

106TH CONGRESS
2^D SESSION

H. R. 4346

To modernize public schools, reduce class sizes, increase access to technology, enhance school safety, improve teacher quality and strengthen accountability for academic results, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 2, 2000

Mr. CLAY (for himself, Mr. GEPHARDT, Mr. BONIOR, Mr. GEORGE MILLER of California, Mr. KILDEE, Mr. MARTINEZ, Mr. OWENS, Mr. PAYNE, Mrs. MINK of Hawaii, Mr. ANDREWS, Mr. SCOTT, Ms. WOOLSEY, Mr. ROMERO-BARCELO, Mr. FATAH, Mr. HINOJOSA, Mrs. MCCARTHY of New York, Mr. TIERNEY, Mr. KIND, Ms. SANCHEZ, Mr. FORD, Mr. KUCINICH, Mr. WU, Mr. HOLT, and Mr. JEFFERSON) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To modernize public schools, reduce class sizes, increase access to technology, enhance school safety, improve teacher quality and strengthen accountability for academic results, 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; REFERENCE.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Safe and Successful Schools Act”.

1 (b) REFERENCES.—Except as otherwise expressly
2 provided, whenever in this Act an amendment or repeal
3 is expressed in terms of an amendment to, or repeal of,
4 a title, chapter, part, subpart, section, subsection, or other
5 provision, the reference shall be considered to be made to
6 a title, chapter, part, subpart, section, subsection, or other
7 provision of the Elementary and Secondary Education Act
8 of 1965.

9 **SEC. 2. STATE MEASURES.**

10 (a) BASIC PROGRAM.—Section 1111(b)(8) of the Ele-
11 mentary and Secondary Education Act of 1965 is
12 amended—

13 (1) by striking subparagraph (B) and inserting
14 the following:

15 “(B) what specific steps the State edu-
16 cational agency will take to assist schools and
17 local educational agencies that receive funds
18 under this part to ensure that all students en-
19 rolled in such schools and local educational
20 agencies reach, at a minimum, the proficient
21 level of performance;” and

22 (2) by adding at the end the following:

23 “(C) the actions the State will take to en-
24 sure that critical education services and re-
25 sources are available in local educational agen-

1 cies that receive funds under this part to the
2 extent that such services are available in local
3 educational agencies that do not receive funds
4 under this part;

5 “(D) whether services in local educational
6 agencies that receive funds under this part are
7 of comparable quality to the services in local
8 educational agencies that do not receive funds
9 under this part;

10 “(E) at a minimum—

11 “(i) the rates at which class sections
12 are taught by experienced and fully quali-
13 fied teachers in local educational agencies
14 receiving funds under this part, compared
15 to local educational agencies not receiving
16 funds under this part;

17 “(ii) curriculum, in terms of both the
18 range of courses offered, and the oppor-
19 tunity to participate in rigorous courses,
20 including advanced placement (AP) courses
21 in local educational agencies receiving
22 funds under this part, compared to local
23 educational agencies not receiving funds
24 under this part; and

1 “(iii) the quality and availability of in-
2 structional materials and instructional re-
3 sources including technology in local edu-
4 cational agencies receiving funds under
5 this part, compared to local educational
6 agencies not receiving funds under this
7 part; and

8 “(F) the measures that the State edu-
9 cational agency will use annually to measure
10 and publicly report progress regarding clauses
11 (i) through (iii) of subparagraph (E).”.

12 (b) REQUIREMENTS.—Section 1120A(c)(2) of the
13 Act is amended to read as follows:

14 “(2) CRITERIA FOR MEETING COMPARABILITY
15 REQUIREMENT.—”;

16 “(A) APPROVAL.—To meet the require-
17 ment of paragraph (1), a local educational
18 agency shall obtain the State educational agen-
19 cy’s approval of a comprehensive plan to ensure
20 comparability in the use of State and local
21 funds and educational services among its
22 schools receiving funds under this part and its
23 other schools with respect to:

1 “(i) the rates at which class sections
2 are taught by experienced and fully quali-
3 fied teachers;

4 “(ii) curriculum, in terms of both the
5 range of courses offered, and the oppor-
6 tunity to participate in rigorous courses in-
7 cluding advanced placement (AP) courses;
8 and

9 “(iii) the quality and availability of in-
10 structional materials and instructional re-
11 sources including technology.”

