assessment Systems for Public
8 Schools”.

9 (b) PURPOSE.—The Commission shall—

10 (1) examine Federal, State, and local regulatory
11 requirements on elementary and secondary edu-
12 cation;

13 (2) make recommendations on how to align and
14 improve such Federal, State, and local requirements
15 to improve performance and innovation;

16 (3) examine the quality and purpose of current
17 Federal, State, and local assessment requirements;
18 and

19 (4) make recommendations to improve and
20 align assessment systems to provide quality and
21 meaningful information for parents, teachers, and
22 students to improve student achievement, teacher
23 performance, and innovation.

24 (c) MEMBERSHIP.—

25 (1) COMPOSITION.—The Commission shall be
26 composed of—

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- 1 (A) 4 Governors;
2 (B) 6 State legislators;
3 (C) 2 Chief State school officers;
4 (D) 2 State officials responsible for admin-
5 istering Federal education programs;
6 (E) 4 superintendents;
7 (F) 2 principals;
8 (G) 2 teachers;
9 (H) 2 assessment experts; and
10 (I) 2 teacher and principal effectiveness ex-
11 perts.

12 (2) RECOMMENDATIONS.—The Secretary shall
13 solicit input and nominations for appointing mem-
14 bers of the Commission from—

- 15 (A) Governors;
16 (B) members of Congress;
17 (C) State legislators;
18 (D) superintendents, principals, teachers,
19 and other members of the education commu-
20 nity; and
21 (E) parents, students, and other members
22 of the general public.

23 (3) DETERMINATION.—The Secretary shall de-
24 termine the membership of the Commission after

1 considering recommendations submitted under para-
2 graph (2).

3 (d) CHAIRPERSON.—The Secretary shall designate a
4 Governor as the Chairperson of the Commission.

5 (e) MEETINGS.—The Commission shall hold, at the
6 call of the Chairperson, not less than 1 meeting every 6
7 months. All such meetings shall be open to the public. The
8 Commission may hold, at the call of the Chairperson, such
9 other meetings as the Chairperson sees fit to carry out
10 this title.

11 (f) QUORUM.—A majority of the members of the
12 Commission shall constitute a quorum, but a lesser num-
13 ber of members may hold hearings.

14 (g) INITIAL MEETING.—The Commission shall hold
15 its first meeting not later than 60 days after the date of
16 enactment of this Act.

17 **SEC. 10014. POWERS OF THE COMMISSION.**

18 (a) HEARINGS.—

19 (1) IN GENERAL.—The Commission shall hold
20 such hearings, sit and act at such times and places,
21 take such testimony, and receive such evidence as
22 the Commission determines appropriate to carry out
23 this title.

1 (2) PARTICIPATION.—In hearings held under
2 this subsection, the Commission shall consider invit-
3 ing witnesses from, among other groups—

4 (A) teachers;

5 (B) parents;

6 (C) principals;

7 (D) superintendents;

8 (E) Federal, State, and local educational
9 agency personnel;

10 (F) researchers and other experts; and

11 (G) any other individuals determined ap-
12 propriate by the Commission.

13 (b) INFORMATION FROM FEDERAL AGENCIES.—The
14 Commission may secure directly from any Federal depart-
15 ment or agency such information as the Commission con-
16 siders necessary to carry out this title. Upon request of
17 the Chairperson, the head of such department or agency
18 shall furnish such information to the Commission.

19 **SEC. 10015. DUTIES OF THE COMMISSION.**

20 (a) DUTIES.—

21 (1) IN GENERAL.—The Commission shall take
22 such actions as it determines necessary to gain a full
23 understanding of the issues of effective regulation
24 and assessment systems for public schools.

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1 (2) AREAS OF EMPHASIS.—The Commission
2 shall focus—

3 (A) in examining the over-regulation of
4 public schools, on—

5 (i) examining Federal, State, and
6 local regulations governing public schools;

7 (ii) differentiating between financial,
8 programmatic, general education, special
9 education, and civil rights requirements;

10 (iii) identifying which government en-
11 tity requires each regulation;

12 (iv) measuring the cost of compliance
13 in terms of funds spent on compliance and
14 time in hours and personnel;

15 (v) identifying duplicative, redundant,
16 or unnecessary regulations at each govern-
17 mental level; and

18 (vi) investigating how Federal, State,
19 and local interpretations of laws and regu-
20 lations create an additional or unnecessary
21 burden and are used as a rationale for im-
22 posing requirements that are not actually
23 mandated by law; and

24 (B) in examining the effective testing of
25 public schools, on—

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1 (i) examining Federal, State, and
2 local testing and standardized assessment
3 requirements for public elementary schools,
4 middle schools, and high schools;

5 (ii) determining the purpose and in-
6 tent of each such test or assessment, in-
7 cluding whether it is intended to measure
8 student achievement and growth, teacher
9 and principal effectiveness, or system ac-
10 countability;

11 (iii) determining the frequency,
12 length, and scheduling of such tests and
13 assessments, and measuring, in hours and
14 days, the student and teacher time spent
15 on testing;

16 (iv) examining standardized assess-
17 ments required by Federal, State, or local
18 requirements, excluding teacher-created
19 tests and quizzes and formative assess-
20 ments;

21 (v) reporting on the quality of stand-
22 ardized assessments;

23 (vi) examining reporting practices of
24 test results and the degree to which such
25 results are returned in a timely manner

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1 with sufficient quality to be useful to par-
2 ents, teachers and principals, and students
3 to inform and improve their work, includ-
4 ing targeting instruction to student needs,
5 grading student work, and evaluating
6 teacher and principal effectiveness;

7 (vii) analyzing the ability of quality
8 assessments to measure whether a student
9 is prepared to graduate from high school
10 and pursue college or a career without the
11 need for academic remediation;

12 (viii) examining what factors most
13 contribute to quality assessments and the
14 extent to which high-quality assessments
15 can advance student learning;

16 (ix) determining the technology infra-
17 structure required for next generation as-
18 sements; and

19 (x) identifying opportunities to im-
20 prove assessment practices to better pro-
21 mote parent, teacher and principal, and
22 student understanding of progress toward
23 college and career readiness and public un-
24 derstanding of school performance and
25 educational productivity.

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1 (3) SAMPLES.—In conducting its work under
2 this title, the Commission may rely on samples of
3 States and local educational agencies for examples of
4 regulations and testing requirements.

5 (b) REPORTS.—

6 (1) IN GENERAL.—Subject to paragraph (2),
7 the Commission shall provide regular reports in a
8 manner and form of the Commission's choosing to—

9 (A) the Secretary; and

10 (B) the members of the authorizing com-
11 mittees.

12 (2) ANNUAL REPORT.—Not later than 1 year
13 after the date of the first meeting of the Commis-
14 sion, and annually thereafter, the Commission shall
15 issue a report to—

16 (A) the Secretary; and

17 (B) the members of the authorizing com-
18 mittees.

19 (3) PUBLIC REPORT.—The Commission shall—

20 (A) prepare a report—

21 (i) analyzing findings of the Commis-
22 sion; and

23 (ii) making recommendations for Fed-
24 eral, State, and local policy makers; and

1 (B) broadly disseminate such report to the
2 general public.

3 (c) TESTIMONY.—The Chairperson shall annually
4 provide testimony to the authorizing committees.

5 **SEC. 10016. COMMISSION PERSONNEL MATTERS.**

6 (a) COMPENSATION OF MEMBERS.—Each member of
7 the Commission shall serve without compensation in addi-
8 tion to any such compensation received for the member's
9 service as an officer or employee of the United States, if
10 applicable.

11 (b) TRAVEL EXPENSES.—The members of the Com-
12 mission shall be allowed travel expenses, including per
13 diem in lieu of subsistence, at rates authorized for employ-
14 ees of agencies under subchapter 1 of chapter 57 of title
15 5, United States Code, while away from their homes or
16 regular places of business in the performance of services
17 for the Commission.

18 (c) ASSISTANCE.—

19 (1) IN GENERAL.—The Assistant Secretary of
20 Elementary and Secondary Education shall provide
21 assistance to the Commission, upon request of the
22 Commission, without reimbursement.

23 (2) DETAIL OF GOVERNMENT EMPLOYEES.—
24 Any Federal Government employee may be detailed
25 to the Commission without reimbursement, and such

1 detail shall be without interruption or loss of civil
2 service status or privilege.

3 **TITLE XI—AMENDMENTS TO**
4 **OTHER LAWS; MISCELLA-**
5 **NEOUS PROVISIONS**

6 **PART A—AMENDMENTS TO OTHER LAWS**

7 **Subpart 1—McKinney-Vento Homeless Assistance Act**

8 **SEC. 11011. SHORT TITLE.**

9 This subpart may be cited as the “McKinney-Vento
10 Homeless Education Reauthorization Act of 2013”.

11 **SEC. 11012. EDUCATION FOR HOMELESS CHILDREN AND**
12 **YOUTH.**

13 Subtitle B of title VII of the McKinney-Vento Home-
14 less Assistance Act (42 U.S.C. 11431 et seq.) is amended
15 to read as follows:

16 **“Subtitle B—Education for**
17 **Homeless Children and Youth**

18 **“SEC. 721. STATEMENT OF POLICY.**

19 “The following is the policy of Congress:

20 “(1) Each State shall ensure that each home-
21 less child and youth has access to the same free ap-
22 propriate public education, including a public pre-
23 school education, as is provided to other children
24 and youth.

1 “(2) In any State where compulsory residency
2 requirements or other requirements of laws, regula-
3 tions, practices, or policies may act as a barrier to
4 the identification, enrollment, attendance, or success
5 in school of homeless children and youth, the State
6 shall review and revise such laws, regulations, prac-
7 tices, or policies to ensure that homeless children
8 and youth are afforded the same free appropriate
9 public education as is provided to other children and
10 youth.

11 “(3) Homelessness is not a sufficient reason to
12 separate students from the mainstream school envi-
13 ronment.

14 “(4) Homeless children and youth shall have
15 access to the education and other services that such
16 children and youth need to ensure that such children
17 and youth have an opportunity to meet the same col-
18 lege and career ready State student academic
19 achievement standards to which all students are
20 held.

21 **“SEC. 722. GRANTS FOR STATE AND LOCAL ACTIVITIES FOR**
22 **THE EDUCATION OF HOMELESS CHILDREN**
23 **AND YOUTH.**

24 “(a) GENERAL AUTHORITY.—The Secretary is au-
25 thorized to make grants to States from allotments made

1 under subsection (c) and in accordance with this section
2 to enable such States to carry out the activities described
3 in subsections (d) through (g).

4 “(b) APPLICATION.—In order for a State to be eligi-
5 ble to receive a grant under this section, the State edu-
6 cational agency, in consultation with other relevant State
7 agencies, shall submit an application to the Secretary at
8 such time, in such manner, and containing or accompanied
9 by such information as the Secretary may reasonably re-
10 quire.

11 “(c) ALLOCATION AND RESERVATIONS.—

12 “(1) ALLOCATION.—

13 “(A) IN GENERAL.—Subject to subpara-
14 graph (C), the Secretary is authorized to allot
15 to each State an amount that bears the same
16 ratio to the amount appropriated for such year
17 under section 727 that remains after the Sec-
18 retary reserves funds under paragraph (2) and
19 uses funds to carry out section 724 (d) and (h),
20 as the amount allocated under section 1122 of
21 the Elementary and Secondary Education Act
22 of 1965 (20 U.S.C. 6332) to the State for that
23 year bears to the total amount allocated under
24 section 1122 of such Act to all States for that
25 year, except as provided in subparagraph (B).

