

112TH CONGRESS  
1ST SESSION

# S. 851

To establish expanded learning time initiatives, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

APRIL 14, 2011

Mr. HARKIN (for himself, Mr. BINGAMAN, Mr. BENNET, Mr. FRANKEN, Mr. BROWN of Ohio, and Mrs. GILLIBRAND) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To establish expanded learning time initiatives, and for other purposes.

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

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Time for Innovation  
5       Matters in Education Act of 2011”.

6       **SEC. 2. FINDINGS.**

7       Congress finds the following:

8               (1) Although the demands of our global society  
9       have grown and expectations of our students and  
10       schools have risen, the time allotted for students and

1 teachers to reach these standards has remained the  
2 same for decades.

3 (2) The near-universal school calendar, con-  
4 sisting of 180 6-hour days, has not changed since  
5 the school calendar was designed to meet the needs  
6 of farms and factories in the early 20th century.

7 (3) According to the Programme for Inter-  
8 national Student Assessment (PISA), which meas-  
9 ures how well students from more than 70 econo-  
10 mies are prepared to meet the challenges they may  
11 encounter in the future, students in the United  
12 States have maintained a status quo for nearly 1  
13 decade, while the mathematics and reading ratings  
14 of students from other high-performing nations sur-  
15 pass the ratings of students in the United States.

16 (4) Quality expanded learning programs, which  
17 provide students with more than 300 additional  
18 school hours per year, have demonstrated success in  
19 improving student academic performance across the  
20 United States.

21 (5) Expanded learning time initiatives can ad-  
22 dress the diverse academic needs and interests of  
23 students and modernize public schools to help stu-  
24 dents develop 21st century learning skills and pre-  
25 pare all students for life-long success.

1           (6) As of the date of enactment of this Act,  
2           most expanded learning opportunities are offered  
3           through charter schools or schools with independent  
4           organizational structures, but expanded learning  
5           time could positively impact all public school stu-  
6           dents, from prekindergarten through grade 12.

7 **SEC. 3. PURPOSES.**

8           The purposes of this Act are—

9           (1) to increase opportunities for students in  
10          high-need schools to participate in expanded learning  
11          time initiatives, including expanded school days, ex-  
12          panded school weeks, or expanded school years, in  
13          order to increase student academic achievement and  
14          student engagement and success in schools, by—

15                (A) providing students with more in-depth  
16                and rigorous learning opportunities in reading  
17                or language arts, mathematics, science, history  
18                and civics, and other core academic subjects;

19                (B) providing students with more time for  
20                additional subjects and enrichment activities  
21                that contribute to a well-rounded education,  
22                which may include music and the arts, physical  
23                education, service-learning, and experiential and  
24                work-based learning opportunities (such as

1 community service, learning apprenticeships, in-  
2 ternships, and job shadowing); and

3 (C) providing teachers with increased op-  
4 portunities to work collaboratively, and to par-  
5 ticipate in common planning, within and across  
6 grades and subjects, to improve instruction;

7 (2) to improve teaching and learning by using  
8 expanded learning, including school redesign, to—

9 (A) create a seamless program or cur-  
10 rriculum with regular and expanded teaching  
11 and learning opportunities within a school pro-  
12 gram that is comprehensively redesigned for  
13 students and teachers; and

14 (B) improve access to instructional sup-  
15 ports for academically struggling students;

16 (3) to encourage States, local educational agen-  
17 cies, and schools to develop high-quality, innovative,  
18 replicable, and sustainable initiatives to expand  
19 learning time, including using school redesign; and

20 (4) to create partnerships between schools and  
21 local educational agencies, and external organiza-  
22 tions such as community-based organizations, insti-  
23 tutions of higher education, community learning cen-  
24 ters, cultural organizations, and health and mental

1 health agencies to provide expanded learning oppor-  
2 tunities for students.

3 **SEC. 4. DEFINITIONS AND REFERENCES.**

4 (a) DEFINITIONS.—In this Act:

5 (1) ELEMENTARY AND SECONDARY EDUCATION  
6 ACT TERMS.—The terms “community-based organi-  
7 zation”, “core academic subjects”, “elementary  
8 school”, “highly qualified”, “institution of higher  
9 education”, “local educational agency”, “other  
10 staff”, “parent”, “professional development”, “sec-  
11 ondary school”, “Secretary”, “State”, and “State  
12 educational agency” have the meanings given the  
13 terms in section 9101 of the Elementary and Sec-  
14 ondary Education Act of 1965 (20 U.S.C. 7801).

15 (2) COMMUNITY LEARNING CENTER.—The term  
16 “community learning center” means a community  
17 learning center, as defined in section 4201(b) of the  
18 Elementary and Secondary Education Act of 1965  
19 (20 U.S.C. 7171(b)), that receives assistance under  
20 part B of title IV of such Act.

21 (3) ELIGIBLE ENTITY.—The term “eligible enti-  
22 ty” means—

23 (A) 1 or more local educational agencies;  
24 or

1 (B) a partnership that includes 1 or more  
 2 local educational agencies and 1 or more of the  
 3 following:

4 (i) A nonprofit community-based orga-  
 5 nization, such as—

6 (I) an organization with dem-  
 7 onstrated experience in expanding  
 8 learning opportunities and helping  
 9 schools redesign their educational pro-  
 10 grams to better meet student needs;  
 11 or

12 (II) an organization focused on  
 13 alternative learning or dropout pre-  
 14 vention.