12 “(B) EXCLUSION.—A local educational
13 agency need not include unpredictable changes
14 in student enrollment or personnel assignments
15 that occur after the beginning of a school year
16 in determining comparability of services under
17 this subsection.

18 “(C) REQUIREMENTS.—Notwithstanding
19 subparagraph (A), a local educational agency
20 may continue to meet the requirement of para-
21 graph (1) by complying with subparagraph (A)
22 as such subparagraph was in effect on the day
23 preceding the date of enactment of the Safe and
24 Successful Schools Act, except that each local
25 educational agency shall be required to comply

1 with subparagraph (A), as amended by such
2 Act not later than July 1, 2002.”; and

3 (c) RECORDS.—Section 1120A(b)(3)(B) of the Act is
4 amended by striking “biennially” and inserting “annu-
5 ally”.

6 **SEC. 3. READING AND LITERACY.**

7 Section 2260 of the Act is amended—

8 (1) by amending subsection (a) to read as fol-
9 lows:

10 “(a) IN GENERAL.—There are authorized to be ap-
11 propriated \$1,000,000,000 for fiscal year 2001 each of the
12 4 subsequent fiscal years to carry out this part”; and

13 (2) by striking subsection (c).

14 **SEC. 4. TECHNOLOGY FOR EDUCATION.**

15 Title III of the Act is amended to read as follows:

16 **“TITLE III—TECHNOLOGY FOR**
17 **EDUCATION**

18 **“SEC. 3001. SHORT TITLE.**

19 “This title may be cited as the ‘Technology for Edu-
20 cation Act’.

21 **“SEC. 3002. FINDINGS.**

22 “The Congress finds that—

23 “(1) technology can—

24 “(A) support education improvement ef-
25 forts by expanding available resources and re-

1 shaping instruction, teaching, and learning en-
2 vironments; and

3 “(B) when used effectively and aligned
4 with challenging State academic content and
5 performance standards, support teacher capac-
6 ity to create classrooms where students develop
7 higher-order thinking and information tech-
8 nology skills;

9 “(2) the cost of processing storing, and trans-
10 mitting information continues to plummet, making
11 new advances in computer and telecommunications
12 technology more available to schools;

13 “(3) by providing students with a rapidly ex-
14 panding educational resource base, and a unique
15 means of developing content knowledge, improve-
16 ments in software and other technology applications
17 (such as high-quality video, voice recognition, mod-
18 eling and simulation, and intelligent tutoring and
19 virtual reality tools), have increased student oppor-
20 tunities for meaningful exploration and discovery;

21 “(4) the Federal Government—

22 “(A) has played an integral role in expand-
23 ing and improving access to technology as an
24 important tool for teaching and learning; and

1 “(B) can continue to serve as a catalyst in
2 bringing effective uses for education technology
3 to the classroom by providing support for—

4 “(i) access to technology;

5 “(ii) the development of educational
6 software and web-based learning resources;
7 and

8 “(iii) sustained and intensive, high-
9 quality professional development that is
10 aligned with challenging State academic
11 content and performance standards;

12 “(5) professional development programs for
13 prospective teachers and current teachers should be
14 refocused to strengthen the ability of such teachers
15 to integrate technology across the curriculum;

16 “(6) policies at the Federal, State, and local
17 levels concerning technology in education must ad-
18 dress disparities in the availability of technology to
19 different groups of students, give priority to serving
20 students in greatest need, and recognize that edu-
21 cational telecommunications and technology can ad-
22 dress educational equalization concerns and school
23 restructuring needs by providing universal access to
24 high-quality teaching and programs, particularly in
25 urban and rural areas;

1 “(7) technology can enhance the ongoing pro-
2 fessional development of teachers and administrators
3 by providing constant access to updated research in
4 teaching and learning by means of telecommuni-
5 cations, and, through exposure to technology ad-
6 vancements, keep teachers and administrators ex-
7 cited and knowledgeable about unfolding opportuni-
8 ties for the classroom;

