

111TH CONGRESS  
1ST SESSION

# H. R. 2790

To create or adopt, and implement, rigorous and voluntary American education content standards in mathematics and science covering kindergarten through grade 12, to provide for the assessment of student proficiency benchmarked against such standards, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 10, 2009

Mr. EHLERS introduced the following bill; which was referred to the  
Committee on Education and Labor

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## A BILL

To create or adopt, and implement, rigorous and voluntary American education content standards in mathematics and science covering kindergarten through grade 12, to provide for the assessment of student proficiency benchmarked against such standards, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “Standards to Provide Educational Achievement for Kids  
6 Act” or the “SPEAK Act”.

1 (b) TABLE OF CONTENTS.—The table of contents for  
2 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Findings.

Sec. 3. Assessing science in the National Assessment of Educational Progress.

Sec. 4. Definitions.

Sec. 5. Voluntary American education content standards; American Standards  
Incentive Fund.

Sec. 6. Authorization of appropriations.

3 **SEC. 2. FINDINGS.**

4 Congress finds the following:

5 (1) Throughout the years, educators and policy-  
6 makers have consistently embraced standards as the  
7 mechanism to ensure that every student, no matter  
8 what school the student attends, masters the skills  
9 and develops the knowledge needed to participate in  
10 a global economy.

11 (2) Recent international comparisons make  
12 clear that students in the United States have signifi-  
13 cant shortcomings in mathematics and science, yet a  
14 high level of scientific and mathematics literacy is  
15 essential to societal innovations and advancements.

16 (3) With more than 50 different sets of aca-  
17 demic content standards, 50 State academic assess-  
18 ments, and 50 definitions of proficiency under sec-  
19 tion 1111(b) of the Elementary and Secondary Edu-  
20 cation Act of 1965 (20 U.S.C. 6311(b)), there is  
21 great variability in the measures, standards, and

1 benchmarks for academic achievement in mathe-  
2 matics and science.

3 (4) Variation in State standards and the ac-  
4 companying measures of proficiency make it difficult  
5 for parents and teachers to meaningfully gauge how  
6 well their children are learning mathematics and  
7 science in comparison to their peers internationally  
8 or here at home.

9 (5) The disparity in the rigor of standards  
10 across States yields test results that tell the public  
11 little about how schools are performing and pro-  
12 gressing, as States with low standards or low pro-  
13 ficiency requirements may appear to be doing much  
14 better than States with more rigorous standards or  
15 higher requirements for proficiency.

16 (6) As a result, the United States highly mobile  
17 student-aged population moves through the Nation's  
18 schools gaining widely varying levels of knowledge,  
19 skills, and preparedness.

20 (7) In order for the United States to compete  
21 in a global economy, the country needs to strengthen  
22 its educational expectations for all children.

23 (8) To compete, the people of the United States  
24 must compare themselves against international  
25 benchmarks.

1           (9) Grounded in a real world analysis and inter-  
2           national comparisons of what students need to suc-  
3           ceed in work and college, rigorous and voluntary  
4           core American education content standards will keep  
5           the United States economically competitive and en-  
6           sure that the children of the United States are given  
7           the same opportunity to learn to a high standard no  
8           matter where they reside.

9           (10) Rigorous and voluntary core American  
10          education content standards in mathematics and  
11          science will enable students to succeed in academic  
12          settings across States while ensuring an American  
13          edge in the global marketplace.

14 **SEC. 3. ASSESSING SCIENCE IN THE NATIONAL ASSESS-**  
15 **MENT OF EDUCATIONAL PROGRESS.**

16          (a) NATIONAL ASSESSMENT OF EDUCATIONAL  
17 PROGRESS AUTHORIZATION ACT.—Section 303 of the Na-  
18 tional Assessment of Educational Progress Authorization  
19 Act (20 U.S.C. 9622) is amended—

20           (1) in subsection (a), by striking “, State as-  
21           sessments,” and inserting “and State assessments in  
22           reading, mathematics, and science”;

23           (2) in subsection (b)—

24           (A) in paragraph (1), by inserting  
25           “science,” after “mathematics,”;

1 (B) in paragraph (2)—

2 (i) in subparagraph (B), by striking  
3 “reading and mathematics” and inserting  
4 “reading, mathematics, and science”;

5 (ii) in subparagraph (C), by striking  
6 “reading and mathematics” and inserting  
7 “reading, mathematics, and science”;