1 “(B) MINIMUM ALLOTMENTS.—No State
2 shall receive for a fiscal year less under this
3 paragraph than the greater of—

4 “(i) \$300,000; or

5 “(ii) an amount that bears the same
6 ratio to the amount appropriated for such
7 year under section 727 that remains after
8 the Secretary reserves funds under para-
9 graph (2) and uses funds to carry out sec-
10 tion 724 (d) and (h), as the amount the
11 State received under this paragraph for the
12 preceding fiscal year bears to the total
13 amount received by all States under this
14 paragraph for the preceding fiscal year.

15 “(C) REDUCTION FOR INSUFFICIENT
16 FUNDS.—If there are insufficient funds in a fis-
17 cal year to allot to each State the minimum
18 amount under subparagraph (B), the Secretary
19 shall ratably reduce the allotments to all States
20 based on the proportionate share that each
21 State received under this subsection for the pre-
22 ceding fiscal year.

23 “(2) RESERVATIONS.—

24 “(A) STUDENTS IN TERRITORIES.—The
25 Secretary is authorized to reserve 0.1 percent of

1 the amount appropriated for each fiscal year
2 under section 727 to be allocated by the Sec-
3 retary among the United States Virgin Islands,
4 Guam, American Samoa, and the Common-
5 wealth of the Northern Mariana Islands, ac-
6 cording to their respective need for assistance
7 under this subtitle, as determined by the Sec-
8 retary. Funds allocated under this subpara-
9 graph shall be used for programs that are con-
10 sistent with the purposes of the programs de-
11 scribed in this subtitle.

12 “(B) INDIAN STUDENTS.—

13 “(i) TRANSFER.—The Secretary shall
14 transfer 1 percent of the amount appro-
15 priated for each fiscal year under section
16 727 to the Department of the Interior for
17 programs that are for Indian students
18 served by schools funded by the Secretary
19 of the Interior, as determined under the
20 Indian Self-Determination and Education
21 Assistance Act (25 U.S.C. 450 et seq.),
22 and that are consistent with the purposes
23 of the programs described in this subtitle.

24 “(ii) AGREEMENT.—The Secretary of
25 Education and the Secretary of the Inte-

1 rior shall enter into an agreement, con-
2 sistent with the requirements of this sub-
3 title, for the distribution and use of the
4 funds described in clause (i) under terms
5 that the Secretary of Education determines
6 best meet the purposes of the programs de-
7 scribed in this subtitle. Such agreement
8 shall set forth the plans of the Secretary of
9 the Interior for the use of the funds trans-
10 ferred, including appropriate goals, objec-
11 tives, and milestones for that use.

12 “(d) STATE ACTIVITIES.—Grant funds from a grant
13 made to a State under this section shall be used for the
14 following:

15 “(1) To provide activities for and services to
16 improve the identification of homeless children and
17 youth and enable such children and youth to enroll
18 in, attend, and succeed in school, including in early
19 childhood education programs.

20 “(2) To establish or designate an Office of the
21 Coordinator for Education of Homeless Children and
22 Youth in the State educational agency in accordance
23 with subsection (f) that has sufficient knowledge,
24 authority, and time to carry out the duties described
25 in this subtitle.

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1 “(3) To prepare and carry out the State plan
2 described in subsection (g).

3 “(4) To develop and implement professional de-
4 velopment activities for liaisons designated under
5 subsection (g)(1)(J)(ii), other local educational agen-
6 cy and school personnel, and community agencies—

7 “(A) to improve their identification of
8 homeless children and youth; and

9 “(B) to improve their awareness of, and
10 capacity to respond to, specific needs in the
11 education of homeless children and youth.

12 “(e) STATE AND LOCAL SUBGRANTS.—

13 “(1) MINIMUM DISBURSEMENTS BY STATES.—
14 From the grant funds made available each year to
15 a State under subsection (a) to carry out this sub-
16 title, the State educational agency shall distribute
17 not less than 75 percent by making subgrants under
18 section 723 to local educational agencies for the pur-
19 poses of carrying out section 723.

20 “(2) USE BY STATE EDUCATIONAL AGENCY.—
21 A State educational agency may use any grant funds
22 remaining after making subgrants under section 723
23 to conduct activities under subsection (f) directly or
24 through making grants or entering into contracts.

1 “(3) PROHIBITION ON SEGREGATING HOMELESS
2 STUDENTS.—In providing a free public education to
3 a homeless child or youth, no State receiving funds
4 under this subtitle shall segregate such child or
5 youth in a separate school, or in a separate program
6 within a school, based on such child’s or youth’s sta-
7 tus as homeless.

8 “(f) FUNCTIONS OF THE OFFICE OF THE COORDI-
9 NATOR.—The Coordinator for Education of Homeless
10 Children and Youth established in each State shall—

11 “(1) gather and make publicly available reliable,
12 valid, and comprehensive information on—

13 “(A) the nature and extent of the problems
14 homeless children and youth have in gaining ac-
15 cess to public preschool programs, and to public
16 elementary schools and secondary schools;

17 “(B) the difficulties in identifying the spe-
18 cial needs and barriers to participation and
19 achievement of such children and youth;

20 “(C) any progress made by the State edu-
21 cational agency and local educational agencies
22 in the State in addressing such problems and
23 difficulties; and

24 “(D) the success of the programs under
25 this subtitle in identifying homeless children

1 and youth and allowing homeless children and
2 youth to enroll in, attend, and succeed in,
3 school; and

4 “(2) develop and carry out the State plan de-
5 scribed in subsection (g);

6 “(3) collect data for and transmit to the Sec-
7 retary, at such time and in such manner as the Sec-
8 retary may require, reports containing such informa-
9 tion as the Secretary determines is necessary to as-
10 sess the educational needs of homeless children and
11 youth within the State, including data requested
12 pursuant to section 724(h);

13 “(4) improve the provision of comprehensive
14 education and related support services to homeless
15 children and youth and their families, and to mini-
16 mize educational disruption, through coordination of
17 activities, and collaboration with—

18 “(A) educators, including teachers, admin-
19 istrators, special education personnel, and child
20 development and preschool program personnel;

21 “(B) providers of services to homeless chil-
22 dren and youth and homeless families, public
23 and private child welfare and social services
24 agencies, law enforcement agencies, juvenile and
25 family courts, agencies providing mental health

1 services, domestic violence agencies, child care
2 providers, runaway and homeless youth centers,
3 and providers of services and programs funded
4 under the Runaway and Homeless Youth Act
5 (42 U.S.C. 5701 et seq.);

6 “(C) providers of emergency, transitional,
7 and permanent housing to homeless children
8 and youth, and their families, including public
9 housing agencies, shelter operators, operators of
10 transitional housing facilities, and providers of
11 transitional living programs for homeless youth;

12 “(D) local educational agency liaisons des-
13 igned under subsection (g)(1)(J)(ii) for home-
14 less children and youth; and

15 “(E) community organizations and groups
16 representing homeless children and youth and
17 their families;

18 “(5) provide professional development and tech-
19 nical assistance to and conduct monitoring of local
20 educational agencies, in coordination with local edu-
21 cational agency liaisons designated under subsection
22 (g)(1)(J)(ii), to ensure that local educational agen-
23 cies comply with the requirements of paragraphs (3)
24 through (8) of subsection (g), and subsection (e)(3);
25 and

1 “(6) make opportunities available for teachers
2 and local educational agency liaisons designated
3 under subsection (g)(1)(J)(ii) to participate in ongo-
4 ing and relevant professional development programs
5 and activities.

6 “(g) STATE PLAN.—

7 “(1) IN GENERAL.—Each State shall submit to
8 the Secretary and implement a plan to provide for
9 the education of all homeless children and youth
10 within the State. Such plan shall include the fol-
11 lowing:

12 “(A) A description of how such children
13 and youth are (or will be) given the oppor-
14 tunity—

15 “(i) to meet the same college and ca-
16 reer ready State student academic achieve-
17 ment standards as all students are ex-
18 pected to meet; and

19 “(ii) to become college and career
20 ready.

21 “(B) A description of the procedures the
22 State educational agency will use, in coordina-
23 tion with local educational agencies, to identify
24 such children and youth in the State and to as-
25 sess their needs.

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1 “(C) A description of procedures for the
2 prompt resolution of disputes arising under this
3 subtitle, which shall—

4 “(i) be developed in coordination and
5 collaboration with the liaisons designated
6 under subparagraph (J)(ii);

7 “(ii) be readily available and provided
8 in a written format and, to the extent
9 practicable, in a manner and form under-
10 standable to the parents and guardians of
11 homeless children and youth;

12 “(iii) take into account the edu-
13 cational best interest of the homeless child
14 or youth, or unaccompanied youth, in-
15 volved; and

16 “(iv) ensure that parents and guard-
17 ians of homeless children and youth, and
18 unaccompanied youth, who have exhausted
19 the procedures available under this para-
20 graph are able to appeal to the State edu-
21 cational agency, and are enrolled in school
22 pursuant to paragraph (4)(C) and receive
23 transportation pursuant to subparagraph
24 (J)(iii) pending final resolution of the dis-
25 pute.

1 “(D) A description of programs for school
2 personnel (including the liaisons, principals, at-
3 tendance officers, teachers, enrollment per-
4 sonnel, and specialized instructional support
5 personnel) to increase the awareness of such
6 personnel of the specific needs of homeless ado-
7 lescents, including runaway and homeless
8 youth.

9 “(E) A description of procedures that en-
10 sure that homeless children and youth are able
11 to participate in Federal, State, or local nutri-
12 tion programs.

13 “(F) A description of procedures that en-
14 sure that—

15 “(i) homeless children have access to
16 public preschool programs, administered by
17 the State educational agency or local edu-
18 cational agency, including through the poli-
19 cies and practices required under para-
20 graph (3);

21 “(ii) homeless youth, including youth
22 separated from public schools, are identi-
23 fied and accorded equal access to appro-
24 priate and available secondary education
25 and support services, including receiving

1 appropriate credit for full or partial
2 coursework satisfactorily completed while
3 attending a prior school, and for work
4 completed after their enrollment in a new
5 school, consistent with State graduation re-
6 quirements and accreditation standards;
7 and

8 “(iii) homeless children and youth
9 who meet the relevant eligibility criteria
10 are able to participate in Federal, State, or
11 local before- and after-school care, magnet
12 schools, summer schools, career and tech-
13 nical education, advanced placement, on-
14 line learning opportunities, charter school
15 programs, and relevant workforce invest-
16 ment programs.

17 “(G) Strategies to address problems identi-
18 fied in the reports provided to the Secretary
19 under subsection (f)(3).

20 “(H) Strategies to address other problems
21 with respect to the education of homeless chil-
22 dren and youth, including enrollment problems
23 related to—

24 “(i) immunization and other required
25 health records and screenings;

1 “(ii) residency requirements;

2 “(iii) lack of birth certificates, school
3 records, or other documentation;

4 “(iv) guardianship issues; or

5 “(v) uniform or dress code require-
6 ments.

7 “(I) A demonstration that the State edu-
8 cational agency, and local educational agencies
9 and schools in the State, have developed and
10 shall regularly review and revise their policies
11 and practices to remove barriers to the identi-
12 fication, enrollment, attendance, retention, and
13 success of homeless children and youth in
14 schools, including early childhood education
15 programs, in the State.

16 “(J) Assurances that the following will be
17 carried out:

18 “(i) The State educational agency and
19 local educational agencies in the State will
20 adopt policies and practices to ensure that
21 homeless children and youth are not stig-
22 matized or segregated on the basis of their
23 status as homeless.

24 “(ii) Local educational agencies will
25 designate an appropriate staff person as

1 the local educational agency liaison for
2 homeless children and youth, who shall
3 have sufficient training and time to carry
4 out the duties described in paragraph
5 (7)(A), and who may also be a coordinator
6 for other Federal programs.