15 (ii) An institution of higher education.

16 (iii) A community learning center.

17 (iv) An entity that is carrying out an  
 18 after-school program.

19 (v) A public or nonprofit entity.

20 (4) EXPANDED LEARNING TIME INITIATIVE.—

21 The term “expanded learning time initiative” means  
 22 a program that—

23 (A) uses an expanded school day, expanded  
 24 school week, or expanded school year schedule,  
 25 that increases the total number of school hours

1 for the school year at a school by not less than  
2 300 hours (which shall include hours in which  
3 a student is engaged in academic activities, ex-  
4 periential learning, work-based learning, and  
5 enrichment, but shall not include hours in  
6 which a student is engaged in sports or employ-  
7 ment activities)—

8 (i) compared to the school year that is  
9 standard for the local educational agency  
10 serving the school, for schools of the com-  
11 parable level (elementary school, middle  
12 school, or high school, as defined under ap-  
13 plicable State law); or

14 (ii) in the case of a charter school  
15 that is its own local educational agency,  
16 compared to the school year that is stand-  
17 ard for local educational agencies in the  
18 surrounding area, for schools of the com-  
19 parable level;

20 (B) uses the expanded learning time in-  
21 volved to redesign the school's program in a  
22 manner that includes additional time—

23 (i) for academic work, and to support  
24 innovation in teaching, to improve the pro-  
25 ficiency of participating students (particu-

1 larly struggling students) in reading or  
2 language arts, mathematics, science, his-  
3 tory and civics, and other core academic  
4 subjects;

5 (ii) to advance student learning for all  
6 students, including those who already meet  
7 or exceed student academic achievement  
8 standards, as measured by State academic  
9 assessments required under section  
10 1111(b)(3) of the Elementary and Sec-  
11 ondary Education Act of 1965 (20 U.S.C.  
12 6311(b)(3));

13 (iii) for additional subjects and en-  
14 richment activities that contribute to a  
15 well-rounded education, which may include  
16 music and the arts, physical education,  
17 service-learning, and experiential and  
18 work-based learning opportunities (such as  
19 community service, learning apprentice-  
20 ships, internships, and job shadowing); and

21 (iv) for teachers for collaboration, and  
22 common planning, within and across  
23 grades and subjects; and



1 (C) will expand learning time for all stu-  
2 dents in all grade levels in the school, except  
3 that—

4 (i) the program shall not require sec-  
5 ondary schools to have all students on  
6 campus at all times; and

7 (ii) a school that includes an on-site  
8 prekindergarten-level program may choose  
9 whether or not to expand the learning time  
10 of such program, however, if the school de-  
11 cides to provide expanded learning time for  
12 prekindergarten, the school must do so for  
13 all students enrolled in prekindergarten at  
14 the school.

15 (5) EXPANDED LEARNING TIME SCHOOL.—The  
16 term “expanded learning time school” means a  
17 school that has implemented an expanded learning  
18 time initiative using funds received under this Act.

19 (6) GRADUATION RATE.—The term “graduation  
20 rate” means a graduation rate as defined in section  
21 1111(b)(2)(C)(vi) of the Elementary and Secondary  
22 Education Act of 1965 (20 U.S.C.  
23 6311(b)(2)(C)(vi)) and clarified by section 200.19(b)  
24 of title 34, Code of Federal Regulations, or any cor-  
25 responding similar regulation or ruling.

1 (7) HIGH-NEED SCHOOL.—

2 (A) IN GENERAL.—The term “high-need  
3 school” means—

4 (i) a public elementary school or sec-  
5 ondary school at which 50 percent or more  
6 of the students are low-income students; or

7 (ii) a high school with a graduation  
8 rate of less than 75 percent.

9 (8) HIGH SCHOOL.—The term “high school”  
10 means a public high school, as defined under appli-  
11 cable State law.

12 (9) LOW-INCOME STUDENT.—The term “low-in-  
13 come student” means a student who is eligible to be  
14 counted under 1 of the measures of poverty de-  
15 scribed in section 1113(a)(5) of the Elementary and  
16 Secondary Education Act of 1965 (20 U.S.C.  
17 6313(a)(5)).

18 (10) REDESIGN.—The term “redesign”, used  
19 with respect to a school or school program, means  
20 a process to significantly reconfigure a school’s or  
21 program’s schedule in a manner that more effec-  
22 tively utilizes students and teachers’ time, including  
23 providing additional time—

1 (A) for academic work and to support in-  
2 novation in the teaching of core academic sub-  
3 jects;

4 (B) for teachers to collaborate and conduct  
5 common planning; and

6 (C) for innovative approaches to providing  
7 academic, experiential, and work-based learning  
8 opportunities.

9 (b) REFERENCES.—In this Act—

10 (1) a reference to a school day, school week, or  
11 school year includes a reference to a combination  
12 thereof; and

13 (2) a reference to a school day, school week, or  
14 school year program (or schedule) includes a ref-  
15 erence to a combination thereof.

16 **SEC. 5. PROGRAM AUTHORIZED.**

17 (a) GRANTS TO STATE EDUCATIONAL AGENCIES.—  
18 From the amount appropriated under section 12, the Sec-  
19 retary is authorized to award grants on a competitive basis  
20 under section 6 to State educational agencies having appli-  
21 cations approved pursuant to section 6(c) to enable such  
22 agencies to award subgrants on a competitive basis to eli-  
23 gible entities as described in sections 7 and 8.

