

Calendar No. 218113TH CONGRESS
1ST SESSION**S. 1094****[Report No. 113-113]**

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

IN THE SENATE OF THE UNITED STATES

JUNE 4, 2013

Mr. HARKIN (for himself, Ms. MIKULSKI, Mrs. MURRAY, Mr. SANDERS, Mr. CASEY, Mrs. HAGAN, Mr. FRANKEN, Mr. BENNET, Mr. WHITEHOUSE, Ms. BALDWIN, Mr. MURPHY, and Ms. WARREN) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

OCTOBER 11, 2013

Reported by Mr. HARKIN, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]**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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Strengthening Amer-
3 ica’s Schools Act of 2013”.

4 **SEC. 2. TABLE OF CONTENTS.**

5 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.
- Sec. 7. Authorization of appropriations.

TITLE I—COLLEGE AND CAREER READINESS FOR ALL
STUDENTS

- Sec. 1001. Purpose.
- Sec. 1002. State reservations.

PART A—IMPROVING THE ACADEMIC ACHIEVEMENT OF THE
DISADVANTAGED

- 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 YOUTH WHO ARE NEGLECTED, DELINQUENT, OR AT-RISK

- Sec. 1401. Purpose and program authorization.
- Sec. 1402. Allocation of funds.
- Sec. 1403. State plan and State agency applications.
- Sec. 1404. Use of funds.
- Sec. 1405. Institution-wide projects.
- Sec. 1406. Transition services.
- Sec. 1407. Program evaluation.
- Sec. 1408. Purpose of local agency programs.
- 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.
- Sec. 4108. Promise neighborhoods.
- Sec. 4109. Parent and family information and resource centers.

- Sec. 4110. Programs of national significance.
 Sec. 4111. Competency-based assessment and accountability demonstration authority.

TITLE V—PROMOTING INNOVATION

- Sec. 5001. Promoting innovation.

PART A—RACE TO THE TOP

- 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.
 Sec. 5302. Program authorized.
 Sec. 5303. Applications and requirements.
 Sec. 5304. Priority.
 Sec. 5305. Use of funds.
 Sec. 5306. Limitations.
 Sec. 5307. Evaluations.
 Sec. 5308. Availability of funds for grants to agencies not previously assisted.

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- Sec. 5401. Public charter schools.

PART E—VOLUNTARY PUBLIC SCHOOL CHOICE

- Sec. 5501. Voluntary public school choice.

TITLE VI—PROMOTING FLEXIBILITY; RURAL EDUCATION

- Sec. 6101. Promoting flexibility.
 Sec. 6102. Rural education.
 Sec. 6103. General provisions.

TITLE VII—INDIAN, NATIVE HAWAIIAN, AND ALASKA NATIVE EDUCATION

PART A—INDIAN EDUCATION

- Sec. 7101. Purpose.

SUBPART 1—FORMULA GRANTS TO LOCAL EDUCATIONAL AGENCIES

- Sec. 7111. Formula grant purpose.
 Sec. 7112. Grants to local educational agencies, tribes, and Indian organizations.
 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.

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

- Sec. 7121. Special programs and projects to improve educational opportunities for Indian children and youth.
- Sec. 7122. Improvement of educational opportunities for Indian children and youth.
- Sec. 7123. Professional development for teachers and education professionals.

SUBPART 3—NATIONAL ACTIVITIES

- Sec. 7131. National activities.
- Sec. 7132. Grants to tribes for education administrative planning and development.

SUBPART 4—FEDERAL ADMINISTRATION

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

SUBPART 5—DEFINITIONS; AUTHORIZATION OF APPROPRIATIONS

- Sec. 7151. Definitions; authorization of appropriations.

PART B—NATIVE HAWAIIAN EDUCATION; ALASKA NATIVE EDUCATION

- Sec. 7201. Native Hawaiian education and Alaska Native education.

SUBPART 1—NATIVE HAWAIIAN EDUCATION

- 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. Alaska Native education.

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. Construction.
- Sec. 8005. Facilities.
- Sec. 8006. Federal administration.
- Sec. 8007. Definitions.
- Sec. 8008. Conforming amendment.
- Sec. 8009. Eligibility for impact aid payment.
- Sec. 8010. Repeal of sunset under the NDAA amendments to Impact Aid.

TITLE IX—GENERAL PROVISIONS

- Sec. 9101. Definitions.
- Sec. 9102. Unsafe school choice option.
- Sec. 9103. Evaluation authority.
- Sec. 9104. Conforming amendments.

TITLE X—COMMISSION ON EFFECTIVE REGULATION AND
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.
 Sec. 10016. Commission personnel matters.

TITLE XI—AMENDMENTS TO OTHER LAWS; MISCELLANEOUS
PROVISIONS

PART A—AMENDMENTS TO OTHER LAWS

SUBPART 1—MCKINNEY-VENTO HOMELESS ASSISTANCE ACT

- Sec. 11011. Short title.
 Sec. 11012. Education for homeless children and youth.

SUBPART 2—ADVANCED RESEARCH PROJECTS AGENCY-EDUCATION

- Sec. 11021. Advanced Research Projects Agency-Education.

PART B—MISCELLANEOUS PROVISIONS

- 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-

1 anee with the terms of that award, except that no addi-
2 tional funds may be awarded after September 30, 2014.
3 In the case of a State that received a flexibility waiver
4 from the Secretary of Education under the authority of
5 section 9401 of the Elementary and Secondary Education
6 Act of 1965 (20 U.S.C. 7861), as such section was in ef-
7 fect on the day before the date of enactment of this Act,
8 such waiver shall no longer apply, and no additional funds
9 associated with such waiver shall be awarded, after the
10 completion of the original waiver period.

11 (b) PLANNING AND TRANSITION.—Notwithstanding
12 any other provision of law, a recipient of funds under the
13 Elementary and Secondary Education Act of 1965, as that
14 Act was in effect prior to the date of enactment of this
15 Act, may use funds available to the recipient under that
16 predecessor authority to carry out necessary and reason-
17 able planning and transition activities in order to ensure
18 an orderly implementation of programs authorized by this
19 Act, and the amendments made by this Act.

20 (c) ORDERLY TRANSITION.—The Secretary shall take
21 such steps as are necessary to provide for the orderly tran-
22 sition to, and implementation of, programs authorized by
23 this Act, and by the amendments made by this Act, from
24 programs authorized by the Elementary and Secondary
25 Education Act of 1965, as that Act was in effect prior

1 to the date of enactment of this Act except in such cases
2 where this Act requires specific transition steps to take
3 place.

4 **SEC. 5. EFFECTIVE DATES.**

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

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

13 (c) **COMPETITIVE PROGRAMS.**—With respect to pro-
14 grams that are conducted by the Secretary on a competi-
15 tive basis, this Act, and the amendments made by this Act,
16 shall take effect with respect to appropriations for use
17 under those programs for fiscal year 2014.

18 (d) **IMPACT AID.**—With respect to title VIII (Impact
19 Aid), this Act, and the amendments made by this Act,
20 shall take effect with respect to appropriations for use
21 under that title for fiscal year 2014.

22 **SEC. 6. TABLE OF CONTENTS OF THE ELEMENTARY AND**
23 **SECONDARY EDUCATION ACT OF 1965.**

24 Section 2 is amended to read as follows:

1 **“SEC. 2. TABLE OF CONTENTS.**

2 “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

“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

“Sec. 1221. Purposes.

“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.

“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.

“Sec. 1415. Use of funds.

“Sec. 1416. Institution-wide projects.

“Sec. 1417. Three-year programs or projects.

“Sec. 1418. Transition services.

“Sec. 1419. Program evaluation.

“SUBPART 2—LOCAL AGENCY PROGRAMS

“Sec. 1421. Purpose.

“Sec. 1422. Programs operated by local educational agencies.

“Sec. 1423. Local educational agency applications.

“Sec. 1424. Uses of funds.

“Sec. 1425. Program requirements for correctional facilities receiving funds under this section.

“Sec. 1426. Accountability.

“SUBPART 3—GENERAL PROVISIONS

“Sec. 1431. Program evaluations.

“Sec. 1432. Definitions.

“PART E—EDUCATIONAL STABILITY OF CHILDREN IN FOSTER CARE

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

“Sec. 1502. Definitions.

“PART F—GENERAL PROVISIONS

“Sec. 1601. Federal regulations.

“Sec. 1602. Agreements and records.

“Sec. 1603. State administration.

“Sec. 1604. Local educational agency spending audits.

“Sec. 1605. Prohibition against Federal mandates, direction, or control.

“Sec. 1606. Rule of construction on equalized spending.

“Sec. 1607. State report on dropout data.

“Sec. 1608. Regulations for sections 1114 and 1116.

“TITLE H—SUPPORTING TEACHER AND PRINCIPAL EXCELLENCE

“PART A—CONTINUOUS IMPROVEMENT AND SUPPORT FOR TEACHERS AND PRINCIPALS

“Sec. 2101. Purpose.

“Sec. 2102. Definitions.

“SUBPART 1—GRANTS TO STATES

“Sec. 2111. Allotments to States.

“Sec. 2112. State applications.

“Sec. 2113. State use of funds.

“SUBPART 2—SUBGRANTS TO LOCAL EDUCATIONAL AGENCIES

“Sec. 2121. Allocations to local educational agencies.

“Sec. 2122. Local applications and needs assessment.

“Sec. 2123. Local use of funds.

“SUBPART 3—NATIONAL LEADERSHIP ACTIVITIES

“Sec. 2131. National leadership activities.

“Sec. 2132. Gifted and talented students.

“SUBPART 4—ACCOUNTABILITY

“Sec. 2141. Accountability.

“SUBPART 5—PRINCIPAL RECRUITMENT AND TRAINING

“Sec. 2151. Principal recruitment and training grant program.

“PART B—TEACHER PATHWAYS TO THE CLASSROOM

“Sec. 2201. Teacher Pathways.

“PART C—TEACHER INCENTIVE FUND PROGRAM

“Sec. 2301. Purposes; definitions.

“Sec. 2302. Teacher incentive fund grants.

“PART D—ACHIEVEMENT THROUGH TECHNOLOGY AND INNOVATION

- “Sec. 2401. Short title.
- “Sec. 2402. Purposes and goals.
- “Sec. 2403. Definitions.
- “Sec. 2404. Allocation of funds; limitation.
- “Sec. 2405. E-rate restriction.
- “Sec. 2406. Rule of construction regarding purchasing.

“SUBPART 1—STATE AND LOCAL GRANTS

- “Sec. 2411. Allotment and reallocation.
- “Sec. 2412. Use of allotment by State.
- “Sec. 2413. State applications.
- “Sec. 2414. State activities.
- “Sec. 2415. Local applications.
- “Sec. 2416. Local activities.
- “Sec. 2417. Reporting.

“SUBPART 2—INTERNET SAFETY

- “Sec. 2421. Internet safety.

“TITLE III—LANGUAGE AND ACADEMIC CONTENT INSTRUCTION
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“PART A—ENGLISH LANGUAGE ACQUISITION, LANGUAGE ENHANCEMENT,
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- “Sec. 3101. Short title.
- “Sec. 3102. Purposes.

“SUBPART 1—GRANTS AND SUBGRANTS FOR ENGLISH LANGUAGE ACQUISITION
AND LANGUAGE ENHANCEMENT

- “Sec. 3111. Formula grants to States.
- “Sec. 3112. Native American and Alaska Native children in school.
- “Sec. 3113. State educational agency plans.
- “Sec. 3114. Within-State allocations.
- “Sec. 3115. Subgrants to eligible entities.
- “Sec. 3116. Local plans.

“SUBPART 2—ACCOUNTABILITY AND ADMINISTRATION

- “Sec. 3121. Local evaluation and accountability.
- “Sec. 3122. State accountability.
- “Sec. 3123. Reporting requirements.
- “Sec. 3124. Coordination with related programs.
- “Sec. 3125. Rules of construction.
- “Sec. 3126. Legal authority under State law.
- “Sec. 3127. Civil rights.
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- “Sec. 3129. Prohibition.

“SUBPART 3—NATIONAL ACTIVITIES

- “Sec. 3131. Professional development grants.
- “Sec. 3132. Commission on Assessment of English Learners.

“Sec. 3133. English language acquisition technology innovation grants.

“PART B—GENERAL PROVISIONS

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“Sec. 3202. Parental notification.

“Sec. 3203. National Clearinghouse.

“Sec. 3204. Regulations.

“TITLE IV—SUPPORTING SUCCESSFUL, WELL-ROUNDED STUDENTS

“PART A—IMPROVING LITERACY INSTRUCTION AND STUDENT ACHIEVEMENT

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“Sec. 4102. Purposes.

“Sec. 4103. Definitions.

“Sec. 4104. Program authorized.

“Sec. 4105. State planning grants.

“Sec. 4106. State implementation grants.

“Sec. 4107. State activities.

“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.

“Sec. 4110. National evaluation, information dissemination, and technical assistance.

“Sec. 4111. Rules of construction.

“SUBPART 2—IMPROVING LITERACY AND COLLEGE AND CAREER READINESS THROUGH EFFECTIVE SCHOOL LIBRARY PROGRAMS

“Sec. 4113. Purpose.

“Sec. 4114. Definitions.

“Sec. 4115. Improving literacy and college and career readiness through effective school library program grants.

“PART B—IMPROVING SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS INSTRUCTION AND STUDENT ACHIEVEMENT

“SUBPART 1—IMPROVING STEM INSTRUCTION AND STUDENT ACHIEVEMENT

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“4221. Purpose.

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- “4223. STEM Master Teacher Corps program.
- “4224. Application.
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“SUBPART 2—FINANCIAL LITERACY EDUCATION

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- “Sec. 4702. Purpose.
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“SUBPART 1—PROMISE NEIGHBORHOOD PARTNERSHIP GRANTS

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- “Sec. 4713. Application requirements.
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“SUBPART 2—PROMISE SCHOOL GRANTS

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- “Sec. 4722. Definition of eligible entity.
- “Sec. 4723. Application requirements; priority.
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“SUBPART 3—GENERAL PROVISIONS

- “Sec. 4731. National activities.

“PART H—PARENT AND FAMILY INFORMATION AND RESOURCE CENTERS

- “Sec. 4801. Purpose.
- “Sec. 4802. Definition of eligible entity.
- “Sec. 4803. Grants authorized.
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- “Sec. 4805. Uses of funds.
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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.

“TITLE V—PROMOTING INNOVATION

“PART A—RACE TO THE TOP

- “Sec. 5101. Purposes.
- “Sec. 5102. Reservation of funds.
- “Sec. 5103. Race to the Top program.
- “Sec. 5104. Application process.
- “Sec. 5105. Performance measures.

- “Sec. 5106. Uses of funds.
- “Sec. 5107. Reporting.

“PART B—INVESTING IN INNOVATION

- “Sec. 5201. Purposes.
- “Sec. 5202. Reservations.
- “Sec. 5203. Program authorized; length of grants; priorities.
- “Sec. 5204. Applications.
- “Sec. 5205. Uses of funds.
- “Sec. 5206. Performance measures.
- “Sec. 5207. Reporting.

“PART C—MAGNET SCHOOLS ASSISTANCE

- “Sec. 5301. Findings and purpose.
- “Sec. 5302. Definition.
- “Sec. 5303. Program authorized.
- “Sec. 5304. Eligibility.
- “Sec. 5305. Applications and requirements.
- “Sec. 5306. Priority.
- “Sec. 5307. Use of funds.
- “Sec. 5308. Prohibition.
- “Sec. 5309. Limitations.
- “Sec. 5310. Evaluations.
- “Sec. 5311. Availability of funds for grants to agencies not previously assisted.

“PART D—PUBLIC CHARTER SCHOOLS

- “Sec. 5401. Purpose.
- “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.
- “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.
- “Sec. 6223. Applications.
- “Sec. 6224. Accountability.

“SUBPART 3—GENERAL PROVISIONS

- “Sec. 6231. Choice of participation.
- “Sec. 6232. Annual average daily attendance determination.
- “Sec. 6233. Supplement, not supplant.
- “Sec. 6234. Rule of construction.

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

“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.
- “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.
- “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

1 part A of such title) such sums as may be necessary
2 for fiscal year 2014 and each of the 4 succeeding fis-
3 cal years.

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

6 “(A) IN GENERAL.—There are authorized
7 to be appropriated to carry out section 1116(g)
8 such sums as may be necessary for fiscal year
9 2014 and each of the 4 succeeding fiscal years.

10 “(B) RESERVATION FOR NATIONAL ACTIVI-
11 TIES.—Of the amounts appropriated under sub-
12 paragraph (A) for a fiscal year, the Secretary
13 shall reserve not more than 2 percent for the
14 national activities described in section
15 1116(f)(6).

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

21 “(4) CENTERS OF EXCELLENCE IN EARLY
22 CHILDHOOD.—There are authorized to be appro-
23 priated to carry out section 1132 such sums as may
24 be necessary for fiscal year 2014 and each of the 4
25 succeeding fiscal years.

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

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

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

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

20 “(d) EDUCATION OF MIGRATORY CHILDREN.—For
21 the purposes of carrying out part C of title I, Education
22 of Migratory Children, there are authorized to be appro-
23 priated such sums as may be necessary for fiscal year
24 2014 and each of the 4 succeeding fiscal years.

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

7 “(f) CONTINUOUS IMPROVEMENT AND SUPPORT FOR
8 TEACHERS AND PRINCIPALS.—

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

14 “(2) PRINCIPAL RECRUITMENT AND TRAIN-
15 ING.—For the purposes of carrying out subpart 5 of
16 part A of title H, Principal Recruitment and Train-
17 ing, there are authorized to be appropriated such
18 sums as may be necessary for fiscal year 2014 and
19 each of the 4 succeeding fiscal years.

20 “(g) TEACHER PATHWAYS TO THE CLASSROOM.—
21 For the purposes of carrying out part B of title H, Teach-
22 er Pathways to the Classroom, there are authorized to be
23 appropriated such sums as may be necessary for fiscal
24 year 2014 and each of the 4 succeeding fiscal years.

1 “(h) TEACHER INCENTIVE FUND.—For the purposes
 2 of carrying out part C of title II, Teacher Incentive Fund,
 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 “(i) ACHIEVEMENT THROUGH TECHNOLOGY AND IN-
 7 NOVATION.—For the purposes of carrying out part D of
 8 title II, Achievement through Technology and Innovation,
 9 there are authorized to be appropriated such sums as may
 10 be necessary for fiscal year 2014 and each of the 4 suc-
 11 ceeding fiscal years.

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

18 “(k) IMPROVING LITERACY AND STUDENT ACHIEVE-
 19 MENT.—

20 “(1) IMPROVING LITERACY.—For the purposes
 21 of carrying out subpart 1 of part A of title IV, Im-
 22 proving Literacy Instruction, there are authorized to
 23 be appropriated such sums as may be necessary for
 24 fiscal year 2014 and each of the 4 succeeding fiscal
 25 years.

1 “(2) EFFECTIVE SCHOOL LIBRARY PRO-
 2 GRAMS.—For the purposes of carrying out subpart
 3 2 of part A of title IV, Improving Literacy and Col-
 4 lege and Career Readiness Through Effective School
 5 Library Programs, there are authorized to be appro-
 6 priated such sums as may be necessary for fiscal
 7 year 2014 and each of the 4 succeeding fiscal years.

8 “(1) IMPROVING SCIENCE, TECHNOLOGY, ENGINEER-
 9 ING, AND MATHEMATICS INSTRUCTION AND STUDENT
 10 ACHIEVEMENT.—For the purposes of carrying out part B
 11 of title IV, Improving Science, Technology, Engineering,
 12 and Mathematics Instruction and Student Achievement,
 13 there are authorized to be appropriated such sums as may
 14 be necessary for fiscal year 2014 and each of the 4 sue-
 15 ceeding fiscal years.

16 “(m) INCREASING ACCESS TO A WELL-ROUNDED
 17 EDUCATION AND FINANCIAL LITERACY.—For the pur-
 18 poses of carrying out part C of title IV, Increasing Access
 19 to a Well-Rounded Education and Financial Literacy,
 20 there are authorized to be appropriated such sums as may
 21 be necessary for fiscal year 2014 and each of the 4 sue-
 22 ceeding fiscal years.

23 “(n) SUCCESSFUL, SAFE, AND HEALTHY STU-
 24 DENTS.—For the purposes of carrying out part D of title
 25 IV, Successful, Safe, and Healthy Students, there are au-

1 thORIZED to be appropriated such sums as may be nec-
2 essary for fiscal year 2014 and each of the 4 succeeding
3 fiscal years.

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

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

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

21 “(r) READY-TO-LEARN.—For the purposes of ear-
22 rying out part I of title IV, Ready-to-Learn, there are au-
23 thorized 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 “(s) PROGRAMS OF NATIONAL SIGNIFICANCE.—For
2 the purposes of carrying out part I of title IV, Programs
3 of National Significance, there are authorized to be appro-
4 priated such sums as may be necessary for fiscal year
5 2014 and each of the 4 succeeding fiscal years.

6 “(t) RACE TO THE TOP.—For the purposes of ear-
7 rying out part A of title V, Race to the Top, there are
8 authorized to be appropriated such sums as may be nee-
9 cessary for fiscal year 2014 and each of the 4 succeeding
10 fiscal years.

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

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

21 “(w) PUBLIC CHARTER SCHOOLS.—For the purposes
22 of carrying out part D of title V, Public Charter Schools,
23 there are authorized to be appropriated such sums as may
24 be necessary for fiscal year 2014 and each of the 4 sue-
25 ceeding fiscal years.

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

6 “(y) RURAL EDUCATION ACHIEVEMENT PROGRAM.—
7 For the purposes of carrying out part B of title VI, Rural
8 Education Achievement Program, there are authorized to
9 be appropriated such sums as may be necessary for fiscal
10 year 2014 and each of the 4 succeeding fiscal years.

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

13 “(1) INDIAN EDUCATION AND NATIVE HAWAI-
14 IAN EDUCATION.—For the purposes of carrying out
15 part A and subpart 1 of part B of title VII, Indian
16 Education and Native Hawaiian Education, there
17 are authorized to be appropriated such sums as may
18 be necessary for fiscal year 2014 and each of the 4
19 succeeding fiscal years.

20 “(2) ALASKA NATIVE EDUCATION.—There are
21 authorized to be appropriated to carry out subpart
22 2 of part B of title VII, Alaska Native Education,
23 such sums as may be necessary for fiscal year 2014
24 and each of the 5 succeeding fiscal years.

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

6 “(1) PAYMENTS FOR FEDERAL ACQUISITION OF
7 REAL PROPERTY.—For the purpose of making pay-
8 ments under section 8002, there are authorized to
9 be appropriated such sums as may be necessary for
10 fiscal year 2014 and each of the 4 succeeding fiscal
11 years:

12 “(2) BASIC PAYMENTS; PAYMENTS FOR HEAV-
13 ILY IMPACTED LOCAL EDUCATIONAL AGENCIES.—
14 For the purpose of making payments under section
15 8003(b), there are authorized to be appropriated
16 such sums as may be necessary for fiscal year 2014
17 and each of the 4 succeeding fiscal years:

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

23 “(4) CONSTRUCTION.—For the purpose of ear-
24 rying out section 8007, there are authorized to be
25 appropriated such sums as may be necessary for fis-

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

3 ~~“(5) FACILITIES MAINTENANCE.—~~For the pur-
4 pose of carrying out section 8008, there are author-
5 ized to be appropriated such sums as may be nec-
6 essary for fiscal year 2014 and each of the 4 sue-
7 ceeding fiscal years.”.

8 **TITLE I—COLLEGE AND CAREER**
9 **READINESS FOR ALL STUDENTS**

10 **SEC. 1001. PURPOSE.**

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

13 ~~“SEC. 1001. PURPOSE.~~

14 ~~“The purpose of this title is to ensure every child has~~
15 a fair, equal, and significant opportunity to obtain a high-
16 quality education and graduate from high school ready for
17 college, career, and citizenship. This purpose can be ac-
18 complished by—

19 ~~“(1) setting high expectations for children to~~
20 develop deep content knowledge and the ability to
21 use knowledge to think critically, solve problems,
22 communicate effectively, and collaborate with others,
23 in order to graduate, from high school, college and
24 career ready;

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

4 “(3) focusing on increasing student achievement
5 and closing achievement gaps;

6 “(4) providing additional resources and sup-
7 ports to meet the needs of disadvantaged students,
8 including children from low-income families and
9 those attending high-poverty schools, English learn-
10 ers, migratory children, children with disabilities, In-
11 dian children, and neglected or delinquent children;

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

15 “(6) removing barriers to, and encouraging
16 State and local innovation and leadership in, edu-
17 cation based on the evaluation of success and contin-
18 uous improvement;

19 “(7) removing barriers and promoting integra-
20 tion across all levels of education, and across Fed-
21 eral education programs;

22 “(8) streamlining Federal requirements to re-
23 duce burdens on States, local educational agencies,
24 schools, and educators; and

1 “(9) strengthening parental engagement and
2 coordination of student, family, and community sup-
3 ports to promote student success.”.

4 **SEC. 1002. STATE RESERVATIONS.**

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

6 (1) by striking sections 1002 and 1003;

7 (2) by redesignating section 1004 as section
8 1002; and

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

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

14 (B) by redesignating paragraphs (1) and
15 (2) of subsection (a) as subparagraphs (A) and
16 (B), respectively, and by aligning the margins
17 of such subparagraphs with the margins of sub-
18 paragraph (A) of section 1111(a)(1);

19 (C) by redesignating subsection (b) as
20 paragraph (2) of subsection (a), and by aligning
21 the margins of such paragraph with the mar-
22 gins of paragraph (1) of section 1111(a);

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

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

3 ~~(E)~~ in subsection (a)(2), as redesignated
4 by subparagraph (C), by striking “subsection
5 (a)(1)” and inserting “paragraph (1)(A)”; and
6 ~~(F)~~ by adding at the end the following:

7 “(b) ACCOUNTABILITY AND SUPPORT.—

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

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

20 “(A) shall use not less than 90 percent of
21 that amount by allocating such sums directly to
22 local educational agencies for activities required
23 under section 1116; or

24 “(B) may, with the approval of the local
25 educational agency, directly provide for such ac-

1 tivities or arrange for their provision through
2 other entities such as educational service agen-
3 cies and external providers with expertise in
4 using strategies based on scientifically valid re-
5 search to improve teaching, learning, and
6 schools.

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

11 “(A) serve the lowest-performing schools,
12 including schools identified as focus schools and
13 priority schools under subsections (c) and (d) of
14 section 1116;

15 “(B) demonstrate the greatest need for
16 such funds; and

17 “(C) demonstrate the strongest commit-
18 ment to use the funds to enable the lowest-
19 achieving schools to improve student achieve-
20 ment and outcomes through the use of evi-
21 dence-based practices that are consistent with
22 the evidence standards described in section
23 5203(e).

24 “(4) UNUSED FUNDS.—If, after consultation
25 with local educational agencies, the State edu-

1 educational agency determines the amount of funds re-
2 served to carry out this subsection is greater than
3 the amount needed to provide the assistance de-
4 scribed in this subsection, the State educational
5 agency shall allocate the excess amount to local edu-
6 cational agencies in accordance with—

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

10 “(B) section 1126(c).

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

19 “(6) REPORTING.—Each State educational
20 agency shall make publicly available a list of those
21 schools that have received funds or services pursuant
22 to this subsection and the percentage of students
23 from each such school from families with incomes
24 below the poverty line.”

1 **PART A—IMPROVING THE ACADEMIC**
 2 **ACHIEVEMENT OF THE DISADVANTAGED**

3 **SEC. 1111. STATE AND LOCAL REQUIREMENTS.**

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

6 ~~“SEC. 1111. STATE AND LOCAL REQUIREMENTS.~~

7 ~~“(a) ACADEMIC STANDARDS, ACADEMIC ASSESS-~~
 8 ~~MENTS, AND ACCOUNTABILITY REQUIREMENTS.—~~

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

13 ~~“(A) COLLEGE AND CAREER READY~~
 14 ~~ALIGNED STANDARDS FOR READING OR LAN-~~
 15 ~~GUAGE ARTS AND MATHEMATICS.—~~

16 ~~“(i) IN GENERAL.—The State shall—~~

17 ~~“(I) not later than December 31,~~
 18 ~~2014, adopt college and career ready~~
 19 ~~academic content standards in reading~~
 20 ~~or language arts and mathematics~~
 21 ~~that meet the requirements of clauses~~
 22 ~~(ii) and (iii); and~~

23 ~~“(II) not later than the beginning~~
 24 ~~of the 2015–2016 school year, adopt~~
 25 ~~college and career ready student aca-~~
 26 ~~demie achievement standards in read-~~

1 ing or language arts and mathematics
2 that meet the requirements of clauses
3 (ii) and (iv).

4 “(ii) ALIGNMENT OF COLLEGE AND
5 CAREER READY STANDARDS.—Each State
6 plan shall demonstrate the State has
7 adopted college and career ready academic
8 content standards and college and career
9 ready student academic achievement stand-
10 ards aligned with—

11 “(I) credit-bearing academic
12 coursework, without the need for re-
13 mediation, at public institutions of
14 higher education in the State; and

15 “(II) relevant State career and
16 technical education standards and the
17 State performance measures identified
18 in the State plan under section 113(b)
19 of the Carl D. Perkins Career and
20 Technical Education Act of 2006; and

21 “(III)(aa) appropriate career
22 skills; or

23 “(bb) standards that are State-
24 developed and voluntarily adopted by
25 a significant number of States.

1 “(iii) REQUIREMENTS FOR ACADEMIC
2 CONTENT STANDARDS.—College and career
3 ready academic content standards shall—

4 “(I) be used by the State, and by
5 local educational agencies, public ele-
6 mentary schools, and public secondary
7 schools in the State, to carry out the
8 requirements of this part;

9 “(II) be the same standards that
10 the State applies to all public elemen-
11 tary and secondary schools and stu-
12 dents in the State;

13 “(III) include the same knowl-
14 edge, skills, and levels of achievement
15 expected of all elementary and sec-
16 ondary school students in the State;
17 and

18 “(IV) be evidence-based and in-
19 clude rigorous content and skills, such
20 as critical thinking, problem solving,
21 and communication skills.

22 “(iv) REQUIREMENTS FOR STUDENT
23 ACADEMIC ACHIEVEMENT STANDARDS.—
24 College and career ready student academic

1 achievement standards for a subject
2 shall—

3 “(I) be aligned with the State’s
4 academic content standards described
5 in clause (iii); and

6 “(II) establish the level of per-
7 formance expected for each grade level
8 that demonstrates the student has
9 mastered the material in the State
10 academic content standards for that
11 grade.

12 “(B) SCIENCE STANDARDS.—A State—

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

21 “(ii) may choose to use such stand-
22 ards as part of the State’s accountability
23 system under paragraph (3), if such stand-
24 ards meet the requirements of clauses (ii)
25 through (iv) of subparagraph (A).

1 “(C) STANDARDS FOR OTHER SUB-
2 JECTS.—If a State adopts high-quality aca-
3 demic content standards and student academic
4 achievement standards in subjects other than
5 reading or language arts, mathematics, and
6 science, such State may choose to use such
7 standards as part of the State’s accountability
8 system, consistent with section 1116.

9 “(D) ALTERNATE ACADEMIC ACHIEVE-
10 MENT STANDARDS FOR STUDENTS WITH THE
11 MOST SIGNIFICANT COGNITIVE DISABILITIES.—

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

20 “(I) the determination about
21 whether the achievement of an indi-
22 vidual student should be measured
23 against such standards is made sepa-
24 rately for each student in each subject
25 being assessed;

1 “(H) all students who use such
2 alternate academic achievement stand-
3 ards in a subject are assessed using
4 the alternate assessments for such
5 subject described in paragraph (2)(E);
6 and

7 “(III) such alternate academic
8 achievement standards—

9 “(aa) are aligned with the
10 State college and career ready
11 academic content standards;

12 “(bb) provide access to the
13 general curriculum and the stu-
14 dent academic achievement
15 standards; and

16 “(cc) reflect professional
17 judgment as to the highest pos-
18 sible standards achievable by
19 such student.

20 “(ii) PROHIBITION ON ANY OTHER AL-
21 TERNATE OR MODIFIED STANDARDS.—A
22 State shall not develop, or implement for
23 use, under this part any alternate or modi-
24 fied academic achievement standards for
25 students who are children with disabilities

1 that are not alternate academic achieve-
2 ment standards that meet the require-
3 ments of clause (i).

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

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

20 “(ii) ensure proficiency in English for
21 each of the domains of speaking, listening,
22 reading, and writing;

23 “(iii) identify not less than 4 levels of
24 English proficiency;

1 “(iv) address the different proficiency
2 levels of English learners and set high ex-
3 pectations regarding academic achievement
4 and linguistic proficiency for English
5 learners at all levels of proficiency;

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

13 “(vi) support teachers as teachers en-
14 hance instruction to support English learn-
15 ers.

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

24 “(i) EARLY LEARNING GUIDELINES.—
25 In consultation with the State Advisory

1 Council on Early Childhood Education and
2 Care, the lead agency designated under
3 section 658D of the Child Care and Devel-
4 opment Block Grant Act of 1990 (42
5 U.S.C. 9858 et seq.), and the State edu-
6 cational agency, the State shall complete a
7 review, and revise or create, as necessary,
8 the State's early learning guidelines for
9 young children in order to promote devel-
10 opmentally appropriate, high-quality pro-
11 grams. Such guidelines shall—

12 “(I) address each of the age
13 groups of infants, toddlers, and pre-
14 school-aged children;

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

23 “(III) reflect research and evi-
24 dence-based developmental and learn-
25 ing expectations, including the foun-

1 dation for and progression in how
2 children develop and learn the req-
3 uisite skills and content from one
4 stage into the next, including what
5 young children should know and be
6 able to do;

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

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

16 “(VI) be made publicly available,
17 including through electronic means;
18 and

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

23 “(ii) EARLY GRADE STANDARDS.—In
24 consultation with the State Advisory Coun-
25 cil on Early Childhood Education and

1 Care, the lead agency designated under
2 section 658D of the Child Care and Devel-
3 opment Block Grant of 1990 (42 U.S.C.
4 9858 et seq.); and the State educational
5 agency, the State shall establish or review
6 and revise, as needed, standards for kin-
7 dergarten through grade 3 aligned with the
8 college and career ready academic content
9 and student academic achievement stand-
10 ards described in subsection (a)(1)(A) to
11 ensure that such standards—

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

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

24 “(III) across grade levels, reflect
25 progression in how children develop

1 and learn the requisite skills and con-
2 tent from earlier grades forward, in-
3 cluding preschool.

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

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

17 “(2) ACADEMIC ASSESSMENTS.—

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

22 “(i) include statewide assessments in
23 reading or language arts, and mathe-
24 matics, annually for grades 3 through 8

1 and not less frequently than once during
2 grades 10 through 12, that—

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

6 “(II) are administered to all pub-
7 lie elementary and secondary school
8 students in the State;

9 “(III) measure the individual
10 academic achievement of a student;

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

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

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

22 “(V) measure individual student
23 academic growth, including a meas-
24 urement of the number of years of

1 academic growth each student attains
2 each year; and

3 “(VI) may, at the State’s choos-
4 ing—

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

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

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

24 “(I) assess the student’s aca-
25 demic achievement based on the

1 State's student academic achievement
2 standards in science in order to meas-
3 ure—

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

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

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

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

19 “(iv) at the discretion of the State,
20 measure the proficiency of students in the
21 other academic subjects for which the
22 State has adopted academic content stand-
23 ards and student academic achievement
24 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 who have attended more than 1 school in
2 the local educational agency in any aca-
3 demic year shall be used only in deter-
4 mining the progress of the local edu-
5 cational agency;

6 “(ix) produce individual student inter-
7 pretive, descriptive, and diagnostic reports
8 that—

9 “(I) allow parents, teachers, and
10 principals to understand and address
11 the specific academic needs of stu-
12 dents and include information regard-
13 ing achievement on the academic as-
14 sessments aligned with State academic
15 achievement standards; and

16 “(II) are provided to parents,
17 teachers, and principals as soon as is
18 practicably possible after the assess-
19 ment is given, in an understandable
20 and uniform format, and to the extent
21 practicable, in a language that par-
22 ents can understand;

23 “(x) enable results to be
24 disaggregated within the State, local edu-
25 cational agency, and school by gender;

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 demie 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 ening America’s Schools Act of 2013, and the
2 new accountability systems required under this
3 subsection, including the transition steps de-
4 scribed in subparagraph (B).

5 “(B) TRANSITION STEPS.—To enable the
6 successful transition to the provisions of this
7 part, as amended by the Strengthening Amer-
8 ica’s Schools Act of 2013, each State edu-
9 cational agency receiving funds under this part
10 shall—

11 “(i) beginning upon the date of enact-
12 ment of the Strengthening America’s
13 Schools Act of 2013—

14 “(I) administer assessments, as
15 required under paragraph (2), as
16 amended by such Act, that measure
17 and assess the college and career
18 ready academic content standards and
19 student academic achievement stand-
20 ards described in paragraph (1), as
21 amended by such Act; and

22 “(II) with respect to any report-
23 ing provision under this part that re-
24 quires the disaggregation of students,
25 carry out such requirement unless the

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 sssments required under subsection (a)(2);

11 “(D) provides an assurance the State will
12 participate in the biennial State academic as-
13 sssments 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 sssments;

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(e)(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 “(H) 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 “(H) 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 (c)(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(e)(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 eally 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 ~~fin ed 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”;

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 subelause (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 (H) 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 (2) 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 (c)(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 ~~(c)(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 “(e) 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 “(iii) each public high school in the
17 State with a graduation rate of less than
18 60 percent; and

19 “(iv) each school served under this
20 part that has been identified as a focus
21 school under subsection (e) for the 6 pre-
22 ceding consecutive years.

23 “(B) STATE WAIVER.—If a State deter-
24 mines that all schools that would otherwise be
25 considered to be the lowest-achieving 5 percent

1 of schools under clause (i), are actually per-
2 forming at a satisfactory level of performance
3 based on the measures used by the State to
4 identify priority schools; the State may apply to
5 the Secretary to waive the requirements of this
6 subparagraph, and paragraphs (2) through (5),
7 for such schools.

8 “(2) NEEDS ANALYSIS.—Each local educational
9 agency receiving assistance under this part shall
10 conduct a data-driven needs analysis, which may in-
11 volve an external partner with expertise in con-
12 ducting such needs analysis, of each school identified
13 as a priority school; as the case may be, to deter-
14 mine the most appropriate school improvement
15 strategies to improve student performance. Such
16 needs analysis shall include—

17 “(A) a diagnostic review of data related to
18 students and instructional staff;

19 “(B) an analysis of the school governance,
20 curriculum, instruction, student supports, con-
21 ditions for learning; and parent and family en-
22 gagement practices relative to the needs of the
23 student population; and

24 “(C) the resources, which may include
25 community-based supports and early childhood

1 education, available at the school, local edu-
 2 cational agency, and community levels to meet
 3 student needs and support improved student
 4 achievement and outcomes and the implementa-
 5 tion of any school improvement strategy.

6 ~~“(3) STATE AND LOCAL RESPONSIBILITIES FOR~~
 7 ~~IDENTIFIED SCHOOLS.—~~

8 ~~“(A) STATE RESPONSIBILITIES.—Each~~
 9 ~~State receiving a grant under this part shall en-~~
 10 ~~sure that a local educational agency receiving~~
 11 ~~assistance under this part carries out the re-~~
 12 ~~quirements of subparagraph (B) for each school~~
 13 ~~identified as a priority school under paragraph~~
 14 ~~(1) in the State.~~

15 ~~“(B) LOCAL EDUCATIONAL AGENCY RE-~~
 16 ~~SPONSIBILITIES.—Each local educational agen-~~
 17 ~~cy receiving assistance under this part shall,~~
 18 ~~consistent with the State’s accountability sys-~~
 19 ~~tem under section 1111(a)(3)—~~

20 ~~“(i) establish a process for selecting~~
 21 ~~an appropriate school improvement strat-~~
 22 ~~egy for each school described in subpara-~~
 23 ~~graph (A) that is served by the local edu-~~
 24 ~~cational agency;~~

1 “(ii) select the school improvement
2 strategy to be used in each such school and
3 the timeline for implementing the selected
4 school improvement strategy in such
5 school;

6 “(iii) develop a detailed budget cov-
7 ering the 3-year identification period, in-
8 cluding planned expenditures at the school
9 level for activities supporting full and ef-
10 fective implementation of the selected
11 school improvement strategy;

12 “(iv) implement a school improvement
13 strategy at the school in accordance with
14 the requirements of paragraph (4);

15 “(v) use appropriate measures to
16 monitor the effectiveness of the implemen-
17 tation;

18 “(vi) review and select turnaround
19 partners to assist in implementing school
20 improvement strategies;

21 “(vii) align other Federal, State, and
22 local resources with the school improve-
23 ment strategy;

24 “(viii) provide the school with the
25 operational flexibility, including autonomy

1 over staffing, time, and budget, needed to
2 enable full and effective implementation of
3 the selected strategy, including through the
4 modification of practices or policies, if nec-
5 essary;

6 “(ix) collect and use data on an ongo-
7 ing basis to adjust implementation of the
8 school improvement strategy to improve
9 student achievement;

10 “(x) provide an assurance that the im-
11 plementation of the selected school im-
12 provement strategy addresses the needs of
13 all the subgroups of students described in
14 section 1111(a)(3)(D) in the school;

15 “(xi) take steps to sustain successful
16 reforms and practices after the school is no
17 longer identified as a priority school;

18 “(xii) provide technical assistance and
19 other support to ensure students graduate
20 from high school college- and career-ready,
21 as determined by the State’s academic con-
22 tent standards under section 1111(a)(1),
23 through the effective implementation of the
24 school improvement strategy in the school,
25 which—

1 “(I) may include assistance in—
2 “(aa) data collection and
3 analysis;
4 “(bb) recruiting and retain-
5 ing staff;
6 “(cc) teacher and principal
7 evaluation;
8 “(dd) professional develop-
9 ment;
10 “(ee) parent and family en-
11 gagement;
12 “(ff) coordination of services
13 with high-quality early childhood
14 education providers;
15 “(gg) coordination of serv-
16 ices to address students’ social,
17 emotional, and health needs; and
18 “(hh) monitoring the imple-
19 mentation of the school improve-
20 ment strategy selected under
21 paragraph (4); and
22 “(II) shall include assistance in
23 the implementation of schoolwide posi-
24 tive behavior supports, school-based
25 mental health programs, and other

1 approaches with evidence of effective-
2 ness, for improving the learning envi-
3 ronment in the school and reducing
4 the need for suspensions, expulsions,
5 and other actions that remove stu-
6 dents from instruction, including ef-
7 fective strategies for improving coordi-
8 nation of community resources;

9 “(xiii) establish partnerships with em-
10 ployers, institutions of higher education,
11 service providers, and others to assist in
12 implementing school improvement strate-
13 gies described in paragraph (4); and

14 “(xiv) review school discipline and eli-
15 mate data, disaggregated by each subgroup
16 described in section 1111(a)(3)(D), in as-
17 sessing the needs of the school and, if low-
18 achieving subgroups receive a dispropor-
19 tionate amount of suspensions, expulsions,
20 or other forms of exclusionary discipline,
21 incorporate evidence-based strategies to re-
22 duce out-of-classroom punishment and pro-
23 mote student engagement in the school’s
24 improvement plan.

1 “(C) STATE AS LOCAL EDUCATIONAL
2 AGENCY.—If a school identified as a priority
3 school under this subsection for a 3-year identi-
4 fication period is re-identified as a priority
5 school for the subsequent 3-year period, the
6 State may take over the school and act as the
7 local educational agency for purposes of this
8 subsection, if permitted under State law.

9 “(4) SCHOOL IMPROVEMENT STRATEGIES.—

10 “(A) REQUIRED ACTIVITIES FOR ALL
11 SCHOOL IMPROVEMENT STRATEGIES.—A local
12 educational agency implementing any strategies
13 under this paragraph for a school shall—

14 “(i) provide staff at the school with
15 ongoing professional development, con-
16 sistent with the needs analysis described in
17 paragraph (2);

18 “(ii) conduct regular evaluations for
19 the teachers and principals at the school
20 that provide specific feedback on areas of
21 strength and in need of improvement;

22 “(iii) provide time for collaboration
23 among instructional staff at the school to
24 improve student achievement;

1 “(iv) provide instructional staff at the
2 school with timely access to student data
3 to inform instruction and meet the aca-
4 demic needs of individual students, which
5 may include, in elementary school, school
6 readiness data;

7 “(v) collaborate with parents and fam-
8 ilies, the community, teachers, other school
9 personnel at the school, and representa-
10 tives of Indian tribes located in the area
11 served by the local educational agency, on
12 the selection and implementation of the
13 strategy;

14 “(vi) use data to identify and imple-
15 ment a research-based instructional pro-
16 gram that—

17 “(I) analyzes student progress
18 and performance and develops appro-
19 priate interventions for students who
20 are not making adequate progress;
21 and

22 “(II) provides differentiated in-
23 struction and related instructional
24 supports;

1 “(III) meets the unique cultural,
2 language, and educational needs of all
3 students served by such school;

4 “(vii) in the case of an elementary
5 school with kindergarten entry—

6 “(I) examine factors that con-
7 tribute to school readiness as part of
8 the needs analysis conducted under
9 paragraph (2);

10 “(II) coordinate with appropriate
11 high-quality early childhood programs,
12 such as programs under the Child
13 Care Development and Block Grant
14 Act of 1990, the Head Start Act, pre-
15 kindergarten programs, and other
16 similar Federal, State, and local pro-
17 grams, in order to align instruction to
18 better prepare students for elementary
19 school; and

20 “(III) develop a plan to improve
21 or expand high-quality early childhood
22 options which may include the use of
23 funds under this part for such pur-
24 poses;

1 ~~“(viii) provide ongoing mechanisms~~
2 ~~for parent and family engagement;~~

3 ~~“(ix) provide appropriate services and~~
4 ~~evidence-based, integrated supports for~~
5 ~~students as identified in the school’s needs~~
6 ~~analysis;~~

7 ~~“(x) describe, in a report to the State~~
8 ~~educational agency and made available to~~
9 ~~the public upon request, how the local edu-~~
10 ~~cational agency or school will adopt and~~
11 ~~implement policies or practices to develop,~~
12 ~~implement, improve, or expand positive be-~~
13 ~~havioral interventions and supports, early~~
14 ~~intervening services, and school-based men-~~
15 ~~tal health programs in accordance with the~~
16 ~~requirements of clauses (xi) through (xiv);~~

17 ~~“(xi)(I) review and analyze the~~
18 ~~school’s efforts to address behavioral or~~
19 ~~disciplinary problems; and~~

20 ~~“(II) assist the school in developing,~~
21 ~~expanding, or improving the use of~~
22 ~~schoolwide positive behavioral interventions~~
23 ~~and supports that are aligned with activi-~~
24 ~~ties carried out under the Individuals with~~
25 ~~Disabilities Education Act; and~~

1 “(xii) review and analyze the school’s
2 efforts to identify and assist students with
3 poor academic achievement and students
4 who are children with disabilities, and as-
5 sist the school in developing, implementing,
6 or improving early intervening services
7 that are coordinated with activities carried
8 out under the Individuals with Disabilities
9 Education Act;

10 “(xiii) review the number of discipline
11 incidents in the school and use that infor-
12 mation to assist the school to implement
13 schoolwide positive behavioral interventions
14 and supports or other early intervening
15 services, or both; and

16 “(xiv) review and analyze the school’s
17 efforts to address mental health needs
18 among students and assist the school in
19 developing or improving school-based men-
20 tal health programs that are coordinated
21 with activities carried out under the Indi-
22 viduals with Disabilities Education Act.

23 “(B) STRATEGIES.—A local educational
24 agency shall identify a school improvement
25 strategy for a school identified as a priority

1 school under paragraph (1) from among the fol-
2 lowing strategies:

3 “(i) TRANSFORMATION STRATEGY.—A
4 local educational agency implementing a
5 transformation strategy in a school shall—

6 “(I) replace the principal, if the
7 principal has served in that role at the
8 school for more than 2 years, with a
9 principal who has a demonstrated
10 record of success in increasing student
11 achievement and—

12 “(aa) training or experience
13 in raising student achievement;
14 or

15 “(bb) training or experience
16 in turning around low-performing
17 schools;

18 “(II) require existing instruc-
19 tional staff and school leadership to
20 reapply for their positions; and

21 “(III) require that all instruc-
22 tional staff and school leadership hir-
23 ing be done at the school through mu-
24 tual consent.

1 “(ii) **TURNAROUND STRATEGY.**—A
2 local educational agency implementing a
3 turnaround model as a strategy for a
4 school shall—

5 “(I) replace the principal, if the
6 principal has served in that role at the
7 school for more than 2 years, with a
8 principal who has the demonstrated
9 record of success, training, or experi-
10 ence described in clause (i)(I); and

11 “(II) screen all teachers in the
12 school and retain not more than 65
13 percent of them.

14 “(iii) **WHOLE SCHOOL REFORM**
15 **STRATEGY.**—A local educational agency
16 implementing a whole school reform strat-
17 egy for a school shall implement an evi-
18 dence-based strategy that ensures whole
19 school reform. The strategy shall be under-
20 taken in partnership with an external pro-
21 vider offering a school reform program
22 that is based on at least a moderate level
23 of evidence that the program will have a
24 statistically significant effect on student
25 outcomes, including more than 1 well-de-

1 signed or well-implemented experimental or
2 quasi-experimental study.

3 “(iv) RESTART STRATEGY.—A local
4 educational agency implementing a restart
5 strategy in a school shall carry out the fol-
6 lowing:

7 “(I)(aa) Convert the school into a
8 public charter school, or close and re-
9 open the school as a public charter
10 school in partnership with a nonprofit
11 charter school operator, a nonprofit
12 charter management organization, or
13 a nonprofit education management or-
14 ganization, that has a demonstrated
15 record of improving student achieve-
16 ment for students similar to those
17 served by the school; or

18 “(bb) convert the school to a
19 magnet school or create a new, inno-
20 vative school, as defined by the State.

21 “(II) Ensure that the new
22 school—

23 “(aa) serves the grade levels
24 as the original school for which

1 the strategy is being imple-
2 mented; and

3 “(bb) enrolls any former
4 student of the original school who
5 requests to attend the school and
6 then, after all such students are
7 enrolled, admits additional stu-
8 dents, using a random lottery
9 system if more students apply for
10 admission than can be accommo-
11 dated.

12 “(v) SCHOOL CLOSURE STRATEGY.—A
13 local educational agency implementing a
14 school closure strategy for a school—

15 “(I) shall close the school and en-
16 roll the students who attended the
17 school in other schools, including
18 charter schools, served by the local
19 educational agency that are within
20 reasonable proximity to the closed
21 school, as determined by the local
22 educational agency, and that are high-
23 er-performing than the school that is
24 being closed;

1 “(II) shall provide transpor-
2 tation, or shall pay for the provision
3 of transportation, for each such stu-
4 dent to the student’s new school, con-
5 sistent with State law and local edu-
6 cational agency policy;

7 “(III) shall provide information
8 about high-quality educational op-
9 tions, as well as transition and sup-
10 port services to students, who at-
11 tended the closed school and the stu-
12 dents’ parents; and

13 “(IV) may use school improve-
14 ment funds provided under subsection
15 (f) to pay for the expenses of—

16 “(aa) transitioning students
17 from the school that is being
18 closed to the new school;

19 “(bb) supporting the new
20 school; and

21 “(cc) expanding and offering
22 student supports and services
23 within the new school, which may
24 include high-quality prekindergarten
25 programs and services.

1 “(C) FLEXIBILITY.—

2 “(i) FLEXIBILITY FOR CERTAIN
3 LOCAL EDUCATIONAL AGENCIES.—Not-
4 withstanding any other provision of this
5 paragraph—

6 “(I) a local educational agency
7 that is eligible for services under sub-
8 part 1 or 2 of part B of title VI, as
9 determined by the Secretary, may
10 modify not more than 1 of the ele-
11 ments or activities required under
12 subparagraph (A) of a school improve-
13 ment strategy selected for a school
14 identified under paragraph (4) in
15 order to better meet the needs of stu-
16 dents in such school; and

17 “(II) a State educational agency
18 may apply to the Secretary for a waiv-
19 er of clauses (i)(I) and (ii)(I) of sub-
20 paragraph (B).

21 “(ii) STATE FLEXIBILITY.—Notwith-
22 standing any other provision of this para-
23 graph, a State educational agency may,
24 with the approval of the Secretary, estab-
25 lish an alternative State-determined, evi-

1 dence-based, school improvement strategy
2 that may be used by local educational
3 agencies in the State in addition to the
4 strategies described in subparagraph (B);
5 except that funds provided under this title
6 shall not be used for school vouchers.

7 “(D) PUBLIC SCHOOL CHOICE.—

8 “(i) IN GENERAL.—In addition to the
9 requirements of subparagraph (A) and the
10 school improvement strategy determined
11 under subparagraph (B) or (C)(ii), a local
12 educational agency shall, not later than 3
13 months before the first day of the school
14 year following identification as a priority
15 school under paragraph (1), provide all
16 students enrolled in the identified school
17 with the option to transfer to another pub-
18 lic school served by the local educational
19 agency that has not been identified under
20 such paragraph, unless such an option is
21 prohibited by State law.

22 “(ii) PRIORITY.—In providing stu-
23 dents the option to transfer to another
24 public school, the local educational agency
25 shall give priority to the lowest-achieving

1 children from low-income families, as de-
2 termined by the local educational agency
3 for the purposes of allocating funds to
4 schools under section 1113(a)(3).

5 “(iii) TREATMENT.—Students who
6 use the option to transfer to another public
7 school shall be enrolled in classes and
8 other activities in the public school to
9 which the students transfer in the same
10 manner as all other children at the public
11 school.

12 “(iv) SPECIAL RULE.—A local edu-
13 cational agency shall permit a child who
14 transfers to another public school under
15 this subparagraph to remain in that school
16 until the child has completed the highest
17 grade in such school.

18 “(5) IMPROVEMENT.—

19 “(A) IN GENERAL.—The State educational
20 agency shall no longer identify a school that has
21 been identified as a priority school for any re-
22 mainder of the school’s 3-year identification pe-
23 riod if—

24 “(i) after 2 years of the 3-year period
25 for which a school is identified as a pri-

1 ority school under paragraph (1), the
 2 school has met all of the school's perform-
 3 ance targets as described in section
 4 1111(a)(3)(A); or

5 “(ii) after 2 years of the 3-year pe-
 6 riod, the State determines, based on the
 7 most current data, that the school's rate of
 8 improvement is sufficient to enable the
 9 school to meet all of the school's perform-
 10 ance targets by the end of the 3-year pe-
 11 riod.

12 “(B) CONTINUED ELIGIBILITY FOR
 13 SCHOOL IMPROVEMENT FUNDS.—If an eligible
 14 entity, as defined in subsection (f)(1), was re-
 15 ceiving school improvement funds under sub-
 16 section (f) for a school that improves as de-
 17 scribed in subparagraph (A), the eligible entity
 18 shall continue to receive such grant funds, and
 19 use such funds to carry out the grant activities
 20 in such school, for the full period of such grant.

21 “(6) REPEATED CLASSIFICATION AS A PRIORITY
 22 SCHOOL.—

23 “(A) IN GENERAL.—For each public school
 24 that is identified as a priority school under
 25 paragraph (1) for any portion of a 3-year pe-

1 riod and is re-identified under such paragraph
 2 for the subsequent time period, the local edu-
 3 cational agency shall carry out the requirements
 4 of this subsection for such subsequent period by
 5 implementing, with respect to such school, the
 6 restart strategy or school closure strategy under
 7 clause (iv) or (v) of paragraph (4)(B).

8 “(B) SPECIAL RULE.—Notwithstanding
 9 subparagraph (A), a local educational agency
 10 serving a school described in such paragraph,
 11 may, in coordination with the State educational
 12 agency and based on a community needs assess-
 13 ment, apply to the Secretary for a waiver to im-
 14 plement another school improvement model not
 15 previously used by the local educational agency
 16 for the school.

17 “(e) REPORT ON PROFESSIONAL DEVELOPMENT
 18 FUNDS FOR PRIORITY SCHOOLS.—Each local educational
 19 agency that receives subgrant funds under this part shall
 20 prepare and submit a report to the State educational
 21 agency, at the end of each school year, regarding—

22 “(1) the local educational agency’s use of funds
 23 for professional development, as required under sec-
 24 tion 2123(b), in schools identified as priority schools

1 under subsection (d) that did not receive funds
2 under subsection (f); and

3 “(2) any changes in, or effects on, student per-
4 formance at such schools during such school year.

5 “(f) SCHOOL IMPROVEMENT FUNDS.—

6 “(1) DEFINITIONS.—In this subsection:

7 “(A) ELIGIBLE ENTITY.—the term ‘eligible
8 entity’ means—

9 “(i) a State educational agency;

10 “(ii) a local educational agency that
11 receives funds under this part and serves
12 at least 1 eligible school;

13 “(iii) a consortium of such local edu-
14 cational agencies; or

15 “(iv) an educational service agency
16 that serves at least 1 local educational
17 agency described in clause (ii).

18 “(B) ELIGIBLE SCHOOL.—The term ‘eligi-
19 ble school’ means a school identified as a pri-
20 ority school under subsection (d).

21 “(2) ALLOTMENTS TO STATES.—

22 “(A) IN GENERAL.—From the funds made
23 available to carry out this subsection under sec-
24 tion 3(a)(2) for a fiscal year, the Secretary
25 shall provide States that submit an application

1 described in paragraph (3) with school improve-
2 ment funds through an allotment, as deter-
3 mined under subparagraph (B) and in addition
4 to the amounts made available to States under
5 subpart 2, to enable the States to award sub-
6 grants and carry out the activities described in
7 this subsection to assist eligible schools.

8 “(B) ALLOTMENTS TO STATES.—From the
9 funds made available to carry out this sub-
10 section under section 3(a)(2) for a fiscal year,
11 the Secretary shall allot to each State with an
12 approved application an amount that bears the
13 same relation to such funds as the amount that
14 the State received under subpart 2 for the pre-
15 ceeding fiscal year bears to the amount that all
16 States receive under such subpart for such fis-
17 cal year.

18 “(3) STATE APPLICATION.—A State that de-
19 sires to receive school improvement funds under this
20 subsection shall submit an application to the Sec-
21 retary at such time, in such manner, and accom-
22 panied by such information as the Secretary may re-
23 quire. Each application shall include a description
24 of—

1 “(A) the process and the criteria that the
2 State will use to award subgrants under para-
3 graph (5)(A)(i);

4 “(B) the process and the criteria the State
5 will use to determine whether the eligible enti-
6 ty’s proposal for each eligible school meets the
7 requirements of paragraphs (2) and (4), and
8 subparagraphs (A) and (B) of paragraph (3), of
9 subsection (d);

10 “(C) how the State will ensure geographic
11 diversity in making subgrants;

12 “(D) how the State will set priorities in
13 awarding subgrants to eligible entities;

14 “(E) how the State will monitor and evalu-
15 ate the implementation of school improvement
16 strategies by eligible entities, including how the
17 State will use the results of the evaluation to
18 improve State strategies for supporting schools
19 identified under subsection (d); and

20 “(F) how the State will reduce barriers for
21 schools in the implementation of school im-
22 provement strategies, including operational
23 flexibility that would enable complete implemen-
24 tation of the selected school improvement strat-
25 egy.

1 “(4) STATE ADMINISTRATION AND TECHNICAL
2 ASSISTANCE.—A State that receives an allotment
3 under this subsection may reserve not more than a
4 total of 5 percent of such allotment for the adminis-
5 tration of this subsection, which may include activi-
6 ties aimed at building State capacity to support the
7 local educational agency and school improvement,
8 such as providing technical assistance and other sup-
9 port (including regular site visits to monitor imple-
10 mentation of selected school improvement strategies
11 to eligible entities serving eligible schools), either di-
12 rectly or through educational service agencies or
13 other public or private organizations.

14 “(5) SCHOOL IMPROVEMENT ACTIVITIES.—

15 “(A) IN GENERAL.—A State that receives
16 school improvement funds under this subsection
17 shall use not less than 95 percent of such allot-
18 ment to carry out school improvement activities
19 for eligible schools by—

20 “(i) awarding subgrants, on a com-
21 petitive basis, to eligible entities to enable
22 the eligible entities to carry out the activi-
23 ties described in subparagraph (C) for eli-
24 gible schools; or

1 “(ii) if the State chooses and the local
2 educational agency serving an eligible
3 school agrees, directly providing the activi-
4 ties described in subparagraph (C)(ii) to
5 the eligible school and the local educational
6 agency, or arranging for other entities,
7 such as school support teams or edu-
8 cational service agencies, to provide such
9 activities to the school.

10 “(B) SUBGRANTS.—

11 “(i) APPLICATIONS.—An eligible enti-
12 ty that desires a subgrant under this para-
13 graph shall submit an application to the
14 State at such time, in such manner, and
15 including such information as the State
16 shall require. The application shall include
17 a description of how the eligible entity will
18 carry out the requirements of paragraphs
19 (2) and (4), and subparagraphs (A) and
20 (B) of paragraph (3), of subsection (d) for
21 each eligible school to be served by the
22 grant.

23 “(ii) DEMONSTRATION OF ADDI-
24 TIONAL RESPONSIBILITIES.—Each eligible
25 entity that desires a subgrant under this

1 paragraph shall demonstrate in its applica-
2 tion that the eligible entity has—

3 “(I) adopted human resource
4 policies that prioritize the recruit-
5 ment, retention, and placement of ef-
6 fective staff in eligible schools;

7 “(II) ensured that eligible schools
8 have access to resources to implement
9 the school improvement strategies de-
10 scribed in subsection (d)(4), such as
11 facilities, professional development,
12 and technology;

13 “(III) identified opportunities to
14 reduce duplication, increase efficiency,
15 and assist eligible schools in com-
16 plying with reporting requirements of
17 State and Federal programs;

18 “(IV) developed an early warning
19 indicator system that monitors school-
20 level data, and alerts the eligible
21 school when a student indicates
22 slowed progress toward high school
23 graduation, so that the school can
24 provide appropriate student interven-
25 tions; and

1 “(V) facilitated alignment and
2 coordination between high-quality
3 early childhood education programs
4 and services serving students who will
5 attend eligible schools that are ele-
6 mentary schools, and teachers and
7 principals of such eligible schools.

8 “(iii) SUBGRANT SIZE.—A State shall
9 award subgrants under this paragraph of
10 sufficient size to enable subgrant recipients
11 to fully and effectively implement the se-
12 lected school improvement strategies.

13 “(iv) SUBGRANT PERIOD.—Each
14 subgrant awarded under this paragraph
15 shall be for a 5-year period.

16 “(v) WITHHOLDING FINAL FUND-
17 ING.—In order for a State to award
18 subgrant funds to an eligible entity for the
19 final 2 years of the subgrant cycle, the eli-
20 gible entity shall demonstrate that the
21 schools receiving funds under this para-
22 graph have made significant progress on
23 the leading indicators.

1 “(C) USE OF SUBGRANT FUNDS.—An eligi-
2 ble entity that receives a subgrant under this
3 paragraph shall use the subgrant funds to—

4 “(i) carry out the requirements of
5 subparagraphs (A) and (B) of paragraph
6 (3), and paragraphs (2) and (4), of sub-
7 section (d) in an eligible school that has
8 been identified under such subsection as of
9 the date of the grant award, which may in-
10 clude a maximum 1-year planning period;
11 and

12 “(ii) carry out activities at the local
13 educational agency level that directly sup-
14 port such implementation, such as—

15 “(I) assistance in data collection
16 and analysis;

17 “(II) recruiting and retaining
18 staff;

19 “(III) teacher and principal eval-
20 uation;

21 “(IV) professional development;

22 “(V) coordination of services to
23 address students’ social, emotional,
24 and health needs; and

25 “(VI) progress monitoring.

1 “(D) SUPPLEMENT, NOT SUPPLANT.—An
2 eligible entity or State shall use Federal funds
3 received under this subsection only to supple-
4 ment the funds that would, in the absence of
5 such Federal funds, be made available from
6 non-Federal sources for the education of pupils
7 participating in programs funded under this
8 subsection.

9 “(E) INTERVENTION BY STATE.—In the
10 case of a State educational agency that has
11 taken over a school or local educational agency,
12 the State may use an amount of funds under
13 this subsection similar to the amount that the
14 school or local educational agency would receive,
15 under this subsection, in order to carry out the
16 activities described in subparagraph (C) for the
17 school and local educational agency, either di-
18 rectly or through an eligible entity designated
19 by the State educational agency.

20 “(6) NATIONAL ACTIVITIES.—From amounts
21 appropriated and reserved for this paragraph under
22 section 3(a)(2)(B), the Secretary shall carry out the
23 following national activities:

24 “(A) Activities focused on building State
25 and local educational agency capacity to turn

1 around eligible schools and schools in rural
2 areas through activities such as—

3 “(i) identifying and disseminating ef-
4 fective school improvement strategies, in-
5 cluding in rural areas;

6 “(ii) making available targeted tech-
7 nical assistance, including planning and
8 implementation tools; and

9 “(iii) expanding the availability of
10 turnaround partners capable of assisting in
11 turning around eligible schools, including
12 in rural areas.

13 “(B) Activities focused on building capac-
14 ity to turn around eligible schools, including in
15 rural areas.

16 “(C) The use of data, research, and eval-
17 uation to—

18 “(i) identify schools that are imple-
19 menting school improvement strategies ef-
20 fectively;

21 “(ii) identify effective school improve-
22 ment strategies; and

23 “(iii) collect and disseminate that in-
24 formation to States and local educational

1 agencies in a manner that facilitates rep-
 2 lication of effective practices.

3 “(D) Other activities designed to support
 4 State and local efforts to improve eligible
 5 schools.

6 “(7) EVALUATION.—The Director of the Insti-
 7 tute of Education Sciences shall conduct an evalua-
 8 tion of the programs carried out under this sub-
 9 section.

10 “(g) CONSTRUCTION.—Nothing in this section shall
 11 be construed to alter or otherwise affect the rights, rem-
 12 edies, and procedures afforded school or school district
 13 employees under Federal, State, or local laws (including
 14 applicable regulations or court orders) or under the terms
 15 of collective bargaining agreements, memoranda of under-
 16 standing, or other agreements between such employees
 17 and their employers.”.

18 **SEC. 1117. QUALIFICATIONS FOR TEACHERS AND PARA-**
 19 **PROFESSIONALS.**

20 Subpart 1 of part A of title I (20 U.S.C. 6311 et
 21 seq.) is amended—

22 (1) by striking section 1117;

23 (2) by redesignating section 1119 as section
 24 1117, and moving it so as to precede section 1118;

1 (3) by redesignating sections 1120, 1120A, and
2 1120B as sections 1119, 1120, and 1120A, respec-
3 tively; and

4 (4) in section 1117, as redesignated by para-
5 graph (2)—

6 (A) by striking subsections (a) and (b) and
7 inserting the following:

8 “(a) TEACHER QUALIFICATIONS.—

9 “(1) IN GENERAL.—Except as provided in para-
10 graph (2), each local educational agency receiving
11 assistance under this part shall ensure that all
12 teachers teaching a core academic subject in a pro-
13 gram supported with funds under this part are high-
14 ly qualified teachers and are certified in the subject
15 area in which the teachers are assigned to teach.

16 “(2) EXCEPTION.—Each local educational
17 agency located in a State in which the State has
18 fully implemented a professional growth and im-
19 provement system shall only be required to comply
20 with the requirements under paragraph (1) as they
21 relate to new teachers.

22 “(3) SPECIAL RULE FOR SMALL, RURAL, OR RE-
23 MOTE SCHOOLS.—In the case of a local educational
24 agency that is unable to provide a highly qualified
25 teacher to serve as an on-site classroom teacher for

1 a core academic subject in a small, rural, or remote
2 school, the local educational agency may meet the
3 requirements of this section by using distance learn-
4 ing to provide such instruction by a teacher who is
5 a highly qualified teacher for purposes of the core
6 academic subject, as long as—

7 “(A) the teacher who is a highly qualified
8 teacher in the core academic subject—

9 “(i) is responsible for providing at
10 least 50 percent of the direct instruction in
11 the core academic subject through distance
12 learning;

13 “(ii) is responsible for monitoring stu-
14 dent progress; and

15 “(iii) is the teacher who assigns the
16 students their grades; and

17 “(B) an on-site teacher who is a highly
18 qualified teacher for a subject other the core
19 academic subject taught through distance learn-
20 ing is present in the classroom throughout the
21 period of distance learning and provides sup-
22 porting instruction and assistance to the stu-
23 dents.

1 “(b) QUALIFICATIONS FOR AMERICAN INDIAN, ALAS-
 2 KA NATIVE, OR NATIVE HAWAIIAN LANGUAGE, CULTURE,
 3 OR HISTORY TEACHERS.—

4 “(1) LANGUAGE OR CULTURE.—

5 “(A) IN GENERAL.—Notwithstanding any
 6 other provision of law, the requirements of sub-
 7 section (a) on local educational agencies with
 8 respect to highly qualified teachers shall not
 9 apply to a teacher of American Indian, Alaska
 10 Native, or Native Hawaiian language or cul-
 11 ture, whether the teacher is teaching on a per-
 12 manent, part-time, or occasional basis.

13 “(B) COMPETENCY.—A State may require
 14 that a local tribe or tribal organization, as de-
 15 fined in section 4 of the Indian Self-Determina-
 16 tion and Education Assistance Act (25 U.S.C.
 17 450b), verify the competency of a public school
 18 teacher of American Indian, Alaska Native, or
 19 Native Hawaiian language or culture to teach
 20 such subject, to the chief administrative officer
 21 of the local educational agency or the chief
 22 State school officer.

23 “(2) HISTORY.—

24 “(A) IN GENERAL.—Notwithstanding any
 25 other provision of law, the requirements of sub-

1 section (a) on local educational agencies with
 2 respect to highly qualified teachers, shall not
 3 apply to a teacher who is a Native elder or
 4 other authority on American Indian, Alaska
 5 Native, or Native Hawaiian history and who
 6 provides instruction in such subject, whether on
 7 a part-time or occasional basis.

8 “(B) COMPETENCY.—A State may require
 9 that a local tribe or tribal organization, as de-
 10 fined in section 4 of the Indian Self-Determina-
 11 tion and Education Assistance Act (25 U.S.C.
 12 450b), verify the competency of the instructor
 13 described in subparagraph (A) of American In-
 14 dian, Alaska Native, or Native Hawaiian his-
 15 tory to teach such subject, to the chief adminis-
 16 trative officer of the local educational agency or
 17 the chief State school officer.”;

18 (B) in subsection (c)(1), by striking “hired
 19 after the date of enactment of the No Child
 20 Left Behind Act of 2001 and”;

21 (C) by striking subsections (d) and (l);

22 (D) by redesignating subsections (e), (f),
 23 (g), (h), (i), (j), and (k), as subsections (d), (e),
 24 (f), (g), (h), (i), and (j), respectively;

1 (E) in subsection (d), as redesignated by
 2 subparagraph (D), by striking “Subsections (e)
 3 and (d)” and inserting “Subsection (e)”; and

4 (F) by striking subsection (i), as redesignated by
 5 subparagraph (D), and inserting the
 6 following:

7 “(i) **SPECIAL RULE.**—A State educational agency
 8 may not require a school or a local educational agency to
 9 expend a specific amount of funds for professional devel-
 10 opment activities under this part.”.

11 **SEC. 1118. PARENT AND FAMILY ENGAGEMENT.**

12 Section 1118 (20 U.S.C. 6318) is amended to read
 13 as follows:

14 **“SEC. 1118. PARENT AND FAMILY ENGAGEMENT.**

15 “(a) **LOCAL EDUCATIONAL AGENCY PARENT AND**
 16 **FAMILY ENGAGEMENT ASSESSMENT AND PLAN.**—

17 “(1) **IN GENERAL.**—In order to increase stu-
 18 dent academic achievement and improve child devel-
 19 opment, a local educational agency may receive
 20 funds under this part only if such agency develops
 21 and implements a strategic, evidence-based plan to
 22 support meaningful engagement of parents and fam-
 23 ily members in education (referred to in this section
 24 as the ‘parent and family engagement plan’). Such
 25 plan shall be—

1 “(A) based on a needs assessment of par-
2 ents and family members, school instructional
3 and leadership personnel, and community lead-
4 ers; conducted to inform the development of the
5 plan; and

6 “(B) be developed and implemented
7 through meaningful consultation with—

8 “(i) parents and family members of
9 participating children;

10 “(ii) youth who have graduated from
11 schools that are part of the local edu-
12 cational agency;

13 “(iii) as applicable, employers, busi-
14 ness leaders, and philanthropic organiza-
15 tions;

16 “(iv) other members of the community
17 who are committed to increasing student
18 academic achievement and improving child
19 development;

20 “(v) to the greatest extent practicable,
21 individuals with expertise in effectively en-
22 gaging parents and family members in
23 education; and

24 “(vi) organizations that have a dem-
25 onstrated record of effectiveness in assist-

1 ing students in becoming college and ea-
2 reer ready, as determined in accordance
3 with the State academic content standards
4 under section 1111(a)(1).

5 “(2) ANNUAL SURVEY.—A local educational
6 agency described in paragraph (1) shall, on an an-
7 nual basis, conduct a survey, through electronic
8 means to the extent practicable, including delivery
9 through mobile devices, of all parents, family mem-
10 bers, and all school instructional and leadership per-
11 sonnel, to—

12 “(A) determine the needs of parents and
13 family members, in order to assist with the
14 learning of their children and engage with
15 school personnel, including all teachers of their
16 children;

17 “(B) identify strategies to support school-
18 family interactions, including identifying and
19 addressing the barriers to effective parental in-
20 volvement in a manner responsive to the cul-
21 tural and language needs of such parents;

22 “(C) determine the level of parent and
23 family engagement in each respondent’s respec-
24 tive school and the level of engagement of
25 school leaders with parent and family members;

1 “(D) identify perceived and actual barriers
2 to the activities described in subparagraph (A);
3 and

4 “(E) determine the perceptions about the
5 school’s conditions for learning.

6 “(3) PARENT AND FAMILY ENGAGEMENT
7 PLAN.—

8 “(A) DEVELOPMENT.—Based on the re-
9 sults of the survey described in paragraph (2),
10 each local educational agency receiving funds
11 under this part shall develop and implement an
12 annual parent and family engagement plan
13 jointly with the parents and family members of
14 participating children and, where applicable,
15 with a parent advisory committee that rep-
16 resents the entire school district. Such plan
17 shall—

18 “(i) be designed to foster the engage-
19 ment of parents and other family members
20 and school instructional and leadership
21 personnel;

22 “(ii) be designed to integrate such en-
23 gagement into the practice of all the local
24 educational agency’s schools that are
25 served under this part;

1 “(iii) establish parent engagement
2 goals for the local educational agency and
3 such schools; and

4 “(iv) establish annual quantifiable
5 performance benchmarks for such goals,
6 which shall require continual progress to-
7 ward the achievement of such goals.

8 “(B) ADDITIONAL ELEMENTS.—The par-
9 ent and family engagement plan shall—

10 “(i) establish the school’s expectations
11 for, and commitment to support, meaning-
12 ful, evidence-based, parent and family en-
13 gagement strategies;

14 “(ii) describe the process through
15 which the school will equip parents and
16 family members, with particular attention
17 to economically disadvantaged parents and
18 family members, to—

19 “(I) act in partnership with local
20 educational agency and school per-
21 sonnel to improve the academic
22 achievement and development of their
23 children; and

24 “(II) participate in school im-
25 provement strategies;

1 “(iii) describe how the local edu-
2 cational agency will provide the coordina-
3 tion, technical assistance, and other sup-
4 port and conditions necessary to assist par-
5 ticipating schools in planning and imple-
6 menting effective parent and family en-
7 gagement strategies, such as—

8 “(I) making facilities of the local
9 educational agency available, as ap-
10 propriate;

11 “(II) making compensatory time
12 available for educators to conduct
13 home visits;

14 “(III) establishing co-location
15 with public assistance programs;

16 “(IV) encouraging the implemen-
17 tation of community school models
18 and related activities; and

19 “(V) utilizing the expertise of,
20 and developing strategies with, organi-
21 zations that have a demonstrated
22 track record of success in supporting
23 parent and family engagement;

24 “(iv) provide for not less than 1
25 school-wide meeting during each academic

1 year, at a convenient time, to which par-
2 ents and family members of participating
3 children shall be invited and encouraged to
4 attend, in order to—

5 “(I) review the parent and family
6 engagement plan;

7 “(II) inform parents and family
8 members of opportunities for engage-
9 ment in their child’s education; and

10 “(III) explain to parents and
11 family members the right of the par-
12 ents and family members to be in-
13 volved, and the benefits of meaningful
14 engagement;

15 “(v) provide parents with an oppor-
16 tunity to develop the knowledge and skills
17 to engage in full partnerships with school
18 instructional and leadership staff of the
19 school in the education of their children;

20 “(vi) provide for professional develop-
21 ment and other evidence-based support to
22 school instructional and leadership per-
23 sonnel regarding effective parent and fam-
24 ily engagement;

1 “(vii) to the extent feasible and appro-
 2 priate, coordinate and integrate parent and
 3 family engagement programs and strate-
 4 gies with other Federal, State, and local
 5 programs;

6 “(viii) provide information to school
 7 personnel, students, and parents about the
 8 school’s use of positive behavioral interven-
 9 tions and supports, school-based mental
 10 health programs, and the expectations of
 11 school personnel, students, and parents in
 12 supporting a safe learning environment for
 13 all students; and

14 “(ix) describe how the local edu-
 15 cational agency will coordinate with parent
 16 and family information and resource cen-
 17 ters established under part H of title IV.

18 “(b) ANNUAL REVIEW OF PERFORMANCE BENCH-
 19 MARKS.—Each year, each local educational agency de-
 20 scribed in subsection (a), each school served under this
 21 part, and the parent advisory board established under sub-
 22 section (g) shall collaboratively review the benchmarks for
 23 each of the goals established under subsection (a)(3)(A).
 24 Based on the review—

1 “(1) if a local educational agency has met or
2 made continual progress toward meeting, its annual
3 benchmarks in such year, the local educational agen-
4 cy will continue to implement the parent and family
5 engagement plan;

6 “(2) if the local educational agency has not met
7 or made continual progress toward meeting its an-
8 nual benchmarks in such year, the local educational
9 agency and parent advisory board shall jointly deter-
10 mine the cause after taking into the account the re-
11 sults of the end-of-the-year survey described in sub-
12 section (c); and

13 “(3) the local educational agency shall publicly
14 report on whether the agency has met or made con-
15 tinual progress toward meeting such benchmarks,
16 and the degree to which the benchmarks were met.

17 “(c) END-OF-THE-YEAR SURVEY.—As part of the re-
18 view described in subsection (b), a local educational agen-
19 cy shall conduct an end-of-the-year survey of parents and
20 school instructional and leadership personnel, including
21 parents and personnel who participated in the survey de-
22 scribed in subsection (a)(2), to determine whether the
23 needs of parents and personnel were met through the im-
24 plementation of the plan.

1 “(d) REVISION OF PLAN.—The local educational
 2 agency and the parent advisory board established under
 3 subsection (g) shall address the causes described in sub-
 4 section (b)(2) and the results of the survey in subsection
 5 (e) in the development or revision of the parent and family
 6 engagement plan.

7 “(e) RESERVATION AND USE OF FUNDS.—

8 “(1) IN GENERAL.—Each local educational
 9 agency shall reserve not less than 2 percent of such
 10 agency’s allocation under subpart 2 to assist schools
 11 in carrying out the activities described in this sec-
 12 tion, subject to paragraph (2).

13 “(2) EXCEPTION.—The reservation requirement
 14 under paragraph (1) shall not apply if 1 percent of
 15 the local educational agency’s allocation under sub-
 16 part 2 for the fiscal year for which the determina-
 17 tion is made is equal to or less than \$5,000.

18 “(3) DISTRIBUTION OF FUNDS.—

19 “(A) IN GENERAL.—A local educational
 20 agency shall—

21 “(i) distribute not less than 75 per-
 22 cent of funds reserved under paragraph (1)
 23 to schools served under this part; and

24 “(ii) use not more than 20 percent of
 25 such funds for parent and family engage-

1 ment activities at the local educational
2 agency level.

3 “(B) PRIORITY.—In allocating the funds
4 described in subparagraph (A), each local edu-
5 cational agency shall give priority to high-need
6 schools.

7 “(4) USE OF FUNDS.—Funds reserved under
8 paragraph (1) may be used to carry out activities
9 and strategies consistent with the parent and family
10 engagement plan described in subsection (a), includ-
11 ing not less than 1 of the following:

12 “(A) Designating or establishing a dedi-
13 cated office or dedicated personnel for parent
14 and family engagement.

15 “(B) Providing professional development
16 for local educational agency and school per-
17 sonnel regarding parent and family engagement
18 strategies, which may be provided jointly to
19 teachers, school leaders, early childhood edu-
20 cators, and parents and family members.

21 “(C) Providing adult education and lit-
22 eracy activities, as defined in section 203 of the
23 Adult Education and Family Literacy Act.

24 “(D) Supporting home visitation programs.

1 “(E) Engaging in other evidence-based or
2 promising strategies for improving and increas-
3 ing parent and family engagement, which may
4 include family and student supports, as defined
5 in section 4703.

6 “(F) Disseminating information on best
7 practices (such as implementation, replication,
8 impact studies, and evaluations) focused on
9 parent and family engagement, especially best
10 practices for increasing the engagement of eco-
11 nomically disadvantaged parents and family
12 members.

13 “(G) Contracting with experienced parent
14 organizations to assist with training and other
15 activities under this section.

16 “(H) Collaborating, or providing subgrants
17 to schools to enable the schools to collaborate,
18 with community-based organizations, or employ-
19 ers, with a demonstrated track record of suc-
20 cess in improving and increasing student aca-
21 demic achievement and parent and family en-
22 gagement to—

23 “(i) enhance student achievement and
24 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(e)(2) (20 U.S.C. 6320(e)(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 (e) and inserting the
23 following:

24 “(e) 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 ceeding 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 (e) and inserting the
7 following:

8 “(e) 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 “(e) 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 (c).

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 “(G) a description of how the early child-
2 hood education program, if selected as a center
3 for excellence in early childhood, will work with
4 the local educational agency of the area in
5 which the program is located; to—

6 “(i) provide for effective transitions
7 between the program and elementary
8 schools; and

9 “(ii) to facilitate ongoing communica-
10 tion between the program and elementary
11 school teachers concerning young children
12 participating in the program to improve
13 the teachers’ ability to work effectively
14 with low-income, at-risk young children
15 and their families.

16 “(d) DESIGNATION AND BONUS GRANTS.—

17 “(1) IN GENERAL.—For each 5-year term de-
18 scribed in paragraph (2), the Secretary shall—

19 “(A) select and designate, as centers of ex-
20 cellence in early childhood, not less than 1 early
21 childhood education program from each of the
22 several States of the United States, the District
23 of Columbia, Commonwealth of Puerto Rico,
24 and each of the outlying areas from which the
25 Secretary has received applications; 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 “(H) 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 including 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 “(e) 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 “(VIII) Curriculum alignment
2 with college and career ready stand-
3 ards across all grade levels.

4 “(IX) The non-academic barriers
5 that impact student achievement and
6 the available support services to ad-
7 dress such barriers.

8 “(X) The number and percentage
9 of students who do not transition
10 from grade 8 to grade 9 and who have
11 not transferred to and enrolled in a
12 school outside of the local educational
13 agency within the State or out of the
14 State.

15 “(iii) An examination, including a de-
16 scription, of each eligible secondary
17 school’s capacity to implement the school
18 reform activities described under sub-
19 section (c)(3), including—

20 “(I) the capacity and experience
21 levels of administrative, instructional,
22 and noninstructional staff;

23 “(II) the budget, including how
24 Federal, State, and local funds are
25 being spent (as of the time of the as-

1 assessment) 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 (c)(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 (c).

11 “(E) The rationale for the strategies cho-
12 sen to be implemented under subsection (c), 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 (c).

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 ease-
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 (c).

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 Baccala-
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 Baccala-
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(e) 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 Baccalaureate
18 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 ceeding 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 “(A) a national, regional, or statewide pub-
2 lic or nonprofit organization with expertise and
3 experience in providing Advanced Placement or
4 International Baccalaureate course services;
5 and

6 “(B) a State educational agency or a high-
7 need local educational agency.

8 “(c) APPLICATION.—

9 “(1) IN GENERAL.—Each eligible entity desir-
10 ing a grant under this section shall submit an appli-
11 cation to the Secretary at such time, in such man-
12 ner, and accompanied by such information as the
13 Secretary may require.

14 “(2) CONTENTS.—The application shall, at a
15 minimum, include a description of—

16 “(A) the goals and objectives for the
17 project supported by the grant under this sec-
18 tion, including—

19 “(i) increasing the number of teachers
20 serving high-need schools who are qualified
21 to teach Advanced Placement or Inter-
22 national Baccalaureate courses;

23 “(ii) increasing the number of Ad-
24 vanced Placement or International Baccala-

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 (c);

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 Baccalaureate
10 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 Baccalaureate
17 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 Baccala-
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 Baccala-
15 laureate courses;

16 “(D) purchase of instructional materials
17 for Advanced Placement or International Baccala-
18 laureate 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 Baccalaureate
 10 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 (c).

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 Baccalaureate
7 courses; and

8 “(B) that—

9 “(i) has a high concentration of low-
10 income students; or11 “(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-

tionally related support services), during the regular school year and summer or intersession periods, that address the unique educational needs of migratory children arising from their migratory lifestyle, in order to help such children—

“(1) succeed in school;

“(2) meet the same State college and career ready academic content and student academic achievement standards under section 1111(a)(1) that all children are expected to meet;

“(3) graduate high school ready for postsecondary education and careers; and

“(4) overcome educational disruption, cultural and language barriers, social isolation, various health-related problems, and other factors that inhibit the ability of such children to succeed in school.”.

SEC. 1302. PROGRAM AUTHORIZED.

Section 1302 (20 U.S.C. 6392) is amended—

(1) by striking “In order to carry out the purpose of this part” and inserting “From the amounts made available under section 3(d) for a fiscal year to carry out this part”;

(2) by striking “combinations” and inserting “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 ~~(c)~~, 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 (ii) by striking “same challenging”
2 and all that follows through “standards
3 that” and inserting “same State college
4 and career ready academic content and
5 student academic achievement standards
6 adopted under section 1111(a)(1) that”;

7 (C) by striking paragraph (6);

8 (D) by redesignating paragraphs (3)
9 through (5) as paragraphs (4) through (6), re-
10 spectively;

11 (E) by inserting after paragraph (2) the
12 following:

13 “~~(3)~~ a description of how the State will meet
14 the requirements of section 1308(b) for the timely
15 electronic transfer of student records and how the
16 State will use such records transfer to meet the
17 unique educational needs of migratory students and
18 remove barriers to the proper enrollment and reten-
19 tion of migratory children in schools;”;

20 (F) in paragraph (4), as redesignated by
21 subparagraph (D)—

22 (i) by striking “require, the State”
23 and inserting “require and using the link-
24 age system described in section 1308(b),

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 (H) 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 (H) 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 serting “2012, and every 2 years
 21 thereafter,”; and

22 (H) 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 (e) 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 “(e) 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 redес-
 22 igned by paragraph (1), the following:

23 “(1) FOOD PROCESSOR.—The term ‘food proес-
 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 pro-~~
7 ~~cessor;~~

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 ~~ated 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 pro-~~
21 ~~cessing 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 (e), 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 under
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 GEN.—

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 “Strength-
 7 ening 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 H 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 ‘indue-
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 (e).

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 “(H) 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 “(iii) does not reauthorize a teacher
 2 or principal preparation academy if the
 3 academy fails to produce the minimum
 4 number or percentage of effective teachers
 5 or principals, respectively, identified in the
 6 academy’s authorizing agreement.

7 “(e) SUPPLEMENT, NOT SUPPLANT.—Funds re-
 8 ceived under this subpart shall be used to supplement, and
 9 not supplant, non-Federal funds that would otherwise be
 10 used for activities authorized under this subpart.

11 **“Subpart 2—Subgrants to Local Educational**
 12 **Agencies**

13 **“SEC. 2121. ALLOCATIONS TO LOCAL EDUCATIONAL AGEN-**
 14 **CIES.**

15 “(a) IN GENERAL.—The Secretary may make a grant
 16 to a State under subpart 1 only if the State educational
 17 agency agrees to distribute the funds described in this sec-
 18 tion as subgrants to local educational agencies under this
 19 subpart.

20 “(b) ALLOCATIONS.—

21 “(1) IN GENERAL.—From the total amount re-
 22 served by a State under section 2113(a)(1) for a fis-
 23 cal year, the State educational agency shall allocate
 24 to each of the eligible local educational agencies in
 25 the State for such fiscal year the sum of—

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(e) 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(e).

3 “(e) 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 eli-
12 gible 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 “(A) candidates shall demonstrate aware-
2 ness of and have experience with the knowledge,
3 skills, and attitudes to—

4 “(i) establish and maintain a profes-
5 sional learning community that effectively
6 extracts information from data to improve
7 the school culture and personalize instruc-
8 tion for all students to result in improved
9 student achievement;

10 “(ii) create and maintain a learning
11 culture within the school that provides a
12 climate conducive to the development of all
13 members of the school community, includ-
14 ing one of continuous learning for adults
15 tied to student learning and other school
16 goals;

17 “(iii) engage in continuous profes-
18 sional development, utilizing a combination
19 of academic study, developmental simula-
20 tion exercises, self-reflection, mentorship,
21 and internship;

22 “(iv) understand youth development
23 appropriate to the age level served by the
24 school and from this knowledge set high
25 expectations and standards for the aca-

1 demie, 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 instrue-
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 elude—

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 reallo~~t~~ 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(e) 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 (e) 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(e) may reserve an
6 additional ~~1~~ percent to carry out the activities de-
7 scribed in subsection 2414 (e)(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 ~~“(e) 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 ea-
24 rier 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 (e) 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 educational 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(e).

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 ae-
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 ACADEMIC**
 2 **CONTENT INSTRUCTION FOR ENGLISH LEARNERS**
 3 **AND IMMIGRANT STUDENTS**

6 **SEC. 3001. LANGUAGE AND ACADEMIC CONTENT INSTRUCTION**
 7 **FOR ENGLISH LEARNERS AND IMMIGRANT**
 8 **STUDENTS.**

9 Title III (20 U.S.C. 6801 et seq.) is amended to read
 10 as follows:

11 **“TITLE III—LANGUAGE AND ACADEMIC**
 12 **CONTENT INSTRUCTION FOR ENGLISH LEARNERS**
 13 **AND IMMIGRANT STUDENTS**

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 (c) 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 trance and exit procedures, including a re-
2 quirement that all students who may be
3 English learners are assessed for such sta-
4 tus within 30 days of enrollment in a
5 school in the State.

6 “(iii) Establishing and implementing
7 policies to support local educational agen-
8 cies as local educational agencies ensure
9 the continuity of English-learner identifica-
10 tion and English proficiency level for stu-
11 dents who transfer between local edu-
12 cational agencies.

13 “(iv) Adopting and implementing
14 high-quality, evidence-based English lan-
15 guage proficiency standards and matching
16 assessments that identify not less than 4
17 levels of English proficiency and that are
18 aligned with the college and career ready
19 standards under section 1111(a)(1) adopt-
20 ed by the State for each grade level that—

21 “(I) set high expectations regard-
22 ing academic achievement and lin-
23 guistic proficiency for English learn-
24 ers at all levels of proficiency; and

1 “(H) support teachers as teach-
2 ers enhance instruction to support
3 English learners.

4 “(v) Establishing and implementing
5 systems and policies to encourage and fa-
6 cilitate the sharing of highly effective prac-
7 tices for serving English learners among
8 local educational agencies.

9 “(vi) Developing, in States where 20
10 percent of the English learner population
11 has the same native language and a min-
12 imum of 10,000 students speak that lan-
13 guage, native-language content assess-
14 ments for students of that language group
15 who cannot yet access the content in
16 English, and incorporating the results of
17 those assessments into the accountability
18 system established under section
19 1111(a)(3) and 1116.

20 “(vii) Providing technical assistance
21 to local educational agencies regarding pro-
22 fessional development and family and com-
23 munity outreach and engagement.

24 “(viii) As appropriate, providing com-
25 petitive grants to support improved out-

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(e).

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(e)—

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 reallot 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 ear-
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(e)(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(e)(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 ementary 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 ea-
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);

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 “(B) to determine the effectiveness of pro-
2 grams and activities in assisting children who
3 are English learners to attain English pro-
4 ficiency, as measured in a way that is con-
5 sistent with paragraph (4), and meet college
6 and career ready academic content standards
7 and student academic achievement standards
8 under section 1111(a)(1); and

9 “(C) in determining whether or not to con-
10 tinue funding for specific programs or activities.

11 “(3) EVALUATION COMPONENTS.—An evalua-
12 tion provided by an eligible entity under subsection
13 (a) shall—

14 “(A) provide an evaluation of children en-
15 rolled in a program or activity conducted by the
16 entity using funds under subpart 1 (including
17 the percentage of children) who—

18 “(i) are making progress in attaining
19 English proficiency, including the percent-
20 age of children who have achieved English
21 proficiency;

22 “(ii) have transitioned into classrooms
23 not tailored to English learners, and have
24 a sufficient level of English proficiency to
25 permit them to achieve in English and

1 transition into classrooms not tailored to
2 limited English learners;

3 “(iii) are meeting the college and ea-
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 ea-
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 “(A) provide technical assistance to the eli-
2 gible entity;

3 “(B) provide technical assistance, if appli-
4 cable, to schools served by the eligible entity
5 under subpart 1 that need assistance to enable
6 the schools to meet the eligible entity’s local
7 performance target described in paragraph (1);

8 “(C) assist the eligible entity in improving
9 the professional development described in sec-
10 tion 3115(e)(2) that such eligible entity is pro-
11 viding to educators; and

12 “(D) develop, in consultation with the eli-
13 gible entity, a plan to incorporate evidence-
14 based strategies and methodologies to improve
15 the specific program or method of instruction
16 provided to English learners.

17 “(4) ACCOUNTABILITY.—

18 “(A) 2-YEAR ACCOUNTABILITY.—If an eli-
19 gible entity fails to meet the local performance
20 target described in paragraph (1) for 2 consec-
21 utive years, the State educational agency shall—

22 “(i) identify such eligible entity as
23 being in need of improvement; and

24 “(ii) require the eligible entity to de-
25 velop and implement an improvement plan.

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(e)(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(e)(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 eluding 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 “(e) 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 ~~ice 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 G 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(c)(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 chil-
16 dren acquire the language and literacy skills the
17 children need to stay on track for graduation;

18 “(H) providing assistance to local edu-
19 cational agencies in order to provide educators
20 with ongoing, job-embedded professional devel-
21 opment, 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 thematic 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(c)(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 “(H)(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(c)(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 riculum;

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 “(H) 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 “(vi) employ best practices in engag-
2 ing principals, early learning program edu-
3 cators and administrators, teachers, and
4 other relevant professionals to create
5 school cultures that encourage and support
6 literacy development and achievement; and

7 “(vii) set for children birth through
8 kindergarten developmentally appropriate
9 expectations for language and literacy de-
10 velopment, and high reading and writing
11 achievement goals for all children and se-
12 lect, acquire, and use instructional tools
13 and skills to help children reach such
14 goals; and

15 “(C) whose role with teachers and profes-
16 sionals supporting literacy instruction is—

17 “(i) to provide high-quality profes-
18 sional development, consistent with the
19 definition of comprehensive literacy in-
20 struction;

21 “(ii) to work cooperatively and col-
22 laboratively with principals, teachers, and
23 other professionals in employing strategies
24 to help teachers identify and support child
25 literacy and language development needs

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 ministrators;

- 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 “(e) 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 (e);

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(e)(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(e)(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 ea-

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 used for the State activities described in
2 section 4107.

3 “(F) An assurance that the State edu-
4 cational agency shall give priority to awarding
5 a subgrant to an eligible entity—

6 “(i) under section 4108 based on the
7 number or percentage of children younger
8 than the age of kindergarten entry who
9 are—

10 “(I) served by the eligible entity;
11 and

12 “(II) from families with income
13 levels below the poverty line; and

14 “(ii) under section 4109 based on—

15 “(I) the number or percentage of
16 children from birth through age 17
17 who are—

18 “(aa) served by the eligible
19 entity; and

20 “(bb) from families with in-
21 come levels below the poverty
22 line; and

23 “(II) the number or percentage
24 of children in kindergarten through
25 grade 12 served by the eligible entity

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 (c);

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 (e), 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 **ENCIES.—**

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 “(e) 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 assessments, 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 ~~finied 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 ea-
 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 elude, 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 ae-
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 ae-
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 “(H) 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)(H);

7 “(viii) available instructional systems
8 and supports, such as curricula, instrue-
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 eation) 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 ae-
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 “(e) **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 ciples 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 “(e) 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 instrue-
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 “(H) 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 proe-
26 cess 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 (c).

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 “(c) 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 “(2) CONDITIONS FOR LEARNING.—The term
2 ‘conditions for learning’ means conditions that—

3 “(A) advance student achievement and
4 positive child and youth development by
5 proactively supporting schools;

6 “(B) are applied in and around the school
7 building, on pathways to and from the school
8 and students’ homes, at school-sponsored activi-
9 ties, and through electronic and social media in-
10 volving students or school personnel;

11 “(C) promote physical, mental, and emo-
12 tional health;

13 “(D) ensure physical and emotional safety
14 for students and staff;

15 “(E) promote social, emotional, and char-
16 acter development; and

17 “(F) have the following attributes:

18 “(i) Provide opportunities for physical
19 activity, good nutrition, and healthy living.

20 “(ii) Prevent the use and abuse of
21 drugs.

22 “(iii) ensure that the school environ-
23 ments described in subparagraph (B)
24 are—

25 “(I) free of weapons; and

1 “(II) free of harassment, abuse,
2 dating violence, and all other forms of
3 interpersonal aggression or violence.

4 “(iv) Do not condone or tolerate
5 unhealthy or harmful behaviors, including
6 discrimination of any kind.

7 “(v) Help staff and students to model
8 positive social and emotional skills, includ-
9 ing tolerance and respect for others.

10 “(vi) Promote concern for the well-
11 being of students, including through the
12 presence of caring adults.

13 “(vii) Ensure that the adults em-
14 ployed by the school—

15 “(I) have high expectations for
16 student conduct, character, and aca-
17 demic achievement and the capacity to
18 establish supportive relationships with
19 students; and

20 “(II) are provided specialized
21 training specific to the students’
22 stages of development.

23 “(viii) Engage families and commu-
24 nity members with the school in meaning-
25 ful and sustained ways, such as through

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(e) 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 ity, representatives of the school board,
 2 school administrators, school nurses, and
 3 members of the public; and

4 “(iii) meets regularly to promote a
 5 healthy school environment.

6 “(10) PRESCRIPTION DRUG.—The term ‘pre-
 7 scription drug’ means a drug (as defined in section
 8 201(g)(1) of the Federal Food, Drug, and Cosmetic
 9 Act (21 U.S.C. 321(g)(1)) that is described in sec-
 10 tion 503(b)(1) of such Act (21 U.S.C. 353(b)(1))).

11 “(11) PROGRAMS TO PROMOTE MENTAL
 12 HEALTH.—The term ‘programs to promote mental
 13 health’ means programs that—

14 “(A) develop students’ social and emotional
 15 competencies;

16 “(B) link students with local mental health
 17 systems by—

18 “(i) enhancing, improving, or devel-
 19 oping collaborative efforts between school-
 20 based service systems and mental health
 21 service systems to provide, enhance, or im-
 22 prove prevention, diagnosis, and treatment
 23 services to students, and to improve stu-
 24 dent social and emotional competencies;

25 “(ii) enhancing the availability of—

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;

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 (e) 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 “(e) 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 (e);

12 “(B) an assurance that the policies used to
13 prohibit harassment in schools that are required
14 under subsection (e)(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 ~~ational 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 ~~ational 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—

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 stereot-
25 ypes 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 lie 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 nonecompliance 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. ATTORNEYS 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. 2000e 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 ~~IGIOUS 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).”;

6 (iii) in paragraph (3)—

7 (I) in subparagraph (A)—

8 (aa) by inserting “com-
9 prehensive” after “Monitoring
10 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”;

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”;

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 serting “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 redesi-
11 gnated 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; and
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 “(S) 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 academics,
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 establishment 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(e) 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(e), 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 “(e) 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 ~~“(e) 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 expec-
19 tations, 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(e)(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 “(e) 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)”;

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, DC, that increase civic responsibility and un-
3 derstanding 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 eation 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(e), 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 “(e) 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(e), 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 ea-
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, instrue-
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 established 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 “(e) 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 “(e) 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 “(e) 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 (c); 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(c);

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 “(10) if the applicant is a partnership that in-
2 cludes a nonprofit organization or educational serv-
3 ice agency that intends to make subgrants, con-
4 sistent with section 5205(b), provide an assurance
5 that the applicant will apply paragraphs (1) through
6 (9), as appropriate, in its selection of subgrantees
7 and in its oversight of those subgrants.

8 **“SEC. 5205. USES OF FUNDS.**

9 “(a) USES OF FUNDS.—

10 “(1) MANDATORY USES.—Each eligible entity
11 that receives a grant under this part shall carry out
12 the following:

13 “(A) Use the grant funds to carry out, at
14 a minimum, 1 of the following activities:

15 “(i) Improving the effectiveness of
16 teachers and school leaders and increasing
17 equity in the distribution of effective teach-
18 ers and school leaders.

19 “(ii) Strengthening the use of data to
20 improve teaching and learning.

21 “(iii) Providing high-quality instruc-
22 tion based on college and career ready
23 standards and measuring students’ mas-
24 tery of standards using high-quality assess-
25 ments aligned with those standards.

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”;

3 ~~(2)~~ in subsection (b)—

4 (A) in paragraph ~~(2)~~—

5 (i) by inserting “, particularly whole-
6 school programs,” after “magnet school
7 programs”;

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)”;

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, expan-
7 sion, continuation, or enhancement of academic pro-
8 grams 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 sec-
15 ondary school teachers, leaders, and other in-
16 structional staff 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 of-
26 fered 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 ~~ademic 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 “(i) a description of how student per-
2 formance will be measured on the basis
3 of—

4 “(I) State assessments that are
5 required of other public schools; and

6 “(II) any other assessments that
7 are mutually agreeable to the charter
8 school authorizer and the charter
9 school;

10 “(ii) a requirement that student aca-
11 demic achievement and growth, consistent
12 with section 1111, for the students en-
13 rolled at the school as a whole and for each
14 subgroup described in section
15 1111(a)(3)(D) will be used as a primary
16 factor in decisions about the renewal or
17 revocation of the charter, in addition to
18 other criteria, as appropriate;

19 “(iii) the student academic achieve-
20 ment and growth, consistent with section
21 1111, and student retention goals, and, in
22 the case of a high school, graduation rate
23 goals for the students enrolled at the
24 school as a whole and for each subgroup
25 described in section 1111(a)(3)(D); and

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 ceeding 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 “(1) the waiver is requested in an approved ap-
2 plication under this subpart; and

3 “(2) the Secretary determines that granting the
4 waiver will promote the purpose of this subpart.

5 **“SEC. 5413. APPLICATIONS.**

6 “(a) IN GENERAL.—Each eligible entity desiring a
7 grant under this subpart shall submit an application to
8 the Secretary at such time, in such manner, and con-
9 taining such information and assurances as the Secretary
10 may require.

11 “(b) CONTENTS.—

12 “(1) ELIGIBLE ENTITIES.—At a minimum, the
13 application described in subsection (a) shall include
14 a description of —

15 “(A) how the eligible entity will use grant
16 funds to create, expand, or replicate 1 or more
17 high-performing charter schools;

18 “(B) the need for the high-performing
19 charter schools that the eligible entity seeks to
20 support, including information that dem-
21 onstrates the interest of parents and commu-
22 nities in increasing charter school enrollment
23 capacity, such as the number of students who
24 are on waiting lists for charter schools under
25 the jurisdiction of the eligible entity;

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 ter school authorizers authorize, including in
 2 the areas of student safety, financial manage-
 3 ment, and compliance with all applicable stat-
 4 utes and regulations.

5 “(2) STATE EDUCATIONAL AGENCIES.—Each
 6 eligible entity described in section 5411(4)(A) shall
 7 include in the application described in paragraph (1)
 8 (in addition to the requirements of such paragraph),
 9 the following:

10 “(A) A description of the State’s laws,
 11 policies, or procedures, if applicable, that ad-
 12 dress—

13 “(i) how decisions are made to close
 14 unsuccessful charter schools, and how stu-
 15 dent academic achievement and growth,
 16 consistent with section 1111, for all stu-
 17 dents and for each subgroup of students
 18 described in section 1111(a)(3)(D), is a
 19 primary factor in such decisions;

20 “(ii) how charter schools are mon-
 21 itored and held accountable for—

22 “(I) meeting the requirements
 23 described in section 5411(1); and

24 “(II) providing equitable access
 25 and effectively serving the needs of all

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 (c)(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 ceeding 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 ceeding 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 eating, 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 “(e) 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 “(6) in the case of a public charter school that
2 is a secondary school; student graduation rates; and
3 student rates of enrollment and persistence in insti-
4 tutions of higher education; and

5 “(7) other measures required by the Secretary.

6 “(b) REPORTS.—Each eligible entity receiving a
7 grant under this subpart shall annually prepare and sub-
8 mit a report to the Secretary containing the information
9 described under subsection (a).

10 “(c) DEVELOPERS.—Each developer receiving a
11 subgrant under this subpart from an eligible entity shall
12 provide the eligible entity with the data necessary to com-
13 ply with the requirements of this section.

14 **“SEC. 5418. FEDERAL FORMULA ALLOCATION DURING**
15 **FIRST YEAR AND FOR SUCCESSIVE ENROLL-**
16 **MENT EXPANSIONS.**

17 “(a) IN GENERAL.—For purposes of the allocation
18 to schools by the States or their agencies of funds under
19 part A of title I, and any other Federal funds which the
20 Secretary allocates to States on a formula basis, the Sec-
21 retary and each State educational agency shall take such
22 measures as are necessary to ensure that every charter
23 school receives the Federal funding for which the charter
24 school is eligible not later than 5 months after the charter
25 school first opens, notwithstanding the fact that the iden-

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 “(e) 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 (e) 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 ear-
 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 “(e) 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 “(e) 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 the case of a local educational agency that is el-
 2 igible under subsection (d) and is comprised of
 3 3 or more like school districts, the Secretary
 4 shall award a grant under subsection (a) to
 5 such a local educational agency for a fiscal year
 6 in an amount equal to the difference between—

7 “(i) the initial amount determined
 8 under paragraph (2) for the fiscal year;
 9 and

10 “(ii) the quotient that is obtained by
 11 dividing—

12 “(I) the total amount received by
 13 the agency under the provisions of law
 14 described in subpart 2 of part A of
 15 title II for the preceding fiscal year;
 16 by

17 “(II) the sum of—

18 “(aa) the number of con-
 19 stituent districts that comprise
 20 such local educational agency;
 21 plus

22 “(bb) the product of—

23 “(BB) the number of
 24 constituent school districts

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 (e) 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 redesignated by subparagraph (D), and inserting the
 2 following:
 3

4 “(e) **SPECIAL ELIGIBILITY RULE.**—A local educational agency may receive grant funding under subpart
 5 1 or subpart 2, but may not receive grant funding under
 6 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 (c);

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 red-
 13 igned 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 **WAIIAN, 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 (e)(5)
24 of section 7114 or section 7118(e) or 7119.

1 “(4) ASSURANCE TO SERVE ALL INDIAN CHILD-
 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 (2), 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(e)(4)” and inserting “section 7114(e)(5)”;
9 and

10 (D) 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 ~~(e)(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 ~~(H)~~ in clause ~~(i)~~, by striking “sub-
23 section ~~(e)(4)~~; and” and inserting
24 “subsection ~~(e)(5)~~;” and

1 (H) 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 (e)(5).”;

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 following:

12 “(5) integrated educational services in combination with other programs to meet the unique needs
13 of Indian children and their families, including programs that promote parental involvement—

14 “(A) in school activities; and

15 “(B) to increase student achievement;”;

16 (F) by striking paragraph (7), as redesignated by subparagraph (A), and inserting the following:

17 “(7) activities to educate individuals so as to
18 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(e)(4)”

3 and inserting “section 7114(e)(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(e)(4)” and inserting “section 7114(e)(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 ear-
 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 (e) and insert-
4 ing the following:

5 “(e) 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 “(e) 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 “(c) 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 (e) 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 igned 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 “(e) 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(e) 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 “(e) 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 (e)(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(c) 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)”; and

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 “(1) 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 “(HH) 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

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 ceeding 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 ceeding 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

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 redesi-
 13 gnated 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 redesi-
 23 gnated 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”;

25

1 (H) 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 EDUCATIONAL 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)(H).”;

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)”;

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 ease 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 ease 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 ease 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)—

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(c)” 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:

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 Assist-
23 ance Act”.

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

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(e) 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).

**TITLE IX—GENERAL
PROVISIONS**

1
2
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

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-

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

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 Baccalaureate
7 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 Baccalaureate
19 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.

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-

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;

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.

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.

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.

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;

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

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.

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.

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,

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.

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-

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

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

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 eur-
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

1 “(H) 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

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,

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

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.—

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 “(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

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

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.

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;

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-

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

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—

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 acqui-
3 sition; 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 pos-
2 sible causal inferences;

3 “(2) provide technical assistance to grant re-
4 cipients on—

5 “(A) the conduct of the evaluation activi-
6 ties that the grantees carry out under this Act;
7 and

8 “(B) the collection and reporting of per-
9 formance data relating to the program or
10 project;

11 “(3) evaluate the aggregate short- and long-
12 term effects and cost efficiencies across Federal pro-
13 grams assisted or authorized under this Act and re-
14 lated Federal preschool, elementary, and secondary
15 programs under any other Federal law;

16 “(4) increase the usefulness of evaluations of
17 grant recipients in order to ensure the continuous
18 progress of the program or project by improving the
19 quality, timeliness, efficiency, dissemination, and use
20 of information relating to performance under the
21 program or project; and

22 “(5) identify and disseminate research and best
23 practices related to the programs and projects au-
24 thorized under this Act to build the evidence base

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 (e), 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;

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—

- 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.

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—

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

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.

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.

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 ~~ey 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 ongoing
4 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 following:
11 following:

12 “(A) A description of how such children
13 and youth are (or will be) given the opportunity—
14

15 “(i) to meet the same college and career
16 ready State student academic achievement
17 standards as all students are expected to meet; and
18

19 “(ii) to become college and career
20 ready.

21 “(B) A description of the procedures the
22 State educational agency will use, in coordination
23 with local educational agencies, to identify
24 such children and youth in the State and to assess
25 their needs.

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.

1 “(H) 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);

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

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

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.

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.

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);

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—

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 (2) 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

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

1 727 for fiscal year 2009 exceed \$70,000,000;
2 and

3 “(B) may only use funds from that amount
4 to carry out this subsection.

5 **“SEC. 723. LOCAL EDUCATIONAL AGENCY SUBGRANTS FOR**
6 **THE EDUCATION OF HOMELESS CHILDREN**
7 **AND YOUTH.**

8 “(a) GENERAL AUTHORITY.—

9 “(1) IN GENERAL.—The State educational
10 agency shall, in accordance with section 722(e), and
11 from amounts made available to such agency under
12 section 727, make subgrants to local educational
13 agencies for the purpose of facilitating the identifica-
14 tion, enrollment, attendance, and success in school
15 of homeless children and youth.

16 “(2) SERVICES.—

17 “(A) IN GENERAL.—Services under para-
18 graph (1)—

19 “(i) may be provided through pro-
20 grams on school grounds or at other facili-
21 ties; and

22 “(ii) shall, to the maximum extent
23 practicable, be provided through existing
24 programs and mechanisms that integrate

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 quested 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(e)(3) of the Elementary and
13 Secondary Education Act of 1965 (20 U.S.C.
14 6313(e)(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 indie-
18 cative 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 proe-
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’—

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 “(7) **UNACCOMPANIED YOUTH.**—The term ‘un-
2 accompanied youth’ means a homeless child or youth
3 not in the physical custody of a parent or legal
4 guardian.

5 **“SEC. 727. AUTHORIZATION OF APPROPRIATIONS.**

6 “For the purpose of carrying out this subtitle, there
7 are authorized to be appropriated such sums as may be
8 necessary for fiscal year 2014 and each of the 6 suc-
9 ceeding fiscal years.”.

10 **Subpart 2—Advanced Research Projects Agency-**
11 **Education**

12 **SEC. 11021. ADVANCED RESEARCH PROJECTS AGENCY-EDU-**
13 **CATION.**

14 The Department of Education Organization Act (20
15 U.S.C. 3401 et seq.) is amended by inserting after section
16 220 the following new section:

17 **“SEC. 221. ADVANCED RESEARCH PROJECTS AGENCY-EDU-**
18 **CATION.**

19 “(a) **ESTABLISHMENT.**—There shall be in the De-
20 partment an Advanced Research Projects Agency-Edu-
21 cation (referred to in this section as ‘ARPA-ED’).

22 “(b) **PURPOSES.**—ARPA-ED is established under
23 this section for the purposes of pursuing breakthrough re-
24 search and development in educational technology and

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 “(e) **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 (e)(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 redesignated
13 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 redesignated
20 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 redesignated by subparagraph (C), by striking “to become highly qualified” and inserting “to become a highly qualified teacher”;

2 (G) in paragraph (21)(D)(i), as redesignated by subparagraph (C), by striking “becomes highly qualified” and inserting “becomes a highly qualified teacher”; and

3 (H) in paragraph (22)(D)(iii), as redesignated by subparagraph (C), by striking “students who are limited English proficient” and inserting “English learners”.

4 (3) Section 202 (20 U.S.C. 1022a) is amended—

5 (A) in subsection (b)(6)—

6 (i) in subparagraph (E)(ii), by striking “student academic achievement standards and academic content standards under section 1111(b)(1)” and inserting “college and career ready State academic content standards and student academic achievement standards under section 1111(a)(1)”;

7 (ii) in subparagraph (G), by striking “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 1022e(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 ea-
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(e)(7) (20 U.S.C. 1070a-
15 12(e)(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—

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—

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.”.

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

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)”; and

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

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;

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)(H), 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)”.

1 (e) ~~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-

1 demie 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 (H) 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)”;

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)”;

24 (B) in subsection (c)(2)(A), by striking
25 “categories of students described in section

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 ea-
9 reer ready State academic content and student aca-
10 ademic achievement standards, as adopted by a State
11 in accordance with section ~~1111(a)(1)~~”.

12 ~~(5) Section 122(e)(1)(I)(i) (20 U.S.C.~~
13 ~~2342(e)(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 (e) 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 (c) 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

4 ~~(5) Section 6123(j)(2)(B) (20 U.S.C.~~
5 ~~9833(j)(2)(B))~~ is amended by striking
6 “disaggregated under section 1111(h)(1)(C)(i)” and
7 inserting “disaggregated under section
8 1111(a)(2)(B)(x)”.

9 (6) Section 6201(e)(2)(D)(ii)(I) (20 U.S.C.
10 9871(e)(2)(D)(ii)(I)) is amended by striking “as-
11 sements under section 1111(b)” and inserting “as-
12 sements under section 1111(a)”.

13 (f) THE EDUCATION OF THE DEAF ACT OF 1986.—
14 Section 104(b)(5) of the Education of the Deaf Act of
15 1986 (20 U.S.C. 4304(b)(5)) is amended—

16 (1) in subparagraph (A)—

17 (A) in clause (i), by striking “challenging
18 academic content standards, challenging stu-
19 dent academic achievement standards, and aca-
20 demic assessments of a State, adopted and im-
21 plemented, as appropriate, pursuant to para-
22 graphs (1) and (3) of section 1111(b)” and in-
23 serting “college and career ready State aca-
24 demic content and student academic achieve-
ment standards and assessments of a State,

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 Clere 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 (c), 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).”;

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

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 (H) 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”.

11 **SECTION 1. SHORT TITLE.**

12 *This Act may be cited as the “Strengthening America’s*
 13 *Schools Act of 2013”.*

14 **SEC. 2. TABLE OF CONTENTS.**

15 *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.*

Sec. 7. Authorization of appropriations.

TITLE I—COLLEGE AND CAREER READINESS FOR ALL STUDENTS

Sec. 1001. Purpose.

Sec. 1002. State reservations.

PART A—IMPROVING THE ACADEMIC ACHIEVEMENT OF THE DISADVANTAGED

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 corrections regarding 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 of excellence in early childhood; green ribbon schools.
Sec. 1126. Grants for State assessments and related activities.
Sec. 1127. Voluntary participation.

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 YOUTH WHO ARE NEGLECTED, DELINQUENT, OR AT-RISK

- Sec. 1401. Purpose and program authorization.*
Sec. 1402. Allocation of funds.
Sec. 1403. State plan and State agency applications.
Sec. 1404. Use of funds.
Sec. 1405. Institution-wide projects.
Sec. 1406. Transition services.
Sec. 1407. Program evaluation.
Sec. 1408. Purpose of local agency programs.
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 mathematics 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.

Sec. 4108. Promise neighborhoods.

Sec. 4109. Parent and family information and resource centers.

Sec. 4110. Programs of national significance.

Sec. 4111. Competency-based assessment and accountability demonstration authority.

TITLE V—PROMOTING INNOVATION

Sec. 5001. Promoting innovation.

PART A—RACE TO THE TOP

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.

Sec. 5302. Program authorized.

Sec. 5303. Applications and requirements.

Sec. 5304. Priority.

Sec. 5305. Use of funds.

Sec. 5306. Limitations.

Sec. 5307. Evaluations.

Sec. 5308. Availability of funds for grants to agencies not previously assisted.

PART D—PUBLIC CHARTER SCHOOLS

Sec. 5401. Public charter schools.

PART E—VOLUNTARY PUBLIC SCHOOL CHOICE

Sec. 5501. Voluntary public school choice.

PART F—COLLEGE INFORMATION DEMONSTRATION PROGRAM

Sec. 5601. College Information Demonstration Program.

TITLE VI—PROMOTING FLEXIBILITY; RURAL EDUCATION

- Sec. 6101. Promoting flexibility.*
- Sec. 6102. Rural education.*
- Sec. 6103. General provisions.*

TITLE VII—INDIAN, NATIVE HAWAIIAN, AND ALASKA NATIVE EDUCATION

PART A—INDIAN EDUCATION

- Sec. 7101. Purpose.*

SUBPART 1—FORMULA GRANTS TO LOCAL EDUCATIONAL AGENCIES

- Sec. 7111. Formula grant purpose.*
- Sec. 7112. Grants to local educational agencies, tribes, and Indian organizations.*
- 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.*

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

- Sec. 7121. Special programs and projects to improve educational opportunities for Indian children and youth.*
- Sec. 7122. Improvement of educational opportunities for Indian children and youth.*
- Sec. 7123. Professional development for teachers and education professionals.*

SUBPART 3—NATIONAL ACTIVITIES

- Sec. 7131. National activities.*

SUBPART 4—FEDERAL ADMINISTRATION

- Sec. 7141. National Advisory Council on Indian Education.*

SUBPART 5—DEFINITIONS; AUTHORIZATION OF APPROPRIATIONS

- Sec. 7151. Definitions; authorization of appropriations.*

PART B—NATIVE HAWAIIAN EDUCATION; ALASKA NATIVE EDUCATION

- Sec. 7201. Native Hawaiian education and Alaska Native education.*

SUBPART 1—NATIVE HAWAIIAN EDUCATION

- 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. Alaska Native education.*

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. *Construction.*
 Sec. 8005. *Facilities.*
 Sec. 8006. *Federal administration.*
 Sec. 8007. *Definitions.*
 Sec. 8008. *Conforming amendment.*
 Sec. 8009. *Eligibility for impact aid payment.*
 Sec. 8010. *Repeal of sunset under the NDAA amendments to Impact Aid.*

TITLE IX—GENERAL PROVISIONS

- Sec. 9101. *Definitions.*
 Sec. 9102. *Unsafe school choice option.*
 Sec. 9103. *Geographic diversity.*
 Sec. 9104. *Evaluation authority.*
 Sec. 9105. *Conforming amendments.*

TITLE X—COMMISSION ON EFFECTIVE REGULATION AND
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.*
 Sec. 10016. *Commission personnel matters.*

TITLE XI—AMENDMENTS TO OTHER LAWS; MISCELLANEOUS
PROVISIONS

PART A—AMENDMENTS TO OTHER LAWS

SUBPART 1—MCKINNEY-VENTO HOMELESS ASSISTANCE ACT

- Sec. 11011. *Short title.*
 Sec. 11012. *Education for homeless children and youth.*

SUBPART 2—ADVANCED RESEARCH PROJECTS AGENCY-EDUCATION

- Sec. 11021. *Advanced Research Projects Agency-Education.*

PART B—MISCELLANEOUS PROVISIONS

- 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 of*
 4 *an amendment to, or repeal of, a section or other provision,*

1 *the reference shall be considered to be made to a section or*
2 *other provision of the Elementary and Secondary Edu-*
3 *cation Act of 1965 (20 U.S.C. 6301 et seq.).*

4 **SEC. 4. TRANSITION.**

5 (a) *MULTI-YEAR AWARDS.*—*Except as otherwise pro-*
6 *vided in this Act, the recipient of a multi-year award under*
7 *the Elementary and Secondary Education Act of 1965, as*
8 *that Act was in effect prior to the date of enactment of this*
9 *Act, shall continue to receive funds in accordance with the*
10 *terms of that award, except that no additional funds may*
11 *be awarded after September 30, 2014.*

12 (b) *FLEXIBILITY WAIVERS.*—*In the case of a State that*
13 *received a flexibility waiver from the Secretary of Edu-*
14 *cation under the authority of section 9401 of the Elemen-*
15 *tary and Secondary Education Act of 1965 (20 U.S.C.*
16 *7861), as such section was in effect on the day before the*
17 *date of enactment of this Act, such waiver shall no longer*
18 *apply, and no additional funds associated with such waiver*
19 *shall be awarded, after the completion of the original waiver*
20 *period.*

21 (c) *PLANNING AND TRANSITION.*—*Notwithstanding*
22 *any other provision of law, a recipient of funds under the*
23 *Elementary and Secondary Education Act of 1965, as that*
24 *Act was in effect prior to the date of enactment of this Act,*
25 *may use funds available to the recipient under that prede-*

1 *cessor authority to carry out necessary and reasonable plan-*
2 *ning and transition activities in order to ensure an orderly*
3 *implementation of programs authorized by this Act, and*
4 *the amendments made by this Act.*

5 (d) *ORDERLY TRANSITION.*—*The Secretary shall take*
6 *such steps as are necessary to provide for the orderly transi-*
7 *tion to, and implementation of, programs authorized by*
8 *this Act, and by the amendments made by this Act, from*
9 *programs authorized by the Elementary and Secondary*
10 *Education Act of 1965, as that Act was in effect prior to*
11 *the date of enactment of this Act except in such cases where*
12 *this Act requires specific transition steps to take place.*

13 **SEC. 5. EFFECTIVE DATES.**

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

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

22 (c) *COMPETITIVE PROGRAMS.*—*With respect to pro-*
23 *grams that are conducted by the Secretary on a competitive*
24 *basis, this Act, and the amendments made by this Act, shall*

1 *take effect with respect to appropriations for use under those*
 2 *programs for fiscal year 2014.*

3 (d) *IMPACT AID.*—*With respect to title VIII (Impact*
 4 *Aid), this Act, and the amendments made by this Act, shall*
 5 *take effect with respect to appropriations for use under that*
 6 *title for fiscal year 2014.*

7 **SEC. 6. TABLE OF CONTENTS OF THE ELEMENTARY AND**
 8 **SECONDARY EDUCATION ACT OF 1965.**

9 Section 2 is amended to read as follows:

10 **“SEC. 2. TABLE OF CONTENTS.**

11 *“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

“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

- “Sec. 1221. *Purposes.*
 “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.*
 “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.*
- “Sec. 1415. *Use of funds.*
- “Sec. 1416. *Institution-wide projects.*
- “Sec. 1417. *Three-year programs or projects.*
- “Sec. 1418. *Transition services.*
- “Sec. 1419. *Program evaluation.*

“SUBPART 2—LOCAL AGENCY PROGRAMS

- “Sec. 1421. *Purpose.*
- “Sec. 1422. *Programs operated by local educational agencies.*
- “Sec. 1423. *Local educational agency applications.*
- “Sec. 1424. *Uses of funds.*
- “Sec. 1425. *Program requirements for correctional facilities receiving funds under this section.*
- “Sec. 1426. *Accountability.*

“SUBPART 3—GENERAL PROVISIONS

- “Sec. 1431. *Program evaluations.*
- “Sec. 1432. *Definitions.*

“PART E—EDUCATIONAL STABILITY OF CHILDREN IN FOSTER CARE

- “Sec. 1501. *Educational stability of children in foster care.*
- “Sec. 1502. *Definitions.*

“PART F—GENERAL PROVISIONS

- “Sec. 1601. *Federal regulations.*
- “Sec. 1602. *Agreements and records.*
- “Sec. 1603. *State administration.*
- “Sec. 1604. *Local educational agency spending audits.*
- “Sec. 1605. *Prohibition against Federal mandates, direction, or control.*
- “Sec. 1606. *Rule of construction on equalized spending.*
- “Sec. 1607. *State report on dropout data.*
- “Sec. 1608. *Regulations for sections 1111 and 1116.*

“TITLE II—SUPPORTING TEACHER AND PRINCIPAL EXCELLENCE

“PART A—CONTINUOUS IMPROVEMENT AND SUPPORT FOR TEACHERS AND PRINCIPALS

- “Sec. 2101. *Purpose.*
- “Sec. 2102. *Definitions.*

“SUBPART 1—GRANTS TO STATES

- “Sec. 2111. *Allotments to States.*
- “Sec. 2112. *State applications.*
- “Sec. 2113. *State use of funds.*

“SUBPART 2—SUBGRANTS TO LOCAL EDUCATIONAL AGENCIES

- “Sec. 2121. *Allocations to local educational agencies.*
- “Sec. 2122. *Local applications and needs assessment.*
- “Sec. 2123. *Local use of funds.*

*“SUBPART 3—NATIONAL LEADERSHIP ACTIVITIES**“Sec. 2131. National leadership activities.**“Sec. 2132. Gifted and talented students.**“SUBPART 4—ACCOUNTABILITY**“Sec. 2141. Accountability.**“SUBPART 5—PRINCIPAL RECRUITMENT AND TRAINING**“Sec. 2151. Principal recruitment and training grant program.**“PART B—TEACHER PATHWAYS TO THE CLASSROOM**“Sec. 2201. Teacher Pathways.**“PART C—TEACHER INCENTIVE FUND PROGRAM**“Sec. 2301. Purposes; definitions.**“Sec. 2302. Teacher incentive fund grants.**“PART D—ACHIEVEMENT THROUGH TECHNOLOGY AND INNOVATION**“Sec. 2401. Short title.**“Sec. 2402. Purposes and goals.**“Sec. 2403. Definitions.**“Sec. 2404. Allocation of funds; limitation.**“Sec. 2405. E-rate restriction.**“Sec. 2406. Rule of construction regarding purchasing.**“SUBPART 1—STATE AND LOCAL GRANTS**“Sec. 2411. Allotment and reallocation.**“Sec. 2412. Use of allotment by State.**“Sec. 2413. State applications.**“Sec. 2414. State activities.**“Sec. 2415. Local applications.**“Sec. 2416. Local activities.**“Sec. 2417. Reporting.**“SUBPART 2—INTERNET SAFETY**“Sec. 2421. Internet safety.**“TITLE III—LANGUAGE AND ACADEMIC CONTENT INSTRUCTION
FOR ENGLISH LEARNERS AND IMMIGRANT STUDENTS**“PART A—ENGLISH LANGUAGE ACQUISITION, LANGUAGE ENHANCEMENT, AND
ACADEMIC ACHIEVEMENT ACT**“Sec. 3101. Short title.**“Sec. 3102. Purposes.**“SUBPART 1—GRANTS AND SUBGRANTS FOR ENGLISH LANGUAGE ACQUISITION
AND LANGUAGE ENHANCEMENT**“Sec. 3111. Formula grants to States.**“Sec. 3112. Native American and Alaska Native children in school.**“Sec. 3113. State educational agency plans.*

- “Sec. 3114. *Within-State allocations.*
- “Sec. 3115. *Subgrants to eligible entities.*
- “Sec. 3116. *Local plans.*

“SUBPART 2—ACCOUNTABILITY AND ADMINISTRATION

- “Sec. 3121. *Local evaluation and accountability.*
- “Sec. 3122. *State accountability.*
- “Sec. 3123. *Reporting requirements.*
- “Sec. 3124. *Coordination with related programs.*
- “Sec. 3125. *Rules of construction.*
- “Sec. 3126. *Legal authority under State law.*
- “Sec. 3127. *Civil rights.*
- “Sec. 3128. *Programs for Native Americans and Puerto Rico.*
- “Sec. 3129. *Prohibition.*

“SUBPART 3—NATIONAL ACTIVITIES

- “Sec. 3131. *Professional development grants.*
- “Sec. 3132. *Commission on the Assessment and Advancement of English Learners.*
- “Sec. 3133. *English language acquisition technology innovation grants.*

“PART B—GENERAL PROVISIONS

- “Sec. 3201. *Definitions.*
- “Sec. 3202. *Parental notification.*
- “Sec. 3203. *National Clearinghouse.*
- “Sec. 3204. *Regulations.*

“TITLE IV—SUPPORTING SUCCESSFUL, WELL-ROUNDED STUDENTS

“PART A—IMPROVING LITERACY INSTRUCTION AND STUDENT ACHIEVEMENT

“SUBPART 1—IMPROVING LITERACY INSTRUCTION

- “Sec. 4101. *Short title.*
- “Sec. 4102. *Purposes.*
- “Sec. 4103. *Definitions.*
- “Sec. 4104. *Program authorized.*
- “Sec. 4105. *State planning grants.*
- “Sec. 4106. *State implementation grants.*
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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.*
- “Sec. 4110. *National evaluation, information dissemination, and technical assistance.*
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“SUBPART 2—IMPROVING LITERACY AND COLLEGE AND CAREER READINESS THROUGH EFFECTIVE SCHOOL LIBRARY PROGRAMS

- “Sec. 4113. *Purpose.*
- “Sec. 4114. *Definitions.*
- “Sec. 4115. *Improving literacy and college and career readiness through effective school library program grants.*

“PART B—IMPROVING SCIENCE, TECHNOLOGY, ENGINEERING, AND
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“SUBPART 1—IMPROVING STEM INSTRUCTION AND STUDENT ACHIEVEMENT

- “Sec. 4201. *Purpose.*
- “Sec. 4202. *Definitions.*
- “Sec. 4203. *Grants; allotments.*
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- “Sec. 4205. *Authorized activities.*
- “Sec. 4206. *Performance metrics; report.*
- “Sec. 4207. *Evaluation.*
- “Sec. 4208. *Supplement not supplant.*
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“SUBPART 2—STEM MASTER TEACHER CORPS PROGRAM

- “4221. *Purpose.*
- “4222. *Definitions.*
- “4223. *STEM Master Teacher Corps program.*
- “4224. *Application.*
- “4225. *Required use of funds.*
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- “4228. *Evaluation.*

“PART C—INCREASING ACCESS TO A WELL-ROUNDED EDUCATION AND
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“SUBPART 1—INCREASING ACCESS TO A WELL-ROUNDED EDUCATION

- “Sec. 4301. *Purpose.*
- “Sec. 4302. *Definitions.*
- “Sec. 4303. *Grant program.*

“SUBPART 2—FINANCIAL LITERACY EDUCATION

- “Sec. 4311. *Short title.*
- “Sec. 4312. *Statewide incentive grants for financial literacy education.*

“PART D—SUCCESSFUL, SAFE, AND HEALTHY STUDENTS

- “Sec. 4401. *Purpose.*
- “Sec. 4402. *Definitions.*
- “Sec. 4403. *Allocation of funds.*
- “Sec. 4404. *Successful, safe, and healthy students State grants.*
- “Sec. 4405. *Technical assistance.*
- “Sec. 4406. *School construction after a violent or traumatic crisis.*
- “Sec. 4407. *Prohibited uses of funds.*
- “Sec. 4408. *Federal and State nondiscrimination laws.*

“PART E—STUDENT NON-DISCRIMINATION

- “Sec. 4501. *Short title.*
- “Sec. 4502. *Findings and purposes.*
- “Sec. 4503. *Definitions and rule.*
- “Sec. 4504. *Prohibition against discrimination.*

- “Sec. 4505. *Federal administrative enforcement; report to congressional committees.*
- “Sec. 4506. *Private cause of action.*
- “Sec. 4507. *Cause of action by the Attorney General.*
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- “Sec. 4510. *Effect on other laws.*
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“PART F—21ST CENTURY COMMUNITY LEARNING CENTERS

- “Sec. 4601. *Purpose; definitions.*
- “Sec. 4602. *Allotments to States.*
- “Sec. 4603. *State application.*
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“PART G—PROMISE NEIGHBORHOODS

- “Sec. 4701. *Short title.*
- “Sec. 4702. *Purpose.*
- “Sec. 4703. *Definitions.*

“SUBPART 1—PROMISE NEIGHBORHOOD PARTNERSHIP GRANTS

- “Sec. 4711. *Program authorized.*
- “Sec. 4712. *Eligible entities.*
- “Sec. 4713. *Application requirements.*
- “Sec. 4714. *Use of funds.*
- “Sec. 4715. *Report and publicly available data.*
- “Sec. 4716. *Performance accountability and evaluation.*

“SUBPART 2—PROMISE SCHOOL GRANTS

- “Sec. 4721. *Program authorized.*
- “Sec. 4722. *Definition of eligible entity.*
- “Sec. 4723. *Application requirements; priority.*
- “Sec. 4724. *Use of funds.*
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- “Sec. 4726. *Performance accountability and evaluation.*

“SUBPART 3—GENERAL PROVISIONS

- “Sec. 4731. *National activities.*

“PART H—PARENT AND FAMILY INFORMATION AND RESOURCE CENTERS

- “Sec. 4801. *Purpose.*
- “Sec. 4802. *Definition of eligible entity.*
- “Sec. 4803. *Grants authorized.*
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“PART I—READY TO LEARN

- “Sec. 4901. *Ready To Learn.*

“PART J—PROGRAMS OF NATIONAL SIGNIFICANCE

- “Sec. 4905. Programs authorized.*
- “Sec. 4906. Applications.*
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*“PART K—COMPETENCY-BASED ASSESSMENT AND ACCOUNTABILITY
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- “Sec. 4909. Competency-based assessment and accountability demonstration.*

*“TITLE V—PROMOTING INNOVATION**“PART A—RACE TO THE TOP*

- “Sec. 5101. Purposes.*
- “Sec. 5102. Reservation of funds.*
- “Sec. 5103. Race to the Top program.*
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“PART B—INVESTING IN INNOVATION

- “Sec. 5201. Purposes.*
- “Sec. 5202. Reservations.*
- “Sec. 5203. Program authorized; length of grants; priorities.*
- “Sec. 5204. Applications.*
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“PART C—MAGNET SCHOOLS ASSISTANCE

- “Sec. 5301. Findings and purpose.*
- “Sec. 5302. Definition.*
- “Sec. 5303. Program authorized.*
- “Sec. 5304. Eligibility.*
- “Sec. 5305. Applications and requirements.*
- “Sec. 5306. Priority.*
- “Sec. 5307. Use of funds.*
- “Sec. 5308. Prohibition.*
- “Sec. 5309. Limitations.*
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“PART D—PUBLIC CHARTER SCHOOLS

- “Sec. 5401. Purpose.*
- “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.*
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“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.*

“PART F—COLLEGE INFORMATION DEMONSTRATION PROGRAM

- “Sec. 5601. *College information demonstration program.*

“TITLE VI—PROMOTING FLEXIBILITY; RURAL EDUCATION

“PART A—TRANSFERABILITY

- “Sec. 6101. *Transferability of funds.*

“PART B—RURAL EDUCATION INITIATIVE

- “Sec. 6201. *Short title.*
- “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.*
- “Sec. 6223. *Applications.*
- “Sec. 6224. *Accountability.*

“SUBPART 3—GENERAL PROVISIONS

- “Sec. 6231. *Choice of participation.*
 “Sec. 6232. *Annual average daily attendance determination.*
 “Sec. 6233. *Supplement, not supplant.*
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“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.*
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 “Sec. 7116. *Integration of services authorized.*
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“SUBPART 2—SPECIAL PROGRAMS AND PROJECTS TO IMPROVE EDUCATIONAL
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- “Sec. 7121. *Improvement of educational opportunities for Indian children and
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“SUBPART 3—NATIONAL ACTIVITIES

- “Sec. 7131. *National research activities.*
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 ican language.*
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“SUBPART 4—FEDERAL ADMINISTRATION

- “Sec. 7141. *National Advisory Council on Indian Education.*
 “Sec. 7142. *Peer review.*
 “Sec. 7143. *Preference for Indian applicants.*
 “Sec. 7144. *Minimum grant criteria.*

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“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.

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“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.

“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 insert-*
 3 *ing 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 for*
 8 *sections 1116(f), 1125A, and 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, NATIONAL*
 13 *ACTIVITIES, AND EVALUATION.—*

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

18 *“(B) RESERVATION FOR NATIONAL ACTIVI-*
 19 *TIES.—Of the amounts appropriated under sub-*
 20 *paragraph (A) for a fiscal year, the Secretary*
 21 *shall reserve not more than 2 percent for the na-*
 22 *tional activities described in section 1116(f)(6).*

23 *“(3) EDUCATION FINANCE INCENTIVE GRANT*
 24 *PROGRAM.—There are authorized to be appropriated*

1 to carry out section 1125A such sums as may be nec-
2 essary for fiscal year 2014 and each of the 4 suc-
3 ceeding fiscal years.

4 “(4) *CENTERS OF EXCELLENCE IN EARLY CHILD-*
5 *HOOD.*—There are authorized to be appropriated to
6 carry out section 1132 such sums as may be necessary
7 for fiscal year 2014 and each of the 4 succeeding fis-
8 cal years.

9 “(b) *GRANTS FOR STATE ASSESSMENTS AND THE NA-*
10 *TIONAL ASSESSMENT OF EDUCATIONAL PROGRESS.*—

11 “(1) *NATIONAL ASSESSMENT OF EDUCATIONAL*
12 *PROGRESS.*—For the purpose of administering the
13 State assessments under the National Assessment of
14 Educational Progress, there are authorized to be ap-
15 propriated such sums as may be necessary for fiscal
16 year 2014 and each of the 4 succeeding fiscal years.

17 “(2) *STATE ASSESSMENTS AND RELATED ACTIVI-*
18 *TIES.*—For the purpose of carrying out assessment
19 and related activities under subpart 4 of part A of
20 title I, there are authorized to be appropriated such
21 sums as may be necessary for fiscal year 2014 and
22 each of the 4 succeeding fiscal years.

23 “(c) *PATHWAYS TO COLLEGE.*—For the purposes of
24 carrying out part B of title I, Pathways to College, there
25 are 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 “(d) *EDUCATION OF MIGRATORY CHILDREN.—For the*
4 *purposes of carrying out part C of title I, Education of*
5 *Migratory Children, there are authorized to be appropriated*
6 *such sums as may be necessary for fiscal year 2014 and*
7 *each of the 4 succeeding fiscal years.*

8 “(e) *NEGLECTED AND DELINQUENT.—For the pur-*
9 *poses of carrying out part D of title I, Prevention and*
10 *Intervention Programs for Children and Youth Who Are Ne-*
11 *glected, Delinquent, or At-Risk, there are authorized to be*
12 *appropriated such sums as may be necessary for fiscal year*
13 *2014 and each of the 4 succeeding fiscal years.*

14 “(f) *CONTINUOUS IMPROVEMENT AND SUPPORT FOR*
15 *TEACHERS AND PRINCIPALS.—*

16 “(1) *IN GENERAL.—For the purposes of carrying*
17 *out subparts 1, 2, 3, and 4 of part A of title II, there*
18 *are authorized to be appropriated such sums as may*
19 *be necessary for fiscal year 2014 and each of the 4*
20 *succeeding fiscal years.*

21 “(2) *PRINCIPAL RECRUITMENT AND TRAINING.—*
22 *For the purposes of carrying out subpart 5 of part A*
23 *of title II, Principal Recruitment and Training, there*
24 *are authorized to be appropriated such sums as may*

1 *be necessary for fiscal year 2014 and each of the 4*
2 *succeeding fiscal years.*

3 “(g) *TEACHER PATHWAYS TO THE CLASSROOM.*—For
4 *the purposes of carrying out part B of title II, Teacher*
5 *Pathways to the Classroom, there are authorized to be ap-*
6 *propriated such sums as may be necessary for fiscal year*
7 *2014 and each of the 4 succeeding fiscal years.*

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

13 “(i) *ACHIEVEMENT THROUGH TECHNOLOGY AND IN-*
14 *NOVATION.*—For the purposes of carrying out part D of title
15 *II, Achievement through Technology and Innovation, there*
16 *are authorized to be appropriated such sums as may be nec-*
17 *essary for fiscal year 2014 and each of the 4 succeeding*
18 *fiscal years.*

19 “(j) *ENGLISH LEARNERS AND IMMIGRANT STU-*
20 *DENTS.*—For the purposes of carrying out title III, Lan-
21 *guage and Academic Content Instruction for English*
22 *Learners and Immigrant Students, there are authorized to*
23 *be appropriated such sums as may be necessary for fiscal*
24 *year 2014 and each of the 4 succeeding fiscal years.*

1 “(k) *IMPROVING LITERACY AND STUDENT ACHIEVE-*
2 *MENT.—*

3 “(1) *IMPROVING LITERACY.—For the purposes of*
4 *carrying out subpart 1 of part A of title IV, Improv-*
5 *ing Literacy Instruction, there are authorized to be*
6 *appropriated such sums as may be necessary for fis-*
7 *cal year 2014 and each of the 4 succeeding fiscal*
8 *years.*

9 “(2) *EFFECTIVE SCHOOL LIBRARY PROGRAMS.—*
10 *For the purposes of carrying out subpart 2 of part A*
11 *of title IV, Improving Literacy and College and Ca-*
12 *reer Readiness Through Effective School Library Pro-*
13 *grams, there are authorized to be appropriated such*
14 *sums as may be necessary for fiscal year 2014 and*
15 *each of the 4 succeeding fiscal years.*

16 “(l) *IMPROVING SCIENCE, TECHNOLOGY, ENGINEER-*
17 *ING, AND MATHEMATICS INSTRUCTION AND STUDENT*
18 *ACHIEVEMENT.—For the purposes of carrying out part B*
19 *of title IV, Improving Science, Technology, Engineering,*
20 *and Mathematics Instruction and Student Achievement,*
21 *there are authorized to be appropriated such sums as may*
22 *be necessary for fiscal year 2014 and each of the 4 suc-*
23 *ceeding fiscal years.*

24 “(m) *INCREASING ACCESS TO A WELL-ROUNDED EDU-*
25 *CATION AND FINANCIAL LITERACY.—For the purposes of*

1 *carrying out part C of title IV, Increasing Access to a Well-*
2 *Rounded Education and Financial Literacy, there are au-*
3 *thorized to be appropriated such sums as may be necessary*
4 *for fiscal year 2014 and each of the 4 succeeding fiscal*
5 *years.*

6 “(n) *SUCCESSFUL, SAFE, AND HEALTHY STUDENTS.—*

7 “(1) *IN GENERAL.—For the purposes of carrying*
8 *out part D of title IV (except for section 4406), Suc-*
9 *cessful, Safe, and Healthy Students, there are author-*
10 *ized to be appropriated such sums as may be nec-*
11 *essary for fiscal year 2014 and each of the 4 suc-*
12 *ceeding fiscal years.*

13 “(2) *SCHOOL CONSTRUCTION AFTER A VIOLENT*
14 *OR TRAUMATIC CRISIS.—For purposes of carrying out*
15 *section 4406, School Construction After a Violent or*
16 *Traumatic Crisis, there are authorized to be appro-*
17 *priated such sums as may be necessary for fiscal year*
18 *2014 and each of the 4 succeeding fiscal years. Funds*
19 *made available under this paragraph shall remain*
20 *available until expended.*

21 “(o) *21ST CENTURY COMMUNITY LEARNING CEN-*
22 *TERS.—For the purposes of carrying out part F of title IV,*
23 *21st Century Community Learning Centers, there are au-*
24 *thorized to be appropriated such sums as may be necessary*

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

3 “(p) *PROMISE NEIGHBORHOODS.—For the purposes of*
4 *carrying out part G of title IV, Promise Neighborhoods,*
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 “(q) *PARENT AND FAMILY INFORMATION AND RE-*
9 *SOURCE CENTERS.—For the purposes of carrying out part*
10 *H of title IV, Parent and Family Information and Resource*
11 *Centers, there are authorized to be appropriated such sums*
12 *as may be necessary for fiscal year 2014 and each of the*
13 *4 succeeding fiscal years.*

14 “(r) *READY TO LEARN.—For the purposes of carrying*
15 *out part I of title IV, Ready To Learn, there are authorized*
16 *to be appropriated such sums as may be necessary for fiscal*
17 *year 2014 and each of the 4 succeeding fiscal years.*

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

23 “(t) *RACE TO THE TOP.—For the purposes of carrying*
24 *out part A of title V, Race to the Top, there are authorized*

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

3 “(u) *INVESTING IN INNOVATION.*—*For the purposes of*
4 *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 As-*
10 *sistance, there are authorized to be appropriated such sums*
11 *as may be necessary for fiscal year 2014 and each of the*
12 *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 Public*
20 *School Choice, there are authorized to be appropriated such*
21 *sums as may be necessary for fiscal year 2014 and each*
22 *of the 4 succeeding fiscal years.*

23 “(y) *COLLEGE INFORMATION DEMONSTRATION PRO-*
24 *GRAM.*—*For the purposes of carrying out part F of title*
25 *V, College Information Demonstration Program, there are*

1 *authorized to be appropriated such sums as may be nec-*
2 *essary for fiscal year 2014 and each of the 4 succeeding*
3 *fiscal years.*

4 “(z) *RURAL EDUCATION ACHIEVEMENT PROGRAM.—*
5 *For the purposes of carrying out part B of title VI, Rural*
6 *Education Achievement Program, there are authorized to*
7 *be appropriated such sums as may be necessary for fiscal*
8 *year 2014 and each of the 4 succeeding fiscal years.*

9 “(aa) *INDIAN, NATIVE HAWAIIAN, AND ALASKA NA-*
10 *TIVE EDUCATION.—*

11 “(1) *INDIAN EDUCATION AND NATIVE HAWAIIAN*
12 *EDUCATION.—For the purposes of carrying out part*
13 *A and subpart 1 of part B of title VII, Indian Edu-*
14 *cation and Native Hawaiian Education, there are*
15 *authorized to be appropriated such sums as may be*
16 *necessary for fiscal year 2014 and each of the 4 suc-*
17 *ceeding fiscal years.*

18 “(2) *ALASKA NATIVE EDUCATION.—There are au-*
19 *thorized to be appropriated to carry out subpart 2 of*
20 *part B of title VII, Alaska Native Education, such*
21 *sums as may be necessary for fiscal year 2014 and*
22 *each of the 5 succeeding fiscal years.*

23 “(bb) *IMPACT AID.—For the purposes of carrying out*
24 *title VIII, Impact Aid, there are authorized to be appro-*
25 *priated such sums as may be necessary for fiscal year 2014*

1 *and each of the 4 succeeding fiscal years, in accordance with*
2 *the following:*

3 “(1) *PAYMENTS FOR FEDERAL ACQUISITION OF*
4 *REAL PROPERTY.—For the purpose of making pay-*
5 *ments under section 8002, there are authorized to be*
6 *appropriated such sums as may be necessary for fis-*
7 *cal year 2014 and each of the 4 succeeding fiscal*
8 *years.*

9 “(2) *BASIC PAYMENTS; PAYMENTS FOR HEAVILY*
10 *IMPACTED LOCAL EDUCATIONAL AGENCIES.—For the*
11 *purpose of making payments under section 8003(b),*
12 *there are authorized to be appropriated such sums as*
13 *may be necessary for fiscal year 2014 and each of the*
14 *4 succeeding fiscal years.*

15 “(3) *PAYMENTS FOR CHILDREN WITH DISABIL-*
16 *ITIES.—For the purpose of making payments under*
17 *section 8003(d), there are authorized to be appro-*
18 *priated such sums as may be necessary for fiscal year*
19 *2014 and each of the 4 succeeding fiscal years.*

20 “(4) *CONSTRUCTION.—For the purpose of car-*
21 *rying out section 8007, there are authorized to be ap-*
22 *propriated such sums as may be necessary for fiscal*
23 *year 2014 and each of the 4 succeeding fiscal years.*

24 “(5) *FACILITIES MAINTENANCE.—For the pur-*
25 *pose of carrying out section 8008, there are author-*

1 *ized to be appropriated such sums as may be nec-*
 2 *essary for fiscal year 2014 and each of the 4 suc-*
 3 *ceeding fiscal years.”.*

4 ***TITLE I—COLLEGE AND CAREER***
 5 ***READINESS FOR ALL STUDENTS***

6 ***SEC. 1001. PURPOSE.***

7 *Section 1001 (20 U.S.C. 6301) is amended to read as*
 8 *follows:*

9 ***“SEC. 1001. PURPOSE.***

10 *“The purpose of this title is to ensure every child has*
 11 *a fair, equal, and significant opportunity to obtain a high-*
 12 *quality education and graduate from high school ready for*
 13 *college, career, and citizenship. This purpose can be accom-*
 14 *plished by—*

15 *“(1) setting high expectations for children to de-*
 16 *velop deep content knowledge and the ability to use*
 17 *knowledge to think critically, solve problems, commu-*
 18 *nicate effectively, and collaborate with others, in order*
 19 *to graduate, from high school, college and career*
 20 *ready;*

21 *“(2) supporting high-quality teaching to con-*
 22 *tinuously improve instruction and encourage new*
 23 *models of teaching and learning;*

24 *“(3) focusing on increasing student achievement*
 25 *and closing achievement gaps;*

1 “(4) providing additional resources and supports
2 to meet the needs of disadvantaged students, including
3 children from low-income families and those attend-
4 ing high-poverty schools, English learners, migratory
5 children, children with disabilities, Indian children,
6 and neglected or delinquent children;

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

10 “(6) removing barriers to, and encouraging State
11 and local innovation and leadership in, education
12 based on the evaluation of success and continuous im-
13 provement;

14 “(7) removing barriers and promoting integra-
15 tion across all levels of education, and across Federal
16 education programs;

17 “(8) streamlining Federal requirements to reduce
18 burdens on States, local educational agencies, schools,
19 and educators; and

20 “(9) strengthening parental engagement and co-
21 ordination of student, family, and community sup-
22 ports to promote student success.”.

23 **SEC. 1002. STATE RESERVATIONS.**

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

25 (1) by striking sections 1002 and 1003;

1 (2) by redesignating section 1004 as section
2 1002; and

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

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

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

13 (C) by redesignating subsection (b) as para-
14 graph (2) of subsection (a), and by aligning the
15 margins of such paragraph with the margins of
16 paragraph (1) of section 1111(a);

17 (D) by striking “*IN GENERAL.—Except as*
18 *provided in subsection (b)*” and inserting the fol-
19 lowing: “*STATE ADMINISTRATION.—*

20 “*(1) IN GENERAL.—Except as provided in para-*
21 *graph (2)*”;

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

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

1 “(b) *ACCOUNTABILITY AND SUPPORT.*—

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

11 “(2) *USES.*—

12 “(A) *IN GENERAL.*—*Of the amount reserved*
13 *under paragraph (1) for any fiscal year, the*
14 *State educational agency shall use not less than*
15 *90 percent of that amount by allocating such*
16 *sums directly to local educational agencies for*
17 *activities required under section 1116.*

18 “(B) *OPTION.*—*Notwithstanding subpara-*
19 *graph (A), the State educational agency may,*
20 *with the approval of the local educational agen-*
21 *cy, directly provide for the activities required*
22 *under section 1116 or arrange for their provision*
23 *through other entities such as educational service*
24 *agencies and external providers with expertise in*
25 *using strategies based on scientifically valid re-*

1 *search to improve teaching, learning, and*
2 *schools.*

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

7 “(A) *serve the lowest-performing schools, in-*
8 *cluding schools identified as focus schools or pri-*
9 *ority schools under subsection (c) or (d) of sec-*
10 *tion 1116;*

11 “(B) *demonstrate the greatest need for such*
12 *funds; and*

13 “(C) *demonstrate the strongest commitment*
14 *to use the funds to enable the lowest-achieving*
15 *schools to improve student achievement and out-*
16 *comes through the use of evidence-based practices*
17 *that are consistent with the evidence standards*
18 *described in section 5203(e).*

19 “(4) *UNUSED FUNDS.—If, after consultation*
20 *with local educational agencies, the State educational*
21 *agency determines the amount of funds reserved to*
22 *carry out this subsection is greater than the amount*
23 *needed to provide the assistance described in this sub-*
24 *section, the State educational agency shall allocate the*

1 *excess amount to local educational agencies in accord-*
 2 *ance with—*

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

6 *“(B) section 1126(c).*

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

15 *“(6) REPORTING.—Each State educational agen-*
 16 *cy shall make publicly available a list of those schools*
 17 *that have received funds or services pursuant to this*
 18 *subsection and the percentage of students from each*
 19 *such school from families with incomes below the pov-*
 20 *erty line.”.*

21 **PART A—IMPROVING THE ACADEMIC**

22 **ACHIEVEMENT OF THE DISADVANTAGED**

23 **SEC. 1111. STATE AND LOCAL REQUIREMENTS.**

24 *Section 1111 (20 U.S.C. 6301) is amended to read as*
 25 *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 CAREER*
5 *READY STATE STANDARDS.—In order to receive a*
6 *grant for the program under this subpart and subpart*
7 *2, each State shall demonstrate the State meets the*
8 *following requirements:*

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

12 “(i) *IN GENERAL.—The State shall—*

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

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

1 “(ii) *ALIGNMENT OF COLLEGE AND CA-*
2 *REER READY STANDARDS.—Each State plan*
3 *shall demonstrate the State has adopted col-*
4 *lege and career ready academic content*
5 *standards and college and career ready stu-*
6 *dent academic achievement standards*
7 *aligned with—*

8 “(I)(aa) *credit-bearing academic*
9 *coursework, without the need for reme-*
10 *diation, at public institutions of higher*
11 *education in the State;*

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

18 “(cc) *appropriate career skills; or*

19 “(II) *standards that are State-de-*
20 *veloped and voluntarily adopted by a*
21 *significant number of States.*

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

1 “(I) be used by the State, and by
2 local educational agencies, public ele-
3 mentary schools, and public secondary
4 schools in the State, to carry out the
5 requirements of this part;

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

10 “(III) include the same knowledge,
11 skills, and levels of achievement ex-
12 pected of all elementary and secondary
13 school students in the State; and

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

18 “(iv) *REQUIREMENTS FOR STUDENT*
19 *ACADEMIC ACHIEVEMENT STANDARDS.—Col-*
20 *lege and career ready student academic*
21 *achievement standards for a subject 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 mas-*
4 *tered the material in the State aca-*
5 *demie content standards for that grade.*

6 “(B) *SCIENCE STANDARDS.—A State—*

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

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

20 “(C) *STANDARDS FOR OTHER SUBJECTS.—*

21 *If a State adopts high-quality academic content*
22 *standards and student academic achievement*
23 *standards in subjects other than reading or lan-*
24 *guage arts, mathematics, and science, such State*
25 *may choose to use such standards as part of the*

1 *State's accountability system, consistent with*
2 *section 1116.*

3 “(D) *ALTERNATE ACADEMIC ACHIEVEMENT*
4 *STANDARDS FOR STUDENTS WITH THE MOST SIG-*
5 *NIFICANT COGNITIVE DISABILITIES.—*

6 “(i) *IN GENERAL.—The State may,*
7 *through a documented and validated stand-*
8 *ards-setting process, adopt alternate aca-*
9 *ademic achievement standards in any subject*
10 *included in the State's accountability sys-*
11 *tem under paragraph (3) for students with*
12 *the most significant cognitive disabilities,*
13 *if—*

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

20 “(II) *all students who use such al-*
21 *ternate academic achievement stand-*
22 *ards in a subject are assessed using the*
23 *alternate assessments for such subject*
24 *described in paragraph (2)(E); and*

1 “(III) *such alternate academic*
2 *achievement standards—*

3 “(aa) *are aligned with the*
4 *State college and career ready*
5 *academic content standards;*

6 “(bb) *provide access to the*
7 *general curriculum and the stu-*
8 *dent academic achievement stand-*
9 *ards; and*

10 “(cc) *reflect professional*
11 *judgment as to the highest possible*
12 *standards achievable by such stu-*
13 *dent.*

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

23 “(E) *ENGLISH LANGUAGE PROFICIENCY*
24 *STANDARDS.—A State shall, not later than De-*

1 *ember 31, 2015, adopt high-quality English lan-*
2 *guage proficiency standards that—*

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

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

18 *“(iii) identify not less than 4 levels of*
19 *English proficiency;*

20 *“(iv) address the different proficiency*
21 *levels of English learners and set high ex-*
22 *pectations regarding academic achievement*
23 *and linguistic proficiency for English learn-*
24 *ers at all levels of proficiency;*

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

7 “(vi) support teachers as teachers en-
8 hance instruction to support English learn-
9 ers.

10 “(F) *EARLY LEARNING GUIDELINES AND*
11 *EARLY GRADE STANDARDS.*—A State that uses
12 funds provided under this subpart or subpart 2
13 to support early childhood education shall pro-
14 vide an assurance that, not later than December
15 31, 2015, the State will establish, or certify the
16 existence of, early learning guidelines and early
17 grade standards in accordance with the fol-
18 lowing:

19 “(i) *EARLY LEARNING GUIDELINES.*—
20 In consultation with the State Advisory
21 Council on Early Childhood Education and
22 Care, the lead agency designated under sec-
23 tion 658D of the Child Care and Develop-
24 ment Block Grant Act of 1990 (42 U.S.C.
25 9858 et seq.), and the State educational

1 *agency, the State shall complete a review,*
2 *and revise or create, as necessary, the*
3 *State’s early learning guidelines for young*
4 *children in order to promote develop-*
5 *mentally appropriate, high-quality pro-*
6 *grams. Such guidelines shall—*

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

10 *“(II) be developed, as appropriate,*
11 *in all domains of child development*
12 *and learning (including language, lit-*
13 *eracy, mathematics, creative arts,*
14 *science, social studies, social and emo-*
15 *tional development, approaches to*
16 *learning, and physical and health de-*
17 *velopment) for each age group;*

18 *“(III) reflect research and evi-*
19 *dence-based developmental and learn-*
20 *ing expectations, including the founda-*
21 *tion for and progression in how chil-*
22 *dren develop and learn the requisite*
23 *skills and content from one stage into*
24 *the next, including what young chil-*
25 *dren should know and be able to do;*

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

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

10 “(VI) be made publicly available,
11 including through electronic means;
12 and

13 “(VII) for pre-school age children,
14 appropriately assist in the transition
15 of such children to kindergarten.