9 “(8) schools need new ways of financing the ac-
10 quisition, maintenance, and on-going support of edu-
11 cational technology;

12 “(9) technology can provide students, parents,
13 teachers, other education professionals, communities,
14 and industry with increased opportunities for part-
15 nerships and with increased access to information,
16 instruction, and educational services in schools and
17 other settings, including homes, libraries, preschool
18 and child-care facilities, adult and family education
19 programs, and postsecondary institutions;

20 “(10) poor children are less likely than their
21 wealthier peers to have access to a computer at
22 home, and to attend a school in which teachers use
23 technology to develop technical and higher-order
24 thinking skills;

1 “(11) Federal support can ease the burden at
2 the State and local levels by enabling the acquisition
3 of advanced technology and initiating the develop-
4 ment of teacher training and support as well as new
5 educational products;

6 “(12) public schools have made significant
7 progress toward meeting the goal of connecting
8 every school to the Internet, with the percentage of
9 schools that are connected to the Internet increasing
10 from 35 percent in 1994 to 89 percent in 1998 and
11 nearly doubling between 1997 and 1998, but a gap
12 continues to exist between wealthy and poor schools
13 in the extent to which classrooms are connected to
14 the Internet and the manner in which technology is
15 used to support instruction;

16 “(13) the rapidly changing nature of tech-
17 nology, among other factors, requires the Depart-
18 ment to maintain a leadership role in developing a
19 national vision and strategies for bringing effective
20 technology applications and practices to all class-
21 rooms and all educational programs through such
22 activities as—

23 “(A) developing and carrying out a strat-
24 egy for an ongoing evaluation of existing and
25 anticipated future uses of educational tech-

1 nology to better inform the Federal role in sup-
2 porting the use of educational technology, stim-
3 ulate reform and innovation in teaching and
4 learning with technology, and further the devel-
5 opment of advanced technology;

6 “(B) evaluating and assessing technology
7 programs;

8 “(C) disseminating information;

9 “(D) coordinating with public and private
10 partnerships; and

11 “(E) convening expert panels to identify
12 effective uses of educational technology;

13 “(14) technology has the potential to assist and
14 support the improvement of teaching and learning in
15 schools and other settings;

16 “(15) because girls of all ethnicities consistently
17 rate themselves significantly lower than boys on
18 computer ability, and are less likely to experiment
19 with technology and enroll in advanced computer
20 science courses, the Federal Government should en-
21 courage States, local educational agencies, and
22 teachers to consider the needs of girls and women to
23 obtain technical proficiency and expose girls and
24 women to careers in technology, so that they can
25 compete in an increasingly technological society;

1 “(16) the Federal Government should support
2 efforts to ensure the accessibility of all educational
3 technology, not just assistive technology, to students
4 with disabilities through strategies such as universal
5 design;

6 “(17) although 25 States have some require-
7 ment for computer education for teacher licensure,
8 only two States require teacher candidates to show
9 that they can use technology, and only three States
10 require participation in technology training, as a
11 prerequisite for license renewal; and

12 “(18) according to a 1998 National Center for
13 Education Statistics survey, only 20 percent of full-
14 time K–12 teachers feel fully prepared to integrate
15 technology into classroom instruction.

16 **“SEC. 3003. STATEMENT OF PURPOSE.**

17 “The purpose of this title is to help all students to
18 develop technical and higher-order thinking skills and to
19 achieve to challenging State academic content and per-
20 formance standards, as well as America’s Education
21 Goals, by—

22 “(1) helping to provide all classrooms with ac-
23 cess to educational technology through support for
24 the acquisition of advanced multimedia computers,
25 Internet connections, and other technologies;

1 “(2) helping to ensure access to, and effective
2 use of, educational technology in all classrooms
3 through the provision of sustained and intensive,
4 high-quality professional development that improves
5 teachers capability to integrate educational tech-
6 nology effectively into their classrooms and instruc-
7 tional practices by actively engaging students and
8 teachers in the use of technology;

9 “(3) helping to improve the capability of teach-
10 ers to design and construct new learning experiences
11 using technology, and actively engage students in
12 that design and construction;