1 (b) RESERVATION.—From the amount made avail-  
2 able under this Act for each fiscal year, the Secretary may  
3 reserve—

4 (1) 3 percent of the amount to carry out the ac-  
5 tivities described in section 10; and

6 (2) from the remainder—

7 (A) not more than 20 percent of the re-  
8 mainder to award grants under section 9; and

9 (B) not more than \$1,000,000 to carry out  
10 the review of applications for, selection of re-  
11 cipients of, and distribution of, grants to State  
12 educational agencies and eligible entities under  
13 sections 6 and 9.

14 **SEC. 6. GRANTS TO STATE EDUCATIONAL AGENCIES.**

15 (a) GRANTS.—

16 (1) IN GENERAL.—The Secretary is authorized  
17 to award grants to State educational agencies on a  
18 competitive basis to assist the agencies in developing  
19 State expanded learning time grant programs in ac-  
20 cordance with this Act, which shall involve awarding  
21 subgrants on a competitive basis to eligible entities  
22 in accordance with this Act, to plan and implement  
23 expanded learning time initiatives in high-need  
24 schools.

1           (2) DISTRIBUTION.—The Secretary shall ensure  
2           that grants awarded under this section and section  
3           9 are distributed to State educational agencies and  
4           eligible entities from diverse geographical regions.

5           (b) DURATION.—The Secretary shall award grants  
6           described in subsection (a) for an initial period of not  
7           more than 4 years, and shall renew a State educational  
8           agency’s grant for an additional period of not more than  
9           2 years if the Secretary finds that the State educational  
10          agency is achieving the objectives of the grant and has  
11          shown improvement against baseline data on the perform-  
12          ance indicators described in subsection (d)(4).

13          (c) APPLICATIONS.—Each State educational agency  
14          desiring to receive a grant under this section shall submit  
15          an application to the Secretary at such time, in such man-  
16          ner, and accompanied by such information as the Sec-  
17          retary may require. At a minimum, each State educational  
18          agency application shall include—

19                (1) a description of how the State educational  
20                agency will use grant funds under this section;

21                (2) a description of the peer review process and  
22                selection criteria the State educational agency will  
23                use to evaluate applications from, and select, eligible  
24                entities to receive expanded learning time planning  
25                and implementation subgrants, which shall include—

1 (A) a description of how the State edu-  
2 cational agency will assess the capacity of eligi-  
3 ble entities to plan and implement high-quality  
4 expanded learning time initiatives; and

5 (B) a description of how the State edu-  
6 cational agency will prioritize applications from  
7 eligible entities that meet the requirements of  
8 section 7(f);

9 (3) a description of the process the State edu-  
10 cational agency will use to encourage local edu-  
11 cational agencies and schools, especially local edu-  
12 cational agencies and schools with a high percentage  
13 of low-income students, to implement expanded  
14 learning time initiatives;

15 (4) a description of how the State educational  
16 agency will provide, or has provided, technical assist-  
17 ance and support to eligible entities, local edu-  
18 cational agencies, and schools receiving funds  
19 through the State educational agency under this Act,  
20 in implementing expanded learning time initiatives,  
21 including—

22 (A) assisting local educational agencies in  
23 identifying potential partners that are external  
24 organizations with demonstrated experience in  
25 expanding learning opportunities and helping

1 schools redesign their educational programs to  
2 better meet student needs; and

3 (B) assisting eligible entities, local edu-  
4 cational agencies, and schools in collecting, re-  
5 viewing, and analyzing data on student aca-  
6 demic achievement;

7 (5) a description of how the State educational  
8 agency will use the expanded learning time grant  
9 program, and lessons learned from such program—

10 (A) to improve schools that have not made  
11 adequate yearly progress under section  
12 1111(b)(2) of the Elementary and Secondary  
13 Education Act of 1965 (20 U.S.C. 6311(b)(2))  
14 for 2 or more consecutive years; and

15 (B) to improve student academic achieve-  
16 ment at such schools;

17 (6) a description of how the State educational  
18 agency will evaluate, on a regular basis, activities  
19 carried out by eligible entities receiving funds  
20 through the State educational agency under this Act;

21 (7) a description of how the State educational  
22 agency will collect, analyze, and disseminate, to local  
23 educational agencies and other schools within the  
24 State, information on best practices learned from

1 schools receiving funding under this Act, including  
2 best practices for—

3 (A) improving schools that have not made  
4 adequate yearly progress under section  
5 1111(b)(2) of the Elementary and Secondary  
6 Education Act of 1965 (20 U.S.C. 6311(b)(2))  
7 for 2 or more years; and

8 (B) improving student academic achieve-  
9 ment at such schools;

10 (8) an assurance that the State educational  
11 agency, and any eligible entity receiving funds  
12 through the State educational agency under this Act,  
13 will, if requested, participate in the evaluation de-  
14 scribed in section 10(b)(3); and

15 (9) information identifying the per-pupil fund-  
16 ing amount range the State will use to establish the  
17 correct amount of subgrants that will be awarded to  
18 local educational agencies under section 8(c).