8 (iii) in subparagraph (D), by striking  
9 “science,”; and

10 (iv) in subparagraph (E), by striking  
11 “reading and mathematics” and inserting  
12 “reading, mathematics, and science”;

13 (C) in paragraph (3)—

14 (i) in subparagraph (A), by striking  
15 “reading and mathematics” each place the  
16 term occurs and inserting “reading, mathe-  
17 matics, and science”; and

18 (ii) in subparagraph (C)(ii), by strik-  
19 ing “reading and mathematics” and insert-  
20 ing “reading, mathematics, and science”;  
21 and

22 (D) in paragraph (4)(B), by striking “, re-  
23 quire, or influence” and inserting “or require”;

1           (3) in subsection (d)(3), by striking “reading  
2           and mathematics” each place the term occurs and  
3           inserting “reading, mathematics, and science”; and

4           (4) in subsection (f)(1)(B)(v), by striking “and  
5           mathematical knowledge” and inserting “, mathe-  
6           matical knowledge, and science knowledge”.

7           (b) ELEMENTARY AND SECONDARY EDUCATION ACT  
8           OF 1965.—Subpart 1 of part A of title I of the Elemen-  
9           tary and Secondary Education Act of 1965 (20 U.S.C.  
10          6311 et seq.) is amended—

11           (1) in section 1111(c)(2) (20 U.S.C.  
12          6311(c)(2))—

13           (A) by inserting “(and, for science, begin-  
14           ning with the 2010–2011 school year)” after  
15           “2002–2003”; and

16           (B) by striking “reading and mathe-  
17           matics” and inserting “reading, mathematics,  
18           and science”; and

19           (2) in section 1112(b)(1)(F) (20 U.S.C.  
20          6312(b)(1)(F)), by striking “reading and mathe-  
21          matics” and inserting “reading, mathematics, and  
22          science”.

1 **SEC. 4. DEFINITIONS.**

2 Section 304 of the National Assessment of Edu-  
3 cational Progress Authorization Act (20 U.S.C. 9623) is  
4 amended—

5 (1) in the matter preceding paragraph (1), by  
6 striking “In this title:” and inserting “Except as  
7 otherwise provided, in this title:”;

8 (2) by redesignating paragraph (2) as para-  
9 graph (3); and

10 (3) by inserting after paragraph (1) the fol-  
11 lowing:

12 “(2) SECRETARY.—The term ‘Secretary’ means  
13 the Secretary of Education.”.

14 **SEC. 5. VOLUNTARY AMERICAN EDUCATION CONTENT**  
15 **STANDARDS; AMERICAN STANDARDS INCEN-**  
16 **TIVE FUND.**

17 The National Assessment of Educational Progress  
18 Authorization Act (20 U.S.C. 9621 et seq.) is amended—

19 (1) by redesignating sections 304 (as amended  
20 by section 4) and 305 as sections 306 and 307, re-  
21 spectively; and

22 (2) by inserting after section 303 the following:

23 **“SEC. 304. CREATION OR ADOPTION OF VOLUNTARY AMER-**  
24 **ICAN EDUCATION CONTENT STANDARDS.**

25 “(a) IN GENERAL.—Not later than 3 years after the  
26 date of enactment of the Standards to Provide Edu-

1 cational Achievement for Kids Act and from amounts ap-  
2 propriated under section 307(a)(3) for a fiscal year, the  
3 Assessment Board shall create or adopt voluntary Amer-  
4 ican education content standards in mathematics and  
5 science covering kindergarten through grade 12.

6 “(b) DUTIES.—The Assessment Board shall imple-  
7 ment subsection (a) by carrying out the following duties:

8 “(1) Create or adopt voluntary American edu-  
9 cation content standards for mathematics and  
10 science covering kindergarten through grade 12 that  
11 reflect a common core of what students in the  
12 United States should know and be able to do to  
13 compete in a global economy.

14 “(2) Anchor the voluntary American education  
15 content standards based on the mathematics and  
16 science frameworks and the achievement levels under  
17 section 303(e) of the National Assessment of Edu-  
18 cational Progress for grades 4, 8, and 12.

19 “(3) Ensure that the voluntary American edu-  
20 cation content standards reflect international stand-  
21 ards of excellence and the latest developments in the  
22 fields of mathematics and science.

23 “(4) Review existing standards in mathematics  
24 and science developed by professional organizations.



1           “(5) Review State standards in mathematics  
2           and science as of the date of enactment of the  
3           Standards to Provide Educational Achievement for  
4           Kids Act and consult and work with entities that are  
5           developing, or have already developed, such State  
6           standards.