13 “(4) supporting efforts by State educational
14 agencies and local educational agencies to create
15 learning environments designed to prepare students
16 to achieve to challenging State academic content and
17 performance standards through the use of research-
18 based teaching practices and advanced technologies;

19 “(5) supporting technical assistance to State
20 educational agencies, local educational agencies, and
21 communities to help them use technology-based re-
22 sources and information systems to support school
23 reform and meet the needs of students and teachers;

24 “(6) supporting the development of applications
25 that make use of such technologies as advanced tele-

1 communications, hand-held devices, web-based learn-
2 ing resources, distance learning networks, and mod-
3 eling and simulation software;

4 “(7) supporting Federal partnerships with busi-
5 ness and industry to realize more rapidly the poten-
6 tial of digital communications to expand the scope
7 of, and opportunities for, learning;

8 “(8) supporting evaluation and research on the
9 effective use of technology in preparing all students
10 to achieve to challenging State academic content and
11 performance standards, and on the impact of tech-
12 nology on teaching and learning;

13 “(9) providing national leadership to stimulate
14 and coordinate public and private efforts, at the na-
15 tional, State, and local levels, that support the devel-
16 opment and integration of advanced technologies
17 and applications to improve school planning and
18 classroom instruction;—

19 “(10) supporting the development, or redesign,
20 of teacher preparation programs to enable prospec-
21 tive teachers to integrate the use of technology into
22 teaching and learning;

23 “(11) increasing the capacity of State and local
24 educational agencies to improve student achieve-

1 ment, particularly that of students in high-poverty,
2 low-performing schools;

3 “(12) promoting the formation of partnerships
4 and consortia to stimulate the development of, and
5 new uses for, technology in teaching and learning;

6 “(13) supporting the creation or expansion of
7 community technology centers that will provide dis-
8 advantaged families of economically distressed urban
9 and rural communities with access to information
10 technology and related training;

11 “(14) helping to ensure that technology is ac-
12 cessible to, and usable by, all students, particularly
13 students with disabilities or limited English pro-
14 ficiency; and

15 “(15) supporting the development and use of
16 education technology to enhance and facilitate mean-
17 ingful parental involvement.

18 **“SEC. 3004. DEFINITIONS.**

19 “For purposes of this title—

20 “(1) the term ‘adult education’ has the same
21 meaning given such term by section 203 of the
22 Adult Education and Family Literacy Act;

23 “(2) the term ‘all students’ means students
24 from a broad range of backgrounds and cir-
25 cumstances, including disadvantaged students, stu-

1 dents with diverse racial, ethnic, and cultural back-
2 grounds, students with disabilities, students with
3 limited English proficiency, students who have
4 dropped out of school, and academically talented
5 students;

6 “(3) the term ‘information infrastructure’
7 means a network of communication systems de-
8 signed to exchange information among all citizens
9 and residents of the United States;

10 “(4) the term ‘instructional programming’
11 means the full range of audio and video data, text,
12 graphics, or additional state-of-the-art communica-
13 tions, including multimedia based resources distrib-
14 uted through interactive, command and control, or
15 passive methods for the purpose of education and in-
16 struction;

17 “(5) the term ‘interoperable’ means the ability
18 to exchange easily data with, and connect to, other
19 hardware and software in order to provide the great-
20 est accessibility for all students and other users;

21 “(6) the term ‘public telecommunications entity’
22 has the same meaning given to such term by section
23 397(12) of the Communications Act of 1934;

24 “(7) the term ‘regional educational laboratory’
25 means a regional educational laboratory supported

1 under section 941(h) of the Educational Research,
2 Development, Dissemination, and Improvement Act
3 of 1994;

4 “(8) the term ‘State educational agency’ in-
5 cludes the Bureau of Indian Affairs for purposes of
6 serving schools funded by the Bureau of Indian Af-
7 fairs in accordance with this part;

8 “(9) the term ‘State library administrative
9 agency’ has the same meaning given to such term in
10 section 213 of the Library Services and Technology
11 Act; and

12 “(10) the term ‘technology’ means state-of-the-
13 art technology products and services, such as closed
14 circuit television systems, educational television and
15 radio programs and services, cable television, sat-
16 ellite, copper and fiber optic transmission, computer
17 hardware and software, video and audio laser and
18 CD-ROM discs, and video and audio tapes.