19 (d) AUTHORIZED ACTIVITIES.—

20 (1) DISTRIBUTION.—A State educational agen-  
21 cy that receives a grant under this section—

22 (A) may reserve not more than 10 percent  
23 of the grant funds to carry out the activities de-  
24 scribed in paragraphs (2) through (4); and



1 (B) shall use an amount consisting of not  
2 less than 90 percent of the grant funds to  
3 award subgrants, on a competitive basis, to eli-  
4 gible entities under section 7 or section 8 to en-  
5 able the eligible entities to carry out the author-  
6 ized activities described in section 7(e) or 8(f),  
7 except that not more than 10 percent of that  
8 amount shall be used for subgrants under sec-  
9 tion 7.

10 (2) STATE-LEVEL PLANNING AND ADMINISTRA-  
11 TION.—A State educational agency that receives a  
12 grant under this section may use grant funds re-  
13 served under paragraph (1)(A) for planning and ad-  
14 ministration, including—

15 (A) evaluating applications from eligible  
16 entities;

17 (B) administering the distribution of sub-  
18 grants to eligible entities; and

19 (C) assessing and evaluating, on a regular  
20 basis, activities carried out by eligible entities  
21 receiving funds through the State educational  
22 agency under this Act.

23 (3) TECHNICAL ASSISTANCE FOR ELIGIBLE EN-  
24 TITIES.—A State educational agency that receives a  
25 grant under this section may use grant funds re-

1 served under paragraph (1)(A) for technical assist-  
2 ance, including—

3 (A) assisting eligible entities in planning  
4 and implementing expanded learning time ini-  
5 tiatives, including assisting local educational  
6 agencies in identifying potential partners that  
7 are external organizations with demonstrated  
8 experience in expanding learning opportunities  
9 and helping schools redesign their educational  
10 programs to better meet student needs;

11 (B) implementing a program of profes-  
12 sional development for teachers and administra-  
13 tors, in schools that receive funding under this  
14 Act, that prepares teachers and administrators  
15 to implement the authorized activities described  
16 in section 8(f); and

17 (C) identifying best practices for using ex-  
18 panded learning time to improve student aca-  
19 demic achievement in schools that have not  
20 made adequate yearly progress under section  
21 1111(b)(2) of the Elementary and Secondary  
22 Education Act of 1965 (20 U.S.C. 6311(b)(2))  
23 for 2 or more years, and providing technical as-  
24 sistance to local educational agencies in using

1           such best practices to implement expanded  
2           learning time in such schools.

3           (4) EVALUATION AND REPORTING.—A State  
4           educational agency that receives a grant under this  
5           section shall annually prepare and submit to the  
6           Secretary a report that contains all reports sub-  
7           mitted by eligible entities under section 8(g), and  
8           provide an evaluation of progress made by eligible  
9           entities in improving the following (disaggregated by  
10          the student subgroups described in section  
11          1111(b)(2)(C)(v)(II) of the Elementary and Sec-  
12          ondary Education Act of 1965):

13                 (A) student academic achievement and  
14                 growth, as measured by State academic assess-  
15                 ments required under section 1111(b)(3) of the  
16                 Elementary and Secondary Education Act of  
17                 1965;

18                 (B) for high schools—

19                         (i) graduation rates;

20                         (ii) rates of student enrollment in an  
21                         institution of higher education (as defined  
22                         under section 101(a) of the Higher Edu-  
23                         cation Act of 1965) within 16 months of  
24                         receiving a regular high school diploma;  
25                         and

1 (iii) rates of remediation and credit  
2 accumulation of students who enroll in a  
3 public institution of higher education (as  
4 defined in section 101(a) of the Higher  
5 Education Act of 1965) within the State;

6 (C) performance on a set of comprehensive  
7 school performance indicators, which—

8 (i) shall include—

9 (I) student attendance;

10 (II) as appropriate, rate of  
11 earned on-time promotion from grade  
12 to grade;

13 (III) percentage of students fail-  
14 ing a credit-bearing mathematics,  
15 reading or language arts, or science  
16 course, or failing 2 or more courses in  
17 any subjects; and

18 (IV) for high schools, the per-  
19 centage of students taking a cur-  
20 riculum that prepares students for  
21 postsecondary education; and

22 (ii) for high schools, may include stu-  
23 dent rates of attainment of an associate or  
24 baccalaureate degree within 4, 5, and 6  
25 years.

1 (e) MATCH.—

2 (1) IN GENERAL.—Each State educational  
3 agency that receives a grant under this section shall  
4 provide matching funds to carry out the activities  
5 supported by the grant in an amount not less  
6 than—

7 (A) for the first year of an initial grant  
8 under this section, 10 percent of the cost of the  
9 activities;

10 (B) for the second year of such a grant, 20  
11 percent of the cost of the activities;

12 (C) for the third year of such grant, or the  
13 first year of a subsequent grant under this sec-  
14 tion, 25 percent of the cost of the activities; and

15 (D) for the second or any succeeding year  
16 of such subsequent grant, 30 percent of the  
17 cost of the activities.

18 (2) MATCHING FUNDS.—The State educational  
19 agency may provide the matching funds in cash or  
20 in kind, fairly evaluated, including plant, equipment,  
21 or services, but may not provide more than 50 per-  
22 cent of the matching funds in kind. The State edu-  
23 cational agency may provide the matching funds  
24 from State, local, or private sources.

1 (f) SUPPLEMENT NOT SUPPLANT.—Funds used to  
2 make grants under this Act shall be used to supplement  
3 and not supplant other Federal, State, and local public  
4 funds expended to plan or implement expanded learning  
5 time initiatives.