7 “(iii) The State and local educational
8 agencies in the State will adopt policies
9 and practices to ensure that transportation
10 is provided at the request of the parent or
11 guardian involved (or in the case of an un-
12 accompanied youth, the liaison), to and
13 from the school of origin, for as long as
14 the student has the right to attend the
15 school of origin as determined in para-
16 graph (4)(A), in accordance with the fol-
17 lowing, as applicable:

18 “(I) If the child or youth con-
19 tinues to live in the area served by the
20 local educational agency for the school
21 of origin, the child’s or youth’s trans-
22 portation to and from the school of
23 origin shall be provided or arranged
24 by the local educational agency for the
25 school of origin.

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1 “(II) If the child’s or youth’s liv-
2 ing arrangements in the area served
3 by the local educational agency of ori-
4 gin terminate and the child or youth,
5 though continuing the child’s or
6 youth’s education in the school of ori-
7 gin, begins living in an area served by
8 another local educational agency, the
9 local educational agency of origin and
10 the local educational agency for the
11 area in which the child or youth is liv-
12 ing shall agree upon a method to ap-
13 portion the responsibility and cost for
14 providing transportation to and from
15 the school of origin. If the local edu-
16 cational agencies are unable to agree
17 upon such method, the responsibility
18 and costs for transportation shall be
19 shared equally between the agencies.

20 “(iv) The State educational agency
21 and local educational agencies will adopt
22 policies and practices to promote school
23 success for homeless children and youth,
24 including access to full participation in
25 academic and extracurricular activities that

1 are made available to non-homeless stu-
2 dents.

3 “(2) COMPLIANCE.—

4 “(A) IN GENERAL.—Each plan adopted
5 under this subsection shall also describe how
6 the State will ensure that local educational
7 agencies in the State will comply with the re-
8 quirements of paragraphs (3) through (8).

9 “(B) COORDINATION.—Such plan shall in-
10 dicate what technical assistance the State will
11 furnish to local educational agencies and how
12 compliance efforts will be coordinated with the
13 local educational agency liaisons designated
14 under paragraph (1)(J)(ii).

15 “(3) SCHOOL READINESS FOR HOMELESS CHIL-
16 DREN.—Each State plan adopted under this sub-
17 section shall ensure that entities carrying out pre-
18 school programs funded, administered, or overseen
19 by the agency involved—

20 “(A) identify and prioritize homeless chil-
21 dren for enrollment and increase their enroll-
22 ment and attendance in early childhood edu-
23 cation programs, including through policies
24 such as—

1 “(i) reserving spaces in preschool pro-
2 grams for homeless children;

3 “(ii) conducting targeted outreach to
4 homeless children and their families;

5 “(iii) waiving application deadlines;

6 “(iv) providing ongoing professional
7 development for staff regarding the needs
8 of homeless children and their families and
9 strategies to serve the children and fami-
10 lies; and

11 “(v) developing the capacity to serve
12 all identified homeless children; and

13 “(B) review the educational and related
14 needs of homeless children and their families in
15 such agency’s service area, in coordination with
16 the liaison designated under paragraph
17 (1)(J)(ii).

18 “(4) LOCAL EDUCATIONAL AGENCY REQUIRE-
19 MENTS.—

20 “(A) IN GENERAL.—The local educational
21 agency serving each child or youth to be as-
22 sisted under this subtitle shall, according to the
23 child’s or youth’s best interest—

1 “(i) continue the child’s or youth’s
2 education in the school of origin for the
3 duration of homelessness—

4 “(I) in any case in which the
5 child or youth becomes a homeless
6 child or youth between academic years
7 or during an academic year; and

8 “(II) for the remainder of the
9 academic year, if the child or youth
10 becomes permanently housed during
11 an academic year; or

12 “(ii) enroll the child or youth in any
13 public school that nonhomeless students
14 who live in the attendance area in which
15 the child or youth is actually living are eli-
16 gible to attend.

17 “(B) BEST INTEREST IN SCHOOL STA-
18 BILITY.—In determining the best interest of the
19 child or youth under subparagraph (A), the
20 local educational agency shall—

21 “(i) presume that keeping a homeless
22 child or youth in the school of origin is in
23 the child’s or youth’s best interest, except
24 when doing so is contrary to the wishes of
25 the child’s or youth’s parent or guardian;

1 “(ii) consider student-centered factors
2 related to the child’s or youth’s best inter-
3 est, including factors related to the impact
4 of mobility on achievement, education,
5 health, and safety of homeless children and
6 youth, giving priority to the wishes of the
7 homeless child’s or youth’s parent or
8 guardian or the unaccompanied youth in-
9 volved;

10 “(iii) if, after conducting the best in-
11 terest determination described in clause
12 (ii), the local educational agency deter-
13 mines that it is not in the child’s or
14 youth’s best interest to attend the school of
15 origin or the school requested by the par-
16 ent, guardian, or unaccompanied youth,
17 provide, in coordination with the local edu-
18 cation agency liaison, the homeless child’s
19 or youth’s parent or guardian or the unac-
20 companied youth, with a written expla-
21 nation in a manner or form understandable
22 to such parent, guardian, or youth, to the
23 extent practicable, including a statement
24 regarding the right to appeal under sub-
25 paragraph (E);

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1 “(iv) in the case of an unaccompanied
2 youth, ensure that the local educational
3 agency liaison assists in placement or en-
4 rollment decisions under this subpara-
5 graph, gives priority to the views of such
6 unaccompanied youth, and provides notice
7 to such youth of the right to appeal under
8 subparagraph (E); and

9 “(v) provide transportation pursuant
10 to paragraphs (1)(J)(iii) and (5).

11 “(C) ENROLLMENT.—

12 “(i) ENROLLMENT.—The school se-
13 lected in accordance with this paragraph
14 shall immediately enroll the homeless child
15 or youth, even if the child or youth—

16 “(I) is unable to produce records
17 traditionally required for enrollment,
18 including previous academic records,
19 health records, proof of residency or
20 guardianship, or other documentation;

21 “(II) has unpaid fines or fees
22 from prior schools or is unable to pay
23 fees in the school selected; or

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1 “(III) has missed application or
2 enrollment deadlines during any pe-
3 riod of homelessness.

4 “(ii) CONTACTING SCHOOL LAST AT-
5 TENDED.—The enrolling school shall im-
6 mediately contact the school last attended
7 by the child or youth to obtain relevant
8 academic and other records.

9 “(iii) RELEVANT HEALTH RECORDS.—
10 If the child or youth needs to obtain immu-
11 nizations or other required health records,
12 the enrolling school shall immediately en-
13 roll the child or youth and immediately
14 refer the parent or guardian of the child or
15 youth, or the unaccompanied youth, to the
16 local educational agency liaison designated
17 under paragraph (1)(J)(ii), who shall as-
18 sist in obtaining necessary immunizations
19 or screenings, or immunization or other re-
20 quired health records in accordance with
21 subparagraph (D).

22 “(iv) NO LIABILITY.—Whenever the
23 school selected enrolls an unaccompanied
24 youth in accordance with this paragraph,
25 no liability shall be imposed upon the

1 school by reason of enrolling the youth
2 without parent or guardian consent.

3 “(D) RECORDS.—Any record ordinarily
4 kept by the school, including immunizations or
5 medical records, academic records, birth certifi-
6 cates, guardianship records, and evaluations for
7 special services or programs, regarding each
8 homeless child or youth shall be maintained—

9 “(i) so that the records involved are
10 available when a homeless child or youth
11 enters a new school or school district, even
12 if the child or youth owes fees or fines or
13 did not withdraw from the previous school
14 in conformance with local withdrawal pro-
15 cedures; and

16 “(ii) in a manner consistent with sec-
17 tion 444 of the General Education Provi-
18 sions Act (20 U.S.C. 1232g).

19 “(E) DISPUTES.—If a dispute arises over
20 eligibility, enrollment, school selection, or serv-
21 ice in a public school or public preschool, or any
22 other issue relating to services under this sub-
23 title—

24 “(i) in the case of a dispute relating
25 to eligibility for enrollment or school selec-

1 tion, the child or youth shall be imme-
2 diately enrolled in the school in which en-
3 rollment is sought, pending final resolution
4 of the dispute including all available ap-
5 peals;

6 “(ii) the parent or guardian of the
7 child or youth shall be provided with a
8 written explanation of the school’s decision
9 regarding eligibility for enrollment, school
10 selection, or services, made by the school
11 or the local educational agency, which shall
12 include information about the right to ap-
13 peal the decision;

14 “(iii) the child, youth, parent, or
15 guardian shall be referred to the local edu-
16 cational agency liaison designated under
17 paragraph (1)(J)(ii), who shall carry out
18 the dispute resolution process as described
19 in paragraph (1)(C) as expeditiously as
20 possible after receiving notice of such dis-
21 pute; and

22 “(iv) in the case of an unaccompanied
23 youth, the liaison shall ensure that the
24 youth is immediately enrolled in the school

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1 in which the youth seeks enrollment, pend-
2 ing resolution of such dispute.

3 “(F) PLACEMENT CHOICE.—The choice re-
4 garding placement shall be made regardless of
5 whether the child or youth involved lives with
6 the homeless parents or has been temporarily
7 placed elsewhere.

8 “(G) SCHOOL OF ORIGIN DEFINED.—

9 “(i) IN GENERAL.—In this paragraph,
10 the term ‘school of origin’ means the
11 school that a child or youth attended when
12 permanently housed or the school in which
13 the child or youth was last enrolled.

14 “(ii) RECEIVING SCHOOL.—When a
15 child or youth completes the final grade
16 level served by the school of origin, as de-
17 scribed in clause (i), the term ‘school of or-
18 igin’ shall include the designated receiving
19 school at the next grade level for the feeder
20 school that the child or youth attended.

21 “(H) CONTACT INFORMATION.—Nothing
22 in this subtitle shall prohibit a local educational
23 agency from requiring a parent or guardian of
24 a homeless child to submit contact information.

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1 “(I) PRIVACY.—Information about a home-
2 less child’s or youth’s living situation shall be
3 treated as a student education record under
4 section 444 of the General Education Provi-
5 sions Act (20 U.S.C. 1232g) and shall not be
6 released to housing providers, employers, law
7 enforcement personnel, or other persons or
8 agencies not authorized to have such informa-
9 tion under section 99.31 of title 34, Code of
10 Federal Regulations, paying particular atten-
11 tion to preventing disruption of the living situa-
12 tion of the child or youth and to supporting the
13 safety of such children and youth who are sur-
14 vivors of domestic violence and unaccompanied
15 youth.

16 “(J) ACADEMIC ACHIEVEMENT.—The
17 school selected in accordance with this para-
18 graph shall ensure that homeless children and
19 youth have opportunities to meet the same col-
20 lege and career ready State student academic
21 achievement standards to which other students
22 are held, including implementing the policies
23 and practices required by paragraph (1)(J)(iv).

24 “(K) SCHOOL READINESS FOR HOMELESS
25 CHILDREN.—Each local educational agency

1 shall ensure school readiness for homeless chil-
2 dren as described in paragraph (3).

3 “(5) COMPARABLE SERVICES.—In addition to
4 receiving services provided for homeless children and
5 youth under this subtitle or other Federal, State, or
6 local laws, regulations, policies, or practices, each
7 homeless child or youth to be assisted under this
8 subtitle also shall be provided services comparable to
9 services offered to other students in the school se-
10 lected under paragraph (4), including the following:

11 “(A) Transportation services.

12 “(B) Educational services for which the
13 child or youth meets the eligibility criteria, in-
14 cluding services provided under title I of the El-
15 ementary and Secondary Education Act of 1965
16 (20 U.S.C. 6301 et seq.), similar State or local
17 programs, charter schools, magnet schools, edu-
18 cational programs for children with disabilities,
19 and educational programs for students with
20 limited English proficiency.

21 “(C) Programs in career and technical
22 education.

23 “(D) Programs for gifted and talented stu-
24 dents.

25 “(E) School nutrition programs.

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1 “(F) Health and counseling services, as
2 appropriate.