19 **“SEC. 3005. AUTHORIZATION OF APPROPRIATIONS.**

20 “(a) PART A—NATIONAL LONG-RANGE TECH-
21 NOLOGY PLAN AND ACTIVITIES.—There are authorized to
22 be appropriated \$5,000,000 for fiscal year 2001, and such
23 sums as may be necessary for each of the four succeeding
24 fiscal years to carry out part A.

1 “(b) PART B—STATE AND LOCAL PROGRAM FOR
2 SCHOOL TECHNOLOGY RESOURCES.—

3 (1) TECHNOLOGY LITERACY CHALLENGE
4 FUND.—There are authorized to be appropriated
5 \$500,000,000 for fiscal year 2001 and such sums as
6 may be necessary for each of the four succeeding fis-
7 cal years to carry out subpart 1 of part B.

8 “(2) SUBPART 2—NEXT GENERATION TECH-
9 NOLOGY INNOVATION AWARDS.—There are author-
10 ized to be appropriated \$200,000,000 for fiscal year
11 2001 and such sums as may be necessary for each
12 of the four succeeding fiscal years to carry out sub-
13 part 2 of part B.

14 “(c) PART C—PREPARING TOMORROW’S TEACHERS
15 TO USE TECHNOLOGY.—There are authorized to be ap-
16 propriated \$150,000,000 for fiscal year 2001, and such
17 sums as may be necessary for each of the four succeeding
18 fiscal years to carry out part C.

19 “(d) PART D—GETTING OUR GIRLS READY FOR
20 THE 21ST CENTURY ACT (GO-GIRL ACT).—There are au-
21 thorized to be appropriated \$50,000,000 for fiscal year
22 2001, and such sums as may be necessary for each of the
23 4 succeeding fiscal years to carry out part D.

24 “(e) PART E—LIBRARY RESOURCES.—There are au-
25 thorized to be appropriated such sums as may be nec-

1 essary for fiscal year 2001 and each of the four succeeding
2 fiscal years to carry out part E.

3 “(f) PART F—SPECIAL PROJECTS OF NATIONAL
4 SIGNIFICANCE.—There are authorized to be
5 appropriated—

6 “(1) \$10,000,000 for fiscal year 2001, and such
7 sums as may be necessary for each of the four suc-
8 ceeding fiscal years to carry out subpart 1 of part
9 F;

10 “(2) \$100,000,000 for fiscal year 2001, and
11 such sums as may be necessary for each of the four
12 succeeding fiscal years to carry out subpart 2 of
13 part F;

14 “(3) \$16,000,000 for fiscal year 2001, and such
15 sums as may be necessary for each of the four suc-
16 ceeding fiscal years to carry out subpart 3 of part
17 F;

18 “(4) \$10,000,000 for fiscal year 2001, and such
19 sums as may be necessary for each of the four suc-
20 ceeding fiscal years to carry out subpart 4 of part
21 F; and

22 “(5) \$5,000,000 for fiscal year 2001, and such
23 sums as may be necessary for each of the four suc-
24 ceeding fiscal years to carry out subpart 5 of part
25 F.

1 **“PART A—NATIONAL LONG-RANGE TECHNOLOGY**2 **PLAN AND ACTIVITIES**3 **“SEC. 3111. NATIONAL LONG-RANGE TECHNOLOGY PLAN.**

4 “(a) IN GENERAL.—The Secretary shall update, not
5 later than 12 months after the date of the enactment of
6 the Safe and Successful Schools Act, and update subse-
7 quently when the Secretary determines appropriate, the
8 national long-range plan that supports the overall national
9 technology policy and carries out the purposes of this part.
10 The Secretary shall disseminate such plan to State edu-
11 cational agencies, local educational agencies, the public,
12 and other interested parties.

13 “(b) PLAN REQUIREMENTS.—The Secretary shall—

14 “(1) update the national long-range plan in
15 consultation with other Federal departments or
16 agencies, State and local education practitioners and
17 policymakers, experts in technology and the applica-
18 tions of technology to education, representatives of
19 distance learning consortia, and providers of tech-
20 nology services and products;

21 “(2) transmit such plan to the President and to
22 the appropriate committees of the Congress; and

23 “(3) publish such plan in a form that is readily
24 accessible to the public.