6 **SEC. 7. EXPANDED LEARNING TIME PLANNING SUB-**  
7 **GRANTS.**

8 (a) SUBGRANTS AUTHORIZED.—A State educational  
9 agency receiving a grant under section 6 is authorized to  
10 award expanded learning time planning subgrants, on a  
11 competitive basis, to eligible entities.

12 (b) DURATION.—The State educational agency shall  
13 award each subgrant described in subsection (a) for a pe-  
14 riod of not more than 1 year. Such grants shall be non-  
15 renewable.

16 (c) SUBGRANT AMOUNT.—The State educational  
17 agency shall award each subgrant described in subsection  
18 (a) in an amount that is not less than \$15,000 and not  
19 more than \$60,000.

20 (d) APPLICATIONS.—Each eligible entity desiring to  
21 receive an expanded learning time planning subgrant pur-  
22 suant to this section shall submit an application to the  
23 State educational agency at such time and in such manner  
24 as the agency may require. At a minimum, the eligible  
25 entity's application shall include—

1           (1) a description of the eligible entity’s proposal  
2           to establish expanded learning time initiatives, in-  
3           cluding school redesign, at high-need schools served  
4           by the eligible entity;

5           (2) information identifying the number of high-  
6           need schools the eligible entity proposes to serve  
7           using funds made available under this Act, and a de-  
8           scription of the process, considerations, and criteria  
9           the eligible entity will use to select schools to imple-  
10          ment the expanded learning time initiatives—

11           (A) which considerations shall include the  
12           percentage of low-income students attending  
13           each school; and

14           (B) which criteria shall include the local  
15           educational agency’s determination of the ca-  
16           pacity of each school to implement successfully  
17           a proposed expanded learning time initiative;

18          (3) a description of the process by which the el-  
19          igible entity will ensure the meaningful involvement  
20          of teachers, teacher organizations, parents, and com-  
21          munity-based organizations in the development of  
22          the expanded learning time initiatives;

23          (4) a description of how the local educational  
24          agency involved and participating high-need schools  
25          will work with external organizations that comprise

1 the eligible entity involved, and any other external  
2 organizations as applicable (such as a community-  
3 based organization, an institution of higher edu-  
4 cation, a community learning center, an entity car-  
5 rying out an after-school program, or an organiza-  
6 tion that will provide students with internships and  
7 work-based learning opportunities) to develop and  
8 implement expanded learning time initiatives;

9 (5) an assurance that the eligible entity has the  
10 infrastructure in place to collect the data necessary  
11 for an evaluation of the impact of the expanded  
12 learning time initiatives on student academic  
13 achievement, graduation rates, and indicators de-  
14 scribed in section 6(d)(4), to be submitted in the re-  
15 port described in section 8(g); and

16 (6) an assurance that each participating local  
17 educational agency will use the subgrant period to  
18 negotiate and reach an agreement with the recog-  
19 nized representatives of the employees of each par-  
20 ticipating high-need school served by the agency or,  
21 where there is no such representative, with the em-  
22 ployees of each participating high-need school served  
23 by the agency.

24 (e) AUTHORIZED ACTIVITIES.—An eligible entity re-  
25 ceiving a subgrant under this section shall use the



1 subgrant funds to develop a detailed plan to implement  
2 expanded learning time initiatives at high-need schools  
3 served by the eligible entity, as specified in this section.

4 (f) PRIORITY.—In awarding subgrants under this  
5 section, a State educational agency shall give priority to  
6 an application from an eligible entity that—

7 (1) serves a high percentage of students eligible  
8 to be counted under section 1124(c)(1)(A) of the El-  
9 elementary and Secondary Education Act of 1965 (20  
10 U.S.C. 6333(c)(1)(A));

11 (2) includes a nonprofit community-based orga-  
12 nization with a demonstrated record of success in  
13 expanding learning opportunities or helping schools  
14 redesign their educational programs to better meet  
15 student needs;

16 (3) has identified a coordinator at each high-  
17 need school that will participate in the expanded  
18 learning time initiative to support the integration  
19 and alignment of community partners for the school,  
20 and the programming of such partners, throughout  
21 the expanded school day, week, or year;

22 (4) will require each high-need school that will  
23 participate in the expanded learning time initiative  
24 to have a partnership agreement, signed by rep-

1 representatives of the school and all community part-  
2 ners that will be part of the initiative, that—

3 (A) shows commitment from teachers,  
4 school leaders, and the staff of community part-  
5 ners to work collaboratively to implement the  
6 expanded learning time initiative;

7 (B) sets clear expectations, including  
8 measurable goals for all community partners;  
9 and

10 (C) shows that staff from all community  
11 partners are committed to collecting and report-  
12 ing to the school relevant data about the par-  
13 ticipation, performance, and outcomes of ex-  
14 panded learning time programs in order to  
15 monitor progress toward achieving such goals,  
16 and that the school is committed to sharing in-  
17 formation with the community partners, as nec-  
18 essary and appropriate, to assist the community  
19 partners in meeting such goals; and

20 (5) will coordinate funds received under this  
21 Act with other Federal, State, local, or private  
22 sources of funding in order to implement high-qual-  
23 ity expanded learning time initiatives in partici-  
24 pating schools.