7           “(6) Review the reports, views, and analyses of  
8           a broad spectrum of experts, including classroom  
9           educators, and of the public, as such reports, views,  
10          and analyses relate to mathematics and science edu-  
11          cation, including—

12                   “(A) reviews of blue ribbon reports;

13                   “(B) exemplary practices in the field; and

14                   “(C) recent reports by government agen-  
15                   cies and professional organizations.

16          “(7) Review scientifically rigorous studies that  
17          examine the relationship between—

18                   “(A) the sequences of secondary school-  
19                   level mathematics and science courses; and

20                   “(B) student achievement.

21          “(8) Ensure that steps are taken in the devel-  
22          opment of the voluntary American education content  
23          standards to recognize the needs of students who re-  
24          ceive special education and related services under  
25          the Individuals with Disabilities Education Act (20

1 U.S.C. 1400 et seq.) and of students who are limited  
2 English proficient (as defined in section 9101 of the  
3 Elementary and Secondary Education Act of 1965  
4 (20 U.S.C. 7801)).

5 “(9) Solicit input from State and local rep-  
6 resentative organizations, mathematics and science  
7 organizations (including mathematics and science  
8 teacher organizations), institutions of higher edu-  
9 cation, higher education organizations, business or-  
10 ganizations, and other appropriate organizations.

11 “(10) Ensure that the voluntary American edu-  
12 cation content standards reflect what students will  
13 be required to know and be able to do after sec-  
14 ondary school graduation to be academically quali-  
15 fied to enter an institution of higher education or  
16 training for the civilian or military workforce.

17 “(11) Widely disseminate the voluntary Amer-  
18 ican education content standards for public review  
19 and comment before final adoption.

20 “(12) Provide for continuing review of the vol-  
21 untary American education content standards not  
22 less often than once every 10 years, which review—

23 “(A) shall solicit input from organizations  
24 and entities, including—

1           “(i) 1 or more professional mathe-  
2           matics or science organizations, including  
3           mathematics or science educator organiza-  
4           tions;

5           “(ii) the State educational agencies  
6           that have received American Standards In-  
7           centive Fund grants under section 305  
8           during the period covered by the review;  
9           and

10           “(iii) other organizations and entities,  
11           as determined appropriate by the Assess-  
12           ment Board; and

13           “(B) shall address issues including—

14           “(i) whether the voluntary American  
15           education content standards continue to  
16           reflect international standards of excellence  
17           and the latest developments in the fields of  
18           mathematics and science; and

19           “(ii) whether the voluntary American  
20           education content standards continue to  
21           reflect what students are required to know  
22           and be able to do in science and mathe-  
23           matics after graduation from secondary  
24           school to be academically qualified to enter  
25           an institution of higher education or train-

1                   ing for the civilian or military workforce,  
2                   as of the date of the review.

3 **“SEC. 305. THE AMERICAN STANDARDS INCENTIVE FUND.**

4           “(a) DEFINITIONS.—In this section:

5                   “(1) IN GENERAL.—The terms ‘elementary  
6                   school’, ‘local educational agency’, ‘professional de-  
7                   velopment’, ‘secondary school’, ‘State’, and ‘State  
8                   educational agency’ have the meanings given the  
9                   terms in section 9101 of the Elementary and Sec-  
10                  ondary Education Act of 1965 (20 U.S.C. 7801).

11                  “(2) ACADEMIC CONTENT STANDARDS.—The  
12                  term ‘academic content standards’ means the chal-  
13                  lenging academic content standards described in sec-  
14                  tion 1111(b)(1) of the Elementary and Secondary  
15                  Education Act of 1965 (20 U.S.C. 6311(b)(1)).

16                  “(3) LEVELS OF ACHIEVEMENT.—The term  
17                  ‘levels of achievement’ means the State levels of  
18                  achievement under subclauses (II) and (III) of sec-  
19                  tion 1111(b)(1)(D)(ii) of the Elementary and Sec-  
20                  ondary Education Act of 1965 (20 U.S.C.  
21                  6311(b)(1)(D)(ii) (II), (III)).

22                  “(4) STATE ACADEMIC ASSESSMENTS.—The  
23                  term ‘State academic assessments’ means the aca-  
24                  demic assessments for a State described in section

1 1111(b)(3) of the Elementary and Secondary Edu-  
2 cation Act of 1965 (20 U.S.C. 6311(b)(3)).