3 “(6) COORDINATION.—

4 “(A) IN GENERAL.—Each local educational
5 agency shall coordinate—

6 “(i) the provision of services under
7 this subtitle with the services of local social
8 services agencies and other agencies or en-
9 tities providing services to homeless chil-
10 dren and youth and their families, includ-
11 ing services and programs funded under
12 the Runaway and Homeless Youth Act (42
13 U.S.C. 5701 et seq.); and

14 “(ii) transportation, transfer of school
15 records, and other interdistrict activities,
16 with other local educational agencies.

17 “(B) HOUSING ASSISTANCE.—Each State
18 educational agency and local educational agency
19 that receives assistance under this subtitle shall
20 coordinate, if applicable, with State and local
21 housing agencies responsible for developing a
22 comprehensive housing affordability strategy
23 described in section 105 of the Cranston-Gon-
24 zalez National Affordable Housing Act (42

1 U.S.C. 12705) to minimize education disruption
2 for children and youth who become homeless.

3 “(C) COORDINATION PURPOSE.—The co-
4 ordination required under subparagraphs (A)
5 and (B) shall be designed to—

6 “(i) ensure that all homeless children
7 and youth are identified within a reason-
8 able time frame;

9 “(ii) ensure that homeless children
10 and youth have access to and are in rea-
11 sonable proximity to available education
12 and related support services; and

13 “(iii) raise the awareness of school
14 personnel and service providers of the ef-
15 fects of short-term stays in a shelter and
16 other challenges associated with homeless-
17 ness.

18 “(D) HOMELESS CHILDREN AND YOUTHS
19 WITH DISABILITIES.—For children and youth
20 who are to be assisted both under this subtitle,
21 and under the Individuals with Disabilities
22 Education Act (20 U.S.C. 1400 et seq.) or sec-
23 tion 504 of the Rehabilitation Act of 1973 (29
24 U.S.C. 794), each local educational agency shall
25 coordinate the provision of services under this

1 subtitle with the provision of programs for chil-
2 dren with disabilities served by such local edu-
3 cational agency and other involved local edu-
4 cational agencies.

5 “(7) LOCAL EDUCATIONAL AGENCY LIAISON.—

6 “(A) DUTIES.—Each local educational
7 agency liaison for homeless children and youth,
8 designated under paragraph (1)(J)(ii), shall en-
9 sure that—

10 “(i) all homeless children and youth
11 are identified by school personnel and
12 through outreach and coordination activi-
13 ties with other entities and agencies;

14 “(ii) homeless children and youth are
15 enrolled in, and have a full and equal op-
16 portunity to succeed in, schools of that
17 local educational agency;

18 “(iii) homeless families, and homeless
19 children and youth, have access to edu-
20 cational services for which such families,
21 children, and youth are eligible, including
22 services through Head Start, Early Head
23 Start, early intervention, and Even Start
24 programs, and preschool programs de-
25 scribed in paragraph (3);

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1 “(iv) homeless families, and homeless
2 children and youth, receive referrals to
3 health care services, dental services, mental
4 health and substance abuse services, hous-
5 ing services, and other appropriate serv-
6 ices;

7 “(v) homeless children and youth are
8 certified as eligible for free meals offered
9 under the Richard B. Russell National
10 School Lunch Act (42 U.S.C. 1751 et seq.)
11 and the Child Nutrition Act of 1966 (42
12 U.S.C. 1771 et seq.), without further ap-
13 plication;

14 “(vi) the parents or guardians of
15 homeless children and youth are informed
16 of the educational and related opportuni-
17 ties available to their children, including
18 early learning opportunities, and are pro-
19 vided with meaningful opportunities to par-
20 ticipate in the education of their children;

21 “(vii) public notice of the educational
22 rights of homeless children and youth is in-
23 corporated into documents related to resi-
24 dency requirements or enrollment, provided
25 upon school enrollment and withdrawal,

1 posted on the local educational agency’s
2 website, and disseminated in locations fre-
3 quented by parents or guardians of such
4 children and youth, and unaccompanied
5 youth, including schools, shelters, public li-
6 braries, and soup kitchens, in a manner
7 and form understandable to parents and
8 guardians of homeless children and youth
9 and unaccompanied youth;

10 “(viii) disputes are resolved in accord-
11 ance with paragraph (4)(E);

12 “(ix) the parent or guardian of a
13 homeless child or youth, and any unaccom-
14 panied youth, is fully informed of all trans-
15 portation services, including transportation
16 to the school of origin, as described in
17 paragraph (1)(J)(iii), and is assisted in ac-
18 cessing transportation to the school that is
19 selected under paragraph (4)(A);

20 “(x) school personnel are adequately
21 prepared to implement this subtitle and re-
22 ceive professional development, resource
23 materials, technical assistance, and other
24 support; and

25 “(xi) unaccompanied youth—

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1 “(I) are enrolled in school;

2 “(II) have opportunities to meet
3 the same college and career ready
4 State student academic achievement
5 standards to which other students are
6 held, including through implementa-
7 tion of the policies and practices re-
8 quired by subparagraphs (F)(ii) and
9 (J)(iv) of paragraph (1); and

10 “(III) are informed of their sta-
11 tus as independent students under
12 section 480 of the Higher Education
13 Act of 1965 (20 U.S.C. 1087vv), in-
14 cluding through school counselors that
15 have received professional develop-
16 ment about unaccompanied youth,
17 and receive verification of such status
18 for purposes of the Free Application
19 for Federal Student Aid described in
20 section 483 of such Act (20 U.S.C.
21 1090).

22 “(B) NOTICE.—State Coordinators ap-
23 pointed under subsection (d)(2) and local edu-
24 cational agencies shall inform school personnel,
25 service providers, and advocates working with

1 homeless families and homeless children and
2 youth of the contact information and duties of
3 the local educational agency liaisons, including
4 publishing an annually updated list of the liai-
5 sons on the State educational agency's website.

6 “(C) LOCAL AND STATE COORDINATION.—
7 The local educational agency liaisons shall, as a
8 part of their duties, coordinate and collaborate
9 with the State Coordinators and community
10 and school personnel responsible for the provi-
11 sion of education and related support services
12 to homeless children and youth. Such coordina-
13 tion shall include collecting and providing to the
14 State Coordinator the reliable, valid, and com-
15 prehensive data needed to meet the require-
16 ments of paragraphs (1) and (3) of subsection
17 (f).

18 “(D) PROFESSIONAL DEVELOPMENT.—The
19 local educational agency liaisons shall partici-
20 pate in the professional development and other
21 technical assistance activities provided by the
22 State Coordinator pursuant to subsection (f)(5).

23 “(8) SCHOOL READINESS FOR HOMELESS CHIL-
24 DREN.—The State educational agency, and the local
25 educational agencies in the State, shall ensure that

1 the programs serving public preschool children com-
2 ply with the requirements of this subtitle.

3 “(h) EMERGENCY DISASTER GRANTS.—

4 “(1) IN GENERAL.—The Secretary shall make
5 emergency disaster grants to eligible local edu-
6 cational agencies and eligible States described in
7 paragraph (2), in order to increase the capacity for
8 such local educational agencies and States to re-
9 spond to major disasters.

10 “(2) ELIGIBILITY; APPLICATION.—

11 “(A) ELIGIBILITY.—

12 “(i) LOCAL EDUCATIONAL AGENCY
13 ELIGIBILITY.—A local educational agency
14 shall be eligible to receive an emergency
15 disaster grant under this subsection, based
16 on demonstrated need, if such local edu-
17 cational agency’s enrollment of homeless
18 children and youth has increased as a re-
19 sult of a hurricane, flood, or other natural
20 disaster for which the President declared a
21 major disaster under title IV of the Robert
22 T. Stafford Disaster Relief and Emergency
23 Assistance Act (42 U.S.C. 5170 et seq.).

24 “(ii) STATE ELIGIBILITY.—A State,
25 through the Office of the Coordinator for

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1 Education of Homeless Children and
2 Youths in the State educational agency,
3 shall be eligible to receive an emergency
4 disaster grant under this subsection if
5 there are 1 or more eligible local edu-
6 cational agencies, as described in clause
7 (i), located within the State.

8 “(B) APPLICATION.—In order for an eligi-
9 ble State or an eligible local educational agency
10 to receive a grant under this subsection, the
11 State educational agency, in consultation with
12 other relevant State agencies, or local edu-
13 cational agency shall submit an application to
14 the Secretary at such time, in such manner,
15 and containing or accompanied by such infor-
16 mation as the Secretary may reasonably re-
17 quire.

18 “(3) DISTRIBUTION OF GRANTS.—The Sec-
19 retary shall distribute emergency disaster grant
20 funds—

21 “(A) based on demonstrated need, to State
22 educational agencies or local educational agen-
23 cies for local educational agencies whose enroll-
24 ment of homeless children and youths has in-
25 creased as a result of a hurricane, flood, or

1 other natural disaster for which the President
2 has declared a major disaster under title IV of
3 the Robert T. Stafford Disaster Relief and
4 Emergency Assistance Act (42 U.S.C. 5170 et
5 seq.);

6 “(B) expeditiously, and in no case later
7 than 75 days after such funds are appropriated
8 to the Secretary; and

9 “(C) in a manner that enables local edu-
10 cational agencies to use such funds for the im-
11 mediate needs of disaster response and ongoing
12 disaster recovery.

13 “(4) AMOUNT OF GRANTS.—The Secretary shall
14 distribute grants under this subsection in amounts
15 determined by the Secretary and related to the in-
16 crease in enrollment of homeless children and youths
17 as a result of such major disaster.

18 “(5) USES OF FUNDS.—A local educational
19 agency or State educational agency that receives an
20 emergency disaster grant under this subsection shall
21 use the grant funds to carry out the activities de-
22 scribed in section 723(d).

23 “(6) RESTRICTION.—The Secretary—

24 “(A) shall determine the amount (if any)
25 by which the funds appropriated under section

1 homeless children and youth with non-
2 homeless children and youth.

3 “(B) SERVICES ON SCHOOL GROUNDS.—If
4 services under paragraph (1) are provided to
5 homeless children and youth on school grounds,
6 the school involved may use funds under this
7 subtitle to provide the same services to other
8 children and youth who are determined by the
9 local educational agency serving the school to be
10 at risk of failing in, or dropping out of, school.

11 “(3) REQUIREMENT.—Services provided under
12 this section shall not replace the regular academic
13 program and shall be designed to expand upon or
14 improve services provided as part of the school’s reg-
15 ular academic program.

16 “(4) DURATION OF GRANTS.—Subgrants
17 awarded under this section shall be for terms of not
18 to exceed 3 years.

19 “(b) APPLICATION.—A local educational agency that
20 desires to receive a subgrant under this section shall sub-
21 mit an application to the State educational agency at such
22 time, in such manner, and containing or accompanied by
23 such information as the State educational agency may rea-
24 sonably require. Such application shall include the fol-
25 lowing:

1 “(1) An assessment of the educational and re-
2 lated needs of homeless children and youth in the
3 area served by the local educational agency (which
4 may be undertaken as part of a needs assessment
5 for another disadvantaged group).

6 “(2) A description of the services and programs
7 for which assistance is sought to address the needs
8 identified in paragraph (1).

9 “(3) An assurance that the local educational
10 agency’s combined fiscal effort per student, or the
11 aggregate expenditures of that agency and the State
12 with respect to the provision of free public education
13 by such agency for the fiscal year preceding the fis-
14 cal year for which the subgrant determination is
15 made, was not less than 90 percent of such com-
16 bined fiscal effort or aggregate expenditures for the
17 second fiscal year preceding the fiscal year for which
18 the determination is made.

19 “(4) An assurance that the applicant complies
20 with, or will use requested funds to comply with,
21 paragraphs (3) through (7) of section 722(g).