1 **SEC. 8. EXPANDED LEARNING TIME IMPLEMENTATION**  
2 **SUBGRANTS.**

3 (a) **SUBGRANTS AUTHORIZED.**—A State educational  
4 agency receiving a grant under section 6 is authorized to  
5 award expanded learning time implementation subgrants,  
6 on a competitive basis, to eligible entities that have re-  
7 ceived subgrants pursuant to section 7.

8 (b) **DURATION.**—The State educational agency shall  
9 award each subgrant described in subsection (a) for an  
10 initial period of not more than 3 years, and shall renew  
11 such subgrant for an additional period of not more than  
12 2 years if the State educational agency finds that the eligi-  
13 ble entity is achieving the objectives of the subgrant and  
14 has shown improvement against baseline data on the per-  
15 formance indicators described in section 6(d)(4).

16 (c) **SUBGRANT AMOUNT.**—In awarding a subgrant  
17 described in subsection (a) to an eligible entity, a State  
18 educational agency shall determine the amount of the  
19 subgrant by taking into account the number of students  
20 expected to participate in the expanded learning time ini-  
21 tiatives involved, as specified in the application submitted  
22 by the eligible entity under subsection (d), and the approx-  
23 imate per student cost of implementing a high-quality ex-  
24 panded learning time initiative.

25 (d) **APPLICATIONS.**—Each eligible entity desiring to  
26 receive an expanded learning time implementation

1 subgrant pursuant to this section shall submit an applica-  
2 tion to the State educational agency at such time and in  
3 such manner as the agency may require. At a minimum,  
4 the eligible entity's application shall include—

5 (1) an identification and description of each  
6 high-need school (selected in accordance with the  
7 process, considerations, and criteria described in sec-  
8 tion 7(d)(2)) that will receive funding from the eligi-  
9 ble entity to participate in an expanded learning  
10 time initiative, including—

11 (A) the number of students that will be  
12 served through the initiative at the school; and

13 (B) student academic achievement, demo-  
14 graphic, and socioeconomic data for students at  
15 the school;

16 (2) a description of how the eligible entity will  
17 implement at each such school an expanded learning  
18 time initiative that involves an expanded school day,  
19 expanded school week, or expanded school year  
20 schedule, and school redesign at each such school  
21 consistent with section 4(a)(4)(A), which description  
22 shall include—

23 (A) a description of how the expanded  
24 learning time schedule will expand learning

1 time by not less than 300 hours, consistent with  
2 section 4(a)(4); and

3 (B) a description of how the eligible entity  
4 will meet each of the other requirements of the  
5 definition in section 4(a)(4);

6 (3) a description of the plan the eligible entity  
7 will use to evaluate, on an annual basis, the impact  
8 of each expanded learning time initiative, based on  
9 measures of student academic achievement, student  
10 engagement and success, and other appropriate  
11 measures;

12 (4) a description of the additional subjects and  
13 enrichment activities that will be offered at each  
14 such school that contribute to a well-rounded edu-  
15 cation;

16 (5) a comprehensive plan, developed in collabo-  
17 ration with teachers and, as appropriate, other staff,  
18 for professional development at each such school  
19 that includes a description of intended changes in  
20 teaching practices and curriculum delivery that will  
21 result in improved student academic achievement  
22 and student engagement and success;

23 (6) a description of how the eligible entity will  
24 use the expanded learning time initiatives, and les-  
25 sons learned from such initiatives, to improve stu-

1       dent academic achievement in schools that have not  
2       made adequate yearly progress under section  
3       1111(b)(2) of the Elementary and Secondary Edu-  
4       cation Act of 1965 (20 U.S.C. 6311(b)(2)) for 2 or  
5       more consecutive years;

6               (7) evidence of an agreement reached between  
7       each participating local educational agency and the  
8       exclusive recognized representative of the employees  
9       of each participating high-need school served by the  
10      agency, for employees to work the expanded learning  
11      time schedules involved, or if there is no such rep-  
12      resentative, evidence of an agreement supported by  
13      at least  $\frac{2}{3}$  of the employees of each participating  
14      high-need school served by the local educational  
15      agency, to work the expanded learning time sched-  
16      ules involved;

17              (8) a description of how the local educational  
18      agency involved and participating high-need schools  
19      will work with external organizations that comprise  
20      the eligible entity involved, and any other external  
21      organizations as applicable (such as a community-  
22      based organization, an institution of higher edu-  
23      cation, a community learning center, an entity car-  
24      rying out an after-school program, or an organiza-  
25      tion that will provide students with internships and

1 work-based learning opportunities) to implement ex-  
2 panded learning time initiatives, including a descrip-  
3 tion of the specific roles and responsibilities of such  
4 external organizations;

5 (9) a description of the process by which the el-  
6 igible entity ensured the meaningful involvement of  
7 teachers, teacher organizations, where applicable,  
8 administrators, parents, and community-based orga-  
9 nizations in the development (including the design)  
10 of the expanded learning time initiatives;

11 (10) an assurance that the eligible entity will  
12 work with a community learning center, or an entity  
13 carrying out an after-school program, where appro-  
14 priate, to provide after-school programs for students  
15 participating in the expanded learning time initia-  
16 tives after the conclusion of the school day; and

17 (11) an assurance that the eligible entity will  
18 report to the State educational agency all data nec-  
19 essary for the State educational agency's report,  
20 under section 6(d)(4).

21 (e) PRIORITY.—In awarding subgrants under this  
22 section, a State educational agency shall give priority to  
23 an application from an eligible entity that meets the cri-  
24 teria described in section 7(f).