16 “(i) *EARLY GRADE STANDARDS.*—In
17 consultation with the State Advisory Coun-
18 cil on Early Childhood Education and
19 Care, the lead agency designated under sec-
20 tion 658D of the Child Care and Develop-
21 ment Block Grant of 1990 (42 U.S.C. 9858
22 et seq.), and the State educational agency,
23 the State shall establish or review and re-
24 vise, as needed, standards for kindergarten
25 through grade 3 aligned with the college and

1 *career ready academic content and student*
2 *academic achievement standards described*
3 *in subsection (a)(1)(A) to ensure that such*
4 *standards—*

5 “(I) *are developed in all domains*
6 *of child development and learning (in-*
7 *cluding cognitive, language, literacy,*
8 *mathematics, creative arts, science, so-*
9 *cial studies, social and emotional de-*
10 *velopment, physical development and*
11 *health, and approaches to learning);*

12 “(II) *reflect research and evi-*
13 *dence-based development and learning*
14 *expectations for each level and address*
15 *cultural, linguistic, and ability-level*
16 *diversity; and*

17 “(III) *across grade levels, reflect*
18 *progression in how children develop*
19 *and learn the requisite skills and con-*
20 *tent from earlier grades forward, in-*
21 *cluding preschool.*

22 “(G) *EXISTING STANDARDS.—Nothing in*
23 *this part shall prohibit a State from revising,*
24 *consistent with this section, any standard adopt-*
25 *ed under this part before, on, or after the date*

1 *of enactment of the Strengthening America's*
2 *Schools Act of 2013.*

3 “(H) CONSTRUCTION.—*Nothing in this sec-*
4 *tion shall be construed to authorize the Secretary*
5 *or other officer or employee of the Federal Gov-*
6 *ernment to mandate, direct, or control a State's*
7 *college and career ready academic content or stu-*
8 *dent academic achievement standards under this*
9 *paragraph.*

10 “(2) ACADEMIC ASSESSMENTS.—

11 “(A) STATE ASSESSMENTS.—*The State*
12 *shall, beginning not later than the beginning of*
13 *the 2015–2016 school year, adopt and implement*
14 *a set of statewide assessments that—*

15 “(i) *includes statewide assessments in*
16 *reading or language arts, and mathematics,*
17 *annually for grades 3 through 8 and not*
18 *less frequently than once during grades 10*
19 *through 12, that—*

20 “(I) *are aligned with the State's*
21 *academic content standards in such*
22 *subjects under paragraph (1)(A);*

23 “(II) *are administered to all pub-*
24 *lic elementary and secondary school*
25 *students in the State;*

1 “(III) measure the individual
2 academic achievement of a student;

3 “(IV) assess the student’s aca-
4 demic achievement based on the State’s
5 student academic achievement stand-
6 ards in the subject in order to meas-
7 ure—

8 “(aa) whether the student is
9 performing at the student’s grade
10 level; and

11 “(bb) the specific grade level
12 at which the student is per-
13 forming in the subject;

14 “(V) measure individual student
15 academic growth, including a measure-
16 ment of the number of years of aca-
17 demic growth each student attains each
18 year; and

19 “(VI) may, at the State’s choos-
20 ing—

21 “(aa) be administered
22 through a single summative as-
23 sessment each year; or

24 “(bb) be administered
25 through multiple statewide assess-

1 *ments during the course of the*
2 *year if the State can demonstrate*
3 *to the Secretary’s satisfaction the*
4 *results of these multiple assess-*
5 *ments, taken in their totality,*
6 *provide a summative score that*
7 *provides valid and reliable infor-*
8 *mation on individual student aca-*
9 *ademic growth, as described in sub-*
10 *clause (V);*

11 *“(ii) includes statewide assessments in*
12 *science, not less than once during each of*
13 *the grade spans of grades 3 through 5, 6*
14 *through 9, and 10 through 12, that—*

15 *“(I) assess the student’s academic*
16 *achievement based on the State’s stu-*
17 *dent academic achievement standards*
18 *in science in order to measure—*

19 *“(aa) whether the student is*
20 *performing at the student’s grade*
21 *level; and*

22 *“(bb) the specific grade level*
23 *at which the student is per-*
24 *forming in the subject; and*

1 “(II) *measure individual student*
2 *academic growth, including a measure-*
3 *ment of the number of years of aca-*
4 *ademic growth each student attains each*
5 *year;*

6 “(iii) *includes the English language*
7 *proficiency assessments described in sub-*
8 *paragraph (D) and any alternate assess-*
9 *ment described in subparagraph (E); and*

10 “(iv) *at the discretion of the State,*
11 *measure the proficiency of students in the*
12 *other academic subjects for which the State*
13 *has adopted academic content standards*
14 *and student academic achievement stand-*
15 *ards under paragraph (1)(C).*

16 “(B) *REQUIREMENTS FOR ASSESSMENTS.—*
17 *The assessments administered under this para-*
18 *graph shall—*

19 “(i) *be the same academic assessments*
20 *used to measure the achievement of all stu-*
21 *dents, although the individual assessment*
22 *items administered to a student in order to*
23 *determine the specific grade level at which*
24 *a student is performing may vary;*

1 “(ii) be used only for purposes for
2 which such assessments are valid and reli-
3 able, and be consistent with relevant, na-
4 tionally recognized professional and tech-
5 nical standards;

6 “(iii) be used only if the State edu-
7 cational agency provides to the Secretary
8 evidence that the assessments used are of
9 adequate technical quality for each purpose
10 required under this Act and are consistent
11 with the requirements of this section, which
12 evidence the Secretary may make public;

13 “(iv) involve multiple up-to-date meas-
14 ures of student academic achievement, in-
15 cluding measures that—

16 “(I) assess the full range of aca-
17 demic content and student academic
18 achievement standards under sub-
19 section (a)(1) that students are ex-
20 pected to master;

21 “(II) measure students’ mastery of
22 content knowledge and their ability to
23 use knowledge to think critically and
24 solve problems, and to communicate ef-
25 fectively; and

1 “(III) may be partially delivered
2 in the form of portfolios, projects, or
3 extended performance tasks;
4 “(v) provide for—
5 “(I) the participation in such as-
6 sessments of all students; and
7 “(II) the inclusion of English
8 learners, who shall be assessed in a
9 valid and reliable manner and pro-
10 vided reasonable accommodations on
11 assessments administered to such stu-
12 dents under this paragraph, including,
13 to the extent practicable, assessments
14 in the language and form most likely
15 to yield accurate data on what such
16 students know and can do in academic
17 content areas, until such students have
18 achieved English language proficiency
19 as determined under subparagraph
20 (D), except that the State may exempt
21 any English learner at the lowest levels
22 of English language proficiency from
23 the reading or language arts assess-
24 ment for not more than 2 years fol-

1 *lowing the date of the student being*
2 *identified as an English learner;*

3 *“(vi)(I) incorporate the principles of*
4 *universal design, as defined in section 3 of*
5 *the Assistive Technology Act of 1998 (29*
6 *U.S.C. 3002), to allow for the greatest pos-*
7 *sible access for all students;*

8 *“(II) provide for the reasonable adap-*
9 *tations for children with disabilities nec-*
10 *essary to measure the academic achievement*
11 *of such children in a subject, relative to the*
12 *State academic content standards and State*
13 *student academic achievement standards*
14 *under paragraph (1) for such subject;*

15 *“(III) provide for the valid and reli-*
16 *able accommodations for children with dis-*
17 *abilities necessary to measure the academic*
18 *achievement of such children in a subject,*
19 *relative to the State academic content*
20 *standards and State student academic*
21 *achievement standards under paragraph (1)*
22 *for such subject; and*

23 *“(IV) assess children with disabilities*
24 *using the same, unmodified academic con-*
25 *tent standards used to measure children*

1 *without disabilities in the same grade level,*
2 *except in the case of alternate assessments*
3 *administered in accordance with subpara-*
4 *graph (E);*

5 *“(vii) notwithstanding clause (v)(II),*
6 *include the academic assessment (using tests*
7 *written in English) of reading or language*
8 *arts of any student who has attended school*
9 *in the United States (not including Puerto*
10 *Rico) for 3 or more consecutive school years,*
11 *except that, if the local educational agency*
12 *determines, on a case-by-case individual*
13 *basis, that academic assessments in another*
14 *language or form would likely yield more*
15 *accurate and reliable information on what*
16 *such student knows and can do, the local*
17 *educational agency may make a determina-*
18 *tion to assess such student in the appro-*
19 *priate language other than English for a*
20 *period that does not exceed 2 additional*
21 *consecutive years, if such student has not*
22 *yet reached a level of English language pro-*
23 *ficiency sufficient to yield valid and reliable*
24 *information on what such student knows*

1 *and can do on tests (written in English) of*
2 *reading or language arts;*

3 “(viii) *include students who have at-*
4 *tended schools in a local educational agency*
5 *for a full academic year but have not at-*
6 *tended a single school for a full academic*
7 *year, except the performance of students*
8 *who have attended more than 1 school in*
9 *the local educational agency in any aca-*
10 *ademic year shall be used only in deter-*
11 *mining the progress of the local educational*
12 *agency;*

13 “(ix) *produce individual student inter-*
14 *pretive, descriptive, and diagnostic reports*
15 *that—*

16 “(I) *allow parents, teachers, and*
17 *principals to understand and address*
18 *the specific academic needs of students*
19 *and include information regarding*
20 *achievement on the academic assess-*
21 *ments aligned with State academic*
22 *achievement standards; and*

23 “(II) *are provided to parents,*
24 *teachers, and principals as soon as is*
25 *practicably possible after the assess-*

1 *ment is given, in an understandable*
2 *and uniform format, and to the extent*
3 *practicable, in a language that parents*
4 *can understand;*

5 *“(x) enable results to be disaggregated*
6 *within the State, local educational agency,*
7 *and school by gender, each major racial and*
8 *ethnic group, English proficiency status,*
9 *migrant status, status as a student with a*
10 *disability, and economically disadvantaged*
11 *status, except that disaggregation shall not*
12 *be required for any subgroup that would in-*
13 *clude 15 or less students, so as to not reveal*
14 *personally identifiable information about*
15 *an individual student;*

16 *“(xi) be consistent with widely accept-*
17 *ed professional testing standards and objec-*
18 *tively measure academic achievement,*
19 *knowledge, and skills;*

20 *“(xii) enable itemized score analyses to*
21 *be produced and reported, consistent with*
22 *clause (ii), to local educational agencies and*
23 *schools, so that parents, teachers, principals,*
24 *and administrators can interpret and ad-*
25 *dress the specific academic needs of students*

1 *as indicated by the students' achievement on*
2 *assessment items;*

3 *“(xiii) produce student achievement*
4 *and other student data that can be used to*
5 *inform determinations of individual prin-*
6 *cipal and teacher effectiveness for purposes*
7 *of evaluation and for determining the needs*
8 *of principals and teachers for professional*
9 *development and support;*

10 *“(xiv) be administered to not less than*
11 *95 percent of all students, and not less than*
12 *95 percent of each subgroup of students de-*
13 *scribed in clause (x), who are enrolled in*
14 *the school; and*

15 *“(xv) in the case of digital assessments*
16 *or any digital assessment content that is*
17 *adopted, procured, purchased, or developed*
18 *for the assessments, incorporate the prin-*
19 *ciples of universal design, as defined in sec-*
20 *tion 3 of the Assistive Technology Act of*
21 *1998 (29 U.S.C. 3002) and be interoperable*
22 *and accessible for all students, including*
23 *students who are children with disabilities.*

24 *“(C) LANGUAGES OF ASSESSMENTS.—The*
25 *State shall identify the languages other than*

1 *English that are present in the participating*
2 *student population in the State and indicate, in*
3 *the State’s plan under subsection (b), the lan-*
4 *guages for which yearly student academic assess-*
5 *ments included in the State’s accountability sys-*
6 *tem under paragraph (3) are not available and*
7 *are needed. The State shall make every effort to*
8 *develop assessments in such languages and may*
9 *request assistance from the Secretary if linguis-*
10 *tically accessible academic assessments are need-*
11 *ed. Upon request, the Secretary shall assist with*
12 *the identification of appropriate academic as-*
13 *sessments in such languages, but shall not man-*
14 *date a specific academic assessment or mode of*
15 *instruction.*

16 *“(D) ASSESSMENTS OF ENGLISH LANGUAGE*
17 *PROFICIENCY.—*

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

1 “(i) *REQUIREMENTS.—The English*
 2 *language proficiency assessment described*
 3 *in clause (i) shall—*

4 “(I) *be aligned with the State’s*
 5 *English language proficiency stand-*
 6 *ards under paragraph (1)(E);*

7 “(II) *be designed to measure, in a*
 8 *valid and reliable manner, student*
 9 *progress toward, and attainment of,*
 10 *English language proficiency;*

11 “(III) *reflect the academic lan-*
 12 *guage that is required for success on*
 13 *the State’s academic assessments, con-*
 14 *sistent with paragraph (1)(E)(v); and*

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

21 “(E) *ALTERNATE ASSESSMENTS FOR STU-*
 22 *DENTS WITH THE MOST SIGNIFICANT COGNITIVE*
 23 *DISABILITIES.—A State may provide alternate*
 24 *assessments that are aligned with alternate aca-*
 25 *ademic achievement standards described in para-*

1 *graph (1)(D) for students with the most signifi-*
2 *cant cognitive disabilities, if the State—*

3 *“(i) ensures that for each subject, the*
4 *total number of students in each grade level*
5 *assessed in such subject using the alternate*
6 *assessments does not exceed 1 percent of the*
7 *total number of all students in such grade*
8 *level in the State who are assessed in such*
9 *subject;*

10 *“(ii) establishes and monitors imple-*
11 *mentation of clear and appropriate guide-*
12 *lines for individualized education program*
13 *teams (as defined in section 614(d)(1)(B) of*
14 *the Individuals with Disabilities Education*
15 *Act) to apply in determining, on a subject-*
16 *by-subject basis, when a child’s significant*
17 *cognitive disability justifies assessment*
18 *based on alternate academic achievement*
19 *standards;*

20 *“(iii) ensures that parents of the stu-*
21 *dents whom the State plans to assess using*
22 *alternate assessments are involved in the de-*
23 *cision that their child’s academic achieve-*
24 *ment will be measured against alternate*
25 *academic achievement standards, consistent*

1 with section 614(d)(1)(A)(i)(VI)(bb) of the
2 *Individuals with Disabilities Education*
3 *Act, and are informed whether participa-*
4 *tion in such assessment may preclude the*
5 *student from completing the requirements*
6 *for a regular secondary school diploma, as*
7 *determined by the State;*

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

16 “(v) certifies, consistent with section
17 612(a)(16)(A) of such Act, the State’s reg-
18 ular 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 the
5 number of students with the most signifi-
6 cant cognitive disabilities participating in
7 grade-level academic instruction and assess-
8 ments aligned with grade-level academic
9 standards, and promotes the use of appro-
10 priate accommodations to increase the num-
11 ber of students with the most significant
12 cognitive disabilities who are tested against
13 grade-level academic achievement standards;

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

22 “(viii) requires separate determina-
23 tions about whether a student should be as-
24 sessed using an alternate assessment for
25 each subject assessed.

1 “(F) *COMPUTER ADAPTIVE ASSESSMENT.*—
 2 *A State may develop and administer computer*
 3 *adaptive assessments as the assessments required*
 4 *under subparagraph (A). If a State develops and*
 5 *administers a computer adaptive assessment for*
 6 *such purposes, the assessment shall meet the re-*
 7 *quirements of this paragraph.*

8 “(G) *REDUCING DUPLICATIVE ASSESS-*
 9 *MENT.*—*The State shall—*

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

16 “(ii) *ensure that the local educational*
 17 *agencies report, as required under sub-*
 18 *section (d)(5)(C), regarding all assessments*
 19 *required by Federal, State, or local laws,*
 20 *regulations, or policies.*

21 “(3) *STATE-DESIGNED ACCOUNTABILITY SYS-*
 22 *TEMS.*—

23 “(A) *ACCOUNTABILITY SYSTEM.*—*Each*
 24 *State shall, not later than the beginning of the*
 25 *2014–2015 school year, demonstrate the State*

1 *educational agency has developed and is imple-*
2 *menting a single, statewide accountability sys-*
3 *tem that—*

4 “(i) *annually measures and reports on*
5 *the achievement and academic growth of*
6 *students in all public elementary schools*
7 *and secondary schools and local educational*
8 *agencies in the State, in accordance with*
9 *subparagraph (B);*

10 “(ii) *differentiates all local educational*
11 *agencies and all schools in the State accord-*
12 *ing to academic achievement and student*
13 *academic growth, English language pro-*
14 *iciency and growth for English learners,*
15 *and, for high schools, graduation rates, for*
16 *all students and for each subgroup described*
17 *in paragraph (2)(B)(x);*

18 “(iii) *expects the continuous improve-*
19 *ment of all public schools in the State in the*
20 *academic achievement and academic growth*
21 *of all students, including the subgroups of*
22 *students described in subparagraph (D),*
23 *and establishes ambitious and achievable*
24 *annual performance targets in accordance*
25 *with subparagraph (C);*

1 “(iv) annually identifies schools that
2 need supports and interventions to prepare
3 college and career ready students;

4 “(v) provides for the improvement,
5 through supports and interventions that ad-
6 dress student needs, of all local educational
7 agencies with schools not identified under
8 section 1116(d) that are not meeting per-
9 formance targets for subgroups described in
10 subparagraph (D);

11 “(vi) develops the capacity of local edu-
12 cational agencies and schools to effectively
13 educate their students and continuously im-
14 prove;

15 “(vii) recognizes, and encourages other
16 local educational agencies to replicate, the
17 practices of local educational agencies and
18 schools that are successful in effecting sig-
19 nificant student achievement or student
20 academic growth; and

21 “(viii) meets the requirements of sec-
22 tion 1116.

23 “(B) MEASUREMENT OF ACHIEVEMENT AND
24 ACADEMIC GROWTH.—

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

10 “(I) *the number and percentage of*
11 *students who are in each category de-*
12 *scribed in clause (ii), for each grade*
13 *and subject covered by an academic as-*
14 *essment included in the accountability*
15 *system, based on the State academic*
16 *assessments for the subject; and*

17 “(II) *for each such category of*
18 *students—*

19 “(aa) *the number and per-*
20 *centage of students for each grade*
21 *and subject who are meeting or*
22 *exceeding the State student aca-*
23 *ademic achievement standards or*
24 *are achieving sufficient academic*

1 growth, as described in clause
2 (iii); and

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

8 “(ii) CATEGORIES OF STUDENTS.—The
9 State educational agency shall establish not
10 less than 3 categories of students, which
11 shall include the following:

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

20 “(II) A category consisting of stu-
21 dents whose proficiency in a subject is
22 below grade level and who are achiev-
23 ing sufficient academic growth, as de-
24 scribed in clause (iii).

1 “(III) A category consisting of
2 students whose proficiency in a subject
3 is below grade level and who are not
4 achieving sufficient academic growth,
5 as described in clause (iii).

6 “(iii) SUFFICIENT ACADEMIC
7 GROWTH.—For purposes of this section, suf-
8 ficient academic growth for a student
9 means—

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

19 “(II) a rate of academic growth,
20 based on a comparison of the student’s
21 performance on the most recent State
22 academic assessment with the pre-
23 ceding State academic assessment or
24 combination of preceding State aca-
25 demic assessments, is such that the stu-

1 *dent will be performing at or above*
2 *grade level by the end of the grade*
3 *span of which, for purposes of this sec-*
4 *tion, shall be the grade spans of grades*
5 *3 through 5, 6 through 8, and 9*
6 *through 12; or*

7 *“(III) another aggressive aca-*
8 *demie growth model approved by the*
9 *Secretary that supports the State per-*
10 *formance targets under subparagraph*
11 *(C).*

12 *“(C) PERFORMANCE TARGETS.—*

13 *“(i) IN GENERAL.—Each State shall*
14 *establish, after requesting and receiving*
15 *input from the local educational agencies of*
16 *the State, ambitious and achievable annual*
17 *performance targets for the State, for local*
18 *educational agencies in the State, and for*
19 *public elementary schools and secondary*
20 *schools, for each subject and grade level as-*
21 *essed under paragraph (2), that—*

22 *“(I) are adopted from the waiver*
23 *agreement entered into with the Sec-*
24 *retary through the authority under sec-*
25 *tion 9401 before the date of enactment*

1 *of the Strengthening America's Schools*
2 *Act of 2013;*

3 *“(II) subject to approval by the*
4 *Secretary—*

5 *“(aa) set a goal for every*
6 *public school to meet the achieve-*
7 *ment level of the highest-per-*
8 *forming 10 percent of schools in*
9 *the State as of the date of the ap-*
10 *plication submission, based on the*
11 *percentage of students meeting or*
12 *exceeding the State academic con-*
13 *tent and student academic*
14 *achievement standards;*

15 *“(bb) require annual progress*
16 *toward that goal for all students,*
17 *including all subgroups of stu-*
18 *dents consistent with subpara-*
19 *graph (D), within a specified rea-*
20 *sonable time period; and*

21 *“(cc) ensure accelerated*
22 *progress for the subgroups of stu-*
23 *dents described in item (bb) that*
24 *start with the lowest levels of stu-*
25 *dent achievement; or*

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

5 “(ii) PERFORMANCE AREAS.—The per-
6 formance targets required under this sub-
7 paragraph shall include targets for—

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

10 “(II) student academic growth, as
11 determined in accordance with sub-
12 paragraph (B);

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

21 “(IV) for high schools, graduation
22 rates.

23 “(iii) BASELINES.—Each State shall
24 use student performance on the State’s aca-
25 demic assessments used for purposes of re-

1 *ceiving funds under the program under this*
2 *subpart and subpart 2 for the 2014–2015*
3 *school year as the baseline for the perform-*
4 *ance targets, subject to paragraph (5)(B)(iv)*
5 *and subsection (b)(3)(C).*

6 *“(iv) ADDITIONAL MEASURES AND*
7 *PERFORMANCE TARGETS.—A State may de-*
8 *velop other measures and performance tar-*
9 *gets to provide school personnel, parents,*
10 *and community members with information*
11 *about the effectiveness of schools in closing*
12 *performance gaps among subgroups and*
13 *bringing all students to proficiency, except*
14 *that any such measure shall not classify in-*
15 *dividuals who have not attained a high*
16 *school diploma but have earned a recognized*
17 *equivalent of such diploma as graduating*
18 *from high school.*

19 *“(D) SUBGROUPS OF STUDENTS.—The sub-*
20 *groups described in this subparagraph shall be*
21 *obtained by disaggregating students enrolled in a*
22 *school by each major racial and ethnic group,*
23 *English proficiency status, status as a child with*
24 *a disability, and economically disadvantaged*
25 *status, except that a school shall not be required*

1 to disaggregate for any subgroup that includes
2 15 or less students if such disaggregation would
3 result in the disclosure of personally identifiable
4 information.

5 “(E) *SUBJECTS COVERED.*—The State shall
6 include in the accountability system the subjects
7 of reading or language arts and mathematics,
8 and may include science and any other subject
9 that the State chooses through its State plan, if
10 the State has adopted academic content stand-
11 ards and student academic achievement stand-
12 ards under paragraph (1)(C) and assessments
13 under subparagraphs (A)(iv) and (B) of para-
14 graph (2) for the subject.

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

20 “(G) *STUDENTS WITH THE MOST SIGNIFI-*
21 *CANT COGNITIVE DISABILITIES.*—In determining
22 the percentage of students who are meeting or ex-
23 ceeding the State student academic achievement
24 standards or are achieving sufficient academic
25 growth as described in subparagraph (B)(iii), for

1 *a subject for any purpose under this section or*
2 *section 1116 or 1131, a State educational agency*
3 *may include, for all schools in the State, the per-*
4 *formance of the State’s students with the most*
5 *significant cognitive disabilities on alternate as-*
6 *sessments as described in paragraph (2)(E) in*
7 *the subjects included in the State’s accountability*
8 *system, consistent with the 1 percent limitation*
9 *of paragraph (2)(E)(i).*

10 “(4) *VOLUNTARY PARTNERSHIPS.*—*A State may*
11 *enter into a voluntary partnership with another State*
12 *to develop and implement the academic assessments,*
13 *academic content standards, and student academic*
14 *achievement standards required under this section.*

15 “(5) *TRANSITION PROVISIONS.*—

16 “(A) *IN GENERAL.*—*The Secretary shall*
17 *take such steps as are necessary to provide for*
18 *the orderly transition between the accountability*
19 *systems required under subsection (b)(2), as such*
20 *section was in effect on the day before the date*
21 *of enactment of the Strengthening America’s*
22 *Schools Act of 2013, and the new accountability*
23 *systems required under this subsection, including*
24 *the transition steps described in subparagraph*
25 *(B).*

1 “(B) *TRANSITION STEPS.*—*To enable the*
2 *successful transition to the provisions of this*
3 *part, as amended by the Strengthening Amer-*
4 *ica’s Schools Act of 2013, each State educational*
5 *agency receiving funds under this part shall—*

6 “(i) *beginning on the date of enact-*
7 *ment of the Strengthening America’s*
8 *Schools Act of 2013—*

9 “(I) *administer assessments, as*
10 *required under paragraph (2), as*
11 *amended by such Act, that measure*
12 *and assess the college and career ready*
13 *academic content standards and stu-*
14 *dent academic achievement standards*
15 *described in paragraph (1), as amend-*
16 *ed by such Act; and*

17 “(II) *with respect to any report-*
18 *ing provision under this part that re-*
19 *quires the disaggregation of students,*
20 *carry out such requirement unless the*
21 *number of students in such subgroup is*
22 *less than 15;*

23 “(ii) *during the transition period, con-*
24 *tinue all interventions, services, and activi-*
25 *ties required under section 1116(b), as in ef-*

1 *fect on the day before the date of enactment*
2 *of such Act, for schools identified for correc-*
3 *tive action under such section 1116(b)(7);*

4 *“(iii) after 2 years of using the assess-*
5 *ments described in clause (i)(I), establish a*
6 *new baseline, as described in paragraph*
7 *(3)(C)(iii), using the new assessment data;*
8 *and*

9 *“(iv) implement this section and sec-*
10 *tion 1116, as amended by such Act, except*
11 *that the State shall not be required to iden-*
12 *tify focus schools or priority schools under*
13 *subsection (c) or (d) of section 1116 until 2*
14 *full school years after the date of enactment*
15 *of such Act.*

16 *“(C) END OF TRANSITION.—The transition*
17 *to the requirements of this part, as amended by*
18 *the Strengthening America’s Schools Act of 2013,*
19 *shall be completed by not later than 2 years after*
20 *the date of enactment of such Act.*

21 *“(b) STATE PLANS.—*

22 *“(1) IN GENERAL.—For any State desiring to re-*
23 *ceive a grant under the program under this subpart*
24 *and subpart 2, the State educational agency shall*
25 *submit to the Secretary a plan, developed by the State*

1 *educational agency in consultation with local edu-*
2 *catinal agencies, teachers, principals, specialized in-*
3 *structional support personnel, administrators, other*
4 *staff, representatives of Indian tribes located in the*
5 *State, and parents, that—*

6 *“(A) demonstrates the State’s compliance*
7 *with this section;*

8 *“(B) is coordinated with the State plans re-*
9 *quired by other programs under this Act, the In-*
10 *dividuals with Disabilities Education Act, the*
11 *Rehabilitation Act of 1973 (29 U.S.C. 701 et*
12 *seq.), the Carl D. Perkins Career and Technical*
13 *Education Act of 2006, the Head Start Act, the*
14 *Child Care and Development Block Grant Act of*
15 *1990, and the Adult Education and Family Lit-*
16 *eracy Act, and activities under title IX of the*
17 *Educational Amendments of 1972;*

18 *“(C) provides an assurance the State will*
19 *continue to administer the academic assessments*
20 *required under paragraphs (3)(A) and (7) of this*
21 *subsection, as such paragraphs were in effect on*
22 *the day before the date of enactment of the*
23 *Strengthening America’s Schools Act of 2013,*
24 *and to include the results of such assessments in*
25 *the State’s accountability system, until the State*

1 *has implemented the assessments required under*
2 *subsection (a)(2);*

3 “(D) provides an assurance the State will
4 participate in the biennial State academic as-
5 sessments of grade 4 and grade 8 reading and
6 mathematics under the National Assessment of
7 Educational Progress carried out under section
8 303(b)(2) of the National Assessment of Edu-
9 cational Progress Authorization Act (20 U.S.C.
10 9622(b)(2)) if the Secretary pays the costs of ad-
11 ministering such assessments;

12 “(E) describes the State accountability sys-
13 tem under subsection (a)(3) and the State’s plan
14 for blue ribbon schools under section 1131 (if the
15 State chooses to carry out such section), includ-
16 ing how the plan will promote postsecondary
17 and career readiness;

18 “(F) describes the process the State will uti-
19 lize to review local educational agency plans sub-
20 mitted pursuant to section 1112, including the
21 parent and family engagement plan described in
22 section 1118 and other provisions related to par-
23 ent and family engagement;

24 “(G) describes the support the State will
25 provide to local educational agencies for the edu-

1 *cation of homeless children and youths, and how*
2 *the State will comply with the requirements of*
3 *subtitle B of title VII of the McKinney-Vento*
4 *Homeless Assistance Act;*

5 “(H) describes how the State educational
6 agency has involved the committee of practi-
7 tioners established under section 1603(b) in de-
8 veloping the plan and monitoring its implemen-
9 tation;

10 “(I) describes how the State educational
11 agency will coordinate with the State Advisory
12 Council on Early Childhood Education and
13 Care, as appropriate;

14 “(J)(i) if the State funds full-day kinder-
15 garten programs but does not provide access to
16 such programs for all children eligible to attend
17 kindergarten in the State, describes how the
18 State plans to increase the number of students in
19 the State who are enrolled in full-day kinder-
20 garten and a strategy to implement such a plan;
21 and

22 “(ii) if the State provides funding for kin-
23 dergarten programs but does not fund full-day
24 kindergarten programs, describes how the State
25 plans to establish such programs to extend and

1 *strengthen the educational continuum for chil-*
2 *dren entering elementary school;*

3 “(K) provides an assurance that the State—

4 “(i) has established a longitudinal data
5 system that includes all elements described
6 in section 6401(e)(2)(D) of the America
7 COMPETES Act (20 U.S.C. 9871
8 (e)(2)(D)), by the date required under the
9 terms for the allocation received by the
10 State through the State Fiscal Stabilization
11 Fund under section 14001 of the American
12 Recovery and Reinvestment Act of 2009
13 (Public Law 111–5, 123 Stat. 279); or

14 “(ii) if the State was not subject to
15 any such requirement, will establish such a
16 system by a date approved the Secretary;

17 “(L) describes how the State and State edu-
18 cational agency will comply with the require-
19 ments of section 1501, and the State’s plan to
20 ensure such compliance;

21 “(M) in the case of a State that proposes to
22 use funds under this subpart or subpart 2 to
23 support positive behavioral interventions and
24 supports, describes how the State educational
25 agency will—

1 “(i) assist local educational agencies in
2 implementing positive behavioral interven-
3 tions and supports in schools served by the
4 local educational agency throughout the
5 whole school;

6 “(ii) provide technical assistance and
7 training to local educational agencies to im-
8 prove and support the development, imple-
9 mentation, and coordination of comprehen-
10 sive positive behavioral interventions and
11 supports carried out under this Act with ac-
12 tivities carried out under the Individuals
13 with Disabilities Education Act;

14 “(iii) in coordination with local edu-
15 cational agencies and schools, implement
16 positive, preventative approaches to school
17 discipline to promote a positive school cli-
18 mate for all students and reduce recidivism
19 of re-entering youth offenders and discon-
20 nected youth; and

21 “(iv) evaluate the effects of providing
22 positive behavioral interventions and sup-
23 ports for all students, including improve-
24 ment of the learning environment, academic
25 achievement, disciplinary problems such as

1 *incidents of suspensions, expulsions, refer-*
2 *als to law enforcement, and other actions*
3 *that remove students from instruction, and*
4 *any other effects the State chooses to evalu-*
5 *ate;*

6 “(N) *in the case of a State that proposes to*
7 *use funds under this subpart or subpart 2 to*
8 *support early intervening services, describes how*
9 *the State educational agency will—*

10 “(i) *assist local educational agencies in*
11 *implementing early intervening services in*
12 *schools served by the local educational agen-*
13 *cy to reduce the need to label children as*
14 *children with disabilities in order to ad-*
15 *dress the learning and behavioral needs of*
16 *such children;*

17 “(ii) *provide technical assistance and*
18 *training to local educational agencies to im-*
19 *prove coordination of early intervening*
20 *services provided under this Act with early*
21 *intervening services carried out under the*
22 *Individuals with Disabilities Education*
23 *Act; and*

24 “(iii) *evaluate the effects of providing*
25 *early intervening services;*

1 “(O) describes how the State will assist
2 local educational agencies in identifying gifted
3 and talented students, including high-ability stu-
4 dents who have not previously been formally
5 identified for gifted education services, and im-
6 plement educational approaches at the elemen-
7 tary school and secondary school levels to sup-
8 port the learning needs of gifted and talented
9 students to ensure that such students make ap-
10 propriate learning gains, such as early entrance
11 to kindergarten, enrichment, acceleration, cur-
12 riculum compacting, and dual enrollment in sec-
13 ondary school and postsecondary education;

14 “(P) describes how the State educational
15 agency will—

16 “(i) reduce suspensions, expulsions, re-
17 ferrals to law enforcement, and other dis-
18 ciplinary actions that remove students from
19 instruction;

20 “(ii) facilitate, to the extent prac-
21 ticable, the re-entry of juvenile offenders and
22 disconnected youth into their local edu-
23 cational agencies;

24 “(iii) in coordination with the State
25 department of corrections or similar agency,

1 *ensure re-entering juvenile offenders receive*
2 *referrals to a local educational agency and*
3 *provide that, for any juvenile who commits*
4 *an offense subject to school expulsion and is*
5 *subsequently committed to a detention cen-*
6 *ter, secure facility, or any other residential*
7 *placement within the juvenile or adult*
8 *criminal justice system for such offense, the*
9 *period of expulsion shall run concurrently*
10 *with the period of commitment to the deten-*
11 *tion center, secure facility, or other residen-*
12 *tial placement; and*

13 *“(iv) in coordination with local edu-*
14 *cational agencies and schools, provide an-*
15 *ual and public reporting on, in the aggre-*
16 *gate, in-school suspensions, out-of-school*
17 *suspensions, expulsions, referrals to law en-*
18 *forcement, school-based arrests, and discipli-*
19 *nary transfers (including placements in al-*
20 *ternative schools) in the State;*

21 *“(Q) describes how the State educational*
22 *agency will plan for pregnant and parenting*
23 *students to be enrolled, attend, and succeed in*
24 *school;*

25 *“(R) describes how—*

1 “(i) for the first year following the date
2 of enactment of the Strengthening America’s
3 Schools Act of 2013, the State educational
4 agency will provide for the equitable dis-
5 tribution of elementary school teachers, and
6 secondary school teachers, within local edu-
7 cational agencies and the State using data
8 on the percentage and distribution of the
9 categories of teachers described in subpara-
10 graph (S) as transitional measures of teach-
11 er quality;

12 “(ii) for each school year following the
13 first year after such date of enactment, the
14 State educational agency will provide for
15 the equitable distribution of teachers within
16 local educational agencies and the State so
17 that low-income and minority children are
18 not taught at higher rates than other chil-
19 dren by teachers with the lowest ratings in
20 the State professional growth and improve-
21 ment system; and

22 “(iii) beginning not later than 1 year
23 after such date of enactment, and for each
24 subsequent year, the State will report to the
25 Secretary the percentage and distribution of

1 *teachers in the State, based on the measures*
2 *used in the State, for each quartile of*
3 *schools based on school poverty level, for*
4 *high-minority schools, and for low-minority*
5 *schools; and*

6 *“(S) describes how the State will annually*
7 *submit to the Secretary, for each quartile of*
8 *schools in the State based on school poverty level*
9 *and for high-minority schools and low-minority*
10 *schools in the State, data regarding the percent-*
11 *age and distribution of the following categories of*
12 *teachers:*

13 *“(i) Teachers who are not classified as*
14 *highly qualified teachers.*

15 *“(ii) Teachers who are new.*

16 *“(iii) Teachers who have not completed*
17 *a teacher preparation program.*

18 *“(iv) Teachers who are not teaching in*
19 *the subject or field for which the teacher is*
20 *certified or licensed.*

21 *“(v) Beginning in any year for which*
22 *data are available from a professional*
23 *growth and improvement system, and not*
24 *later than the 2015–2016 school year, teach-*
25 *ers with the highest or lowest ratings in the*

1 *professional growth and improvement sys-*
 2 *tem, as data from such system become*
 3 *available, and in no case later than the*
 4 *2015–2016 school year.*

5 “(2) *COMPREHENSIVE PLAN.*—*A State plan sub-*
 6 *mitted under paragraph (1) may be submitted as*
 7 *part of the comprehensive plan under section 9302.*

8 “(3) *DURATION OF THE PLAN.*—

9 “(A) *IN GENERAL.*—*Each State plan*
 10 *shall—*

11 “(i) *remain in effect for the duration*
 12 *of the State’s participation under this part*
 13 *or 4 years, whichever is shorter; and*

14 “(ii) *be periodically reviewed and re-*
 15 *vised as necessary by the State educational*
 16 *agency to reflect changes in the State’s*
 17 *strategies and programs under this part.*

18 “(B) *ADDITIONAL INFORMATION.*—

19 “(i) *REVISED PLANS.*—*If a State*
 20 *makes significant changes to its plan, such*
 21 *as adopting new State academic content*
 22 *standards, new State student achievement*
 23 *standards, new academic assessments, or*
 24 *improved performance targets under sub-*

1 *section (a), the State shall submit a revised*
 2 *plan to the Secretary.*

3 “(ii) *REVIEW OF REVISED PLANS.—*
 4 *The Secretary shall review the information*
 5 *submitted under clause (i) and may, not-*
 6 *withstanding paragraph (4), approve or*
 7 *disapprove changes to the State plan with-*
 8 *out undertaking the peer-review or hearing*
 9 *process described in such paragraph.*

10 “(C) *RENEWAL.—A State educational agen-*
 11 *cy that desires to continue participating in the*
 12 *program under this subpart and subpart 2 shall*
 13 *submit a renewed plan every 4 years with im-*
 14 *proved performance targets.*

15 “(4) *PEER REVIEW AND SECRETARIAL AP-*
 16 *PROVAL.—*

17 “(A) *SECRETARIAL DUTIES.—The Secretary*
 18 *shall—*

19 “(i) *establish a peer-review process that*
 20 *maximizes collaboration with each State to*
 21 *assist in the review of State plans;*

22 “(ii) *appoint expert individuals to the*
 23 *peer-review process who—*

24 “(I) *represent a regionally diverse*
 25 *cross-section of States;*

1 “(II) are representative of par-
2 ents, teachers, State educational agen-
3 cies, and local educational agencies;
4 and

5 “(III) are familiar with edu-
6 cational standards, assessments, ac-
7 countability, the needs of focus and
8 priority schools as described in sub-
9 sections (c) and (d) of section 1116
10 and the needs of disadvantaged stu-
11 dents, students who are children with
12 disabilities, and other educational
13 needs of students;

14 “(iii) ensure the peer-review process
15 provides timely feedback from the peer-re-
16 view panel to the States, and that such feed-
17 back shall be made publicly available, in-
18 cluding through electronic means;

19 “(iv) not decline approval of a State
20 plan before—

21 “(I) offering the State an oppor-
22 tunity to revise the State plan;

23 “(II) providing technical assist-
24 ance to the State to meet the require-

1 *ments of this subsection and sub-*
2 *sections (a) and (c); and*

3 *“(III) upon the request of a State,*
4 *providing a hearing;*

5 *“(v) have the authority to disapprove a*
6 *State plan for not meeting the requirements*
7 *of this subpart or subpart 2, and may deny*
8 *approval to a State plan under this sub-*
9 *section that was recommended by the peer-*
10 *review panel by making available written*
11 *findings of the cause for such disapproval;*

12 *“(vi) approve a State plan not later*
13 *than 120 days after its submission unless*
14 *the Secretary determines that the plan does*
15 *not meet the requirements of this section;*

16 *“(vii) if the Secretary determines that*
17 *the State plan does not meet the require-*
18 *ments of this subsection and subsection (c),*
19 *immediately notify the State in writing of*
20 *such determination and the reasons for such*
21 *determination; and*

22 *“(viii) not have the authority to re-*
23 *quire a State, as a condition of approval of*
24 *the State plan, to include in, or delete from,*
25 *such plan 1 or more specific elements of the*

1 *State’s academic content standards or to use*
2 *specific academic assessment instruments or*
3 *items.*

4 “(B) *STATE REVISIONS.*—*A State plan shall*
5 *be revised by the State educational agency if nec-*
6 *essary to satisfy the requirements of this section.*

7 “(c) *PARENT AND FAMILY ENGAGEMENT.*—*Each State*
8 *plan shall include a description of how the State will*
9 *strengthen engagement of the parents and families in edu-*
10 *cation (referred to in this subsection as the ‘parent and fam-*
11 *ily engagement plan’)* *in accordance with the following:*

12 “(1) *STATEWIDE PARENT AND FAMILY ENGAGE-*
13 *MENT STRATEGY.*—*The parent and family engage-*
14 *ment plan shall demonstrate how the State plans to*
15 *increase and enhance the engagement of parents and*
16 *family members in education throughout the State,*
17 *through the implementation and replication of evi-*
18 *dence-based or promising practices, in order to—*

19 “(A) *increase student academic growth and*
20 *achievement, and college and career readiness;*

21 “(B) *provide parents and family members*
22 *with the skills and opportunities necessary to be-*
23 *come full partners in their child’s education;*

24 “(C) *improve child development;*

1 “(D) strengthen relationships and partner-
2 ships among school personnel and parents and
3 family members, to support student academic
4 growth and achievement, and college and career
5 readiness;

6 “(E) improve the ability of local edu-
7 cational agencies and schools to increase the par-
8 ticipation of parents and family members in
9 school improvement strategies, create opportuni-
10 ties for co-location and provision of services for
11 parents and family members, and foster condi-
12 tions for learning; and

13 “(F) focus the activities described in sub-
14 paragraphs (A) through (E) in high-need local
15 educational agencies and high-need schools.

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

19 “(A) ensure maximum coordination and
20 minimum duplication of efforts (which may in-
21 clude the designation of a parent and family en-
22 gagement coordinator) among, at a minimum—

23 “(i) Federal, State, and local pro-
24 grams;

1 “(ii) the State Advisory Councils on
2 *Early Childhood Education and Care*;

3 “(iii) the parent and family informa-
4 tion and resource centers established under
5 part H of title IV; and

6 “(iv) appropriate non-Federal entities
7 (including community-based and philan-
8 thropic organizations and court-appointed
9 special advocates);

10 “(B) collect and disseminate best practices
11 and research on parent and family engagement
12 strategies to—

13 “(i) local educational agencies, includ-
14 ing high-need local educational agencies,
15 and high-need schools in the State, such as
16 through parent and family engagement
17 academies and other leadership development
18 strategies; and

19 “(ii) institutions of higher education
20 and other organizations with a dem-
21 onstrated record of success in increasing the
22 engagement of parents and family members
23 in education; and

24 “(C) ensure that the process for reviewing
25 local educational agency plans pursuant to sec-

1 *tion 1112 includes an assessment and response to*
2 *each local educational agency regarding the ex-*
3 *tent to which such plans incorporate the best*
4 *practices identified in subparagraph (B).*

5 *“(3) TECHNICAL ASSISTANCE, TRAINING, AND CA-*
6 *PACITY-BUILDING.—The State parent and family en-*
7 *gagement plan shall describe the evidence-based tech-*
8 *nical assistance, professional development, or other*
9 *capacity-building strategies that the State will pro-*
10 *vide to, at a minimum, high-need local educational*
11 *agencies and high-need schools, which—*

12 *“(A) shall include the provision of technical*
13 *assistance to local educational agencies that serve*
14 *schools identified as focus or priority schools*
15 *under subsection (c) or (d) of section 1116;*

16 *“(B) shall include partnering with the ap-*
17 *propriate parent and family information and re-*
18 *source centers;*

19 *“(C) may include assistance in developing,*
20 *revising, or implementing the local educational*
21 *agency plans submitted pursuant to section 1112*
22 *as such plans relate to supporting parent and*
23 *family engagement, in conjunction with para-*
24 *graph (2)(C);*

1 “(D) may include assistance related to im-
2 plementing evidence-based parent and family en-
3 gagement strategies to providers of early care
4 and education; and

5 “(E) may include assistance related to im-
6 plementing evidence-based parent and family en-
7 gagement strategies for English learner families,
8 such as those described in section 3115(c)(5).

9 “(4) *LEVERAGING RESOURCES.*—Each State
10 plan shall include a description of how the State will
11 leverage resources of employers, business leaders, phil-
12 anthropic and nonprofit organizations, and other
13 community members to increase and strengthen par-
14 ent and family engagement.

15 “(d) *ANNUAL STATE REPORT CARDS.*—

16 “(1) *IN GENERAL.*—A State that receives a grant
17 for the program under this subpart and subpart 2
18 shall prepare and disseminate an annual report card
19 for each public elementary school and secondary
20 school in the State, each local educational agency in
21 the State, and the State as a whole.

22 “(2) *REQUIREMENTS FOR ALL REPORT CARDS.*—
23 The State shall ensure the school, local educational
24 agency, and State report cards required under this
25 subsection are—

1 “(A) *uniform across the State;*

2 “(B) *concise;*

3 “(C) *presented in a format that is easily*
4 *understandable and, to the extent practicable,*
5 *provided in a language that parents can under-*
6 *stand; and*

7 “(D) *accessible to the public, which shall in-*
8 *clude—*

9 “(i) *making the State report card and*
10 *all local educational agency and school re-*
11 *port cards available on a single webpage of*
12 *the State’s website; and*

13 “(ii) *providing a copy of a school’s re-*
14 *port card to the parents of each student en-*
15 *rolled in the school each year.*

16 “(3) *REQUIRED STUDENT INFORMATION FOR*
17 *SCHOOL REPORT CARDS.—Each school report card re-*
18 *quired under paragraph (1) shall include the fol-*
19 *lowing:*

20 “(A) *A clear and concise description of the*
21 *State’s accountability system under subsection*
22 *(a)(3), including a description of the criteria by*
23 *which the State evaluates school performance,*
24 *and the criteria that the State has established to*
25 *determine the status of schools.*

1 “(B) Information on each of the following
2 for the school, in the aggregate and disaggregated
3 and cross-tabulated by the subgroups described
4 in subsection (a)(2)(B)(x) (except that such
5 disaggregation or cross-tabulation shall not be
6 required in a case in which the results would re-
7 veal personally identifiable information about an
8 individual student):

9 “(i) Student achievement at each per-
10 formance level on the State academic assess-
11 ments that are included in the State’s ac-
12 countability system under subsection (a)(3).

13 “(ii) The percentage of students who do
14 not take the State academic assessments.

15 “(iii) The most recent 3-year trend in
16 student achievement in each subject area,
17 and for each grade level, for such assess-
18 ments.

19 “(iv) A comparison of the school’s stu-
20 dent academic assessment data to the State
21 average for each tested subject.

22 “(v)(I) The number and percentage of
23 students who are meeting or exceeding the
24 State student academic achievement stand-
25 ards or are achieving sufficient academic

1 *growth, as determined in accordance with*
2 *subsection (a)(3)(B)(iii), for each subject*
3 *area and grade level.*

4 “(II) *The most recent 3-year trend in*
5 *student academic growth in each subject*
6 *area, and for each grade level, for the State*
7 *academic assessments.*

8 “(vi) *The number and percentage of*
9 *students with the most significant cognitive*
10 *disabilities who take an alternate assess-*
11 *ment under subsection (a)(2)(E), by grade*
12 *and subject.*

13 “(vii) *The number of students who are*
14 *English learners, and the performance of*
15 *such students, on the State’s English lan-*
16 *guage proficiency assessments under sub-*
17 *section (a)(2)(D), including the students’ at-*
18 *tainment of, and progress toward, higher*
19 *levels of English language proficiency.*

20 “(viii) *For each high school—*

21 “(I) *student graduation rates, in-*
22 *cluding—*

23 “(aa) *the 4-year adjusted co-*
24 *hort graduation rate, as defined*
25 *in section 9101(32)(A); and*

1 “(bb) the cumulative gradua-
2 tion rate, as defined in section
3 9101(32)(B);

4 “(II) the number of students at-
5 taining career and technical proficien-
6 cies, as defined by section 113(b)(2)(A)
7 of the Carl D. Perkins Career and
8 Technical Education Act of 2006, and
9 reported by States only in a manner
10 consistent with section 113(c) of such
11 Act;

12 “(III) not later than the begin-
13 ning of the 2013–2014 school year, the
14 rate at which students who graduated
15 from the high school in the preceding
16 year enrolled in institutions of higher
17 education by the beginning of the next
18 school year; and

19 “(IV) not later than the beginning
20 of the 2014–2015 school year, the rate
21 of student remediation, in the aggre-
22 gate, for high school graduates who en-
23 roll in public institutions of higher
24 education in the State or in other in-
25 stitutions of higher education (to the

1 *extent obtaining the data regarding re-*
2 *mediation from other institutions is*
3 *practicable).*

4 *“(ix) Beginning not later than the*
5 *2015–2016 school year, the evaluation re-*
6 *sults of teachers and principals as measured*
7 *by the State’s professional growth and im-*
8 *provement system, except that such informa-*
9 *tion shall not provide individually identifi-*
10 *able information on individual teachers and*
11 *principals.*

12 *“(x) Discipline data with respect to all*
13 *students in the school for the disciplinary*
14 *exclusionary categories described in sub-*
15 *paragraphs (A)(v), (D), and (E) of section*
16 *618(a)(1) of the Individuals with Disabil-*
17 *ities Education Act.*

18 *“(xi)(I) The percentage of students*
19 *passing examinations related to coursework*
20 *acceptable for postsecondary credit at insti-*
21 *tutions of higher education, such as Ad-*
22 *vanced Placement or International Baccalaureate examinations, or technical assess-*
23 *ments, as defined by section 113(b)(2)(A)(ii)*
24 *of Carl D. Perkins Career and Technical*
25

1 *Education Act of 2006 and reported by*
2 *States only in a manner consistent with*
3 *section 113(c) of such Act.*

4 “(II) *The percentage of students par-*
5 *ticipating in early college high schools and*
6 *dual enrollment programs.*

7 “(xii) *Data regarding pregnant and*
8 *parenting students in the State, includ-*
9 *ing—*

10 “(I) *the number of pregnant and*
11 *parenting students enrolled in sec-*
12 *ondary schools;*

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

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

22 “(IV) *the number and percentage*
23 *of pregnant and parenting students*
24 *who have achieved proficiency, as de-*
25 *termined for purposes of subsection*

1 *(a)(3)(B)(ii), in each grade and subject*
2 *assessed; and*

3 *“(V) graduation rates for preg-*
4 *nant and parenting students.*

5 *“(xiii) The incidence of school violence,*
6 *bullying, drug abuse, alcohol abuse, in-*
7 *school student suspensions, out-of-school stu-*
8 *dent suspensions, expulsions, referrals to*
9 *law enforcement, school-based arrests, dis-*
10 *ciplinary transfers (including placements in*
11 *alternative schools), and student detentions,*
12 *for each category.*

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

14 *“(D) The school’s categorization, if applica-*
15 *ble, in the State school accountability and im-*
16 *provement system under section 1116.*

17 *“(E) In the case of a coeducational school*
18 *that receives assistance under this subpart—*

19 *“(i) a listing of the school’s inter-*
20 *scholastic sports teams that participated in*
21 *athletic competition;*

22 *“(ii) for each such team—*

23 *“(I) the total number of male and*
24 *female participants, disaggregated and*
25 *cross-tabulated by gender and race;*

1 “(II) the season in which the team
2 competed, whether the team partici-
3 pated in postseason competition, and
4 the total number of competitive events
5 scheduled;

6 “(III) the total expenditures from
7 all sources, including expenditures for
8 travel, uniforms, facilities, and pub-
9 licity for competitions; and

10 “(IV) the total number of coaches,
11 trainers, and medical personnel, and
12 for each such individual an identifica-
13 tion of such individual’s gender, em-
14 ployment status, and duties other than
15 providing coaching, training, or med-
16 ical services; and

17 “(iii) the average annual salary of the
18 head coaches of boys’ interscholastic sports
19 teams, across all offered sports, and the av-
20 erage annual salary of the head coaches of
21 girls’ interscholastic sports teams, across all
22 offered sports.

23 “(F) The number of students—

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

1 “(ii) *who, in the preceding 2-year pe-*
2 *riod, received early intervening services and*
3 *who, after receiving such services, have been*
4 *identified as eligible for, and receive, special*
5 *education and related services under part B*
6 *of the Individuals with Disabilities Edu-*
7 *cation Act.*

8 “(4) *OPTIONAL INFORMATION.—A State may in-*
9 *clude in each school report card such other informa-*
10 *tion as the State believes will best provide parents,*
11 *students, and other members of the public with infor-*
12 *mation regarding the progress of each of the State’s*
13 *public elementary and secondary schools. Such infor-*
14 *mation may include—*

15 “(A) *indicators of school climate;*

16 “(B) *student attendance;*

17 “(C) *school readiness of students in kinder-*
18 *garten; and*

19 “(D) *measures of career readiness focused*
20 *on the attainment of technical or employability*
21 *skills.*

22 “(5) *LOCAL EDUCATIONAL AGENCY AND STATE*
23 *REPORT CARDS.—Each local educational agency re-*
24 *port card and State report card required under para-*
25 *graph (1)—*

1 “(A) shall include the data described in
2 clauses (i) through (xiii) of paragraph (3)(B) for
3 the local educational agency or State, respec-
4 tively, as a whole and disaggregated by the sub-
5 groups described in subsection (a)(2)(B)(x);

6 “(B) in the case of a State report card,
7 shall include—

8 “(i) the data described in paragraph
9 (3)(B)(viii) disaggregated by status as a
10 child in foster care, except that such
11 disaggregation shall not be required in a
12 case in which the number of students in the
13 category would reveal personally identifi-
14 able information about an individual stu-
15 dent;

16 “(ii) the most recently available aca-
17 demic achievement results in grades 4 and
18 8 of the State’s students on the National As-
19 sessment of Educational Progress in reading
20 and mathematics, including the percentage
21 of students at each achievement level in the
22 aggregate and by the groups described in
23 section 303(b)(2)(G) of the National Assess-
24 ment of Educational Progress Authorization
25 Act (20 U.S.C. 9622(b)(2)(G));

1 “(iii) the number of local educational
2 agencies in the State that implement posi-
3 tive behavioral interventions and supports;
4 and

5 “(iv) the number of local educational
6 agencies in the State that implement school-
7 based mental health programs;

8 “(C) in the case of a local educational agen-
9 cy report card, shall include information regard-
10 ing the assessments administered annually, by
11 grade level and subject, and, for each assessment,
12 whether the assessment is required by Federal,
13 State, or local statute, regulation, or policy;

14 “(D) shall include information regarding
15 the number of military-connected students which,
16 for the purposes of this subparagraph, shall
17 mean students with parents who serve in the
18 Armed Forces, including the National Guard
19 and Reserve Forces, for each local educational
20 agency or State, respectively, and information
21 regarding academic achievement for such stu-
22 dents, except that such information shall not be
23 used for school or local educational agency ac-
24 countability purposes under section 1116; and

1 “(E) may include any optional information
2 described in paragraph (4) for the local edu-
3 cational agency or State, respectively.

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

8 “(7) PREEXISTING REPORT CARDS.—A State
9 educational agency or local educational agency that
10 was providing public report cards on the performance
11 of students, schools, local educational agencies, or the
12 State prior to the date of enactment of the Strength-
13 ening America’s Schools Act of 2013, may use those
14 report cards for the purpose of this subsection as long
15 as any such report card is modified, as may be need-
16 ed, to contain the information required by this sub-
17 section.

18 “(8) COST REDUCTION.—Each State educational
19 agency and local educational agency receiving assist-
20 ance under the program under this subpart and sub-
21 part 2 shall, wherever possible, take steps to reduce
22 data collection costs and duplication of effort by ob-
23 taining the information required under this sub-
24 section through existing data collection efforts.

1 “(9) *CROSS-TABULATED DATA NOT USED FOR AC-*
2 *COUNTABILITY.*—Groups of students obtained by
3 *cross-tabulating data under this subsection shall not*
4 *be considered to be subgroups under section 1116.*
5 *Such cross-tabulated data shall not be used to deter-*
6 *mine whether a school is a focus or priority school*
7 *under subsection (c) or (d) of section 1116.*

8 “(e) *REPORTING.*—

9 “(1) *ANNUAL STATE REPORT.*—Each State edu-
10 *cational agency that receives assistance under the*
11 *program under this subpart and subpart 2 shall re-*
12 *port annually to the Secretary, and make widely*
13 *available within the State—*

14 “(A) *information on the State’s progress in*
15 *developing and implementing the academic as-*
16 *sessments described in subsection (a)(2);*

17 “(B) *information on the achievement and*
18 *academic growth of students, including results*
19 *disaggregated (except in a case in which the*
20 *number of students in a category is insufficient*
21 *to yield statistically reliable information or the*
22 *results would reveal personally identifiable infor-*
23 *mation about an individual student) by the sub-*
24 *groups described in subsection (a)(2)(B)(x) and*
25 *by status as a child in foster care;*

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

6 “(D) *in any year before the State begins to*
7 *provide the information described in subpara-*
8 *graph (B), information on the results of student*
9 *academic assessments (including results*
10 *disaggregated by the subgroups described in sub-*
11 *section (a)(2)(B)(x)) required under this section;*

12 “(E) *information on the acquisition of*
13 *English language proficiency by students who*
14 *are English learners;*

15 “(F) *the number of schools, and the name of*
16 *each school, identified as a focus or priority*
17 *school under subsection (c) or (d) of section 1116;*
18 *and*

19 “(G) *the number of schools identified as*
20 *blue ribbon schools under section 1131 and the*
21 *name of each such school.*

22 “(2) *SECRETARY’S REPORT CARD AND BIENNIAL*
23 *EVALUATION REPORT.—*

24 “(A) *SECRETARY’S REPORT CARD.—Not*
25 *later than July 1, 2014, and annually thereafter,*

1 *the Secretary shall prepare and submit to the*
2 *authorizing committees a national report card*
3 *on the status of elementary and secondary edu-*
4 *cation in the United States. Such report shall—*

5 “(i) *analyze existing data from State*
6 *reports required under this Act, the Individ-*
7 *uals with Disabilities Education Act, and*
8 *the Carl D. Perkins Career and Technical*
9 *Education Act of 2006, and summarize*
10 *major findings from such reports;*

11 “(ii) *analyze data from the National*
12 *Assessment of Educational Progress and*
13 *international assessments, including the*
14 *Third International Mathematics and*
15 *Science Survey;*

16 “(iii) *identify trends in student*
17 *achievement, student academic growth, stu-*
18 *dent performance, and high school gradua-*
19 *tion rates, by analyzing and reporting on*
20 *the status and performance of subgroups of*
21 *students, including subgroups based on race,*
22 *ethnicity, and socioeconomic status and the*
23 *subgroups of children with disabilities and*
24 *English learners;*

1 “(iv) compare the performance of stu-
2 dents, including the subgroups described in
3 clause (iii), across States and local edu-
4 cational agencies across the United States;

5 “(v) identify and report on promising
6 practices, areas of greatest improvement in
7 student achievement and educational at-
8 tainment, and other examples worthy of na-
9 tional attention;

10 “(vi) identify and report on areas of
11 educational concern that warrant national
12 attention; and

13 “(vii)(I) analyze existing data, as of
14 the time of the report, on Federal, State,
15 and local expenditures on education, includ-
16 ing per pupil spending, teacher salaries and
17 pension obligations, school level spending,
18 and other financial data publicly available;
19 and

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

22 “(B) SPECIAL RULE.—The information
23 used to prepare the report described in subpara-
24 graph (A) shall be derived from existing State
25 and local reporting requirements and data

1 *sources. Nothing in this paragraph shall be con-*
2 *strued as authorizing, requiring, or allowing any*
3 *additional reporting requirements, data ele-*
4 *ments, or information to be reported to the Sec-*
5 *retary not otherwise explicitly authorized by any*
6 *other Federal law.*

7 “(C) *BIENNIAL REPORT.*—*The Secretary*
8 *shall transmit biennially to the authorizing com-*
9 *mittees a report that provides national and*
10 *State-level data on the information collected*
11 *under paragraph (1).*

12 “(f) *PENALTIES.*—*If a State that receives a grant*
13 *under the program under this subpart and subpart 2 fails*
14 *to meet any requirement of such subparts, the Secretary*
15 *may withhold funds for State administration under this*
16 *part until the Secretary determines that the State has ful-*
17 *filled those requirements.*

18 “(g) *PARENTS’ RIGHT-TO-KNOW.*—

19 “(1) *QUALIFICATIONS.*—*At the beginning of each*
20 *school year, a local educational agency that receives*
21 *funds under the program under this subpart and sub-*
22 *part 2 shall notify the parents of each student attend-*
23 *ing any school receiving such funds that the parents*
24 *may request, and the agency will provide the parents*
25 *on request (and in a timely manner), information re-*

1 *garding the professional qualifications of the student's*
2 *classroom teachers, including, at a minimum, the fol-*
3 *lowing:*

4 *“(A) Whether the teacher has met State*
5 *qualification and licensing criteria for the grade*
6 *levels and subject areas in which the teacher pro-*
7 *vides instruction.*

8 *“(B) Whether the teacher is teaching under*
9 *emergency or other provisional status through*
10 *which State qualification or licensing criteria*
11 *have been waived.*

12 *“(C) The baccalaureate degree major of the*
13 *teacher and any other graduate certification or*
14 *degree held by the teacher, and the field of dis-*
15 *cipline of the certification or degree.*

16 *“(D) Whether the student is provided serv-*
17 *ices by paraprofessionals and, if so, their quali-*
18 *fications.*

19 *“(2) EQUITY REPORT CARD.—A local edu-*
20 *cational agency that receives funds under the pro-*
21 *gram under this subpart and subpart 2 shall make*
22 *available to parents, separately or as a clearly identi-*
23 *fied part of the school report card, and through easily*
24 *accessible means, including electronic means, the fol-*
25 *lowing information for each school:*

1 “(A) Student achievement data at each per-
2 formance level, for each category of students de-
3 scribed in subsection (a)(3)(B)(ii), on the State
4 academic assessments included in the State ac-
5 countability system under subsection (a)(3),
6 disaggregated by the subgroups described in sub-
7 section (a)(2)(B)(x).

8 “(B) Individual school funding by source,
9 including Federal, State, and local funding and
10 grants.

11 “(C) For each high school, the 4-year ad-
12 justed cohort graduation rate, as described in
13 section 9101(32)(A), and the rate at which stu-
14 dents graduating from the high school in the pre-
15 ceding year enrolled in institutions of higher
16 education by the beginning of the next school
17 year.

18 “(D) Data regarding educational oppor-
19 tunity participation, which data—

20 “(i) shall include, at a minimum, pre-
21 kindergarten and full-day kindergarten op-
22 portunities for children and opportunities
23 for Advanced Placement or International
24 Baccalaureate course work; and

1 “(ii) may include such opportunities
2 as—

3 “(I) dual enrollment and early
4 college high schools;

5 “(II) gifted programming;

6 “(III) other educational program-
7 ming; and

8 “(IV) opportunities to complete
9 career and technical education pro-
10 grams of study, reported in a manner
11 consistent with section 122(c)(1) of the
12 Carl D. Perkins Career and Technical
13 Education Act of 2006.

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

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 consultation*
2 *with parents, families, and educators, to be nec-*
3 *essary to allow parents, families, and commu-*
4 *nity members to understand, and compare with*
5 *other schools in the local educational agency and*
6 *across the State, the resources available to the*
7 *school that influence the outcomes for students.*

8 “(3) *ADDITIONAL INFORMATION.*—*In addition to*
9 *the information that parents of students may request*
10 *under paragraph (1), a school that receives funds*
11 *under this subpart shall provide to each individual*
12 *parent, with respect to the student—*

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

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

23 “(4) *FORMAT.*—*The notice and information pro-*
24 *vided to parents under this subsection shall be in an*
25 *understandable and uniform format and, to the extent*

1 *practicable, provided in a language that the parents*
2 *can understand.*

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

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

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

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

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

1 “(2) *REGIONALLY ACCREDITED SCHOOLS.*—Each
 2 *such school accredited by a regional accrediting orga-*
 3 *nization shall adopt appropriate assessments, in con-*
 4 *sultation with and with the approval of, the Secretary*
 5 *of the Interior and consistent with assessments adopt-*
 6 *ed by other schools in the same State or region, that*
 7 *meets the requirements of this section.*

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

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

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

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

18 “(a) *PLANS REQUIRED.*—

19 “(1) *SUBGRANTS.*—A local educational agency
 20 *may receive a subgrant under the program under this*
 21 *subpart and subpart 2 for any fiscal year only if such*
 22 *agency has on file with the State educational agency*
 23 *a plan, approved by the State educational agency,*
 24 *that is coordinated with other programs under this*
 25 *Act, the Individuals with Disabilities Education Act,*

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

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

8 “(b) *PLAN DEVELOPMENT AND DURATION.*—

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

11 “(A) *teachers, principals, administrators,*
12 *and other appropriate school personnel;*

13 “(B) *representatives of early childhood edu-*
14 *cation programs in the geographic area served*
15 *by the local educational agency, as appropriate;*
16 *and*

17 “(C) *parents and family members of chil-*
18 *dren in schools served under this subpart.*

19 “(2) *DURATION.*—*Each local educational agency*
20 *plan shall be submitted pursuant to this section for*
21 *the first year for which this part is in effect following*
22 *the date of enactment of the Strengthening America’s*
23 *Schools Act of 2013, and such plan shall remain in*
24 *effect until the date of renewal as determined under*
25 *paragraph (4) by the State.*

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

7 “(4) *RENEWAL.*—*A local educational agency that*
8 *desires to continue participating in the program*
9 *under this subpart and subpart 2 shall submit a re-*
10 *newed plan on a periodic basis, as determined by the*
11 *State.*

12 “(c) *STATE APPROVAL.*—

13 “(1) *IN GENERAL.*—*Each local educational agen-*
14 *cy plan shall be filed according to a schedule estab-*
15 *lished by the State educational agency.*

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

20 “(A) *enables schools served under this sub-*
21 *part to substantially help children served under*
22 *this part meet the academic content and student*
23 *academic achievement standards expected of all*
24 *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 academic*
6 *achievement standards, and to close the achievement gap*
7 *between high- and low-achieving children each local edu-*
8 *cational agency plan shall describe each of the following:*

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

11 *“(A) develop and implement a comprehen-*
12 *sive program of instruction to meet the academic*
13 *needs of all students;*

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

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

20 *“(D) identify significant gaps in student*
21 *achievement among subgroups of students identi-*
22 *fied under section 1111(a)(2)(B)(x) and develop*
23 *strategies to reduce such gaps in achievement;*
24 *and*

1 “(E) identify and implement effective meth-
2 ods and instructional strategies that are based
3 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 programs
10 in improving student academic achievement and aca-
11 demic growth, especially for students described in sec-
12 tion 1111(a)(3)(B)(vi)(III).

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 sec-
21 tion 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 pro-

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

10 *“(5) How activities under this part will be co-*
11 *ordinated and integrated with Federal, State, and*
12 *local services and programs, including programs sup-*
13 *ported under this Act, the Carl D. Perkins Career and*
14 *Technical Education Act of 2006, the Individuals*
15 *with Disabilities Education Act, the Rehabilitation*
16 *Act of 1973 (29 U.S.C. 701 et seq.), the Head Start*
17 *Act (42 U.S.C. 9831 et seq.), the Child Care and De-*
18 *velopment Block Grant Act of 1990 (42 U.S.C. 9858*
19 *et seq.), and the Workforce Investment Act of 1998 (29*
20 *U.S.C. 2801 et seq.), violence prevention programs,*
21 *nutrition programs, and housing programs.*

22 *“(6) How the local educational agency will co-*
23 *ordinate and integrate services provided under the*
24 *program under this subpart and subpart 2 with local*
25 *workforce development programs that serve disadvan-*

1 taged or out-of-school youth, such as those providing
2 workforce investment activities under chapter 4 of
3 subtitle B of title I of the Workforce Investment Act
4 of 1998 (29 U.S.C. 2851 et seq.), including a descrip-
5 tion of how the local educational agency will use
6 funds provided under this subpart and subpart 2 to
7 support such activities.

8 “(7) The poverty criteria that will be used to se-
9 lect school attendance areas under section 1113.

10 “(8) How teachers, in consultation with parents
11 and family members, administrators, and specialized
12 instructional support personnel, in targeted assistance
13 schools under section 1115, will identify the eligible
14 children most in need of services under this part.

15 “(9) How the local educational agency will iden-
16 tify and address any disparities in the equitable dis-
17 tribution of teachers, consistent with the requirements
18 of section 1111(b)(1)(R).

19 “(10) How the local educational agency will pro-
20 vide for the equitable distribution of elementary school
21 teachers, and of secondary school teachers, within
22 local educational agencies and the State using data
23 on the percentage and distribution of the categories of
24 teachers described in subsection (e)(13).

1 “(11) *A general description of the nature of the*
2 *programs to be conducted by such agency’s schools*
3 *under sections 1114 and 1115 and, where appro-*
4 *priate, educational services outside such schools for*
5 *children living in local institutions for neglected or*
6 *delinquent children, and for neglected and delinquent*
7 *children in community day school programs.*

8 “(12) *A description of—*

9 “(A) *how the local educational agency will*
10 *provide opportunities for the enrollment, attend-*
11 *ance, and success of homeless children and*
12 *youths; and*

13 “(B) *the services the local educational agen-*
14 *cy will provide homeless children and youths, in-*
15 *cluding services provided with funds reserved*
16 *under section 1113(c)(3), and how those services*
17 *may differ from those provided in prior years.*

18 “(13) *A description of the support the local edu-*
19 *cational agency will provide for homeless children*
20 *and youths, consistent with the requirements of the*
21 *McKinney-Vento Homeless Assistance Act.*

22 “(14) *For each quartile of schools in the local*
23 *educational agency based on school poverty level and*
24 *for high-minority schools and low-minority schools in*
25 *the local educational agency, data regarding access at*

1 *the high school level to rigorous coursework, includ-*
2 *ing—*

3 *“(A) access to opportunities to earn postsec-*
4 *ondary credit while in high school, such as*
5 *through Advanced Placement and International*
6 *Baccalaureate courses and examinations, dual*
7 *enrollment, and early college high schools; and*

8 *“(B) student performance on Advanced*
9 *Placement and International Baccalaureate*
10 *course examinations.*

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

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

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

1 *high school to postsecondary education, including ac-*
2 *cess to dual enrollment and early college high schools.*

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

11 *“(19) If the local educational agency proposes to*
12 *use such subgrant funds for early intervening services,*
13 *a description of the actions the local educational*
14 *agency will take to provide early intervening services*
15 *and coordinate those services with early intervening*
16 *services carried out under the Individuals with Dis-*
17 *abilities Education Act.*

18 *“(20) If the local educational agency proposes to*
19 *use such subgrant funds for school-based mental*
20 *health programs, a description of the actions the local*
21 *educational agency will take to provide school-based*
22 *mental health programs and coordinate those activi-*
23 *ties with activities carried out under the Individuals*
24 *with Disabilities Education Act.*

1 “(21) *If the local educational agency proposes to*
2 *use such subgrant funds for periodically updating the*
3 *crisis management plan of the local educational agen-*
4 *cy, as described in section 4202(5)(B)(iv), a descrip-*
5 *tion of the actions the local educational agency will*
6 *take to develop and implement an updated crisis*
7 *management plan.*

8 “(22) *A description of how the local educational*
9 *agency will plan for pregnant and parenting students*
10 *to be enrolled, attend, and succeed in school.*

11 “(e) *ASSURANCES.—Each local educational agency*
12 *plan shall provide assurances that the local educational*
13 *agency will—*

14 “(1) *use the results of the academic assessments*
15 *required under section 1111(a)(2), and other measures*
16 *or indicators available to the agency, to review annu-*
17 *ally the progress of each school served by the agency*
18 *and receiving funds under the program under this*
19 *subpart and subpart 2 to determine whether all of the*
20 *schools are making the progress necessary to ensure*
21 *all students will be performing at or above grade level*
22 *on the State academic assessments required under*
23 *such section, in accordance with the ambitious targets*
24 *described in the State plan under section*
25 *1111(a)(3)(C);*

1 “(2) provide to parents and teachers the results
2 from the academic assessments required under section
3 1111(a)(2) as soon as is practicably possible after the
4 test is taken in an understandable and uniform for-
5 mat and, to the extent possible, provided in a lan-
6 guage that the parents and, to the greatest extent
7 practicable, family members, can understand;

8 “(3) participate, if selected, in State academic
9 assessments of student achievement in reading and
10 mathematics in grades 4 and 8 carried out under sec-
11 tion 303(b)(3) of the National Assessment of Edu-
12 cational Progress Authorization Act;

13 “(4) fulfill such agency’s school improvement re-
14 sponsibilities under section 1116;

15 “(5) ensure that migratory children who are eli-
16 gible to receive services under this part are selected to
17 receive such services on the same basis as other chil-
18 dren who are selected to receive services under this
19 part;

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

23 “(7) provide services to eligible children attend-
24 ing private elementary schools and secondary schools
25 in accordance with section 1119, and timely and

1 *meaningful consultation with private school officials*
2 *regarding such services;*

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

7 *“(9) in the case of a local educational agency*
8 *that chooses to use funds under the program under*
9 *this subpart and subpart 2 to provide early childhood*
10 *education services to low-income children below the*
11 *age of compulsory school attendance, ensure that such*
12 *services comply with the education performance*
13 *standards in effect under section 641A(a)(1)(B) of the*
14 *Head Start Act (42 U.S.C. 9836a(a)(1)(B));*

15 *“(10) comply with the requirements of section*
16 *1501 that relate to the local educational agency and*
17 *describe the local educational agency’s plan to ensure*
18 *such compliance;*

19 *“(11) comply with the requirements of subtitle B*
20 *of title VII of the McKinney-Vento Homeless Assist-*
21 *ance Act that relate to the local educational agency;*

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

1 “(13) annually submit to the State educational
2 agency, for each quartile of schools in the local edu-
3 cational agency based on school poverty level and for
4 high-minority schools and low-minority schools in the
5 local educational agency, data regarding the percent-
6 age and distribution of the following categories of
7 teachers:

8 “(A) Teachers who are new.

9 “(B) Teachers who have not completed a
10 teacher preparation program.

11 “(C) Teachers who are not teaching in the
12 subject or field for which the teacher is certified
13 or licensed.

14 “(D) Where applicable, teachers who have
15 the highest or lowest ratings in a professional
16 growth and improvement system.

17 “(f) PARENTAL NOTIFICATION REGARDING LANGUAGE
18 INSTRUCTION PROGRAMS.—

19 “(1) IN GENERAL.—Each local educational agen-
20 cy using funds under the program under this subpart
21 and subpart 2 to provide a language instruction edu-
22 cational program as defined in section 3201 shall, not
23 later than 30 days after the beginning of the school
24 year, inform a parent or parents of an English learn-

1 *er identified for participation or participating in,*
2 *such a program of—*

3 *“(A) the reasons for the identification of*
4 *their child as an English learner and in need of*
5 *placement in a language instruction educational*
6 *program;*

7 *“(B) the child’s level of English proficiency,*
8 *how such level was assessed, and the status of the*
9 *child’s academic achievement;*

10 *“(C) the methods of instruction used in the*
11 *program in which their child is, or will be, par-*
12 *ticipating, and the methods of instruction used*
13 *in other available programs, including how such*
14 *programs differ in content, instructional goals,*
15 *and the use of English and a native language in*
16 *instruction;*

17 *“(D) how the program in which their child*
18 *is, or will be, participating, will meet the edu-*
19 *cational strengths and needs of their child;*

20 *“(E) how such program will specifically*
21 *help their child learn English, and meet age-ap-*
22 *propriate academic achievement standards for*
23 *grade promotion and graduation;*

24 *“(F) the specific exit requirements for the*
25 *program, including the expected rate of transi-*

1 *tion from such program into classrooms that are*
2 *not tailored for English learners, and the ex-*
3 *pected rate of graduation from secondary school*
4 *for such program if funds provided under this*
5 *subpart or subpart 2 are used for children in sec-*
6 *ondary schools;*

7 *“(G) in the case of a child with a disability,*
8 *how such program meets the objectives of the in-*
9 *dividualized education program of the child; and*

10 *“(H) information pertaining to parental*
11 *rights that includes written guidance—*

12 *“(i) detailing—*

13 *“(I) the right that parents have to*
14 *have their child immediately removed*
15 *from such program upon their request;*
16 *and*

17 *“(II) the options that parents*
18 *have to decline to enroll their child in*
19 *such program or to choose another pro-*
20 *gram or method of instruction, if*
21 *available; and*

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

1 “(2) *NOTICE.*—*The notice and information pro-*
2 *vided in paragraph (1) to a parent or parents of a*
3 *child identified for participation in a language in-*
4 *struction educational program for English learners*
5 *shall be in an understandable and uniform format*
6 *and, to the extent practicable, provided in a language*
7 *that the parents can understand.*

8 “(3) *SPECIAL RULE APPLICABLE DURING THE*
9 *SCHOOL YEAR.*—*For those children who have not been*
10 *identified as English learners prior to the beginning*
11 *of the school year and who are subsequently so identi-*
12 *fied, the local educational agency shall notify the par-*
13 *ents of such children within the first 2 weeks of the*
14 *child being placed in a language instruction edu-*
15 *cational program consistent with paragraphs (1) and*
16 *(2).*

17 “(4) *PARENTAL PARTICIPATION.*—*Each local*
18 *educational agency receiving funds under the pro-*
19 *gram under this subpart and subpart 2 shall imple-*
20 *ment an effective means of outreach to parents and,*
21 *to the extent practicable, family members, of English*
22 *learner students to inform the parents and family*
23 *members regarding how the parents and family mem-*
24 *bers can be involved in the education of their chil-*
25 *dren, and be active participants in assisting their*

1 *children to attain English proficiency, achieve at high*
 2 *levels in core academic subjects, and meet college and*
 3 *career ready State student academic achievement*
 4 *standards and State academic content standards ex-*
 5 *pected of all students, including holding, and sending*
 6 *notice of opportunities for, regular meetings for the*
 7 *purpose of formulating and responding to rec-*
 8 *ommendations from parents and family members of*
 9 *students assisted under this subpart or subpart 2.*

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

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

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

16 *(1) in subsection (a)—*

17 *(A) by striking paragraph (3) and inserting*
 18 *the following:*

19 *“(3) RANKING ORDER.—*

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

1 “(i) annually rank, without regard to
2 grade spans, such agency’s eligible school at-
3 tendance areas in which the concentration
4 of children from low-income families exceeds
5 75 percent, or exceeds 50 percent in the case
6 of the high schools served by such agency,
7 from highest to lowest according to the per-
8 centage of children from low-income fami-
9 lies; and

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

12 “(B) *APPLICABILITY.*—A local educational
13 agency shall not be required to reduce, in order
14 to comply with subparagraph (A), the amount of
15 funding provided under the program under this
16 subpart and subpart 2 to elementary schools and
17 middle schools from the amount of funding pro-
18 vided under this part to such schools for the fis-
19 cal year preceding the date of enactment of the
20 *Strengthening America’s Schools Act of 2013* in
21 order to provide funding under such subparts to
22 high schools pursuant to subparagraph (A).”;

23 (B) by striking paragraph (5) and inserting
24 the following:

25 “(5) *MEASURES.*—

1 “(A) *IN GENERAL.*—*Except as provided in*
2 *subparagraph (B), the local educational agency*
3 *shall use the same measure of poverty, which*
4 *measure shall be the number of children ages 5*
5 *through 17 in poverty counted in the most recent*
6 *census data approved by the Secretary, the num-*
7 *ber of children eligible for free and reduced*
8 *priced lunches under the Richard B. Russell Na-*
9 *tional School Lunch Act (42 U.S.C. 1751 et*
10 *seq.), the number of children in families receiv-*
11 *ing assistance under the State program funded*
12 *under part A of title IV of the Social Security*
13 *Act (42 U.S.C. 601 et seq.), or the number of*
14 *children eligible to receive medical assistance*
15 *under the Medicaid program, or a composite of*
16 *such indicators, with respect to all school attend-*
17 *ance areas in the local educational agency—*

18 “(i) *to identify eligible school attend-*
19 *ance areas;*

20 “(ii) *to determine the ranking of each*
21 *area; and*

22 “(iii) *to determine allocations under*
23 *subsection (c).*

24 “(B) *LOW-INCOME FAMILIES IN SECONDARY*
25 *SCHOOLS.*—*For measuring the number of stu-*

1 *dents in low-income families in secondary*
 2 *schools, the local educational agency shall use the*
 3 *same measure of poverty, which shall be the cal-*
 4 *ulation producing the greater of the results from*
 5 *among the following 2 calculations:*

6 “(i) *The calculation described under*
 7 *subparagraph (A).*”

8 “(ii) *A feeder pattern described in sub-*
 9 *paragraph (C).*”

10 “(C) *FEEDER PATTERN.—In this para-*
 11 *graph, the term ‘feeder pattern’ means an accu-*
 12 *rate estimate of the number of students in low-*
 13 *income families in a secondary school that is cal-*
 14 *culated by applying the average percentage of*
 15 *students in low-income families of the elemen-*
 16 *tary school attendance areas as calculated under*
 17 *subparagraph (A) that feed into the secondary*
 18 *school to the number of students enrolled in such*
 19 *school.”; and*

20 *(C) by adding at the end the following:*

21 “(8) *RESERVATION FOR EARLY CHILDHOOD EDU-*
 22 *CATION.—A local educational agency may reserve*
 23 *funds made available to carry out this section for*
 24 *early childhood education in eligible school attendance*
 25 *areas before making allocations to high schools in eli-*

1 *gible school attendance areas pursuant to this sec-*
2 *tion.”;*

3 *(2) in subsection (b)(1)(D)(i), by striking “sec-*
4 *tion 1120A(c)” and inserting “section 1120(c)”;* and

5 *(3) in subsection (c)—*

6 *(A) by striking paragraph (3) and inserting*
7 *the following:*

8 *“(3) RESERVATION FOR HOMELESS CHILDREN*
9 *AND YOUTH AND OTHER AT-RISK CHILDREN.—*

10 *“(A) FUNDS FOR HOMELESS CHILDREN AND*
11 *YOUTH AND OTHER AT-RISK CHILDREN.—A local*
12 *educational agency shall reserve such funds as*
13 *are necessary under the program under this sub-*
14 *part and subpart 2 to serve—*

15 *“(i) homeless children who are attend-*
16 *ing any public school served by the local*
17 *educational agency, including providing*
18 *educationally related support services to*
19 *children in shelters and other locations*
20 *where children may live;*

21 *“(ii) children in local institutions for*
22 *neglected children;*

23 *“(iii) if appropriate, children in local*
24 *institutions for delinquent children, and ne-*

1 *glected or delinquent children in community*
2 *day programs; and*

3 *“(iv) children in foster care (as defined*
4 *in section 1502), including providing points*
5 *of contact (as described in section 1501(d))*
6 *in local educational agencies for child wel-*
7 *fare agencies and children in foster care.*

8 *“(B) RESERVATION OF FUNDS.—Notwith-*
9 *standing the requirements of subsections (b) and*
10 *(c) of section 1120, funds reserved under sub-*
11 *paragraph (A) may be used to provide homeless*
12 *children and youths with services not ordinarily*
13 *provided to other students under this part, in-*
14 *cluding—*

15 *“(i) providing funding for the liaison*
16 *designated pursuant to section*
17 *722(g)(1)(J)(ii) of the McKinney-Vento*
18 *Homeless Assistance Act;*

19 *“(ii) providing transportation pursu-*
20 *ant to section 722(g)(1)(J)(iii) of such Act;*

21 *“(iii) providing services to preschool-*
22 *aged homeless children and homeless sec-*
23 *ondary school students;*

24 *“(iv) providing support services to*
25 *homeless children and youths in shelters*

1 *and other locations where they may live;*
2 *and*

3 “(v) *removing barriers to homeless*
4 *children and youths’ enrollment, attendance,*
5 *retention, and success in school.*

6 “(C) *AMOUNT RESERVED.—The amount of*
7 *funds reserved in accordance with subparagraph*
8 *(A)(i) shall be determined by an assessment of*
9 *the needs of homeless children and youths in the*
10 *local educational agency. Such needs assessment*
11 *shall include the following:*

12 “(i) *Information related to child,*
13 *youth, and family homelessness in the local*
14 *educational agency obtained through the co-*
15 *ordination and collaboration required under*
16 *subsections (f)(4) and (g)(6) of section 722*
17 *of the McKinney-Vento Homeless Assistance*
18 *Act.*

19 “(ii) *The number of homeless children*
20 *and youths reported by the local educational*
21 *agency to the State educational agency*
22 *under section 722(f)(3) of the McKinney-*
23 *Vento Homeless Assistance Act for the pre-*
24 *vious school year.”; and*

1 (B) in paragraph (4), by striking “eligible
2 under this section and identified for school im-
3 provement, corrective action, and restructuring
4 under section 1116(b)” and inserting “identified
5 as a priority school under section 1116(d)”.

6 **SEC. 1114. SCHOOLWIDE PROGRAMS.**

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

8 (1) in subsection (a)—

9 (A) in paragraph (1), by adding at the end
10 the following: “Funds provided under the pro-
11 gram under this subpart and subpart 2 may be
12 used to support evidence-based activities that ad-
13 dress needs identified through the comprehensive
14 needs assessment under subsection (b)(1)(A) and
15 consistent with the schoolwide program.”;

16 (B) in paragraph (2)—

17 (i) in subparagraph (A)(ii), by strik-
18 ing “provide” and all that follows through
19 the period and inserting “identify par-
20 ticular services as supplemental.”; and

21 (ii) by striking subparagraph (B) and
22 inserting the following:

23 “(B) SUPPLEMENTAL FUNDS.—

24 “(i) IN GENERAL.—A local educational
25 agency serving a school participating in a

1 *schoolwide program shall use funds avail-*
2 *able to carry out this section only to supple-*
3 *ment the aggregate amount of funds that*
4 *would, in the absence of funds provided*
5 *under the program under this subpart and*
6 *subpart 2, be made available from State*
7 *and local sources for the school, including*
8 *funds needed to provide services that are re-*
9 *quired by law for children with disabilities*
10 *and children who are English learners.*

11 *“(ii) COMPLIANCE.—To demonstrate*
12 *compliance with clause (i), a local edu-*
13 *cational agency shall demonstrate that the*
14 *methodology it uses to allocate State and*
15 *local funds to each school receiving funds*
16 *under the program under this subpart and*
17 *subpart 2 ensures the school receives all of*
18 *the State and local funds the school would*
19 *otherwise receive if it were not receiving*
20 *funds under this part.*

21 *“(iii) NONAPPLICABILITY.—Section*
22 *1120(b) shall not apply to schools operating*
23 *schoolwide programs under this section.”;*
24 *(C) in paragraph (3)(B)—*

1 (i) by inserting “or” after “civil
2 rights,”; and

3 (ii) by striking “, services to private
4 school children, maintenance of effort, com-
5 parability of services, uses of Federal funds
6 to supplement, not supplant non-Federal
7 funds, or the distribution of funds to State
8 educational agencies or local educational
9 agencies”; and

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

12 “(4) *EXTERNAL PROVIDERS.*—A school may
13 carry out a schoolwide program under this subsection
14 through an external provider if the school dem-
15 onstrates, in the plan required under subsection
16 (b)(2), that the external provider has expertise in
17 using strategies and programs that are based on sci-
18 entifically valid research to improve teaching, learn-
19 ing, and schools.”;

20 (2) in subsection (b)—

21 (A) in paragraph (1)—

22 (i) in subparagraph (A)—

23 (I) by striking “section 1309(2)”
24 and inserting “section 1312”; and

1 (II) by striking “section
2 1111(b)(1)” and inserting “section
3 1111(a)(1)”; and

4 (ii) in subparagraph (B)—

5 (I) in clause (i), by striking “to
6 meet the State’s proficient and ad-
7 vanced levels of student academic
8 achievement described in section
9 1111(b)(1)(D)” and inserting “to be
10 proficient or advanced students, as de-
11 scribed in section
12 1111(a)(3)(B)(ii)(I)”;

13 (II) in clause (ii), by striking
14 “scientifically based research” and in-
15 serting “scientifically valid research”;
16 and

17 (III) in clause (iii)—

18 (aa) in subclause (I)—

19 (AA) in item (aa), by
20 striking “pupil services” and
21 inserting “specialized in-
22 structional support services”;

23 (BB) in item (bb), by
24 striking “and” after the
25 semicolon;

1 (CC) in item (cc), by
2 striking “vocational and
3 technical education pro-
4 grams; and” and inserting
5 “career and technical edu-
6 cation programs;”; and

7 (DD) by adding at the
8 end the following:

9 “(dd) implementation of
10 schoolwide positive behavioral interven-
11 tions and supports, including through
12 coordination with activities carried out
13 under the Individuals with Disabilities
14 Education Act, in order to improve
15 academic outcomes for students and re-
16 duce the need for suspensions, expul-
17 sions, and other actions that remove
18 students from instruction; and

19 “(ee) implementation of early in-
20 tervening services, including through
21 coordination with early intervening
22 services carried out under the Individ-
23 uals with Disabilities Education Act;”;
24 and

1 *(bb) in subclause (II), by*
2 *striking “and” after the semi-*
3 *colon; and*

4 *(cc) by adding at the end the*
5 *following:*

6 *“(III) provide a multi-tier system*
7 *of supports and positive behavioral*
8 *interventions and supports; and*

9 *“(IV) provide programs, activi-*
10 *ties, courses, and professional develop-*
11 *ment in the core academic subjects that*
12 *are targeted toward assisting children*
13 *described in subclause (I) in meeting*
14 *the academic content and student aca-*
15 *ademic achievement standards described*
16 *in section 1111(a)(1); and”;*

17 *(iii) in subparagraph (C), by inserting*
18 *“and highly rated” after “qualified”;*

19 *(iv) by striking subparagraphs (D)*
20 *and (F);*

21 *(v) by redesignating subparagraphs*
22 *(E), (G), (H), (I), and (J) as subpara-*
23 *graphs (D), (E), (F), (G), and (H), respec-*
24 *tively;*

1 (vi) in subparagraph (D), as redesign-
2 nated by clause (v), by inserting “and high-
3 ly rated” after “qualified”;

4 (vii) in subparagraph (E), as redesign-
5 nated by clause (v), by striking “, Even
6 Start, Early Reading First,” and inserting
7 “, programs under part A of title IV,”;

8 (viii) in subparagraph (F), as redesign-
9 nated by clause (v), by striking “section
10 1111(b)(3)” and inserting “section
11 1111(a)(2)”; and

12 (ix) in subparagraph (G), as redesign-
13 nated by clause (v), by striking “students
14 who experience difficulty mastering the pro-
15 ficient or advanced levels of academic
16 achievement standards required by section
17 1111(b)(1)” and inserting “students de-
18 scribed in subclause (II) or (III) of section
19 1111(a)(3)(B)(ii)”; and

20 (B) in paragraph (2)—

21 (i) in subparagraph (A)—

22 (I) in the matter preceding clause
23 (i), by striking “No Child Left Behind
24 Act of 2001), in consultation with the
25 local educational agency and its school

1 *support team or other technical assist-*
2 *ance provider under section 1117,” and*
3 *inserting “Strengthening America’s*
4 *Schools Act of 2013), in consultation*
5 *with the local educational agency,”;*
6 *and*

7 *(II) in clause (iv), by striking*
8 *“section 1111(b)(3)” and inserting*
9 *“section 1111(a)(2)”;* and

10 *(ii) in subparagraph (B)—*

11 *(I) in clause (i)—*

12 *(aa) in subclause (I), by*
13 *striking “, after considering the*
14 *recommendation of the technical*
15 *assistance providers under section*
16 *1117,”;* and

17 *(bb) in subclause (II), by*
18 *striking “the No Child Left Be-*
19 *hind Act of 2001” and inserting*
20 *“the Strengthening America’s*
21 *Schools Act of 2013”;*

22 *(II) in clause (ii), by striking*
23 *“pupil services personnel” and insert-*
24 *ing “specialized instructional support*
25 *personnel”;* and

1 (III) in clause (v), by striking
2 “Reading First, Early Reading First,
3 Even Start,” and inserting “part A of
4 title IV,”; and

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

8 **SEC. 1115. TARGETED ASSISTANCE SCHOOLS.**

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

10 (1) in subsection (b)—

11 (A) in paragraph (1)(B)—

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

14 (ii) by striking “except that” and all
15 that follows through the period at the end
16 and inserting “including children who are
17 at risk of failing to be ready for elementary
18 school.”; and

19 (B) in paragraph (2)—

20 (i) in subparagraph (A), by striking
21 “or limited English proficient children”
22 and inserting “, or English learners”; and

23 (ii) by striking subparagraph (B) and
24 inserting the following:

1 “(B) *HEAD START OR LITERACY PRO-*
2 *GRAMS.—A child who, at any time in the 2*
3 *years preceding the year for which the deter-*
4 *mination is made, participated in a Head Start*
5 *program, a program under part A of title IV, or*
6 *in preschool services under this title, is eligible*
7 *for services under this part.”;*

8 (2) *in subsection (c)—*

9 (A) *in paragraph (1)—*

10 (i) *in the matter preceding subpara-*
11 *graph (A), by striking “challenging” and*
12 *inserting “college and career ready”;*

13 (ii) *in subparagraph (A), by striking*
14 *“challenging” and inserting “college and ca-*
15 *reer ready”;*

16 (iii) *in subparagraph (C)—*

17 (I) *in the matter preceding clause*
18 *(i), by striking “scientifically based re-*
19 *search” and inserting “scientifically*
20 *valid research”;*

21 (II) *in clause (ii), by striking*
22 *“and” after the semicolon; and*

23 (III) *by adding at the end the fol-*
24 *lowing:*

1 “(iv) may include a multi-tier system
2 of supports and positive behavioral inter-
3 ventions and supports; and

4 “(v) may include support for pro-
5 grams, activities, courses, and professional
6 development in the core academic subjects
7 that are targeted toward participating chil-
8 dren selected in accordance with subsection
9 (b) to enable such children to meet the aca-
10 demic content and student academic
11 achievement standards described in section
12 1111(a);”;

13 (iv) in subparagraph (D), by striking
14 “Even Start, Early Reading First” and in-
15 sserting “programs under part A of title
16 IV,”;

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

19 (vi) in subparagraph (F)—

20 (I) by striking “subsection (e)(3)
21 and section 1119” and inserting “sec-
22 tion 1117”; and

23 (II) by striking “pupil services
24 personnel” and inserting “specialized
25 instructional support personnel”; and

1 (B) in paragraph (2)—

2 (i) in the matter preceding subpara-
 3 graph (A), by striking “meet the State’s
 4 proficient and advanced levels of achieve-
 5 ment” and inserting “be proficient or ad-
 6 vanced students, as determined under sec-
 7 tion 1111(a)(3)(B)(ii)(I)”; and

8 (ii) in subparagraph (B), by striking
 9 “challenging” and inserting “college and ca-
 10 reer ready”; and

11 (3) in subsection (e)—

12 (A) in paragraph (2)(B)(iii), by striking
 13 “pupil services personnel” and inserting “spe-
 14 cialized instructional support personnel”; and

15 (B) in paragraph (3), by striking “section
 16 1119” and inserting “section 1117”.

17 **SEC. 1116. SCHOOL PERFORMANCE.**

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

20 **“SEC. 1116. SCHOOL PERFORMANCE.**

21 **“(a) SCHOOL ACCOUNTABILITY AND IMPROVEMENT**
 22 **SYSTEM.—**

23 **“(1) IN GENERAL.—**Each State receiving a grant
 24 **under the program under this subpart and subpart 2**

1 *shall establish a school accountability and improve-*
2 *ment system that—*

3 *“(A) is part of the accountability system re-*
4 *quired under section 1111(a)(3) and implements*
5 *the requirements of such system;*

6 *“(B) supports schools that are not meeting*
7 *the State’s performance targets under section*
8 *1111(a)(3)(C) for all students; and*

9 *“(C) identifies the public elementary schools*
10 *and secondary schools in the State that will need*
11 *local interventions under subsection (b), that are*
12 *focus schools under subsection (c), and that are*
13 *priority schools under subsection (d), and the*
14 *processes to be used to improve schools in each*
15 *category, in accordance with this section and sec-*
16 *tion 2123(b)(2).*

17 *“(2) REVIEW AND APPROVAL.—The State shall*
18 *include information describing the school account-*
19 *ability and improvement system in the State plan*
20 *under section 1111(b), which shall be subject to peer*
21 *review and approval by the Secretary as part of the*
22 *State plan, in accordance with such section.*

23 *“(b) LOCAL INTERVENTIONS; REPORTING.—*

24 *“(1) LOCAL INTERVENTIONS.—Beginning in the*
25 *2015–2016 school year, each local educational agency*

1 *receiving a subgrant under the program under this*
2 *subpart and subpart 2 shall—*

3 “(A) *identify each school that, after 2 con-*
4 *secutive years, has not met the same performance*
5 *target described in section 1111(a)(3)(C) for the*
6 *same subgroup described in section*
7 *1111(a)(3)(D); and*

8 “(B) *ensure that such school, in collabora-*
9 *tion with the local educational agency, develops*
10 *and implements a locally designed intervention*
11 *to improve student achievement in each such*
12 *subgroup.*

13 “(2) *REPORTING.—Each local educational agen-*
14 *cy that implements locally designed interventions*
15 *under paragraph (1) to support schools that have not*
16 *met performance targets for a subgroup will report to*
17 *the State educational agency regarding the resources*
18 *and interventions used to address the achievement of*
19 *students in the subgroup, and the outcomes of those*
20 *efforts. The State educational agency shall annually*
21 *select the interventions with exemplary outcomes,*
22 *share such interventions and outcomes with the pub-*
23 *lic, and communicate such interventions and out-*
24 *comes to the Secretary.*

1 “(3) *LACK OF IMPROVEMENT.*—*Each school*
2 *served under the program under this subpart that has*
3 *been identified as a school that has not met the same*
4 *subgroup performance target, as described in para-*
5 *graph (1), for the preceding 3 consecutive years shall*
6 *work with the State educational agency to implement*
7 *a State-approved intervention based on established*
8 *best practices within State.*

9 “(c) *FOCUS SCHOOLS.*—

10 “(1) *IDENTIFICATION.*—*Beginning in the 2015–*
11 *2016 school year, a State shall identify as a focus*
12 *school, for the 3-year period following the school’s*
13 *identification period (except as provided in para-*
14 *graph (4))—*

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

16 “(i) *is not identified as a priority*
17 *school under subsection (d); and*

18 “(ii) *is in the 10 percent of all public*
19 *schools in the State with the greatest*
20 *achievement gaps among the subgroups de-*
21 *scribed in section 1111(a)(3)(D) as com-*
22 *pared to the statewide average, as deter-*
23 *mined by the State academic assessments*
24 *under section 1111(a)(2); and*

1 “(B) each public high school in the State
2 that—

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

5 “(ii) is in the 10 percent of such
6 schools with the greatest graduation rate
7 gaps among such subgroups as compared to
8 the statewide averages.

9 “(2) *IMPROVEMENT STRATEGIES.*—For each
10 focus school identified under paragraph (1), the local
11 educational agency serving the school shall, in accord-
12 ance with the State accountability system described
13 in section 1111(a)(3), develop and implement a meas-
14 urable and data-driven correction plan to improve the
15 performance of low-achieving subgroups in the school
16 in order to close achievement gaps. A correction plan
17 under this paragraph shall be developed with input
18 from teachers, parents, community members, and
19 other stakeholders.

20 “(3) *STATE WAIVER.*—If a State determines that
21 all schools that would otherwise be considered to be
22 the lowest-achieving 10 percent of schools with the
23 greatest achievement gap, or graduation rate gap,
24 under paragraph (1), are actually performing at a
25 satisfactory level of performance, the State may apply

1 to the Secretary to waive the requirements of this sub-
2 section with respect to such schools.

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

7 “(A) at any time during the 3-year period
8 for which a school is so identified, the school has
9 met all of its performance targets as described in
10 section 1111(a)(3)(C) for the school year; or

11 “(B) after 2 years of the 3-year period, the
12 State determines, based on the most current
13 data, that the school’s rate of improvement is
14 sufficient to enable the school to meet all of the
15 school’s performance targets by the end of the 3-
16 year period.

17 “(d) *PRIORITY SCHOOLS.*—

18 “(1) *IDENTIFICATION.*—

19 “(A) *IN GENERAL.*—Beginning in the 2015–
20 2016 school year, a State shall identify as a pri-
21 ority school, for the 3-year period following the
22 school’s identification (except as provided in
23 paragraph (5))—

1 “(i) each school served under this sub-
2 part in the State that is in the lowest-
3 achieving 5 percent of elementary schools;

4 “(ii) each school served under this sub-
5 part in the State that is in the lowest-
6 achieving 5 percent of secondary schools;

7 “(iii) each public high school in the
8 State with a graduation rate of less than 60
9 percent; and

10 “(iv) each school served under this sub-
11 part that has been identified as a focus
12 school under subsection (c) for the 6 pre-
13 ceding consecutive years.

14 “(B) STATE WAIVER.—If a State determines
15 that all schools that would otherwise be consid-
16 ered to be the lowest-achieving 5 percent of
17 schools under clause (i) or (ii) of subparagraph
18 (A), are actually performing at a satisfactory
19 level of performance based on the measures used
20 by the State to identify priority schools, the
21 State may apply to the Secretary to waive the
22 requirements of this paragraph, and paragraphs
23 (2) through (5), for such schools.

24 “(2) NEEDS ANALYSIS.—Each local educational
25 agency receiving assistance under the program under

1 *this subpart and subpart 2 shall conduct a data-driv-*
2 *en needs analysis, which may involve an external*
3 *partner with expertise in conducting such needs anal-*
4 *ysis, of each school identified as a priority school, as*
5 *the case may be, to determine the most appropriate*
6 *school improvement strategies to improve student per-*
7 *formance. Such needs analysis shall include—*

8 *“(A) a diagnostic review of data related to*
9 *students and instructional staff;*

10 *“(B) an analysis of the school governance,*
11 *curriculum, instruction, student supports, condi-*
12 *tions for learning, and parent and family en-*
13 *gagement practices relative to the needs of the*
14 *student population;*

15 *“(C) the resources, which may include com-*
16 *munity-based supports and early childhood edu-*
17 *cation, available at the school, local educational*
18 *agency, and community levels to meet student*
19 *needs and support improved student achievement*
20 *and outcomes and the implementation of any*
21 *school improvement strategy; and*

22 *“(D) an analysis of the school’s current use*
23 *of time and an assessment of how much student,*
24 *teacher, principal, and staff time will be re-*
25 *quired to meet student needs and support im-*

1 *proved student achievement and outcomes and*
2 *the implementation of any school improvement*
3 *strategy, including consideration of whether in-*
4 *creased learning time is necessary to ensure suc-*
5 *cessful implementation.*

6 “(3) *STATE AND LOCAL RESPONSIBILITIES FOR*
7 *IDENTIFIED SCHOOLS.—*

8 “(A) *STATE RESPONSIBILITIES.—Each*
9 *State receiving a grant under the program under*
10 *this subpart and subpart 2 shall ensure that a*
11 *local educational agency receiving assistance*
12 *under such program carries out the requirements*
13 *of subparagraph (B) for each school identified as*
14 *a priority school under paragraph (1) in the*
15 *State.*

16 “(B) *LOCAL EDUCATIONAL AGENCY RESPON-*
17 *SIBILITIES.—Each local educational agency re-*
18 *ceiving assistance under the program under this*
19 *subpart and subpart 2 shall, consistent with the*
20 *State’s accountability system under section*
21 *1111(a)(3)—*

22 “(i) *establish a process for selecting an*
23 *appropriate school improvement strategy for*
24 *each school described in subparagraph (A)*

1 *that is served by the local educational agen-*
2 *cy;*

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 school;*

7 “(iii) *develop a detailed budget cov-*
8 *ering the 3-year identification period, in-*
9 *cluding planned expenditures at the school*
10 *level for activities supporting full and effec-*
11 *tive implementation of the selected school*
12 *improvement strategy;*

13 “(iv) *implement a school improvement*
14 *strategy at the school in accordance with the*
15 *requirements of paragraph (4);*

16 “(v) *use appropriate measures to mon-*
17 *itor the effectiveness of the implementation;*

18 “(vi) *review and select turnaround*
19 *partners to assist in implementing school*
20 *improvement strategies;*

21 “(vii) *align other Federal, State, and*
22 *local resources with the school improvement*
23 *strategy;*

24 “(viii) *provide the school with the*
25 *operational flexibility, including autonomy*

1 *over staffing, time, and budget, needed to*
2 *enable full and effective implementation of*
3 *the selected strategy, including through the*
4 *modification of practices or policies, if nec-*
5 *essary;*

6 *“(ix) collect and use data on an ongo-*
7 *ing basis to adjust implementation of the*
8 *school improvement strategy to improve stu-*
9 *dent achievement;*

10 *“(x) provide an assurance that the im-*
11 *plementation of the selected school improve-*
12 *ment strategy addresses the needs of all the*
13 *subgroups of students described in section*
14 *1111(a)(3)(D) in the school;*

15 *“(xi) take steps to sustain successful re-*
16 *forms and practices after the school is no*
17 *longer identified as a priority school;*

18 *“(xii) provide technical assistance and*
19 *other support to ensure students graduate*
20 *from high school college and career ready,*
21 *as determined by the State’s academic con-*
22 *tent standards under section 1111(a)(1),*
23 *through the effective implementation of the*
24 *school improvement strategy in the school,*
25 *which—*

- 1 “(I) may include assistance in—
2 “(aa) data collection and
3 analysis;
4 “(bb) recruiting and retain-
5 ing staff;
6 “(cc) teacher and principal
7 evaluation;
8 “(dd) professional develop-
9 ment;
10 “(ee) parent and family en-
11 gagement;
12 “(ff) coordination of services
13 with high-quality early childhood
14 education providers;
15 “(gg) coordination of services
16 to address students’ social, emo-
17 tional, and health needs;
18 “(hh) increasing learning
19 time;
20 “(ii) coordination of services
21 with institutions of higher edu-
22 cation to facilitate the implemen-
23 tation of dual enrollment pro-
24 grams and early college high
25 schools; and

1 “(jj) monitoring the imple-
2 mentation of the school improve-
3 ment strategy selected under para-
4 graph (4); and

5 “(II) shall include assistance in
6 the implementation of schoolwide posi-
7 tive behavior supports, school-based
8 mental health programs, and other ap-
9 proaches with evidence of effectiveness,
10 for improving the learning environ-
11 ment in the school and reducing the
12 need for suspensions, expulsions, and
13 other actions that remove students from
14 instruction, including effective strate-
15 gies for improving coordination of
16 community resources;

17 “(xiii) establish partnerships with em-
18 ployers, institutions of higher education,
19 service providers, and others to assist in im-
20 plementing school improvement strategies
21 described in paragraph (4); and

22 “(xiv) review school discipline and cli-
23 mate data, disaggregated by each subgroup
24 described in section 1111(a)(3)(D), in as-
25 sessing the needs of the school and, if low-

1 *achieving subgroups receive a dispropor-*
2 *tionate amount of suspensions, expulsions,*
3 *or other forms of exclusionary discipline,*
4 *incorporate evidence-based strategies to re-*
5 *duce out-of-classroom punishment and pro-*
6 *mote student engagement in the school’s im-*
7 *provement plan.*

8 “(C) *STATE AS LOCAL EDUCATIONAL AGEN-*
9 *CY.—If a school identified as a priority school*
10 *under this subsection for a 3-year identification*
11 *period is re-identified as a priority school for the*
12 *subsequent 3-year period, the State may take*
13 *over the school and act as the local educational*
14 *agency for purposes of this subsection, if per-*
15 *mitted under State law.*

16 “(4) *SCHOOL IMPROVEMENT STRATEGIES.—*

17 “(A) *REQUIRED ACTIVITIES FOR ALL*
18 *SCHOOL IMPROVEMENT STRATEGIES.—A local*
19 *educational agency implementing any strategies*
20 *under this paragraph for a school shall—*

21 “(i) *provide staff at the school with on-*
22 *going professional development, consistent*
23 *with the needs analysis described in para-*
24 *graph (2);*

1 “(ii) conduct regular evaluations for
2 the teachers and principals at the school
3 that provide specific feedback on areas of
4 strength and in need of improvement;

5 “(iii) provide time for collaboration
6 among instructional staff at the school to
7 improve student achievement;

8 “(iv) provide instructional staff at the
9 school with timely access to student data to
10 inform instruction and meet the academic
11 needs of individual students, which may in-
12 clude, in elementary school, school readiness
13 data;

14 “(v) collaborate with parents and fam-
15 ilies, the community, teachers, other school
16 personnel at the school, and representatives
17 of Indian tribes located in the area served
18 by the local educational agency, on the se-
19 lection and implementation of the strategy;

20 “(vi) use data to identify and imple-
21 ment a research-based instructional pro-
22 gram that—

23 “(I) analyzes student progress and
24 performance and develops appropriate

1 *interventions for students who are not*
2 *making adequate progress;*

3 *“(II) provides differentiated in-*
4 *struction and related instructional*
5 *supports; and*

6 *“(III) meets the unique cultural,*
7 *language, and educational needs of all*
8 *students served by such school;*

9 *“(vii) in the case of an elementary*
10 *school with kindergarten entry—*

11 *“(I) examine factors that con-*
12 *tribute to school readiness as part of*
13 *the needs analysis conducted under*
14 *paragraph (2);*

15 *“(II) coordinate with appropriate*
16 *high-quality early childhood programs,*
17 *such as programs under the Child Care*
18 *Development and Block Grant Act of*
19 *1990 (42 U.S.C. 9858 et seq.), the*
20 *Head Start Act (42 U.S.C. 9801 et*
21 *seq.), prekindergarten programs, and*
22 *other similar Federal, State, and local*
23 *programs, in order to align instruction*
24 *to better prepare students for elemen-*
25 *tary school; and*

1 “(III) develop a plan to improve
2 or expand high-quality early childhood
3 options which may include the use of
4 funds under the program under this
5 subpart and subpart 2 for such pur-
6 poses;

7 “(viii) provide ongoing mechanisms for
8 parent and family engagement;

9 “(ix) provide appropriate services and
10 evidence-based, integrated supports for stu-
11 dents as identified in the school’s needs
12 analysis;

13 “(x) describe, in a report to the State
14 educational agency and made available to
15 the public upon request, how the local edu-
16 cational agency or school will adopt and
17 implement policies or practices to develop,
18 implement, improve, or expand positive be-
19 havioral interventions and supports, early
20 intervening services, and school-based men-
21 tal health programs in accordance with the
22 requirements of clauses (xi) through (xiv);

23 “(xi)(I) review and analyze the school’s
24 efforts to address behavioral or disciplinary
25 problems; and

1 “(II) assist the school in developing,
2 expanding, or improving the use of
3 schoolwide positive behavioral interventions
4 and supports that are aligned with activi-
5 ties carried out under the Individuals with
6 Disabilities Education Act;

7 “(xii) review and analyze the school’s
8 efforts to identify and assist students with
9 poor academic achievement and students
10 who are children with disabilities, and as-
11 sist the school in developing, implementing,
12 or improving early intervening services that
13 are coordinated with activities carried out
14 under the Individuals with Disabilities
15 Education Act;

16 “(xiii) review the number of discipline
17 incidents in the school and use that infor-
18 mation to assist the school to implement
19 schoolwide positive behavioral interventions
20 and supports or other early intervening
21 services, or both; and

22 “(xiv) review and analyze the school’s
23 efforts to address mental health needs
24 among students and assist the school in de-
25 veloping or improving school-based mental

1 *health programs that are coordinated with*
2 *activities carried out under the Individuals*
3 *with Disabilities Education Act.*

4 “(B) *STRATEGIES.*—A local educational
5 agency shall identify a school improvement strat-
6 egy for a school identified as a priority school
7 under paragraph (1) from among the following
8 strategies:

9 “(i) *TRANSFORMATION STRATEGY.*—A
10 local educational agency implementing a
11 transformation strategy in a school shall—

12 “(I) *replace the principal, if the*
13 *principal has served in that role at the*
14 *school for more than 2 years, with a*
15 *principal who has a demonstrated*
16 *record of success in increasing student*
17 *achievement and—*

18 “(aa) *training or experience*
19 *in raising student achievement; or*

20 “(bb) *training or experience*
21 *in turning around low-performing*
22 *schools;*

23 “(II) *require existing instruc-*
24 *tional staff and school leadership to re-*
25 *apply for their positions;*

1 “(III) require that all instruc-
2 tional staff and school leadership hir-
3 ing be done at the school through mu-
4 tual consent; and

5 “(IV) establish schedules and im-
6 plement strategies that provide in-
7 creased learning time.

8 “(ii) *TURNAROUND STRATEGY*.—A
9 local educational agency implementing a
10 turnaround model as a strategy for a school
11 shall—

12 “(I) replace the principal, if the
13 principal has served in that role at the
14 school for more than 2 years, with a
15 principal who has the demonstrated
16 record of success and the training or
17 experience described in item (aa) or
18 (bb) of clause (i)(I);

19 “(II) screen all teachers in the
20 school and retain not more than 65
21 percent of them; and

22 “(III) establish schedules and im-
23 plement strategies that provide in-
24 creased learning time.

1 “(iii) *WHOLE SCHOOL REFORM STRAT-*
2 *EGY.—A local educational agency imple-*
3 *menting a whole school reform strategy for*
4 *a school shall implement an evidence-based*
5 *strategy that ensures whole school reform.*
6 *The strategy shall be undertaken in partner-*
7 *ship with an external provider offering a*
8 *school reform program that is based on at*
9 *least a moderate level of evidence that the*
10 *program will have a statistically significant*
11 *effect on student outcomes, including more*
12 *than 1 well-designed or well-implemented*
13 *experimental or quasi-experimental study.*

14 “(iv) *RESTART STRATEGY.—A local*
15 *educational agency implementing a restart*
16 *strategy in a school shall carry out the fol-*
17 *lowing:*

18 “(I)(aa) *Convert the school into a*
19 *public charter school, or close and re-*
20 *open the school as a public charter*
21 *school in partnership with a nonprofit*
22 *charter school operator, a nonprofit*
23 *charter management organization, or a*
24 *nonprofit education management orga-*
25 *nization, that has a demonstrated*

1 *record of improving student achieve-*
2 *ment for students similar to those*
3 *served by the school; or*

4 *“(bb) convert the school to a mag-*
5 *net school or create a new, innovative*
6 *school, as defined by the State.*

7 *“(II) Ensure that the new*
8 *school—*

9 *“(aa) serves the grade levels*
10 *as the original school for which*
11 *the strategy is being implemented;*
12 *and*

13 *“(bb) enrolls any former stu-*
14 *dent of the original school who re-*
15 *quests to attend the school and*
16 *then, after all such students are*
17 *enrolled, admits additional stu-*
18 *dents, using a random lottery sys-*
19 *tem if more students apply for ad-*
20 *mission than can be accommo-*
21 *dated.*

22 *“(v) SCHOOL CLOSURE STRATEGY.—A*
23 *local educational agency implementing a*
24 *school closure strategy for a school—*

1 “(I) shall close the school and en-
2 roll the students who attended the
3 school in other schools, including char-
4 ter schools, served by the local edu-
5 cational agency that are within rea-
6 sonable proximity to the closed school,
7 as determined by the local educational
8 agency, and that are higher-performing
9 than the school that is being closed;

10 “(II) shall provide transportation,
11 or shall pay for the provision of trans-
12 portation, for each such student to the
13 student’s new school, consistent with
14 State law and local educational agency
15 policy;

16 “(III) shall provide information
17 about high-quality educational options,
18 as well as transition and support serv-
19 ices to students, who attended the
20 closed school and the students’ parents;
21 and

22 “(IV) may use school improve-
23 ment funds provided under subsection
24 (f) to pay for the expenses of—

1 “(aa) *transitioning students*
2 *from the school that is being*
3 *closed to the new school;*

4 “(bb) *supporting the new*
5 *school; and*

6 “(cc) *expanding and offering*
7 *student supports and services*
8 *within the new school, which may*
9 *include high-quality prekindergarten*
10 *programs and services.*

11 “(C) *FLEXIBILITY.*—

12 “(i) *FLEXIBILITY FOR CERTAIN LOCAL*
13 *EDUCATIONAL AGENCIES.*—*Notwithstanding*
14 *any other provision of this paragraph—*

15 “(I) *a local educational agency*
16 *that is eligible for services under sub-*
17 *part 1 or 2 of part B of title VI, as de-*
18 *termined by the Secretary, may modify*
19 *not more than 1 of the elements or ac-*
20 *tivities required under subparagraph*
21 *(A) of a school improvement strategy*
22 *selected for a school identified under*
23 *paragraph (4) in order to better meet*
24 *the needs of students in such school;*
25 *and*

1 “(II) a State educational agency
2 may apply to the Secretary for a waiv-
3 er of clauses (i)(I) and (ii)(I) of sub-
4 paragraph (B).

5 “(ii) STATE FLEXIBILITY.—Notwith-
6 standing any other provision of this para-
7 graph, a State educational agency may,
8 with the approval of the Secretary, establish
9 an alternative State-determined, evidence-
10 based, school improvement strategy that
11 may be used by local educational agencies
12 in the State in addition to the strategies de-
13 scribed in subparagraph (B), except that
14 funds provided under this title shall not be
15 used for school vouchers.

16 “(D) PUBLIC SCHOOL CHOICE.—

17 “(i) IN GENERAL.—In addition to the
18 requirements of subparagraph (A) and the
19 school improvement strategy determined
20 under subparagraph (B) or (C)(ii), a local
21 educational agency shall, not later than 3
22 months before the first day of the school
23 year following identification as a priority
24 school under paragraph (1), provide all stu-
25 dents enrolled in the identified school with

1 *the option to transfer to another public*
2 *school served by the local educational agen-*
3 *cy that has not been identified under such*
4 *paragraph, unless such an option is prohib-*
5 *ited by State law.*

6 “(ii) *PRIORITY.*—*In providing stu-*
7 *dents the option to transfer to another pub-*
8 *lic school, the local educational agency shall*
9 *give priority to the lowest-achieving chil-*
10 *dren from low-income families, as deter-*
11 *mined by the local educational agency for*
12 *the purposes of allocating funds to schools*
13 *under section 1113(a)(3).*

14 “(iii) *TREATMENT.*—*Students who use*
15 *the option to transfer to another public*
16 *school shall be enrolled in classes and other*
17 *activities in the public school to which the*
18 *students transfer in the same manner as all*
19 *other children at the public school.*

20 “(iv) *SPECIAL RULE.*—*A local edu-*
21 *cational agency shall permit a child who*
22 *transfers to another public school under this*
23 *subparagraph to remain in that school until*
24 *the child has completed the highest grade in*
25 *such school.*

1 “(5) *IMPROVEMENT.*—

2 “(A) *IN GENERAL.*—*The State educational*
3 *agency shall no longer identify a school that has*
4 *been identified as a priority school for any re-*
5 *mainder of the school’s 3-year identification pe-*
6 *riod if—*

7 “(i) *after 2 years of the 3-year period*
8 *for which a school is identified as a priority*
9 *school under paragraph (1), the school has*
10 *met all of the school’s performance targets*
11 *as described in section 1111(a)(3)(C); or*

12 “(ii) *after 2 years of the 3-year period,*
13 *the State determines, based on the most cur-*
14 *rent data, that the school’s rate of improve-*
15 *ment is sufficient to enable the school to*
16 *meet all of the school’s performance targets*
17 *by the end of the 3-year period.*

18 “(B) *CONTINUED ELIGIBILITY FOR SCHOOL*
19 *IMPROVEMENT FUNDS.*—*If an eligible entity, as*
20 *defined in subsection (f)(1), was receiving school*
21 *improvement funds under subsection (f) for a*
22 *school that improves as described in subpara-*
23 *graph (A), the eligible entity shall continue to re-*
24 *ceive such grant funds, and use such funds to*

1 *carry out the grant activities in such school, for*
2 *the full period of such grant.*

3 “(6) *REPEATED CLASSIFICATION AS A PRIORITY*
4 *SCHOOL.—*

5 “(A) *IN GENERAL.—For each public school*
6 *that is identified as a priority school under*
7 *paragraph (1) for any portion of a 3-year period*
8 *and is re-identified under such paragraph for the*
9 *subsequent time period, the local educational*
10 *agency shall carry out the requirements of this*
11 *subsection for such subsequent period by imple-*
12 *menting, with respect to such school, the restart*
13 *strategy or school closure strategy under clause*
14 *(iv) or (v) of paragraph (4)(B).*

15 “(B) *SPECIAL RULE.—Notwithstanding sub-*
16 *paragraph (A), a local educational agency serv-*
17 *ing a school described in such paragraph may,*
18 *in coordination with the State educational agen-*
19 *cy and based on a community needs assessment,*
20 *apply to the Secretary for a waiver to implement*
21 *another school improvement model not previously*
22 *used by the local educational agency for the*
23 *school.*

24 “(e) *REPORT ON PROFESSIONAL DEVELOPMENT*
25 *FUNDS FOR PRIORITY SCHOOLS.—Each local educational*

1 *agency that receives subgrant funds under the program*
 2 *under this subpart and subpart 2 shall prepare and submit*
 3 *a report to the State educational agency, at the end of each*
 4 *school year, regarding—*

5 “(1) *the local educational agency’s use of funds*
 6 *for professional development, as required under sec-*
 7 *tion 2123(b)(2), in schools identified as priority*
 8 *schools under subsection (d) that did not receive funds*
 9 *under subsection (f); and*

10 “(2) *any changes in, or effects on, student per-*
 11 *formance at such schools during such school year.*

12 “(f) *SCHOOL IMPROVEMENT FUNDS.—*

13 “(1) *DEFINITIONS.—In this subsection:*

14 “(A) *ELIGIBLE ENTITY.—the term ‘eligible*
 15 *entity’ means—*

16 “(i) *a State educational agency that is*
 17 *operating a statewide recovery school dis-*
 18 *trict;*

19 “(ii) *a local educational agency that*
 20 *receives funds under the program under this*
 21 *subpart and subpart 2 and serves at least 1*
 22 *eligible school;*

23 “(iii) *a consortium of such local edu-*
 24 *cational agencies; or*

1 “(iv) an educational service agency
2 that serves at least 1 local educational agen-
3 cy described in clause (ii).

4 “(B) *ELIGIBLE SCHOOL*.—The term ‘eligible
5 school’ means a school identified as a priority
6 school under subsection (d).

7 “(2) *ALLOTMENTS TO STATES*.—

8 “(A) *IN GENERAL*.—From the funds made
9 available to carry out this subsection under sec-
10 tion 3(a)(2) for a fiscal year, the Secretary shall
11 provide States that submit an application de-
12 scribed in paragraph (3) with school improve-
13 ment funds through an allotment, as determined
14 under subparagraph (B) and in addition to the
15 amounts made available to States under subpart
16 2, to enable the States to award subgrants and
17 carry out the activities described in this sub-
18 section to assist eligible schools.

19 “(B) *ALLOTMENTS TO STATES*.—From the
20 funds made available to carry out this subsection
21 under section 3(a)(2) for a fiscal year, the Sec-
22 retary shall allot to each State with an approved
23 application an amount that bears the same rela-
24 tion to such funds as the amount that the State
25 received under subpart 2 for the preceding fiscal

1 year bears to the amount that all States receive
2 under such subpart for such fiscal year.

3 “(3) STATE APPLICATION.—A State that desires
4 to receive school improvement funds under this sub-
5 section shall submit an application to the Secretary
6 at such time, in such manner, and accompanied by
7 such information as the Secretary may require. Each
8 application shall include a description of—

9 “(A) the process and the criteria that the
10 State will use to award subgrants under para-
11 graph (5)(A)(i);

12 “(B) the process and the criteria the State
13 will use to determine whether the eligible entity’s
14 proposal for each eligible school meets the re-
15 quirements of paragraphs (2) and (4), and sub-
16 paragraphs (A) and (B) of paragraph (3), of
17 subsection (d);

18 “(C) how the State will ensure geographic
19 diversity in making subgrants;

20 “(D) how the State will set priorities in
21 awarding subgrants to eligible entities;

22 “(E) how the State will monitor and evalu-
23 ate the implementation of school improvement
24 strategies by eligible entities, including how the
25 State will use the results of the evaluation to im-

1 *prove State strategies for supporting schools*
2 *identified under subsection (d); and*

3 “(F) *how the State will reduce barriers for*
4 *schools in the implementation of school improve-*
5 *ment strategies, including operational flexibility*
6 *that would enable complete implementation of*
7 *the selected school improvement strategy.*

8 “(4) *STATE ADMINISTRATION AND TECHNICAL*
9 *ASSISTANCE.—A State that receives an allotment*
10 *under this subsection may reserve not more than a*
11 *total of 5 percent of such allotment for the adminis-*
12 *tration of this subsection, which may include activi-*
13 *ties aimed at building State capacity to support the*
14 *local educational agency and school improvement,*
15 *such as providing technical assistance and other sup-*
16 *port (including regular site visits to monitor imple-*
17 *mentation of selected school improvement strategies to*
18 *eligible entities serving eligible schools), either directly*
19 *or through educational service agencies or other public*
20 *or private organizations.*

21 “(5) *SCHOOL IMPROVEMENT ACTIVITIES.—*

22 “(A) *IN GENERAL.—A State that receives*
23 *school improvement funds under this subsection*
24 *shall use not less than 95 percent of such allot-*

1 *ment to carry out school improvement activities*
2 *for eligible schools by—*

3 “(i) *awarding subgrants, on a competi-*
4 *tive basis, to eligible entities to enable the*
5 *eligible entities to carry out the activities*
6 *described in subparagraph (C) for eligible*
7 *schools; or*

8 “(ii) *if the State chooses and the local*
9 *educational agency serving an eligible*
10 *school agrees, directly providing the activi-*
11 *ties described in subparagraph (C)(ii) to the*
12 *eligible school and the local educational*
13 *agency, or arranging for other entities, such*
14 *as school support teams or educational serv-*
15 *ice agencies, to provide such activities to the*
16 *school.*

17 “(B) *SUBGRANTS.—*

18 “(i) *APPLICATIONS.—An eligible entity*
19 *that desires a subgrant under this para-*
20 *graph shall submit an application to the*
21 *State at such time, in such manner, and in-*
22 *cluding such information as the State shall*
23 *require. The application shall include a de-*
24 *scription of how the eligible entity will*
25 *carry out the requirements of paragraphs*

1 (2) and (4), and subparagraphs (A) and
2 (B) of paragraph (3), of subsection (d) for
3 each eligible school to be served by the
4 grant.

5 “(ii) *DEMONSTRATION OF ADDITIONAL*
6 *RESPONSIBILITIES.—Each eligible entity*
7 *that desires a subgrant under this para-*
8 *graph shall demonstrate in its application*
9 *that the eligible entity has—*

10 “(I) *adopted human resource poli-*
11 *cies that prioritize the recruitment, re-*
12 *tention, and placement of effective staff*
13 *in eligible schools;*

14 “(II) *ensured that eligible schools*
15 *have access to resources to implement*
16 *the school improvement strategies de-*
17 *scribed in subsection (d)(4), such as fa-*
18 *cilities, professional development, and*
19 *technology;*

20 “(III) *identified opportunities to*
21 *reduce duplication, increase efficiency,*
22 *and assist eligible schools in complying*
23 *with reporting requirements of State*
24 *and Federal programs;*

1 “(IV) developed an early warning
2 indicator system that monitors school-
3 level data, and alerts the eligible school
4 when a student indicates slowed
5 progress toward high school gradua-
6 tion, so that the school can provide ap-
7 propriate student interventions; and

8 “(V) facilitated alignment and co-
9 ordination between high-quality early
10 childhood education programs and
11 services serving students who will at-
12 tend eligible schools that are elemen-
13 tary schools, and teachers and prin-
14 cipals of such eligible schools.

15 “(iii) *SUBGRANT SIZE*.—A State shall
16 award subgrants under this paragraph of
17 sufficient size to enable subgrant recipients
18 to fully and effectively implement the se-
19 lected school improvement strategies.

20 “(iv) *SUBGRANT PERIOD*.—Each
21 subgrant awarded under this paragraph
22 shall be for a 5-year period.

23 “(v) *WITHHOLDING FINAL FUNDING*.—
24 In order for a State to award subgrant
25 funds to an eligible entity for the final 2

1 *years of the subgrant cycle, the eligible enti-*
2 *ty shall demonstrate that the schools receiv-*
3 *ing funds under this paragraph have made*
4 *significant progress on the leading indica-*
5 *tors.*

6 “(C) *USE OF SUBGRANT FUNDS.*—*An eligi-*
7 *ble entity that receives a subgrant under this*
8 *paragraph shall use the subgrant funds to—*

9 “(i) *carry out the requirements of sub-*
10 *paragraphs (A) and (B) of paragraph (3),*
11 *and paragraphs (2) and (4), of subsection*
12 *(d) in an eligible school that has been iden-*
13 *tified under such subsection as of the date*
14 *of the grant award, which may include a*
15 *maximum 1-year planning period; and*

16 “(ii) *carry out activities at the local*
17 *educational agency level that directly sup-*
18 *port such implementation, such as—*

19 “(I) *assistance in data collection*
20 *and analysis;*

21 “(II) *recruiting and retaining*
22 *staff;*

23 “(III) *teacher and principal eval-*
24 *uation;*

25 “(IV) *professional development;*

1 “(V) *coordination of services to*
2 *address students’ social, emotional, and*
3 *health needs; and*

4 “(VI) *progress monitoring.*

5 “(D) *SUPPLEMENT, NOT SUPPLANT.—An el-*
6 *igible entity or State shall use Federal funds re-*
7 *ceived under this subsection only to supplement*
8 *the funds that would, in the absence of such Fed-*
9 *eral funds, be made available from non-Federal*
10 *sources for the education of pupils participating*
11 *in programs funded under this subsection.*

12 “(E) *INTERVENTION BY STATE.—In the case*
13 *of a State educational agency that has taken*
14 *over a school or local educational agency, the*
15 *State may use an amount of funds under this*
16 *subsection similar to the amount that the school*
17 *or local educational agency would receive, under*
18 *this subsection, in order to carry out the activi-*
19 *ties described in subparagraph (C) for the school*
20 *and local educational agency, either directly or*
21 *through an eligible entity designated by the State*
22 *educational agency.*

23 “(6) *NATIONAL ACTIVITIES.—From amounts ap-*
24 *propriated and reserved for this paragraph under sec-*

1 *tion 3(a)(2)(B), the Secretary shall carry out the fol-*
2 *lowing 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 areas*
6 *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 capacity*
18 *to turn around eligible schools, including in*
19 *rural areas.*

20 *“(C) The use of data, research, and evalua-*
21 *tion to—*

22 *“(i) identify schools that are imple-*
23 *menting school improvement strategies effec-*
24 *tively;*

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 schools.

9 “(7) *EVALUATION.*—*The Director of the Institute*
10 *of Education Sciences shall conduct an evaluation of*
11 *the programs carried out under this subsection.*

12 “(g) *CONSTRUCTION.*—*Nothing in this section shall be*
13 *construed to alter or otherwise affect the rights, remedies,*
14 *and procedures afforded school or school district employees*
15 *under Federal, State, or local laws (including applicable*
16 *regulations or court orders) or under the terms of collective*
17 *bargaining agreements, memoranda of understanding, or*
18 *other agreements between such employees and their employ-*
19 *ers.”.*

20 **SEC. 1117. QUALIFICATIONS FOR TEACHERS AND PARA-**
21 **PROFESSIONALS.**

22 *Subpart 1 of part A of title I (20 U.S.C. 6311 et seq.)*
23 *is amended—*

24 (1) *by striking section 1117;*

1 (2) *by redesignating section 1119 as section*
2 *1117, and moving it so as to precede section 1118;*

3 (3) *by redesignating sections 1120, 1120A, and*
4 *1120B as sections 1119, 1120, and 1120A, respec-*
5 *tively; and*

6 (4) *in section 1117, as redesignated by para-*
7 *graph (2)—*

8 (A) *by striking subsections (a) and (b) and*
9 *inserting the following:*

10 “(a) *TEACHER QUALIFICATIONS.—*

11 “(1) *IN GENERAL.—Except as provided in para-*
12 *graph (2), each local educational agency receiving as-*
13 *sistance under the program under this subpart and*
14 *subpart 2 shall ensure that all teachers teaching a*
15 *core academic subject in a program supported with*
16 *funds under such subparts are highly qualified teach-*
17 *ers and are certified in the subject area in which the*
18 *teachers are assigned to teach.*

19 “(2) *EXCEPTION.—Each local educational agen-*
20 *cy located in a State in which the State has fully im-*
21 *plemented a professional growth and improvement*
22 *system shall only be required to comply with the re-*
23 *quirements under paragraph (1) as they relate to new*
24 *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 a*
5 *core academic subject in a small, rural, or remote*
6 *school, the local educational agency may meet the re-*
7 *quirements of this section by using distance learning*
8 *to provide such instruction by a teacher who is a*
9 *highly qualified teacher for purposes of the core aca-*
10 *ademic 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 aca-*
23 *ademic subject taught through distance learning is*
24 *present in the classroom throughout the period of*

1 *distance learning and provides supporting in-*
2 *struction and assistance to the students.*

3 “(b) *QUALIFICATIONS FOR AMERICAN INDIAN, ALASKA*
4 *NATIVE, OR NATIVE HAWAIIAN LANGUAGE, CULTURE, OR*
5 *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 re-*
10 *spect to highly qualified teachers shall not apply*
11 *to a teacher of American Indian, Alaska Native,*
12 *or Native Hawaiian language or culture, wheth-*
13 *er the teacher is teaching on a permanent, part-*
14 *time, or occasional basis.*

15 “(B) *COMPETENCY.—A State may require*
16 *that a local tribe or tribal organization, as de-*
17 *finied 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 of*
23 *the local educational agency or the chief State*
24 *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 re-
4 spect to highly qualified teachers, shall not apply
5 to a teacher who is a Native elder or other au-
6 thority on American Indian, Alaska Native, or
7 Native Hawaiian history and who provides in-
8 struction in such subject, whether on a part-time
9 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 de-
15 scribed in subparagraph (A) of American In-
16 dian, Alaska Native, or Native Hawaiian history
17 to teach such subject, to the chief administrative
18 officer of the local educational agency or the chief
19 State school officer.”;

20 (B) in subsection (c)(1), by striking “hired
21 after the date of enactment of the No Child Left
22 Behind Act of 2001 and”;

23 (C) by striking subsections (d) and (l);

1 (D) by redesignating subsections (e), (f), (g),
 2 (h), (i), (j), and (k), as subsections (d), (e), (f),
 3 (g), (h), (i), and (j), respectively;

4 (E) in subsection (d), as redesignated by
 5 subparagraph (D), by striking “Subsections (c)
 6 and (d)” and inserting “Subsection (c)”; and

7 (F) by striking subsection (i), as redesi-
 8 gnated by subparagraph (D), and inserting the
 9 following:

10 “(i) *SPECIAL RULE.*—A State educational agency may
 11 not require a school or a local educational agency to expend
 12 a specific amount of funds for professional development ac-
 13 tivities under the program under this subpart and subpart
 14 2.”.

15 **SEC. 1118. PARENT AND FAMILY ENGAGEMENT.**

16 Section 1118 (20 U.S.C. 6318) is amended to read as
 17 follows:

18 **“SEC. 1118. PARENT AND FAMILY ENGAGEMENT.**

19 “(a) *LOCAL EDUCATIONAL AGENCY PARENT AND FAM-*
 20 *ILY ENGAGEMENT ASSESSMENT AND PLAN.*—

21 “(1) *IN GENERAL.*—In order to increase student
 22 academic achievement and improve child develop-
 23 ment, a local educational agency may receive funds
 24 under the program under this subpart and subpart 2
 25 only if such agency develops and implements a stra-

1 *tegic, evidence-based plan to support meaningful en-*
2 *gagement of parents and family members in edu-*
3 *cation (referred to in this section as the ‘parent and*
4 *family engagement plan’). Such plan shall be—*

5 *“(A) based on a needs assessment of parents*
6 *and family members, school instructional and*
7 *leadership personnel, and community leaders,*
8 *conducted to inform the development of the plan;*
9 *and*

10 *“(B) developed and implemented through*
11 *meaningful consultation with—*

12 *“(i) parents and family members of*
13 *participating children;*

14 *“(ii) youth who have graduated from*
15 *schools that are part of the local educational*
16 *agency;*

17 *“(iii) as applicable, employers, busi-*
18 *ness leaders, and philanthropic organiza-*
19 *tions;*

20 *“(iv) other members of the community*
21 *who are committed to increasing student*
22 *academic achievement and improving child*
23 *development;*

24 *“(v) to the greatest extent practicable,*
25 *individuals with expertise in effectively en-*

1 gaging parents and family members in edu-
2 cation; and

3 “(vi) organizations that have a dem-
4 onstrated record of effectiveness in assisting
5 students in becoming college and career
6 ready, as determined in accordance with the
7 State academic content standards under sec-
8 tion 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 school
19 personnel, including all teachers of their chil-
20 dren;

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 cultural
25 and language needs of such parents;

1 “(C) determine the level of parent and fam-
2 ily engagement in each respondent’s respective
3 school and the level of engagement of school lead-
4 ers 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 PLAN.—

11 “(A) DEVELOPMENT.—Based on the results
12 of the survey described in paragraph (2), each
13 local educational agency receiving funds under
14 the program under this subpart and subpart 2
15 shall develop and implement an annual parent
16 and family engagement plan jointly with the
17 parents and family members of participating
18 children and, where applicable, with a parent
19 advisory committee that represents the entire
20 school district. Such plan shall—

21 “(i) be designed to foster the engage-
22 ment of parents and other family members
23 and school instructional and leadership per-
24 sonnel;

1 “(ii) be designed to integrate such en-
2 engagement into the practice of all the local
3 educational agency’s schools that are served
4 under the program under this subpart and
5 subpart 2;

6 “(iii) establish parent engagement
7 goals for the local educational agency and
8 such schools; and

9 “(iv) establish annual quantifiable per-
10 formance benchmarks for such goals, which
11 shall require continual progress toward the
12 achievement of such goals.

13 “(B) *ADDITIONAL ELEMENTS.*—The parent
14 and family engagement plan shall—

15 “(i) establish the school’s expectations
16 for, and commitment to support, meaning-
17 ful, evidence-based, parent and family en-
18 gagement strategies;

19 “(ii) describe the process through which
20 the school will equip parents and family
21 members, with particular attention to eco-
22 nomically disadvantaged parents and fam-
23 ily members, to—

24 “(I) act in partnership with local
25 educational agency and school per-

1 *sonnel to improve the academic*
2 *achievement and development of their*
3 *children; and*

4 *“(II) participate in school im-*
5 *provement strategies;*

6 *“(iii) describe how the local edu-*
7 *cational agency will provide the coordina-*
8 *tion, technical assistance, and other support*
9 *and conditions necessary to assist partici-*
10 *pating schools in planning and imple-*
11 *menting effective parent and family engage-*
12 *ment strategies, such as—*

13 *“(I) making facilities of the local*
14 *educational agency available, as ap-*
15 *propriate;*

16 *“(II) making compensatory time*
17 *available for educators to conduct home*
18 *visits;*

19 *“(III) establishing co-location*
20 *with public assistance programs;*

21 *“(IV) encouraging the implemen-*
22 *tation of community school models and*
23 *related activities; and*

24 *“(V) utilizing the expertise of, and*
25 *developing strategies with, organiza-*

1 *tions that have a demonstrated track*
2 *record of success in supporting parent*
3 *and family engagement;*

4 *“(iv) provide for not less than 1*
5 *schoolwide meeting during each academic*
6 *year, at a convenient time, to which parents*
7 *and family members of participating chil-*
8 *dren shall be invited and encouraged to at-*
9 *tend, in order to—*

10 *“(I) review the parent and family*
11 *engagement plan;*

12 *“(II) inform parents and family*
13 *members of opportunities for engage-*
14 *ment in their child’s education; and*

15 *“(III) explain to parents and*
16 *family members the right of the par-*
17 *ents and family members to be in-*
18 *volved, and the benefits of meaningful*
19 *engagement;*

20 *“(v) provide parents with an oppor-*
21 *tunity to develop the knowledge and skills to*
22 *engage in full partnerships with school in-*
23 *structional and leadership staff of the school*
24 *in the education of their children;*

1 “(vi) provide for professional develop-
2 ment and other evidence-based support to
3 school instructional and leadership per-
4 sonnel regarding effective parent and family
5 engagement;

6 “(vii) to the extent feasible and appro-
7 priate, coordinate and integrate parent and
8 family engagement programs and strategies
9 with other Federal, State, and local pro-
10 grams;

11 “(viii) provide information to school
12 personnel, students, and parents about the
13 school’s use of positive behavioral interven-
14 tions and supports, school-based mental
15 health programs, and the expectations of
16 school personnel, students, and parents in
17 supporting a safe learning environment for
18 all students; and

19 “(ix) describe how the local educational
20 agency will coordinate with parent and
21 family information and resource centers es-
22 tablished under part H of title IV.

23 “(b) ANNUAL REVIEW OF PERFORMANCE BENCH-
24 MARKS.—Each year, each local educational agency de-
25 scribed in subsection (a), each school served under the pro-

1 *gram under this subpart, and the parent advisory board*
2 *established under subsection (g) shall collaboratively review*
3 *the benchmarks for each of the goals established under sub-*
4 *section (a)(3)(A)(iii). Based on the review—*

5 *“(1) if a local educational agency has met or*
6 *made continual progress toward meeting, its annual*
7 *benchmarks in such year, the local educational agency*
8 *will continue to implement the parent and family en-*
9 *gagement plan;*

10 *“(2) if the local educational agency has not met*
11 *or made continual progress toward meeting its an-*
12 *nual benchmarks in such year, the local educational*
13 *agency and parent advisory board shall jointly deter-*
14 *mine the cause after taking into the account the re-*
15 *sults of the end-of-the-year survey described in sub-*
16 *section (c); and*

17 *“(3) the local educational agency shall publicly*
18 *report on whether the agency has met or made con-*
19 *tinual progress toward meeting such benchmarks, and*
20 *the degree to which the benchmarks were met.*

21 *“(c) END-OF-THE-YEAR SURVEY.—As part of the re-*
22 *view described in subsection (b), a local educational agency*
23 *shall conduct an end-of-the-year survey of parents and*
24 *school instructional and leadership personnel, including*
25 *parents and personnel who participated in the survey de-*

1 scribed in subsection (a)(2), to determine whether the needs
2 of parents and personnel were met through the implementa-
3 tion of the plan.

4 “(d) *REVISION OF PLAN.*—The local educational agen-
5 cy and the parent advisory board established under sub-
6 section (g) shall address the causes described in subsection
7 (b)(2) and the results of the survey in subsection (c) in the
8 development or revision of the parent and family engage-
9 ment plan.

10 “(e) *RESERVATION AND USE OF FUNDS.*—

11 “(1) *IN GENERAL.*—Each local educational agen-
12 cy shall reserve not less than 2 percent of such agen-
13 cy’s allocation under subpart 2 to assist schools in
14 carrying out the activities described in this section,
15 subject to paragraph (2).

16 “(2) *EXCEPTION.*—The reservation requirement
17 under paragraph (1) shall not apply if 1 percent of
18 the local educational agency’s allocation under sub-
19 part 2 for the fiscal year for which the determination
20 is made is equal to or less than \$5,000.

21 “(3) *DISTRIBUTION OF FUNDS.*—

22 “(A) *IN GENERAL.*—A local educational
23 agency shall—

1 “(i) distribute not less than 75 percent
2 of funds reserved under paragraph (1) to
3 schools served under this subpart; and

4 “(ii) use not more than 20 percent of
5 such funds for parent and family engage-
6 ment activities at the local educational
7 agency level.

8 “(B) *PRIORITY.*—In allocating the funds de-
9 scribed in subparagraph (A), each local edu-
10 cational agency shall give priority to high-need
11 schools.

12 “(4) *USE OF FUNDS.*—Funds reserved under
13 paragraph (1) may be used to carry out activities
14 and strategies consistent with the parent and family
15 engagement plan described in subsection (a), includ-
16 ing not less than 1 of the following:

17 “(A) Designating or establishing a dedi-
18 cated office or dedicated personnel for parent
19 and family engagement.

20 “(B) Providing professional development for
21 local educational agency and school personnel re-
22 garding parent and family engagement strate-
23 gies, which may be provided jointly to teachers,
24 school leaders, early childhood educators, and
25 parents and family members.

1 “(C) *Providing adult education and literacy*
2 *activities, as defined in section 203 of the Adult*
3 *Education and Family Literacy Act (20 U.S.C.*
4 *9201 et seq.).*

5 “(D) *Supporting home visitation programs.*

6 “(E) *Engaging in other evidence-based or*
7 *promising strategies for improving and increas-*
8 *ing parent and family engagement, which may*
9 *include family and student supports, as defined*
10 *in section 4703.*

11 “(F) *Disseminating information on best*
12 *practices (such as implementation, replication,*
13 *impact studies, and evaluations) focused on par-*
14 *ent and family engagement, especially best prac-*
15 *tices for increasing the engagement of economi-*
16 *cally disadvantaged parents and family mem-*
17 *bers.*

18 “(G) *Contracting with experienced parent*
19 *organizations to assist with training and other*
20 *activities under this section.*

21 “(H) *Collaborating, or providing subgrants*
22 *to schools to enable the schools to collaborate,*
23 *with community-based organizations, or employ-*
24 *ers, with a demonstrated track record of success*
25 *in improving and increasing student academic*

1 *achievement and parent and family engagement*
2 *to—*

3 “(i) *enhance student achievement and*
4 *development through greater engagement*
5 *with children, such as experiential learning*
6 *opportunities and internships;*

7 “(ii) *increase opportunities for such*
8 *organizations and employers to support*
9 *family engagement activities, including by*
10 *offering family engagement training and*
11 *supporting adult education and family lit-*
12 *eracy programs; and*

13 “(iii) *expand the role of the school as*
14 *a community resource, such as by using fa-*
15 *ilities for community events, meetings, ca-*
16 *reer or health fairs, or adult education and*
17 *family literacy activities.*

18 “(f) *ACCESSIBILITY.—In carrying out the parent and*
19 *family engagement requirements of this subpart, local edu-*
20 *cational agencies and schools, to the greatest extent prac-*
21 *ticable, shall provide opportunities for the full and informed*
22 *participation of parents and family members (including*
23 *parents and family members with disabilities), including*
24 *providing information and school reports in a format and,*

1 *to the greatest extent practicable, in a language such par-*
 2 *ents can understand.*

3 “(g) *PARENT ADVISORY BOARD.*—*Each local edu-*
 4 *cational agency described in subsection (a) shall establish*
 5 *a parent advisory board for the purposes of developing, re-*
 6 *vising, and reviewing the parent and family engagement*
 7 *plan. Such board shall—*

8 “(1) *consist of a sufficient number of parents of*
 9 *children attending the local educational agency’s*
 10 *schools served under this subpart to adequately rep-*
 11 *resent the interests and needs of parents at the local*
 12 *educational agency;*

13 “(2) *meet multiple times throughout the school*
 14 *year; and*

15 “(3) *be representative of the population served by*
 16 *the local educational agency.”.*

17 **SEC. 1119. TECHNICAL CORRECTIONS REGARDING SECTION**

18 **1119.**

19 *Section 1119 (20 U.S.C. 6320), as redesignated by sec-*
 20 *tion 1117(3), is amended—*

21 (1) *in subsection (a)(1), by striking “sections*
 22 *1118 and 1119” and inserting “sections 1117 and*
 23 *1118”; and*

24 (2) *in subsection (c)(2), by striking “9505” and*
 25 *inserting “9503”.*

1 **SEC. 1120. COMPARABILITY OF SERVICES.**

2 *Section 1120 (20 U.S.C. 6321), as redesignated by sec-*
 3 *tion 1117(3), is amended—*

4 *(1) in subsection (a), by striking “involved”; and*
 5 *(2) by striking subsection (c) and inserting the*
 6 *following:*

7 “(c) *COMPARABILITY.—*

8 “(1) *IN GENERAL.—*

9 “(A) *COMPARABILITY.—Beginning for the*
 10 *2015–2016 school year, a local educational agen-*
 11 *cy may receive funds under the program under*
 12 *this subpart and subpart 2 only if the local edu-*
 13 *cational agency demonstrates to the State edu-*
 14 *cational agency that the combined State and*
 15 *local per-pupil expenditures (including actual*
 16 *personnel and actual nonpersonnel expenditures)*
 17 *in each school served under this subpart, in the*
 18 *most recent year for which such data were avail-*
 19 *able, are not less than the average combined*
 20 *State and local per-pupil expenditures for those*
 21 *schools that are not served under this subpart.*

22 “(B) *ALTERNATIVE COMPARABILITY.—If the*
 23 *local educational agency is serving all of the*
 24 *schools under its jurisdiction under this subpart,*
 25 *the agency shall demonstrate to the State edu-*
 26 *cational agency that the average combined State*

1 *and local per-pupil expenditures (including ac-*
 2 *tual personnel and actual nonpersonnel expendi-*
 3 *tures) for its high-poverty schools, in the most re-*
 4 *cent year for which such data are available, were*
 5 *not less than the average combined State and*
 6 *local per-pupil expenditures for its low-poverty*
 7 *schools.*

8 “(C) *BASIS.*—*A local educational agency*
 9 *may meet the requirements of subparagraphs (A)*
 10 *and (B) on a local educational agency-wide basis*
 11 *or a grade-span by grade-span basis.*

12 “(D) *EXCLUSION OF FUNDS.*—

13 “(i) *IN GENERAL.*—*For the purpose of*
 14 *complying with this paragraph, a local edu-*
 15 *cational agency shall exclude any State or*
 16 *local funds expended in any school for—*

17 “(I) *excess costs of providing serv-*
 18 *ices to English learners;*

19 “(II) *excess costs of providing*
 20 *services to children with disabilities;*

21 “(III) *capital expenditures; and*

22 “(IV) *such other expenditures as*
 23 *the Secretary determines appropriate.*

24 “(ii) *CHANGES AFTER THE BEGINNING*
 25 *OF THE SCHOOL YEAR.*—*A local educational*

1 *agency need not include unpredictable*
2 *changes in student enrollment or personnel*
3 *assignments that occur after the beginning*
4 *of a school year in determining compliance*
5 *under this subsection.*

6 “(2) *DOCUMENTATION.*—*A local educational*
7 *agency shall demonstrate that it is meeting the re-*
8 *quirements of paragraph (1) by submitting to the*
9 *State educational agency the per-pupil expenditures,*
10 *personnel expenditures, nonpersonnel expenditures,*
11 *and total expenditures for each school served by the*
12 *local educational agency.*

13 “(3) *INAPPLICABILITY.*—*This subsection shall*
14 *not apply to a local educational agency that does not*
15 *have more than 1 building for each grade span.*

16 “(4) *PROCESS AND PROCEDURES.*—

17 “(A) *LOCAL EDUCATIONAL AGENCY RESPON-*
18 *SIBILITIES.*—*Each local educational agency as-*
19 *sisted under the program under this subpart and*
20 *subpart 2 shall, by October 31, 2016, report to*
21 *the State educational agency on its compliance*
22 *with the requirements of this subsection for the*
23 *preceding school year, including a listing, by*
24 *school, of actual combined per-pupil State and*
25 *local personnel and nonpersonnel expenditures.*

1 “(B) *STATE EDUCATIONAL AGENCY RESPON-*
2 *SIBILITIES.—Each State educational agency as-*
3 *sisted under the program under this subpart and*
4 *subpart 2 shall ensure that such information is*
5 *made publicly available by the State or the local*
6 *educational agency, including the school-by-*
7 *school listing described in subparagraph (A).*

8 “(C) *PLAN.—A local educational agency*
9 *that does not meet the requirements of this sub-*
10 *section in any year shall develop and implement*
11 *a plan to ensure compliance for the subsequent*
12 *school year and may be required by the State*
13 *educational agency to report on its progress in*
14 *implementing such plan.*

15 “(5) *TRANSITION PROVISIONS.—*

16 “(A) *SCHOOL YEARS PRECEDING THE 2015–*
17 *2016 SCHOOL YEAR.—For school years preceding*
18 *the 2015–2016 school year, a local educational*
19 *agency may receive funds under the program*
20 *under this subpart and subpart 2 only if the*
21 *local educational agency demonstrates to the*
22 *State educational agency that the local edu-*
23 *cational agency meets the requirements of section*
24 *1120A, as in effect on the day before the date of*

1 *enactment of the Strengthening America’s*
2 *Schools Act of 2013.*

3 “(B) *TRANSITION BETWEEN REQUIRE-*
4 *MENTS.—The Secretary shall take such steps as*
5 *are necessary to provide for the orderly transi-*
6 *tion between the requirements under section*
7 *1120A, as in effect on the day before the date of*
8 *enactment of the Strengthening America’s*
9 *Schools Act of 2013, and the new requirements*
10 *under this section, as amended by such Act.*

11 “(6) *RULE OF CONSTRUCTION.—Nothing in this*
12 *subsection shall be construed to require a local edu-*
13 *cational agency to transfer school personnel in order*
14 *to comply with this subsection.*

15 “(7) *COMPARABLE REQUIREMENTS.—In the case*
16 *of a State, State educational agency, or local edu-*
17 *cational agency that has, before the date of enactment*
18 *of the Strengthening America’s Schools Act of 2013,*
19 *enacted requirements relating to the comparability of*
20 *educational expenditures that differ from the require-*
21 *ments of this subsection, the Secretary shall allow the*
22 *local educational agency to demonstrate com-*
23 *parability of educational expenditures for purposes of*
24 *this subsection through the enacted requirements if the*
25 *Secretary determines that the enacted requirements*

1 *provide the same, or a higher, standard of com-*
 2 *parability for schools served under this subpart as re-*
 3 *quired by this subsection.”.*

4 **SEC. 1121. COORDINATION REQUIREMENTS.**

5 *Section 1120A (20 U.S.C. 6322), as redesignated by*
 6 *section 1117(3), is amended to read as follows:*

7 **“SEC. 1120A. COORDINATION REQUIREMENTS.**

8 *“(a) IN GENERAL.—Each local educational agency re-*
 9 *ceiving assistance under the program under this subpart*
 10 *and subpart 2 shall carry out the activities described in*
 11 *subsection (b) with Head Start agencies (consistent with*
 12 *section 642(e)(5) of the Head Start Act (42 U.S.C.*
 13 *9837(e)(5)), providers of services under part C of the Indi-*
 14 *viduals with Disabilities Education Act, programs carried*
 15 *out under section 619 of such Act, and, if feasible, other*
 16 *entities carrying out high-quality early childhood education*
 17 *programs and services.*

18 *“(b) ACTIVITIES.—The activities and services referred*
 19 *to in subsection (a) include—*

20 *“(1) developing and implementing a systematic*
 21 *procedure for transferring, with parental consent,*
 22 *early childhood program records for each partici-*
 23 *pating child to the school in which such child will en-*
 24 *roll;*

1 “(2) *establishing ongoing communication be-*
2 *tween early childhood program staff and their coun-*
3 *terparts in the schools (including teachers, principals,*
4 *social workers, local educational agency liaisons des-*
5 *ignated under section 722(g)(1)(J)(i) of the McKin-*
6 *ney-Vento Homeless Assistance Act, and health staff)*
7 *to facilitate the coordination and alignment of pro-*
8 *grams;*

9 “(3) *establishing ongoing communications be-*
10 *tween the early childhood program and the local edu-*
11 *cational agency for developing continuity of develop-*
12 *mentally appropriate instructional programs and*
13 *shared expectations for children’s learning and devel-*
14 *opment as children transition to school;*

15 “(4) *organizing and participating in joint train-*
16 *ing, including transition-related training for school*
17 *staff and early childhood programs;*

18 “(5) *establishing comprehensive transition poli-*
19 *cies and procedures that support the school readiness*
20 *of children transitioning to school;*

21 “(6) *conducting outreach to parents, families,*
22 *and elementary school teachers to discuss the edu-*
23 *cational, developmental, and other needs of children*
24 *entering school;*

1 “(7) helping parents of children who are English
2 learners understand—

3 “(A) the instructional and other services
4 provided by the school in which such child will
5 enroll after participation in a Head Start pro-
6 gram or other Federal early childhood care and
7 education program; and

8 “(B) as appropriate, the information pro-
9 vided to parents of English learners under sec-
10 tion 3202;

11 “(8) helping parents understand the instruc-
12 tional and other services provided by the school in
13 which their child will enroll after participation in a
14 Head Start program or other Federal early childhood
15 care and education program; and

16 “(9) developing and implementing a system to
17 increase program participation of underserved popu-
18 lations of eligible children, especially children eligible
19 for a free or reduced price lunch under the Richard
20 B. Russell National School Lunch Act (42 U.S.C.
21 1751 et seq.), parents of children who are English
22 learners, and parents of children with disabilities.”.