1 “(c) CONTENTS OF THE PLAN.—The national long-
2 range plan shall describe the Secretary’s activities to pro-
3 mote the purpose of this title, including—

4 “(1) how the Secretary will encourage the effec-
5 tive use of technology to provide all students the op-
6 portunity to achieve State content standards and
7 State student performance standards, especially
8 through programs administered by the Department;

9 “(2) joint activities in support of the overall na-
10 tional technology policy with other Federal depart-
11 ments or agencies, such as the White House Office
12 of Science and Technology Policy, the National En-
13 dowment for the Humanities, the National Endow-
14 ment for the Arts, the National Institute for Lit-
15 eracy, the National Aeronautics and Space Adminis-
16 tration, the National Science Foundation, the Bu-
17 reau of Indian Affairs, and the Departments of
18 Commerce, Energy, Health and Human Services,
19 and Labor—

20 “(A) to promote the use of technology in
21 education, training, and lifelong learning, in-
22 cluding plans for the educational uses of a na-
23 tional information infrastructure; and

24 “(B) to ensure that the policies and pro-
25 grams of such departments or agencies facili-

1 tate the use of technology for educational pur-
2 poses, to the extent feasible;

3 “(3) how the Secretary will work with edu-
4 cators, State and local educational agencies, parents,
5 and appropriate representatives of the private sector
6 to facilitate the effective use of technology in edu-
7 cation;

8 “(4) how the Secretary will promote—

9 “(A) higher achievement of all students
10 through the integration of technology into the
11 curriculum;

12 “(B) increased access to the benefits of
13 technology for teaching and learning for schools
14 with high numbers or percentages of children
15 from low-income families;

16 “(C) the use of technology to assist in the
17 implementation of State systemic reform strate-
18 gies;

19 “(D) the application of technological ad-
20 vances to uses in education;

21 “(E) increased access to high-quality adult
22 and family education services through the use
23 of technology for instruction and professional
24 development;

1 “(F) increased opportunities for the pro-
2 fessional development of teachers in the use of
3 new technologies; and

4 “(G) increased parental involvement in
5 schools through the use of technology;

6 “(5) how the Secretary will determine, in con-
7 sultation with appropriate individuals, organizations,
8 industries, and agencies, the feasibility and desir-
9 ability of establishing guidelines to facilitate an easy
10 exchange of data and the effective use of technology
11 in education;

12 “(6) how the Secretary will promote the ex-
13 change of information among States, local edu-
14 cational agencies, schools, consortia, and other enti-
15 ties concerning the effective use of technology in
16 education;

17 “(7) how the Secretary will utilize the outcomes
18 of the evaluation undertaken pursuant to section
19 3113 to promote the purpose of this part; and

20 “(8) the Secretary’s long-range measurable
21 goals and objectives relating to the purpose of this
22 part.

23 **“SEC. 3112. FEDERAL LEADERSHIP.**

24 “(a) PROGRAM AUTHORIZED.—In order to provide
25 Federal leadership in promoting the use of technology in

1 education, the Secretary, in consultation with the National
2 Science Foundation, the Department of Commerce, the
3 White House Office of Science and Technology, and other
4 appropriate Federal agencies, may carry out activities de-
5 signed to achieve the purpose of this part directly or by
6 awarding grants or contracts competitively and pursuant
7 to a peer review process to, or entering into contracts with,
8 State educational agencies, local educational agencies, in-
9 stitutions of higher education, or other public and private
10 nonprofit or for-profit agencies or organizations.

11 “(b) ASSISTANCE.—

12 “(1) IN GENERAL.—The Secretary shall provide
13 assistance to the States to enable such States to
14 plan effectively for the use of technology in all
15 schools throughout the State.

16 “(2) OTHER FEDERAL AGENCIES.—For the
17 purpose of carrying out coordinated or joint activi-
18 ties consistent with the purpose of this part, the
19 Secretary may accept funds from, and transfer
20 funds to, other Federal agencies.