3 “(b) ESTABLISHMENT OF FUND.—From amounts  
4 appropriated under section 307(a)(4) for a fiscal year, the  
5 Secretary shall establish and fund the American Stand-  
6 ards Incentive Fund to carry out the grant program under  
7 subsection (e).

8 “(c) INCENTIVE GRANT PROGRAM AUTHORIZED.—

9 “(1) IN GENERAL.—Not later than 12 months  
10 after the Assessment Board adopts the voluntary  
11 American education content standards under section  
12 304, the Secretary shall use amounts available from  
13 the American Standards Incentive Fund to award,  
14 on a competitive basis, grants to State educational  
15 agencies to enable each State educational agency to  
16 adopt the voluntary American education content  
17 standards in mathematics and science as the core of  
18 the State’s academic content standards in mathe-  
19 matics and science by carrying out the activities de-  
20 scribed in subsection (f).

21 “(2) DURATION AND AMOUNT.—A grant under  
22 this subsection shall be awarded—

23 “(A) for a period of not more than 4 years;  
24 and

1           “(B) in an amount that is not more than  
2           \$4,000,000 over the period of the grant.

3           “(3) SEA COLLABORATION PERMITTED.—A  
4           State educational agency receiving a grant under  
5           this subsection may collaborate with another State  
6           educational agency receiving a grant under this sub-  
7           section in carrying out the activities described in  
8           subsection (f).

9           “(d) CORE STANDARDS.—A State educational agency  
10          receiving a grant under subsection (c) shall adopt and use  
11          the voluntary American education content standards in  
12          mathematics and science as the core of the State academic  
13          content standards in mathematics and science. The State  
14          educational agency may add additional standards to the  
15          voluntary American education content standards as part  
16          of the State academic content standards in mathematics  
17          and science.

18          “(e) STATE APPLICATION.—A State educational  
19          agency desiring to receive a grant under subsection (c)  
20          shall submit an application to the Secretary at such time,  
21          in such manner, and containing such information as the  
22          Secretary may require. The application shall include—

23                  “(1) timelines for carrying out each of the ac-  
24          tivities described in subsection (f)(1); and

1           “(2) a description of the activities that the  
2 State educational agency will undertake to imple-  
3 ment the voluntary American education content  
4 standards in mathematics and science adopted under  
5 section 304, and the achievement levels in mathe-  
6 matics and science developed under section 303(e)  
7 for the national and State assessments of the Na-  
8 tional Assessment of Educational Progress, at both  
9 the State educational agency and local educational  
10 agency levels, including any additional activities de-  
11 scribed in subsection (f)(2).

12           “(f) USE OF FUNDS.—

13           “(1) MANDATORY ACTIVITIES.—A State edu-  
14 cational agency receiving a grant under subsection  
15 (c) shall use grant funds to carry out all of the fol-  
16 lowing:

17           “(A) Adopt the voluntary American edu-  
18 cation content standards in mathematics and  
19 science as the core of the State’s academic con-  
20 tent standards in mathematics and science not  
21 later than 2 years after the receipt of a grant  
22 under subsection (c).

23           “(B) Align the teacher certification or li-  
24 censure, pre-service, and professional develop-  
25 ment requirements of the State to the voluntary

1 American education content standards in math-  
2 ematics and science not later than 3 years after  
3 the receipt of the grant.

4 “(C) Align the State academic assessments  
5 in mathematics and science (or develop new  
6 such State academic assessments that are  
7 aligned) with the voluntary American education  
8 content standards in mathematics and science  
9 not later than 4 years after the receipt of the  
10 grant.

11 “(D) Align the State levels of achievement  
12 in mathematics and science with the student  
13 achievement levels in mathematics and science  
14 developed under section 303(e) for the national  
15 and State assessments of the National Assess-  
16 ment of Educational Progress not later than 4  
17 years after the receipt of the grant.

18 “(E) Develop dissemination, technical as-  
19 sistance, and professional development activities  
20 for the purpose of educating local educational  
21 agencies and schools on what the standards  
22 adopted by the State educational agency under  
23 this section are and how the standards can be  
24 incorporated into classroom instruction.



1           “(2) PERMISSIVE ACTIVITIES.—A State edu-  
2           cational agency receiving a grant under subsection  
3           (c) may use the grant funds to carry out, at the  
4           local educational agency or State educational agency  
5           level, any of the following activities:

6                   “(A) Developing curricula and instruc-  
7                   tional materials in mathematics or science that  
8                   are aligned with the voluntary American edu-  
9                   cation content standards in mathematics and  
10                  science.