23 **SEC. 1122. GRANTS FOR THE OUTLYING AREAS AND THE**
24 **SECRETARY OF THE INTERIOR.**

25 Section 1121 (20 U.S.C. 6331) is amended—

1 (1) *in subsection (a), by striking “section*
2 *1002(a) and 1125A(f)” and inserting “paragraphs (1)*
3 *and (3) of section 3(a)”;*

4 (2) *in subsection (b)(3)—*

5 (A) *in subparagraph (A), by striking “and*
6 *freely associated States”;* and

7 (B) *in subparagraph (C)(ii), by striking*
8 *“challenging State academic content standards”*
9 *and inserting “college and career ready State*
10 *academic content standards under section*
11 *1111(a)(1)”;* and

12 (3) *by striking subsection (c) and inserting the*
13 *following:*

14 “(c) *DEFINITION OF OUTLYING AREA.—As used in*
15 *subsections (a) and (b), the term ‘outlying area’ has the*
16 *meaning given that term in subparagraphs (A) and (B) of*
17 *section 9101(44).”.*

18 **SEC. 1123. ALLOCATIONS TO STATES.**

19 *Section 1122(a) (20 U.S.C. 6332(a)) is amended by*
20 *striking “section 1002(a) to carry out this part for each*
21 *of fiscal years 2002–2007” and inserting “section 3(a)(1)*
22 *to carry out this part for each of fiscal years 2014 through*
23 *2019”.*

1 **SEC. 1124. EDUCATION FINANCE INCENTIVE GRANT PRO-**
 2 **GRAM.**

3 *Section 1125A (20 U.S.C. 6337) is amended—*

4 *(1) in subsection (a), by striking “subsection (f)”*
 5 *and inserting “section 3(a)(3),”;*

6 *(2) in subsection (b)(1)(A), by striking “sub-*
 7 *section (f)” and inserting “section 3(a)(3)”;*

8 *(3) by striking subsection (f); and*

9 *(4) by redesignating subsection (g) as subsection*
 10 *(f).*

11 **SEC. 1125. BLUE RIBBON SCHOOLS; CENTERS OF EXCEL-**
 12 **LENCE IN EARLY CHILDHOOD; GREEN RIB-**
 13 **BON SCHOOLS.**

14 *Part A of title I (20 U.S.C. 6311 et seq.) is amended*
 15 *by adding at the end the following:*

16 **“Subpart 3—Blue Ribbon Schools; Centers of**
 17 **Excellence in Early Childhood; Green Ribbon Schools**

18 **“SEC. 1131. BLUE RIBBON SCHOOLS.**

19 *“(a) PROGRAM PURPOSE.—It is the purpose of this*
 20 *section to assist States and local educational agencies in*
 21 *identifying and rewarding high-performing public schools.*

22 *“(b) BLUE RIBBON SCHOOLS.—*

23 *“(1) IDENTIFICATION OF BLUE RIBBON*
 24 *SCHOOLS.—Each State receiving a grant under the*
 25 *program under subpart 1 and subpart 2 may—*

1 “(A) define the category of blue ribbon
2 schools, consistent with paragraph (2), for the
3 State as part of its State plan in section
4 1111(b); and

5 “(B) identify, for each school year, the
6 schools in the State that are blue ribbon schools
7 for such year.

8 “(2) BLUE RIBBON SCHOOL CRITERIA.—

9 “(A) IN GENERAL.—If a State elects to
10 carry out this subsection, the State’s blue ribbon
11 schools shall consist of the highest 5 percent of
12 the State’s public elementary schools and sec-
13 ondary schools, as designated by the State based
14 on—

15 “(i) the percentage of proficient or ad-
16 vanced students, as determined under sec-
17 tion 1111(a)(3)(B)(ii)(I), in English or lan-
18 guage arts, and mathematics;

19 “(ii) in the case of high schools, the
20 school’s graduation rates;

21 “(iii) the performance of each category
22 of students described in section
23 1111(a)(3)(D);

24 “(iv) the percentage of students who
25 are meeting or exceeding the State student

1 *academic achievement standards or are*
 2 *achieving sufficient academic growth as de-*
 3 *scribed in section 1111(a)(3)(B)(iii); and*

4 *“(v) school gains.*

5 *“(B) NONELIGIBILITY FOR BLUE RIBBON*
 6 *STATUS.—A school identified under subsection*
 7 *(c) or (d) of section 1116 for a year shall not be*
 8 *eligible for blue ribbon school status for the same*
 9 *year.*

10 *“(c) REWARDS.—*

11 *“(1) IN GENERAL.—Each State that defines and*
 12 *identifies blue ribbon schools under subsection (b)(1)*
 13 *for a school year may—*

14 *“(A) provide each blue ribbon school in the*
 15 *State with increased autonomy over the school’s*
 16 *budget, staffing, and time;*

17 *“(B) allow each blue ribbon school to have*
 18 *flexibility in the use of any funds provided to the*
 19 *school under this Act for any purpose allowed*
 20 *under this Act (notwithstanding any other provi-*
 21 *sion of this Act), as long as such use is consistent*
 22 *with the Civil Rights Act of 1964 (42 U.S.C.*
 23 *2000a et seq.), title IX of the Education Amend-*
 24 *ments of 1972 (20 U.S.C. 1681 et seq.), section*
 25 *504 of the Rehabilitation Act of 1973 (29 U.S.C.*

1 794), *the Americans with Disabilities Act of*
2 *1990 (42 U.S.C. 12101 et seq.), and part B of*
3 *the Individuals with Disabilities Education Act;*
4 *and*

5 “(C) *reserve not more than .5 percent of the*
6 *funds allotted to the State under subpart 2 and*
7 *use such reserved amounts to distribute rewards,*
8 *on a competitive basis, to local educational agen-*
9 *cies that serve 1 or more blue ribbon schools*
10 *identified under subsection (b) that receive funds*
11 *under subpart 2 to enable the local educational*
12 *agencies to provide awards to such blue ribbon*
13 *schools that receive funds under such subpart.*

14 “(2) *USE OF REWARDS.—As a condition of re-*
15 *ceiving an award from a local educational agency*
16 *under this subsection, a blue ribbon school shall agree*
17 *to use the award funds to—*

18 “(A) *improve student achievement; and*

19 “(B) *provide technical assistance to the low-*
20 *est-achieving schools in the closest geographic re-*
21 *gion of the State to the blue ribbon school, in ac-*
22 *cordance with the State plan under section*
23 *1111(b)(1)(E).*

1 **“SEC. 1132. CENTERS OF EXCELLENCE IN EARLY CHILD-**
2 **HOOD.**

3 “(a) *DEFINITION OF ELIGIBLE EARLY CHILDHOOD*
4 *EDUCATION PROGRAM.—In this section, the term ‘eligible*
5 *early childhood education program’ means an early child-*
6 *hood education program that—*

7 “(1) *serves young children from households that*
8 *would be eligible to receive a free or reduced price*
9 *lunch under the Richard B. Russell National School*
10 *Lunch Act (42 U.S.C. 1751 et seq.); and*

11 “(2) *is nominated, by the Governor of the State*
12 *in which the program is located and through a com-*
13 *petitive selection process, to be a center of excellence*
14 *in early childhood under this section.*

15 “(b) *PROGRAM AUTHORIZED.—*

16 “(1) *IN GENERAL.—The Secretary of Education,*
17 *acting jointly with the Secretary of Health and*
18 *Human Services as provided in paragraph (2), shall,*
19 *subject to the availability of funds under section*
20 *3(a)(4), establish a program under which the Sec-*
21 *retary shall—*

22 “(A) *designate exemplary eligible early*
23 *childhood education programs as centers of excel-*
24 *lence in early childhood for the purposes of shar-*
25 *ing best practices among early childhood edu-*
26 *cation programs and to support or recognize the*

1 *centers of excellence to improve the quality of*
2 *care in programs in their local region; and*

3 “(B) *award bonus grants to each center of*
4 *excellence in early childhood, to enable the center*
5 *to carry out the activities described in subsection*
6 *(e).*

7 “(2) *FEDERAL ADMINISTRATION.—*

8 “(A) *IN GENERAL.—With respect to this sec-*
9 *tion, the Secretary shall bear responsibility for*
10 *obligating and disbursing funds and ensuring*
11 *compliance with applicable laws and adminis-*
12 *trative requirements, subject to subparagraph*
13 *(B).*

14 “(B) *INTERAGENCY AGREEMENT.—The Sec-*
15 *retary of Education and the Secretary of Health*
16 *and Human Services shall jointly administer ac-*
17 *tivities supported under this section on such*
18 *terms as the Secretaries shall set forth in an*
19 *interagency agreement.*

20 “(c) *APPLICATION.—*

21 “(1) *IN GENERAL.—In order to be eligible to be*
22 *designated as a center of excellence in early childhood*
23 *under subsection (b), an eligible early childhood edu-*
24 *cation program shall submit an application to the*
25 *Secretary at such time, in such manner, and con-*

1 *taining such information as the Secretary may re-*
2 *quire.*

3 *“(2) CONTENTS.—At a minimum, the applica-*
4 *tion shall include—*

5 *“(A) evidence that the eligible early child-*
6 *hood education program has significantly im-*
7 *proved the school readiness, as determined by the*
8 *Secretaries, of young children who have partici-*
9 *ipated in the program;*

10 *“(B) evidence that the eligible early child-*
11 *hood education program demonstrates improved*
12 *child outcomes across all the essential domains of*
13 *school readiness;*

14 *“(C) evidence that the eligible early child-*
15 *hood education program has high staff qualifica-*
16 *tions that are designed to promote the social,*
17 *emotional, physical, and cognitive development*
18 *of children;*

19 *“(D) an assurance that the eligible early*
20 *childhood education program will develop a col-*
21 *laborative partnership with other providers of*
22 *early childhood education in the local commu-*
23 *nity involved to conduct activities under sub-*
24 *section (e);*

1 “(E) a nomination letter, from the Governor
2 of the State in which the eligible early childhood
3 education program is located, demonstrating the
4 eligible early childhood education program’s
5 ability to—

6 “(i) provide the coordination, transi-
7 tion, and training services of the activities
8 proposed to be carried out under the bonus
9 grant, including the coordination of such
10 activities with State and local agencies that
11 provide early childhood education and de-
12 velopment to young children and families in
13 the community served by the eligible early
14 childhood education program; and

15 “(ii) carry out the activities described
16 in subsection (e)(1); and

17 “(F) a description of how the early child-
18 hood program, in order to expand accessibility
19 and continuity of quality early childhood edu-
20 cation and development services and programs,
21 will coordinate activities under subsection (e)
22 with—

23 “(i) programs serving children assisted
24 under the Child Care and Development

1 *Block Grant Act of 1990 (42 U.S.C. 9858 et*
2 *seq.);*

3 “(ii) *the temporary assistance for*
4 *needy families program funded under part*
5 *A of title IV of the Social Security Act (42*
6 *U.S.C. 601 et seq.);*

7 “(iii) *the block grants to States for so-*
8 *cial services program funded under subtitle*
9 *A of title XX of the Social Security Act (42*
10 *U.S.C. 1397 et seq.);*

11 “(iv) *child care programs supported*
12 *directly through the Community Services*
13 *Block Grant;*

14 “(v) *the Head Start and Early Head*
15 *Start programs carried out under the Head*
16 *Start Act;*

17 “(vi) *programs supported by grants*
18 *under part I of title IV;*

19 “(vii) *other preschool programs sup-*
20 *ported under this title;*

21 “(viii) *programs carried out under sec-*
22 *tion 619 and part C of the Individuals with*
23 *Disabilities Education Act;*

24 “(ix) *State prekindergarten programs;*

1 “(x) programs that support parent and
2 family engagement, including programs
3 funded under section 1118 or, if applicable,
4 grantees supported through parent and fam-
5 ily information and resource center grants
6 under part H of title IV; and

7 “(xi) other programs of early childhood
8 education and development; and

9 “(G) a description of how the early child-
10 hood education program, if selected as a center
11 for excellence in early childhood, will work with
12 the local educational agency of the area in which
13 the program is located, to—

14 “(i) provide for effective transitions be-
15 tween the program and elementary schools;
16 and

17 “(ii) facilitate ongoing communication
18 between the program and elementary school
19 teachers concerning young children partici-
20 pating in the program to improve the teach-
21 ers’ ability to work effectively with low-in-
22 come, at-risk young children and their fam-
23 ilies.

24 “(d) DESIGNATION AND BONUS GRANTS.—

1 “(1) *IN GENERAL.*—For each 5-year term de-
2 scribed in paragraph (2), the Secretary shall—

3 “(A) select and designate, as centers of ex-
4 cellence in early childhood, not less than 1 early
5 childhood education program from each of the
6 several States of the United States, the District
7 of Columbia, Commonwealth of Puerto Rico, and
8 each of the outlying areas from which the Sec-
9 retary has received applications; and

10 “(B) award each center of excellence in
11 early childhood a bonus grant for the 5-year
12 term, subject to paragraph (2)(B).

13 “(2) *TERM OF DESIGNATION.*—

14 “(A) *IN GENERAL.*—Subject to subpara-
15 graph (B), the Secretary shall designate each
16 early childhood education program as a center of
17 excellence in early childhood under paragraph
18 (1) for a 5-year term. During the period of that
19 designation, the program shall receive a bonus
20 grant under this subsection.

21 “(B) *REVOCATION.*—The Secretary may re-
22 voke a program’s grant and designation under
23 subparagraph (A) if the Secretary determines
24 that the program has not made substantial

1 *progress in meeting the goals and objectives of*
2 *the grant.*

3 “(3) *BONUS GRANT AMOUNT.—*

4 “(A) *MINIMUM AMOUNT OF BONUS*
5 *GRANT.—Subject to the availability of appro-*
6 *priations, each bonus grant awarded under this*
7 *subsection shall be in an amount of not less than*
8 *\$200,000 per year.*

9 “(B) *PRIORITY FOR INCREASED BONUS*
10 *GRANT FUNDING.—In determining the amount of*
11 *the bonus grant for a center of excellence in early*
12 *childhood under this section, and subject to the*
13 *requirements of subparagraph (A), the Sec-*
14 *retary—*

15 “(i) *shall give priority to centers that,*
16 *through their applications, demonstrate that*
17 *their programs are of exceptional quality*
18 *and would serve as exemplary models for*
19 *programs in the same geographic region;*
20 *and*

21 “(ii) *may give consideration to—*

22 “(I) *the populations served by the*
23 *centers, such as centers that serve large*
24 *proportions of young children who are*
25 *English learners, children who are in-*

1 *fants or toddlers with disabilities, as*
2 *defined in section 632 of the Individ-*
3 *uals with Disabilities Education Act,*
4 *children with disabilities who are eligi-*
5 *ble for services under section 619 of*
6 *such Act, homeless children, foster chil-*
7 *dren, or children who receive child pro-*
8 *ductive services, or young children of*
9 *other underserved populations; and*
10 *“(II) centers that do an excep-*
11 *tional job meeting the needs of young*
12 *children in such populations.*

13 *“(e) USE OF BONUS GRANT FUNDS.—A center of excel-*
14 *lence in early childhood that receives a bonus grant under*
15 *subsection (d) shall—*

16 *“(1) use not less than 15 percent of the funds*
17 *made available through the grant to disseminate to*
18 *other early childhood education programs in the State*
19 *involved (including to early childhood education pro-*
20 *grams who serve young children who live on tribal*
21 *lands or come from families who engage in seasonal*
22 *or migrant work), best practices for achieving early*
23 *academic success, including best practices for—*

24 *“(A) achieving school readiness, including*
25 *developing early literacy and mathematics skills;*

1 “(B) achieving the acquisition of the
2 English language for English learners, if appro-
3 priate to the population served;

4 “(C) providing high-quality comprehensive
5 services, if applicable, for participating young
6 children and their families; and

7 “(D) facilitating the social and emotional
8 development of children and young children; and

9 “(2) use the remainder of such funds for not less
10 than 2 of the following activities:

11 “(A) In the case of a center of excellence
12 that is a Head Start program, providing Head
13 Start services to additional eligible young chil-
14 dren.

15 “(B) Extending the services of the center of
16 excellence to provide full-day, full-week, or full-
17 year care to young children served by the pro-
18 gram, if appropriate to better meet the needs of
19 working families in the community served by the
20 center.

21 “(C) Further coordinating early childhood
22 education programs and services and social serv-
23 ices available in the community served by the
24 center for at-risk young children, their families,
25 and pregnant women.

1 “(D) *Providing professional development for*
2 *program instructional and support staff, includ-*
3 *ing joint training for with child care providers,*
4 *public preschool and elementary school teachers*
5 *and school leaders, and other providers of early*
6 *childhood education and development programs.*

7 “(E) *Developing or maintaining partner-*
8 *ships with institutions of higher education and*
9 *nonprofit organizations, including community-*
10 *based organizations, that recruit, train, place,*
11 *and support postsecondary education students to*
12 *serve as mentors and reading partners to pre-*
13 *school children in centers that serve such chil-*
14 *dren.*

15 “(F) *Carrying out other activities deter-*
16 *mined by the center to improve the overall qual-*
17 *ity of the center’s early childhood education pro-*
18 *gram and for which there is evidence that the ac-*
19 *tivities will lead to improved safety, develop-*
20 *ment, well-being, or school readiness of the young*
21 *children served by the program.*

22 “(G) *Sharing best practices concerning the*
23 *transition of children into elementary school.*

24 “(f) *REPORTS TO THE SECRETARY.—Each center of*
25 *excellence in early childhood that receives bonus grant funds*

1 *under this section shall submit an annual report to the Sec-*
2 *retary, at such time and in such manner as the Secretary*
3 *may require, that contains a description of the activities*
4 *the center carried out with funds received under this section,*
5 *including a description of how such funds improved services*
6 *for young children and families.*

7 “(g) *RESEARCH AND TECHNICAL ASSISTANCE.—From*
8 *the funds made available to carry out this section, the Sec-*
9 *retary may reserve not more than 1 percent of such funds*
10 *to carry out the following activities:*

11 “(1) *Supporting a research collaborative among*
12 *the Institute of Education Sciences, the National In-*
13 *stitute of Child Health and Human Development, the*
14 *Office of Planning, Research, and Evaluation within*
15 *the Administration for Children and Families of the*
16 *Department of Health and Human Services, and, as*
17 *appropriate, other Federal entities, to support re-*
18 *search on early learning that can inform improved*
19 *State and other standards and licensing requirements*
20 *and improved outcomes for young children, which col-*
21 *laborative shall—*

22 “(A) *biennially prepare and publish for*
23 *public comment a detailed research plan;*

24 “(B) *support early learning research activi-*
25 *ties that could include determining—*

1 “(i) the characteristics of early learn-
2 ing programs that produce positive develop-
3 mental outcomes for young children;

4 “(ii) the effects of program quality
5 standards on child outcomes;

6 “(iii) the relationships between specific
7 interventions and types of child and family
8 outcomes;

9 “(iv) the effectiveness of early learning
10 provider training in raising program qual-
11 ity and improving child outcomes;

12 “(v) the effectiveness of professional de-
13 velopment strategies in raising program
14 quality and improving child outcomes; and

15 “(vi) how to improve the school readi-
16 ness outcomes of young children who are
17 English learners, children with special
18 needs, and homeless children, including
19 evaluation of professional development pro-
20 grams for working with such children; and

21 “(C) disseminate relevant research findings
22 and best practices.

23 “(2) Evaluating barriers to improving the qual-
24 ity of early learning programs serving low-income
25 young children, including evaluating barriers to suc-

1 *cessful interagency collaboration and coordination, by*
2 *conducting a review of the statewide strategic reports*
3 *developed by State Advisory Councils on Early Child-*
4 *hood Education and Care and other relevant reports,*
5 *reporting the findings of such review to Congress, and*
6 *disseminating relevant research findings and best*
7 *practices.*

8 **“SEC. 1133. GREEN RIBBON SCHOOLS.**

9 *“The Secretary is authorized to identify and recognize*
10 *exemplary schools, programs, and individuals. Such rec-*
11 *ognitions may include—*

12 *“(1) a Green Ribbon Schools program, such as*
13 *the Green Ribbons School program carried out by the*
14 *Secretary under section 5411(b)(5) as of the day be-*
15 *fore the date of enactment of the Strengthening Amer-*
16 *ica’s Schools Act of 2013, that recognizes excellence in*
17 *reducing environmental impact, increasing health*
18 *and wellness, and providing sustainability education;*
19 *and*

20 *“(2) an award program recognizing excellence*
21 *exhibited by classified school employees in the public*
22 *school system.”.*

1 **SEC. 1126. GRANTS FOR STATE ASSESSMENTS AND RE-**
 2 **LATED ACTIVITIES.**

3 *Part A of title I (20 U.S.C. 6311 et seq.), as amended*
 4 *by section 1125, is further amended by adding at the end*
 5 *the following:*

6 **“Subpart 4—Grants for State Assessments and**
 7 **Related Activities**

8 **“SEC. 1141. GRANTS FOR STATE ASSESSMENTS AND RE-**
 9 **LATED ACTIVITIES.**

10 *“(a) GRANTS FOR STATE ASSESSMENTS.—From*
 11 *amounts made available under subsection (c)(1) to carry*
 12 *out this subsection, the Secretary shall make grants to*
 13 *States—*

14 *“(1) to enable States to pay the costs of devel-*
 15 *oping, improving, or administering State assessments*
 16 *and standards consistent with section 1111(a), which*
 17 *may include the cost of working in voluntary partner-*
 18 *ships with other States, at the sole discretion of each*
 19 *such State; and*

20 *“(2) in the case of States that have developed the*
 21 *assessments and standards consistent with the re-*
 22 *quirements of section 1111(a), to enable each such*
 23 *State—*

24 *“(A) to administer such assessments; or*

25 *“(B) to carry out other activities described*
 26 *in this section, which may include—*

1 “(i) *developing college and career*
2 *ready State academic content and student*
3 *academic achievement standards and*
4 *aligned assessments in academic subjects for*
5 *which standards and assessments are not re-*
6 *quired under section 1111(a);*

7 “(ii) *developing or improving assess-*
8 *ments of English language proficiency nec-*
9 *essary to comply with section*
10 *1111(a)(2)(D);*

11 “(iii) *developing multiple measures of*
12 *student academic achievement, including*
13 *measures that assess higher-order thinking*
14 *skills and understanding, and elicit complex*
15 *student demonstrations or applications of*
16 *knowledge and skills to increase the reli-*
17 *ability and validity of State assessment sys-*
18 *tems;*

19 “(iv) *developing, enhancing, or admin-*
20 *istering, in publicly funded early childhood*
21 *education programs and elementary schools,*
22 *early learning assessments (including ac-*
23 *commodations to provide access for young*
24 *children with disabilities) to improve in-*
25 *struction for young children;*

1 “(v) *strengthening the capacity of local*
2 *educational agencies and schools to provide*
3 *all students with the opportunity to in-*
4 *crease educational achievement, including*
5 *carrying out professional development ac-*
6 *tivities aligned with State student academic*
7 *achievement standards and assessments;*

8 “(vi) *expanding the range, and im-*
9 *proving the quality, of accommodations*
10 *available to English learners and students*
11 *with disabilities to improve the use of such*
12 *accommodations, including professional de-*
13 *velopment activities;*

14 “(vii) *improving the dissemination of*
15 *information about student achievement and*
16 *school performance to parents and families,*
17 *including the development of information*
18 *and reporting systems designed to—*

19 “(I) *identify best educational*
20 *practices based on scientifically valid*
21 *research; or*

22 “(II) *assist in linking records of*
23 *student achievement, length of enroll-*
24 *ment, and graduation over time;*

1 “(viii) providing instructional sup-
2 ports, which may include formative assess-
3 ments;

4 “(ix) developing computer adaptive as-
5 sessments that meet the requirements of sec-
6 tion 1111(a);

7 “(x) developing alternate assessments,
8 as described in section 1111(a)(2)(E),
9 aligned to alternate achievement standards;
10 and

11 “(xi) providing professional develop-
12 ment to local educational agency staff to
13 transition between assessment systems, in-
14 cluding technology for that purpose.

15 “(b) GRANTS FOR ENHANCED ASSESSMENT SYS-
16 TEMS.—

17 “(1) GRANT PROGRAM AUTHORIZED.—From
18 amounts made available under subsection (c)(3) to
19 carry out this subsection, the Secretary shall award,
20 on a competitive basis, grants to State educational
21 agencies to enable the State educational agencies to
22 carry out the activities described in paragraph (3).

23 “(2) APPLICATION.—Each State educational
24 agency desiring to receive a grant under this section
25 shall submit an application to the Secretary at such

1 *time, in such manner, and accompanied by such in-*
2 *formation as the Secretary may require.*

3 “(3) *AUTHORIZED ACTIVITIES.*—*Each State edu-*
4 *cational agency that receives a grant under this sec-*
5 *tion shall use the grant funds to—*

6 “(A) *enable States, or a consortia of States,*
7 *to collaborate with institutions of higher edu-*
8 *cation or other organizations or agencies to im-*
9 *prove the quality, validity, and reliability of*
10 *State academic assessments beyond the require-*
11 *ments for such assessments described in section*
12 *1111(a)(2);*

13 “(B) *measure student academic achievement*
14 *using multiple measures of student academic*
15 *achievement from multiple sources, including*
16 *measures that assess higher-order thinking skills*
17 *and understanding;*

18 “(C) *chart student progress over time; or*

19 “(D) *evaluate student academic achievement*
20 *through the development of comprehensive aca-*
21 *demie assessment instruments.*

22 “(c) *ALLOTMENT OF APPROPRIATED FUNDS.*—

23 “(1) *IN GENERAL.*—*Except as provided in para-*
24 *graph (2), for each fiscal year, the Secretary shall use*
25 *the amount of funds made available for this section*

1 *for such year or \$400,000,000 of such funds, which-*
2 *ever is less, to—*

3 “(A) reserve one-half of 1 percent for the
4 *Bureau of Indian Education;*

5 “(B) reserve one-half of 1 percent for the
6 *outlying areas; and*

7 “(C) from the amounts remaining after the
8 *application of subparagraphs (A) and (B), allo-*
9 *cate to each State, for the purposes of carrying*
10 *out the activities under subsection (a), an*
11 *amount equal to—*

12 “(i) \$3,000,000; and

13 “(ii) with respect to any amounts re-
14 *maining after the allocation is made under*
15 *clause (i), an amount that bears the same*
16 *relationship to such total remaining*
17 *amounts as the number of students ages 5*
18 *through 17 in the State (as determined by*
19 *the Secretary on the basis of the most recent*
20 *satisfactory data) bears to the total number*
21 *of such students in all States.*

22 “(2) *SPECIAL RULE FOR FISCAL YEAR 2014.—For*
23 *fiscal year 2014, the Secretary shall use not less than*
24 *\$800,000,000 or, if a lesser amount is made available*
25 *for this section for such year, such entire lesser*

1 *amount, to carry out the requirements of paragraph*
2 *(1).*

3 “(3) *REMAINDER.*—*Any amounts remaining for*
4 *a fiscal year after the Secretary carries out para-*
5 *graph (1) shall be made available to award funds to*
6 *States under subsection (b) according to the quality,*
7 *needs, and scope of the State application under this*
8 *section. In determining the grant amount, the Sec-*
9 *retary shall ensure that a State’s grant shall include*
10 *an amount that bears the same relationship to the*
11 *total funds available under this paragraph for the fis-*
12 *cal year as the number of students ages 5 through 17*
13 *in the State (as determined by the Secretary on the*
14 *basis of the most recent satisfactory data) bears to the*
15 *total number of such students in all States.*

16 “(4) *DEFINITION OF STATE.*—*In this section, the*
17 *term ‘State’ means each of the 50 States, the District*
18 *of Columbia, and the Commonwealth of Puerto*
19 *Rico.”.*

20 **SEC. 1127. VOLUNTARY PARTICIPATION.**

21 *A State is free from all Federal requirements under*
22 *part A of title I of the Elementary and Secondary Edu-*
23 *cation Act of 1965 (20 U.S.C. 6311 et seq.) if the State*
24 *chooses to not receive funding under such part.*

1 **PART B—PATHWAYS TO COLLEGE**

2 **SEC. 1201. IMPROVING SECONDARY SCHOOLS.**

3 *Part B of title I (20 U.S.C. 6361 et seq.) is amended*
 4 *to read as follows:*

5 **“PART B—PATHWAYS TO COLLEGE**

6 **“Subpart 1—Improving Secondary Schools**

7 **“SEC. 1201. SECONDARY SCHOOL REFORM.**

8 “(a) *PURPOSES.*—*The purposes of this section are to*
 9 *ensure students graduate from secondary school college and*
 10 *career ready and to increase graduation rates by providing*
 11 *grants to eligible entities to provide schools with the nec-*
 12 *essary resources to implement innovative and effective sec-*
 13 *ondary school reform strategies.*

14 “(b) *DEFINITIONS.*—*In this section:*

15 “(1) *APPLIED LEARNING.*—*The term ‘applied*
 16 *learning’ means a strategy that—*

17 “(A) *engages students in opportunities to*
 18 *apply rigorous academic content aligned with*
 19 *college-level expectations to real world experience,*
 20 *through such means as work experience, work-*
 21 *based learning, problem-based learning, or serv-*
 22 *ice-learning; and*

23 “(B) *develops students’ cognitive com-*
 24 *petencies and pertinent employability skills.*

25 “(2) *CHRONIC ABSENTEEISM.*—*The term ‘chronic*
 26 *absenteeism’ means a student misses—*

1 “(A) 10 percent of the school days per school
2 year; or

3 “(B) not less than 20 school days per school
4 year.

5 “(3) *COMPETENCY-BASED LEARNING MODEL.*—
6 The term ‘competency-based learning model’ means
7 an education model in which educators use explicit
8 measurable learning objectives to assist students to
9 advance upon mastery of objectives as determined
10 through relevant assessments.

11 “(4) *EFFECTIVE SECONDARY SCHOOL REFORM*
12 *STRATEGIES.*—The term ‘effective secondary school re-
13 form strategies’ means a set of programs, interven-
14 tions, and activities with demonstrated effectiveness
15 in improving the academic achievement of struggling
16 students or dropouts.

17 “(5) *ELIGIBLE ENTITY.*—The term ‘eligible enti-
18 ty’ means a high-need local educational agency, or a
19 consortium of such local educational agencies, in
20 partnership with—

21 “(A) 1 or more institutions of higher edu-
22 cation;

23 “(B) 1 or more employers or industry-re-
24 lated organizations; and

1 “(C) 1 or more external partners or quali-
2 fied intermediaries.

3 “(6) *ELIGIBLE SECONDARY SCHOOL.*—The term
4 ‘eligible secondary school’ means a high school that—

5 “(A) is eligible for funds under part A;

6 “(B) has a graduation rate below 75 per-
7 cent;

8 “(C) does not receive grant funds under sec-
9 tion 1116(d); and

10 “(D) is identified as low performing based
11 on the State’s accountability system.

12 “(7) *EXTERNAL PARTNER.*—The term ‘external
13 partner’ means a public or private nonprofit organi-
14 zation or a nonprofit charter management organiza-
15 tion, with a demonstrated record of successful sec-
16 ondary school reform.

17 “(8) *FEEDER MIDDLE SCHOOL.*—The term ‘feed-
18 er middle school’ means an elementary school or sec-
19 ondary school from which a majority of students go
20 on to attend an eligible secondary school.

21 “(9) *QUALIFIED INTERMEDIARY.*—The term
22 ‘qualified intermediary’ means an entity that has
23 demonstrated expertise to build and sustain partner-
24 ships with entities such as employers, schools, commu-
25 nity-based organizations, postsecondary educational

1 *institutions, social service agencies, economic develop-*
 2 *ment organizations, and workforce investment sys-*
 3 *tems, to broker services, resources, and supports for*
 4 *youth and the organizations and systems designed to*
 5 *serve them.*

6 “(10) *STRUGGLING STUDENT.*—*The term ‘strug-*
 7 *gling student’ means a student who—*

8 “(A) *is at an increased risk for low aca-*
 9 *demic achievement and is unlikely to graduate*
 10 *high school within 4 years; or*

11 “(B) *has dropped out of school.*

12 “(c) *GRANTS AUTHORIZED.*—

13 “(1) *IN GENERAL.*—

14 “(A) *RESERVATION.*—*From the total*
 15 *amount of funds appropriated to carry out this*
 16 *section for a fiscal year, the Secretary shall re-*
 17 *serve—*

18 “(i) *not more than 2.5 percent for na-*
 19 *tional activities, which the Secretary shall*
 20 *use for technical assistance, data collection*
 21 *and dissemination, and evaluation and re-*
 22 *porting activities; and*

23 “(ii) *not less than one-half of 1 percent*
 24 *for the Bureau of Indian Education for ac-*

1 *tivities consistent with the purposes of this*
2 *section.*

3 “(B) GRANTS.—*From the total amount of*
4 *funds appropriated to carry out this section for*
5 *a fiscal year and not reserved under subpara-*
6 *graph (A), the Secretary shall award grants, on*
7 *a competitive basis, to eligible entities, based on*
8 *the quality of the applications submitted, of*
9 *which—*

10 “(i) *not more than 25 percent of grant*
11 *funds shall be used for activities described*
12 *in subsection (e)(1); and*

13 “(ii) *not less than 75 percent of grant*
14 *funds shall be used for activities described*
15 *in paragraphs (2) and (3) of subsection (e)*
16 *and subsection (f).*

17 “(2) GRANT DURATION.—*Grants awarded under*
18 *this section shall be for a period of 5 years, condi-*
19 *tional after 3 years on satisfactory progress on the*
20 *performance indicators described in subsection*
21 *(d)(2)(G), as determined by the Secretary.*

22 “(3) GRANT CONSIDERATIONS.—*In awarding*
23 *grants under this section, the Secretary shall give spe-*
24 *cial consideration to applications from eligible enti-*
25 *ties—*

1 “(A) *serving high-need areas, such as high-*
2 *poverty or rural local educational agencies; or*

3 “(B) *that demonstrate partnerships with*
4 *employers to provide students at participating*
5 *schools with career-related experience or assist-*
6 *ance in attaining career-related credentials.*

7 “(4) *ANNUAL REPORT.—Each eligible entity that*
8 *receives a grant under this section shall submit to the*
9 *Secretary an annual report including data on the en-*
10 *tity’s progress on the performance indicators de-*
11 *scribed in subsection (d)(2)(G).*

12 “(d) *APPLICATION.—*

13 “(1) *IN GENERAL.—An eligible entity that de-*
14 *sires a grant under this section shall submit an ap-*
15 *plication to the Secretary at such time, in such man-*
16 *ner, and containing such information as the Sec-*
17 *retary may reasonably require.*

18 “(2) *CONTENTS.—Each application submitted*
19 *under paragraph (1) shall include, at a minimum, a*
20 *description of the following:*

21 “(A) *How the eligible entity will use funds*
22 *awarded under this section to carry out the ac-*
23 *tivities described in subsection (e)(1).*

24 “(B) *The role of each entity that comprises*
25 *the eligible entity in meeting the purposes of this*

1 *section, including the external partner’s capacity*
2 *and record of success in secondary school reform.*

3 “(C) *How the eligible entity will sustain the*
4 *activities proposed, including the availability of*
5 *funds from non-Federal sources and coordination*
6 *with other Federal, State, and local funds.*

7 “(D) *How the eligible entity conducted a*
8 *comprehensive needs analysis and capacity as-*
9 *essment of the eligible secondary schools served*
10 *by the eligible entity to identify secondary*
11 *schools proposed to be served by the grant. The*
12 *needs analysis and capacity assessment shall in-*
13 *clude the following:*

14 “(i) *An examination of each secondary*
15 *school’s data in the aggregate, and*
16 *disaggregated by each of the subgroups of*
17 *students described in section*
18 *1111(a)(2)(B)(x), on the following:*

19 “(I) *Graduation rates and charac-*
20 *teristics of those students who are not*
21 *graduating, including such students’*
22 *attendance, behavior, expulsion rates,*
23 *suspension rates, course performance,*
24 *and credit accumulation rates.*

1 “(II) Rates of dropout recovery
2 (re-entry).

3 “(III) Rates of enrollment and re-
4 mediation in institutions of higher
5 education, in accordance with section
6 1111(d)(3)(B)(viii).

7 “(IV) The percentage of students
8 who are 2 or more years over-aged or
9 under-credited for their grade level.

10 “(ii) An examination of each eligible
11 secondary school and feeder middle school’s
12 data in the aggregate, and disaggregated by
13 each of the subgroups of students described
14 in section 1111(a)(2)(B)(x), as applicable,
15 on the following:

16 “(I) Student academic achieve-
17 ment, including the percentage of stu-
18 dents who have on-time credit accumu-
19 lation at the end of each grade and the
20 percentage of students failing a core,
21 credit-bearing, reading or language
22 arts, science, or mathematics course, or
23 failing 2 or more of any courses.

1 “(II) *The percentage of students*
2 *who have an attendance rate lower*
3 *than 90 percent.*

4 “(III) *Annual rates of expulsions,*
5 *suspensions, school violence, harass-*
6 *ment, and bullying, as defined under*
7 *State or local laws or policies.*

8 “(IV) *Annual, average credit ac-*
9 *cumulation.*

10 “(V) *Annual, average attendance*
11 *rates.*

12 “(VI) *Annual rates of students*
13 *who move in and out of the school*
14 *within a school year.*

15 “(VII) *Annual, average rates of*
16 *enrollment in and completion of ad-*
17 *vanced coursework, including opportu-*
18 *nities to earn postsecondary credit*
19 *while in high school, such as Advanced*
20 *Placement and International Bacca-*
21 *laureate courses and exams, dual en-*
22 *rollment, and early college.*

23 “(VIII) *Curriculum alignment*
24 *with college and career ready stand-*
25 *ards across all grade levels.*

1 “(IX) *The nonacademic barriers*
2 *that impact student achievement and*
3 *the available support services to ad-*
4 *dress such barriers.*

5 “(X) *The number and percentage*
6 *of students who do not transition from*
7 *grade 8 to grade 9 and who have not*
8 *transferred to and enrolled in a school*
9 *outside of the local educational agency*
10 *within the State or out of the State.*

11 “(iii) *An examination, including a de-*
12 *scription, of each eligible secondary school’s*
13 *capacity to implement the school reform ac-*
14 *tivities described under subsection (e)(3),*
15 *including—*

16 “(I) *the capacity and experience*
17 *levels of administrative, instructional,*
18 *and noninstructional staff;*

19 “(II) *the budget, including how*
20 *Federal, State, and local funds are*
21 *being spent (as of the time of the as-*
22 *essment) and can be better spent; and*

23 “(III) *the technical assistance, ad-*
24 *ditional resources, and staff necessary*

1 to implement the activities identified
2 in subsection (e)(3).

3 “(iv) An assessment of the capacity of
4 the eligible entity to provide technical as-
5 sistance and resources to implement the ac-
6 tivities described in subsection (e).

7 “(E) The rationale for the strategies chosen
8 to be implemented under subsection (e), includ-
9 ing how such strategies will address the needs
10 identified through the needs analysis.

11 “(F) How the eligible entity will incor-
12 porate students with disabilities, English learn-
13 ers, and struggling students into the activities
14 under subsection (e).

15 “(G) The performance indicators and tar-
16 gets the eligible entity will use to assess the effec-
17 tiveness of the activities implemented under this
18 section including—

19 “(i) graduation rates;

20 “(ii) dropout recovery (re-entry) rates;

21 “(iii) percentage of students with less
22 than a 90 percent attendance rate;

23 “(iv) percentage of students who have
24 on-time credit accumulation at the end of

1 *each grade and the percentage of students*
2 *failing a core subject course;*

3 “(v) *rates of expulsions, suspensions,*
4 *school violence, harassment, and bullying,*
5 *as defined under State or local laws or poli-*
6 *cies;*

7 “(vi) *annual, average attendance rates;*

8 “(vii) *annual rates of student mobility;*

9 “(viii) *annual rates of student trans-*
10 *fers;*

11 “(ix) *college remediation, enrollment,*
12 *persistence, and completion rates; and*

13 “(x) *percentage of students success-*
14 *fully—*

15 “(I) *completing Advanced Place-*
16 *ment or International Baccalaureate*
17 *courses;*

18 “(II) *completing rigorous postsec-*
19 *ondary education courses while attend-*
20 *ing a secondary school; or*

21 “(III) *enrolling in and com-*
22 *pleting, career and technical education,*
23 *as defined in section 3 of the Carl D.*
24 *Perkins Career and Technical Edu-*
25 *cation Act of 2006 (20 U.S.C. 2302) or*

1 a program that leads to an apprentice-
2 ship registered under the Act of August
3 16, 1937 (commonly known as the ‘Na-
4 tional Apprenticeship Act’; 50 Stat.
5 664, chapter 663; 29 U.S.C. 50 et seq.).

6 “(e) *REQUIRED USES OF FUNDS.*—

7 “(1) *IN GENERAL.*—An eligible entity that re-
8 ceives a grant under this section shall use the grant
9 funds to—

10 “(A) *implement an early warning indicator*
11 *system to help high schools and feeder middle*
12 *schools, served by the eligible entity’s local edu-*
13 *cational agency, to identify struggling students*
14 *and create a system of evidence-based interven-*
15 *tions, by—*

16 “(i) *identifying and analyzing the aca-*
17 *demie and non-academic risk factors that*
18 *most reliably predict dropouts by using lon-*
19 *gitudinal data of past cohorts of students;*

20 “(ii) *identifying specific indicators of*
21 *student progress and performance, such as*
22 *attendance and chronic absenteeism, aca-*
23 *demie performance in core courses, and*
24 *credit accumulation, to guide decision-*
25 *making;*

1 “(iii) identifying or developing a
2 mechanism for regularly collecting and ana-
3 lyzing data about the impact of interven-
4 tions on the indicators of student progress
5 and performance;

6 “(iv) analyzing academic indicators to
7 determine whether students are making suf-
8 ficient academic growth to graduate sec-
9 ondary school in the standard numbers of
10 years; and

11 “(v) identifying and implementing
12 strategies for pairing academic support
13 with integrated student services and case-
14 management interventions for students re-
15 quiring intensive supports, which may in-
16 clude partnerships with other external part-
17 ners;

18 “(B) provide support and credit recovery
19 opportunities for struggling students, including
20 those who are over-aged and under-credited, at
21 secondary schools served by the eligible entity by
22 offering activities, such as—

23 “(i) a flexible school schedule;

24 “(ii) competency-based learning models
25 and performance-based assessments; and

1 “(iii) the provision of support services;

2 “(C) provide dropout recovery or re-entry
3 programs to secondary schools that are designed
4 to encourage and support dropouts returning to
5 an educational system, program, or institution
6 following an extended absence in order to grad-
7 uate college and career ready;

8 “(D) provide evidence-based grade and
9 school transition programs and supports, includ-
10 ing through curricula alignment; and

11 “(E) provide school leaders, instructional
12 staff, noninstructional staff, students, and fami-
13 lies with high-quality, easily accessible and time-
14 ly information about—

15 “(i) secondary school graduation re-
16 quirements;

17 “(ii) postsecondary education applica-
18 tion processes;

19 “(iii) postsecondary admissions proc-
20 esses and requirements, including public fi-
21 nancial aid and other available private
22 scholarship and grant aid opportunities;

23 “(iv) current regional labor market in-
24 formation on high-demand and projected-
25 growth industry areas and occupations; and

1 “(v) other programs and services for
2 increasing rates of college access and success
3 for students from low-income families.

4 “(2) *REQUIRED USE OF FUNDS IN FEEDER MID-*
5 *DLE SCHOOLS.—An eligible entity that receives a*
6 *grant under this section shall use the grant funds in*
7 *feeder middle schools to improve the academic*
8 *achievement of students and prepare students to grad-*
9 *uate college and career ready by—*

10 “(A) using early warning indicator and
11 intervention systems described in paragraph
12 (1)(A);

13 “(B) creating a personalized learning envi-
14 ronment;

15 “(C) implementing a transition strategy to
16 support the successful transition of students be-
17 tween grades, including encouraging collabora-
18 tion among elementary, middle, and secondary
19 school grades;

20 “(D) providing high-quality professional de-
21 velopment opportunities to school leaders, teach-
22 ers, and other school staff to prepare staff to—

23 “(i) address the academic challenges of
24 students in middle grades;

1 “(ii) understand the developmental
2 needs of students in the middle grades and
3 how to address those needs in an edu-
4 cational setting;

5 “(iii) implement data-driven interven-
6 tions; and

7 “(iv) provide academic guidance to
8 students so that students can graduate col-
9 lege and career ready; and

10 “(E) implementing organizational practices
11 and school schedules that allow for collaborative
12 staff participation, team teaching, and common
13 instructional planning time.

14 “(3) *REQUIRED USE OF FUNDS IN ELIGIBLE SEC-*
15 *ONDARY SCHOOLS.—An eligible entity that receives a*
16 *grant under this section shall use the grant funds in*
17 *eligible secondary schools to implement a comprehen-*
18 *sive approach that will—*

19 “(A) personalize the school experience by
20 taking steps such as—

21 “(i) creating opportunities for strug-
22 gling students to receive personalized in-
23 struction, including providing a personal-
24 ized sequence of instructional content and

1 *skills development, and opportunities for*
2 *credit recovery;*

3 *“(ii) implementing competency-based*
4 *learning models; and*

5 *“(iii) providing ongoing evaluation of*
6 *student academic achievement and the nec-*
7 *essary supports so that students graduate*
8 *college and career ready;*

9 *“(B) increase student engagement by pro-*
10 *viding applied learning opportunities;*

11 *“(C) provide school leaders with autonomy*
12 *through a flexible budget and staffing authority;*

13 *“(D) implement high-quality, evidence-*
14 *based professional development for teachers and*
15 *school leaders, provide increased opportunities*
16 *for teachers to work collaboratively, and improve*
17 *instruction;*

18 *“(E) improve curriculum and instruction,*
19 *by—*

20 *“(i) redesigning academic content and*
21 *instructional practices to align with high*
22 *academic standards for all students, the cri-*
23 *teria associated with admission to and suc-*
24 *cess in postsecondary education, and the*

1 *skills necessary to be successful in the work-*
2 *place;*

3 *“(ii) increasing rigor by providing op-*
4 *portunities to earn postsecondary credit*
5 *while in high school, including through Ad-*
6 *vanced Placement or International Bacca-*
7 *laureate courses, dual enrollment, and early*
8 *college; and*

9 *“(iii) implementing competency-based*
10 *learning models;*

11 *“(F) strengthen the transition between high*
12 *school and postsecondary education through ac-*
13 *tivities such as—*

14 *“(i) providing academic and career*
15 *counseling in student-to-counselor ratios*
16 *that allow students to make informed deci-*
17 *sions about academic and career options;*

18 *“(ii) providing high-quality college*
19 *and career exploration opportunities includ-*
20 *ing college campus visits;*

21 *“(iii) coordinating secondary and post-*
22 *secondary support services, and academic*
23 *calendars, to allow students to visit and*
24 *take courses at institutions of higher edu-*
25 *cation; and*

1 “(iv) providing academic and support
2 services, including financial aid counseling
3 for postsecondary education; and

4 “(G) implement not less than 1 of the fol-
5 lowing effective secondary school reform strate-
6 gies to prepare students for college and a career,
7 and to improve graduation rates:

8 “(i) Graduation Promise Academies,
9 which include—

10 “(I) grade 9 academies taught by
11 teams of teachers who work with small
12 groups of students;

13 “(II) career academies for upper
14 grades;

15 “(III) extended learning periods,
16 such as block scheduling, to reduce the
17 number of students for whom teachers
18 are responsible and the number of
19 courses students are taking at any one
20 time;

21 “(IV) an after-hours credit recov-
22 ery program;

23 “(V) curriculum coaches who pro-
24 vide high-quality professional develop-
25 ment and support;

1 “(VI) *partnerships among par-*
2 *ents, teachers, administrators, commu-*
3 *nity-based organizations, and commu-*
4 *nity members focused on improving*
5 *student achievement; and*

6 “(VII) *a college-going culture, in-*
7 *cluding student supports and guidance.*

8 “(ii) *Career academies, which imple-*
9 *ment a college and career ready curriculum*
10 *that integrates rigorous academics, career*
11 *and technical education, and experiential*
12 *learning for high school students in high-*
13 *skill, high-demand industries, in collabora-*
14 *tion with local and regional employers.*

15 “(iii) *Dual enrollment programs that*
16 *provide dual enrollment opportunities with*
17 *college credit-bearing courses, including ac-*
18 *celerated certificate programs with commu-*
19 *nity colleges or other recognized postsec-*
20 *ondary credentials.*

21 “(iv) *Early college high schools that de-*
22 *sign curricula and sequences of courses in*
23 *collaboration with teachers from the eligible*
24 *secondary school and faculty from the part-*
25 *ner institution of higher education so that*

1 *students may simultaneously earn credits*
2 *towards a high school diploma and either*
3 *an associate’s degree or not less than 12*
4 *transferable postsecondary education credits*
5 *toward a postsecondary degree at no cost to*
6 *students or their families.*

7 “(f) *ALLOWABLE USES OF FUNDS.*—*An eligible entity*
8 *that receives a grant under this section may use grant funds*
9 *to—*

10 “(1) *improve parent and family engagement in*
11 *the educational attainment and achievement of strug-*
12 *gling students and dropouts to be college and career*
13 *ready by—*

14 “(A) *leveraging community-based services*
15 *and opportunities; and*

16 “(B) *providing parents and families with*
17 *the necessary information, including data on*
18 *their child’s academic achievement and how to*
19 *navigate the public school system;*

20 “(2) *provide extended learning opportunities, by*
21 *extending the school day, week, or year to increase the*
22 *total number of school hours to include additional*
23 *time for instruction in academic subjects and enrich-*
24 *ment activities that contribute to a well-rounded edu-*
25 *cation;*

1 “(3) *increase student supports through activities*
2 *such as student advisories, school counseling opportu-*
3 *nities, and one-to-one mentoring; and*

4 “(4) *create smaller learning communities.*

5 “(g) *MATCHING FUNDS.—*

6 “(1) *IN GENERAL.—An eligible entity that re-*
7 *ceives a grant under this section shall provide match-*
8 *ing funds, from non-Federal sources, in an amount*
9 *equal to not less than 20 percent of the amount of*
10 *grant funds awarded in the first 3 years of the grant,*
11 *not less than 50 percent of the amount awarded in the*
12 *fourth year of the grant, and not less than 75 percent*
13 *of the amount awarded in the fifth year of the grant,*
14 *as applicable.*

15 “(2) *WAIVER.—The Secretary may waive all or*
16 *part of the matching requirement described in para-*
17 *graph (1) for a fiscal year for an eligible entity, on*
18 *a case-by-case basis, if the Secretary determines that*
19 *applying the matching requirement to such eligible*
20 *entity would result in serious hardship or an inabil-*
21 *ity to carry out the authorized activities described in*
22 *subsection (e).*

23 “(h) *SUPPLEMENT NOT SUPPLANT.—An eligible entity*
24 *shall use Federal funds received under this section only to*
25 *supplement the funds that would, in the absence of such*

1 *Federal funds, be made available from other Federal and*
2 *non-Federal sources for the activities described in this sec-*
3 *tion, and not to supplant such funds.*

4 **“Subpart 2—Accelerated Learning**

5 **“SEC. 1221. PURPOSES.**

6 *“The purposes of this subpart are—*

7 *“(1) to raise student academic achievement by—*

8 *“(A) increasing the number of teachers serv-*
9 *ing high-need schools who are qualified to teach*
10 *Advanced Placement or International Baccalaureate courses; and*
11 *laureate courses; and*

12 *“(B) increasing the number of students at-*
13 *tending high-need schools who—*

14 *“(i) enroll and succeed in Advanced*
15 *Placement or International Baccalaureate*
16 *courses; and*

17 *“(ii) take Advanced Placement or*
18 *International Baccalaureate examinations;*

19 *“(2) to increase, and to support statewide and,*
20 *as applicable, districtwide, efforts to increase the*
21 *availability of, and enrollment in, Advanced Place-*
22 *ment or International Baccalaureate courses, and*
23 *pre-Advanced Placement or pre-International Baccalaureate courses, in high-need schools; and*
24

1 “(3) to provide high-quality professional develop-
2 ment for teachers of Advanced Placement or Inter-
3 national Baccalaureate courses, and pre-Advanced
4 Placement or pre-International Baccalaureate courses,
5 in high-need schools.

6 **“SEC. 1222. FUNDING DISTRIBUTION RULE.**

7 “From amounts appropriated to carry out this sub-
8 part for a fiscal year, the Secretary shall give priority to
9 funding activities under section 1223 and shall distribute
10 any remaining funds under section 1224.

11 **“SEC. 1223. ADVANCED PLACEMENT AND INTERNATIONAL**
12 **BACCALAUREATE EXAMINATION FEE PRO-**
13 **GRAM.**

14 “(a) *GRANTS AUTHORIZED.*—From amounts made
15 available to carry out this subpart for a fiscal year, the
16 Secretary shall award grants to State educational agencies
17 having applications approved under this section to enable
18 the State educational agencies to pay, on behalf of low-in-
19 come students, part or all of the costs of Advanced Place-
20 ment or International Baccalaureate examination fees, if
21 the low-income students—

22 “(1) are enrolled in an Advanced Placement or
23 International Baccalaureate course; and

24 “(2) plan to take an Advanced Placement or
25 International Baccalaureate examination.

1 “(b) *AWARD BASIS.*—*In determining the amount of*
2 *the grant awarded to a State educational agency under this*
3 *section for a fiscal year, the Secretary shall consider the*
4 *number of children eligible to be counted under section*
5 *1124(c) in the State in relation to the number of such chil-*
6 *dren so counted in all States.*

7 “(c) *INFORMATION DISSEMINATION.*—*A State edu-*
8 *cational agency that is awarded a grant under this section*
9 *shall make publicly available information regarding the*
10 *availability of Advanced Placement or International Baccala-*
11 *ureate examination fee payments under this section, and*
12 *shall disseminate such information to eligible secondary*
13 *school students and parents, including through secondary*
14 *school teachers and counselors.*

15 “(d) *APPLICATIONS.*—*Each State educational agency*
16 *desiring to receive a grant under this section shall submit*
17 *an application to the Secretary at such time, in such man-*
18 *ner, and accompanied by such information as the Secretary*
19 *may require. At a minimum, each State educational agency*
20 *application shall—*

21 “(1) *describe the Advanced Placement or Inter-*
22 *national Baccalaureate examination fees the State*
23 *educational agency will pay on behalf of low-income*
24 *students in the State from grant funds awarded under*
25 *this section;*

1 “(2) provide an assurance that any grant funds
2 awarded under this section shall be used only to pay
3 for Advanced Placement or International Bacca-
4 laureate examination fees; and

5 “(3) contain such information as the Secretary
6 may require to demonstrate that the State educational
7 agency will ensure that a student is eligible for pay-
8 ments authorized under this section, including ensur-
9 ing that the student is a low-income student.

10 “(e) REGULATIONS.—The Secretary shall prescribe
11 such regulations as are necessary to carry out this section.

12 “(f) REPORT.—

13 “(1) IN GENERAL.—Each State educational
14 agency awarded a grant under this section shall, with
15 respect to each Advanced Placement or International
16 Baccalaureate course subject, annually report to the
17 Secretary the following data for the preceding year:

18 “(A) The number of students in the State
19 who are taking an Advanced Placement or Inter-
20 national Baccalaureate course in such subject.

21 “(B) The number of Advanced Placement or
22 International Baccalaureate examinations taken
23 by students in the State who have taken an Ad-
24 vanced Placement or International Bacca-
25 laureate course in such subject.

1 “(C) *The number of students in the State*
2 *scoring at each level on Advanced Placement or*
3 *International Baccalaureate examinations in*
4 *such subject, disaggregated by each of the sub-*
5 *groups of students described in section*
6 *1111(a)(2)(B)(x).*

7 “(D) *Demographic information regarding*
8 *students in the State taking Advanced Placement*
9 *or International Baccalaureate courses and Ad-*
10 *vanced Placement or International Baccala-*
11 *ureate examinations in that subject,*
12 *disaggregated by race, ethnicity, sex, English*
13 *proficiency status, and socioeconomic status.*

14 “(2) *REPORT TO CONGRESS.—The Secretary*
15 *shall annually compile the information received from*
16 *each State educational agency under paragraph (1)*
17 *and report to the authorizing committees regarding*
18 *the information.*

19 “(g) *BUREAU OF INDIAN AFFAIRS AS STATE EDU-*
20 *CATIONAL AGENCY.—For purposes of this section, the Bu-*
21 *reau of Indian Affairs shall be treated as a State edu-*
22 *cational agency.*

1 **“SEC. 1224. ADVANCED PLACEMENT AND INTERNATIONAL**
2 **BACCALAUREATE INCENTIVE PROGRAM**
3 **GRANTS.**

4 *“(a) GRANTS AUTHORIZED.—*

5 *“(1) IN GENERAL.—From amounts made avail-*
6 *able to carry out this subpart for a fiscal year, the*
7 *Secretary shall award grants, on a competitive basis,*
8 *to eligible entities to enable such entities to carry out*
9 *the authorized activities described in subsection (e).*

10 *“(2) DURATION, RENEWAL, AND PAYMENTS.—*

11 *“(A) DURATION.—The Secretary shall*
12 *award a grant under this section for a period of*
13 *not more than 3 years.*

14 *“(B) RENEWAL.—The Secretary may renew*
15 *a grant awarded under this section for an addi-*
16 *tional period of not more than 2 years, if an eli-*
17 *gible entity—*

18 *“(i) is achieving the objectives of the*
19 *grant; and*

20 *“(ii) has shown improvement against*
21 *baseline data on the performance measures*
22 *described in subparagraphs (A) through (E)*
23 *of subsection (g)(1).*

24 *“(C) PAYMENTS.—The Secretary shall make*
25 *grant payments under this section on an annual*
26 *basis.*

1 “(b) *DEFINITION OF ELIGIBLE ENTITY.*—*In this sec-*
2 *tion, the term ‘eligible entity’ means—*

3 “(1) *a State educational agency;*

4 “(2) *a high-need local educational agency; or*

5 “(3) *a partnership consisting of—*

6 “(A) *a national, regional, or statewide pub-*
7 *lic or nonprofit organization with expertise and*
8 *experience in providing Advanced Placement or*
9 *International Baccalaureate course services; and*

10 “(B) *a State educational agency or a high-*
11 *need local educational agency.*

12 “(c) *APPLICATION.*—

13 “(1) *IN GENERAL.*—*Each eligible entity desiring*
14 *a grant under this section shall submit an applica-*
15 *tion to the Secretary at such time, in such manner,*
16 *and accompanied by such information as the Sec-*
17 *retary may require.*

18 “(2) *CONTENTS.*—*The application shall, at a*
19 *minimum, include a description of—*

20 “(A) *the goals and objectives for the project*
21 *supported by the grant under this section, in-*
22 *cluding—*

23 “(i) *increasing the number of teachers*
24 *servicing high-need schools who are qualified*

1 to teach *Advanced Placement or Inter-*
2 *national Baccalaureate courses;*

3 “(ii) *increasing the number of Ad-*
4 *vanced Placement or International Bacca-*
5 *laureate courses that are offered at high-*
6 *need schools; and*

7 “(iii) *increasing the number of stu-*
8 *dents attending a high-need school, particu-*
9 *larly low-income students, who succeed in—*

10 “(I) *Advanced Placement or*
11 *International Baccalaureate courses;*
12 *and*

13 “(II) *if offered by the school, pre-*
14 *Advanced Placement or pre-Inter-*
15 *national Baccalaureate courses;*

16 “(B) *how the eligible entity will ensure that*
17 *students have access to courses, including pre-*
18 *Advanced Placement or pre-International Bacca-*
19 *laureate courses, that will prepare students to*
20 *enroll and succeed in Advanced Placement or*
21 *International Baccalaureate courses;*

22 “(C) *how the eligible entity will provide*
23 *professional development for teachers that will*
24 *further the goals and objectives of the grant*
25 *project;*

1 “(D) how the eligible entity will ensure that
2 teachers serving high-need schools are qualified
3 to teach Advanced Placement or International
4 Baccalaureate courses;

5 “(E) how the eligible entity will provide for
6 the involvement of business and community or-
7 ganizations and other entities, including institu-
8 tions of higher education, in carrying out the ac-
9 tivities described in subsection (e);

10 “(F) how the eligible entity will use funds
11 received under this section; and

12 “(G) how the eligible entity will evaluate
13 the outcome of the grant project.

14 “(d) PRIORITY.—In awarding grants under this sec-
15 tion, the Secretary shall give priority to applications from
16 eligible entities that—

17 “(1) are part of a statewide or districtwide strat-
18 egy, as applicable, for increasing the availability of
19 Advanced Placement or International Baccalaureate
20 courses, and pre-Advanced Placement or pre-Inter-
21 national Baccalaureate courses, in high-need schools;

22 “(2) demonstrate a focus on increasing the avail-
23 ability of Advanced Placement or International Bac-
24 calaureate courses in core academic subjects; 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 Advanced
9 Placement or International Baccalaureate
10 courses; and

11 “(B) the number of students attending high-
12 need schools who succeed in the examinations for
13 such courses, including through reimbursing low-
14 income students attending high-need schools for
15 part or all of the cost of Advanced Placement or
16 International Baccalaureate examination fees.

17 “(2) *ALLOWABLE ACTIVITIES.*—In addition to
18 the activities described in paragraph (1), an eligible
19 entity that receives a grant under this section may
20 use grant funds for—

21 “(A) high-quality teacher professional devel-
22 opment, in order to expand the pool of teachers
23 in the participating State, high-need local edu-
24 cational agency, or high-need school who are
25 qualified to teach Advanced Placement or Inter-

1 *national Baccalaureate courses, including*
2 *through innovative models, such as online acad-*
3 *emies and training institutes;*

4 “(B) *pre-Advanced Placement or pre-Inter-*
5 *national Baccalaureate teacher and counselor*
6 *high-quality professional development in sec-*
7 *ondary school to prepare students for success in*
8 *Advanced Placement or International Bacca-*
9 *laureate courses and in institutions of higher*
10 *education;*

11 “(C) *coordination and articulation between*
12 *grade levels to prepare students to succeed in Ad-*
13 *vanced Placement or International Bacca-*
14 *laureate courses;*

15 “(D) *purchase of instructional materials for*
16 *Advanced Placement or International Bacca-*
17 *laureate courses;*

18 “(E) *activities to increase the availability*
19 *of, and participation in, online Advanced Place-*
20 *ment or International Baccalaureate courses;*

21 “(F) *carrying out the requirements of sub-*
22 *section (g); and*

23 “(G) *in the case of an eligible entity de-*
24 *scribed in subsection (b)(1), awarding subgrants*
25 *to high-need local educational agencies to enable*

1 *the high-need local educational agencies to carry*
2 *out authorized activities described in subpara-*
3 *graphs (A) through (F).*

4 “(f) *CONTRACTS.—An eligible entity that is awarded*
5 *a grant to provide online Advanced Placement or Inter-*
6 *national Baccalaureate courses under this subpart may*
7 *enter into a contract with an organization to provide the*
8 *online Advanced Placement or International Baccalaureate*
9 *courses, including contracting for necessary support serv-*
10 *ices.*

11 “(g) *COLLECTING AND REPORTING REQUIREMENTS.—*

12 “(1) *REPORT.—Each eligible entity receiving a*
13 *grant under this section shall collect and report to the*
14 *Secretary annually such data regarding the results of*
15 *the grant as the Secretary may reasonably require,*
16 *including—*

17 “(A) *the number of students served by the*
18 *eligible entity enrolling in Advanced Placement*
19 *or International Baccalaureate courses, and pre-*
20 *Advanced Placement or pre-International Bacca-*
21 *laureate courses, disaggregated by grade level of*
22 *the student, and the grades received by such stu-*
23 *dents in the courses;*

24 “(B) *the number of students taking an Ad-*
25 *vanced Placement or International Bacca-*

1 *laureate examination and the distribution of*
2 *scores on those examinations, disaggregated by*
3 *the grade level of the student at the time of ex-*
4 *amination;*

5 *“(C) the number of teachers who are cur-*
6 *rently, as of the date of the report, receiving*
7 *training to teach Advanced Placement or Inter-*
8 *national Baccalaureate courses and will teach*
9 *such courses in the next school year;*

10 *“(D) the number of teachers becoming quali-*
11 *fied to teach Advanced Placement or Inter-*
12 *national Baccalaureate courses; and*

13 *“(E) the number of qualified teachers who*
14 *are teaching Advanced Placement or Inter-*
15 *national Baccalaureate courses in high-need*
16 *schools served by the eligible entity.*

17 *“(2) REPORTING OF DATA.—Each eligible entity*
18 *receiving a grant under this section shall report the*
19 *data required under paragraph (1)—*

20 *“(A) disaggregated by subject area;*

21 *“(B) in the case of student data,*
22 *disaggregated in the same manner as informa-*
23 *tion is disaggregated under section*
24 *1111(a)(2)(B)(x); and*

1 “(C) *in a manner that allows for an assess-*
2 *ment of the effectiveness of the grant program.*

3 “(h) *EVALUATION.—From the amount appropriated*
4 *for this subpart and reserved for evaluation activities in*
5 *accordance with section 9601(a), the Secretary, acting*
6 *through the Director of the Institute of Education Sciences,*
7 *shall, in consultation with the relevant program office at*
8 *the Department, evaluate the implementation and impact*
9 *of the activities supported under this section, consistent*
10 *with section 9601, including progress as measured by the*
11 *performance measures established under subparagraphs (A)*
12 *through (E) of subsection (g)(1).*

13 “(i) *MATCHING REQUIREMENT.—*

14 “(1) *IN GENERAL.—Subject to paragraph (3),*
15 *each eligible entity that receives a grant under this*
16 *section shall provide toward the cost of the activities*
17 *assisted under the grant, from non-Federal sources,*
18 *an amount equal to 100 percent of the amount of the*
19 *grant, except that an eligible entity that is a high-*
20 *need local educational agency shall provide an*
21 *amount equal to not more than 50 percent of the*
22 *amount of the grant.*

23 “(2) *MATCHING FUNDS.—The eligible entity may*
24 *provide the matching funds described in paragraph*
25 *(1) in cash or in-kind, fairly evaluated, but may not*

1 *provide more than 50 percent of the matching funds*
2 *in-kind. The eligible entity may provide the matching*
3 *funds from State, local, or private sources.*

4 *“(3) WAIVER.—The Secretary may waive all or*
5 *part of the matching requirement described in para-*
6 *graph (1) for any fiscal year for an eligible entity de-*
7 *scribed in paragraph (1) or (2) of subsection (b), if*
8 *the Secretary determines that applying the matching*
9 *requirement to such eligible entity would result in se-*
10 *rious hardship or an inability to carry out the au-*
11 *thorized activities described in subsection (e).*

12 **“SEC. 1225. SUPPLEMENT, NOT SUPPLANT.**

13 *“Grant funds provided under this subpart shall sup-*
14 *plement, and not supplant, other non-Federal funds that*
15 *are available to assist low-income students to pay for the*
16 *cost of Advanced Placement or International Baccalaureate*
17 *examination fees or to expand access to Advanced Place-*
18 *ment or International Baccalaureate courses, and pre-Ad-*
19 *vanced Placement or pre-International Baccalaureate*
20 *courses.*

21 **“SEC. 1226. DEFINITIONS.**

22 *“In this subpart:*

23 *“(1) HIGH-NEED SCHOOL.—The term ‘high-need*
24 *school’ means a secondary school—*

1 “(A) *with a demonstrated need for Ad-*
 2 *vanced Placement or International Bacc-*
 3 *laureate courses; and*

4 “(B) *that—*

5 “(i) *has a high concentration of low-*
 6 *income students; or*

7 “(ii) *is designated with a school locale*
 8 *code of 33, 41, 42, or 43, as determined by*
 9 *the Secretary.*

10 “(2) *LOW-INCOME STUDENT.—The term ‘low-in-*
 11 *come student’ means a student who is eligible for free*
 12 *or reduced-price lunch under the Richard B. Russell*
 13 *National School Lunch Act (42 U.S.C. 1751 et seq.).”.*

14 **PART C—EDUCATION OF MIGRATORY CHILDREN**

15 **SEC. 1301. PROGRAM PURPOSE.**

16 *Section 1301 (20 U.S.C. 6391) is amended to read as*
 17 *follows:*

18 **“SEC. 1301. PROGRAM PURPOSE.**

19 *“It is the purpose of this part to assist States in pro-*
 20 *viding high-quality and comprehensive educational pro-*
 21 *grams (including, as appropriate, instructional and educa-*
 22 *tionally related support services), during the regular school*
 23 *year and summer or intersession periods, that address the*
 24 *unique educational needs of migratory children arising*

1 *from their migratory lifestyle, in order to help such chil-*
 2 *dren—*

3 “(1) *succeed in school;*

4 “(2) *meet the same State college and career*
 5 *ready academic content and student academic*
 6 *achievement standards under section 1111(a)(1) that*
 7 *all children are expected to meet;*

8 “(3) *graduate high school ready for postsec-*
 9 *ondary education and careers; and*

10 “(4) *overcome educational disruption, cultural*
 11 *and language barriers, social isolation, various*
 12 *health-related problems, and other factors that inhibit*
 13 *the ability of such children to succeed in school.”.*

14 **SEC. 1302. PROGRAM AUTHORIZED.**

15 *Section 1302 (20 U.S.C. 6392) is amended—*

16 (1) *by striking “In order to carry out the pur-*
 17 *pose of this part” and inserting “From the amounts*
 18 *made available under section 3(d) for a fiscal year to*
 19 *carry out this part”;*

20 (2) *by striking “combinations” and inserting*
 21 *“consortia”; and*

22 (3) *by striking “to establish” and inserting “to*
 23 *enable such agencies or consortia to establish”.*

24 **SEC. 1303. STATE ALLOCATIONS.**

25 *Section 1303 (20 U.S.C. 6393) is amended—*

1 (1) *by striking subsection (a) and inserting the*
2 *following:*

3 “(a) *STATE ALLOCATIONS.—Except as provided in*
4 *subsection (b), the amount awarded to each State (other*
5 *than the Commonwealth of Puerto Rico) under this part*
6 *for each fiscal year shall be an amount equal to the product*
7 *of—*

8 “(1) *the sum of—*

9 “(A) *the average number of identified eligi-*
10 *ble migratory children aged 3 through 21, resid-*
11 *ing in the State, based on data for the preceding*
12 *3 years; and*

13 “(B) *the number of identified eligible mi-*
14 *gratory children, aged 3 through 21, who re-*
15 *ceived services under this part in summer or*
16 *intersession programs provided by the State dur-*
17 *ing the previous year; multiplied by*

18 “(2) *40 percent of the average per-pupil expendi-*
19 *ture in the State, except that the amount calculated*
20 *under this paragraph shall not be less than 32 per-*
21 *cent, or more than 48 percent, of the average per-*
22 *pupil expenditure in the United States.”;*

23 (2) *by redesignating subsections (b) through (e)*
24 *as subsections (c) through (f), respectively;*

1 (3) by inserting after subsection (a) the fol-
2 lowing:

3 “(b) *HOLD HARMLESS.*—Notwithstanding subsection
4 (a), for each of fiscal years 2011 through 2013, no State
5 receiving an allocation under this section shall receive less
6 than 90 percent of the State’s allocation under this section
7 for the previous year.”;

8 (4) in subsection (c), as redesignated by para-
9 graph (2)—

10 (A) by striking paragraphs (2) and (3);

11 (B) by striking “*PUERTO RICO.*—” and all
12 that follows through “*For each*” and inserting
13 the following: “*PUERTO RICO.—For each*”;

14 (C) by redesignating subparagraphs (A)
15 and (B) as paragraphs (1) and (2), respectively,
16 and by aligning such paragraphs with the mar-
17 gins of paragraph (1) of subsection (e), as redesi-
18 gnated by paragraph (2);

19 (D) in the matter preceding paragraph (1),
20 as redesignated by subparagraph (C)—

21 (i) by striking “*which*” and inserting
22 “*that*”; and

23 (ii) by striking “*subsection (a)(1)(A)*”
24 and inserting “*subsection (g)*”; and

1 (E) in paragraph (1), as redesignated by
2 subparagraph (C)—

3 (i) by striking “which” and inserting
4 “that”; and

5 (ii) by inserting “, except that the per-
6 centage calculated under this paragraph
7 shall not be less than 85 percent” before the
8 semicolon at the end; and

9 (5) in subsection (d), as redesignated by para-
10 graph (2)—

11 (A) in paragraph (1)—

12 (i) by striking “IN GENERAL.—(A) If,”
13 and all that follows through “this part” and
14 inserting the following: “IN GENERAL.—

15 “(A) RATABLE REDUCTIONS.—If the
16 amount available for allocations to States under
17 this part”; and

18 (ii) in subparagraph (B), by striking
19 “(B) If additional” and inserting the fol-
20 lowing:

21 “(B) REALLOCATION.—If additional”;

22 (B) in paragraph (2)—

23 (i) by striking “SPECIAL RULE.—(A)
24 The” and inserting the following: “SPECIAL
25 RULE.—

- 1 “(A) *FURTHER REDUCTIONS.—The*”;
- 2 *(ii) in subparagraph (A), by striking*
- 3 *“required under section 1304” and insert-*
- 4 *ing “needed to carry out the approved ac-*
- 5 *tivities in the application under section*
- 6 *1304”;*
- 7 *(iii) in subparagraph (B), by striking*
- 8 *“(B) The Secretary shall” and inserting the*
- 9 *following:*
- 10 “(B) *REALLOCATION.—The Secretary*
- 11 *shall”; and*
- 12 *(iv) by adding at the end the following:*
- 13 “(C) *ADDITIONAL REQUIREMENTS.—The*
- 14 *Secretary—*
- 15 *“(i) shall—*
- 16 *“(I) develop and implement a*
- 17 *procedure for monitoring the accuracy*
- 18 *of the information described in sub-*
- 19 *paragraph (A); and*
- 20 *“(II) issue, through regulations or*
- 21 *guidance, criteria for a system of State*
- 22 *quality control for the accuracy of*
- 23 *State counts of eligible migratory chil-*
- 24 *dren; and*

1 “(i) may not reduce the amount of a
2 State allocation under this paragraph on
3 the basis of unintentional errors in such
4 counts for States implementing a system of
5 State quality control that meets the criteria
6 described in clause (i)(II), if the discrep-
7 ancy between the initial State count and
8 any subsequent revisions is minimal.”;

9 (6) in subsection (f), as redesignated by para-
10 graph (2)—

11 (A) in the matter preceding paragraph (1),
12 by inserting “best serve migratory children
13 under this part and” after “In order to”;

14 (B) in paragraph (1), by striking “such in-
15 formation as the Secretary finds” and inserting
16 “the most recent information that”;

17 (C) by redesignating paragraphs (2)
18 through (4) as paragraphs (3) through (5), re-
19 spectively;

20 (D) by inserting after paragraph (1) the fol-
21 lowing:

22 “(2) develop and implement a procedure for
23 monitoring the accuracy of such information, if such
24 a procedure does not create barriers to the families of

1 *migratory children who are eligible for services under*
2 *this part;*”;

3 *(E) in paragraph (3), as redesignated by*
4 *subparagraph (C), by striking “develop and im-*
5 *plement a procedure for more accurately reflect-*
6 *ing” and inserting “update such procedure, and*
7 *implement the updated procedure, to more accu-*
8 *rately reflect the”;*

9 *(F) in paragraph (4)(A), as redesignated by*
10 *subparagraph (C), by inserting “of high-quality,*
11 *sustained, and intensive education services” after*
12 *“special programs”; and*

13 *(G) in paragraph (5), as redesignated by*
14 *subparagraph (C), by striking “the child whose*
15 *education has been interrupted” and inserting*
16 *“migratory children”; and*

17 *(7) by adding at the end the following:*

18 *“(g) NONPARTICIPATING STATES.—In the case of a*
19 *State desiring to receive an allocation under this part for*
20 *a fiscal year that did not receive an allocation for the pre-*
21 *vious fiscal year or that has been participating for less than*
22 *3 consecutive years, the Secretary shall calculate the State’s*
23 *number of identified migratory children aged 3 through 21*
24 *for purposes of subsection (a)(1)(A) by using the most recent*
25 *data available that identifies the migratory children resid-*

1 *ing in the State until data is available to calculate the 3-*
 2 *year average number of such children in accordance with*
 3 *such subsection.”.*

4 **SEC. 1304. STATE APPLICATIONS; SERVICES.**

5 *Section 1304 (20 U.S.C. 6394) is amended—*

6 *(1) in subsection (b)—*

7 *(A) in paragraph (1)—*

8 *(i) in the matter preceding subpara-*
 9 *graph (A)—*

10 *(I) by striking “special” and in-*
 11 *serting “unique”; and*

12 *(II) by inserting “and out of*
 13 *school migratory children” after “pre-*
 14 *school migratory children”; and*

15 *(ii) in subparagraph (B)—*

16 *(I) by striking “migrant” and in-*
 17 *serting “migratory”; and*

18 *(II) by striking “part A or B of*
 19 *title III” and inserting “part A of title*
 20 *III”;*

21 *(B) in paragraph (2)—*

22 *(i) by striking “migratory students”*
 23 *and inserting “migratory children”; and*

24 *(ii) by striking “same challenging”*
 25 *and all that follows through “standards*

1 *that” and inserting “same State college and*
2 *career ready academic content and student*
3 *academic achievement standards adopted*
4 *under section 1111(a)(1) that”;*

5 *(C) by striking paragraph (6);*

6 *(D) by redesignating paragraphs (3)*
7 *through (5) as paragraphs (4) through (6), re-*
8 *spectively;*

9 *(E) by inserting after paragraph (2) the fol-*
10 *lowing:*

11 *“(3) a description of how the State will meet the*
12 *requirements of section 1308(b) for the timely elec-*
13 *tronic transfer of student records and how the State*
14 *will use such records transfer to meet the unique edu-*
15 *cational needs of migratory students and remove bar-*
16 *riers to the proper enrollment and retention of migra-*
17 *tory children in schools;”;*

18 *(F) in paragraph (4), as redesignated by*
19 *subparagraph (D)—*

20 *(i) by striking “require, the State” and*
21 *inserting “require and using the linkage*
22 *system described in section 1308(b), the*
23 *State and each of its local operating agen-*
24 *cies”;*

1 (ii) by striking “another” and insert-
2 ing “another or from one school district to
3 another”; and

4 (iii) by striking “such move” and in-
5 serting “such a move”;

6 (G) in paragraph (7)—

7 (i) by striking “family literacy serv-
8 ices” and inserting “family literacy activi-
9 ties”;

10 (ii) by striking “program or project
11 serves” and inserting “programs and
12 projects serve”;

13 (iii) by striking “who have parents
14 who” and inserting “whose parents”; and

15 (iv) by striking the period at the end
16 and inserting “; and”; and

17 (H) by adding at the end the following:

18 “(8) such budgetary and other information as
19 the Secretary may require.”;

20 (2) in subsection (c)—

21 (A) in paragraph (2), by striking “part I”
22 and inserting “part F”;

23 (B) by striking paragraph (3) and inserting
24 the following:

1 “(3) in the planning and operation of programs
2 and projects at both the State and local agency oper-
3 ating levels, there is consultation with parent advi-
4 sory councils for programs of not less than 1 school
5 year in duration, and that all such programs and
6 projects are—

7 “(A) conducted in a manner that provides
8 for the same parental involvement as is required
9 for programs and projects under section 1118,
10 including, to the extent practicable, descriptions
11 required for parental involvement under section
12 1118(a)(3)(A), unless extraordinary cir-
13 cumstances make such provision impractical;
14 and

15 “(B) developed in a format and language
16 understandable to the parents;”;

17 (C) in paragraph (4), by inserting “and
18 migratory children who are not attending
19 school” before the semicolon at the end;

20 (D) in paragraph (6), by striking subpara-
21 graph (C) and inserting the following:

22 “(C) family literacy programs that are de-
23 termined to be high quality;”;

24 (E) by striking paragraph (7) and inserting
25 the following:

1 “(7) the State has procedures in place to verify
2 the accuracy and completeness of any data regarding
3 the counting of migratory children that is submitted
4 to the Secretary under this part.”; and

5 (3) in subsection (d)—

6 (A) by striking “who are failing” and all
7 that follows through the period and inserting the
8 following: “who have made a move within the
9 previous 1-year period and who—

10 “(1) are failing, or most at risk of failing, to
11 meet the State college and career ready academic con-
12 tent standards and student academic achievement
13 standards adopted under section 1111(a)(1); or

14 “(2) have dropped out of school.”; and

15 (B) in subsection (e)—

16 (i) in paragraph (2), by striking “1”
17 and inserting “one”; and

18 (ii) in paragraph (3), by striking “sec-
19 ondary school students” and inserting “stu-
20 dents”.

21 **SEC. 1305. SECRETARIAL APPROVAL; PEER REVIEW.**

22 Section 1305(b) (20 U.S.C. 6395(b)) is amended by
23 striking “may” and inserting “shall, to the extent prac-
24 ticable,”.

1 **SEC. 1306. COMPREHENSIVE NEEDS ASSESSMENT AND**
2 **SERVICE-DELIVERY PLAN; AUTHORIZED AC-**
3 **TIVITIES.**

4 *Section 1306 (20 U.S.C. 6396) is amended—*

5 *(1) in subsection (a)(1)—*

6 *(A) in the matter preceding subparagraph*

7 *(A)—*

8 *(i) by striking “special” and inserting*

9 *“unique”; and*

10 *(ii) by inserting “, consistent with the*

11 *purposes of this part,” after “migratory*

12 *children”;*

13 *(B) by striking subparagraph (B);*

14 *(C) by redesignating subparagraphs (C)*

15 *through (G) as subparagraphs (E) through (I),*

16 *respectively;*

17 *(D) by inserting after subparagraph (A) the*

18 *following:*

19 *“(B) addresses the unique educational needs*
20 *of migratory children;*

21 *“(C) is developed in collaboration with par-*
22 *ents of migratory children;*

23 *“(D) is not used to supplant State efforts*
24 *regarding, or administrative funding for, this*
25 *part;”;*

1 *(E) in subparagraph (E), as redesignated*
2 *by subparagraph (C), by striking “same chal-*
3 *lenging” and all that follows through “standards*
4 *that” and inserting “same State college and ca-*
5 *reer ready academic content and student aca-*
6 *demically achievement standards adopted under sec-*
7 *tion 1111(a)(1) that”; and*

8 *(F) in subparagraph (H), as redesignated*
9 *by subparagraph (C)—*

10 *(i) by striking “early childhood pro-*
11 *grams,” and inserting “early childhood edu-*
12 *cation programs,”; and*

13 *(ii) by striking “part A or B of title*
14 *III” and inserting “part A of title III”;*

15 *(2) in subsection (b)—*

16 *(A) in paragraph (1), by striking “local*
17 *educational” and inserting “local operating”;*

18 *(B) by striking paragraph (2) and inserting*
19 *the following:*

20 *“(2) UNMET NEEDS.—Funds provided under this*
21 *part shall be used to meet the needs of migratory chil-*
22 *dren that are not met by services available from other*
23 *Federal or non-Federal programs, except that migra-*
24 *tory children who are eligible to receive services under*
25 *part A may receive those services through funds pro-*

1 *vided under that part or through funds under this*
2 *part that remain after the agency meets the needs de-*
3 *scribed in paragraph (1).”; and*

4 *(C) in paragraph (4), by striking “special*
5 *educational” and inserting “unique edu-*
6 *cational”.*

7 **SEC. 1307. BYPASS.**

8 *Section 1307 (20 U.S.C. 6397) is amended, in the mat-*
9 *ter preceding paragraph (1), by striking “make arrange-*
10 *ments with” and inserting “award grants to, or enter into*
11 *contracts with,”.*

12 **SEC. 1308. NATIONAL ACTIVITIES.**

13 *Section 1308 (20 U.S.C. 6398) is amended—*

14 *(1) by striking the section heading and inserting*
15 **“NATIONAL ACTIVITIES.”;**

16 *(2) in subsection (a)—*

17 *(A) in paragraph (1)—*

18 *(i) by striking “nonprofit entities to*
19 *improve” and inserting the following: “enti-*
20 *ties to—*

21 *“(A) improve”;*

22 *(ii) by inserting “through” before “the*
23 *establishment”;*

24 *(iii) by striking the period at the end*
25 *and inserting “; and”; and*

1 (iv) by adding at the end the following:

2 “(B) improve the coordination between
3 State educational agencies, local operating agen-
4 cies, and their counterparts in other nations in
5 educating migratory children who move between
6 the United States and such nations.”; and

7 (B) in paragraph (2), by inserting “or con-
8 tracts” after “Grants”;

9 (3) in subsection (b)—

10 (A) by striking paragraph (1) and inserting
11 the following:

12 “(1) ASSISTANCE.—In order to determine the
13 number of migratory children in each State, the Sec-
14 retary shall assist each State in maintaining an effec-
15 tive system for the electronic transfer of student
16 records.”;

17 (B) in paragraph (2)—

18 (i) in subparagraph (A)—

19 (I) in the matter preceding clause
20 (i), by striking “The Secretary, in con-
21 sultation” and all that follows through
22 “may include—” and inserting the fol-
23 lowing: “The Secretary, in consultation
24 with the States, shall continue to en-
25 sure the linkage of migratory child

1 *record systems for the purpose of elec-*
2 *tronically exchanging, within and*
3 *among the States, health and edu-*
4 *cational information regarding all mi-*
5 *gratory children eligible under this*
6 *part. The Secretary shall ensure such*
7 *linkage occurs in a cost-effective man-*
8 *ner, utilizing systems used by the State*
9 *prior to, or developed after, the date of*
10 *enactment of the Strengthening Amer-*
11 *ica’s Schools Act of 2013. The Sec-*
12 *retary shall determine the minimum*
13 *data elements that each State receiving*
14 *funds under this part shall collect,*
15 *maintain, and exchange, and the re-*
16 *quirements of the linkage system that*
17 *States shall meet for the timely submis-*
18 *sion of access to such information.*
19 *Such minimum data elements may in-*
20 *clude—”; and*

21 *(II) in clause (i), by striking*
22 *“section 1111(b)” and inserting “sec-*
23 *tion 1111(a)(2)”;* and

24 *(ii) by striking subparagraph (B) and*
25 *inserting the following:*

1 “(B) *CONSULTATION.*—*The Secretary shall*
2 *maintain ongoing consultation with the States,*
3 *local educational agencies, and other migratory*
4 *student service providers on—*

5 “(i) *the effectiveness of the system of*
6 *electronic records transfer described in sub-*
7 *paragraph (A); and*

8 “(ii) *the ongoing improvement of such*
9 *system.*”; and

10 (C) *in paragraph (4)—*

11 (i) *in subparagraph (A)—*

12 (I) *by striking “2003,” and in-*
13 *serting “2014, and every 2 years there-*
14 *after,”; and*

15 (II) *by striking “the Committee*
16 *on Health, Education, Labor, and Pen-*
17 *sions of the Senate and the Committee*
18 *on Education and the Workforce of the*
19 *House of Representatives” and insert-*
20 *ing “the authorizing committees”; and*

21 (ii) *in subparagraph (B)—*

22 (I) *in clause (ii), by striking “the*
23 *development and linkage of” and in-*
24 *serting “maintaining”; and*

1 (II) in clause (iii), by striking
2 “measures that may be taken to en-
3 sure” and inserting “improving”;

4 (4) by redesignating subsection (c) as subsection
5 (f), and transferring such subsection so as to follow
6 subsection (e);

7 (5) by inserting after subsection (b) the fol-
8 lowing:

9 “(c) *TECHNICAL ASSISTANCE.*—*The Secretary may*
10 *provide technical assistance designed to support State ef-*
11 *forts to meet the needs of migratory children, which may*
12 *include supporting the attendance of State and local oper-*
13 *ating agency staff, and other appropriate individuals, at*
14 *special meetings convened by the Secretary in order to carry*
15 *out activities consistent with this section.”;*

16 (6) in subsection (d)—

17 (A) by striking “, pursuant to criteria that
18 the Secretary shall establish,”; and

19 (B) by striking “whose education is inter-
20 rupted” and inserting “described in section
21 1304(d)”;

22 (7) by striking subsection (e) and inserting the
23 following:

24 “(e) *IMPROVEMENTS AND COORDINATION.*—*From any*
25 *funds made available under this section and remaining*

1 *after carrying out the requirements under subsections (b)*
 2 *and (d), the Secretary, in consultation with the States, may*
 3 *make grants to, or enter into contracts with, State edu-*
 4 *cational agencies, local educational agencies, institutions of*
 5 *higher education, and other public and private nonprofit*
 6 *entities to improve the interstate and intrastate coordina-*
 7 *tion among such agencies' and entities' programs available*
 8 *to migratory students consistent with this section, including*
 9 *the establishment or improvement of programs for academic*
 10 *credit accrual and exchange.”.*

11 **SEC. 1309. PERFORMANCE DATA; EVALUATIONS AND STUDY;**

12 **STATE ASSISTANCE.**

13 *Part C of title I (20 U.S.C. 6391 et seq.) is further*
 14 *amended—*

15 *(1) by redesignating section 1309 as section*
 16 *1312; and*

17 *(2) by inserting after section 1308 the following:*

18 **“SEC. 1309. PERFORMANCE DATA.**

19 *“Consistent with section 1111(d)(3)(B), and in a man-*
 20 *ner prescribed by the Secretary, each State that receives a*
 21 *grant under this part shall annually submit to the Sec-*
 22 *retary, and make public, data on—*

23 *“(1) the academic achievement of migratory stu-*
 24 *dents, as measured by the State assessments required*
 25 *under section 1111(a)(2);*

1 “(2) such students’ high school graduation rates
2 and rates of enrollment and persistence in, and com-
3 pletion of a program of study at, institutions of high-
4 er education; and

5 “(3) the results of such other performance meas-
6 ures and targets as the Secretary may prescribe.

7 **“SEC. 1310. EVALUATION AND STUDY.**

8 “(a) *PROGRAM EVALUATION.*—From the amount re-
9 served for evaluation activities in accordance with section
10 9601(a), the Secretary, acting through the Director of the
11 Institute of Education Sciences, shall, in consultation with
12 the relevant program office at the Department, evaluate the
13 implementation and impact of the activities supported
14 under this part, consistent with section 9601.

15 “(b) *STUDY.*—The Secretary shall conduct a pilot
16 study, funded as part of the 2014 National Assessment of
17 Educational Progress, on the feasibility of using the Na-
18 tional Assessment of Educational Progress for assessing and
19 reporting on the academic achievement of migratory chil-
20 dren in grades 4 and 8 in reading and mathematics.

21 **“SEC. 1311. STATE ASSISTANCE IN DETERMINING NUMBER**
22 **OF MIGRATORY CHILDREN.**

23 “Each State that desires to receive assistance under
24 this part shall assist the Secretary in determining the num-
25 ber of migratory children in such State under paragraphs

1 (1) and (2) of subsection (a), and subsection (g), of section
2 1303 through such procedures as the Secretary may require,
3 except that the Secretary shall not require additional infor-
4 mation that is not directly related to determining the mi-
5 gratory status of the child or the administration of this
6 part.”.

7 **SEC. 1310. DEFINITIONS.**

8 Section 1312 (20 U.S.C. 6399), as redesignated by sec-
9 tion 1309(1), is amended—

10 (1) by redesignating paragraphs (1) and (2) as
11 paragraphs (3) and (5), respectively;

12 (2) by inserting before paragraph (3), as redesign-
13 nated by paragraph (1), the following:

14 “(1) *FOOD PROCESSOR*.—The term ‘food proc-
15 essor’ means a position working with a raw agricul-
16 tural, dairy, or fishing product and transforming the
17 product into a more refined product up to the point
18 of an initial commercial sale.

19 “(2) *INITIAL COMMERCIAL SALE*.—The term ‘ini-
20 tial commercial sale’ means the first point of sale of
21 an agricultural, dairy, or fishing product—

22 “(A) for refining to the next-stage processor;

23 “(B) to the wholesaler;

24 “(C) to the retailer; or

25 “(D) directly to the consumer.”;

1 (3) by inserting after paragraph (3), as redesign-
2 nated by paragraph (1), the following:

3 “(4) *MIGRATORY AGRICULTURAL WORKER.*—The
4 term ‘migratory agricultural worker’ means an indi-
5 vidual who—

6 “(A) made a qualifying move in the pre-
7 ceding 36-month period; and

8 “(B) after making such move, sought or en-
9 gaged in employment in agricultural work,
10 which may be dairy work or the initial proc-
11 essing of raw agricultural products.”; and

12 (4) by striking paragraph (5), as redesignated by
13 paragraph (1), and inserting the following:

14 “(5) *MIGRATORY CHILD.*—The term ‘migratory
15 child’ means a child who—

16 “(A) is, or whose parent or spouse is, a mi-
17 gratory agricultural worker or migratory fisher
18 who is currently engaged in, or seeking to obtain,
19 temporary or seasonal employment, usually for
20 not longer than 15 months, in agricultural or
21 fishing work until the point of the initial com-
22 mercial sale (including employment as a migra-
23 tory dairy worker, a food processor, or a migra-
24 tory fisher); and

25 “(B) in the preceding 36 months—

1 “(i) *has moved from 1 school district to*
2 *another;*

3 “(ii) *in a State that is comprised of a*
4 *single school district, has moved from 1 ad-*
5 *ministrative area to another within such*
6 *district; or*

7 “(iii) *resides in a school district of*
8 *more than 15,000 square miles, and mi-*
9 *grates a distance of 20 miles or more to a*
10 *temporary residence to engage in, or to ac-*
11 *company a parent or spouse engaging in, a*
12 *fishing activity.*

13 “(6) *MIGRATORY FISHER.—The term ‘migratory*
14 *fisher’ means an individual who made a qualifying*
15 *move in the preceding 36 months and, after doing so,*
16 *sought or engaged in employment in fishing work.*

17 “(7) *QUALIFYING MOVE.—The term ‘qualifying*
18 *move’—*

19 “(A) *means—*

20 “(i) *a move from 1 school district to*
21 *another, or from 1 administrative area to*
22 *another within a State that is comprised of*
23 *a single school district; and*

24 “(ii) *in the case of a migratory fisher*
25 *who resides in a school district of more than*

1 15,000 square miles, includes migrating a
 2 distance of 20 miles or more to a temporary
 3 residence; and

4 “(B) with respect to a qualifying move for
 5 a parent or spouse of a migratory child, means
 6 a move described in subparagraph (A) that is
 7 separated by not more than 1 year from the
 8 move or migration described in paragraph
 9 (5)(B) of the migratory child.”.

10 **PART D—PREVENTION AND INTERVENTION PRO-**
 11 **GRAMS FOR CHILDREN AND YOUTH WHO ARE**
 12 **NEGLECTED, DELINQUENT, OR AT-RISK**

13 **SEC. 1401. PURPOSE AND PROGRAM AUTHORIZATION.**

14 Section 1401 (20 U.S.C. 6421) is amended—

15 (1) in subsection (a)—

16 (A) in paragraph (1), by striking “chal-
 17 lenging State academic content standards and
 18 challenging State student academic achievement
 19 standards” and inserting “college and career
 20 ready academic content standards and student
 21 academic achievement standards under section
 22 1111(a)(1)”; and

23 (B) in paragraph (3), by striking “to pre-
 24 vent at-risk youth from dropping out of school,
 25 and”; and

1 (2) in subsection (b), by striking “1002(d)” and
2 inserting “3(e)”.

3 **SEC. 1402. ALLOCATION OF FUNDS.**

4 (a) *PAYMENTS FOR PROGRAMS UNDER THIS PART.*—
5 Section 1402 (20 U.S.C. 6422) is amended by inserting
6 after subsection (b) the following:

7 “(c) *RESERVATION FOR THE SECRETARY OF THE IN-*
8 *TERIOR.*—From the amount appropriated for this part in
9 any fiscal year, the Secretary shall reserve 0.5 percent to
10 provide assistance to the Secretary of the Interior to provide
11 educational services for at-risk Indian children, including
12 Indian youth in correctional facilities operated by the Sec-
13 retary of the Interior or by an Indian tribe.”.

14 (b) *ALLOCATION OF FUNDS.*—Section 1412(b) (20
15 U.S.C. 6432(b)) is amended by striking paragraph (2) and
16 inserting the following:

17 “(2) *MINIMUM PERCENTAGE.*—The percentage in
18 paragraph (1)(A) shall not be less than 85 percent.”.

19 **SEC. 1403. STATE PLAN AND STATE AGENCY APPLICATIONS.**

20 Section 1414 (20 U.S.C. 6434) is amended—

21 (1) in subsection (a)—

22 (A) in paragraph (1)(B)—

23 (i) by striking “from” and inserting
24 “between”; and

1 (ii) by striking “to” and inserting
2 “and”;

3 (B) in paragraph (2)—

4 (i) in subparagraph (A), by striking
5 “academic, vocational, and technical skills”
6 and inserting “college and career readiness
7 (as determined based on the State college
8 and career ready academic content and stu-
9 dent academic achievement standards under
10 section 1111(a)(1))”; and

11 (ii) in subparagraph (B), by striking
12 “and” after the semicolon;

13 (C) in subparagraph (C)(iv), by striking the
14 period at the end and inserting “; and”; and

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

16 “(D) provide assurances that the State edu-
17 cational agency has established—

18 “(i) procedures to ensure that each stu-
19 dent who has been placed in the juvenile
20 justice system is promptly re-enrolled in
21 secondary school or placed in a re-entry
22 program that best meets the educational
23 and social needs of the student;

1 “(ii) procedures for facilitating the
2 transfer of credits that such students earned
3 during placement; and

4 “(iii) opportunities for such students to
5 participate in higher education or career
6 pathways.”; and

7 (2) in subsection (c)—

8 (A) in paragraph (1)—

9 (i) by inserting “and respond to” after
10 “assess”; and

11 (ii) by inserting “, including an as-
12 sessment upon entry into a correctional fa-
13 cility” before the semicolon at the end;

14 (B) in paragraph (8), by striking “voca-
15 tional” and inserting “career”;

16 (C) in paragraph (9)—

17 (i) by striking “encourage” and insert-
18 ing “require, to the extent practicable,”;

19 (ii) by inserting “and after” after
20 “prior to”; and

21 (iii) by inserting “and that transition
22 plans are in place” before the semicolon at
23 the end;

24 (D) in paragraph (11)—

1 (i) by inserting “such” after “transi-
2 tion of”;

3 (ii) by striking “from” and inserting
4 “between”; and

5 (iii) by striking “institution to locally
6 operated” and inserting “institution and lo-
7 cally operated education”;

8 (E) in paragraph (16)—

9 (i) by inserting “and obtain a sec-
10 ondary school diploma” after “reenter
11 school”; and

12 (ii) by inserting “that leads to eco-
13 nomic self-sufficiency” after “employment”;
14 and

15 (F) in paragraph (17), by inserting “cer-
16 tified or licensed” before “teachers”.

17 **SEC. 1404. USE OF FUNDS.**

18 Section 1415(a) (20 U.S.C. 6435(a)) is amended—

19 (1) in paragraph (1)(B), by striking “voca-
20 tional” and inserting “career”; and

21 (2) in paragraph (2)—

22 (A) in subparagraph (B)—

23 (i) in clause (i), by striking “chal-
24 lenging academic content standards and
25 student academic achievement standards”

1 and inserting “college and career ready aca-
2 ademic content standards and student aca-
3 ademic achievement standards under section
4 1111(a)(1)”; and

5 (ii) in clause (iii), by striking “chal-
6 lenging” and inserting “such”;

7 (B) in subparagraph (C)—

8 (i) by striking “part I” and inserting
9 “part F”; and

10 (ii) by striking “and” after the semi-
11 colon;

12 (C) in subparagraph (D), by striking the
13 period at the end and inserting “; and”; and

14 (D) by adding at the end the following:

15 “(E) may include the costs of testing for
16 such children and youth for a recognized equiva-
17 lent of a secondary school diploma.”.

18 **SEC. 1405. INSTITUTION-WIDE PROJECTS.**

19 Section 1416 (20 U.S.C. 6436) is amended—

20 (1) in paragraph (3), by striking “challenging
21 State academic content standards and student aca-
22 ademic achievement standards” and inserting “college
23 and career ready academic content standards and
24 student academic achievement standards under sec-
25 tion 1111(a)(1)”; and

1 (2) *in paragraph (4)—*

2 (A) *by striking “pupil services” and insert-*
3 *ing “specialized instructional support services”;*
4 *and*

5 (B) *by inserting “and the development and*
6 *implementation of transition plans” before the*
7 *semicolon; and*

8 (3) *in paragraph (6), by inserting “and im-*
9 *prove” after “assess”.*

10 **SEC. 1406. TRANSITION SERVICES.**

11 *Section 1418(a) (20 U.S.C. 6438(a)) is amended—*

12 (1) *by striking paragraph (1) and inserting the*
13 *following:*

14 “(1) *projects that facilitate the transition of chil-*
15 *dren and youth between State-operated institutions,*
16 *or institutions in the State operated by the Secretary*
17 *of the Interior or Indian tribes, and schools served by*
18 *local educational agencies or schools funded by the*
19 *Bureau of Indian Education; or”;* *and*

20 (2) *in paragraph (2), by striking “vocational”*
21 *each place the term appears and inserting “career”.*

22 **SEC. 1407. PROGRAM EVALUATION.**

23 *Section 1419 is amended to read as follows:*

1 **“SEC. 1419. PROGRAM EVALUATION.**

2 *“From the amount reserved for evaluation activities*
 3 *in accordance with section 9601(a), the Secretary, acting*
 4 *through the Director of the Institute for Education Sciences,*
 5 *shall, in consultation with the relevant program office of*
 6 *the Department, evaluate the implementation and impact*
 7 *of the activities supported under this part, consistent with*
 8 *section 9601.”.*

9 **SEC. 1408. PURPOSE OF LOCAL AGENCY PROGRAMS.**

10 *Section 1421 (20 U.S.C. 6451) is amended—*

11 *(1) in the matter preceding paragraph (1), by*
 12 *inserting “, including correctional facilities in the*
 13 *State operated by the Secretary of the Interior and*
 14 *Indian tribes” after “facilities”;*

15 *(2) in paragraph (1), by striking “, training,*
 16 *employment, or further education” and inserting*
 17 *“and college and career readiness (as determined*
 18 *based on the State college and career ready academic*
 19 *content and student academic achievement standards*
 20 *under section 1111(a)(1))”;* and

21 *(3) in paragraph (3), by inserting “, including*
 22 *schools funded by the Bureau of Indian Education,”*
 23 *after “schools”.*

24 **SEC. 1409. PROGRAMS OPERATED BY LOCAL EDUCATIONAL**
 25 **AGENCIES.**

26 *Section 1422 (20 U.S.C. 6452) is amended—*

1 (1) *in subsection (a), by inserting “, and includ-*
2 *ing facilities in the State operated by the Secretary*
3 *of the Interior and Indian tribes” after “day pro-*
4 *grams)”*;

5 (2) *in subsection (d)—*

6 (A) *by striking “meet the transitional” and*
7 *inserting “meet the transitional needs (including*
8 *the social and emotional needs)”*;

9 (B) *by striking “meeting the transitional”*
10 *and inserting “meeting such transitional”*; and

11 (C) *by inserting “, schools funded by the*
12 *Bureau of Indian Education,” after “returning*
13 *to local educational agencies”*.

14 **SEC. 1410. LOCAL EDUCATIONAL AGENCY APPLICATIONS.**

15 Section 1423 (20 U.S.C. 6453) *is amended—*

16 (1) *in paragraph (2)—*

17 (A) *in subparagraph (A), by inserting “or,*
18 *as appropriate, an Indian tribe in the State”*
19 *after “agency”*; and

20 (B) *in subparagraph (B), by inserting “,*
21 *including such facilities operated by the Sec-*
22 *retary of the Interior and Indian tribes” after*
23 *“system”*;

24 (2) *by redesignating paragraphs (4) through (13)*
25 *as paragraphs (5) through (14), respectively*;

1 (3) by inserting after paragraph (3) the fol-
2 lowing:

3 “(4) a description of the process of consultation
4 and coordination with Indian tribes in the State re-
5 garding services provided under the program to chil-
6 dren and youth who are Indian;”;

7 (4) in paragraph (7), as redesignated by para-
8 graph (2), by striking “, at-risk children or youth,
9 and other participating children or youth,” and in-
10 serting “and at-risk children or youth,”;

11 (5) in paragraph (9), as redesignated by para-
12 graph (2), by inserting “and family members” after
13 “parents”;

14 (6) in paragraph (10), as redesignated by para-
15 graph (2), by striking “vocational” and inserting
16 “career”;

17 (7) in paragraph (13), as redesignated by para-
18 graph (2), by striking “and” after the semicolon;

19 (8) in paragraph (14), as redesignated by para-
20 graph (2), by striking the period at the end and in-
21 serting “; and”; and

22 (9) by inserting after paragraph (14), as redesi-
23 gnated by paragraph (2), the following:

24 “(15) a description of the demographics of the
25 children and youth served and an assurance that the

1 *activities under this subpart meet the cultural, lan-*
2 *guage, and academic needs of such children and*
3 *youth.”.*

4 **SEC. 1411. USES OF FUNDS.**

5 *Section 1424 (20 U.S.C. 6454) is amended—*

6 *(1) in paragraph (2), by striking “, including”*
7 *and all that follows through “gang members”;*

8 *(2) in paragraph (4)—*

9 *(A) by striking “vocational and technical*
10 *education” and inserting “career and technical*
11 *education, costs associated with testing for a rec-*
12 *ognized equivalent of a secondary school di-*
13 *ploma”; and*

14 *(B) by striking “and” after the semicolon;*

15 *(3) in paragraph (5), by striking the period at*
16 *the end and inserting “; and”; and*

17 *(4) by adding at the end the following:*

18 *“(6) programs for at-risk Indian children and*
19 *youth, including such children and youth in correc-*
20 *tional facilities in the area served by the local edu-*
21 *cational agency that are operated by the Secretary of*
22 *the Interior or Indian tribes.”.*

1 **SEC. 1412. PROGRAM REQUIREMENTS FOR CORRECTIONAL**
2 **FACILITIES RECEIVING FUNDS UNDER THIS**
3 **SECTION.**

4 *Section 1425 (20 U.S.C. 6455) is amended—*

5 *(1) in paragraph (9), by striking “vocational”*
6 *and inserting “career”;*

7 *(2) in paragraph (10), by striking “and” after*
8 *the semicolon;*

9 *(3) in paragraph (11), by striking the period at*
10 *the end and inserting a semicolon; and*

11 *(4) by adding at the end the following:*

12 *“(12) develop an initial educational services and*
13 *transition plan for each child or youth served under*
14 *this subpart upon entry into the correctional facility,*
15 *in partnership with the child’s or youth’s family*
16 *members and the local educational agency that most*
17 *recently provided services to the child or youth (if ap-*
18 *plicable), consistent with section 1414(a)(1); and*

19 *“(13) consult with the local educational agency*
20 *for a period jointly determined necessary by the cor-*
21 *rectional facility and local educational agency upon*
22 *discharge from that facility, to coordinate educational*
23 *services so as to minimize disruption to the child’s or*
24 *youth’s achievement.”.*

1 **SEC. 1413. ACCOUNTABILITY.**

2 *Section 1426 (20 U.S.C. 6456) is amended to read as*
3 *follows:*

4 **“SEC. 1426. ACCOUNTABILITY.**

5 *“The State educational agency—*

6 *“(1) shall require correctional facilities or insti-*
7 *tutions for delinquent children and youth to annually*
8 *report on the number of children and youth released*
9 *from the correctional facility or institution who re-*
10 *turned or did not return to school, the number of chil-*
11 *dren and youth obtaining a secondary school diploma*
12 *or its recognized equivalent, and the number of chil-*
13 *dren and youth obtaining employment; and*

14 *“(2) may require correctional facilities or insti-*
15 *tutions for delinquent children and youth to dem-*
16 *onstrate, after receiving assistance under this subpart*
17 *for 3 years, that there has been an increase in the*
18 *number of children and youth returning to school, ob-*
19 *taining a secondary school diploma or its recognized*
20 *equivalent, or obtaining employment after such chil-*
21 *dren and youth are released.”.*

22 **SEC. 1414. PROGRAM EVALUATIONS.**

23 *Section 1431 (20 U.S.C. 6471) is amended—*

24 *(1) in subsection (a)—*

25 *(A) in the matter preceding paragraph (1),*
26 *by striking “State agency or local educational*

1 *agency” and inserting “State agency, local edu-*
2 *cational agency, or Indian tribe”;*

3 *(B) in paragraph (1), by inserting “, in-*
4 *cluding the ability to become college and career*
5 *ready, as determined under the State academic*
6 *content and student academic achievement*
7 *standards under section 1111(a)(1), and to grad-*
8 *uate high school in the standard number of*
9 *years” before the semicolon at the end; and*

10 *(C) in paragraph (3), by inserting “or*
11 *school funded by the Bureau of Indian Edu-*
12 *cation” after “local educational agency”;*

13 *(2) in subsection (c), by striking “a State agency*
14 *or local educational agency” and inserting “a State*
15 *agency, local educational agency, or Indian tribe”;*
16 *and*

17 *(3) by striking subsection (d) and inserting the*
18 *following:*

19 *“(d) EVALUATION RESULTS.—*

20 *“(1) IN GENERAL.—Each State agency, local*
21 *educational agency, and Indian tribe shall—*

22 *“(A) submit evaluation results to the State*
23 *educational agency and the Secretary; and*

1 “(B) use the results of evaluations under
2 this section to plan and improve subsequent pro-
3 grams for participating children and youth.

4 “(2) RESULTS TO THE SECRETARY OF THE INTE-
5 RIOR.—Each Indian tribe shall also submit evalua-
6 tion results to the Secretary of the Interior.”.

7 **SEC. 1415. DEFINITIONS.**

8 Section 1432(2) (20 U.S.C. 6472(2)) is amended to
9 read as follows:

10 “(2) AT-RISK.—The term ‘at-risk’, when used
11 with respect to a child, youth, or student, means a
12 school-aged individual who—

13 “(A) is at risk of academic failure; and

14 “(B) has a drug or alcohol problem, is preg-
15 nant or is a parent, has come into contact with
16 the juvenile justice system or has been deter-
17 mined to be neglected in the past, is a gang
18 member, or has dropped out of school in the
19 past.”.

20 **PART E—EDUCATIONAL STABILITY OF CHILDREN**
21 **IN FOSTER CARE**

22 **SEC. 1501. EDUCATIONAL STABILITY OF CHILDREN IN FOS-**
23 **TER CARE.**

24 (a) IN GENERAL.—Part E of title I (20 U.S.C. 6491
25 et seq.) is amended to read as follows:

1 **“PART E—EDUCATIONAL STABILITY OF**
2 **CHILDREN IN FOSTER CARE**

3 **“SEC. 1501. EDUCATIONAL STABILITY OF CHILDREN IN FOS-**
4 **TER CARE.**

5 “(a) *OBLIGATIONS TO COLLABORATE WITH CHILD*
6 *WELFARE AGENCIES.—*

7 “(1) *IN GENERAL.—Each State educational*
8 *agency receiving assistance under part A shall col-*
9 *laborate with the State agency responsible for admin-*
10 *istering the State plans under parts B and E of title*
11 *IV of the Social Security Act (42 U.S.C. 621 et seq.,*
12 *670 et seq.) to develop and implement a plan to en-*
13 *sure that the following occurs, for each child in the*
14 *State, when the child moves to a new school attend-*
15 *ance area as a result of being placed in foster care*
16 *(as described in section 1502(1)), changing foster care*
17 *placements, or leaving foster care:*

18 “(A) *ATTENDANCE AT A SCHOOL OF ORI-*
19 *GIN.—*

20 “(i) *IN GENERAL.—The child enrolls or*
21 *remains in the child’s school of origin, un-*
22 *less a determination is made that it is in*
23 *the child’s best interest to attend a different*
24 *school.*

25 “(ii) *LIMITATION.—A child who leaves*
26 *foster care shall only be entitled to remain*

1 *in the child's school of origin for the re-*
2 *mainder of the school year.*

3 “(B) *IMMEDIATE ENROLLMENT.*—When a
4 *determination is made regarding the school that*
5 *it is in the best interest of a child in foster care*
6 *to attend, the child shall be immediately enrolled*
7 *in such school, even if the child is unable to*
8 *produce records normally required for enroll-*
9 *ment, such as previous academic records, immu-*
10 *nization and medical records, a birth certificate,*
11 *guardianship records, proof of residency, or other*
12 *documentation.*

13 “(C) *RECORDS TRANSFER.*—Any records or-
14 *dinarily kept by a school, including records of*
15 *immunizations, health screenings, and other re-*
16 *quired health records, academic records, birth*
17 *certificates, evaluations for special services or*
18 *programs, and any individualized education*
19 *programs (as defined in section 602 of the Indi-*
20 *viduals with Disabilities Education Act (20*
21 *U.S.C. 1401)), regarding a child in foster care*
22 *shall be—*

23 “(i) *maintained so that the records in-*
24 *volved are available, in a timely fashion,*

1 *when a child in foster care enters a new*
2 *school; and*

3 “(ii) *immediately transferred to the en-*
4 *rolling school, even if the child owes fees or*
5 *finances or was not withdrawn from previous*
6 *schools in conformance with local with-*
7 *drawal procedures.*

8 “(2) *IMPLEMENTATION.—Each State educational*
9 *agency receiving assistance under part A shall ensure*
10 *that the plan described in paragraph (1) is imple-*
11 *mented by the local educational agencies in the State.*

12 “(b) *CREDIT TRANSFER AND DIPLOMAS.—Each State*
13 *that receives assistance under part A shall have policies for*
14 *ensuring that—*

15 “(1) *a child in foster care who is changing*
16 *schools can transfer school credits and receive partial*
17 *credits for coursework satisfactorily completed while*
18 *attending a prior school or educational program;*

19 “(2) *a child in foster care is afforded opportuni-*
20 *ties to recover school credits lost due to placement in-*
21 *stability while in foster care; and*

22 “(3) *a child in foster care who has changed sec-*
23 *ondary schools can receive a secondary school diploma*
24 *either from one of the schools in which the child was*
25 *enrolled or through a State-issued secondary school*

1 *diploma system, consistent with State graduation re-*
2 *quirements.*

3 “(c) *TRANSPORTATION.*—*Not later than 1 year after*
4 *the date of enactment of the Strengthening America’s*
5 *Schools Act of 2013, the State educational agency shall*
6 *enter into an agreement with the State agency responsible*
7 *for administering the State plans under parts B and E of*
8 *title IV of the Social Security Act to ensure that children*
9 *in foster care, and children leaving foster care, who are at-*
10 *tending their schools of origin receive transportation to and*
11 *from those schools, in accordance with subsection (a)(1) and*
12 *with section 475(1)(G) of the Social Security Act (42 U.S.C.*
13 *675(1)(G)). The agreement shall include a description of the*
14 *following:*

15 “(1) *How foster care maintenance payments will*
16 *be used to help fund the transportation of children in*
17 *foster care to their schools of origin.*

18 “(2) *How children who leave foster care will re-*
19 *ceive transportation to maintain their enrollment in*
20 *their schools of origin for the remainder of the aca-*
21 *demie year, if remaining in their schools of origin is*
22 *in their best interests.*

23 “(d) *POINTS OF CONTACT.*—

24 “(1) *LOCAL EDUCATIONAL AGENCIES.*—*A State*
25 *that receives assistance under part A shall ensure that*

1 *each local educational agency in the State designates*
2 *an individual employed by the agency to serve as a*
3 *point of contact for the child welfare agencies respon-*
4 *sible for children in foster care enrolled in the local*
5 *educational agency and to oversee the implementation*
6 *of the local educational agency requirements under*
7 *this section. A local educational agency's point of con-*
8 *tact shall not be the individual designated as its local*
9 *educational agency liaison under section*
10 *722(g)(1)(J)(ii) of the McKinney-Vento Homeless As-*
11 *sistance Act, unless such individual has the capacity,*
12 *resources, and time to perform both roles.*

13 *“(2) STATE EDUCATIONAL AGENCIES.—Each*
14 *State educational agency receiving assistance under*
15 *part A shall designate an individual to serve as a*
16 *point of contact for child welfare agencies and to*
17 *oversee the implementation of the State educational*
18 *agency requirements under this section. A State edu-*
19 *cational agency's point of contact shall not be the in-*
20 *dividual designated as the State's Coordinator for*
21 *Education of Homeless Children and Youths under*
22 *section 722(d)(3) of the McKinney-Vento Homeless*
23 *Assistance Act, unless such individual has the capac-*
24 *ity, resources, and time to perform both roles.*

1 **“SEC. 1502. DEFINITIONS.**2 *“In this part:*

3 *“(1) CHILD IN FOSTER CARE.—The term ‘child*
4 *in foster care’ means a child whose care and place-*
5 *ment is the responsibility of the agency that admin-*
6 *isters a State plan under part B or E of title IV of*
7 *the Social Security Act (42 U.S.C. 621 et seq., 670*
8 *et seq.), without regard to whether foster care mainte-*
9 *nance payments are made under section 472 of the*
10 *Social Security Act (42 U.S.C. 672) on behalf of the*
11 *child.*

12 *“(2) SCHOOL ATTENDANCE AREA.—The term*
13 *‘school attendance area’ has the meaning given the*
14 *term in section 1113(a)(2).*

15 *“(3) SCHOOL OF ORIGIN.—The term ‘school of*
16 *origin’ means, with respect to a child in foster care,*
17 *any of the following:*

18 *“(A) The public school in which the child*
19 *was enrolled prior to entry into foster care.*

20 *“(B) The public school in which the child is*
21 *enrolled when a change in foster care placement*
22 *occurs.*

23 *“(C) The public school the child attended*
24 *when last permanently housed, as such term is*
25 *used in section 722(g)(3)(G) of the McKinney-*
26 *Vento Homeless Assistance Act (42 U.S.C.*

1 11432(g)(3)(G)), if such child was eligible for as-
 2 sistance under such Act before the child became
 3 a child in foster care.”.

4 (b) *GUIDANCE*.—Not later than 90 days after the date
 5 of enactment of this Act, the Secretary of Education, in col-
 6 laboration with the Secretary of Health and Human Serv-
 7 ices, shall issue guidance on the implementation of part E
 8 of title I of the Elementary and Secondary Education Act
 9 of 1965, including how State and local agencies will work
 10 together to ensure that transportation for children in foster
 11 care is provided to the school of origin.

12 **PART F—GENERAL PROVISIONS**

13 **SEC. 1601. REORGANIZATION.**

14 (a) *IN GENERAL*.—Title I (20 U.S.C. 6301 et seq.) is
 15 further amended—

16 (1) by striking parts F through H;

17 (2) by redesignating part I as part F; and

18 (3) by redesignating sections 1901 through 1908
 19 as sections 1601 through 1608, respectively.

20 (b) *TECHNICAL AND CONFORMING AMENDMENTS*.—

21 Part F of title I, as redesignated by subsection (a)(2), is
 22 further amended—

23 (1) in section 1601(b)(4)(A) (20 U.S.C.
 24 6571(b)(4)(A)), as redesignated by subsection (a)(3),
 25 by striking “No Child Left Behind Act of 2001” and

1 *inserting “Strengthening America’s Schools Act of*
 2 *2013”;*

3 *(2) in section 1602(a) (20 U.S.C. 6572(a)), as*
 4 *redesignated by subsection (a)(3), by striking “1901”*
 5 *and inserting “1601”;*

6 *(3) in section 1603(b)(2)(G) (20 U.S.C.*
 7 *6573(b)(2)(G)), as redesignated by subsection (a)(3),*
 8 *by striking “pupil services personnel” and inserting*
 9 *“specialized instructional support personnel”; and*

10 *(4) in section 1608 (20 U.S.C. 6578), as redesi-*
 11 *gnated by subsection (a)(3), by striking “No Child Left*
 12 *Behind Act of 2001” and inserting “Strengthening*
 13 *America’s Schools Act of 2013”.*

14 **TITLE II—SUPPORTING TEACH-**
 15 **ER AND PRINCIPAL EXCEL-**
 16 **LENCE**

17 **SEC. 2101. SUPPORTING TEACHER AND PRINCIPAL EXCEL-**
 18 **LENCE.**

19 *(a) TECHNICAL AMENDMENTS.—The Act (20 U.S.C.*
 20 *6301 et seq.) is amended—*

21 *(1) in title II, by striking the title heading and*
 22 *inserting “**SUPPORTING TEACHER AND***
 23 ***PRINCIPAL EXCELLENCE**”;*

24 *(2) by redesignating subpart 3 of part D of title*
 25 *II as part I of title IV, and transferring such part*

1 *I so as to follow part H of title IV, as added by sec-*
2 *tion 4108 of this Act;*

3 *(3) in part I of title IV, as redesignated by para-*
4 *graph (2), by striking the part heading and inserting*
5 *the following: “**READY-TO-LEARN**”;*

6 *(4) by redesignating section 2431 as section*
7 *4901;*

8 *(5) in section 4901, as redesignated by para-*
9 *graph (4)—*

10 *(A) by striking the section heading and in-*
11 *serting the following: “**READY-TO-LEARN**”;*

12 *(B) in subsection (a)—*

13 *(i) in paragraph (1)(E)(ii)—*

14 *(I) by striking “Even Start pro-*
15 *viders,”; and*

16 *(II) by striking “family literacy*
17 *services” and inserting “family lit-*
18 *eracy activities”;*

19 *(ii) in paragraph (2)—*

20 *(I) by striking “Even Start pro-*
21 *viders,”; and*

22 *(II) by striking “family literacy*
23 *services” and inserting “family lit-*
24 *eracy activities”; and*

1 (iii) in paragraph (4)(B), by striking
2 “Even Start, and”;

3 (C) in subsection (c)(2), by striking “rel-
4 evant committees of Congress” and inserting
5 “authorizing committees”; and

6 (D) by striking subsection (e) and inserting
7 the following:

8 “(e) *FUNDING RULE.*—Not less than 60 percent of the
9 amount appropriated to carry out this section for each fis-
10 cal year shall be used to carry out activities under subpara-
11 graphs (B) through (D) of subsection (a)(1).”;

12 (6) by redesignating subpart 5 of part C of title
13 II as subpart 3 of part E of title IX, and transferring
14 such subpart 3 so as to follow subpart 2 of part E
15 of title IX;

16 (7) by redesignating sections 2361, 2362, 2363,
17 2364, 2365, 2366, 2367, and 2368, as sections 9541,
18 9542, 9543, 9544, 9545, 9546, 9547, and 9548, re-
19 spectively; and

20 (8) in section 9546(b), as redesignated by para-
21 graph (7), by striking the matter following paragraph
22 (2) and inserting the following:

23 “(3) A State law that makes a limitation of li-
24 ability inapplicable if the civil action was brought by

1 *an officer of a State or local government pursuant to*
 2 *State or local law.”.*

3 (b) *SUPPORTING TEACHER AND PRINCIPAL EXCEL-*
 4 *LENCE.—Title II (20 U.S.C. 6601 et seq.), as amended by*
 5 *subsection (a), is further amended by striking parts A, B,*
 6 *C, and D, and inserting the following:*

7 **“PART A—CONTINUOUS IMPROVEMENT AND**
 8 **SUPPORT FOR TEACHERS AND PRINCIPALS**

9 **“SEC. 2101. PURPOSE.**

10 *“The purpose of this part is to provide grants to State*
 11 *educational agencies and subgrants to local educational*
 12 *agencies to enable such agencies to improve academic*
 13 *achievement for all students, including students with dis-*
 14 *abilities and English learners, by—*

15 *“(1) providing professional development that is*
 16 *based on the result of a rigorous, transparent, and*
 17 *fair evaluation and is designed to improve instruc-*
 18 *tion and student achievement; and*

19 *“(2) increasing the number and improving the*
 20 *equitable distribution of teachers and principals in*
 21 *accordance with section 1111(b)(1)(R).*

22 **“SEC. 2102. DEFINITIONS.**

23 *“In this part:*

24 *“(1) INDUCTION PROGRAM.—The term ‘induction*
 25 *program’ has the meaning given the term in section*

1 *200 of the Higher Education Act of 1965 (20 U.S.C.*
2 *1021).*

3 “(2) *MENTORING.*—*The term ‘mentoring’ means*
4 *supporting teachers or principals to increase the effec-*
5 *tiveness and retention of such teachers or principals*
6 *through a program that—*

7 “(A) *includes clear criteria for the selection*
8 *of mentors that takes into account the mentor’s—*

9 “(i) *record of increasing student*
10 *achievement; and*

11 “(ii) *ability to facilitate professional*
12 *development activities;*

13 “(B) *provides high-quality training for*
14 *mentors in how to support teachers or prin-*
15 *cipals;*

16 “(C) *provides regularly scheduled time for*
17 *collaboration, examination of student work and*
18 *achievement data, and observation of teaching,*
19 *and identifies and addresses areas for improve-*
20 *ment; and*

21 “(D) *matches mentees with mentors in the*
22 *same field, grade, grade span, or subject area.*

23 “(3) *STATE.*—*The term ‘State’ means each of the*
24 *50 States of the United States, the Commonwealth of*
25 *Puerto Rico, and the District of Columbia.*

1 **“Subpart 1—Grants to States**

2 **“SEC. 2111. ALLOTMENTS TO STATES.**

3 “(a) *IN GENERAL.*—*The Secretary shall make grants*
4 *to States with applications approved under section 2112*
5 *to enable the States to carry out the activities specified in*
6 *section 2113. Each grant shall consist of the allotment de-*
7 *termined for a State under subsection (b).*

8 “(b) *DETERMINATION OF ALLOTMENTS.*—

9 “(1) *RESERVATION OF FUNDS.*—*From the total*
10 *amount appropriated to carry out this subpart for a*
11 *fiscal year, the Secretary shall reserve—*

12 “(A) *one-half of 1 percent for allotments for*
13 *the United States Virgin Islands, Guam, Amer-*
14 *ican Samoa, and the Commonwealth of the*
15 *Northern Mariana Islands, to be distributed*
16 *among those outlying areas on the basis of their*
17 *relative need, as determined by the Secretary, in*
18 *accordance with the purpose of this part; and*

19 “(B) *one-half of 1 percent for the Secretary*
20 *of the Interior for programs under this part in*
21 *schools operated or funded by the Bureau of In-*
22 *Indian Education.*

23 “(2) *STATE ALLOTMENTS.*—

24 “(A) *IN GENERAL.*—*Subject to subpara-*
25 *graph (B), from the funds appropriated to carry*
26 *out this subpart and not reserved under para-*

1 *graph (1), the Secretary shall allot to each State*
2 *the sum of—*

3 “(i) *an amount that bears the same re-*
4 *lationship to 35 percent of the remaining*
5 *amount as the number of individuals ages*
6 *5 through 17 in the State, as determined by*
7 *the Secretary on the basis of the most recent*
8 *satisfactory data, bears to the number of*
9 *those individuals in all such States, as so*
10 *determined; and*

11 “(ii) *an amount that bears the same*
12 *relationship to 65 percent of the remaining*
13 *amount as the number of individuals, ages*
14 *5 through 17 from families with incomes*
15 *below the poverty line, in the State, as de-*
16 *termined by the Secretary on the basis of*
17 *the most recent satisfactory data, bears to*
18 *the number of those individuals in all such*
19 *States, as so determined.*

20 “(B) *EXCEPTION.—No State receiving an*
21 *allotment under subparagraph (A) may receive*
22 *less than one-half of 1 percent of the total*
23 *amount allotted under such subparagraph.*

24 “(3) *REALLOTMENT.—If any State does not re-*
25 *ceive an allotment under this subsection for any fiscal*

1 *year, the Secretary shall reallocate the amount of the al-*
2 *lotment to the remaining States in accordance with*
3 *this subsection.*

4 **“SEC. 2112. STATE APPLICATIONS.**

5 “(a) *IN GENERAL.*—*For a State to be eligible to receive*
6 *a grant under this subpart, the State educational agency*
7 *shall submit an application to the Secretary at such time,*
8 *in such manner, and containing such information as the*
9 *Secretary may reasonably require.*

10 “(b) *CONTENTS.*—*Each application submitted under*
11 *this section shall include—*

12 “(1) *a description of how the State educational*
13 *agency will—*

14 “(A) *ensure that each local educational*
15 *agency receiving a subgrant under subpart 2 will*
16 *comply with the requirements of such subgrant,*
17 *including implementing a professional growth*
18 *and improvement system;*

19 “(B) *provide technical assistance to support*
20 *such implementation; and*

21 “(C) *ensure that the State educational agen-*
22 *cy regularly assesses implementation and results*
23 *across local educational agencies’ professional*
24 *growth and improvement systems to ensure com-*
25 *parability across the State in implementation of*

1 *such systems in differentiating teacher and prin-*
2 *cipal performance levels;*

3 “(2) a description of how the State will use
4 *funds pursuant to section 2113(a);*

5 “(3) a description of how the activities to be car-
6 *ried out by the State educational agency under this*
7 *subpart will be evidence-based and an explanation of*
8 *why the activities are expected to improve student*
9 *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 under*
20 *section 1111(a)(2) to teachers and local educational*
21 *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 Advisory
8 Council on Early Childhood Education and Care es-
9 tablished under section 642B of the Head Start Act,
10 that are designed to improve and strengthen the
11 knowledge and skills of teachers and principals re-
12 sponsible for educating children in preschool, where
13 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)(R);
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 as
24 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 the*
4 *Secretary makes a written determination, prior to the expi-*
5 *ration of the 120-day period beginning on the date on which*
6 *the Secretary received the application, that the application*
7 *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 re-
5 submits the application with the requested information de-
6 scribed in subsection (e)(2)(B), the Secretary shall approve
7 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 educational
14 agency does not respond to the Secretary’s notification de-
15 scribed in subsection (e)(2) during the 45-day period begin-
16 ning on the date on which the agency received the notifica-
17 tion, such application shall be deemed to be disapproved.

18 **“SEC. 2113. STATE USE OF FUNDS.**

19 “(a) *IN GENERAL.*—A State that receives a grant
20 under section 2111—

21 “(1) shall reserve 95 percent of the funds made
22 available through the grant to make subgrants to local
23 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 through
3 the grant to support local educational agencies in—

4 “(A) improving the performance and equi-
5 table distribution of principals and, at the
6 State’s discretion, other school leaders, including
7 through—

8 “(i) activities designed to recruit, pre-
9 pare, place, assist, support, and retain
10 highly rated principals for high-need schools
11 and low-performing schools, including
12 through compensation or incentives; and

13 “(ii) providing training and support
14 to principals and school leadership teams in
15 high-need schools and low-performing
16 schools on improving instruction and clos-
17 ing achievement gaps; and

18 “(B) providing technical assistance to local
19 educational agencies to support the design and
20 implementation of professional growth and im-
21 provement systems, including—

22 “(i) developing and disseminating re-
23 search-based models and designing high-
24 quality evaluation tools, such as classroom
25 observation rubrics;

1 “(ii) developing and providing train-
2 ing for principals and other evaluators on
3 how to evaluate teachers in order to dif-
4 ferentiate teacher performance accurately,
5 provide useful feedback, and use evaluation
6 results to inform decisionmaking about pro-
7 fessional development, improvement strate-
8 gies, and personnel decisions;

9 “(iii) developing methods, including
10 training and auditing, for ensuring inter-
11 rater reliability of evaluation results;

12 “(iv) providing information on the ap-
13 propriate collection, reporting, analysis,
14 and use of evaluation data; and

15 “(v) developing a system for auditing
16 the quality of professional growth and im-
17 provement systems, including the correla-
18 tion with student achievement and contin-
19 uous improvement, and improving such sys-
20 tems based on data and feedback; and

21 “(3) shall use funds remaining after making the
22 reservations under paragraphs (1) and (2) to—

23 “(A) plan and administer State activities
24 under this part, including awarding, moni-

1 *toring, and enforcing the requirements of sub-*
2 *grants awarded under subpart 2;*

3 *“(B) assist local educational agencies in re-*
4 *cruiting, preparing, placing, developing, and re-*
5 *training highly rated teachers for high-need*
6 *schools and low-performing schools;*

7 *“(C) provide technical assistance, as nec-*
8 *essary, to local educational agencies that receive*
9 *subgrants under subpart 2, to improve perform-*
10 *ance on the measures described in section*
11 *2141(b), as applicable;*

12 *“(D) develop and disseminate the State Re-*
13 *port described in subpart 4, and use the infor-*
14 *mation in the State Report to guide efforts under*
15 *this part; and*

16 *“(E) provide technical assistance and sup-*
17 *port to local educational agencies in the develop-*
18 *ment and implementation of programs and poli-*
19 *cies that support young children’s transition*
20 *from early childhood education programs into el-*
21 *ementary schools, improve school readiness, and*
22 *improve the academic achievement of young chil-*
23 *dren.*

24 *“(b) OPTIONAL USES.—*

1 “(1) *IN GENERAL.*—*A State that receives a grant*
2 *under section 2111 may, from the funds reserved pur-*
3 *suant to subsection (a)(2), use an amount equal to*
4 *not more than 1 percent of the funds made available*
5 *through the grant to establish, expand, or implement*
6 *1 or more teacher or principal preparation academies*
7 *and to provide for a State authorizer, if—*

8 “(A) *the State does not have in place legal,*
9 *statutory, or regulatory barriers to the creation*
10 *or operation of teacher or principal preparation*
11 *academies;*

12 “(B) *the State enables candidates attending*
13 *a teacher or principal preparation academy to*
14 *be eligible for State financial aid to the same ex-*
15 *tent as participants in other State-approved*
16 *teacher or principal preparation programs, in-*
17 *cluding alternative certification, licensure, or*
18 *credential programs;*

19 “(C) *the State enables teachers or principals*
20 *who are teaching or working while on alternative*
21 *certificates, licenses, or credentials to teach or*
22 *work in the State while enrolled in a teacher or*
23 *principal preparation academy; and*

24 “(D) *the State will recognize a certificate of*
25 *completion (from any teacher or principal prep-*

1 *aration academy that is not, or is unaffiliated*
 2 *with, an institution of higher education), as at*
 3 *least the equivalent of a master’s degree in edu-*
 4 *cation for the purposes of hiring, retention, com-*
 5 *ensation, and promotion in the State.*

6 *“(2) DEFINITIONS.—In this subsection:*

7 *“(A) TEACHER OR PRINCIPAL PREPARATION*
 8 *ACADEMY.—The term ‘teacher or principal prep-*
 9 *aration academy’ means a public or other non-*
 10 *profit institution that will prepare teachers or*
 11 *principals, or both, to serve in high-need schools*
 12 *and that—*

13 *“(i) enters into an agreement with a*
 14 *State authorizer that specifies the goals ex-*
 15 *pected of the institution, including—*

16 *“(I) a requirement that—*

17 *“(aa) teacher or principal*
 18 *candidates, or teachers teaching or*
 19 *principals serving on alternative*
 20 *certificates, licenses, or creden-*
 21 *tials, who are enrolled in the*
 22 *academy receive a significant*
 23 *part of their training through*
 24 *clinical preparation that partners*
 25 *candidates with mentor teachers*

1 *or principals with a demonstrated*
2 *track record of success in improv-*
3 *ing student growth, including*
4 *(where applicable) children with*
5 *disabilities, children living in*
6 *poverty, and English learners;*
7 *and*

8 *“(bb) the academy will pro-*
9 *vide instruction to teacher can-*
10 *didates that links to the clinical*
11 *preparation experience;*

12 *“(II) the number of teachers or*
13 *principals the academy will produce*
14 *and the minimum number and per-*
15 *centage of teachers or principals who*
16 *will demonstrate success in improving*
17 *student performance based on multiple*
18 *measures (including student growth);*

19 *“(III) a requirement that the*
20 *teacher preparation component of the*
21 *academy will only award a certificate*
22 *of completion (or degree, if the acad-*
23 *emy is, or is affiliated with, an insti-*
24 *tution of higher education) after the*
25 *graduate demonstrates a track record*

1 *of success in improving student per-*
2 *formance based on multiple measures*
3 *(including student growth), either as a*
4 *student teacher or teacher-of-record on*
5 *an alternative certificate, license, or*
6 *credential;*

7 *“(IV) a requirement that the prin-*
8 *cipal preparation component of the*
9 *academy will only award a certificate*
10 *of completion (or degree, if the acad-*
11 *emy is, or is affiliated with, an insti-*
12 *tution of higher education) after the*
13 *graduate demonstrates a track record*
14 *of success in improving student per-*
15 *formance for some or all of a school’s*
16 *students; and*

17 *“(V) timelines for producing co-*
18 *horts of graduates and conferring cer-*
19 *tificates of completion (or degrees, if*
20 *the academy is, or is affiliated with,*
21 *an institution of higher education)*
22 *from the academy;*

23 *“(ii) shall not have unnecessary re-*
24 *strictions placed on the methods the acad-*
25 *emy will use to train teacher or principal*

1 candidates (or teachers or principals that
2 are teaching or working while on alter-
3 native certificates, licenses, or credentials),
4 including restrictions or requirements—

5 “(I) obligating the faculty of the
6 academy to hold advanced degrees, or
7 prohibiting the faculty of the academy
8 from holding advanced degrees;

9 “(II) obligating such faculty to
10 conduct academic research;

11 “(III) related to the physical in-
12 frastructure of the academy;

13 “(IV) related to the number of
14 course credits required as part of the
15 program of study;

16 “(V) related to the undergraduate
17 coursework completed by teachers
18 teaching on alternative certificates, li-
19 censes, or credentials, as long as such
20 teachers have successfully passed all
21 relevant State-approved content area
22 examinations; or

23 “(VI) related to obtaining addi-
24 tional accreditation from a national
25 accrediting body; and

1 “(iii) limits admission to its program
2 to candidates who demonstrate strong po-
3 tential to improve student achievement,
4 based on a rigorous selection process that
5 reviews a candidate’s prior academic
6 achievement or record of professional accom-
7 plishment.

8 “(B) STATE AUTHORIZER.—The term ‘State
9 authorizer’ means an entity designated by the
10 Governor of a State to recognize teacher or prin-
11 cipal preparation academies within the State
12 that—

13 “(i) enters into an agreement with a
14 teacher or principal preparation academy
15 that specifies the goals expected of the acad-
16 emy, as described in subparagraph (A)(i);

17 “(ii) may be a nonprofit organization,
18 State educational agency, or other public
19 entity, or consortium of such entities (in-
20 cluding a consortium of States); and

21 “(iii) does not reauthorize a teacher or
22 principal preparation academy if the acad-
23 emy fails to produce the minimum number
24 or percentage of effective teachers or prin-

1 cipals, respectively, identified in the acad-
2 emy's authorizing agreement.

3 “(c) *SUPPLEMENT, NOT SUPPLANT.*—Funds received
4 under this subpart shall be used to supplement, and not
5 supplant, non-Federal funds that would otherwise be used
6 for activities authorized under this subpart.

7 **“Subpart 2—Subgrants to Local Educational**
8 **Agencies**

9 **“SEC. 2121. ALLOCATIONS TO LOCAL EDUCATIONAL AGEN-**
10 **CIES.**

11 “(a) *IN GENERAL.*—The Secretary may make a grant
12 to a State under subpart 1 only if the State educational
13 agency agrees to distribute the funds described in this sec-
14 tion as subgrants to local educational agencies under this
15 subpart.

16 “(b) *ALLOCATIONS.*—

17 “(1) *IN GENERAL.*—From the total amount re-
18 served by a State under section 2113(a)(1) for a fiscal
19 year, the State educational agency shall allocate to
20 each of the eligible local educational agencies in the
21 State for such fiscal year the sum of—

22 “(A) an amount that bears the same rela-
23 tionship to 20 percent of the total amount re-
24 served as the number of individuals age 5
25 through 17 in the geographic area served by the

1 agency, as determined by the Secretary on the
2 basis of the most recent satisfactory data, bears
3 to the number of those individuals in the geo-
4 graphic areas served by all the local educational
5 agencies in the State, as so determined; and

6 “(B) an amount that bears the same rela-
7 tionship to 80 percent of the total amount re-
8 served as the number of individuals age 5
9 through 17 from families with incomes below the
10 poverty line in the geographic area served by the
11 agency, as determined by the Secretary on the
12 basis of the most recent satisfactory data, bears
13 to the number of those individuals in the geo-
14 graphic areas served by all the local educational
15 agencies in the State, as so determined.

16 “(2) *HOLD HARMLESS.*—

17 “(A) *IN GENERAL.*—Notwithstanding para-
18 graph (1), the State educational agency shall al-
19 locate to each of the eligible local educational
20 agencies in the State an amount that is not less
21 than 90 percent of the allocation the eligible local
22 educational agency received for the previous fis-
23 cal year under this part.

24 “(B) *RATABLE REDUCTION.*—If insufficient
25 funds are appropriated to allocate the amounts

1 *that all eligible local educational agencies in the*
2 *State are eligible to receive under subparagraph*
3 *(A) for a fiscal year, the Secretary shall ratably*
4 *reduce those amounts for the fiscal year.*

5 **“SEC. 2122. LOCAL APPLICATIONS AND NEEDS ASSESS-**
6 **MENT.**

7 *“(a) IN GENERAL.—To be eligible to receive a subgrant*
8 *under this subpart, a local educational agency shall—*

9 *“(1) submit an application to the State edu-*
10 *cational agency at such time, in such manner, and*
11 *containing such information as the State educational*
12 *agency may reasonably require; and*

13 *“(2) conduct, with the involvement of school staff*
14 *and other stakeholders, as applicable, an assessment of*
15 *the human capital needs of the local educational*
16 *agency, including in the areas set forth under section*
17 *2141(b), as applicable.*

18 *“(b) CONTENTS.—Each application submitted under*
19 *this section shall include the following:*

20 *“(1) NEEDS ASSESSMENT.—A description of the*
21 *results of the needs assessment conducted under sub-*
22 *section (a)(2) and how the local educational agency*
23 *will align use of funds with such assessment.*

24 *“(2) PERFORMANCE MEASURES.—A description*
25 *of the performance measures and activities the local*

1 *educational agency will use to address the needs iden-*
2 *tified in such assessment.*

3 “(3) *PROFESSIONAL GROWTH AND IMPROVEMENT*
4 *SYSTEM.—An assurance that the local educational*
5 *agency will create, or improve, and implement a pro-*
6 *fessional growth and improvement system by a date*
7 *identified by the local educational agency and ap-*
8 *proved by the State educational agency that shall not*
9 *be later than the 2015–2016 school year.*

10 “(4) *PROFESSIONAL DEVELOPMENT.—A descrip-*
11 *tion of the professional development activities that*
12 *will be made available to teachers and principals*
13 *under this subpart and how the local educational*
14 *agency will ensure that the professional development*
15 *needs of teachers and principals, as identified by the*
16 *professional growth and improvement system, will be*
17 *met using funds under this subpart.*

18 “(5) *ENCOURAGING COLLABORATION TO PRO-*
19 *MOTE EDUCATOR READINESS.—An assurance that the*
20 *local educational agency is encouraging collaboration*
21 *with higher education-based educator preparation*
22 *programs to promote the readiness of new educators*
23 *entering the profession through clinical experience*
24 *and interaction, as well as other activities.*

1 “(6) *INTEGRATION OF TECHNOLOGY INTO CUR-*
 2 *RICULA AND INSTRUCTION.*—*A description of how the*
 3 *local educational agency will integrate funds under*
 4 *this subpart with funds received under part D that*
 5 *are used for professional development to train teach-*
 6 *ers to integrate technology into curricula and instruc-*
 7 *tion to improve teaching, learning, and technology lit-*
 8 *eracy.*

9 “(7) *EVIDENCE-BASED ACTIVITIES.*—*A descrip-*
 10 *tion of how the activities to be carried out by the*
 11 *State educational agency under this subpart will be*
 12 *evidence-based and an explanation of why the activi-*
 13 *ties are expected to improve student achievement.*

14 **“SEC. 2123. LOCAL USE OF FUNDS.**

15 “(a) *IN GENERAL.*—*A local educational agency that*
 16 *receives a subgrant under section 2121 shall use subgrant*
 17 *funds to address the achievement of students in schools des-*
 18 *ignated as focus schools under section 1116(c) and priority*
 19 *schools under section 1116(d) and schools not meeting their*
 20 *performance targets, as described in section 1116(b).*

21 “(b) *PROFESSIONAL DEVELOPMENT.*—

22 “(1) *IN GENERAL.*—*A local educational agency*
 23 *that receives a subgrant under section 2121 shall use*
 24 *subgrant funds to develop and carry out professional*
 25 *development, which may include joint professional de-*

1 *velopment for teachers, principals, and other relevant*
2 *school staff with early childhood education program*
3 *staff.*

4 *“(2) PRIORITY SCHOOLS; FOCUS SCHOOLS.—Not*
5 *less than 20 percent of subgrant funds—*

6 *“(A) shall be used to provide professional*
7 *development for teachers serving students in*
8 *schools identified as priority schools under sec-*
9 *tion 1116(d) and not receiving school improve-*
10 *ment funds as described in section 1116(f); and*

11 *“(B) if a local educational agency has ex-*
12 *cess funds after meeting the needs of teachers*
13 *serving students in priority schools, as required*
14 *under subparagraph (A), may be used to provide*
15 *professional development for teachers serving stu-*
16 *dents in schools identified as focus schools under*
17 *section 1116(c).*

18 *“(c) PERMISSIBLE USES OF FUNDS.—A local edu-*
19 *cational agency that receives a subgrant under section 2121*
20 *may use subgrant funds to implement strategies that lead*
21 *to increased student achievement for all students, including*
22 *English learners and students with disabilities, by carrying*
23 *out 1 or more of the following activities:*

24 *“(1) Developing, implementing and improving*
25 *an induction program or a mentoring program.*

1 “(2) *Improving within-district equity in the dis-*
2 *tribution of teachers consistent with the requirements*
3 *of section 1111(b)(1)(R).*

4 “(3) *Developing and implementing a profes-*
5 *sional growth and improvement system.*

6 “(4) *Carrying out in-service training for school*
7 *personnel in—*

8 “(A) *the techniques and supports needed for*
9 *early identification of children with trauma his-*
10 *tories, and children with, or at risk of, mental*
11 *illness;*

12 “(B) *the use of referral mechanisms that ef-*
13 *fectively link such children to appropriate treat-*
14 *ment and intervention services in the school and*
15 *in the community, where appropriate; and*

16 “(C) *forming partnerships between school-*
17 *based mental health programs and public or pri-*
18 *vate mental health organizations.*

19 “(5) *Increasing teacher capacity to evaluate stu-*
20 *dent work and use student achievement data and cre-*
21 *ating career ladders to provide opportunities for high-*
22 *ly rated teachers or paraprofessionals to advance or*
23 *take on additional roles and responsibilities.*

24 “(6) *Recruiting, preparing, placing, supporting,*
25 *developing, rewarding, and retaining highly rated*

1 *teachers and principals in high-need schools and low-*
 2 *performing schools.*

3 *“(7) Reducing class size for prekindergarten*
 4 *through grade 3, by an amount and to a level con-*
 5 *sistent with what scientifically valid research has*
 6 *found to improve student achievement.*

7 *“(d) SUPPLEMENT, NOT SUPPLANT.—Funds received*
 8 *under this subpart shall be used to supplement, and not*
 9 *supplant, non-Federal funds that would otherwise be used*
 10 *for activities authorized under this subpart.*

11 **“Subpart 3—National Leadership Activities**

12 **“SEC. 2131. NATIONAL LEADERSHIP ACTIVITIES.**

13 *“From the funds made available to carry out this part*
 14 *for a fiscal year, the Secretary is authorized to set aside*
 15 *not more than 1 percent for the following activities related*
 16 *to the purpose of this part:*

17 *“(1) Research and development.*

18 *“(2) Technical assistance.*

19 *“(3) Outreach and dissemination activities di-*
 20 *rectly or through grants, contracts, or cooperative*
 21 *agreements.*

22 *“(4) Activities relating to gifted and talented*
 23 *students, as described in section 2132.*

24 **“SEC. 2132. GIFTED AND TALENTED STUDENTS.**

25 *“The Secretary shall—*

1 “(1) acting through the Director of the Institute
2 of Education Sciences, continue research and develop-
3 ment activities related to the education of gifted and
4 talented students, particularly research and develop-
5 ment activities related to such students who reside in
6 rural communities or have been underrepresented as
7 gifted and talented;

8 “(2) support a National Research Center on the
9 Gifted and Talented that conducts research and serves
10 as a national clearinghouse for evidence-based best
11 practices to improve the identification and instruc-
12 tion of gifted and talented students; and

13 “(3) administer demonstration grants, in con-
14 sultation with the Director of the Institute of Edu-
15 cation Sciences, to programs that build and enhance
16 the ability of elementary school and secondary school
17 personnel to support gifted and talented students.

18 **“Subpart 4—Accountability**

19 **“SEC. 2141. ACCOUNTABILITY.**

20 “(a) IN GENERAL.—

21 “(1) STATE REPORT.—Each State that receives a
22 grant under subpart 1 shall annually submit to the
23 Secretary, in a manner prescribed by the Secretary,
24 and make public, a State Report on program per-
25 formance and results under such grant. Such State

1 *Report shall provide the information required under*
2 *subsection (b).*

3 “(2) *LOCAL EDUCATIONAL AGENCY REPORT.*—
4 *Each local educational agency that receives a*
5 *subgrant under subpart 2 shall annually submit to*
6 *the State, in a manner prescribed by the State, and*
7 *make public, a Local Educational Agency Report on*
8 *program performance and results under such*
9 *subgrant. Such Local Educational Agency Report*
10 *shall provide the information required under sub-*
11 *section (b).*

12 “(3) *FERPA COMPLIANCE.*—*Each State and*
13 *local educational agency that submits a report in*
14 *compliance with this subsection shall collect, report,*
15 *and disseminate information contained in such report*
16 *in compliance with section 444 of the General Edu-*
17 *cation Provisions Act (20 U.S.C. 1232g, commonly*
18 *known as the ‘Family Educational Rights and Pri-*
19 *vacancy Act of 1974’).*

20 “(4) *TEACHER AND PRINCIPAL PRIVACY.*—*No*
21 *State or local educational agency shall publicly report*
22 *information in compliance with this subsection in a*
23 *case in which the results would reveal personally*
24 *identifiable information about an individual teacher*
25 *or principal.*

1 “(b) *INFORMATION.—Each State Report and Local*
2 *Educational Agency Report shall contain, as appropriate—*

3 “(1) *a description of how funds have been used,*
4 *including how funds have been used to address the*
5 *needs of teachers serving students in schools not meet-*
6 *ing performance targets, as described in section*
7 *1116(b), and schools identified as focus schools and*
8 *priority schools under subsections (c) and (d) of sec-*
9 *tion 1116 and the results of the use of those funds;*

10 “(2) *the number of highly rated teachers in the*
11 *local educational agency teaching in schools identified*
12 *as focus schools and priority schools under subsections*
13 *(c) and (d) of section 1116;*

14 “(3) *student achievement data, by teacher prepa-*
15 *ration program within the State, for students taught*
16 *by such program’s graduates;*

17 “(4) *a description of the professional growth and*
18 *improvement system required under section 2122;*

19 “(5) *a description of how chosen professional de-*
20 *velopment activities improved teacher and principal*
21 *performance using the professional growth and im-*
22 *provement system; and*

23 “(6) *how funds have been used to contribute to*
24 *the equitable distribution of teachers.*

1 **“Subpart 5—Principal Recruitment and Training**2 **“SEC. 2151. PRINCIPAL RECRUITMENT AND TRAINING**
3 **GRANT PROGRAM.**4 “(a) *DEFINITIONS.—In this section:*5 “(1) *ASPIRING PRINCIPAL.—The term ‘aspiring*
6 *principal’ means an individual who is enrolled in a*
7 *principal preparation program’s preservice residency*
8 *that provides training in instructional leadership, or-*
9 *ganizational management, and the development of*
10 *teachers.*11 “(2) *CURRENT PRINCIPAL.—The term ‘current*
12 *principal’ means an individual who, as of the date of*
13 *the determination of participation in a program*
14 *under this section, is employed as a principal or has*
15 *been employed as a principal.*16 “(3) *ELIGIBLE ENTITY.—The term ‘eligible enti-*
17 *ty’ means—*18 “(A) *a local educational agency or edu-*
19 *cational service agency that serves an eligible*
20 *school or a consortium of such agencies;*21 “(B) *a State educational agency or a con-*
22 *sortium of such agencies;*23 “(C) *a State educational agency in partner-*
24 *ship with 1 or more local educational agencies or*
25 *educational service agencies that serve an eligible*
26 *school;*

1 “(D) an entity described in subparagraph
2 (A), (B), or (C) in partnership with 1 or more
3 nonprofit organizations or institutions of higher
4 education; or

5 “(E) an institution of higher education or
6 a nonprofit organization, if the institution or
7 nonprofit organization can demonstrate a record
8 of—

9 “(i) preparing principals who have
10 been able to improve student achievement
11 substantially; and

12 “(ii) placing a significant percentage
13 of such principals in eligible schools.

14 “(4) *ELIGIBLE SCHOOL*.—The term ‘eligible
15 school’ means a public school, including a public
16 charter school, that meets 1 or more of the following
17 criteria:

18 “(A) Is a high-need school.

19 “(B) Is identified as a priority school under
20 section 1116(d).

21 “(C) Is identified as a focus school under
22 section 1116(c).

23 “(D) In the case of a public school con-
24 taining middle grades, feeds into a public high

1 school that has less than a 60 percent graduation
2 rate.

3 “(E) *Is a rural school served by a local edu-*
4 *cational agency that is eligible to receive assist-*
5 *ance under part B of title VI.*

6 “(5) *HIGH-NEED SCHOOL.—*

7 “(A) *IN GENERAL.—The term ‘high-need*
8 *school’ means—*

9 “(i) *an elementary school or middle*
10 *school in which not less than 50 percent of*
11 *the enrolled students are children from low-*
12 *income families; or*

13 “(ii) *a high school in which not less*
14 *than 40 percent of the enrolled students are*
15 *children from low-income families, which*
16 *may be calculated using comparable data*
17 *from feeder schools.*

18 “(B) *LOW-INCOME FAMILY.—For purposes*
19 *of subparagraph (A), the term ‘low-income fam-*
20 *ily’ means a family—*

21 “(i) *in which the children are eligible*
22 *for a free or reduced price lunch under the*
23 *Richard B. Russell National School Lunch*
24 *Act (42 U.S.C. 1751 et seq.);*

1 “(ii) receiving assistance under a State
2 program funded under part A of title IV of
3 the Social Security Act (42 U.S.C. 601 et
4 seq.); or

5 “(iii) in which the children are eligible
6 to receive medical assistance under the Med-
7 icaid program.

8 “(6) *MENTOR PRINCIPAL*.—The term ‘mentor
9 principal’ means an individual with the following
10 characteristics:

11 “(A) Strong instructional leadership skills
12 in an elementary school or secondary school set-
13 ting.

14 “(B) Strong verbal and written communica-
15 tion skills, which may be demonstrated by per-
16 formance on appropriate assessments.

17 “(C) Knowledge, skills, and attitudes to—

18 “(i) establish and maintain a profes-
19 sional learning community that effectively
20 extracts information from data to improve
21 the school culture and personalize instruc-
22 tion for all students to result in improved
23 student achievement;

24 “(ii) create and maintain a learning
25 culture within the school that provides a cli-

1 *mate conducive to the development of all*
2 *members of the school community, including*
3 *one of continuous learning for adults tied to*
4 *student learning and other school goals;*

5 *“(iii) engage in continuous profes-*
6 *sional development, utilizing a combination*
7 *of academic study, developmental simula-*
8 *tion exercises, self-reflection, mentorship,*
9 *and internship;*

10 *“(iv) understand youth development*
11 *appropriate to the age level served by the*
12 *school and from this knowledge set high ex-*
13 *pectations and standards for the academic,*
14 *social, emotional, and physical development*
15 *of all students; and*

16 *“(v) actively engage the community to*
17 *create shared responsibility for student aca-*
18 *demic performance and successful develop-*
19 *ment.*

20 *“(7) MIDDLE GRADE.—The term ‘middle grade’*
21 *means any of grades 5 through 8.*

22 *“(8) SCHOOL-LEVEL STUDENT OUTCOMES.—The*
23 *term ‘school-level student outcomes’ means, at the*
24 *whole school level and for each subgroup of students*

1 *described in section 1111(a)(3)(D) who are served by*
2 *the school—*

3 *“(A) student academic achievement and stu-*
4 *dent growth; and*

5 *“(B) additional outcomes, including, at the*
6 *high school level, graduation rates and the per-*
7 *centage of students taking college-level*
8 *coursework.*

9 *“(b) PROGRAM AUTHORIZED.—*

10 *“(1) PRINCIPAL RECRUITMENT AND TRAINING*
11 *GRANT PROGRAM.—The Secretary shall award grants*
12 *to eligible entities to enable such entities to recruit,*
13 *prepare, place, and support principals in eligible*
14 *schools.*

15 *“(2) DURATION.—*

16 *“(A) IN GENERAL.—*

17 *“(i) NOT MORE THAN 5 YEAR DURA-*
18 *TION.—A grant awarded under this section*
19 *shall be not more than 5 years in duration.*

20 *“(ii) RENEWAL.—The Secretary*
21 *may—*

22 *“(I) renew a grant awarded under*
23 *this section based on performance; and*

24 *“(II) in renewing a grant under*
25 *subclause (I), award the grantee in-*

1 *creased funding to scale up or replicate*
2 *the grantee’s program.*

3 “(B) *PERFORMANCE.*—*In evaluating per-*
4 *formance for purposes of subparagraph*
5 *(A)(ii)(I)—*

6 “(i) *the Secretary’s primary consider-*
7 *ation shall be the extent to which the prin-*
8 *cipals recruited, prepared, placed, or sup-*
9 *ported by the grantee have improved school-*
10 *level student outcomes in eligible schools;*
11 *and*

12 “(ii) *the Secretary shall also consider*
13 *the percentage of program graduates—*

14 “(I) *who become principals in eli-*
15 *gible schools;*

16 “(II) *who remain principals in*
17 *eligible schools for multiple years; and*

18 “(III) *who are highly rated prin-*
19 *cipals, as determined by the State edu-*
20 *cational agency.*

21 “(c) *APPLICATION AND SELECTION CRITERIA.*—

22 “(1) *APPLICATION.*—*An eligible entity that de-*
23 *sires a grant under this section shall submit to the*
24 *Secretary an application at such time, in such man-*

1 *ner, and accompanied by such information as the*
2 *Secretary may require.*

3 “(2) *SELECTION CRITERIA.*—*In awarding grants*
4 *under this section, the Secretary shall consider—*

5 “(A) *the extent to which the entity has the*
6 *capacity to implement the activities described in*
7 *subsection (e) that the entity proposes to imple-*
8 *ment;*

9 “(B) *the extent to which the entity has a*
10 *demonstrated record of effectively preparing*
11 *high-quality principals or an evidenced-based*
12 *plan for preparing principals to improve school-*
13 *level student outcomes in eligible schools;*

14 “(C) *the extent to which the entity has a*
15 *demonstrated record of effectiveness or an evi-*
16 *dence-based plan for providing principals*
17 *trained by the entity with the guidance, support,*
18 *and tools they need to improve school-level stu-*
19 *dent outcomes in eligible schools, including pro-*
20 *viding principals with resources, such as funding*
21 *to ensure supports for quality teaching, access to*
22 *best practices, and decisionmaking authority*
23 *over areas such as personnel, budget, curriculum,*
24 *or scheduling;*

1 “(D) the likelihood of the entity sustaining
2 the project with funds other than funds provided
3 under this section, which other funds may in-
4 clude funds provided under this title other than
5 this section, once the grant is no longer available
6 to the entity; and

7 “(E) the extent to which the proposed
8 project will serve rural areas or high-poverty
9 areas.

10 “(d) AWARDING GRANTS.—

11 “(1) PRIORITY.—In awarding grants under this
12 section, the Secretary shall give priority to an eligible
13 entity with a record of preparing or developing prin-
14 cipals who—

15 “(A) have improved school-level student out-
16 comes, and in the case of high school principals,
17 postsecondary enrollment and persistence rates;

18 “(B) have become principals in eligible
19 schools; and

20 “(C) remain principals in eligible schools
21 for multiple years.

22 “(2) GRANTS FOR RURAL SCHOOLS AND LOWEST
23 PERFORMING SCHOOLS.—In awarding grants under
24 this section, the Secretary shall, consistent with the
25 quality of applications—

1 “(A) award not less than 1 grant to an eli-
2 gible entity that intends to establish a program
3 that focuses on training or supporting principals
4 and other school leaders for rural schools; and

5 “(B) award not less than 1 grant to an eli-
6 gible entity that intends to establish a program
7 to train and support principals and other school
8 leaders to lead reform efforts in priority schools
9 identified under section 1116(d) in a State or
10 more than 1 State.