21 “(c) USES OF FUNDS.—The Secretary shall use
22 funds made available to carry out this section for activities
23 designed to carry out the purpose of this part, such as—

24 “(1) providing development grants to technical
25 assistance providers, to enable such providers to im-

1 prove substantially the services such providers offer
2 to educators on the educational uses of technology,
3 including professional development;

4 “(2) consulting with representatives of industry,
5 elementary and secondary education, higher edu-
6 cation, adult and family education, and appropriate
7 experts in technology and educational applications of
8 technology in carrying out activities under this title;

9 “(3) the development of a national repository of
10 information on the effective uses of educational tech-
11 nology, including its use for sustained and intensive,
12 high-quality professional development, and the na-
13 tionwide dissemination of that information;

14 “(4) research on, and the development of, appli-
15 cations for education of the most advanced and
16 newly emerging technologies and such research shall
17 be coordinated, when appropriate, with the Office of
18 Educational Research and Improvement, and other
19 Federal agencies;

20 “(5) the development, demonstration, and eval-
21 uation of the educational aspects of high perform-
22 ance computing and communications technologies
23 and of the national information infrastructure, in
24 providing professional development for teachers,
25 school librarians, and other educators; enriching aca-

1 demic curricula for elementary and secondary
2 schools; facilitating communications among schools,
3 local educational agencies, libraries, parents, and
4 local communities and in other such areas as the
5 Secretary deems appropriate;

6 “(6) the development, demonstration, and eval-
7 uation of applications of technology and innovative
8 tools in preschool education, elementary and sec-
9 ondary education, vocational and professional train-
10 ing and lifelong learning, and professional develop-
11 ment of educational personnel;

12 “(7) the development and evaluation of software
13 and other products, including multimedia television
14 programming, that incorporate advances in tech-
15 nology and help achieve America’s Education Goals,
16 State content standards and State student perform-
17 ance standards;

18 “(8) the development, demonstration, and eval-
19 uation of model strategies for preparing teachers
20 and other personnel to use technology effectively to
21 improve teaching and learning;

22 “(9) the development of model programs that
23 demonstrate the educational effectiveness of tech-
24 nology in urban and rural areas and economically
25 distressed communities;

1 “(10) research on, and the evaluation of, the ef-
2 fectiveness and benefits of technology in education;

3 “(11) a biennial assessment of, and report to
4 the public regarding, the uses of technology in ele-
5 mentary and secondary education throughout the
6 United States upon which private businesses and
7 Federal, State, tribal, and local governments may
8 rely for decisionmaking about the need for, and pro-
9 vision of, appropriate technologies in schools, and
10 such assessment and report shall use, to the extent
11 possible, existing information and resources;

12 “(12) conferences on, and dissemination of in-
13 formation regarding, the uses of technology in edu-
14 cation;

15 “(13) the development of model strategies to
16 promote gender equity concerning access to, and the
17 use of, technology in the classroom;

18 “(14) encouraging collaboration between the
19 Department and other Federal agencies in the devel-
20 opment, implementation, evaluation and funding of
21 applications of technology for education, as appro-
22 priate;

23 “(15) the development, demonstration, and
24 evaluation of model technology programs designed to
25 improve parental involvement;

1 “(16) other activities the Secretary determines
2 will meet the purpose of this title; and

3 “(17) programs which provide laptop computers
4 to children in grades 3 through 12 in schools in low-
5 income areas that provide ongoing training for
6 teachers, parents, and children in hardware and
7 software use.

8 “(d) NON-FEDERAL SHARE.—

9 “(1) IN GENERAL.—Subject to paragraphs (2)
10 and (3), the Secretary may require any recipient of
11 a grant or contract under this section to share in the
12 cost of the activities assisted under such grant or
13 contract, and such non-Federal share shall be an-
14 nounced through a notice in the Federal Register
15 and may be in the form of cash or in-kind contribu-
16 tions, fairly valued.

17 “(2) INCREASE.—The Secretary may increase
18 the non-Federal share that is required of a recipient
19 of a grant or contract under this section after the
20 first year such recipient receives funds under such
21 grant or contract.

22 “(3) MAXIMUM.—The non-Federal share re-
23 quired under this section shall not exceed 50 percent
24 of the cost of the activities assisted pursuant to a
25 grant or contract under this section.