1 (f) AUTHORIZED ACTIVITIES.—An eligible entity re-  
2 ceiving a subgrant under this section shall use the  
3 subgrant funds to implement high-quality expanded learn-  
4 ing time initiatives, at high-need schools served by such  
5 eligible entity, that are consistent with section 4(a)(4).

6 (g) REPORTS BY ELIGIBLE ENTITIES.—Each eligible  
7 entity receiving a subgrant under this section for expanded  
8 learning time initiatives shall, not later than 1 year after  
9 the first day of the first school year in which the expanded  
10 learning time initiatives were implemented, prepare and  
11 submit to the State educational agency a report—

12 (1) containing a detailed description of the ex-  
13 panded learning time initiatives carried out;

14 (2) regarding the technical assistance the eligi-  
15 ble entity provided to expanded learning time  
16 schools;

17 (3) for each expanded learning time school—

18 (A) regarding the budget for, and actual  
19 expenses associated with carrying out, the ex-  
20 panded learning time initiatives in the first  
21 school year; and

22 (B) regarding the amount of time by which  
23 the school day, school week, or school year, was  
24 expanded in the school; and



1           (4) containing information on the impact of the  
2           expanded learning time initiatives, including—

3                   (A) data on student academic achievement  
4                   and growth as measured by State academic as-  
5                   sessments required under section 1111(b)(3) of  
6                   the Elementary and Secondary Education Act  
7                   of 1965 (20 U.S.C. 6311(b)(3));

8                   (B) graduation rates; and

9                   (C) indicators described in section 6(d)(4).

10          (h) PUBLICATION AND AVAILABILITY OF REPORT  
11          SUMMARIES.—The Secretary shall publish and make wide-  
12          ly available to the public, including through a website or  
13          other means, a summary of the eligible entity reports re-  
14          ceived under section 6(d)(4) and subsection (g).

15          **SEC. 9. GRANTS TO ELIGIBLE ENTITIES.**

16          (a) IN GENERAL.—The Secretary may award a grant  
17          under this section to an eligible entity that serves 1 or  
18          more areas within 1 or more States.

19          (b) PLANNING AND IMPLEMENTATION GRANTS.—  
20          The Secretary may award a planning grant under sub-  
21          section (a), to the eligible entity, to carry out the activities  
22          described in section 7(e). In the case of an eligible entity  
23          that has received a planning grant under subsection (a),  
24          the Secretary may award an implementation grant under

1 subsection (a) to the eligible entity, to carry out the activi-  
2 ties described in section 8(f).

3 (c) APPLICATIONS.—

4 (1) IN GENERAL.—To be qualified to receive a  
5 grant under subsection (a), an eligible entity shall  
6 submit to the Secretary an application that contains  
7 the following:

8 (A) If the application is for a planning  
9 grant—

10 (i) information describing how the en-  
11 tity will undertake the activities described  
12 in section 6(c)(7); and

13 (ii) the information described in sec-  
14 tion 7(d).

15 (B) If the application is for an implemen-  
16 tation grant, the information described in sec-  
17 tion 8(d), other than paragraph (11) of that  
18 section.

19 (2) PRIORITY.—In determining whether to  
20 award a grant under subsection (a) to an eligible en-  
21 tity, the Secretary shall give priority to an eligible  
22 entity that meets the criteria described in section  
23 7(f).

1 (d) PERIOD; AMOUNT.—The subgrant period and  
2 amount described in subsections (b) and (c) of section 7  
3 or 8, as appropriate, shall apply to the grant.

4 (e) AUTHORITIES; RESPONSIBILITIES.—The eligible  
5 entity shall have the same authorities and responsibilities  
6 under this Act as an eligible entity that receives a  
7 subgrant under section 7 or 8, as appropriate. In carrying  
8 out the report responsibilities described in section 8(g),  
9 the eligible entity shall submit the reports to the Sec-  
10 retary.

11 (f) MATCH.—

12 (1) IN GENERAL.—Each eligible entity that re-  
13 ceives an implementation grant under this section  
14 shall comply with the matching requirements de-  
15 scribed in section 6(e)(1), except that references in  
16 that section to a grant under section 6 shall be con-  
17 sidered to be references to an implementation grant  
18 under this section.

19 (2) MATCHING FUNDS.—The eligible entity may  
20 provide the matching funds in cash or in kind, fairly  
21 evaluated, including plant, equipment, or services,  
22 but may not provide more than 50 percent of the  
23 matching funds in kind. The eligible entity may pro-  
24 vide the matching funds from State, local, or private  
25 sources, or Federal sources under the Elementary

1 and Secondary Education Act of 1965 (20 U.S.C.  
2 6301 et seq.).

3 **SEC. 10. NATIONAL ACTIVITIES.**

4 (a) TECHNICAL ASSISTANCE AND SUPPORT.—

5 (1) IN GENERAL.—The Secretary is authorized  
6 to provide, directly or by entering into a contract  
7 with an independent organization, technical assist-  
8 ance to State educational agencies, eligible entities,  
9 including eligible entities receiving grants under sec-  
10 tion 9, local educational agencies, and schools in de-  
11 veloping and implementing expanded learning time  
12 initiatives under this Act.