11 “(3) REFORM EFFORTS.—An eligible entity that
12 receives a grant under this section to carry out a pro-
13 gram described in paragraph (2)(B)—

14 “(A) during the first year of the grant, shall
15 use grant funds to—

16 “(i) bring together experts and stake-
17 holders who are committed to dramatic and
18 effective reform of priority schools identified
19 under section 1116(d) who can provide
20 input about what the evidence base shows
21 regarding effective school leadership in such
22 schools;

23 “(ii) collect and develop, in consulta-
24 tion with experts and stakeholders, a core
25 body of knowledge regarding effective school

1 *reform leadership in priority schools identi-*
2 *fied under section 1116(d), which is evi-*
3 *dence-based; and*

4 “(iii) develop, drawing on the core
5 body of knowledge developed in clause (ii),
6 a leadership training program for prin-
7 cipals, mentors, and other school leaders, to
8 prepare and support the principals, men-
9 tors, and leaders to lead effective school re-
10 form efforts in priority schools identified
11 under section 1116(d); and

12 “(B) during each year of the grant after the
13 first year, shall use grant funds—

14 “(i) to carry out the leadership train-
15 ing program described in subparagraph
16 (A)(iii);

17 “(ii) to ensure that the leadership
18 training program described in subpara-
19 graph (A)(iii) is informed, on an ongoing
20 basis, by consultation with experts and
21 stakeholders, and by the program’s tracking
22 of the performance of its graduates in lead-
23 ing school reform efforts in priority schools
24 identified under section 1116(d);

1 “(iii) to select cohorts of trained or ex-
2 perienced principals to lead school reform
3 efforts in priority schools identified under
4 section 1116(d);

5 “(iv) to provide support for, and en-
6 courage interaction among, cohorts of prin-
7 cipals after completion of the leadership
8 training program described in subpara-
9 graph (A)(iii); and

10 “(v) to disseminate information to
11 principals, mentors, and other school lead-
12 ers engaging in reform efforts in priority
13 schools identified under section 1116(d).

14 “(e) *ACTIVITIES.*—Each eligible entity that receives a
15 grant under this section shall use grant funds to carry out
16 the following:

17 “(1) *Recruiting and selecting, using rigorous,*
18 *competency-based, selection criteria, and training and*
19 *supporting a diverse group of aspiring principals or*
20 *current principals, or both, for work in eligible*
21 *schools.*

22 “(2) *Tracking participants to determine if such*
23 *individuals are attaining, or have attained, the com-*
24 *petencies needed to complete the training to enter into*
25 *an effective leadership role, and providing counseling*

1 or, if appropriate, separation, to participants who the
2 entity determines will not attain, or have not at-
3 tained, those competencies.

4 “(3) If the eligible entity provides a program for
5 aspiring principals—

6 “(A) requiring that candidates demonstrate
7 awareness of and have experience with the
8 knowledge, skills, and attitudes to—

9 “(i) establish and maintain a profes-
10 sional learning community that effectively
11 extracts information from data to improve
12 the school culture and personalize instruc-
13 tion for all students to result in improved
14 student achievement;

15 “(ii) create and maintain a learning
16 culture within the school that provides a cli-
17 mate conducive to the development of all
18 members of the school community, including
19 one of continuous learning for adults tied to
20 student learning and other school goals;

21 “(iii) engage in continuous profes-
22 sional development, utilizing a combination
23 of academic study, developmental simula-
24 tion exercises, self-reflection, mentorship,
25 and internship;

1 “(iv) understand youth development
2 appropriate to the age level served by the
3 school and from this knowledge set high ex-
4 pectations and standards for the academic,
5 social, emotional, and physical development
6 of all students; and

7 “(v) actively engage the community to
8 create shared responsibility for student aca-
9 demic performance and successful develop-
10 ment; and

11 “(B) ensuring that the program shall pro-
12 vide aspiring principals with—

13 “(i) a preservice residency that is not
14 less than 1 year in length, and that includes
15 coaching from a mentor principal, and in-
16 structional leadership and organizational
17 management experience;

18 “(ii) focused coursework on instruc-
19 tional leadership, organizational manage-
20 ment, and the use of a variety of data for
21 purposes of—

22 “(I) instruction;

23 “(II) evaluation and development
24 of teachers; and

1 “(III) development of highly effec-
2 tive school organizations; and

3 “(iii) ongoing support, mentoring, and
4 professional development for not less than 2
5 years after the aspiring principals complete
6 the residency and commence work as assist-
7 ant principals and principals.

8 “(4) Training mentors for principals who are
9 serving or who wish to serve in eligible schools or for
10 aspiring principals who wish to serve in such eligible
11 schools, or for both.

12 “(5) Providing differentiated training to partici-
13 pants in competencies that evidence shows are critical
14 to improving school-level student outcomes in eligible
15 schools, such as—

16 “(A) recruiting, training, supervising, sup-
17 porting, and evaluating teachers and other staff;

18 “(B) developing teams of effective school
19 staff, and distributing among members of such
20 teams responsibilities for leading and improving
21 their schools;

22 “(C) establishing learning communities
23 where principals and teachers—

24 “(i) share a school mission and goals
25 with an explicit vision of quality teaching

1 *and learning that guides all instructional*
2 *decisions;*

3 “(ii) *commit to improving student out-*
4 *comes and performances;*

5 “(iii) *set a continuous cycle of collec-*
6 *tive inquiry and improvement;*

7 “(iv) *foster a culture of collaboration*
8 *where teachers and principals work together*
9 *on a regular basis to analyze and improve*
10 *teaching and learning; and*

11 “(v) *support and share leadership;*

12 “(D) *where applicable for participants serv-*
13 *ing elementary schools, offering high-quality*
14 *early childhood education to the students such*
15 *participants are serving and facilitating the*
16 *transition of children from early learning set-*
17 *tings to elementary school;*

18 “(E) *where applicable for participants serv-*
19 *ing high schools, facilitating postsecondary level*
20 *coursework for students through access to Ad-*
21 *vanced Placement and International Bacca-*
22 *laureate courses, dual enrollment programs, and*
23 *early college high schools, as well as support*
24 *services to help students transition to postsec-*
25 *ondary education;*

1 “(F) setting high expectations for student
2 achievement;

3 “(G) addressing the unique needs of specific
4 student populations served, such as students with
5 disabilities, students who are English learners,
6 and students who are homeless or in foster care;

7 “(H) managing budget resources and school
8 time to support high-quality instruction and im-
9 provements in student achievement, such as by
10 extending the school day and year and providing
11 common planning time to teachers and staff;

12 “(I) working effectively with students’ par-
13 ents and other members of the community;

14 “(J) using technology and multiple sources
15 of data to personalize instruction;

16 “(K) monitoring and improving the align-
17 ment and effectiveness of curriculum, instruc-
18 tion, and assessment, using a variety of data
19 providing evidence of student and school out-
20 comes; and

21 “(L) developing and maintaining a positive
22 school culture where students, teachers, and other
23 staff are motivated to collaborate and work to-
24 gether to achieve goals.

1 “(6) *Delivering high-quality, differentiated,*
2 *school-level support services and training to current*
3 *principals of eligible schools, if the eligible entity pro-*
4 *vides a program for current principals, or during the*
5 *period described in paragraph (3)(B)(iii) to individ-*
6 *uals who have completed the aspiring principal resi-*
7 *dency, if the eligible entity provides a program for as-*
8 *piring principals, to help meet the specific needs of*
9 *the eligible schools they serve, which may include—*

10 “(A) *training and support for the design of*
11 *schoolwide improvement plans based on the diag-*
12 *nosis of school conditions and needs informed by*
13 *data and analysis of classroom and school prac-*
14 *tices; and*

15 “(B) *support in organizing and training*
16 *the teams described in paragraph (5)(B).*

17 “(7) *Making available any training materials*
18 *funded under the grant, such as syllabi, assignments,*
19 *or selection rubrics, to the Department for public dis-*
20 *semination.*

21 “(8) *Tracking the effectiveness of the program*
22 *based on, at a minimum—*

23 “(A) *school-level student outcomes at the*
24 *schools where program graduates have served as*
25 *principals;*

1 “(B) the percentage of program graduates
2 who become principals in eligible schools; and

3 “(C) the percentage of program graduates
4 who remain principals in eligible schools for
5 multiple years.

6 “(9) Using the data on the effectiveness of the
7 program for, among other purposes, the continuous
8 improvement of the program.

9 “(f) ANNUAL REPORT.—An eligible entity that receives
10 a grant under this section shall submit an annual report,
11 beginning in the third year of the grant, to the Secretary
12 regarding—

13 “(1) school-level student outcomes resulting from
14 implementation of the grant activities; and

15 “(2) data on—

16 “(A) the percentage of program graduates
17 who become principals in eligible schools;

18 “(B) the percentage of graduates who re-
19 main principals in eligible schools for multiple
20 years; and

21 “(C) the percentage of program graduates
22 who are highly rated, as determined by the State
23 educational agency.

24 “(g) MATCHING REQUIREMENT.—

25 “(1) MATCHING REQUIREMENT.—

1 “(A) *IN GENERAL.*—An eligible entity that
2 receives a grant under this section shall con-
3 tribute annually to the activities assisted under
4 such grant matching funds in an amount equal
5 to not less than 20 percent of the amount of the
6 grant from non-Federal sources.

7 “(B) *MATCHING FUNDS.*—The matching
8 funds requirement under subparagraph (A) may
9 be met by—

10 “(i) contributions that are in cash or
11 in-kind, fairly evaluated; and

12 “(ii) payments of a salary or stipend
13 to an aspiring principal during the aspir-
14 ing principal’s residency year.

15 “(2) *WAIVER.*—The Secretary may waive or re-
16 duce the matching requirement under paragraph (1)
17 if the eligible entity demonstrates a need for such
18 waiver or reduction due to financial hardship.

19 “(h) *SUPPLEMENT, NOT SUPPLANT.*—Grant funds
20 provided under this section shall be used to supplement, and
21 not supplant, any other Federal, State, or local funds other-
22 wise available to carry out the activities described in this
23 section.

1 **“PART B—TEACHER PATHWAYS TO THE**
2 **CLASSROOM**

3 **“SEC. 2201. TEACHER PATHWAYS.**

4 “(a) *PURPOSE.*—*It is the purpose of this section to*
5 *support the recruitment, selection, preparation, placement,*
6 *retention, and support of teachers in high-need subjects or*
7 *fields who will improve student academic achievement and*
8 *student outcomes at high-needs schools.*

9 “(b) *DEFINITIONS.*—*In this section:*

10 “(1) *ELIGIBLE ENTITY.*—*The term ‘eligible enti-*
11 *ty’ means—*

12 “(A) *a partnership of—*

13 “(i) *1 or more institutions of higher*
14 *education or nonprofit organizations; and*

15 “(ii) *a high-need local educational*
16 *agency and 1 or more other local edu-*
17 *cational agencies or State educational agen-*
18 *cies; or*

19 “(B) *an institution of higher education or*
20 *a nonprofit organization that can demonstrate a*
21 *record of—*

22 “(i) *preparing teachers who are suc-*
23 *cessful in improving student achievement;*
24 *and*

25 “(ii) *placing a significant percentage*
26 *of those teachers in high-need schools.*

1 “(2) *TEACHER IN A HIGH-NEED SUBJECT OR*
2 *FIELD.—The term ‘teacher in a high-need subject or*
3 *field’ means a teacher of—*

4 “(A) *students with disabilities;*

5 “(B) *English learners; or*

6 “(C) *science, technology, engineering, or*
7 *mathematics.*

8 “(c) *AUTHORIZATION OF GRANT AWARDS.—The Sec-*
9 *retary shall award grants to eligible entities to pay for the*
10 *Federal share of the cost of carrying out the activities de-*
11 *scribed in this section.*

12 “(d) *APPLICATIONS.—An eligible entity that desires to*
13 *receive a grant under this section shall submit an applica-*
14 *tion to the Secretary at such time, in such manner, and*
15 *accompanied by such information as the Secretary may re-*
16 *quire.*

17 “(e) *CONSIDERATIONS.—In awarding grants under*
18 *this section, the Secretary shall consider the geographic di-*
19 *versity of the eligible entities, including the distribution of*
20 *grants among urban, suburban, and rural areas.*

21 “(f) *PRIORITY.—In awarding grants under this sec-*
22 *tion, the Secretary shall give priority to applicants that*
23 *demonstrate a record of—*

24 “(1) *recruiting college undergraduates, recent*
25 *college graduates, graduate students, and professionals*

1 *with a demonstrated history of significant academic*
2 *achievement to become teachers;*

3 *“(2) recruiting and selecting candidates who are*
4 *members of groups underrepresented in the teaching*
5 *profession; and*

6 *“(3) preparing teachers who consistently improve*
7 *student academic achievement at high-need schools.*

8 *“(g) REQUIRED USE OF FUNDS.—An eligible entity*
9 *that receives a grant under this section shall use the grant*
10 *funds for the following:*

11 *“(1) To recruit, select, prepare, place, retain,*
12 *and support teachers for high-need schools and teach-*
13 *ers in high-need subjects or fields.*

14 *“(2) To prepare all teachers to teach students*
15 *with disabilities and English learners.*

16 *“(3) To prepare teachers in classroom manage-*
17 *ment, instructional planning and delivery, learning*
18 *theory and cognitive development, literacy develop-*
19 *ment, and student assessment.*

20 *“(4) To provide school-based, clinical experience*
21 *at a high-need school that includes observation of and*
22 *feedback on teacher candidates’ teaching.*

23 *“(5) To provide ongoing mentoring and support,*
24 *which may include coursework, for participants for at*
25 *least 1 school year.*

1 “(h) *PERMISSIBLE USE OF GRANT FUNDS.*—An eligi-
 2 ble entity that receives a grant under this section may use
 3 the grant funds to provide financial stipends for teacher
 4 candidates who are not the teacher of record.

5 “(i) *PERFORMANCE AND GRANT RENEWAL.*—

6 “(1) *TRACKING PERFORMANCE.*—An eligible en-
 7 tity that receives a grant under this section shall—

8 “(A) track the placement rate, retention
 9 rate, and performance in improving student aca-
 10 demic achievement of teachers recruited and pre-
 11 pared by programs funded by the grant; and

12 “(B) submit data on such performance to
 13 the Secretary.

14 “(2) *CONDITIONS FOR GRANT RENEWAL.*—The
 15 Secretary shall evaluate the information submitted
 16 under paragraph (1) and renew a grant awarded
 17 under this section only if the data indicate the teach-
 18 ers are successful in improving student academic
 19 achievement.

20 “(j) *FISCAL AGENT.*—The fiscal agent for an eligible
 21 entity that receives a grant under this section may be a
 22 local educational agency, State educational agency, institu-
 23 tion of higher education, or nonprofit organization that is
 24 a partner in the eligible entity.

25 “(k) *MATCHING REQUIREMENTS.*—

1 “(1) *FEDERAL SHARE.*—*Except as provided in*
2 *paragraph (2)(B), the Federal share for this section*
3 *shall be a percentage of the cost of the activities as-*
4 *sisted under the grant as determined by the Secretary.*

5 “(2) *NON-FEDERAL SHARE.*—

6 “(A) *IN GENERAL.*—*The non-Federal share*
7 *provided by an eligible entity receiving a grant*
8 *under this section shall be a percentage of the*
9 *cost of the activities assisted under the grant as*
10 *determined by the Secretary. The non-Federal*
11 *share may include in-kind contributions.*

12 “(B) *SPECIAL RULE.*—*The Secretary may*
13 *waive or reduce the amount of the non-Federal*
14 *share described in subparagraph (A) for any fis-*
15 *cal year if the eligible entity demonstrates to the*
16 *Secretary that the funds needed to carry out that*
17 *subparagraph are unavailable due to economic*
18 *hardship, as determined by the Secretary.*

19 “(l) *EVALUATION.*—*From the amount appropriated for*
20 *this part and reserved for evaluation activities in accord-*
21 *ance with section 9601(a), the Secretary, acting through the*
22 *Director of the Institute of Education Sciences, shall, in*
23 *consultation with the relevant program office at the Depart-*
24 *ment—*

1 “(1) *evaluate the implementation and impact of*
2 *the program under this section;*

3 “(2) *identify best practices for recruiting, select-*
4 *ing, 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 as-*
11 *sist States, local educational agencies, and nonprofit orga-*
12 *nizations to develop, implement, improve, or expand strate-*
13 *gies to ensure that the most effective teachers and principals*
14 *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 enti-*
18 *ty’ means—*

19 “(A) *a local educational agency or a consor-*
20 *tium of local educational agencies, which may*
21 *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 of*
25 *a State to participate under this part; 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 existing*
13 *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 and*
23 *principals to high-need schools, including by*
24 *providing highly effective teachers and principals*
25 *in such schools with support and development*

1 *opportunities focused on increasing student*
2 *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 part,*
21 *the Secretary shall give priority to an eligible entity that*
22 *concentrates the proposed activities in high-need schools des-*
23 *ignated as priority schools, as described in section 1116(d),*
24 *and then to an eligible entity that concentrates the proposed*
25 *activities in a State or local educational agency that has*

1 *already developed a professional growth and improvement*
2 *system required under section 2122.*

3 “(c) *APPLICATIONS.—To be eligible to receive a grant*
4 *under this part, an eligible entity shall submit an applica-*
5 *tion to the Secretary, at such time and in such manner*
6 *as the Secretary may reasonably require. The application*
7 *shall include, as applicable—*

8 “(1) *a description of the strategy that the eligible*
9 *entity proposes to develop, implement, improve, or ex-*
10 *pand;*

11 “(2) *a description and evidence of the support*
12 *and commitment of teachers and principals in the*
13 *school to be served by the project, the community, in-*
14 *cluding community-based organizations, and the local*
15 *educational agencies, including a demonstration of*
16 *consultation with teachers and principals in the de-*
17 *sign and development of the proposal;*

18 “(3) *a description of the local educational agency*
19 *or school to be served by the project, including such*
20 *student academic achievement, demographic, and so-*
21 *cioeconomic information as the Secretary may re-*
22 *quest;*

23 “(4) *a description of the quality of teachers and*
24 *principals in the local educational agency and the*
25 *schools to be served by the project and how the project*

1 *will increase the quality of teachers and principals in*
2 *a high-need school;*

3 *“(5) a description of how the eligible entity will*
4 *use grant funds under this part in each year of the*
5 *grant to continuously increase the number of highly*
6 *effective teachers and principals in the highest-need*
7 *schools;*

8 *“(6) a description of how the eligible entity will*
9 *continue funding and carrying out the project after*
10 *the grant period ends;*

11 *“(7) a description of the State, local, or other*
12 *public or private funds that will be used to supple-*
13 *ment the grant and sustain the activities assisted*
14 *under the grant at the end of the grant period; and*

15 *“(8) a description of the rationale and evidence*
16 *base for the proposed activities and of any prior expe-*
17 *rience of the eligible entity in developing and imple-*
18 *menting such activities.*

19 *“(d) USE OF FUNDS.—An eligible entity that receives*
20 *a grant under this part shall use the grant funds to carry*
21 *out activities that are designed to develop, implement, im-*
22 *prove, or expand strategies to increase the number of highly*
23 *effective teachers or principals serving in high-need schools,*
24 *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 sala-*
 4 *ries each year of the grant, to highly effective teachers*
 5 *or principals who work in high-need schools;*

6 “(2) *improving a professional growth and im-*
 7 *provement system required under section 2122;*

8 “(3) *reforming the local educational agency’s*
 9 *system of compensating teachers and principals; and*

10 “(4) *developing and implementing a human cap-*
 11 *ital system.*

12 “(e) *DURATION OF GRANTS.—*

13 “(1) *IN GENERAL.—The Secretary may award a*
 14 *grant under this part for a period of not more than*
 15 *5 years.*

16 “(2) *LIMITATION.—A local educational agency*
 17 *may receive (whether individually or as part of a*
 18 *consortium or partnership) a grant under this part*
 19 *only twice. A second grant may be awarded only if*
 20 *the Secretary determines that the eligible entity has*
 21 *demonstrated sufficient progress and demonstrates the*
 22 *sustainability of the grant project after the expiration*
 23 *of the grant period.*

24 “(f) *EQUITABLE GEOGRAPHIC DISTRIBUTION.—To the*
 25 *extent practicable, the Secretary shall ensure an equitable*

1 *geographic distribution of grants under this part, including*
 2 *the distribution between rural and urban areas.*

3 “(g) *SUPPLEMENT, NOT SUPPLANT.*—Grant funds
 4 *provided under this part shall be used to supplement, not*
 5 *supplant, other Federal, State, or local funds available to*
 6 *carry out the activities described in this part.*

7 **“PART D—ACHIEVEMENT THROUGH**
 8 **TECHNOLOGY AND INNOVATION**

9 **“SEC. 2401. SHORT TITLE.**

10 “*This part may be cited as the ‘Achievement Through*
 11 *Technology and Innovation Act of 2013’ or the ‘ATTAIN*
 12 *Act’.*

13 **“SEC. 2402. PURPOSES AND GOALS.**

14 “*The purposes and goals of this part are—*

15 “(1) *to ensure that through effective and innova-*
 16 *tive uses of technology every student has access to per-*
 17 *sonalized, rigorous, and relevant learning to meet the*
 18 *goals of this part to raise student achievement, close*
 19 *the achievement gap, and ensure highly effective*
 20 *teaching, and to prepare all students to be technology*
 21 *literate and make sufficient academic growth to suc-*
 22 *ceed in the 21st century digital economy;*

23 “(2) *to evaluate, build upon, and increase the*
 24 *use of evidence-based and innovative systemic edu-*
 25 *cation transformations that center on the use of tech-*

1 *nology that leads to school improvement, improved*
2 *productivity, and increased student achievement;*

3 *“(3) to ensure that all educators are connected in*
4 *an ongoing manner to technology-based and online re-*
5 *sources and supports, including through enhanced on-*
6 *going, meaningful professional development to ensure*
7 *that—*

8 *“(A) all educators are technology literate*
9 *and effectively use technology to improve instruc-*
10 *tion; and*

11 *“(B) education administrators possess the*
12 *capacity to—*

13 *“(i) provide leadership in the use of*
14 *technology for systemic education trans-*
15 *formation; and*

16 *“(ii) improve educational productivity;*

17 *“(4) to improve student engagement, oppor-*
18 *tunity, attendance, graduation rates, and technology*
19 *access through enhanced or redesigned curriculum or*
20 *instruction;*

21 *“(5) to more effectively collect and use student*
22 *performance and other data in a timely manner to*
23 *inform instruction, address individualized student*
24 *needs, support school decisionmaking, and support*
25 *school improvement and increased student achieve-*

1 *ment, including through delivery of computer-based*
 2 *and online assessments;*

3 *“(6) to enhance the use of technology, online*
 4 *learning, and blended learning for systemic education*
 5 *transformation, including curricula redesign and new*
 6 *instructional strategies to personalize learning; and*

7 *“(7) to increase education productivity and re-*
 8 *duce costs through the use of technology, blended*
 9 *learning, and online learning, including for the deliv-*
 10 *ery of online assessments.*

11 **“SEC. 2403. DEFINITIONS.**

12 *“In this part:*

13 *“(1) BLENDED LEARNING.—The term ‘blended*
 14 *learning’ means the combination of online learning*
 15 *and traditional in-person classroom instruction, or*
 16 *technology-based learning, in a supervised classroom*
 17 *setting with some element of student control over*
 18 *time, place, path, or pace.*

19 *“(2) DIGITAL LEARNING.—The term ‘digital*
 20 *learning’ means any instructional practice that effec-*
 21 *tively uses technology to strengthen a student’s learn-*
 22 *ing experience and encompasses a wide spectrum of*
 23 *tools and practices, including—*

24 *“(A) interactive learning resources that en-*
 25 *gage students in academic content;*

1 “(B) access to online databases and other
2 primary source documents;

3 “(C) the use of data to personalize learning
4 and provide targeted supplementary instruction;

5 “(D) student collaboration with content ex-
6 perts and peers;

7 “(E) online and computer-based assess-
8 ments;

9 “(F) digital content, adaptive, and simula-
10 tion software or courseware;

11 “(G) online courses, online instruction, or
12 digital learning platforms;

13 “(H) mobile and wireless technologies for
14 learning in school and at home;

15 “(I) learning environments that allow for
16 rich collaboration and communication;

17 “(J) authentic audiences for learning in a
18 relevant, real world experience; and

19 “(K) teacher participation in virtual pro-
20 fessional communities of practice.

21 “(3) *ELIGIBLE TECHNOLOGY.*—The term ‘eligible
22 technology’ means modern information, computer,
23 and communication technology hardware, software,
24 services, or tools, including computer or mobile hard-
25 ware devices and other computer and communications

1 *hardware, software applications, systems and plat-*
2 *forms, and digital and online content, courseware,*
3 *and online instruction and other online services and*
4 *supports.*

5 “(4) *E-RATE PROGRAM.*—*The term ‘E-rate pro-*
6 *gram’ means the Schools and Libraries Universal*
7 *Service Support Mechanism under section*
8 *254(h)(1)(B) of the Communications Act of 1934 (47*
9 *U.S.C. 254(h)(1)(B)).*

10 “(5) *STUDENT TECHNOLOGY LITERACY.*—*The*
11 *term ‘student technology literacy’ means student*
12 *knowledge and skills in using contemporary informa-*
13 *tion, communication, and learning technologies in a*
14 *manner necessary for successful employment, lifelong*
15 *learning, and citizenship in the knowledge-based, dig-*
16 *ital, and global 21st century, including, at a min-*
17 *imum, the ability to—*

18 “(A) *effectively communicate and collabo-*
19 *rate;*

20 “(B) *analyze and solve problems;*

21 “(C) *access, evaluate, manage, and create*
22 *information and otherwise gain information lit-*
23 *eracy;*

1 “(D) demonstrate creative thinking, con-
2 struct knowledge, and develop innovative prod-
3 ucts and processes; and

4 “(E) carry out the activities described in
5 subparagraphs (A) through (D) in a safe and
6 ethical manner.

7 “(6) *TECHNOLOGY READINESS SURVEY*.—The
8 term ‘technology readiness survey’ means a survey
9 completed by a local educational agency that provides
10 standardized information comparable to the informa-
11 tion collected through the technology readiness survey
12 administered under the Race to the Top Assessment
13 program under section 14006 of division A of the
14 American Recovery and Reinvestment Act of 2009
15 (Public Law 111–5) on the quantity and types of
16 technology infrastructure and access available to the
17 students served by the local educational agency, in-
18 cluding computer devices, Internet connectivity, oper-
19 ating systems, related network infrastructure, and
20 data systems—

21 “(A) requiring—

22 “(i) an internal review of the degree to
23 which instruction, additional student sup-
24 port, and professional development is deliv-
25 ered in digital formats, media, and plat-

1 *forms and is available to students and edu-*
 2 *cators at any time;*

3 “(ii) *an internal review of the ability*
 4 *of educators to use assessments and other*
 5 *student data to personalize and strengthen*
 6 *instruction and identify professional devel-*
 7 *opment needs and priorities; and*

8 “(iii) *any other information required*
 9 *by the State educational agency serving the*
 10 *local educational agency; and*

11 “(B) *which may include an assessment of*
 12 *local community needs to ensure students have*
 13 *adequate online access and access to devices for*
 14 *school-related work during out-of-school time.*

15 **“SEC. 2404. ALLOCATION OF FUNDS; LIMITATION.**

16 “(a) *ALLOCATION OF FUNDS BETWEEN STATE AND*
 17 *LOCAL INITIATIVES.—The funds made available to carry*
 18 *out this part shall be available to carry out subpart 1.*

19 “(b) *LIMITATION.—*

20 “(1) *LOCAL ADMINISTRATIVE COSTS.—Of the*
 21 *funds made available to a local educational agency*
 22 *under this part for a fiscal year, not more than 3 per-*
 23 *cent may be used by the local educational agency for*
 24 *administrative costs.*

1 “(A) three-quarters of 1 percent for the Sec-
2 retary of the Interior for programs under this
3 subpart for schools operated or funded by the Bu-
4 reau of Indian Education; and

5 “(B) 1 percent to provide assistance under
6 this subpart to the outlying areas; and

7 “(2) subject to subsection (b), the Secretary shall
8 use the remainder to award grants by allotting to
9 each State educational agency an amount that bears
10 the same relationship to such remainder for such year
11 as the amount received under part A of title I for
12 such year by such State educational agency bears to
13 the amount received under such part for such year by
14 all State educational agencies.

15 “(b) *MINIMUM ALLOTMENT.*—The amount of any
16 State educational agency’s allotment under subsection
17 (a)(2) for any fiscal year shall not be less than one-half
18 of 1 percent of the amount made available for allotments
19 to State educational agencies under this subpart for such
20 year.

21 “(c) *REALLOTMENT OF UNUSED FUNDS.*—The Sec-
22 retary shall reallocate any unused amount of a State edu-
23 cational agency’s allotment to the remaining State edu-
24 cational agencies that use their entire allotments under this
25 subpart in accordance with this section.

1 “(d) *MATCHING FUNDS.*—

2 “(1) *IN GENERAL.*—*A State educational agency*
3 *that receives a grant under subsection (a)(2) shall*
4 *provide matching funds, from non-Federal sources, in*
5 *an amount equal to 20 percent of the amount of grant*
6 *funds provided to the State educational agency to*
7 *carry out the activities supported by the grant. Such*
8 *matching funds may be provided in cash or in-kind*
9 *except that any such in-kind contributions shall be*
10 *provided for the purpose of supporting the State edu-*
11 *cational agency’s activities under section 2414.*

12 “(2) *WAIVER.*—*The Secretary may waive the*
13 *matching requirement under paragraph (1) for a*
14 *State educational agency that demonstrates that such*
15 *requirement imposes an undue financial hardship on*
16 *the State educational agency.*

17 **“SEC. 2412. USE OF ALLOTMENT BY STATE.**

18 “(a) *IN GENERAL.*—

19 “(1) *IN GENERAL.*—*Of the amount provided to a*
20 *State educational agency under section 2411(a)(2) for*
21 *a fiscal year—*

22 “(A) *the State educational agency may use*
23 *not more than 10 percent of such amount or*
24 *\$100,000, whichever amount is greater, to carry*
25 *out activities under section 2414; and*

1 “(B) the State educational agency shall dis-
2 tribute the remainder in accordance with para-
3 graphs (2) and (3).

4 “(2) *DISTRIBUTION OF REMAINDER.*—The State
5 educational agency shall—

6 “(A)(i) use 80 percent of the remainder to
7 award *Improving Teaching and Learning*
8 *through Technology* subgrants to local edu-
9 cational agencies having applications approved
10 under section 2415(c) for the activities described
11 in section 2416(b); and

12 “(ii) allot to each such local educational
13 agency an amount that bears the same relation-
14 ship to 80 percent of the remainder for such year
15 as the amount received under part A of title I
16 for such year by such local educational agency
17 bears to the amount received under such part for
18 such year by all local educational agencies with-
19 in the State, subject to subsection (b)(2); and

20 “(B) use 20 percent of the remainder to
21 award *Systemic Education Transformation*
22 *through Technology Integration* subgrants,
23 through a State-determined competitive process,
24 to local educational agencies having applications

1 *approved under section 2415(b) for the activities*
2 *described in section 2416(a).*

3 “(3) *OPTION IN YEARS WITH INSUFFICIENT*
4 *AMOUNTS APPROPRIATED.—If the amount provided to*
5 *a State educational agency under section 2411(a)(2)*
6 *for a fiscal year is not large enough to provide every*
7 *local educational agency with a minimum subgrant*
8 *under subsection (b)(3), the State educational agency*
9 *may distribute 100 percent of the remainder described*
10 *in paragraph (1)(B) as either formula grants under*
11 *paragraph (2)(A) or competitive grants under para-*
12 *graph (2)(B).*

13 “(b) *SUFFICIENT AMOUNTS.—*

14 “(1) *SPECIAL RULE.—In awarding subgrants*
15 *under subsection (a)(2)(B), the State educational*
16 *agency shall—*

17 “(A) *ensure the subgrants are of sufficient*
18 *size and scope to be effective, consistent with the*
19 *purposes of this part;*

20 “(B) *ensure subgrants are of sufficient du-*
21 *ration to be effective, consistent with the pur-*
22 *poses of this part, including by awarding sub-*
23 *grants for a period of not less than 2 years that*
24 *may be renewed for not more than an additional*
25 *1 year;*

1 “(C) give preference in the awarding of sub-
2 grants, and the providing of all technical assist-
3 ance, to local educational agencies that serve
4 schools identified as priority schools or focus
5 schools under subsection (c) or (d) of section
6 1116, including those schools with high popu-
7 lations of—

8 “(i) English learners;

9 “(ii) students with disabilities; or

10 “(iii) other subgroups of students who
11 have not met the State’s student academic
12 achievement standards; and

13 “(D) ensure an equitable distribution
14 among urban and rural areas of the State, ac-
15 cording to the demonstrated need for assistance
16 under this subpart of the local educational agen-
17 cies serving the areas.

18 “(2) *ADDITIONAL RESERVATION.*—A State edu-
19 cational agency that forms a State purchasing consor-
20 tium under subsection 2414(c) may reserve an addi-
21 tional 1 percent to carry out the activities described
22 in subsection 2414 (c)(1) if such State educational
23 agency receives direct approval from the local edu-
24 cational agencies receiving subgrants under subsection
25 (a)(2).

1 “(3) *MINIMUM FORMULA-BASED SUBGRANT.*—
2 *The amount of any local educational agency’s*
3 *subgrant under subsection (a)(2)(A) for any fiscal*
4 *year shall be not less than \$3,000.*

5 “(c) *REALLOTMENT OF UNUSED FUNDS.*—*If any local*
6 *educational agency does not apply for a subgrant under*
7 *subsection (a) for a fiscal year, or does not use the local*
8 *educational agency’s entire allotment under this subpart for*
9 *such fiscal year, the State shall reallocate any unused funds*
10 *to the remaining local educational agencies.*

11 **“SEC. 2413. STATE APPLICATIONS.**

12 “(a) *IN GENERAL.*—*To be eligible to receive a grant*
13 *under this subpart, a State educational agency shall submit*
14 *to the Secretary, at such time and in such manner as the*
15 *Secretary may specify, an application containing the infor-*
16 *mation described in subsection (b) and such other informa-*
17 *tion as the Secretary may reasonably require.*

18 “(b) *CONTENTS.*—*Each State educational agency ap-*
19 *plication submitted under subsection (a) shall include each*
20 *of the following:*

21 “(1) *A description of how the State educational*
22 *agency will support local educational agencies that*
23 *receive subgrants under this subpart in meeting the*
24 *purposes and goals of this part and the requirements*
25 *of this subpart, including through technical assistance*

1 *in using technology to redesign curriculum and in-*
2 *struction, improve educational productivity, and de-*
3 *liver computer-based and online assessment.*

4 “(2) *A description of the State educational agen-*
5 *cy’s long-term goals and strategies for improving stu-*
6 *dent academic achievement, including student tech-*
7 *nology literacy, through the effective use of technology.*

8 “(3) *A description of the priority area upon*
9 *which the State educational agency will focus its as-*
10 *sistance under this subpart, which shall be identified*
11 *from among the core academic subjects, grade levels,*
12 *and student subgroup populations with the largest*
13 *achievement gaps in the State.*

14 “(4) *A description of how the State educational*
15 *agency will support local educational agencies to im-*
16 *plement professional development programs pursuant*
17 *to section 2416(b)(1)(A).*

18 “(5) *A description of how the State educational*
19 *agency will ensure that teachers, paraprofessionals,*
20 *school librarians, and administrators possess the*
21 *knowledge and skills to use technology—*

22 “(A) *for curriculum redesign to change*
23 *teaching and learning and improve student*
24 *achievement;*

1 “(B) for assessment, data analysis, and to
2 personalize learning;

3 “(C) to improve student technology literacy;
4 and

5 “(D) for their own ongoing professional de-
6 velopment and for access to teaching resources
7 and tools.

8 “(6) A description of the process, activities, and
9 performance measures that the State educational
10 agency will use to evaluate the impact and effective-
11 ness of activities described in section 2414.

12 “(7) Identification of the State college and career
13 ready academic content standards and college and ca-
14 reer ready student academic achievement standards
15 that the State educational agency will use to ensure
16 that each student is technologically literate, consistent
17 with the definition of student technology literacy, and
18 a description of how the State educational agency will
19 assess student performance in gaining technology lit-
20 eracy, only for the purpose of tracking progress to-
21 wards achieving the 8th grade technology literacy goal
22 and not for accountability purposes as described in
23 section 1111(a)(3), including through embedding such
24 assessment items in other State tests or performance-
25 based assessment portfolios, or through other valid

1 *and reliable means. Nothing in this subpart shall be*
2 *construed to require States to develop a separate test*
3 *to assess student technology literacy.*

4 “(8) *An assurance that financial assistance pro-*
5 *vided under this subpart will supplement, and not*
6 *supplant, State and local funds.*

7 “(9) *A description of how the State educational*
8 *agency consulted with local educational agencies in*
9 *the development of the State application.*

10 “(10) *An assurance that the State educational*
11 *agency will provide matching funds as required under*
12 *section 2411(d).*

13 “(11) *A description of how the State educational*
14 *agency will ensure that funds received under this part*
15 *do not duplicate support received under the E-rate*
16 *program.*

17 “(12) *An assurance that the State educational*
18 *agency will protect the privacy and safety of students*
19 *and teachers, consistent with the requirements of sec-*
20 *tion 444 of the General Education Provisions Act (20*
21 *U.S.C. 1232g) (commonly known as the ‘Family Edu-*
22 *cational Rights and Privacy Act of 1974’).*

23 “(13) *A description of how the State educational*
24 *agency will, in providing technical and other assist-*
25 *ance to local educational agencies, give priority to*

1 *schools identified as priority schools or focus schools*
2 *under subsection (c) or (d) of section 1116, including*
3 *those schools with high populations of—*

4 *“(A) English learners;*

5 *“(B) students with disabilities; or*

6 *“(C) other subgroups of students who have*
7 *not met the State’s student academic achieve-*
8 *ment standards;*

9 *“(14) A description of how the State educational*
10 *agency will ensure that the State educational agency’s*
11 *data systems and eligible technology are interoperable.*

12 *“(15) A description of—*

13 *“(A) the State’s process for the adoption, ac-*
14 *quisition, distribution, and use of content;*

15 *“(B) how the State will ensure integrity of*
16 *such processes;*

17 *“(C) how such processes support the goals of*
18 *this part or how a State will change such proc-*
19 *esses to support such goals; and*

20 *“(D) how the State will ensure content*
21 *quality.*

22 *“(16) A description of the technology readiness*
23 *in the State, as determined by local educational agen-*
24 *cy responses to the technology readiness survey, in-*
25 *cluding—*

1 “(A) an assurance that not less than 90
2 percent of the local educational agencies served
3 by the State educational agency have completed
4 and submitted the technology readiness survey to
5 the State educational agency; and

6 “(B) an assurance that the results of the
7 technology readiness survey for each such local
8 educational agency are made available to the
9 Secretary and the public through the website of
10 the local educational agency.

11 **“SEC. 2414. STATE ACTIVITIES.**

12 “(a) *MANDATORY ACTIVITIES.*—From funds made
13 available under section 2412(a)(1)(A), a State educational
14 agency shall carry out each of the following activities:

15 “(1) Identify the State college and career ready
16 academic content standards and college and career
17 ready student academic achievement standards that
18 the State educational agency will use to ensure that
19 each student is technologically literate consistent with
20 the definition of student technology literacy.

21 “(2) Assess student performance in gaining tech-
22 nology literacy consistent with paragraph (1), includ-
23 ing through embedding such assessment items in other
24 State tests, performance-based assessments, or port-
25 folios, or through other means, except that such assess-

1 *ments shall be used only to track student technology*
2 *literacy and shall not be used for accountability pur-*
3 *poses as described in section 1111(a)(3), and widely*
4 *disseminate such results.*

5 *“(3) Providing guidance, technical assistance,*
6 *and other assistance, including in the priority area*
7 *identified by the State pursuant to section 2413(b)(3),*
8 *to local educational agencies to—*

9 *“(A) identify and address technology readi-*
10 *ness needs;*

11 *“(B) redesign curriculum and instruction,*
12 *improve educational productivity, and deliver*
13 *computer-based and online assessment;*

14 *“(C) use technology, consistent with the*
15 *principles of universal design for learning, to*
16 *support the learning needs of all students, in-*
17 *cluding students with disabilities and English*
18 *learners; and*

19 *“(D) support principals so that principals*
20 *have the expertise to evaluate teachers’ pro-*
21 *ficiency in implementing digital tools for teach-*
22 *ing and learning.*

23 *“(4) Developing or utilizing research-based or in-*
24 *novative strategies for the delivery of specialized or*
25 *rigorous academic courses and curricula through the*

1 *use of technology, including digital learning tech-*
2 *nologies and assistive technology.*

3 *“(5) Integrating and coordinating activities*
4 *under this part with other educational resources and*
5 *programs across the State.*

6 *“(6) Disseminating information, including mak-*
7 *ing publicly available on the website of the State edu-*
8 *cational agency, promising practices to improve tech-*
9 *nology instruction, and acquiring and implementing*
10 *technology tools and applications.*

11 *“(7) Coordinating with teacher and principal*
12 *preparation programs to align digital learning teach-*
13 *ing standards.*

14 *“(8) Providing, or supporting local educational*
15 *agencies in providing, sustained and intensive, high-*
16 *quality professional development pursuant to section*
17 *2416(b)(1)(A).*

18 *“(b) PERMISSIVE ACTIVITIES.—From funds made*
19 *available under section 2412(a)(1)(A), a State educational*
20 *agency may carry out 1 or more of the following activities*
21 *that assist local educational agencies:*

22 *“(1) State leadership activities and technical as-*
23 *sistance that support achieving the purposes and*
24 *goals of this part.*

1 “(2) *Developing or utilizing research-based or in-*
 2 *novative strategies for the delivery of specialized or*
 3 *rigorous academic courses and curricula through the*
 4 *use of technology, including distance learning tech-*
 5 *nologies.*

6 “(3) *Assessing student performance in gaining*
 7 *technology literacy consistent with subsection (a)(2),*
 8 *including through embedding such assessment items*
 9 *in other State tests, performance-based assessments, or*
 10 *portfolios, or through other means.*

11 “(c) *PURCHASING CONSORTIA.—*

12 “(1) *IN GENERAL.—From funds made available*
 13 *under section 2412(a)(1)(A), a State educational*
 14 *agency receiving a grant under this subpart may—*

15 “(A) *form a State purchasing consortium*
 16 *with 1 or more State educational agencies receiv-*
 17 *ing such a grant to carry out the State activities*
 18 *described in subsections (a) and (b), including*
 19 *purchasing eligible technology;*

20 “(B) *encourage local educational agencies to*
 21 *form local purchasing consortia under section*
 22 *2415; and*

23 “(C) *promote pricing opportunities to local*
 24 *educational agencies for the purchase of eligible*
 25 *technology that are—*

1 “(i) negotiated by the State edu-
2 cational agency or the State purchasing
3 consortium of the State educational agency;
4 and

5 “(ii) available to such local edu-
6 cational agencies.

7 “(2) *RESTRICTIONS.*—A State educational agen-
8 cy receiving a grant under section 2412(a)(1)(A) shall
9 not—

10 “(A) except for promoting the pricing op-
11 portunities described in paragraph (1)(C), make
12 recommendations to local educational agencies
13 for, or require, use of any specific commercial
14 products and services by local educational agen-
15 cies;

16 “(B) require local educational agencies to
17 participate in a State purchasing consortia or
18 local purchasing consortia; or

19 “(C) use more than the amount reserved
20 under subsection 2412(a)(1)(A) to carry out the
21 activities described in paragraph (1) unless the
22 State educational agency receives approval in
23 accordance with section 2412(b)(2).

1 **“SEC. 2415. LOCAL APPLICATIONS.**

2 “(a) *IN GENERAL.*—*Each local educational agency de-*
3 *siring a subgrant under this subpart shall submit to the*
4 *State educational agency an application containing a new*
5 *or updated local long-range strategic educational technology*
6 *plan, and such other information as the State educational*
7 *agency may reasonably require, and shall include each of*
8 *the following:*

9 “(1) *A description of how the local educational*
10 *agency will align and coordinate the local educational*
11 *agency’s use of funds under this subpart with—*

12 “(A) *the local educational agency’s efforts to*
13 *boost student achievement and close achievement*
14 *gaps;*

15 “(B) *the local educational agency’s tech-*
16 *nology plan;*

17 “(C) *the local educational agency’s plans*
18 *and activities for improving student achieve-*
19 *ment, including plans and activities under sec-*
20 *tions 1111, 1112, 1116, and 2123, as applicable;*
21 *and*

22 “(D) *funds available from other Federal,*
23 *State, and local sources.*

24 “(2) *An assurance that financial assistance pro-*
25 *vided under this subpart will supplement, and not*

1 *supplant, other funds available to carry out activities*
2 *assisted under this subpart.*

3 “(3) *A description of the process used to assess*
4 *and, as needed, update technologies throughout the*
5 *local educational agency.*

6 “(4) *A description of how the local educational*
7 *agency will—*

8 “(A) *enable schools served by the local edu-*
9 *cational agency to build the technological capac-*
10 *ity and infrastructure (including through local*
11 *purchasing of eligible technology), necessary for*
12 *the full implementation of online assessments for*
13 *all students (including students with disabilities*
14 *and English learners); and*

15 “(B) *ensure the interoperability of data sys-*
16 *tems and eligible technology.*

17 “(5) *A description of the results of the technology*
18 *readiness survey completed by the local educational*
19 *agency.*

20 “(6) *A description of the local educational agen-*
21 *cy’s student technology literacy standards, the agen-*
22 *cy’s goals for the technology skills for teachers and ad-*
23 *ministrators, and an assurance that the student tech-*
24 *nology literacy standards meet the requirements of*
25 *section 2403.*

1 “(7) *A description of how the local educational*
2 *agency will evaluate teachers’ proficiency and*
3 *progress in implementing technology for teaching and*
4 *learning.*

5 “(8) *A description of how the local educational*
6 *agency will ensure that principals have the expertise*
7 *to evaluate teachers’ proficiency and progress in im-*
8 *plementing technology for teaching and learning and*
9 *the interoperability of data systems and eligible tech-*
10 *nology.*

11 “(9) *A description of—*

12 “(A) *the local educational agency’s procure-*
13 *ment process and process for the creation, acqui-*
14 *sition, distribution, and use of content;*

15 “(B) *how the local educational agency will*
16 *ensure the integrity of such processes;*

17 “(C) *how such processes support the goals*
18 *described in paragraph (1) or how a local edu-*
19 *cational agency will change such processes to*
20 *support such goals; and*

21 “(D) *how the local educational agency will*
22 *ensure content quality.*

23 “(10) *An assurance that the local educational*
24 *agency will protect the privacy and safety of students*
25 *and teachers, consistent with the requirements in sec-*

1 *tion 444 of the General Education Provisions Act (20*
 2 *U.S.C. 1232g) (commonly known as the ‘Family Edu-*
 3 *catinal Rights and Privacy Act of 1974’).*

4 *“(11) A description of how the local educational*
 5 *agency will ensure that the subgrant received under*
 6 *this subpart is not duplicative of support received*
 7 *under the E-rate program.*

8 *“(12) Such other information as the State edu-*
 9 *catinal agency may reasonably require.*

10 *“(b) COMPETITIVE GRANTS; SYSTEMIC EDUCATION*
 11 *TRANSFORMATION THROUGH TECHNOLOGY INTEGRA-*
 12 *TION.—In addition to the information described in sub-*
 13 *section (a), a local educational agency submitting an appli-*
 14 *cation for a Systemic Education Transformation Through*
 15 *Technology Integration subgrant shall submit to the State*
 16 *educational agency an application containing each of the*
 17 *following:*

18 *“(1) A description of how the local educational*
 19 *agency will use the subgrant funds to implement sys-*
 20 *temic education transformation, which is a com-*
 21 *prehensive set of programs, practices, and technologies*
 22 *to improve student achievement and close achievement*
 23 *gaps that—*

1 “(A) collectively leads to school or school
2 district change and improvement, including in
3 the use of technology; and

4 “(B) incorporates all of the following ele-
5 ments:

6 “(i) Reform or redesign of curriculum,
7 instruction, assessment, use of data, or other
8 practices through the use of technology in
9 order to increase student learning oppor-
10 tunity, and engagement in learning.

11 “(ii) Improvement of educator quality,
12 knowledge and skills, and effectiveness
13 through ongoing, sustainable, timely, and
14 contextual professional development de-
15 scribed in section 2416(b)(1)(A).

16 “(iii) Ongoing use of formative and
17 other assessments and other timely data
18 sources and data systems to more effectively
19 identify individual student learning needs
20 and personalize learning.

21 “(iv) Engagement of school district
22 leaders, school leaders, and classroom edu-
23 cators.

1 “(v) *Programs, practices, and tech-*
2 *nologies that are based on scientific re-*
3 *search.*

4 “(2) *An assurance that the local educational*
5 *agency will use not less than 25 percent of the*
6 *subgrant funds to implement a program of profes-*
7 *sional development described in section 2416(b)(1)(A).*

8 “(3) *A description of how the local educational*
9 *agency will evaluate the impact of 1 or more pro-*
10 *grams or activities carried out under this subpart.*

11 “(c) *FORMULA GRANTS; IMPROVING TEACHING AND*
12 *LEARNING THROUGH TECHNOLOGY.—In addition to the in-*
13 *formation described in subsection (a), a local educational*
14 *agency submitting an application for an Improving Teach-*
15 *ing and Learning Through Technology subgrant shall sub-*
16 *mit to the State educational agency an application con-*
17 *taining each of the following:*

18 “(1) *An assurance that the local educational*
19 *agency will use not less than 40 percent of the*
20 *subgrant funds for ensuring educators, including*
21 *teachers and administrators, are technology literate,*
22 *prepared to use technology to improve the curriculum*
23 *and instruction, and are connected online to supports*
24 *and resources, including—*

1 “(A) for professional development described
2 in section 2416(b)(1)(A); and

3 “(B) to provide educators with ongoing ac-
4 cess to technology tools, applications, supports
5 and other resources, including those related spe-
6 cifically to such professional development activi-
7 ties.

8 “(2) A description of the local educational agen-
9 cy’s program of professional development described in
10 section 2416(b)(1)(A).

11 “(3) A description of the use of technology tools,
12 applications, and other resources to improve student
13 learning and achievement in the area of priority
14 identified under paragraph (4).

15 “(4) A description of the priority area subgrant
16 funds will target, identified from among the core aca-
17 demic subjects, grade levels, and student subgroup
18 populations in which the most number of students
19 served by the local educational agency are not pro-
20 ficient.

21 “(5) A description of how funds will be used to
22 integrate technology to redesign the curriculum or in-
23 struction, implement computer-based and online as-
24 sessments, improve use of data to personalize learn-
25 ing, or improve education productivity.

1 “(d) *COMBINED APPLICATIONS.*—A local educational
2 agency that submits an application under subsection (b),
3 may, upon notice to the State educational agency, submit
4 a single application that will also be considered as an ap-
5 plication for subgrant funds awarded under subsection (c),
6 if the application addresses each application requirement
7 under subsections (a), (b), and (c).

8 “**SEC. 2416. LOCAL ACTIVITIES.**

9 “(a) *COMPETITIVE GRANTS; SYSTEMIC EDUCATION*
10 *TRANSFORMATION THROUGH TECHNOLOGY INTEGRA-*
11 *TION.*—A local educational agency that receives funds
12 through a subgrant under section 2412(a)(2)(B), shall carry
13 out activities to improve student learning, technology lit-
14 eracy, and achievement, as follows:

15 “(1) Use not less than 5 percent of such funds to
16 evaluate the impact of 1 or more programs or activi-
17 ties carried out under the subgrant as identified in
18 the local educational agency’s application and ap-
19 proved by the State educational agency.

20 “(2) Use funds remaining after carrying out
21 paragraph (1) to implement a plan for systemic edu-
22 cation transformation in 1 or more schools, in accord-
23 ance with section 2415(b)(1), including each of the
24 following:

1 “(A) Using not less than 25 percent of
2 subgrant funds to ensure educators, including
3 teachers and administrators, are technology lit-
4 erate, prepared to use technology to improve the
5 curriculum and instruction, and are connected
6 online to supports and resources, including
7 through the following:

8 “(i) Professional development activi-
9 ties, as described in subsection (b)(1)(A).

10 “(ii) The acquisition and implementa-
11 tion of technology tools, applications, and
12 other resources to provide educators with
13 ongoing access and support, including for
14 use in the professional development activi-
15 ties described in clause (i).

16 “(B) Acquiring and effectively imple-
17 menting technology tools, applications, and other
18 resources in conjunction with enhancing or rede-
19 signing the curriculum or instruction in order
20 to—

21 “(i) increase student learning oppor-
22 tunity or access, student engagement in
23 learning, or student attendance or gradua-
24 tion rates;

1 “(ii) improve student achievement in 1
2 or more of the core academic subjects; and

3 “(iii) improve student technology lit-
4 eracy.

5 “(C) Acquiring and effectively imple-
6 menting eligible technology, tools, applications,
7 and other resources to—

8 “(i) conduct ongoing formative and
9 other assessments and use other timely data
10 sources and data systems to more effectively
11 identify and address individual student
12 learning needs;

13 “(ii) support personalized student
14 learning, including through instructional
15 software and digital content that supports
16 the learning needs of each student, or
17 through providing access to high-quality
18 courses and instructors otherwise not avail-
19 able except through technology and online
20 learning;

21 “(iii) conduct other activities con-
22 sistent with research-based or innovative
23 systemic education transformation, includ-
24 ing activities that increase parental involve-
25 ment; and

1 “(iv) address readiness shortfalls iden-
2 tified under the technology readiness survey
3 completed by the local educational agency.

4 “(b) *FORMULA GRANTS; IMPROVING TEACHING AND*
5 *LEARNING THROUGH TECHNOLOGY.*—A local educational
6 agency that receives funds through a subgrant under section
7 2412(a)(2)(A), shall carry out activities to improve student
8 learning, technology literacy, and achievement in the area
9 of priority identified under section 2415(c)(4), as follows:

10 “(1) Use not less than 40 percent of such funds
11 for professional development activities that are
12 aligned with activities supported under section 2123
13 to improve educator effectiveness and quality through
14 support for the following:

15 “(A) Training of school personnel, which—

16 “(i) shall include the development, ac-
17 quisition, or delivery of—

18 “(I) training that is ongoing, sus-
19 tainable, timely, and directly related to
20 up-to-date teaching content areas;

21 “(II) training in strategies and
22 pedagogy in the core academic subjects
23 that involve use of technology and cur-
24 riculum redesign as key components of
25 changing teaching and learning and

1 *improving student achievement and*
2 *technology literacy;*

3 *“(III) training in the use of com-*
4 *puter-based and online assessments,*
5 *and in the use of student performance*
6 *and other data for individualized in-*
7 *struction; and*

8 *“(IV) training that includes ongo-*
9 *ing communication and follow-up with*
10 *instructors, facilitators, and peers; and*
11 *“(ii) may include—*

12 *“(I) the use of, and training of,*
13 *instructional technology specialists,*
14 *mentors, master teachers, or coaches to*
15 *serve as experts and train other teach-*
16 *ers in the effective use of technology;*
17 *and*

18 *“(II) the use of technology, such*
19 *as distance learning and online virtual*
20 *educator-to-educator peer communities,*
21 *as a means for delivering professional*
22 *development.*

23 *“(B) The acquisition and implementation of*
24 *eligible technology, tools, applications, and other*
25 *resources to be employed in the professional de-*

1 *velopment activities described in subparagraph*
2 *(A).*

3 *“(2) Use funds remaining after carrying out*
4 *paragraph (1) to acquire or implement technology*
5 *tools, applications, and other resources to improve*
6 *student learning, technology literacy, and achievement*
7 *in the area of priority identified by the local edu-*
8 *cational agency, including through 1 or more of the*
9 *following:*

10 *“(A) Conducting ongoing formative assess-*
11 *ment and using other timely data sources and*
12 *data systems to more effectively identify and ad-*
13 *dress individual student learning needs.*

14 *“(B) Supporting personalized student learn-*
15 *ing, including through instructional software*
16 *and digital content that supports the learning*
17 *needs of each student, or through providing ac-*
18 *cess to high-quality courses and instructors not*
19 *otherwise available except through technology*
20 *such as online learning.*

21 *“(C) Increasing parental involvement*
22 *through improved communication with teachers*
23 *and access to student assignments and grades.*

24 *“(D) Enhancing accountability, instruction,*
25 *and data-driven decisionmaking through data*

1 *systems that allow for management, analysis,*
2 *and disaggregating of student, teacher, and*
3 *school data.*

4 “(E) *Such other activities as are appro-*
5 *priate and consistent with the goals and pur-*
6 *poses of this part.*

7 “(c) *MULTIPLE GRANTS.—A local educational agency*
8 *that receives subgrants under both subparagraph (A) and*
9 *subparagraph (B) of section 2412(a)(2) may use all such*
10 *subgrant funds for activities authorized under subsection*
11 *(a).*

12 “(d) *MODIFICATION OF FUNDING ALLOCATIONS.—A*
13 *State educational agency may authorize a local educational*
14 *agency to modify the percentage of the local educational*
15 *agency’s subgrant funds required to carry out the activities*
16 *described in subsections (a) or (b) if the local educational*
17 *agency demonstrates that such modification will assist the*
18 *local educational agency in more effectively carrying out*
19 *such activities.*

20 “(e) *PURCHASING CONSORTIA.—Local educational*
21 *agencies receiving subgrants under subsection (a) or (b)*
22 *may—*

23 “(1) *form a local purchasing consortia with*
24 *other such local educational agencies to carry out the*

1 *activities described in subsection (a) or (b), including*
2 *purchasing eligible technology; and*

3 *“(2) use such funds for purchasing eligible tech-*
4 *nology through a State purchasing consortia under*
5 *section 2414(c).*

6 **“SEC. 2417. REPORTING.**

7 *“(a) LOCAL EDUCATIONAL AGENCIES.—Each local*
8 *educational agency receiving a subgrant under this part*
9 *shall submit to the State educational agency that awarded*
10 *such subgrant an annual report that meets the requirements*
11 *of subsection (c).*

12 *“(b) STATE EDUCATIONAL AGENCIES.—Each State*
13 *educational agency receiving a grant under this subpart*
14 *shall submit to the Secretary an annual report that meets*
15 *the requirements of subsection (c).*

16 *“(c) REPORT REQUIREMENTS.—A report submitted*
17 *under subsection (a) or (b) shall include, at a minimum,*
18 *a description of—*

19 *“(1) the status of the State educational agency’s*
20 *plan described in section 2413(b)(1) or the local edu-*
21 *cational agency’s technology plan under section*
22 *2415(a)(1)(B), as applicable;*

23 *“(2) the categories of eligible technology acquired*
24 *with funds under this subpart and how such tech-*
25 *nology is being used;*

1 “(3) the professional development activities fund-
2 ed under this subpart, including types of activities
3 and entities involved in providing such professional
4 development to classroom teachers and other staff,
5 such as school librarians;

6 “(4) the instruction, strategies, activities, and
7 curricula used in the programs funded under this
8 subpart; and

9 “(5) the types of programs funded under this
10 subpart.

11 **“Subpart 2—Internet Safety**

12 **“SEC. 2421. INTERNET SAFETY.**

13 “(a) *IN GENERAL.*—No funds made available under
14 this part to a local educational agency for an elementary
15 school or secondary school that does not receive services at
16 discount rates under section 254(h)(5) of the Communica-
17 tions Act of 1934 (47 U.S.C. 254(h)(5)) may be used to pur-
18 chase computers used to access the Internet, or to pay for
19 direct costs associated with accessing the Internet, for such
20 school unless the school, school board, local educational
21 agency, or other authority with responsibility for adminis-
22 tration of such school both—

23 “(1)(A) has in place a policy of Internet safety
24 for minors that includes the operation of a technology
25 protection measure with respect to any of its com-

1 *puters with Internet access that protects against ac-*
 2 *cess through such computers to visual depictions that*
 3 *are—*

4 *“(i) obscene;*

5 *“(ii) child pornography; or*

6 *“(iii) harmful to minors; and*

7 *“(B) is enforcing the operation of such tech-*
 8 *nology protection measure during any use of such*
 9 *computers by minors; and*

10 *“(2)(A) has in place a policy of Internet safety*
 11 *that includes the operation of a technology protection*
 12 *measure with respect to any of its computers with*
 13 *Internet access that protects against access through*
 14 *such computers to visual depictions that are—*

15 *“(i) obscene; or*

16 *“(ii) child pornography; and*

17 *“(B) is enforcing the operation of such tech-*
 18 *nology protection measure during any use of such*
 19 *computers.*

20 *“(b) TIMING AND APPLICABILITY OF IMPLEMENTA-*
 21 *TION.—*

22 *“(1) IN GENERAL.—The local educational agency*
 23 *with responsibility for a school covered by subsection*
 24 *(a) shall certify the compliance of such school with the*

1 *requirements of subsection (a) as part of the applica-*
2 *tion process for each program funding year.*

3 *“(2) PROCESS.—*

4 *“(A) SCHOOLS WITH INTERNET SAFETY*
5 *POLICIES AND TECHNOLOGY PROTECTION MEAS-*
6 *URES IN PLACE.—A local educational agency*
7 *with responsibility for a school covered by sub-*
8 *section (a) that has in place an Internet safety*
9 *policy meeting the requirements of subsection (a)*
10 *shall certify its compliance with subsection (a)*
11 *during each annual program application cycle*
12 *under this part.*

13 *“(B) SCHOOLS WITHOUT INTERNET SAFETY*
14 *POLICIES AND TECHNOLOGY PROTECTION MEAS-*
15 *URES IN PLACE.—*

16 *“(i) CERTIFICATION.—A local edu-*
17 *cational agency with responsibility for a*
18 *school covered by subsection (a) that does*
19 *not have in place an Internet safety policy*
20 *meeting the requirements of subsection (a)*
21 *for each year in which the local educational*
22 *agency is applying for funds for such school*
23 *under this part, shall certify that it is un-*
24 *dertaking such actions, including any nec-*
25 *essary procurement procedures, to put in*

1 *place an Internet safety policy that meets*
2 *such requirements.*

3 “(ii) *INELIGIBILITY.*—*Any school cov-*
4 *ered by subsection (a) for which the local*
5 *educational agency concerned is unable to*
6 *certify compliance with such requirements*
7 *for a year shall be ineligible for all funding*
8 *under this part for such year and all subse-*
9 *quent years until such time as such school*
10 *comes into compliance with such require-*
11 *ments.*

12 “(c) *DISABLING DURING CERTAIN USE.*—*An adminis-*
13 *trator, supervisor, or person authorized by the responsible*
14 *authority under subsection (a) may disable the technology*
15 *protection measure concerned to enable access for bona fide*
16 *research or other lawful purposes.*

17 “(d) *NONCOMPLIANCE.*—

18 “(1) *USE OF GENERAL EDUCATION PROVISIONS*
19 *ACT REMEDIES.*—*Whenever the Secretary has reason*
20 *to believe that any recipient of funds under this part*
21 *is failing to comply substantially with the require-*
22 *ments of this section, the Secretary may—*

23 “(A) *withhold further payments to the re-*
24 *ipient under this part;*

1 “(B) issue a complaint to compel compli-
2 ance of the recipient through a cease and desist
3 order; or

4 “(C) enter into a compliance agreement
5 with a recipient to bring it into compliance with
6 such requirements,

7 in same manner as the Secretary is authorized to take
8 such actions under sections 455, 456, and 457, respec-
9 tively, of the General Education Provisions Act.

10 “(2) RECOVERY OF FUNDS PROHIBITED.—The
11 actions authorized by paragraph (1) are the exclusive
12 remedies available with respect to the failure of a
13 school to comply substantially with a provision of this
14 section, and the Secretary shall not seek a recovery of
15 funds from the recipient for such failure.

16 “(3) RECOMMENCEMENT OF PAYMENTS.—When-
17 ever the Secretary determines (whether by certifi-
18 cation or other appropriate evidence) that a recipient
19 of funds who is subject to the withholding of payments
20 under paragraph (1)(A) has cured the failure pro-
21 viding the basis for the withholding of payments, the
22 Secretary shall cease the withholding of payments to
23 the recipient under that paragraph.

24 “(4) ACQUISITION OR OPERATION.—An elemen-
25 tary school or secondary school shall be considered to

1 *have received funds under this part for the acquisition*
2 *or operation of any computer if such funds are used*
3 *in any manner, directly or indirectly—*

4 *“(A) to purchase, lease, or otherwise acquire*
5 *or obtain the use of such computer; or*

6 *“(B) to obtain services, supplies, software,*
7 *or other actions or materials to support, or in*
8 *connection with, the operation of such computer.*

9 *“(e) DEFINITIONS.—In this subpart:*

10 *“(1) CHILD PORNOGRAPHY.—The term ‘child*
11 *pornography’ has the meaning given that term in sec-*
12 *tion 2256 of title 18, United States Code.*

13 *“(2) COMPUTER.—The term ‘computer’ includes*
14 *any hardware, software, or other technology attached*
15 *or connected to, installed in, or otherwise used in con-*
16 *nection with a computer.*

17 *“(3) HARMFUL TO MINORS.—The term ‘harmful*
18 *to minors’ means any picture, image, graphic image*
19 *file, or other visual depiction that—*

20 *“(A) taken as a whole and with respect to*
21 *minors, appeals to a prurient interest in nudity,*
22 *sex, or excretion;*

23 *“(B) depicts, describes, or represents, in a*
24 *patently offensive way with respect to what is*
25 *suitable for minors, an actual or simulated sex-*

1 *ual act or sexual contact, actual or simulated*
2 *normal or perverted sexual acts, or a lewd exhi-*
3 *bition of the genitals; and*

4 “(C) *taken as a whole, lacks serious lit-*
5 *erary, artistic, political, or scientific value as to*
6 *minors.*

7 “(4) *MINOR.—The term ‘minor’ means an indi-*
8 *vidual who has not attained the age of 17.*

9 “(5) *OBSCENE.—The term ‘obscene’ has the*
10 *meaning applicable to that term under section 1460*
11 *of title 18, United States Code.*

12 “(6) *SEXUAL ACT AND SEXUAL CONTACT.—The*
13 *terms ‘sexual act’ and ‘sexual contact’ have the mean-*
14 *ings given those terms in section 2246 of title 18,*
15 *United States Code.*

16 “(f) *SEVERABILITY.—If any provision of this section*
17 *is held invalid, the remainder of this section shall not be*
18 *affected thereby.”.*

1 **TITLE III—LANGUAGE AND AKA-**
 2 **DEMIC CONTENT INSTRU-**
 3 **CTION FOR ENGLISH LEARN-**
 4 **ERS AND IMMIGRANT STU-**
 5 **DENTS**

6 **SEC. 3001. LANGUAGE AND ACADEMIC CONTENT INSTRU-**
 7 **CTION 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 AKA-**
 12 **DEMIC CONTENT INSTRU-**
 13 **CTION 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 Ac-*
 21 *quisition, Language Enhancement, and Academic Achieve-*
 22 *ment 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 of
17 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 supporting
25 English learners;

1 “(4) to support the efforts of early childhood edu-
2 cators, 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 on
17 school readiness, English language proficiency,
18 and academic content knowledge;

19 “(D) modify such services as appropriate to
20 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 a
 20 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 (other
 24 than subsection (d) 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 receiv-
8 ing a grant under subsection (a) may reserve not
9 more than 5 percent of the agency’s allotment
10 under subsection (c) for the purpose of carrying
11 out 1 or more of the following activities:

12 “(i) Establishing and implementing a
13 framework for identifying English learners
14 that includes not less than 4 levels of
15 English proficiency that—

16 “(I) can reasonably be measured;

17 “(II) are based on actual student
18 performance; and

19 “(III) shall be used for identifica-
20 tion, placement in English language
21 instruction, reporting, and account-
22 ability purposes.

23 “(ii) Establishing and implementing
24 standardized, statewide evidence-based en-
25 trance and exit procedures, including a re-

1 *quirement that all students who may be*
2 *English learners are assessed for such status*
3 *within 30 days of enrollment in a school in*
4 *the State.*

5 *“(iii) Establishing and implementing*
6 *policies to support local educational agen-*
7 *cies as local educational agencies ensure the*
8 *continuity of English learner identification*
9 *and English proficiency level for students*
10 *who transfer between local educational*
11 *agencies.*

12 *“(iv) Adopting and implementing*
13 *high-quality, evidence-based English lan-*
14 *guage proficiency standards and matching*
15 *assessments that identify not less than 4 lev-*
16 *els of English proficiency, that are aligned*
17 *with the college and career ready standards*
18 *under section 1111(a)(1) adopted by the*
19 *State for each grade level, and that—*

20 *“(I) set high expectations regard-*
21 *ing academic achievement and lin-*
22 *guistic proficiency for English learners*
23 *at all levels of proficiency; and*

1 “(II) support teachers as teachers
2 enhance instruction to support English
3 learners.

4 “(v) Establishing and implementing
5 systems and policies to encourage and fa-
6 cilitate the sharing of highly effective prac-
7 tices for serving English learners among
8 local educational agencies.

9 “(vi) Developing, in States where 20
10 percent of the English learner population
11 has the same native language and a min-
12 imum of 10,000 students speak that lan-
13 guage, native-language content assessments
14 for students of that language group who
15 cannot yet access the content in English,
16 and incorporating the results of those assess-
17 ments into the accountability system estab-
18 lished under section 1111(a)(3) and 1116.

19 “(vii) Providing technical assistance to
20 local educational agencies regarding profes-
21 sional development and family and commu-
22 nity outreach and engagement.

23 “(viii) As appropriate, providing com-
24 petitive grants to support improved out-

1 *reach and school readiness in early edu-*
2 *cation settings.*

3 “(i) *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, whichever*
11 *is greater, for the activities described in subpara-*
12 *graph (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 el-*
19 *igible entities that are defined under section*
20 *3112(a) for activities, approved by the Secretary,*
21 *consistent with this subpart;*

22 “(B) *0.5 percent of such amount for pay-*
23 *ments to outlying areas, to be allotted in accord-*
24 *ance with their respective needs for assistance*
25 *under this subpart (as determined by the Sec-*

1 *retary), for activities that are approved by the*
2 *Secretary and consistent with the purposes of*
3 *this subpart;*

4 “(C) 3.5 percent of such amount for na-
5 *tional activities under subpart 3, except that not*
6 *more than 0.5 percent of such amount shall be*
7 *reserved for evaluation activities conducted by*
8 *the Secretary and not more than \$2,000,000 of*
9 *such amount may be reserved for the National*
10 *Clearinghouse for English Learner Support and*
11 *Educational Programs described in section 3203;*
12 *and*

13 “(D) 3 percent of such amount for technical
14 *assistance provided to States under section*
15 *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 under*
21 *paragraph (1), the Secretary shall allot to each*
22 *State educational agency having a plan ap-*
23 *proved under section 3113(c)—*

24 “(i) *an amount that bears the same re-*
25 *lationship to 80 percent of the remainder as*

1 *the number of English learners in the State*
2 *bears to the number of English learners in*
3 *all States, as determined by using data in*
4 *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 con-*
12 *ducted by the Department of Commerce.*

13 “(B) *MINIMUM ALLOTMENTS.—No State*
14 *educational agency shall receive an allotment*
15 *under this paragraph that is less than \$500,000.*

16 “(C) *REALLOTMENT.—If any State edu-*
17 *cational agency described in subparagraph (A)*
18 *does not submit a plan to the Secretary for a fis-*
19 *cal year, or submits a plan (or any amendment*
20 *to a plan) that the Secretary, after reasonable*
21 *notice and opportunity for a hearing, determines*
22 *does not satisfy the requirements of this subpart,*
23 *the Secretary shall reallocate any portion of such*
24 *allotment to the remaining State educational*
25 *agencies in accordance with subparagraph (A).*

1 “(D) *SPECIAL RULE FOR PUERTO RICO.*—
2 *The total amount allotted to Puerto Rico for any*
3 *fiscal year under subparagraph (A) shall not ex-*
4 *ceed 0.5 percent of the total amount allotted to*
5 *all States for that fiscal year.*

6 “(3) *USE OF DATA FOR DETERMINATIONS.*—*In*
7 *making State allotments under paragraph (2)(A)(i)*
8 *for each fiscal year, the Secretary shall determine the*
9 *number of English learners in a State and in all*
10 *States, for each fiscal year, using the most accurate,*
11 *up-to-date data, which may be—*

12 “(A) *data available from the American*
13 *Community Survey conducted by the Depart-*
14 *ment of Commerce, which may be multiyear esti-*
15 *mates;*

16 “(B) *the number of students assessed as not*
17 *having attained English language proficiency,*
18 *based on the State’s English language pro-*
19 *ficiency assessment under section 1111(a)(2)(D),*
20 *which may be multi-year estimates; or*

21 “(C) *a combination of data available under*
22 *subparagraphs (A) and (B).*

1 **“SEC. 3112. NATIVE AMERICAN AND ALASKA NATIVE CHIL-**
2 **DREN IN SCHOOL.**

3 “(a) *ELIGIBLE ENTITIES.*—*For the purpose of car-*
4 *rying out programs under this part for individuals served*
5 *by elementary schools, secondary schools, and postsecondary*
6 *schools operated predominately for Native American chil-*
7 *dren (including Alaska Native children), the following shall*
8 *be considered to be an eligible entity:*

9 “(1) *An Indian tribe.*

10 “(2) *A tribally sanctioned educational authority.*

11 “(3) *A Native Hawaiian or Native American*
12 *Pacific Islander native language educational organi-*
13 *zation.*

14 “(4) *An elementary school or secondary school*
15 *that is operated or funded by the Bureau of Indian*
16 *Education of the Department of the Interior, or a*
17 *consortium of such schools.*

18 “(5) *An elementary school or secondary school*
19 *operated under a contract with or grant from the Bu-*
20 *reau of Indian Education of the Department of the*
21 *Interior, in consortium with another such school or a*
22 *tribal or community organization.*

23 “(6) *An elementary school or secondary school*
24 *operated by the Bureau of Indian Education of the*
25 *Department of the Interior and an institution of*
26 *higher education, in consortium with an elementary*

1 *school or secondary school operated under a contract*
2 *with or grant from the Bureau of Indian Education*
3 *of the Department of the Interior or a tribal or com-*
4 *munity organization.*

5 “(b) *SUBMISSION OF APPLICATIONS FOR ASSIST-*
6 *ANCE.—Notwithstanding any other provision of this part,*
7 *an entity that is considered to be an eligible entity under*
8 *subsection (a) that desires to receive Federal financial as-*
9 *sistance under this subpart, shall submit an application to*
10 *the Secretary.*

11 “(c) *SPECIAL RULES.—*

12 “(1) *INELIGIBILITY FOR MULTIPLE AWARDS FOR*
13 *SAME PERIOD.—An eligible entity described in sub-*
14 *section (a) that receives a grant under this section*
15 *shall not be eligible to receive a subgrant under sec-*
16 *tion 3114 for the same period.*

17 “(2) *NATIVE AMERICAN LANGUAGE PROGRAMS.—*
18 *An eligible entity described in subsection (a) that re-*
19 *ceives a grant under this section may, in addition to*
20 *other activities supported under this subpart, use the*
21 *grant funds to support Native American language im-*
22 *mersion programs and Native American language res-*
23 *toration programs, which may be taught by tradi-*
24 *tional or tribal leaders.*

1 **“SEC. 3113. STATE EDUCATIONAL AGENCY PLANS.**

2 “(a) *PLAN REQUIRED.*—*Each State educational agen-*
3 *cy desiring a grant under this subpart shall submit a plan*
4 *to the Secretary at such time, in such manner, and con-*
5 *taining such information as the Secretary may require.*

6 “(b) *CONTENTS.*—*Each plan submitted under sub-*
7 *section (a) shall—*

8 “(1) *describe the process that the agency will use*
9 *in awarding subgrants to eligible entities under this*
10 *subpart;*

11 “(2) *include high-quality, evidence-based English*
12 *language proficiency standards aligned with the col-*
13 *lege and career ready standards adopted by the State*
14 *and described in section 1111(a)(1) for each grade*
15 *level that—*

16 “(A) *set high expectations regarding aca-*
17 *ademic achievement and linguistic proficiency for*
18 *English learners at all levels of proficiency; and*

19 “(B) *support teachers as teachers enhance*
20 *curriculum and instruction to support English*
21 *learners;*

22 “(3) *include a statewide framework for identi-*
23 *fying, supporting, and exiting English learners*
24 *that—*

1 “(A) is aligned with the English language
2 proficiency standards described in paragraph
3 (2); and

4 “(B) includes not less than 4 levels of pro-
5 ficiency;

6 “(4) describe the statewide framework adopted
7 under paragraph (3), including a justification for the
8 number of levels of proficiency, the defining character-
9 istics of each level, and a description of the extent to
10 which students can use the English language to access
11 rigorous academic content at each level of English
12 language proficiency;

13 “(5) include a State English language pro-
14 ficiency assessment system that—

15 “(A) is valid, reliable, and aligned to the
16 English language proficiency standards described
17 in paragraph (2) and the statewide framework
18 described in paragraph (3); and

19 “(B) provides relevant information to edu-
20 cators to better meet the needs of the English
21 learners being served;

22 “(6) describe how the State will ensure that—

23 “(A) each student is proficient in academic
24 English not more than 5 years after being iden-
25 tified as an English learner; and

1 “(B) in the case of a student who is an
2 English learner who will graduate from sec-
3 ondary school in less than 5 years of being iden-
4 tified as an English learner—

5 “(i) such English learner student will
6 receive not less than 5 years of services to
7 help the student attain English proficiency;

8 “(ii) such English learner student will
9 continue to receive services to gain English
10 proficiency after graduation from secondary
11 school, through a memorandum of under-
12 standing between the local educational
13 agency and a local institution of higher
14 education; and

15 “(iii) if such English learner student
16 does not attain English proficiency not
17 more than 5 years after being identified as
18 an English learner, the student will not be
19 counted as a graduating student in the
20 State or local educational agency’s calcula-
21 tion of the graduation rates;

22 “(7) provide an assurance the State will include
23 English language proficiency assessment results as a
24 representative and significant portion of the State-de-

1 *signed professional growth and improvement system,*
2 *and a description of the process for doing so;*

3 *“(8) provide an assurance the State will include*
4 *English language proficiency assessment results as a*
5 *significant portion of the State-designed professional*
6 *growth and improvement system for all teachers of*
7 *English learners, and a description of the process for*
8 *doing so;*

9 *“(9) describe how the State educational agency*
10 *will support local educational agencies in assisting*
11 *English learners in acquiring proficiency in each of*
12 *the 4 language domains of reading, writing, speaking,*
13 *and listening, as measured by the State’s English lan-*
14 *guage proficiency assessment;*

15 *“(10) describe how the State educational agency*
16 *will encourage and facilitate the sharing of highly-ef-*
17 *fective practices for serving English learners among*
18 *local educational agencies, and, to the extent prac-*
19 *ticable, early childhood education programs;*

20 *“(11) describe how the State educational agency*
21 *will coordinate programs and activities carried out*
22 *under this subpart with the other programs and ac-*
23 *tivities that such agency carries out under this Act,*
24 *the Individuals with Disabilities Education Act, the*
25 *Carl D. Perkins Career and Technical Education Act*

1 *of 2006, the Head Start Act, the Child Care and De-*
2 *velopment Block Grant Act of 1990 (42 U.S.C. 9858*
3 *et seq.), the Workforce Investment Act of 1998 (29*
4 *U.S.C. 2801 et seq.), and the McKinney-Vento Home-*
5 *less Assistance Act;*

6 “(12) describe how the agency will assist eligible
7 entities in increasing the extent to which English
8 learners acquire English language proficiency within
9 the time frame described in paragraph (6), as in-
10 formed by evidence-based practices;

11 “(13) provide an assurance eligible entities in
12 the State will be given the flexibility to teach English
13 learners using a language instruction curriculum that
14 has been demonstrated to be effective;

15 “(14) describe how the agency will manage sub-
16 grants awarded under this subpart, including—

17 “(A) how the agency will ensure subgrant
18 funds are expended to support the provision of
19 services to help English learners achieve English
20 language proficiency and meet the State’s college
21 and career ready academic content standards,
22 which may include using an evidence-based lan-
23 guage instruction curriculum;

24 “(B) how the agency will monitor eligible
25 entities receiving a subgrant under this subpart

1 to ensure compliance with applicable Federal fis-
2 cal requirements, while also assisting such enti-
3 ties in building their capacity to offer high-quality
4 services; and

5 “(C) how the agency will, in awarding sub-
6 grants under section 3114, address the needs of
7 local educational agencies of all sizes and in all
8 geographic areas, including local educational
9 agencies that serve rural and urban schools;

10 “(15) identify the lowest performing local edu-
11 cational agencies in the State (regarding English pro-
12 ficiency) and describe how the State will ensure that
13 those local educational agencies improve; and

14 “(16) provide an assurance the plan has been de-
15 veloped in consultation with local educational agen-
16 cies, teachers, administrators of programs described
17 under this part, parents, family members, community
18 partners, and other relevant stakeholders.

19 “(c) APPROVAL.—

20 “(1) IN GENERAL.—The Secretary, after using a
21 peer review process, shall approve a plan submitted
22 under subsection (a) if the plan meets the require-
23 ments of this section.

24 “(2) FREQUENCY AND DURATION.—The State
25 shall resubmit the plan submitted under subsection

1 (a) every 4 years, and such resubmissions shall coin-
2 cide with the years that the State submits a State
3 plan under title I in accordance with section
4 1111(b)(3)(C).

5 “(3) *ADDITIONAL INFORMATION.*—

6 “(A) *AMENDMENTS.*—If a State educational
7 agency amends the plan approved under this
8 subsection, the agency shall submit the amend-
9 ment to the Secretary.

10 “(B) *APPROVAL.*—The Secretary shall ap-
11 prove an amendment to an approved plan, un-
12 less the Secretary determines that the amend-
13 ment will result in the agency not meeting the
14 requirements, or fulfilling the purposes, of this
15 part.

16 “(d) *CONSOLIDATED PLAN.*—A plan submitted under
17 subsection (a) may be submitted as part of a consolidated
18 State plan.

19 “(e) *SECRETARY ASSISTANCE.*—The Secretary shall
20 provide technical assistance, if requested, in the develop-
21 ment of English language proficiency standards, perform-
22 ance targets, and assessments.

23 **“SEC. 3114. WITHIN-STATE ALLOCATIONS.**

24 “(a) *IN GENERAL.*—After making the reservation re-
25 quired under subsection (d)(1), each State educational

1 *agency receiving a grant under section 3111(c)(2) shall*
2 *award subgrants for a fiscal year by allocating, in a timely*
3 *manner, to each eligible entity in the State having a plan*
4 *approved under section 3116, an amount that bears the*
5 *same relationship to the amount received under the grant*
6 *and remaining after making such reservation as the popu-*
7 *lation of English learners in public and nonpublic schools*
8 *served by the eligible entity bears to the population of*
9 *English learners in public and nonpublic schools served by*
10 *all eligible entities in the State.*

11 “(b) *LIMITATION.*—*A State educational agency shall*
12 *not award a subgrant from an allocation made under sub-*
13 *section (a) if the amount of such subgrant would be less*
14 *than \$10,000.*

15 “(c) *REALLOCATION.*—*Whenever a State educational*
16 *agency determines that an amount from an allocation made*
17 *to an eligible entity under subsection (a) for a fiscal year*
18 *will not be used by the entity for the purpose for which*
19 *the allocation was made, the agency shall, in accordance*
20 *with such rules as the agency determines to be appropriate,*
21 *reallocate such amount, consistent with such subsection, to*
22 *other eligible entities in the State that the agency deter-*
23 *mines will use the amount to carry out that purpose.*

1 “(d) *REQUIRED RESERVATION.*—A State educational
2 agency receiving a grant under this subpart for a fiscal
3 year—

4 “(1) shall reserve not more than 15 percent of the
5 agency’s allotment under section 3111(c)(2) to award
6 subgrants to eligible entities in the State that have ex-
7 perience a significant increase, as compared to the
8 average of the 2 preceding fiscal years, in the percent-
9 age or number of immigrant children and youth, in-
10 cluding students with interrupted formal education,
11 who have enrolled, during the fiscal year preceding
12 the fiscal year for which the subgrant is made, in
13 public and nonpublic elementary schools and sec-
14 ondary schools in the geographic areas under the ju-
15 risdiction of, or served by, such entities; and

16 “(2) in awarding subgrants under paragraph
17 (1)—

18 “(A) shall consider eligible entities that sat-
19 isfy the requirement of such paragraph but have
20 limited or no experience in serving immigrant
21 children and youth, including students with in-
22 terrupted formal education;

23 “(B) shall consider eligible entities that ex-
24 perience a significant increase in the percentage
25 of immigrant children and youth served, includ-

1 *ing students with interrupted formal education,*
 2 *and eligible entities that experience a significant*
 3 *increase in the number of immigrant children*
 4 *and youth served, including students with inter-*
 5 *rupted formal education; and*

6 *“(C) shall consider the quality of each local*
 7 *plan under section 3116 and ensure that each*
 8 *subgrant is of sufficient size and scope to meet*
 9 *the purposes of this part.*

10 **“SEC. 3115. SUBGRANTS TO ELIGIBLE ENTITIES.**

11 *“(a) PURPOSES OF SUBGRANTS.—A State educational*
 12 *agency may make a subgrant to an eligible entity from*
 13 *funds received by the agency under this subpart only if the*
 14 *entity agrees to expend the funds to supplement the edu-*
 15 *cation of English learners by helping English learners learn*
 16 *English and meet the State college and career ready aca-*
 17 *demie content and student academic achievement stand-*
 18 *ards. The eligible subgrantee shall carry out activities with*
 19 *such funds, using evidence-based approaches and methodolo-*
 20 *gies that have been demonstrated to be effective for teaching*
 21 *English learners and immigrant children and youth, for the*
 22 *following purposes:*

23 *“(1) Developing and implementing new language*
 24 *instruction educational programs and academic con-*
 25 *tent instruction programs for English learners and*

1 *immigrant children and youth, including early child-*
2 *hood education programs, elementary school pro-*
3 *grams, and secondary school programs.*

4 *“(2) Carrying out highly-focused, innovative, lo-*
5 *cally designed, evidence-based activities to expand or*
6 *enhance existing language instruction educational*
7 *programs and academic content instruction programs*
8 *for English learners and immigrant children and*
9 *youth.*

10 *“(3) Implementing, within an individual school,*
11 *whole school programs for restructuring, reforming,*
12 *and upgrading all relevant programs, activities, and*
13 *operations relating to language instruction edu-*
14 *cational programs and academic content instruction*
15 *for English learners and immigrant children and*
16 *youth.*

17 *“(4) Implementing, within the entire jurisdiction*
18 *of a local educational agency, agencywide programs*
19 *for restructuring, reforming, and upgrading all rel-*
20 *evant programs, activities, and operations relating to*
21 *language instruction educational programs and aca-*
22 *ademic content instruction for English learners and*
23 *immigrant children and youth.*

24 *“(b) ADMINISTRATIVE EXPENSES.—Each eligible enti-*
25 *ty receiving funds under section 3114(a) for a fiscal year*

1 *may use not more than 2 percent of such funds for the cost*
2 *of administering this subpart.*

3 “(c) *ALLOWABLE ACTIVITIES.*—*An eligible entity that*
4 *receives a subgrant under section 3114 may use subgrant*
5 *funds to meet the academic and language needs of English*
6 *learners, in order to meet the performance targets described*
7 *under section 3121, by carrying out the following activities:*

8 “(1)(A) *Developing an individual performance*
9 *target for each English learner that is not less than*
10 *the rate of growth in English proficiency necessary*
11 *for the student to achieve proficiency not more than*
12 *5 years after being identified as an English learner;*
13 *and*

14 “(B) *in the case of a student who will graduate*
15 *from secondary school in less than 5 years, ensuring*
16 *that—*

17 “(i) *such student will receive not less than*
18 *4 years of services to help the student attain*
19 *English proficiency;*

20 “(ii) *the student will continue to receive*
21 *services to gain English proficiency after grad-*
22 *uation from secondary school, through a partner-*
23 *ship between the local educational agency and a*
24 *local institution of higher education; and*

1 “(iii) if a student described in this subpara-
2 graph does not attain English proficiency not
3 more than 5 years after being identified as an
4 English learner, the student will not be counted
5 as a graduating student in the local educational
6 agency’s calculation of the graduation rates.

7 “(2) Developing and carrying out sustained, long
8 term, job-embedded, data-driven professional develop-
9 ment for educators that includes—

10 “(A) specific knowledge and skills school
11 leaders need to—

12 “(i) implement evidence-based strate-
13 gies to create positive conditions for learn-
14 ing;

15 “(ii) create conditions for learning;

16 “(iii) support effective, evidence-based
17 instructional programs;

18 “(iv) design comprehensive professional
19 growth plans for educators who serve
20 English learners;

21 “(v) develop the capacity of content-
22 area teachers to meet the unique cultural,
23 language, and academic needs of English
24 learners; and

1 “(vi) meet the unique needs, cultural
2 and otherwise, of families of English learn-
3 ers;

4 “(B) specific knowledge and skills teachers
5 of English learners need to—

6 “(i) implement evidence-based instruc-
7 tional strategies for improving English
8 learner acquisition of academic language;

9 “(ii) meet the academic and language
10 needs of English learners of different ages;
11 and

12 “(iii) meet the unique needs, cultural
13 and otherwise, of families of English learn-
14 ers; and

15 “(C) specific knowledge and skills content-
16 area teachers need to—

17 “(i) adapt, accommodate, and enhance
18 academic content curricula and assessments,
19 to the greatest extent practicable, to ensure
20 that English learners can access academic
21 content while maintaining the high expecta-
22 tions necessary to meet the performance tar-
23 gets described under section 3121 and the
24 college and career ready standards described
25 in section 1111(a)(1);

1 “(ii) execute evidence-based instruc-
2 tional strategies for improving English
3 learner acquisition of content-specific lan-
4 guage and concepts;

5 “(iii) execute evidence-based instruc-
6 tional practices for improving English
7 learner acquisition of academic language;
8 and

9 “(iv) meet the unique needs, cultural
10 and otherwise, of families of English learn-
11 ers.

12 “(3) Implementing and carrying out opportuni-
13 ties for teachers of English learners and content-area
14 teachers to plan collaboratively during contract hours.

15 “(4) Implementing or enhancing schoolwide data
16 analysis and intervention teams to improve the
17 achievement of English learners.

18 “(5) Developing, implementing, and carrying
19 out not less than 1 of the following family engagement
20 strategies:

21 “(A) Implementing community school mod-
22 els and related activities, such as opening school
23 facilities to community-based organizations, es-
24 tablishing parent institutes, operating or sup-
25 porting co-location with family literacy pro-

1 *grams, and establishing co-location with public*
 2 *assistance programs.*

3 “(B) *Providing compensatory time to allow*
 4 *teachers to conduct home visits, or establishing a*
 5 *home visiting program in collaboration with a*
 6 *community-based organization.*

7 “(C) *Establishing native language family*
 8 *outreach call centers.*

9 “(D) *Other evidence-based outreach strate-*
 10 *gies.*

11 “(6) *As necessary, acquiring evidence-based cur-*
 12 *ricular and instructional materials designed to meet*
 13 *the needs of English learners.*

14 “(d) *ACTIVITIES BY AGENCIES EXPERIENCING SUB-*
 15 *STANTIAL INCREASES IN IMMIGRANT CHILDREN AND*
 16 *YOUTH.—*

17 “(1) *IN GENERAL.—An eligible entity receiving*
 18 *funds under section 3114(d)(1) shall use the funds to*
 19 *pay for activities that provide enhanced instructional*
 20 *opportunities for immigrant children and youth, in-*
 21 *cluding students with interrupted formal education,*
 22 *which may include—*

23 “(A) *family literacy, parent and family*
 24 *outreach, and leadership development activities*
 25 *designed to assist parents and family members*

1 *in becoming engaged participants in the edu-*
2 *cation and development of their children;*

3 “(B) *recruitment of, and support for, per-*
4 *sonnel, including early childhood educators,*
5 *teachers, and paraprofessionals who have been*
6 *specifically trained, or are being trained, to pro-*
7 *vide services to immigrant children and youth;*

8 “(C) *the provision of tutorials, mentoring,*
9 *and academic or career counseling for immi-*
10 *grant children and youth;*

11 “(D) *identification, development, and ac-*
12 *quisition of curricular materials, educational*
13 *software, and technologies to be used in the pro-*
14 *gram carried out with funds awarded under sec-*
15 *tion 3114(a);*

16 “(E) *basic instructional services that are*
17 *directly attributable to the presence in the local*
18 *educational agency involved of immigrant chil-*
19 *dren and youth, including the payment of costs*
20 *of providing additional classroom supplies and*
21 *costs of transportation;*

22 “(F) *such other costs that are directly at-*
23 *tributable to such additional basic instructional*
24 *services or that are designed to assist immigrant*
25 *children and youth to achieve in elementary*

1 *schools and secondary schools in the United*
2 *States, such as programs of introduction to the*
3 *educational system and civics education; and*

4 “(G) *activities, coordinated with commu-*
5 *nity-based organizations (including community-*
6 *based organizations providing early childhood*
7 *education programs), institutions of higher edu-*
8 *cation, private sector entities, or other entities*
9 *with expertise in working with immigrants, to*
10 *assist parents of immigrant children and youth*
11 *by offering comprehensive community services.*

12 “(2) *DURATION OF SUBGRANTS.—The duration*
13 *of a subgrant made by a State educational agency*
14 *under section 3114(d)(1) shall be determined by the*
15 *agency in the agency’s discretion.*

16 “(e) *SELECTION OF METHOD OF INSTRUCTION.—*

17 “(1) *IN GENERAL.—An eligible entity receiving a*
18 *subgrant from a State educational agency under this*
19 *subpart shall select 1 or more methods or forms of evi-*
20 *dence-based instruction to be used in the programs*
21 *and activities undertaken by the entity in assisting*
22 *English learners in attaining English language pro-*
23 *ficiency and meeting State college and career ready*
24 *academic content standards and student academic*

1 *achievement standards under section 1111(a)(1) in*
2 *order to be college and career ready.*

3 “(2) *CONSISTENCY.*—*The selection of methods or*
4 *forms of instruction, as described under paragraph*
5 *(1), shall be consistent with sections 3125 through*
6 *3128.*

7 “(f) *SUPPLEMENT, NOT SUPPLANT.*—*Federal funds*
8 *made available under this subpart shall be used so as to*
9 *supplement the level of Federal, State, and local public*
10 *funds that, in the absence of such availability, would have*
11 *been expended for programs for English learners and immi-*
12 *grant children and youth and in no case to supplant such*
13 *Federal, State, and local public funds.*

14 **“SEC. 3116. LOCAL PLANS.**

15 “(a) *PLAN REQUIRED.*—*Each eligible entity desiring*
16 *a subgrant from a State educational agency under section*
17 *3114 shall submit a plan to the State educational agency*
18 *at such time, in such manner, and containing such infor-*
19 *mation as the State educational agency may require.*

20 “(b) *CONTENTS.*—*Each plan submitted under sub-*
21 *section (a) for a subgrant under section 3114(a) shall, at*
22 *a minimum—*

23 “(1) *describe the evidence-based programs and*
24 *activities proposed to be developed, implemented, and*
25 *administered under the subgrant, including how such*

1 *programs and activities will enable children to speak,*
2 *read, write, and comprehend the English language,*
3 *meet State college and career ready academic content*
4 *standards and student academic achievement stand-*
5 *ards under section 1111(a)(1), and be college and ca-*
6 *reer ready;*

7 *“(2) describe how the eligible entity will hold ele-*
8 *mentary schools and secondary schools receiving funds*
9 *under this subpart accountable for—*

10 *“(A) assessing annually, in accordance with*
11 *section 1111(a)(2)(D), the English language pro-*
12 *ficiency of all English learners participating in*
13 *programs funded under this subpart; and*

14 *“(B) meeting timelines, progress criteria,*
15 *and performance targets for English learners in*
16 *order to ensure that students served by programs*
17 *carried out under this part—*

18 *“(i) achieve English proficiency; and*

19 *“(ii) meet the State’s college and career*
20 *ready academic content standards under*
21 *section 1111(a)(1);*

22 *“(3) describe how the eligible entity will engage*
23 *family and community members and involve them in*
24 *activities carried out using subgrant funds;*

1 “(4) describe how the eligible entity will consult
2 with teachers, researchers, school administrators, par-
3 ents, family and community members, and, if appro-
4 priate, education-related community groups and non-
5 profit organizations, and institutions of higher edu-
6 cation, in developing and implementing such plan;

7 “(5) describe how language instruction and aca-
8 demic content instruction carried out under the
9 subgrant will ensure that English learners being
10 served by the programs develop English language pro-
11 ficiency and demonstrate such proficiency through
12 academic content mastery;

13 “(6) describe how the eligible entity will, if ap-
14 plicable, coordinate activities under the plan with
15 local Head Start and Early Head Start agencies, in-
16 cluding migrant and seasonal Head Start agencies,
17 and other early childhood education providers; and

18 “(7) contain an assurance that—

19 “(A) the eligible entity is not in violation of
20 State law, including State constitutional law, re-
21 garding the education of English learners, con-
22 sistent with sections 3124 through 3128;

23 “(B) each local educational agency that is
24 included in the eligible entity complies with sec-

1 tion 3202 prior to, and throughout, each school
2 year; and

3 “(C) in developing the plan, the eligible en-
4 tity considered how best to target funds to schools
5 with high concentrations of English learners and
6 to support continuous improvement in the serv-
7 ices offered to English learners in the area served
8 by the eligible entity.

9 “(c) *TEACHER ENGLISH FLUENCY.*—Each eligible en-
10 tity receiving a subgrant under this subpart shall include
11 in the plan a certification that all teachers in any language
12 instruction educational program for English learners that
13 is, or will be, funded under this part are fluent in the lan-
14 guage used for instruction, including having written and
15 oral communications skills.

16 **“Subpart 2—Accountability and Administration**

17 **“SEC. 3121. LOCAL EVALUATION AND ACCOUNTABILITY.**

18 “(a) *EVALUATION.*—

19 “(1) *IN GENERAL.*—Each eligible entity that re-
20 ceives a subgrant from a State educational agency
21 under subpart 1 shall provide such agency, at the con-
22 clusion of every second fiscal year during which the
23 subgrant is received, with an evaluation, in a form
24 prescribed by the agency, that includes—

1 “(A) a description of the programs and ac-
2 tivities conducted by the entity with funds re-
3 ceived under subpart 1 during the 2 immediately
4 preceding fiscal years;

5 “(B) a description of the progress made by
6 children in learning the English language as
7 measured by the State English language pro-
8 ficiency assessment described in section
9 3113(b)(5) and meeting college and career ready
10 academic content standards and student aca-
11 demic achievement standards under section
12 1111(a)(1);

13 “(C) the number and percentage of children
14 in the programs and activities who meet the tar-
15 get established under section 3113(b)(6)(A); and

16 “(D) a description of the progress made by
17 children in meeting college and career ready aca-
18 demic content standards and student academic
19 achievement standards under section 1111(a)(1)
20 for each of the 2 years after such children are no
21 longer receiving services under this part; and

22 “(E) a description of the progress made by
23 former English learners in meeting college and
24 career ready academic content standards and

1 *student achievement standards under section*
2 *1111(a)(1).*

3 “(2) *USE OF EVALUATION.*—*An evaluation pro-*
4 *vided by an eligible entity under paragraph (1) shall*
5 *be used by the entity and the State educational agen-*
6 *cy—*

7 “(A) *for improvement of programs and ac-*
8 *tivities;*

9 “(B) *to determine the effectiveness of pro-*
10 *grams and activities in assisting children who*
11 *are English learners to attain English pro-*
12 *ficiency, as measured in a way that is consistent*
13 *with paragraph (4), and meet college and career*
14 *ready academic content standards and student*
15 *academic achievement standards under section*
16 *1111(a)(1); and*

17 “(C) *in determining whether or not to con-*
18 *tinue funding for specific programs or activities.*

19 “(3) *EVALUATION COMPONENTS.*—*An evaluation*
20 *provided by an eligible entity under paragraph (1)*
21 *shall—*

22 “(A) *provide an evaluation of children en-*
23 *rolled in a program or activity conducted by the*
24 *entity using funds under subpart 1 (including*
25 *the percentage of children) who—*

1 “(i) are making progress in attaining
2 *English proficiency, including the percent-*
3 *age of children who have achieved English*
4 *proficiency;*

5 “(ii) have transitioned into classrooms
6 *not tailored to English learners, and have a*
7 *sufficient level of English proficiency to per-*
8 *mit them to achieve in English and transi-*
9 *tion into classrooms not tailored to limited*
10 *English learners;*

11 “(iii) are meeting the academic content
12 *and student academic achievement stand-*
13 *ards described in section 1111(a); and*

14 “(iv) are not exempted from the State
15 *reading or language arts academic assess-*
16 *ment in accordance with section*
17 *1111(a)(2)(B)(v)(II); and*

18 “(B) include such other information as the
19 *State educational agency may require.*

20 “(4) *EVALUATION MEASURES.*—A State shall ap-
21 *prove evaluation measures for use under paragraph*
22 *(3) that are designed to assess—*

23 “(A) *the progress of children in attaining*
24 *English proficiency, including a child’s level of*

1 *comprehension, speaking, listening, reading, and*
2 *writing skills in English;*

3 “(B) *student attainment of college and ca-*
4 *reer ready student academic achievement stand-*
5 *ards under section 1111(a)(1) on assessments de-*
6 *scribed in section 1111(a)(2); and*

7 “(C) *progress in meeting the annual State*
8 *performance targets described in section 3122.*

9 “(b) *ACCOUNTABILITY.—*

10 “(1) *IN GENERAL.—Each eligible entity that re-*
11 *ceives a subgrant from a State educational agency*
12 *under this part shall annually reach an agreement*
13 *with the State educational agency on a local English*
14 *proficiency performance target for the percentage of*
15 *English learners served by the eligible entity under*
16 *this part who are making progress in achieving*
17 *English proficiency not more than 5 years after being*
18 *identified as an English learner. For purposes of this*
19 *paragraph, English proficiency shall be measured*
20 *using the English language proficiency assessment de-*
21 *scribed in section 3113(b)(5).*

22 “(2) *STUDENTS WHO WILL GRADUATE IN LESS*
23 *THAN 5 YEARS.—In the case of a student who will*
24 *graduate from secondary school in less than 5 years,*
25 *if such student does not attain English proficiency*

1 *not more than 5 years after being identified as an*
2 *English learner, the student shall not be counted as*
3 *a graduating student in the local educational agency's*
4 *calculation of the graduation rates.*

5 *“(3) TECHNICAL ASSISTANCE.—During the devel-*
6 *opment of the improvement plan described in para-*
7 *graph (4), and throughout the implementation of such*
8 *plan, the State educational agency shall—*

9 *“(A) provide technical assistance to the eli-*
10 *gible entity;*

11 *“(B) provide technical assistance, if appli-*
12 *cable, to schools served by the eligible entity*
13 *under subpart 1 that need assistance to enable*
14 *the schools to meet the eligible entity's local per-*
15 *formance target described in paragraph (1);*

16 *“(C) assist the eligible entity in improving*
17 *the professional development described in section*
18 *3115(c)(2) that such eligible entity is providing*
19 *to educators; and*

20 *“(D) develop, in consultation with the eligi-*
21 *ble entity, a plan to incorporate evidence-based*
22 *strategies and methodologies to improve the spe-*
23 *cific program or method of instruction provided*
24 *to English learners.*

25 *“(4) ACCOUNTABILITY.—*

1 “(A) *2-YEAR ACCOUNTABILITY.*—*If an eligi-*
2 *ble entity fails to meet the local performance tar-*
3 *get described in paragraph (1) for 2 consecutive*
4 *years, the State educational agency shall—*

5 “(i) *identify such eligible entity as*
6 *being in need of improvement; and*

7 “(ii) *require the eligible entity to de-*
8 *velop and implement an improvement plan.*

9 “(B) *ENTITIES IN NEED OF IMPROVE-*
10 *MENT.*—*If an eligible entity fails to meet the*
11 *local performance targets described in paragraph*
12 *(1) a year after being identified as being in need*
13 *of improvement, as described in subparagraph*
14 *(A)(i), the State educational agency shall—*

15 “(i) *identify such eligible entity as*
16 *being in need of State support;*

17 “(ii) *require such eligible entity to de-*
18 *velop and implement a plan to modify the*
19 *entity’s curriculum, program, and method*
20 *of instruction; and*

21 “(iii) *submit such plan to the State*
22 *educational agency for approval.*

23 “(C) *ENTITIES IN NEED OF STATE SUP-*
24 *PORT.*—*If an eligible entity fails to meet the*
25 *local performance targets described in paragraph*

1 (1) a year after being identified as being in need
2 of State support, as described in subparagraph
3 (B)(i), the State educational agency shall—

4 “(i) identify such eligible entity as
5 being in need of State action;

6 “(ii) manage the subgrant funds and
7 the eligible entity’s subgrant programs for 4
8 years, or until the local performance target
9 is reached if such target is reached in less
10 than 4 years; and

11 “(iii) after 4 years, or after the local
12 performance target is reached if such target
13 is reached in less than 4 years, institute a
14 2-year probationary period, during which
15 the State educational agency shall once
16 again manage the subgrant funds and pro-
17 grams if the eligible entity fails to meet the
18 local performance target at any time during
19 the probationary period.

20 **“SEC. 3122. STATE ACCOUNTABILITY.**

21 “(a) *IN GENERAL.*—Each State educational agency,
22 with input from subgrantees, shall establish in the State
23 plan submitted under section 3113, a State performance
24 target for the percentage of English learners served by the
25 State under this part who are making progress in achieving

1 *English proficiency not more than 5 years after being iden-*
2 *tified as an English learner. The State performance target*
3 *established under this subsection shall be subject to approval*
4 *by the Secretary. Each State educational agency shall en-*
5 *sure that the local performance targets described in section*
6 *3121(b)(1) result, in the aggregate, in the State achieving*
7 *the State’s performance target for English learners.*

8 “(b) *IMPROVEMENT PLAN.*—*If a State educational*
9 *agency has failed to meet the State’s performance target for*
10 *2 consecutive years, the Secretary shall require the State*
11 *educational agency to develop an improvement plan that*
12 *will ensure that the State educational agency meets the*
13 *State performance target. The improvement plan shall spe-*
14 *cifically address the factors that prevented the agency from*
15 *meeting such performance target.*

16 “(c) *TECHNICAL ASSISTANCE.*—*During the develop-*
17 *ment of the improvement plan described in subsection (b),*
18 *and throughout the implementation of such plan, the Sec-*
19 *retary shall—*

20 “(1) *provide technical assistance to the State*
21 *educational agency using the funds described in sec-*
22 *tion 3111(c)(1)(D);*

23 “(2) *assist the State educational agency in devel-*
24 *oping a plan to improve and disseminate the profes-*

1 sional development described in section 3115(c)(2);
2 and

3 “(3) develop, in consultation with the State edu-
4 cational agency, a plan to incorporate evidence-based
5 strategies and methodologies to improve the specific
6 programs and method of instruction in use in such
7 State.

8 “(d) ACCOUNTABILITY.—

9 “(1) IN GENERAL.—If a State educational agen-
10 cy fails to meet its performance target for 4 consecu-
11 tive years, the Secretary shall—

12 “(A) require such State educational agency
13 to modify its State plan and the methods of in-
14 struction in use in the State; or

15 “(B) require such State educational agency
16 to—

17 “(i) identify low-performing local edu-
18 cational agencies in the State;

19 “(ii) develop and implement a plan to
20 partner such low-performing local edu-
21 cational agencies with high-performing local
22 educational agencies in the State that have
23 met the local performance targets for the
24 previous 3 years; and

1 “(iii) reallocate any grant funding
2 under this part that would have otherwise
3 been distributed to an identified low-per-
4 forming local educational agency to such
5 agency’s high-performing partner local edu-
6 cational agency, as described in clause (ii),
7 to enable the high-performing partner agen-
8 cy to provide technical assistance.

9 “(2) *STUDENTS WHO WILL GRADUATE IN LESS*
10 *THAN 5 YEARS.*—*In the case of a student who will*
11 *graduate from secondary school in less than 5 years,*
12 *if such student does not attain English proficiency*
13 *not more than 5 years after being identified as an*
14 *English learner, the student shall not be counted as*
15 *a graduating student in the State educational agen-*
16 *cy’s calculation of the graduation rates.*

17 **“SEC. 3123. REPORTING REQUIREMENTS.**

18 “(a) *STATES.*—*Each State educational agency that re-*
19 *ceives assistance under this part shall provide annually to*
20 *the Secretary, and make widely available within the State,*
21 *a report containing information about—*

22 “(1) *the State’s progress in developing and im-*
23 *plementing the English language proficiency stand-*
24 *ards described in section 3111(b)(2)(A)(iv);*

1 “(2) *the achievement, academic growth, and ac-*
2 *quisition of English language proficiency of students*
3 *served under this part;*

4 “(3) *programs and activities carried out by the*
5 *State educational agency under this part; and*

6 “(4) *the effectiveness of such programs and ac-*
7 *tivities in improving the education provided to*
8 *English learners.*

9 “(b) *SECRETARY.—Every second year, the Secretary*
10 *shall prepare and submit to the authorizing committees of*
11 *Congress a report containing—*

12 “(1) *information about programs and activities*
13 *carried out to serve English learners under this part,*
14 *and the effectiveness of such programs and activities*
15 *in improving the academic achievement and English*
16 *proficiency of English learners;*

17 “(2) *information about the types of language in-*
18 *struction educational programs used by eligible enti-*
19 *ties receiving funding under this part to teach*
20 *English learners;*

21 “(3) *a critical synthesis of data reported by eli-*
22 *gible entities to States under section 3121(a)(3);*

23 “(4) *a description of technical assistance and*
24 *other assistance provided by State educational agen-*
25 *cies under section 3111(b)(2)(A);*

1 “(5) an estimate of the number of certified or li-
2 censed teachers working in language instruction edu-
3 cational programs and educating English learners,
4 and an estimate of the number of such teachers that
5 will be needed for the succeeding 5 fiscal years;

6 “(6) the major findings of scientifically based re-
7 search carried out under this part;

8 “(7) the number of programs or activities, if
9 any, that were subject to accountability measures de-
10 scribed in section 3121(b)(4) due to a failure to meet
11 local performance targets;

12 “(8) the number of English learners served by el-
13 igible entities receiving funding under this part who
14 were transitioned out of language instruction edu-
15 cational programs funded under this part into class-
16 rooms where instruction is not tailored for English
17 learners; and

18 “(9) other information gathered from other re-
19 ports submitted to the Secretary under this part, as
20 applicable.

21 **“SEC. 3124. COORDINATION WITH RELATED PROGRAMS.**

22 *“In order to maximize Federal efforts aimed at serving*
23 *the educational needs of English learners, the Secretary*
24 *shall coordinate and ensure close cooperation with other en-*
25 *tities carrying out programs serving language-minority*

1 *and English learners that are administered by the Depart-*
2 *ment and other agencies.*

3 **“SEC. 3125. RULES OF CONSTRUCTION.**

4 *“Nothing in this part shall be construed—*

5 *“(1) to prohibit a local educational agency from*
6 *servicing English learners simultaneously with children*
7 *with similar educational needs, in the same edu-*
8 *cational settings where appropriate;*

9 *“(2) to require a State or a local educational*
10 *agency to establish, continue, or eliminate any par-*
11 *ticular type of instructional program for English*
12 *learners;*

13 *“(3) to limit the preservation or use of Native*
14 *American languages; or*

15 *“(4) to prohibit the use of dual language pro-*
16 *grams to serve the needs of English learners and chil-*
17 *dren with similar educational needs, in the same edu-*
18 *cational setting as appropriate.*

19 **“SEC. 3126. LEGAL AUTHORITY UNDER STATE LAW.**

20 *“Nothing in this part shall be construed to negate or*
21 *supersede State law, or the legal authority under State law*
22 *of any State agency, State entity, or State public official,*
23 *over programs that are under the jurisdiction of the State*
24 *agency, entity, or official.*

1 **“SEC. 3127. CIVIL RIGHTS.**

2 *“Nothing in this part shall be construed in a manner*
3 *inconsistent with any Federal law guaranteeing a civil*
4 *right.*

5 **“SEC. 3128. PROGRAMS FOR NATIVE AMERICANS AND PUER-**
6 **TO RICO.**

7 *“Notwithstanding any other provision of this part,*
8 *programs authorized under this part that serve Native*
9 *American (including Native American Pacific Islander)*
10 *children and children in the Commonwealth of Puerto Rico*
11 *may include programs of instruction, teacher training, cur-*
12 *riculum development, evaluation, and assessment designed*
13 *for Native American children learning and studying Native*
14 *American languages and children of limited Spanish pro-*
15 *ficiency, except that an outcome of programs serving such*
16 *children shall be increased English proficiency among such*
17 *children.*

18 **“SEC. 3129. PROHIBITION.**

19 *“In carrying out this part, the Secretary shall neither*
20 *mandate nor preclude the use of a particular curricular or*
21 *pedagogical approach to educating English learners.*

22 **“Subpart 3—National Activities**

23 **“SEC. 3131. PROFESSIONAL DEVELOPMENT GRANTS.**

24 *“(a) GRANTS AUTHORIZED.—The Secretary shall use*
25 *funds made available under section 3111(c)(1)(C) to award*
26 *grants, on a competitive basis and for a period of not more*

1 *than 5 years, to institutions of higher education or non-*
2 *profit institutions with relevant experience or expertise and*
3 *capacity (in consortia with State educational agencies or*
4 *local educational agencies) in order to enable such consortia*
5 *to—*

6 “(1) *provide for professional development activi-*
7 *ties that will improve classroom instruction for*
8 *English learners;*

9 “(2) *assist educational personnel working with*
10 *English learners to meet high professional standards,*
11 *including standards for certification and licensure as*
12 *teachers who work in language instruction edu-*
13 *cational programs and academic content instruction*
14 *programs or serve English learners.*

15 “(b) *USES OF FUNDS.—Grants awarded under this*
16 *section may be used to—*

17 “(1) *support partnerships between State or local*
18 *educational agencies and institutions of higher edu-*
19 *cation to support the work of individuals who are*
20 *completing baccalaureate and masters programs (such*
21 *as programs in the areas of teacher training, program*
22 *administration, policy, research, evaluation, assess-*
23 *ment, and curriculum development) and to improve*
24 *educational services and programs for English learn-*

1 *ers, provided that recipients of fellowships or assist-*
2 *ance are required, on completion of their studies, to—*

3 *“(A) assist in the education of English*
4 *learners through work in a school, local edu-*
5 *cational agency, or other educational agency or*
6 *organization for a period of time equivalent to*
7 *the period of time during which the individual*
8 *receives assistance under this section; or*

9 *“(B) repay all or a prorated part of the fi-*
10 *nancial assistance received under this section;*

11 *“(2) support research on promising instructional*
12 *strategies or programs that have practical applica-*
13 *tions for teachers, counselors, parents and family*
14 *members, school leaders, and others responsible for*
15 *educating or improving the education of English*
16 *learners and their families;*

17 *“(3) support strategies that promote school readi-*
18 *ness for English learners and the transition from*
19 *early childhood education programs, such as Head*
20 *Start or State preschool programs, to elementary*
21 *school programs;*

22 *“(4) support strategies that promote high school*
23 *graduation for English learners;*

1 “(5) support strategies that strengthen and in-
2 crease family and community member engagement in
3 education;

4 “(6) support the development of curricula that
5 are appropriate to the needs of the participating con-
6 sortium; and

7 “(7) support the dissemination of information
8 gathered in accordance with paragraphs (1) through
9 (5), particularly evidence-based best practices and the
10 provision of technical assistance.

11 **“SEC. 3132. COMMISSION ON THE ASSESSMENT AND AD-
12 VANCEMENT OF ENGLISH LEARNERS.**

13 “(a) *COMMISSION ON ASSESSMENT OF ENGLISH
14 LEARNERS.*—

15 “(1) *IN GENERAL.*—*The Secretary shall establish
16 an independent commission on the assessment and
17 advancement of English learners (referred to in this
18 section as the ‘commission’) to carry out the activities
19 described in subsection (c).*

20 “(2) *DATE OF APPOINTMENT.*—*The members of
21 the commission shall be appointed not later than 6
22 months after the date of enactment of the Strength-
23 ening America’s Schools Act of 2013.*

24 “(b) *COMPOSITION.*—

1 “(1) *IN GENERAL.*—*The commission shall be*
2 *comprised of individuals with experience and exper-*
3 *tise in the educational advancement and development*
4 *of English learners, including individuals with exper-*
5 *tise in—*

6 “(A) *the practice of teaching English to*
7 *speakers of other languages;*

8 “(B) *measurement and educational assess-*
9 *ment systems; and*

10 “(C) *educational assessment and account-*
11 *ability practices.*

12 “(2) *EXPERTISE OF MEMBERS.*—*The Secretary*
13 *shall ensure that the individuals selected in accord-*
14 *ance with paragraph (1) are experts who are com-*
15 *petent, by virtue of their training, expertise, or expe-*
16 *rience, to evaluate instruction, assessments, and mod-*
17 *els for English learners.*

18 “(c) *DUTIES OF THE COMMISSION.*—*The commission*
19 *shall provide the Secretary with advice and recommenda-*
20 *tions about the following issues:*

21 “(1) *The development and approval of standards*
22 *pertaining to English learners, in order to assist the*
23 *Secretary in the review and approval of statewide ac-*
24 *countability systems that are required under section*
25 *3113(b)(5) and section 1111(a)(3).*

1 “(2) *The provision of regulations and guidance*
2 *pertaining to the inclusion of English learners in as-*
3 *essment and accountability systems, including rec-*
4 *ommendations about appropriate accommodations*
5 *and appropriate weights for assessments involving*
6 *English learners, including the English language pro-*
7 *ficiency assessments described in section 3113(b)(5).*

8 “(3) *Ensuring that State English language pro-*
9 *ficiency standards under section 3113(b)(2) and sec-*
10 *tion 1111(a)(1)(D) are properly aligned with college*
11 *and career ready academic content standards under*
12 *section 1111(a)(1).*

13 “(4) *The formation of peer review panels, under*
14 *section 1111(b)(4), with regard to—*

15 “(A) *the inclusion on the panels of experts*
16 *about English learners; and*

17 “(B) *processes to ensure that the work of the*
18 *peer review panel is consistent with the stand-*
19 *ards and guidance developed by the commission.*

20 “(5) *Identifying ways to support local capacity-*
21 *building efforts to assist local educational agencies*
22 *and schools in properly supporting English learners.*

23 “(6) *Ensuring that the research, development,*
24 *and dissemination activities of the Department ad-*
25 *dress identified gaps in knowledge for effectively in-*

1 *cluding English learners in assessment and account-*
2 *ability practices.*

3 “(7) *Ways to address the needs of English learn-*
4 *ers in all program planning at the Department, in-*
5 *cluding inter- and intra-agency coordination.*

6 “(8) *The development of improved early learning*
7 *assessment strategies and instruments that take into*
8 *account the development of English learners across all*
9 *of the essential domains of school readiness.*

10 “(d) *INDEPENDENTLY COMMISSIONED RESEARCH.—*
11 *The commission may independently commission research*
12 *that is directly relevant to the implementation of account-*
13 *ability provisions under this Act for English learners.*

14 “(e) *ANNUAL REPORT.—The commission shall, begin-*
15 *ning not later than 1 year after the date on which all mem-*
16 *bers of the commission have been appointed, submit an an-*
17 *nual report to the Secretary and the authorizing committees*
18 *of Congress containing the recommendations described in*
19 *subsection (c).*

20 **“SEC. 3133. ENGLISH LANGUAGE ACQUISITION TECH-**
21 **NOLOGY INNOVATION GRANTS.**

22 “(a) *PURPOSES.—The Secretary shall use funds made*
23 *available under section 3111(c)(1)(C) to provide English*
24 *language acquisition technology innovation grants for pur-*
25 *poses of pursuing breakthrough research and development*

1 *in educational technology and providing the effective use*
2 *of that technology to improve English proficiency and aca-*
3 *demic achievement for English learners, by—*

4 “(1) *identifying and promoting advances in fun-*
5 *damental and applied sciences and engineering that*
6 *could be translated into new language learning or in-*
7 *struction technologies;*

8 “(2) *developing novel language learning or in-*
9 *struction technologies, and the enabling processes and*
10 *contexts for effective use of those technologies;*

11 “(3) *developing, testing, and evaluating the im-*
12 *port and efficacy of those technologies;*

13 “(4) *accelerating technological advances in areas*
14 *in which the private sector, by itself, is not likely to*
15 *accelerate such advances because of difficulties in im-*
16 *plementation or adoption, or technical and market*
17 *uncertainty;*

18 “(5) *coordinating activities with nongovern-*
19 *mental entities to demonstrate technologies and re-*
20 *search applications to facilitate technology transfer;*
21 *and*

22 “(6) *encouraging educational research on*
23 *English language acquisition using new technologies*
24 *and the data produced by those technologies.*

1 “(b) *AUTHORITIES OF SECRETARY.*—*The Secretary is*
2 *authorized to—*

3 “(1) *establish processes for the development and*
4 *execution of English language acquisition technology*
5 *innovation grant projects and the solicitation of enti-*
6 *ties to carry out the projects in a manner that is—*

7 “(A) *tailored to the purposes of the English*
8 *language acquisition technology innovation*
9 *grants and not constrained by other Department-*
10 *wide administrative requirements that could de-*
11 *tract from achieving program results;*

12 “(B) *designed to heighten transparency; and*

13 “(C) *designed to heighten public and pri-*
14 *vate sector involvement to ensure that invest-*
15 *ments are made in the most promising areas;*

16 “(2) *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 “(3) *obtain independent, periodic, rigorous eval-*
22 *uations, as appropriate, of—*

23 “(A) *the effectiveness of the processes being*
24 *used to award and evaluate the effectiveness of*
25 *the English language acquisition technology in-*

1 *novation grants in achieving the stated purposes;*
2 *and*

3 *“(B) the effectiveness of individual projects*
4 *assisted by English language acquisition tech-*
5 *nology innovation grants, using evidence stand-*
6 *ards developed in consultation with the Institute*
7 *of Education Sciences, and the suitability of on-*
8 *going projects assisted by such grants for further*
9 *investment or increased scale;*

10 *“(4) disseminate, through the comprehensive cen-*
11 *ters established under section 203 of the Educational*
12 *Technical Assistance Act of 2002 (20 U.S.C. 9602),*
13 *the regional educational laboratories system estab-*
14 *lished under section 174 of the Education Sciences*
15 *Reform Act of 2002 (20 U.S.C. 9564), or such other*
16 *means as the Secretary determines to be appropriate,*
17 *information on effective practices and technologies de-*
18 *veloped with the support of English language acquisi-*
19 *tion technology innovation grants; and*

20 *“(5) collect, analyze, synthesize, and disseminate,*
21 *through the comprehensive centers established under*
22 *section 203 of the Educational Technical Assistance*
23 *Act of 2002 (20 U.S.C. 9602), the regional edu-*
24 *cational laboratories system established under section*
25 *174 of the Education Sciences Reform Act of 2002 (20*

1 *U.S.C. 9564), or such other means as the Secretary*
2 *determines to be appropriate, information and edu-*
3 *catational research and processes related to the edu-*
4 *cation of English learners.*

5 “(c) *EVALUATION FUNDS.*—*The Secretary may use*
6 *funds made available for English language acquisition tech-*
7 *nology innovation grants to pay the cost of the evaluations*
8 *under subsection (b)(3).*

9 “(d) *NONDUPLICATION.*—*To the maximum extent*
10 *practicable, the Secretary shall ensure that grants, con-*
11 *tracts, cooperative agreements, cash prizes, or other assist-*
12 *ance or arrangements awarded or entered into pursuant to*
13 *this section that are designed to carry out the purposes of*
14 *the English language acquisition technology innovation*
15 *grants do not duplicate activities under programs carried*
16 *out under Federal law other than this section by the De-*
17 *partment or other Federal agencies.*

18 **“PART B—GENERAL PROVISIONS**

19 **“SEC. 3201. DEFINITIONS.**

20 *“Except as otherwise provided, in this title:*

21 “(1) *CHILD.*—*The term ‘child’ means any indi-*
22 *vidual aged 3 through 21.*

23 “(2) *COMMUNITY-BASED ORGANIZATION.*—*The*
24 *term ‘community-based organization’ means a private*
25 *nonprofit organization of demonstrated effectiveness,*

1 *Indian tribe, or tribally sanctioned educational au-*
2 *thority, that is representative of a community or sig-*
3 *nificant segments of a community and that provides*
4 *educational or related services to individuals in the*
5 *community. Such term includes a Native Hawaiian*
6 *or Native American Pacific Islander native language*
7 *educational organization.*

8 “(3) *ELIGIBLE ENTITY.*—*The term ‘eligible enti-*
9 *ty’ means—*

10 “(A) *1 or more local educational agencies;*

11 *or*

12 “(B) *1 or more local educational agencies,*
13 *in collaboration with an institution of higher*
14 *education, community-based organization, or*
15 *State educational agency.*

16 “(4) *IMMIGRANT CHILDREN AND YOUTH.*—*The*
17 *term ‘immigrant children and youth’ means individ-*
18 *uals who—*

19 “(A) *are aged 3 through 21;*

20 “(B) *were not born in any State; and*

21 “(C) *have not been attending one or more*
22 *schools in any one or more States or operated by*
23 *the Department of Defense Education Authority*
24 *for more than 3 full academic years.*

1 “(5) *INDIAN TRIBE*.—The term ‘Indian tribe’ has
2 the meaning given the term in section 4 of the Indian
3 *Self-Determination and Education Assistance Act* (25
4 U.S.C. 450b).

5 “(6) *LANGUAGE INSTRUCTION EDUCATIONAL*
6 *PROGRAM*.—The term ‘language instruction edu-
7 cational program’ means an instruction course—

8 “(A) in which an English learner is placed
9 for the purpose of developing and attaining
10 English proficiency, while meeting college and
11 career ready academic content standards and
12 student academic achievement standards under
13 section 1111(a)(1); and

14 “(B) that may make instructional use of
15 both English and a child’s native language to en-
16 able the child to develop and attain English pro-
17 ficiency, and may include the participation of
18 English-proficient children if such course is de-
19 signed to enable all participating children to be-
20 come proficient in English and a second lan-
21 guage.

22 “(7) *NATIVE HAWAIIAN OR NATIVE AMERICAN PA-*
23 *CIFIC ISLANDER NATIVE LANGUAGE EDUCATIONAL OR-*
24 *GANIZATION*.—The term ‘Native Hawaiian or Native
25 American Pacific Islander native language edu-

1 *ational organization’ means a nonprofit organiza-*
2 *tion with—*

3 “(A) *a majority of its governing board and*
4 *employees consisting of fluent speakers of the tra-*
5 *ditional Native American languages used in the*
6 *organization’s educational programs; and*

7 “(B) *not less than 5 years successful experi-*
8 *ence in providing educational services in tradi-*
9 *tional Native American languages.*

10 “(8) *NATIVE LANGUAGE.—The term ‘native lan-*
11 *guage’, when used with reference to an English learn-*
12 *er, means—*

13 “(A) *the language normally used by such*
14 *individual; or*

15 “(B) *in the case of a child or youth, the lan-*
16 *guage normally used by the parents of the child*
17 *or youth.*

18 “(9) *PARAPROFESSIONAL.—The term ‘para-*
19 *professional’ means an individual who is employed in*
20 *a preschool, elementary school, or secondary school*
21 *under the supervision of a certified or licensed teach-*
22 *er, including individuals employed in language in-*
23 *struction educational programs, special education,*
24 *and migrant education.*

1 “(10) *STATE*.—*The term ‘State’ means each of*
 2 *the 50 States, the District of Columbia, and the Com-*
 3 *monwealth of Puerto Rico.*

4 “(11) *TRIBALLY SANCTIONED EDUCATIONAL AU-*
 5 *THORITY*.—*The term ‘tribally sanctioned educational*
 6 *authority’ means—*

7 “(A) *any department or division of edu-*
 8 *cation operating within the administrative*
 9 *structure of the duly constituted governing body*
 10 *of an Indian tribe; and*

11 “(B) *any nonprofit institution or organiza-*
 12 *tion that is—*

13 “(i) *chartered by the governing body of*
 14 *an Indian tribe to operate a school de-*
 15 *scribed in section 3112(a) or otherwise to*
 16 *oversee the delivery of educational services*
 17 *to members of the tribe; and*

18 “(ii) *approved by the Secretary for the*
 19 *purpose of carrying out programs under*
 20 *subpart 1 of part A for individuals served*
 21 *by a school described in section 3112(a).*

22 **“SEC. 3202. PARENTAL NOTIFICATION.**

23 “(a) *IN GENERAL*.—*Each eligible entity receiving*
 24 *funds under this title to provide a language instruction edu-*
 25 *cational program and academic content instruction pro-*

1 *gram shall, not later than 30 days after the beginning of*
2 *the school year, inform a parent or the parents of an*
3 *English learner identified for participation in, or partici-*
4 *pating in, such program of—*

5 *“(1) the reasons for the identification of their*
6 *child as an English learner and in need of placement*
7 *in a language instruction educational program and*
8 *academic content instruction program;*

9 *“(2) the child’s level of English language pro-*
10 *ficiency, how that level was assessed, whether the child*
11 *is on track to achieve English proficiency not later*
12 *than 5 years after being identified as an English*
13 *learner, and the status of the child’s academic*
14 *achievement;*

15 *“(3) the method of instruction used in the pro-*
16 *gram in which their child is, or will be, partici-*
17 *pating, and the methods of instruction used in other*
18 *available programs, including how such programs dif-*
19 *fer in content, instructional goals, and use of English*
20 *and a native language in instruction;*

21 *“(4) how the program in which their child is, or*
22 *will be participating, will appropriately respond to*
23 *the educational strengths and needs of the child;*

24 *“(5) how the program will specifically help their*
25 *child learn English and reflect age appropriate aca-*

1 *demic achievement standards for grade promotion*
2 *and graduation;*

3 “(6) *the specific exit requirements for the pro-*
4 *gram, the expected rate of transition from the pro-*
5 *gram into classrooms that are not tailored for English*
6 *learners, and the expected rate of graduation from*
7 *secondary school for English learners in the program*
8 *if the child is in secondary school;*

9 “(7) *in the case of a child with a disability, how*
10 *the program meets the objectives of the child’s individ-*
11 *ualized education program; and*

12 “(8) *information pertaining to parental rights*
13 *that includes written guidance—*

14 “(A) *detailing—*

15 “(i) *the parent’s right to have the par-*
16 *ent’s child immediately removed from the*
17 *program upon the parent’s request; and*

18 “(ii) *the options that parents have to*
19 *decline to enroll their child in such program*
20 *or to choose another program or method of*
21 *instruction, if available; and*

22 “(B) *assisting parents in selecting among*
23 *various programs and methods of instruction, if*
24 *more than 1 program or method is offered by the*
25 *eligible entity.*

1 “(b) *SEPARATE NOTIFICATION.*—*In addition to pro-*
2 *viding the information required to be provided under sub-*
3 *section (a), each eligible entity that is using funds provided*
4 *under this title to provide a language instruction edu-*
5 *cational program, and that has failed to make progress on*
6 *the local performance targets described in section 3121(b)*
7 *for any fiscal year for which part A is in effect, shall sepa-*
8 *rately inform a parent or the parents of a child identified*
9 *for participation in such program, or participating in such*
10 *program, of such failure not later than 30 days after the*
11 *eligible entity receives notification of such failure from the*
12 *State.*

13 “(c) *RECEIPT OF INFORMATION.*—*The information de-*
14 *scribed in subsection (a) shall be provided in an under-*
15 *standable and uniform format and, to the extent prac-*
16 *ticable, in a language that the parent can understand.*

17 “(d) *SPECIAL RULE APPLICABLE DURING SCHOOL*
18 *YEAR.*—*For a child who has not been identified for partici-*
19 *pation in a language instruction educational program and*
20 *academic content instruction program prior to the begin-*
21 *ning of the school year, the eligible entity shall carry out*
22 *subsections (a) and (b) with respect to the parents of the*
23 *child not later than 2 weeks after the child is placed in*
24 *such program.*

25 “(e) *PARENT AND FAMILY ENGAGEMENT.*—

1 “(1) *IN GENERAL.*—Each eligible entity using
2 funds provided under this title to provide a language
3 instruction educational program and academic con-
4 tent instruction program shall implement an effective
5 means of outreach to parents and family members of
6 English learners to inform such parents and family
7 members of how they can—

8 “(A) be full partners in the education of
9 their children, including ensuring that immi-
10 grant parents and family members are well in-
11 formed about the elements of the educational sys-
12 tem in the United States; and

13 “(B) be active participants in assisting
14 their children—

15 “(i) to learn English;

16 “(ii) to achieve at high levels in core
17 academic subjects;

18 “(iii) to meet the same college and ca-
19 reer ready academic content standards and
20 student academic achievement standards
21 under section 1111(a)(1) as all children are
22 expected to meet to become college and ca-
23 reer ready; and

24 “(iv) to understand expectations for
25 college readiness and career success.

1 “(2) *RECEIPT OF RECOMMENDATIONS.*—*The out-*
2 *reach described in paragraph (1) shall include hold-*
3 *ing, and sending notice of opportunities for, regular*
4 *meetings for the purpose of formulating and respond-*
5 *ing to recommendations from parents described in*
6 *such paragraph.*

7 “(f) *BASIS FOR ADMISSION OR EXCLUSION.*—*A child*
8 *shall not be admitted to, or excluded from, any Federally*
9 *assisted education program on the basis of a surname or*
10 *language-minority status.*

11 **“SEC. 3203. NATIONAL CLEARINGHOUSE.**

12 *“The Secretary shall establish and support the oper-*
13 *ation of a National Clearinghouse for English Learner Sup-*
14 *port and Educational Programs, which shall collect, ana-*
15 *lyze, synthesize, and disseminate information about pro-*
16 *grams that support the academic achievement of English*
17 *learners, and related programs. The National Clearinghouse*
18 *shall —*

19 *“(1) be administered as an adjunct clearinghouse*
20 *of the Educational Resources Information Center*
21 *clearinghouses system supported by the Institute of*
22 *Education Sciences;*

23 *“(2) coordinate activities with Federal data and*
24 *information clearinghouses and entities operating*
25 *Federal dissemination networks and systems;*

1 “(3) develop a system for improving the oper-
2 ation and effectiveness of programs that receive Fed-
3 eral funding that serve English learners;

4 “(4) collect and disseminate information on—

5 “(A) educational research and processes re-
6 lated to the education of English learners;

7 “(B) accountability systems that monitor
8 the academic progress of English learners in lan-
9 guage instruction educational programs, includ-
10 ing information on academic content and
11 English proficiency assessments for language in-
12 struction educational programs;

13 “(C) effective practices for meeting the aca-
14 demic and cultural needs of English learners;
15 and

16 “(D) effective practices for engaging the
17 families and caretakers of English learners; and

18 “(5) publish, on an annual basis, a list of grant
19 recipients under this title.

20 **“SEC. 3204. REGULATIONS.**

21 *“In developing regulations under this title, the Sec-
22 retary shall consult with State educational agencies and
23 local educational agencies, organizations representing
24 English learners, and organizations representing teachers*

1 *and other personnel involved in the education of English*
2 *learners.”.*

3 **TITLE IV—SUPPORTING SUC-**
4 **CESSFUL, WELL-ROUNDED**
5 **STUDENTS**

6 **SEC. 4101. REDESIGNATIONS.**

7 *Title IV (20 U.S.C. 7101 et seq.) is amended—*

8 *(1) by striking the title heading and inserting*
9 *the following: “**SUPPORTING SUCCESSFUL,***
10 ***WELL-ROUNDED STUDENTS”;***

11 *(2) by redesignating subpart 3 of part A as sub-*
12 *part 1 of part G of title IX, as added by section*
13 *9105(a) of this Act, and transferring such subpart 1*
14 *so as to follow the part heading of such part G as*
15 *added by section 9105(a) of this Act;*

16 *(3) by redesignating section 4141 as section*
17 *9701;*

18 *(4) by redesignating part C as subpart 2 of part*
19 *G of title IX, as added by section 9105(a) of this Act,*
20 *and transferring such subpart 2 so as to follow sub-*
21 *part 1 of part G of title IX, as redesignated by para-*
22 *graph (2);*

23 *(5) by redesignating sections 4301, 4302, 4303,*
24 *and 4304, as sections 9721, 9722, 9723, and 9724, re-*
25 *spectively;*

1 (6) in section 9721, as redesignated by para-
2 graph (5), by striking “part” and inserting “sub-
3 part”;

4 (7) in section 9722, as redesignated by para-
5 graph (5)—

6 (A) in the matter preceding paragraph (1),
7 by striking “part” and inserting “subpart”; and

8 (B) in paragraph (2)(B), by striking “part”
9 and inserting “subpart”;

10 (8) in section 9723(e)(3), as redesignated by
11 paragraph (5), by striking the matter following sub-
12 paragraph (B) and inserting the following:

13 “(C) such other matters as justice may re-
14 quire.”; and

15 (9) in section 9724, as redesignated by para-
16 graph (5), by striking “part” both places the term ap-
17 pears and inserting “subpart”.

18 **SEC. 4102. IMPROVING LITERACY INSTRUCTION AND STU-**

19 **DENT ACHIEVEMENT.**

20 Part A of title IV (20 U.S.C. 7101 et seq.) is amended
21 to read as follows:

1 **“PART A—IMPROVING LITERACY INSTRUCTION**
2 **AND STUDENT ACHIEVEMENT**

3 **“Subpart 1—Improving Literacy Instruction**

4 **“SEC. 4101. SHORT TITLE.**

5 *“This subpart may be cited as the ‘Improving Literacy*
6 *Instruction and Student Achievement Act’.*

7 **“SEC. 4102. PURPOSES.**

8 *“The purposes of this subpart are—*

9 *“(1) to improve student academic achievement in*
10 *reading and writing by providing Federal support to*
11 *State educational agencies to develop, improve, co-*
12 *ordinate, and implement comprehensive literacy plans*
13 *that ensure high-quality instruction and effective*
14 *strategies in reading and writing from birth through*
15 *grade 12; and*

16 *“(2) to assist State educational agencies in*
17 *achieving the purpose described in paragraph (1)*
18 *by—*

19 *“(A) supporting the development and imple-*
20 *mentation of comprehensive early learning*
21 *through grade 12 literacy programs in every*
22 *State that are based on scientifically valid re-*
23 *search, to ensure that every child can read and*
24 *write at grade level or above;*

25 *“(B) providing children with learning op-*
26 *portunities in high-quality, language rich, lit-*

1 *erature rich, informational text rich, culturally*
2 *relevant, and developmentally appropriate envi-*
3 *ronments so that the children develop the funda-*
4 *mental knowledge and skills necessary for lit-*
5 *eracy engagement, development, and achievement*
6 *in prekindergarten through grade 12;*

7 *“(C) educating parents in the ways the par-*
8 *ents can support their child’s communication*
9 *and literacy development;*

10 *“(D) supporting efforts to link and align*
11 *standards and research-based instruction and*
12 *teaching practices in early learning programs;*

13 *“(E) supporting high-quality and effective*
14 *strategies for children to develop oral language,*
15 *reading, and writing abilities through high-qual-*
16 *ity research-based instruction and teaching prac-*
17 *tices;*

18 *“(F) improving academic achievement by*
19 *establishing adolescent literacy initiatives that*
20 *provide explicit and systematic instruction in*
21 *oral language, reading, and writing development*
22 *across the curriculum;*

23 *“(G) identifying and supporting children*
24 *reading and writing significantly below grade*
25 *level by providing evidence-based, intensive*

1 *interventions, including interventions conducted*
2 *during extended learning time, to help the chil-*
3 *dren acquire the language and literacy skills the*
4 *children need to stay on track for graduation;*

5 *“(H) providing assistance to local edu-*
6 *cational agencies in order to provide educators*
7 *with ongoing, job-embedded professional develop-*
8 *ment, and other support, that focuses on—*

9 *“(i) effective literacy instruction; and*

10 *“(ii) the special knowledge and skills*
11 *necessary to teach and support literacy de-*
12 *velopment effectively across the develop-*
13 *mental and age span;*

14 *“(I) supporting State educational agencies*
15 *and local educational agencies in improving*
16 *reading, writing, and literacy-based academic*
17 *achievement for children, especially children who*
18 *are low-income individuals, are English learners,*
19 *are migratory, are children with disabilities, are*
20 *Indian or Alaskan Native, are neglected or delin-*
21 *quent, are homeless, are in the custody of the*
22 *child welfare system, or have dropped out of*
23 *school;*

24 *“(J) supporting State educational agencies*
25 *and local educational agencies in using age ap-*

1 *appropriate and developmentally and linguistically*
2 *appropriate instructional materials and strate-*
3 *gies that assist teachers as the teachers work with*
4 *children to develop reading and writing com-*
5 *petencies appropriate to the children’s grade and*
6 *skill levels;*

7 “(K) *strengthening coordination among*
8 *schools, early literacy programs, family literacy*
9 *programs, juvenile justice programs, public li-*
10 *braries, and outside-of-school programs that pro-*
11 *vide children with strategies, curricula, interven-*
12 *tions, and assessments designed to advance early*
13 *and continuing language and literacy develop-*
14 *ment in ways appropriate for each context;*

15 “(L) *supporting professional development*
16 *for educators based on scientific approaches to*
17 *adult learning; and*

18 “(M) *evaluating whether the professional de-*
19 *velopment activities and approaches are effective*
20 *in building knowledge and skills of educators*
21 *and their use of appropriate and effective prac-*
22 *tices.*

23 **“SEC. 4103. DEFINITIONS.**

24 *“In this subpart:*

1 “(1) *CHILD*.—The term ‘child’ means an indi-
2 vidual from the age of birth through the final year for
3 which the State provides free public education.

4 “(2) *CLASSROOM-BASED INSTRUCTIONAL ASSESS-*
5 *MENT*.—The term ‘classroom-based instructional as-
6 sessment’ means an assessment for children from birth
7 through grade 3 that—

8 “(A) is valid and reliable for the age and
9 population of children served in the program;

10 “(B) is used to evaluate children’s develop-
11 mental progress and learning and includes sys-
12 tematic observations by teachers of children per-
13 forming tasks, including academic and literacy
14 tasks, that are subpart of the children’s daily
15 classroom experience; and

16 “(C) is used to improve classroom instruc-
17 tion.

18 “(3) *COMPREHENSIVE LITERACY INSTRUCTION*.—
19 The term ‘comprehensive literacy instruction’ means
20 instruction that—

21 “(A) incorporates effective literacy instruc-
22 tion; and

23 “(B) is designed to support—

24 “(i) developmentally appropriate, con-
25 textually explicit, systematic instruction,

1 *and frequent practice, in reading across*
2 *content areas; and*

3 “(ii) *developmentally appropriate and*
4 *contextually explicit instruction, and fre-*
5 *quent practice, in writing across content*
6 *areas.*

7 “(4) *DEVELOPMENTAL DELAY.*—*The term ‘devel-*
8 *opmental delay’ has the meaning given the term in*
9 *section 632 of the Individuals with Disabilities Edu-*
10 *cation Act (20 U.S.C. 1432).*

11 “(5) *EARLY LEARNING PROGRAM.*—*The term*
12 *‘early learning program’ means a program serving*
13 *children between the ages of birth and kindergarten*
14 *entry.*

15 “(6) *EFFECTIVE LITERACY INSTRUCTION.*—

16 “(A) *IN GENERAL.*—*The term ‘effective lit-*
17 *eracy instruction’ means literacy instruction*
18 *that—*

19 “(i) *includes age-appropriate, explicit,*
20 *systematic, and intentional instruction in*
21 *phonological awareness, phonic decoding,*
22 *vocabulary, language structure, reading flu-*
23 *ency, and reading comprehension;*

24 “(ii) *includes age-appropriate, explicit*
25 *instruction in writing, including opportu-*

1 *nities for children to write with clear pur-*
2 *poses, with critical reasoning appropriate to*
3 *the topic and purpose, and with specific in-*
4 *struction and feedback from instructional*
5 *staff;*

6 *“(iii) makes available and uses diverse,*
7 *high-quality print materials that reflect the*
8 *reading and development levels, and inter-*
9 *ests, of children;*

10 *“(iv) uses differentiated instructional*
11 *approaches, including individual and small*
12 *group instruction and discussion;*

13 *“(v) provides opportunities for children*
14 *to use language with peers and adults in*
15 *order to develop language skills, including*
16 *developing vocabulary;*

17 *“(vi) includes frequent practice of*
18 *reading and writing strategies;*

19 *“(vii) uses age-appropriate, valid, and*
20 *reliable screening assessments, diagnostic*
21 *assessments, formative assessments, and*
22 *summative assessments to identify a child’s*
23 *learning needs, to inform instruction, and*
24 *to monitor the child’s progress and the ef-*
25 *fects of instruction;*

1 “(viii) uses strategies to enhance chil-
2 dren’s motivation to read and write and
3 children’s engagement in self-directed learn-
4 ing;

5 “(ix) incorporates the principles of
6 universal design for learning;

7 “(x) depends on teachers’ collaboration
8 in planning, instruction, and assessing a
9 child’s progress and on continuous profes-
10 sional learning; and

11 “(xi) links literacy instruction to the
12 State college and career ready academic
13 content standards under section 1111(a)(1),
14 including the ability to navigate, under-
15 stand, and write about, complex print and
16 digital subject matter.

17 “(B) BIRTH THROUGH KINDERGARTEN.—
18 When used with respect to instruction for chil-
19 dren from birth to kindergarten entry, the term
20 ‘effective literacy instruction’ also includes—

21 “(i) developing such children’s alphabet
22 knowledge, reading aloud to children, dis-
23 cussing reading and writing with children,
24 and modeling age and developmentally ap-

1 *appropriate reading and writing strategies;*
2 *and*

3 “(ii) *encouraging children’s early at-*
4 *tempts at oral communication, reading, and*
5 *writing.*

6 “(C) *KINDERGARTEN THROUGH GRADE*
7 12.—*When used with respect to the instruction of*
8 *children in kindergarten through grade 12, the*
9 *term ‘effective literacy instruction’ also in-*
10 *cludes—*

11 “(i) *providing systematic and inten-*
12 *sive interventions, which can be provided*
13 *inside or outside the classroom as well as*
14 *before, during, or after regular school hours,*
15 *to supplement regular instruction for chil-*
16 *dren reading below grade level;*

17 “(ii) *providing reading and writing*
18 *opportunities that build academic vocabu-*
19 *lary and knowledge of different text struc-*
20 *tures in core academic subjects;*

21 “(iii) *enabling children to write, com-*
22 *municate, and create knowledge, in ways*
23 *that fit purpose, audience, occasion, dis-*
24 *cipline, and format, including practice in—*

1 “(I) *adhering to language conven-*
 2 *tions, including spelling, punctuation,*
 3 *and grammar;*

4 “(II) *planning and revising to*
 5 *improve clarity, coherence, logical de-*
 6 *velopment, and language usage; and*

7 “(III) *writing individually and*
 8 *collaboratively with feedback from in-*
 9 *structors and peers; and*

10 “(iv) *cultivating shared responsibility*
 11 *for children’s literacy learning by coordi-*
 12 *nating writing tasks, instructional prac-*
 13 *tices, and criteria for feedback across aca-*
 14 *demie content areas.*

15 “(7) *ELIGIBLE ENTITY.—The term ‘eligible enti-*
 16 *ty’ means an entity—*

17 “(A) *that serves high-need children; and*

18 “(B)(i) *when used with respect to a*
 19 *subgrant under section 4108, that consists of—*

20 “(I) *1 or more local educational*
 21 *agencies providing early learning pro-*
 22 *grams that have a demonstrated record*
 23 *of providing comprehensive literacy in-*
 24 *struction for the age group such agen-*
 25 *cies or programs propose to serve;*

1 “(II) 1 or more public or private
2 early learning programs, such as a
3 Head Start program, a child care pro-
4 gram, a State-funded prekindergarten
5 program, a public library program, or
6 a family literacy program, that have a
7 demonstrated record of providing com-
8 prehensive literacy instruction for the
9 age group such programs propose to
10 serve; or

11 “(III) 1 or more local educational
12 agencies providing early learning pro-
13 grams, or 1 or more public or private
14 early learning programs, such as a
15 Head Start program, a child care pro-
16 gram, a State-funded prekindergarten
17 program, a public library program, or
18 a family literacy program, in partner-
19 ship with 1 or more public or private
20 nonprofit organizations or agencies
21 that have a demonstrated record of ef-
22 fectiveness—

23 “(aa) in improving the early
24 literacy development of children

1 *from birth through kindergarten*
2 *entry; and*

3 *“(bb) in providing profes-*
4 *sional development aligned with*
5 *the activities described in section*
6 *4108(e)(1); or*

7 *“(ii) when used with respect to a*
8 *subgrant under section 4109—*

9 *“(I) that is—*

10 *“(aa) a local educational*
11 *agency;*

12 *“(bb) a consortium of local*
13 *educational agencies; or*

14 *“(cc) a local educational*
15 *agency or consortium of local edu-*
16 *catinal agencies acting in part-*
17 *nership with 1 or more public or*
18 *private nonprofit organizations or*
19 *agencies that have a demonstrated*
20 *record of effectiveness in—*

21 *“(AA) improving lit-*
22 *eracy achievement of children*
23 *consistent with the purposes*
24 *of their participation from*

1 *kindergarten through grade*
2 *12; and*

3 *“(BB) providing profes-*
4 *sional development aligned*
5 *with the activities described*
6 *in subsection (b) and (c) of*
7 *section 4109; and*

8 *“(II)(aa) has the highest numbers*
9 *or proportion of children who are*
10 *counted under section 1124(c), in com-*
11 *parison to other local educational*
12 *agencies in the State;*

13 *“(bb) is among or consists of the*
14 *local educational agencies in the State*
15 *with the highest numbers or percent-*
16 *ages of children reading or writing*
17 *below grade level, based on the most*
18 *currently available State academic as-*
19 *essment data under section*
20 *1111(a)(2); or*

21 *“(cc) has jurisdiction over a sig-*
22 *nificant number or percentage of*
23 *schools that are identified as priority*
24 *schools under section 1116(d).*

25 *“(8) ENGLISH LANGUAGE ACQUISITION.—*

1 “(A) *IN GENERAL.*—The term ‘English lan-
2 *guage acquisition*’ means the process by which a
3 *non-native English speaker acquires proficiency*
4 *in speaking, listening, reading, and writing the*
5 *English language.*

6 “(B) *INCLUSIONS FOR ENGLISH LEARNERS*
7 *IN SCHOOL.*—For an English learner in school,
8 *such term includes not only the social language*
9 *proficiency needed to participate in the school*
10 *environment, but also the academic language*
11 *proficiency needed to acquire literacy and aca-*
12 *demically content and demonstrate the child’s learn-*
13 *ing.*

14 “(9) *FAMILY LITERACY SERVICES.*—The term
15 ‘*family literacy services*’ means literacy services pro-
16 *vided to participants on a voluntary basis that are*
17 *of sufficient intensity and quality, that better enable*
18 *parents to support their children’s learning needs,*
19 *and that integrate—*

20 “(A) *interactive literacy activities between*
21 *or among family members who are primary*
22 *caregivers and their children, including family*
23 *literacy education to improve literacy of parents;*
24 *and*

1 “(B) training for family members who are
2 primary caregivers regarding how to be the pri-
3 mary teacher for their children and full partners
4 in the education of their children.

5 “(10) *FORMATIVE ASSESSMENT*.—The term
6 ‘formative assessment’ means an assessment that—

7 “(A) is teacher-generated or selected by
8 teachers or instructional leaders for use during
9 learning;

10 “(B) is embedded within the learning activ-
11 ity and linked directly to the intended outcomes
12 of the current unit of instruction; and

13 “(C) provides feedback to help adjust ongo-
14 ing teaching and learning to improve children’s
15 achievement of intended instructional outcomes.

16 “(11) *HIGH-QUALITY PROFESSIONAL DEVELOP-*
17 *MENT*.—The term ‘high-quality professional develop-
18 ment’ means professional development that—

19 “(A) is job-embedded, ongoing, and based on
20 scientifically valid research;

21 “(B) is sustained, intensive, and classroom-
22 focused, and is not limited in scope to a 1-day
23 or short-term workshop or conference;

24 “(C) is designed to increase the knowledge
25 and expertise of teachers, early childhood edu-

1 *cators and administrators, principals, other in-*
2 *structional leaders, and other program staff in*
3 *applying—*

4 “(i) *effective literacy instruction; and*

5 “(ii) *instructional strategies and prac-*
6 *tices that are appropriate to the age, devel-*
7 *opment, and needs of children and improve*
8 *learning, including strategies and practices*
9 *consistent with the principles of universal*
10 *design for learning;*

11 “(D) *includes and supports teachers in ef-*
12 *fectively administering age and developmentally*
13 *appropriate assessments, and analyzing the re-*
14 *sults of these assessments for the purposes of*
15 *planning, monitoring, adapting, and improving*
16 *effective classroom instruction or teaching strate-*
17 *gies to improve child literacy;*

18 “(E) *includes instructional strategies uti-*
19 *lizing one-to-one, small group, and classroom-*
20 *based instructional materials and approaches*
21 *based on scientifically valid research on literacy;*

22 “(F) *provides ongoing instructional literacy*
23 *coaching—*

1 “(i) to ensure high-quality implemen-
2 tation of comprehensive literacy instruction
3 that is—

4 “(I) content centered;

5 “(II) integrated across the cur-
6 riculum;

7 “(III) collaborative; and

8 “(IV) school, setting, and class-
9 room embedded; and

10 “(ii) that uses student data to improve
11 instruction;

12 “(G) includes and supports teachers in set-
13 ting high reading and writing achievement goals
14 for all children and provides the teachers with
15 the instructional tools and skills to help children
16 reach such goals;

17 “(H) for educators serving children in kin-
18 dergarten through grade 12—

19 “(i) supports effective literacy instruc-
20 tion through core academic subjects, and
21 through career and technical education sub-
22 jects where such career and technical edu-
23 cation subjects provide for the integration of
24 core academic subjects; and

1 “(ii) includes explicit instruction in
2 discipline-specific thinking and how to read
3 and interpret discipline-specific text struc-
4 tures and features;

5 “(I) is differentiated for educators working
6 with children from birth through kindergarten
7 entry, children in kindergarten through grade 3,
8 and children in grades 4 through 12, and, as ap-
9 propriate, based on the grade or needs of the
10 children; and

11 “(J) supports family literacy experiences
12 and practices, and educating parents, teachers,
13 and other caregivers about literacy development
14 and child literacy development.

15 “(12) *INSTRUCTIONAL LEADER*.—The term ‘in-
16 structional leader’ means an individual who—

17 “(A) is an employee or officer of a school;
18 and

19 “(B) is responsible for—

20 “(i) the school’s performance; and

21 “(ii) the daily instructional and man-
22 agerial operations of the school.

23 “(13) *LITERACY COACH*.—The term ‘literacy
24 coach’ means a professional—

25 “(A) who has—

1 “(i) *previous teaching experience;*

2 “(ii) *demonstrated abilities in working*
3 *with adult learners; and*

4 “(iii)(I) *a master’s degree with a con-*
5 *centration in reading and writing edu-*
6 *cation or demonstrated proficiency in teach-*
7 *ing reading or writing in a core academic*
8 *subject consistent with effective literacy in-*
9 *struction; or*

10 “(II) *in the case of a literacy coach for*
11 *children from birth through kindergarten*
12 *entry, a concentration, credential, or sig-*
13 *nificant experience in child development*
14 *and early literacy development;*

15 “(B) *who supports teachers to—*

16 “(i) *apply research on how children be-*
17 *come successful readers, writers, and com-*
18 *municators;*

19 “(ii) *apply multiple forms of assess-*
20 *ment to guide instructional decisionmaking*
21 *and use data to improve literacy instruc-*
22 *tion;*

23 “(iii) *improve children’s writing and*
24 *reading in and across content areas such as*

1 *mathematics, science, social studies, and*
2 *language arts;*

3 “(iv) *develop and implement differen-*
4 *tiated instruction and teaching approaches*
5 *to serve the needs of the full range of learn-*
6 *ers, including English learners and children*
7 *with disabilities;*

8 “(v) *apply principles of universal de-*
9 *sign for learning;*

10 “(vi) *employ best practices in engaging*
11 *principals, early learning program edu-*
12 *cators and administrators, teachers, and*
13 *other relevant professionals to create school*
14 *cultures that encourage and support literacy*
15 *development and achievement; and*

16 “(vii) *set, for children from birth*
17 *through kindergarten, developmentally ap-*
18 *propriate expectations for language and lit-*
19 *eracy development, and high reading and*
20 *writing achievement goals for all children*
21 *and select, acquire, and use instructional*
22 *tools and skills to help children reach such*
23 *goals; and*

24 “(C) *whose role with teachers and profes-*
25 *sionals supporting literacy instruction is—*

1 “(i) to provide high-quality profes-
2 sional development, consistent with the defi-
3 nition of comprehensive literacy instruction;

4 “(ii) to work cooperatively and collabo-
5 ratively with principals, teachers, and other
6 professionals in employing strategies to help
7 teachers identify and support child literacy
8 and language development needs and teach
9 literacy across the content areas and devel-
10 opmental domains; and

11 “(iii) to work cooperatively and col-
12 laboratively with other professionals in em-
13 ploying strategies to help teachers teach lit-
14 eracy across the content areas so that the
15 teachers can meet the needs of all children,
16 including children with disabilities, English
17 learners, and children who are reading at
18 or above grade level.

19 “(14) LOCAL EDUCATIONAL AGENCY.—The term
20 ‘local educational agency’—

21 “(A) has the meaning given the term in sec-
22 tion 9101; and

23 “(B) includes any public charter school that
24 constitutes a local educational agency under
25 State law.