22 “(5) A description of policies and procedures
23 that the agency will implement to ensure that activi-
24 ties carried out by the agency will not isolate or stig-
25 matize homeless children and youth.

1 “(6) An assurance that the local educational
2 agency will collect and promptly provide data re-
3 quired by the State Coordinator pursuant to para-
4 graphs (1) and (3) of section 722(f).

5 “(7) An assurance that the local educational
6 agency has removed the policies and practices that
7 have created barriers to the identification, enroll-
8 ment, attendance, retention, and success in school of
9 all homeless children and youth.

10 “(c) AWARDS.—

11 “(1) IN GENERAL.—The State educational
12 agency shall, in accordance with the requirements of
13 this subtitle and from amounts made available to it
14 under section 722(a), make subgrants on a competi-
15 tive basis to local educational agencies that submit
16 applications under subsection (b). Such subgrants
17 shall be awarded on the basis of the need of such
18 agencies for assistance under this subtitle and the
19 quality of the applications submitted.

20 “(2) NEED.—

21 “(A) IN GENERAL.—In determining need
22 under paragraph (1), the State educational
23 agency may consider the number of homeless
24 children and youth enrolled in preschool, ele-
25 mentary schools, and secondary schools within

1 the area served by the local educational agency,
2 and shall consider the needs of such children
3 and youth and the ability of the local edu-
4 cational agency to meet such needs.

5 “(B) OTHER CONSIDERATIONS.—The
6 State educational agency may also consider the
7 following:

8 “(i) The extent to which the proposed
9 use of funds will facilitate the identifica-
10 tion, enrollment, attendance, retention, and
11 educational success of homeless children
12 and youth.

13 “(ii) The extent to which the applica-
14 tion reflects coordination with other local
15 and State agencies that serve homeless
16 children and youth.

17 “(iii) The extent to which the appli-
18 cant exhibits in the application and in cur-
19 rent practice (as of the date of submission
20 of the application) a commitment to edu-
21 cation for all homeless children and youth.

22 “(iv) Such other criteria as the State
23 agency determines to be appropriate.

1 “(3) QUALITY.—In determining the quality of
2 applications under paragraph (1), the State edu-
3 cational agency shall consider each of the following:

4 “(A) The applicant’s needs assessment
5 under subsection (b)(1) and the likelihood that
6 the program presented in the application will
7 meet such needs.

8 “(B) The types, intensity, and coordination
9 of services to be provided under the program.

10 “(C) The extent to which the applicant will
11 promote meaningful involvement of parents or
12 guardians of homeless children or youth in the
13 education of their children.

14 “(D) The extent to which homeless chil-
15 dren and youth will be integrated into the reg-
16 ular education program involved.

17 “(E) The quality of the applicant’s evalua-
18 tion plan for the program.

19 “(F) The extent to which services provided
20 under this subtitle will be coordinated with
21 other services available to homeless children
22 and youth and their families, including housing
23 and social services and services provided under
24 the Individuals with Disabilities Education Act
25 (20 U.S.C. 1400 et seq.), title I of the Elemen-

1 tary and Secondary Education Act of 1965 (20
2 U.S.C. 6301 et seq.), and similar State and
3 local programs.

4 “(G) The extent to which the local edu-
5 cational agency will use the subgrant to lever-
6 age resources, including by maximizing
7 nonsubgrant funding for the position of the liai-
8 son described in section 722(g)(1)(J)(ii) and
9 the provision of transportation.

10 “(H) The local educational agency’s use of
11 funds to serve homeless children and youth
12 under section 1113(c)(3) of the Elementary and
13 Secondary Education Act of 1965 (20 U.S.C.
14 6313(c)(3)).

15 “(I) The extent to which the applicant’s
16 program meets such other measures as the
17 State educational agency considers to be indic-
18 ative of a high-quality program, including the
19 extent to which the local educational agency will
20 provide services to unaccompanied youth and
21 preschool-aged children.

22 “(J) The extent to which the application
23 describes how the applicant will meet the re-
24 quirements of section 722(g)(4).

1 “(d) AUTHORIZED ACTIVITIES.—A local educational
2 agency may use funds awarded under this section for ac-
3 tivities that carry out the purpose of this subtitle, includ-
4 ing the following:

5 “(1) The provision of tutoring, supplemental in-
6 struction, and enriched educational services that are
7 linked to the achievement of the same college and
8 career ready State academic content standards and
9 college and career ready State student academic
10 achievement standards as the State establishes for
11 other children and youth.

12 “(2) The provision of expedited evaluations of
13 the strengths, needs, and eligibility of homeless chil-
14 dren and youth, including needs and eligibility for
15 programs and services (including educational pro-
16 grams for gifted and talented students, children with
17 disabilities, and students with limited English pro-
18 ficiency, charter school programs, magnet school
19 programs, programs in career and technical edu-
20 cation, and school nutrition programs).

21 “(3) Professional development and other activi-
22 ties for educators and specialized instructional sup-
23 port personnel that are designed to heighten the un-
24 derstanding and sensitivity of such educators and
25 personnel to the needs of homeless children and

1 youth, the rights of such children and youth under
2 this subtitle, and the specific educational needs of
3 runaway and homeless youth.

4 “(4) The provision of referral services to home-
5 less children and youth for medical, dental, mental,
6 and other health services.

7 “(5) The provision of assistance to defray the
8 cost of transportation under paragraphs (1)(J)(iii)
9 and (5)(A) of section 722(g), not otherwise provided
10 through Federal, State, or local funding.

11 “(6) The provision of developmentally appro-
12 priate early childhood education programs, not oth-
13 erwise provided through Federal, State, or local
14 funding.

15 “(7) The provision of services and assistance to
16 attract, engage, and retain homeless children and
17 youth, particularly homeless children and youth who
18 are not enrolled in school, in public school programs
19 and services provided to nonhomeless children and
20 youth.

21 “(8) The provision for homeless children and
22 youth of before- and after-school, mentoring, and
23 summer programs in which a teacher or other quali-
24 fied individual provides tutoring, homework assist-
25 ance, and supervision of educational activities.

1 “(9) If necessary, the payment of fees and
2 other costs associated with tracking, obtaining, and
3 transferring records necessary to facilitate the ap-
4 propriate placement of homeless children and youth
5 in school, including birth certificates, immunization
6 or other required health records, academic records,
7 guardianship records, and evaluations for special
8 programs or services.

9 “(10) The provision of education and training
10 to the parents of homeless children and youth about
11 the rights of, and resources available to, such chil-
12 dren and youth, and other activities designed to in-
13 crease the meaningful involvement of families of
14 homeless children or youth in the education of their
15 children.

16 “(11) The development of coordination of ac-
17 tivities between schools and agencies providing serv-
18 ices to homeless children and youth, as described in
19 section 722(g)(6).

20 “(12) The provision of specialized instructional
21 support services (including counseling) and referrals
22 for such services.

23 “(13) Activities to address the particular needs
24 of homeless children and youth that may arise from

1 domestic violence and parental mental health or sub-
2 stance abuse problems.

3 “(14) The adaptation of space and purchase of
4 supplies for any nonschool facilities made available
5 under subsection (a)(2) to provide services under
6 this subsection.

7 “(15) The provision of school supplies, includ-
8 ing supplies to be distributed at shelters or tem-
9 porary housing facilities, or other appropriate loca-
10 tions.

11 “(16) The provision of assistance to defray the
12 cost of the position of liaison designated pursuant to
13 section 722(g)(1)(J)(ii), not otherwise provided
14 through Federal, State, or local funding.

15 “(17) The provision of other extraordinary or
16 emergency assistance needed to enable homeless chil-
17 dren and youth to enroll, attend, and succeed in
18 school, including in early childhood education pro-
19 grams.

20 **“SEC. 724. SECRETARIAL RESPONSIBILITIES.**

21 “(a) REVIEW OF STATE PLANS.—In reviewing the
22 State plan submitted by a State educational agency under
23 section 722(g), the Secretary shall use a peer review pro-
24 cess and shall evaluate whether State laws, policies, and
25 practices described in such plan adequately address the

1 problems of all homeless children and youth relating to
2 access to education and placement as described in such
3 plan.

4 “(b) TECHNICAL ASSISTANCE.—The Secretary
5 shall—

6 “(1) provide support and technical assistance to
7 State educational agencies to assist such agencies in
8 carrying out their responsibilities under this subtitle;
9 and

10 “(2) establish or designate a Federal Office of
11 the Coordinator for Education of Homeless Children
12 and Youths that has sufficient capacity, resources,
13 and support to carry out the responsibilities de-
14 scribed in this subtitle.

15 “(c) NOTICE.—

16 “(1) IN GENERAL.—The Secretary shall, before
17 the next school year that begins after the date of en-
18 actment of the McKinney-Vento Homeless Education
19 Reauthorization Act of 2013, develop and dissemi-
20 nate a public notice of the educational rights of
21 homeless children and youth. The notice shall in-
22 clude information regarding the definition of home-
23 less children and youth in section 726.

24 “(2) DISSEMINATION.—The Secretary shall dis-
25 seminate the notice nationally. The Secretary also

1 shall disseminate such notice to heads of other De-
2 partment of Education offices, including those re-
3 sponsible for special education programs, higher
4 education, and programs under parts A, B, C, D, G,
5 and H of title I, title III, title IV, and part B of title
6 V of the Elementary and Secondary Education Act
7 of 1965 (20 U.S.C. 6311 et seq., 6361 et seq., 6391
8 et seq., 6421 et seq., 6531 et seq., 6551 et seq.,
9 6801 et seq., 7102 et seq., and 7221 et seq.). The
10 Secretary shall also disseminate such notice to heads
11 of other Federal agencies, and grant recipients and
12 other entities carrying out federally funded pro-
13 grams, including Head Start programs, grant recipi-
14 ents under the Health Care for the Homeless pro-
15 gram of the Health Resources and Services Adminis-
16 tration of the Department of Health and Human
17 Services, grant recipients under the Emergency
18 Food and Shelter National Board Program of the
19 Federal Emergency Management Agency, grant re-
20 cipients under the Runaway and Homeless Youth
21 Act (42 U.S.C. 5701 et seq.), grant recipients under
22 the John H. Chafee Foster Care Independence pro-
23 gram, grant recipients under homeless assistance
24 programs administered by the Department of Hous-
25 ing and Urban Development, and recipients of Fed-

1 eral funding for programs carried out by the Admin-
2 istration on Children, Youth and Families of the De-
3 partment of Health and Human Services.

4 “(d) EVALUATION AND DISSEMINATION.—The Sec-
5 retary shall conduct evaluation, dissemination, and tech-
6 nical assistance activities for programs that are designed
7 to meet the educational needs of homeless preschool, ele-
8 mentary school, and secondary school students, and may
9 use funds appropriated under section 727 to conduct such
10 activities.

11 “(e) SUBMISSION AND DISTRIBUTION.—The Sec-
12 retary shall require applications for grants under section
13 722 to be submitted to the Secretary not later than the
14 expiration of the 120-day period beginning on the date
15 that funds are available for purposes of making such
16 grants and shall make such grants not later than the expi-
17 ration of the 180-day period beginning on such date.

18 “(f) DETERMINATION BY SECRETARY.—The Sec-
19 retary, based on the information received from the States
20 and information gathered by the Secretary under sub-
21 section (h), shall determine the extent to which State edu-
22 cational agencies are ensuring that each homeless child or
23 youth has access to a free appropriate public education,
24 as described in section 721(1). The Secretary shall provide
25 support and technical assistance to State educational

1 agencies in areas in which barriers to a free appropriate
2 public education persist.