11                  “(B) Conducting other activities needed for  
12                  the implementation of the voluntary American  
13                  education content standards in mathematics  
14                  and science.

15                  “(3) PRIORITY.—In awarding grants under  
16                  subsection (c), the Secretary shall give priority to a  
17                  State educational agency that will use the grant  
18                  funds to carry out subparagraph (A) of paragraph  
19                  (2).

20                  “(g) AWARD BASIS.—In determining the amount of  
21                  a grant under subsection (c), the Secretary shall take into  
22                  consideration—

23                   “(1) the extent to which a State’s academic  
24                   content standards, State academic assessments, lev-  
25                   els of achievement in mathematics and science, and

1 teacher certification or licensure, pre-service, and  
2 professional development requirements, must be re-  
3 vised to align such State standards, assessments,  
4 levels, and teacher requirements with the voluntary  
5 American education content standards created or  
6 adopted under section 304 and the achievement lev-  
7 els in mathematics and science developed under sec-  
8 tion 303(e); and

9 “(2) the planned activities described in the ap-  
10 plication submitted under subsection (e).

11 “(h) ANNUAL STATE EDUCATIONAL AGENCY RE-  
12 PORTS.—A State educational agency receiving a grant  
13 under subsection (c) shall submit an annual report to the  
14 Secretary demonstrating the State educational agency’s  
15 progress in meeting the timelines described in the applica-  
16 tion under subsection (e)(1).

17 “(i) GRANTS FOR DOD AND BIA SCHOOLS.—

18 “(1) DEPARTMENT OF DEFENSE SCHOOLS.—  
19 From amounts available from the American Stand-  
20 ards Incentive Fund, the Secretary, upon application  
21 by the Secretary of Defense, may award grants  
22 under subsection (c) to the Secretary of Defense on  
23 behalf of elementary schools and secondary schools  
24 operated by the Department of Defense to enable  
25 the Secretary of Defense to carry out activities simi-

1 lar to the activities described in subsection (f) for  
2 the elementary schools and secondary schools oper-  
3 ated by the Department of Defense.

4 “(2) BUREAU OF INDIAN AFFAIRS SCHOOLS.—  
5 From amounts available from the American Stand-  
6 ards Incentive Fund, the Secretary, in consultation  
7 with the Secretary of the Interior, may award grants  
8 under subsection (c) to the Bureau of Indian Affairs  
9 on behalf of elementary schools and secondary  
10 schools operated or funded by the Department of the  
11 Interior to enable the Director of the Bureau of In-  
12 dian Affairs to carry out activities similar to the ac-  
13 tivities described in subsection (f) for the elementary  
14 schools and secondary schools operated or funded by  
15 the Department of the Interior.

16 “(j) STUDY.—Not later than 2 years after the com-  
17 pletion of the first 4-year grant cycle for grants under this  
18 section, the Commissioner for Education Statistics shall  
19 carry out a study comparing the gap between the reported  
20 proficiency on State academic assessments and assess-  
21 ments under section 303 for State educational agencies  
22 receiving grants under subsection (c), before and after the  
23 State adopts the voluntary American education content  
24 standards in mathematics and science as the core of the

1 State education content standards in mathematics and  
2 science. The study shall—

3 “(1) include an analysis of, for each State re-  
4 ceiving a grant under subsection (c) and for the  
5 United States, the gaps in reported proficiency in  
6 mathematics and in science before and after the  
7 adoption of the voluntary American education con-  
8 tent standards, for each grade of students subject to  
9 the assessments under section 303; and

10 “(2) further disaggregate the information de-  
11 scribed in paragraph (1) by the race, ethnicity, gen-  
12 der, disability status, migrant status, English pro-  
13 ficiency, and economically disadvantaged status of  
14 the students, except that such disaggregation shall  
15 not be required in a case in which the number of  
16 students in a category is insufficient to yield statis-  
17 tically reliable information or the results would re-  
18 veal personally identifiable information about an in-  
19 dividual student.

20 “(k) DATA GRANTS.—

21 “(1) PROGRAM AUTHORIZED.—

22 “(A) IN GENERAL.—From amounts appro-  
23 priated under section 307(a)(4), the Secretary  
24 shall award, to each State educational agency  
25 that meets the requirements of paragraph (3),

1 a grant to enhance statewide student level lon-  
2 gitudinal data systems as those systems relate  
3 to the requirements of part A of title I of the  
4 Elementary and Secondary Education Act of  
5 1965 (20 U.S.C. 6311 et seq.).