1 “(15) *READING*.—The term ‘reading’ means a
2 *complex system of deriving meaning from print that*
3 *is developmentally appropriate and that requires all*
4 *of the following:*

5 “(A) *The skills and knowledge to under-*
6 *stand how phonemes, or speech sounds, are con-*
7 *nected to print.*

8 “(B) *The ability to read with comprehen-*
9 *sion.*

10 “(C) *The ability to decode unfamiliar words*
11 *with fluency.*

12 “(D) *The use of background knowledge and*
13 *vocabulary to make meaning from a text.*

14 “(E) *The development and use of appro-*
15 *priate active strategies to interpret and construct*
16 *meaning from print.*

17 “(F) *The development and maintenance of a*
18 *motivation to read.*

19 “(16) *SCIENTIFICALLY VALID RESEARCH*.—The
20 *term ‘scientifically valid research’ has the meaning*
21 *given the term in section 200 of the Higher Education*
22 *Act of 1965 (20 U.S.C. 1021).*

23 “(17) *SCREENING ASSESSMENT*.—The term
24 ‘*screening assessment*’ means an assessment that is—

1 “(A) *valid, reliable, and based on scientific-
2 ically based reading research; and*

3 “(B) *a brief procedure designed as a first
4 step in identifying children who may be at high
5 risk for delayed development or academic failure
6 and in need of further diagnosis of their need for
7 special services or additional reading instruc-
8 tion.*

9 “(18) *STATE.—The term ‘State’ means each of
10 the 50 States, the District of Columbia, and the Com-
11 monwealth of Puerto Rico.*

12 “(19) *STATE LITERACY LEADERSHIP TEAM.—*

13 “(A) *IN GENERAL.—The term ‘State lit-
14 eracy leadership team’ means a team that—*

15 “(i) *is appointed and coordinated by
16 the State educational agency;*

17 “(ii) *assumes the responsibility to
18 guide the improvement or development and
19 implementation of a statewide, comprehen-
20 sive literacy plan;*

21 “(iii) *shall include, at a minimum—*

22 “(I) *a school principal with lit-
23 eracy expertise;*

24 “(II) *a teacher with literacy ex-
25 pertise;*

1 “(III) a teacher or administrator
2 with expertise in special education;

3 “(IV) a teacher or administrator
4 with expertise in teaching the English
5 language to English learners;

6 “(V) a representative from the
7 State educational agency who oversees
8 literacy initiatives; and

9 “(VI) a representative from higher
10 education who is actively involved in
11 research, development, or teacher prep-
12 aration in comprehensive literacy in-
13 struction and intervention based on
14 scientifically valid research;

15 “(iv) may include—

16 “(I) a literacy specialist serving
17 in a school district within the State;

18 “(II) a literacy coach;

19 “(III) a librarian;

20 “(IV) a representative with family
21 literacy expertise;

22 “(V) a representative from a State
23 child-serving agency with expertise in
24 comprehensive language and literacy
25 instruction and strategies;

1 “(VI) a school counselor;

2 “(VII) a teacher of a core aca-
3 demic subject;

4 “(VIII) a special education ad-
5 ministrators;

6 “(IX) a professor from a 4-year
7 institution of higher education;

8 “(X) a parent;

9 “(XI) a business leader;

10 “(XII) the Governor or a dele-
11 gated representative of the Governor;

12 “(XIII) a representative from the
13 State board of education;

14 “(XIV) a representative from the
15 State legislature;

16 “(XV) a representative of a non-
17 profit and community-based organiza-
18 tion providing comprehensive literacy
19 instruction and support; and

20 “(XVI) a representative from a
21 school district superintendent’s office;
22 and

23 “(v) shall include, among the individ-
24 uals selected to be members of the council
25 pursuant to clauses (iii) and (iv), not less

1 *than 5 individuals who have literacy exper-*
 2 *tise in 1 of each of the areas of—*

3 *“(I) birth through kindergarten*
 4 *entry, such as the State Head Start*
 5 *collaboration director;*

6 *“(II) kindergarten entry through*
 7 *grade 3;*

8 *“(III) grades 4 through 12;*

9 *“(IV) English learners; and*

10 *“(V) special education.*

11 *“(B) INCLUSION OF A PREEXISTING PART-*
 12 *NERSHIP.—If, before the date of enactment of the*
 13 *Strengthening America’s Schools Act of 2013, a*
 14 *State educational agency established a consor-*
 15 *tium, partnership, or any other similar body*
 16 *that was considered a literacy partnership for*
 17 *purposes of subpart 1 or 2 of part B of title I*
 18 *(as such title was in effect on such date) and*
 19 *that includes the individuals required under*
 20 *clauses (iii) and (v) of subparagraph (A), such*
 21 *consortium, partnership, or body may be consid-*
 22 *ered a State literacy leadership team for pur-*
 23 *poses of subparagraph (A).*

24 *“(20) SUMMATIVE ASSESSMENT.—The term*
 25 *‘summative assessment’ means an assessment that—*

1 “(A) is valid, reliable, and based on sci-
2 entifically valid research on literacy and English
3 language acquisition; and

4 “(B) for children from birth through kinder-
5 garten entry, measures how young children have
6 progressed over time relative to developmental
7 norms, and for children in kindergarten through
8 grade 12, measures what children have learned
9 over time, relative to academic content stand-
10 ards.

11 “(21) WRITING.—The term ‘writing’ means—

12 “(A) composing meaning in print or
13 through other media, including technologies, to
14 communicate and to create new knowledge in
15 ways appropriate to the context of the writing
16 and the literacy development stage of the writer;

17 “(B) composing ideas individually and col-
18 laboratively in ways that are appropriate for a
19 variety of purposes, audiences, and occasions;

20 “(C) choosing vocabulary, tone, genre, and
21 conventions, such as spelling and punctuation,
22 suitable to the purpose, audience, and occasion;
23 and

1 “(D) *revising compositions for clarity of*
2 *ideas, coherence, logical development, and preci-*
3 *sion of language use.*

4 **“SEC. 4104. PROGRAM AUTHORIZED.**

5 “(a) *RESERVATIONS AND AWARDS TO STATE EDU-*
6 *CATIONAL AGENCIES.—*

7 “(1) *IN GENERAL.—From the amounts appro-*
8 *priated to carry out this subpart for a fiscal year, the*
9 *Secretary shall—*

10 “(A) *reserve not more than a total of 4 per-*
11 *cent of such amounts for dissemination of infor-*
12 *mation and technical assistance under section*
13 *4110;*

14 “(B) *reserve not more than 5 percent of*
15 *such amounts to award planning grants, on a*
16 *competitive basis, to State educational agencies*
17 *serving States, in accordance with section 4105;*

18 “(C) *in the case of a fiscal year for which*
19 *the amounts appropriated to carry out this sub-*
20 *part are less than \$500,000,000, use the amount*
21 *not reserved under subparagraphs (A) and (B) to*
22 *make awards, on a competitive basis, to State*
23 *educational agencies serving States that have ap-*
24 *plications approved under section 4106 to enable*

1 *the State educational agencies to carry out the*
2 *activities described in section 4106(a)(1); and*

3 “(D) *in the case of a fiscal year for which*
4 *the amounts appropriated to carry out this sub-*
5 *part are equal to or exceed \$500,000,000—*

6 “(i) *reserve a total of 1 percent of such*
7 *amount for—*

8 “(I) *allotments for the United*
9 *States Virgin Islands, Guam, Amer-*
10 *ican Samoa, and the Commonwealth of*
11 *the Northern Mariana Islands, to be*
12 *distributed among such outlying areas*
13 *on the basis of their relative need, as*
14 *determined by the Secretary in accord-*
15 *ance with the purposes of this subpart;*
16 *and*

17 “(II) *the Secretary of the Interior*
18 *for programs under sections 4105*
19 *through 4109 in schools operated or*
20 *funded by the Bureau of Indian Edu-*
21 *cation; and*

22 “(ii) *use the amount not reserved*
23 *under clause (i) and subparagraphs (A) and*
24 *(B) to make awards, as described in para-*
25 *graph (2), to State educational agencies*

1 *serving States that have applications ap-*
2 *proved under section 4106 to enable the*
3 *State educational agencies to carry out the*
4 *activities described in section 4106(a).*

5 “(2) *SPECIAL RULES FOR YEARS WITH FUNDS*
6 *EQUAL OR EXCEEDING \$500,000,000.—*

7 “(A) *PROPORTIONAL DIVISION.—In each fis-*
8 *cal year described in paragraph (1)(D), the*
9 *amount reserved under paragraph (1)(D)(i) shall*
10 *be divided between the uses described in sub-*
11 *clauses (I) and (II) of such paragraph in the*
12 *same proportion as the amount reserved under*
13 *section 1121(a) is divided between the uses de-*
14 *scribed in paragraphs (1) and (2) of such section*
15 *for such fiscal year.*

16 “(B) *CONSULTATION.—A State educational*
17 *agency that receives an allotment under para-*
18 *graph (1)(D)(ii) shall engage in timely and*
19 *meaningful consultation with representatives of*
20 *Indian tribes located in the State in order to im-*
21 *prove the coordination and quality of activities*
22 *designed to develop effective approaches to*
23 *achieve the purposes of this subpart consistent*
24 *with the cultural, language, and educational*
25 *needs of Indian children.*

1 “(C) *STATE ALLOTMENT FORMULA.*—The
2 Secretary shall allot the amount made available
3 under paragraph (1)(D)(ii) for a fiscal year
4 among the States in proportion to the number of
5 children, from birth through age 17, who reside
6 within the State and are from families with in-
7 comes below the poverty line for the most recent
8 fiscal year for which satisfactory data are avail-
9 able, compared to the number of such children
10 who reside in all States for that fiscal year.

11 “(3) *MINIMUM AWARD AMOUNT.*—No State edu-
12 cational agency receiving an award under this section
13 for a fiscal year may receive less than one-fourth of
14 1 percent of the total amount appropriated to carry
15 out this subpart for the fiscal year.

16 “(4) *PUERTO RICO.*—The amount allotted under
17 paragraph (1)(C) to the Commonwealth of Puerto
18 Rico for a fiscal year may not exceed one-fourth of 1
19 percent of the total amount appropriated to carry out
20 this subpart for such fiscal year.

21 “(b) *PEER REVIEW.*—

22 “(1) *IN GENERAL.*—The Secretary shall convene
23 a peer review panel to evaluate the applications to
24 carry out section 4105 or 4106 using the evaluation
25 criteria described in paragraph (2).

1 “(2) *DEVELOPMENT OF EVALUATION CRITERIA.*—
2 *The Secretary shall report to the authorizing commit-*
3 *tees regarding the peer review process and evaluation*
4 *criteria that shall be used to evaluate the grant appli-*
5 *cations to carry out sections 4105 and 4106.*

6 “(3) *MEMBERSHIP.*—

7 “(A) *COMPOSITION.*—*A peer review panel*
8 *convened under paragraph (1) shall be composed*
9 *of not less than 9 members, of whom—*

10 “(i) *3 shall be appointed by the Sec-*
11 *retary;*

12 “(ii) *3 shall be appointed by the Sec-*
13 *retary from among individuals—*

14 “(I) *recommended by the Chair-*
15 *man of the National Research Council*
16 *of the National Academy of Sciences;*
17 *and*

18 “(II) *with expertise in comprehen-*
19 *sive language and literacy instruction*
20 *and strategies; and*

21 “(iii) *3 shall be appointed by the Sec-*
22 *retary from among individuals—*

23 “(I) *recommended by the Director*
24 *of the Eunice Kennedy Shriver Na-*

1 *tional Institute of Child Health and*
2 *Human Development; and*

3 “(II) with expertise concerning
4 *literacy development in children from*
5 *birth through grade 12.*

6 “(B) *COMPETENCY AND EXPERTISE.—The*
7 *peer review panel convened under paragraph (1)*
8 *may include—*

9 “(i) *classroom teachers with expertise*
10 *in literacy, and literacy coaches, includ-*
11 *ing—*

12 “(I) *special education teachers;*

13 “(II) *teachers of children who are*
14 *English learners; and*

15 “(III) *early childhood educators;*

16 “(ii) *experts who provide high-quality*
17 *professional development to teachers and*
18 *other instructional staff to support chil-*
19 *dren’s literacy development;*

20 “(iii) *experts in the screening assess-*
21 *ment, diagnostic assessment, and other as-*
22 *essment of children’s literacy development;*
23 *and*

24 “(iv) *experts in comprehensive literacy*
25 *instruction and strategies in reading and*

1 *writing, language development, and English*
2 *language acquisition, as appropriate, in-*
3 *cluding reading and writing in core aca-*
4 *demic subjects.*

5 “(4) *DISTRIBUTION OF RECOMMENDATIONS.*—

6 *Not later than 120 days after a peer review panel*
7 *submits to the Secretary the panel’s recommendation*
8 *regarding an application by a State educational*
9 *agency for a grant under section 4105 or 4106, the*
10 *Secretary shall notify the State educational agency*
11 *that the application has been approved or dis-*
12 *approved and shall provide to such State educational*
13 *agency a copy of the peer review panel’s recommenda-*
14 *tion.*

15 “(c) *CONFLICTS OF INTEREST.*—

16 “(1) *PEER REVIEW PANELS.*—*The Secretary*
17 *shall ensure that each member of a peer review panel*
18 *described in subsection (b) does not stand to benefit*
19 *financially from a grant or subgrant awarded under*
20 *this subpart.*

21 “(2) *STATE LITERACY LEADERSHIP TEAMS.*—

22 *Each State educational agency that receives funding*
23 *under this subpart shall ensure that each member of*
24 *a State literacy leadership team participating in a*
25 *program or activity assisted under this subpart does*

1 *not stand to benefit financially from a grant or*
2 *subgrant awarded under this subpart.*

3 “(d) *SUPPLEMENT NOT SUPPLANT.*—Award funds
4 *provided under this subpart shall supplement, and not sup-*
5 *plant, non-Federal funds that would, in the absence of such*
6 *award funds, be made available for literacy instruction and*
7 *support of children participating in programs assisted*
8 *under this subpart.*

9 “(e) *MAINTENANCE OF EFFORT.*—Each State edu-
10 *cational agency that receives a grant or allotment under*
11 *this section, and each eligible entity that receives a subgrant*
12 *under section 4108 or 4109, shall maintain for the fiscal*
13 *year for which the grant or subgrant is received and for*
14 *each subsequent fiscal year the expenditures of the State*
15 *educational agency or eligible entity, respectively, for lit-*
16 *eracy instruction at a level not less than the level of such*
17 *expenditures maintained by the State educational agency*
18 *or eligible entity, respectively, for the fiscal year preceding*
19 *such fiscal year for which the grant or subgrant is received.*

20 **“SEC. 4105. STATE PLANNING GRANTS.**

21 “(a) *PLANNING GRANTS AUTHORIZED.*—

22 “(1) *IN GENERAL.*—From amounts made avail-
23 *able under section 4104(a)(1)(B), the Secretary may*
24 *award planning grants to State educational agencies*
25 *to enable the State educational agencies to complete*

1 *comprehensive planning to carry out activities that*
2 *improve literacy for children from birth through*
3 *grade 12.*

4 “(2) *GRANT PERIOD.*—*A planning grant award-*
5 *ed under this section shall be for a period of not more*
6 *than 1 year.*

7 “(3) *NONRENEWABILITY.*—*The Secretary shall*
8 *not award a State educational agency more than 1*
9 *planning grant under this section.*

10 “(b) *APPLICATION.*—

11 “(1) *IN GENERAL.*—*Each State educational*
12 *agency desiring a planning grant under this section*
13 *shall submit an application to the Secretary at such*
14 *time, in such manner, and accompanied by such in-*
15 *formation as the Secretary may require.*

16 “(2) *CONTENTS.*—*Each application submitted*
17 *under this subsection shall, at a minimum, include a*
18 *description of how the State educational agency will*
19 *develop a plan for improving State efforts to develop,*
20 *coordinate, implement, and assess comprehensive lit-*
21 *eracy activities that ensure high-quality instruction*
22 *and effective strategies in reading and writing for all*
23 *children in early learning programs and kindergarten*
24 *through grade 12 programs. Such plan shall—*

1 “(A) describe the activities for which assist-
2 ance under this section is sought, demonstrating
3 a particular focus on children who are reading
4 or writing below grade level and children whose
5 early literacy skills are below the appropriate
6 age or developmental level;

7 “(B) provide a budget for the use of the
8 planning grant funds to complete the required
9 activities described in subsection (c);

10 “(C) include an analysis of data on child
11 literacy and language and student academic
12 achievement in reading to identify and establish
13 baseline and benchmark levels against which to
14 monitor child progress and improvement in lit-
15 eracy; and

16 “(D) provide an assurance that all State
17 agencies responsible for administering early
18 learning programs and services (including the
19 State Head Start Collaboration Office and the
20 State agency responsible for administering child
21 care) and the State Advisory Council on Early
22 Childhood Education and Care collaborated with
23 the State educational agency to write the early
24 learning portion of the grant application sub-
25 mitted under this subsection.

1 “(3) *APPROVAL OF APPLICATIONS.*—*The Sec-*
2 *retary shall evaluate applications under this sub-*
3 *section based on the quality of the response of the ap-*
4 *plications to the requirements under this subsection.*

5 “(c) *REQUIRED ACTIVITIES.*—*A State educational*
6 *agency receiving planning grant funds under this section*
7 *shall carry out each of the following activities:*

8 “(1) *Reviewing reading, writing, or other lan-*
9 *guage and literacy resources and programs, such as*
10 *school library programs, and data across the State to*
11 *identify any literacy needs and gaps in the State.*

12 “(2) *Forming or designating a State literacy*
13 *leadership team which shall execute the following*
14 *functions:*

15 “(A) *Creating a comprehensive State lit-*
16 *eracy plan that—*

17 “(i) *is designed to improve language*
18 *development, reading, writing, and aca-*
19 *demical achievement for children, especially*
20 *children reading below grade level and chil-*
21 *dren whose literacy skills are below the ap-*
22 *propriate age or developmental level;*

23 “(ii) *includes—*

24 “(I) *a needs assessment and an*
25 *implementation plan, including an*

1 *analysis of data on child literacy and*
2 *student academic achievement in read-*
3 *ing to identify baseline and benchmark*
4 *levels of literacy and early literacy*
5 *skills in order to monitor progress and*
6 *improvement; and*

7 *“(II) a plan to improve reading*
8 *achievement among all children;*

9 *“(iii) ensures high-quality instruction,*
10 *consistent with the characteristics of effec-*
11 *tive literacy instruction and strategies, in*
12 *early learning programs and kindergarten*
13 *through grade 12 programs; and*

14 *“(iv) provides for activities designed to*
15 *improve literacy achievement for children*
16 *who read or write below grade level, includ-*
17 *ing such children who—*

18 *“(I) attend schools identified as*
19 *priority schools under section 1116(d);*
20 *or*

21 *“(II) are counted under section*
22 *1124(c).*

23 *“(B) Providing recommendations to guide*
24 *the State educational agency in the State edu-*
25 *cational agency’s process of strengthening State*

1 *literacy standards and embedding State literacy*
2 *standards with the State’s college and career*
3 *ready academic content standards and college*
4 *and career ready student academic achievement*
5 *standards, and early learning and development*
6 *standards (including, if required under section*
7 *1111(a)(1)(F), the early learning guidelines and*
8 *early grade standards described in such section).*

9 “(C) *Providing recommendations to guide*
10 *the State educational agency in the State edu-*
11 *cational agency’s process of measuring, assessing,*
12 *and monitoring progress in literacy at the*
13 *school, local educational agency, and State levels.*

14 “(D) *Identifying criteria for high-quality*
15 *professional development providers, which pro-*
16 *viders may include qualified teachers within the*
17 *State, for the State educational agency and local*
18 *educational agencies.*

19 “(E) *Advising the State educational agency*
20 *on how to help ensure that local educational*
21 *agencies and schools provide timely and appro-*
22 *priate data to teachers to inform and improve*
23 *instruction.*

24 “(F) *Providing recommendations to guide*
25 *the State educational agency in the State edu-*

1 *cational agency’s planning process of building*
2 *educators’ capacity to provide high-quality com-*
3 *prehensive literacy instruction.*

4 **“SEC. 4106. STATE IMPLEMENTATION GRANTS.**

5 “(a) *IMPLEMENTATION GRANTS AUTHORIZED.—*

6 “(1) *IN GENERAL.—From amounts made avail-*
7 *able under subparagraph (C) or (D)(ii) of section*
8 *4104(a)(1) (as applicable), the Secretary shall award*
9 *implementation grants to State educational agencies*
10 *to enable the State educational agencies—*

11 “(A) *to implement the comprehensive lit-*
12 *eracy plan that meets the criteria in section*
13 *4105(c)(2)(A) for early learning programs and*
14 *kindergarten through grade 12 programs;*

15 “(B) *to carry out State activities under sec-*
16 *tion 4107; and*

17 “(C) *to award subgrants under sections*
18 *4108 and 4109.*

19 “(2) *LIMITATION.—The Secretary shall not*
20 *award an implementation grant under this section to*
21 *a State for any year for which the State has received*
22 *a planning grant under section 4105.*

23 “(3) *DURATION OF GRANTS.—An implementa-*
24 *tion grant under this section shall be awarded for a*
25 *period of not more than 5 years.*

1 “(4) *RENEWALS.*—

2 “(A) *IN GENERAL.*—*The Secretary may*
3 *renew a grant under this section for a period of*
4 *not more than 2 years.*

5 “(B) *CONDITIONS.*—*In order to be eligible*
6 *to have an implementation grant renewed under*
7 *this paragraph, the State educational agency*
8 *shall demonstrate to the satisfaction of the Sec-*
9 *retary that, during the project period—*

10 “(i) *with respect to children from birth*
11 *through kindergarten entry, the State edu-*
12 *cational agency has collaborated with the*
13 *State agencies that oversee child care and*
14 *other early learning programs, and has col-*
15 *laborated with the State Advisory Council*
16 *on Early Childhood Education and Care, to*
17 *comply with the terms of the grant, includ-*
18 *ing using the funds—*

19 “(I) *to increase access to high-*
20 *quality professional development;*

21 “(II) *for developmentally appro-*
22 *priate curricula and teaching mate-*
23 *rials; and*

24 “(III) *for developmentally appro-*
25 *priate classroom-based instructional*

1 *assessments and developmentally ap-*
2 *propriate screening assessments and*
3 *diagnostic assessments; and*

4 “(i) *with respect to children in kin-*
5 *dergarten through grade 12, there has been*
6 *significant progress in student academic*
7 *achievement, as measured by appropriate*
8 *assessments, including the assessments in-*
9 *cluded in the State accountability system*
10 *under section 1111(a)(3)(A).*

11 “(b) *STATE APPLICATIONS.—*

12 “(1) *IN GENERAL.—A State educational agency*
13 *that desires to receive an implementation grant under*
14 *this section shall submit an application to the Sec-*
15 *retary at such time, in such manner, and containing*
16 *such information as the Secretary may require. The*
17 *State educational agency shall collaborate with the*
18 *State agency responsible for administering early*
19 *learning programs and the State agency responsible*
20 *for administering child care programs in the State in*
21 *writing and implementing the early learning portion*
22 *of the grant application under this subsection.*

23 “(2) *CONTENTS.—An application described in*
24 *paragraph (1) shall include the following:*

1 “(A) A description of the members of the
2 State literacy leadership team and a description
3 of how the State educational agency has devel-
4 oped a comprehensive State literacy plan, con-
5 sistent with the requirements of section
6 4105(c)(2)(A).

7 “(B) An implementation plan that includes
8 a description of how the State educational agen-
9 cy will—

10 “(i) carry out the State activities de-
11 scribed in section 4107;

12 “(ii) assist eligible entities with—

13 “(I) providing strategic and in-
14 tensive comprehensive literacy instruc-
15 tion based on scientifically valid re-
16 search for children who are reading
17 and writing below grade level, includ-
18 ing through—

19 “(aa) the use of multi-tier
20 systems of support; and

21 “(bb) addressing the literacy
22 needs of children with disabilities
23 or developmental delays and
24 English learners in programs

1 *servicing children from birth*
2 *through grade 12;*

3 “(II) *providing training to par-*
4 *ents, as appropriate, so that the par-*
5 *ents can participate in the literacy re-*
6 *lated activities described in sections*
7 *4108 and 4109 to assist in the lan-*
8 *guage and literacy development of their*
9 *children;*

10 “(III) *selecting and using reading*
11 *and writing assessments;*

12 “(IV) *providing classroom-based*
13 *instruction that is supported by one-to-*
14 *one and small group work;*

15 “(V) *using curricular materials*
16 *and instructional tools, which may in-*
17 *clude technology, to improve instruc-*
18 *tion and literacy achievement;*

19 “(VI) *providing for high-quality*
20 *professional development; and*

21 “(VII) *using the principles of uni-*
22 *versal design for learning;*

23 “(iii) *ensure that local educational*
24 *agencies in the State have leveraged and are*
25 *effectively leveraging the resources needed to*

1 *implement effective comprehensive literacy*
2 *instruction, and have the capacity to imple-*
3 *ment literacy initiatives effectively; and*

4 *“(iv) continually coordinate and align*
5 *the activities assisted under this subpart*
6 *with reading, writing, and other literacy re-*
7 *sources and programs across the State and*
8 *locally that serve children and their families*
9 *and promote comprehensive literacy in-*
10 *struction and learning, including strength-*
11 *ening partnerships among schools, libraries,*
12 *local youth-serving agencies, and programs,*
13 *in order to improve literacy for all 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, which*
17 *shall include—*

18 *“(i) metrics established consistent with*
19 *section 1111(a)(3)(A), for children in grades*
20 *3 through 12; and*

21 *“(ii) the relevant program metrics and*
22 *performance targets that the State shall use*
23 *to monitor the implementation of the plan*
24 *described in subparagraph (B).*

1 “(D) An assurance that the State edu-
2 cational agency, and any eligible entity receiving
3 a subgrant from the State educational agency
4 under section 4108 or 4109, will, if requested,
5 participate in the national evaluation under sec-
6 tion 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 local
12 programs and activities pertaining to chil-
13 dren from birth through kindergarten entry.

14 “(ii) Not less than 30 percent of such
15 grant funds shall be used for State and local
16 programs and activities, allocated equitably
17 among the grades of kindergarten through
18 grade 5.

19 “(iii) Not less than 30 percent of such
20 grant funds shall be used for State and local
21 programs and activities, allocated equitably
22 among grades 6 through 12.

23 “(iv) Not more than 10 percent of such
24 implementation grant funds shall be used

1 *for the State activities described in section*
2 *4107.*

3 “(F) *An assurance that the State edu-*
4 *cational agency shall give priority to awarding*
5 *a subgrant to an eligible entity—*

6 “(i) *under section 4108 based on the*
7 *number or percentage of children younger*
8 *than the age of kindergarten entry who*
9 *are—*

10 “(I) *served by the eligible entity;*
11 *and*

12 “(II) *from families with income*
13 *levels below the poverty line; and*

14 “(ii) *under section 4109 based on—*

15 “(I) *the number or percentage of*
16 *children from birth through age 17 who*
17 *are—*

18 “(aa) *served by the eligible*
19 *entity; and*

20 “(bb) *from families with in-*
21 *come levels below the poverty line;*
22 *and*

23 “(II) *the number or percentage of*
24 *children in kindergarten through grade*
25 *12 served by the eligible entity who are*

1 *reading and writing below grade level,*
2 *according to State assessments.*

3 “(c) *APPROVAL OF APPLICATIONS.*—

4 “(1) *IN GENERAL.*—*The Secretary shall evaluate*
5 *State educational agency applications under sub-*
6 *section (b) based on the quality of the response of the*
7 *applications to the application requirements under*
8 *such subsection.*

9 “(2) *PEER REVIEW.*—*The Secretary shall con-*
10 *vene a peer review panel in accordance with section*
11 *4104(b) to evaluate applications for each implementa-*
12 *tion grant awarded to a State educational agency*
13 *under this section.*

14 “(3) *EARLY LEARNING.*—*In order for a State*
15 *educational agency’s application under this section to*
16 *be approved by the Secretary, the application shall*
17 *contain an assurance that the State agencies respon-*
18 *sible for administering early learning programs and*
19 *services, including the State agency responsible for*
20 *administering child care programs, and, as applica-*
21 *ble, the State Advisory Council on Early Childhood*
22 *Education and Care, approve of and will be exten-*
23 *sively consulted in the implementation of activities*
24 *consistent with section 4108, with respect to the early*
25 *learning portion of the application.*

1 **“SEC. 4107. STATE ACTIVITIES.**

2 “(a) *REQUIRED ACTIVITIES.*—A State educational
3 agency shall use the implementation grant funds described
4 in section 4106(b)(2)(E)(iv) to carry out the activities pro-
5 posed in a State’s implementation plan under section
6 4106(b)(2)(B), including the following activities:

7 “(1) *In consultation with the State literacy lead-*
8 *ership team, providing technical assistance, or engag-*
9 *ing qualified providers to provide technical assist-*
10 *ance, to eligible entities to enable the eligible entities*
11 *to design and implement literacy programs under sec-*
12 *tion 4108 or 4109.*

13 “(2) *Consulting with the State literacy leader-*
14 *ship team and coordinating with institutions of high-*
15 *er education in the State—*

16 “(A) *in order to provide recommendations*
17 *to strengthen and enhance preservice courses for*
18 *students preparing, at institutions of higher edu-*
19 *cation in the State, to teach children from birth*
20 *through grade 12 in explicit, systematic, and in-*
21 *tensive instruction in evidence-based literacy*
22 *methods; and*

23 “(B) *by following up on reviews completed*
24 *by the State literacy leadership team with rec-*
25 *ommendations to ensure that such institutions*
26 *offer courses that meet the highest standards.*

1 “(3) *Reviewing and updating, in collaboration*
2 *with teachers, statewide educational and professional*
3 *organizations representing teachers, and statewide*
4 *educational and professional organizations rep-*
5 *resenting institutions of higher education, State licen-*
6 *sure or certification standards in the area of literacy*
7 *instruction in early education through grade 12.*

8 “(4) *Making publicly available, including on the*
9 *State educational agency’s website, information on*
10 *promising instructional practices to improve child lit-*
11 *eracy achievement.*

12 “(b) *PERMISSIVE ACTIVITIES.—After carrying out the*
13 *activities described in subsection (a), a State educational*
14 *agency may use remaining implementation grant funds de-*
15 *scribed in section 4106(b)(2)(E)(iv) to carry out 1 or more*
16 *of the following activities:*

17 “(1) *Training the personnel of eligible entities to*
18 *use data systems to improve child literacy learning.*

19 “(2) *Developing literacy coach training pro-*
20 *grams and training literacy coaches.*

21 “(3) *Building public support among local edu-*
22 *cational agency personnel, early learning programs,*
23 *and the community for comprehensive literacy in-*
24 *struction for children from birth through grade 12.*

1 “(4) *Administration and evaluation of activities*
2 *carried out under this subpart.*

3 **“SEC. 4108. SUBGRANTS TO ELIGIBLE ENTITIES IN SUP-**
4 **PORT OF BIRTH THROUGH KINDERGARTEN**
5 **ENTRY LITERACY.**

6 “(a) *SUBGRANTS.—*

7 “(1) *IN GENERAL.—A State educational agency,*
8 *in consultation with the State agencies responsible for*
9 *administering early learning programs and services,*
10 *including the State agency responsible for admin-*
11 *istering child care programs, and, as applicable, the*
12 *State Advisory Council on Early Childhood Edu-*
13 *cation and Care, shall use a portion of implementa-*
14 *tion grant funds provided under subparagraph (C) or*
15 *(D)(ii) of section 4104(a)(1) to award subgrants, on*
16 *a competitive basis, to eligible entities to enable the*
17 *eligible entities to support high-quality early literacy*
18 *initiatives for children from birth through kinder-*
19 *garten entry.*

20 “(2) *DURATION.—The term of a subgrant under*
21 *this section shall be determined by the State edu-*
22 *cational agency awarding the subgrant.*

23 “(b) *SUFFICIENT SIZE AND SCOPE.—Each subgrant*
24 *awarded under this section shall be of sufficient size and*
25 *scope to allow the eligible entity to carry out high-quality*

1 *early literacy initiatives for children from birth through*
2 *kindergarten entry.*

3 “(c) *LOCAL APPLICATIONS.*—*An eligible entity desir-*
4 *ing to receive a subgrant under this section shall submit*
5 *an application to the State educational agency, at such*
6 *time, in such manner, and containing such information as*
7 *the State educational agency may require. Such application*
8 *shall include a description of—*

9 “(1) *how the subgrant funds will be used to en-*
10 *hance the language and literacy development and*
11 *school readiness of children, from birth through kin-*
12 *dergarten entry, in early learning programs, which*
13 *shall include an analysis of data that support the*
14 *proposed use of subgrant funds;*

15 “(2) *the programs that the eligible entity pro-*
16 *poses to assist under the subgrant, including demo-*
17 *graphic and socioeconomic information on the chil-*
18 *dren enrolled in the programs;*

19 “(3) *a budget for the eligible entity that projects*
20 *the cost of developing and implementing literacy ini-*
21 *tiatives to carry out the activities described in sub-*
22 *section (e);*

23 “(4) *how, if the eligible entity is requesting a*
24 *planning period, which shall not exceed 1 year, the el-*
25 *igible entity will use that planning period to prepare*

1 *for successful implementation of a plan to support the*
2 *development of learning and literacy consistent with*
3 *the purposes of this subpart;*

4 *“(5) the literacy initiatives, if any, in place and*
5 *how these initiatives will be coordinated and inte-*
6 *grated with activities supported under this section;*

7 *“(6) how the subgrant funds will be used to pre-*
8 *pare and provide ongoing assistance to staff in the*
9 *programs, through high-quality professional develop-*
10 *ment;*

11 *“(7) how the subgrant funds will be used to pro-*
12 *vide services, incorporate activities, and select and use*
13 *literacy instructional materials that—*

14 *“(A) meet the diverse developmental and*
15 *linguistic needs of children, including English*
16 *learners and children with disabilities and devel-*
17 *opmental delays; and*

18 *“(B) are based on scientifically valid re-*
19 *search on child development and learning for*
20 *children from birth through kindergarten entry;*

21 *“(8) how the subgrant funds will be used to pro-*
22 *vide screening assessments, diagnostic assessments,*
23 *classroom-based instructional assessments, and assess-*
24 *ments of developmental progress;*

1 “(9) *how families and caregivers will be in-*
2 *olved, as appropriate, in supporting their child’s lit-*
3 *eracy development, instruction, and assessment;*

4 “(10) *how the subgrant funds will be used to help*
5 *children, particularly children experiencing difficulty*
6 *with spoken and written language, to make the tran-*
7 *sition from early learning programs to formal class-*
8 *room instruction;*

9 “(11) *how the activities assisted under the*
10 *subgrant will be coordinated with comprehensive lit-*
11 *eracy instruction at the kindergarten through grade*
12 *12 levels;*

13 “(12) *how the subgrant funds will be used—*

14 “(A) *to evaluate the success of the activities*
15 *assisted under the subgrant in enhancing the*
16 *early language and literacy development of chil-*
17 *dren from birth through kindergarten entry; and*

18 “(B) *to evaluate data for program improve-*
19 *ment; and*

20 “(13) *such other information as the State edu-*
21 *cational agency may require.*

22 “(d) *APPROVAL OF LOCAL APPLICATIONS.—The State*
23 *educational agency, in consultation with the State agencies*
24 *responsible for administering early learning programs, in-*
25 *cluding the State agency responsible for administering child*

1 *care programs and the State Advisory Council on Early*
2 *Childhood Education and Care, shall—*

3 “(1) *select applications for funding under this*
4 *section based on the quality of the applications sub-*
5 *mitted, including the relationship between literacy ac-*
6 *tivities proposed and the research base or data sup-*
7 *porting such investments, as appropriate, and the rec-*
8 *ommendations of—*

9 “(A) *the State literacy leadership team; and*

10 “(B) *other experts in the area of early lit-*
11 *eracy; and*

12 “(2) *place priority for funding programs based*
13 *on the criteria in section 4106(b)(2)(F).*

14 “(e) *LOCAL USES OF FUNDS.—*

15 “(1) *IN GENERAL.—An eligible entity that re-*
16 *ceives a subgrant under this section shall use the*
17 *subgrant funds, consistent with the entity’s approved*
18 *application under subsection (c), to—*

19 “(A) *enhance and improve early learning*
20 *programs to ensure that children in such pro-*
21 *grams are provided with high-quality oral lan-*
22 *guage and literature- and print-rich environ-*
23 *ments in which to develop early literacy skills;*

1 “(B) carry out high-quality professional de-
2 velopment opportunities for early childhood edu-
3 cators, teachers, and instructional leaders;

4 “(C) acquire, provide training for, and im-
5 plement screening assessments, diagnostic assess-
6 ments, and classroom-based instructional assess-
7 ments;

8 “(D) select, develop, and implement a
9 multi-tier system of support;

10 “(E) integrate research-based instructional
11 materials, activities, tools, and measures into the
12 programs offered by the eligible entity to improve
13 development of early learning language and lit-
14 eracy skills;

15 “(F) train providers and personnel to sup-
16 port, develop, and administer high-quality early
17 learning literacy initiatives that—

18 “(i) utilize data—

19 “(I) to inform instructional de-
20 sign; and

21 “(II) to assess literacy needs; and

22 “(ii) provide time and support for per-
23 sonnel to meet to plan comprehensive lit-
24 eracy instruction;

1 “(G) provide family literacy services, as ap-
2 propriate, and educate parents, teachers, and
3 other caregivers about child literacy development;

4 “(H) annually collect, summarize, and re-
5 port to the State educational agency data—

6 “(i) to document child progress in
7 early literacy and language skills develop-
8 ment as a result of activities carried out
9 under this section;

10 “(ii) to stimulate and accelerate im-
11 provement by identifying the programs
12 served by the eligible entity that produce
13 significant gains in skills development; and

14 “(iii) for all subgroups of children and
15 categories of children, including children in
16 the subgroups described in section
17 1111(a)(2)(B)(x), in a manner that—

18 “(I) utilizes a variety of measures
19 of child literacy and language skills de-
20 velopment; and

21 “(II) is consistent across the
22 State; and

23 “(I) coordinate the involvement of families,
24 early learning program staff, principals, other
25 instructional leaders, and teachers in the literacy

1 *development of children served under this sub-*
2 *part.*

3 “(2) *CURRICULA AND ASSESSMENT MATERIALS*
4 *LIMITATION.—Each eligible entity that receives a*
5 *subgrant under this section shall not use more than*
6 *20 percent of the subgrant funds in the first year of*
7 *subgrant funding, and not more than 10 percent of*
8 *the subgrant funds in each year thereafter, to pur-*
9 *chase curricula and assessment materials.*

10 “(f) *PROHIBITION.—The use of assessment items and*
11 *data on any assessment authorized under this section to*
12 *provide rewards or sanctions for individual children, early*
13 *learning program providers, teachers, program directors, or*
14 *principals is prohibited.*

15 **“SEC. 4109. SUBGRANTS TO ELIGIBLE ENTITIES IN SUP-**
16 **PORT OF KINDERGARTEN THROUGH GRADE**
17 **12 LITERACY.**

18 “(a) *SUBGRANTS TO LOCAL EDUCATIONAL AGEN-*
19 *CIES.—*

20 “(1) *SUBGRANTS.—A State educational agency*
21 *shall use a portion of the implementation grant funds*
22 *provided under subparagraph (C) or (D)(ii) of section*
23 *4104(a)(1) to award subgrants, on a competitive*
24 *basis, to eligible entities to enable the eligible entities*

1 to carry out the authorized activities described in sub-
2 sections (b) and (c).

3 “(2) *SUFFICIENT SIZE AND SCOPE.*—A State
4 educational agency shall award subgrants under this
5 section of sufficient size and scope to allow the eligible
6 entities to carry out high-quality literacy initiatives
7 in each grade level for which the subgrant funds are
8 provided.

9 “(3) *LOCAL APPLICATIONS.*—An eligible entity
10 desiring to receive a subgrant under this section shall
11 submit an application to the State educational agen-
12 cy at such time, in such manner, and containing such
13 information as the State educational agency may re-
14 quire. Such application shall include, for each school
15 that the eligible entity identifies as participating in
16 a subgrant program under this section, the following
17 information:

18 “(A) A description of the eligible entity’s
19 capacity to identify how subgrant funds will be
20 used to inform and improve comprehensive lit-
21 eracy instruction at the school.

22 “(B) How the school, local educational
23 agency, or a provider of high-quality professional
24 development will provide ongoing high-quality
25 professional development to all teachers, includ-

1 *ing early childhood educators, principals, and*
2 *other instructional leaders served by the school,*
3 *including early learning program administra-*
4 *tors.*

5 “(C) *How the school will identify children*
6 *in need of literacy interventions or other support*
7 *services and provide appropriate scientifically*
8 *valid instructional interventions or other sup-*
9 *port services which may include extended learn-*
10 *ing time for struggling children.*

11 “(D) *A budget for the school that projects*
12 *the cost of developing and implementing literacy*
13 *initiatives to carry out the activities described in*
14 *subsections (b) and (c) as applicable.*

15 “(E) *An explanation of how the school will*
16 *integrate comprehensive literacy instruction into*
17 *core academic subjects.*

18 “(F) *A description of how the school will co-*
19 *ordinate comprehensive literacy instruction with*
20 *early learning and before- and after-school pro-*
21 *grams and activities in the area served by the*
22 *local educational agency, such as school library*
23 *programs.*

24 “(G) *A description of the assessments that*
25 *will be used in an assessment system to improve*

1 *comprehensive literacy instruction and track*
2 *child literacy progress.*

3 “(H) *A description of how families and*
4 *caregivers will be involved in supporting their*
5 *children’s literacy instruction and assessment.*

6 “(I) *A description of how, if an eligible en-*
7 *tity is requesting a planning period, the eligible*
8 *entity will use that planning period to prepare*
9 *for successful implementation of a plan to sup-*
10 *port the development of learning and literacy*
11 *consistent with the purposes of this subpart.*

12 “(J) *A description of the literacy initia-*
13 *tives, if any, in place and how these initiatives*
14 *will be coordinated and integrated with activi-*
15 *ties supported under this section.*

16 “(K) *An assurance that the eligible entity*
17 *will, if requested, participate in the national*
18 *evaluation described in section 4110.*

19 “(b) *LOCAL USES OF FUNDS FOR KINDERGARTEN*
20 *THROUGH GRADE 5.—An eligible entity that receives a*
21 *subgrant under this section shall use the subgrant funds to*
22 *carry out the following activities pertaining to children in*
23 *kindergarten through grade 5:*

24 “(1) *Developing and implementing a literacy*
25 *plan across content areas that—*

1 “(A) serves the needs of all children, includ-
2 ing children with disabilities and English learn-
3 ers, especially children who are reading or writ-
4 ing below grade level;

5 “(B) provides intensive, supplemental, ac-
6 celerated, and explicit intervention and support
7 in reading and writing for children whose lit-
8 eracy skills are below grade level; and

9 “(C) supports activities that are provided
10 primarily during the regular school day but
11 which may be augmented by after-school and
12 out-of-school time instruction.

13 “(2) Acquiring, providing training for, selecting,
14 and administering assessments, and managing, moni-
15 toring, and planning instruction based on the assess-
16 ment data.

17 “(3) Providing high-quality professional develop-
18 ment opportunities for teachers, literacy coaches, lit-
19 eracy specialists, English as a second language spe-
20 cialists (as appropriate), principals, and other pro-
21 gram staff.

22 “(4) Training principals, specialized instruc-
23 tional support personnel, and other school district
24 personnel to support, develop, administer, and evalu-

1 *ate high-quality kindergarten through grade 5 literacy*
2 *initiatives that—*

3 *“(A) utilize data—*

4 *“(i) to inform instructional decisions;*

5 *and*

6 *“(ii) to assess professional development*
7 *needs; and*

8 *“(B) provide time and support for teachers*
9 *and other instructional staff to meet to plan*
10 *comprehensive literacy instruction.*

11 *“(5) Coordinating the involvement of early*
12 *learning program staff, principals, other instructional*
13 *leaders, teachers, teacher literacy teams, English as a*
14 *second language specialists (as appropriate), special*
15 *educators, and school librarians in the literacy devel-*
16 *opment of children served under this subpart.*

17 *“(6) Engaging families and encouraging family*
18 *literacy experiences and practices to support literacy*
19 *development.*

20 *“(7) Annually collecting, summarizing, and re-*
21 *porting to the State educational agency data—*

22 *“(A) to document and monitor for the pur-*
23 *pose of improving practice, improvements, or in-*
24 *creases in children’s reading and writing pursu-*
25 *ant to activities carried out under this section;*

1 “(B) to stimulate and accelerate improve-
2 ment by identifying the schools that produce sig-
3 nificant gains in literacy achievement; and

4 “(C) for all children and categories of chil-
5 dren, including the subgroups of children de-
6 scribed in section 1111(a)(2)(B)(x), in a manner
7 that utilizes a variety of measures and that is
8 consistent across the State.

9 “(c) LOCAL USES OF FUNDS FOR GRADES 6 THROUGH
10 12.—An eligible entity that receives a subgrant under this
11 section shall use subgrant funds to carry out the following
12 activities pertaining to children in grades 6 through 12:

13 “(1) Developing and implementing a literacy
14 plan described in paragraphs (1), (2), (3), (6), and
15 (7) of subsection (b) for children in grades 6 through
16 12.

17 “(2) Training principals, specialized instruc-
18 tional support personnel, and other instructional
19 leaders to support, develop, administer, and evaluate
20 high-quality adolescent literacy initiatives that—

21 “(A) utilize data—

22 “(i) to inform instructional decisions
23 and allow for personalization of instruction
24 based on a child’s need; and

1 “(ii) to assess professional development
2 needs;

3 “(B) assess the quality of adolescent com-
4 prehensive literacy instruction in core academic
5 subjects, and career and technical education sub-
6 jects where such career and technical education
7 subjects provide for the integration of core aca-
8 demic subjects;

9 “(C) provide time for teachers to meet to
10 plan research-based adolescent comprehensive lit-
11 eracy instruction in core academic subjects, and
12 career and technical education subjects where
13 such career and technical education subjects pro-
14 vide for the integration of core academic subjects;
15 and

16 “(D) include explicit instruction in dis-
17 cipline-specific thinking and how to read and in-
18 terpret discipline-specific text structures and fea-
19 tures.

20 “(3) Coordinating the involvement of principals,
21 other instructional leaders, teachers, teacher literacy
22 teams, English as a second language specialists (as
23 appropriate), special educators, and school librarians
24 in the literacy development of children served under
25 this subpart.

1 “(d) *ALLOWABLE USES.*—An eligible entity that re-
2 ceives a subgrant under this section may, in addition to
3 carrying out the activities described in subsections (b) and
4 (c), use subgrant funds to carry out the following activities
5 pertaining to children in kindergarten through grade 12:

6 “(1) *Providing a planning period of not more*
7 *than 1 year for eligible entities to establish the ele-*
8 *ments necessary for successful implementation of a*
9 *literacy program for kindergarten through grade 12.*

10 “(2) *Recruiting, placing, training, and compen-*
11 *sating literacy coaches.*

12 “(3) *Connecting out-of-school learning opportu-*
13 *nities to in-school learning in order to improve the*
14 *literacy achievement of the children.*

15 “(4) *Training families and caregivers to support*
16 *the improvement of adolescent literacy.*

17 “(5) *Providing for a multi-tier system of sup-*
18 *port.*

19 “(6) *Forming a school literacy leadership team*
20 *to help implement, assess, and identify necessary*
21 *changes to the literacy initiatives in 1 or more schools*
22 *to ensure success.*

23 “(7) *Providing high-quality, literacy-rich envi-*
24 *ronments that engage children with materials and ex-*
25 *periences at the children’s reading and writing levels.*

1 “(8) *Providing time for teachers (and other lit-*
2 *eracy staff, as appropriate, such as school librarians)*
3 *to meet to plan comprehensive literacy instruction.*

4 “(e) *LIMITATION OF USE TO CERTAIN SCHOOLS.—An*
5 *eligible entity receiving a subgrant under this section shall,*
6 *in distributing the subgrant funds, provide the subgrant*
7 *funds only to schools, including public charter schools, that*
8 *have the highest percentages or numbers of children counted*
9 *under section 1124(c).*

10 **“SEC. 4110. NATIONAL EVALUATION, INFORMATION DIS-**
11 **SEMINATION, AND TECHNICAL ASSISTANCE.**

12 “(a) *NATIONAL EVALUATION.—*

13 “(1) *IN GENERAL.—From the amount reserved*
14 *in accordance with section 9601, the Secretary shall*
15 *enter into a contract with an organization inde-*
16 *pendent of the Department for a 5-year national eval-*
17 *uation of the grant and subgrant programs assisted*
18 *under this subpart. Such evaluation shall include sci-*
19 *entifically valid research that applies rigorous and*
20 *systematic procedures to obtain valid knowledge rel-*
21 *evant to the implementation and effect of the pro-*
22 *grams.*

23 “(2) *CONTENTS OF EVALUATION.—The evalua-*
24 *tion described in this subsection shall include an*
25 *analysis of each of the following:*

1 “(A) *The impact of the implementation of*
2 *literacy initiatives and practices supported*
3 *under this subpart on—*

4 “(i) *increasing academic outcomes, in-*
5 *cluding child literacy development in read-*
6 *ing and writing, and speaking (as appro-*
7 *priate), grade promotion, and graduation to*
8 *the extent predictable;*

9 “(ii) *promoting the appropriate early*
10 *literacy development of young children; and*

11 “(iii) *strengthening the literacy skills*
12 *of English learners and children with dis-*
13 *abilities.*

14 “(B) *The fidelity of implementation of core*
15 *program features, such as coherence of the pro-*
16 *gram across grades, quality of technical assist-*
17 *ance, State and local educational agency leader-*
18 *ship, professional development for teachers and*
19 *administrators, use of quality materials and*
20 *pedagogy, and use of assessment.*

21 “(C) *The relationship between implementa-*
22 *tion of core features and children’s academic out-*
23 *comes.*

24 “(D) *Other inquiries as designated by the*
25 *Secretary, such as—*

1 “(i) the core functions of literacy ini-
2 tiatives that have demonstrated the greatest
3 impact on child literacy achievement, espe-
4 cially among children reading below grade
5 level;

6 “(ii) effective strategies to integrate
7 State and local standards, curricula, assess-
8 ments, instruction, materials, and interven-
9 tions to improve literacy;

10 “(iii) the types of literacy activities
11 and professional development that most ef-
12 fectively improve the early reading, writing,
13 and language skills of children from birth
14 through kindergarten entry;

15 “(iv) the impact of adolescent literacy
16 initiatives on adolescent motivation, engage-
17 ment, and participation in adolescent lit-
18 eracy activities;

19 “(v) the relationship between children’s
20 literacy achievement and secondary school
21 success, including improving graduation
22 rates; and

23 “(vi) effective strategies to integrate
24 school and public library programs to im-
25 prove literacy.

1 “(3) *PROGRAM IMPROVEMENT.*—*The Secretary*
2 *shall—*

3 “(A) *provide the findings of the evaluation*
4 *conducted under this section to State educational*
5 *agencies and subgrant recipients for use in pro-*
6 *gram improvement;*

7 “(B) *make such findings publicly available,*
8 *including on the Department’s website; and*

9 “(C) *submit such findings to the author-*
10 *izing committees.*

11 “(b) *INFORMATION DISSEMINATION AND TECHNICAL*
12 *ASSISTANCE.*—

13 “(1) *IN GENERAL.*—*From amounts reserved*
14 *under section 4104(a)(1)(A), the Secretary, in collabo-*
15 *ration with the regional educational laboratories es-*
16 *tablished under section 174 of the Education Sciences*
17 *Reform Act of 2002, the comprehensive centers estab-*
18 *lished under section 203 of the Educational Technical*
19 *Assistance Act of 2002, and the Director of the Eunice*
20 *Kennedy Shriver National Institute of Child Health*
21 *and Human Development, shall—*

22 “(A) *distribute information on—*

23 “(i) *comprehensive literacy instruction,*
24 *including best practices and model pro-*
25 *grams identified in the evaluation;*

1 “(ii) other inquiries designated by the
2 Secretary under subsection (a)(2)(D); or

3 “(iii) other relevant Federal studies of
4 literacy activities; and

5 “(B) provide technical assistance in order
6 to assist States and local educational agencies in
7 improving comprehensive literacy instruction
8 and learning.

9 “(2) DISSEMINATION AND COORDINATION.—The
10 Secretary shall disseminate the information described
11 in paragraph (1)(A) to—

12 “(A) recipients of Federal financial assist-
13 ance under this subpart, the Head Start Act, the
14 Individuals with Disabilities Education Act, and
15 the Adult Education and Family Literacy Act;
16 and

17 “(B) each Bureau-funded school (as defined
18 in section 1141 of the Education Amendments of
19 1978 (25 U.S.C. 2021)).

20 “(3) USE OF NETWORKS.—In carrying out this
21 subsection, the Secretary shall, to the extent prac-
22 ticable, use information and dissemination networks
23 developed and maintained through other public and
24 private entities.

1 **“SEC. 4111. RULES OF CONSTRUCTION.**

2 “(a) *CHILD ELIGIBILITY.*—Nothing in this subpart
3 shall be construed to prohibit children eligible for assistance
4 under title I or III or children eligible for assistance under
5 part B or C of the Individuals with Disabilities Education
6 Act from receiving literacy instruction and intervention
7 under this subpart.

8 “(b) *IDEA EVALUATION.*—The screening assessments,
9 diagnostic assessments, and formative assessments of read-
10 ing and writing authorized under this subpart shall not be
11 construed to constitute an evaluation required under part
12 B or C of the Individuals with Disabilities Education Act,
13 except that assessments administered under this Act may
14 be used in conjunction with other assessments as part of
15 an evaluation under part B or C of the Individuals with
16 Disabilities Education Act, provided that the respective
17 evaluation requirements under part B or C of such Act are
18 met.

19 **“Subpart 2—Improving Literacy and College and Ca-**
20 **reer Readiness Through Effective School Library**
21 **Programs**

22 **“SEC. 4113. PURPOSE.**

23 “The purpose of this subpart is to improve students’
24 literacy skills and readiness for higher education and ca-
25 reers, by providing students with effective school library
26 programs.

1 **“SEC. 4114. DEFINITIONS.**2 *“In this subpart:*3 *“(1) EFFECTIVE SCHOOL LIBRARY PROGRAM.—*4 *The term ‘effective school library program’ means a*
5 *school library program that—*6 *“(A) is staffed by a State certified or li-*
7 *censed school librarian;*8 *“(B) has up-to-date books, materials, equip-*
9 *ment, and technology (including broadband);*10 *“(C) includes regular collaboration between*
11 *classroom teachers and school librarians to assist*
12 *with development and implementation of the*
13 *curriculum and other school reform efforts; and*14 *“(D) supports the development of digital lit-*
15 *eracy skills.*16 *“(2) ELIGIBLE ENTITY.—The term ‘eligible enti-*
17 *ty’ means—*18 *“(A) a local educational agency in which*
19 *not less than 20 percent of the students served by*
20 *the local educational agency are from families*
21 *with incomes below the poverty line;*22 *“(B) a local educational agency that has a*
23 *percentage of low-income children that is in the*
24 *highest quartile among all local educational*
25 *agencies in the State; or*

1 “(C) a consortia of local educational agen-
2 cies described in subparagraph (A) or (B).

3 **“SEC. 4115. IMPROVING LITERACY AND COLLEGE AND CA-**
4 **REER READINESS THROUGH EFFECTIVE**
5 **SCHOOL LIBRARY PROGRAM GRANTS.**

6 “(a) GRANTS TO LOCAL EDUCATIONAL AGENCIES.—

7 “(1) IN GENERAL.—From amounts appropriated
8 under section 3(k) for this subpart, the Secretary shall
9 award grants, on a competitive basis, to eligible enti-
10 ties to enable such entities to carry out the authorized
11 activities described in subsection (b).

12 “(2) SUFFICIENT SIZE AND SCOPE.—The Sec-
13 retary shall award grants under this section of suffi-
14 cient size and scope to allow the eligible entities to
15 carry out effective school library programs for which
16 the grant funds are provided.

17 “(3) DISTRIBUTION.—The Secretary shall ensure
18 that grants under this section are equitably distrib-
19 uted among the different geographic regions of the
20 United States, and among eligible entities serving
21 urban and rural areas.

22 “(4) DURATION.—A grant awarded under this
23 section shall be for a period of 3 years.

24 “(5) LOCAL APPLICATIONS.—An eligible entity
25 desiring to receive a grant under this section shall

1 submit an application to the Secretary at such time,
2 in such manner, and containing such information as
3 the Secretary may require. Such application shall in-
4 clude, for each school that the eligible entity identifies
5 as participating in a grant program under this sec-
6 tion, the following information:

7 “(A) a needs assessment relating to the need
8 for literacy improvement at all grade levels and
9 the need for effective school library programs,
10 based on the age and condition of school library
11 resources, including—

12 “(i) book collections;

13 “(ii) access to advanced technology;

14 “(iii) the availability of well-trained,
15 State-certified or licensed school librarians;
16 and

17 “(iv) the current level of coordination
18 and shared planning time among school li-
19 brarians and classroom teachers;

20 “(B) a description of which grade spans
21 will be served, and an assurance that funding
22 will be distributed to serve students in elemen-
23 tary, middle, and high schools;

24 “(C) how the eligible entity will extensively
25 involve school librarians, teachers, administra-

1 *tors, and parents in the activities assisted under*
 2 *this section, and the manner in which the eligi-*
 3 *ble entity will carry out the activities described*
 4 *in subsection (b) using programs and materials*
 5 *that are grounded in scientifically valid re-*
 6 *search;*

7 *“(D) the manner in which the eligible entity*
 8 *will effectively coordinate the funds and activi-*
 9 *ties provided under this section with Federal,*
 10 *State, and local funds and activities under this*
 11 *subpart and other literacy, library, technology,*
 12 *and professional development funds and activi-*
 13 *ties, including those funded through the Institute*
 14 *of Museum and Library Services; and*

15 *“(E) the manner in which the eligible entity*
 16 *will collect and analyze data on the quality and*
 17 *impact of activities carried out under this sec-*
 18 *tion by schools served by the eligible entity.*

19 *“(b) LOCAL ACTIVITIES.—Funds under this section*
 20 *may be used to develop and enhance effective school library*
 21 *programs, which may include activities to—*

22 *“(1) acquire up-to-date school library resources,*
 23 *including books and reading materials that—*

24 *“(A) are appropriate for students in all*
 25 *grade levels to be served and for students with*

1 *special learning needs, including students who*
2 *are English learners; and*

3 *“(B) engage the interest of readers at all*
4 *reading levels;*

5 *“(2) acquire and use advanced technology, incor-*
6 *porated into the curricula of the school, to develop*
7 *and enhance the digital literacy skills of students;*

8 *“(3) facilitate Internet links and other resource-*
9 *sharing networks among schools and school libraries,*
10 *and public and academic libraries, where possible;*

11 *“(4) provide—*

12 *“(A) professional development in the acqui-*
13 *sition of digital literacy skills and literacy in-*
14 *struction that is appropriate for all grades, in-*
15 *cluding the assessment of student literacy needs,*
16 *the coordination of reading and writing instruc-*
17 *tion across content areas, and training in lit-*
18 *eracy strategies in all content areas for school li-*
19 *brarians; and*

20 *“(B) activities that foster increased collabo-*
21 *ration among school librarians, teachers, and ad-*
22 *ministrators; and*

23 *“(5) provide students with access to school li-*
24 *braries during nonschool hours, including the hours*

1 *before and after school, during weekends, and during*
2 *summer vacation periods.*

3 “(c) *SUPPLEMENT NOT SUPPLANT.*—*Funds made*
4 *available under this section shall be used to supplement,*
5 *and not supplant, other Federal, State, and local funds ex-*
6 *pende* to carry out activities relating to library, tech-
7 *nology, or professional development activities.*

8 “(d) *ACCOUNTABILITY AND REPORTING.*—*Each eligi-*
9 *ble entity that receives funds under this section for a fiscal*
10 *year shall prepare and submit a report to the Secretary*
11 *regarding how the funding was used and the extent to which*
12 *the availability of, the access to, and the use of, up-to-date*
13 *school library resources in the elementary schools and sec-*
14 *ondary schools served by the eligible entity was increased.”.*

15 **SEC. 4103. IMPROVING SCIENCE, TECHNOLOGY, ENGINEER-**
16 **ING, AND MATHEMATICS INSTRUCTION AND**
17 **STUDENT ACHIEVEMENT.**

18 (a) *REDESIGNATION.*—*Title IV (20 U.S.C. 7101 et*
19 *seq.) is amended—*

20 (1) *by redesignating part B as part F, and*
21 *transferring such part F so as to follow part E, as*
22 *added by section 4106;*

23 (2) *by striking section 4206; and*

1 (3) *by redesignating sections 4201, 4202, 4203,*
 2 *4204, and 4205, as sections 4601, 4602, 4603, 4604,*
 3 *and 4605, respectively.*

4 ***(b) IMPROVING SCIENCE, TECHNOLOGY, ENGINEERING,***
 5 ***AND MATH INSTRUCTION AND STUDENT ACHIEVEMENT.—***
 6 ***Title IV (20 U.S.C. 7101 et seq.) is amended by inserting***
 7 ***after part A the following:***

8 ***“PART B—IMPROVING SCIENCE, TECHNOLOGY,***
 9 ***ENGINEERING, AND MATHEMATICS INSTRU-***
 10 ***CTION AND STUDENT ACHIEVEMENT***

11 ***“Subpart 1—Improving STEM Instruction and***
 12 ***Student Achievement***

13 ***“SEC. 4201. PURPOSE.***

14 ***“The purpose of this subpart is to improve student***
 15 ***academic achievement in science, technology, engineering,***
 16 ***and mathematics, including computer science, by—***

17 ***“(1) improving instruction in such subjects***
 18 ***through grade 12;***

19 ***“(2) improving student engagement in, and in-***
 20 ***creasing student access to, such subjects;***

21 ***“(3) improving the quality and effectiveness of***
 22 ***classroom instruction by recruiting, training, and***
 23 ***supporting highly rated teachers and providing robust***
 24 ***tools and supports for students and teachers in such***
 25 ***subjects; and***

1 “(4) closing student achievement gaps, and pre-
2 paring more students to be college and career ready
3 in such subjects.

4 **“SEC. 4202. DEFINITIONS.**

5 *“In this subpart:*

6 “(1) *ELIGIBLE ENTITY.*—*The term ‘eligible enti-*
7 *ty’ means—*

8 “(A) *a State educational agency; or*

9 “(B) *a State educational agency in partner-*
10 *ship with 1 or more State educational agencies.*

11 “(2) *ELIGIBLE SUBGRANTEE.*—*The term ‘eligible*
12 *subgrantee’ means—*

13 “(A) *a high-need local educational agency;*

14 “(B) *an educational service agency serving*
15 *more than 1 high-need local educational agency;*

16 “(C) *a consortium of high-need local edu-*
17 *cational agencies; or*

18 “(D) *an entity described in subparagraph*
19 *(A) or (C) of paragraph (3) that has signed a*
20 *memorandum of agreement with an entity de-*
21 *scribed in subparagraph (A), (B), or (C) of this*
22 *paragraph to implement the requirements of this*
23 *subpart in partnership with such entity.*

24 “(3) *OUTSIDE PARTNER.*—*The term ‘outside*
25 *partner’ means an entity that has expertise and a*

1 *demonstrated record of success in improving student*
 2 *learning and engagement in the identified subjects de-*
 3 *scribed in section 4204(b)(2), including any of the fol-*
 4 *lowing:*

5 “(A) *A nonprofit or community-based orga-*
 6 *nization, which may include a cultural organi-*
 7 *zation, such as a museum or learning center.*

8 “(B) *A business.*

9 “(C) *An institution of higher education.*

10 “(D) *An educational service agency.*

11 “(4) *STATE.—The term ‘State’ means—*

12 “(A) *any of the 50 States;*

13 “(B) *the District of Columbia;*

14 “(C) *the Bureau of Indian Education; or*

15 “(D) *the Commonwealth of Puerto Rico.*

16 **“SEC. 4203. GRANTS; ALLOTMENTS.**

17 “(a) *RESERVATIONS.—*

18 “(1) *IN GENERAL.—From the amounts appro-*
 19 *priated for this part for a fiscal year, the Secretary*
 20 *shall reserve—*

21 “(A) *not more than 2 percent to provide*
 22 *technical assistance to States under this subpart;*

23 “(B) *not more than 5 percent for State ca-*
 24 *capacity-building grants under this subpart, if the*

1 *Secretary is awarding such grants in accordance*
2 *with paragraph (2); and*

3 “(C) 10 percent for the STEM Master
4 Teacher Corps program under subpart 2.

5 “(2) CAPACITY-BUILDING GRANTS.—

6 “(A) IN GENERAL.—*In any year for which*
7 *funding is distributed competitively, as described*
8 *in subsection (b)(1), the Secretary may award 1*
9 *capacity-building grant to each State that does*
10 *not receive a grant under subsection (b), on a*
11 *competitive basis, to enable such State to become*
12 *more competitive in future years.*

13 “(B) DURATION.—*Grants awarded under*
14 *subparagraph (A) shall be for a period of 1 year.*

15 “(b) COMPETITIVE GRANTS.—

16 “(1) IN GENERAL.—*For each fiscal year for*
17 *which the amount appropriated to carry out this*
18 *part, and not reserved under subsection (a)(1), is less*
19 *than \$500,000,000, the Secretary shall award grants,*
20 *on a competitive basis, to eligible entities to enable*
21 *such eligible entities to carry out the activities de-*
22 *scribed in this subpart.*

23 “(2) DURATION.—*Grants awarded under this*
24 *subsection shall be for a period of not more than 3*
25 *years.*

1 “(3) *RENEWAL.*—

2 “(A) *IN GENERAL.*—*If an eligible entity*
3 *demonstrates progress, as measured by the*
4 *metrics described in section 4206(a), the Sec-*
5 *retary may renew a grant for an additional 2-*
6 *year period.*

7 “(B) *REDUCED FUNDING.*—*Grant funds*
8 *awarded under subparagraph (A) shall be*
9 *awarded at a reduced amount.*

10 “(c) *FORMULA GRANTS.*—

11 “(1) *IN GENERAL.*—*For each fiscal year for*
12 *which the amount appropriated to carry out this*
13 *part, and not reserved under subsection (a)(1), is*
14 *equal to or more than \$500,000,000, the Secretary*
15 *shall award grants to States, based on the formula de-*
16 *scribed in paragraph (2).*

17 “(2) *DISTRIBUTION OF FUNDS.*—*The Secretary*
18 *shall allot to each State—*

19 “(A) *an amount that bears the same rela-*
20 *tionship to 35 percent of the excess amount de-*
21 *scribed in paragraph (1) as the number of indi-*
22 *viduals ages 5 through 17 in the State, as deter-*
23 *mined by the Secretary on the basis of the most*
24 *recent satisfactory data, bears to the number of*

1 *those individuals in all such States, as so deter-*
2 *mined; and*

3 “(B) *an amount that bears the same rela-*
4 *ationship to 65 percent of the excess amount as*
5 *the number of individuals ages 5 through 17*
6 *from families with incomes below the poverty*
7 *line in the State, as determined by the Secretary*
8 *on the basis of the most recent satisfactory data,*
9 *bears to the number of those individuals in all*
10 *such States, as so determined.*

11 “(3) *FUNDING MINIMUM.—No State receiving an*
12 *allotment under this subsection may receive less than*
13 *one-half of 1 percent of the total amount allotted*
14 *under paragraph (1) for a fiscal year.*

15 “(4) *PUERTO RICO.—The amount allotted under*
16 *paragraph (2) to the Commonwealth of Puerto Rico*
17 *for a fiscal year may not exceed one-half of 1 percent*
18 *of the total amount allotted under paragraph (1) for*
19 *such fiscal year.*

20 “(5) *REALLOTMENT OF UNUSED FUNDS.—If a*
21 *State does not successfully apply, the Secretary shall*
22 *reallot the amount of the State’s allotment to the re-*
23 *maining States in accordance with this subsection.*

1 **“SEC. 4204. APPLICATIONS.**

2 “(a) *IN GENERAL.*—Each eligible entity or State desir-
3 ing a grant under this subpart, whether through a competi-
4 tive grant under section 4203(b) or through an allotment
5 under section 4203(c), shall submit an application to the
6 Secretary at such time, in such manner, and accompanied
7 by such information as the Secretary may require.

8 “(b) *CONTENTS.*—At a minimum, an application sub-
9 mitted under subsection (a) shall include the following:

10 “(1) A description of the needs, including assets,
11 identified by the State or eligible entity, based on a
12 State analysis, which—

13 “(A) may include results from a relevant
14 pre-existing analysis of science, technology, engi-
15 neering, and mathematics education quality and
16 outcomes in the State or States served by the eli-
17 gible entity;

18 “(B) shall include data for elementary
19 school and secondary school grades, as applica-
20 ble, to the extent that such data are available,
21 on—

22 “(i) student achievement in mathe-
23 matics, including such data collected in ac-
24 cordance with the requirements of section
25 1111(a)(3)(A), and student achievement in
26 science, technology, and engineering;

1 “(ii) science, technology, engineering,
2 and mathematics teacher evaluations;

3 “(iii) student access to mathematics
4 and science courses needed to enroll in cred-
5 it-bearing coursework at institutions of
6 higher education in the State or States
7 served by the eligible entity;

8 “(iv) access to science, technology, engi-
9 neering, and mathematics courses for stu-
10 dents through grade 12 who—

11 “(I) are eligible to receive a free
12 or reduced priced lunch under the
13 Richard B. Russell National School
14 Lunch Act (42 U.S.C. 1751 et seq.); or

15 “(II) come from families with an
16 income that is below the poverty line;

17 “(v) student achievement gaps in
18 science, technology, engineering, and mathe-
19 matics subjects;

20 “(vi) the percentage of students who
21 successfully—

22 “(I) complete Advanced Placement
23 or International Baccalaureate courses
24 in science, technology, engineering, and
25 mathematics subjects; or

1 “(II) complete rigorous, credit-
2 bearing postsecondary education
3 courses in science, technology, engineer-
4 ing, and mathematics subjects;

5 “(vii) the information collected under
6 section 1111(d)(3)(B)(viii)(IV);

7 “(viii) available instructional systems
8 and supports, such as curricula, instruc-
9 tional materials, professional development,
10 teacher evaluation systems, and assessments;

11 “(ix) science, technology, engineering,
12 and mathematics teacher qualifications; and

13 “(x) teacher shortages and teacher dis-
14 tribution among local educational agencies
15 and schools in science, technology, engineer-
16 ing, and mathematics subjects;

17 “(C) shall include labor market information
18 regarding the industry and business workforce
19 needs within the area served by the eligible enti-
20 ty;

21 “(D) shall include an analysis of the qual-
22 ity of pre-service preparation at all public insti-
23 tutions of higher education (including alter-
24 native pathways to teacher licensure or certifi-
25 cation) for individuals preparing to teach

1 science, technology, engineering, and mathe-
2 matics subjects in a preschool, elementary school,
3 or secondary school in the State; and

4 “(E) shall include an analysis of the imple-
5 mentation of any multi-tier systems of support
6 that have been employed in the State or States
7 served by the eligible entity to address the learn-
8 ing needs of students in any science, technology,
9 engineering, and mathematics subjects.

10 “(2) An identification of the specific science,
11 technology, engineering, and mathematics subjects
12 that the State or eligible entity will address through
13 the activities described in section 4205, consistent
14 with the needs identified under paragraph (1) (re-
15 ferred to in this subpart as ‘identified subjects’).

16 “(3) A description, in a manner that addresses
17 any needs identified under paragraph (1), of—

18 “(A) how grant funds will be used by the
19 State or eligible entity to improve instruction in
20 identified subjects using evidence-based programs
21 of instruction that are aligned with the college
22 and career ready standards and academic assess-
23 ments under paragraphs (1) and (2) of section
24 1111(a);

1 “(B) how grant funds will be used to sup-
2 port subgrantees and other high-need local edu-
3 cational agencies in the employment of multi-
4 tiered systems of support to provide early inter-
5 vening services, as described in section
6 613(a)(4)(A)(ii) of the Individuals with Disabil-
7 ities Education Act, and to increase student
8 achievement in identified subjects;

9 “(C) the process that the State or eligible
10 entity will use for awarding subgrants, including
11 how relevant stakeholders will be involved;

12 “(D) how the State’s or eligible entity’s ac-
13 tivities and subgrants will be coordinated with
14 other Federal, State, and local programs and ac-
15 tivities, including career and technical education
16 programs authorized under the Carl D. Perkins
17 Career and Technical Education Act of 2006 (20
18 U.S.C. 2301 et seq.);

19 “(E) the technical assistance that the State
20 or eligible entity will provide to subgrantees to
21 support the activities undertaken by the sub-
22 grantees;

23 “(F) how the State or eligible entity will
24 evaluate the activities funded, both at the State
25 and subgrantee level, with funds provided under

1 *this subpart, and in a manner consistent with*
2 *any evaluation activities carried out by the In-*
3 *stitute of Education Sciences under section 4207,*
4 *or the National Science Foundation;*

5 “(G) *how the State or eligible entity will al-*
6 *locate funds in a manner that will provide serv-*
7 *ices to both elementary schools and secondary*
8 *schools;*

9 “(H) *how the State or eligible entity will*
10 *provide targeted support to improve instruction*
11 *in high-need local educational agencies and high-*
12 *need schools;*

13 “(I) *how the State or eligible entity’s pro-*
14 *posed project will ensure an increase in access*
15 *for students who are members of groups under-*
16 *represented in science, technology, engineering,*
17 *and mathematics subject fields to high-quality*
18 *courses in 1 or more of the identified subjects;*
19 *and*

20 “(J) *how the State or eligible entity will*
21 *continue to involve stakeholders in education re-*
22 *form efforts related to science, technology, engi-*
23 *neering, and mathematics instruction.*

1 “(4) Assurances that the State or eligible entity
2 will monitor implementation of approved subgrantee
3 plans.

4 “(c) *ADDITIONAL FUNDING.*—A State or eligible entity
5 that submits a request to use the additional State activities
6 reservation described in section 4205(d)(2), shall provide,
7 in a manner that addresses the needs identified under sub-
8 section (b)(1), a description of the activities that the eligible
9 entity will carry out with such funds, consistent with sec-
10 tion 4205.

11 **“SEC. 4205. AUTHORIZED ACTIVITIES.**

12 “(a) *REQUIRED ACTIVITIES.*—Each State or eligible
13 entity that receives a grant under this subpart shall use
14 the grant funds to carry out each of the following activities:

15 “(1) Increasing access for students through grade
16 12 who are members of groups underrepresented in
17 science, technology, engineering, and mathematics
18 subject fields to high-quality courses in the identified
19 subjects.

20 “(2) Implementing evidence-based programs of
21 instruction based on high-quality standards and as-
22 sessments in the identified subjects.

23 “(3) Providing professional development and
24 other comprehensive systems of support for teachers

1 *and school leaders to promote high-quality instruction*
2 *and instructional leadership in the identified subjects.*

3 “(4) *Providing technical assistance to sub-*
4 *grantees and other high-need schools and local edu-*
5 *cational agencies in order to improve student achieve-*
6 *ment and narrow achievement gaps in identified sub-*
7 *jects, including through—*

8 “(A) *the development and implementation*
9 *of multi-tier systems of support; and*

10 “(B) *the development of curriculum or in-*
11 *structional materials consistent with the prin-*
12 *cipals of universal design for learning.*

13 “(b) *PERMISSIBLE ACTIVITIES.—Each State or eligi-*
14 *ble entity that receives a grant under this subpart may use*
15 *the grant funds to carry out 1 or more of the following ac-*
16 *tivities:*

17 “(1) *Recruiting qualified teachers and instruc-*
18 *tional leaders who are trained in identified subjects,*
19 *including teachers who have transitioned into the*
20 *teaching profession from a career in science, tech-*
21 *nology, engineering, and mathematics fields.*

22 “(2) *Recruiting and training teachers to teach*
23 *dual credit and dual enrollment postsecondary-level*
24 *courses to high school students in identified subjects.*

1 “(3) *Providing induction and mentoring services*
2 *to new teachers in identified subjects.*

3 “(4) *Developing instructional supports, such as*
4 *curricula and assessments, which shall be evidence-*
5 *based and aligned with State college and career ready*
6 *academic content standards under section 1111(a)(1),*
7 *and may include Internet-based curricula and Inter-*
8 *net-based instructional supports.*

9 “(5) *Implementing an interdisciplinary ap-*
10 *proach, by integrating instruction in 1 or more*
11 *science, technology, engineering, and mathematics*
12 *subjects with reading, English language arts, or in-*
13 *struction in other core academic subjects and noncore*
14 *academic subjects.*

15 “(c) *SUBGRANTS.—*

16 “(1) *IN GENERAL.—Each State or eligible entity*
17 *that receives a grant under this section shall award*
18 *subgrants, on a competitive basis, to eligible sub-*
19 *grantees.*

20 “(2) *MINIMUM SUBGRANT.—A State or eligible*
21 *entity shall award subgrants under this subsection*
22 *that are of sufficient size and scope to support high-*
23 *quality, evidence-based, effective programs that are*
24 *consistent with the purpose of this subpart.*

25 “(3) *SUBGRANTEE APPLICATION.—*

1 “(A) *IN GENERAL.*—Each eligible sub-
2 grantee desiring a subgrant under this subsection
3 shall submit an application to the State or eligi-
4 ble entity at such time, in such manner, and ac-
5 companied by such information as the State or
6 eligible entity may require.

7 “(B) *CONTENTS OF SUBGRANTEE APPLICA-*
8 *TION.*—At a minimum, the application described
9 in subparagraph (A) shall include the following:

10 “(i) *A description of the activities that*
11 *the eligible subgrantee will carry out, and*
12 *how such activities will improve teaching*
13 *and student academic achievement in the*
14 *identified subjects, in a manner consistent*
15 *with scientifically valid research.*

16 “(ii) *A description of how the eligible*
17 *subgrantee will use funds provided under*
18 *this subsection to serve students and teach-*
19 *ers in high-need schools.*

20 “(iii) *A description of how funds pro-*
21 *vided under this subsection will be coordi-*
22 *nated with other Federal, State, and local*
23 *programs and activities, including career*
24 *and technical education programs author-*
25 *ized under the Carl D. Perkins Career and*

1 *Technical Education Act of 2006 (20 U.S.C.*
2 *2301 et seq.).*

3 “(iv) *If the eligible subgrantee is work-*
4 *ing with outside partners, a description of*
5 *how such outside partners will be involved*
6 *in improving instruction and increasing ac-*
7 *cess to high-quality learning experiences in*
8 *the identified subjects.*

9 “(4) *SUBGRANTEE USE OF FUNDS.—*

10 “(A) *REQUIRED USE OF FUNDS.—Each sub-*
11 *grantee under this subsection shall use the*
12 *subgrant funds to carry out activities for stu-*
13 *dents through grade 12, consistent with the ac-*
14 *tivities described in the subgrantee’s application,*
15 *which shall include—*

16 “(i) *high-quality teacher and instruc-*
17 *tional leader recruitment, support, and*
18 *evaluation in the identified subjects;*

19 “(ii) *professional development, which*
20 *may include development and support for*
21 *instructional coaches, to enable teachers and*
22 *instructional leaders to increase student*
23 *achievement in identified subjects,*
24 *through—*

1 “(I) implementation of classroom
2 assessments; and

3 “(II) differentiation of instruction
4 in identified subjects for all students,
5 including for students who are children
6 with disabilities and students who are
7 English learners;

8 “(iii) activities to—

9 “(I) improve the content knowl-
10 edge of teachers; and

11 “(II) facilitate professional col-
12 laboration, which may include pro-
13 viding time for such collaborations;

14 “(iv) the development, adoption, and
15 improvement of high-quality curricula and
16 instructional supports that—

17 “(I) are aligned with State college
18 and career ready academic content
19 standards under section 1111(a)(1);
20 and

21 “(II) the eligible subgrantee will
22 use to improve student academic
23 achievement in identified subjects;

24 “(v) the development or improvement,
25 and implementation, of multi-tier systems

1 *of support to provide early intervening serv-*
2 *ices and to increase student achievement in*
3 *1 or more of the identified subjects; and*

4 “(vi) *integrating instruction in the*
5 *identified subjects with instruction in read-*
6 *ing, English language arts, or other core*
7 *and noncore academic subjects.*

8 “(B) *ALLOWABLE USE OF FUNDS.—In addi-*
9 *tion to the required activities described in sub-*
10 *paragraph (A), each eligible subgrantee that re-*
11 *ceives a subgrant under this subsection, may also*
12 *use the subgrant funds to—*

13 “(i) *support the participation of low-*
14 *income students in nonprofit competitions*
15 *related to science, technology, engineering,*
16 *and mathematics subjects (such as robotics,*
17 *science research, invention, mathematics,*
18 *computer science, and technology competi-*
19 *tions);*

20 “(ii) *broaden secondary school stu-*
21 *dents’ access to, and interest in, careers that*
22 *require academic preparation in 1 or more*
23 *identified subjects; and*

24 “(iii) *broaden secondary school stu-*
25 *dents’ access to early college high schools,*

1 *dual enrollment, or concurrent enrollment*
2 *courses in science, technology, engineering,*
3 *and mathematics subjects, including pro-*
4 *viding professional development to teachers*
5 *and leaders related to this work.*

6 “(C) *LIMITATION.*—*Each subgrantee that*
7 *receives a subgrant under this subsection shall*
8 *not expend more than 15 percent of the subgrant*
9 *funds on the activities described in subparagraph*
10 *(B).*

11 “(D) *MATCHING FUNDS.*—*A State or eligi-*
12 *ble entity shall require an eligible subgrantee re-*
13 *ceiving a subgrant under this subsection to dem-*
14 *onstrate that such subgrantee has obtained a*
15 *commitment from 1 or more outside partners to*
16 *match, using non-Federal funds or in-kind con-*
17 *tributions, not less than 15 percent of the*
18 *amount of subgrant funds. In the case of signifi-*
19 *cant financial hardship, an eligible subgrantee*
20 *may apply to the State or eligible entity for, and*
21 *the State or eligible entity may grant, a waiver*
22 *of a portion of the minimum matching funds re-*
23 *quirement.*

24 “(d) *STATE ACTIVITIES.*—

1 “(1) *IN GENERAL.*—*Each State or eligible entity*
2 *that receives a grant under this subpart may use not*
3 *more than 5 percent of grant funds for—*

4 “(A) *administrative costs;*

5 “(B) *monitoring the implementation of sub-*
6 *grants;*

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 enti-*
12 *ty that receives a grant under this subpart may sub-*
13 *mit a request to the Secretary to reserve not more*
14 *than 15 percent of grant funds, inclusive of the*
15 *amount described in paragraph (1), for additional*
16 *State activities, consistent with subsections (a) and*
17 *(b).*

18 **“SEC. 4206. PERFORMANCE METRICS; REPORT.**

19 “(a) *ESTABLISHMENT OF PERFORMANCE METRICS.*—
20 *The Secretary, acting through the Director of the Institute*
21 *of Education Sciences, shall establish performance metrics*
22 *to evaluate the effectiveness of the activities carried out*
23 *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 section*
6 *9601, the Secretary shall—*

7 *“(1) acting through the Director of the Institute*
8 *of Education Sciences, and in consultation with the*
9 *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 metrics*
13 *established under section 4206(a); and*

14 *“(B) identify best practices to improve in-*
15 *struction in science, technology, engineering, and*
16 *mathematics subjects; and*

17 *“(2) disseminate, in consultation with the Na-*
18 *tional Science Foundation, research on best practices*
19 *to improve instruction in science, technology, engi-*
20 *neering, 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 a*
3 *fiscal year shall maintain the fiscal effort provided by the*
4 *State for the subjects supported by the funds under this part*
5 *at a level equal to or greater than the level of such fiscal*
6 *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 par-*
23 *ticipating area), or consortia with the authority*
24 *to provide professional support to their STEM*
25 *colleagues not participating in the STEM Master*
26 *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 edu-
6 cation policy.

7 **“SEC. 4222. DEFINITIONS.**

8 *“In this subpart:*

9 “(1) *ELIGIBLE ENTITY.—The term ‘eligible enti-*
10 *ty’ means a consortium of high-need local educational*
11 *agencies or 1 or more State educational agencies, act-*
12 *ing 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 of*
4 *Distant Town, Remote Town, Fringe Rural, Dis-*
5 *tant Rural, or Remote Rural; and*

6 “(B) *served by a local educational agency*
7 *in which not less than two-thirds of the students*
8 *served by the agency attend a school designated*
9 *with 1 of the school locale codes listed in sub-*
10 *paragraph (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 *prate Federal agencies, as determined by the Sec-*
21 *retary, shall establish a STEM Master Teacher Corps*
22 *program by awarding, on a competitive basis, 1 or*
23 *more grants of not less than \$15,000,000 each to eligi-*
24 *ble entities to enable the eligible entities to establish*
25 *the program, in accordance with section 4225.*

1 “(2) *PLANNING GRANTS.*—*The Secretary may*
2 *award planning grants to eligible entities to enable*
3 *the entities to make plans to establish the program,*
4 *in accordance with section 4225.*

5 “(b) *DURATION OF GRANT.*—

6 “(1) *IN GENERAL.*—*A grant awarded under this*
7 *subpart shall be for a period of not more than 5*
8 *years.*

9 “(2) *REVIEW.*—*The Secretary shall—*

10 “(A) *review, 3 years after an eligible entity*
11 *is awarded a grant under this subpart, the per-*
12 *formance of the entity during the 3-year period;*
13 *and*

14 “(B) *fund the remaining grant period for*
15 *such entity if the Secretary determines, based on*
16 *such review, that the entity is achieving satisfac-*
17 *tory results.*

18 “(c) *MATCHING REQUIREMENT.*—

19 “(1) *IN GENERAL.*—*Except as provided in para-*
20 *graph (2), an eligible entity that receives a grant*
21 *under this subpart shall provide, from non-Federal*
22 *sources, an amount equal to not less than 50 percent*
23 *of the amount of the grant, which may be provided*
24 *in cash or in-kind, to carry out the activities sup-*
25 *ported by the grant.*

1 “(2) *EXCEPTION.*—

2 “(A) *IN GENERAL.*—*The Secretary may*
3 *waive the 50 percent matching requirement*
4 *under paragraph (1) for an eligible entity that*
5 *the Secretary determines is unable to meet such*
6 *requirement. The Secretary shall set a matching*
7 *requirement for such eligible entities according to*
8 *the sliding scale described in subparagraph (B).*

9 “(B) *SLIDING SCALE.*—*The amount of a*
10 *match under subparagraph (A) shall be estab-*
11 *lished based on a sliding fee scale that takes into*
12 *account—*

13 “(i) *the relative poverty of the popu-*
14 *lation to be targeted by the eligible entity;*
15 *and*

16 “(ii) *the ability of the eligible entity to*
17 *obtain such matching funds.*

18 “(3) *CONSIDERATION.*—*The Secretary shall not*
19 *consider an eligible entity’s ability to match funds*
20 *when determining which eligible entities will receive*
21 *grant awards under this subpart.*

22 **“SEC. 4224. APPLICATION.**

23 “(a) *IN GENERAL.*—*An eligible entity desiring a grant*
24 *under this subpart shall submit an application to the Sec-*

1 *retary at such time, in such manner, and containing such*
2 *information as the Secretary may require.*

3 “(b) *CONTENTS.*—*An application submitted under this*
4 *section shall include—*

5 “(1) *a description of the STEM Master Teacher*
6 *Corps program that the eligible entity intends to*
7 *carry out, including the number of Corps members the*
8 *entity intends to select, the intended distribution of*
9 *subjects and grade levels taught, the geographic and*
10 *economic characteristics of the local educational agen-*
11 *cies that are part of the participating area, such as*
12 *the rural-urban continuum codes and proportion of*
13 *high-need schools served, and the type of activities*
14 *proposed for recruitment of Corps members;*

15 “(2) *a description of the roles and responsibil-*
16 *ities that each participating local educational agency,*
17 *State, institution of higher education, or nonprofit or-*
18 *ganization, as applicable, will have;*

19 “(3) *a demonstration that the entity has suffi-*
20 *cient capacity to carry out the activities described in*
21 *section 4225;*

22 “(4) *a description of the member selection proc-*
23 *ess and criteria that the applicant will use to select*
24 *members of the STEM Master Teacher Corps, in ac-*
25 *cordance with section 4225(b);*

1 “(5) a description of how the eligible entity in-
2 tends to facilitate networking and sharing of best
3 practices and educational resources relating to STEM
4 education among Corps members, particularly at
5 rural schools, if applicable, and make a selection of
6 these best practices and resources more widely avail-
7 able to other teachers and the STEM educational com-
8 munity, including through electronic means;

9 “(6) a demonstration that the entity has a clear
10 plan for—

11 “(A) offering research-based professional de-
12 velopment to Corps members, including training
13 on instructional leadership, mentoring, engaging
14 and effectively teaching historically under-
15 achieving or underrepresented groups in STEM
16 fields, such as girls, minorities, low-income stu-
17 dents, English learners, and students who are
18 children with disabilities, and effective STEM
19 teaching methods, such as incorporating hands-
20 on STEM projects into their lesson plans; and

21 “(B) tracking the effectiveness of such pro-
22 fessional development;

23 “(7) a demonstration that the entity has a clear
24 plan for evaluating the impact of the professional
25 support provided by STEM Master Teacher Corps

1 *members to other teachers in their school, district, and*
2 *participating area;*

3 *“(8) a description of how the local educational*
4 *agencies and schools served by the eligible entity in-*
5 *tend to align STEM Master Teacher Corps members’*
6 *duties with school systems and activities already in*
7 *place, if applicable, such as professional development*
8 *and mentoring;*

9 *“(9) an explanation of how STEM Master*
10 *Teacher Corps members will be afforded the time, au-*
11 *thority, and resources to fulfill requirements under*
12 *the program, and how other teachers will be afforded*
13 *the time to receive professional support from Corps*
14 *members;*

15 *“(10) a demonstration that the entity has a clear*
16 *plan for oversight to ensure that STEM Master*
17 *Teacher Corps members carry out the responsibilities*
18 *described in section 4225(c) to the fullest extent prac-*
19 *ticable, and a description of the actions to be taken*
20 *if a member does not carry out such responsibilities;*
21 *and*

22 *“(11) a description of how the grant funds will*
23 *be financially managed.*

24 *“(c) CRITERIA FOR AWARDING GRANTS.—*

1 “(1) *IN GENERAL.*—*The Secretary shall award*
2 *grants under this subpart on the basis of merit con-*
3 *sidering, at a minimum, the following:*

4 “(A) *The extent to which the local edu-*
5 *cational agencies that are part of the eligible en-*
6 *tity are committed to integrating the program*
7 *into existing school structures, policies, oper-*
8 *ations, and budgets, such as by enabling STEM*
9 *Master Teacher Corps members to take on leader-*
10 *ship roles in their schools, districts, and partici-*
11 *ating area, in addition to their classroom du-*
12 *ties, including assisting in the development and*
13 *implementation of professional development ac-*
14 *tivities and driving the instructional program of*
15 *the school.*

16 “(B) *The quality of the proposed profes-*
17 *sional development, teacher leadership and*
18 *mentorship activities, and networking opportuni-*
19 *ties.*

20 “(C) *Demonstration that the local edu-*
21 *cational agencies and schools they serve have re-*
22 *moved barriers to full participation in the pro-*
23 *gram, including affording Corps members and*
24 *the teachers they mentor the time to participate*
25 *in activities required by the program.*

1 “(D) *The number and quality of the indi-*
2 *viduals that will be served by the program.*

3 “(E) *The capacity of the eligible entity to*
4 *effectively carry out the program.*

5 “(2) *PRIORITY.—In awarding grants under this*
6 *subpart, the Secretary shall give priority to—*

7 “(A) *eligible entities that intend to include*
8 *large numbers of teachers in the STEM Master*
9 *Teacher Corps; and*

10 “(B) *eligible entities that intend to include*
11 *rural schools, particularly high-need rural*
12 *schools, in the participating area to be served.*

13 **“SEC. 4225. REQUIRED USE OF FUNDS.**

14 “(a) *IN GENERAL.—An eligible entity receiving a*
15 *grant under this subpart shall use grant funds to—*

16 “(1) *administer the selection of teachers for*
17 *membership in the STEM Master Teacher Corps, in*
18 *accordance with the requirements of subsection (b);*

19 “(2) *provide compensation to each public school*
20 *teacher who is selected and serves as a member of the*
21 *STEM Master Teacher Corps, in recognition of the*
22 *teacher’s teaching accomplishments, leadership, and*
23 *increased responsibilities, which amount shall—*

24 “(A) *supplement, and not supplant, the*
25 *teacher’s base salary; and*

1 “(B) be equal to—

2 “(i) in the case of a teacher who teach-
3 es at a high-need public school, including a
4 high-need charter school, \$15,000 per year
5 for each year the teacher serves as a member
6 of the Corps; and

7 “(ii) in the case of a teacher who
8 teaches at a public school, including a char-
9 ter school, that is not a high-need school,
10 \$5,000 per year for each year the teacher
11 serves as a member of the Corps;

12 “(3) provide research-based professional develop-
13 ment activities for members of the STEM Master
14 Teacher Corps, as described in section 4224(b)(6), and
15 track the effectiveness of such professional development
16 in order to determine whether to alter professional de-
17 velopment activities;

18 “(4) provide discretionary resources for STEM
19 Master Teacher Corps members at high-need public
20 schools to use in their classrooms and schools, includ-
21 ing for after school activities to enrich STEM edu-
22 cation and for equipment and technology to facilitate
23 long distance networking, mentoring, and sharing of
24 best practices;

1 “(5) assist in coordinating instructional leader-
2 ship roles for STEM Master Teacher Corps members
3 and mentoring relationships between STEM Master
4 Teacher Corps members and other teachers in the
5 same school, school district, and participating area in
6 which the Corps members serve as instructional lead-
7 ers;

8 “(6) facilitate efforts by STEM Master Teacher
9 Corps members to inform STEM education policy at
10 the national, State, and local levels;

11 “(7) help defray costs associated with affording
12 STEM Master Teacher Corps members the time to ful-
13 fill their duties as Corps members; and

14 “(8) support other activities that advance the
15 purpose of this subpart.

16 “(b) *SELECTING MEMBERS OF THE STEM MASTER*
17 *TEACHER CORPS.*—

18 “(1) *SELECTION CRITERIA FOR CORPS MEM-*
19 *BERS.*—The eligible entity shall select, as members of
20 the STEM Master Teacher Corps, exemplary STEM
21 teachers at the elementary school and secondary school
22 levels who teach in the participating area, which may
23 also include special education teachers and teachers of
24 English learners who teach a STEM subject. In select-
25 ing the members, the eligible entity shall—

1 “(A) make decisions based on the teach-
2 er’s—

3 “(i) ability to improve student aca-
4 demic achievement in the STEM fields, as
5 demonstrated by, if applicable, student aca-
6 demic growth in such fields;

7 “(ii) ability to enhance student engage-
8 ment in such fields;

9 “(iii) record of leadership in the teach-
10 er’s school and involvement in professional
11 and outreach activities;

12 “(iv) record of teaching students de-
13 scribed in subclause (II) or (III) of section
14 1111(a)(3)(B)(i); and

15 “(v) demonstrated ability to facilitate
16 student academic achievement growth with
17 the students described in clause (iv), where
18 such measures are available; and

19 “(B) evaluate the teacher’s ability and
20 record based on multiple measures, such as—

21 “(i) teacher evaluations of pedagogical
22 skills;

23 “(ii) an assessment of content knowl-
24 edge;

1 “(iii) *the performance and improve-*
2 *ment of the teacher’s students on tests;*

3 “(iv) *demonstration of practical profes-*
4 *sional experience in the teacher’s discipline,*
5 *such as having worked in industry or re-*
6 *search;*

7 “(v) *involvement in STEM discipline*
8 *professional societies;*

9 “(vi) *STEM outreach and community*
10 *involvement; and*

11 “(vii) *certification by the National*
12 *Board for Professional Teaching Standards,*
13 *or other equivalently rigorous, performance-*
14 *based, peer-reviewed certification, as a high-*
15 *performing teacher.*

16 “(2) *OVERALL CORPS MEMBERSHIP REQUIRE-*
17 *MENTS.—An eligible entity receiving a grant under*
18 *this subpart shall ensure that—*

19 “(A) *not more than 5 percent of the STEM*
20 *teachers who teach in the participating area are*
21 *members of the Corps;*

22 “(B) *not less than 75 percent of the STEM*
23 *Master Teacher Corps members are teachers at*
24 *high-need schools;*

1 “(C) the proportion of STEM Master Teach-
2 er Corps members in the participating area who
3 teach at rural high-need schools is not less than
4 the proportion of all teachers who teach at rural
5 high-need schools in the participating area;

6 “(D) there are multiple cohorts of STEM
7 Master Teacher Corps members; and

8 “(E) the STEM Master Teacher Corps in-
9 cludes teachers from each of the disciplines of
10 science, technology, engineering, and mathe-
11 matics, if teachers from each of these disciplines
12 meeting the standards of Corps membership are
13 available in the participating area and may in-
14 clude teachers of career and technical education.

15 “(3) PARTICIPATION OF PRIVATE SCHOOL
16 TEACHERS.—An eligible entity may select STEM
17 teachers who teach at private schools in the partici-
18 pating area to be members of the STEM Master
19 Teacher Corps, except that—

20 “(A) not more than 5 percent of teachers se-
21 lected as STEM Master Teacher Corps members
22 shall be teachers at private schools; and

23 “(B) private school teachers shall not be eli-
24 gible for compensation described in subsection
25 (a)(2), discretionary resource funds described in

1 *subsection (a)(4), or for defrayment funds de-*
2 *scribed in subsection (a)(7).*

3 *“(c) CORPS MEMBER REQUIREMENTS.—Each teacher*
4 *selected to be a member of the STEM Master Teacher Corps*
5 *who wishes to join the Corps shall enter into an agreement*
6 *with the eligible entity, under which the teacher shall, as*
7 *a condition of receiving the compensation described in sub-*
8 *section (a)(2) and the discretionary resources described in*
9 *subsection (a)(4), agree to carry out the responsibilities of*
10 *a master teacher as required by the eligible entity, includ-*
11 *ing—*

12 *“(1) participating in professional development*
13 *activities offered by the program;*

14 *“(2) networking and sharing best practices and*
15 *educational resources with other members of the*
16 *STEM Master Teacher Corps; and*

17 *“(3) contributing to the professional development*
18 *of the teacher’s colleagues, which may include pro-*
19 *viding school-based professional support to other*
20 *STEM teachers through regular weekly professional*
21 *development sessions and individual coaching, where*
22 *possible, leading professional learning communities,*
23 *and taking on other instructional leadership roles in*
24 *the teacher’s school, district, State, if part of the par-*
25 *ticipating area, or consortium.*

1 “(d) *COLLECTION FOR NONCOMPLIANCE.*—

2 “(1) *MONITORING COMPLIANCE.*—*Each eligible*
3 *entity that receives a grant under this subpart shall*
4 *monitor whether each teacher the entity selects to be*
5 *a member of the STEM Master Teacher Corps is in*
6 *compliance with the Corps member requirements de-*
7 *scribed in subsection (c).*

8 “(2) *COLLECTION OF REPAYMENT.*—

9 “(A) *IN GENERAL.*—*A teacher selected to be*
10 *a member of the STEM Master Teacher Corps*
11 *shall repay the additional compensation pro-*
12 *vided for a school year described in subsection*
13 *(a)(2) to the eligible entity if—*

14 “(i) *the entity finds the teacher not in*
15 *compliance with the Corps member require-*
16 *ments described in subsection (c) and the*
17 *entity determines the teacher should no*
18 *longer be a member of the Corps for such*
19 *year; or*

20 “(ii) *the teacher withdraws during*
21 *such year from membership in the Corps*
22 *without an accepted excuse, as determined*
23 *by the eligible entity.*

24 “(B) *COMPENSATION RETURNED TO THE*
25 *TREASURY.*—

1 “(i) *IN GENERAL.*—*Except as provided*
2 *in clause (ii), an eligible entity that receives*
3 *repaid compensation under subparagraph*
4 *(A) shall return such compensation to the*
5 *United States Treasury.*

6 “(ii) *ADMINISTRATIVE COSTS.*—*An eli-*
7 *gible entity that receives repaid compensa-*
8 *tion under subparagraph (A) may retain a*
9 *percentage, determined by the Secretary, of*
10 *such repayment to defray administrative*
11 *costs associated with the collection.*

12 **“SEC. 4226. PERFORMANCE METRICS; REPORT.**

13 “(a) *ESTABLISHMENT OF PERFORMANCE METRICS.*—
14 *The Secretary, acting through the Director of the Institute*
15 *of Education Sciences, shall establish performance metrics*
16 *to evaluate the effectiveness of the activities carried out*
17 *under this subpart.*

18 “(b) *ANNUAL REPORT.*—*Each eligible entity that re-*
19 *ceives a grant under this subpart shall prepare and submit*
20 *an annual report to the Secretary, which shall include in-*
21 *formation relevant to the performance metrics described in*
22 *subsection (a).*

1 **“SEC. 4227. SUPPLEMENT NOT SUPPLANT.**

2 *“Funds received under this subpart shall be used to*
3 *supplement, and not supplant, funds that would otherwise*
4 *be used for activities authorized under this subpart.*

5 **“SEC. 4228. EVALUATION.**

6 *“From the amount reserved in accordance with section*
7 *9601, the Secretary shall—*

8 *“(1) acting through the Director of the Institute*
9 *of Education Sciences, and in consultation with the*
10 *Director of the National Science Foundation—*

11 *“(A) evaluate the implementation and im-*
12 *pact of the activities supported under this sub-*
13 *part, with regard to the program’s success in*
14 *achieving the purpose described in section 4221;*

15 *“(B) identify optimal strategies for the de-*
16 *sign, implementation, and continuing develop-*
17 *ment of the STEM Master Teacher Corps pro-*
18 *gram; and*

19 *“(C) identify best practices for developing,*
20 *supporting, and retaining STEM teachers based*
21 *on lessons learned from the STEM Master Teach-*
22 *er Corps program; and*

23 *“(2) disseminate findings from the evaluation*
24 *conducted under paragraph (1) to the STEM edu-*
25 *cation field and make the findings publicly avail-*
26 *able.”.*

1 **SEC. 4104. INCREASING ACCESS TO A WELL-ROUNDED EDU-**
 2 **CATION.**

3 *Title IV (20 U.S.C. 7101 et seq.) is amended by insert-*
 4 *ing after part B, as added by section 4103 of this Act, the*
 5 *following:*

6 **“PART C—INCREASING ACCESS TO A WELL-**
 7 **ROUNDED EDUCATION AND FINANCIAL LIT-**
 8 **ERACY**

9 **“Subpart 1—Increasing Access to a Well-rounded**
 10 **Education**

11 **“SEC. 4301. PURPOSE.**

12 *“The purpose of this subpart is to improve the aca-*
 13 *demie achievement of low-income students by giving stu-*
 14 *dents increased access to high-quality instruction for a well-*
 15 *rounded education.*

16 **“SEC. 4302. DEFINITIONS.**

17 *“In this subpart:*

18 *“(1) COVERED SUBJECTS.—The term ‘covered*
 19 *subjects’ means any of the following academic sub-*
 20 *jects:*

21 *“(A) Arts.*

22 *“(B) Civics and government.*

23 *“(C) Economics.*

24 *“(D) Environmental education, including*
 25 *agricultural education programs.*

26 *“(E) Financial literacy.*

1 “(F) *Foreign languages.*

2 “(G) *Geography.*

3 “(H) *Health education.*

4 “(I) *History.*

5 “(J) *Music.*

6 “(K) *Physical education.*

7 “(L) *Social studies.*

8 “(2) *ELIGIBLE ENTITY.—The term ‘eligible enti-*
 9 *ty’ means a State educational agency in partnership*
 10 *with—*

11 “(A) *a nonprofit organization with a dem-*
 12 *onstrated record of success in improving student*
 13 *achievement in 1 or more covered subjects;*

14 “(B) *an institution of higher education;*

15 “(C) *a local educational agency;*

16 “(D) *an educational service agency; or*

17 “(E) *1 or more other State educational*
 18 *agencies.*

19 “(3) *ELIGIBLE SUBGRANTEE.—The term ‘eligible*
 20 *subgrantee’ means—*

21 “(A) *a high-need local educational agency;*

22 “(B) *an educational service agency serving*
 23 *more than 1 high-need local educational agency;*

24 *or*

1 “(C) a consortium of high-need local edu-
2 cational agencies.

3 “(4) *LOW-INCOME STUDENT*.—The term ‘low-in-
4 come student’ means a student—

5 “(A) from a family with an income below
6 the poverty line; or

7 “(B) who is eligible for free or reduced-price
8 lunch under the Richard B. Russell National
9 School Lunch Act (42 U.S.C. 1751 et seq.).

10 **“SEC. 4303. GRANT PROGRAM.**

11 “(a) *GRANTS TO ELIGIBLE ENTITIES*.—From amounts
12 appropriated to carry out this subpart for a fiscal year,
13 and not reserved in accordance with section 9601, the Sec-
14 retary shall make grants to eligible entities to enable the
15 eligible entities to carry out the activities described in sub-
16 section (e).

17 “(b) *DURATION*.—A grant under this section shall be
18 for a period of not more than 5 years.

19 “(c) *PAYMENTS*.—

20 “(1) *CONTINGENT PAYMENTS*.—After the third
21 year of a grant under this section, the Secretary shall
22 make continued funding under the grant contingent
23 upon the eligible entity’s progress toward reaching the
24 goals established under the metrics described in sub-
25 section (h)(1).

1 “(2) *FORMULA.*—

2 “(A) *DISTRIBUTION TRIGGER.*—

3 “(i) *AMOUNT TO TRIGGER FORMULA.*—

4 *If the amount of funds appropriated to*
5 *carry out this subpart for a fiscal year*
6 *equals or exceeds \$500,000,000, then the*
7 *Secretary shall award grants to eligible en-*
8 *tities based on the formula described under*
9 *subparagraph (B).*

10 “(ii) *AMOUNT TO TRIGGER COMPETI-*

11 *TIVE GRANT PROCESS.*—*If the funds appro-*
12 *priated to carry out this subpart for a fiscal*
13 *year are less than \$500,000,000, then the*
14 *Secretary shall award grants to eligible en-*
15 *tities on a competitive basis.*

16 “(B) *FORMULA.*—*From funds made avail-*
17 *able to carry out this subpart for a fiscal year,*
18 *and not reserved in accordance with section*
19 *9601, the Secretary shall allot to each eligible en-*
20 *tity having an application approved under sub-*
21 *section (d)—*

22 “(i) *an amount that bears the same re-*
23 *lationship to 80 percent of the remainder as*
24 *the number of individuals ages 5 through 17*
25 *from families with incomes below the pov-*

1 *erty line, in the State, as determined by the*
2 *Secretary on the basis of the most recent*
3 *satisfactory data, bears to the number of*
4 *those individuals in all States that have an*
5 *application approved under such subpara-*
6 *graph; and*

7 *“(ii) an amount that bears the same*
8 *relationship to 20 percent of the remainder*
9 *as the number of individuals ages 5 through*
10 *17 in the State, as determined by the Sec-*
11 *retary on the basis of the most recent satis-*
12 *factory data, bears to the number of those*
13 *individuals in all States that have an ap-*
14 *plication approved under such subpara-*
15 *graph.*

16 *“(C) EXCEPTIONS.—*

17 *“(i) MINIMUM GRANT AMOUNT.—Sub-*
18 *ject to clause (ii), no State receiving an al-*
19 *lotment under subparagraph (B) may re-*
20 *ceive less than 1 percent of the total amount*
21 *allotted under such subparagraph.*

22 *“(ii) PUERTO RICO.—The percentage of*
23 *the amount allotted under subparagraph*
24 *(B) that is allotted to the Commonwealth of*

1 *Puerto Rico for a fiscal year may not ex-*
2 *ceed the amount under clause (i).*

3 “(D) *PEER-REVIEW REQUIREMENTS.*—*The*
4 *Secretary shall establish a peer-review process to*
5 *ensure that applications submitted for formula*
6 *funding, as described in subparagraph (B), are*
7 *of high quality and meet the requirements and*
8 *purposes of this subpart.*

9 “(d) *APPLICATION.*—

10 “(1) *IN GENERAL.*—*Each eligible entity desiring*
11 *a grant under this section shall submit an applica-*
12 *tion to the Secretary at such time, in such manner,*
13 *and accompanied by such information as the Sec-*
14 *retary may require.*

15 “(2) *CONTENTS.*—*The application shall, at a*
16 *minimum—*

17 “(A) *describe the needs identified by the eli-*
18 *gible entity, based on the eligible entity’s anal-*
19 *ysis of—*

20 “(i) *student access to, and quality of*
21 *instruction in, covered subjects, including a*
22 *comparison of such access and quality be-*
23 *tween low-income and non-low-income stu-*
24 *dents in the State served by the eligible en-*
25 *tity;*

1 “(ii) the capacity of high-need local
2 educational agencies in such State to deliver
3 high-quality instruction in covered subjects,
4 including an analysis of instructional sup-
5 ports, curricula, professional growth and
6 improvement systems, and teacher qualifica-
7 tions, effectiveness, knowledge, and skills;

8 “(iii) the capacity of the eligible entity
9 to provide local educational agencies with
10 the support, including professional develop-
11 ment and technical assistance, needed to de-
12 liver high-quality instruction and develop
13 curricula in covered subjects; and

14 “(iv) standards, assessments, curricula,
15 accommodations, and other supports used
16 in such State in covered subjects;

17 “(B) identify the covered subjects that the
18 eligible entity will address through the activities
19 described in subsection (e), consistent with the
20 needs identified in subparagraph (A);

21 “(C) describe, in a manner that addresses
22 the needs identified in subparagraph (A)—

23 “(i) how access to high-quality courses
24 in the subjects identified in subparagraph

1 *(B) will be increased for low-income stu-*
2 *dents in such State;*

3 *“(ii) how the knowledge and skills of*
4 *teachers will be evaluated and improved so*
5 *that such teachers will deliver high-quality*
6 *instruction in such subjects;*

7 *“(iii) how the eligible entity will pro-*
8 *vide assistance to high-need local edu-*
9 *cational agencies to improve student access*
10 *to, and achievement in, the subjects identi-*
11 *fied in subparagraph (B), including*
12 *through principal training; and*

13 *“(iv) how the eligible entity will ensure*
14 *that all activities funded through a grant*
15 *awarded under this section are evidence-*
16 *based;*

17 *“(D) describe how activities funded through*
18 *a grant awarded under this section will be*
19 *aligned with other Federal, State, and local*
20 *funding, programs, and strategies, as appro-*
21 *priate; and*

22 *“(E) if applicable, describe the eligible enti-*
23 *ty’s plan for disbursing funds to eligible sub-*
24 *grantees to implement the activities described in*
25 *subsection (e).*

1 “(3) *COMPETITIVE PRIORITY.*—If grants are
2 awarded competitively, consistent with subsection
3 (c)(2)(A)(ii), the Secretary shall give priority to ap-
4 plications from eligible entities that include in the
5 application —

6 “(A) a plan to implement an interdiscipli-
7 nary approach, by integrating instruction in 1
8 or more covered subjects with reading, English,
9 language arts, science, or mathematics instruc-
10 tion; and

11 “(B) a plan to provide expanded learning
12 time in the schools served by eligible subgrantees,
13 in order to increase access to covered subjects.

14 “(e) *AUTHORIZED ACTIVITIES.*—

15 “(1) *IN GENERAL.*—Each eligible entity that re-
16 ceives a grant under this section shall use the grant
17 funds to increase access for low-income students, in-
18 cluding students who are English learners and stu-
19 dents who are children with disabilities, to high-qual-
20 ity instruction in at least 1 of the covered subjects by
21 carrying out 1 or more of the following activities:

22 “(A) Improving the knowledge and skills of
23 teachers through professional growth and im-
24 provement systems, and other instructional sup-
25 ports.

1 “(B) *Building local capacity to develop and*
2 *implement high-quality curricula, instructional*
3 *supports, and assessments that are aligned with*
4 *the State college and career ready academic con-*
5 *tent and achievement standards, consistent with*
6 *section 1111(a)(1), in such subjects.*

7 “(2) *SPECIAL RULE.—Each eligible entity that*
8 *receives a grant under this section shall use grant*
9 *funds to meet the needs identified in subsection*
10 *(d)(2)(A) and the Secretary shall not require any eli-*
11 *gible entity to address a specific subject or to address*
12 *all covered subjects.*

13 “(3) *STATE ADMINISTRATION.—Each eligible en-*
14 *tity that receives a grant under this section may re-*
15 *serve not more than 4 percent of grant funds for ad-*
16 *ministration costs of the grant.*

17 “(f) *SUBGRANTS.—*

18 “(1) *IN GENERAL.—Each eligible entity that re-*
19 *ceives a grant under this section may, in accordance*
20 *with paragraph (2), award subgrants, on a competi-*
21 *tive basis, to eligible subgrantees to enable such eligi-*
22 *ble subgrantees to carry out the activities described in*
23 *subsection (e).*

24 “(2) *MINIMUM SUBGRANT.—Each subgrant*
25 *under this subsection shall be of sufficient size and*

1 *scope to support a high-quality, effective program*
2 *that is consistent with the purpose of this subpart.*

3 “(g) *EVALUATION.*—*From the amount reserved in ac-*
4 *cordance with section 9601, the Secretary shall—*

5 “(1) *acting through the Director of the Institute*
6 *of Education Sciences—*

7 “(A) *evaluate, in consultation with the rel-*
8 *evant program office at the Department of Edu-*
9 *cation, the implementation and impact of the ac-*
10 *tivities supported under this section, including*
11 *progress as measured by the metrics established*
12 *under subsection (h)(1); and*

13 “(B) *identify best practices to improve in-*
14 *struction in covered subjects; and*

15 “(2) *disseminate research on best practices to*
16 *improve instruction in covered subjects.*

17 “(h) *ACCOUNTABILITY.*—

18 “(1) *PERFORMANCE METRICS.*—*The Secretary,*
19 *acting through the Director of the Institute of Edu-*
20 *cation Sciences, shall, in consultation with the rel-*
21 *evant program office at the Department, establish per-*
22 *formance metrics to evaluate the outcomes of grant*
23 *projects that are assisted under this subpart.*

24 “(2) *ANNUAL REPORTS.*—*Each eligible entity*
25 *that receives a grant under this section shall prepare*

1 *and submit an annual report to the Secretary, which*
 2 *shall include information about the performance*
 3 *metrics described in paragraph (1).*

4 “(i) *SUPPLEMENT NOT SUPPLANT.*—*An eligible entity*
 5 *shall use Federal funds received under this section only to*
 6 *supplement the funds that would, in the absence of such*
 7 *Federal funds, be made available from other Federal and*
 8 *non-Federal sources for the activities described in this sec-*
 9 *tion, and not to supplant such funds.*

10 “(j) *MAINTENANCE OF EFFORT.*—*A State that receives*
 11 *assistance under this subpart shall maintain the fiscal effort*
 12 *provided by the State for the subjects supported by a grant*
 13 *under this subpart at a level equal to or greater than the*
 14 *level of such fiscal effort for the preceding fiscal year.*

15 **“Subpart 2—Financial Literacy Education**

16 **“SEC. 4311. SHORT TITLE.**

17 *“This subpart may be cited as the ‘Financial Literacy*
 18 *for Students Act’.*

19 **“SEC. 4312. STATEWIDE INCENTIVE GRANTS FOR FINAN-**
 20 **CIAL LITERACY EDUCATION.**

21 “(a) *GRANTS AUTHORIZED.*—*From amounts made*
 22 *available under this subpart, the Secretary may award*
 23 *grants to State educational agencies to enable State edu-*
 24 *cational agencies, on a statewide basis—*

1 “(1) to integrate financial literacy education
2 into each public elementary school and public sec-
3 ondary school within the State that is eligible to re-
4 ceive funds under subpart 1 of part A of title I; and

5 “(2) to provide professional development regard-
6 ing the teaching of financial literacy in core academic
7 subjects to each secondary school teacher of financial
8 literacy or entrepreneurship within the State.

9 “(b) *PERMISSIBLE USES OF FUNDS.*—In carrying out
10 the grant activities described in subsection (a), the State
11 educational agency may use grant funds to—

12 “(1) implement school-based financial literacy
13 activities, including after school activities;

14 “(2) enhance student understanding and experi-
15 ential learning with consumer, economic, entrepre-
16 neurship, and personal finance concepts; and

17 “(3) promote partnerships with community-
18 based organizations, financial institutions, local busi-
19 nesses, entrepreneurs, or other organizations pro-
20 viding financial literacy activities.

21 “(c) *LIMITATION ON USES OF FUNDS.*—A State edu-
22 cational agency receiving grant funds under this section
23 shall not use more than 20 percent of such grant funds to
24 carry out the following:

1 “(1) *promotion of student physical health and*
2 *well-being, nutrition, and fitness;*

3 “(2) *promotion of student mental health and*
4 *well-being;*

5 “(3) *prevention of school violence, harassment,*
6 *and substance abuse among students; and*

7 “(4) *promotion of safe and supportive schools.*

8 **“SEC. 4402. DEFINITIONS.**

9 *“In this part:*

10 “(1) *CHILD AND ADOLESCENT PSYCHIATRIST.—*

11 *The term ‘child and adolescent psychiatrist’ means an*
12 *individual who—*

13 “(A) *possesses State medical licensure; and*

14 “(B) *has completed residency training pro-*
15 *grams in both general psychiatry and child and*
16 *adolescent psychiatry.*

17 “(2) *CONDITIONS FOR LEARNING.—The term*
18 *‘conditions for learning’ means conditions that—*

19 “(A) *advance student achievement and posi-*
20 *tive child and youth development by proactively*
21 *supporting schools;*

22 “(B) *are applied in and around the school*
23 *building, on pathways to and from the school*
24 *and students’ homes, at school-sponsored activi-*

1 *ties, and through electronic and social media in-*
2 *volving students or school personnel;*

3 *“(C) promote physical, mental, and emo-*
4 *tional health;*

5 *“(D) ensure physical and emotional safety*
6 *for students and staff;*

7 *“(E) promote social, emotional, and char-*
8 *acter development; and*

9 *“(F) have the following attributes:*

10 *“(i) Provide opportunities for physical*
11 *activity, good nutrition, and healthy living.*

12 *“(ii) Prevent the use and abuse of*
13 *drugs.*

14 *“(iii) Ensure that the school environ-*
15 *ments described in subparagraph (B) are—*

16 *“(I) free of weapons; and*

17 *“(II) free of harassment, abuse,*
18 *dating violence, and all other forms of*
19 *interpersonal aggression or violence.*

20 *“(iv) Do not condone or tolerate*
21 *unhealthy or harmful behaviors, including*
22 *discrimination of any kind.*

23 *“(v) Help staff and students to model*
24 *positive social and emotional skills, includ-*
25 *ing tolerance and respect for others.*

1 “(vi) Promote concern for the well-
2 being of students, including through the
3 presence of caring adults.

4 “(vii) Ensure that the adults employed
5 by the school—

6 “(I) have high expectations for
7 student conduct, character, and aca-
8 demic achievement and the capacity to
9 establish supportive relationships with
10 students; and

11 “(II) are provided specialized
12 training specific to the students’ stages
13 of development.

14 “(viii) Engage families and commu-
15 nity members with the school in meaningful
16 and sustained ways, such as through case
17 management services, to promote positive
18 student academic achievement and develop-
19 mental and social growth, including non-
20 cognitive skill development.

21 “(ix) To the extent practicable, provide
22 access to school nurses, school counselors,
23 and school social workers for the promotion
24 of student physical health, mental health,
25 and well-being.

1 “(3) *CONTROLLED SUBSTANCE*.—The term ‘con-
2 *trolled substance*’ means a drug or other substance
3 *identified under Schedule I, II, III, IV, or V of sec-*
4 *tion 202(c) of the Controlled Substances Act (21*
5 *U.S.C. 812(c)).*

6 “(4) *DRUG*.—The term ‘drug’ includes—

7 “(A) a controlled substance;

8 “(B) with respect to alcohol and tobacco, the
9 *illegal use of such substances; and*

10 “(C) with respect to inhalants and anabolic
11 *steroids, the harmful, abusive, or addictive use of*
12 *such substances.*

13 “(5) *DRUG AND VIOLENCE PREVENTION*.—The
14 term ‘drug and violence prevention’ means—

15 “(A) with respect to drugs, prevention, early
16 *intervention, rehabilitation referral, or education*
17 *related to the abuse and illegal use of drugs, in*
18 *order to—*

19 “(i) raise awareness about the costs
20 *and consequences of drug use and abuse;*

21 “(ii) change attitudes, perceptions, and
22 *social norms about the dangers and accept-*
23 *ability of alcohol, tobacco, and drugs; and*

24 “(iii) reduce access to and use of alco-
25 *hol, tobacco, and drugs; and*

1 “(B) with respect to violence, the promotion
2 of school safety in and around the school build-
3 ing, on pathways to and from the school and stu-
4 dents’ homes, at school-sponsored activities, and
5 through electronic and social media involving
6 students or school personnel, through the creation
7 and maintenance of a school environment that—

8 “(i) is free of—

9 “(I) weapons;

10 “(II) violent and disruptive acts;

11 “(III) harassment;

12 “(IV) sexual harassment, dating
13 violence, and abuse; and

14 “(V) victimization associated with
15 prejudice and intolerance;

16 “(ii) fosters individual responsibility
17 and respect for the rights and dignity of
18 others;

19 “(iii) employs positive, preventative
20 approaches to school discipline, such as
21 schoolwide positive behavioral interventions
22 and supports and restorative justice, that
23 improve student engagement while mini-
24 mizing students’ removal from instruction
25 and reducing the frequency of discipline in-

1 *fractions and disparities among the sub-*
2 *groups of students described in section*
3 *1111(a)(3)(D); and*

4 “(iv) *demonstrates preparedness and*
5 *readiness to respond to, and recover from,*
6 *incidents of school violence.*

7 “(6) *ELIGIBLE LOCAL APPLICANT.*—*The term ‘el-*
8 *igible local applicant’ means—*

9 “(A) *a local educational agency;*

10 “(B) *a consortium of local educational*
11 *agencies; or*

12 “(C) *a nonprofit organization that has a*
13 *track record of success in implementing the ac-*
14 *tivities proposed in the grant application and*
15 *has signed a memorandum of understanding*
16 *with a local educational agency or consortium of*
17 *local educational agencies that the organization*
18 *will, upon receipt of a subgrant under this*
19 *part—*

20 “(i) *implement school-based activities*
21 *and programs described in section*
22 *4404(i)(1)(A)(iii) in 1 or more schools*
23 *served by the local educational agency or*
24 *consortium; and*

1 “(ii) *conduct school-level measurement*
2 *of conditions for learning that are con-*
3 *sistent with the State’s conditions for learn-*
4 *ing measurement system under section*
5 *4404(h).*

6 “(7) *HARASSMENT.—The term ‘harassment’*
7 *means conduct, including bullying, that—*

8 “(A) *is sufficiently severe, persistent, or per-*
9 *vasive to limit or interfere with a student’s abil-*
10 *ity to participate in or benefit from a program*
11 *or activity of a public school or educational*
12 *agency, including acts of verbal, nonverbal, or*
13 *physical aggression, intimidation, or hostility,*
14 *and communications made available through*
15 *electronic means; and*

16 “(B) *is based on—*

17 “(i) *a student’s actual or perceived*
18 *race, color, national origin, sex, disability,*
19 *sexual orientation, gender identity, or reli-*
20 *gion;*

21 “(ii) *the actual or perceived race, color,*
22 *national origin, sex, disability, sexual ori-*
23 *entation, gender identity, or religion of a*
24 *person with whom a student associates or*
25 *has associated; or*

1 “(iii) any other distinguishing charac-
2 teristics that may be enumerated by a State
3 or local educational agency.

4 “(8) *OTHER QUALIFIED PSYCHOLOGIST.*—The
5 term ‘other qualified psychologist’ means an indi-
6 vidual who has demonstrated competence in coun-
7 seling children in a school setting and who—

8 “(A) is licensed in psychology by the State
9 in which the individual works; and

10 “(B) practices in the scope of the individ-
11 ual’s education, training, and experience with
12 children in school settings.

13 “(9) *PHYSICAL EDUCATION INDICATORS.*—The
14 term ‘physical education indicators’ means a set of
15 measures for instruction on physical activity, health-
16 related fitness, physical competence, and cognitive un-
17 derstanding about physical activity. Such indicators
18 shall include—

19 “(A) for the State, for each local edu-
20 cational agency in the State, and for each ele-
21 mentary school and secondary school in the
22 State, the average number of minutes per week
23 (averaged over the school year) that all students
24 spend in required physical education, and the
25 average number of minutes per week (averaged

1 *over the school year) that all students engage in*
2 *moderate to vigorous physical activity, as meas-*
3 *ured against established recommended guidelines*
4 *of the Centers for Disease Control and Preven-*
5 *tion and the Department of Health and Human*
6 *Services;*

7 *“(B) for the State, the percentage of local*
8 *educational agencies that have a required, age-*
9 *appropriate physical education curriculum that*
10 *adheres to Centers for Disease Control and Pre-*
11 *vention guidelines and State standards;*

12 *“(C) for the State, for each local educational*
13 *agency in the State, and for each elementary*
14 *school and secondary school in the State, the per-*
15 *centage of elementary school and secondary*
16 *school physical education teachers who are li-*
17 *icensed or certified in the State to teach physical*
18 *education;*

19 *“(D) for the State, and for each local edu-*
20 *cational agency in the State, the percentage of el-*
21 *ementary schools and secondary schools that have*
22 *a physical education teacher who is certified or*
23 *licensed to teach physical education and adapted*
24 *physical education in the State;*

1 “(E) for each school in the State, the num-
 2 ber of indoor square feet and the number of out-
 3 door square feet used primarily for physical edu-
 4 cation; and

5 “(F) for the State, the percentage of local
 6 educational agencies that have a school wellness
 7 council that—

8 “(i) includes members appointed by the
 9 local educational agency superintendent;

10 “(ii) may include parents, students,
 11 representatives of the school food authority,
 12 representatives of the school board, school
 13 administrators, school nurses, and members
 14 of the public; and

15 “(iii) meets regularly to promote a
 16 healthy school environment.

17 “(10) *PRESCRIPTION DRUG.*—The term ‘prescrip-
 18 tion drug’ means a drug (as defined in section
 19 201(g)(1) of the Federal Food, Drug, and Cosmetic
 20 Act (21 U.S.C. 321(g)(1)) that is described in section
 21 503(b)(1) of such Act (21 U.S.C. 353(b)(1))).

22 “(11) *PROGRAMS TO PROMOTE MENTAL*
 23 *HEALTH.*—The term ‘programs to promote mental
 24 health’ means programs that—

1 “(A) develop students’ social and emotional
2 competencies;

3 “(B) link students with local mental health
4 systems by—

5 “(i) enhancing, improving, or devel-
6 oping collaborative efforts between school-
7 based service systems and mental health
8 service systems to provide, enhance, or im-
9 prove prevention, diagnosis, and treatment
10 services to students, and to improve student
11 social and emotional competencies;

12 “(ii) enhancing the availability of—

13 “(I) crisis intervention services;

14 “(II) appropriate referrals for stu-
15 dents potentially in need of mental
16 health services, including suicide pre-
17 vention; and

18 “(III) ongoing mental health serv-
19 ices; and

20 “(iii) providing services that establish
21 or expand school counseling and mental
22 health programs that—

23 “(I) are comprehensive in ad-
24 dressing the counseling, social, emo-

1 *tional, behavioral, mental health, and*
2 *educational needs of all students;*

3 *“(II) use a developmental, preven-*
4 *tive approach to counseling and men-*
5 *tal health services;*

6 *“(III) are linguistically appro-*
7 *priate and culturally responsive;*

8 *“(IV) increase the range, avail-*
9 *ability, quantity, and quality of coun-*
10 *seling and mental health services in the*
11 *elementary schools and secondary*
12 *schools of the local educational agency;*

13 *“(V) expand counseling and men-*
14 *tal health services through—*

15 *“(aa) school counselors,*
16 *school social workers, school psy-*
17 *chologists, other qualified psy-*
18 *chologists, child and adolescent*
19 *psychiatrists, or other qualified*
20 *health or mental health profes-*
21 *sionals, such as school nurses; and*

22 *“(bb) school-based mental*
23 *health services partnership pro-*
24 *grams;*

1 “(VI) use innovative approaches
2 to—

3 “(aa) increase children’s un-
4 derstanding of peer and family re-
5 lationships, work and self, deci-
6 sionmaking, or academic and ca-
7 reer planning; or

8 “(bb) improve peer inter-
9 action;

10 “(VII) provide counseling and
11 mental health services in settings that
12 meet the range of student needs;

13 “(VIII) include professional devel-
14 opment appropriate to the activities
15 covered in this paragraph for teachers,
16 school leaders, instructional staff, and
17 appropriate school personnel, including
18 training in appropriate identification
19 and early intervention techniques by
20 school counselors, school social workers,
21 school psychologists, other qualified
22 psychologists, child and adolescent psy-
23 chiatrists, or other qualified health
24 professionals, such as school nurses;

1 “(IX) ensure a team approach to
2 school counseling and mental health
3 services in the schools served by the
4 local educational agency;

5 “(X) demonstrate that the local
6 educational agency is working to-
7 ward—

8 “(aa) a 1:250 ratio of school
9 counselors to students, as rec-
10 ommended by the American
11 School Counselor Association;

12 “(bb) a 1:250 ratio of school
13 social workers to students, as rec-
14 ommended by the School Social
15 Work Association of America;

16 “(cc) a 1:700 ratio of school
17 psychologists to students, as rec-
18 ommended by the National Asso-
19 ciation of School Psychologists;
20 and

21 “(dd) a 1:750 ratio of school
22 nurses to students in the general
23 population, a 1:225 ratio for stu-
24 dents requiring daily professional
25 school nursing services, and a

1 *1:125 ratio for students with com-*
2 *plex needs, as recommended by the*
3 *National Association of School*
4 *Nurses; and*

5 *“(XI) ensure that school coun-*
6 *selors, school psychologists, other quali-*
7 *fied psychologists, school social work-*
8 *ers, or child and adolescent psychia-*
9 *trists paid from funds made available*
10 *under the programs spend a majority*
11 *of their time counseling or providing*
12 *mental health services to students or in*
13 *other activities directly related to coun-*
14 *seling or providing such services;*

15 *“(C) provide training for the school per-*
16 *sonnel, health professionals (such as school*
17 *nurses), and mental health professionals who will*
18 *participate in the programs; and*

19 *“(D) provide technical assistance and con-*
20 *sultation to school systems, mental health agen-*
21 *cies, and families participating in the programs.*

22 *“(12) PROGRAMS TO PROMOTE PHYSICAL ACTIV-*
23 *ITY, EDUCATION, AND FITNESS, AND NUTRITION.—The*
24 *term ‘programs to promote physical activity, edu-*

1 *cation, and fitness, and nutrition’ means programs*
2 *that—*

3 *“(A) increase and enable active student par-*
4 *ticipation in physical well-being activities and*
5 *provide teacher and school leader professional de-*
6 *velopment to encourage and increase such par-*
7 *ticipation;*

8 *“(B) are comprehensive in nature;*

9 *“(C) include opportunities for professional*
10 *development for teachers of physical education to*
11 *stay abreast of the latest research, issues, and*
12 *trends in the field of physical education; and*

13 *“(D) include 1 or more of the following ac-*
14 *tivities:*

15 *“(i) Fitness education and assessment*
16 *to help students understand, improve, or*
17 *maintain their physical well-being.*

18 *“(ii) Instruction in a variety of motor*
19 *skills and physical activities designed to en-*
20 *hance the physical, mental, social, and emo-*
21 *tional development of every student.*

22 *“(iii) Development of, and instruction*
23 *in, cognitive concepts about motor skill and*
24 *physical fitness that support a lifelong*
25 *healthy lifestyle.*

1 “(iv) Opportunities to develop positive
2 social and cooperative skills through phys-
3 ical activity.

4 “(v) Instruction in healthy eating hab-
5 its and good nutrition.

6 “(13) SCHOOL-BASED MENTAL HEALTH SERV-
7 ICES PARTNERSHIP PROGRAM.—The term ‘school-
8 based mental health services partnership program’
9 means a program that—

10 “(A) includes a public or private mental
11 health entity or healthcare entity and may in-
12 clude a child welfare agency, family-based men-
13 tal health entity, family organization, trauma
14 network, or other community-based entity;

15 “(B) provides comprehensive school-based
16 mental health services and supports;

17 “(C) provides comprehensive staff develop-
18 ment for school and community service personnel
19 working in the school;

20 “(D) includes the early identification of so-
21 cial, emotional, or behavioral problems, or sub-
22 stance use disorders, and the provision of early
23 intervening services;

24 “(E) provides for the treatment or referral
25 for treatment of students with social, emotional,

1 *or behavioral health problems, or substance use*
2 *disorders;*

3 “(F) *includes the development and imple-*
4 *mentation of programs to assist children in deal-*
5 *ing with trauma and violence;*

6 “(G) *includes the development of mecha-*
7 *nisms, based on best practices, for children to re-*
8 *port incidents of violence or plans by other chil-*
9 *dren or adults to commit violence;*

10 “(H) *is based on trauma-informed and evi-*
11 *dence-based practices;*

12 “(I) *is coordinated, where appropriate, with*
13 *early intervening services carried out under the*
14 *Individuals with Disabilities Education Act; and*

15 “(J) *is provided by qualified mental and*
16 *behavioral health professionals who are certified*
17 *or licensed by the State involved and practicing*
18 *within their area of expertise.*

19 “(14) *SCHOOL COUNSELOR.—The term ‘school*
20 *counselor’ means an individual who has documented*
21 *competence in counseling children and adolescents in*
22 *a school setting and who—*

23 “(A) *is licensed by the State or certified by*
24 *an independent professional regulatory author-*
25 *ity;*

1 “(B) *in the absence of such State licensure*
2 *or certification, possesses national certification*
3 *in school counseling or a specialty of counseling*
4 *granted by an independent professional organi-*
5 *zation; or*

6 “(C) *holds a minimum of a master’s degree*
7 *in school counseling from a program accredited*
8 *by the Council for Accreditation of Counseling*
9 *and Related Educational Programs or the equiv-*
10 *alent.*

11 “(15) *SCHOOL HEALTH INDICATORS.—The term*
12 *‘school health indicators’ means a set of measurements*
13 *for determining the number of students seen in the*
14 *school health office with, or for, social and emotional*
15 *disturbances, abuse and neglect, substance use dis-*
16 *orders, acute and chronic illness, and oral and visual*
17 *health issues, (to the extent the school health office has*
18 *applicable information), and the number of student*
19 *deaths on school property, if any.*

20 “(16) *SCHOOL NURSE.—The term ‘school nurse’*
21 *means a graduate of an accredited school of nursing*
22 *program who is licensed by the State as a registered*
23 *nurse.*

24 “(17) *SCHOOL PSYCHOLOGIST.—The term ‘school*
25 *psychologist’ means an individual who—*

1 “(A) has completed a minimum of 60 grad-
2 uate semester hours in school psychology from an
3 institution of higher education and has com-
4 pleted 1,200 clock hours in a supervised school
5 psychology internship, of which 600 hours are in
6 the school setting;

7 “(B) is licensed or certified in school psy-
8 chology by the State in which the individual
9 works; or

10 “(C) in the absence of such State licensure
11 or certification, possesses national certification
12 by the National School Psychology Certification
13 Board.

14 “(18) SCHOOL SOCIAL WORKER.—The term
15 ‘school social worker’ means an individual who—

16 “(A) holds a master’s degree in social work
17 from a program accredited by the Council on So-
18 cial Work Education; and

19 “(B)(i) is licensed or certified by the State
20 in which services are provided; or

21 “(ii) in the absence of such State licensure
22 or certification, possesses a national credential
23 or certification as a school social work specialist
24 granted by an independent professional organi-
25 zation.

1 **“SEC. 4403. ALLOCATION OF FUNDS.**

2 *“From amounts made available to carry out this part,*
3 *the Secretary shall allocate—*

4 *“(1) for each year for which funding is made*
5 *available to carry out this part, not more than 2 per-*
6 *cent of such amounts for technical assistance, evalua-*
7 *tion, and other activities consistent with the purpose*
8 *of this part;*

9 *“(2) for the first 3 years for which funding is*
10 *made available to carry out this part—*

11 *“(A) except as provided in subparagraph*
12 *(B)—*

13 *“(i) not more than 30 percent of such*
14 *amounts or \$30,000,000, whichever amount*
15 *is more, for State conditions for learning*
16 *measurement systems grants, distributed to*
17 *every State (by an application process con-*
18 *sistent with section 4404(d)) in an amount*
19 *proportional to each State’s share of fund-*
20 *ing under subpart 2 of part A of title I, to*
21 *develop or improve the State’s conditions*
22 *for learning measurement system described*
23 *in section 4404(h), and to conduct a needs*
24 *analysis to meet the requirements of section*
25 *4404(d)(2)(D); and*

1 “(ii) not more than 68 percent of such
2 amounts for Successful, Safe, and Healthy
3 Students State Grants under section 4404;
4 and

5 “(B) for any fiscal year for which the
6 amount remaining available after funds are re-
7 served under paragraph (1) is less than
8 \$30,000,000, all of such remainder for the State
9 conditions for learning measurement systems
10 grants described in subparagraph (A)(i); and

11 “(3) for the fourth year and each subsequent year
12 for which funding is made available to carry out this
13 part, not less than 98 percent of such amounts for
14 Successful, Safe, and Healthy Students State Grants
15 under section 4404.

16 **“SEC. 4404. SUCCESSFUL, SAFE, AND HEALTHY STUDENTS**
17 **STATE GRANTS.**

18 “(a) *PURPOSE.*—The purpose of this section is to pro-
19 vide funding to eligible States to implement comprehensive
20 programs that—

21 “(1) address conditions for learning in schools in
22 the State; and

23 “(2) are based on—

24 “(A) scientifically valid research; and

1 “(B) *an analysis of need that considers, at*
2 *a minimum, the indicators in the State’s condi-*
3 *tions for learning measurement system described*
4 *in subsection (h).*

5 “(b) *STATE GRANTS.—*

6 “(1) *IN GENERAL.—From amounts allocated*
7 *under section 4403 for Successful, Safe, and Healthy*
8 *Students State Grants, the Secretary shall award*
9 *grants to eligible States to carry out the purpose of*
10 *this section.*

11 “(2) *AWARDS TO STATES.—*

12 “(A) *FORMULA GRANTS.—Except as pro-*
13 *vided in subparagraph (B), if the total amount*
14 *allocated under section 4403 for Successful, Safe,*
15 *and Healthy Students State Grants for a fiscal*
16 *year is \$500,000,000 or greater, the Secretary*
17 *shall allot to each State that meets the eligibility*
18 *requirements of subsection (c) with an approved*
19 *application an amount that bears the same rela-*
20 *ationship to such total amount as the amount re-*
21 *ceived under part A of title I by such eligible*
22 *State for the preceding fiscal year bears to the*
23 *amount received under such part for the pre-*
24 *ceding fiscal year by all eligible States.*

25 “(B) *MINIMUM STATE ALLOTMENT.—*

1 “(i) *IN GENERAL.*—No State receiving
2 an allotment under subparagraph (A) may
3 receive less than one-half of 1 percent of the
4 total amount allotted under such subpara-
5 graph.

6 “(ii) *PUERTO RICO.*—The amount al-
7 lotted under subparagraph (A) to the Com-
8 monwealth of Puerto Rico for a fiscal year
9 may not exceed one-half of 1 percent of the
10 total amount allotted under such subpara-
11 graph for such fiscal year.

12 “(C) *COMPETITIVE GRANTS.*—

13 “(i) *IN GENERAL.*—If the total amount
14 allocated under section 4403 for Successful,
15 Safe, and Healthy Students State Grants
16 for a fiscal year is less than \$500,000,000,
17 the Secretary shall award grants under this
18 section to States that meet the eligibility re-
19 quirements of subsection (c) on a competi-
20 tive basis.

21 “(ii) *SUFFICIENT SIZE AND SCOPE.*—
22 In awarding grants on a competitive basis
23 pursuant to clause (i), the Secretary shall
24 ensure that grant awards are of sufficient

1 *size and scope to carry out required and ap-*
2 *proved activities under this section.*

3 “(c) *ELIGIBILITY.—To be eligible to receive a grant*
4 *under this section, a State shall demonstrate to the Sec-*
5 *retary that the State has—*

6 “(1) *established a statewide physical education*
7 *requirement that is consistent with widely recognized*
8 *standards; and*

9 “(2) *required all local educational agencies in*
10 *the State to—*

11 “(A) *establish policies that prevent and pro-*
12 *hibit harassment in schools; and*

13 “(B) *provide—*

14 “(i) *annual notice to parents, students,*
15 *and educational professionals describing the*
16 *full range of prohibited conduct contained*
17 *in such local educational agency’s discipline*
18 *policies; and*

19 “(ii) *grievance procedures for students*
20 *or parents to register complaints regarding*
21 *the prohibited conduct contained in such*
22 *local educational agency’s discipline poli-*
23 *cies, including—*

24 “(I) *the name of the local edu-*
25 *cational agency official who is des-*

1 *ignated as responsible for receiving*
2 *such complaints; and*

3 “(II) *timelines that the local edu-*
4 *cational agency will follow in the reso-*
5 *lution of such complaints.*

6 “(d) *APPLICATIONS.—*

7 “(1) *IN GENERAL.—A State that desires to re-*
8 *ceive a grant under this section shall submit an ap-*
9 *plication at such time, in such manner, and con-*
10 *taining such information as the Secretary may re-*
11 *quire.*

12 “(2) *CONTENT OF APPLICATION.—At a min-*
13 *imum, the application shall include—*

14 “(A) *documentation of the State’s eligibility*
15 *to receive a grant under this section, as described*
16 *in subsection (c);*

17 “(B) *an assurance that the policies used to*
18 *prohibit harassment in schools that are required*
19 *under subsection (c)(2)(A) emphasize alternatives*
20 *to school suspension that minimize students’ re-*
21 *moval from grade-level instruction, promote*
22 *mental health, and only allow out-of-school pun-*
23 *ishments in severe or persistent cases;*

24 “(C) *a plan for improving conditions for*
25 *learning in schools in the State in a manner*

1 *consistent with the requirements of this part that*
2 *may be part of a broader statewide child and*
3 *youth plan, if such a plan exists and is con-*
4 *sistent with the requirements of this part;*

5 *“(D) a needs analysis of the conditions for*
6 *learning in schools in the State, which—*

7 *“(i) shall include a description of, and*
8 *data measuring, the State’s conditions for*
9 *learning; and*

10 *“(ii) may be a part of a broader state-*
11 *wide child and youth needs analysis, if such*
12 *an analysis exists and is consistent with the*
13 *requirements of this part;*

14 *“(E) a description of how the activities the*
15 *State proposes to implement with grant funds*
16 *are responsive to the results of the needs analysis*
17 *described in subparagraph (D); and*

18 *“(F) a description of how the State will—*

19 *“(i) develop, adopt, adapt, or improve*
20 *and implement the State’s conditions for*
21 *learning measurement system and how the*
22 *State will ensure that all local educational*
23 *agencies and schools in the State partici-*
24 *pate in such system;*

1 “(ii) ensure the quality and validity of
2 the State’s conditions for learning data col-
3 lection, including the State’s plan for sur-
4 vey administration as required under sub-
5 section (h)(2)(A) and for ensuring the reli-
6 ability and validity of survey instruments;

7 “(iii) coordinate the proposed activities
8 with other Federal and State programs, in-
9 cluding programs funded under this part,
10 which may include programs to expand
11 learning time and for before- and after-
12 school programming in order to provide suf-
13 ficient time to carry out activities described
14 in this part;

15 “(iv) assist local educational agencies
16 to align activities with funds the agencies
17 receive under the program with other fund-
18 ing sources in order to support a coherent
19 and nonduplicative program;

20 “(v) solicit and approve subgrant ap-
21 plications, including how the State will—

22 “(I) allocate funds for statewide
23 activities and subgrants for each year
24 of the grant, consistent with the alloca-

1 *tion requirements under subsection*
2 *(i)(2); and*

3 *“(II) consider the results of the*
4 *needs analysis described in subpara-*
5 *graph (D) in the State’s distribution of*
6 *subgrants;*

7 *“(vi) address the needs of diverse geo-*
8 *graphic areas in the State, including rural*
9 *and urban communities;*

10 *“(vii) provide assistance to local edu-*
11 *cational agencies and schools in their efforts*
12 *to prevent and appropriately respond to in-*
13 *cidents of harassment, including building*
14 *the capacity of such agencies and schools to*
15 *educate family and community members re-*
16 *garding the agencies’ and schools’ respective*
17 *roles in preventing and responding to such*
18 *incidents;*

19 *“(viii) provide assistance to local edu-*
20 *cational agencies and schools in their efforts*
21 *to implement positive, preventative ap-*
22 *proaches to school discipline, such as*
23 *schoolwide positive behavioral interventions*
24 *and supports and restorative justice, that*
25 *improve student engagement while mini-*

1 *mizing students’ removal from instruction*
2 *and reducing the frequency of discipline in-*
3 *fractions and disciplinary disparities*
4 *among the subgroups of students described*
5 *in section 1111(a)(3)(D);*

6 *“(ix) provide assistance to local edu-*
7 *cational agencies and schools in their efforts*
8 *to increase the provision of physical activity*
9 *and physical education opportunities dur-*
10 *ing the school day and implement programs*
11 *to promote physical activity, education, and*
12 *fitness, and nutrition; and*

13 *“(x) provide assistance to local edu-*
14 *cational agencies and schools in their efforts*
15 *to improve access to State-licensed or State-*
16 *certified school counselors, school psycholo-*
17 *gists, and school social workers or other*
18 *State-licensed or State-certified mental*
19 *health professionals qualified under State*
20 *law to provide mental health services to stu-*
21 *dents in schools.*

22 *“(3) REVIEW PROCESS.—The Secretary shall es-*
23 *tablish a peer-review process to review applications*
24 *submitted under this subsection.*

25 *“(e) DURATION.—*

1 “(1) *IN GENERAL.*—A State that receives a grant
2 under this section may receive funding for not more
3 than 5 years in accordance with this subsection.

4 “(2) *INITIAL PERIOD.*—The Secretary shall
5 award grants under this section for an initial period
6 of not more than 3 years.

7 “(3) *GRANT EXTENSION.*—The Secretary may ex-
8 tend a grant awarded to a State under this section
9 for not more than an additional 2 years if the State
10 shows sufficient improvement, as determined by the
11 Secretary, against baseline data for the performance
12 metrics established under subsection (j).

13 “(f) *RESERVATION AND USE OF FUNDS.*—A State that
14 receives a grant under this section shall—

15 “(1) reserve not more than 10 percent of the
16 grant funds for administration of the program, tech-
17 nical assistance, and the development, improvement,
18 and implementation of the State’s conditions for
19 learning measurement system, as described in sub-
20 section (h); and

21 “(2) use the remainder of grant funds after mak-
22 ing the reservation under paragraph (1) to award
23 subgrants, on a competitive basis, to eligible local ap-
24 plicants.

1 “(g) *REQUIRED STATE ACTIVITIES.*—A State that re-
2 ceives a grant under this section shall—

3 “(1) not later than 1 year after receipt of the
4 grant, develop, adapt, improve, or adopt and imple-
5 ment the statewide conditions for learning measure-
6 ment system described in subsection (h) (unless the
7 State can demonstrate, to the satisfaction of the Sec-
8 retary, that an appropriate system has already been
9 implemented) that annually measures the State’s
10 progress in the conditions for learning for every pub-
11 lic school in the State;

12 “(2) collect information in each year of the grant
13 on the conditions for learning at the school-building
14 level through comprehensive needs assessments of stu-
15 dent, school staff, and family perceptions, experiences,
16 and behaviors;

17 “(3) collect annual incident data at the school-
18 building level that are accurate and complete;

19 “(4) publicly report, at the local educational
20 agency and school level, the data collected in the
21 State’s conditions for learning measurement system,
22 described in subsection (h), each year in a timely and
23 highly accessible manner, and in a manner that does
24 not reveal personally identifiable information;

1 “(5) use, on a continuous basis, the results of the
2 data collected in the State’s conditions for learning
3 measurement system to—

4 “(A) identify and address conditions for
5 learning statewide;

6 “(B) help subgrantees identify and address
7 school and student needs; and

8 “(C) provide individualized assistance to
9 low-performing schools identified under section
10 1116 and schools with significant conditions for
11 learning weaknesses;

12 “(6) encourage local educational agencies to—

13 “(A) integrate physical activity, education,
14 and fitness into a range of subjects throughout
15 the school day and locations within schools;

16 “(B) consult with a variety of stakeholders,
17 including families, students, school officials, and
18 other organizations with wellness and physical
19 activity, education, and fitness expertise, on the
20 priorities and strategies for integrating physical
21 activity, education, and fitness within schools;
22 and

23 “(C) regularly monitor schools’ efforts in
24 improving wellness and physical activity, edu-

1 *cation, and fitness understanding and habits*
2 *among students;*

3 “(7) encourage local educational agencies to—

4 “(A) integrate healthy eating and nutrition
5 education into various times of the school day
6 and locations within schools;

7 “(B) consult with a variety of stakeholders,
8 including families, students, school officials, and
9 other organizations with nutrition education ex-
10 pertise, on integrating healthy eating and nutri-
11 tion education within schools; and

12 “(C) regularly monitor schools’ efforts in
13 improving nutrition understanding and healthy
14 eating among students;

15 “(8) encourage local educational agencies to im-
16 plement programs that expand student access to
17 State-licensed or State-certified school counselors,
18 school psychologists, and school social workers or other
19 State-licensed or State-certified mental health profes-
20 sionals who are qualified under State law to provide
21 mental health services to students in schools;

22 “(9) award subgrants, consistent with subsection
23 (i), to eligible local applicants; and

1 “(10) monitor subgrants and provide technical
2 assistance to subgrantees on the implementation of
3 grant activities.

4 “(h) *CONDITIONS FOR LEARNING MEASUREMENT SYS-*
5 *TEM.*—

6 “(1) *IN GENERAL.*—Each State that receives a
7 grant under this part shall establish a State reporting
8 and information system that measures conditions for
9 learning in the State and is part of the State’s system
10 for reporting the data required under section 1111
11 and part of any State longitudinal data system that
12 links statewide elementary and secondary data sys-
13 tems with early childhood, postsecondary, and work-
14 force data systems.

15 “(2) *SYSTEM ACTIVITIES.*—The State reporting
16 and information system described in paragraph (1)
17 shall—

18 “(A) contain, at a minimum, data from
19 valid and reliable surveys of students and staff
20 and the indicators in subparagraph (B) that
21 allow staff at the State, local educational agen-
22 cies, and schools to examine and improve school-
23 level conditions for learning;

24 “(B) collect school-level data on—

1 “(i) *physical education indicators, as*
2 *applicable;*

3 “(ii) *individual student attendance*
4 *and truancy;*

5 “(iii) *in-school suspensions, out-of-*
6 *school suspensions, expulsions, referrals to*
7 *law enforcement, school-based arrests, and*
8 *disciplinary transfers (including placements*
9 *in alternative schools) by student;*

10 “(iv) *the frequency, seriousness, and*
11 *incidence of violence and drug-related of-*
12 *fenses resulting in disciplinary action in el-*
13 *ementary schools and secondary schools in*
14 *the State;*

15 “(v) *the incidence and prevalence, age*
16 *of onset, perception of and actual health*
17 *risk, and perception of social disapproval of*
18 *drug use and violence, including harass-*
19 *ment, by youth and school personnel in*
20 *schools and communities;*

21 “(vi) *school health indicators, includ-*
22 *ing acute and chronic physical, mental, and*
23 *emotional healthcare needs; and*

24 “(vii) *student access to State-licensed*
25 *or State-certified school counselors, school*

1 *psychologists, and school social workers or*
2 *other State-licensed or State-certified men-*
3 *tal health professionals qualified under*
4 *State law to provide such services to stu-*
5 *dents in schools, including staff-to-student*
6 *ratios;*

7 “(C) *collect and report data, including, at*
8 *a minimum, the data described in clauses (ii),*
9 *(iii), and (v) of subparagraph (B), in the aggre-*
10 *gate and disaggregated by the categories of race,*
11 *ethnicity, gender, disability status, migrant sta-*
12 *tus, English proficiency, and status as economi-*
13 *cally disadvantaged, and cross-tabulated across*
14 *all of such categories by gender and by dis-*
15 *ability;*

16 “(D) *protect student privacy, consistent*
17 *with applicable data privacy laws and regula-*
18 *tions, including section 444 of the General Edu-*
19 *cation Provisions Act (20 U.S.C. 1232g, com-*
20 *monly known as the ‘Family Educational Rights*
21 *and Privacy Act of 1974’); and*

22 “(E) *to the extent practicable, utilize a web-*
23 *based reporting system.*

1 “(3) *COMPILING STATISTICS.*—*In compiling the*
2 *statistics required to measure conditions for learning*
3 *in the State—*

4 “(A) *the offenses described in paragraph*
5 *(2)(B)(iv) shall be defined pursuant to the*
6 *State’s criminal code, and aligned to the extent*
7 *practicable, with the Federal Bureau of Inves-*
8 *tigation’s Uniform Crime Reports categories, but*
9 *shall not identify victims of crimes or persons*
10 *accused of crimes; and the collected data shall in-*
11 *clude incident reports by school officials, anony-*
12 *mous student surveys, and anonymous teacher*
13 *surveys;*

14 “(B) *the performance metrics that are estab-*
15 *lished under subsection (j) shall be collected and*
16 *the performance on such metrics shall be defined*
17 *and reported uniformly statewide;*

18 “(C) *the State shall collect, analyze, and use*
19 *the data under paragraph (2)(B) at least annu-*
20 *ally; and*

21 “(D) *grant recipients and subgrant recipi-*
22 *ents shall use the data for planning and contin-*
23 *uous improvement of activities implemented*
24 *under this part, and may collect data for indica-*
25 *tors that are locally defined, and that are not re-*

1 *ported to the State, to meet local needs (so long*
 2 *as such indicators are aligned with the condi-*
 3 *tions for learning).*

4 “(i) *SUBGRANTS.—*

5 “(1) *IN GENERAL.—*

6 “(A) *AWARDING OF SUBGRANTS.—A State*
 7 *that receives a grant under this section shall*
 8 *award subgrants, on a competitive basis, to eligi-*
 9 *ble local applicants—*

10 “(i) *based on need as identified by—*

11 “(I) *the State’s conditions for*
 12 *learning measurement system described*
 13 *in subsection (h); or*

14 “(II) *in the case of a State for*
 15 *which the learning measurement sys-*
 16 *tem described in subsection (h) is not*
 17 *yet implemented, other data deter-*
 18 *mined appropriate by the State;*

19 “(ii) *that are of sufficient size and*
 20 *scope to enable the eligible local applicants*
 21 *to carry out approved activities; and*

22 “(iii) *to implement programs that—*

23 “(I) *are comprehensive in nature;*

24 “(II) *are based on scientifically*
 25 *valid research;*

1 “(III) are consistent with achiev-
2 ing the conditions for learning for the
3 State; and

4 “(IV) address 1 or more of the
5 uses described in clauses (i) through
6 (iii) of paragraph (2)(A).

7 “(B) ASSISTANCE.—A State that receives a
8 grant under this section shall provide assistance
9 to subgrant applicants and recipients in the se-
10 lection of scientifically valid programs and
11 interventions.

12 “(C) PARTNERSHIPS ALLOWED.—An eligible
13 local applicant may apply for a subgrant under
14 this subsection in partnership with 1 or more
15 community-based organizations.

16 “(2) ALLOCATION.—

17 “(A) IN GENERAL.—In awarding subgrants
18 under this section, each State shall ensure that,
19 for the aggregate of all subgrants awarded by the
20 State—

21 “(i) not less than 20 percent of
22 subgrant funds are used to carry out drug
23 and violence prevention;

1 “(ii) not less than 20 percent of
2 subgrant funds are used to carry out pro-
3 grams to promote mental health; and

4 “(iii) not less than 20 percent of
5 subgrant funds are used to carry out pro-
6 grams to promote physical activity, edu-
7 cation, and fitness, and nutrition.

8 “(B) *RULE OF CONSTRUCTION.*—Nothing in
9 this paragraph shall be construed to require
10 States, in making subgrants to eligible local ap-
11 plicants, to require the eligible local applicants
12 to use 20 percent of subgrant funds for each of
13 the uses described in clauses (i) through (iii) of
14 subparagraph (A).

15 “(3) *APPLICATIONS.*—An eligible local applicant
16 that desires to receive a subgrant under this sub-
17 section shall submit to the State an application at
18 such time, in such manner, and containing such in-
19 formation as the State may require.

20 “(4) *PRIORITY.*—In awarding subgrants under
21 this subsection, a State shall give priority to applica-
22 tions that—

23 “(A) demonstrate the greatest need, accord-
24 ing to the results of the State’s conditions for

1 *learning surveys described in subsection*
2 *(h)(2)(A); and*

3 *“(B) propose to serve schools with the high-*
4 *est concentrations of poverty, based on the per-*
5 *centage of students receiving or who are eligible*
6 *to receive a free or reduced price lunch under the*
7 *Richard B. Russell National School Lunch Act*
8 *(42 U.S.C. 1751 et seq.).*

9 *“(5) ACTIVITIES OF SUBGRANT RECIPIENTS.—*
10 *Each recipient of a subgrant under this subsection*
11 *shall, for the duration of the subgrant—*

12 *“(A) carry out activities—*

13 *“(i) the need for which has been identi-*
14 *fied—*

15 *“(I) at a minimum, through the*
16 *State’s conditions for learning meas-*
17 *urement system described in subsection*
18 *(h); or*

19 *“(II) in the case of a State that*
20 *has not yet implemented the learning*
21 *measurement system described in sub-*
22 *section (h), through the State’s needs*
23 *analysis described in subsection*
24 *(d)(2)(D);*

1 “(ii) that are part of a comprehensive
2 strategy or framework to address such need;
3 and

4 “(iii) that include 1 or more of the fol-
5 lowing:

6 “(I) Drug and violence preven-
7 tion.

8 “(II) Programs to promote mental
9 health.

10 “(III) Programs to promote phys-
11 ical activity, education, and fitness,
12 and nutrition;

13 “(B) ensure that each framework, interven-
14 tion, or program selected be based on scientif-
15 ically valid research and be used for the purpose
16 for which such framework, intervention, or pro-
17 gram was found to be effective;

18 “(C) use school-level data from the State’s
19 conditions for learning measurement system de-
20 scribed in subsection (h), to inform the imple-
21 mentation and continuous improvement of ac-
22 tivities carried out under this part;

23 “(D) use data from the statewide conditions
24 for learning measurement system to identify
25 challenges outside of school or off school grounds

1 *(including the need for safe passages for students*
2 *to and from school), and collaborate with 1 or*
3 *more community-based organization to address*
4 *such challenges;*

5 *“(E) collect, and report to the State edu-*
6 *cational agency, data for schools served by the*
7 *subgrant recipient, in a manner consistent with*
8 *the State’s conditions for learning measurement*
9 *system described in subsection (h);*

10 *“(F) establish policies to expand access to*
11 *quality physical activity opportunities, includ-*
12 *ing local school wellness policies;*

13 *“(G) if the local educational agency to be*
14 *served through the grant does not have an active*
15 *school wellness council consistent with the re-*
16 *quirements of the Child Nutrition Act of 1966*
17 *(42 U.S.C. 1771 et seq.), establish such a school*
18 *wellness council, which may be part of an exist-*
19 *ing school council that has the capacity and*
20 *willingness to address school wellness;*

21 *“(H) engage family members and commu-*
22 *nity-based organizations in the development of*
23 *conditions for learning surveys, and in the plan-*
24 *ning, implementation, and review of the*
25 *subgrant recipient’s efforts under this part;*

1 “(I) consider and accommodate the unique
2 needs of students who are children with disabili-
3 ties and English learners in implementing ac-
4 tivities; and

5 “(J) establish policies to expand access to
6 quality counseling and mental health programs
7 and services.