3 “(g) PUBLICATION.—The Secretary shall develop,
4 issue, and publish in the Federal Register, not later than
5 90 days after the date of enactment of the McKinney-
6 Vento Homeless Education Reauthorization Act of 2013,
7 a summary of the changes enacted by that Act and related
8 strategies, which summary shall include—

9 “(1) strategies by which a State can assist local
10 educational agencies to implement the provisions
11 amended by the Act;

12 “(2) strategies by which a State can review and
13 revise State policies and procedures that may
14 present barriers to the identification, enrollment, at-
15 tendance, and success of homeless children and
16 youth in school; and

17 “(3) strategies by which entities carrying out
18 preschool programs can implement requirements of
19 section 722(g)(3).

20 “(h) INFORMATION.—

21 “(1) IN GENERAL.—From funds appropriated
22 under section 727, the Secretary shall, directly or
23 through grants, contracts, or cooperative agree-
24 ments, periodically but not less frequently than every

1 2 years, collect and disseminate publicly data and in-
2 formation regarding—

3 “(A) the number of homeless children and
4 youth;

5 “(B) the education and related support
6 services such children and youth receive;

7 “(C) the extent to which the needs of
8 homeless children and youth are being met;

9 “(D) the academic progress being made by
10 homeless children and youth, including the per-
11 cent or number of homeless children and youth
12 participating in State assessments; and

13 “(E) such other data and information as
14 the Secretary determines to be necessary and
15 relevant to carry out this subtitle.

16 “(2) COORDINATION.—The Secretary shall co-
17 ordinate such collection and dissemination with
18 other agencies and entities that receive assistance
19 and administer programs under this subtitle.

20 “(i) REPORT.—Not later than 4 years after the date
21 of enactment of the McKinney-Vento Homeless Education
22 Reauthorization Act of 2013, the Secretary shall prepare
23 and submit to the President and the Committee on Edu-
24 cation and the Workforce of the House of Representatives
25 and the Committee on Health, Education, Labor, and

1 Pensions of the Senate a report on the status of the provi-
2 sion of education and related support services to homeless
3 children and youth, which shall include information on—

4 “(1) the education of homeless children and
5 youth; and

6 “(2) the actions of the Secretary and the effec-
7 tiveness of the programs supported under this sub-
8 title.

9 **“SEC. 725. RULE OF CONSTRUCTION.**

10 “Nothing in this subtitle shall be construed to dimin-
11 ish the rights of parents or guardians of homeless children
12 or youth, or unaccompanied youth, otherwise provided
13 under State law, policy, or practice, including laws or poli-
14 cies that authorize the best interest determination in sec-
15 tion 722(g)(3) to be made solely by the parent, guardian,
16 or youth involved.

17 **“SEC. 726. DEFINITIONS.**

18 “In this subtitle:

19 “(1) ENROLL; ENROLLMENT.—The terms ‘en-
20 roll’ and ‘enrollment’ include attending classes and
21 participating fully in school activities.

22 “(2) HOMELESS CHILDREN AND YOUTH.—The
23 term ‘homeless children and youth’—

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1 “(A) means individuals who lack a fixed,
2 regular, and adequate nighttime residence
3 (within the meaning of section 103(a)(1)); and

4 “(B) includes—

5 “(i) children and youth who—

6 “(I) are sharing the housing of
7 other persons due to loss of housing,
8 economic hardship, or a similar rea-
9 son;

10 “(II) are living in motels, hotels,
11 trailer parks, or camping grounds due
12 to the lack of alternative adequate ac-
13 commodation;

14 “(III) are living in emergency or
15 transitional shelters; and

16 “(IV) are abandoned in hospitals;

17 “(ii) children and youth who have a
18 primary nighttime residence that is a pub-
19 lic or private place not designed for or or-
20 dinary used as a regular sleeping accom-
21 modation for human beings (within the
22 meaning of section 103(a)(2)(C));

23 “(iii) children and youth who are liv-
24 ing in cars, parks, public spaces, aban-

1 doned buildings, substandard housing, bus
2 or train stations, or similar settings; and

3 “(iv) migratory children (as such term
4 is defined in section 1312 of the Elemen-
5 tary and Secondary Education Act of
6 1965) who qualify as homeless for the pur-
7 poses of this subtitle because the children
8 are living in circumstances described in
9 clauses (i) through (iii).

10 “(3) LOCAL EDUCATIONAL AGENCY; STATE
11 EDUCATIONAL AGENCY.—The terms ‘local edu-
12 cational agency’ and ‘State educational agency’ have
13 the meanings given such terms in section 9101 of
14 the Elementary and Secondary Education Act of
15 1965 (20 U.S.C. 7801).

16 “(4) SCHOOL.—The term ‘school’ includes char-
17 ter schools, virtual schools, distance learning pro-
18 grams, and other public education programs admin-
19 istered by a State or local educational agency.

20 “(5) SECRETARY.—The term ‘Secretary’ means
21 the Secretary of Education.

22 “(6) STATE.—The term ‘State’ means each of
23 the 50 States, the District of Columbia, and the
24 Commonwealth of Puerto Rico.

1 providing the effective use of the technology to improve
2 achievement for all students, by—

3 “(1) identifying and promoting revolutionary
4 advances in fundamental and applied sciences and
5 engineering that could be translated into new learn-
6 ing technologies;

7 “(2) developing novel learning technologies, and
8 the enabling processes and contexts for effective use
9 of those technologies;

10 “(3) developing, testing, and evaluating the im-
11 pact and efficacy of those technologies;

12 “(4) accelerating transformational technological
13 advances in areas in which the private sector, by
14 itself, is not likely to accelerate such advances be-
15 cause of difficulties in implementation or adoption,
16 or technical and market uncertainty;

17 “(5) coordinating activities with nongovern-
18 mental entities to demonstrate technologies and re-
19 search applications to facilitate technology transfer;
20 and

21 “(6) encouraging educational research using
22 new technologies and the data produced by the tech-
23 nologies.

24 “(c) AUTHORITIES OF SECRETARY.—The Secretary
25 is authorized to—

1 “(1) appoint a Director, who shall be respon-
2 sible for carrying out the purposes of ARPA-ED, as
3 described in subsection (b), and such additional
4 functions as the Secretary may prescribe;

5 “(2) establish processes for the development
6 and execution of projects and the solicitation of enti-
7 ties to carry out the projects in a manner that is—

8 “(A) tailored to the purposes of ARPA-ED
9 and not constrained by other Department-wide
10 administrative requirements that could detract
11 from achieving program results; and

12 “(B) designed to heighten transparency,
13 and public- and private-sector involvement, to
14 ensure that investments are made in the most
15 promising areas;

16 “(3) award grants, contracts, cooperative agree-
17 ments, and cash prizes, and enter into other trans-
18 actions (in accordance with such regulations as the
19 Secretary may establish regarding other trans-
20 actions);

21 “(4) make appointments of up to 20 scientific,
22 engineering, professional, and other mission-related
23 employees, for periods of up to 4 years (which ap-
24 pointments may not be renewed) without regard to

1 the provisions of title 5, United States Code, gov-
2 erning appointments in the competitive service;

3 “(5)(A) prescribe the rates of basic pay for the
4 personnel described in paragraph (4) at rates not in
5 excess of the maximum rate of basic pay authorized
6 for senior-level positions under section 5376 of title
7 5, United States Code, notwithstanding any provi-
8 sion of that title governing the rates of basic pay or
9 classification of employees in the executive branch,
10 but those personnel shall not receive any payment
11 for service (such as an award, premium payment, in-
12 centive payment or bonus, allowance, or other simi-
13 lar payment) under any other provision of that title;
14 and

15 “(B) pay any employee appointed pursuant to
16 paragraph (4) payments in addition to that basic
17 pay, except that the total amount of those payments
18 for any calendar year shall not exceed the lesser
19 of—

20 “(i) \$25,000; or

21 “(ii) the difference between the employee’s
22 annual rate of basic pay under paragraph (4)
23 and the annual rate for level I of the Executive
24 Schedule under section 5312 of title 5, United
25 States Code, based on the rates in effect at the

1 end of the applicable calendar year (or, if the
2 employee separated during that year, on the
3 date of separation);

4 “(6) obtain independent, periodic, rigorous eval-
5 uations, as appropriate, of—

6 “(A) the effectiveness of the processes
7 ARPA-ED is using to achieve its purposes; and

8 “(B) the effectiveness of individual projects
9 assisted by ARPA-ED, using evidence stand-
10 ards developed in consultation with the Insti-
11 tute of Education Sciences, and the suitability
12 of ongoing projects assisted by ARPA-ED for
13 further investment or increased scale; and

14 “(7) disseminate, through the comprehensive
15 centers established under section 203 of the Edu-
16 cational Technical Assistance Act of 2002 (20
17 U.S.C. 9602), the regional educational laboratories
18 system established under section 174 of the Edu-
19 cation Sciences Reform Act of 2002 (20 U.S.C.
20 9564), or such other means as the Secretary deter-
21 mines to be appropriate, information on effective
22 practices and technologies developed with ARPA-ED
23 support.

1 “(d) EVALUATION FUNDS.—The Secretary may use
2 funds made available for ARPA-ED to pay the cost of the
3 evaluations under subsection (c)(6).

4 “(e) FEDERAL ADVISORY COMMITTEE ACT.—Not-
5 withstanding any other provision of law, any advisory com-
6 mittee convened by the Secretary to provide advice with
7 respect to this section shall be exempt from the require-
8 ments of the Federal Advisory Committee Act (5 U.S.C.
9 App.) and the definition of ‘employee’ in section 2105 of
10 title 5, United States Code, shall not be considered to in-
11 clude any appointee to such a committee.

12 “(f) NONDUPLICATION.—To the maximum extent
13 practicable, the Secretary shall ensure that grants, con-
14 tracts, cooperative agreements, cash prizes, or other as-
15 sistance or arrangements awarded or entered into pursu-
16 ant to this section that are designed to carry out the pur-
17 poses of ARPA-ED do not duplicate activities under pro-
18 grams carried out under Federal law other than this sec-
19 tion by the Department or other Federal agencies.”.

20 **PART B—MISCELLANEOUS PROVISIONS**

21 **SEC. 11211. TECHNICAL AND CONFORMING AMENDMENTS.**

22 (a) HIGHER EDUCATION ACT OF 1965.—The Higher
23 Education Act of 1965 (20 U.S.C. 1001 et seq.) is amend-
24 ed as follows:

1 (1) Section 103(24)(B) (20 U.S.C.
2 1003(24)(B)) is amended by striking “students who
3 are limited English proficient” and inserting
4 “English learners”.

5 (2) Section 200 (20 U.S.C. 1021) is amended—

6 (A) in paragraph (6)(B)(x) by striking
7 “section 5210” and inserting “section 5411”;

8 (B) by striking paragraph (8);

9 (C) by redesignating paragraphs (9)
10 through (23) as paragraphs (8) through (22),
11 respectively;

12 (D) by striking paragraph (12), as redesign-
13 nated by subparagraph (C), and inserting the
14 following:

15 “(12) HIGHLY QUALIFIED TEACHER.—The
16 term ‘highly qualified teacher’ has the meaning
17 given such term in section 9101 of the Elementary
18 and Secondary Education Act of 1965.”;

19 (E) by striking paragraph (14), as redesign-
20 nated by subparagraph (C), and inserting the
21 following:

22 “(14) ENGLISH LEARNER.—The term ‘English
23 learner’ has the meaning given the term in section
24 9101 of the Elementary and Secondary Education
25 Act of 1965.”;

1 (F) in paragraph (16)(B)(ii), as redesignig-
2 nated by subparagraph (C), by striking “to be-
3 come highly qualified” and inserting “to become
4 a highly qualified teacher”;

5 (G) in paragraph (21)(D)(i), as redesignig-
6 nated by subparagraph (C), by striking “be-
7 comes highly qualified” and inserting “becomes
8 a highly qualified teacher”; and

9 (H) in paragraph (22)(D)(iii), as redesignig-
10 nated by subparagraph (C), by striking “stu-
11 dents who are limited English proficient” and
12 inserting “English learners”.