6 “(B) DATA AUDIT SYSTEM.—The State,  
7 through the implementation of such enhanced  
8 data system, shall—

9 “(i) ensure that the State has in place  
10 a State data audit system to assess data  
11 quality, validity, and reliability; and

12 “(ii) provide guidance, technical as-  
13 sistance, and professional development to  
14 local educational agencies to ensure local  
15 education officials and educators have the  
16 tools, knowledge, and protocol necessary to  
17 use the enhanced data system properly, en-  
18 sure the integrity of the data, and be able  
19 to use the data to inform education policy  
20 and practice.

21 “(2) AMOUNT OF GRANT.—A grant awarded to  
22 a State educational agency under this subsection  
23 shall be in an amount equal to 5 percent of the  
24 amount allocated to the State under section 1122 of  
25 the Elementary and Secondary Education Act of

1 1965 (20 U.S.C. 6332). If the amounts available  
2 from the American Standards Incentive Fund are  
3 insufficient to pay the full amounts of grants under  
4 this paragraph to all State educational agencies that  
5 receive a grant under this subsection, then the Sec-  
6 retary shall ratably reduce the amount of all grants  
7 under this subsection.

8 “(3) REQUIREMENTS.—In order to receive a  
9 grant under this subsection, a State educational  
10 agency shall—

11 “(A) have received a grant under sub-  
12 section (c); and

13 “(B) successfully demonstrate to the Sec-  
14 retary that the State has aligned—

15 “(i) the State’s academic content  
16 standards and State academic assessments  
17 in mathematics and science, and the  
18 State’s teacher certification or licensure,  
19 pre-service, and professional development  
20 requirements, with the voluntary American  
21 education content standards in mathe-  
22 matics and science; and

23 “(ii) the State levels of achievement in  
24 mathematics and science for grades 4, 8,  
25 and 12, with the achievement levels in

1                   mathematics and science developed under  
2                   section 303(e) for such grades.

3                   “(4) NATURE OF GRANT.—A grant under this  
4                   subsection to a State educational agency shall be in  
5                   addition to any grant awarded to the State edu-  
6                   cational agency under subsection (c).

7                   “(5) LIMIT ON NUMBER OF GRANTS.—In no  
8                   case shall a State educational agency receive more  
9                   than 1 grant under this subsection.

10                  “(l) REPORTS TO CONGRESS.—Not later than 2 years  
11                  after the date of enactment of the Standards to Provide  
12                  Educational Achievement for Kids Act, and every 2 years  
13                  thereafter, the Secretary shall report to Congress regard-  
14                  ing the status of all grants awarded under this section.

15                  “(m) RULE OF CONSTRUCTION.—Nothing in this sec-  
16                  tion shall be construed to establish a preferred national  
17                  curriculum or preferred teaching methodology for elemen-  
18                  tary school or secondary school instruction.

19                  “(n) TIMELINE EXTENSION.—The Secretary may ex-  
20                  tend the 12-year requirement under section 1111(b)(2)(F)  
21                  of the Elementary and Secondary Education Act of 1965  
22                  (20 U.S.C. 6311(b)(2)(F)) by not less than 2 years and  
23                  by not more than 4 years for a State served by a State  
24                  educational agency that receives grants under subsections  
25                  (c) and (k).”.

1 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

2 Section 307(a) of the National Assessment of Edu-  
3 cational Progress Authorization Act (as redesignated by  
4 section 5(1)) (20 U.S.C. 9624(a)) is amended to read as  
5 follows:

6 “(a) IN GENERAL.—There are authorized to be ap-  
7 propriated—

8 “(1) to carry out section 302, \$8,750,000 for  
9 fiscal year 2010 and such sums as may be necessary  
10 for each succeeding fiscal year;

11 “(2) to carry out section 303, \$200,000,000 for  
12 fiscal year 2010 and such sums as may be necessary  
13 for each succeeding fiscal year;

14 “(3) to carry out section 304, \$3,000,000 for  
15 fiscal year 2010 and such sums as may be necessary  
16 for each succeeding fiscal year; and

17 “(4) to carry out section 305, \$400,000,000 for  
18 fiscal year 2010 and such sums as may be necessary  
19 for each succeeding fiscal year.”.

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