8 “(j) ACCOUNTABILITY.—

9 “(1) ESTABLISHMENT OF PERFORMANCE
10 METRICS.—The Secretary, acting through the Director
11 of the Institute of Education Sciences, shall establish
12 program performance metrics to measure the effective-
13 ness of the activities carried out under this part.

14 “(2) ANNUAL REPORT.—Each State that receives
15 a grant under this part shall prepare and submit an
16 annual report to the Secretary, which shall include
17 information relevant to the conditions for learning,
18 including progress toward meeting outcomes for the
19 metrics established under paragraph (1).

20 “(k) EVALUATION.—From the amount reserved in ac-
21 cordance with section 9601, the Secretary, acting through
22 the Director of the Institute of Education Sciences, shall
23 conduct an evaluation of the impact of the practices funded
24 or disseminated under this section.

1 **“SEC. 4405. TECHNICAL ASSISTANCE.**

2 *“From the amount allocated under section 4403(1), the*
3 *Secretary shall provide technical assistance to applicants,*
4 *recipients, and subgrant recipients of the programs funded*
5 *under this part.*

6 **“SEC. 4406. SCHOOL CONSTRUCTION AFTER A VIOLENT OR**
7 **TRAUMATIC CRISIS.**

8 *“(a) IN GENERAL.—From the funds appropriated*
9 *under section 3(n)(2), the Secretary may provide financial*
10 *assistance, as described in subsection (b), for a local edu-*
11 *cational agency that has an application approved by the*
12 *Secretary and serves a school in which the learning environ-*
13 *ment has been disrupted due to a violent or traumatic crisis*
14 *that took place on the school campus, to enable such local*
15 *educational agency to carry out—*

16 *“(1) the acquisition (by purchase, lease, dona-*
17 *tion, or otherwise) of an interest in improved or un-*
18 *improved real property that the local educational*
19 *agency deems necessary to commence or continue an*
20 *appropriate learning environment in a public elemen-*
21 *tary or secondary school, in the aftermath of a violent*
22 *or traumatic crisis; and*

23 *“(2) the construction of new facilities, or the ren-*
24 *ovation, repair, or alteration of existing facilities,*
25 *that the local educational agency deems necessary to*
26 *commence or continue an appropriate learning envi-*

1 *ronment in a public elementary or secondary school,*
 2 *in the aftermath of a violent or traumatic crisis.*

3 “(b) *FUNDING LIMITATION.*—*The amount of financial*
 4 *assistance provided under subsection (a) to a local edu-*
 5 *cational agency shall not exceed 50 percent of the costs of*
 6 *the authorized activities in the approved application.*

7 “(c) *NONAPPLICABILITY.*—*Sections 4401 through 4405*
 8 *shall not apply to this section.*

9 **“SEC. 4407. PROHIBITED USES OF FUNDS.**

10 *“No funds appropriated under this part may be used*
 11 *to pay for—*

12 *“(1) school resource officer or other security per-*
 13 *sonnel salaries, metal detectors, security cameras, or*
 14 *other security-related salaries, equipment, or expenses;*

15 *“(2) drug testing programs; or*

16 *“(3) the development, establishment, implementa-*
 17 *tion, or enforcement of zero-tolerance discipline poli-*
 18 *cies, other than those expressly required under the*
 19 *Gun-Free Schools Act (20 U.S.C. 7151 et seq.).*

20 **“SEC. 4408. FEDERAL AND STATE NONDISCRIMINATION**
 21 **LAWS.**

22 *“Nothing in this part shall be construed to invalidate*
 23 *or limit nondiscrimination principles or rights, remedies,*
 24 *procedures, or legal standards available to victims of dis-*
 25 *crimination under any other Federal law or law of a State*

1 *or political subdivision of a State, including title VI of the*
 2 *Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), title*
 3 *IX of the Education Amendments of 1972 (20 U.S.C. 1681*
 4 *et seq.), section 504 or 505 of the Rehabilitation Act of 1973*
 5 *(29 U.S.C. 794 and 794a), or the Americans with Disabil-*
 6 *ities Act of 1990 (42 U.S.C. 12101 et seq.). The obligations*
 7 *imposed by this part are in addition to those imposed by*
 8 *title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d*
 9 *et seq.), title IX of the Education Amendments of 1972 (20*
 10 *U.S.C. 1681 et seq.), section 504 of the Rehabilitation Act*
 11 *of 1973 (29 U.S.C. 794), and the Americans with Disabil-*
 12 *ities Act of 1990 (42 U.S.C. 12101 et seq.).”.*

13 **SEC. 4106. STUDENT NON-DISCRIMINATION.**

14 *Title IV (20 U.S.C. 7101 et seq.) is amended by insert-*
 15 *ing after part D, as added by section 4105 of this Act, the*
 16 *following:*

17 **“PART E—STUDENT NON-DISCRIMINATION**

18 **“SEC. 4501. SHORT TITLE.**

19 *“This part may be cited as the ‘Student Non-Discrimi-*
 20 *nation Act of 2013’.*

21 **“SEC. 4502. FINDINGS AND PURPOSES.**

22 *“(a) FINDINGS.—Congress finds the following:*

23 *“(1) Public school students who are lesbian, gay,*
 24 *bisexual, or transgender (referred to in this part as*
 25 *‘LGBT’), or are perceived to be LGBT, or who asso-*

1 *ciate with LGBT people, have been and are subjected*
2 *to pervasive discrimination, including harassment,*
3 *bullying, intimidation, and violence, and have been*
4 *deprived of equal educational opportunities, in schools*
5 *in every part of the Nation.*

6 *“(2) While discrimination of any kind is harm-*
7 *ful to students and to the education system, actions*
8 *that target students based on sexual orientation or*
9 *gender identity represent a distinct and severe prob-*
10 *lem that remains inadequately addressed by current*
11 *Federal law.*

12 *“(3) Numerous social science studies demonstrate*
13 *that discrimination at school has contributed to high*
14 *rates of absenteeism, academic underachievement,*
15 *dropping out, and adverse physical and mental health*
16 *consequences among LGBT youth.*

17 *“(4) When left unchecked, discrimination in*
18 *schools based on sexual orientation or gender identity*
19 *can lead, and has led, to life-threatening violence and*
20 *to suicide.*

21 *“(5) Public school students enjoy a variety of*
22 *constitutional rights, including rights to equal protec-*
23 *tion, privacy, and free expression, which are in-*
24 *fringed when school officials engage in or fail to take*

1 *prompt and effective action to stop discrimination on*
2 *the basis of sexual orientation or gender identity.*

3 *“(6) Provisions of Federal statutory law ex-*
4 *pressly prohibit discrimination on the basis of race,*
5 *color, sex, religion, disability, and national origin.*

6 *The Department of Education and the Department of*
7 *Justice, as well as numerous courts, have correctly in-*
8 *terpreted the prohibitions on sex discrimination to in-*
9 *clude discrimination based on sex stereotypes and*
10 *gender identity, even when that sex-based discrimina-*
11 *tion coincides or overlaps with discrimination based*
12 *on sexual orientation. However, the absence of express*
13 *Federal law prohibitions on discrimination on the*
14 *basis of sexual orientation and gender identity has*
15 *created unnecessary uncertainty that risks limiting*
16 *access to legal remedies under Federal law for LGBT*
17 *students and their parents.*

18 *“(b) PURPOSES.—The purposes of this part are—*

19 *“(1) to ensure that all students have access to*
20 *public education in a safe environment free from dis-*
21 *crimination, including harassment, bullying, intimi-*
22 *dation, and violence, on the basis of sexual orienta-*
23 *tion or gender identity;*

24 *“(2) to provide a comprehensive Federal prohibi-*
25 *tion of discrimination in public schools based on ac-*

1 *tual or perceived sexual orientation or gender iden-*
2 *tity;*

3 *“(3) to provide meaningful and effective remedies*
4 *for discrimination in public schools based on actual*
5 *or perceived sexual orientation or gender identity;*

6 *“(4) to invoke congressional powers, including*
7 *the power to enforce the 14th Amendment to the Con-*
8 *stitution and to provide for the general welfare pursu-*
9 *ant to section 8 of article I of the Constitution and*
10 *the power to make all laws necessary and proper for*
11 *the execution of the foregoing powers pursuant to sec-*
12 *tion 8 of article I of the Constitution, in order to pro-*
13 *hibit discrimination in public schools on the basis of*
14 *sexual orientation or gender identity; and*

15 *“(5) to allow the Department of Education and*
16 *the Department of Justice to effectively combat dis-*
17 *crimination based on sexual orientation and gender*
18 *identity in public schools, through regulation and en-*
19 *forcement, as the Departments have issued regulations*
20 *under and enforced title IX of the Education Amend-*
21 *ments of 1972 and other nondiscrimination laws in*
22 *a manner that effectively addresses discrimination.*

23 **“SEC. 4503. DEFINITIONS AND RULE.**

24 *“(a) DEFINITIONS.—For purposes of this part:*

1 “(1) *EDUCATIONAL AGENCY.*—*The term ‘edu-*
2 *catinal agency’ means a local educational agency,*
3 *an educational service agency, and a State edu-*
4 *catinal agency.*

5 “(2) *GENDER IDENTITY.*—*The term ‘gender iden-*
6 *tity’ means the gender-related identity, appearance,*
7 *or mannerisms or other gender-related characteristics*
8 *of an individual, with or without regard to the indi-*
9 *vidual’s designated sex at birth.*

10 “(3) *HARASSMENT.*—*The term ‘harassment’*
11 *means conduct, including bullying, that is sufficiently*
12 *severe, persistent, or pervasive to limit or interfere*
13 *with a student’s ability to participate in or benefit*
14 *from a program or activity of a public school or edu-*
15 *catinal agency, including acts of verbal, nonverbal,*
16 *or physical aggression, intimidation, or hostility, and*
17 *communications made available through electronic*
18 *means, if such conduct is based on—*

19 “(A) *a student’s actual or perceived sexual*
20 *orientation or gender identity; or*

21 “(B) *the actual or perceived sexual orienta-*
22 *tion or gender identity of a person with whom*
23 *a student associates or has associated.*

24 “(4) *PROGRAM OR ACTIVITY.*—*The terms ‘pro-*
25 *gram or activity’ and ‘program’ have the same mean-*

1 *ings given such terms as applied under section 606 of*
2 *the Civil Rights Act of 1964 (42 U.S.C. 2000d–4a) to*
3 *the operations of public entities under paragraph*
4 *(2)(B) of such section.*

5 “(5) *PUBLIC SCHOOL.*—*The term ‘public school’*
6 *means an elementary school that is a public institu-*
7 *tion, and a secondary school that is a public institu-*
8 *tion.*

9 “(6) *SEXUAL ORIENTATION.*—*The term ‘sexual*
10 *orientation’ means homosexuality, heterosexuality, or*
11 *bisexuality.*

12 “(7) *STUDENT.*—*The term ‘student’ means an*
13 *individual within the age limits for which the State*
14 *provides free public education who is enrolled in a*
15 *public school or who, regardless of official enrollment*
16 *status, attends classes or participates in the programs*
17 *or activities of a public school or local educational*
18 *agency.*

19 “(b) *RULE.*—*Consistent with Federal law, in this part*
20 *the term ‘includes’ means ‘includes but is not limited to’.*

21 **“SEC. 4504. PROHIBITION AGAINST DISCRIMINATION.**

22 “(a) *IN GENERAL.*—*No student shall, on the basis of*
23 *actual or perceived sexual orientation or gender identity of*
24 *such individual or of a person with whom the student asso-*
25 *ciates or has associated, be excluded from participation in,*

1 *be denied the benefits of, or be subjected to discrimination*
2 *under any program or activity if any part of the program*
3 *or activity receives Federal financial assistance.*

4 “(b) *HARASSMENT.*—*For purposes of this part, dis-*
5 *crimination includes harassment of a student on the basis*
6 *of actual or perceived sexual orientation or gender identity*
7 *of such student or of a person with whom the student associ-*
8 *ates or has associated.*

9 “(c) *RETALIATION PROHIBITED.*—

10 “(1) *PROHIBITION.*—*No person shall be excluded*
11 *from participation in, be denied the benefits of, or be*
12 *subjected to discrimination, retaliation, or reprisal*
13 *under any program or activity receiving Federal fi-*
14 *nancial assistance based on the person’s opposition to*
15 *conduct made unlawful by this part.*

16 “(2) *DEFINITION.*—*For purposes of this sub-*
17 *section, ‘opposition to conduct made unlawful by this*
18 *part’ includes—*

19 “(A) *opposition to conduct believed to be*
20 *made unlawful by this part or conduct that*
21 *could be believed to become unlawful under this*
22 *part if allowed to continue;*

23 “(B) *any formal or informal report, wheth-*
24 *er oral or written, to any governmental entity,*
25 *including public schools and educational agen-*

1 *cies and employees of the public schools or edu-*
2 *cational agencies, regarding conduct made un-*
3 *lawful by this part, conduct believed to be made*
4 *unlawful by this part, or conduct that could be*
5 *believed to become unlawful under this part if al-*
6 *lowed to continue;*

7 *“(C) participation in any investigation,*
8 *proceeding, or hearing related to conduct made*
9 *unlawful by this part, conduct believed to be*
10 *made unlawful by this part, or conduct that*
11 *could be believed to become unlawful under this*
12 *part if allowed to continue; and*

13 *“(D) assistance or encouragement provided*
14 *to any other person in the exercise or enjoyment*
15 *of any right granted or protected by this part,*
16 *if in the course of that opposition to conduct made*
17 *unlawful by this part, the person involved does not*
18 *purposefully provide information known to be materi-*
19 *ally false to any public school or educational agency*
20 *or other governmental entity regarding conduct made*
21 *unlawful by this part, or conduct believed to be made*
22 *unlawful by this part, or conduct that could be be-*
23 *lieved to become unlawful under this part if allowed*
24 *to continue.*

1 **“SEC. 4505. FEDERAL ADMINISTRATIVE ENFORCEMENT; RE-**
2 **PORT TO CONGRESSIONAL COMMITTEES.**

3 “(a) *REQUIREMENTS.*—Each Federal department and
4 agency which is empowered to extend Federal financial as-
5 sistance to any education program or activity, by way of
6 grant, loan, or contract other than a contract of insurance
7 or guaranty, is authorized and directed to effectuate the
8 provisions of section 4504 with respect to such program or
9 activity by issuing rules, regulations, or orders of general
10 applicability which shall be consistent with achievement of
11 the objectives of the statute authorizing the financial assist-
12 ance in connection with which the action is taken. No such
13 rule, regulation, or order shall become effective unless and
14 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 or
18 to continue assistance under such program or activity
19 to any recipient as to whom there has been an express
20 finding on the record, after opportunity for hearing,
21 of a failure to comply with such requirement, but
22 such termination or refusal shall be limited to the
23 particular political entity, or part thereof, or other
24 recipient as to whom such a finding has been made,
25 and shall be limited in its effect to the particular pro-

1 *gram, or part thereof, in which such noncompliance*
2 *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 requirement*
7 *and has determined that compliance cannot be secured by*
8 *voluntary means.*

9 *“(c) REPORTS.—In the case of any action terminating,*
10 *or refusing to grant or continue, assistance because of fail-*
11 *ure to comply with a requirement imposed pursuant to this*
12 *section, the head of the Federal department or agency shall*
13 *file with the committees of the House of Representatives and*
14 *Senate having legislative jurisdiction over the program or*
15 *activity involved a full written report of the circumstances*
16 *and the grounds for such action. No such action shall be-*
17 *come effective until 30 days have elapsed after the filing*
18 *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 Amend-*
24 *ments of 1972 (20 U.S.C. 1681 et seq.), and their imple-*
25 *menting regulations, an aggrieved person may bring an ac-*

1 *tion in a court of competent jurisdiction, asserting a viola-*
2 *tion of this part or the requirements adopted to effectuate*
3 *this part. Aggrieved persons may be awarded all appro-*
4 *priate relief, including equitable relief, compensatory dam-*
5 *ages, and costs of the action.*

6 “(b) *RULE OF CONSTRUCTION.*—*This section shall not*
7 *be construed to preclude an aggrieved person from obtaining*
8 *remedies under any other provision of law or to require*
9 *such person to exhaust any administrative complaint proc-*
10 *ess or notice of claim requirement before seeking redress*
11 *under this section.*

12 “(c) *STATUTE OF LIMITATIONS.*—*For actions brought*
13 *pursuant to this section, the statute of limitations period*
14 *shall be determined in accordance with section 1658(a) of*
15 *title 28, United States Code. The tolling of any such limita-*
16 *tions period shall be determined in accordance with the law*
17 *governing actions under section 1979 of the Revised Stat-*
18 *utes (42 U.S.C. 1983) in the State in which the action is*
19 *brought.*

20 **“SEC. 4507. CAUSE OF ACTION BY THE ATTORNEY GENERAL.**

21 *“The Attorney General is authorized to institute for*
22 *or in the name of the United States a civil action for a*
23 *violation of this part or the requirements adopted to effec-*
24 *tuate this part in any appropriate district court of the*
25 *United States against such parties and for such relief as*

1 *may be appropriate, including equitable relief and compen-*
2 *satory damages. Whenever a civil action is instituted for*
3 *a violation of this part, or the requirements adopted to effec-*
4 *tuate this part, the Attorney General may intervene in such*
5 *action upon timely application and shall be entitled to the*
6 *same relief as if the Attorney General had instituted the*
7 *action. Nothing in this part shall adversely affect the right*
8 *of any person to sue or obtain relief in any court for any*
9 *activity that violates this part, including requirements*
10 *adopted to effectuate this part.*

11 **“SEC. 4508. STATE IMMUNITY.**

12 “(a) *STATE IMMUNITY.*—*A State shall not be immune*
13 *under the 11th Amendment to the Constitution from suit*
14 *in Federal court for a violation of this part or the require-*
15 *ments adopted to effectuate this part.*

16 “(b) *WAIVER.*—*An educational agency’s, including a*
17 *State educational agency’s, receipt or use of Federal finan-*
18 *cial assistance shall constitute a waiver of sovereign immu-*
19 *nity, under the 11th Amendment or otherwise, to a suit*
20 *brought by an aggrieved person for a violation of section*
21 *4504 or the requirements adopted to effectuate section 4504.*

22 “(c) *REMEDIES.*—*In a suit against a State for a viola-*
23 *tion of this part, remedies (including remedies both at law*
24 *and in equity) are available for such a violation to the same*
25 *extent as such remedies are available for such a violation*

1 *in the suit against any public or private entity other than*
2 *a State.*

3 **“SEC. 4509. ATTORNEY’S FEES.**

4 *“Section 722(b) of the Revised Statutes (42 U.S.C.*
5 *1988(b)) is amended by inserting ‘the Student Non-Dis-*
6 *crimination Act of 2013,’ after ‘Religious Land Use and*
7 *Institutionalized Persons Act of 2000.’*

8 **“SEC. 4510. EFFECT ON OTHER LAWS.**

9 *“(a) FEDERAL AND STATE NONDISCRIMINATION*
10 *LAWS.—Nothing in this part or the requirements adopted*
11 *to effectuate this part shall be construed to preempt, invali-*
12 *date, or limit rights, remedies, procedures, or legal stand-*
13 *ards available to victims of discrimination or retaliation,*
14 *under any other Federal law or law of a State or political*
15 *subdivision of a State, including titles IV and VI of the*
16 *Civil Rights Act of 1964 (42 U.S.C. 2000c et seq., 2000d*
17 *et seq.), title IX of the Education Amendments of 1972 (20*
18 *U.S.C. 1681 et seq.), section 504 of the Rehabilitation Act*
19 *of 1973 (29 U.S.C. 794), the Americans with Disabilities*
20 *Act of 1990 (42 U.S.C. 12101 et seq.), or section 1979 of*
21 *the Revised Statutes (42 U.S.C. 1983). The obligations im-*
22 *posed by this part are in addition to those imposed by titles*
23 *IV and VI of the Civil Rights Act of 1964 (42 U.S.C. 2000c*
24 *et seq., 2000d et seq.), title IX of the Education Amend-*
25 *ments of 1972 (20 U.S.C. 1681 et seq.), section 504 of the*

1 *Rehabilitation Act of 1973 (29 U.S.C. 794), the Americans*
2 *with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), and*
3 *section 1979 of the Revised Statutes (42 U.S.C. 1983).*

4 “(b) *FREE SPEECH AND EXPRESSION LAWS AND RE-*
5 *LIGIOUS STUDENT GROUPS.—Nothing in this part shall be*
6 *construed to alter legal standards regarding, or affect the*
7 *rights available to individuals or groups under, other Fed-*
8 *eral laws that establish protections for freedom of speech*
9 *and expression, such as legal standards and rights available*
10 *to religious and other student groups under the First*
11 *Amendment and the Equal Access Act (20 U.S.C. 4071 et*
12 *seq.).*

13 **“SEC. 4511. SEVERABILITY.**

14 “*If any provision of this part, or an amendment made*
15 *by this part, or any application of such provision to any*
16 *person or circumstance, is held to be unconstitutional, the*
17 *remainder of this part, and the application of the provision*
18 *to any other person or circumstance shall not be impacted.*

19 **“SEC. 4512. EFFECTIVE DATE.**

20 “*This part, and the amendments made by this part,*
21 *shall take effect 60 days after the date of enactment of the*
22 *Student Non-Discrimination Act of 2013 and shall not*
23 *apply to conduct occurring before the effective date of this*
24 *part.*”.

1 **SEC. 4107. 21ST CENTURY COMMUNITY LEARNING CENTERS.**

2 *Part F of title IV, as redesignated by section 4103(a)*
3 *of this Act, is amended—*

4 *(1) in section 4601, as redesignated by section*
5 *4103(a) of this Act—*

6 *(A) in subsection (a)—*

7 *(i) in the matter preceding paragraph*

8 *(1)—*

9 *(I) by striking “to provide” and*
10 *inserting “to assist States in pro-*
11 *viding”; and*

12 *(II) by striking “communities”*
13 *and inserting “eligible entities”;*

14 *(ii) in paragraph (1)—*

15 *(I) by inserting “students with be-*
16 *fore school, after school, or summer*
17 *learning” after “provide”;*

18 *(II) by striking “, particularly*
19 *students”; and*

20 *(III) by striking “schools,” and*
21 *inserting “schools”;*

22 *(iii) in paragraph (2)—*

23 *(I) by inserting “who attend low-*
24 *performing schools” after “offer stu-*
25 *dents”; and*

1 (II) by striking “and” after the
2 semicolon; and

3 (iv) by striking paragraph (3) and in-
4 serting the following:

5 “(3) significantly increase the number of hours
6 in a regular school day, week, or year in order to pro-
7 vide students with additional time for academic work
8 and for additional subjects and enrichment activities
9 that increase student achievement and engagement;
10 and

11 “(4) comprehensively redesign and implement an
12 expanded school day, expanded school week, or ex-
13 panded school year schedule for all students in a
14 high-need school, to provide additional time for—

15 “(A) instruction in core academic subjects;

16 “(B) instruction in additional subjects and
17 enrichment activities; and

18 “(C) teachers and staff to collaborate, plan,
19 and engage in professional development within
20 and across grades and subjects.”; and

21 (B) in subsection (b)—

22 (i) in paragraph (1)—

23 (I) in the matter preceding sub-
24 paragraph (A), by striking “that—”

1 and inserting “that provides 1 or more
2 of the following.”;

3 (II) in subparagraph (A)—

4 (aa) by striking “assists”
5 and inserting “Before school, after
6 school, or summer learning pro-
7 grams that assist”;

8 (bb) by striking “(such as be-
9 fore and after school or during
10 summer recess)”;

11 (cc) by striking “; and” and
12 inserting a period; and

13 (III) by striking subparagraph
14 (B) and inserting the following:

15 “(B) Expanded learning time programs
16 that significantly increase the total number of
17 hours in a regular school day, week, or year, in
18 order to provide students with the greatest aca-
19 demic needs with—

20 “(i) additional time to participate in
21 academic activities that—

22 “(I) are aligned with the instruc-
23 tion that such students receive during
24 the regular school day; and

1 “(II) are targeted to the academic
2 needs of such students; and

3 “(ii) time to engage in enrichment and
4 other activities that complement the aca-
5 demic program and contribute to a well-
6 rounded education, which may include
7 music and the arts, physical education, and
8 experiential and work-based learning oppor-
9 tunities.

10 “(C) Expanded learning time initiatives
11 that use an expanded school day, expanded
12 school week, or expanded school year schedule to
13 increase the total number of school hours for the
14 school year at a high-need school by not less than
15 300 hours and redesign the school’s program in
16 a manner that includes additional time—

17 “(i) for academic work, and to support
18 innovation in teaching, in order to improve
19 the proficiency of participating students,
20 particularly struggling students, in core
21 academic subjects;

22 “(ii) to advance student learning for
23 all students in all grades;

24 “(iii) for additional subjects and en-
25 richment activities that contribute to a well-

1 *rounded education, which may include*
 2 *music and the arts, physical education, and*
 3 *experiential and work-based learning oppor-*
 4 *tunities; and*

5 *“(iv) for teachers to engage in collabo-*
 6 *ration and professional planning, within*
 7 *and across grades and subjects.”;*

8 *(ii) by striking paragraphs (2) and (3)*
 9 *and inserting the following:*

10 “(2) *ELIGIBLE ENTITY.—*

11 “(A) *IN GENERAL.—The term ‘eligible enti-*
 12 *ty’ means a partnership of—*

13 *“(i) 1 or more high-need local edu-*
 14 *cational agencies in partnership with 1 or*
 15 *more public entities or nonprofit organiza-*
 16 *tions with a demonstrated record of success*
 17 *in designing and implementing before*
 18 *school, after school, summer learning, or ex-*
 19 *panded learning time activities; or*

20 *“(ii) 1 or more public entities or non-*
 21 *profit organizations with a demonstrated*
 22 *record of success in designing and imple-*
 23 *menting before school, after school, summer*
 24 *learning, or expanded learning time activi-*

1 *ties, in partnership with 1 or more high-*
2 *need local educational agencies.*

3 *“(B) SPECIAL RULE.—A State educational*
4 *agency shall deem a rural local educational*
5 *agency applying for a grant under section 4604*
6 *without a partnering public or nonprofit entity*
7 *to be an eligible entity if the rural local edu-*
8 *cational agency demonstrates that such agency is*
9 *unable to partner with a public or nonprofit or-*
10 *ganization in reasonable geographic proximity*
11 *or of sufficient quality to meet the requirements*
12 *of this part.”; and*

13 *(iii) by redesignating paragraph (4) as*
14 *paragraph (3);*

15 *(2) in section 4602, as redesignated by section*
16 *4103(a) of this Act—*

17 *(A) in subsection (a)—*

18 *(i) by striking “under section 4206”*
19 *and inserting “to carry out this part”;*

20 *(ii) by striking paragraph (1);*

21 *(iii) by redesignating paragraphs (2)*
22 *and (3) as paragraphs (1) and (2), respec-*
23 *tively; and*

24 *(iv) in paragraph (2), as redesignated*
25 *by clause (iii), by striking “Bureau of In-*

1 *dian Affairs” and inserting “Bureau of In-*
2 *dian Education”;*

3 *(B) in subsection (b)(1), by striking “under*
4 *section 4206” and inserting “to carry out this*
5 *part”;* and

6 *(C) in subsection (c)—*

7 *(i) in paragraph (1), by striking*
8 *“4204” and inserting “4604”;*

9 *(ii) in paragraph (2)—*

10 *(I) in subparagraph (B)—*

11 *(aa) by striking “responsible*
12 *for administering youth develop-*
13 *ment programs and adult learn-*
14 *ing activities” and inserting “as*
15 *applicable”;* and

16 *(bb) by striking “4204(b)”*
17 *and inserting “4604(b)”;* and

18 *(II) by striking the undesignated*
19 *matter following subparagraph (B)*
20 *and inserting the following:*

21 *“(C) supervising the awarding of funds to*
22 *eligible entities (in consultation with the Gov-*
23 *ernor and other State agencies responsible for*
24 *administering youth development programs and*
25 *adult learning activities).”;* and

- 1 (iii) in paragraph (3)—
- 2 (I) in subparagraph (A)—
- 3 (aa) by inserting “com-
- 4 prehensive” after “Monitoring
- 5 and”; and
- 6 (bb) by inserting “(directly,
- 7 or through a grant or contract) of
- 8 the effectiveness” after “evalua-
- 9 tion”;
- 10 (II) by striking subparagraph (B)
- 11 and inserting the following:
- 12 “(B) Providing capacity building, training,
- 13 professional development, and technical assist-
- 14 ance under this part to eligible entities, relating
- 15 to activities such as—
- 16 “(i) coordinating activities carried out
- 17 under this part with other Federal, State,
- 18 and local programs so as to implement
- 19 high-quality programs; and
- 20 “(ii) aligning activities carried out
- 21 under this part with State academic content
- 22 standards.”; and
- 23 (III) by striking subparagraphs
- 24 (C) and (D);

1 (3) in section 4603(a), as redesignated by section
2 4103(a) of this Act—

3 (A) in the matter preceding paragraph (1),
4 by striking “4202” and inserting “4602”;

5 (B) in paragraph (3), by striking “serve—
6 ” and all that follows through “subparagraph
7 (A)” and inserting “serve students who pri-
8 marily attend high-need schools and schools that
9 are identified through a State’s accountability
10 and improvement system under subsection (c) or
11 (d) of section 1116”;

12 (C) in paragraph (4)—

13 (i) by inserting “the State’s rigorous,
14 high-quality competition for grants under
15 section 4204, including” after “describes”;
16 and

17 (ii) by striking “, which shall include”
18 and all that follows through “standards”;

19 (D) by striking paragraph (5) and insert-
20 ing the following:

21 “(5) describes how the State educational agency
22 will ensure that awards made under this part are of
23 sufficient size and scope to support high-quality, effec-
24 tive programs that are consistent with the purpose of
25 this part;”;

1 (E) by striking paragraph (7) and inserting
2 the following:

3 “(7) describes how the State educational agency
4 will assist eligible entities in coordinating funds re-
5 ceived through the grant with other funding streams,
6 in order to support a coherent and sustainable ap-
7 proach to funding and implementing programs and
8 activities under this part and other programs under
9 this Act;”;

10 (F) in paragraph (8)(A), by striking “not
11 less than 3 years and not more than 5 years”
12 and inserting “not more than 3 years, and may
13 extend a grant for an additional period of not
14 more than 2 years if the eligible entity is achiev-
15 ing the intended outcomes of the grant”;

16 (G) in paragraph (10)—

17 (i) by striking “4204(b)” and inserting
18 “4604(b)”; and

19 (ii) by inserting “, if any,” after
20 “transportation needs”;

21 (H) in paragraph (11), by striking “before
22 and after school (or summer school) programs,
23 the heads of the State health and mental health
24 agencies or their designees,” and inserting “be-
25 fore school, after school, summer learning, and

1 *expanded learning time programs and initia-*
2 *tives,”;*

3 *(I) in paragraph (12), by striking “before*
4 *and after school” and inserting “before school,*
5 *after school, summer learning, and expanded*
6 *learning time”;*

7 *(J) in paragraph (13)—*

8 *(i) in the matter preceding subpara-*
9 *graph (A), by inserting “, on a regular*
10 *basis, and not less than every 3 years after*
11 *the receipt of the grant,” after “will evalu-*
12 *ate”;*

13 *(ii) by striking subparagraph (A) and*
14 *inserting the following:*

15 *“(A) a description of the benchmarks and*
16 *performance goals that will be used to hold eligi-*
17 *ble entities accountable and to determine whether*
18 *to provide eligible entities receiving a grant*
19 *under section 4604 with an additional 2-year*
20 *period of grant funding after the initial 3-year*
21 *grant; and”;* and

22 *(iii) in subparagraph (B), by striking*
23 *“and” after the semicolon;*

24 *(K) in paragraph (14), by striking the pe-*
25 *riod at the end and inserting “; and”;* and

1 (L) by adding at the end the following:

2 “(15) contains an assurance that each eligible
3 entity that applies for an award under section 4604
4 shall have the flexibility to apply for funds to carry
5 out programs described in subparagraph (A), (B), or
6 (C) of section 4601(b)(1).”;

7 (4) in section 4604, as redesignated by section
8 4103(a) of this Act—

9 (A) in subsection (a), by striking
10 “4202(c)(1)” and inserting “4602(c)(1)”;

11 (B) in subsection (b)(2)—

12 (i) by striking subparagraph (A) and
13 inserting the following:

14 “(A) a description of the before school, after
15 school, summer learning, or expanded learning
16 time activities to be funded, including—

17 “(i) evidence that research-based strate-
18 gies for student achievement and engage-
19 ment will be utilized in the program;

20 “(ii) as applicable, an explanation of
21 how the program will offer students—

22 “(I) academic instruction that is
23 aligned with the academic needs of the
24 students, including English learners

1 *and students who are children with*
2 *disabilities; and*

3 “*(II) engaging enrichment activi-*
4 *ties that are aligned with the develop-*
5 *mental needs and interests of the stu-*
6 *dents, and that contribute to a well-*
7 *rounded education;*

8 “*(iii) an assurance that the program*
9 *will take place in a safe learning environ-*
10 *ment and an easily accessible facility;*

11 “*(iv) if applicable, a description of*
12 *how students participating in the program*
13 *will travel safely to and from home; and*

14 “*(v) a description of how the eligible*
15 *entity will disseminate information about*
16 *the program to the community in a manner*
17 *that is understandable and accessible;”;*

18 *(ii) in subparagraph (B)—*

19 *(I) by striking “activity” and in-*
20 *serting “program”; and*

21 *(II) by adding at the end “and*
22 *help keep students on a path to make*
23 *sufficient academic growth”;*

24 *(iii) by striking subparagraph (E) and*
25 *inserting the following:*

1 “(E) as applicable, an explanation of how
2 the program will offer students—

3 “(i) academic instruction that is
4 aligned with the academic needs of the stu-
5 dents; and

6 “(ii) engaging enrichment activities
7 that are aligned with the developmental
8 needs and interests of the students, and that
9 contribute to a well-rounded education;”;

10 (iv) in subparagraph (F), by striking
11 “schools eligible” and all that follows
12 through “such students” and inserting
13 “high-need schools and schools that are
14 identified through a State’s accountability
15 and improvement system under subsections
16 (c) or (d) of section 1116”;

17 (v) by striking subparagraph (H) and
18 inserting the following:

19 “(H) a description of the capacity of the eli-
20 gible entity partners described in section
21 4601(b)(2)(A)(i) to successfully implement the
22 program, including the quality and experience of
23 the management team of such partners;”;

24 (vi) in subparagraph (I)—

1 (I) by striking “in the center”;

2 and

3 (II) by striking “(including the
4 needs of working families)”;

5 (vii) by striking subparagraph (J) and
6 inserting the following:

7 “(J) a description of the education and
8 training activities that program staff and teach-
9 ers, as applicable, have received or will receive to
10 effectively administer the proposed program;”;

11 (viii) in subparagraph (K), by insert-
12 ing “and” after the semicolon;

13 (ix) by striking subparagraphs (L) and
14 (M); and

15 (x) by redesignating subparagraph (N)
16 as subparagraph (L);

17 (C) by striking subsections (d) and (h) and
18 redesignating subsections (e) through (g) and (i)
19 as subsections (d) through (f) and (g), respec-
20 tively;

21 (D) in subsection (f), as redesignated by
22 subparagraph (C), by striking “not less than 3
23 years and not more than 5 years” and inserting
24 “not more than 3 years, and may be extended for
25 an additional period of not more than 2 years,

1 *if an eligible entity is achieving the intended*
2 *outcomes of the grant”;*

3 *(E) by striking subsection (g), as redesign-*
4 *ated by subparagraph (C), and inserting the*
5 *following:*

6 “(g) *PRIORITY.—*

7 *“(1) IN GENERAL.—In awarding grants under*
8 *this part, a State educational agency shall give pri-*
9 *ority to high-quality applications that—*

10 *“(A) are based on strong research evidence*
11 *for improving student learning, as measured by*
12 *student achievement and other measures of stu-*
13 *dent learning and development that are appro-*
14 *priate for, and aligned to, the program’s goals*
15 *and design;*

16 *“(B) propose to serve the highest percentage*
17 *of students from low-income families;*

18 *“(C) include a partnership agreement,*
19 *signed by each partner of the eligible entity,*
20 *that—*

21 *“(i) shows that the staff of each part-*
22 *ner is committed to work collaboratively to*
23 *implement the proposed activities, including*
24 *through coordinated planning, collaborative*

1 *implementation, and joint professional de-*
2 *velopment and training opportunities;*

3 “(ii) *sets clear expectations, including*
4 *measurable goals for each partner;*

5 “(iii) *requires the collection and re-*
6 *porting of data about the outcomes of pro-*
7 *grams funded under this part, in order to*
8 *monitor progress toward achieving such*
9 *goals and inform implementation; and*

10 “(iv) *specifies how student information*
11 *will be shared to advance the goals of the*
12 *proposed program and activities, including*
13 *student academic achievement and engage-*
14 *ment data, as appropriate and in accord-*
15 *ance with Federal, State, and local laws;*
16 *and*

17 “(D) *are submitted by eligible entities that*
18 *will provide matching funds to carry out the ac-*
19 *tivities supported by the grant, as described in*
20 *paragraph (2).*

21 “(2) *MATCHING FUNDS.—*

22 “(A) *AMOUNT OF MATCHING FUNDS.—In*
23 *awarding grants under this section, a State edu-*
24 *cational agency shall give priority to applica-*
25 *tions from eligible entities that, in addition to*

1 meeting the requirements of paragraph (1), pro-
2 vide matching funds in an amount not less
3 than—

4 “(i) for the first year of an initial
5 grant under this section, 10 percent of the
6 cost of the activities;

7 “(ii) for the second year of such grant,
8 20 percent of the cost of the activities;

9 “(iii) for the third year of such grant,
10 and for the first year of a subsequent grant
11 under this section, 30 percent of the cost of
12 the activities; and

13 “(iv) for the second or any succeeding
14 year of such subsequent grant, 40 percent of
15 the cost of the activities.

16 “(B) CASH OR IN-KIND.—The eligible entity
17 may provide the matching funds described in
18 subparagraph (A) in cash or in-kind, fairly eval-
19 uated, including plant, equipment, or services,
20 but may not provide more than 50 percent of the
21 matching funds in-kind.

22 “(C) WAIVER.—A State educational agency
23 may waive all or part of the matching require-
24 ment for priority described in this paragraph,

1 *on a case-by-case basis, upon a showing of seri-*
2 *ous financial hardship.”; and*

3 *(F) by adding at the end the following:*

4 “(h) *SPECIAL RULE.—In implementing programs*
5 *under this part, the Secretary shall not give priority to,*
6 *show preference for, or provide direction about whether com-*
7 *munities use funds under this part for eligible entities de-*
8 *scribed in subparagraph (A), (B), or (C) of section*
9 *4601(b)(1).”;*

10 *(5) in section 4605, as redesignated by section*
11 *4103(a) of this Act—*

12 *(A) in subsection (a)—*

13 *(i) in the matter preceding paragraph*
14 *(1), by striking “before and after school ac-*
15 *tivities (including during summer recess pe-*
16 *riods)” and inserting “before school, after*
17 *school, summer learning, or expanded learn-*
18 *ing time activities”;*

19 *(ii) by redesignating paragraphs (1)*
20 *through (12) as paragraphs (2) through*
21 *(13), respectively;*

22 *(iii) by inserting before paragraph (2),*
23 *as redesignated by clause (ii), the following:*

24 *“(1) high-quality expanded learning time pro-*
25 *grams or initiatives.”;*

1 *(iv) in paragraph (6), as redesignated*
2 *by clause (ii), by striking “(including those*
3 *provided by senior citizen volunteers)”*; and

4 *(v) in paragraph (7), as redesignated*
5 *by clause (ii), by striking “limited English*
6 *proficient students” and inserting “English*
7 *learners”*; and

8 *(B) by striking subsection (b) and inserting*
9 *the following:*

10 *“(b) PERFORMANCE INDICATORS.—Each State edu-*
11 *cational agency that receives a grant under this part shall*
12 *collect, and annually report to the Secretary, information*
13 *on the following performance indicators, disaggregated, as*
14 *appropriate, by the subgroups described in section*
15 *1111(a)(2)(B)(x):*

16 *“(1) The average time added to the school day,*
17 *school week, or school year, if applicable.*

18 *“(2) Student participation and attendance rates*
19 *for the programs funded under this part.*

20 *“(3) Student achievement in core academic sub-*
21 *jects and high school graduation rates, as applicable,*
22 *for students who participate in such programs.”.*

1 **SEC. 4108. PROMISE NEIGHBORHOODS.**

2 *Title IV (20 U.S.C. 7101 et seq.) is amended by insert-*
 3 *ing after part F, as redesignated by section 4103(a) of this*
 4 *Act, the following:*

5 **“PART G—PROMISE NEIGHBORHOODS**

6 **“SEC. 4701. SHORT TITLE.**

7 *“This part may be cited as the ‘Promise Neighborhoods*
 8 *Act of 2013’.*

9 **“SEC. 4702. PURPOSE.**

10 *“The purpose of this part is to significantly improve*
 11 *the academic and developmental outcomes of children living*
 12 *in our Nation’s most distressed communities from birth*
 13 *through college and career entry, including ensuring school*
 14 *readiness, high school graduation, and college and career*
 15 *readiness for such children, through the use of data-driven*
 16 *decisionmaking and access to a community-based con-*
 17 *tinuum of high-quality services, beginning at birth.*

18 **“SEC. 4703. DEFINITIONS.**

19 *“In this part:*

20 *“(1) CHILD.—The term ‘child’ means an indi-*
 21 *vidual from birth through age 21.*

22 *“(2) COLLEGE AND CAREER READINESS.—The*
 23 *term ‘college and career readiness’ means the level of*
 24 *preparation a student needs in order to meet the*
 25 *State academic content and student academic achieve-*
 26 *ment standards under section 1111(a)(1).*

1 “(3) *COMMUNITY OF PRACTICE.*—The term ‘com-
2 munity of practice’ means a group of entities that
3 interact regularly to share best practices to address 1
4 or more persistent problems, or improve practice with
5 respect to such problems, in 1 or more neighborhoods.

6 “(4) *COMPREHENSIVE SCHOOL READINESS AS-*
7 *SESSMENT.*—The term ‘comprehensive school readi-
8 ness assessment’ means an objective tool that—

9 “(A) screens for school readiness across do-
10 mains, including language, cognitive, physical,
11 motor, sensory, and social-emotional domains,
12 and through a developmental screening; and

13 “(B) may also include other sources of in-
14 formation, such as child observations by parents
15 and others, verbal and written reports, child
16 work samples (for children aged 3 to 5), and
17 health and developmental histories.

18 “(5) *DEVELOPMENTAL SCREENING.*—The term
19 ‘developmental screening’ means the use of a stand-
20 ardized tool to identify a child who may be at risk
21 of a developmental delay or disorder.

22 “(6) *EXPANDED LEARNING TIME.*—The term ‘ex-
23 panded learning time’ means the activities and pro-
24 grams described in subparagraphs (A), (B), and (C)
25 of section 4601(b)(1).

1 “(7) *FAMILY AND COMMUNITY ENGAGEMENT.*—
2 *The term ‘family and community engagement’ means*
3 *the process of engaging family and community mem-*
4 *bers in education meaningfully and at all stages of*
5 *the planning, implementation, and school and neigh-*
6 *borhood improvement process, including, at a min-*
7 *imum—*

8 “(A) *disseminating a clear definition of the*
9 *neighborhood to the members of the neighborhood;*

10 “(B) *ensuring representative participation*
11 *by the members of such neighborhood in the*
12 *planning and implementation of the activities of*
13 *each grant awarded under this part;*

14 “(C) *regular engagement by the eligible en-*
15 *tity and the partners of the eligible entity with*
16 *family members and community partners;*

17 “(D) *the provision of strategies and prac-*
18 *tices to assist family and community members*
19 *in actively supporting student achievement and*
20 *child development; and*

21 “(E) *collaboration with institutions of high-*
22 *er education, workforce development centers, and*
23 *employers to align expectations and program-*
24 *ming with college and career readiness.*

1 “(8) *FAMILY AND STUDENT SUPPORTS.*—*The*
2 *term ‘family and student supports’ includes—*

3 “(A) *health programs (including both men-*
4 *tal health and physical health services);*

5 “(B) *school, public, and child-safety pro-*
6 *grams;*

7 “(C) *programs that improve family sta-*
8 *bility;*

9 “(D) *workforce development programs (in-*
10 *cluding those that meet local business needs, such*
11 *as internships and externships);*

12 “(E) *social service programs;*

13 “(F) *legal aid programs;*

14 “(G) *financial literacy education programs;*

15 “(H) *adult education and family literacy*
16 *programs;*

17 “(I) *parent, family, and community en-*
18 *gagement programs; and*

19 “(J) *programs that increase access to learn-*
20 *ing technology and enhance the digital literacy*
21 *skills of students.*

22 “(9) *FAMILY MEMBER.*—*The term ‘family mem-*
23 *ber’ means a parent, relative, or other adult who is*
24 *responsible for the education, care, and well-being of*
25 *a child.*

1 “(10) *INTEGRATED STUDENT SUPPORTS.*—*The*
2 *term ‘integrated student supports’ means wraparound*
3 *services, supports, and community resources, which*
4 *shall be offered through a site coordinator for at-risk*
5 *students, that have been shown by evidence-based re-*
6 *search—*

7 “(A) *to increase academic achievement and*
8 *engagement;*

9 “(B) *to support positive child development;*
10 *and*

11 “(C) *to increase student preparedness for*
12 *success in college and the workforce.*

13 “(11) *NEIGHBORHOOD.*—*The term ‘neighbor-*
14 *hood’ means a defined geographical area in which*
15 *there are multiple signs of distress, demonstrated by*
16 *indicators of need, including poverty, childhood obe-*
17 *sity rates, academic failure, and rates of juvenile de-*
18 *linquency, adjudication, or incarceration.*

19 “(12) *PIPELINE SERVICES.*—*The term ‘pipeline*
20 *services’ means a continuum of supports and services*
21 *for children from birth through college entry, college*
22 *success, and career attainment, including, at a min-*
23 *imum, strategies to address through services or pro-*
24 *grams (including integrated student supports) the fol-*
25 *lowing:*

1 “(A) Prenatal education and support for ex-
2 pectant parents.

3 “(B) High-quality early learning opportu-
4 nities.

5 “(C) High-quality schools and out-of-school-
6 time programs and strategies.

7 “(D) Support for a child’s transition to ele-
8 mentary school, including the administration of
9 a comprehensive school readiness assessment.

10 “(E) Support for a child’s transition from
11 elementary school to middle school, from middle
12 school to high school, and from high school into
13 and through college and into the workforce.

14 “(F) Family and community engagement.

15 “(G) Family and student supports.

16 “(H) Activities that support college and ca-
17 reer readiness, including coordination between
18 such activities, such as—

19 “(i) assistance with college admissions,
20 financial aid, and scholarship applications,
21 especially for low-income and low-achieving
22 students; and

23 “(ii) career preparation services and
24 supports.

1 *and scope to allow the eligible entity to carry out the*
2 *purpose of this part.*

3 “(b) *DURATION.*—*A grant awarded under this sub-*
4 *part—*

5 “(1) *shall be for a period of not more than 5*
6 *years; and*

7 “(2) *may be renewed for not more than 1 addi-*
8 *tional grant period, if the eligible entity demonstrates*
9 *significant improvement in relation to the perform-*
10 *ance metrics established under section 4716(a).*

11 “(c) *CONTINUED FUNDING.*—*Continued funding of a*
12 *grant under this subpart, including a grant renewed under*
13 *subsection (b)(2), after the third year of the grant period*
14 *shall be contingent on the eligible entity’s progress toward*
15 *meeting the performance metrics described in section*
16 *4716(a).*

17 “(d) *MATCHING REQUIREMENT.*—

18 “(1) *IN GENERAL.*—*Each eligible entity receiving*
19 *a grant under this subpart shall contribute matching*
20 *funds in an amount equal to not less than 100 per-*
21 *cent of the amount of the grant. Such matching funds*
22 *shall come from Federal, State, local, and private*
23 *sources.*

24 “(2) *PRIVATE SOURCES.*—*The Secretary—*

1 “(A) shall require that a portion of the
2 matching funds come from private sources; and

3 “(B) may allow the use of in-kind dona-
4 tions to satisfy the matching funds requirement.

5 “(3) *ADJUSTMENT.*—The Secretary may adjust
6 the matching funds requirement for applicants that
7 demonstrate high need, including applicants from
8 rural areas or applicants that wish to provide serv-
9 ices on tribal lands.

10 “(e) *FINANCIAL HARDSHIP WAIVER.*—

11 “(1) *IN GENERAL.*—The Secretary may waive or
12 reduce, on a case-by-case basis, the matching require-
13 ment described in subsection (d), for a period of 1
14 year at a time, if the eligible entity demonstrates sig-
15 nificant financial hardship.

16 “(2) *PRIVATE SOURCES WAIVER.*—The Secretary
17 may waive or reduce, on a case-by-case basis, the re-
18 quirement described in subsection (d) that a portion
19 of matching funds come from private sources if the el-
20 igible entity demonstrates an inability to access such
21 funds in the State.

22 **“SEC. 4712. ELIGIBLE ENTITIES.**

23 “*In this subpart, the term ‘eligible entity’ means not*
24 *less than 1 nonprofit entity working in coordination with*
25 *not less than 1 of the following entities:*

1 “(1) *A high-need local educational agency.*

2 “(2) *A charter school funded by the Bureau of*
3 *Indian Education that is not a local educational*
4 *agency, except that such school shall not be the fiscal*
5 *agent for the eligible entity partnership.*

6 “(3) *An institution of higher education, as de-*
7 *finied in section 102 of the Higher Education Act of*
8 *1965.*

9 “(4) *The office of a chief elected official of a unit*
10 *of local government.*

11 “(5) *An Indian tribe or tribal organization, as*
12 *defined under section 4 of the Indian Self-Determina-*
13 *tion and Education Assistance Act (25 U.S.C. 450b).*

14 **“SEC. 4713. APPLICATION REQUIREMENTS.**

15 “(a) *IN GENERAL.—An eligible entity desiring a grant*
16 *under this subpart shall submit an application to the Sec-*
17 *retary at such time, in such manner, and containing such*
18 *information as the Secretary may require.*

19 “(b) *CONTENTS OF APPLICATION.—At a minimum, an*
20 *application described in subsection (a) shall include the fol-*
21 *lowing:*

22 “(1) *A plan to significantly improve the aca-*
23 *ademic outcomes of children living in a neighborhood*
24 *that is served by the eligible entity, by providing*
25 *pipeline services that address the needs of children in*

1 *the neighborhood, as identified by the needs analysis*
2 *described in paragraph (4) and supported by evi-*
3 *dence-based practices.*

4 “(2) *A description of the neighborhood that the*
5 *eligible entity will serve.*

6 “(3) *Measurable annual goals for the outcomes of*
7 *the grant, including—*

8 “(A) *performance goals, in accordance with*
9 *the metrics described in section 4716(a), for each*
10 *year of the grant; and*

11 “(B) *projected participation rates and any*
12 *plans to expand the number of children served or*
13 *the neighborhood proposed to be served by the*
14 *grant program.*

15 “(4) *An analysis of the needs and assets of the*
16 *neighborhood identified in paragraph (2), includ-*
17 *ing—*

18 “(A) *a description of the process through*
19 *which the needs analysis was produced, includ-*
20 *ing a description of how parents, family, and*
21 *community members were engaged in such anal-*
22 *ysis;*

23 “(B) *an analysis of community assets, in-*
24 *cluding programs already provided from Federal*

1 *and non-Federal sources, within, or accessible to,*
2 *the neighborhood, including, at a minimum—*

3 “(i) *early learning programs, includ-*
4 *ing high-quality child care, Early Head*
5 *Start programs, Head Start programs, and*
6 *prekindergarten programs;*

7 “(ii) *the availability of healthy food*
8 *options and opportunities for physical ac-*
9 *tivity;*

10 “(iii) *existing family and student sup-*
11 *ports;*

12 “(iv) *locally owned businesses and em-*
13 *ployers; and*

14 “(v) *institutions of higher education;*

15 “(C) *evidence of successful collaboration*
16 *within the neighborhood;*

17 “(D) *the steps that the eligible entity is tak-*
18 *ing, at the time of the application, to address the*
19 *needs identified in the needs analysis; and*

20 “(E) *any barriers the eligible entity, public*
21 *agencies, and other community-based organiza-*
22 *tions have faced in meeting such needs.*

23 “(5) *A description of the data used to identify*
24 *the pipeline services to be provided, including data*
25 *regarding—*

1 “(A) school readiness;

2 “(B) academic achievement and college and
3 career readiness;

4 “(C) graduation rates;

5 “(D) health indicators;

6 “(E) rates of enrollment, remediation, per-
7 sistence, and completion at institutions of higher
8 education, as available; and

9 “(F) conditions for learning, including
10 school climate surveys, discipline rates, and stu-
11 dent attendance and incident data.

12 “(6) A description of the process used to develop
13 the application, including the involvement of family
14 and community members.

15 “(7) An estimate of—

16 “(A) the number of children, by age, who
17 will be served by each pipeline service; and

18 “(B) for each age group, the percentage of
19 children (of such age group), within the neigh-
20 borhood, who the eligible entity proposes to serve,
21 disaggregated by each service, and the goals for
22 increasing such percentage over time.

23 “(8) A description of how the pipeline services
24 will facilitate the coordination of the following activi-
25 ties:

1 “(A) *Providing high-quality early learning*
2 *opportunities for children, beginning prenatally*
3 *and extending through grade 3, by—*

4 “(i) *supporting high-quality early*
5 *learning opportunities that provide children*
6 *with access to programs that support the*
7 *cognitive and developmental skills, includ-*
8 *ing social and emotional skills, needed for*
9 *success in elementary school;*

10 “(ii) *providing for opportunities,*
11 *through parenting classes, baby academies,*
12 *home visits, family and community engage-*
13 *ment, or other evidence-based strategies, for*
14 *families and expectant parents to—*

15 “(I) *acquire the skills to promote*
16 *early learning, development, and*
17 *health and safety, including learning*
18 *about child development and positive*
19 *discipline strategies (such as through*
20 *the use of technology and public media*
21 *programming);*

22 “(II) *learn about the role of fami-*
23 *lies and expectant parents in their*
24 *child’s education; and*

1 “(III) become informed about edu-
2 cational opportunities for their chil-
3 dren, including differences in quality
4 among early learning opportunities;

5 “(iii) ensuring successful transitions
6 between early learning programs and ele-
7 mentary school, including through the estab-
8 lishment of memoranda of understanding
9 between early learning providers and local
10 educational agencies serving young children
11 and families;

12 “(iv) ensuring appropriate screening,
13 diagnostic assessments, and referrals for
14 children with disabilities, developmental
15 delays, or other special needs, consistent
16 with the Individuals with Disabilities Edu-
17 cation Act (20 U.S.C. 1400 et seq.), where
18 applicable;

19 “(v) improving the early learning
20 workforce in the community, including
21 through—

22 “(I) investments in the recruit-
23 ment, retention, distribution, and sup-
24 port of high-quality professionals, espe-
25 cially high-quality professionals with

1 *certification and experience in child*
2 *development;*

3 “*(II) the provision of high-quality*
4 *teacher preparation and professional*
5 *development; or*

6 “*(III) the use of joint professional*
7 *development for early learning pro-*
8 *viders and elementary school teachers*
9 *and administrators; and*

10 “*(vi) enhancing data systems and data*
11 *sharing among the eligible entity, partners,*
12 *early learning providers, schools, and local*
13 *educational agencies operating in the neigh-*
14 *borhood.*

15 “*(B) Supporting, enhancing, operating, or*
16 *expanding rigorous and comprehensive education*
17 *reforms designed to significantly improve edu-*
18 *cational outcomes for children in early learning*
19 *programs through grade 12, which may in-*
20 *clude—*

21 “*(i) operating schools or working in*
22 *close collaboration with local schools to pro-*
23 *vide high-quality academic programs, cur-*
24 *ricula, and integrated student supports;*

1 “(ii) providing expanded learning
2 time, which may include the integration
3 and use of arts education in such learning
4 time; and

5 “(iii) providing programs and activi-
6 ties that ensure that students—

7 “(I) are prepared for the college
8 admissions, scholarship, and financial
9 aid application processes; and

10 “(II) graduate college and career
11 ready.

12 “(C) Supporting access to a healthy life-
13 style, which may include—

14 “(i) the provision of high-quality and
15 nutritious meals;

16 “(ii) access to programs that promote
17 physical activity, physical education, and
18 fitness; and

19 “(iii) education to promote a healthy
20 lifestyle and positive body image.

21 “(D) Providing social, health, and mental
22 health services and supports, including referrals
23 for essential care and preventative screenings, for
24 children, family, and community members,
25 which may include—

1 “(i) dental services;

2 “(ii) vision care; and

3 “(iii) speech, language, and auditory
4 screenings and referrals.

5 “(E) Supporting students and family mem-
6 bers as the students transition from early learn-
7 ing programs into elementary school, from ele-
8 mentary school to middle school, from middle
9 school to high school, from high school into and
10 through college and into the workforce, including
11 through evidence-based strategies to address chal-
12 lenges that students may face as they transition,
13 such as the following:

14 “(i) Early college high schools.

15 “(ii) Dual enrollment programs.

16 “(iii) Career academies.

17 “(iv) Counseling and support services.

18 “(v) Dropout prevention and recovery
19 strategies.

20 “(vi) Collaboration with the juvenile
21 justice system and reentry counseling for
22 adjudicated youth.

23 “(vii) Advanced Placement or Inter-
24 national Baccalaureate courses.

25 “(viii) Teen parent classrooms.

1 “(ix) Graduation and career coaches.

2 “(9) A description of the strategies that will be
3 used to provide pipeline services (including a descrip-
4 tion of the process used to identify such strategies and
5 the outcomes expected and a description of which pro-
6 grams and services will be provided to children, fam-
7 ily members, community members, and children not
8 attending schools or programs operated by the eligible
9 entity or its partner providers) to support the pur-
10 pose of this part.

11 “(10) An explanation of the process the eligible
12 entity will use to establish and maintain family and
13 community engagement.

14 “(11) An explanation of how the eligible entity
15 will continuously evaluate and improve the con-
16 tinuum of high-quality pipeline services, including—

17 “(A) a description of the metrics, consistent
18 with section 4716(a), that will be used to inform
19 each component of the pipeline; and

20 “(B) the processes for using data to improve
21 instruction, optimize integrated student sup-
22 ports, provide for continuous program improve-
23 ment, and hold staff and partner organizations
24 accountable.

1 “(12) *An identification of the fiscal agent, which*
2 *may be any entity described in section 4712 (not in-*
3 *cluding paragraph (2) of such section).*

4 “(13) *A list of the non-Federal sources of funding*
5 *that the eligible entity will secure to comply with the*
6 *matching funds requirement described in section*
7 *4711(d), in addition to other programs from which*
8 *the eligible entity has already secured funding, in-*
9 *cluding programs funded by the Department or pro-*
10 *grams of the Department of Health and Human Serv-*
11 *ices, the Department of Housing and Urban Develop-*
12 *ment, the Department of Justice, or the Department*
13 *of Labor.*

14 “(c) *MEMORANDUM OF UNDERSTANDING.—An eligible*
15 *entity, as part of the application described in this section,*
16 *shall submit a preliminary memorandum of understanding,*
17 *signed by each partner entity or agency. The preliminary*
18 *memorandum of understanding shall describe, at a min-*
19 *imum—*

20 “(1) *each partner’s financial and programmatic*
21 *commitment with respect to the strategies described in*
22 *the application, including an identification of the fis-*
23 *cal agent;*

24 “(2) *each partner’s long-term commitment to*
25 *providing pipeline services that, at a minimum, ac-*

1 *counts for the cost of supporting the continuum of*
2 *supports and services (including a plan for how to*
3 *support services and activities after grant funds are*
4 *no longer available) and potential changes in local*
5 *government;*

6 *“(3) each partner’s mission and the plan that*
7 *will govern the work that the partners do together;*

8 *“(4) each partner’s long-term commitment to*
9 *supporting the continuum of supports and services*
10 *through data collection, monitoring, reporting, and*
11 *sharing; and*

12 *“(5) each partner’s commitment to ensure sound*
13 *fiscal management and controls, including evidence of*
14 *a system of supports and personnel.*

15 **“SEC. 4714. USE OF FUNDS.**

16 *“(a) IN GENERAL.—Each eligible entity that receives*
17 *a grant under this subpart shall use the grant funds to—*

18 *“(1) implement the pipeline services, as described*
19 *in the application under section 4713; and*

20 *“(2) continuously evaluate the success of the pro-*
21 *gram and improve the program based on data and*
22 *outcomes.*

23 *“(b) SPECIAL RULES.—*

24 *“(1) FUNDS FOR PIPELINE SERVICES.—Each eli-*
25 *gible entity that receives a grant under this subpart*

1 shall, following the second year of the grant and each
2 subsequent year, including each year of a renewal
3 grant, use not less than 80 percent of grant funds to
4 carry out the activities described in subsection (a)(1).

5 “(2) *OPERATIONAL FLEXIBILITY.*—Each eligible
6 entity that operates a school in a neighborhood served
7 by a grant program under this subpart shall provide
8 such school with the operational flexibility, including
9 autonomy over staff, time, and budget, needed to effec-
10 tively carry out the activities described in the appli-
11 cation under section 4713.

12 “(3) *LIMITATION ON USE OF FUNDS FOR EARLY*
13 *CHILDHOOD EDUCATION PROGRAMS.*—Funds under
14 this subpart that are used to improve early childhood
15 education programs shall not be used to carry out
16 any of the following activities:

17 “(A) Assessments that provide rewards or
18 sanctions for individual children or teachers.

19 “(B) A single assessment that is used as the
20 primary or sole method for assessing program ef-
21 fectiveness.

22 “(C) Evaluating children, other than for the
23 purposes of improving instruction, classroom en-
24 vironment, professional development, or parent

1 *and family engagement, or program improve-*
2 *ment.*

3 **“SEC. 4715. REPORT AND PUBLICLY AVAILABLE DATA.**

4 “(a) *REPORT.—Each eligible entity that receives a*
5 *grant under this subpart shall prepare and submit an an-*
6 *nual report to the Secretary, which shall include—*

7 “(1) *information about the number and percent-*
8 *age of children in the neighborhood who are served by*
9 *the grant program, including a description of the*
10 *number and percentage of children accessing each*
11 *support or service offered as part of the pipeline serv-*
12 *ices;*

13 “(2) *information relating to the performance*
14 *metrics described in section 4716(a); and*

15 “(3) *other indicators that may be required by the*
16 *Secretary, in consultation with the Director of the In-*
17 *stitute of Education Sciences.*

18 “(b) *PUBLICLY AVAILABLE DATA.—Each eligible enti-*
19 *ty that receives a grant under this subpart shall make pub-*
20 *licly available, including through electronic means, the in-*
21 *formation described in subsection (a). To the extent prac-*
22 *ticable, such information shall be provided in a form and*
23 *language accessible to parents and families in the neighbor-*
24 *hood, and such information shall be a part of statewide lon-*
25 *gitudinal data systems.*

1 **“SEC. 4716. PERFORMANCE ACCOUNTABILITY AND EVALUA-**
2 **TION.**

3 “(a) *PERFORMANCE METRICS.*—*Each eligible entity*
4 *that receives a grant under this subpart shall collect data*
5 *on performance indicators of pipeline services and family*
6 *and 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 in awarding grant renewals.*
9 *The indicators shall, at a minimum, include the following:*

10 “(1) *Evidence of increasing qualifications for*
11 *staff in early care and education programs attended*
12 *by children in the neighborhood.*

13 “(2) *With respect to the children served by the*
14 *grant—*

15 “(A) *the percentage of children who are*
16 *ready for kindergarten, as measured by a com-*
17 *prehensive developmental screening instrument;*

18 “(B) *the percentage of school-age children*
19 *proficient in core academic subjects;*

20 “(C) *evidence of narrowing student achieve-*
21 *ment gaps among the categories described in sec-*
22 *tion 1111(a)(2)(B)(x);*

23 “(D) *the percentage of children who are*
24 *reading at grade level by the end of grade 3;*

25 “(E) *the percentage of children who success-*
26 *fully transition from grade 8 to grade 9;*

1 “(F) for each school year during the grant
2 period, the percentage of students in prekindergarten,
3 elementary school, and secondary school
4 who miss more than 10 percent of school days for
5 any reason, excused or unexcused, and the number
6 and percentage of students who are suspended or expelled for any reason, starting in
7 prekindergarten;
8

9 “(G) the percentage of children who graduate with a high school diploma;
10

11 “(H) the percentage of children who enter postsecondary education and remain after 1
12 year;
13

14 “(I) the percentage of children who are healthy, as measured by a child-health index that
15 includes cognitive, nutritional, physical, social,
16 mental health, and emotional domains;
17

18 “(J) the percentage of children who feel safe,
19 as measured by a school climate survey;

20 “(K) rates of student mobility and homelessness;
21

22 “(L) opportunities for family members of
23 children to receive education and job training;
24 and

1 “(M) the percentage of children who have
2 digital literacy skills and access to broadband
3 internet and a connected computing device at
4 home and at school.

5 “(b) *EVALUATION.*—The Secretary shall evaluate the
6 implementation and impact of the activities funded under
7 this subpart, in accordance with section 9601.

8 **“Subpart 2—Promise School Grants**

9 **“SEC. 4721. PROGRAM AUTHORIZED.**

10 “(a) *IN GENERAL.*—

11 “(1) *PROGRAM AUTHORIZED.*—From amounts
12 appropriated to carry out this subpart, the Secretary
13 shall award grants, on a competitive basis, to eligible
14 entities to implement school-centered, evidence-based
15 strategies and integrated student supports that lever-
16 age community partnerships to improve student
17 achievement and child development by carrying out
18 the activities described in section 4724 in schools with
19 high concentrations of low-income children.

20 “(2) *SUFFICIENT SIZE AND SCOPE.*—Each grant
21 awarded under this subpart shall be of sufficient size
22 and scope to allow the eligible entity to carry out the
23 purpose of this part.

24 “(b) *GENERAL PROVISIONS.*—The requirements of sub-
25 sections (b), (c), (d), and (e) of section 4711 and section

1 4714(b) shall apply to a grant under this subpart in the
2 same manner as such subsections apply to a grant under
3 subpart 1, except that the performance metrics used for sec-
4 tion 4711(c) shall be the metrics under section 4726(a).

5 **“SEC. 4722. DEFINITION OF ELIGIBLE ENTITY.**

6 “In this subpart, the term ‘eligible entity’ means—

7 “(1) not less than 1 high-need local educational
8 agency (including a charter school that is a local edu-
9 cational agency) in partnership with 1 or more non-
10 profit entities or institutions of higher education; or

11 “(2) a school funded by the Bureau of Indian
12 Education that falls under the definition of a local
13 educational agency in partnership with 1 or more
14 nonprofit entities or institutions of higher education.

15 **“SEC. 4723. APPLICATION REQUIREMENTS; PRIORITY.**

16 “(a) *IN GENERAL.*—An eligible entity desiring a grant
17 under this subpart shall submit an application to the Sec-
18 retary at such time, in such manner, and containing such
19 information as the Secretary may require.

20 “(b) *CONTENTS OF APPLICATION.*—At a minimum, the
21 application described in subsection (a) shall include the fol-
22 lowing:

23 “(1) A description of the local educational agen-
24 cy, schools, and students that will be served by the
25 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 eligible*
6 *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(d), 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 described
11 in section 4713(b)(4)(B) with respect to such
12 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 el-
7 igible 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 by
10 the grant, including by carrying out the activities de-
11 scribed in section 4713(b)(8).

12 “(7) A description of the capacity of the eligible
13 entity for measuring student outcomes and school-spe-
14 cific 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 en-
25 tity 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 funding*
6 *that the eligible entity will secure to comply with the*
7 *matching funds requirement pursuant to sections*
8 *4711(d) and 4721(b), in addition to other programs*
9 *the eligible entity has already secured funding from,*
10 *including programs funded by the Department, or*
11 *programs of the Department of Health and Human*
12 *Services, the Department of Housing and Urban De-*
13 *velopment, the Department of Justice, or the Depart-*
14 *ment of Labor.*

15 “(c) *MEMORANDUM OF UNDERSTANDING.—An eligible*
16 *entity, as part of the application described in this section,*
17 *shall submit a preliminary memorandum of understanding*
18 *that meets the requirements of section 4713(c).*

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 the
2 operational flexibility, including autonomy over staff,
3 time, and budget, needed to effectively carry out the
4 activities described in the application under this sec-
5 tion.

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 based
13 on data and outcomes.

14 “(b) *SPECIAL RULE.*—

15 “(1) *LIMITATION ON USE OF FUNDS FOR EARLY*
16 *CHILDHOOD EDUCATION PROGRAMS.*—Funds under
17 this subpart that are used to improve early childhood
18 education programs shall not be used to carry out
19 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 the
23 primary or sole method for assessing program ef-
24 fectiveness.

1 “(C) *Evaluating children, other than for the*
2 *purposes of improving instruction, classroom en-*
3 *vironment, professional development, or parent*
4 *and family engagement, or program improve-*
5 *ment.*

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 percent-*
11 *age of children served by the grant program,*
12 *disaggregated by 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 the*
17 *Secretary, in consultation with the Director of the In-*
18 *stitute of Education Sciences.*

19 “(b) *PUBLICLY AVAILABLE DATA.—Each eligible enti-*
20 *ty that receives a grant under this subpart shall make pub-*
21 *licly available, including through electronic means, the in-*
22 *formation described in subsection (a). To the extent prac-*
23 *ticable, such information shall be provided in a form and*
24 *language accessible to parents and families in the neighbor-*
25 *hood.*

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 activities,*
20 *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 community*
25 *of practice;*

1 “(3) technical assistance, including assistance re-
2 relating to family and community engagement and out-
3 reach to potential partner organizations;

4 “(4) professional development, including develop-
5 ment of materials related to professional development;
6 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 insert-*
12 *ing after part G, as added by section 4108 of this Act, the*
13 *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, parents
3 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 orga-*
9 *nization (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 in-*
17 *formation and resource centers that—*

18 *“(1) assist the State educational agency in iden-*
19 *tifying, implementing, and replicating effective, evi-*
20 *dence-based parent, family, and community engage-*
21 *ment strategies, including assisting the State edu-*
22 *cational 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, infor-
2 mation, and support regarding parent and family en-
3 gagement, as appropriate (including support in turn-
4 ing around schools), to, at a minimum, high-need
5 schools, schools that are served by high-need local edu-
6 cational agencies, and early care and education pro-
7 viders that primarily serve low-income parents and
8 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 support
17 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 a
25 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 effectiveness*
 4 *in increasing and enhancing the engagement of parents and*
 5 *families whose children attend a high-need school or a school*
 6 *that is served by a high-need local educational agency.*

7 “**SEC. 4804. APPLICATIONS.**

8 “(a) *SUBMISSION.*—*Each eligible entity that desires a*
 9 *grant under this part shall submit an application to the*
 10 *Secretary at such time, in such manner, and accompanied*
 11 *by such information as the Secretary may require.*

12 “(b) *ASSURANCES.*—*Each application submitted*
 13 *under subsection (a) shall include, at a minimum, an as-*
 14 *surance that the eligible entity will—*

15 “(1)(A) *be governed by a board of directors, of*
 16 *which not less than 50 percent is comprised of mem-*
 17 *bers who are—*

18 “(i) *parents or family members of school-*
 19 *aged children in the State that the eligible entity*
 20 *serves, including educationally and economically*
 21 *disadvantaged parents; and*

22 “(ii) *community stakeholders who are com-*
 23 *mitted to improving schools and increasing par-*
 24 *ent and family engagement; or*

1 “(B) be an organization or consortium that rep-
2 resents the interests of parents and family members of
3 school-aged children;

4 “(2) use not less than 60 percent of the funds re-
5 ceived under this part for each fiscal year to support
6 parent and family engagement in high-need local edu-
7 cational areas;

8 “(3) reserve not less than 30 percent of the funds
9 received under this part for each fiscal year to sup-
10 port 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 qual-
15 ity to effectively carry out the purpose of this part;

16 “(5) ensure that parents and family members,
17 including economically disadvantaged parents and
18 family members with children who attend high-need
19 schools or schools that are served by high-need local
20 educational agencies, have access to leadership devel-
21 opment training and other evidence-based strategies
22 that provide the skills and resources parents and fam-
23 ily members need to support school improvement, in-
24 crease student achievement, and promote positive stu-
25 dent development; and

1 “(6) demonstrate to the Secretary that a portion
2 of the services provided by the eligible entity under
3 the grant is supported through non-Federal contribu-
4 tions, which contributions may be in cash or in-kind.

5 “(c) CONTENTS.—In addition to the requirements de-
6 scribed in subsection (b), each application submitted under
7 subsection (a) shall, at a minimum—

8 “(1) describe how the eligible entity will serve
9 both urban and rural areas throughout the State that
10 is served by the eligible entity;

11 “(2) demonstrate the eligible entity’s record of ef-
12 fectiveness in carrying out parent and family engage-
13 ment activities, including the provision of high-qual-
14 ity technical assistance to State educational agencies
15 and local educational agencies;

16 “(3) describe the process through which the eligi-
17 ble entity will—

18 “(A) leverage relationships with, and collect
19 and exchange information among, partners; and

20 “(B) disseminate information about evi-
21 dence-based best practices to support parent and
22 family engagement strategies;

23 “(4) describe the eligible entity’s strategy for
24 serving parents and family members of children in
25 the area served by the eligible entity, including par-

1 *ents and family members of students who are served*
2 *by high-need local educational agencies;*

3 *“(5) describe how the eligible entity will assist*
4 *the State educational agency in effectively supporting*
5 *high-need local educational agencies in—*

6 *“(A) increasing parent and family member*
7 *understanding of, and opportunities to develop,*
8 *the knowledge and skills to engage as full part-*
9 *ners in supporting academic achievement, child*
10 *development, and school improvement; and*

11 *“(B) employing evidence-based strategies*
12 *to—*

13 *“(i) increase the participation of eco-*
14 *nomically disadvantaged and English*
15 *learner parents and family members, and*
16 *low-income parents and family members of*
17 *children with disabilities, in school activi-*
18 *ties; and*

19 *“(ii) improve parent and family en-*
20 *gagement strategies in low-performing*
21 *schools served by high-need local educational*
22 *agencies; and*

23 *“(6) describe how the eligible entity will coordi-*
24 *nate its activities with the parent training and infor-*

1 *mation centers assisted under section 671 of the Indi-*
 2 *viduals with Disabilities Education Act;*

3 “(7) identify the Federal, State, and local serv-
 4 *ices and programs that prepare children to be ready*
 5 *for institutions of higher education and careers with*
 6 *which the eligible entity will coordinate, including—*

7 “(A) programs supported under this Act;

8 “(B) violence prevention programs;

9 “(C) programs that serve at-risk or out-of-
 10 *school youth;*

11 “(D) nutrition programs;

12 “(E) housing programs;

13 “(F) Head Start and other early childhood
 14 *education programs;*

15 “(G) adult education and literacy activities
 16 *(as defined in section 203 of the Adult Education*
 17 *and Family Literacy Act); and*

18 “(H) workforce development programs.

19 **“SEC. 4805. USES OF FUNDS.**

20 “(a) *REQUIRED ACTIVITIES.—Each eligible entity that*
 21 *receives a grant under this part shall use such grant funds*
 22 *to provide services to parents, family members, educators,*
 23 *and community members and to assist State educational*
 24 *agencies, local educational agencies, and, where applicable,*
 25 *districtwide parent advisory committees in supporting par-*

1 *ent and family engagement in education by carrying out*
2 *the following activities:*

3 “(1) *Providing technical assistance to State edu-*
4 *cational agencies in—*

5 “(A) *reviewing and responding to local par-*
6 *ent and family engagement plans described in*
7 *section 1118(a) (including, at a minimum, such*
8 *plans submitted by high-need local educational*
9 *agencies) in order to support evidence-based*
10 *strategies and best practices in parent and fam-*
11 *ily engagement;*

12 “(B) *the implementation of Federal and*
13 *State laws, regulations, and guidance relating to*
14 *parent and family engagement;*

15 “(C) *the implementation or replication of*
16 *statewide, evidence-based programs and strate-*
17 *gies, such as professional development for edu-*
18 *cators related to parent and family engagement,*
19 *especially that impact parents and family mem-*
20 *bers who are educationally and economically dis-*
21 *advantaged;*

22 “(D) *ensuring that schools and classrooms*
23 *are welcoming of family and community mem-*
24 *bers; and*

1 “(E) applicable evaluation, reporting, and
2 accountability processes.

3 “(2) Obtaining and disseminating information
4 about the range of options, programs, services, and re-
5 sources (including curricula) that are available at the
6 national level, the State level, and the local level to
7 assist school and local educational agency personnel
8 in implementing evidence-based parent and family
9 engagement strategies.

10 “(3) Coordinating parent and family engage-
11 ment strategies with relevant Federal, State, and local
12 services and programs.

13 “(4) Working with individuals and organiza-
14 tions with expertise in identifying and implementing
15 evidence-based practices to improve parent and fam-
16 ily engagement.

17 “(5) Coordinating and integrating early care
18 and education programs with school-age programs, es-
19 pecially those programs focusing on supporting the
20 transition of young children into kindergarten
21 through grade 3, such as by increasing awareness of
22 school readiness expectations among family and com-
23 munity members.

24 “(6) Implementing parent institutes or other
25 leadership development strategies to ensure that par-

1 *ents and family members have the skills and resources*
2 *needed to understand student and school data in*
3 *order to make decisions, effectively communicate with*
4 *school officials and educators, support school improve-*
5 *ment, and increase student achievement.*

6 *“(b) PERMISSIVE ACTIVITIES.—In addition to the ac-*
7 *tivities required under subsection (a), each eligible entity*
8 *that receives a grant under this part may use such grant*
9 *funds to carry out the following activities:*

10 *“(1) Developing and disseminating templates for*
11 *schools and local educational agencies to use to pro-*
12 *vide information about curricula, academic expecta-*
13 *tions, academic assessments, and the results of aca-*
14 *demic assessments to family members in a manner*
15 *and a language that such family members can under-*
16 *stand.*

17 *“(2) Providing training, information, and sup-*
18 *port to organizations that support partnerships*
19 *among schools, parents, family members, and district-*
20 *wide parent advisory committees, as applicable.*

21 *“(3) Providing professional development to, and*
22 *supporting a community of practice among, school*
23 *and local educational agency staff (which may be pro-*
24 *vided jointly to educators and family members) to as-*
25 *sist school and agency staff in developing and imple-*

1 *menting strategies to increase and strengthen ongoing*
2 *communication with parents and family members,*
3 *including professional development opportunities that*
4 *prepare teachers to have more focused, goal-oriented,*
5 *and reciprocal parent-teacher conferences.*

6 **“SEC. 4806. ADMINISTRATIVE PROVISIONS.**

7 *“(a) MATCHING FUNDS FOR GRANT RENEWAL.—For*
8 *each fiscal year after the first fiscal year for which an eligi-*
9 *ble entity receives assistance under this part, the eligible*
10 *entity shall demonstrate that a portion of the services pro-*
11 *vided by the eligible entity is supported through non-Fed-*
12 *eral contributions, which contributions may be in cash or*
13 *in-kind.*

14 *“(b) PERFORMANCE ACCOUNTABILITY.—*

15 *“(1) PERFORMANCE INDICATORS.—Each eligible*
16 *entity receiving a grant under this part shall submit*
17 *to the Secretary an annual report regarding the par-*
18 *ent and family information and resource centers as-*
19 *sisted under this part. Such report shall be made pub-*
20 *licly available, including through electronic means,*
21 *and shall include, at a minimum, a description of*
22 *how each parent and family information and resource*
23 *center has performed with respect to the following in-*
24 *dicators:*

1 “(A) *The number of local educational agen-*
2 *cies or other entities that received assistance or*
3 *support in the previous academic year.*

4 “(B) *The number of parents and family*
5 *members whose children participated in the pre-*
6 *vious academic year in programs, activities, or*
7 *strategies supported by the parent and family*
8 *information and resource center, and—*

9 “(i) *the number of such parents whose*
10 *children are eligible to be counted under sec-*
11 *tion 1124(c)(1)(A);*

12 “(ii) *the number of such parents whose*
13 *children are English learners; and*

14 “(iii) *the number of such parents who*
15 *are parents of children with disabilities.*

16 “(C) *The outcomes directly attributable to*
17 *the provision of assistance or support provided*
18 *by the parent and family information and re-*
19 *source center, such as increased parent and fam-*
20 *ily member participation in school planning ac-*
21 *tivities, parent-teacher conferences, or the local*
22 *educational agency budgeting process.*

23 “(D) *Other evidence-based indicators that*
24 *the Secretary may reasonably require.*

25 “(2) *PERFORMANCE GOALS.—*

1 “(A) *IN GENERAL.*—Each eligible entity
2 that is awarded a grant under this part shall es-
3 tablish, in consultation with the Secretary, an-
4 nual performance goals for each of the indicators
5 described in paragraph (1). Such performance
6 goals shall be made publicly available, including
7 through electronic means.

8 “(B) *CONSEQUENCES FOR POOR PERFORM-*
9 *ANCE.*—If an eligible entity receiving grant
10 funds under this part does not meet the perform-
11 ance goals established under this paragraph for
12 2 consecutive years, after the provision of tech-
13 nical assistance in the second consecutive year,
14 the Secretary shall terminate the grant and con-
15 duct a new competition for the grant.

16 “(C) *LOSS OF ELIGIBILITY.*—If an eligible
17 entity has received a grant under this part and
18 such grant has been terminated in accordance
19 with subparagraph (B), the eligible entity shall
20 not be eligible to participate in future grant
21 competitions, or receive grant funds, under this
22 part.

23 “(3) *TECHNICAL ASSISTANCE.*—The Secretary
24 shall provide technical assistance to each eligible enti-
25 ty receiving a grant under this part that does not

1 *meet the performance goals established under para-*
2 *graph (2).*

3 “(c) *REPORT TO CONGRESS.*—*The Secretary shall pre-*
4 *pare and submit an annual report to the authorizing com-*
5 *mittees, which shall—*

6 “(1) *include the information that each eligible*
7 *entity submits to the Secretary in accordance with*
8 *subsection (b)(1);*

9 “(2) *summarize and synthesize the best practices*
10 *collected by the parent and family information and*
11 *resource centers for increasing and improving parent,*
12 *family, and community engagement; and*

13 “(3) *be made available to the public (including*
14 *through electronic means).*

15 “(d) *RULE OF CONSTRUCTION.*—*Nothing in this part*
16 *shall be construed to prohibit a parent and family informa-*
17 *tion and resource center from—*

18 “(1) *allowing its employees or agents to meet*
19 *with family members at a site that is not on school*
20 *grounds; or*

21 “(2) *working with another public or nonprofit*
22 *agency that serves children.*

23 “(e) *PARENTAL RIGHTS.*—*Notwithstanding any other*
24 *provision of this part—*

1 “(1) no individual (including a parent who edu-
2 cates a child at home, parent of a public school stu-
3 dent, or parent of a private school student) shall be
4 required to participate in any program of parent or
5 family education or developmental screening under
6 this part; and

7 “(2) a program or center assisted under this
8 part shall not take any action that infringes in any
9 manner on the right of a parent to direct the edu-
10 cation of such parent’s child.”.

11 **SEC. 4110. PROGRAMS OF NATIONAL SIGNIFICANCE.**

12 *The Act (20 U.S.C. 6301 et seq.) is amended—*

13 (1) *by redesignating subpart 1 of part D of title*
14 *V as part J of title IV, and transferring such part J*
15 *so as to follow part I of title IV, as redesignated by*
16 *section 2101(a) of this Act;*

17 (2) *in part J of title IV, as redesignated under*
18 *paragraph (1), by striking the heading and inserting*
19 *the following: “**PROGRAMS OF NATIONAL SIG-***
20 ***NIFICANCE**”;*

21 (3) *by striking section 5414;*

22 (4) *by redesignating sections 5411, 5412, and*
23 *5413, as sections 4905, 4906, and 4907, respectively;*

24 (5) *in section 4905, as redesignated under para-*
25 *graph (4)—*

1 (A) in subsection (a)—

2 (i) by striking “challenging State aca-
3 demic content and student academic
4 achievement standards” and inserting “col-
5 lege and career ready academic content and
6 student academic achievement standards
7 under section 1111(a)(1)”; and

8 (ii) by inserting “nonprofit” before
9 “private”;

10 (B) by striking subsection (b) and inserting
11 the following:

12 “(b) USES OF FUNDS.—A nonprofit entity receiving
13 a grant under subsection (a) shall use the grant funds to
14 carry out 1 of the following activities:

15 “(1) Providing funding for economically dis-
16 advantaged students, including students from mili-
17 tary families and recent immigrants, and their teach-
18 ers, to participate in programs based in Washington,
19 D.C. that increase civic responsibility and under-
20 standing of the Federal Government among young
21 people.

22 “(2) Developing, implementing, evaluating, and
23 disseminating innovative, research-based approaches
24 to civic learning, which may include hands-on civic
25 engagement activities, for low-income elementary

1 *school and secondary school students that demonstrate*
2 *innovation, scalability, accountability, and a focus on*
3 *underserved populations.*

4 *“(3) Supporting a national principal and teach-*
5 *er certification process that provides a framework for*
6 *measuring and improving teaching and instructional*
7 *leadership with a focus on educators working in*
8 *schools that are eligible for funding under subpart 1*
9 *or 2 of part A of title I, including comprehensive rig-*
10 *orous teaching standards, leadership standards, and*
11 *high-quality metrics designed to reward educator ef-*
12 *fectiveness and inform and deliver high-quality pro-*
13 *fessional development for all educators.*

14 *“(4) Creating a national teacher corps of out-*
15 *standing college graduates to teach in underserved*
16 *communities in order to—*

17 *“(A) increase the supply of effective teachers*
18 *in low-income communities; and*

19 *“(B) provide and support the retention of*
20 *teachers for high-need fields.*

21 *“(5) Supporting a national network of providers*
22 *of high-quality, evidence-based professional develop-*
23 *ment in writing instruction for teachers across all*
24 *academic subjects and grades.*

1 “(6) *Encouraging parents and caregivers to read*
2 *aloud to their children by supporting programs*
3 *through which, during pediatric exams, doctors and*
4 *nurses train parents and caregivers who may not be*
5 *skilled readers.*

6 “(7) *Supporting the research and implementa-*
7 *tion of highly effective, evidence-based strategies, in-*
8 *structional and otherwise, and the expansion of pro-*
9 *grams designed to engage and support students who*
10 *are recent immigrants and students with interrupted*
11 *formal education, and families of such students, in*
12 *order to improve the language acquisition and aca-*
13 *ademic achievement of such students.*

14 “(8) *Researching and promoting the use of in-*
15 *structional technology and strategies across all con-*
16 *tent areas that will drastically accelerate the language*
17 *acquisition in English learners and will support*
18 *English learners as they access rigorous academic*
19 *content.*

20 “(9) *Preparing young children from low-income*
21 *families for reading success by grade 3 by—*

22 “(A) *distributing inexpensive books;*

23 “(B) *training volunteers to serve at-risk*
24 *children;*

1 “(C) *developing motivational literacy ac-*
2 *tivities for at-risk children; and*

3 “(D) *providing information on literacy re-*
4 *sources, such as those provided by local libraries*
5 *and other community-based organizations.*

6 “(10) *Supporting model projects and programs*
7 *that encourage involvement in the performing and*
8 *visual arts, for—*

9 “(A) *persons with disabilities, by—*

10 “(i) *increasing access to all forms of*
11 *the arts for all persons, including those liv-*
12 *ing with intellectual, physical, and sensory*
13 *disabilities; and*

14 “(ii) *fostering a greater awareness of*
15 *the need for arts programs for individuals*
16 *with disabilities; and*

17 “(B) *children, youth, and educators.*

18 “(11) *Implementing a coordinated program of*
19 *scientifically based research, demonstration projects,*
20 *innovative strategies, and professional development*
21 *for teachers and other instructional leaders working*
22 *in high-poverty schools to—*

23 “(A) *enhance the ability of educators to*
24 *meet the special educational needs of gifted and*
25 *talented students, including high-ability students*

1 *who have not been formally identified as gifted;*
2 *and*

3 “(B) *prioritize students who have been*
4 *underrepresented in gifted education programs,*
5 *including students who are economically dis-*
6 *advantaged, of minority backgrounds, English*
7 *learners, children with disabilities, and students*
8 *in rural communities.*

9 “(12) *Supporting the research and implementa-*
10 *tion of highly effective, evidence-based strategies and*
11 *the expansion of programs designed to engage and*
12 *support students who experience homelessness, or are*
13 *at risk of homelessness, and families of such students,*
14 *in order to improve social and emotional well-being,*
15 *health outcomes, and academic achievement of such*
16 *students.*

17 “(13) *Providing social, emotional, and academic*
18 *support to students from military families, and fami-*
19 *lies of such students, by—*

20 “(A) *developing, implementing, evaluating,*
21 *and disseminating innovative, research-based ap-*
22 *proaches to providing early intervening services*
23 *that mitigate the effect of deployment of family*
24 *members;*

1 “(B) providing training to teachers and vol-
2 unteers on the unique needs of such students; and

3 “(C) supporting model projects and pro-
4 grams for tutoring and counseling.

5 “(14) Developing, implementing, evaluating, and
6 disseminating innovative, research-based approaches
7 to teaching financial literacy, which may include cur-
8 riculum and hands-on activities, for low-income ele-
9 mentary school and secondary school students that
10 demonstrate innovation, scalability, accountability,
11 and a focus on underserved populations.

12 “(15) Promoting gender equity in education by
13 supporting educational agencies and institutions in
14 meeting the requirements of title IX of the Education
15 Amendments of 1972 (20 U.S.C. 1681 et seq.).

16 “(16) Other high-quality, nationally significant
17 programs that meet the purposes of this Act.”;

18 (C) in subsection (c), by striking “subpart”
19 and inserting “part” both places the term ap-
20 pears; and

21 (D) in subsection (d), by striking “subpart”
22 and inserting “part”;

23 (6) in section 4906(c), as redesignated under
24 paragraph (4), by striking “and in recognizing
25 States, local educational agencies, and schools under

1 *section 5411(b)(3), only if funds are used for such rec-*
 2 *ognition programs”;*

3 *(7) in section 4907, as redesignated under para-*
 4 *graph (4)—*

5 *(A) in subsection (a)(1), by striking “5412”*
 6 *and inserting “4906”; and*

7 *(B) by striking subsection (d); and*

8 *(8) in each of sections 4906 and 4907, as redesi-*
 9 *gnated under paragraph (4), by striking “subpart”*
 10 *each place the term appears and inserting “part”.*

11 **SEC. 4111. COMPETENCY-BASED ASSESSMENT AND AC-**
 12 **COUNTABILITY DEMONSTRATION AUTHOR-**
 13 **ITY.**

14 *Title IV (20 U.S.C. 7101 et seq.) is amended by insert-*
 15 *ing after part J, as redesignated under section 4110(1), the*
 16 *following:*

17 **“PART K—COMPETENCY-BASED ASSESSMENT**
 18 **AND ACCOUNTABILITY DEMONSTRATION AU-**
 19 **THORITY**

20 **“SEC. 4909. COMPETENCY-BASED ASSESSMENT AND AC-**
 21 **COUNTABILITY DEMONSTRATION.**

22 *“(a) DEFINITIONS.—In this part:*

23 *“(1) COLLEGE AND CAREER READY STAND-*
 24 *ARDS.—The term ‘college and career ready standards’*
 25 *means the academic content and student academic*

1 *achievement standards adopted by a State under sec-*
2 *tion 1111(a)(1).*

3 “(2) *COMPETENCY.*—*The term ‘competency’*
4 *means a target for student learning representing key*
5 *content-specific concepts and higher order skills, such*
6 *as critical thinking, problem solving, and self-directed*
7 *learning, that is—*

8 “(A) *applied within or across content do-*
9 *mains; and*

10 “(B) *aligned with college and career ready*
11 *standards.*

12 “(3) *CORE INDICATORS.*—*The term ‘core indica-*
13 *tors’ means—*

14 “(A) *State academic assessments that meet*
15 *the requirements of section 1111(a)(2)(B) and*
16 *that provide data that can be compared with*
17 *data regarding the State academic assessments*
18 *required under section 1111(a)(2); and*

19 “(B) *State graduation rates.*

20 “(4) *ELIGIBLE ENTITY.*—*The term ‘eligible enti-*
21 *ty’ means a State educational agency or consortium*
22 *of State educational agencies.*

23 “(5) *MASTERY.*—*The term ‘mastery’ means a*
24 *level of knowledge or skill development demonstrated*
25 *by a student signifying that the student has met a*

1 *standard and is prepared to progress to a subsequent*
2 *standard.*

3 “(6) *PERFORMANCE ASSESSMENT.*—*The term*
4 *‘performance assessment’ means a multi-step assess-*
5 *ment that—*

6 “(A) *includes complex activities with clear*
7 *criteria, expectations, and processes that enable*
8 *students to interact with meaningful content;*
9 *and*

10 “(B) *measures the depth at which students*
11 *learn content and apply complex skills to create*
12 *or refine an original product or solution.*

13 “(7) *UNIVERSAL DESIGN.*—*The term ‘universal*
14 *design’ has the meaning given the term in section 3*
15 *of the Assistive Technology Act of 1998 (29 U.S.C.*
16 *3002).*

17 “(b) *DEMONSTRATION AUTHORITY.*—

18 “(1) *IN GENERAL.*—*The Secretary may provide*
19 *eligible entities, in accordance with paragraph (3),*
20 *with the authority to incorporate competency-based*
21 *accountability into the State accountability system*
22 *required under section 1111(a)(3) in accordance with*
23 *an application approved under subsection (c).*

1 “(2) *DEMONSTRATION PERIOD.*—Each award of
2 *demonstration authority under this part shall be for*
3 *a period of 3 years.*

4 “(3) *INITIAL DEMONSTRATION AUTHORITY; EX-*
5 *PANSION; RENEWAL.*—

6 “(A) *INITIAL LIMIT.*—During the initial 3-
7 *year period of demonstration authority under*
8 *this section, the Secretary may not provide more*
9 *than 3 eligible entities with the authority de-*
10 *scribed in paragraph (1).*

11 “(B) *EXPANSION OF DEMONSTRATION AU-*
12 *THORITY.*—After the end of the initial dem-
13 *onstration period described in subparagraph (A),*
14 *the Secretary may provide additional eligible en-*
15 *tities with demonstration authority described in*
16 *paragraph (1), subject to each of the require-*
17 *ments of this part as applicable, if the Secretary*
18 *determines that the demonstration authority pro-*
19 *vided under this part during the initial dem-*
20 *onstration period has effectively supported stu-*
21 *dent progress on core indicators among students*
22 *served by the eligible entities, including sub-*
23 *groups of students described in section*
24 *1111(a)(3)(D).*

1 “(C) *RENEWAL REQUIREMENTS.*—*The Sec-*
2 *retary may renew an award of demonstration*
3 *authority under this part for additional 2-year*
4 *periods if the eligible entity demonstrates*
5 *progress on core indicators.*

6 “(c) *APPLICATIONS.*—*To be eligible to participate in*
7 *the demonstration under this part, an eligible entity shall*
8 *submit an application to the Secretary at such time, in*
9 *such manner, and containing such information as the Sec-*
10 *retary may require, that describes the competency-based ac-*
11 *countability system that will be used by the eligible entity,*
12 *including—*

13 “(1) *an assurance that the competency-based ac-*
14 *countability system will only utilize summative as-*
15 *sessments for accountability purposes that—*

16 “(A) *are determined by the Secretary to*
17 *provide comparable data across the eligible enti-*
18 *ty, demonstrate inter-rater reliability, and meet*
19 *the requirements for assessments described in sec-*
20 *tion 1111(a)(2)(B);*

21 “(B) *have been field-tested;*

22 “(C) *are aligned to college and career ready*
23 *standards and State-approved competencies;*

24 “(D) *have been developed in collaboration*
25 *with stakeholders representing the interests of*

1 *students who are children with disabilities,*
2 *English learners, and civil rights organizations*
3 *in the State, as demonstrated through modifica-*
4 *tions made to the assessments resulting from*
5 *such collaboration; and*

6 *“(E) incorporate the principles of universal*
7 *design;*

8 *“(2) how the competency-based accountability*
9 *system will—*

10 *“(A) incorporate a system of formative, in-*
11 *terim, and summative assessments, including the*
12 *use of performance assessments and other sources*
13 *of evidence of student learning that determine*
14 *mastery of State-approved competencies aligned*
15 *to college and career ready standards and com-*
16 *petencies;*

17 *“(B) allow students to demonstrate progress*
18 *toward mastery of such standards and State-ap-*
19 *proved competencies;*

20 *“(C) assess mastery of State-approved com-*
21 *petencies when students are ready to demonstrate*
22 *mastery of such standards and competencies;*

23 *“(D) provide students with multiple oppor-*
24 *tunities to demonstrate mastery of such stand-*
25 *ards and competencies;*

1 “(E) ensure that summative assessments
2 comply with the requirements for academic as-
3 sessments, as described in section 1111(a)(2)(B),
4 while engaging and supporting teachers in scor-
5 ing assessments, including the use of high-quality
6 professional development, standardized and cali-
7 brated scoring rubrics, and other strategies to en-
8 sure inter-rater reliability and comparability of
9 determinations of mastery across the State;

10 “(F) provide educators, students, and par-
11 ents with real-time data to inform instructional
12 practice and continuously improve student per-
13 formance;

14 “(G) be used in conjunction with the ac-
15 countability requirements described in section
16 1111(a)(3) and section 1116 to improve the aca-
17 demic outcomes of focus schools identified under
18 section 1116(c), priority schools identified under
19 section 1116(d), and all other schools that fail to
20 meet the school performance targets, established
21 in accordance with section 1111(a)(3)(C), for
22 any subgroup described in section 1111(a)(3)(D);

23 “(H) require not less than 1 year of aca-
24 demic growth within a school year for each stu-
25 dent and assure instructional support and tar-

1 *geted intervention are in place for those students*
2 *performing below their peers; and*

3 *“(I) only utilize a student’s individualized*
4 *education program, as defined in section 602 of*
5 *the Individuals with Disabilities Education Act,*
6 *for purposes specifically allowed under such Act;*
7 *“(3) the eligible entity’s plan to—*

8 *“(A) ensure that all students, including*
9 *each student subgroup described in section*
10 *1111(a)(3)(D)—*

11 *“(i) are held to the same high stand-*
12 *ard;*

13 *“(ii) demonstrate annually, at a min-*
14 *imum, at least 1 year of academic growth*
15 *consistent with the requirement in section*
16 *1111(a)(3)(B); and*

17 *“(iii) receive the instructional support*
18 *needed to attain mastery of college and ca-*
19 *reer ready standards and State-approved*
20 *competencies;*

21 *“(B) train local educational agency and*
22 *school staff to implement the assessments de-*
23 *scribed in paragraph (2)(A);*

24 *“(C) acclimate students to the new assess-*
25 *ment and accountability systems; and*

1 “(D) ensure that each local educational
2 agency has the technological infrastructure to op-
3 erate the competency-based accountability system
4 described in this section; and

5 “(4) a description of how instruction and profes-
6 sional development will be enhanced within the com-
7 petency-based system to personalize the educational
8 experience for each student to ensure all students
9 graduate college and career ready, as determined in
10 accordance with State academic achievement stand-
11 ards under section 1111(a)(1).

12 “(d) PEER REVIEW.—The Secretary shall—

13 “(1) implement a peer-review process, which
14 shall include a review team comprised of practitioners
15 and experts who are knowledgeable about competency-
16 based learning systems, to inform the awarding of the
17 demonstration authority under this part; and

18 “(2) make publicly available the applications
19 submitted under subsection (c) and the peer comments
20 and recommendations on such applications.

21 “(e) DEMONSTRATION AUTHORITY WITHDRAWN.—The
22 Secretary may withdraw the demonstration authority pro-
23 vided to an eligible entity under this part if—

24 “(1) at any point after the first 2 years of the
25 3-year demonstration period described in subsection

1 **(b)(2)**, the Secretary determines that student perform-
2 ance for all students served by the eligible entity or
3 any student subgroup described under section
4 1111(a)(3)(D) has declined on core indicators; or

5 “(2) after providing a State with a renewal of
6 demonstration authority under subsection (b)(3), the
7 Secretary makes a determination that student per-
8 formance has declined on core indicators for 2 con-
9 secutive years during the State’s participation in the
10 demonstration under this part.

11 “(f) *DISSEMINATION OF BEST PRACTICES.*—The Sec-
12 retary shall disseminate best practices on the implementa-
13 tion of competency-based accountability systems, including
14 on—

15 “(1) the effective use of formative, interim, and
16 summative assessments to inform instruction;

17 “(2) the development of summative assessments
18 that meet the requirements of section 1111(a)(2)(B),
19 can be compared with the State assessments required
20 under section 1111(a)(2), and include assessment
21 tasks that determine mastery of State-approved com-
22 petencies aligned to college and career ready stand-
23 ards; and

24 “(3) the development of standardized and cali-
25 brated scoring rubrics, and other strategies to ensure

1 *inter-rater reliability and comparability of deter-*
 2 *minations of mastery across the State.”.*

3 **TITLE V—PROMOTING**
 4 **INNOVATION**

5 **SEC. 5001. PROMOTING INNOVATION.**

6 *Title V (20 U.S.C. 7201 et seq.) is amended by striking*
 7 *the title heading and inserting the following:*

8 **“TITLE V—PROMOTING**
 9 **INNOVATION”.**

10 **PART A—RACE TO THE TOP**

11 **SEC. 5101. RACE TO THE TOP.**

12 *Part A of title V (20 U.S.C. 7201 et seq.) is amended*
 13 *to read as follows:*

14 **“PART A—RACE TO THE TOP**

15 **“SEC. 5101. PURPOSES.**

16 *“The purposes of this part are to provide incentives*
 17 *for States and high-need local educational agencies to im-*
 18 *plement comprehensive reforms and innovative strategies*
 19 *that are designed to lead to—*

20 *“(1) significant improvements in outcomes for*
 21 *all students, including improvements in student read-*
 22 *iness, student academic achievement, high school*
 23 *graduation rates, and rates of student enrollment,*
 24 *persistence, and completion in institutions of higher*
 25 *education; and*

1 “(2) *significant reductions in achievement gaps*
2 *between the groups of students described in section*
3 *1111(a)(2)(B)(x).*

4 **“SEC. 5102. RESERVATION OF FUNDS.**

5 *“From amounts made available to carry out this part*
6 *for a fiscal year, the Secretary may reserve not more than*
7 *5 percent to carry out activities in accordance with this*
8 *part related to technical assistance, evaluation, outreach,*
9 *and dissemination.*

10 **“SEC. 5103. RACE TO THE TOP PROGRAM.**

11 *“(a) PROGRAM AUTHORIZED.—*

12 *“(1) IN GENERAL.—For each fiscal year for*
13 *which funds are appropriated under this part and*
14 *from such funds that are not reserved under section*
15 *5102, the Secretary shall, in accordance with para-*
16 *graph (2), determine the educational goals that are*
17 *the greatest priority for the United States and award*
18 *grants, through a grant competition, to eligible enti-*
19 *ties to enable such eligible entities to carry out com-*
20 *prehensive reforms and innovative strategies in fur-*
21 *therance of such goals.*

22 *“(2) SELECTION OF GOALS AND CATEGORIES OF*
23 *ENTITIES.—*

24 *“(A) IN GENERAL.—The Secretary shall de-*
25 *termine the priorities for grants awarded*

1 through a grant competition under this part by
2 selecting in advance of the application period—

3 “(i) 1 or more categories of entities de-
4 scribed in paragraph (3) that may apply
5 for and receive the grants through such
6 grant competition; and

7 “(ii) 1 or more goals described in
8 paragraph (4) to be supported under the
9 grants.

10 “(B) ANNOUNCEMENT.—The Secretary shall
11 ensure that information regarding the selections
12 of goals and categories of entities for the grants
13 under this part for an upcoming grant competi-
14 tion is made widely available to eligible entities
15 and that the eligible entities will have sufficient
16 time to prepare a grant application based on the
17 Secretary’s decisions for the upcoming grant
18 competition.

19 “(3) ELIGIBLE ENTITIES.—The categories of en-
20 tities that may be selected for grants under this part
21 are the following:

22 “(A) A State.

23 “(B) A high-need local educational agency.

24 “(C) A consortium of States.

1 “(D) *A consortium of high-need local edu-*
2 *cational agencies.*

3 “(4) *EDUCATIONAL GOALS.—The goals that the*
4 *Secretary shall select to support through grants under*
5 *this part are 1 or more of the following:*

6 “(A) *Increasing the access of children from*
7 *low-income families to highly rated teachers and*
8 *school leaders, including by—*

9 “(i) *developing and implementing a*
10 *professional growth and improvement sys-*
11 *tem;*

12 “(ii) *improving the effectiveness of*
13 *teachers (including early childhood edu-*
14 *cation educators) and school leaders, includ-*
15 *ing through high-quality preparation, re-*
16 *ruitment, professional development, evalua-*
17 *tion, and other personnel policies; and*

18 “(iii) *ensuring that all teachers are*
19 *prepared to effectively serve the needs of stu-*
20 *dents who are children with disabilities or*
21 *English learners, particularly through the*
22 *general education curriculum.*

23 “(B) *Strengthening the availability and use*
24 *of high-quality and timely data to improve in-*

1 *structional practices, policies, and student out-*
2 *comes.*

3 “(C) *Implementing—*

4 “(i) *elementary and secondary school*
5 *academic standards that prepare students to*
6 *be college and career ready, in accordance*
7 *with section 1111(a)(1); and*

8 “(ii) *strategies that translate such*
9 *standards into classroom practice, including*
10 *in the areas of assessment, instructional*
11 *materials, and professional development.*

12 “(D) *Turning around the schools served by*
13 *the eligible entity that are identified through a*
14 *State’s accountability and improvement system*
15 *under subsection (c) or (d) of section 1116.*

16 “(E) *Creating successful conditions for the*
17 *creation, expansion, and replication of high-per-*
18 *forming public charter schools and the creation*
19 *of new, innovative, and highly autonomous pub-*
20 *lic schools that will enroll a large percentage of*
21 *students from low-income families.*

22 “(F) *Providing more equitable State and*
23 *local resources to high-poverty schools.*

24 “(G) *Improving school readiness by—*

1 “(i) increasing the number and per-
 2 centage of children from low-income fami-
 3 lies, in each age group of infants, toddlers,
 4 and preschoolers, who are enrolled in high-
 5 quality early childhood education programs;
 6 and

7 “(ii) designing and implementing an
 8 integrated system of high-quality early
 9 childhood education programs and services
 10 that strengthens the coordination and col-
 11 laboration among Federal, State, and local
 12 early childhood education programs.

13 “(b) DURATION OF GRANTS.—

14 “(1) IN GENERAL.—Each grant awarded under
 15 this part shall be for a period of not more than 4
 16 years.

17 “(2) REQUIREMENTS FOR ADDITIONAL FUND-
 18 ING.—Before receiving funding under any grant
 19 under this part for the second or any subsequent year
 20 of the grant, the eligible entity receiving the grant
 21 shall demonstrate to the Secretary that the eligible en-
 22 tity is—

23 “(A) making progress in implementing the
 24 plan under section 5104(a)(3) at a rate that the
 25 Secretary determines will result in full imple-

1 *mentation of the plan during the remainder of*
2 *the grant period; and*

3 “(B) *making progress, as measured by the*
4 *annual performance measures and targets estab-*
5 *lished by the eligible entity under section 5105,*
6 *at a rate that the Secretary determines will re-*
7 *sult in reaching the targets and achieving the ob-*
8 *jectives of the grant, during the remainder of the*
9 *grant period.*

10 “(c) *INTERAGENCY AGREEMENT.—The Secretary shall*
11 *establish an interagency agreement with the Secretary of*
12 *Health and Human Services to jointly administer any*
13 *grant competition for the goal of improving early childhood*
14 *education, as described in subsection (a)(4)(G), and any*
15 *grants issued under such grant competition.*

16 **“SEC. 5104. APPLICATION PROCESS.**

17 “(a) *IN GENERAL.—Each eligible entity that desires*
18 *to receive a grant under this part shall submit an applica-*
19 *tion to the Secretary at such time, in such manner, and*
20 *containing such information as the Secretary may reason-*
21 *ably require. At a minimum, each such application shall*
22 *include the following:*

23 “(1) *Documentation of the eligible entity’s*
24 *record, as applicable, in the areas to be measured by*

1 *the performance measures identified by the Secretary*
2 *under section 5105(2).*

3 *“(2) Evidence of conditions of innovation and*
4 *reform that the eligible entity has established and the*
5 *eligible entity’s plan for implementing additional*
6 *conditions for innovation and reform, including—*

7 *“(A) a description of how the eligible entity*
8 *has identified and eliminated ineffective prac-*
9 *tices in the past, and its plan for doing so in the*
10 *future;*

11 *“(B) a description of how the eligible entity*
12 *has identified and promoted effective practices in*
13 *the past, and its plan for doing so in the future;*
14 *and*

15 *“(C) steps the eligible entity has taken and*
16 *will take to eliminate statutory, regulatory, pro-*
17 *cedural, or other barriers to facilitate the full*
18 *implementation of its proposed plan under para-*
19 *graph (3).*

20 *“(3) A comprehensive and coherent plan for*
21 *using funds under this part, and other Federal, State,*
22 *and local funds, to improve the eligible entity’s per-*
23 *formance on the performance measures identified*
24 *under section 5105(2), including how the applicant*
25 *will implement reforms and innovative strategies to*

1 *achieve the goals selected by the Secretary under sec-*
2 *tion 5103(a)(2).*

3 *“(4) In the case of an eligible entity that is de-*
4 *scribed in subparagraph (A) or (C) of section*
5 *5103(a)(3), evidence of collaboration among the eligi-*
6 *ble entity, local educational agencies in the State (in-*
7 *cluding the local educational agencies participating*
8 *in carrying out the plan under paragraph (3)),*
9 *schools that are expected to benefit from the activities*
10 *under the plan, parents, teachers, and other stake-*
11 *holders, in developing and implementing the plan, in-*
12 *cluding evidence of the commitment and capacity to*
13 *implement such plan.*

14 *“(5) In the case of an eligible entity described in*
15 *subparagraph (B) or (D) of section 5103(a)(3), evi-*
16 *dence of the eligible entity’s collaboration with its*
17 *school leaders, teachers, parents, and other stake-*
18 *holders in developing the plan under paragraph (3),*
19 *including evidence of the commitment and capacity to*
20 *implement such plan.*

21 *“(6) The eligible entity’s annual performance*
22 *measures and targets, in accordance with the require-*
23 *ments of section 5105.*

24 *“(b) CRITERIA FOR EVALUATING APPLICATIONS.—*

1 “(1) *IN GENERAL.*—*The Secretary shall award*
2 *grants under this part on a competitive basis, based*
3 *on the quality of the applications submitted by eligi-*
4 *ble entities.*

5 “(2) *PUBLICATION OF EXPLANATION.*—*The Sec-*
6 *retary shall publish an explanation of how the appli-*
7 *cation review process will ensure an equitable, trans-*
8 *parent, and objective evaluation.*

9 “(c) *PRIORITY.*—*In awarding grants under this part,*
10 *the Secretary shall—*

11 “(1) *give priority to any eligible entity described*
12 *in subparagraph (B) or (D) of section 5103(a)(3) that*
13 *serves a school designated with a school locale code of*
14 *33, 41, 42, or 43, as determined by the Secretary; and*

15 “(2) *for any grant competition under this part*
16 *for the goal of improving early childhood education,*
17 *as described in section 5103(a)(4)(G), give priority to*
18 *any eligible entity that provides a full-day kinder-*
19 *garten program to all kindergarten students, or to all*
20 *kindergarten students from low-income families,*
21 *served by the eligible entity.*

22 **“SEC. 5105. PERFORMANCE MEASURES.**

23 “*Each eligible entity receiving a grant under this part*
24 *shall establish, subject to approval by the Secretary, annual*
25 *performance measures and targets for the programs and ac-*

1 *tivities carried out under this part. Such performance*
 2 *measures and targets shall, at a minimum, track the eligible*
 3 *entity's progress in—*

4 “(1) *implementing the plan described in section*
 5 *5104(a)(3); and*

6 “(2) *making progress on any other performance*
 7 *measure identified by the Secretary.*

8 **“SEC. 5106. USES OF FUNDS.**

9 “(a) *USE OF STATE GRANT FUNDS.—*

10 “(1) *IN GENERAL.—Each eligible entity de-*
 11 *scribed in subparagraph (A) or (C) of section*
 12 *5103(a)(3) that receives a grant under this part*
 13 *shall—*

14 “(A) *except as provided in paragraph (3),*
 15 *use not less than 50 percent of the grant funds*
 16 *to award subgrants under paragraph (2) to the*
 17 *local educational agencies that will participate*
 18 *in the plan for any purpose included in the eli-*
 19 *gible entity's plan described in section*
 20 *5104(a)(3); and*

21 “(B) *use any amount of the grant not dis-*
 22 *tributed under subparagraph (A) for any pur-*
 23 *pose included in the eligible entity's plan.*

24 “(2) *AMOUNT OF SUBGRANTS.—For a fiscal*
 25 *year, the amount of a subgrant under paragraph*

1 (1)(A) for a local educational agency that will par-
2 ticipate in the eligible entity’s plan shall bear the
3 same relation to the amount available for all such
4 subgrants by the eligible entity for such year, as the
5 amount made available to the local educational agen-
6 cy under part A of title I for the most recent year for
7 which such data are available bears to the total
8 amount made available for such year to all local edu-
9 cational agencies selected to participate in the eligible
10 entity’s plan.

11 “(3) *EXCEPTION.*—An eligible entity described in
12 subparagraph (A) or (C) of section 5103(a)(3) that
13 receives a grant under this part for the goal of im-
14 proving early childhood education, as described in
15 section 5103(a)(4)(G)—

16 “(A) shall not be subject to the requirements
17 of paragraph (1)(A); and

18 “(B) may use grant funds to award sub-
19 grants to public or private nonprofit agencies
20 and organizations for activities consistent with
21 any purpose included in the eligible entity’s plan
22 described in section 5104(a)(3).

23 “(b) *USE OF SUBGRANT FUNDS.*—Each local edu-
24 cational agency or public or private nonprofit agency or
25 organization that receives a subgrant under paragraph

1 *(1)(A) or (3)(B) of subsection (a) from an eligible entity*
2 *shall use subgrant funds for any purpose included in the*
3 *eligible entity's plan described in section 5104(a)(3), subject*
4 *to any requirements of the eligible entity.*

5 “(c) *USE OF HIGH-NEED LOCAL EDUCATIONAL AGEN-*
6 *CY GRANT FUNDS.—Each eligible entity described in sub-*
7 *paragraph (B) or (D) of section 5103(a)(3) that receives*
8 *a grant under this part shall use such funds for any purpose*
9 *included in the eligible entity's plan described in section*
10 *5104(a)(3).*

11 “(d) *SPECIAL RULE.—*

12 “(1) *LIMITATION ON USE OF FUNDS.—Notwith-*
13 *standing any other provision of this section, grant or*
14 *subgrant funds under this part shall only be used to*
15 *fund a program or activity that is an allowable use*
16 *of funds under another section of this Act (excluding*
17 *this part and section 8007, as amended by section*
18 *8004 of the Strengthening America's Schools Act of*
19 *2013), the Individuals with Disabilities Education*
20 *Act, the Adult Education and Family Literacy Act,*
21 *or the Carl D. Perkins Career and Technical Edu-*
22 *cation Act of 2006, except that grant or subgrant*
23 *funds for the goal of improving early childhood edu-*
24 *cation, as described in section 5103(a)(4)(G), may*
25 *also be used to fund a program or activity that is an*

1 *allowable use of funds under the Head Start Act (42*
2 *U.S.C. 9831 et seq.) or the Child Care and Develop-*
3 *ment Block Grant Act of 1990 (42 U.S.C. 9858 et*
4 *seq.).*

5 *“(2) LIMITATION OF USE OF FUNDS FOR EARLY*
6 *CHILDHOOD EDUCATION PROGRAMS.—Grant or*
7 *subgrant funds under this part that are used to im-*
8 *prove early childhood education programs shall not be*
9 *used to carry out any of the following activities:*

10 *“(A) Assessments that provide rewards or*
11 *sanctions for individual children or teachers.*

12 *“(B) A single assessment that is used as the*
13 *primary or sole method for assessing program ef-*
14 *fectiveness.*

15 *“(C) Evaluating children, other than for the*
16 *purposes of improving instruction, classroom en-*
17 *vironment, professional development, or parent*
18 *and family engagement, or program improve-*
19 *ment.*

20 **“SEC. 5107. REPORTING.**

21 *“(a) ANNUAL REPORT.—An eligible entity that re-*
22 *ceives a grant under this part shall submit to the Secretary,*
23 *at such time and in such manner as the Secretary may*
24 *require, an annual report including, at a minimum—*

1 “(1) data on the eligible entity’s progress in
2 achieving the targets for the annual performance
3 measures and targets established under section 5105;
4 and

5 “(2) a description of the challenges the eligible
6 entity has faced in implementing its program under
7 this part, and how the eligible entity has addressed,
8 or plans to address, such challenges.

9 “(b) *LOCAL REPORT.*—Each local educational agency
10 and each public or private nonprofit agency or organization
11 that receives a subgrant from an eligible entity under sec-
12 tion 5106(a) shall submit to the eligible entity such infor-
13 mation as the eligible entity may require to complete the
14 annual report required by subsection (a).”.

15 **PART B—INVESTING IN INNOVATION**

16 **SEC. 5201. INVESTING IN INNOVATION.**

17 Part B of title V (20 U.S.C. 7221 et seq.) is amended
18 to read as follows:

19 **“PART B—INVESTING IN INNOVATION**

20 **“SEC. 5201. PURPOSES.**

21 “The purposes of this part are to—

22 “(1) fund the identification, development, eval-
23 uation, and expansion of innovative, research- and
24 evidence-based practices, programs, and strategies in
25 order to significantly—

1 “(A) increase student academic achievement
2 and close achievement gaps;

3 “(B) increase high school graduation rates;

4 “(C) increase college enrollment readiness
5 and rates of college enrollment;

6 “(D) improve teacher and school leader ef-
7 fectiveness; and

8 “(E) improve school readiness and strength-
9 en collaboration and coordination among ele-
10 mentary schools and early childhood care and
11 education; and

12 “(2) support the rapid development, expansion,
13 adoption, and implementation of tools and resources
14 that improve the efficiency, effectiveness, or pace of
15 adoption of such educational practices, programs, and
16 strategies.

17 **“SEC. 5202. RESERVATIONS.**

18 “(a) *ARPA-ED.*—The Secretary may reserve not more
19 than 30 percent of the funds appropriated under section
20 3(u) for each fiscal year to carry out the activities of the
21 Advanced Research Projects Agency-Education established
22 under section 221 of the Department of Education Organi-
23 zation Act, except that the amount so reserved for any fiscal
24 year shall not exceed \$100,000,000.

1 “(b) *NATIONAL ACTIVITIES.*—*The Secretary may re-*
 2 *serve not more than 5 percent of the funds appropriated*
 3 *under section 3(u) for any fiscal year to carry out activities*
 4 *of national significance. Such activities may include—*

5 “(1) *capacity building;*

6 “(2) *technical assistance;*

7 “(3) *dissemination of best practices developed*
 8 *with grant funds provided under this part; and*

9 “(4) *carrying out prize awards consistent with*
 10 *section 24 of the Stevenson-Wydler Technology Inno-*
 11 *vation Act of 1980 (15 U.S.C. 3719).*

12 “(c) *AVAILABILITY OF FUNDS.*—*Funds for the activi-*
 13 *ties described in subsection (a), and for prize awards under*
 14 *subsection (b)(4), shall be available until expended.*

15 **“SEC. 5203. PROGRAM AUTHORIZED; LENGTH OF GRANTS;**
 16 **PRIORITIES.**

17 “(a) *PROGRAM AUTHORIZATION.*—

18 “(1) *IN GENERAL.*—*From amounts made avail-*
 19 *able to carry out this part and not reserved under sec-*
 20 *tion 5202 for a fiscal year, the Secretary shall award*
 21 *grants, on a competitive basis, to eligible entities.*

22 “(2) *ELIGIBLE ENTITY.*—*In this part, the term*
 23 *‘eligible entity’ means—*

24 “(A) *a local educational agency or a consor-*
 25 *tium 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 pe-
 9 riod of not more than 3 years; and

10 “(2) may extend such grants for an additional 2-
 11 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 Secretary
 19 shall not be required to make such awards unless a suffi-
 20 cient number of otherwise eligible high-quality applications
 21 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 educational
2 agencies; or

3 “(C) if the applicant is a partnership, an
4 educational service agency or a nonprofit organi-
5 zation with demonstrated expertise in serving
6 students from rural areas.

7 “(2) A majority of the schools to be served by the
8 project are designated with a school locale code of 41,
9 42, or 43, or a combination of such codes, as deter-
10 mined by the Secretary, and—

11 “(A) are served by a local educational agen-
12 cy in which 20 percent or more of the children
13 ages 5 through 17 years old are from families
14 with incomes below the poverty line;

15 “(B) are served by a local educational agen-
16 cy in which the total number of students in aver-
17 age daily attendance at all of the schools served
18 by the local educational agency is fewer than
19 600; or

20 “(C) are served by a local educational agen-
21 cy located in a county that has a total popu-
22 lation 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 shall*
10 *set standards for the quality of evidence that an applicant*
11 *shall provide in order to demonstrate that the activities the*
12 *applicant proposes to carry out with funds under this part*
13 *are likely to succeed in improving student outcomes, includ-*
14 *ing, where applicable, academic achievement and gradua-*
15 *tion rates. These standards shall include the following:*

16 “(1) *Strong evidence that the activities proposed*
17 *by the applicant will have a statistically significant*
18 *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 a*
22 *reasonable hypothesis that the activities proposed by*
23 *the applicant will improve student outcomes.*

24 “(f) *SUPPORT FOR NEW PRACTICES, STRATEGIES, OR*
25 *PROGRAMS.—*

1 “(1) *IN GENERAL.*—*The Secretary shall ensure*
2 *that not less than one-half of the funds awarded under*
3 *subsection (a) for any fiscal year are for projects*
4 *that—*

5 “(A) *meet an evidence standard described in*
6 *paragraph (2) or (3) of subsection (e); and*

7 “(B) *do not meet the evidence standard de-*
8 *scribed in paragraph (1) of such subsection.*

9 “(2) *EXCEPTION.*—*The Secretary shall not be re-*
10 *quired to make the awards described in paragraph (1)*
11 *unless a sufficient number of otherwise eligible high-*
12 *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 Secretary*
16 *at such time, in such manner, and containing such infor-*
17 *mation as the Secretary may reasonably require. At a min-*
18 *imum, each application shall—*

19 “(1) *describe the project for which the applicant*
20 *is seeking a grant and how the evidence supporting*
21 *that project meets the standards of evidence estab-*
22 *lished 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)(A);*

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 case-
10 by-case basis, upon a showing of exceptional cir-
11 cumstances;

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 educational
25 agency has made significant improvements in

1 *other outcomes, as applicable, on the perform-*
2 *ance measures described in section 5206;*

3 “(7) *if the applicant is a partnership that in-*
4 *cludes a nonprofit organization or educational service*
5 *agency, provide evidence that the nonprofit organiza-*
6 *tion or educational service agency has helped at least*
7 *1 school or local educational agency, during the pre-*
8 *vious 3 years, significantly—*

9 “(A) *increase student achievement, includ-*
10 *ing achievement for each subgroup of students*
11 *described in section 1111(a)(2)(B)(x); and*

12 “(B) *close achievement gaps;*

13 “(8) *provide a description of the applicant’s*
14 *plan for independently evaluating the effectiveness of*
15 *activities carried out with funds under this part;*

16 “(9) *provide an assurance that the applicant*
17 *will—*

18 “(A) *cooperate with evaluations, as re-*
19 *quested by the Secretary;*

20 “(B) *make data available to third parties*
21 *for validation and further study; and*

22 “(C) *participate in communities of practice;*
23 *and*

24 “(10) *if the applicant is a partnership that in-*
25 *cludes a nonprofit organization or educational service*

1 *agency that intends to make subgrants, consistent*
2 *with section 5205(b), provide an assurance that the*
3 *applicant will apply paragraphs (1) through (9), as*
4 *appropriate, in its selection of subgrantees and in its*
5 *oversight of those subgrants.*

6 **“SEC. 5205. USES OF FUNDS.**

7 *“(a) USES OF FUNDS.—*

8 *“(1) MANDATORY USES.—Each eligible entity*
9 *that receives a grant under this part shall carry out*
10 *the following:*

11 *“(A) Use the grant funds to carry out, at a*
12 *minimum, 1 of the following activities:*

13 *“(i) Improving the effectiveness of*
14 *teachers and school leaders and increasing*
15 *equity in the distribution of effective teach-*
16 *ers and school leaders.*

17 *“(ii) Strengthening the use of data to*
18 *improve teaching and learning.*

19 *“(iii) Providing high-quality instruc-*
20 *tion based on college and career ready*
21 *standards and measuring students’ mastery*
22 *of standards using high-quality assessments*
23 *aligned with those standards.*

24 *“(iv) Turning around the lowest-per-*
25 *forming schools.*

1 “(v) *Improving school readiness for*
2 *students who are low income, English learn-*
3 *ers, or children with disabilities.*

4 “(vi) *Other areas relating to school im-*
5 *provement consistent with the purposes of*
6 *this part, as determined by the Secretary.*

7 “(B) *Use the grant funds to develop or ex-*
8 *pand strategies to improve the performance of*
9 *high-need students on the applicable performance*
10 *measures described in section 5206.*

11 “(2) *PERMISSIVE USE OF FUNDS.—Each eligible*
12 *entity that receives a grant under this part may use*
13 *the grant funds for an independent evaluation, as re-*
14 *quired under section 5204(a)(8), of the innovative*
15 *practice carried out with the grant.*

16 “(b) *AUTHORITY TO SUBGRANT.—*

17 “(1) *IN GENERAL.—If an eligible entity that re-*
18 *ceives a grant under this part includes a nonprofit*
19 *organization or educational service agency, such non-*
20 *profit organization or educational service agency may*
21 *use the grant funds to award subgrants to other enti-*
22 *ties to provide support to 1 or more schools or local*
23 *educational agencies.*

24 “(2) *COMPLIANCE WITH REQUIREMENTS OF*
25 *GRANTEES.—Each entity awarded a subgrant under*

1 *paragraph (1) shall comply with the requirements of*
2 *this part relating to grantees, as appropriate.*

3 **“SEC. 5206. PERFORMANCE MEASURES.**

4 *“The Secretary shall establish performance measures*
5 *for the programs and activities carried out under this part.*
6 *These measures, at a minimum, shall track the grantee’s*
7 *progress in improving outcomes for each subgroup of stu-*
8 *dents described in section 1111(a)(2)(B)(x) that is served*
9 *by the grantee, including, as applicable, by—*

10 *“(1) increasing student achievement and decreas-*
11 *ing achievement gaps;*

12 *“(2) increasing high school graduation rates;*

13 *“(3) increasing college readiness and rates of col-*
14 *lege enrollment;*

15 *“(4) improving teacher and school leader effec-*
16 *tiveness;*

17 *“(5) improving school readiness; and*

18 *“(6) any other indicator as the Secretary or*
19 *grantee may determine.*

20 **“SEC. 5207. REPORTING.**

21 *“An eligible entity that receives a grant under this*
22 *part shall submit to the Secretary, at such time and in such*
23 *manner as the Secretary may require, an annual report*
24 *that includes, among other things, information on the enti-*

1 *ty's progress on the performance measures established under*
 2 *section 5206, and the data supporting that progress."*

3 **PART C—MAGNET SCHOOLS ASSISTANCE**

4 **SEC. 5301. FINDINGS AND PURPOSE.**

5 *Section 5301 (20 U.S.C. 7231) is amended—*

6 (1) *in subsection (a)—*

7 (A) *by striking paragraph (2) and inserting*
 8 *the following:*

9 “(2) *The use of magnet schools has increased*
 10 *dramatically since the inception of the magnet schools*
 11 *assistance program under this Act, with more than*
 12 *1,500,000 students nationwide attending such*
 13 *schools.”; and*

14 (B) *in paragraph (4), by striking subpara-*
 15 *graph (B) and inserting the following:*

16 “(B) *to ensure that all students have equi-*
 17 *table access to a high-quality public education*
 18 *that will prepare them to succeed in a highly*
 19 *competitive economy comprised of people from*
 20 *many different racial and ethnic backgrounds;*
 21 *and”;* and

22 (2) *in subsection (b)—*

23 (A) *in paragraph (2)—*

1 (i) by inserting “, particularly whole-
2 school programs,” after “magnet school pro-
3 grams”; and

4 (ii) by striking “challenging State aca-
5 demic content standards and student aca-
6 demic achievement standards” and insert-
7 ing “college and career ready State aca-
8 demic content standards and student aca-
9 demic achievement standards under section
10 1111(a)(1)”; and

11 (B) by striking paragraphs (3) and (4) and
12 inserting the following:

13 “(3) the development and design of evidence-
14 based educational methods and practices that promote
15 diversity and increase high-quality public educational
16 options;

17 “(4) courses of instruction within magnet schools
18 that will substantially increase the college and career
19 readiness of students attending such schools;”.

20 **SEC. 5302. PROGRAM AUTHORIZED.**

21 Section 5303 (20 U.S.C. 7231b) is amended, in the
22 matter preceding paragraph (1), by inserting “competitive”
23 after “to award”.

24 **SEC. 5303. APPLICATIONS AND REQUIREMENTS.**

25 Section 5305 (20 U.S.C. 7231d) is amended—

1 (1) *by striking subsection (b) and inserting the*
2 *following:*

3 “(b) *INFORMATION AND ASSURANCES.—Each applica-*
4 *tion submitted under subsection (a) shall include—*

5 “(1) *a description of—*

6 “(A) *how a grant awarded under this part*
7 *will be used to—*

8 “(i) *improve student academic achieve-*
9 *ment for all students and subgroups of stu-*
10 *dents described in section 1111(a)(2)(B)(x)*
11 *attending the magnet school program; and*

12 “(ii) *promote desegregation, including*
13 *how the proposed magnet school program*
14 *will increase interaction among students of*
15 *different social, economic, ethnic, and racial*
16 *backgrounds, including the policies, pro-*
17 *grams, and activities aimed at increasing*
18 *interaction among such students;*

19 “(B)(i) *a description of the evidence that*
20 *the magnet school program that the applicant*
21 *proposes to implement would improve student*
22 *academic achievement and reduce minority*
23 *group isolation; or*

24 “(ii) *if such evidence is not available, a ra-*
25 *tionale, based on current research findings, for*

1 *how the program would improve student aca-*
2 *ademic achievement and reduce minority group*
3 *isolation;*

4 “(C) *how the applicant will continue the*
5 *magnet school program after assistance under*
6 *this part is no longer available, and, if applica-*
7 *ble, an explanation of why magnet schools estab-*
8 *lished or supported by the applicant with grant*
9 *funds under this part cannot be continued with-*
10 *out the use of grant funds under this part;*

11 “(D) *how grant funds under this part will*
12 *be used—*

13 “(i) *to improve student academic*
14 *achievement for all students attending the*
15 *magnet school programs; and*

16 “(ii) *to implement services and activi-*
17 *ties that are consistent with other programs*
18 *under this Act, and other Acts, as appro-*
19 *priate;*

20 “(E) *the student application process, and*
21 *selection criteria, if any, to be used by the pro-*
22 *posed magnet school program;*

23 “(F) *how the applicant will conduct out-*
24 *reach and disseminate information about the*
25 *proposed magnet school program, including the*

1 *application and selection process, in a timely,*
2 *clear, and accessible manner to all students and*
3 *their parents and families and, to the extent*
4 *practicable, in a language they can understand;*
5 *and*

6 *“(G) how the applicant will assess, monitor,*
7 *and evaluate the impact of the activities funded*
8 *under this part on student academic achievement*
9 *and integration; and*

10 *“(2) assurances that the applicant will—*

11 *“(A) use grant funds under this part for the*
12 *purpose specified in section 5301(b);*

13 *“(B) employ highly rated school leaders and*
14 *teachers in the courses of instruction assisted*
15 *under this part;*

16 *“(C) not engage in discrimination based on*
17 *race, religion, color, national origin, sex, or dis-*
18 *ability in—*

19 *“(i) the hiring, promotion, or assign-*
20 *ment of employees of the applicant or other*
21 *personnel for whom the applicant has any*
22 *administrative responsibility;*

23 *“(ii) the assignment of students to*
24 *schools, or to courses of instruction within*

1 *the schools, of such applicant, except to*
2 *carry out the approved plan; and*

3 *“(iii) designing or operating extra-*
4 *curricular activities for students;*

5 *“(D) carry out a high-quality education*
6 *program that will result in greater parent and*
7 *family decisionmaking and engagement; and*

8 *“(E) give students residing in the local at-*
9 *tendance area of the proposed magnet school pro-*
10 *gram equitable consideration for placement in*
11 *the program, consistent with desegregation guide-*
12 *lines and the capacity of the applicant to accom-*
13 *modate the students.”; and*

14 *(2) in subsection (c), by striking “will be met”*
15 *and inserting “are being met”.*

16 **SEC. 5304. PRIORITY.**

17 *Section 5306 (20 U.S.C. 7231e) is amended by striking*
18 *paragraphs (1), (2), and (3), and inserting the following:*

19 *“(1) have the highest quality applications and*
20 *demonstrate the greatest need for assistance, based on*
21 *the expense or difficulty of effectively carrying out ap-*
22 *proved desegregation plans and the magnet school*
23 *program for which the grant is sought;*

24 *“(2) propose to carry out new magnet school pro-*
25 *grams, significantly revise existing magnet school*

1 *programs, or significantly expand magnet school pro-*
2 *grams, in a manner that—*

3 *“(A) is aligned with other programs that*
4 *have demonstrated a record of success in increas-*
5 *ing student academic achievement and reducing*
6 *minority group isolation; or*

7 *“(B) has a strong research basis for improv-*
8 *ing student academic achievement and reducing*
9 *minority group isolation;*

10 *“(3) select, or propose to select, students to at-*
11 *tend magnet school programs solely or primarily by*
12 *lottery, rather than through academic examination or*
13 *other selective enrollment methods; and*

14 *“(4) propose to serve the entire student popu-*
15 *lation of a school.”.*

16 **SEC. 5305. USE OF FUNDS.**

17 *Section 5307 (20 U.S.C. 7231f) is amended—*

18 *(1) in subsection (a), by striking paragraphs (1)*
19 *through (7) and inserting the following:*

20 *“(1) for planning, outreach, and promotional ac-*
21 *tivities directly related to the development, expansion,*
22 *continuation, or enhancement of academic programs*
23 *and services offered at magnet schools;*

1 “(2) for the acquisition of books, educational
2 technology, materials, and equipment necessary to
3 conduct programs in magnet schools;

4 “(3) for—

5 “(A) the compensation, or subsidization of
6 the compensation, of elementary school and sec-
7 ondary school teachers, leaders, and other in-
8 structional staff who are highly rated; and

9 “(B) high-quality professional development
10 and staff capacity-building activities, including
11 those designed to recruit, prepare, support, and
12 retain highly rated school teachers, leaders, and
13 other instructional staff;

14 “(4) with respect to a magnet school program of-
15 ferred to less than the entire student population of a
16 school, for instructional activities that are designed to
17 make available the special curriculum that is offered
18 by the magnet school program to students who are en-
19 rolled in the school but who are not enrolled in the
20 magnet school program;

21 “(5) for activities, which may include the forma-
22 tion of partnerships with public or nonprofit organi-
23 zations, to help enhance the program or promote par-
24 ent and family decisionmaking and engagement that

1 *will build the recipient's capacity to operate magnet*
2 *school programs once the grant period has ended;*

3 *“(6) to enable the local educational agency, or*
4 *consortium of such agencies, to have more flexibility*
5 *in designing magnet schools for students in all grades;*
6 *and*

7 *“(7) for other operational costs that cannot be*
8 *met with other State or local sources.”; and*

9 *(2) in subsection (b), by striking “based on the*
10 *State's challenging academic content standards and*
11 *student academic achievement standards or directly*
12 *related to improving student reading skills or knowl-*
13 *edge of mathematics, science, history, geography,*
14 *English, foreign languages, art, or music, or to im-*
15 *proving vocational, technological, and professional*
16 *skills” and inserting “and making sufficient academic*
17 *growth”.*

18 **SEC. 5306. LIMITATIONS.**

19 *Section 5309 (20 U.S.C. 7231h) is amended—*

20 *(1) in subsection (a), by striking “a period that*
21 *shall not exceed 3 fiscal years” and inserting “an ini-*
22 *tial period of not more than 3 fiscal years, and may*
23 *be renewed for not more than an additional 2 years*
24 *if the Secretary finds that the grantee is achieving the*
25 *intended outcomes of the grant and shows improve-*

1 *ment in increasing student academic achievement and*
 2 *reducing minority-group isolation, and other indica-*
 3 *tors of success established by the Secretary”; and*

4 *(2) in subsection (b)—*

5 *(A) by striking “50” and inserting “40”;*

6 *and*

7 *(B) by striking “15” and inserting “10”.*

8 **SEC. 5307. EVALUATIONS.**

9 *Section 5310 (20 U.S.C. 7231i) is amended to read*
 10 *as follows:*

11 **“SEC. 5310. EVALUATIONS.**

12 *“(a) IMPACT OF ACTIVITIES.—From the amount re-*
 13 *served for evaluation activities in accordance with section*
 14 *9601(a), the Secretary, acting through the Director of the*
 15 *Institute of Education Sciences, shall, in consultation with*
 16 *the relevant program office at the Department, evaluate the*
 17 *implementation and impact of the activities supported*
 18 *under this part, consistent with section 9601, including—*

19 *“(1) how, and the extent to which, magnet school*
 20 *programs lead to educational quality and improve-*
 21 *ment;*

22 *“(2) the extent to which magnet school programs*
 23 *enhance student access to a high quality education;*

24 *“(3) the extent to which magnet school programs*
 25 *lead to the elimination, reduction, or prevention of*

1 *minority group isolation in elementary schools and*
2 *secondary schools with substantial proportions of mi-*
3 *nority students; and*

4 *“(4) the extent to which magnet school programs*
5 *differ from other school programs in terms of the or-*
6 *ganizational characteristics and resource allocations*
7 *of such magnet school programs.*

8 *“(b) DISSEMINATION.—The Secretary shall collect and*
9 *disseminate to the general public information on successful*
10 *magnet school programs.”.*

11 **SEC. 5308. AVAILABILITY OF FUNDS FOR GRANTS TO AGEN-**
12 **CIES NOT PREVIOUSLY ASSISTED.**

13 *Section 5311 (20 U.S.C. 7231j) is amended to read*
14 *as follows:*

15 **“SEC. 5311. AVAILABILITY OF FUNDS FOR GRANTS TO AGEN-**
16 **CIES NOT PREVIOUSLY ASSISTED.**

17 *“For any fiscal year for which the amount appro-*
18 *priated pursuant to section 3(v) exceeds \$75,000,000, the*
19 *Secretary shall give priority in using such amounts in ex-*
20 *cess of \$75,000,000 to awarding grants to local educational*
21 *agencies or consortia of such agencies that did not receive*
22 *a grant under this part for the preceding fiscal year.”.*

1 **PART D—PUBLIC CHARTER SCHOOLS**

2 **SEC. 5401. PUBLIC CHARTER SCHOOLS.**

3 *Part D of title V (20 U.S.C. 7241 et seq.) is amended*
4 *to read as follows:*

5 **“PART D—PUBLIC CHARTER SCHOOLS**

6 **“SEC. 5401. PURPOSE.**

7 *“The purpose of this part is to support the creation,*
8 *expansion, and replication of high-performing charter*
9 *schools that serve the needs and increase the academic*
10 *achievement of all students.*

11 **“SEC. 5402. DISTRIBUTION OF FUNDS.**

12 *“From the funds appropriated to carry out this part*
13 *for a fiscal year—*

14 *“(1) 85 percent shall be available to carry out*
15 *subpart 1; and*

16 *“(2) 15 percent shall be available to carry out*
17 *subpart 2.*

18 **“Subpart 1—Successful Charter Schools Program**

19 **“SEC. 5411. DEFINITIONS.**

20 *“In this subpart:*

21 *“(1) CHARTER SCHOOL.—The term ‘charter*
22 *school’ means a public school that—*

23 *“(A) is governed by a separate and inde-*
24 *pendent board that exercises authority over 1 or*
25 *more schools, including authority in the areas of*

1 *governance, personnel, budget, schedule, and in-*
2 *structional program;*

3 *“(B) has ongoing, significant autonomy in*
4 *the areas of—*

5 *“(i) the hiring, replacement, and sala-*
6 *ries of the school staff;*

7 *“(ii) the school budget;*

8 *“(iii) scheduling formats for the school*
9 *day and school year;*

10 *“(iv) the instructional programs of the*
11 *school, including instructional models and*
12 *curricula; and*

13 *“(v) the management and daily oper-*
14 *ation of the school;*

15 *“(C) in accordance with a specific State*
16 *statute authorizing the granting of charters to*
17 *schools, is exempt from significant State or local*
18 *rules that inhibit the flexible operation and man-*
19 *agement of public schools, but not from any rules*
20 *relating to the other requirements of this para-*
21 *graph;*

22 *“(D) is created by a developer as a public*
23 *school, or is adapted by a developer from an ex-*
24 *isting public school, and is operated under pub-*
25 *lic supervision and direction;*

1 “(E) operates in pursuit of a specific set of
2 educational objectives determined by the school’s
3 developer and agreed to by the charter school au-
4 thorizer;

5 “(F) provides 1 or more programs of ele-
6 mentary education, secondary education, or both,
7 including early childhood education, and may
8 also provide adult education, in accordance with
9 State law;

10 “(G) is nonsectarian in its programs, ad-
11 missions policies, employment practices, and all
12 other operations, and is not affiliated with a sec-
13 tarian school or religious institution;

14 “(H) does not charge tuition;

15 “(I) complies with the Age Discrimination
16 Act of 1975 (42 U.S.C. 6101 et seq.), title VI of
17 the Civil Rights Act of 1964 (42 U.S.C. 2000d
18 et seq.), title IX of the Education Amendments of
19 1972 (20 U.S.C. 1681 et seq.), section 504 of the
20 Rehabilitation Act of 1973 (29 U.S.C. 794), title
21 II of the Americans with Disabilities Act of 1990
22 (42 U.S.C. 12131 et seq.), and part B of the In-
23 dividuals with Disabilities Education Act;

24 “(J) is a school to which parents choose to
25 send their children, and that admits students on

1 *the basis of a lottery if more students apply for*
2 *admission than can be accommodated, except as*
3 *modified by the Secretary by regulation in ac-*
4 *cordance with clause (iv) or (v) of section*
5 *1116(d)(4)(B);*

6 *“(K) complies with the same Federal and*
7 *State audit requirements as do other elementary*
8 *schools, secondary schools, and early childhood*
9 *education programs and adult education pro-*
10 *grams, as applicable, in the State, unless such*
11 *requirements are specifically waived for the pur-*
12 *pose of this program;*

13 *“(L) meets all applicable Federal, State,*
14 *and local health and safety requirements;*

15 *“(M) operates in accordance with State law;*
16 *and*

17 *“(N) has a written performance contract*
18 *with a charter school authorizer that includes—*

19 *“(i) a description of how student per-*
20 *formance will be measured on the basis of—*

21 *“(I) State assessments that are re-*
22 *quired of other public schools; and*

23 *“(II) any other assessments that*
24 *are mutually agreeable to the charter*

1 *school authorizer and the charter*
2 *school;*

3 “(ii) *a requirement that student aca-*
4 *ademic achievement and growth, consistent*
5 *with section 1111, for the students enrolled*
6 *at the school as a whole and for each sub-*
7 *group described in section 1111(a)(3)(D)*
8 *will be used as a primary factor in deci-*
9 *sions about the renewal or revocation of the*
10 *charter, in addition to other criteria, as ap-*
11 *propriate;*

12 “(iii) *the student academic achieve-*
13 *ment and growth, consistent with section*
14 *1111, and student retention goals, and, in*
15 *the case of a high school, graduation rate*
16 *goals for the students enrolled at the school*
17 *as a whole and for each subgroup described*
18 *in section 1111(a)(3)(D), and any other*
19 *goals to be achieved by the end of the con-*
20 *tract period;*

21 “(iv) *the obligations and responsibil-*
22 *ities of the charter school and the charter*
23 *school authorizer; and*

24 “(v) *a description of the autonomy*
25 *that will be granted to the charter school in*

1 each area described under subparagraph
2 (B).

3 “(2) *CHARTER SCHOOL AUTHORIZER.*—The term
4 ‘charter school authorizer’ means any public or non-
5 profit entity that has the authority under State law,
6 and is approved by the Secretary, to authorize or ap-
7 prove a public charter school.

8 “(3) *DEVELOPER.*—The term ‘developer’ means
9 any individual, group of individuals, or public non-
10 profit organization that—

11 “(A) has applied for, or been granted, a
12 charter for a charter school; or

13 “(B) has received authorization to start a
14 charter school.

15 “(4) *ELIGIBLE ENTITY.*—The term ‘eligible enti-
16 ty’ means—

17 “(A) a State educational agency;

18 “(B) a local educational agency, except a
19 charter school that is considered a local edu-
20 cational agency under State law;

21 “(C) a charter school authorizer; or

22 “(D) a charter management organization.

23 “(5) *EXPAND.*—The term ‘expand’ means to in-
24 crease the student enrollment of an existing high-per-
25 forming charter school by more than 50 percent or

1 *through the addition of not less than 2 grades to such*
2 *existing charter school over the course of a grant or*
3 *subgrant under this part.*

4 “(6) *HIGH-PERFORMING CHARTER SCHOOL.*—

5 *The term ‘high-performing charter school’ means—*

6 “(A) *in the case of a charter school that was*
7 *not open or did not enroll students in the pre-*
8 *ceding school year, a charter school that has a*
9 *written performance contract with a charter*
10 *school authorizer that includes, for the students*
11 *enrolled at the school as a whole and for each*
12 *subgroup described in section 1111(a)(3)(D) for*
13 *the most recent year for which such data are*
14 *available—*

15 “(i) *student academic achievement and*
16 *growth goals (as measured, in the case of a*
17 *charter school that is an elementary school*
18 *or secondary school, by performance on the*
19 *statewide academic assessments required*
20 *under section 1111(a)(2) and individual*
21 *academic growth, consistent with section*
22 *1111(a)) that are higher than the average*
23 *student academic achievement and growth*
24 *results, consistent with section 1111, in de-*
25 *mographically similar schools in the State;*

1 “(ii) student retention goals that are
2 similar to, or greater than, the average stu-
3 dent retention rates in demographically
4 similar schools in the State; and

5 “(iii) if the charter school is a high
6 school, goals for graduation rates, rates of
7 student enrollment at institutions of higher
8 education, and rates of student persistence
9 at institutions of higher education that are
10 higher than such average rates in demo-
11 graphically similar schools in the State; or

12 “(B) in the case of a charter school that was
13 open and enrolled students for the preceding
14 school year, a charter school that has, for the stu-
15 dents enrolled at the school as a whole and for
16 each subgroup described in section 1111(a)(3)(D)
17 for the most recent year for which such data are
18 available—

19 “(i) student academic achievement and
20 growth results (as measured, in the case of
21 a charter school that is an elementary
22 school or secondary school, by performance
23 on the statewide academic assessments re-
24 quired under section 1111(a)(2) and indi-
25 vidual academic growth, consistent with sec-

1 tion 1111) that are significantly higher
 2 than the average student academic achieve-
 3 ment and growth results, consistent with
 4 section 1111, in demographically similar
 5 schools in the State;

6 “(ii) student retention rates that are
 7 similar to or higher than the average stu-
 8 dent retention rates in demographically
 9 similar schools in the State; and

10 “(iii) if the school is a high school,
 11 higher graduation rates, rates of student en-
 12 rollment at institutions of higher education,
 13 and rates of student persistence at institu-
 14 tions of higher education than such average
 15 rates in demographically similar schools in
 16 the State.

17 “(7) *REPLICATE*.—The term ‘replicate’ means to
 18 open 1 or more new campuses of, or schools based on,
 19 an existing high-performing charter school under a
 20 new or existing charter, or both, over the course of a
 21 grant or subgrant under this part.

22 **“SEC. 5412. PROGRAM AUTHORIZED.**

23 “(a) *IN GENERAL*.—From the amount available to
 24 carry out this subpart, the Secretary shall award grants,
 25 on a competitive basis, to eligible entities to enable such

1 *eligible entities to award subgrants to developers to create,*
2 *expand, or replicate 1 or more high-performing charter*
3 *schools, including through conversion of an existing public*
4 *school into a charter school.*

5 “(b) *ALLOCATIONS.*—*The Secretary shall use not less*
6 *than 25 percent of funds to award grants to eligible entities*
7 *described in 5411(4)(A).*

8 “(c) *CONSIDERATIONS.*—*In awarding grants under*
9 *this subpart, the Secretary shall consider—*

10 “(1) *the geographic diversity of the eligible enti-*
11 *ties, including the distribution of grants among*
12 *urban, suburban, and rural areas; and*

13 “(2) *the number of eligible entities in a State*
14 *that are receiving grants under this subpart in any*
15 *fiscal year.*

16 “(d) *GRANT AMOUNT.*—

17 “(1) *In determining the amount of each grant to*
18 *be awarded under subsection (a), the Secretary shall*
19 *consider—*

20 “(A) *the number of operating charter*
21 *schools under the jurisdiction or in the service*
22 *area of the eligible entity;*

23 “(B) *to the extent practicable, the number of*
24 *students, including students on charter school*
25 *waiting lists, that will be served by high-per-*

1 *forming charter schools that receive funds under*
2 *this subpart; and*

3 “(C) *the amount of funds that is needed to*
4 *implement the activities described in the ap-*
5 *proved application.*

6 “(e) *DURATION.—*

7 “(1) *IN GENERAL.—Each grant awarded under*
8 *this subpart shall be for an initial period of not more*
9 *than 3 years.*

10 “(2) *RENEWAL.—The Secretary may renew a*
11 *grant awarded under this subpart for an additional*
12 *period of not more than 2 years, if the eligible entity*
13 *is achieving the objectives of the grant and has shown*
14 *improvement on the performance measures and tar-*
15 *gets described in section 5417(a).*

16 “(f) *LIMITATIONS.—*

17 “(1) *GRANTS.—An eligible entity described*
18 *under subparagraph (A) of section 5411(4) may not*
19 *receive more than 1 grant at a time under this sec-*
20 *tion.*

21 “(2) *SUBGRANTS.—A developer may not receive*
22 *more than 1 grant or subgrant at a time under this*
23 *section.*

24 “(g) *RESERVATIONS.—*

1 “(1) *ADMINISTRATIVE EXPENSES.*—An eligible
2 entity that receives a grant under this subpart may
3 use not more than a total of 5 percent of grant funds
4 for administrative expenses associated with the grant,
5 including for improvement of the eligible entity’s
6 oversight or management of charter schools.

7 “(2) *IMPROVING AUTHORIZER QUALITY.*—An eli-
8 gible entity described in subparagraph (A), (B), or
9 (C) of section 5411(4) shall use 5 percent of grant
10 funds for improving authorizer quality, including
11 charter school oversight and monitoring systems and
12 procedures for revoking or not renewing charters.

13 “(h) *WAIVER.*—The Secretary may waive a statutory
14 or regulatory requirement over which the Secretary exer-
15 cises administrative authority, except a requirement de-
16 scribed in section 5411(1), if—

17 “(1) the waiver is requested in an approved ap-
18 plication under this subpart; and

19 “(2) the Secretary determines that granting the
20 waiver will promote the purpose of this subpart.

21 **“SEC. 5413. APPLICATIONS.**

22 “(a) *IN GENERAL.*—Each eligible entity desiring a
23 grant under this subpart shall submit an application to the
24 Secretary at such time, in such manner, and containing

1 *such information and assurances as the Secretary may re-*
2 *quire.*

3 “(b) *CONTENTS.*—

4 “(1) *ELIGIBLE ENTITIES.*—*At a minimum, the*
5 *application described in subsection (a) shall include*
6 *a description of—*

7 “(A) *how the eligible entity will use grant*
8 *funds to create, expand, or replicate 1 or more*
9 *high-performing charter schools;*

10 “(B) *the need for the high-performing char-*
11 *ter schools that the eligible entity seeks to sup-*
12 *port, including information that demonstrates*
13 *the interest of parents and communities in in-*
14 *creasing charter school enrollment capacity, such*
15 *as the number of students who are on waiting*
16 *lists for charter schools under the jurisdiction of*
17 *the eligible entity;*

18 “(C) *the performance measures the eligible*
19 *entity will use to measure outcomes;*

20 “(D) *how the eligible entity will provide in-*
21 *formation and support to parents, families, and*
22 *students regarding the available charter school*
23 *options in a simple, clear, and easily accessible*
24 *format and, to the extent practicable, in a lan-*

1 *guage that such parents, families, and students*
2 *can understand;*

3 “(E) *how the eligible entity will coordinate*
4 *the grant funds received under this subpart with*
5 *other Federal, State, and local funds;*

6 “(F) *how the eligible entity will ensure that*
7 *each charter school within such eligible entity’s*
8 *jurisdiction or service area—*

9 “(i) *meets the requirements of section*
10 *5411(1); and*

11 “(ii) *provides equitable access and ef-*
12 *fectively serves the needs of all students, in-*
13 *cluding children with disabilities and*
14 *English learners, and implements outreach*
15 *and recruitment practices that include fam-*
16 *ilies of such students;*

17 “(G) *how the eligible entity will award sub-*
18 *grants to developers, on a competitive basis and*
19 *through a high-quality review process, including*
20 *a description of the subgrant application;*

21 “(H) *how the eligible entity will target sub-*
22 *grants to high-performing charter schools that*
23 *plan to serve students who attend schools that*
24 *have been identified through the State account-*

1 *ability and improvement system described in sec-*
2 *tion 1116;*

3 “(I) *the eligible entity’s record, if applica-*
4 *ble, of success in creating, expanding, repli-*
5 *cating, managing, and overseeing high-per-*
6 *forming charter schools, and closing unsuccessful*
7 *schools;*

8 “(J) *how the eligible entity will hold charter*
9 *schools within such eligible entity’s jurisdiction*
10 *accountable if such schools do not meet the objec-*
11 *tives specified in the performance contract de-*
12 *scribed in section 5411(1)(N), including by clos-*
13 *ing unsuccessful schools; and*

14 “(K) *how charter school authorizers are ap-*
15 *proved, monitored, held accountable for estab-*
16 *lishing rigorous standards, periodically reviewed,*
17 *and re-approved in the State in which the eligi-*
18 *ble entity operates, based on the performance of*
19 *the charter schools that such charter school au-*
20 *thorizers authorize, including in the areas of stu-*
21 *dent safety, financial management, and compli-*
22 *ance with all applicable statutes and regulations.*

23 “(2) *STATE EDUCATIONAL AGENCIES.—Each eli-*
24 *gible entity described in section 5411(4)(A) shall in-*
25 *clude in the application described in paragraph (1)*

1 *(in addition to the requirements of such paragraph),*
2 *the following:*

3 “(A) *A description of the State’s laws, poli-*
4 *cies, or procedures, if applicable, that address—*

5 “(i) *how decisions are made to close*
6 *unsuccessful charter schools, and how stu-*
7 *dent academic achievement and growth,*
8 *consistent with section 1111, for all students*
9 *and for each subgroup of students described*
10 *in section 1111(a)(3)(D), is a primary fac-*
11 *tor in such decisions;*

12 “(ii) *how charter schools are monitored*
13 *and held accountable for—*

14 “(I) *meeting the requirements de-*
15 *scribed in section 5411(1); and*

16 “(II) *providing equitable access*
17 *and effectively serving the needs of all*
18 *students, including students with dis-*
19 *abilities and English learners; and*

20 “(iii) *how a charter school that is con-*
21 *sidered a local educational agency under*
22 *State law, or a local educational agency in*
23 *which a charter school is located, will com-*
24 *ply with subsections (a)(5) and (e)(1)(B) of*

1 *section 613 of the Individuals with Disabil-*
2 *ities Education Act.*

3 *“(B) Information about the eligible entity’s*
4 *record of funding charter schools, including*
5 *funding charter school facilities.*

6 *“(C) Information about the number of char-*
7 *ter schools in the State that—*

8 *“(i) have been closed or have had char-*
9 *ters revoked or not renewed in the preceding*
10 *5-year period, and the reasons for such clo-*
11 *tures, revocations, or nonrenewals;*

12 *“(ii) have been identified, through the*
13 *State accountability and improvement sys-*
14 *tem, as focus schools or priority schools*
15 *under subsection (c) or (d) of section 1116*
16 *in the preceding 5-year period;*

17 *“(iii) have met objectives specified in*
18 *the performance contract described in sec-*
19 *tion 5411(1)(N); and*

20 *“(iv) the charter school authorizer has*
21 *authorized that are high-performing charter*
22 *schools, and the percentage of such charter*
23 *schools as compared to the total number of*
24 *charter schools that the charter school au-*
25 *thorizer has authorized.*

1 “(3) *LOCAL EDUCATIONAL AGENCIES.*—*Each eli-*
2 *gible entity described in section 5411(4)(B) shall in-*
3 *clude in the application described in paragraph (1)*
4 *(in addition to the requirements described in such*
5 *paragraph), a description of the eligible entity’s poli-*
6 *cies and procedures for—*

7 “(A) *ensuring that charter schools under the*
8 *jurisdiction of such eligible entity have equitable*
9 *access to school facilities and school facilities fi-*
10 *nancing;*

11 “(B) *complying with subsections (a)(5) and*
12 *(e)(1)(B) of section 613 of the Individuals with*
13 *Disabilities Education Act; and*

14 “(C) *supporting public school choice.*

15 “(4) *CHARTER SCHOOL AUTHORIZERS.*—*Each eli-*
16 *gible entity described in section 5411(4)(C) shall in-*
17 *clude in the application described in paragraph (1)*
18 *(in addition to the requirements of such paragraph),*
19 *the following:*

20 “(A) *A demonstration that the eligible enti-*
21 *ty has explicit and clear policies and procedures*
22 *in place for the approval, monitoring, renewal,*
23 *and closure of charter schools, and an assurance*
24 *that such policies and procedures make student*
25 *academic achievement and growth, consistent*

1 *with section 1111, for all students and for each*
2 *subgroup of students described in section*
3 *1111(a)(3)(D), a primary factor in such deci-*
4 *sions.*

5 “(B) *A description of how the eligible entity*
6 *will make publicly available (in a clear and uni-*
7 *form format, a timely manner, and a form that*
8 *is easily accessible, and, to the extent practicable,*
9 *in a language that families and students can un-*
10 *derstand)—*

11 “(i) *information about the criteria and*
12 *procedures for granting, denying, revoking,*
13 *and renewing charters for charter schools;*
14 *and*

15 “(ii) *the results of decisions relating to*
16 *the granting, denial, revocation, and re-*
17 *newal of charters for charter schools, includ-*
18 *ing performance data and other relevant in-*
19 *formation on which each decision is based.*

20 “(C) *Information about the number of char-*
21 *ter schools that the charter school authorizer has*
22 *authorized in each of the following categories:*

23 “(i) *Charter schools that have been*
24 *closed or have had charters revoked or not*
25 *renewed by the eligible entity in the pre-*

1 ceding 5-year period, and the reasons for
2 such closures, revocations, or nonrenewals.