13 (3) Section 202 (20 U.S.C. 1022a) is amend-
14 ed—

15 (A) in subsection (b)(6)—

16 (i) in subparagraph (E)(ii), by strik-
17 ing “student academic achievement stand-
18 ards and academic content standards
19 under section 1111(b)(1)” and inserting
20 “college and career ready State academic
21 content standards and student academic
22 achievement standards under section
23 1111(a)(1)”; and

24 (ii) in subparagraph (G), by striking
25 “students who are limited English pro-

1 ficient” and inserting “English learners”;

2 and

3 (B) in subsection (d)—

4 (i) in paragraph (1)—

5 (I) in subparagraph (A)(i)(I)—

6 (aa) by inserting “teachers”

7 after “highly qualified”; and

8 (bb) by striking “students

9 who are limited English pro-

10 ficient” and inserting “English

11 learners”; and

12 (II) in subparagraph (B)—

13 (aa) in clause (ii)(IV)(aa),

14 by striking “students who are

15 limited English proficient” and

16 inserting “English learners”; and

17 (bb) in clause (iii), by insert-

18 ing “teachers” after “highly

19 qualified”; and

20 (ii) in paragraph (5)(B), by striking

21 “limited English proficient students” and

22 inserting “English learners”.

23 (4) Section 204(a)(4)(D) (20 U.S.C.

24 1022c(a)(4)(D)) is amended by striking “limited

1 English proficient students” and inserting “English
2 learners”.

3 (5) Section 205 (20 U.S.C. 1022d) is amend-
4 ed—

5 (A) in subsection (a)(1)(G), by striking
6 “students who are limited English proficient”
7 and inserting “English learners”; and

8 (B) in subsection (b)(1)—

9 (i) in subparagraph (C), by striking
10 “State’s challenging academic content
11 standards required under section
12 1111(b)(1)” and inserting “college and ca-
13 reer ready State academic content stand-
14 ards required under section 1111(a)(1)”;
15 and

16 (ii) in subparagraph (L), by striking
17 “students who are limited English pro-
18 ficient” and inserting “English learners”.

19 (6) Section 206 (20 U.S.C. 1022e) is amend-
20 ed—

21 (A) in subsection (a), by striking “limited
22 English proficient students” and inserting
23 “English learners”; and

1 (B) in subsection (b)(4), by striking “lim-
2 ited English proficient students” and inserting
3 “English learners”.

4 (7) Section 208(b) (20 U.S.C. 1022g(b)) is
5 amended—

6 (A) by inserting “teachers” after “are
7 highly qualified”; and

8 (B) by striking “is highly qualified” and
9 inserting “is a highly qualified teacher”.

10 (8) Section 242(b) (20 U.S.C. 1033a(b)) is
11 amended—

12 (A) in the matter preceding paragraph (1),
13 by inserting “teachers” after “highly qualified”;
14 and

15 (B) in paragraph (1), by inserting “teach-
16 ers” after “highly qualified”.

17 (9) Section 251(b)(1)(A)(iii) (20 U.S.C.
18 1034(b)(1)(A)(iii)) is amended by inserting “teach-
19 ers” after “highly qualified”.

20 (10) Section 255(k) (20 U.S.C. 1035(k)) is
21 amended—

22 (A) in paragraph (1), by striking “section
23 9101(23)(B)(ii)” and inserting “section
24 9101(32)(A)(ii)(II)”; and

1 (B) in paragraph (3), by striking “section
2 9101(23)” and inserting “section 9101(32)”.

3 (11) Section 258(d) (20 U.S.C. 1036(d)) is
4 amended—

5 (A) in paragraph (1)—

6 (i) by striking “limited English pro-
7 ficient students” and inserting “English
8 learners”; and

9 (ii) by inserting “teachers who will
10 be” after “highly qualified”; and

11 (B) in paragraph (2)(C), by striking “lim-
12 ited English proficient students” and inserting
13 “English learners”.

14 (12) Section 402B(c)(7) (20 U.S.C. 1070a-
15 12(c)(7)) is amended by striking “students who are
16 limited English proficient” and inserting “English
17 learners”.

18 (13) Section 402C(d)(7) (20 U.S.C. 1070a-
19 13(d)(7)) is amended by striking “students who are
20 limited English proficient” and inserting “English
21 learners”.

22 (14) Section 402D (20 U.S.C. 1070a-14) is
23 amended—

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1 (A) in subsection (a)(3), by striking “stu-
2 dents who are limited English proficient” and
3 inserting “English learners”; and

4 (B) in subsection (c)(6), by striking “stu-
5 dents who are limited English proficient” and
6 inserting “English learners”.

7 (15) Section 402F(b)(11) (20 U.S.C. 1070a-
8 16(b)(11)) is amended by striking “students who are
9 limited English proficient” and inserting “English
10 learners”.

11 (16) Section 404D (20 U.S.C. 1070a-24) is
12 amended—

13 (A) in subsection (b)(10)(K), by striking
14 “students who are limited English proficient”
15 and inserting “English learners”; and

16 (B) in subsection (c)(6)(B)(ii), by striking
17 “students who are limited English proficient”
18 and inserting “English learners”.

19 (17) Section 428J(b)(1)(B) (20 U.S.C. 1078-
20 10(b)(1)(B)) is amended by striking “is highly quali-
21 fied” and inserting “is a highly qualified teacher”.

22 (18) Section 428K(b)(5) (20 U.S.C. 1078-
23 11(b)(5)) is amended—

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1 (A) in the heading, by striking “STUDENTS
2 WHO ARE LIMITED ENGLISH PROFICIENT” and
3 inserting “ENGLISH LEARNERS”;

4 (B) in subparagraph (A), by striking “is
5 highly qualified” and inserting “is a highly
6 qualified teacher”; and

7 (C) in subparagraph (B)(i), by striking
8 “students who are limited English proficient”
9 and inserting “English learners”.

10 (19) Section 460(b)(1)(B) (20 U.S.C.
11 1087j(b)(1)(B)) is amended by striking “is highly
12 qualified” and inserting “is a highly qualified teach-
13 er”.

14 (20) Section 741(a)(10) (20 U.S.C.
15 1138(a)(10)) is amended by striking “limited
16 English proficient students” and inserting “English
17 learners” each place the term appears.

18 (21) Section 806(a)(2) (20 U.S.C. 1161f(a)(2))
19 is amended to read as follows:

20 “(2) HIGHLY QUALIFIED TEACHER.—The term
21 ‘highly qualified teacher’ has the meaning given the
22 term in section 9101 of the Elementary and Sec-
23 ondary Education Act of 1965.”

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1 (b) INDIVIDUALS WITH DISABILITIES EDUCATION
2 ACT.—The Individuals with Disabilities Education Act
3 (20 U.S.C. 1400 et seq.) is amended as follows:

4 (1) Section 602 (20 U.S.C. 1401) is amended—

5 (A) in paragraph (10)—

6 (i) in subparagraph (A)—

7 (I) in the matter preceding clause
8 (i), by striking “has the meaning
9 given the term in section 9101” and
10 inserting “means that the teacher is a
11 highly qualified teacher in accordance
12 with subparagraphs (A) and (B) of
13 section 9101(32)”; and

14 (II) in clause (ii), by striking
15 “requirements of section 9101” and
16 inserting “requirements for a highly
17 qualified teacher as defined in section
18 9101(32)(A)”; and

19 (ii) in subparagraph (C)—

20 (I) in the matter preceding clause
21 (i), by striking “section 1111(b)(1)”
22 and inserting “section 1111(a)(1)”; and

23 (II) clause (i), by striking “re-
24 quirements of section 9101” and in-
25 serting “requirements for a highly

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1 qualified teacher, as defined in section
2 9101”; and

3 (III) in clause (ii), by striking
4 “subparagraph (B) or (C) of section
5 9101(23)” and inserting “clause (ii)
6 or (iii) of section 9101(32)(A)”;

7 (iii) in subparagraph (D)—

8 (I) in clause (i), by striking “ap-
9 plicable requirements of section 9101”
10 and inserting “applicable require-
11 ments to be a highly qualified teacher
12 as defined in section 9101”; and

13 (II) in each of clauses (ii) and
14 (iii), by striking “section
15 9101(23)(C)(ii)” and inserting “sec-
16 tion 9101(32)(A)(iii)(II)”;

17 (iv) in subparagraph (F), by striking
18 “highly qualified for purposes of” and in-
19 serting “to be a highly qualified teacher
20 for purposes of”; and

21 (B) in paragraph (18), by striking “has
22 the meaning given the term in section 9101 of
23 the Elementary and Secondary Education Act
24 of 1965” and inserting “when used in reference
25 to an individual, means an individual who meets

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1 the requirements described in subparagraphs
2 (C) and (D) of section 9101(23) of the Element-
3 ary and Secondary Education Act of 1965”.

4 (2) Section 611(e)(2)(C) (20 U.S.C.
5 1411(e)(2)(C)) is amended—

6 (A) in clause (x), by striking “sections
7 1111(b) and 6111” and inserting “sections
8 1111 and 1131”; and

9 (B) in clause (xi)—

10 (i) by striking “, including supple-
11 mental educational services as defined in
12 1116(e) of the Elementary and Secondary
13 Education Act of 1965”; and

14 (ii) by striking “objectives established
15 by the State under section 1111(b)(2)(G)”
16 and inserting “targets established by the
17 State under section 1111(a)(3)(C) of”.

18 (3) Section 612(a) (20 U.S.C. 1412(a))—

19 (A) in paragraph (15)—

20 (i) by striking clause (ii) of subpara-
21 graph (A);

22 (ii) by redesignating clauses (iii) and
23 (iv) of subparagraph (A) as clauses (ii)
24 and (iii), respectively;

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1 (iii) in subparagraph (B), by striking
2 “, including measurable annual objectives
3 for progress by children with disabilities
4 under section 1111(b)(2)(C)(v)(II)(cc) of
5 the Elementary and Secondary Education
6 Act of 1965”; and

7 (iv) in subparagraph (C), by striking
8 “section 1111(h)” and inserting “section
9 1111(e)”;

10 (B) in paragraph (16)(C)(ii)(II), by strik-
11 ing “section 1111(b)(1)” and inserting “section
12 1111(a)”;

13 (4) Section 654(a)(1)(B) (20 U.S.C.
14 1454(a)(1)(B)) is amended by striking “challenging
15 State student academic achievement and functional
16 standards and with the requirements for professional
17 development, as defined in section 9101” and insert-
18 ing “college and career ready State academic
19 achievement and functional standards and with the
20 requirements for professional development, as de-
21 fined in section 9101”.

22 (5) Section 663(b)(2) (20 U.S.C. 1463(b)(2)) is
23 amended by striking “for assessing adequate yearly
24 progress, as described under section 1111(b)(2)(B)”
25 and inserting “as described in section 1111(a)(2)”.

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1 (c) CARL D. PERKINS CAREER AND TECHNICAL
2 EDUCATION ACT OF 2006.—The Carl D. Perkins Career
3 and Technical Education Act of 2006 (20 U.S.C. 2301
4 et seq.) is amended as follows:

5 (1) Section 3(8) (20 U.S.C. 2302(8)) is amend-
6 ed by striking “section 5210” and inserting “section
7 5411”.

8 (2) Section 8(e) (20 U.S.C. 2306a(e)) is
9 amended by striking “section 1111(b)(1)(D)” and
10 inserting section “1111(a)(1)”.