13 (2) PROVISION OF ASSISTANCE.—The Secretary  
14 or such organization shall provide technical assist-  
15 ance that shall include—

16 (A) assisting State educational agencies  
17 (and eligible entities receiving grants under sec-  
18 tion 9, at the election of the Secretary) with de-  
19 veloping expanded learning time initiatives; and

20 (B) identifying and disseminating informa-  
21 tion about eligible entities, local educational  
22 agencies, and schools that have effectively  
23 planned and implemented expanded learning  
24 time initiatives, including schools that have im-  
25 plemented such initiatives to improve student

1 academic achievement in schools that previously  
2 had not made adequate yearly progress under  
3 section 1111(b)(2) of the Elementary and Sec-  
4 ondary Education Act of 1965 (20 U.S.C.  
5 6311(b)(2)) for 2 or more years.

6 (b) EVALUATION AND DISSEMINATION.—

7 (1) IN GENERAL.—The Secretary shall enter  
8 into a contract with an independent organization  
9 with expertise in school improvement, program eval-  
10 uation, and measurement (such as an institution of  
11 higher education or other research organization) to  
12 assist with the provision of the technical assistance,  
13 and conduct the evaluation and analyses, described  
14 in this subsection.

15 (2) TECHNICAL ASSISTANCE ON DATA COLLEC-  
16 TION AND MEASURES.—

17 (A) IN GENERAL.—The independent orga-  
18 nization shall provide technical assistance to  
19 State educational agencies and eligible entities  
20 receiving funds under this Act with data collec-  
21 tion and analysis of—

22 (i) measures of student academic  
23 achievement and student engagement and  
24 success, including the indicators and other  
25 measures described in section 6(d)(4);

1 (ii) measures of teacher collaboration  
2 and common planning; and

3 (iii) detailed measures of the amount  
4 of time devoted to core academic subjects  
5 and additional subjects and enrichment ac-  
6 tivities.

7 (B) SPECIAL RULE FOR ELIGIBLE ENTI-  
8 TIES RECEIVING GRANTS UNDER SECTION 9.—  
9 If an eligible entity receives a grant under sec-  
10 tion 9, the eligible entity shall establish meas-  
11 ures in lieu of the measures described in sub-  
12 paragraph (A) to assess the success of the eligi-  
13 ble entity and schools receiving funds through  
14 the eligible entity under this Act.

15 (3) REPORT.—

16 (A) IN GENERAL.—The independent orga-  
17 nization shall prepare a report that shall in-  
18 clude the evaluation described in subparagraph  
19 (B), including the analyses described in sub-  
20 paragraph (C), and the analyses described in  
21 subparagraph (D).

22 (B) EVALUATION.—The independent orga-  
23 nization shall conduct an evaluation of the im-  
24 pact and implementation of the program funded  
25 under this Act, which evaluation shall rely in

1 part on the reports prepared by States under  
2 section 6(d)(4) and eligible entities pursuant to  
3 section 8(g) (including reports described in sec-  
4 tion 9(e)).

5 (C) CONTENTS.—In conducting the evalua-  
6 tion, the independent organization shall conduct  
7 an analysis of the impact of the expanded learn-  
8 ing time initiatives funded under this Act, by  
9 analyzing data on the measures described in  
10 paragraph (2) and other appropriate measures  
11 for students participating in expanded learning  
12 time initiatives in all expanded learning time  
13 schools, with results from that analysis  
14 disaggregated by expanded school day, ex-  
15 panded school week, or expanded school year  
16 program, as appropriate.

17 (D) ANALYSES.—The independent organi-  
18 zation shall conduct—

19 (i) a comparative analysis of how vari-  
20 ation in school design, instructional prac-  
21 tices, and other conditions influence the  
22 success of the implementation of the ex-  
23 panded learning time initiatives;

24 (ii) a comparative analysis of the con-  
25 ditions and activities that impact the plan-

1           ning and implementation of the expanded  
2           learning time initiatives, including—

3                   (I) teaching and leadership prac-  
4                   tices at a school;

5                   (II) student and teacher sched-  
6                   ules;

7                   (III) the additional costs of oper-  
8                   ating an expanded learning time  
9                   school;

10                  (IV) how the additional school  
11                  hours required for the initiative in-  
12                  volved are used to enhance teaching  
13                  and learning; and

14                  (V) how external organizations  
15                  are utilized for the initiative;

16                  (iii) an analysis of the similarities and  
17                  differences in the ways in which schools  
18                  implemented an expanded school day, ex-  
19                  panded school week, or expanded school  
20                  year schedule; and

21                  (iv) any other analysis requested by  
22                  the Secretary.

23                  (4) DISSEMINATION.—The independent organi-  
24                  zation shall submit the report described in para-  
25                  graph (3) to Congress and the Secretary, and dis-



1 seminate the report to the general public. The Sec-  
2 retary shall ensure that the report described in para-  
3 graph (3) is provided to eligible entities and local  
4 educational agencies on a periodic basis for use in  
5 improving initiatives.

6 **SEC. 11. CONSTRUCTION.**

7 Nothing in this Act shall be construed to alter or oth-  
8 erwise affect the rights, remedies, and procedures afforded  
9 to the employees of local educational agencies under Fed-  
10 eral, State, or local law (including applicable regulations  
11 or court orders) or under the terms of collective bar-  
12 gaining agreements, memoranda of understanding, or  
13 other agreements between such employees and their em-  
14 ployers.

15 **SEC. 12. AUTHORIZATION OF APPROPRIATIONS.**

16 There are authorized to be appropriated to carry out  
17 this Act such sums as may be necessary.

○