3 “(ii) Charter schools that have been
4 identified as focus schools or priority
5 schools under subsection (c) or (d) of section
6 1116 through the State accountability and
7 improvement system.

8 “(iii) Charter schools that have met ob-
9 jectives specified in the performance con-
10 tract described in section 5411(1)(N).

11 “(iv) Charter schools that are high-per-
12 forming charter schools, and the percentage
13 of such charter schools as compared to the
14 total number of charter schools that the
15 charter school authorizer has authorized.

16 “(5) CHARTER MANAGEMENT ORGANIZATIONS.—
17 Each eligible entity described in section 5411(4)(D)
18 shall include in the application described in para-
19 graph (1) (in addition to the requirements of such
20 paragraph), a description of—

21 “(A) the qualifications of such eligible enti-
22 ty’s management team; and

23 “(B) a multi-year financial and operating
24 model for each of the high-performing charter

1 schools that such eligible entity will create, ex-
2 pand, or replicate under the grant.

3 “(6) *SPECIAL RULE.*—In the case of a developer
4 that plans to open a charter school in a jurisdiction
5 or service area where no eligible entity will be award-
6 ing subgrants under this subpart for the fiscal year
7 for which the developer applies, the Secretary may
8 award a grant to such developer if such developer has
9 an approved application that includes the require-
10 ments described in subparagraphs (A) through (F) of
11 paragraph (1) and paragraph (5). The requirements
12 of subsections (b) and (c) of section 5416 and section
13 5417(c) shall apply to a developer receiving a grant
14 under this paragraph in the same manner as such
15 sections apply to a developer receiving a subgrant
16 under section 5416, except that the developer shall
17 submit the data under section 5417(c) directly to the
18 Secretary.

19 **“SEC. 5414. SELECTION CRITERIA; PRIORITY.**

20 “(a) *SELECTION CRITERIA.*—

21 “(1) *IN GENERAL.*—In awarding grants to eligi-
22 ble entities under this subpart, the Secretary shall
23 consider—

24 “(A) the quality of the eligible entity’s ap-
25 plication;

1 “(B) the eligible entity’s record, if applica-
2 ble, of success in creating, expanding, repli-
3 cating, managing, and overseeing high-per-
4 forming charter schools;

5 “(C) the eligible entity’s record of dis-
6 continuing funding or closing low-performing
7 charter schools, including, as applicable, by re-
8 voking or not renewing the charters of such char-
9 ter schools, and the eligible entity’s commitment
10 to discontinuing funding or closing low-per-
11 forming charter schools in the future;

12 “(D) the extent to which the eligible entity
13 demonstrates that such eligible entity will award
14 subgrants targeted to serving students who at-
15 tend schools that have been identified as focus
16 schools or priority schools under subsection (c) or
17 (d) of section 1116 through the State account-
18 ability and improvement system;

19 “(E) the quality of the eligible entity’s plan
20 for supporting subgrant recipients, through such
21 activities as technical assistance, directly or
22 through grants, contracts, or cooperative agree-
23 ments, in order to—

24 “(i) improve student academic achieve-
25 ment and growth, consistent with section

1 1111, for all students and for each subgroup
2 of students described in section
3 1111(a)(3)(D); and

4 “(i) promote effective outreach to, and
5 recruitment of, students who are children
6 with disabilities and students who are
7 English learners, and the parents and fami-
8 lies of such students; and

9 “(F) the extent to which the State in which
10 the eligible entity operates provides for and en-
11 forces high-quality standards for charter school
12 authorizers, including by establishing standards
13 for rigorous and periodic reviews.

14 “(2) STATE EDUCATIONAL AGENCIES.—In the
15 case of an applicant that is an eligible entity de-
16 scribed in section 5411(4)(A), in addition to the ele-
17 ments described in paragraph (1), the Secretary shall
18 also consider the extent to which such eligible entity—

19 “(A) ensures that charter schools receive eq-
20 uitable funding compared to other public schools
21 in the State, and a commensurate share of Fed-
22 eral, State, and local revenues compared to pub-
23 lic schools in the State, including equitable State
24 funding to support early childhood education

1 *programs operated by charter schools in the*
2 *State, in accordance with State law; and*

3 *“(B) provides charter schools with equitable*
4 *access to funds for facilities (which may include*
5 *funds for leasing or purchasing facilities or for*
6 *making tenant improvements), assistance for fa-*
7 *cilities acquisition, access to public facilities, the*
8 *ability to share in the proceeds of bonds and lev-*
9 *ies, or other support related to facilities.*

10 *“(3) LOCAL EDUCATIONAL AGENCIES.—In the*
11 *case of an applicant that is an eligible entity de-*
12 *scribed in section 5411(4)(B) (except for a charter*
13 *school that is considered a local educational agency*
14 *under State law), in addition to the elements de-*
15 *scribed in paragraph (1), the Secretary shall also con-*
16 *sider—*

17 *“(A) if charter schools are operating within*
18 *the area served by such eligible entity, the extent*
19 *to which the eligible entity has policies and pro-*
20 *cedures in place to ensure that—*

21 *“(i) charter schools have equitable ac-*
22 *cess to school facilities; or*

23 *“(ii) charter schools are not denied ac-*
24 *cess to available public school facilities; and*

1 “(B) the extent to which the eligible entity
2 demonstrates support for public school choice.

3 “(4) CHARTER SCHOOL AUTHORIZERS.—In the
4 case of an applicant that is an eligible entity de-
5 scribed in section 5411(4)(C), in addition to the ele-
6 ments described in paragraph (1), the Secretary shall
7 also consider the eligible entity’s record of success in
8 authorizing and supporting high-performing charter
9 schools.

10 “(5) CHARTER MANAGEMENT ORGANIZATIONS.—
11 In the case of an applicant that is an eligible entity
12 described in section 5411(4)(D), in addition to the
13 elements described in paragraph (1), as applicable,
14 the Secretary shall also consider—

15 “(A) the quality of the eligible entity’s man-
16 agement team; and

17 “(B) the quality and sustainability of the
18 eligible entity’s multi-year financial and oper-
19 ating model.

20 “(b) PRIORITY.—

21 “(1) STUDENTS FROM LOW-INCOME FAMILIES.—
22 In awarding grants under this subpart, the Secretary
23 shall give priority to eligible entities that propose to
24 create, expand, or replicate high-performing charter

1 *schools that plan to enroll a large percentage of stu-*
 2 *dents from low-income families.*

3 *“(2) DIVERSITY.—In awarding grants under this*
 4 *subpart, the Secretary may give priority to eligible*
 5 *entities that propose to create, expand, or replicate a*
 6 *high-performing charter school that will have a di-*
 7 *verse student population.*

8 *“(3) STATE EDUCATIONAL AGENCIES.—In the*
 9 *case of an applicant that is an eligible entity de-*
 10 *scribed in section 5411(4)(A), the Secretary shall give*
 11 *priority to such eligible entities—*

12 *“(A) from States that do not have a law*
 13 *that prohibits, or effectively inhibits, increasing*
 14 *the number of high-performing charter schools in*
 15 *the State;*

16 *“(B) from States that—*

17 *“(i) provide for, and adequately sup-*
 18 *port, 2 or more charter school authorizers,*
 19 *of which not less than 1 is a statewide char-*
 20 *ter school authorizer; or*

21 *“(ii) in the case of States in which*
 22 *local educational agencies are the only char-*
 23 *ter school authorizers, from States that—*

24 *“(I) allow for an appeals process*
 25 *through which developers have an op-*

1 *portunity to appeal a denial to an-*
 2 *other authorizer that will issue a final*
 3 *determination regarding whether or*
 4 *not to grant the developer a charter;*
 5 *and*

6 *“(II) require charter school au-*
 7 *thorizers to indicate an affirmative in-*
 8 *terest in serving as charter school au-*
 9 *thorizers; and*

10 *“(C) that have a policy or procedure in*
 11 *place that ensures that—*

12 *“(i) charter schools are reauthorized or*
 13 *have their charter renewed not less than*
 14 *once every 5 years; and*

15 *“(ii) charter schools submit independ-*
 16 *ently audited financial statements to the*
 17 *authorizer.*

18 **“SEC. 5415. USES OF FUNDS.**

19 *“(a) REQUIRED USES OF FUNDS.—Each eligible enti-*
 20 *ty receiving a grant under section 5412(a) shall—*

21 *“(1) use not less than 95 percent of the remain-*
 22 *ing grant funds, after the reservations made under*
 23 *section 5412(g), to award subgrants to 1 or more de-*
 24 *velopers, as described in section 5416, to enable such*
 25 *developers to create, expand, or replicate 1 or more*

1 *high-performing charter schools (which may include*
2 *opening new schools or converting existing schools*
3 *into charter schools) in the area served by the eligible*
4 *entity or under the jurisdiction of the eligible entity;*

5 *“(2) in awarding subgrants, give priority to de-*
6 *velopers that propose to create, expand, or replicate a*
7 *high-performing charter school in which a large per-*
8 *centage of the students enrolled are from low-income*
9 *families;*

10 *“(3) provide developers who are receiving a*
11 *subgrant with support and technical assistance in—*

12 *“(A) improving student academic achieve-*
13 *ment and growth, consistent with section 1111;*

14 *“(B) effectively serving the needs of all stu-*
15 *dents, including students who are children with*
16 *disabilities and students who are English learn-*
17 *ers; and*

18 *“(C) implementing outreach and recruit-*
19 *ment practices that includes families of students*
20 *who are children with disabilities and English*
21 *learners;*

22 *“(4) directly, or through a partnership with a*
23 *nonprofit organization (such as a community-based*
24 *organization), develop and implement parent, family,*
25 *and student information, outreach, and recruitment*

1 *programs to provide information and support to par-*
2 *ents, families, and students about the public school*
3 *choice options available to them, including students*
4 *who are children with disabilities and students who*
5 *are English learners, in a simple, clear, and easily*
6 *accessible format and, to the extent practicable, in a*
7 *language that such parents, families, and students*
8 *can understand.*

9 *“(b) PERMISSIBLE USE OF FUNDS.—Each eligible en-*
10 *tity receiving a grant under section 5412(a) may use not*
11 *more than 2.5 percent of grant funds to disseminate infor-*
12 *mation to public schools in the eligible entity’s jurisdiction*
13 *or service area about lessons learned through the grant ac-*
14 *tivities, in order to—*

15 *“(1) successfully address the education needs of*
16 *all students, including students who are children with*
17 *disabilities and students who are English learners;*
18 *and*

19 *“(2) replicate high-performing charter school*
20 *models.*

21 **“SEC. 5416. SUBGRANTS.**

22 *“(a) APPLICATIONS.—Each developer that desires to*
23 *receive a subgrant under this subpart shall submit an ap-*
24 *plication to the appropriate eligible entity at such time, in*
25 *such form, and including such information and assurances*

1 *as the eligible entity may reasonably require, which shall*
2 *include the information required under subparagraphs (A)*
3 *through (F) of paragraph (1) and paragraph (5) of section*
4 *5413(b).*

5 “(b) *USE OF FUNDS.—A developer that receives a*
6 *subgrant under this subpart shall use such subgrant funds*
7 *to create, expand, or replicate 1 or more high-performing*
8 *charter schools, which may include carrying out the fol-*
9 *lowing activities:*

10 “(1) *If necessary, carrying out not more than 12*
11 *months of planning and program design, unless such*
12 *developer demonstrates the need for an additional*
13 *planning period of not more than 3 months.*

14 “(2) *Recruiting and providing preparation, in-*
15 *duction, and professional development for teachers,*
16 *school leaders, and other staff who will work in a*
17 *charter school that is supported by the developer.*

18 “(3) *Acquiring necessary equipment, supplies,*
19 *and educational materials, including curricula, as-*
20 *sessments, and instructional materials.*

21 “(4) *Professional development and implementa-*
22 *tion of systems for the delivery of appropriate services*
23 *for students who are children with disabilities and*
24 *students who are English learners, including through*

1 *centralizing, purchasing, or sharing the provision of*
2 *such services with other organizations.*

3 “(5) *Develop transportation systems to provide*
4 *transportation to students to and from the school.*

5 “(6) *Paying operational costs for a charter*
6 *school that cannot be met through State or local fund-*
7 *ing sources.*

8 “(7) *Directly, or through a partnership with a*
9 *nonprofit organization (including a community-based*
10 *organization), developing and implementing parent,*
11 *family, and student information and outreach pro-*
12 *grams to provide information and support to parents,*
13 *families, and students about each charter school, in a*
14 *simple, clear, and easily accessible format and, to the*
15 *extent practicable, in a language that the parents,*
16 *families, and students can understand.*

17 “(8) *Developing and implementing effective out-*
18 *reach and recruitment strategies to inform families of*
19 *students who are children with disabilities and stu-*
20 *dents who are English learners about the charter*
21 *school, the charter school admissions process, and the*
22 *charter school’s plan to effectively provide appropriate*
23 *educational and related services to such students.*

1 “(9) *Evaluating and disseminating information,*
2 *including through technical assistance, about the effec-*
3 *tiveness of the activities supported by the subgrant.*

4 “(c) *LIMITATIONS.—Not more than 1 percent of*
5 *subgrant funds may be used to carry out the activities de-*
6 *scribed in subsection (b)(9).*

7 **“SEC. 5417. PERFORMANCE MEASURES; REPORTS.**

8 “(a) *PERFORMANCE MEASURES AND TARGETS.—Each*
9 *eligible entity receiving a grant under this subpart shall*
10 *establish performance measures and annual targets, ap-*
11 *proved by the Secretary, for the charter schools that are cre-*
12 *ated, expanded, or replicated with funds provided through*
13 *a grant or subgrant under this subpart. Such measures and*
14 *targets shall include, at a minimum, in the aggregate and*
15 *disaggregated by each subgroup of students described in sec-*
16 *tion 1111(a)(3)(D)—*

17 “(1) *the number of students enrolled in each*
18 *charter school;*

19 “(2) *the number of students enrolled in each*
20 *high-performing charter school;*

21 “(3) *the number of students enrolled in each*
22 *high-performing charter school who were formerly at-*
23 *tending a school that has been identified as a focus*
24 *school or priority school under subsection (c) or (d)*

1 of section 1116 through the State accountability and
2 improvement system;

3 “(4) student academic achievement and growth,
4 consistent with section 1111, including, if applicable,
5 performance on the State academic assessments re-
6 quired under section 1111(a)(2), and student growth
7 consistent with section 1111;

8 “(5) student retention rates;

9 “(6) in the case of a public charter school that
10 is a high school, student graduation rates, and stu-
11 dent rates of enrollment and persistence in institu-
12 tions of higher education; and

13 “(7) other measures required by the Secretary.

14 “(b) *REPORTS.*—Each eligible entity receiving a grant
15 under this subpart shall annually prepare and submit a
16 report to the Secretary containing the information described
17 under subsection (a).

18 “(c) *DEVELOPERS.*—Each developer receiving a
19 subgrant under this subpart from an eligible entity shall
20 provide the eligible entity with the data necessary to comply
21 with the requirements of this section.

1 **“SEC. 5418. FEDERAL FORMULA ALLOCATION DURING**
2 **FIRST YEAR AND FOR SUCCESSIVE ENROLL-**
3 **MENT EXPANSIONS.**

4 “(a) *IN GENERAL.*—For purposes of the allocation to
5 schools by the States or their agencies of funds under part
6 A of title I, and any other Federal funds which the Sec-
7 retary allocates to States on a formula basis, the Secretary
8 and each State educational agency shall take such measures
9 as are necessary to ensure that every charter school receives
10 the Federal funding for which the charter school is eligible
11 not later than 5 months after the charter school first opens,
12 notwithstanding the fact that the identity and characteris-
13 tics of the students enrolling in that charter school are not
14 fully and completely determined until that charter school
15 actually opens. The measures similarly shall ensure that
16 every charter school expanding its enrollment in any subse-
17 quent year of operation receives the Federal funding for
18 which the charter school is eligible not later than 5 months
19 after such expansion.

20 “(b) *ADJUSTMENT AND LATE OPENINGS.*—

21 “(1) *IN GENERAL.*—The measures described in
22 subsection (a) shall include provision for appropriate
23 adjustments, through recovery of funds or reduction of
24 payments for the succeeding year, in cases where pay-
25 ments made to a charter school on the basis of esti-
26 mated or projected enrollment data exceed the

1 *amounts that the school is eligible to receive on the*
2 *basis of actual or final enrollment data.*

3 *“(2) RULE.—For charter schools that first open*
4 *after November 1 of any academic year, the State, in*
5 *accordance with guidance provided by the Secretary*
6 *and applicable Federal statutes and regulations, shall*
7 *ensure that such charter schools that are eligible for*
8 *the funds described in subsection (a) for such aca-*
9 *demically year have a full and fair opportunity to receive*
10 *those funds during the charter schools’ first year of*
11 *operation.*

12 **“SEC. 5419. RECORDS TRANSFER.**

13 *“State educational agencies and local educational*
14 *agencies receiving funds under part A of title I or any other*
15 *Federal funds from the Secretary, shall, in the most timely*
16 *manner possible and to the extent practicable, ensure that*
17 *a student’s records and, if applicable, a student’s individ-*
18 *ualized education program as defined in section 602 of the*
19 *Individuals with Disabilities Education Act, are trans-*
20 *ferred to a charter school upon the transfer of the student*
21 *to the charter school, and to another public school upon the*
22 *transfer of the student from a charter school to another pub-*
23 *lic school, in accordance with applicable State law.*

1 **“SEC. 5420. NATIONAL ACTIVITIES.**

2 *“From funds made available under this subpart for*
3 *each fiscal year, the Secretary may reserve not more than*
4 *5 percent for national activities to carry out (directly or*
5 *through grants, contracts that use a competitive bidding*
6 *process, or cooperative agreements) research, development,*
7 *data collection, technical assistance, outreach, and dissemi-*
8 *nation activities, including—*

9 *“(1) research, technical assistance, and other ac-*
10 *tivities to assist eligible entities receiving a grant*
11 *under this subpart, and other eligible entities in im-*
12 *proving the entity’s capacity to—*

13 *“(A) create, expand, replicate, operate, or*
14 *support high-performing charter schools that*
15 *meet the needs of, and improve the outcomes for,*
16 *all students, including students who are children*
17 *with disabilities and students who are English*
18 *learners;*

19 *“(B) support charter school authorizers to*
20 *improve quality through the adoption of re-*
21 *search-based policies and procedures and in-*
22 *creased capacity; and*

23 *“(C) work to turn around schools that have*
24 *been identified as focus schools or priority*
25 *schools under subsection (c) or (d) of section*

1 1116 through the State accountability and im-
2 provement system;

3 “(2) providing for the research and dissemina-
4 tion of information about specific charter school mod-
5 els and program characteristics for which there is
6 strong evidence of a significant impact on improving
7 student academic achievement and growth, consistent
8 with section 1111, for all students, including students
9 who are children with disabilities and English learn-
10 ers;

11 “(3) developing and implementing activities that
12 help parents, families, students, and the community
13 identify and access high-performing charter schools;

14 “(4) providing for the collection of information
15 regarding the financial resources available to charter
16 schools (including access to private capital) and wide-
17 ly disseminating to charter schools any such relevant
18 information and model descriptions of successful pro-
19 grams; and

20 “(5) carrying out other related activities.

21 **“Subpart 2—Charter School Facility Acquisition,**

22 **Construction, and Renovation**

23 **“SEC. 5431. PURPOSE.**

24 “The purpose of this subpart is to provide grants to
25 eligible entities to improve access to facilities and facilities

1 *financing for high-performing charter schools and assist*
 2 *such schools to address the cost of acquiring, constructing,*
 3 *and renovating facilities.*

4 **“SEC. 5432. DEFINITIONS.**

5 *“In this subpart:*

6 *“(1) ELIGIBLE ENTITY.—The term ‘eligible enti-*
 7 *ty’ means—*

8 *“(A) a State educational agency;*

9 *“(B) a local educational agency, except a*
 10 *charter school that is considered a local edu-*
 11 *cational agency under State law;*

12 *“(C) a nonprofit entity;*

13 *“(D) a State financing authority; or*

14 *“(E) a consortium of entities described in*
 15 *any of subparagraphs (A) through (D).*

16 *“(2) HIGH-PERFORMING CHARTER SCHOOL.—*
 17 *The term ‘high-performing charter school’ has the*
 18 *meaning given such term in section 5411.*

19 *“(3) PER-PUPIL FACILITIES AID PROGRAM.—The*
 20 *term ‘per-pupil facilities aid program’ means a pro-*
 21 *gram—*

22 *“(A) that is specified in State law;*

23 *“(B) that provides annual financing, on a*
 24 *per-pupil basis, for charter school facilities; and*

1 “(C) *in which a State makes payments, on*
 2 *a per-pupil basis, to charter schools to provide*
 3 *such schools with financing—*

4 “(i) *that is dedicated solely for funding*
 5 *charter school facilities; or*

6 “(ii) *a portion of which is dedicated*
 7 *for funding charter school facilities.*

8 **“SEC. 5433. GRANTS TO ELIGIBLE ENTITIES.**

9 “(a) *CREDIT ENHANCEMENT GRANTS.—The Secretary*
 10 *shall use not less than 65 percent of the amount available*
 11 *to carry out this subpart to award grants on a competitive*
 12 *basis to eligible entities to enable such eligible entities to*
 13 *demonstrate innovative credit enhancement methods of as-*
 14 *sisting high-performing charter schools to access private sec-*
 15 *tor capital to address the cost of acquiring, constructing,*
 16 *and renovating facilities by enhancing the availability of*
 17 *loans or bond financing.*

18 “(b) *OTHER FACILITIES GRANTS.—The Secretary*
 19 *shall use the remainder of the amount available to carry*
 20 *out this subpart to award grants on a competitive basis*
 21 *to eligible entities to—*

22 “(1) *improve access to facilities and facilities fi-*
 23 *nancing for high-performing charter schools, through*
 24 *methods that may include—*

1 “(A) leveraging State and local facilities
2 funds, including the cost of implementing school
3 bond programs that include high-performing
4 charter schools;

5 “(B) implementing open-facilities-access
6 programs or making available renovated or
7 adapted space for high-performing charter
8 schools; and

9 “(C) assisting with constructing or improv-
10 ing, at low cost, facilities for high-performing
11 charter schools through innovative methods; and

12 “(2) support an eligible entity described in sec-
13 tion 5432(1)(A) in the establishment, enhancement,
14 and administration of a per-pupil facilities aid pro-
15 gram through Federal payments that shall be not
16 more than—

17 “(A) 90 percent of the cost, for the first fis-
18 cal year for which the program receives assist-
19 ance under this subsection;

20 “(B) 80 percent in the second such year;

21 “(C) 60 percent in the third such year;

22 “(D) 40 percent in the fourth such year;

23 and

24 “(E) 20 percent in the fifth such year.

1 “(c) *STATE SHARE OF PER-PUPIL FACILITIES AID*
 2 *PROGRAM.*—A State receiving a grant under subsection
 3 (b)(2) may partner with 1 or more organizations to provide
 4 not more than 50 percent of the State share of the cost of
 5 establishing, enhancing, or administering the per-pupil fa-
 6 cilities aid program.

7 “(d) *GRANT AMOUNT.*—In determining the amount of
 8 each grant to be awarded under this subpart, the Secretary
 9 shall consider—

10 “(1) the quality of the application submitted
 11 under section 5435;

12 “(2) the number of students that are served or
 13 may be served by high-performing charter schools that
 14 would receive assistance under the grant program;
 15 and

16 “(3) the amount of funds that is needed to imple-
 17 ment the activities described in the approved applica-
 18 tion.

19 “(e) *SUPPLEMENT NOT SUPPLANT.*—Funds made
 20 available under this section shall be used to supplement,
 21 and not supplant, State and local public funds expended
 22 to provide programs for charter schools.

23 **“SEC. 5434. CHARTER SCHOOL OBJECTIVES.**

24 “An eligible entity receiving a grant under this sub-
 25 part shall use the funds to assist 1 or more high-performing

1 *charter schools to accomplish 1 or both of the following ob-*
2 *jectives:*

3 “(1) *The acquisition (by purchase, lease, dona-*
4 *tion, or otherwise) of an interest (including an inter-*
5 *est held by a third party for the benefit of a charter*
6 *school) in improved or unimproved real property that*
7 *is necessary to commence or continue the operation of*
8 *a charter school.*

9 “(2) *The construction of new facilities, or the*
10 *renovation, repair, or alteration of existing facilities,*
11 *necessary to commence or continue the operation of a*
12 *charter school.*

13 **“SEC. 5435. APPLICATIONS; SELECTION CRITERIA.**

14 “(a) *IN GENERAL.—Each eligible entity desiring a*
15 *grant under this subpart shall submit an application to the*
16 *Secretary at such time, in such manner, and containing*
17 *such information and assurances as the Secretary may re-*
18 *quire.*

19 “(b) *CONTENTS.—An application submitted under*
20 *subsection (a) shall include—*

21 “(1) *a description of the activities that the eligi-*
22 *ble entity proposes to carry out using funds received*
23 *under this subpart;*

1 “(2) a demonstration that the eligible entity will
2 consider the quality of a charter school when deter-
3 mining—

4 “(A) which charter schools will receive as-
5 sistance under this subpart;

6 “(B) how much grant assistance will be
7 provided to each charter school; and

8 “(C) the type of assistance that each charter
9 school will receive;

10 “(3) a description of the eligible entity’s record
11 of successfully carrying out the activities that such el-
12 igible entity proposes to carry out;

13 “(4) if applicable, the eligible entity’s record of
14 leveraging private-sector funding and a description of
15 how the proposed activities will leverage the max-
16 imum amount of private-sector financing capital rel-
17 ative to the amount of government funding;

18 “(5) an explanation of how the eligible entity
19 possesses sufficient expertise in education to evaluate
20 the likelihood of success of a charter school for which
21 facilities financing is sought;

22 “(6) in the case of an application submitted by
23 an eligible entity that includes 1 or more State or
24 local educational agencies, a description of the agen-

1 *cy's policies and procedures for ensuring that charter*
2 *schools have equitable access to school facilities; and*

3 *“(7) such other information as the Secretary*
4 *may reasonably require.*

5 *“(c) SELECTION CRITERIA.—In awarding grants*
6 *under this subpart, the Secretary shall consider—*

7 *“(1) the quality of the eligible entity's applica-*
8 *tion;*

9 *“(2) the extent to which the eligible entity pro-*
10 *poses to support high-performing charter schools that*
11 *plan to enroll a large percentage of students from low-*
12 *income families;*

13 *“(3) the extent to which the eligible entity pro-*
14 *poses to support high-performing charter schools that*
15 *plan to enroll a large percentage of students who at-*
16 *tend schools that have been identified as focus schools*
17 *or priority schools under subsection (c) or (d) of sec-*
18 *tion 1116 through the State accountability and im-*
19 *provement system;*

20 *“(4) the geographic diversity of the eligible enti-*
21 *ties, including the distribution of grants between*
22 *urban and rural areas; and*

23 *“(5) the number of eligible entities in a State*
24 *that are receiving grants under this subpart in any*
25 *fiscal year.*

1 **“SEC. 5436. RESERVE ACCOUNT.**

2 “(a) *USE OF FUNDS.*—*To assist charter schools with*
3 *addressing the cost of acquiring, constructing, and ren-*
4 *ovating facilities and accessing facilities and facilities fi-*
5 *ancing, an eligible entity receiving a grant under section*
6 *5433(a) shall, in accordance with State and local law, di-*
7 *rectly or indirectly, alone or in collaboration with others,*
8 *deposit the funds received under this subpart (other than*
9 *funds used for administrative costs in accordance with sec-*
10 *tion 5437) in a reserve account established and maintained*
11 *by the eligible entity for this purpose. Amounts deposited*
12 *in such account shall be used by the eligible entity for 1*
13 *or more of the following purposes:*

14 “(1) *Guaranteeing, insuring, and reinsuring*
15 *bonds, notes, evidences of debt, loans, and interests*
16 *therein, the proceeds of which are used for an objective*
17 *described in section 5434.*

18 “(2) *Guaranteeing and insuring leases of per-*
19 *sonal and real property for an objective described in*
20 *section 5434.*

21 “(3) *Facilitating financing by identifying poten-*
22 *tial lending sources, encouraging private lending, and*
23 *other similar activities that directly promote lending*
24 *to, or for the benefit of, charter schools.*

25 “(4) *Facilitating the issuance of bonds by char-*
26 *ter schools, or by other public entities for the benefit*

1 of charter schools, by providing technical, administra-
2 tive, and other appropriate assistance (including the
3 recruitment of bond counsel, underwriters, and poten-
4 tial investors and the consolidation of multiple char-
5 ter school projects within a single bond issue).

6 “(b) *INVESTMENT.*—Funds received under this subpart
7 and deposited in the reserve account established under sub-
8 section (a) shall be invested in obligations issued or guaran-
9 teed by the United States or a State, or in other similarly
10 low-risk securities.

11 “(c) *REINVESTMENT OF EARNINGS.*—Any earnings on
12 funds received under this subpart shall be deposited in the
13 reserve account established under subsection (a) and used
14 in accordance with such subsection.

15 **“SEC. 5437. LIMITATION ON ADMINISTRATIVE COSTS.**

16 “An eligible entity may use not more than 2.5 percent
17 of the funds received under this subpart for the administra-
18 tive costs of carrying out the eligible entity’s responsibilities
19 under this subpart.

20 **“SEC. 5438. AUDITS AND REPORTS.**

21 “(a) *FINANCIAL RECORD MAINTENANCE AND AUDIT.*—
22 The financial records of each eligible entity receiving a
23 grant under this subpart shall be maintained in accordance
24 with generally accepted accounting principles and shall be

1 *subject to an annual audit by an independent public ac-*
2 *countant.*

3 “(b) *REPORTS.*—

4 “(1) *GRANTEE ANNUAL REPORTS.*—*Each eligible*
5 *entity receiving a grant under this subpart annually*
6 *shall submit to the Secretary a report of the eligible*
7 *entity’s operations and activities under this subpart.*

8 “(2) *CONTENTS.*—*Each annual report submitted*
9 *under paragraph (1) shall include—*

10 “(A) *a copy of the most recent financial*
11 *statements, and any accompanying opinion on*
12 *such statements, prepared by the independent*
13 *public accountant reviewing the financial*
14 *records of the eligible entity;*

15 “(B) *a copy of any report made on an*
16 *audit of the financial records of the eligible enti-*
17 *ty that was conducted under subsection (a) dur-*
18 *ing the reporting period;*

19 “(C) *if applicable, an evaluation by the eli-*
20 *gible entity of the effectiveness of the eligible enti-*
21 *ty’s use of the Federal funds provided under this*
22 *subpart in leveraging private funds;*

23 “(D) *a listing and description of the charter*
24 *schools served during the reporting period and*
25 *the performance of such charter schools in in-*

1 *creasing student achievement and growth, con-*
2 *sistent with section 1111;*

3 “(E) *a description of the activities carried*
4 *out by the eligible entity to assist charter schools*
5 *in meeting the objectives set forth in section*
6 *5434; and*

7 “(F) *a description of the characteristics of*
8 *lenders and other financial institutions partici-*
9 *pating in the activities undertaken by the eligi-*
10 *ble entity under this subpart during the report-*
11 *ing period, if applicable.*

12 “(3) *SECRETARIAL REPORT.—The Secretary*
13 *shall review the reports submitted under paragraph*
14 *(1) and shall provide a comprehensive annual report*
15 *to Congress on the activities conducted under this sub-*
16 *part.*

17 **“SEC. 5439. NO FULL FAITH AND CREDIT FOR GRANTEE OB-**
18 **LIGATIONS.**

19 *“No financial obligation of an eligible entity entered*
20 *into pursuant to this subpart (such as an obligation under*
21 *a guarantee, bond, note, evidence of debt, or loan) shall be*
22 *an obligation of, or guaranteed in any respect by, the*
23 *United States. The full faith and credit of the United States*
24 *is not pledged to the payment of funds which may be re-*

1 *quired to be paid under any obligation made by an eligible*
2 *entity pursuant to any provision of this subpart.*

3 **“SEC. 5440. RECOVERY OF FUNDS.**

4 *“(a) IN GENERAL.—The Secretary, in accordance with*
5 *chapter 37 of title 31, United States Code, shall collect—*

6 *“(1) all of the funds in a reserve account estab-*
7 *lished by an eligible entity under section 5436(a) if*
8 *the Secretary determines, not earlier than 2 years*
9 *after the date on which the eligible entity first re-*
10 *ceived funds under this subpart, that the eligible enti-*
11 *ty has failed to make substantial progress in carrying*
12 *out the purposes described in such section; or*

13 *“(2) all or a portion of the funds in a reserve ac-*
14 *count established by an eligible entity under section*
15 *5436(a) if the Secretary determines that the eligible*
16 *entity has permanently ceased to use all or a portion*
17 *of the funds in such account to accomplish any pur-*
18 *pose described in such section.*

19 *“(b) EXERCISE OF AUTHORITY.—The Secretary shall*
20 *not exercise the authority provided in subsection (a) to col-*
21 *lect from any eligible entity any funds that are being prop-*
22 *erly used to achieve 1 or more of the purposes described*
23 *in section 5436(a).*

1 renewed for not more than an additional 2 years if the Sec-
 2 retary finds that the grantee is achieving the objectives of
 3 the grant.

4 **“SEC. 5502. USES OF FUNDS.**

5 “(a) *REQUIRED USE OF FUNDS.*—An eligible entity
 6 that receives a grant under this part shall use the grant
 7 funds to establish or expand inter- or intra-district public
 8 school choice programs for students attending the lowest-
 9 performing schools that enable those students to attend high-
 10 quality public elementary schools and secondary schools, in-
 11 cluding charter schools.

12 “(b) *PERMISSIBLE USES OF FUNDS.*—An eligible enti-
 13 ty that receives a grant under this part may use the grant
 14 funds for—

15 “(1) *planning or designing a program (for not*
 16 *more than 1 year);*

17 “(2) *transportation services to and from high-*
 18 *quality schools for participating students;*

19 “(3) *improving public school finance systems to*
 20 *allow school funding to follow students, including tui-*
 21 *tion transfer payments to high-quality public elemen-*
 22 *tary schools or secondary schools to which students*
 23 *transfer under the program;*

24 “(4) *capacity-enhancing activities that enable*
 25 *high-quality public elementary schools or secondary*

1 *schools to accommodate transfer requests under the*
2 *program;*

3 *“(5) public education and recruitment cam-*
4 *paigns to inform students attending the lowest-per-*
5 *forming schools and their parents about the program*
6 *and to facilitate their participation; and*

7 *“(6) other costs reasonably necessary to imple-*
8 *ment the program, such as the development of lottery*
9 *systems.*

10 *“(c) NONPERMISSIBLE USES OF FUNDS.—An eligible*
11 *entity that receives a grant under this part may not use*
12 *the grant funds for school construction.*

13 *“(d) ADMINISTRATIVE EXPENSES.—The eligible entity*
14 *may use not more than 5 percent of the funds made avail-*
15 *able through a grant under this part for any fiscal year*
16 *for administrative expenses.*

17 **“SEC. 5503. APPLICATIONS.**

18 *“(a) SUBMISSION.—An eligible entity that desires a*
19 *grant under this part shall submit an application to the*
20 *Secretary at such time, in such manner, and containing*
21 *such information as the Secretary may require.*

22 *“(b) CONTENTS.—An application submitted under*
23 *subsection (a) shall include a comprehensive plan that de-*
24 *scribes—*

25 *“(1) the activities to be carried out;*

1 “(2) *how the activities—*

2 “(A) *will increase access to high-quality*
3 *schools for students attending the lowest-per-*
4 *forming schools;*

5 “(B) *will increase the student academic*
6 *achievement and student academic growth of stu-*
7 *dents participating in the grant activities, in-*
8 *cluding English learners and students with dis-*
9 *abilities; and*

10 “(C) *if applicable, will increase diversity*
11 *within a school or local educational agency;*

12 “(3) *how students will be selected to participate*
13 *in grant activities, including the design and imple-*
14 *mentation of a lottery system if the program is over-*
15 *subscribed, and how students and parents will be in-*
16 *formed of their opportunity to participate;*

17 “(4) *how the program will be coordinated with*
18 *and leverage other related Federal and non-Federal*
19 *funding and programs;*

20 “(5) *how the applicant will continue to imple-*
21 *ment the plan after the period of the grant has ex-*
22 *pired;*

23 “(6) *if the activities required under section*
24 *5505(a)(2) are to be carried out in partnership with*
25 *a public or other nonprofit organization, a descrip-*

1 *tion of the organization’s experience, capacity, re-*
2 *responsibilities, and how the eligible entity will monitor*
3 *the public or other nonprofit organization’s effective-*
4 *ness in carrying out such activities; and*

5 *“(7) such other information as the Secretary*
6 *may require.*

7 *“(c) SELECTION CRITERIA.—In selecting grantees*
8 *under this part, the Secretary shall consider—*

9 *“(1) the quality of the applicant’s comprehensive*
10 *plan;*

11 *“(2) the extent to which the applicant can dem-*
12 *onstrate that its grant activities will increase student*
13 *academic achievement and student academic growth*
14 *for students participating in the grant activities, in-*
15 *cluding English learners and students who are chil-*
16 *dren with disabilities; and*

17 *“(3) the extent to which the applicant can dem-*
18 *onstrate that its grant activities will ensure that par-*
19 *ents and students are informed of the program, in a*
20 *clear and uniform format and, to the extent prac-*
21 *ticable, in a language that the parents and students*
22 *can understand, to increase the likelihood that par-*
23 *ents will have their children participate in the grant-*
24 *ee’s program.*

1 **“SEC. 5504. PRIORITIES.**

2 *“In awarding grants under this part, the Secretary*
3 *shall give priority to an eligible entity that proposes to—*

4 *“(1) establish or expand an inter-district choice*
5 *program that serves a large percentage of students*
6 *from low-income families; and*

7 *“(2) establish or expand a program that will in-*
8 *crease diversity.*

9 **“SEC. 5505. REQUIREMENTS AND VOLUNTARY PARTICIPA-**
10 **TION.**

11 *“(a) PARENT AND COMMUNITY INVOLVEMENT AND NO-*
12 *TICE.—In carrying out a program under this part, an eligi-*
13 *ble entity shall carry out the following:*

14 *“(1) Develop the program with—*

15 *“(A) the involvement of parents and other*
16 *education stakeholders in the community to be*
17 *served; and*

18 *“(B) individuals who will carry out the*
19 *program, including administrators, teachers,*
20 *principals, and other staff.*

21 *“(2) Develop and carry out the following activi-*
22 *ties, alone or in partnership with a public or other*
23 *nonprofit organization that has a record of success in*
24 *implementing such activities:*

25 *“(A) Disseminating timely and accurate in-*
26 *formation about the program to parents of stu-*

1 *dents attending the lowest-performing schools, in*
2 *a clear and uniform format and, to the extent*
3 *practicable, in a language that parents can un-*
4 *derstand, including through the use of a variety*
5 *of effective and innovative outreach approaches,*
6 *such as by sending customized letters to each*
7 *family about available programs.*

8 *“(B) Providing education and training to*
9 *parents of students attending the lowest-per-*
10 *forming schools to enable the parents to use the*
11 *information provided under subparagraph (A)*
12 *in their decisions about their children’s edu-*
13 *cation.*

14 *“(b) SELECTION OF STUDENTS.—An eligible entity*
15 *that receives a grant under this part shall select students*
16 *to participate in a program on the basis of a lottery, if*
17 *more students apply for admission to the program than can*
18 *be accommodated.*

19 *“(c) VOLUNTARY PARTICIPATION.—Student participa-*
20 *tion in a program funded under this part shall be vol-*
21 *untary.*

22 *“(d) PERFORMANCE MEASURES.—*

23 *“(1) IN GENERAL.—Each eligible entity awarded*
24 *a grant under this part shall establish performance*
25 *measures and targets that—*

1 “(A) are approved by the Secretary;

2 “(B) are implemented for each program es-
3 tablished or expanded with funds provided under
4 this part; and

5 “(C) at a minimum, track—

6 “(i) the number of students partici-
7 pating;

8 “(ii) the participating students’ aca-
9 demic achievement and student academic
10 growth;

11 “(iii) in the case of participating high
12 school students, the graduation rates for the
13 participating students;

14 “(iv) the extent to which students in
15 schools participating in the programs or
16 schools funded under this part are being
17 educated in diverse schools and classrooms;
18 and

19 “(v) any other measure required by the
20 Secretary.

21 “(2) *REPORTS.*—Each eligible entity awarded a
22 grant under this part shall annually report to the
23 Secretary on its performance on the measures and
24 targets established under paragraph (1), and shall
25 provide that information both in the aggregate and

1 *disaggregated for each subgroup of students described*
2 *in section 1111(a)(2)(B)(x).*

3 **“SEC. 5506. EVALUATIONS.**

4 *“From the amount reserved for evaluation activities*
5 *in accordance with section 9601(a), the Secretary, acting*
6 *through the Director of the Institute of Education Sciences,*
7 *shall, in consultation with the relevant program office at*
8 *the Department, evaluate the implementation and impact*
9 *of the activities supported under this part, consistent with*
10 *section 9601, including—*

11 *“(1) how, and the extent to which, the programs*
12 *promote educational equity and excellence;*

13 *“(2) the characteristics of the students partici-*
14 *pating in the programs; and*

15 *“(3) the effect of the programs on the academic*
16 *achievement and student academic growth of students*
17 *participating in the programs both in the aggregate*
18 *and disaggregated for each subgroup of students de-*
19 *scribed in section 1111(a)(2)(B)(x).*

20 **“SEC. 5507. DEFINITIONS.**

21 *“In this part:*

22 *“(1) CHARTER SCHOOL.—The term ‘charter*
23 *school’ has the meaning given such term in section*
24 *5411.*

1 “(2) *ELIGIBLE ENTITY.*—The term ‘eligible enti-
2 ty’ means—

3 “(A) 1 or more high-need local educational
4 agencies applying with 1 or more other local
5 educational agencies; or

6 “(B) a State educational agency applying
7 with 1 or more high-need local educational agen-
8 cies.

9 “(3) *LOWEST-PERFORMING SCHOOL.*—The term
10 ‘lowest-performing school’ means a public elementary
11 school or secondary school that has been identified as
12 a focus school under section 1116(c) or a priority
13 school under section 1116(d).”.

14 **PART F—COLLEGE INFORMATION**

15 **DEMONSTRATION PROGRAM**

16 **SEC. 5601. COLLEGE INFORMATION DEMONSTRATION PRO-**
17 **GRAM.**

18 *Title V (20 U.S.C. 7201 et seq.) is further amended*
19 *by adding at the end the following:*

20 **“PART F—COLLEGE INFORMATION**

21 **DEMONSTRATION PROGRAM**

22 **“SEC. 5601. COLLEGE INFORMATION DEMONSTRATION PRO-**
23 **GRAM.**

24 “(a) *PROGRAM AUTHORIZED.*—The Secretary shall es-
25 tablish a model demonstration program that explores the

1 *effectiveness of services and programs that increase student*
 2 *awareness of and access to postsecondary education, by pro-*
 3 *viding cost-effective, semi-customized information, as de-*
 4 *scribed in subsection (c), to all secondary school students*
 5 *at high-need schools that will increase the likelihood that*
 6 *such students will—*

7 “(1) *apply to an institution of higher education;*

8 “(2) *apply for financial aid;*

9 “(3) *enroll in an institution of higher education;*

10 *or*

11 “(4) *receive financial aid.*

12 “(b) *PRIORITY.—In determining which high-need*
 13 *schools to include in the demonstration program under this*
 14 *section, the Secretary shall give priority to high-need schools*
 15 *in areas that, due to geography or resources, have little or*
 16 *no access to postsecondary education counseling services.*

17 “(c) *INFORMATION FOR STUDENTS.—*

18 “(1) *CONTENT.—As part of the demonstration*
 19 *program under this section, the Secretary shall de-*
 20 *velop, using the best available evidence and research,*
 21 *a packet of postsecondary education information that*
 22 *will inform students about the net price of institu-*
 23 *tions of higher education and available financial aid*
 24 *and give guidance on how to apply to institutions of*
 25 *higher education and how to seek financial assistance.*

1 *The Secretary shall consider including, as applicable,*
2 *the following information for secondary school stu-*
3 *dents at high-need schools:*

4 *“(A) Guidance on application strategies*
5 *that is designed to help students understand how*
6 *to select an institution of higher education, how*
7 *to apply, and how to seek financial assistance,*
8 *and deadlines for applying to institutions of*
9 *higher education, as well as a copy of the com-*
10 *mon application for use in applying to institu-*
11 *tions of higher education.*

12 *“(B) Information on Federal and State fi-*
13 *nancial aid options, including a description of*
14 *available grants, scholarships, and loans, and the*
15 *application processes for grants, scholarships,*
16 *and loans.*

17 *“(C) The likely net cost at—*

18 *“(i) a flagship State institution of*
19 *higher education; and*

20 *“(ii) a local public institution of high-*
21 *er education.*

22 *“(D) A list of the institutions of higher edu-*
23 *cation that meet 100 percent of students’ finan-*
24 *cial need.*

1 “(E) Information about application fee
2 waivers for qualified students.

3 “(2) DEVELOPMENT.—In developing the infor-
4 mation materials described in paragraph (1), the Sec-
5 retary shall consult with State educational agencies,
6 college mentors, college admissions staff, financial aid
7 staff, student and parent focus groups, and secondary
8 school guidance counselors to ensure that the informa-
9 tion provided is age-appropriate and easily under-
10 stood.

11 “(3) CUSTOMIZATION.—In developing the infor-
12 mation materials described in paragraph (1), the Sec-
13 retary shall, to the extent possible, customize such in-
14 formation based on—

15 “(A) geographic location; and

16 “(B) family income.

17 “(d) EVALUATION; REPORT.—

18 “(1) EVALUATION.—The Secretary shall evaluate
19 the demonstration program established under this sec-
20 tion, using both qualitative and quantitative methods,
21 to examine the effectiveness of the demonstration pro-
22 gram on a student’s likelihood of—

23 “(A) applying to an institution of higher
24 education;

25 “(B) applying for financial aid;

1 “(C) enrolling in an institution of higher
2 education; and

3 “(D) receiving financial aid.

4 “(2) *REPORTS.*—

5 “(A) *PRELIMINARY REPORT.*—Not later
6 than 2 years after the date of enactment of the
7 Strengthening America’s Schools Act of 2013, the
8 Secretary shall submit a preliminary report to
9 Congress containing the information described in
10 subparagraph (B).

11 “(B) *FINAL REPORT.*—Not later than 5
12 years after the date of enactment of the Strengthen-
13 ing America’s Schools Act of 2013, the Sec-
14 retary shall submit a report to Congress that in-
15 cludes—

16 “(i) the information gathered from the
17 evaluation described in paragraph (1);

18 “(ii) an analysis of the costs and bene-
19 fits of the demonstration program carried
20 out under this section; and

21 “(iii) recommendations to Congress on
22 how the Federal government, States, and
23 schools can improve efforts to provide stu-
24 dents with information that increases post-

1 secondary education access and afford-
2 ability.”.

3 **TITLE VI—PROMOTING FLEXI-**
4 **BILITY; RURAL EDUCATION**

5 **SEC. 6101. PROMOTING FLEXIBILITY.**

6 Title VI (20 U.S.C. 7301 et seq.) is amended—

7 (1) by striking the title heading and inserting
8 the following: “**PROMOTING FLEXIBILITY;**
9 **RURAL EDUCATION**”; and

10 (2) by striking part A and inserting the fol-
11 lowing:

12 **“PART A—TRANSFERABILITY**

13 **“SEC. 6101. TRANSFERABILITY OF FUNDS.**

14 “(a) *TRANSFERS BY STATES.*—

15 “(1) *AUTHORITY TO TRANSFER.*—Except as pro-
16 vided in paragraph (2), in accordance with this part,
17 a State may transfer up to 100 percent of the State
18 funds allotted to the State for a fiscal year for use for
19 State-level activities described in this Act that are
20 carried out as part of a grant program in which
21 funds for the grant are distributed by a formula to
22 1 or more other State formula grant programs under
23 this Act for such fiscal year.

24 “(2) *PROHIBITION AGAINST TRANSFERRING*
25 *FUNDS OUT CERTAIN TITLES.*—A State may not

1 *transfer, pursuant to paragraph (1), any funds that*
2 *originate in title I or III out of such respective title.*

3 “(b) *TRANSFERS BY LOCAL EDUCATIONAL AGEN-*
4 *CIES.—*

5 “(1) *AUTHORITY TO TRANSFER.—Except as pro-*
6 *vided in paragraph (2), in accordance with this part,*
7 *a local educational agency may transfer up to 100*
8 *percent of the funds allocated to it for a fiscal year*
9 *for use for local-level activities described in this Act*
10 *that are carried out as part of a grant program in*
11 *which funds for the grant are distributed by a for-*
12 *mula to 1 or more other local educational agency for-*
13 *mula grant programs under this Act for such fiscal*
14 *year.*

15 “(2) *PROHIBITION AGAINST TRANSFERRING*
16 *FUNDS OUT OF CERTAIN TITLES.—A local educational*
17 *agency may not transfer, pursuant to paragraph (1),*
18 *any funds that originate in title I, III, or VIII or*
19 *part A of title VII out of such respective title.*

20 “(3) *SPECIAL RULE WITH RESPECT TO RURAL*
21 *DISTRICTS.—Except as provided in paragraph (2), a*
22 *local educational agency that is eligible to receive as-*
23 *sistance under part B may transfer 100 percent of the*
24 *funds allocated to it for a fiscal year for use for local-*
25 *level activities described in this Act that are carried*

1 out as part of a grant program in which funds for
 2 the grant are distributed by a formula to 1 or more
 3 other local educational agency formula grant pro-
 4 grams under this Act for such fiscal year or to carry
 5 out activities under a grant program in which funds
 6 for the grant are distributed by formula to States.

7 “(c) *APPLICABLE RULES.*—

8 “(1) *IN GENERAL.*—*Except as otherwise provided*
 9 *in this part, funds transferred pursuant to this sec-*
 10 *tion are subject to each of the rules and requirements*
 11 *applicable to the funds under the provision to which*
 12 *the transferred funds are transferred.*

13 “(2) *CONSULTATION.*—*Each State educational*
 14 *agency or local educational agency that transfers*
 15 *funds under this section shall conduct consultations*
 16 *in accordance with section 9501, if such transfer*
 17 *transfers funds from a program that provides for the*
 18 *participation of students, teachers, or other edu-*
 19 *cational personnel, from private schools.”.*

20 **SEC. 6102. RURAL EDUCATION.**

21 *Part B of title VI (20 U.S.C. 7341 et seq.) is amend-*
 22 *ed—*

23 (1) *by striking section 6211;*

24 (2) *by redesignating sections 6212 and 6213 as*
 25 *sections 6211 and 6212, respectively;*

1 (3) in section 6211, as redesignated by para-
2 graph (2)—

3 (A) in the section heading, by striking
4 “**GRANT**”;

5 (B) in subsection (a), by striking “activities
6 authorized” and all that follows through the pe-
7 riod at the end of paragraph (5) and inserting
8 “activities consistent with section 6101(b).”;

9 (C) in subsection (b)—

10 (i) in paragraph (1)—

11 (I) by striking “paragraph (3)”
12 and inserting “paragraphs (3) and
13 (4)”;

14 (II) by striking “section 6211(b)”
15 and inserting “subsection (d)”; and

16 (III) by striking “section 6211(c)”
17 and inserting “subpart 2 of part A of
18 title II”; and

19 (ii) by striking paragraph (2) and in-
20 serting the following:

21 “(2) DETERMINATION OF INITIAL AMOUNT.—

22 “(A) IN GENERAL.—The initial amount re-
23 ferred to in paragraph (1) is equal to \$100 mul-
24 tiplied by the total number of students in excess
25 of 50 students, in average daily attendance at

1 *the schools served by the local educational agen-*
 2 *cy, plus \$20,000, except that the initial amount*
 3 *may not exceed \$60,000.*

4 “(B) *APPROPRIATION MORE THAN*
 5 *\$211,723,832.—Notwithstanding subparagraph*
 6 *(A), if the appropriation for this part is more*
 7 *than \$211,723,832, a grant under this part shall*
 8 *not be less than \$25,000, and the initial amount*
 9 *may not exceed \$80,000.”; and*

10 *(iii) by inserting after paragraph (3)*

11 *the following:*

12 “(4) *COALITIONS OF LIKE SCHOOL DISTRICTS.—*

13 “(A) *IN GENERAL.—Notwithstanding para-*
 14 *graph (1) and subject to subparagraph (B), in*
 15 *the case of a local educational agency that is eli-*
 16 *gible under subsection (d) and is comprised of 3*
 17 *or more like school districts, the Secretary shall*
 18 *award a grant under subsection (a) to such a*
 19 *local educational agency for a fiscal year in an*
 20 *amount equal to the difference between—*

21 “(i) *the initial amount determined*
 22 *under paragraph (2) for the fiscal year; and*

23 “(ii) *the quotient that is obtained by*
 24 *dividing—*

1 “(I) the total amount received by
2 the agency under the provisions of law
3 described in subpart 2 of part A of
4 title II for the preceding fiscal year; by

5 “(II) the sum of—

6 “(aa) the number of con-
7 stituent districts that comprise
8 such local educational agency;
9 plus

10 “(bb) the product of—

11 “(AA) the number of
12 constituent school districts
13 within such local educational
14 agency; and

15 “(BB) 4,000.

16 “(B) *LIMITATION.*—Notwithstanding sub-
17 paragraph (A), no local educational agency shall
18 receive more than \$60,000 under this para-
19 graph.”;

20 (D) by redesignating subsection (d) as sub-
21 section (e);

22 (E) by inserting after subsection (c) the fol-
23 lowing:

24 “(d) *ELIGIBILITY.*—

1 “(1) *IN GENERAL.*—A local educational agency
2 shall be eligible for a grant under this section if—

3 “(A)(i)(I) the total number of students in
4 average daily attendance at all of the schools
5 served by the local educational agency is fewer
6 than 600;

7 “(II) in the case of a local educational
8 agency described in paragraph (4) of subsection
9 (b), the total number of students in average daily
10 attendance at all schools served by the local edu-
11 cational agency is fewer than the product of—

12 “(aa) 600; and

13 “(bb) the number of constituent school
14 districts within the local educational agen-
15 cy; or

16 “(III) each county or locale in which a
17 school served by the local educational agency is
18 located has a total population density of fewer
19 than 10 persons per square mile; and

20 “(i) each of the schools served by the local
21 educational agency is designated with a school
22 locale code of 32, 33, 41, 42, or 43, as determined
23 by the Secretary; or

24 “(B) the agency meets at least 1 of the cri-
25 teria established in subparagraph (A)(i) and the

1 *Secretary, in accordance with paragraph (2),*
 2 *grants the State educational agency’s request to*
 3 *waive the criterion described in subparagraph*
 4 *(A)(ii).*

5 “(2) *CERTIFICATION.—The Secretary shall deter-*
 6 *mine whether to waive the criterion described in*
 7 *paragraph (1)(A)(ii) based on a demonstration by the*
 8 *local educational agency, and with the concurrence of*
 9 *the State educational agency, that the local edu-*
 10 *cational agency is located in an area defined as rural*
 11 *by a governmental agency of the State.”; and*

12 *(F) by striking subsection (e), as redesign-*
 13 *ated by subparagraph (D), and inserting the*
 14 *following:*

15 “(e) *SPECIAL ELIGIBILITY RULE.—A local educational*
 16 *agency may receive grant funding under subpart 1 or sub-*
 17 *part 2, but may not receive grant funding under both such*
 18 *subparts.”;*

19 *(4) by striking section 6212, as redesignated by*
 20 *paragraph (2), and inserting the following:*

21 **“SEC. 6212. ACADEMIC ACHIEVEMENT ASSESSMENTS.**

22 *“Each local educational agency that uses or receives*
 23 *funds under this subpart for a fiscal year shall administer*
 24 *assessments that are consistent with section 1111(a)(2).”;*

25 *(5) in section 6221—*

1 (A) in subsection (a)(1), by striking “under
2 section 6234 for” and inserting “to carry out”;

3 (B) in subsection (b)(1)(B), by striking “6,
4 7, or 8,” and inserting “33, 41, 42, or 43,”; and

5 (C) in subsection (c)—

6 (i) in the matter preceding paragraph
7 (1), by striking “under section 6234 for”
8 and inserting “to carry out”; and

9 (ii) in paragraph (1), by striking “Bu-
10 reau of Indian Affairs” and inserting “Bu-
11 reau of Indian Education”;

12 (6) in section 6222, by striking subsection (a)
13 and inserting the following:

14 “(a) LOCAL AWARDS.—Grant funds awarded to local
15 educational agencies under this subpart shall be used to
16 carry out local-level activities consistent with section
17 6101(b).”;

18 (7) in section 6224—

19 (A) in subsection (c)—

20 (i) in the matter preceding paragraph
21 (1), by striking “the Committee on Edu-
22 cation and the Workforce of the House of
23 Representatives and the Committee on
24 Health, Education, Labor, and Pensions of

1 *the Senate” and inserting “the authorizing*
2 *committees”;* and

3 *(ii) by striking “local educational*
4 *agencies and schools” and inserting the fol-*
5 *lowing:*

6 “(2) *how local educational agencies and schools”;*

7 *(B) in subsection (d)—*

8 *(i) in the subsection heading, by strik-*
9 *ing “ASSESSMENT” and inserting “ASSESS-*
10 *MENTS”;* and

11 *(ii) by striking “an assessment that is*
12 *consistent with section 1111(b)(3)” and in-*
13 *serting “assessments that are consistent*
14 *with section 1111(a)(2)”;* and

15 *(C) by striking subsection (e);*

16 (8) *by striking section 6234;*

17 (9) *by redesignating sections 6231 through 6233*
18 *as sections 6232 through 6234, respectively;*

19 (10) *by inserting before section 6232, as redesign-*
20 *ated by paragraph (9), the following:*

21 **“SEC. 6231. CHOICE OF PARTICIPATION.**

22 *“If a local educational agency is eligible for funding*
23 *under subpart 1 and subpart 2 of this part, such local edu-*
24 *cational agency may choose to participate in either subpart*
25 *1 or subpart 2.”;*

1 (11) in section 6232, as redesignated by para-
2 graph (9)—

3 (A) in subsection (a), by striking “6212”
4 and inserting “6211”; and

5 (B) in subsection (b)—

6 (i) by striking “under section 6212 or
7 subpart 2” each place the term appears and
8 inserting “under this part”; and

9 (ii) by striking “under this section”
10 and inserting “under this part”; and

11 (12) in section 6233, as redesignated by para-
12 graph (9), by striking “subpart 1 or subpart 2” and
13 inserting “this part”.

14 **SEC. 6103. GENERAL PROVISIONS.**

15 Title VI (20 U.S.C. 7301 et seq.) is amended by strik-
16 ing part C.

17 **TITLE VII—INDIAN, NATIVE HA-**
18 **WAIIAN, AND ALASKA NATIVE**
19 **EDUCATION**

20 **PART A—INDIAN EDUCATION**

21 **SEC. 7101. PURPOSE.**

22 Section 7102 (20 U.S.C. 7402) is amended to read as
23 follows:

1 **“SEC. 7102. PURPOSE.**

2 *“It is the purpose of this part to support the efforts*
 3 *of local educational agencies, Indian tribes and organiza-*
 4 *tions, postsecondary institutions, and other entities to en-*
 5 *sure—*

6 *“(1) the academic achievement of American In-*
 7 *Indian and Alaska Native students by meeting their*
 8 *unique cultural, language, and educational needs,*
 9 *consistent with section 1111(a);*

10 *“(2) that Indian and Alaska Native students*
 11 *gain knowledge and understanding of Native commu-*
 12 *nities, languages, tribal histories, traditions, and cul-*
 13 *tures; and*

14 *“(3) that principals, teachers, and other staff*
 15 *who serve Indian and Alaska Native students have the*
 16 *ability to provide culturally appropriate and effective*
 17 *instruction to such students.”.*

18 **Subpart 1—Formula Grants to Local Educational**
 19 **Agencies**

20 **SEC. 7111. FORMULA GRANT PURPOSE.**

21 *Section 7111 (20 U.S.C. 7421) is amended to read as*
 22 *follows:*

23 **“SEC. 7111. PURPOSE.**

24 *“(a) PURPOSE.—It is the purpose of this subpart to*
 25 *support the efforts of local educational agencies, Indian*
 26 *tribes and organizations, postsecondary institutions, and*

1 *other entities to improve the academic achievement of Amer-*
 2 *ican Indian and Alaska Native students by meeting their*
 3 *unique cultural, language, and educational needs.*

4 “(b) *PROGRAMS.*—*This subpart carries out the purpose*
 5 *described in subsection (a) by authorizing programs of di-*
 6 *rect assistance for—*

7 “(1) *meeting the unique educational and cul-*
 8 *turally related academic needs of Indians and Alaska*
 9 *Natives, including gaining knowledge of Native Amer-*
 10 *ican languages, history, traditions, and cultures;*

11 “(2) *the education of Indian children and adults;*

12 “(3) *the training of Indian persons as educators*
 13 *and counselors, and in other professions serving In-*
 14 *dian people; and*

15 “(4) *research, evaluation, data collection, and*
 16 *technical assistance.”*

17 **SEC. 7112. GRANTS TO LOCAL EDUCATIONAL AGENCIES,**
 18 **TRIBES, AND INDIAN ORGANIZATIONS.**

19 *Section 7112 (20 U.S.C. 7422) is amended—*

20 (1) *in subsection (a), by striking “and Indian*
 21 *tribes” and inserting “, Indian tribes, and Indian or-*
 22 *ganizations”;*

23 (2) *in subsection (b)(2), by striking “a reserva-*
 24 *tion” and inserting “an Indian reservation”;* and

1 (3) *by striking subsection (c) and inserting the*
2 *following:*

3 “(c) *INDIAN TRIBES AND INDIAN ORGANIZATIONS.—*

4 “(1) *IN GENERAL.—If a local educational agency*
5 *that is otherwise eligible for a grant under this sub-*
6 *part does not establish a committee under section*
7 *7114(c)(5) for such grant, an Indian tribe, an Indian*
8 *organization, or a consortium of such entities, that*
9 *represents more than one-half of the eligible Indian*
10 *children who are served by such local educational*
11 *agency may apply for such grant.*

12 “(2) *UNAFFILIATED INDIAN TRIBES.—An Indian*
13 *tribe that operates a school and is not affiliated with*
14 *either the local educational agency or the Bureau of*
15 *Indian Education shall be eligible to apply for a*
16 *grant under this subpart.*

17 “(3) *SPECIAL RULE.—*

18 “(A) *IN GENERAL.—The Secretary shall*
19 *treat each Indian tribe, Indian organization, or*
20 *consortium of such entities applying for a grant*
21 *pursuant to paragraph (1) or (2) as if such In-*
22 *Indian tribe, Indian organization, or consortium*
23 *were a local educational agency for purposes of*
24 *this subpart.*

1 “(B) *EXCEPTIONS.*—*Notwithstanding sub-*
2 *paragraph (A), such Indian tribe, Indian orga-*
3 *nization, or consortium shall not be subject to the*
4 *requirements of subsections (b)(7) or (c)(5) of*
5 *section 7114 or section 7118(c) or 7119.*

6 “(4) *ASSURANCE TO SERVE ALL INDIAN CHIL-*
7 *DREN.*—*An Indian tribe, Indian organization, or*
8 *consortium of such entities that is eligible to apply*
9 *for a grant under paragraph (1) shall include, in the*
10 *application required under section 7114, an assur-*
11 *ance that the entity will use the grant funds to pro-*
12 *vide services to all Indian students served by the local*
13 *educational agency.*

14 “(d) *INDIAN COMMUNITY-BASED ORGANIZATION.*—

15 “(1) *IN GENERAL.*—*If no local educational agen-*
16 *cy pursuant to subsection (b), and no Indian tribe,*
17 *Indian organization, or consortium pursuant to sub-*
18 *section (c), applies for a grant under this subpart, an*
19 *Indian community-based organization serving the*
20 *community of the local educational agency may*
21 *apply for such grant.*

22 “(2) *APPLICABILITY OF SPECIAL RULE.*—*The*
23 *Secretary shall apply the special rule in subsection*
24 *(c)(3) to a community-based organization applying*
25 *or receiving a grant under paragraph (1) in the same*

1 *manner as such rule applies to an Indian tribe, In-*
2 *Indian organization, or consortium.*

3 “(3) *DEFINITION OF INDIAN COMMUNITY-BASED*
4 *ORGANIZATION.—In this subsection, the term ‘Indian*
5 *community-based organization’ means any organiza-*
6 *tion that—*

7 “(A) *is composed primarily of Indian par-*
8 *ents and community members, tribal government*
9 *education officials, and tribal members from a*
10 *specific community;*

11 “(B) *assists in the social, cultural, and edu-*
12 *cational development of Indians in such commu-*
13 *nity;*

14 “(C) *meets the unique cultural, language,*
15 *and academic needs of Indian students; and*

16 “(D) *demonstrates organizational capacity*
17 *to manage the grant.*

18 “(e) *CONSORTIA.—*

19 “(1) *IN GENERAL.—A local educational agency,*
20 *Indian tribe, or Indian organization that meets the*
21 *eligibility requirements under this section may form*
22 *a consortium with other eligible local educational*
23 *agencies, Indian tribes, or Indian organizations for*
24 *the purpose of obtaining grants and operating pro-*
25 *grams under this subpart.*

1 “(2) *REQUIREMENTS FOR LOCAL EDUCATIONAL*
 2 *AGENCIES IN CONSORTIA.*—*In any case where 2 or*
 3 *more local educational agencies that are eligible*
 4 *under subsection (b) form or participate in a consor-*
 5 *tium to obtain a grant, or operate a program, under*
 6 *this subpart, each local educational agency partici-*
 7 *parting in such a consortium shall—*

8 “(A) *provide, in the application submitted*
 9 *under section 7114, an assurance that the eligi-*
 10 *ble Indian children served by such local edu-*
 11 *cational agency will receive the services of the*
 12 *programs funded under this subpart; and*

13 “(B) *agree to be subject to all requirements,*
 14 *assurances, and obligations applicable to a local*
 15 *educational agency receiving a grant under this*
 16 *subpart.”.*

17 **SEC. 7113. AMOUNT OF GRANTS.**

18 *Section 7113 (20 U.S.C. 7423) is amended—*

19 (1) *in subsection (b)—*

20 (A) *in paragraph (1)—*

21 (i) *by striking “Bureau of Indian Af-*
 22 *fairs” and inserting “Bureau of Indian*
 23 *Education”;* and

24 (ii) *by striking “\$3,000” and inserting*
 25 *“\$10,000”;* and

1 (B) in paragraph (3), by striking “\$4,000”
2 and inserting “\$15,000”;

3 (2) in subsection (d)—

4 (A) in the subsection heading, by striking
5 “BUREAU OF INDIAN AFFAIRS” and inserting
6 “BUREAU OF INDIAN EDUCATION”;

7 (B) in paragraph (1)(A)(i), by striking “the
8 Bureau of Indian Affairs” and inserting “the
9 Bureau of Indian Education”; and

10 (C) in paragraph (2), by striking “section
11 7114(c)(4)” and inserting “section 7114(c)(5)”;
12 and

13 (3) in subsection (e), by striking “under section
14 7152(a)” and inserting “to carry out this subpart”.

15 **SEC. 7114. APPLICATIONS.**

16 (a) *IN GENERAL.*—Section 7114 (20 U.S.C. 7424) is
17 amended—

18 (1) in subsection (b)—

19 (A) in paragraph (2)—

20 (i) in subparagraph (A)—

21 (I) by striking “is consistent
22 with” and inserting “supports”; and

23 (II) by inserting “, tribal,” after
24 “State”; and

1 (ii) in subparagraph (B), by striking
2 “such goals” and all that follows through
3 the semicolon at the end and inserting
4 “such goals, to ensure such students meet
5 the same college and career ready State aca-
6 demic achievement standards under section
7 1111(a)(1);”;

8 (B) by striking paragraph (3) and inserting
9 the following:

10 “(3) explains how the local educational agency
11 will use the funds made available under this subpart
12 to supplement other Federal, State, and local pro-
13 grams that meet the needs of such students;”;

14 (C) in paragraph (5)—

15 (i) in subparagraph (A), by striking
16 “and” after the semicolon; and

17 (ii) by adding at the end the following:

18 “(C) the parents of Indian children, and
19 representatives of Indian tribes, on the committee
20 described in subsection (c)(5) will participate in
21 the planning of professional development activi-
22 ties;”;

23 (D) in paragraph (6)—

24 (i) in subparagraph (B)—

1 (I) in clause (i), by striking “sub-
2 section (c)(4); and” and inserting
3 “subsection (c)(5);”; and

4 (II) by adding at the end the fol-
5 lowing:

6 “(iii) the Indian tribes whose children
7 are served by the local educational agency;
8 and”; and

9 (ii) in subparagraph (C), by striking
10 the period at the end and inserting “; and”;
11 and

12 (E) by adding at the end the following:

13 “(7) describes—

14 “(A) the formal process the local edu-
15 cational agency used to collaborate with Indian
16 tribes located in the community in the develop-
17 ment of the comprehensive programs; and

18 “(B) the actions taken as a result of the col-
19 laboration.”;

20 (2) in subsection (c)—

21 (A) in paragraph (1), by striking “the edu-
22 cation of Indian children, and not to supplant
23 such funds” and inserting “services and activi-
24 ties consistent with those described in this sub-
25 part, and not to supplant such funds”;

1 (B) by redesignating paragraphs (2), (3),
2 and (4) as paragraphs (3), (4), and (5), respec-
3 tively;

4 (C) by inserting after paragraph (1) the fol-
5 lowing:

6 “(2) the local educational agency will use funds
7 received under this subpart only for activities de-
8 scribed and authorized under this subpart;”;

9 (D) in paragraph (3), as redesignated by
10 subparagraph (B)—

11 (i) in subparagraph (A), by striking
12 “and” after the semicolon;

13 (ii) in subparagraph (B)—

14 (I) by inserting “, as measured by
15 the State academic assessments re-
16 quired under section 1111(a)(2), high
17 school graduation rates, and other aca-
18 demic outcomes as appropriate,” after
19 “effective”; and

20 (II) by inserting “and” after the
21 semicolon; and

22 (iii) by adding at the end the fol-
23 lowing:

1 “(C) determine the extent to which such ac-
2 tivities address the unique cultural, language,
3 and educational needs of Indian students;”;

4 (E) in paragraph (4)(C), as redesignated by
5 subparagraph (B)—

6 (i) by inserting “representatives of In-
7 dian tribes with reservations located within
8 50 miles of any of the schools that have In-
9 dian children in any such school,” after
10 “Indian children and teachers,”; and

11 (ii) by striking “and” after the semi-
12 colon; and

13 (F) in paragraph (5), as redesignated by
14 subparagraph (B)—

15 (i) by inserting “and family members”
16 after “parents” each place the term appears;

17 (ii) in subparagraph (A)—

18 (I) by redesignating clauses (ii)
19 and (iii) as clauses (iii) and (iv), re-
20 spectively; and

21 (II) by inserting after clause (i)
22 the following:

23 “(ii) representatives of Indian tribes
24 with reservations located within 50 miles of

1 *any of the schools that have Indian children*
2 *in any such school;”;*

3 *(iii) in subparagraph (B), by adding*
4 *“or representatives of Indian tribes de-*
5 *scribed in subparagraph (A)(ii)” after*
6 *“children”;*

7 *(iv) in subparagraph (D)—*

8 *(I) in clause (i), by striking*
9 *“and” after the semicolon; and*

10 *(II) by adding at the end the fol-*
11 *lowing:*

12 *“(iii) determined that the program will*
13 *directly enhance the educational experience*
14 *of Indian and Alaska Native students;”;*

15 *(v) in subparagraph (E), by striking*
16 *the period at the end and inserting a semi-*
17 *colon; and*

18 *(vi) by adding at the end the following:*

19 *“(F) that shall determine the extent to*
20 *which the activities of the local educational agen-*
21 *cy will address the unique cultural, language,*
22 *and educational needs of Indian and Alaska Na-*
23 *tive students; and*

24 *“(G) that shall determine the extent to*
25 *which grant funds will directly enhance the edu-*

1 *cational experiences of Indian and Alaska Native*
2 *students;”;* and

3 *(G) by adding at the end the following:*

4 “*(6) the local educational agency will coordinate*
5 *activities under this title with other Federal programs*
6 *supporting educational and related services adminis-*
7 *tered by such agency; and*

8 “*(7) the local educational agency conducted out-*
9 *reach to parents and family members to meet the re-*
10 *quirements under subsection (c)(5).”;* and

11 *(3) by adding at the end the following:*

12 “*(d) OUTREACH.—The Secretary shall monitor the ap-*
13 *plications for grants under this subpart to identify eligible*
14 *local educational agencies and schools operated by the Bu-*
15 *reau of Indian Education that have not applied for such*
16 *grants, and shall undertake appropriate outreach activities*
17 *to encourage and assist eligible entities to submit applica-*
18 *tions for such grants.*

19 “*(e) TECHNICAL ASSISTANCE.—The Secretary shall,*
20 *directly or by contract, provide technical assistance to a*
21 *local educational agency upon request (in addition to any*
22 *technical assistance available under other provisions of this*
23 *Act or available through the Institute of Education*
24 *Sciences) to support the services and activities provided*
25 *under this subpart, including technical assistance for—*

1 “(1) the development of applications under this
2 subpart;

3 “(2) improvement in the quality of implementa-
4 tion, content, and evaluation of activities supported
5 under this subpart; and

6 “(3) integration of activities under this subpart
7 with other educational activities carried out by the
8 local educational agency.”.

9 **SEC. 7115. AUTHORIZED SERVICES AND ACTIVITIES.**

10 Section 7115 (20 U.S.C. 7425) is amended—

11 (1) in subsection (a)—

12 (A) by adjusting the margin of paragraph
13 (1) to align with paragraphs (2) and (3); and

14 (B) in paragraph (1), by inserting “solely
15 for the services and activities described in such
16 application” after “section 7114(a)”;

17 (2) in subsection (b)—

18 (A) by redesignating paragraphs (1)
19 through (11) as paragraphs (2) through (12), re-
20 spectively;

21 (B) by inserting before paragraph (2), as
22 redesignated by subparagraph (A), the following:

23 “(1) activities that support Native American
24 language immersion programs and Native American

1 *language restoration programs, which may be taught*
2 *by traditional leaders;”;*

3 *(C) in paragraph (3), as redesignated by*
4 *subparagraph (A), by striking “early childhood”*
5 *and inserting “high-quality early childhood edu-*
6 *cation programs”;*

7 *(D) in paragraph (4), as redesignated by*
8 *subparagraph (A), by striking “challenging State*
9 *academic content and student academic achieve-*
10 *ment standards” and inserting “college and ca-*
11 *reer ready State academic content and student*
12 *academic achievement standards under section*
13 *1111(a)”;*

14 *(E) by striking paragraph (5), as redesign-*
15 *ated by subparagraph (A), and inserting the*
16 *following:*

17 *“(5) integrated educational services in combina-*
18 *tion with other programs to meet the unique needs of*
19 *Indian children and their families, including pro-*
20 *grams that promote parental involvement—*

21 *“(A) in school activities; and*

22 *“(B) to increase student achievement;”;*

23 *(F) by striking paragraph (7), as redesign-*
24 *ated by subparagraph (A), and inserting the*
25 *following:*

1 “(7) activities to educate individuals so as to
2 prevent violence, suicide, and substance abuse;”;

3 (G) by striking paragraphs (10) and (11),
4 as redesignated by subparagraph (A), and insert-
5 ing the following:

6 “(10) activities that incorporate culturally and
7 linguistically relevant curriculum content into class-
8 room instruction that is responsive to the unique
9 learning styles of Indian and Alaska Native children
10 to ensure that such children are better able to meet the
11 student academic achievement standards, consistent
12 with section 1111(a);

13 “(11) family literacy activities;”;

14 (H) in paragraph (12), as redesignated by
15 subparagraph (A), by striking “children” and all
16 that follows through the period and inserting
17 “children; and”; and

18 (I) by adding at the end the following:

19 “(13) dropout prevention strategies and strate-
20 gies—

21 “(A) to meet the educational needs of at-risk
22 Indian students in correctional facilities; and

23 “(B) to support Indian students who are
24 transitioning from such facilities to schools
25 served by local educational agencies.”;

1 (3) *in subsection (c)—*

2 (A) *in paragraph (1)—*

3 (i) *by striking “section 7114(c)(4)”*

4 *and inserting “section 7114(c)(5)”;* and

5 (ii) *by striking “; and” and inserting*

6 *a semicolon;*

7 (B) *in paragraph (2), by striking the period*

8 *and inserting “; and”;* and

9 (C) *by adding at the end the following:*

10 “(3) *the local educational agency identifies in*

11 *the local educational agency’s application how the use*

12 *of such funds in a schoolwide program will produce*

13 *benefits to Indian students that would not be achieved*

14 *if the funds were not used in a schoolwide program.”;*

15 *and*

16 (4) *by adding at the end the following:*

17 “(e) *LIMITATION ON USE OF FUNDS.—Funds provided*

18 *to a grantee under this subpart may not be used for long-*

19 *distance travel expenses for training activities available lo-*

20 *cally or regionally.”.*

21 **SEC. 7116. INTEGRATION OF SERVICES AUTHORIZED.**

22 *Section 7116 (20 U.S.C. 7426) is amended—*

23 (1) *in subsection (d)(9), by striking “section*

24 *7114(c)(4)” and inserting “section 7114(c)(5)”;*

1 (2) *in subsection (g), in the matter preceding*
2 *paragraph (1)—*

3 (A) *by striking “the No Child Left Behind*
4 *Act of 2001” and inserting “the Strengthening*
5 *America’s Schools Act of 2013”;*

6 (B) *by inserting “the Secretary of Health*
7 *and Human Services,” after “the Secretary of*
8 *the Interior,”; and*

9 (C) *by inserting “and coordination” after*
10 *“providing for the implementation”;*

11 (3) *by striking subsection (o) and inserting the*
12 *following:*

13 “(o) *REPORT ON STATUTORY OBSTACLES TO, AND*
14 *BEST PRACTICES FOR, PROGRAM INTEGRATION.—*

15 “(1) *IN GENERAL.—Not later than 3 years after*
16 *the date of enactment of the Strengthening America’s*
17 *Schools Act of 2013, the Secretary of Education shall*
18 *submit a report to the authorizing committees, the*
19 *Committee on Indian Affairs of the Senate, and the*
20 *Committee on Natural Resources of the House of Rep-*
21 *resentatives on the results of the implementation of*
22 *the demonstration projects authorized under this sec-*
23 *tion.*

24 “(2) *CONTENTS.—Such report shall identify—*

1 “(A) *statutory barriers to the ability of par-*
 2 *ticipants to integrate more effectively their edu-*
 3 *cation and related services to Indian students in*
 4 *a manner consistent with the objectives of this*
 5 *section; and*

6 “(B) *the best practices for program integra-*
 7 *tion that result in increased student proficiency,*
 8 *graduation rates, and other relevant academic*
 9 *outcomes for Indian and Alaska Native stu-*
 10 *dents.”.*

11 **SEC. 7117. STUDENT ELIGIBILITY FORMS.**

12 *Section 7117 (20 U.S.C. 7427) is amended—*

13 (1) *in subsection (b)(1)—*

14 (A) *in subparagraph (A)(ii), by inserting*
 15 *“or membership” after “enrollment”; and*

16 (B) *in subparagraph (B), by inserting “or*
 17 *membership” after “enrollment”;*

18 (2) *by striking subsections (d) and (e) and in-*
 19 *serting the following:*

20 “(d) *DOCUMENTATION AND TYPES OF PROOF.—*

21 “(1) *TYPES OF PROOF.—For purposes of deter-*
 22 *mining whether a child is eligible to be counted for*
 23 *the purpose of computing the amount of a grant*
 24 *award under section 7113, the membership of the*
 25 *child, or any parent or grandparent, of the child, in*

1 *a tribe or band of Indians (as so defined) may be es-*
2 *tablished by proof other than an enrollment or mem-*
3 *bership number, notwithstanding the availability of*
4 *an enrollment or membership number for a member*
5 *of such tribe or band. Nothing in subsection (b) shall*
6 *be construed to require the furnishing of an enroll-*
7 *ment or membership number.*

8 “(2) *NO NEW OR DUPLICATE DETERMINA-*
9 *TIONS.—Once a child is determined to be an Indian*
10 *eligible to be counted for such grant award, the local*
11 *educational agency shall maintain a record of such*
12 *determination and shall not require a new or dupli-*
13 *cate determination to be made for such child for a*
14 *subsequent application for a grant under this sub-*
15 *part.*

16 “(3) *PREVIOUSLY FILED FORMS.—An Indian*
17 *student eligibility form that was on file as required*
18 *by this section on the day before the date of enactment*
19 *of the Strengthening America’s Schools Act of 2013*
20 *and that met the requirements of this section, as this*
21 *section was in effect on the day before the date of en-*
22 *actment of such Act, shall remain valid for such In-*
23 *dian student.”;*

24 (3) *by redesignating subsections (f) and (g) as*
25 *subsections (e) and (f), respectively;*

1 (4) *in subsection (f), as redesignated by para-*
2 *graph (3), by striking “the Bureau of Indian Affairs”*
3 *and inserting “the Bureau of Indian Education”; and*

4 (5) *by inserting after subsection (f), as redesign-*
5 *ated by paragraph (3), the following:*

6 “(g) *TECHNICAL ASSISTANCE.—The Secretary shall,*
7 *directly or through contract, provide technical assistance to*
8 *a local educational agency upon request, in addition to any*
9 *technical assistance available under section 1116 or avail-*
10 *able through the Institute of Education Sciences, to support*
11 *the services and activities described under this section, in-*
12 *cluding for the—*

13 “(1) *development of applications under this sec-*
14 *tion;*

15 “(2) *improvement in the quality of implementa-*
16 *tion, content of activities, and evaluation of activities*
17 *supported under this subpart;*

18 “(3) *integration of activities under this title with*
19 *other educational activities established by the local*
20 *educational agency; and*

21 “(4) *coordination of activities under this title*
22 *with programs administered by each Federal agency*
23 *providing grants for the provision of educational and*
24 *related services.”.*

1 **Subpart 2—Special Programs and Projects to Im-**
 2 **prove Educational Opportunities for Indian Chil-**
 3 **dren 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;*

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 growth
2 by the end of grade 3, including kindergarten
3 and prekindergarten programs, family-based pre-
4 school programs that emphasize school readiness,
5 screening and referral, and the provision of serv-
6 ices to Indian children and youth with disabil-
7 ities;”;

8 (iii) in subparagraph (K), by striking
9 “family literacy services” and inserting
10 “family literacy activities”; and

11 (iv) in subparagraph (L), by striking
12 “qualified tribal elders and seniors; or” and
13 inserting “traditional leaders;”; and

14 (C) in paragraph (2), by striking “Profes-
15 sional development of” and inserting “High-
16 quality professional development of”;

17 (4) in subsection (d)—

18 (A) in paragraph (1)(C), by striking “make
19 a grant payment for a grant described in this
20 paragraph to an eligible entity after the initial
21 year of the multiyear grant only if the Secretary
22 determines” and inserting “award grants for an
23 initial period of not more than 3 years and may
24 renew such grants for not more than an addi-
25 tional 2 years if the Secretary determines”; and

1 (B) in paragraph (3)(B)—

2 (i) in clause (i), by striking “parents
3 of Indian children and representatives of
4 Indian tribes” and inserting “family mem-
5 bers of Indian children and youth and offi-
6 cial representatives designated by the In-
7 dian tribes”; and

8 (ii) in clause (iii)—

9 (I) by striking “information” and
10 inserting “evidence”; and

11 (II) by striking “a scientifically
12 based” and inserting “an evidence-
13 based”; and

14 (5) by adding at the end the following:

15 “(f) CONTINUATION.—Notwithstanding any other pro-
16 vision of this section, a grantee that is carrying out activi-
17 ties pursuant to a grant awarded under this section prior
18 to the date of enactment of the Strengthening America’s
19 Schools Act of 2013 may continue to carry out such activi-
20 ties under such grant in accordance with the terms of that
21 grant award.”.

22 **SEC. 7123. PROFESSIONAL DEVELOPMENT FOR TEACHERS**
23 **AND EDUCATION PROFESSIONALS.**

24 Section 7122 (20 U.S.C. 7442) is amended—

1 (1) *in subsection (a), by striking paragraphs (1)*
2 *and (2) and inserting the following:*

3 “(1) *to increase the number of qualified Indian*
4 *teachers and administrators serving Indian students;*

5 “(2) *to provide training to qualified Indian in-*
6 *dividuals to become educators; and”;*

7 (2) *in subsection (d), by adding at the end the*
8 *following:*

9 “(3) *CONTINUATION.—Notwithstanding any*
10 *other provision of this section, a grantee that is car-*
11 *rying out activities pursuant to a grant awarded*
12 *under this section prior to the date of enactment of*
13 *the Strengthening America’s Schools Act of 2013 may*
14 *continue to carry out such activities under such grant*
15 *in accordance with the terms of that award.”;*

16 (3) *by striking subsection (e) and inserting the*
17 *following:*

18 “(e) *APPLICATION.—Each eligible entity desiring a*
19 *grant under this section shall submit an application to the*
20 *Secretary at such time, in such manner, and accompanied*
21 *by such information, as the Secretary may reasonably re-*
22 *quire. At a minimum, an application under this section*
23 *shall describe how the eligible entity will—*

1 “(1) recruit qualified Indian individuals, such
2 as students who may not be of traditional college age,
3 to become teachers or principals;

4 “(2) use funds made available under the grant to
5 support the recruitment, preparation, and profes-
6 sional development of Indian teachers or principals
7 in local educational agencies that serve a high pro-
8 portion of Indian students; and

9 “(3) assist participants in meeting the require-
10 ments under subsection (h).”;

11 (4) by striking subsection (g) and inserting the
12 following:

13 “(g) GRANT PERIOD.—The Secretary shall award
14 grants under this section for an initial period of not more
15 than 3 years, and may renew such grants for not more than
16 an additional 2 years if the Secretary finds that the grantee
17 is achieving the objectives of the grant.”; and

18 (5) in subsection (h)(1)(A), by striking clause
19 (ii) and inserting the following:

20 “(ii) in a local educational agency that
21 serves a high proportion of Indian students;
22 or”.

1 **Subpart 3—National Activities**

2 **SEC. 7131. NATIONAL ACTIVITIES.**

3 *Subpart 3 of part A of title VII (20 U.S.C. 7451 et*
4 *seq.) is amended—*

5 (1) *in section 7131—*

6 (A) *in subsection (a)—*

7 (i) *in the matter preceding paragraph*
8 *(1), by striking “under section 7152(b)”*
9 *and inserting “to carry out this subpart”;*

10 (ii) *in paragraph (1), by striking “the*
11 *education” and inserting “improving the*
12 *academic achievement and development”;*

13 (iii) *by striking paragraph (2);*

14 (iv) *by redesignating paragraph (3) as*
15 *paragraph (2);*

16 (v) *in paragraph (2), as redesignated*
17 *by clause (iv), by striking “Indians; and”*
18 *and inserting “Indian students;”; and*

19 (vi) *by inserting after paragraph (2),*
20 *as redesignated by clause (iv), the following:*

21 “(3) *provide technical assistance and logistical*
22 *support to grantees under this subpart; and”;* and

23 (B) *by striking subsection (c) and inserting*
24 *the following:*

25 “(c) *COORDINATION.—Research activities supported*
26 *under this section—*

1 “(1) shall be coordinated with appropriate offices
2 within the Department; and

3 “(2) may include collaborative research activities
4 that are jointly funded and carried out by the Bureau
5 of Indian Education and the Institute of Education
6 Sciences.”;

7 (2) by striking sections 7132, 7133, 7134, 7135,
8 and 7136; and

9 (3) by adding at the end the following:

10 **“SEC. 7132. IMPROVEMENT OF ACADEMIC SUCCESS FOR**
11 **STUDENTS THROUGH NATIVE AMERICAN**
12 **LANGUAGE.**

13 “(a) *PURPOSE.*—It is the purpose of this section to im-
14 prove educational opportunities and academic achievement
15 of Indian and Alaska Native students through Native Amer-
16 ican language programs and to foster the acquisition of Na-
17 tive American language.

18 “(b) *DEFINITION OF ELIGIBLE ENTITY.*—In this sec-
19 tion, the term ‘eligible entity’ means a State educational
20 agency, local educational agency, Indian tribe, Indian or-
21 ganization, federally supported elementary school or sec-
22 ondary school for Indian students, Indian institution (in-
23 cluding an Indian institution of higher education), or a
24 consortium of such entities.

1 “(c) *GRANTS AUTHORIZED.*—*The Secretary shall*
2 *award grants to eligible entities to enable such entities to*
3 *carry out the following activities:*

4 “(1) *Native American language programs that—*

5 “(A) *provide instruction through the use of*
6 *a Native American language for not less than 10*
7 *children for an average of not less than 500*
8 *hours per year per student;*

9 “(B) *provide for the involvement of parents,*
10 *caregivers, and families of students enrolled in*
11 *the program;*

12 “(C) *utilize, and may include the develop-*
13 *ment of, instructional courses and materials for*
14 *learning Native American languages and for in-*
15 *struction through the use of Native American*
16 *languages;*

17 “(D) *provide support for professional devel-*
18 *opment activities; and*

19 “(E) *include a goal of all students achiev-*
20 *ing—*

21 “(i) *fluency in a Native American lan-*
22 *guage; and*

23 “(ii) *academic proficiency in mathe-*
24 *matics, English, reading or language arts,*
25 *and science.*

1 “(2) *Native American language restoration pro-*
2 *grams that—*

3 “(A) *provide instruction in not less than 1*
4 *Native American language;*

5 “(B) *provide support for professional devel-*
6 *opment activities for teachers of Native Amer-*
7 *ican languages;*

8 “(C) *develop instructional materials for the*
9 *programs; and*

10 “(D) *include the goal of increasing pro-*
11 *ficiency and fluency in not less than 1 Native*
12 *American language.*

13 “(d) *APPLICATION.—*

14 “(1) *IN GENERAL.—An eligible entity that de-*
15 *sires to receive a grant under this section shall submit*
16 *an application to the Secretary at such time, in such*
17 *manner, and accompanied by such information as the*
18 *Secretary may require.*

19 “(2) *CERTIFICATION.—An eligible entity that*
20 *submits an application for a grant to carry out the*
21 *activity specified in subsection (c)(1), shall include in*
22 *such application a certification that assures that such*
23 *entity has experience and a demonstrated record of ef-*
24 *fectiveness in operating and administering a Native*
25 *American language program or any other educational*

1 *program in which instruction is conducted in a Na-*
 2 *tive American language.*

3 “(e) *GRANT DURATION.*—*The Secretary shall make*
 4 *grants under this section only on a multi-year basis. Each*
 5 *such grant shall be for a period not to exceed 5 years.*

6 “(f) *DEFINITION.*—*In this section, the term ‘average’*
 7 *means the aggregate number of hours of instruction through*
 8 *the use of a Native American language to all students en-*
 9 *rolled in a Native American language program during a*
 10 *school year divided by the total number of students enrolled*
 11 *in the program.*

12 “(g) *ADMINISTRATIVE COSTS.*—

13 “(1) *IN GENERAL.*—*Except as provided in para-*
 14 *graph (2), not more than 5 percent of the funds pro-*
 15 *vided to a grantee under this section for any fiscal*
 16 *year may be used for administrative purposes.*

17 “(2) *EXCEPTION.*—*An elementary school or sec-*
 18 *ondary school for Indian students that receives funds*
 19 *from a recipient of a grant under subsection (c) for*
 20 *any fiscal year may use not more than 10 percent of*
 21 *the funds for administrative purposes.*

22 **“SEC. 7133. IMPROVING STATE AND TRIBAL EDUCATIONAL**
 23 **AGENCY COLLABORATION.**

24 “*The Secretary, in consultation with the Director of*
 25 *the Bureau of Indian Education, shall conduct a study of*

1 *the relationship among State educational agencies, local*
 2 *educational agencies, and other relevant State and local*
 3 *agencies, and tribes or tribal representatives to—*

4 “(1) *identify examples of best practices in col-*
 5 *laboration among those entities that result in the pro-*
 6 *vision of better services to Indian students; and*

7 “(2) *provide recommendations on—*

8 “(A) *State educational agency functions*
 9 *that tribal educational agencies could perform;*

10 “(B) *areas and agency functions in which*
 11 *greater State educational agency and tribal edu-*
 12 *cational agency collaboration is needed; and*

13 “(C) *other steps to reducing barriers to serv-*
 14 *ing Indian students, especially such students who*
 15 *are at risk of academic failure.”.*

16 ***Subpart 4—Federal Administration***

17 ***SEC. 7141. NATIONAL ADVISORY COUNCIL ON INDIAN EDU-***
 18 ***CATION.***

19 *Section 7141(b)(1) (20 U.S.C. 7471(b)(1)) is amended*
 20 *by inserting “and the Secretary of the Interior” after “ad-*
 21 *vis the Secretary”.*

1 **Subpart 5—Definitions; Authorization of**
 2 **Appropriations**

3 **SEC. 7151. DEFINITIONS; AUTHORIZATION OF APPROPRIA-**
 4 **TIONS.**

5 *Subpart 5 of part A of title VII (20 U.S.C. 7491 et*
 6 *seq.) is amended—*

7 (1) *in the subpart heading, by striking “; Au-*
 8 *thorizations of Appropriations”;*

9 (2) *by striking section 7152; and*

10 (3) *in section 7151—*

11 (A) *by striking paragraph (2);*

12 (B) *by redesignating paragraph (3) as*
 13 *paragraph (2); and*

14 (C) *by adding at the end the following:*

15 “(3) *TRADITIONAL LEADERS.—The term ‘tradi-*
 16 *tional leaders’ has the meaning given the term in the*
 17 *Native American Languages Act (25 U.S.C. 2902).”.*

18 **PART B—NATIVE HAWAIIAN EDUCATION; ALASKA**
 19 **NATIVE EDUCATION**

20 **SEC. 7201. NATIVE HAWAIIAN EDUCATION AND ALASKA NA-**
 21 **TIVE EDUCATION.**

22 *Title VII (20 U.S.C. 7401 et seq.) is amended—*

23 (1) *in part B, by striking the part heading and*
 24 *inserting the following: “NATIVE HAWAIIAN EDU-*
 25 *CATION; ALASKA NATIVE EDUCATION”;*

26 (2) *by inserting before section 7201 the following:*

1 **“Subpart 1—Native Hawaiian Education”;**

2 (3) *in section 7201, by striking “part” and in-*
3 *serting “subpart”;*

4 (4) *by redesignating part C as subpart 2 of part*
5 *B; and*

6 (5) *in subpart 2 of part B, as redesignated by*
7 *paragraph (4), by striking the heading and inserting*
8 **“Alaska Native Education”.**

9 **Subpart 1—Native Hawaiian Education**

10 **SEC. 7202. FINDINGS.**

11 *Section 7202 (20 U.S.C. 7512) is amended to read as*
12 *follows:*

13 **“SEC. 7202. FINDINGS.**

14 *“Congress finds the following:*

15 (1) *Native Hawaiians are a distinct and*
16 *unique indigenous people with a historical continuity*
17 *to the original inhabitants of the Hawaiian archi-*
18 *pelago, whose society was organized as a nation and*
19 *internationally recognized as a nation by the United*
20 *States, and many other countries.*

21 (2) *Native Hawaiians have a cultural, historic,*
22 *and land-based link to the indigenous people who ex-*
23 *ercised sovereignty over the Hawaiian Islands.*

24 (3) *The political relationship between the*
25 *United States and the Native Hawaiian people has*
26 *been recognized and reaffirmed by the United States,*

1 *as evidenced by the inclusion of Native Hawaiians in*
2 *many Federal statutes.*

3 “(4) In 1993, 2005, and 2009, the Kamehameha
4 *Schools Bishop Estate released the findings of the Na-*
5 *tive Hawaiian Educational Assessment Project, which*
6 *found that despite the successes of the programs estab-*
7 *lished under title IV of the Augustus F. Hawkins-Rob-*
8 *ert T. Stafford Elementary and Secondary School Im-*
9 *provement Amendments of 1988 (Public Law 100-*
10 *297, 102 Stat. 358), many of the same educational*
11 *needs still existed for Native Hawaiians.*

12 “(5) The percentage of Native Hawaiian stu-
13 *dents served by the State of Hawaii Department of*
14 *Education rose 30 percent from 1980 to 2008, and*
15 *there are and will continue to be geographically rural,*
16 *isolated areas with a high Native Hawaiian popu-*
17 *lation density.*

18 “(6) The Native Hawaiian people are deter-
19 *mined to preserve, develop, and transmit to future*
20 *generations their ancestral territory and their cul-*
21 *tural identity in accordance with their own spiritual*
22 *and traditional beliefs, customs, practices, language,*
23 *and social institutions.*

24 “(7) The State of Hawaii, in the constitution
25 *and statutes of the State of Hawaii—*

1 “(A) reaffirms and protects the unique right
2 of the Native Hawaiian people to practice and
3 perpetuate their culture and religious customs,
4 beliefs, practices, and language;

5 “(B) recognizes the traditional language of
6 the Native Hawaiian people as an official lan-
7 guage of the State of Hawaii, which may be used
8 as the language of instruction for all subjects
9 and grades in the public school system; and

10 “(C) promotes the study of the Hawaiian
11 culture, language, and history by providing a
12 Hawaiian education program and using commu-
13 nity expertise as a suitable and essential means
14 to further the program.”.

15 **SEC. 7203. PURPOSES.**

16 Section 7203 (20 U.S.C. 7513) is amended to read as
17 follows:

18 **“SEC. 7203. PURPOSES.**

19 “The purposes of this subpart are to—

20 “(1) develop, implement, assess, expand, and
21 evaluate innovative educational programs, Native
22 Hawaiian language medium programs, Native Ha-
23 waiian culture-based education programs, and other
24 education programs to improve the academic achieve-
25 ment of Native Hawaiian students by meeting their

1 *unique cultural and language needs to help such stu-*
 2 *dents meet college and career ready State academic*
 3 *content and student academic achievement standards*
 4 *adopted under section 1111(a)(1);*

5 *“(2) provide guidance to appropriate Federal,*
 6 *State, and local agencies to more effectively and effi-*
 7 *ciently focus resources, including resources made*
 8 *available under this subpart, on the development and*
 9 *implementation of—*

10 *“(A) innovative educational programs for*
 11 *Native Hawaiian students;*

12 *“(B) rigorous and substantive Native Ha-*
 13 *waiian language programs; and*

14 *“(C) Native Hawaiian culture-based edu-*
 15 *cational programs; and*

16 *“(3) create a system by which information from*
 17 *programs funded under this subpart will be collected,*
 18 *analyzed, evaluated, reported, and used in decision-*
 19 *making activities with respect to the types of grants*
 20 *awarded under this subpart.”.*

21 **SEC. 7204. NATIVE HAWAIIAN EDUCATION COUNCIL.**

22 *Section 7204 (20 U.S.C. 7514) is amended to read as*
 23 *follows:*

24 **“SEC. 7204. NATIVE HAWAIIAN EDUCATION COUNCIL.**

25 *“(a) GRANT AUTHORIZED.—*

1 “(1) *IN GENERAL.*—*In order to better effectuate*
2 *the purposes of this subpart through the coordination*
3 *of educational and related services and programs*
4 *available to Native Hawaiian students, including*
5 *those programs receiving funding under this subpart,*
6 *the Secretary shall award a grant to an education*
7 *council, as described in subsection (b).*

8 “(2) *DURATION OF GRANT.*—*A grant under this*
9 *section shall be for a period of 5 years.*

10 “(3) *FUNDING.*—*For each fiscal year, the Sec-*
11 *retary shall use the amount described in section*
12 *7205(h)(1) to make a payment under the grant.*
13 *Funds made available through the grant shall remain*
14 *available until expended.*

15 “(b) *COMPOSITION.*—

16 “(1) *ELIGIBILITY.*—*To be eligible to receive the*
17 *grant under subsection (a), the council shall be an*
18 *education council (referred to in this section as the*
19 *‘Education Council’) that meets the requirements of*
20 *this subsection.*

21 “(2) *IN GENERAL.*—*The Education Council shall*
22 *consist of 15 members, of whom—*

23 “(A) *1 shall be the President of the Univer-*
24 *sity of Hawaii (or a designee);*

1 “(B) 1 shall be the Governor of the State of
2 Hawaii (or a designee);

3 “(C) 1 shall be the Superintendent of the
4 State of Hawaii Department of Education (or a
5 designee);

6 “(D) 1 shall be the chairperson of the Office
7 of Hawaiian Affairs (or a designee);

8 “(E) 1 shall be the executive director of Ha-
9 wahi’s Charter School Network (or a designee);

10 “(F) 1 shall be the chief executive officer of
11 the Kamehameha Schools (or a designee);

12 “(G) 1 shall be the chairperson of the Queen
13 Liliuokalani Trust (or a designee);

14 “(H) 1 shall be a member, selected by the
15 other members of the Education Council, who
16 represents a private grant-making entity (or a
17 designee);

18 “(I) 1 shall be the mayor of the County of
19 Hawaii (or a designee);

20 “(J) 1 shall be the Mayor of Maui County
21 (or a designee from the Island of Maui);

22 “(K) 1 shall be the Mayor of the County of
23 Kauai (or a designee);

1 “(L) 1 shall be appointed by the Mayor of
2 Maui County from the Island of either Molokai
3 or Lanai;

4 “(M) 1 shall be the Mayor of the City and
5 County of Honolulu (or a designee);

6 “(N) 1 shall be the Chairperson of the Ha-
7 waiian Homes Commission (or a designee); and

8 “(O) 1 shall be the Chairperson of the Ha-
9 waii Workforce Development Council (or a des-
10 ignee representing the private sector).

11 “(3) *REQUIREMENTS.*—Any designee serving on
12 the Council shall demonstrate, as determined by the
13 individual who appointed such designee with input
14 from the Native Hawaiian community, not less than
15 5 years of experience as a consumer or provider of
16 Native Hawaiian education or cultural activities,
17 with traditional cultural experience given due consid-
18 eration.

19 “(4) *LIMITATION.*—A member of the Education
20 Council, including a designee, may not receive, as an
21 individual, grant funds awarded under this subpart
22 while serving on the Education Council.

23 “(5) *NO COMPENSATION.*—None of the funds
24 made available through the grant may be used to pro-
25 vide compensation to any member of the Education

1 *Council or member of a working group established by*
2 *the Education Council, for functions described in this*
3 *section.*

4 “(6) *ADMINISTRATIVE PROVISIONS RELATING TO*
5 *EDUCATION COUNCIL.—The Education Council shall*
6 *meet at the call of the Chair of the Council, or upon*
7 *request by a majority of the members of the Edu-*
8 *cation Council, but in any event not less often than*
9 *every 120 days.*

10 “(7) *CHAIR, VICE CHAIR.—*

11 “(A) *SELECTION.—The Education Council*
12 *shall select a Chair and Vice Chair from among*
13 *the members of the Education Council.*

14 “(B) *SERVICE.—The Chair and Vice Chair*
15 *selected under subparagraph (A) shall each serve*
16 *for one 2-year term.*

17 “(c) *USE OF FUNDS FOR TECHNICAL ASSISTANCE AND*
18 *ASSESSMENT.—The Education Council shall use funds*
19 *made available through the grant under this section to*
20 *carry out, directly or through subgrant or contract, the fol-*
21 *lowing activities:*

22 “(1) *Providing technical assistance to Native*
23 *Hawaiian organizations that are grantees or poten-*
24 *tial grantees under this subpart.*

1 “(2) *Obtaining from such grantees information*
2 *and data regarding grants awarded under this sub-*
3 *part, including information and data about—*

4 “(A) *the effectiveness of such grantees in*
5 *meeting the educational priorities recommended*
6 *by the Education Council under subsection*
7 *(e)(1)(B), using metrics consistent with such pri-*
8 *orities; and*

9 “(B) *the effectiveness of such grantees in*
10 *carrying out any of the activities described in*
11 *section 7205(c) that are related to the specific*
12 *goals and purposes of each grantee’s grant*
13 *project, using metrics consistent with such goals*
14 *and purposes.*

15 “(3) *Assessing and defining the educational*
16 *needs of Native Hawaiians.*

17 “(4) *Assessing the programs and services avail-*
18 *able to address the educational needs of Native Ha-*
19 *waiians.*

20 “(5) *Assessing and evaluating the individual*
21 *and aggregate impact achieved by grantees under this*
22 *subpart in improving Native Hawaiian educational*
23 *performance and meeting the goals of this subpart.*

24 “(6) *Providing direction and guidance, through*
25 *the issuance of reports and recommendations, to ap-*

1 *appropriate Federal, State, and local agencies in order*
2 *to focus and improve the use of resources, including*
3 *resources made available under this subpart, relating*
4 *to Native Hawaiian student education, and serve,*
5 *where appropriate, in an advisory capacity.*

6 “(7) *Hiring an executive director to enable the*
7 *Education Council to carry out the activities de-*
8 *scribed in this subsection.*

9 “(d) *USE OF FUNDS FOR COMMUNITY CONSULTA-*
10 *TIONS.—The Education Council shall use funds made avail-*
11 *able through the grant under this section to hold not less*
12 *than 1 community consultation each year on each of the*
13 *Islands of Hawaii, Maui, Molokai, Lanai, Oahu, and*
14 *Kauai, at which—*

15 “(1) *not less than 3 members of the Education*
16 *Council shall be in attendance;*

17 “(2) *the Education Council shall gather commu-*
18 *nity input regarding—*

19 “(A) *entities that are, at the time of the*
20 *community consultation, receiving a grant under*
21 *this subpart;*

22 “(B) *priorities and needs; and*

23 “(C) *other Native Hawaiian educational*
24 *issues; and*

1 “(3) *the Education Council shall report to the*
2 *community on the outcomes of the grants awarded*
3 *under this subpart.*

4 “(e) *REPORTS.—*

5 “(1) *ANNUAL EDUCATION COUNCIL REPORT.—*
6 *The Education Council shall use funds made avail-*
7 *able through the grant under this section to prepare*
8 *and submit to the Secretary, before the end of each*
9 *calendar year, annual reports that contain—*

10 “(A) *a description of the activities of the*
11 *Education Council during the preceding cal-*
12 *endar year;*

13 “(B) *recommendations of the Education*
14 *Council, if any, regarding priorities to be estab-*
15 *lished under section 7205(b);*

16 “(C) *a description of significant barriers to*
17 *achieving the goals under this subpart;*

18 “(D) *a summary of each community con-*
19 *sultation session, as described in subsection (d);*
20 *and*

21 “(E) *recommendations to establish funding*
22 *priorities based on an assessment of—*

23 “(i) *the educational needs of Native*
24 *Hawaiians;*

1 “(ii) programs and services currently
2 available to address such needs, including
3 the effectiveness of such programs in im-
4 proving the educational performance of Na-
5 tive Hawaiians; and

6 “(iii) priorities for funding in specific
7 geographic communities.

8 “(2) *REPORT BY THE SECRETARY.*—Not later
9 than 2 years after the date of enactment of the
10 *Strengthening America’s Schools Act of 2013*, the Sec-
11 *retary shall prepare and submit to the Committee on*
12 *Indian Affairs of the Senate and the authorizing com-*
13 *mittees a report that—*

14 “(A) summarizes the annual reports of the
15 *Education Council;*

16 “(B) describes the allocation and use of
17 funds under this subpart and the information
18 gathered since the first annual report submitted
19 by the Education Council to the Secretary under
20 this section; and

21 “(C) contains recommendations for changes
22 in Federal, State, and local policy to advance
23 the purposes of this subpart.”.

1 **SEC. 7205. PROGRAM AUTHORIZED.**

2 *Section 7205 (20 U.S.C. 7515) is amended to read as*
3 *follows:*

4 **“SEC. 7205. PROGRAM AUTHORIZED.**

5 *“(a) GRANTS AND CONTRACTS.—In order to carry out*
6 *programs that meet the purposes of this subpart, the Sec-*
7 *retary is authorized to award grants to, or enter into con-*
8 *tracts with—*

9 *“(1) Native Hawaiian educational organiza-*
10 *tions;*

11 *“(2) Native Hawaiian community-based organi-*
12 *zations;*

13 *“(3) public and private nonprofit organizations,*
14 *agencies, and institutions with experience in success-*
15 *fully developing or operating Native Hawaiian edu-*
16 *cation and workforce development programs or pro-*
17 *grams of instruction in the Native Hawaiian lan-*
18 *guage;*

19 *“(4) charter schools; and*

20 *“(5) consortia of the organizations, agencies, in-*
21 *stitutions, and schools described in paragraphs (1)*
22 *through (4).*

23 *“(b) PRIORITY.—In awarding grants and entering*
24 *into contracts under this subpart, the Secretary shall give*
25 *priority to—*

1 “(1) programs that meet the educational prior-
2 ities recommended by the Education Council under
3 section 7204(e)(1)(B);

4 “(2) programs designed to improve the academic
5 achievement of Native Hawaiian students by meeting
6 their unique cultural and linguistic needs in order to
7 help such students meet college and career ready aca-
8 demic standards adopted under section 1111(a)(1);
9 and

10 “(3) programs in which a State educational
11 agency, local educational agency, institution of higher
12 education, or a State educational agency or local edu-
13 cational agency in partnership with an institution of
14 higher education apply for a grant or contract under
15 this subpart as part of a partnership or consortium.

16 “(c) *AUTHORIZED ACTIVITIES.*—Activities provided
17 through programs carried out under this subpart may in-
18 clude—

19 “(1) the development and maintenance of a
20 statewide Native Hawaiian early childhood education
21 system to provide a continuum of high-quality serv-
22 ices for Native Hawaiian children from the prenatal
23 period through the age of kindergarten entry;

24 “(2) the operation of family-based education cen-
25 ters that provide such services as—

1 “(A) programs for Native Hawaiian par-
2 ents and their infants from the prenatal period
3 of infancy through age 3;

4 “(B) preschool programs for Native Hawai-
5 ian children; and

6 “(C) research on, and development and as-
7 sessment of, family-based early childhood edu-
8 cation programs for Native Hawaiians;

9 “(3) activities that enhance beginning reading
10 and literacy in either the Hawaiian or the English
11 language among Native Hawaiian students in kinder-
12 garten through grade 3 and assistance in addressing
13 the distinct features of combined English and Hawai-
14 ian literacy for Hawaiian speakers in grades 5 and
15 6;

16 “(4) activities to meet the special needs of Native
17 Hawaiian students with disabilities, including—

18 “(A) the identification of such students and
19 their needs;

20 “(B) the provision of support services to the
21 families of those students; and

22 “(C) other activities consistent with the re-
23 quirements of the Individuals with Disabilities
24 Education Act;

1 “(5) activities that address the special needs of
2 *Native Hawaiian students who are gifted and tal-*
3 *ented, including—*

4 “(A) educational, psychological, social, emo-
5 *tional, and developmental activities designed to*
6 *assist in the educational progress of such stu-*
7 *dents; and*

8 “(B) activities that involve the parents of
9 *such students in a manner designed to assist in*
10 *the students’ educational progress;*

11 “(6) the development of academic and career and
12 *technical curricula to address the needs of Native Ha-*
13 *waiian children, youth, and adults, including cur-*
14 *ricula materials in the Hawaiian language and*
15 *mathematics, science, engineering, and technology*
16 *that incorporate Native Hawaiian tradition and cul-*
17 *ture;*

18 “(7) professional development activities for edu-
19 *cators, including—*

20 “(A) the development of programs to pre-
21 *pare prospective teachers to address the unique*
22 *needs of Native Hawaiian students within the*
23 *context of Native Hawaiian culture, language,*
24 *and traditions;*

1 “(B) *in-service programs to improve the*
2 *ability of teachers who teach in schools with con-*
3 *centrations of Native Hawaiian students to meet*
4 *those students’ unique needs; and*

5 “(C) *the recruitment and preparation of*
6 *Native Hawaiian individuals, and other individ-*
7 *uals who live in communities with a high con-*
8 *centration of Native Hawaiians, to become teach-*
9 *ers or leaders;*

10 “(8) *the operation of community-based learning*
11 *centers that address the needs of Native Hawaiian*
12 *families and communities through the coordination of*
13 *public and private programs and services, includ-*
14 *ing—*

15 “(A) *early childhood education programs,*
16 *including preschool programs;*

17 “(B) *before- and after-school programs and*
18 *weekend academies;*

19 “(C) *career and technical and adult edu-*
20 *cation programs; and*

21 “(D) *programs that recognize and support*
22 *the unique cultural and educational needs of Na-*
23 *tive Hawaiian children and youth and incor-*
24 *porate appropriately qualified Native Hawaiian*
25 *elders and seniors;*

1 “(9) activities, including program colocation, to
2 enable Native Hawaiian individuals to enter and
3 complete programs of postsecondary education, in-
4 cluding—

5 “(A) the provision of full or partial scholar-
6 ships for undergraduate or graduate study that
7 are awarded to students based on their academic
8 promise and financial need, with a priority, at
9 the graduate level, given to Native Hawaiian
10 students entering professions in which Native
11 Hawaiians are underrepresented;

12 “(B) family literacy activities;

13 “(C) counseling and support services for
14 students receiving scholarship assistance;

15 “(D) counseling and guidance for Native
16 Hawaiian secondary school students who have
17 the potential to receive scholarships;

18 “(E) assistance with completing the higher
19 education admissions and financial aid applica-
20 tion process; and

21 “(F) faculty development activities designed
22 to promote the matriculation of Native Hawai-
23 ian students;

24 “(10) activities that recognize and support the
25 unique needs of Native Hawaiian youth regarding the

1 *completion of quality workforce preparation and*
2 *training programs and activities, including appren-*
3 *ticeship programs;*

4 *“(11) research and data collection activities to*
5 *determine the educational status and needs of Native*
6 *Hawaiian children and youth;*

7 *“(12) other research and evaluation activities re-*
8 *lated to programs carried out under this subpart; and*

9 *“(13) other activities, consistent with the pur-*
10 *poses of this subpart, to meet the educational needs of*
11 *Native Hawaiian children and youth.*

12 *“(d) ADDITIONAL ACTIVITIES.—From funds made*
13 *available to carry out this subpart, the Secretary shall sup-*
14 *port the following:*

15 *“(1) The development of a body of Native Ha-*
16 *waiian law.*

17 *“(2) The repair and renovation of public schools*
18 *that serve high concentrations of Native Hawaiian*
19 *students.*

20 *“(3) Informal education programs that present*
21 *traditional Hawaiian knowledge, science, astronomy,*
22 *and environmental education through State museums*
23 *or learning centers.*

24 *“(4) Public charter schools serving high con-*
25 *centrations of Native Hawaiian students.*

1 “(5) *The perpetuation of, and expansion of ac-*
2 *cess to, Hawaiian culture and history through digital*
3 *archives.*

4 “(e) *SPECIAL RULE AND CONDITIONS.—*

5 “(1) *INSTITUTIONS OUTSIDE HAWAII.—The Sec-*
6 *retary may not establish a policy under this section*
7 *that prevents a Native Hawaiian student enrolled at*
8 *a 2- or 4-year degree-granting institution of higher*
9 *education outside of the State of Hawaii from receiv-*
10 *ing a scholarship pursuant to subsection (c)(9)(A).*

11 “(2) *SCHOLARSHIP CONDITIONS.—The Secretary*
12 *shall establish conditions for receipt of a scholarship*
13 *awarded under subsection (c)(9)(A). The conditions*
14 *shall require that an individual seeking such a schol-*
15 *arship enter into a contract to provide professional*
16 *services, either during the scholarship period or upon*
17 *completion of a program of postsecondary education,*
18 *to the Native Hawaiian community.*

19 “(f) *TREATMENT OF FUNDS.—*

20 “(1) *IN GENERAL.—Except as provided in para-*
21 *graph (2), funds made available under this subpart*
22 *shall be used to supplement, and not supplant, any*
23 *State or local funds used to achieve the purposes of*
24 *this subpart.*

1 “(2) *EXCEPTION.*—*Paragraph (1) shall not*
2 *apply to any nonprofit entity or Native Hawaiian*
3 *community-based organization that receives a grant*
4 *or other funds under this subpart.*

5 “(g) *ADMINISTRATIVE COSTS.*—

6 “(1) *IN GENERAL.*—*Except as provided in para-*
7 *graph (2), not more than 5 percent of funds provided*
8 *to a recipient of a grant or contract under subsection*
9 *(a) for any fiscal year may be used for administra-*
10 *tive purposes.*

11 “(2) *EXCEPTION.*—*Not more than 10 percent of*
12 *funds provided under subsection (a) for any fiscal*
13 *year to a nonprofit entity serving the Native Hawai-*
14 *ian community may be used for administrative pur-*
15 *poses.*

16 “(h) *RESERVATION; AVAILABILITY OF FUNDS.*—

17 “(1) *RESERVATION.*—*From the funds made*
18 *available to carry out this subpart, the Secretary*
19 *shall reserve, for each of fiscal years 2014 through*
20 *2018, not less than \$500,000 for the Education Coun-*
21 *cil.*

22 “(2) *AVAILABILITY.*—*Funds made available to*
23 *carry out this subpart and funds reserved under this*
24 *subsection shall remain available until expended.”.*

1 **SEC. 7206. ADMINISTRATIVE PROVISIONS.**

2 *Section 7206 (20 U.S.C. 7516) is amended to read as*
 3 *follows:*

4 **“SEC. 7206. ADMINISTRATIVE PROVISIONS.**

5 **“(a) APPLICATION REQUIRED.—**

6 *“(1) IN GENERAL.—No grant may be made*
 7 *under this subpart, and no contract may be entered*
 8 *into under this subpart, unless the entity seeking the*
 9 *grant or contract submits an application to the Sec-*
 10 *retary at such time, in such manner, and containing*
 11 *such information as the Secretary may determine to*
 12 *be necessary to carry out the provisions of this sub-*
 13 *part.*

14 **“(2) ACADEMIC PROJECTS.—Applications sub-**
 15 *mitted under this subpart to carry out projects and*
 16 *activities that are academic in nature shall de-*
 17 *scribe—*

18 *“(A) the criteria that will be used to ensure*
 19 *that such projects and activities use evidence-*
 20 *based strategies and methods; and*

21 *“(B) the process through which the appli-*
 22 *cant will monitor and report such activities, in-*
 23 *cluding the achievement of identified objectives.*

24 **“(b) APPLICATIONS TO EDUCATION COUNCIL.—The**
 25 *Secretary shall provide to the Education Council a copy*

1 *of each grant or contract application submitted under this*
2 *subpart.*

3 “(c) *ANNUAL REPORT.*—

4 “(1) *IN GENERAL.*—*Each entity that receives a*
5 *grant under this subpart (except for section 7204)*
6 *shall submit to the Secretary an annual report, in*
7 *such form and containing such information as the*
8 *Secretary may require, that determines the extent to*
9 *which activities carried out with funds provided*
10 *under this subpart are effective in improving the edu-*
11 *cational achievement of Native Hawaiian students*
12 *served by such funds.*

13 “(2) *CONTENT.*—*As a part of the information re-*
14 *ported under paragraph (1), each entity that receives*
15 *a grant under this subpart shall provide data, using*
16 *information from the most recent year for which data*
17 *are available, on—*

18 “(A) *the academic achievement of the Native*
19 *Hawaiian students the entity serves, as meas-*
20 *ured by the State assessments required under sec-*
21 *tion 1111(a)(2) and the high school graduation*
22 *rates and institution of higher education attend-*
23 *ance rates of those students; and*

24 “(B) *such other measures as the Secretary*
25 *may prescribe.”.*

1 **SEC. 7207. DEFINITIONS.**2 *Section 7207 (20 U.S.C. 7517) is amended—*3 *(1) in the matter preceding paragraph (1), by*
4 *striking “part” and inserting “subpart”;*5 *(2) by redesignating paragraphs (1) through (6)*
6 *as paragraphs (2) through (7), respectively; and*7 *(3) by inserting before paragraph (2), as redesign-*
8 *ated by paragraph (2), the following:*9 *“(1) COMMUNITY CONSULTATION.—The term*
10 *‘community consultation’ means a public gathering—*11 *“(A) to discuss Native Hawaiian education*
12 *concerns; and*13 *“(B) about which the public has been given*
14 *not less than 30 days notice.”.*15 ***Subpart 2—Alaska Native Education***16 **SEC. 7301. ALASKA NATIVE EDUCATION.**17 *Subpart 2 of part B of title VII (20 U.S.C. 7541 et*
18 *seq.), as amended by section 7201, is further amended by*
19 *striking sections 7301 through 7306 and inserting the fol-*
20 *lowing:*21 **“SEC. 7301. SHORT TITLE.**22 *“This subpart may be cited as the ‘Alaska Native Edu-*
23 *cational Equity, Support, and Assistance Act’.*24 **“SEC. 7302. FINDINGS.**25 *“Congress finds and declares the following:*

1 “(1) *The preservation of culture and language is*
2 *critical to the attainment of educational success, to*
3 *the betterment of the conditions, and to the long-term*
4 *well-being, of Alaska Natives. Alaska Native students*
5 *must be afforded a culturally relevant education.*

6 “(2) *It is the policy of the Federal Government*
7 *to maximize the leadership of and participation by*
8 *Alaska Natives in the planning and the management*
9 *of Alaska Native education programs and to support*
10 *efforts developed by and undertaken within the Alaska*
11 *Native community to improve educational oppor-*
12 *tunity for all students.*

13 “(3) *Many Alaska Native children enter and exit*
14 *school with serious educational disadvantages.*

15 “(4) *Overcoming the magnitude of the geographic*
16 *challenges, historical inequities, and other barriers to*
17 *successfully improving educational outcomes for Alas-*
18 *ka Native students in rural, village, and urban set-*
19 *tings is challenging. Significant disparities between*
20 *academic achievement of Alaska Native students and*
21 *non-Native students continues, including lower grad-*
22 *uation rates, increased school dropout rates, and*
23 *lower achievement scores on standardized tests.*

24 “(5) *The preservation of Alaska Native cultures*
25 *and languages and the integration of Alaska Native*

1 *cultures and languages into education, positive iden-*
2 *tity development for Alaska Native students, and*
3 *local, place-based, and culture-based programming*
4 *are critical to the attainment of educational success*
5 *and the long-term well-being of Alaska Native stu-*
6 *dents.*

7 *“(6) Improving educational outcomes for Alaska*
8 *Native students increases access to employment oppor-*
9 *tunities.*

10 *“(7) The programs and activities authorized*
11 *under this subpart give priority to Alaska Native or-*
12 *ganizations as a means of increasing Alaska Native*
13 *parent and community involvement in the promotion*
14 *of academic success of Alaska Native students.*

15 **“SEC. 7303. PURPOSES.**

16 *“The purposes of this subpart are as follows:*

17 *“(1) To recognize and address the unique edu-*
18 *cational needs of Alaska Natives.*

19 *“(2) To recognize the role of Alaska Native lan-*
20 *guages and cultures in the educational success and*
21 *long-term well-being of Alaska Native students.*

22 *“(3) To integrate Alaska Native cultures and*
23 *languages into education, develop Alaska Native stu-*
24 *dents’ positive identity, and support local place-based*
25 *and culture-based curriculum and programming.*

1 “(4) *To authorize the development, management,*
2 *and expansion of effective supplemental educational*
3 *programs to benefit Alaska Natives.*

4 “(5) *To provide direction and guidance to ap-*
5 *propriate Federal, State, and local agencies to focus*
6 *resources, including resources made available under*
7 *this subpart, on meeting the educational needs of*
8 *Alaska Natives.*

9 “(6) *To ensure the maximum participation by*
10 *Alaska Native educators and leaders in the planning,*
11 *development, management, and evaluation of pro-*
12 *grams designed to serve Alaska Natives students, and*
13 *to ensure Alaska Native organizations play a mean-*
14 *ingful role in supplemental educational services pro-*
15 *vided to Alaska Native students.*

16 **“SEC. 7304. PROGRAM AUTHORIZED.**

17 “(a) *GENERAL AUTHORITY.—*

18 “(1) *GRANTS AND CONTRACTS.—The Secretary is*
19 *authorized to make grants to, or enter into contracts*
20 *with, Alaska Native organizations, State educational*
21 *agencies, local educational agencies, educational enti-*
22 *ties with experience in developing or operating Alaska*
23 *Native educational programs or programs of instruc-*
24 *tion conducted in Alaska Native languages, cultural*
25 *and community-based organizations with experience*

1 *in developing or operating programs to benefit the*
2 *educational needs of Alaska Natives, and consortia of*
3 *organizations and entities described in this para-*
4 *graph, to carry out programs that meet the purposes*
5 *of this subpart.*

6 *“(2) ADDITIONAL REQUIREMENT.—A State edu-*
7 *cational agency, local educational agency, educational*
8 *entity with experience in developing or operating*
9 *Alaska Native educational programs or programs of*
10 *instruction conducted in Alaska Native languages,*
11 *cultural and community-based organization with ex-*
12 *perience in developing or operating programs to ben-*
13 *efit the educational needs of Alaska Natives, or con-*
14 *sortium of such organizations and entities is eligible*
15 *for an award under this subpart only as part of a*
16 *partnership involving an Alaska Native organization.*

17 *“(3) MANDATORY ACTIVITIES.—Activities pro-*
18 *vided through the programs carried out under this*
19 *subpart shall include the following:*

20 *“(A) The development and implementation*
21 *of plans, methods, and strategies to improve the*
22 *education of Alaska Natives.*

23 *“(B) The collection of data to assist in the*
24 *evaluation of the programs carried out under*
25 *this subpart.*

1 “(4) *PERMISSIBLE ACTIVITIES.*—Activities pro-
2 vided through programs carried out under this sub-
3 part may include the following:

4 “(A) *The development of curricula and pro-*
5 grams that address the educational needs of Alas-
6 ka Native students, including the following:

7 “(i) *Curriculum materials that reflect*
8 the cultural diversity, languages, history, or
9 the contributions of Alaska Natives.

10 “(ii) *Instructional programs that make*
11 use of Alaska Native languages and cul-
12 tures.

13 “(iii) *Networks that develop, test, and*
14 disseminate best practices and introduce
15 successful programs, materials, and tech-
16 niques to meet the educational needs of
17 Alaska Native students in urban and rural
18 schools.

19 “(B) *Training and professional development*
20 activities for educators, including the following:

21 “(i) *Pre-service and in-service training*
22 and professional development programs to
23 prepare teachers to develop appreciation for
24 and understanding of Alaska Native cul-
25 tures, values, and ways of knowing and

1 *learning in order to effectively address the*
2 *cultural diversity and unique needs of Alas-*
3 *ka Native students.*

4 *“(ii) Recruitment and preparation of*
5 *teachers who are Alaska Native.*

6 *“(iii) Programs that will lead to the*
7 *certification and licensing of Alaska Native*
8 *teachers, principals, and superintendents.*

9 *“(C) Early childhood education activities,*
10 *including—*

11 *“(i) the development and operation of*
12 *home instruction programs for Alaska Na-*
13 *tive preschool children, to ensure the active*
14 *involvement of parents in their children’s*
15 *education from the earliest ages;*

16 *“(ii) activities carried out through*
17 *Head Start programs carried out under the*
18 *Head Start Act, including the training of*
19 *teachers for programs described in this sub-*
20 *paragraph; and*

21 *“(iii) other early learning and pre-*
22 *school programs.*

23 *“(D) Family literacy activities.*

24 *“(E) The development and operation of stu-*
25 *dent enrichment programs, including those in*

1 science, technology, engineering, and mathe-
2 matics that—

3 “(i) are designed to prepare Alaska
4 Native students to excel in such subjects;

5 “(ii) provide appropriate support serv-
6 ices to the families of such students that are
7 needed to enable such students to benefit
8 from the programs; and

9 “(iii) include activities that recognize
10 and support the unique cultural and edu-
11 cational needs of Alaska Native children,
12 and incorporate appropriately qualified
13 Alaska Native elders and other tradition
14 bearers.

15 “(F) Research and data collection activities
16 to determine the educational status and needs of
17 Alaska Native children and adults.

18 “(G) Other research and evaluation activi-
19 ties related to programs carried out under this
20 subpart.

21 “(H) Remedial and enrichment programs to
22 assist Alaska Native students to be college or ca-
23 reer ready upon graduation from high school.

24 “(I) Parenting education for parents and
25 caregivers of Alaska Native children to improve

1 *parenting and caregiving skills (including skills*
2 *relating to discipline and cognitive develop-*
3 *ment), including parenting education provided*
4 *through in-home visitation of new mothers.*

5 “(J) *Culturally based education programs*
6 *designed and provided by an entity with dem-*
7 *onstrated experience in—*

8 “(i) *providing programs of study, both*
9 *on site and in local schools, to share the*
10 *rich and diverse cultures of Alaska Native*
11 *peoples among youth, elders, teachers, and*
12 *the larger community;*

13 “(ii) *instructing Alaska Native youth*
14 *in leadership, communication, and Native*
15 *culture, arts, and languages;*

16 “(iii) *increasing the high school grad-*
17 *uation rate of Alaska Native students who*
18 *are served by the program;*

19 “(iv) *providing instruction in Alaska*
20 *Native history and ways of living to stu-*
21 *dents and teachers in the local school dis-*
22 *trict;*

23 “(v) *providing intergenerational learn-*
24 *ing and internship opportunities to Alaska*
25 *Native youth and young adults; and*

1 “(vi) providing cultural immersion ac-
2 tivities aimed at Alaska Native cultural
3 preservation.

4 “(K) A statewide on-site exchange program,
5 for both students and teachers, involving schools
6 and culture camps that demonstrates effective-
7 ness in facilitating cultural relationships be-
8 tween urban and rural Alaskans to build mutual
9 respect and understanding, and foster a state-
10 wide sense of common identity through host fam-
11 ily, school, and community cross-cultural immer-
12 sion. Any grant to carry out this subparagraph
13 shall be awarded by the Secretary on a competi-
14 tive basis.

15 “(L) Education programs for at-risk urban
16 Alaska Native students in kindergarten through
17 grade 12 operated by tribes or tribal organiza-
18 tions that have demonstrated experience in in-
19 creasing graduation rates among such students
20 and that—

21 “(i) include culturally-informed cur-
22 riculum intended to preserve and promote
23 Alaska Native culture;

1 “(ii) partner effectively with the local
2 school district by providing a school-within-
3 a-school program model;

4 “(iii) provide high-quality academic
5 instruction, small classroom sizes, and so-
6 cial-emotional support for students from ele-
7 mentary school through high school, includ-
8 ing residential support;

9 “(iv) work with parents to increase pa-
10 rental involvement in their students’ edu-
11 cation;

12 “(v) have a proven track record of im-
13 proving academic proficiency and increas-
14 ing graduation rates;

15 “(vi) provide college preparation and
16 career planning; and

17 “(vii) incorporate a strong data collec-
18 tion and continuous evaluation component
19 at all levels of the program.

20 “(M) A statewide program that has dem-
21 onstrated effectiveness in providing technical as-
22 sistance and support to schools and communities
23 to engage adults in promoting the academic
24 progress and overall well-being of Alaska Native
25 people through strengths-based approaches to

1 *child and youth development, positive youth-*
2 *adult relationships, improved conditions for*
3 *learning (such as school climate and student con-*
4 *nection to school and community), and increased*
5 *connections between schools and families.*

6 “(N) *Career preparation activities to enable*
7 *Alaska Native children and adults to prepare for*
8 *meaningful employment, including programs*
9 *providing tech-prep, mentoring, training, and*
10 *apprenticeship activities.*

11 “(O) *Provision of operational support and*
12 *purchasing of equipment, to develop regional vo-*
13 *cational schools in rural areas of Alaska, includ-*
14 *ing boarding schools, for Alaska Native students*
15 *in grades 9 through 12, or at higher levels of*
16 *education, to provide the students with necessary*
17 *resources to prepare for skilled employment op-*
18 *portunities.*

19 “(P) *Regional leadership academies that*
20 *demonstrate effectiveness in building respect, un-*
21 *derstanding, and fostering a sense of Alaska Na-*
22 *tive identity to promote Alaska Native students’*
23 *pursuit of, and success in, completing higher*
24 *education or career training.*

1 “(Q) *Other activities, consistent with the*
2 *purposes of this subpart, to meet the educational*
3 *needs of Alaska Native children and adults.*

4 “(5) *HOME INSTRUCTION PROGRAMS.—Home in-*
5 *struction programs for Alaska Native preschool chil-*
6 *dren carried out under paragraph (4)(C)(i) may in-*
7 *clude the following:*

8 “(A) *Programs for parents and their in-*
9 *fant, from the prenatal period of the infant*
10 *through age 3.*

11 “(B) *Preschool programs.*

12 “(C) *Training, education, and support for*
13 *parents in such areas as reading readiness, ob-*
14 *servaion, story telling, and critical thinking.*

15 “(b) *LIMITATION ON ADMINISTRATIVE COSTS.—Not*
16 *more than 5 percent of funds provided to an award recipi-*
17 *ent under this subpart for any fiscal year may be used for*
18 *administrative purposes.*

19 “(c) *PRIORITIES.—In selecting applications to receive*
20 *grants or contracts to carry out activities described in this*
21 *subpart, the Secretary shall review applications using a*
22 *point system that gives not less than 15 percent of the total*
23 *available points to any application from an Alaska Native*
24 *organization.*

1 **“SEC. 7305. ADMINISTRATIVE PROVISIONS.**2 “(a) *APPLICATION REQUIRED.—*

3 “(1) *IN GENERAL.—The Secretary shall not*
4 *award a grant or enter into a contract under this*
5 *subpart unless the Alaska Native organization or enti-*
6 *ty seeking the grant or contract (either alone or as*
7 *part of a partnership described in section 7304(a)(2))*
8 *submits an application to the Secretary in such form,*
9 *in such manner, and containing such information as*
10 *the Secretary may determine necessary to carry out*
11 *the provisions of this subpart.*

12 “(2) *REQUIREMENT FOR CERTAIN APPLICANTS.—*
13 *An applicant that is a partnership described in sec-*
14 *tion 7304(a)(2) shall, in the application submitted*
15 *under this subsection—*

16 “(A) *demonstrate that an Alaska Native or-*
17 *ganization was directly involved in the develop-*
18 *ment of the program for which the applicant*
19 *seeks funds and explicitly delineate the meaning-*
20 *ful role that the Alaska Native organization will*
21 *play in the implementation and evaluation of*
22 *the program for which funding is sought; and*

23 “(B) *provide a copy of the Alaska Native*
24 *organization’s governing document.*

25 “(b) *CONSULTATION REQUIRED.—Each applicant for*
26 *an award under this subpart shall provide for ongoing ad-*

1 *vice from and consultation with representatives of the Alas-*
2 *ka Native community.*

3 “(c) *LOCAL EDUCATIONAL AGENCY COORDINATION.*—
4 *Each applicant for a grant or contract under this subpart*
5 *shall inform each local educational agency serving students*
6 *who may participate in the program to be carried out*
7 *under the grant or contract about the application described*
8 *in subsection (a).*

9 “(d) *CONTINUATION AWARDS.*—*An applicant that is*
10 *a partnership described in section 7304(a)(2) that receives*
11 *funding under this subpart shall periodically demonstrate*
12 *to the Secretary, during the term of the award, that the*
13 *applicant is continuing to meet the requirements of sub-*
14 *section (a)(2)(A).*

15 **“SEC. 7306. DEFINITIONS.**

16 *“In this subpart:*

17 “(1) *ALASKA NATIVE.*—*The term ‘Alaska Native’*
18 *has the same meaning as the term ‘Native ’ has in*
19 *section 3(b) of the Alaska Native Claims Settlement*
20 *Act (43 U.S.C. 1602(b)) and includes the descendants*
21 *of individuals so defined.*

22 “(2) *ALASKA NATIVE ORGANIZATION.*—*The term*
23 *‘Alaska Native organization’ means a federally recog-*
24 *nized tribe, consortium of tribes, regional nonprofit*
25 *Native association, and an organization, that—*

1 “(A) has or commits to acquire expertise in
2 the education of Alaska Natives; and

3 “(B) has Alaska Natives in substantive and
4 policymaking positions within the organiza-
5 tion.”.

6 **TITLE VIII—IMPACT AID**

7 **SEC. 8001. PURPOSE.**

8 Section 8001 (20 U.S.C. 7701) is amended, in the mat-
9 ter preceding paragraph (1), by striking “challenging State
10 standards” and inserting “college and career ready State
11 academic content and student academic achievement stand-
12 ards under section 1111(a)(1)”.

13 **SEC. 8002. PAYMENTS RELATING TO FEDERAL ACQUISITION** 14 **OF REAL PROPERTY.**

15 (a) *AMENDMENTS.*—Section 8002 (20 U.S.C. 7702) is
16 amended—

17 (1) in subsection (b)(1)(B), by striking
18 “8014(a)” and inserting “3(bb)(1)”;

19 (2) in subsection (f)—

20 (A) by aligning the margins of paragraphs
21 (2) and (3) with the margins of paragraph (1);

22 and

23 (B) by striking paragraphs (4) and (5);

24 (3) by striking subsection (g) and inserting the
25 following:

1 “(g) *FORMER DISTRICTS.*—

2 “(1) *CONSOLIDATIONS.*—*For fiscal year 2006*
3 *and all succeeding fiscal years, if a local educational*
4 *agency described in paragraph (2) is formed at any*
5 *time after 1938 by the consolidation of 2 or more*
6 *former school districts, the local educational agency*
7 *may elect to have the Secretary determine its eligi-*
8 *bility and any amount for which the local edu-*
9 *cational agency is eligible under this section for any*
10 *fiscal year on the basis of 1 or more of those former*
11 *districts, as designated by the local educational agen-*
12 *cy.*

13 “(2) *ELIGIBLE LOCAL EDUCATIONAL AGEN-*
14 *CIES.*—*A local educational agency referred to in*
15 *paragraph (1) is—*

16 “(A) *any local educational agency that, for*
17 *fiscal year 1994 or any preceding fiscal year,*
18 *applied, and was determined to be eligible under*
19 *section 2(c) of the Act of September 30, 1950*
20 *(Public Law 81–874; 64 Stat. 1102, chapter*
21 *1124), as the section was in effect for that fiscal*
22 *year; or*

23 “(B) *a local educational agency formed by*
24 *the consolidation of 2 or more districts, at least*
25 *1 of which was eligible for assistance under this*

1 *section for the fiscal year preceding the year of*
 2 *consolidation, if—*

3 “(i) *for fiscal years 2006 through 2013,*
 4 *the local educational agency had notified*
 5 *the Secretary of the designation not later*
 6 *than 30 days after the date of enactment of*
 7 *the Strengthening America’s Schools Act of*
 8 *2013; and*

9 “(ii) *for fiscal year 2014, and any sub-*
 10 *sequent fiscal year, the local educational*
 11 *agency includes the designation in its ap-*
 12 *plication under section 8005 or any timely*
 13 *amendment to such application.*

14 “(3) *AVAILABILITY OF FUNDS.—Notwithstanding*
 15 *any other provision of law limiting the period during*
 16 *which the Secretary may obligate funds appropriated*
 17 *for any fiscal year after 2005, the Secretary may obli-*
 18 *gate funds remaining after final payments have been*
 19 *made from any of such fiscal years to carry out this*
 20 *subsection.”;*

21 (4) *in subsection (h)—*

22 (A) *in the matter preceding paragraph (1),*
 23 *by striking “8014(a)” and inserting “3(bb)(1)”;*

24 (B) *in paragraph (1)(C), by striking*
 25 *“8014(a)” and inserting “3(bb)(1)”;* *and*

1 (C) in paragraph (2)—

2 (i) in subparagraph (C)(ii), by strik-
3 ing “8014(a)” and inserting “3(bb)(1)”;
4 and

5 (ii) in subparagraph (D), by striking
6 “8014(a) of this title” and inserting
7 “3(bb)(1)”;

8 (5) by striking paragraph (1) of subsection (i)
9 and inserting the following:

10 “(1) *IN GENERAL.*—The calculation of the foun-
11 dation payment under subsection (h)(1)(B) for a local
12 educational agency described in paragraph (2) of this
13 subsection shall be equal to 90 percent of the payment
14 received in fiscal year 2005, for fiscal year 2009 and
15 each succeeding fiscal year.”;

16 (6) by striking subsections (k) and (m);

17 (7) by redesignating subsections (l) and (n) as
18 subsections (j) and (k), respectively;

19 (8) in subsection (j) (as redesignated by para-
20 graph (7)), in the matter preceding paragraph (1), by
21 striking “(h)(4)(B)” and inserting “(h)(3)”;

22 (9) by adding at the end the following:

23 “(l) *RECORDS.*—The Secretary may base a determina-
24 tion of eligibility under subsection (a)(1) on original
25 records (including facsimiles or other reproductions of those

1 records) documenting the assessed value of real property,
 2 prepared by a legally authorized official as of the time of
 3 the Federal acquisition, or other records that the Secretary
 4 determines to be appropriate and reliable, including Fed-
 5 eral agency records or local historical records.”.

6 (b) *EFFECTIVE DATE.*—Notwithstanding section 5(d),
 7 this section, and the amendments made by this section, shall
 8 take effect with respect to applications submitted under sec-
 9 tion 8002 of the Elementary and Secondary Education Act
 10 of 1965 on or after the date of enactment of this Act.

11 **SEC. 8003. PAYMENTS FOR ELIGIBLE FEDERALLY CON-**
 12 **NECTED CHILDREN.**

13 Section 8003 (20 U.S.C. 7703) is amended—

14 (1) in subsection (a)—

15 (A) in paragraph (1), in the matter pre-
 16 ceding subparagraph (A), by inserting after “of
 17 such agency” the following: “(including those
 18 children enrolled in a State that has a State
 19 open enrollment policy but not including chil-
 20 dren enrolled in a distance learning program
 21 who are not residing within the geographic
 22 boundaries of the agency)”; and

23 (B) in paragraph (5)(A), by striking
 24 “1984,” and all that follows through the period
 25 at the end and inserting “or under lease of off-

1 *base property under subchapter IV of chapter*
2 *169 of title 10, United States Code (10 U.S.C.*
3 *2871 et seq.), to be children described in para-*
4 *graph (1)(B) if the property described is within*
5 *the fenced security perimeter of the military fa-*
6 *cility or is attached to, and under any type of*
7 *force protection agreement with, the military in-*
8 *stallation where such housing is situated.”;*

9 *(2) in subsection (b)—*

10 *(A) in each of paragraphs (1)(A) and*
11 *(2)(A)(i), by striking “8014(b)” and inserting*
12 *“3(bb)(2)”;*

13 *(B) in paragraph (2)—*

14 *(i) in subparagraph (B)—*

15 *(I) in the subparagraph heading,*
16 *by striking “CONTINUING”;*

17 *(II) by striking clauses (i) and*
18 *(ii) and inserting the following:*

19 *“(i) IN GENERAL.—A heavily impacted*
20 *local educational agency is eligible to re-*
21 *ceive a basic support payment under sub-*
22 *paragraph (A) with respect to a number of*
23 *children determined under subsection (a)(1)*
24 *if the agency—*

1 “(I) is a local educational agency
2 whose boundaries are the same as a
3 Federal military installation, or whose
4 boundaries are the same as island
5 property designated by the Secretary of
6 the Interior to be property that is held
7 in trust by the Federal Government,
8 and that has no taxing authority;

9 “(II) is a local educational agency
10 that—

11 “(aa) has an enrollment of
12 children described in subsection
13 (a)(1) that constitutes a percent-
14 age of the total student enrollment
15 of the agency that is not less than
16 45 percent;

17 “(bb) has a per-pupil ex-
18 penditure that is less than—

19 “(AA) for an agency
20 that has a total student en-
21 rollment of 500 or more stu-
22 dents, 125 percent of the av-
23 erage per-pupil expenditure
24 of the State in which the
25 agency is located; or

1 “(BB) for an agency
2 that has a total student en-
3 rollment of less than 500 stu-
4 dents, 150 percent of the av-
5 erage per-pupil expenditure
6 of the State in which the
7 agency is located, or the av-
8 erage per-pupil expenditure
9 of 3 or more comparable
10 local educational agencies in
11 the State in which the agency
12 is located; and

13 “(cc) is an agency that—

14 “(AA) has a tax rate for
15 general fund purposes that is
16 not less than 95 percent of
17 the average tax rate for gen-
18 eral fund purposes of com-
19 parable local educational
20 agencies in the State; or

21 “(BB) was eligible to re-
22 ceive a payment under this
23 subsection for fiscal year
24 2012 and is located in a
25 State that by State law has

1 *eliminated ad valorem tax as*
2 *a revenue source for local*
3 *educational agencies;*

4 *“(III) is a local educational agen-*
5 *cy that has an enrollment of children*
6 *described in subsection (a)(1) that con-*
7 *stitutes a percentage of the total stu-*
8 *dent enrollment of the agency which is*
9 *not less than 30 percent, and has a tax*
10 *rate for general fund purposes which is*
11 *not less than 125 percent of the average*
12 *tax rate for general fund purposes for*
13 *comparable local educational agencies*
14 *in the State; or*

15 *“(IV) is a local educational agen-*
16 *cy that has a total student enrollment*
17 *of not less than 25,000 students, of*
18 *which not less than 50 percent are chil-*
19 *dren described in subsection (a)(1) and*
20 *not less than 5,500 of such children are*
21 *children described in subparagraphs*
22 *(A) and (B) of subsection (a)(1).*

23 *“(ii) LOSS OF ELIGIBILITY.—*

24 *“(I) IN GENERAL.—A heavily im-*
25 *pacted local educational agency that*

1 *met the requirements of clause (i) for a*
2 *fiscal year shall be ineligible to receive*
3 *a basic support payment under sub-*
4 *paragraph (A) if the agency fails to*
5 *meet the requirements of such clause*
6 *for the subsequent fiscal year, except*
7 *that such agency shall continue to re-*
8 *ceive a basic support payment under*
9 *this paragraph for the fiscal year for*
10 *which the ineligibility determination is*
11 *made.*

12 “(II) *EXCEPTION.—Notwith-*
13 *standing subclause (I) and clause (i), a*
14 *local educational agency that obtains*
15 *eligibility for a basic support payment*
16 *under subparagraph (A) by meeting*
17 *the requirements of clause (i)(II) for a*
18 *fiscal year and, for the subsequent fis-*
19 *cal year, meets all of the requirements*
20 *of such clause except for the require-*
21 *ment of item (cc) of such clause, shall*
22 *be eligible to receive a basic support*
23 *payment under subparagraph (A). If,*
24 *for the next subsequent fiscal year, such*
25 *local educational agency again fails to*

1 *meet the requirement of such item (cc),*
2 *the local educational agency shall be*
3 *ineligible to receive a basic support*
4 *payment under subparagraph (A), ex-*
5 *cept that such agency shall continue to*
6 *receive a basic support payment under*
7 *this paragraph for the fiscal year for*
8 *which the ineligibility determination is*
9 *made.”; and*

10 *(III) by adding at the end the fol-*
11 *lowing:*

12 *“(iv) SPECIAL RULE.—Notwith-*
13 *standing clause (i)(II)(aa), a local edu-*
14 *cational agency shall be considered eligible*
15 *to receive a basic support payment under*
16 *subparagraph (A) with respect to the num-*
17 *ber of children determined under subsection*
18 *(a)(1) for a fiscal year if the agency—*

19 *“(I) has an enrollment of children*
20 *described in subsection (a)(1), includ-*
21 *ing, for purposes of determining eligi-*
22 *bility, those children described in sub-*
23 *paragraphs (F) and (G) of such sub-*
24 *section, that constitutes a percentage of*

1 *the total student enrollment of the*
2 *agency that is not less than 35 percent;*

3 *“(II) was eligible to receive assist-*
4 *ance under this paragraph for fiscal*
5 *year 2001; and*

6 *“(III) meets the requirements of*
7 *items (bb) and (cc) of clause (i)(II) for*
8 *the fiscal year for which the determina-*
9 *tion is being made.*

10 “(v) *APPLICATION.—With respect to*
11 *the first fiscal year for which a heavily im-*
12 *acted local educational agency described in*
13 *clause (i) applies for a basic support pay-*
14 *ment under subparagraph (A), or with re-*
15 *spect to the first fiscal year for which a*
16 *heavily impacted local educational agency*
17 *applies for a basic support payment under*
18 *subparagraph (A) after becoming ineligible*
19 *under clause (i) for 1 or more preceding fis-*
20 *cal years, the agency shall apply for such*
21 *payment at least 1 year prior to the start*
22 *of that first fiscal year.”;*

23 *(ii) by striking subparagraphs (C) and*
24 *(D) and inserting the following:*

1 “(C) *MAXIMUM AMOUNT FOR HEAVILY IM-*
2 *PACTED LOCAL EDUCATIONAL AGENCIES.—*

3 “(i) *IN GENERAL.—Except as provided*
4 *for in subparagraph (D), the maximum*
5 *amount that a heavily impacted local edu-*
6 *cational agency is eligible to receive under*
7 *this paragraph for any fiscal year is the*
8 *sum of the total weighted student units, as*
9 *computed under subsection (a)(2) and sub-*
10 *ject to clause (ii), multiplied by the greater*
11 *of—*

12 “(I) *four-fifths of the average per-*
13 *pupil expenditure of the State in which*
14 *the local educational agency is located*
15 *for the third fiscal year preceding the*
16 *fiscal year for which the determination*
17 *is made; or*

18 “(II) *four-fifths of the average*
19 *per-pupil expenditure of all of the*
20 *States for the third fiscal year pre-*
21 *ceding the fiscal year for which the de-*
22 *termination is made.*

23 “(ii) *SPECIAL RULES.—*

24 “(I) *CALCULATIONS FOR LOCAL*
25 *EDUCATIONAL AGENCIES WITH LARGE*

1 *NUMBERS OF CERTAIN ELIGIBLE CHIL-*
2 *DREN.—*

3 “(aa) *IN GENERAL.—In the*
4 *case of a local educational agency*
5 *with respect to which 35 percent*
6 *or more of the total student enroll-*
7 *ment of the schools of the agency*
8 *are children described in subpara-*
9 *graph (D) or (E) of subsection*
10 *(a)(1), and that has an enroll-*
11 *ment of children described in sub-*
12 *paragraph (A), (B), or (C) of such*
13 *subsection equal to at least 10*
14 *percent of the agency’s total en-*
15 *rollment, the Secretary shall cal-*
16 *culate the weighted student units*
17 *of the children described in sub-*
18 *paragraph (D) or (E) of such sub-*
19 *section by multiplying the number*
20 *of such children by a factor of*
21 *0.55.*

22 “(bb) *EXCEPTION.—Notwith-*
23 *standing item (aa), any local edu-*
24 *cational agency that received a*
25 *payment under this clause for fis-*

1 *cal year 2006, shall not be re-*
2 *quired to have an enrollment of*
3 *children described in subpara-*
4 *graph (A), (B), or (C) of sub-*
5 *section (a)(1) equal to at least 10*
6 *percent of the agency's total en-*
7 *rollment for purposes of item (aa).*

8 “(II) *CALCULATIONS FOR LOCAL*
9 *EDUCATIONAL AGENCIES WITH SMALL*
10 *NUMBERS OF ELIGIBLE CHILDREN.—*
11 *For a local educational agency that*
12 *has an enrollment of 100 or fewer chil-*
13 *dren described in subsection (a)(1), the*
14 *Secretary shall calculate the total num-*
15 *ber of weighted student units for pur-*
16 *poses of subsection (a)(2) by multi-*
17 *plying the number of such children by*
18 *a factor of 1.75.*

19 “(III) *CALCULATIONS FOR CER-*
20 *TAIN OTHER LOCAL EDUCATIONAL*
21 *AGENCIES.—For a local educational*
22 *agency that does not qualify under*
23 *paragraph (2)(B)(i)(I) and has an en-*
24 *rollment of more than 100 but not*
25 *more than 1,000 children described in*

1 *subsection (a)(1), the Secretary shall*
 2 *calculate the total number of weighted*
 3 *student units for purposes of subsection*
 4 *(a)(2) by multiplying the number of*
 5 *such children by a factor of 1.25.*

6 *“(D) MAXIMUM AMOUNT FOR LARGE HEAV-*
 7 *ILY IMPACTED LOCAL EDUCATIONAL AGENCIES.—*

8 *“(i) APPLICABLE FORMULA.—*

9 *“(I) IN GENERAL.—Subject to*
 10 *clause (ii), the maximum amount that*
 11 *a heavily impacted local educational*
 12 *agency described in subclause (II) is el-*
 13 *igible to receive under this paragraph*
 14 *for any fiscal year shall be determined*
 15 *in accordance with the formula de-*
 16 *scribed in paragraph (1)(C).*

17 *“(II) LARGE HEAVILY IMPACTED*
 18 *LOCAL EDUCATIONAL AGENCIES.—A*
 19 *heavily impacted local educational*
 20 *agency described in this subclause is a*
 21 *local educational agency that has a*
 22 *total student enrollment of not less*
 23 *than 25,000 students, of which not less*
 24 *than 50 percent are children described*
 25 *in subsection (a)(1) and not less than*

1 5,500 of such children are children de-
2 scribed in subparagraphs (A) and (B)
3 of subsection (a)(1).

4 “(ii) *FACTOR*.—For purposes of calcu-
5 lating the maximum amount described in
6 clause (i), the factor used in determining
7 the weighted student units under subsection
8 (a)(2) with respect to children described in
9 subparagraphs (A) and (B) of subsection
10 (a)(1) shall be 1.35.”;

11 (iii) by striking subparagraph (E);

12 (iv) by redesignating subparagraphs
13 (F) through (H) as subparagraph (E)
14 through (G), respectively;

15 (v) in subparagraph (E) (as redesign-
16 ated by clause (iv))—

17 (I) by striking clause (ii);

18 (II) by striking “; and” at the end
19 of clause (i) and inserting a period;
20 and

21 (III) by striking “the Secretary”
22 and all that follows through “shall use”
23 and inserting “the Secretary shall
24 use”;

1 (vi) in subparagraph (F) (as redesign-
2 nated by clause (iv)), in the matter pre-
3 ceding clause (i), by striking
4 “(C)(i)(II)(bb)” and inserting
5 “(B)(i)(II)(bb)”;

6 (vii) in subparagraph (G) (as redesign-
7 nated by clause (iv))—

8 (I) in clause (i)—

9 (aa) by striking “(B), (C),
10 (D), or (E),”, and inserting “(B),
11 (C), or (D),”;

12 (bb) by striking “by reason
13 of” and inserting “due to”;

14 (cc) by inserting after
15 “clause (iii),” the following: “or
16 as the direct result of base realign-
17 ment and closure or
18 modularization as determined by
19 the Secretary of Defense, force
20 structure change, or force reloca-
21 tion,”; and

22 (dd) by inserting before the
23 period at the end the following:
24 “or during such time as activities
25 associated with base realignment

1 *and closure, modularization, force*
2 *structure change, or force reloca-*
3 *tion are ongoing”; and*

4 *(II) in clause (ii), by striking*
5 *“(D) or (E)” in both places such term*
6 *appears and inserting “(C) or (D)”;*
7 *and*

8 *(viii) by adding at the end the fol-*
9 *lowing:*

10 *“(H) SPECIAL RULE.—The Secretary*
11 *shall—*

12 *“(i) deem each local educational agen-*
13 *cy that received a fiscal year 2009 basic*
14 *support payment for heavily impacted local*
15 *educational agencies under this paragraph*
16 *as eligible to receive a basic support pay-*
17 *ment for heavily impacted local educational*
18 *agencies under this paragraph for each of*
19 *fiscal years 2011, 2012, 2013, and 2014;*
20 *and*

21 *“(ii) make a payment to such local*
22 *educational agency under such section for*
23 *each of fiscal years 2011, 2012, 2013, and*
24 *2014.*

1 “(I) *CONTINUED ELIGIBILITY FOR A HEAVILY IMPACTED LOCAL EDUCATIONAL AGENCY ENTERING INTO AN INTERGOVERNMENTAL COOPERATIVE AGREEMENT WITH A STATE EDUCATIONAL AGENCY.*—*For any fiscal year, a heavily impacted local educational agency that received a basic support payment under this paragraph for the fiscal year prior to the fiscal year for which such local educational agency entered into an intergovernmental cooperative agreement with a State educational agency shall remain eligible to receive a basic support payment under this paragraph for the duration of the intergovernmental cooperative agreement, but in no case for more than 5 years.*”; and

16 (C) *in paragraph (3)*—

17 (i) *in subparagraph (A), by striking “8014(b)” and inserting “3(bb)(2)”;*

19 (ii) *in subparagraph (B)*—

20 (I) *by redesignating clause (iv) as clause (v); and*

22 (II) *by inserting after clause (iii) the following:*

24 “(iv) *In the case of a local educational agency that is providing a program of dis-*

1 *tance learning to children not residing*
2 *within the geographic boundaries of the*
3 *agency, the Secretary shall disregard such*
4 *children from such agency's total enrollment*
5 *when calculating the percentage under*
6 *clause (i)(I) and shall disregard any funds*
7 *received for such children when calculating*
8 *the total current expenditures attributed to*
9 *the operation of such agency when calcu-*
10 *lating the percentage under clause (i)(II).";*

11 *(iii) in subparagraph (C), by striking*
12 *"subparagraph (D) or (E) of paragraph (2),*
13 *as the case may be" and inserting "para-*
14 *graph (2)(D)"; and*

15 *(iv) by striking subparagraph (D) and*
16 *inserting the following:*

17 *"(D) RATABLE DISTRIBUTION.—*

18 *"(i) IN GENERAL.—For each fiscal*
19 *year described in subparagraph (A) for*
20 *which the sums appropriated under section*
21 *3(bb)(2) exceed the amount required to pay*
22 *each local educational agency 100 percent of*
23 *the local educational agency's threshold*
24 *payment under subparagraph (B) or (C),*
25 *the Secretary shall distribute such excess*

1 *sums to each eligible local educational agen-*
2 *cy that has not received the agency's max-*
3 *imum payment amount computed under*
4 *paragraph (1) or (2) (as the case may be)*
5 *by multiplying—*

6 *“(I) a percentage, the denomi-*
7 *nator of which is the difference between*
8 *the maximum payment amount com-*
9 *puted under paragraph (1) or (2) (as*
10 *the case may be) for all local edu-*
11 *cational agencies and the amount of*
12 *the threshold payment (as calculated*
13 *under subparagraphs (B) and (C)) of*
14 *all local educational agencies, and the*
15 *numerator of which is the aggregate*
16 *amount of funds appropriated under*
17 *section 3(bb)(2) that exceeds the*
18 *amount of such threshold payments for*
19 *all local educational agencies; by*

20 *“(II) the difference between the*
21 *maximum payment amount computed*
22 *under paragraph (1) or (2) (as the*
23 *case may be) for the agency and the*
24 *amount of the threshold payment as*

1 *calculated under subparagraphs (B)*
2 *and (C) for the agency.*

3 “(ii) *INSUFFICIENT PAYMENTS.—For*
4 *each fiscal year described in subparagraph*
5 *(A) for which the sums appropriated under*
6 *section 3(bb)(2) are insufficient to pay each*
7 *local educational agency all of the local edu-*
8 *cational agency’s threshold payment de-*
9 *scribed in clause (i), the Secretary shall rat-*
10 *ably reduce the payment to each local edu-*
11 *cational agency under this paragraph.*

12 “(iii) *INCREASES.—If the sums appro-*
13 *priated under section 3(bb)(2) are sufficient*
14 *to increase the threshold payment above the*
15 *100 percent threshold payment described in*
16 *clause (i), then the Secretary shall increase*
17 *payments on the same basis as such pay-*
18 *ments were reduced, except no local edu-*
19 *cational agency may receive a payment*
20 *amount greater than 100 percent of the*
21 *maximum payment calculated under this*
22 *subsection.”;*

23 (3) *in subsection (c), by amending paragraph*
24 (2) *to read as follows:*

1 “(2) *EXCEPTION.*—*Calculation of payments for a*
2 *local educational agency shall be based on data from*
3 *the fiscal year for which the agency is making an ap-*
4 *plication for payment if such agency—*

5 “(A) *is newly established by a State, for the*
6 *first year of operation of such agency only;*

7 “(B) *was eligible to receive a payment*
8 *under this section for the previous fiscal year*
9 *and has had an overall increase in enrollment*
10 *(as determined by the Secretary in consultation*
11 *with the Secretary of Defense, the Secretary of*
12 *the Interior, or the heads of other Federal agen-*
13 *cies)—*

14 “(i) *of not less than 10 percent, or 100*
15 *students, of children described in—*

16 “(I) *subparagraph (A), (B), (C),*
17 *or (D) of subsection (a)(1); or*

18 “(II) *subparagraph (F) or (G) of*
19 *subsection (a)(1), but only to the extent*
20 *such children are civilian dependents*
21 *of employees of the Department of De-*
22 *fense or the Department of the Interior;*
23 *and*

24 “(ii) *that is the direct result of closure*
25 *or realignment of military installations*

1 *under the base closure process or the reloca-*
2 *tion of members of the Armed Forces and*
3 *civilian employees of the Department of De-*
4 *fense as part of force structure changes or*
5 *movements of units or personnel between*
6 *military installations or because of actions*
7 *initiated by the Secretary of the Interior or*
8 *the head of another Federal agency; or*

9 “(C) *was eligible to receive a payment*
10 *under this section for the previous fiscal year*
11 *and has had an overall increase in enrollment*
12 *(as determined by the Secretary)—*

13 “(i) *of not less than 10 percent of chil-*
14 *dren described in subsection (a)(1), or not*
15 *less than 100 of such children; and*

16 “(ii) *that is the direct result of the clo-*
17 *sure of a local educational agency that re-*
18 *ceived a payment under paragraph (1) or*
19 *(2) of subsection (b) in the previous fiscal*
20 *year.”;*

21 (4) *in subsection (d)(1), by striking “8014(c)”*
22 *and inserting “3(bb)(3)”;*

23 (5) *in subsection (e)—*

24 (A) *by striking paragraphs (1) and (2) and*
25 *inserting the following:*

1 “(1) *IN GENERAL.*—Subject to paragraph (2), the
2 total amount the Secretary shall pay a local edu-
3 cational agency under subsection (b)—

4 “(A) for fiscal year 2014, shall not be less
5 than 90 percent of the total amount that the
6 local educational agency received under para-
7 graphs (1) and (2) of subsection (b) for fiscal
8 year 2013;

9 “(B) for fiscal year 2015, shall not be less
10 than 85 percent of the total amount that the
11 local educational agency received under para-
12 graphs (1) and (2) of subsection (b) for fiscal
13 year 2013; and

14 “(C) for fiscal year 2016, shall not be less
15 than 80 percent of the total amount that the
16 local educational agency received under para-
17 graphs (1) and (2) of subsection (b) for fiscal
18 year 2013.”; and

19 (B) by redesignating paragraph (3) as
20 paragraph (2); and

21 (6) by striking subsection (g).