11 (3) Section 113 (20 U.S.C. 2323) is amended—

12 (A) in subsection (b)—

13 (i) in paragraph (2)(A)—

14 (I) in clause (i), by striking
15 “challenging academic content stand-
16 ards and student academic achieve-
17 ment standards, as adopted by a
18 State in accordance with section
19 1111(b)(1) of the Elementary and
20 Secondary Education Act of 1965 and
21 measured by the State determined
22 proficient levels on the academic as-
23 sessments described in section
24 1111(b)(3) of such Act” and inserting
25 “college and career ready State aca-

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1 demic content and student academic
2 achievement standards, as adopted by
3 a State in accordance with section
4 1111(a)(1) of the Elementary and
5 Secondary Education Act of 1965 and
6 measured by the State-determined
7 proficient levels on the academic as-
8 sessments described in section
9 1111(a)(2) of such Act”; and

10 (II) in clause (iv), by striking
11 “Student graduation rates (as de-
12 scribed in section 1111(b)(2)(C)(vi) of
13 the Elementary and Secondary Edu-
14 cation Act of 1965)” and inserting
15 “Student graduation rates (as de-
16 scribed in section 9101 of the Elemen-
17 tary and Secondary Education Act of
18 1965)”; and

19 (ii) in paragraph (4)(C)(ii)(I), by
20 striking “categories of students described
21 in section 1111(h)(1)(C)(i)” and inserting
22 “categories of students described in section
23 1111(a)(2)(B)(x)”; and

24 (B) in subsection (c)(2)(A), by striking
25 “categories of students described in section

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1 1111(h)(1)(C)(i)” and inserting “categories of
2 students described in section
3 1111(a)(2)(B)(x)”.

4 (4) Section 114(d)(4)(A)(iii)(I)(aa) (20 U.S.C.
5 2324(d)(4)(A)(iii)(I)(aa)) is amended by striking
6 “academic content standards and student academic
7 achievement standards, as adopted by States under
8 section 1111(b)(1)” and inserting “college and ca-
9 reer ready State academic content and student aca-
10 demic achievement standards, as adopted by a State
11 in accordance with section 1111(a)(1)”.

12 (5) Section 122(c)(1)(I)(i) (20 U.S.C.
13 2342(c)(1)(I)(i)) is amended by striking “rigorous
14 and challenging academic content standards and stu-
15 dent academic achievement standards adopted by the
16 State under section 1111(b)(1)” and inserting “col-
17 lege and career ready State academic content and
18 student academic achievement standards, as adopted
19 by a State in accordance with section 1111(a)(1)”.

20 (d) NATIONAL AND COMMUNITY SERVICE ACT OF
21 1990.—The National and Community Service Act of 1990
22 (42 U.S.C. 12501 et seq.) is amended as follows:

23 (1) Section 112(a)(1)(F) (42 U.S.C.
24 12523(a)(1)(F)) is amended by striking “attention
25 to schools not making adequate yearly progress for

1 two or more consecutive years under section 1111 of
2 the Elementary and Secondary Education Act of
3 1965 (20 U.S.C. 6301 et seq.)” and inserting “at-
4 tention to schools that are identified as focus schools
5 or priority schools under subsection (c) or (d) of sec-
6 tion 1116 of the Elementary and Secondary Edu-
7 cation Act of 1965 (20 U.S.C. 6316)”.

8 (2) Section 119(a)(2)(A)(ii)(II) (42 U.S.C.
9 12563(a)(2)(A)(ii)(II)) is amended by striking “the
10 graduation rate (as defined in section
11 1111(b)(2)(C)(vi)” and inserting “the graduation
12 rates (as defined in section 9101”.

13 (3) Section 120(a)(2)(C) (42 U.S.C.
14 12565(a)(2)(C)) is amended by striking “improved
15 graduation rates, as defined in section
16 1111(b)(2)(C)(vi)” and inserting “improved gradua-
17 tion rates, as defined in section 9101”.

18 (4) Section 122 (42 U.S.C. 12572) is amend-
19 ed—

20 (A) in subsection (a)(1)(C)(iii), by striking
21 “secondary school graduation rates as defined
22 in section 1111(b)(2)(C)(vi)” and inserting
23 “secondary school graduation rates as defined
24 in section 9101”; and

1 (B) in subsection (i)(1), by inserting “col-
2 lege and career ready” after “State”.

3 (e) TITLE VI OF THE AMERICA COMPETES ACT.—

4 The America COMPETES Act (Public Law 110–69) is
5 amended as follows:

6 (1) Section 6112 (20 U.S.C. 9812) is amend-
7 ed—

8 (A) in paragraph (3)(B)(i), by inserting
9 “teachers” after “highly qualified”; and

10 (B) by striking paragraph (4) and insert-
11 ing the following:

12 “(4) HIGHLY QUALIFIED TEACHER.—The term
13 ‘highly qualified teacher’ has the meaning given such
14 term in section 9101 of the Elementary and Sec-
15 ondary Education Act of 1965 (20 U.S.C. 7801).”.

16 (2) Section 6113(d)(2)(G)(i) (20 U.S.C.
17 9813(d)(2)(G)(i)) is amended—

18 (A) by inserting “teachers of” after “high-
19 ly qualified”; and

20 (B) by striking “teachers” after “foreign
21 language”.

22 (3) Section 6114(b)(3) (20 U.S.C. 9814(b)(3))
23 is amended—

24 (A) by inserting “teachers of” after “high-
25 ly qualified”; and

1 (B) by striking “teachers” after “foreign
2 language”.

3 (4) Section 6122 (20 U.S.C. 9832) is amend-
4 ed—

5 (A) in paragraph (3), by striking “has the
6 meaning given the term ‘low-income individual’
7 in section 1707(3) of the Elementary and Sec-
8 ondary Education Act of 1965 (20 U.S.C.
9 6537(3))” and inserting “means a student who
10 is from a low-income family, as defined in sec-
11 tion 9101(36)(B) of the Elementary and Sec-
12 ondary Education Act of 1965 (20 U.S.C.
13 7801(36)(B))”;

14 (B) in paragraph (4), by striking “has the
15 meaning” and all that follows through the pe-
16 riod and inserting “, used with respect to a
17 school, means a school that serves a student
18 population 40 percent or more of whom are
19 low-income students.”; and

20 (C) in paragraph (5), by striking “means
21 a local educational agency or educational service
22 agency described in 6112(3)(A)” and inserting
23 “means a high-need local educational agency, as
24 defined under section 9101 of the Elementary

1 and Secondary Education Act of 1965 (20
2 U.S.C. 7801)”.

3 (5) Section 6123(j)(2)(B) (20 U.S.C.
4 9833(j)(2)(B)) is amended by striking
5 “disaggregated under section 1111(h)(1)(C)(i)” and
6 inserting “disaggregated under section
7 1111(a)(2)(B)(x)”.

8 (6) Section 6201(e)(2)(D)(ii)(I) (20 U.S.C.
9 9871(e)(2)(D)(ii)(I)) is amended by striking “as-
10 sessments under section 1111(b)” and inserting “as-
11 sessments under section 1111(a)”.

12 (f) THE EDUCATION OF THE DEAF ACT OF 1986.—
13 Section 104(b)(5) of the Education of the Deaf Act of
14 1986 (20 U.S.C. 4304(b)(5)) is amended—

15 (1) in subparagraph (A)—

16 (A) in clause (i), by striking “challenging
17 academic content standards, challenging stu-
18 dent academic achievement standards, and aca-
19 demic assessments of a State, adopted and im-
20 plemented, as appropriate, pursuant to para-
21 graphs (1) and (3) of section 1111(b)” and in-
22 serting “college and career ready State aca-
23 demic content and student academic achieve-
24 ment standards and assessments of a State,

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1 adopted and implemented, as appropriate, pur-
2 suant to section 1111(a)”; and

3 (B) in clause (ii), by adding “and” after
4 the semicolon;

5 (2) by striking subparagraph (B);

6 (3) by redesignating subparagraph (C) as sub-
7 paragraph (B); and

8 (4) in subparagraph (B), as redesignated by
9 paragraph (3), by striking “, and whether the pro-
10 grams at the Clerc Center are making adequate
11 yearly progress, as determined under subparagraph
12 (B)”.

13 (g) THE EDUCATION SCIENCES REFORM ACT OF
14 2002.—The Education Sciences Reform Act of 2002 (20
15 U.S.C. 9501 et seq.) is amended as follows:

16 (1) Section 153(a)(1)(F)(ii) (20 U.S.C.
17 9543(a)(1)(F)(ii)) is amended by striking “the per-
18 centage of teachers who are highly qualified” and in-
19 serting “the percentage of teachers who are highly
20 qualified teachers”.

21 (2) Section 177(a)(5) (20 U.S.C. 9567b(a)(5))
22 is amended by striking “section 1111(b)” and in-
23 serting “section 1111(a)”.

1 (h) THE EDUCATIONAL TECHNICAL ASSISTANCE
2 ACT OF 2002.—Section 203 of the Educational Technical
3 Assistance Act of 2002 (20 U.S.C. 9602) is amended—

4 (1) in subsection (a)(2)(B), by striking “schools
5 identified for school improvement (as described in
6 section 1116(b) of the Elementary and Secondary
7 Education Act of 1965 (20 U.S.C. 6316(b))” and
8 inserting “schools identified as priority schools (as
9 described in section 1116(d) of the Elementary and
10 Secondary Education Act of 1965 (20 U.S.C.
11 6316(e)(2)))”;

12 (2) in subsection (e), by striking paragraph (3)
13 and inserting the following:

14 “(3) schools in the region identified by the
15 State’s accountability system under section 1116 of
16 the Elementary and Secondary Education Act of
17 1965 (20 U.S.C. 6316).”; and

18 (3) in subsection (f)(1)(B), by striking
19 “1116(b) of the Elementary and Secondary Edu-
20 cation Act of 1965 (20 U.S.C. 6316(b))” and insert-
21 ing “1116 of the Elementary and Secondary Edu-
22 cation Act of 1965 (20 U.S.C. 6316)”.

23 (i) NATIONAL SCIENCE FOUNDATION AUTHORIZA-
24 TION ACT OF 2002.—Section 9 of the National Science

1 Foundation Authorization Act of 2002 (42 U.S.C. 1862n)
2 is amended—

3 (1) in subsection (a)(10)(A)(iii)(I), by striking
4 “are considered highly qualified” and inserting “are
5 considered highly qualified teachers”; and

6 (2) in subsection (b)(3)(A), by striking “or a
7 high-need local educational agency in which at least
8 one school does not make adequate yearly progress,
9 as determined pursuant to part A of title I of the
10 Elementary and Secondary Education Act of 1965
11 (20 U.S.C. 6311 et seq.)”.

12 (j) RICHARD B. RUSSELL NATIONAL SCHOOL LUNCH
13 ACT.—Section 9 of the Richard B. Russell National
14 School Lunch Act (42 U.S.C. 1758) is amended—

15 (1) in subsection (b)—

16 (A) in paragraph (5)(D), by striking “sec-
17 tion 1309” and inserting “section 1312”; and

18 (B) in paragraph (12)(A)(vi), by striking
19 “section 1309” and inserting “section 1312”;
20 and

21 (2) in subsection (d)(2)(E), by striking “section
22 1309” and inserting “section 1312”.

23 (k) AMERICA COMPETES REAUTHORIZATION ACT
24 OF 2010.—Section 553(d)(6) of the America COMPETES
25 Reauthorization Act of 2010 (20 U.S.C. 9903(d)(6)) is

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1 amended by striking “the requirements under section
2 9101(23) of the Elementary and Secondary Education Act
3 of 1965 (20 U.S.C. 7801(23)) for highly qualified teach-
4 ers” and inserting “the requirements for a highly qualified
5 teacher as defined in section 9101 of the Elementary and
6 Secondary Education Act of 1965”.

7 (l) VIOLENCE AGAINST WOMEN ACT OF 1994.—Sec-
8 tion 41403(6)(B)(iii) of the Violence Against Women Act
9 of 1994 (42 U.S.C. 14043e-2(6)(B)(iii)) is amended by
10 striking “section 1309” and inserting “section 1312”.