22 **SEC. 8004. CONSTRUCTION.**

23 Section 8007 (20 U.S.C. 7707) is amended—

24 (1) by striking “8014(e)” each place the term ap-
25 pears and inserting “3(bb)(4)”; and

1 (2) in subsection (a)(2), by adding at the end the
2 following:

3 “(C) The agency is eligible under section
4 8003(b)(2) or is receiving a basic support pay-
5 ment under circumstances described in section
6 8003(b)(2)(B)(i).”.

7 **SEC. 8005. FACILITIES.**

8 Section 8008(a) (20 U.S.C. 7708(a)) is amended by
9 striking “8014(f)” and inserting “3(bb)(5)”.

10 **SEC. 8006. FEDERAL ADMINISTRATION.**

11 Section 8010 (20 U.S.C. 7710) is amended—

12 (1) in subsection (c)(2)(E), by striking “under
13 section 8003(b)” and all that follows through the pe-
14 riod at the end and inserting “under this title.”; and

15 (2) in subsection (d)(2), by striking “section
16 8014” and inserting “section 3(bb)”.

17 **SEC. 8007. DEFINITIONS.**

18 Section 8013 (20 U.S.C. 7713) is amended—

19 (1) in paragraph (1), by striking “and Marine
20 Corps” and inserting “Marine Corps, and Coast
21 Guard”; and

22 (2) in paragraph (5)(A)(iii)(II), by striking
23 “Stewart B. McKinney Homeless Assistance Act” and
24 inserting “McKinney-Vento Homeless Assistance Act”.

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 Secondary*
7 *Education Act of 1965 (20 U.S.C. 7713(9)), North Chicago*
8 *Community Unit School District 187, North Shore District*
9 *112, and Township High School District 113 in Lake Coun-*
10 *ty, Illinois, and Glenview Public School District 34 and*
11 *Glenbrook High School District 225 in Cook County, Illi-*
12 *nois, shall be considered local educational agencies as such*
13 *term is used in, and for purposes of, title VIII of such Act.*

14 *(b) COMPUTATION.—Notwithstanding any other provi-*
15 *sion of law, federally connected children (as determined*
16 *under section 8003(a) of the Elementary and Secondary*
17 *Education Act of 1965 (20 U.S.C. 7703(a))) who are in*
18 *attendance in the North Shore District 112, Township High*
19 *School District 113, Glenview Public School District 34,*
20 *and Glenbrook High School District 225 described in sub-*
21 *section (a), shall be considered to be in attendance in the*
22 *North Chicago Community Unit School District 187 de-*
23 *scribed in subsection (a) for purposes of computing the*
24 *amount that the North Chicago Community Unit School*
25 *District 187 is eligible to receive under subsection (b) or*
26 *(d) of section 8003 of such Act if—*

1 (1) *such school districts have entered into an*
 2 *agreement for such students to be so considered and*
 3 *for the equitable apportionment among all such school*
 4 *districts of any amount received by the North Chicago*
 5 *Community Unit School District 187 under such sec-*
 6 *tion; and*

7 (2) *any amount apportioned among all such*
 8 *school districts pursuant to paragraph (1) is used by*
 9 *such school districts only for the direct provision of*
 10 *educational services.*

11 **SEC. 8010. REPEAL OF SUNSET UNDER THE NDAA AMEND-**
 12 **MENTS TO IMPACT AID.**

13 *Section 563(c) of the National Defense Authorization*
 14 *Act for Fiscal Year 2013 (Public Law 112–239) is amend-*
 15 *ed—*

16 (1) *in the heading, by striking “, IMPLEMENTA-*
 17 *TION, AND REPEAL” and inserting “AND IMPLEMEN-*
 18 *TATION”;*

19 (2) *in paragraph (1), by striking “for a 2-year*
 20 *period”;* and

21 (3) *by striking paragraph (4).*

22 **TITLE IX—GENERAL PROVISIONS**

23 **SEC. 9101. DEFINITIONS.**

24 (a) *IN GENERAL.*—*Section 9101 (20 U.S.C. 7801) is*
 25 *amended to read as follows:*

1 **“SEC. 9101. DEFINITIONS.**2 *“Except as otherwise provided, in this Act:*3 *“(1) ADJUSTED COHORT; ENTERING COHORT;*
4 *TRANSFERRED INTO; TRANSFERRED OUT.—*5 *“(A) ADJUSTED COHORT.—Subject to*
6 *clauses (ii) and (iii) of subparagraph (D) and*
7 *subparagraphs (E) through (G), the term ‘ad-*
8 *justed cohort’ means the difference of—*9 *“(i) the sum of—*10 *“(I) the entering cohort; plus*11 *“(II) any students that trans-*
12 *ferred into the cohort in any of grades*
13 *9 through 12; minus*14 *“(ii) any students that are removed*
15 *from the cohort as described in subpara-*
16 *graph (E).*17 *“(B) ENTERING COHORT.—The term ‘enter-*
18 *ing cohort’, when used with respect to a sec-*
19 *ondary school, means the number of first-time*
20 *students in grade 9 enrolled in the secondary*
21 *school 1 month after the start of the secondary*
22 *school’s academic year.*23 *“(C) TRANSFERRED INTO.—The term*
24 *‘transferred into’, when used with respect to a*
25 *secondary school student, means a student who—*

1 “(i) was a first-time student in grade
2 9 during the same school year as the enter-
3 ing cohort; and

4 “(ii) enrolls after the entering cohort is
5 calculated as described in subparagraph
6 (B).

7 “(D) TRANSFERRED OUT.—

8 “(i) IN GENERAL.—The term ‘trans-
9 ferred out’ when used with respect to a sec-
10 ondary school student, means a student who
11 the secondary school or local educational
12 agency has confirmed has transferred—

13 “(I) to another school from which
14 the student is expected to receive a reg-
15 ular secondary school diploma; or

16 “(II) to another educational pro-
17 gram from which the student is ex-
18 pected to receive a regular secondary
19 school diploma.

20 “(ii) CONFIRMATION REQUIRE-
21 MENTS.—

22 “(I) WRITTEN VERIFICATION RE-
23 QUIRED.—The confirmation of a stu-
24 dent’s transfer to another school or
25 educational program described in

1 *clause (i) requires written verification*
2 *from the receiving school or program*
3 *that the student enrolled in the receiv-*
4 *ing school or program.*

5 “(II) *LACK OF CONFIRMATION.*—A
6 *student who was enrolled, but for*
7 *whom there is no confirmation of the*
8 *student having transferred out, shall*
9 *remain in the cohort as a nongraduate*
10 *for reporting and accountability pur-*
11 *poses under this Act.*

12 “(iii) *PROGRAMS NOT PROVIDING*
13 *CREDIT.*—A student enrolled in a GED or
14 *other alternative educational program that*
15 *does not issue or provide credit toward the*
16 *issuance of a regular secondary school di-*
17 *ploma shall not be considered transferred*
18 *out and shall remain in the adjusted cohort.*

19 “(E) *COHORT REMOVAL.*—To remove a stu-
20 *dent from a cohort, a school or local educational*
21 *agency shall require documentation to confirm*
22 *that the student has transferred out, emigrated to*
23 *another country, or is deceased.*

24 “(F) *TREATMENT OF OTHER DEPARTURES*
25 *AND WITHDRAWALS.*—A student who was re-

1 *tained in a grade, enrolled in a GED program*
2 *or other program that provides a recognized*
3 *equivalent of a secondary school diploma, aged*
4 *out of a secondary school or secondary school*
5 *program, or left secondary school for any other*
6 *reason, including expulsion, shall not be consid-*
7 *ered transferred out, and shall remain in the ad-*
8 *justed cohort.*

9 “(G) *SPECIAL RULE.—For secondary*
10 *schools that start after grade 9, the entering co-*
11 *hort shall be calculated 1 month after the start*
12 *of the secondary school’s academic year in the*
13 *earliest secondary school grade at the secondary*
14 *school.*

15 “(2) *ADVANCED PLACEMENT OR INTERNATIONAL*
16 *BACCALAUREATE COURSE.—The term ‘Advanced*
17 *Placement or International Baccalaureate course’*
18 *means—*

19 “(A) *a course of postsecondary-level instruc-*
20 *tion provided to middle school or secondary*
21 *school students, terminating in an Advanced*
22 *Placement or International Baccalaureate exam-*
23 *ination; or*

1 “(B) another highly rigorous, evidence-
2 based, postsecondary preparatory program ter-
3 minating in—

4 “(i) an examination or courses that
5 are widely accepted for credit at institu-
6 tions of higher education; or

7 “(ii) another examination or courses
8 approved by the Secretary.

9 “(3) *ADVANCED PLACEMENT OR INTERNATIONAL*
10 *BACCALAUREATE EXAMINATION.*—The term ‘Advanced
11 Placement or International Baccalaureate examina-
12 tion’ means an Advanced Placement examination ad-
13 ministered by the College Board, an International
14 Baccalaureate examination administered by the
15 International Baccalaureate Organization, or another
16 such examination approved by the Secretary.

17 “(4) *AUTHORIZING COMMITTEES.*—The term ‘au-
18 thorizing committees’ means the Committee on
19 Health, Education, Labor, and Pensions of the Senate
20 and the Committee on Education and the Workforce
21 of the House of Representatives.

22 “(5) *AVERAGE DAILY ATTENDANCE.*—

23 “(A) *IN GENERAL.*—Except as provided oth-
24 erwise by State law or this paragraph, the term
25 ‘average daily attendance’ means—

1 “(i) the aggregate number of days of
2 attendance of all students during a school
3 year; divided by

4 “(ii) the number of days school is in
5 session during that year.

6 “(B) *CONVERSION.*—The Secretary shall
7 permit the conversion of average daily member-
8 ship (or other similar data) to average daily at-
9 tendance for local educational agencies in States
10 that provide State aid to local educational agen-
11 cies on the basis of average daily membership (or
12 other similar data).

13 “(C) *SPECIAL RULE.*—If the local edu-
14 cational agency in which a child resides makes
15 a tuition or other payment for the free public
16 education of the child in a school served by an-
17 other local educational agency, the Secretary
18 shall, for the purpose of this Act—

19 “(i) consider the child to be in attend-
20 ance at a school of the agency making the
21 payment; and

22 “(ii) not consider the child to be in at-
23 tendance at a school of the agency receiving
24 the payment.

1 “(6) *AVERAGE PER-PUPIL EXPENDITURE.*—*The*
2 *term ‘average per-pupil expenditure’ means, in the*
3 *case of a State or of the United States—*

4 “(A) *without regard to the source of*
5 *funds—*

6 “(i) *the aggregate current expenditures,*
7 *during the most recent fiscal year for which*
8 *satisfactory data are available, of all local*
9 *educational agencies in the State or, in the*
10 *case of the United States, for all States*
11 *(which, for the purpose of this paragraph,*
12 *means the 50 States and the District of Co-*
13 *lumbia); plus*

14 “(ii) *any direct current expenditures*
15 *by the State for the operation of those agen-*
16 *cies; divided by*

17 “(B) *the aggregate number of children in*
18 *average daily attendance to whom those agencies*
19 *provided free public education during that year.*

20 “(7) *CHARTER MANAGEMENT ORGANIZATION.*—
21 *The term ‘charter management organization’ means a*
22 *nonprofit organization that operates, manages, or*
23 *oversees multiple charter schools by centralizing or*
24 *sharing certain functions and resources among such*
25 *schools.*

1 “(8) *CHILD*.—The term ‘child’ means any person
2 within the age limits for which the State provides free
3 public education.

4 “(9) *CHILD WITH A DISABILITY*.—The term
5 ‘child with a disability’ has the same meaning given
6 that term in section 602 of the *Individuals with Dis-*
7 *abilities Education Act*.

8 “(10) *CONDITIONS FOR LEARNING*.—The term
9 ‘conditions for learning’ means conditions that ad-
10 vance student achievement and positive child and
11 youth development by supporting schools that—

12 “(A) promote physical, mental, and emo-
13 tional health;

14 “(B) ensure the safety of students and staff;

15 “(C) promote social, emotional, and char-
16 acter development; and

17 “(D) have the following attributes:

18 “(i) Provide opportunities for physical
19 activity and good nutrition.

20 “(ii) Are free of violence, harassment,
21 and weapons.

22 “(iii) Prevent use and abuse of drugs
23 and controlled substances.

24 “(iv) Help staff and students to model
25 positive social and emotional skills.

1 “(v) *Employ adults who have high ex-*
2 *pectations for student conduct, character,*
3 *and academic achievement.*

4 “(vi) *Engage parents and family mem-*
5 *bers in meaningful and sustained ways to*
6 *promote positive student academic achieve-*
7 *ment and developmental outcomes.*

8 “(11) *CONSOLIDATED LOCAL APPLICATION.—The*
9 *term ‘consolidated local application’ means an appli-*
10 *cation submitted by a local educational agency pursu-*
11 *ant to section 9305.*

12 “(12) *CONSOLIDATED LOCAL PLAN.—The term*
13 *‘consolidated local plan’ means a plan submitted by*
14 *a local educational agency pursuant to section 9305.*

15 “(13) *CONSOLIDATED STATE APPLICATION.—The*
16 *term ‘consolidated State application’ means an appli-*
17 *cation submitted by a State educational agency pur-*
18 *suant to section 9302.*

19 “(14) *CONSOLIDATED STATE PLAN.—The term*
20 *‘consolidated State plan’ means a plan submitted by*
21 *a State educational agency pursuant to section 9302.*

22 “(15) *CORE ACADEMIC SUBJECTS.—The term*
23 *‘core academic subjects’ means English, reading or*
24 *language arts, mathematics, science, foreign lan-*

1 *guages, civics and government, economics, arts, his-*
2 *tory, and geography.*

3 “(16) *COVERED PROGRAM.*—*The term ‘covered*
4 *program’ means each of the programs authorized*
5 *by—*

6 “(A) *part A of title I;*

7 “(B) *part C of title I;*

8 “(C) *part D of title I;*

9 “(D) *part A of title II;*

10 “(E) *part A of title III;*

11 “(F) *part B of title IV; and*

12 “(G) *subpart 2 of part B of title VI.*

13 “(17) *CURRENT EXPENDITURES.*—*The term ‘cur-*
14 *rent expenditures’ means expenditures for free public*
15 *education—*

16 “(A) *including expenditures for administra-*
17 *tion, instruction, attendance and health services,*
18 *pupil transportation services, operation and*
19 *maintenance of plant, fixed charges, and net ex-*
20 *penditures to cover deficits for food services and*
21 *student body activities; but*

22 “(B) *not including expenditures for commu-*
23 *nity services, capital outlay, and debt service, or*
24 *any expenditures made from funds received*
25 *under title I.*

1 “(18) *DEPARTMENT.*—*The term ‘Department’*
2 *means the Department of Education.*

3 “(19) *DEVELOPMENTAL DELAY.*—*The term ‘de-*
4 *velopmental delay’ has the meaning given the term in*
5 *section 632 of the Individuals with Disabilities Edu-*
6 *cation Act (20 U.S.C. 1432).*

7 “(20) *DISTANCE LEARNING.*—*The term ‘distance*
8 *learning’ means the transmission of educational or*
9 *instructional programming to geographically dis-*
10 *persed individuals and groups via telecommuni-*
11 *cations.*

12 “(21) *EARLY CHILDHOOD EDUCATION PRO-*
13 *GRAM.*—*The term ‘early childhood education pro-*
14 *gram’ has the meaning given the term in section 103*
15 *of the Higher Education Act of 1965 (20 U.S.C.*
16 *1003).*

17 “(22) *EDUCATIONAL SERVICE AGENCY.*—*The*
18 *term ‘educational service agency’ means a regional*
19 *public multiservice agency authorized by State statute*
20 *to develop, manage, and provide services or programs*
21 *to local educational agencies.*

22 “(23) *ELEMENTARY SCHOOL.*—*The term ‘elemen-*
23 *tary school’ means a nonprofit institutional day or*
24 *residential school, including a public elementary*

1 *charter school, that provides elementary education, as*
2 *determined under State law.*

3 “(24) *ENGLISH LEARNER.*—*The term ‘English*
4 *learner’ means an individual—*

5 “(A) *who is aged 3 through 21;*

6 “(B) *who is enrolled or preparing to enroll*
7 *in an elementary school or secondary school;*

8 “(C)(i) *who was not born in the United*
9 *States or whose native language is a language*
10 *other than English;*

11 “(ii)(I) *who is a Native American or Alaska*
12 *Native, or a native resident of the outlying*
13 *areas; and*

14 “(II) *who comes from an environment*
15 *where a language other than English has had a*
16 *significant impact on the individual’s level of*
17 *English language proficiency; or*

18 “(iii) *who is migratory, whose native lan-*
19 *guage is a language other than English, and who*
20 *comes from an environment where a language*
21 *other than English is dominant; and*

22 “(D) *whose difficulties in speaking, reading,*
23 *writing, or understanding the English language*
24 *may be sufficient to deny the individual—*

1 “(i) the ability to meet or exceed the
2 State student academic achievement stand-
3 ards under section 1111(a)(1) in a subject
4 for the individual’s grade level, as deter-
5 mined based on the State academic assess-
6 ments described in section 1111(a)(2);

7 “(ii) the ability to successfully achieve
8 in classrooms where the language of instruc-
9 tion is English; or

10 “(iii) the opportunity to participate
11 fully in society.

12 “(25) EVIDENCE-BASED.—The term ‘evidence-
13 based’, when used with respect to a program, practice,
14 or policy, means—

15 “(A) based on a comprehensive, unbiased re-
16 view and weighing of 1 or more evaluation stud-
17 ies that—

18 “(i) have been carried out consistent
19 with the principles of scientific research;

20 “(ii) have strong internal and external
21 validity; and

22 “(iii) support the direct attribution of
23 1 or more outcomes to the program, prac-
24 tice, or policy; or

1 “(B) in the absence of any study described
 2 in subparagraph (A), based on a comprehensive,
 3 unbiased review and weighing of data analysis,
 4 research, or 1 or more evaluation studies of rel-
 5 evant programs, practices, or policies, that—

6 “(i) were carried out consistent with
 7 the principles of scientifically based re-
 8 search; and

9 “(ii) are accompanied by strategies to
 10 generate more robust evidence over time
 11 through research, evaluation, and data
 12 analysis, including—

13 “(I) the measurement of perform-
 14 ance with reliable process and outcome
 15 indicators; and

16 “(II) the implementation of eval-
 17 uations with strong internal and exter-
 18 nal validity where feasible and appro-
 19 priate.

20 “(26) *EXPANDED LEARNING TIME*.—The term
 21 ‘expanded learning time’ means using a longer school
 22 day, week, or year schedule to significantly increase
 23 the total number of school hours, in order to include
 24 additional time for—

25 “(A) instruction in core academic subjects;

1 “(B) instruction in other subjects and en-
2 richment and other activities that contribute to
3 a well-rounded education, including music and
4 the arts, physical education, and experiential
5 and work-based learning; and

6 “(C) instructional and support staff to col-
7 laborate, plan, and engage in professional devel-
8 opment, including on family and community en-
9 gagement, within and across grades and subjects.

10 “(27) FAMILY LITERACY ACTIVITIES.—The term
11 ‘family literacy activities’ means activities that—

12 “(A) are of sufficient intensity in terms of
13 hours, and of sufficient duration, to make sus-
14 tainable improvements in the literacy rates of a
15 family;

16 “(B) better enable parents to support their
17 children’s learning needs; and

18 “(C) integrate all of the following activities:

19 “(i) Parent adult education and lit-
20 eracy activities that lead to readiness for
21 postsecondary education or training, career
22 advancement, and economic self-sufficiency.

23 “(ii) Interactive literacy activities be-
24 tween parents and their children.

1 “(iii) *Training for parents regarding*
2 *how to be the primary teacher for their chil-*
3 *dren and full partners in the education of*
4 *their children.*

5 “(iv) *Age-appropriate education to*
6 *prepare children for success in school and*
7 *life experiences.*

8 “(28) *FAMILY MEMBER.*—*The term ‘family mem-*
9 *ber’ means a parent, relative, or other adult who is*
10 *responsible for the care and well-being of a child.*

11 “(29) *FORMER ENGLISH LEARNER.*—*The term*
12 *‘former English learner’ means a student who is pro-*
13 *ficient in English, as determined by the State assess-*
14 *ment of English language proficiency under section*
15 *1111(a)(2)(D), but previously was an English learn-*
16 *er, as defined in this section.*

17 “(30) *FREE PUBLIC EDUCATION.*—*The term ‘free*
18 *public education’ means education that is provided—*

19 “(A) *at public expense, under public super-*
20 *vision and direction, and without tuition charge;*
21 *and*

22 “(B) *as elementary or secondary education,*
23 *as determined under State law, except that, not-*
24 *withstanding State law, such term—*

25 “(i) *includes preschool education; and*

1 “(i) does not include any education
2 provided beyond grade 12.

3 “(31) *GIFTED AND TALENTED*.—The term ‘gifted
4 and talented’, when used with respect to students,
5 children, or youth, means students, children, or youth
6 who give evidence of high achievement capability in
7 areas such as intellectual, creative, artistic, or leader-
8 ship capacity, or in specific academic fields, and who
9 need services or activities not ordinarily provided by
10 the school in order to fully develop those capabilities.

11 “(32) *GRADUATION RATES*.—The term ‘gradua-
12 tion rates’ shall, at a minimum, include both of the
13 following:

14 “(A) A 4-year adjusted cohort graduation
15 rate for a school year, defined as the percent ob-
16 tained by calculating the product of—

17 “(i) the result of—

18 “(I) the number of students who—

19 “(aa) formed the adjusted co-
20 hort 4 years earlier; and

21 “(bb) graduate in 4 years or
22 less with a regular secondary
23 school diploma; divided by

24 “(II) the number of students who
25 formed the adjusted cohort for that

1 *year’s graduating class 4 years earlier;*
2 *multiplied by*
3 *“(ii) 100.*

4 *“(B) A cumulative graduation rate for a*
5 *school year, defined as the percent obtained by*
6 *calculating the product of—*

7 *“(i) the result of—*

8 *“(I) the sum of—*

9 *“(aa) the number of students*
10 *who—*

11 *“(AA) form the adjusted*
12 *cohort for that year’s grad-*
13 *uating class; and*

14 *“(BB) graduate in an*
15 *extended 4-year period with*
16 *a regular secondary school*
17 *diploma; plus*

18 *“(bb) the number of addi-*
19 *tional students from previous co-*
20 *horts who graduate with a regular*
21 *secondary school diploma by the*
22 *end of the school year in—*

23 *“(AA) more than 4*
24 *years but not more than 6*
25 *years; or*

1 “(BB) before exceeding
 2 the age for eligibility for a
 3 free appropriate public edu-
 4 cation (as defined in section
 5 602 of the Individuals with
 6 Disabilities Education Act)
 7 under State law; divided by

8 “(II) the sum of—

9 “(aa) the number of students
 10 who form the adjusted cohort for
 11 that year’s graduating class; plus

12 “(bb) the number of addi-
 13 tional student graduates described
 14 in subclause (I)(bb); multiplied by

15 “(ii) 100.

16 “(33) HIGH SCHOOL.—The term ‘high school’
 17 means a secondary school that—

18 “(A) grants a diploma, as defined by the
 19 State; and

20 “(B) includes, at least, grade 12.

21 “(34) HIGHLY QUALIFIED TEACHER.—

22 “(A) IN GENERAL.—The term ‘highly quali-
 23 fied teacher’ means—

24 “(i) with respect to any public elemen-
 25 tary school, middle school, or high school

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 the*
12 *teacher meets the requirements set forth*
13 *in the State’s charter school law; or*

14 “(bb) *has passed a rigorous State*
15 *test for subject matter knowledge and is*
16 *making satisfactory progress towards*
17 *obtaining full certification or licensure*
18 *within 3 years through participation*
19 *in a high-quality, State-approved al-*
20 *ternative certification program; and*

21 “(II) *has not had certification or*
22 *licensure requirements waived on an*
23 *emergency, temporary, or provisional*
24 *basis;*

25 “(ii) *with respect to—*

1 “(I) an elementary school teacher
2 who is new to the profession, that the
3 teacher holds at least a bachelor’s de-
4 gree and—

5 “(aa) if teaching more than
6 a single subject, has demonstrated,
7 by receiving a passing score on a
8 rigorous State test, subject knowl-
9 edge and teaching skills in read-
10 ing, writing, mathematics, and
11 other areas of the basic elementary
12 school curriculum (which may
13 consist of passing a State-required
14 certification or licensing test or
15 tests in reading, writing, mathe-
16 matics, and other areas of the
17 basic elementary school cur-
18 riculum); or

19 “(bb) if teaching a single
20 subject, meets either the require-
21 ment in item (aa) or (bb) of sub-
22 clause (II); and

23 “(II) a middle school or high
24 school teacher who is new to the profes-
25 sion, that the teacher holds at least a

1 *bachelor's degree and has demonstrated*
2 *a high level of competency in each of*
3 *the academic subjects in which the*
4 *teacher teaches by—*

5 *“(aa) receiving a passing*
6 *score on a rigorous State aca-*
7 *ademic subject test in each of the*
8 *academic subjects in which the*
9 *teacher teaches (which may con-*
10 *sist of a passing level of perform-*
11 *ance on a State-required certifi-*
12 *cation or licensing test or tests in*
13 *each of the academic subjects the*
14 *teacher teaches); or*

15 *“(bb) successful completion,*
16 *in each of the academic subjects in*
17 *which the teacher teaches, of an*
18 *academic major, a graduate de-*
19 *gree, coursework equivalent to an*
20 *undergraduate academic major, or*
21 *advanced certification or*
22 *credentialing; and*

23 *“(iii) with respect to an elementary*
24 *school, middle school, or high school teacher*
25 *who is not new to the profession, that the*

1 *teacher holds at least a bachelor's degree*
2 *and—*

3 “(I) *has met the applicable stand-*
4 *ard in subclause (I) or (II) of clause*
5 *(ii), which includes an option for a*
6 *test; or*

7 “(II) *demonstrates competence in*
8 *all the academic subjects in which the*
9 *teacher teaches based on a high objec-*
10 *tive uniform State standard of evalua-*
11 *tion, which may include multiple sub-*
12 *jects, that—*

13 “(aa) *is set by the State for*
14 *both grade-appropriate academic*
15 *subject-matter knowledge and*
16 *teaching skills;*

17 “(bb) *is aligned with State*
18 *academic content and student*
19 *academic achievement standards*
20 *under section 1111(a)(1) and de-*
21 *veloped in consultation with core*
22 *content specialists, teachers, prin-*
23 *cipals, and school administrators;*

24 “(cc) *provides objective, co-*
25 *herent information about the*

1 *teacher's attainment of core con-*
2 *tent knowledge in the academic*
3 *subjects in which a teacher teach-*
4 *es;*

5 *“(dd) is applied uniformly to*
6 *all teachers in the same academic*
7 *subject and the same grade level*
8 *throughout the State;*

9 *“(ee) takes into consider-*
10 *ation, but is not based primarily*
11 *on, the time the teacher has been*
12 *teaching the academic subject;*

13 *“(ff) is made available to the*
14 *public on request; and*

15 *“(gg) may involve multiple,*
16 *objective measures of teacher com-*
17 *petency.*

18 *“(B) SPECIAL RULE.—Notwithstanding the*
19 *requirements of subparagraph (A), a State may*
20 *deem a teacher to be a highly qualified teacher*
21 *for purposes of this Act, if the teacher is—*

22 *“(i) a teacher with a bachelor's degree*
23 *who has received and maintained, for the*
24 *State in which the teacher teaches, a rating*

1 *in the highest categories of a professional*
2 *growth and improvement system;*

3 “(ii) *a teacher in a rural local edu-*
4 *cational agency, as described in section*
5 *6211(d), who teaches multiple subjects, if*
6 *the teacher is a highly qualified teacher in*
7 *1 of the core academic subjects that the*
8 *teacher teaches and becomes highly qualified*
9 *in the additional subjects in not more than*
10 *3 years by meeting the requirements of*
11 *clause (ii) or (iii) of subparagraph (A);*

12 “(iii) *a science teacher who holds a*
13 *broad field science or individual science cer-*
14 *tification or licensure and whom the State*
15 *determines is highly qualified for purposes*
16 *of this paragraph;*

17 “(iv) *a teacher who has been deter-*
18 *mined to be highly qualified by the State as*
19 *of the day before the date of enactment of*
20 *the Strengthening America’s Schools Act of*
21 *2013; or*

22 “(v) *a teacher who is a participant in*
23 *an exchange visitor program and whom the*
24 *State determines is highly qualified for the*
25 *purposes of this paragraph.*

1 “(C) *SPECIAL EDUCATION TEACHERS.*—*The*
 2 *definition of the term ‘highly qualified teacher’*
 3 *shall also include a special education teacher*
 4 *who is highly qualified as determined under sec-*
 5 *tion 602(10) of the Individuals with Disabilities*
 6 *Education Act.*

7 “(35) *HIGH-NEED LOCAL EDUCATIONAL AGEN-*
 8 *CY.*—*The term ‘high-need local educational agency’*
 9 *means a local educational agency—*

10 “(A) *that serves not fewer than 10,000 chil-*
 11 *dren from families with incomes below the pov-*
 12 *erty line;*

13 “(B) *for which not less than 20 percent of*
 14 *the children served by the agency are from fami-*
 15 *lies with incomes below the poverty line; or*

16 “(C) *that is in the highest quartile of local*
 17 *educational agencies in the State, based on stu-*
 18 *dent poverty.*

19 “(36) *HIGH-NEED SCHOOL.*—

20 “(A) *IN GENERAL.*—*The term ‘high-need*
 21 *school’ means—*

22 “(i) *an elementary school or middle*
 23 *school in which not less than 50 percent of*
 24 *the enrolled students are children from low-*
 25 *income families; or*

1 “(ii) a high school in which not less
2 than 40 percent of the enrolled students are
3 children from low-income families, which
4 may be calculated using comparable data
5 from feeder schools.

6 “(B) *LOW-INCOME FAMILY*.—For purposes
7 of subparagraph (A), the term ‘low-income fam-
8 ily’ means a family—

9 “(i) in which the children are eligible
10 for a free or reduced price lunch under the
11 Richard B. Russell National School Lunch
12 Act (42 U.S.C. 1751 et seq.);

13 “(ii) receiving assistance under a State
14 program funded under part A of title IV of
15 the Social Security Act (42 U.S.C. 601 et
16 seq.); or

17 “(iii) in which the children are eligible
18 to receive medical assistance under the Med-
19 icaid program.

20 “(37) *INSTITUTION OF HIGHER EDUCATION*.—
21 The term ‘institution of higher education’ has the
22 meaning given that term in section 101(a) of the
23 Higher Education Act of 1965.

1 “(38) *LEADING INDICATORS*.—The term ‘leading
2 *indicators*’ means areas in which a priority school is
3 *expected to demonstrate improvement, such as—*

4 “(A) *average student attendance rates;*

5 “(B) *teacher attendance rates;*

6 “(C) *on-time grade promotion;*

7 “(D) *credit accumulation rates;*

8 “(E) *expulsion, suspension, violence, and*
9 *harassment rates;*

10 “(F) *teacher retention and turnover rates;*

11 “(G) *percentage of students failing a core,*
12 *credit-bearing course; and*

13 “(H) *entrance and placement examinations,*
14 *and preparation courses, for postsecondary edu-*
15 *cation.*

16 “(39) *LOCAL EDUCATIONAL AGENCY*.—

17 “(A) *IN GENERAL*.—The term ‘*local edu-*
18 *cational agency*’ means a public board of edu-
19 *cation or other public authority legally con-*
20 *stituted within a State for either administrative*
21 *control or direction of, or to perform a service*
22 *function for, public elementary schools or sec-*
23 *ondary schools in a city, county, township,*
24 *school district, or other political subdivision of a*
25 *State, or of or for a combination of school dis-*

1 *tricts or counties that is recognized in a State as*
2 *an administrative agency for its public elemen-*
3 *tary schools or secondary schools.*

4 “(B) *ADMINISTRATIVE CONTROL AND DI-*
5 *RECTION.—The term includes any other public*
6 *institution or agency having administrative con-*
7 *trol and direction of a public elementary school*
8 *or secondary school.*

9 “(C) *BUREAU OF INDIAN EDUCATION*
10 *SCHOOLS.—The term includes an elementary*
11 *school or secondary school funded by the Bureau*
12 *of Indian Education but only to the extent that*
13 *including the school makes the school eligible for*
14 *programs for which specific eligibility is not pro-*
15 *vided to the school in another provision of law*
16 *and the school does not have a student popu-*
17 *lation that is smaller than the student popu-*
18 *lation of the local educational agency receiving*
19 *assistance under this Act with the smallest stu-*
20 *dent population, except that the school shall not*
21 *be subject to the jurisdiction of any State edu-*
22 *cational agency other than the Bureau of Indian*
23 *Education.*

1 “(D) *EDUCATIONAL SERVICE AGENCIES.*—
 2 *The term includes educational service agencies*
 3 *and consortia of those agencies.*

4 “(E) *STATE EDUCATIONAL AGENCY.*—*The*
 5 *term includes the State educational agency in a*
 6 *State in which the State educational agency is*
 7 *the sole educational agency for all public schools.*

8 “(40) *MAGNET SCHOOL.*—*The term ‘magnet*
 9 *school’ means a public elementary school, public sec-*
 10 *ondary school, public elementary education center, or*
 11 *public secondary education center, that offers a spe-*
 12 *cial curriculum capable of attracting substantial*
 13 *numbers of students of different racial backgrounds.*

14 “(41) *MULTI-TIER SYSTEM OF SUPPORTS.*—*The*
 15 *term ‘multi-tier system of supports’ means a com-*
 16 *prehensive system of differentiated supports that in-*
 17 *cludes evidence-based instruction, universal screening,*
 18 *progress monitoring, formative assessments, research-*
 19 *based interventions matched to students’ needs, and*
 20 *educational decisionmaking using student outcome*
 21 *data.*

22 “(42) *MUTUAL CONSENT.*—*The term ‘mutual*
 23 *consent’ means a process through which—*

24 “(A) *the principal or hiring team and the*
 25 *teacher agree to the placement at a school;*

1 “(B) the principal or hiring team selects
2 teachers for the school from an unrestricted pool
3 of internal and external candidates based on an
4 assessment of the qualifications of the individual
5 candidates; and

6 “(C) the local educational agency ensures
7 that other schools served by the local educational
8 agency are not being forced to accept teachers
9 displaced from persistently low-achieving schools.

10 “(43) NATIVE AMERICAN AND NATIVE AMERICAN
11 LANGUAGE.—The terms ‘Native American’ and ‘Na-
12 tive American language’ have the same meaning given
13 those terms in section 103 of the Native American
14 Languages Act (25 U.S.C. 2902).

15 “(44) OUTLYING AREA.—The term ‘outlying
16 area’—

17 “(A) means American Samoa, the Common-
18 wealth of the Northern Mariana Islands, Guam,
19 and the United States Virgin Islands;

20 “(B) means the Republic of Palau, to the
21 extent permitted under section 105(f)(1)(B)(ix)
22 of the Compact of Free Association Amendments
23 Act of 2003 (Public Law 108–188; 117 Stat.
24 2751) and until an agreement for the extension
25 of United States education assistance under the

1 *Compact of Free Association becomes effective for*
2 *the Republic of Palau; and*

3 “(C) for the purpose of any discretionary
4 grant program under this Act, includes the Re-
5 public of the Marshall Islands and the Federated
6 States of Micronesia, to the extent permitted
7 under section 105(f)(1)(B)(viii) of the Compact
8 of Free Association Amendments Act of 2003
9 (Public Law 108–188; 117 Stat. 2751).

10 “(45) PARENT.—The term ‘parent’ includes a
11 legal guardian or other person standing in loco
12 parentis (such as a grandparent or stepparent with
13 whom the child lives, or a person who is legally re-
14 sponsible for the child’s welfare).

15 “(46) POSITIVE BEHAVIORAL INTERVENTIONS
16 AND SUPPORTS.—The term ‘positive behavioral inter-
17 ventions and supports’ means a management system
18 and set of activities establishing the social culture of
19 a school and the use of evidence-based behavioral
20 practices needed for schools to prevent problem behav-
21 iors and provide effective learning environments for
22 all students.

23 “(47) POVERTY LINE.—The term ‘poverty line’
24 means the poverty line (as defined by the Office of
25 Management and Budget and revised annually in ac-

1 *cordance with section 673(2) of the Community Serv-*
2 *ices Block Grant Act (42 U.S.C. 9902(2)) applicable*
3 *to a family of the size involved.*

4 “(48) *PROFESSIONAL DEVELOPMENT.*—*The term*
5 *‘professional development’ means activities based on*
6 *scientifically valid research that are coordinated and*
7 *aligned to increase the effectiveness of educators (in-*
8 *cluding teachers, principals, other school leaders, spe-*
9 *cialized instructional support personnel, paraprofes-*
10 *sionals, and, as applicable, early childhood educators)*
11 *and are regularly assessed to determine the activities’*
12 *effectiveness, and that—*

13 “(A) *are designed and implemented to im-*
14 *prove student achievement and classroom prac-*
15 *tice;*

16 “(B) *are aligned with—*

17 “(i) *State academic content standards*
18 *and student academic achievement stand-*
19 *ards developed under section 1111(a)(1);*

20 “(ii) *related academic and school im-*
21 *provement goals of the school, local edu-*
22 *cational agency, and, as appropriate, state-*
23 *wide and local curricula; and*

24 “(iii) *rigorous teaching standards;*

25 “(C) *increase educators’—*

1 “(i) *knowledge and understanding*
2 *about how students learn;*

3 “(ii) *academic content knowledge;*

4 “(iii) *ability to analyze student work*
5 *and achievement data from multiple*
6 *sources, including how to adjust instruc-*
7 *tional strategies, assessments, and materials*
8 *based on such analysis; and*

9 “(iv) *ability to instruct students with*
10 *disabilities and English learners so that*
11 *they are able to meet the State academic*
12 *content standards and student academic*
13 *achievement standards;*

14 “(D) *are informed by, and aligned with,*
15 *such educators’ evaluations under the applicable*
16 *professional growth and improvement system;*

17 “(E) *are job-embedded, ongoing, collabo-*
18 *rative, data-driven, and classroom-focused; and*

19 “(F) *are, as appropriate—*

20 “(i) *designed to provide educators with*
21 *the knowledge and skills to work more effec-*
22 *tively with parents and families; and*

23 “(ii) *provided jointly for school staff*
24 *and other early childhood education pro-*
25 *gram providers, where applicable, to ad-*

1 *dress the transition to elementary school,*
2 *including issues related to school readiness*
3 *across all major domains of early learning.*

4 “(49) *PROFESSIONAL GROWTH AND IMPROVE-*
5 *MENT SYSTEM.—*

6 “(A) *IN GENERAL.—The term ‘professional*
7 *growth and improvement system’ means a rig-*
8 *orous, transparent, and fair system of evaluation*
9 *and support based on research and best practices*
10 *for teachers and principals that—*

11 “(i) *provides meaningful feedback to*
12 *teachers and principals on the results of*
13 *their evaluation;*

14 “(ii) *establishes multiple categories of*
15 *teacher and principal performance to ensure*
16 *that the evaluation provides meaningful dif-*
17 *ferentiation and is aligned with student*
18 *academic achievement results;*

19 “(iii) *evaluates teachers and principals*
20 *regularly consistent with research and best*
21 *practices, including by using multiple*
22 *measures;*

23 “(iv) *is directly aligned with profes-*
24 *sional development activities;*

1 “(v) is developed and implemented
2 with teacher and principal involvement;

3 “(vi) provides training for the eval-
4 uators who are responsible for conducting
5 classroom and school level observations;

6 “(vii) for principals—

7 “(I) is based in significant part
8 on evidence of improved student aca-
9 demic achievement and growth and
10 student outcomes, including the
11 English language proficiency of
12 English learner students, and evidence
13 of providing strong instructional lead-
14 ership and support to teachers and
15 other staff; and

16 “(II) may include other measures
17 of principal performance such as par-
18 ent and family engagement; and

19 “(viii) for teachers, is based in signifi-
20 cant part on each of the following:

21 “(I) Evidence of improved student
22 academic achievement and growth that
23 is limited to evidence-based or exter-
24 nally validated measures.

1 “(II) *Observations of classroom*
2 *teaching.*

3 “(III) *Other measures that inform*
4 *teacher performance, which may in-*
5 *clude student perception surveys.*

6 “(B) *RULES OF CONSTRUCTION.—Nothing*
7 *in this paragraph shall be construed to—*

8 “(i) *require a State or local edu-*
9 *cational agency to change the components of*
10 *a teacher and principal evaluation system*
11 *that has been approved by the Secretary*
12 *pursuant to the Secretary’s waiver author-*
13 *ity under section 9401 on the day before the*
14 *date of enactment of the Strengthening*
15 *America’s Schools Act of 2013; or*

16 “(ii) *alter or otherwise affect the*
17 *rights, remedies, and procedures afforded*
18 *school or school district employees under*
19 *Federal, State, or local laws (including ap-*
20 *plicable regulations or court orders) or*
21 *under the terms of collective bargaining*
22 *agreements, memoranda of understanding,*
23 *or other agreements between such employees*
24 *and their employers.*

25 “(50) *REGULAR SECONDARY SCHOOL DIPLOMA.—*

1 “(A) *IN GENERAL.*—The term ‘regular sec-
2 *ondary school diploma’* means the standard sec-
3 *ondary school diploma awarded to the prepon-*
4 *derance of students in the State that is fully*
5 *aligned with State standards, or a higher di-*
6 *ploma. Such term shall not include a GED or*
7 *other recognized equivalent of a diploma, a cer-*
8 *tificate of attendance, or any lesser diploma*
9 *award.*

10 “(B) *EXCEPTION FOR STUDENTS WITH SIG-*
11 *NIFICANT COGNITIVE DISABILITIES.*—For a stu-
12 *dent who has a significant cognitive disability*
13 *and is assessed using an alternate assessment*
14 *aligned to alternate academic achievement stand-*
15 *ards under section 1111(a)(1)(D), receipt of a*
16 *regular secondary school diploma or a State-de-*
17 *finied alternate diploma aligned with completion*
18 *of the student’s right to a free appropriate public*
19 *education under the Individuals with Disabil-*
20 *ities Education Act shall be counted as grad-*
21 *uating with a regular secondary school diploma*
22 *for the purposes of this Act, except that not more*
23 *than 1 percent of students served by a State or*
24 *a local educational agency, as appropriate, shall*

1 *be counted as graduates with a regular sec-*
2 *ondary school diploma under this subparagraph.*

3 “(51) *SCIENTIFICALLY BASED RESEARCH.*—*The*
4 *term ‘scientifically based research’—*

5 “(A) *means research that involves the appli-*
6 *cation of rigorous, systematic, and objective pro-*
7 *cedures to obtain reliable and valid knowledge*
8 *relevant to education activities and programs;*
9 *and*

10 “(B) *includes research that—*

11 “(i) *employs systematic, empirical*
12 *methods that draw on observation or experi-*
13 *ment;*

14 “(ii) *involves rigorous data analyses*
15 *that are adequate to test the stated*
16 *hypotheses and justify the general conclu-*
17 *sions drawn;*

18 “(iii) *relies on measurements or obser-*
19 *vational methods that provide reliable and*
20 *valid data across evaluators and observers,*
21 *across multiple measurements and observa-*
22 *tions, and across studies by the same or dif-*
23 *ferent investigators;*

24 “(iv) *is evaluated using experimental*
25 *or quasi-experimental designs in which in-*

1 *dividuals, entities, programs, or activities*
2 *are assigned to different conditions and*
3 *with appropriate controls to evaluate the ef-*
4 *fects of the condition of interest, with a*
5 *preference for random-assignment experi-*
6 *ments, or other designs to the extent that*
7 *those designs contain within-condition or*
8 *across-condition controls;*

9 *“(v) ensures that experimental studies*
10 *are presented in sufficient detail and clarity*
11 *to allow for replication or, at a minimum,*
12 *offer the opportunity to build systematically*
13 *on their findings; and*

14 *“(vi) has been accepted by a peer-re-*
15 *viewed journal or approved by a panel of*
16 *independent experts through a comparably*
17 *rigorous, objective, and scientific review.*

18 *“(52) SCIENTIFICALLY VALID RESEARCH.—The*
19 *term ‘scientifically valid research’ includes applied*
20 *research, basic research, and field-initiated research*
21 *in which the rationale, design, and interpretation are*
22 *soundly developed in accordance with principles of*
23 *scientific research.*

24 *“(53) SECONDARY SCHOOL.—The term ‘sec-*
25 *ondary school’ means a nonprofit institutional day or*

1 *residential school, including a public secondary char-*
 2 *ter school, that provides secondary education, as de-*
 3 *termined under State law, except that the term does*
 4 *not include any education beyond grade 12.*

5 “(54) *SECRETARY.*—*The term ‘Secretary’ means*
 6 *the Secretary of Education.*

7 “(55) *SPECIALIZED INSTRUCTIONAL SUPPORT*
 8 *PERSONNEL; SPECIALIZED INSTRUCTIONAL SUPPORT*
 9 *SERVICES.*—

10 “(A) *SPECIALIZED INSTRUCTIONAL SUP-*
 11 *PORT PERSONNEL.*—*The term ‘specialized in-*
 12 *structional support personnel’ means school*
 13 *counselors, school social workers, school psycholo-*
 14 *gists, school nurses, and other qualified profes-*
 15 *sional personnel involved in providing assess-*
 16 *ment, diagnosis, counseling, educational, thera-*
 17 *peutic, and other necessary services (including*
 18 *related services as that term is defined in section*
 19 *602 of the Individuals with Disabilities Edu-*
 20 *cation Act) as part of a comprehensive program*
 21 *to meet student needs.*

22 “(B) *SPECIALIZED INSTRUCTIONAL SUP-*
 23 *PORT SERVICES.*—*The term ‘specialized instruc-*
 24 *tional support services’ means the services pro-*

1 *vided by specialized instructional support per-*
 2 *sonnel.*

3 “(56) *STATE.*—*The term ‘State’ means each of*
 4 *the 50 States, the District of Columbia, the Common-*
 5 *wealth of Puerto Rico, and each of the outlying areas.*

6 “(57) *STATE ADVISORY COUNCIL ON EARLY*
 7 *CHILDHOOD EDUCATION AND CARE.*—*The term ‘State*
 8 *Advisory Council on Early Childhood Education and*
 9 *Care’ means the State Advisory Council on Early*
 10 *Childhood Education and Care designated or estab-*
 11 *lished under section 642B(b)(1)(A) of the Head Start*
 12 *Act (42 U.S.C. 9837b(b)(1)(A)).*

13 “(58) *STATE EDUCATIONAL AGENCY.*—*The term*
 14 *‘State educational agency’ means the agency pri-*
 15 *marily responsible for the State supervision of public*
 16 *elementary schools and secondary schools.*

17 “(59) *STUDENT WITH INTERRUPTED FORMAL*
 18 *EDUCATION.*—*The term ‘student with interrupted for-*
 19 *mal education’ means a student identified as an*
 20 *English learner who—*

21 “(A) *enrolled in a United States school after*
 22 *grade 2;*

23 “(B) *has completed successfully 2 or more*
 24 *years less of schooling than students of the same*
 25 *age;*

1 “(C) performs 2 years or more below grade
2 level, as measured by State college and career
3 ready student academic achievement standards;
4 and

5 “(D) is preliterate in such student’s first
6 language.

7 “(60) *TEACHER MENTORING.*—The term ‘teacher
8 mentoring’ means supporting teachers or principals
9 to increase the effectiveness and retention of such
10 teachers or principals through a program that—

11 “(A) includes clear criteria for the selection
12 of mentors that takes into account the mentor’s—

13 “(i) effectiveness; and

14 “(ii) ability to facilitate adult learn-
15 ing;

16 “(B) provides high-quality training for
17 mentors in how to support teachers or principals
18 effectively;

19 “(C) provides regularly scheduled time for
20 collaboration, examination of student work and
21 achievement data, and ongoing opportunities for
22 mentors and mentees to observe each other’s
23 teaching or leading, and identify and address
24 areas for improvement; and

1 “(D) matches mentees with mentors in the
2 same field, grade, grade span, or subject area.

3 “(61) *TEACHER OF ENGLISH LEARNERS*.—The
4 term ‘teacher of English learners’ means a teacher
5 who—

6 “(A) teaches students who are identified as
7 English learners;

8 “(B) has as a primary role to support
9 English learners with English language acquisition; and
10 “(C) is responsible for tracking the progress

11 toward English proficiency of English learners.

12 “(62) *TURNAROUND PARTNER*.—The term ‘turn-
13 around partner’ means a public or private nonprofit
14 organization, institution of higher education, or charter
15 management organization, with a demonstrated
16 record of successful school improvement.

17 “(63) *UNIVERSAL DESIGN FOR LEARNING*.—The
18 term ‘universal design for learning’ has the meaning
19 given the term in section 103 of the Higher Education
20 Act of 1965.

21 “(64) *YOUNG CHILD*.—The term ‘young child’
22 means an individual who has not reached the age at
23 which the State in which the child resides requires
24 mandatory school attendance.”
25

1 (b) *CONFORMING AMENDMENTS.—The Act (20 U.S.C.*
2 *6301 et seq.) is amended—*

3 (1) *in section 1604(b) (20 U.S.C. 6574(b)), as re-*
4 *designated by section 1601(a)(3) of this Act, by strik-*
5 *ing “the Committee on Education and the Workforce*
6 *of the House of Representatives and the Committee on*
7 *Health, Education, Labor and Pensions of the Sen-*
8 *ate” and inserting “the authorizing committees”; and*

9 (2) *in section 9401(e)(4) (20 U.S.C. 7861(e)(4)),*
10 *by striking “the Committee on Education and the*
11 *Workforce of the House of Representatives and the*
12 *Committee on Health, Education, Labor, and Pen-*
13 *sions of the Senate” and inserting “the authorizing*
14 *committees”.*

15 **SEC. 9102. UNSAFE SCHOOL CHOICE OPTION.**

16 Section 9532(a) (20 U.S.C. 7912(a)) is amended by
17 striking “attending” and all that follows through “victim
18 of” and inserting “who is threatened with, or becomes a
19 victim of.”.

20 **SEC. 9103. GEOGRAPHIC DIVERSITY.**

21 Subpart 2 of part E of title IX (20 U.S.C. 7901 et
22 seq.) is amended by adding at the end the following:

23 **“SEC. 9537. GEOGRAPHIC DIVERSITY.**

24 “When awarding grants on a competitive basis under
25 this Act, the Secretary shall ensure geographic diversity.”.

1 **SEC. 9104. EVALUATION AUTHORITY.**

2 *Section 9601 (20 U.S.C. 7941) is amended to read as*
3 *follows:*

4 **“SEC. 9601. EVALUATION AUTHORITY.**

5 *“(a) RESERVATION OF FUNDS.—Except as provided in*
6 *subsection (b), the Secretary may reserve not less than 1*
7 *percent and not more than 3 percent of the amount appro-*
8 *priated to carry out each categorical program and dem-*
9 *onstration project authorized under this Act. The reserved*
10 *amounts shall be used by the Secretary, acting through the*
11 *Director of the Institute of Education Sciences, to—*

12 *“(1) conduct—*

13 *“(A) comprehensive, high-quality evalua-*
14 *tions of the program or project that—*

15 *“(i) provide information to inform pol-*
16 *icy-making and to support continuous pro-*
17 *gram improvement; and*

18 *“(ii) use methods appropriate for the*
19 *questions being asked; and*

20 *“(B) impact evaluations that employ exper-*
21 *imental or quasi-experimental designs, where*
22 *practicable and appropriate, and other rigorous*
23 *methodologies that permit the strongest possible*
24 *causal inferences;*

25 *“(2) provide technical assistance to grant recipi-*
26 *ents on—*

1 “(A) the conduct of the evaluation activities
2 that the grantees carry out under this Act; and

3 “(B) the collection and reporting of per-
4 formance data relating to the program or
5 project;

6 “(3) evaluate the aggregate short- and long-term
7 effects and cost efficiencies across Federal programs
8 assisted or authorized under this Act and related Fed-
9 eral preschool, elementary, and secondary programs
10 under any other Federal law;

11 “(4) increase the usefulness of evaluations of
12 grant recipients in order to ensure the continuous
13 progress of the program or project by improving the
14 quality, timeliness, efficiency, dissemination, and use
15 of information relating to performance under the pro-
16 gram or project; and

17 “(5) identify and disseminate research and best
18 practices related to the programs and projects author-
19 ized under this Act to build the evidence base for the
20 programs and projects that effectively meet the goals
21 of this Act.

22 “(b) TITLE I.—The Secretary shall reserve under sub-
23 section (a) 1 percent of the funds appropriated to carry out
24 title I.

1 “(c) *EVALUATION PLAN.*—Beginning not later than 1
 2 year after the date of enactment of the Strengthening Amer-
 3 ica’s Schools Act of 2013, the Secretary shall annually de-
 4 velop and submit to Congress a plan that—

5 “(1) describes the timeline for evaluation of the
 6 programs and projects authorized under this Act; and

7 “(2) describes the specific evaluation activities
 8 that the Secretary intends to carry out for such pro-
 9 grams and projects during the next year.

10 “(d) *EVALUATION ACTIVITIES AUTHORIZED ELSE-*
 11 *WHERE.*—If, under any other provision of this Act (other
 12 than title I), funds are authorized to be reserved or used
 13 for evaluation activities with respect to a program or
 14 project, the Secretary may not reserve additional funds
 15 under this section for the evaluation of that program or
 16 project.

17 “(e) *SPECIAL RULE REGARDING ALLOCATION FOR IM-*
 18 *PACT EVALUATIONS.*—The Secretary shall use not less than
 19 30 percent of the funds reserved under this section for each
 20 of the fiscal years 2014 through 2019, in the aggregate for
 21 each year, for impact evaluations that meet the require-
 22 ments of subsection (a)(1).”.

23 **SEC. 9105. CONFORMING AMENDMENTS.**

24 “(a) *REORGANIZATION.*—Title IX (20 U.S.C. 7801 et
 25 seq.) is amended by adding at the end the following:

1 **“PART G—MISCELLANEOUS PROVISIONS”.**

2 **(b) CONFORMING AMENDMENTS.—***Title IX (20 U.S.C.*
3 *7801 et seq.) is amended—*

4 **(1) in section 9401 (20 U.S.C. 7861)—**

5 **(A) in subsection (b)(1)(C), by striking “,**
6 **in accordance with section 1111(b),”;** and

7 **(B) in subsection (c)(8), by striking “sub-**
8 **part 1 of part B of title V” and inserting “sub-**
9 **part 1 of part D of title V”;**

10 **(2) by striking paragraph (1) of section 9501(b)**
11 **(20 U.S.C. 7881(b)) and inserting the following:**

12 **“(1) IN GENERAL.—***This section applies to pro-*
13 *grams under—*

14 **“(A) part C of title I;**

15 **“(B) part A of title II, to the extent pro-**
16 **vided in paragraph (3);**

17 **“(C) part A of title III;**

18 **“(D) part A of title IV;**

19 **“(E) part B of title IV;**

20 **“(F) part D of title IV; and**

21 **“(G) part F of title IV.”;** and

22 **(3) in section 9534(b) (20 U.S.C. 7914(b)), by**
23 **striking “part B of title V” each place the term ap-**
24 **pears and inserting “part D of title V”.**

1 **TITLE X—COMMISSION ON EF-**
 2 **FECTIVE REGULATION AND**
 3 **ASSESSMENT SYSTEMS FOR**
 4 **PUBLIC SCHOOLS**

5 **SEC. 10011. SHORT TITLE.**

6 *This title may be cited as the “Commission on Effec-*
 7 *tive Regulation and Assessment Systems for Public Schools*
 8 *Act”.*

9 **SEC. 10012. DEFINITIONS.**

10 *In this title:*

11 (1) *CHAIRPERSON.—The term “Chairperson”*
 12 *means the Chairperson of the Commission.*

13 (2) *COMMISSION.—The term “Commission”*
 14 *means the Commission on Effective Regulation and*
 15 *Assessment Systems for Public Schools.*

16 **SEC. 10013. ESTABLISHMENT OF COMMISSION ON EFFEC-**
 17 **TIVE REGULATION AND ASSESSMENT SYS-**
 18 **TEMS FOR PUBLIC SCHOOLS.**

19 (a) *IN GENERAL.—Not later than 30 days after the*
 20 *date of enactment of this Act, the Secretary shall establish*
 21 *a commission to be known as the “Commission on Effective*
 22 *Regulation and Assessment Systems for Public Schools”.*

23 (b) *PURPOSE.—The Commission shall—*

24 (1) *examine Federal, State, and local regulatory*
 25 *requirements on elementary and secondary education;*

1 (2) *make recommendations on how to align and*
2 *improve such Federal, State, and local requirements*
3 *to improve performance and innovation;*

4 (3) *examine the quality and purpose of current*
5 *Federal, State, and local assessment requirements;*
6 *and*

7 (4) *make recommendations to improve and align*
8 *assessment systems to provide quality and meaningful*
9 *information for parents, teachers, and students to im-*
10 *prove student achievement, teacher performance, and*
11 *innovation.*

12 (c) *MEMBERSHIP.—*

13 (1) *COMPOSITION.—The Commission shall be*
14 *composed of—*

15 (A) *4 Governors;*

16 (B) *6 State legislators;*

17 (C) *2 Chief State school officers;*

18 (D) *2 State officials responsible for admin-*
19 *istering Federal education programs;*

20 (E) *4 superintendents;*

21 (F) *2 principals;*

22 (G) *2 teachers;*

23 (H) *2 assessment experts; and*

24 (I) *2 teacher and principal effectiveness ex-*
25 *perts.*

1 (2) *RECOMMENDATIONS.*—*The Secretary shall so-*
2 *licit input and nominations for appointing members*
3 *of the Commission from—*

4 (A) *Governors;*

5 (B) *members of Congress;*

6 (C) *State legislators;*

7 (D) *superintendents, principals, teachers,*
8 *and other members of the education community;*
9 *and*

10 (E) *parents, students, and other members of*
11 *the general public.*

12 (3) *DETERMINATION.*—*The Secretary shall deter-*
13 *mine the membership of the Commission after consid-*
14 *ering recommendations submitted under paragraph*
15 (2).

16 (d) *CHAIRPERSON.*—*The Secretary shall designate a*
17 *Governor as the Chairperson of the Commission.*

18 (e) *MEETINGS.*—*The Commission shall hold, at the call*
19 *of the Chairperson, not less than 1 meeting every 6 months.*
20 *All such meetings shall be open to the public. The Commis-*
21 *sion may hold, at the call of the Chairperson, such other*
22 *meetings as the Chairperson sees fit to carry out this title.*

23 (f) *QUORUM.*—*A majority of the members of the Com-*
24 *mission shall constitute a quorum, but a lesser number of*
25 *members may hold hearings.*

1 (g) *INITIAL MEETING.*—*The Commission shall hold its*
2 *first meeting not later than 60 days after the date of enact-*
3 *ment of this Act.*

4 **SEC. 10014. POWERS OF THE COMMISSION.**

5 (a) *HEARINGS.*—

6 (1) *IN GENERAL.*—*The Commission shall hold*
7 *such hearings, sit and act at such times and places,*
8 *take such testimony, and receive such evidence as the*
9 *Commission determines appropriate to carry out this*
10 *title.*

11 (2) *PARTICIPATION.*—*In hearings held under this*
12 *subsection, the Commission shall consider inviting*
13 *witnesses from, among other groups—*

14 (A) *teachers;*

15 (B) *parents;*

16 (C) *principals;*

17 (D) *superintendents;*

18 (E) *Federal, State, and local educational*
19 *agency personnel;*

20 (F) *researchers and other experts; and*

21 (G) *any other individuals determined ap-*
22 *propriate by the Commission.*

23 (b) *INFORMATION FROM FEDERAL AGENCIES.*—*The*
24 *Commission may secure directly from any Federal depart-*
25 *ment or agency such information as the Commission con-*

1 *siders necessary to carry out this title. Upon request of the*
2 *Chairperson, the head of such department or agency shall*
3 *furnish such information to the Commission.*

4 **SEC. 10015. DUTIES OF THE COMMISSION.**

5 *(a) DUTIES.—*

6 *(1) IN GENERAL.—The Commission shall take*
7 *such actions as it determines necessary to gain a full*
8 *understanding of the issues of effective regulation and*
9 *assessment systems for public schools.*

10 *(2) AREAS OF EMPHASIS.—The Commission*
11 *shall focus—*

12 *(A) in examining the over-regulation of*
13 *public schools, on—*

14 *(i) examining Federal, State, and local*
15 *regulations governing public schools;*

16 *(ii) differentiating between financial,*
17 *programmatic, general education, special*
18 *education, and civil rights requirements;*

19 *(iii) identifying which government en-*
20 *tity requires each regulation;*

21 *(iv) measuring the cost of compliance*
22 *in terms of funds spent on compliance and*
23 *time in hours and personnel;*

1 (v) *identifying duplicative, redundant,*
2 *or unnecessary regulations at each govern-*
3 *mental level; and*

4 (vi) *investigating how Federal, State,*
5 *and local interpretations of laws and regu-*
6 *lations create an additional or unnecessary*
7 *burden and are used as a rationale for im-*
8 *posing requirements that are not actually*
9 *mandated by law; and*

10 (B) *in examining the effective testing of*
11 *public schools, on—*

12 (i) *examining Federal, State, and local*
13 *testing and standardized assessment re-*
14 *quirements for public elementary schools,*
15 *middle schools, and high schools;*

16 (ii) *determining the purpose and in-*
17 *tent of each such test or assessment, includ-*
18 *ing whether it is intended to measure stu-*
19 *dent achievement and growth, teacher and*
20 *principal effectiveness, or system account-*
21 *ability;*

22 (iii) *determining the frequency, length,*
23 *and scheduling of such tests and assess-*
24 *ments, and measuring, in hours and days,*

1 *the student and teacher time spent on test-*
2 *ing;*

3 *(iv) examining standardized assess-*
4 *ments required by Federal, State, or local*
5 *requirements, excluding teacher-created tests*
6 *and quizzes and formative assessments;*

7 *(v) reporting on the quality of stand-*
8 *ardized assessments;*

9 *(vi) examining reporting practices of*
10 *test results and the degree to which such re-*
11 *sults are returned in a timely manner with*
12 *sufficient quality to be useful to parents,*
13 *teachers and principals, and students to in-*
14 *form and improve their work, including*
15 *targeting instruction to student needs, grad-*
16 *ing student work, and evaluating teacher*
17 *and principal effectiveness;*

18 *(vii) analyzing the ability of quality*
19 *assessments to measure whether a student is*
20 *prepared to graduate from high school and*
21 *pursue college or a career without the need*
22 *for academic remediation;*

23 *(viii) examining what factors most*
24 *contribute to quality assessments and the*

1 *extent to which high-quality assessments*
2 *can advance student learning;*

3 *(ix) determining the technology infra-*
4 *structure required for next generation as-*
5 *sessments; and*

6 *(x) identifying opportunities to im-*
7 *prove assessment practices to better promote*
8 *parent, teacher and principal, and student*
9 *understanding of progress toward college*
10 *and career readiness and public under-*
11 *standing of school performance and edu-*
12 *cational productivity.*

13 (3) *SAMPLES.*—*In conducting its work under*
14 *this title, the Commission may rely on samples of*
15 *States and local educational agencies for examples of*
16 *regulations and testing requirements.*

17 (b) *REPORTS.*—

18 (1) *IN GENERAL.*—*Subject to paragraph (2), the*
19 *Commission shall provide regular reports in a man-*
20 *ner and form of the Commission's choosing to—*

21 (A) *the Secretary; and*

22 (B) *the members of the authorizing commit-*
23 *tees.*

24 (2) *ANNUAL REPORT.*—*Not later than 1 year*
25 *after the date of the first meeting of the Commission,*

1 *and annually thereafter, the Commission shall issue a*
2 *report to—*

3 *(A) the Secretary; and*

4 *(B) the members of the authorizing commit-*
5 *tees.*

6 (3) *PUBLIC REPORT.—The Commission shall—*

7 *(A) prepare a report—*

8 *(i) analyzing findings of the Commis-*
9 *sion; and*

10 *(ii) making recommendations for Fed-*
11 *eral, State, and local policy makers; and*

12 *(B) broadly disseminate such report to the*
13 *general public.*

14 (c) *TESTIMONY.—The Chairperson shall annually pro-*
15 *vide testimony to the authorizing committees.*

16 **SEC. 10016. COMMISSION PERSONNEL MATTERS.**

17 (a) *COMPENSATION OF MEMBERS.—Each member of*
18 *the Commission shall serve without compensation in addi-*
19 *tion to any such compensation received for the member's*
20 *service as an officer or employee of the United States, if*
21 *applicable.*

22 (b) *TRAVEL EXPENSES.—The members of the Commis-*
23 *sion shall be allowed travel expenses, including per diem*
24 *in lieu of subsistence, at rates authorized for employees of*
25 *agencies under subchapter 1 of chapter 57 of title 5, United*

1 *States Code, while away from their homes or regular places*
 2 *of business in the performance of services for the Commis-*
 3 *sion.*

4 *(c) ASSISTANCE.—*

5 *(1) IN GENERAL.—The Assistant Secretary of El-*
 6 *ementary and Secondary Education shall provide as-*
 7 *sistance to the Commission, upon request of the Com-*
 8 *mission, without reimbursement.*

9 *(2) DETAIL OF GOVERNMENT EMPLOYEES.—Any*
 10 *Federal Government employee may be detailed to the*
 11 *Commission without reimbursement, and such detail*
 12 *shall be without interruption or loss of civil service*
 13 *status or privilege.*

14 **TITLE XI—AMENDMENTS TO**
 15 **OTHER LAWS; MISCELLA-**
 16 **NEOUS PROVISIONS**

17 **PART A—AMENDMENTS TO OTHER LAWS**

18 **Subpart 1—McKinney-Vento Homeless Assistance Act**

19 **SEC. 11011. SHORT TITLE.**

20 *This subpart may be cited as the “McKinney-Vento*
 21 *Homeless Education Reauthorization Act of 2013”.*

1 **SEC. 11012. EDUCATION FOR HOMELESS CHILDREN AND**
2 **YOUTH.**

3 *Subtitle B of title VII of the McKinney-Vento Homeless*
4 *Assistance Act (42 U.S.C. 11431 et seq.) is amended to read*
5 *as follows:*

6 **“Subtitle B—Education for**
7 **Homeless Children and Youth**

8 **“SEC. 721. STATEMENT OF POLICY.**

9 *“The following is the policy of Congress:*

10 *“(1) Each State shall ensure that each homeless*
11 *child and youth has access to the same free appro-*
12 *priate public education, including a public preschool*
13 *education, as is provided to other children and youth.*

14 *“(2) In any State where compulsory residency*
15 *requirements or other laws, regulations, practices, or*
16 *policies may act as a barrier to the identification, en-*
17 *rollment, attendance, or success in school of homeless*
18 *children and youth, the State shall review and revise*
19 *such laws, regulations, practices, or policies to ensure*
20 *that homeless children and youth are afforded the*
21 *same free appropriate public education as is provided*
22 *to other children and youth.*

23 *“(3) Homelessness is not a sufficient reason to*
24 *separate students from the mainstream school envi-*
25 *ronment.*

1 “(4) *Homeless children and youth shall have ac-*
 2 *cess to the education and other services that such chil-*
 3 *dren and youth need to ensure that such children and*
 4 *youth have an opportunity to meet the same college*
 5 *and career ready State student academic achievement*
 6 *standards to which all students are held.*

7 **“SEC. 722. GRANTS FOR STATE AND LOCAL ACTIVITIES FOR**
 8 **THE EDUCATION OF HOMELESS CHILDREN**
 9 **AND YOUTH.**

10 “(a) *GENERAL AUTHORITY.*—*The Secretary is author-*
 11 *ized to make grants to States from allotments made under*
 12 *subsection (c) and in accordance with this section to enable*
 13 *such States to carry out the activities described in sub-*
 14 *sections (d) through (g).*

15 “(b) *APPLICATION.*—*In order for a State to be eligible*
 16 *to receive a grant under this section, the State educational*
 17 *agency, in consultation with other relevant State agencies,*
 18 *shall submit an application to the Secretary at such time,*
 19 *in such manner, and containing or accompanied by such*
 20 *information as the Secretary may reasonably require.*

21 “(c) *ALLOCATION AND RESERVATIONS.*—

22 “(1) *ALLOCATION.*—

23 “(A) *IN GENERAL.*—*Subject to subpara-*
 24 *graph (C), the Secretary is authorized to allot to*
 25 *each State an amount that bears the same ratio*

1 to the amount appropriated for such year under
2 section 727 that remains after the Secretary re-
3 serves funds under paragraph (2) and uses funds
4 to carry out section 724 (d) and (h), as the
5 amount allocated under section 1122 of the Ele-
6 mentary and Secondary Education Act of 1965
7 (20 U.S.C. 6332) to the State for that year bears
8 to the total amount allocated under section 1122
9 of such Act to all States for that year, except as
10 provided in subparagraph (B).

11 “(B) *MINIMUM ALLOTMENTS.*—No State
12 shall receive for a fiscal year less under this
13 paragraph than the greater of—

14 “(i) \$300,000; or

15 “(ii) an amount that bears the same
16 ratio to the amount appropriated for such
17 year under section 727 that remains after
18 the Secretary reserves funds under para-
19 graph (2) and uses funds to carry out sec-
20 tion 724 (d) and (h), as the amount the
21 State received under this paragraph for the
22 preceding fiscal year bears to the total
23 amount received by all States under this
24 paragraph for the preceding fiscal year.

1 “(C) *REDUCTION FOR INSUFFICIENT*
2 *FUNDS.—If there are insufficient funds in a fis-*
3 *cal year to allot to each State the minimum*
4 *amount under subparagraph (B), the Secretary*
5 *shall ratably reduce the allotments to all States*
6 *based on the proportionate share that each State*
7 *received under this subsection for the preceding*
8 *fiscal year.*

9 “(2) *RESERVATIONS.—*

10 “(A) *STUDENTS IN TERRITORIES.—The Sec-*
11 *retary is authorized to reserve 0.1 percent of the*
12 *amount appropriated for each fiscal year under*
13 *section 727 to be allocated by the Secretary*
14 *among the United States Virgin Islands, Guam,*
15 *American Samoa, and the Commonwealth of the*
16 *Northern Mariana Islands, according to their re-*
17 *spective need for assistance under this subtitle,*
18 *as determined by the Secretary. Funds allocated*
19 *under this subparagraph shall be used for pro-*
20 *grams that are consistent with the purposes of*
21 *the programs described in this subtitle.*

22 “(B) *INDIAN STUDENTS.—*

23 “(i) *TRANSFER.—The Secretary shall*
24 *transfer 1 percent of the amount appro-*
25 *priated for each fiscal year under section*

1 727 to the Department of the Interior for
2 programs that are for Indian students
3 served by schools funded by the Secretary of
4 the Interior, as determined under the In-
5 dian Self-Determination and Education As-
6 sistance Act (25 U.S.C. 450 et seq.), and
7 that are consistent with the purposes of the
8 programs described in this subtitle.

9 “(ii) *AGREEMENT.*—The Secretary of
10 Education and the Secretary of the Interior
11 shall enter into an agreement, consistent
12 with the requirements of this subtitle, for
13 the distribution and use of the funds de-
14 scribed in clause (i) under terms that the
15 Secretary of Education determines best meet
16 the purposes of the programs described in
17 this subtitle. Such agreement shall set forth
18 the plans of the Secretary of the Interior for
19 the use of the funds transferred, including
20 appropriate goals, objectives, and milestones
21 for that use.

22 “(d) *STATE ACTIVITIES.*—Grant funds from a grant
23 made to a State under this section shall be used for the
24 following:

1 “(1) To provide activities for and services to im-
2 prove the identification of homeless children and
3 youth and enable such children and youth to enroll
4 in, attend, and succeed in school, including in early
5 childhood education programs.

6 “(2) To establish or designate an Office of the
7 Coordinator for Education of Homeless Children and
8 Youth in the State educational agency in accordance
9 with subsection (f) that has sufficient knowledge, au-
10 thority, and time to carry out the duties described in
11 this subtitle.

12 “(3) To prepare and carry out the State plan de-
13 scribed in subsection (g).

14 “(4) To develop and implement professional de-
15 velopment activities for liaisons designated under sub-
16 section (g)(1)(J)(ii), other local educational agency
17 and school personnel, and community agencies—

18 “(A) to improve their identification of
19 homeless children and youth; and

20 “(B) to improve their awareness of, and ca-
21 pacity to respond to, specific needs in the edu-
22 cation of homeless children and youth.

23 “(e) STATE AND LOCAL SUBGRANTS.—

24 “(1) MINIMUM DISBURSEMENTS BY STATES.—
25 From the grant funds made available each year to a

1 *State under subsection (a) to carry out this subtitle,*
 2 *the State educational agency shall distribute not less*
 3 *than 75 percent by making subgrants under section*
 4 *723 to local educational agencies for the purposes of*
 5 *carrying out section 723.*

6 “(2) *USE BY STATE EDUCATIONAL AGENCY.—A*
 7 *State educational agency may use any grant funds*
 8 *remaining after making subgrants under section 723*
 9 *to conduct activities under subsection (f) directly or*
 10 *through making grants or entering into contracts.*

11 “(3) *PROHIBITION ON SEGREGATING HOMELESS*
 12 *STUDENTS.—In providing a free public education to*
 13 *a homeless child or youth, no State receiving funds*
 14 *under this subtitle shall segregate such child or youth*
 15 *in a separate school, or in a separate program within*
 16 *a school, based on such child’s or youth’s status as*
 17 *homeless.*

18 “(f) *FUNCTIONS OF THE OFFICE OF THE COORDI-*
 19 *NATOR.—The Coordinator for Education of Homeless Chil-*
 20 *dren and Youth established in each State shall—*

21 “(1) *gather and make publicly available reliable,*
 22 *valid, and comprehensive information on—*

23 “(A) *the nature and extent of the problems*
 24 *homeless children and youth have in gaining ac-*

1 *cess to public preschool programs, and to public*
2 *elementary schools and secondary schools;*

3 *“(B) the difficulties in identifying the spe-*
4 *cial needs and barriers to participation and*
5 *achievement of such children and youth;*

6 *“(C) any progress made by the State edu-*
7 *cational agency and local educational agencies*
8 *in the State in addressing such problems and*
9 *difficulties; and*

10 *“(D) the success of the programs under this*
11 *subtitle in identifying homeless children and*
12 *youth and allowing homeless children and youth*
13 *to enroll in, attend, and succeed in, school;*

14 *“(2) develop and carry out the State plan de-*
15 *scribed in subsection (g);*

16 *“(3) collect data for and transmit to the Sec-*
17 *retary, at such time and in such manner as the Sec-*
18 *retary may require, reports containing such informa-*
19 *tion as the Secretary determines is necessary to assess*
20 *the educational needs of homeless children and youth*
21 *within the State, including data requested pursuant*
22 *to section 724(h);*

23 *“(4) improve the provision of comprehensive edu-*
24 *cation and related support services to homeless chil-*
25 *dren and youth and their families, and to minimize*

1 *educational disruption, through coordination of ac-*
2 *tivities, and collaboration with—*

3 *“(A) educators, including teachers, adminis-*
4 *trators, special education personnel, and child*
5 *development and preschool program personnel;*

6 *“(B) providers of services to homeless chil-*
7 *dren and youth and homeless families, public*
8 *and private child welfare and social services*
9 *agencies, law enforcement agencies, juvenile and*
10 *family courts, agencies providing mental health*
11 *services, domestic violence agencies, child care*
12 *providers, runaway and homeless youth centers,*
13 *and providers of services and programs funded*
14 *under the Runaway and Homeless Youth Act (42*
15 *U.S.C. 5701 et seq.);*

16 *“(C) providers of emergency, transitional,*
17 *and permanent housing to homeless children and*
18 *youth, and their families, including public hous-*
19 *ing agencies, shelter operators, operators of tran-*
20 *sitional housing facilities, and providers of tran-*
21 *sitional living programs for homeless youth;*

22 *“(D) local educational agency liaisons des-*
23 *ignated under subsection (g)(1)(J)(ii) for home-*
24 *less children and youth; and*

1 “(E) community organizations and groups
2 representing homeless children and youth and
3 their families;

4 “(5) provide professional development and tech-
5 nical assistance to and conduct monitoring of local
6 educational agencies, in coordination with local edu-
7 cational agency liaisons designated under subsection
8 (g)(1)(J)(ii), to ensure that local educational agencies
9 comply with the requirements of paragraphs (3)
10 through (8) of subsection (g), and subsection (e)(3);
11 and

12 “(6) make opportunities available for teachers
13 and local educational agency liaisons designated
14 under subsection (g)(1)(J)(ii) to participate in ongo-
15 ing and relevant professional development programs
16 and activities.

17 “(g) STATE PLAN.—

18 “(1) IN GENERAL.—Each State shall submit to
19 the Secretary and implement a plan to provide for
20 the education of all homeless children and youth with-
21 in the State. Such plan shall include the following:

22 “(A) A description of how such children and
23 youth are (or will be) given the opportunity—

24 “(i) to meet the same college and career
25 ready State student academic achievement

1 standards as all students are expected to
2 meet; and

3 “(ii) to become college and career
4 ready.

5 “(B) A description of the procedures the
6 State educational agency will use, in coordina-
7 tion with local educational agencies, to identify
8 such children and youth in the State and to as-
9 sess their needs.

10 “(C) A description of procedures for the
11 prompt resolution of disputes arising under this
12 subtitle, which shall—

13 “(i) be developed in coordination and
14 collaboration with the liaisons designated
15 under subparagraph (J)(ii);

16 “(ii) be readily available and provided
17 in a written format and, to the extent prac-
18 ticable, in a manner and form understand-
19 able to the parents and guardians of home-
20 less children and youth, and unaccom-
21 panied youth;

22 “(iii) take into account the educational
23 best interest of the homeless child or youth
24 involved; and

1 “(iv) ensure that parents and guard-
2 ians of homeless children and youth, and
3 unaccompanied youth, who have exhausted
4 the procedures available under this para-
5 graph are able to appeal to the State edu-
6 cational agency, and are enrolled in school
7 pursuant to paragraph (4)(C) and receive
8 transportation pursuant to subparagraph
9 (J)(iii) pending final resolution of the dis-
10 pute.

11 “(D) A description of programs for school
12 personnel (including the liaisons, principals, at-
13 tendance officers, teachers, enrollment personnel,
14 and specialized instructional support personnel)
15 to increase the awareness of such personnel of the
16 specific needs of homeless adolescents, including
17 runaway and homeless youth.

18 “(E) A description of procedures that ensure
19 that homeless children and youth are able to par-
20 ticipate in Federal, State, or local nutrition pro-
21 grams.

22 “(F) A description of procedures that ensure
23 that—

24 “(i) homeless children have access to
25 public preschool programs, administered by

1 *the State educational agency or local edu-*
2 *catinal agency, including through the poli-*
3 *cies and practices required under para-*
4 *graph (3);*

5 “(ii) *homeless youth, including youth*
6 *separated from public schools, are identified*
7 *and accorded equal access to appropriate*
8 *and available secondary education and sup-*
9 *port services, including receiving appro-*
10 *priate credit for full or partial coursework*
11 *satisfactorily completed while attending a*
12 *prior school, and for work completed after*
13 *their enrollment in a new school, consistent*
14 *with State graduation requirements and ac-*
15 *creditation standards; and*

16 “(iii) *homeless children and youth who*
17 *meet the relevant eligibility criteria are able*
18 *to participate in Federal, State, or local*
19 *before- and after-school care, magnet schools,*
20 *summer schools, career and technical edu-*
21 *cation, advanced placement, online learning*
22 *opportunities, charter school programs, and*
23 *relevant workforce investment programs.*

1 “(G) *Strategies to address problems identi-*
2 *fied in the reports provided to the Secretary*
3 *under subsection (f)(3).*

4 “(H) *Strategies to address other problems*
5 *with respect to the education of homeless children*
6 *and youth, including enrollment problems re-*
7 *lated to—*

8 “(i) *immunization and other required*
9 *health records and screenings;*

10 “(ii) *residency requirements;*

11 “(iii) *lack of birth certificates, school*
12 *records, or other documentation;*

13 “(iv) *guardianship issues; or*

14 “(v) *uniform or dress code require-*
15 *ments.*

16 “(I) *A demonstration that the State edu-*
17 *cational agency, and local educational agencies*
18 *and schools in the State, have developed and*
19 *shall regularly review and revise their policies*
20 *and practices to remove barriers to the identi-*
21 *fication, enrollment, attendance, retention, and*
22 *success of homeless children and youth in schools,*
23 *including early childhood education programs,*
24 *in the State.*

1 “(J) Assurances that the following will be
2 carried out:

3 “(i) The State educational agency and
4 local educational agencies in the State will
5 adopt policies and practices to ensure that
6 homeless children and youth are not stig-
7 matized or segregated on the basis of their
8 status as homeless.

9 “(ii) Local educational agencies will
10 designate an appropriate staff person as the
11 local educational agency liaison for home-
12 less children and youth, who shall have suf-
13 ficient training and time to carry out the
14 duties described in paragraph (7)(A), and
15 who may also be a coordinator for other
16 Federal programs.

17 “(iii) The State and local educational
18 agencies in the State will adopt policies and
19 practices to ensure that transportation is
20 provided at the request of the parent or
21 guardian involved (or in the case of an un-
22 accompanied youth, the liaison), to and
23 from the school of origin, for as long as the
24 student has the right to attend the school of
25 origin as determined in paragraph (4)(A),

1 *in accordance with the following, as appli-*
2 *cable:*

3 “(I) *If the child or youth con-*
4 *tinues to live in the area served by the*
5 *local educational agency for the school*
6 *of origin, the child’s or youth’s trans-*
7 *portation to and from the school of ori-*
8 *gin shall be provided or arranged by*
9 *the local educational agency for the*
10 *school of origin.*

11 “(II) *If the child’s or youth’s liv-*
12 *ing arrangements in the area served by*
13 *the local educational agency of origin*
14 *terminate and the child or youth,*
15 *though continuing the child’s or*
16 *youth’s education in the school of ori-*
17 *gin, begins living in an area served by*
18 *another local educational agency, the*
19 *local educational agency of origin and*
20 *the local educational agency for the*
21 *area in which the child or youth is liv-*
22 *ing shall agree upon a method to ap-*
23 *portion the responsibility and cost for*
24 *providing transportation to and from*
25 *the school of origin. If the local edu-*

1 *cational agencies are unable to agree*
2 *upon such method, the responsibility*
3 *and costs for transportation shall be*
4 *shared equally between the agencies.*

5 *“(iv) The State educational agency*
6 *and local educational agencies will adopt*
7 *policies and practices to promote school suc-*
8 *cess for homeless children and youth, in-*
9 *cluding access to full participation in aca-*
10 *demie and extracurricular activities that*
11 *are made available to nonhomeless students.*

12 *“(2) COMPLIANCE.—*

13 *“(A) IN GENERAL.—Each plan adopted*
14 *under this subsection shall also describe how the*
15 *State will ensure that local educational agencies*
16 *in the State will comply with the requirements*
17 *of paragraphs (3) through (8).*

18 *“(B) COORDINATION.—Such plan shall in-*
19 *dicating what technical assistance the State will*
20 *furnish to local educational agencies and how*
21 *compliance efforts will be coordinated with the*
22 *local educational agency liaisons designated*
23 *under paragraph (1)(J)(ii).*

24 *“(3) SCHOOL READINESS FOR HOMELESS CHIL-*
25 *DREN.—Each State plan adopted under this sub-*

1 *section shall ensure that entities carrying out pre-*
2 *school programs funded, administered, or overseen by*
3 *the agency involved—*

4 *“(A) identify and prioritize homeless chil-*
5 *dren for enrollment and increase their enroll-*
6 *ment and attendance in early childhood edu-*
7 *cation programs, including through policies such*
8 *as—*

9 *“(i) reserving spaces in preschool pro-*
10 *grams for homeless children;*

11 *“(ii) conducting targeted outreach to*
12 *homeless children and their families;*

13 *“(iii) waiving application deadlines;*

14 *“(iv) providing ongoing professional*
15 *development for staff regarding the needs of*
16 *homeless children and their families and*
17 *strategies to serve the children and families;*
18 *and*

19 *“(v) developing the capacity to serve*
20 *all identified homeless children; and*

21 *“(B) review the educational and related*
22 *needs of homeless children and their families in*
23 *such agency’s service area, in coordination with*
24 *the liaison designated under paragraph*
25 *(1)(J)(ii).*

1 “(4) *LOCAL EDUCATIONAL AGENCY REQUIRE-*
2 *MENTS.—*

3 “(A) *IN GENERAL.—The local educational*
4 *agency serving each child or youth to be assisted*
5 *under this subtitle shall, according to the child’s*
6 *or youth’s best interest—*

7 “(i) *continue the child’s or youth’s edu-*
8 *cation in the school of origin for the dura-*
9 *tion of homelessness—*

10 “(I) *in any case in which the*
11 *child or youth becomes a homeless child*
12 *or youth between academic years or*
13 *during an academic year; and*

14 “(II) *for the remainder of the aca-*
15 *ademic year, if the child or youth be-*
16 *comes permanently housed during an*
17 *academic year; or*

18 “(ii) *enroll the child or youth in any*
19 *public school that nonhomeless students who*
20 *live in the attendance area in which the*
21 *child or youth is actually living are eligible*
22 *to attend.*

23 “(B) *BEST INTEREST IN SCHOOL STA-*
24 *BILITY.—In determining the best interest of the*

1 *child or youth under subparagraph (A), the local*
2 *educational agency shall—*

3 “(i) *presume that keeping a homeless*
4 *child or youth in the school of origin is in*
5 *the child’s or youth’s best interest, except*
6 *when doing so is contrary to the wishes of*
7 *the child’s or youth’s parent or guardian or*
8 *the unaccompanied youth involved;*

9 “(ii) *consider student-centered factors*
10 *related to the child’s or youth’s best interest,*
11 *including factors related to the impact of*
12 *mobility on achievement, education, health,*
13 *and safety of homeless children and youth,*
14 *giving priority to the wishes of the homeless*
15 *child’s or youth’s parent or guardian or the*
16 *unaccompanied youth involved;*

17 “(iii) *if, after conducting the best in-*
18 *terest determination described in clause (ii),*
19 *the local educational agency determines that*
20 *it is not in the child’s or youth’s best inter-*
21 *est to attend the school of origin or the*
22 *school requested by the parent, guardian, or*
23 *unaccompanied youth, provide, in coordina-*
24 *tion with the local education agency liaison,*
25 *the homeless child’s or youth’s parent or*

1 guardian or the unaccompanied youth, with
 2 a written explanation in a manner or form
 3 understandable to such parent, guardian, or
 4 youth, to the extent practicable, including a
 5 statement regarding the right to appeal
 6 under subparagraph (E);

7 “(iv) in the case of an unaccompanied
 8 youth, ensure that the local educational
 9 agency liaison assists in placement or en-
 10 rollment decisions under this subparagraph,
 11 gives priority to the views of such unaccom-
 12 panied youth, and provides notice to such
 13 youth of the right to appeal under subpara-
 14 graph (E); and

15 “(v) provide transportation pursuant
 16 to paragraphs (1)(J)(iii) and (5).

17 “(C) ENROLLMENT.—

18 “(i) IN GENERAL.—The school selected
 19 in accordance with this paragraph shall im-
 20 mediately enroll the homeless child or youth,
 21 even if the child or youth—

22 “(I) is unable to produce records
 23 traditionally required for enrollment,
 24 including previous academic records,

1 health records, proof of residency or
2 guardianship, or other documentation;

3 “(II) has unpaid fines or fees
4 from prior schools or is unable to pay
5 fees in the school selected; or

6 “(III) has missed application or
7 enrollment deadlines during any pe-
8 riod of homelessness.

9 “(ii) CONTACTING SCHOOL LAST AT-
10 TENDED.—The enrolling school shall imme-
11 diately contact the school last attended by
12 the child or youth to obtain relevant aca-
13 demic and other records.

14 “(iii) RELEVANT HEALTH RECORDS.—
15 If the child or youth needs to obtain immu-
16 nizations or other required health records,
17 the enrolling school shall immediately enroll
18 the child or youth and immediately refer the
19 parent or guardian of the child or youth, or
20 the unaccompanied youth, to the local edu-
21 cational agency liaison designated under
22 paragraph (1)(J)(ii), who shall assist in ob-
23 taining necessary immunizations or
24 screenings, or immunization or other re-

1 *quired health records in accordance with*
2 *subparagraph (D).*

3 “(iv) *NO LIABILITY.—Whenever the*
4 *school selected enrolls an unaccompanied*
5 *youth in accordance with this paragraph,*
6 *no liability shall be imposed upon the school*
7 *by reason of enrolling the youth without*
8 *parent or guardian consent.*

9 “(D) *RECORDS.—Any record ordinarily*
10 *kept by the school, including immunizations or*
11 *medical records, academic records, birth certifi-*
12 *cates, guardianship records, and evaluations for*
13 *special services or programs, regarding each*
14 *homeless child or youth shall be maintained—*

15 “(i) *so that the records involved are*
16 *available when a homeless child or youth*
17 *enters a new school or school district, even*
18 *if the child or youth owes fees or fines or*
19 *did not withdraw from the previous school*
20 *in conformance with local withdrawal pro-*
21 *cedures; and*

22 “(ii) *in a manner consistent with sec-*
23 *tion 444 of the General Education Provi-*
24 *sions Act (20 U.S.C. 1232g).*

1 “(E) *DISPUTES.*—If a dispute arises over
2 *eligibility, enrollment, school selection, or service*
3 *in a public school or public preschool, or any*
4 *other issue relating to services under this sub-*
5 *title—*

6 “(i) *in the case of a dispute relating to*
7 *eligibility for enrollment or school selection,*
8 *the child or youth shall be immediately en-*
9 *rolled in the school in which enrollment is*
10 *sought, pending final resolution of the dis-*
11 *pute including all available appeals;*

12 “(ii) *the parent or guardian of the*
13 *child or youth shall be provided with a*
14 *written explanation of the school’s decision*
15 *regarding eligibility for enrollment, school*
16 *selection, or services, made by the school or*
17 *the local educational agency, which shall in-*
18 *clude information about the right to appeal*
19 *the decision;*

20 “(iii) *the child, youth, parent, or*
21 *guardian shall be referred to the local edu-*
22 *cational agency liaison designated under*
23 *paragraph (1)(J)(ii), who shall carry out*
24 *the dispute resolution process as described*
25 *in paragraph (1)(C) as expeditiously as*

1 *possible after receiving notice of such dis-*
2 *pute; and*

3 “(iv) *in the case of an unaccompanied*
4 *youth, the liaison shall ensure that the*
5 *youth is immediately enrolled in the school*
6 *in which the youth seeks enrollment, pend-*
7 *ing resolution of such dispute.*

8 “(F) *PLACEMENT CHOICE.—The choice re-*
9 *garding placement shall be made regardless of*
10 *whether the child or youth involved lives with the*
11 *homeless parents or has been temporarily placed*
12 *elsewhere.*

13 “(G) *SCHOOL OF ORIGIN DEFINED.—*

14 “(i) *IN GENERAL.—In this paragraph,*
15 *the term ‘school of origin’ means the school*
16 *that a child or youth attended when perma-*
17 *nently housed or the school in which the*
18 *child or youth was last enrolled.*

19 “(ii) *RECEIVING SCHOOL.—When a*
20 *child or youth completes the final grade*
21 *level served by the school of origin, as de-*
22 *scribed in clause (i), the term ‘school of ori-*
23 *gin’ shall include the designated receiving*
24 *school at the next grade level for the feeder*
25 *school that the child or youth attended.*

1 “(H) *CONTACT INFORMATION.*—*Nothing in*
2 *this subtitle shall prohibit a local educational*
3 *agency from requiring a parent or guardian of*
4 *a homeless child to submit contact information.*

5 “(I) *PRIVACY.*—*Information about a home-*
6 *less child’s or youth’s living situation shall be*
7 *treated as a student education record under sec-*
8 *tion 444 of the General Education Provisions*
9 *Act (20 U.S.C. 1232g) and shall not be released*
10 *to housing providers, employers, law enforcement*
11 *personnel, or other persons or agencies not au-*
12 *thorized to have such information under section*
13 *99.31 of title 34, Code of Federal Regulations,*
14 *paying particular attention to preventing dis-*
15 *ruption of the living situation of the child or*
16 *youth and to supporting the safety of such chil-*
17 *dren and youth who are survivors of domestic vi-*
18 *olence and unaccompanied youth.*

19 “(J) *ACADEMIC ACHIEVEMENT.*—*The school*
20 *selected in accordance with this paragraph shall*
21 *ensure that homeless children and youth have op-*
22 *portunities to meet the same college and career*
23 *ready State student academic achievement stand-*
24 *ards to which other students are held, including*

1 *implementing the policies and practices required*
2 *by paragraph (1)(J)(iv).*

3 “(K) *SCHOOL READINESS FOR HOMELESS*
4 *CHILDREN.—Each local educational agency shall*
5 *ensure school readiness for homeless children as*
6 *described in paragraph (3).*

7 “(5) *COMPARABLE SERVICES.—In addition to re-*
8 *ceiving services provided for homeless children and*
9 *youth under this subtitle or other Federal, State, or*
10 *local laws, regulations, policies, or practices, each*
11 *homeless child or youth to be assisted under this sub-*
12 *title also shall be provided services comparable to*
13 *services offered to other students in the school selected*
14 *under paragraph (4), including the following:*

15 “(A) *Transportation services.*

16 “(B) *Educational services for which the*
17 *child or youth meets the eligibility criteria, in-*
18 *cluding services provided under title I of the Ele-*
19 *mentary and Secondary Education Act of 1965*
20 *(20 U.S.C. 6301 et seq.), similar State or local*
21 *programs, charter schools, magnet schools, edu-*
22 *cational programs for children with disabilities,*
23 *and educational programs for students with lim-*
24 *ited English proficiency.*

1 “(C) *Programs in career and technical edu-*
2 *cation.*

3 “(D) *Programs for gifted and talented stu-*
4 *dents.*

5 “(E) *School nutrition programs.*

6 “(F) *Health and counseling services, as ap-*
7 *propriate.*

8 “(6) *COORDINATION.—*

9 “(A) *IN GENERAL.—Each local educational*
10 *agency shall coordinate—*

11 “(i) *the provision of services under this*
12 *subtitle with the services of local social serv-*
13 *ices agencies and other agencies or entities*
14 *providing services to homeless children and*
15 *youth and their families, including services*
16 *and programs funded under the Runaway*
17 *and Homeless Youth Act (42 U.S.C. 5701 et*
18 *seq.); and*

19 “(ii) *transportation, transfer of school*
20 *records, and other interdistrict activities,*
21 *with other local educational agencies.*

22 “(B) *HOUSING ASSISTANCE.—Each State*
23 *educational agency and local educational agency*
24 *that receives assistance under this subtitle shall*
25 *coordinate, if applicable, with State and local*

1 *housing agencies responsible for developing a*
2 *comprehensive housing affordability strategy de-*
3 *scribed in section 105 of the Cranston-Gonzalez*
4 *National Affordable Housing Act (42 U.S.C.*
5 *12705) to minimize education disruption for*
6 *children and youth who become homeless.*

7 *“(C) COORDINATION PURPOSE.—The coordi-*
8 *nation required under subparagraphs (A) and*
9 *(B) shall be designed to—*

10 *“(i) ensure that all homeless children*
11 *and youth are identified within a reason-*
12 *able time frame;*

13 *“(ii) ensure that homeless children and*
14 *youth have access to and are in reasonable*
15 *proximity to available education and re-*
16 *lated support services; and*

17 *“(iii) raise the awareness of school per-*
18 *sonnel and service providers of the effects of*
19 *short-term stays in a shelter and other chal-*
20 *lenges associated with homelessness.*

21 *“(D) HOMELESS CHILDREN AND YOUTHS*
22 *WITH DISABILITIES.—For children and youth*
23 *who are to be assisted both under this subtitle,*
24 *and under the Individuals with Disabilities*
25 *Education Act (20 U.S.C. 1400 et seq.) or section*

1 504 of the Rehabilitation Act of 1973 (29 U.S.C.
2 794), each local educational agency shall coordi-
3 nate the provision of services under this subtitle
4 with the provision of programs for children with
5 disabilities served by such local educational
6 agency and other involved local educational
7 agencies.

8 “(7) LOCAL EDUCATIONAL AGENCY LIAISON.—

9 “(A) DUTIES.—Each local educational
10 agency liaison for homeless children and youth,
11 designated under paragraph (1)(J)(ii), shall en-
12 sure that—

13 “(i) all homeless children and youth
14 are identified by school personnel and
15 through outreach and coordination activi-
16 ties with other entities and agencies;

17 “(ii) homeless children and youth are
18 enrolled in, and have a full and equal op-
19 portunity to succeed in, schools of that local
20 educational agency;

21 “(iii) homeless families, and homeless
22 children and youth, have access to edu-
23 cational services for which such families,
24 children, and youth are eligible, including
25 services through Head Start, Early Head

1 *Start, early intervention, and Even Start*
2 *programs, and preschool programs described*
3 *in paragraph (3);*

4 “(iv) *homeless families, and homeless*
5 *children and youth, receive referrals to*
6 *health care services, dental services, mental*
7 *health and substance abuse services, housing*
8 *services, and other appropriate services;*

9 “(v) *homeless children and youth are*
10 *certified as eligible for free meals offered*
11 *under the Richard B. Russell National*
12 *School Lunch Act (42 U.S.C. 1751 et seq.)*
13 *and the Child Nutrition Act of 1966 (42*
14 *U.S.C. 1771 et seq.), without further appli-*
15 *cation;*

16 “(vi) *the parents or guardians of*
17 *homeless children and youth are informed of*
18 *the educational and related opportunities*
19 *available to their children, including early*
20 *learning opportunities, and are provided*
21 *with meaningful opportunities to partici-*
22 *pate in the education of their children;*

23 “(vii) *public notice of the educational*
24 *rights of homeless children and youth is in-*
25 *corporated into documents related to resi-*

1 *dency requirements or enrollment, provided*
2 *upon school enrollment and withdrawal,*
3 *posted on the local educational agency’s*
4 *website, and disseminated in locations fre-*
5 *quented by parents or guardians of such*
6 *children and youth, and unaccompanied*
7 *youth, including schools, shelters, public li-*
8 *braries, and soup kitchens, in a manner*
9 *and form understandable to parents and*
10 *guardians of homeless children and youth*
11 *and unaccompanied youth;*

12 *“(viii) disputes are resolved in accord-*
13 *ance with paragraph (4)(E);*

14 *“(ix) the parent or guardian of a*
15 *homeless child or youth, and any unaccom-*
16 *panied youth, is fully informed of all trans-*
17 *portation services, including transportation*
18 *to the school of origin, as described in para-*
19 *graph (1)(J)(iii), and is assisted in access-*
20 *ing transportation to the school that is se-*
21 *lected under paragraph (4)(A);*

22 *“(x) school personnel are adequately*
23 *prepared to implement this subtitle and re-*
24 *ceive professional development, resource ma-*

1 *terials, technical assistance, and other sup-*
2 *port; and*

3 *“(xi) unaccompanied youth—*

4 *“(I) are enrolled in school;*

5 *“(II) have opportunities to meet*
6 *the same college and career ready State*
7 *student academic achievement stand-*
8 *ards to which other students are held,*
9 *including through implementation of*
10 *the policies and practices required by*
11 *subparagraphs (F)(ii) and (J)(iv) of*
12 *paragraph (1); and*

13 *“(III) are informed of their status*
14 *as independent students under section*
15 *480 of the Higher Education Act of*
16 *1965 (20 U.S.C. 1087vv), including*
17 *through school counselors that have re-*
18 *ceived professional development about*
19 *unaccompanied youth, and receive*
20 *verification of such status for purposes*
21 *of the Free Application for Federal*
22 *Student Aid described in section 483 of*
23 *such Act (20 U.S.C. 1090).*

24 *“(B) NOTICE.—State Coordinators ap-*
25 *pointed under subsection (d)(2) and local edu-*

1 *cational agencies shall inform school personnel,*
2 *service providers, and advocates working with*
3 *homeless families and homeless children and*
4 *youth of the contact information and duties of*
5 *the local educational agency liaisons, including*
6 *publishing an annually updated list of the liai-*
7 *sons on the State educational agency’s website.*

8 “(C) *LOCAL AND STATE COORDINATION.*—
9 *The local educational agency liaisons shall, as a*
10 *part of their duties, coordinate and collaborate*
11 *with the State Coordinators and community and*
12 *school personnel responsible for the provision of*
13 *education and related support services to home-*
14 *less children and youth. Such coordination shall*
15 *include collecting and providing to the State Co-*
16 *ordinator the reliable, valid, and comprehensive*
17 *data needed to meet the requirements of para-*
18 *graphs (1) and (3) of subsection (f).*

19 “(D) *PROFESSIONAL DEVELOPMENT.*—*The*
20 *local educational agency liaisons shall partici-*
21 *pate in the professional development and other*
22 *technical assistance activities provided by the*
23 *State Coordinator pursuant to subsection (f)(5).*

24 “(8) *SCHOOL READINESS FOR HOMELESS CHIL-*
25 *DREN.*—*The State educational agency, and the local*

1 *educational agencies in the State, shall ensure that*
2 *the programs serving public preschool children com-*
3 *ply with the requirements of this subtitle.*

4 *“(h) EMERGENCY DISASTER GRANTS.—*

5 *“(1) IN GENERAL.—The Secretary shall make*
6 *emergency disaster grants to eligible local educational*
7 *agencies and eligible States described in paragraph*
8 *(2), in order to increase the capacity for such local*
9 *educational agencies and States to respond to major*
10 *disasters.*

11 *“(2) ELIGIBILITY; APPLICATION.—*

12 *“(A) ELIGIBILITY.—*

13 *“(i) LOCAL EDUCATIONAL AGENCY ELI-*
14 *GIBILITY.—A local educational agency shall*
15 *be eligible to receive an emergency disaster*
16 *grant under this subsection, based on dem-*
17 *onstrated need, if such local educational*
18 *agency’s enrollment of homeless children*
19 *and youth has increased as a result of a*
20 *hurricane, flood, or other natural disaster*
21 *for which the President declared a major*
22 *disaster under title IV of the Robert T. Staf-*
23 *ford Disaster Relief and Emergency Assist-*
24 *ance Act (42 U.S.C. 5170 et seq.).*

1 “(i) *STATE ELIGIBILITY.*—A State,
2 through the Office of the Coordinator for
3 Education of Homeless Children and Youths
4 in the State educational agency, shall be eli-
5 gible to receive an emergency disaster grant
6 under this subsection if there are 1 or more
7 eligible local educational agencies, as de-
8 scribed in clause (i), located within the
9 State.

10 “(B) *APPLICATION.*—In order for an eligible
11 State or an eligible local educational agency to
12 receive a grant under this subsection, the State
13 educational agency, in consultation with other
14 relevant State agencies, or local educational
15 agency shall submit an application to the Sec-
16 retary at such time, in such manner, and con-
17 taining or accompanied by such information as
18 the Secretary may reasonably require.

19 “(3) *DISTRIBUTION OF GRANTS.*—The Secretary
20 shall distribute emergency disaster grant 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 other

1 *natural disaster for which the President has de-*
2 *clared a major disaster under title IV of the Rob-*
3 *ert T. Stafford Disaster Relief and Emergency*
4 *Assistance Act (42 U.S.C. 5170 et seq.);*

5 “(B) *expeditiously, and in no case later*
6 *than 75 days after such funds are appropriated*
7 *to the Secretary; and*

8 “(C) *in a manner that enables local edu-*
9 *cational agencies to use such funds for the imme-*
10 *diante needs of disaster response and ongoing dis-*
11 *aster recovery.*

12 “(4) *AMOUNT OF GRANTS.—The Secretary shall*
13 *distribute grants under this subsection in amounts de-*
14 *termined by the Secretary and related to the increase*
15 *in enrollment of homeless children and youths as a re-*
16 *sult of such major disaster.*

17 “(5) *USES OF FUNDS.—A local educational*
18 *agency or State educational agency that receives an*
19 *emergency disaster grant under this subsection shall*
20 *use the grant funds to carry out the activities de-*
21 *scribed in section 723(d).*

22 “(6) *RESTRICTION.—The Secretary—*

23 “(A) *shall determine the amount (if any) by*
24 *which the funds appropriated under section 727*
25 *for fiscal year 2009 exceed \$70,000,000; and*

1 “(B) may only use funds from that amount
2 to carry out this subsection.

3 **“SEC. 723. LOCAL EDUCATIONAL AGENCY SUBGRANTS FOR**
4 **THE EDUCATION OF HOMELESS CHILDREN**
5 **AND YOUTH.**

6 “(a) GENERAL AUTHORITY.—

7 “(1) IN GENERAL.—The State educational agen-
8 cy shall, in accordance with section 722(e), and from
9 amounts made available to such agency under section
10 727, make subgrants to local educational agencies for
11 the purpose of facilitating the identification, enroll-
12 ment, attendance, and success in school of homeless
13 children and youth.

14 “(2) SERVICES.—

15 “(A) IN GENERAL.—Services under para-
16 graph (1)—

17 “(i) may be provided through pro-
18 grams on school grounds or at other facili-
19 ties; and

20 “(ii) shall, to the maximum extent
21 practicable, be provided through existing
22 programs and mechanisms that integrate
23 homeless children and youth with nonhome-
24 less children and youth.

1 “(B) *SERVICES ON SCHOOL GROUNDS.*—If
2 *services under paragraph (1) are provided to*
3 *homeless children and youth on school grounds,*
4 *the school involved may use funds under this*
5 *subtitle to provide the same services to other chil-*
6 *dren and youth who are determined by the local*
7 *educational agency serving the school to be at*
8 *risk of failing in, or dropping out of, school.*

9 “(3) *REQUIREMENT.*—*Services provided under*
10 *this section shall not replace the regular academic*
11 *program and shall be designed to expand upon or im-*
12 *prove services provided as part of the school’s regular*
13 *academic program.*

14 “(4) *DURATION OF GRANTS.*—*Subgrants award-*
15 *ed under this section shall be for terms not to exceed*
16 *3 years.*

17 “(b) *APPLICATION.*—*A local educational agency that*
18 *desires to receive a subgrant under this section shall submit*
19 *an application to the State educational agency at such*
20 *time, in such manner, and containing or accompanied by*
21 *such information as the State educational agency may rea-*
22 *sonably require. Such application shall include the fol-*
23 *lowing:*

24 “(1) *An assessment of the educational and re-*
25 *lated needs of homeless children and youth in the area*

1 served by the local educational agency (which may be
2 undertaken as part of a needs assessment for another
3 disadvantaged group).

4 “(2) A description of the services and programs
5 for which assistance is sought to address the needs
6 identified in paragraph (1).

7 “(3) An assurance that the local educational
8 agency’s combined fiscal effort per student, or the ag-
9 gregate expenditures of that agency and the State
10 with respect to the provision of free public education
11 by such agency for the fiscal year preceding the fiscal
12 year for which the subgrant determination is made,
13 was not less than 90 percent of such combined fiscal
14 effort or aggregate expenditures for the second fiscal
15 year preceding the fiscal year for which the deter-
16 mination is made.

17 “(4) An assurance that the applicant complies
18 with, or will use requested funds to comply with,
19 paragraphs (3) through (7) of section 722(g).

20 “(5) A description of policies and procedures
21 that the agency will implement to ensure that activi-
22 ties carried out by the agency will not isolate or stig-
23 matize homeless children and youth.

24 “(6) An assurance that the local educational
25 agency will collect and promptly provide data re-

1 *quested by the State Coordinator pursuant to para-*
2 *graphs (1) and (3) of section 722(f).*

3 “(7) *An assurance that the local educational*
4 *agency has removed the policies and practices that*
5 *have created barriers to the identification, enrollment,*
6 *attendance, retention, and success in school of all*
7 *homeless children and youth.*

8 “(c) *AWARDS.—*

9 “(1) *IN GENERAL.—The State educational agen-*
10 *cy shall, in accordance with the requirements of this*
11 *subtitle and from amounts made available to it under*
12 *section 722(a), make subgrants on a competitive basis*
13 *to local educational agencies that submit applications*
14 *under subsection (b). Such subgrants shall be awarded*
15 *on the basis of the need of such agencies for assistance*
16 *under this subtitle and the quality of the applications*
17 *submitted.*

18 “(2) *NEED.—*

19 “(A) *IN GENERAL.—In determining need*
20 *under paragraph (1), the State educational*
21 *agency may consider the number of homeless*
22 *children and youth enrolled in preschool, elemen-*
23 *tary schools, and secondary schools within the*
24 *area served by the local educational agency, and*
25 *shall consider the needs of such children and*

1 *youth and the ability of the local educational*
2 *agency to meet such needs.*

3 “(B) *OTHER CONSIDERATIONS.—The State*
4 *educational agency may also consider the fol-*
5 *lowing:*

6 “(i) *The extent to which the proposed*
7 *use of funds will facilitate the identifica-*
8 *tion, enrollment, attendance, retention, and*
9 *educational success of homeless children and*
10 *youth.*

11 “(ii) *The extent to which the applica-*
12 *tion reflects coordination with other local*
13 *and State agencies that serve homeless chil-*
14 *dren and youth.*

15 “(iii) *The extent to which the appli-*
16 *cant exhibits in the application and in cur-*
17 *rent practice (as of the date of submission*
18 *of the application) a commitment to edu-*
19 *cation for all homeless children and youth.*

20 “(iv) *Such other criteria as the State*
21 *agency determines to be appropriate.*

22 “(3) *QUALITY.—In determining the quality of*
23 *applications under paragraph (1), the State edu-*
24 *cational agency shall consider each of the following:*

1 “(A) *The applicant’s needs assessment*
2 *under subsection (b)(1) and the likelihood that*
3 *the program presented in the application will*
4 *meet such needs.*

5 “(B) *The types, intensity, and coordination*
6 *of services to be provided under the program.*

7 “(C) *The extent to which the applicant will*
8 *promote meaningful involvement of parents or*
9 *guardians of homeless children or youth in the*
10 *education of their children.*

11 “(D) *The extent to which homeless children*
12 *and youth will be integrated into the regular*
13 *education program involved.*

14 “(E) *The quality of the applicant’s evalua-*
15 *tion plan for the program.*

16 “(F) *The extent to which services provided*
17 *under this subtitle will be coordinated with other*
18 *services available to homeless children and youth*
19 *and their families, including housing and social*
20 *services and services provided under the Individ-*
21 *uals with Disabilities Education Act (20 U.S.C.*
22 *1400 et seq.), title I of the Elementary and Sec-*
23 *ondary Education Act of 1965 (20 U.S.C. 6301*
24 *et seq.), and similar State and local programs.*

1 “(G) *The extent to which the local edu-*
2 *cational agency will use the subgrant to leverage*
3 *resources, including by maximizing nonsubgrant*
4 *funding for the position of the liaison described*
5 *in section 722(g)(1)(J)(ii) and the provision of*
6 *transportation.*

7 “(H) *The local educational agency’s use of*
8 *funds to serve homeless children and youth under*
9 *section 1113(c)(3) of the Elementary and Sec-*
10 *ondary Education Act of 1965 (20 U.S.C.*
11 *6313(c)(3)).*

12 “(I) *The extent to which the applicant’s*
13 *program meets such other measures as the State*
14 *educational agency considers to be indicative of*
15 *a high-quality program, including the extent to*
16 *which the local educational agency will provide*
17 *services to unaccompanied youth and preschool-*
18 *aged children.*

19 “(J) *The extent to which the application de-*
20 *scribes how the applicant will meet the require-*
21 *ments of section 722(g)(4).*

22 “(d) *AUTHORIZED ACTIVITIES.—A local educational*
23 *agency may use funds awarded under this section for activi-*
24 *ties that carry out the purpose of this subtitle, including*
25 *the following:*

1 “(1) *The provision of tutoring, supplemental in-*
2 *struction, and enriched educational services that are*
3 *linked to the achievement of the same college and ca-*
4 *reer ready State academic content standards and col-*
5 *lege and career ready State student academic achieve-*
6 *ment standards as the State establishes for other chil-*
7 *dren and youth.*

8 “(2) *The provision of expedited evaluations of*
9 *the strengths, needs, and eligibility of homeless chil-*
10 *dren and youth, including needs and eligibility for*
11 *programs and services (including educational pro-*
12 *grams for gifted and talented students, children with*
13 *disabilities, and students with limited English pro-*
14 *ficiency, charter school programs, magnet school pro-*
15 *grams, programs in career and technical education,*
16 *and school nutrition programs).*

17 “(3) *Professional development and other activi-*
18 *ties for educators and specialized instructional sup-*
19 *port personnel that are designed to heighten the un-*
20 *derstanding and sensitivity of such educators and*
21 *personnel to the needs of homeless children and youth,*
22 *the rights of such children and youth under this sub-*
23 *title, and the specific educational needs of runaway*
24 *and homeless youth.*

1 “(4) *The provision of referral services to homeless*
2 *children and youth for medical, dental, mental, and*
3 *other health services.*

4 “(5) *The provision of assistance to defray the*
5 *cost of transportation under paragraphs (1)(J)(iii)*
6 *and (5)(A) of section 722(g), not otherwise provided*
7 *through Federal, State, or local funding.*

8 “(6) *The provision of developmentally appro-*
9 *priate early childhood education programs, not other-*
10 *wise provided through Federal, State, or local fund-*
11 *ing.*

12 “(7) *The provision of services and assistance to*
13 *attract, engage, and retain homeless children and*
14 *youth, particularly homeless children and youth who*
15 *are not enrolled in school, in public school programs*
16 *and services provided to nonhomeless children and*
17 *youth.*

18 “(8) *The provision for homeless children and*
19 *youth of before- and after-school, mentoring, and sum-*
20 *mer programs in which a teacher or other qualified*
21 *individual provides tutoring, homework assistance,*
22 *and supervision of educational activities.*

23 “(9) *If necessary, the payment of fees and other*
24 *costs associated with tracking, obtaining, and trans-*
25 *ferring records necessary to facilitate the appropriate*

1 *placement of homeless children and youth in school,*
2 *including birth certificates, immunization or other re-*
3 *quired health records, academic records, guardianship*
4 *records, and evaluations for special programs or serv-*
5 *ices.*

6 *“(10) The provision of education and training to*
7 *the parents of homeless children and youth about the*
8 *rights of, and resources available to, such children*
9 *and youth, and other activities designed to increase*
10 *the meaningful involvement of families of homeless*
11 *children or youth in the education of their children.*

12 *“(11) The development of coordination of activi-*
13 *ties between schools and agencies providing services to*
14 *homeless children and youth, as described in section*
15 *722(g)(6).*

16 *“(12) The provision of specialized instructional*
17 *support services (including counseling) and referrals*
18 *for such services.*

19 *“(13) Activities to address the particular needs*
20 *of homeless children and youth that may arise from*
21 *domestic violence and parental mental health or sub-*
22 *stance abuse problems.*

23 *“(14) The adaptation of space and purchase of*
24 *supplies for any nonschool facilities made available*

1 *under subsection (a)(2) to provide services under this*
2 *subsection.*

3 *“(15) The provision of school supplies, including*
4 *supplies to be distributed at shelters or temporary*
5 *housing facilities, or other appropriate locations.*

6 *“(16) The provision of assistance to defray the*
7 *cost of the position of liaison designated pursuant to*
8 *section 722(g)(1)(J)(ii), not otherwise provided*
9 *through Federal, State, or local funding.*

10 *“(17) The provision of other extraordinary or*
11 *emergency assistance needed to enable homeless chil-*
12 *dren and youth to enroll, attend, and succeed in*
13 *school, including in early childhood education pro-*
14 *grams.*

15 **“SEC. 724. SECRETARIAL RESPONSIBILITIES.**

16 *“(a) REVIEW OF STATE PLANS.—In reviewing the*
17 *State plan submitted by a State educational agency under*
18 *section 722(g), the Secretary shall use a peer review process*
19 *and shall evaluate whether State laws, policies, and prac-*
20 *tices described in such plan adequately address the problems*
21 *of all homeless children and youth relating to access to edu-*
22 *cation and placement as described in such plan.*

23 *“(b) TECHNICAL ASSISTANCE.—The Secretary shall—*

24 *“(1) provide support and technical assistance to*
25 *State educational agencies to assist such agencies in*

1 *carrying out their responsibilities under this subtitle;*
2 *and*

3 *“(2) establish or designate a Federal Office of the*
4 *Coordinator for Education of Homeless Children and*
5 *Youths that has sufficient capacity, resources, and*
6 *support to carry out the responsibilities described in*
7 *this subtitle.*

8 *“(c) NOTICE.—*

9 *“(1) IN GENERAL.—The Secretary shall, before*
10 *the next school year that begins after the date of en-*
11 *actment of the McKinney-Vento Homeless Education*
12 *Reauthorization Act of 2013, develop and disseminate*
13 *a public notice of the educational rights of homeless*
14 *children and youth. The notice shall include informa-*
15 *tion regarding the definition of homeless children and*
16 *youth in section 726.*

17 *“(2) DISSEMINATION.—The Secretary shall dis-*
18 *seminate the notice nationally. The Secretary also*
19 *shall disseminate such notice to heads of other De-*
20 *partment of Education offices, including those respon-*
21 *sible for special education programs, higher edu-*
22 *cation, and programs under parts A, B, C, D, G, and*
23 *H of title I, title III, title IV, and part B of title V*
24 *of the Elementary and Secondary Education Act of*
25 *1965 (20 U.S.C. 6311 et seq., 6361 et seq., 6391 et*

1 *seq., 6421 et seq., 6531 et seq., 6551 et seq., 6801 et*
2 *seq., 7101 et seq., and 7221 et seq.). The Secretary*
3 *shall also disseminate such notice to heads of other*
4 *Federal agencies, and grant recipients and other enti-*
5 *ties carrying out federally funded programs, includ-*
6 *ing Head Start programs, grant recipients under the*
7 *Health Care for the Homeless program of the Health*
8 *Resources and Services Administration of the Depart-*
9 *ment of Health and Human Services, grant recipients*
10 *under the Emergency Food and Shelter National*
11 *Board Program of the Federal Emergency Manage-*
12 *ment Agency, grant recipients under the Runaway*
13 *and Homeless Youth Act (42 U.S.C. 5701 et seq.),*
14 *grant recipients under the John H. Chafee Foster*
15 *Care Independence program, grant recipients under*
16 *homeless assistance programs administered by the De-*
17 *partment of Housing and Urban Development, and*
18 *recipients of Federal funding for programs carried*
19 *out by the Administration on Children, Youth and*
20 *Families of the Department of Health and Human*
21 *Services.*

22 “(d) *EVALUATION AND DISSEMINATION.*—*The Sec-*
23 *retary shall conduct evaluation, dissemination, and tech-*
24 *nical assistance activities for programs that are designed*
25 *to meet the educational needs of homeless preschool, elemen-*

1 tary school, and secondary school students, and may use
2 funds appropriated under section 727 to conduct such ac-
3 tivities.

4 “(e) *SUBMISSION AND DISTRIBUTION.*—The Secretary
5 shall require applications for grants under section 722 to
6 be submitted to the Secretary not later than the expiration
7 of the 120-day period beginning on the date that funds are
8 available for purposes of making such grants and shall
9 make such grants not later than the expiration of the 180-
10 day period beginning on such date.

11 “(f) *DETERMINATION BY SECRETARY.*—The Secretary,
12 based on the information received from the States and infor-
13 mation gathered by the Secretary under subsection (h), shall
14 determine the extent to which State educational agencies are
15 ensuring that each homeless child or youth has access to
16 a free appropriate public education, as described in section
17 721(1). The Secretary shall provide support and technical
18 assistance to State educational agencies in areas in which
19 barriers to a free appropriate public education persist.

20 “(g) *PUBLICATION.*—The Secretary shall develop,
21 issue, and publish in the Federal Register, not later than
22 90 days after the date of enactment of the McKinney-Vento
23 Homeless Education Reauthorization Act of 2013, a sum-
24 mary of the changes enacted by that Act and related strate-
25 gies, which summary shall include—

1 “(1) strategies by which a State can assist local
2 educational agencies to implement the provisions
3 amended by the Act;

4 “(2) strategies by which a State can review and
5 revise State policies and procedures that may present
6 barriers to the identification, enrollment, attendance,
7 and success of homeless children and youth in school;
8 and

9 “(3) strategies by which entities carrying out
10 preschool programs can implement requirements of
11 section 722(g)(3).

12 “(h) INFORMATION.—

13 “(1) IN GENERAL.—From funds appropriated
14 under section 727, the Secretary shall, directly or
15 through grants, contracts, or cooperative agreements,
16 periodically but not less frequently than every 2
17 years, collect and disseminate publicly data and in-
18 formation regarding—

19 “(A) the number of homeless children and
20 youth;

21 “(B) the education and related support
22 services such children and youth receive;

23 “(C) the extent to which the needs of home-
24 less children and youth are being met;

1 “(D) the academic progress being made by
2 homeless children and youth, including the per-
3 cent or number of homeless children and youth
4 participating in State assessments; and

5 “(E) such other data and information as
6 the Secretary determines to be necessary and rel-
7 evant to carry out this subtitle.

8 “(2) COORDINATION.—The Secretary shall co-
9 ordinate such collection and dissemination with other
10 agencies and entities that receive assistance and ad-
11 minister programs under this subtitle.

12 “(i) REPORT.—Not later than 4 years after the date
13 of enactment of the McKinney-Vento Homeless Education
14 Reauthorization Act of 2013, the Secretary shall prepare
15 and submit to the President and the Committee on Edu-
16 cation and the Workforce of the House of Representatives
17 and the Committee on Health, Education, Labor, and Pen-
18 sions of the Senate a report on the status of the provision
19 of education and related support services to homeless chil-
20 dren and youth, which shall include information on—

21 “(1) the education of homeless children and
22 youth; and

23 “(2) the actions of the Secretary and the effec-
24 tiveness of the programs supported under this subtitle.

1 **“SEC. 725. RULE OF CONSTRUCTION.**

2 *“Nothing in this subtitle shall be construed to diminish*
3 *the rights of parents or guardians of homeless children or*
4 *youth, or unaccompanied youth, otherwise provided under*
5 *State law, policy, or practice, including laws or policies*
6 *that authorize the best interest determination in section*
7 *722(g)(3) to be made solely by the parent, guardian, or*
8 *youth involved.*

9 **“SEC. 726. DEFINITIONS.**

10 *“In this subtitle:*

11 *“(1) ENROLL; ENROLLMENT.—The terms ‘enroll’*
12 *and ‘enrollment’ include attending classes and par-*
13 *ticipating fully in school activities.*

14 *“(2) HOMELESS CHILDREN AND YOUTH.—The*
15 *term ‘homeless children and youth’—*

16 *“(A) means individuals who lack a fixed,*
17 *regular, and adequate nighttime residence (with-*
18 *in the meaning of section 103(a)(1)); and*

19 *“(B) includes—*

20 *“(i) children and youth who—*

21 *“(I) are sharing the housing of*
22 *other persons due to loss of housing,*
23 *economic hardship, or a similar rea-*
24 *son;*

25 *“(II) are living in motels, hotels,*
26 *trailer parks, or camping grounds due*

1 to the lack of alternative adequate ac-
2 commodations;

3 “(III) are living in emergency or
4 transitional shelters; or

5 “(IV) are abandoned in hospitals;

6 “(ii) children and youth who have a
7 primary nighttime residence that is a pub-
8 lic or private place not designed for or ordi-
9 narily used as a regular sleeping accommo-
10 dation for human beings (within the mean-
11 ing of section 103(a)(2));

12 “(iii) children and youth who are liv-
13 ing in cars, parks, public spaces, abandoned
14 buildings, substandard housing, bus or
15 train stations, or similar settings; and

16 “(iv) migratory children (as such term
17 is defined in section 1312 of the Elementary
18 and Secondary Education Act of 1965) who
19 qualify as homeless for the purposes of this
20 subtitle because the children are living in
21 circumstances described in clauses (i)
22 through (iii).

23 “(3) LOCAL EDUCATIONAL AGENCY; STATE EDU-
24 CATIONAL AGENCY.—The terms ‘local educational
25 agency’ and ‘State educational agency’ have the

1 *meanings given such terms in section 9101 of the Ele-*
2 *mentary and Secondary Education Act of 1965 (20*
3 *U.S.C. 7801).*

4 “(4) *SCHOOL.*—*The term ‘school’ includes char-*
5 *ter schools, virtual schools, distance learning pro-*
6 *grams, and other public education programs adminis-*
7 *tered by a State or local educational agency.*

8 “(5) *SECRETARY.*—*The term ‘Secretary’ means*
9 *the Secretary of Education.*

10 “(6) *STATE.*—*The term ‘State’ means each of the*
11 *50 States, the District of Columbia, and the Common-*
12 *wealth of Puerto Rico.*

13 “(7) *UNACCOMPANIED YOUTH.*—*The term ‘unac-*
14 *companied youth’ means a homeless child or youth*
15 *not in the physical custody of a parent or legal*
16 *guardian.*

17 **“SEC. 727. AUTHORIZATION OF APPROPRIATIONS.**

18 “*For the purpose of carrying out this subtitle, there*
19 *are authorized to be appropriated such sums as may be nec-*
20 *essary for fiscal year 2014 and each of the 6 succeeding*
21 *fiscal years.”.*

1 “(4) accelerating transformational technological
2 advances in areas in which the private sector, by
3 itself, is not likely to accelerate such advances because
4 of difficulties in implementation or adoption, or tech-
5 nical and market uncertainty;

6 “(5) coordinating activities with nongovern-
7 mental entities to demonstrate technologies and re-
8 search applications to facilitate technology transfer;
9 and

10 “(6) encouraging educational research using new
11 technologies and the data produced by the tech-
12 nologies.

13 “(c) *AUTHORITIES OF SECRETARY.*—The Secretary is
14 authorized to—

15 “(1) appoint a Director, who shall be responsible
16 for carrying out the purposes of ARPA-ED, as de-
17 scribed in subsection (b), and such additional func-
18 tions as the Secretary may prescribe;

19 “(2) establish processes for the development and
20 execution of projects and the solicitation of entities to
21 carry out the projects in a manner that is—

22 “(A) tailored to the purposes of ARPA-ED
23 and not constrained by other Department-wide
24 administrative requirements that could detract
25 from achieving program results; and

1 “(B) designed to heighten transparency, and
2 public- and private-sector involvement, to ensure
3 that investments are made in the most promising
4 areas;

5 “(3) award grants, contracts, cooperative agree-
6 ments, and cash prizes, and enter into other trans-
7 actions (in accordance with such regulations as the
8 Secretary may establish regarding other trans-
9 actions);

10 “(4) make appointments of up to 20 scientific,
11 engineering, professional, and other mission-related
12 employees, for periods of up to 4 years (which ap-
13 pointments may not be renewed) without regard to
14 the provisions of title 5, United States Code, gov-
15 erning appointments in the competitive service;

16 “(5)(A) prescribe the rates of basic pay for the
17 personnel described in paragraph (4) at rates not in
18 excess of the maximum rate of basic pay authorized
19 for senior-level positions under section 5376 of title 5,
20 United States Code, notwithstanding any provision of
21 that title governing the rates of basic pay or classi-
22 fication of employees in the executive branch, but
23 those personnel shall not receive any payment for
24 service (such as an award, premium payment, incen-

1 *tive payment or bonus, allowance, or other similar*
2 *payment) under any other provision of that title; and*

3 *“(B) pay any employee appointed pursuant to*
4 *paragraph (4) payments in addition to that basic*
5 *pay, except that the total amount of those payments*
6 *for any calendar year shall not exceed the lesser of—*

7 *“(i) \$25,000; or*

8 *“(ii) the difference between the employee’s*
9 *annual rate of basic pay under paragraph (4)*
10 *and the annual rate for level I of the Executive*
11 *Schedule under section 5312 of title 5, United*
12 *States Code, based on the rates in effect at the*
13 *end of the applicable calendar year (or, if the*
14 *employee separated during that year, on the date*
15 *of separation);*

16 *“(6) obtain independent, periodic, rigorous eval-*
17 *uations, as appropriate, of—*

18 *“(A) the effectiveness of the processes ARPA-*
19 *ED is using to achieve its purposes; and*

20 *“(B) the effectiveness of individual projects*
21 *assisted by ARPA-ED, using evidence standards*
22 *developed in consultation with the Institute of*
23 *Education Sciences, and the suitability of ongo-*
24 *ing projects assisted by ARPA-ED for further in-*
25 *vestment or increased scale; and*

1 “(7) disseminate, through the comprehensive cen-
2 ters established under section 203 of the Educational
3 Technical Assistance Act of 2002 (20 U.S.C. 9602),
4 the regional educational laboratories system estab-
5 lished under section 174 of the Education Sciences
6 Reform Act of 2002 (20 U.S.C. 9564), or such other
7 means as the Secretary determines to be appropriate,
8 information on effective practices and technologies de-
9 veloped with ARPA-ED support.

10 “(d) EVALUATION FUNDS.—The Secretary may use
11 funds made available for ARPA-ED to pay the cost of the
12 evaluations under subsection (c)(6).

13 “(e) FEDERAL ADVISORY COMMITTEE ACT.—Notwith-
14 standing any other provision of law, any advisory com-
15 mittee convened by the Secretary to provide advice with re-
16 spect to this section shall be exempt from the requirements
17 of the Federal Advisory Committee Act (5 U.S.C. App.) and
18 the definition of ‘employee’ in section 2105 of title 5, United
19 States Code, shall not be considered to include any ap-
20 pointee to such a committee.

21 “(f) NONDUPLICATION.—To the maximum extent prac-
22 ticable, the Secretary shall ensure that grants, contracts, co-
23 operative agreements, cash prizes, or other assistance or ar-
24 rangements awarded or entered into pursuant to this sec-
25 tion that are designed to carry out the purposes of ARPA-

1 *ED do not duplicate activities under programs carried out*
 2 *under Federal law other than this section by the Depart-*
 3 *ment or other Federal agencies.”.*

4 **PART B—MISCELLANEOUS PROVISIONS**

5 **SEC. 11211. TECHNICAL AND CONFORMING AMENDMENTS.**

6 (a) *HIGHER EDUCATION ACT OF 1965.—The Higher*
 7 *Education Act of 1965 (20 U.S.C. 1001 et seq.) is amended*
 8 *as follows:*

9 (1) *Section 103(24)(B) (20 U.S.C. 1003(24)(B))*
 10 *is amended by striking “students who are limited*
 11 *English proficient” and inserting “English learners”.*

12 (2) *Section 200 (20 U.S.C. 1021) is amended—*

13 (A) *in paragraph (6)(B)(x) by striking*
 14 *“section 5210” and inserting “section 5411”;*

15 (B) *by striking paragraph (8);*

16 (C) *by redesignating paragraphs (9)*
 17 *through (23) as paragraphs (8) through (22), re-*
 18 *spectively;*

19 (D) *by striking paragraph (12), as redesign-*
 20 *ated by subparagraph (C), and inserting the*
 21 *following:*

22 “(12) *HIGHLY QUALIFIED TEACHER.—The term*
 23 *‘highly qualified teacher’ has the meaning given such*
 24 *term in section 9101 of the Elementary and Sec-*
 25 *ondary Education Act of 1965.”;*

1 (E) by striking paragraph (14), as redesign-
2 nated by subparagraph (C), and inserting the
3 following:

4 “(14) *ENGLISH LEARNER*.—The term ‘English
5 learner’ has the meaning given the term in section
6 9101 of the *Elementary and Secondary Education*
7 *Act of 1965*.”;

8 (F) in paragraph (16)(B)(ii), as redesign-
9 nated by subparagraph (C), by striking “to be-
10 come highly qualified” and inserting “to become
11 a highly qualified teacher”;

12 (G) in paragraph (21)(D)(i), as redesign-
13 nated by subparagraph (C), by striking “becomes
14 highly qualified” and inserting “becomes a high-
15 ly qualified teacher”; and

16 (H) in paragraph (22)(D)(iii), as redesign-
17 nated by subparagraph (C), by striking “stu-
18 dents who are limited English proficient” and
19 inserting “English learners”.

20 (3) Section 202 (20 U.S.C. 1022a) is amended—

21 (A) in subsection (b)(6)—

22 (i) in subparagraph (E)(ii), by strik-
23 ing “student academic achievement stand-
24 ards and academic content standards under
25 section 1111(b)(1)” and inserting “college

1 *and career ready State academic content*
2 *standards and student academic achieve-*
3 *ment standards under section 1111(a)(1)”;*
4 *and*
5 *(ii) in subparagraph (G), by striking*
6 *“students who are limited English pro-*
7 *ficient” and inserting “English learners”;*
8 *and*
9 *(B) in subsection (d)—*
10 *(i) in paragraph (1)—*
11 *(I) in subparagraph (A)(i)(I)—*
12 *(aa) by inserting “teachers”*
13 *after “highly qualified”; and*
14 *(bb) by striking “students*
15 *who are limited English pro-*
16 *ficient” and inserting “English*
17 *learners”; and*
18 *(II) in subparagraph (B)—*
19 *(aa) in clause (ii)(IV)(aa),*
20 *by striking “students who are lim-*
21 *ited English proficient” and in-*
22 *serting “English learners”; and*
23 *(bb) in clause (iii), by insert-*
24 *ing “teachers” after “highly quali-*
25 *fied”; and*

1 (ii) in paragraph (5)(B), by striking
2 “limited English proficient students” and
3 inserting “English learners”.

4 (4) Section 204(a)(4)(D) (20 U.S.C.
5 1022c(a)(4)(D)) is amended by striking “limited
6 English proficient students” and inserting “English
7 learners”.

8 (5) Section 205 (20 U.S.C. 1022d) is amended—

9 (A) in subsection (a)(1)(G), by striking
10 “students who are limited English proficient”
11 and inserting “English learners”; and

12 (B) in subsection (b)(1)—

13 (i) in subparagraph (C), by striking
14 “State’s challenging academic content
15 standards required under section
16 1111(b)(1)” and inserting “college and ca-
17 reer ready State academic content stand-
18 ards required under section 1111(a)(1)”;
19 and

20 (ii) in subparagraph (L), by striking
21 “students who are limited English pro-
22 ficient” and inserting “English learners”.

23 (6) Section 206 (20 U.S.C. 1022e) is amended—

1 (A) in subsection (a), by striking “limited
2 English proficient students” and inserting
3 “English learners”; and

4 (B) in subsection (b)(4), by striking “lim-
5 ited English proficient students” and inserting
6 “English learners”.

7 (7) Section 208(b) (20 U.S.C. 1022g(b)) is
8 amended—

9 (A) by inserting “teachers” after “are high-
10 ly qualified”; and

11 (B) by striking “is highly qualified” and
12 inserting “is a highly qualified teacher”.

13 (8) Section 242(b) (20 U.S.C. 1033a(b)) is
14 amended—

15 (A) in the matter preceding paragraph (1),
16 by inserting “teachers” after “highly qualified”;
17 and

18 (B) in paragraph (1), by inserting “teach-
19 ers” after “highly qualified”.

20 (9) Section 251(b)(1)(A)(iii) (20 U.S.C.
21 1034(b)(1)(A)(iii)) is amended by inserting “teach-
22 ers” after “highly qualified”.

23 (10) Section 255(k) (20 U.S.C. 1035(k)) is
24 amended—

1 (A) in paragraph (1), by striking “section
2 9101(23)(B)(ii)” and inserting “section
3 9101(32)(A)(ii)(II)”; and

4 (B) in paragraph (3), by striking “section
5 9101(23)” and inserting “section 9101(32)”.

6 (11) Section 258(d) (20 U.S.C. 1036(d)) is
7 amended—

8 (A) in paragraph (1)—

9 (i) by striking “limited English pro-
10 ficient students” and inserting “English
11 learners”; and

12 (ii) by inserting “teachers who will be”
13 after “highly qualified”; and

14 (B) in paragraph (2)(C), by striking “lim-
15 ited English proficient students” and inserting
16 “English learners”.

17 (12) Section 402B(c)(7) (20 U.S.C. 1070a-
18 12(c)(7)) is amended by striking “students who are
19 limited English proficient” and inserting “English
20 learners”.

21 (13) Section 402C(d)(7) (20 U.S.C. 1070a-
22 13(d)(7)) is amended by striking “students who are
23 limited English proficient” and inserting “English
24 learners”.

1 (14) Section 402D (20 U.S.C. 1070a–14) is
2 amended—

3 (A) in subsection (a)(3), by striking “stu-
4 dents who are limited English proficient” and
5 inserting “English learners”; and

6 (B) in subsection (c)(6), by striking “stu-
7 dents who are limited English proficient” and
8 inserting “English learners”.

9 (15) Section 402F(b)(11) (20 U.S.C. 1070a–
10 16(b)(11)) is amended by striking “students who are
11 limited English proficient” and inserting “English
12 learners”.

13 (16) Section 404D (20 U.S.C. 1070a–24) is
14 amended—

15 (A) in subsection (b)(10)(K), by striking
16 “students who are limited English proficient”
17 and inserting “English learners”; and

18 (B) in subsection (c)(6)(B)(ii), by striking
19 “students who are limited English proficient”
20 and inserting “English learners”.

21 (17) Section 428J(b)(1)(B) (20 U.S.C. 1078–
22 10(b)(1)(B)) is amended by striking “is highly quali-
23 fied” and inserting “is a highly qualified teacher”.

24 (18) Section 428K(b)(5) (20 U.S.C. 1078–
25 11(b)(5)) is amended—

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. 1138(a)(10))*
15 *is amended by striking “limited English proficient*
16 *students” and inserting “English learners” each place*
17 *the term appears.*

18 (21) *Section 806(a)(2) (20 U.S.C. 1161f(a)(2)) is*
19 *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.”.*

1 (b) *INDIVIDUALS WITH DISABILITIES EDUCATION*
2 *ACT.*—*The Individuals with Disabilities Education Act (20*
3 *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 given*
9 *the term in section 9101” and insert-*
10 *ing “means that the teacher is a highly*
11 *qualified teacher in accordance with*
12 *subparagraphs (A) and (B) of section*
13 *9101(32)”;* and

14 (II) *in clause (ii), by striking “re-*
15 *quirements of section 9101” and insert-*
16 *ing “requirements for a highly quali-*
17 *fied teacher as defined in section*
18 *9101(32)(A)”;*

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)”;*

23 (II) *clause (i), by striking “re-*
24 *quirements of section 9101” and insert-*
25 *ing “requirements for a highly quali-*

1 *fied 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) or*
6 *(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 requirements*
11 *to be a highly qualified teacher as de-*
12 *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)”;* and

17 *(iv) in subparagraph (F), by striking*
18 *“highly qualified for purposes of” and in-*
19 *serting “to be a highly qualified teacher for*
20 *purposes of”;* and

21 *(B) in paragraph (18), by striking “has the*
22 *meaning given the term in section 9101 of the*
23 *Elementary and Secondary Education Act of*
24 *1965” and inserting “when used in reference to*
25 *an individual, means an individual who meets*

1 *the requirements described in subparagraphs (C)*
2 *and (D) of section 9101(23) of the Elementary*
3 *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 1111
8 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) and
24 (iii), respectively;

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 the
5 Elementary and Secondary Education Act
6 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 achieve-
19 ment and functional standards and with the require-
20 ments for professional development, as defined in sec-
21 tion 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)”.

1 (c) *CARL D. PERKINS CAREER AND TECHNICAL EDU-*
2 *CATION ACT OF 2006.—The Carl D. Perkins Career and*
3 *Technical Education Act of 2006 (20 U.S.C. 2301 et seq.)*
4 *is amended as follows:*

5 (1) *Section 3(8) (20 U.S.C. 2302(8)) is amended*
6 *by striking “section 5210” and inserting “section*
7 *5411”.*

8 (2) *Section 8(e) (20 U.S.C. 2306a(e)) is amended*
9 *by striking “section 1111(b)(1)(D)” and inserting sec-*
10 *tion “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 State*
18 *in accordance with section 1111(b)(1)*
19 *of the Elementary and Secondary Edu-*
20 *cation Act of 1965 and measured by*
21 *the State determined proficient levels*
22 *on the academic assessments described*
23 *in section 1111(b)(3) of such Act” and*
24 *inserting “college and career ready*
25 *State academic content and student*

1 *academic achievement standards, as*
2 *adopted by a State in accordance with*
3 *section 1111(a)(1) of the Elementary*
4 *and Secondary Education Act of 1965*
5 *and measured by the State-determined*
6 *proficient levels on the academic as-*
7 *sessments described in section*
8 *1111(a)(2) of such Act”; and*

9 *(II) in clause (iv), by striking*
10 *“Student graduation rates (as de-*
11 *scribed in section 1111(b)(2)(C)(vi) of*
12 *the Elementary and Secondary Edu-*
13 *cation Act of 1965)” and inserting*
14 *“Student graduation rates (as de-*
15 *scribed in section 9101 of the Elemen-*
16 *tary and Secondary Education Act of*
17 *1965)”;* and

18 *(ii) in paragraph (4)(C)(ii)(I), by*
19 *striking “categories of students described in*
20 *section 1111(h)(1)(C)(i)” and inserting*
21 *“categories of students described in section*
22 *1111(a)(2)(B)(x)”;* and

23 *(B) in subsection (c)(2)(A), by striking*
24 *“categories of students described in section*

1 *1111(h)(1)(C)(i)” and inserting “categories of*
 2 *students described in section 1111(a)(2)(B)(x)”.*

3 *(4) Section 114(d)(4)(A)(iii)(I)(aa) (20 U.S.C.*
 4 *2324(d)(4)(A)(iii)(I)(aa)) is amended by striking*
 5 *“academic content standards and student academic*
 6 *achievement standards, as adopted by States under*
 7 *section 1111(b)(1)” and inserting “college and career*
 8 *ready State academic content and student academic*
 9 *achievement standards, as adopted by a State in ac-*
 10 *cordance with section 1111(a)(1)”.*

11 *(5) Section 122(c)(1)(I)(i) (20 U.S.C.*
 12 *2342(c)(1)(I)(i)) is amended by striking “rigorous*
 13 *and challenging academic content standards and stu-*
 14 *dent academic achievement standards adopted by the*
 15 *State under section 1111(b)(1)” and inserting “college*
 16 *and career ready State academic content and student*
 17 *academic achievement standards, as adopted by a*
 18 *State in accordance with section 1111(a)(1)”.*

19 *(d) NATIONAL AND COMMUNITY SERVICE ACT OF*
 20 *1990.—The National and Community Service Act of 1990*
 21 *(42 U.S.C. 12501 et seq.) is amended as follows:*

22 *(1) Section 112(a)(1)(F) (42 U.S.C.*
 23 *12523(a)(1)(F)) is amended by striking “attention to*
 24 *schools not making adequate yearly progress for two*
 25 *or more consecutive years under section 1111 of the*

1 *Elementary and Secondary Education Act of 1965*
2 *(20 U.S.C. 6301 et seq.)” and inserting “attention to*
3 *schools that are identified as focus schools or priority*
4 *schools under subsection (c) or (d) of section 1116 of*
5 *the Elementary and Secondary Education Act of*
6 *1965 (20 U.S.C. 6316)”.*

7 (2) *Section 119(a)(2)(A)(ii)(II) (42 U.S.C.*
8 *12563(a)(2)(A)(ii)(II)) is amended by striking “the*
9 *graduation rate (as defined in section*
10 *1111(b)(2)(C)(vi) of the Elementary and Secondary*
11 *Education Act of 1965 (20 U.S.C. 6311(b)(2)(C)(vi))”*
12 *and inserting “the graduation rates (as defined in*
13 *section 9101 of the Elementary and Secondary Edu-*
14 *cation Act of 1965 (20 U.S.C. 7801))”.*

15 (3) *Section 120(a)(2)(C) (42 U.S.C.*
16 *12565(a)(2)(C)) is amended by striking “improved*
17 *graduation rates, as defined in section*
18 *1111(b)(2)(C)(vi) of the Elementary and Secondary*
19 *Education Act of 1965 (20 U.S.C. 6311(b)(2)(C)(vi))”*
20 *and inserting “improved graduation rates, as defined*
21 *in section 9101 of the Elementary and Secondary*
22 *Education Act of 1965 (20 U.S.C. 7801))”.*

23 (4) *Section 122 (42 U.S.C. 12572) is amended—*
24 (A) *in subsection (a)(1)(C)(iii), by striking*
25 *“secondary school graduation rates as defined in*

1 *section 1111(b)(2)(C)(vi) of the Elementary and*
 2 *Secondary Education Act of 1965 (20 U.S.C.*
 3 *6311(b)(2)(C)(vi))” and inserting “secondary*
 4 *school graduation rates as defined in section*
 5 *9101 of the Elementary and Secondary Edu-*
 6 *cation Act of 1965 (20 U.S.C. 7801)”;* and

7 *(B) in subsection (i)(1), by inserting “col-*
 8 *lege and career ready” after “State”.*

9 *(e) TITLE VI OF THE AMERICA COMPETES ACT.—*
 10 *The America COMPETES Act (Public Law 110–69) is*
 11 *amended as follows:*

12 *(1) Section 6112 (20 U.S.C. 9812) is amended—*

13 *(A) in paragraph (3)(B)(i), by inserting*
 14 *“teachers” after “highly qualified”;* and

15 *(B) by striking paragraph (4) and inserting*
 16 *the following:*

17 *“(4) HIGHLY QUALIFIED TEACHER.—The term*
 18 *‘highly qualified teacher’ has the meaning given such*
 19 *term in section 9101 of the Elementary and Sec-*
 20 *ondary Education Act of 1965 (20 U.S.C. 7801).”.*

21 *(2) Section 6113(d)(2)(G)(i) (20 U.S.C.*
 22 *9813(d)(2)(G)(i)) is amended—*

23 *(A) by inserting “teachers of” after “highly*
 24 *qualified”;* and

1 (B) by striking “teachers” after “foreign
2 language”.

3 (3) Section 6114(b)(3) (20 U.S.C. 9814(b)(3)) is
4 amended—

5 (A) by inserting “teachers of” after “highly
6 qualified”; and

7 (B) by striking “teachers” after “foreign
8 language”.

9 (4) Section 6122 (20 U.S.C. 9832) is amended—

10 (A) in paragraph (3), by striking “has the
11 meaning given the term ‘low-income individual’
12 in section 1707(3) of the Elementary and Sec-
13 ondary Education Act of 1965 (20 U.S.C.
14 6537(3))” and inserting “means a student who
15 is from a low-income family, as defined in sec-
16 tion 9101(36)(B) of the Elementary and Sec-
17 ondary Education Act of 1965 (20 U.S.C.
18 7801(36)(B))”;

19 (B) in paragraph (4), by striking “has the
20 meaning” and all that follows through the period
21 and inserting “; used with respect to a school,
22 means a school that serves a student population
23 40 percent or more of whom are low-income stu-
24 dents.”; and

1 (C) in paragraph (5), by striking “means a
2 local educational agency or educational service
3 agency described in 6112(3)(A)” and inserting
4 “means a high-need local educational agency, as
5 defined under section 9101 of the Elementary
6 and Secondary Education Act of 1965 (20
7 U.S.C. 7801)”.

8 (5) Section 6123(j)(2)(B) (20 U.S.C.
9 9833(j)(2)(B)) is amended by striking “disaggregated
10 in the same manner as information is disaggregated
11 under section 1111(h)(1)(C)(i) of the Elementary and
12 Secondary Education Act of 1965” and inserting
13 “disaggregated under section 1111(a)(2)(B)(x) of the
14 Elementary and Secondary Education Act of 1965”.

15 (6) Section 6201(e)(2)(D)(ii)(I) (20 U.S.C.
16 9871(e)(2)(D)(ii)(I)) is amended by striking “assess-
17 ments under section 1111(b) of the Elementary and
18 Secondary Education Act of 1965 (20 U.S.C.
19 6311(b))” and inserting “assessments under section
20 1111(a) of the Elementary and Secondary Education
21 Act of 1965 (20 U.S.C. 6311(a))”.

22 (f) *THE EDUCATION OF THE DEAF ACT OF 1986.*—
23 Section 104(b)(5) of the Education of the Deaf Act of 1986
24 (20 U.S.C. 4304(b)(5)) is amended—

25 (1) in subparagraph (A)—

- 1 (A) in clause (i), by striking “challenging
2 academic content standards, challenging student
3 academic achievement standards, and academic
4 assessments of a State, adopted and imple-
5 mented, as appropriate, pursuant to paragraphs
6 (1) and (3) of section 1111(b) of the Elementary
7 and Secondary Education Act of 1965 (20
8 U.S.C. 6311(b)(1) and (3))” and inserting “col-
9 lege and career ready State academic content
10 and student academic achievement standards
11 and assessments of a State, adopted and imple-
12 mented, as appropriate, pursuant to section
13 1111(a) of the Elementary and Secondary Edu-
14 cation Act of 1965 (20 U.S.C. 6311(a))”; and
- 15 (B) in clause (ii), by adding “and” after
16 the semicolon;
- 17 (2) by striking subparagraph (B);
- 18 (3) by redesignating subparagraph (C) as sub-
19 paragraph (B); and
- 20 (4) in subparagraph (B), as redesignated by
21 paragraph (3), by striking “, and whether the pro-
22 grams at the Clerc Center are making adequate year-
23 ly progress, as determined under subparagraph (B)”.

1 (g) *THE EDUCATION SCIENCES REFORM ACT OF*
2 *2002.—The Education Sciences Reform Act of 2002 (20*
3 *U.S.C. 9501 et seq.) is amended as follows:*

4 (1) *Section 153(a)(1)(F)(ii) (20 U.S.C.*
5 *9543(a)(1)(F)(ii)) is amended by striking “the per-*
6 *centage of teachers who are highly qualified” and in-*
7 *serting “the percentage of teachers who are highly*
8 *qualified teachers”.*

9 (2) *Section 177(a)(5) (20 U.S.C. 9567b(a)(5)) is*
10 *amended by striking “section 1111(b) of the Elemen-*
11 *tary and Secondary Education Act of 1965 (20*
12 *U.S.C. 6311(b))” and inserting “section 1111(a) of*
13 *the Elementary and Secondary Education Act of*
14 *1965 (20 U.S.C. 6311(a))”.*

15 (h) *THE EDUCATIONAL TECHNICAL ASSISTANCE ACT*
16 *OF 2002.—Section 203 of the Educational Technical Assist-*
17 *ance Act of 2002 (20 U.S.C. 9602) is amended—*

18 (1) *in subsection (a)(2)(B), by striking “schools*
19 *identified for school improvement (as described in sec-*
20 *tion 1116(b) of the Elementary and Secondary Edu-*
21 *cation Act of 1965 (20 U.S.C. 6316(b))” and insert-*
22 *ing “schools identified as priority schools (as de-*
23 *scribed in section 1116(d) of the Elementary and Sec-*
24 *ondary Education Act of 1965 (20 U.S.C. 6316(d))”;*

1 (2) *in subsection (e), by striking paragraph (3)*
2 *and inserting the following:*

3 “(3) *schools in the region identified by the*
4 *State’s accountability system under section 1116 of*
5 *the Elementary and Secondary Education Act of*
6 *1965 (20 U.S.C. 6316).”;* and

7 (3) *in subsection (f)(1)(B), by striking “1116(b)*
8 *of the Elementary and Secondary Education Act of*
9 *1965 (20 U.S.C. 6316(b))” and inserting “1116 of the*
10 *Elementary and Secondary Education Act of 1965*
11 *(20 U.S.C. 6316)”.*

12 (i) *NATIONAL SCIENCE FOUNDATION AUTHORIZATION*
13 *ACT OF 2002.—Section 9 of the National Science Founda-*
14 *tion Authorization Act of 2002 (42 U.S.C. 1862n) is*
15 *amended—*

16 (1) *in subsection (a)(10)(A)(iii)(I), by striking*
17 *“are considered highly qualified” and inserting “are*
18 *considered highly qualified teachers”;* and

19 (2) *in subsection (b)(3)(A), by striking “or a*
20 *high-need local educational agency in which at least*
21 *one school does not make adequate yearly progress, as*
22 *determined pursuant to part A of title I of the Ele-*
23 *mentary and Secondary Education Act of 1965 (20*
24 *U.S.C. 6311 et seq.)”.*

1 (j) *RICHARD B. RUSSELL NATIONAL SCHOOL LUNCH*
2 *ACT.*—Section 9 of the *Richard B. Russell National School*
3 *Lunch Act (42 U.S.C. 1758)* is amended—

4 (1) in subsection (b)—

5 (A) in paragraph (5)(D), by striking “sec-
6 tion 1309 of the *Elementary and Secondary*
7 *Education Act of 1965 (20 U.S.C. 6399)*” and
8 inserting “section 1312 of the *Elementary and*
9 *Secondary Education Act of 1965*”; and

10 (B) in paragraph (12)(A)(vi), by striking
11 “section 1309 of the *Elementary and Secondary*
12 *Education Act of 1965 (20 U.S.C. 6399)*” and
13 inserting “section 1312 of the *Elementary and*
14 *Secondary Education Act of 1965*”; and

15 (2) in subsection (d)(2)(E), by striking “section
16 1309 of the *Elementary and Secondary Education*
17 *Act of 1965 (20 U.S.C. 6399)*” and inserting “section
18 1312 of the *Elementary and Secondary Education*
19 *Act of 1965*”.

20 (k) *AMERICA COMPETES REAUTHORIZATION ACT OF*
21 *2010.*—Section 553(d)(6) of the *America COMPETES Re-*
22 *authorization Act of 2010 (20 U.S.C. 9903(d)(6))* is amend-
23 *ed by striking “the requirements under section 9101(23) of*
24 *the Elementary and Secondary Education Act of 1965 (20*
25 *U.S.C. 7801(23)) for highly qualified teachers” and insert-*

1 ing “the requirements for a highly qualified teacher as de-
2 fined in section 9101 of the Elementary and Secondary
3 Education Act of 1965 (20 U.S.C. 7801)”.

4 (l) VIOLENCE AGAINST WOMEN ACT OF 1994.—Section
5 41403(6)(B)(iii) of the Violence Against Women Act of 1994
6 (42 U.S.C. 14043e-2(6)(B)(iii)) is amended by striking
7 “section 1309 of the Elementary and Secondary Education
8 Act of 1965; 20 U.S.C. 6399” and inserting “section 1312
9 of the Elementary and Secondary Education Act of 1965”.

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1ST Session

S. 1094

[Report No. 113-113]

A BILL

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

OCTOBER 11, 2013

Reported with an amendment