1 **“SEC. 3113. NATIONAL EVALUATION OF EDUCATIONAL**
2 **TECHNOLOGY.**

3 “(1) IN GENERAL.—In order to support the use
4 of educational technology, stimulate reform and in-
5 novation in teaching and learning with technology,
6 and enhance the development of more advanced and
7 new types and applications of such technology, the
8 Secretary shall—

9 “(A) develop, within 12 months of the date
10 of enactment of the Safe and Successful
11 Schools Act, a strategy for an ongoing evalua-
12 tion of existing and anticipated future uses of
13 educational technology; and

14 “(B) carry out such an evaluation.

15 “(2) ACTIVITIES AUTHORIZED.—From the
16 funds provided under 3005(a), the Secretary may—

17 “(A) conduct long-term controlled studies
18 on the effectiveness of the uses of educational
19 technology;

20 “(B) convene panels of experts to—

21 “(i) identify uses of educational tech-
22 nology that hold the greatest promise for
23 improving teaching and learning;

24 “(ii) assist the Secretary with the re-
25 view and assessment of the progress and

1 effectiveness of projects that are funded
2 under this title; and

3 “(iii) identify barriers to the commer-
4 cial development of effective, high-quality,
5 cost-competitive educational technology
6 and software;

7 “(C) conduct evaluations and applied re-
8 search studies that examine—

9 “(i) how students learn using edu-
10 cational technology, whether singularly or
11 in groups, and across age groups, student
12 populations (including students with spe-
13 cial needs, such as students with limited
14 English proficiency and students with dis-
15 abilities) and settings; and

16 “(ii) the characteristics of classrooms
17 and other educational settings that use
18 educational technology effectively;

19 “(D) collaborate with other Federal agen-
20 cies that support research on, and evaluation
21 of, the use of network technology in educational
22 settings; and

23 “(E) carry out such other activities as the
24 Secretary determines appropriate.

1 **“PART B—STATE AND LOCAL PROGRAMS FOR**
2 **SCHOOL TECHNOLOGY RESOURCES**

3 **“SEC. 3201. PURPOSE.**

4 “It is the purpose of this part to increase the capacity
5 of State and local educational agencies to improve student
6 achievement through the use and application of tech-
7 nology, particularly that of students in high-poverty, low-
8 performing schools, and the ability of teachers to integrate
9 technology across the curriculum, by supporting State and
10 local efforts that—

11 “(1) make effective use of new technologies and
12 technology applications, networks, and electronic
13 learning resources;

14 “(2) utilize research-based teaching practices
15 that are linked to advanced technologies;

16 “(3) promote sustained and intensive, high-
17 quality professional development that enables teach-
18 ers to help students achieve to challenging State
19 content standards and assessments in core academic
20 subjects through the integration of educational tech-
21 nology into instruction;

22 “(4) disseminate information to local edu-
23 cational agencies and schools about technology and
24 applications, including software, that are aligned to
25 challenging State content standards in core aca-
26 demic subjects; and

1 “(5) develop standards and performance indica-
2 tors for students and teachers on the effective use
3 and integration of education technology into the core
4 academic curriculum and methods for measuring
5 program outcomes against indicators.

6 **“Subpart 1—Technology Literacy Challenge Fund**

7 **“SEC. 3211. ALLOTMENT AND REALLOTMENT.**

8 “(a) ALLOTMENT.—

9 “(1) IN GENERAL.—Except as provided in para-
10 graph (2), each State educational agency shall be el-
11 igible to receive a grant under this subpart for a fis-
12 cal year in an amount which bears the same rela-
13 tionship to the amount made available under section
14 3005(b)(1) for such year as the amount such State
15 received under part A of title I for such year bears
16 to the amount received for such year under such
17 part by all States.

18 “(2) MINIMUM.—No State educational agency
19 (including for purposes of this subpart, the Bureau
20 of Indian Affairs) shall be eligible to receive a grant
21 under paragraph (1) in any fiscal year in an amount
22 which is less than $\frac{1}{2}$ of 1 percent of the amount
23 made available under section 3005(b)(1) for such
24 year, except that this minimum shall apply to the

1 aggregate of grants received under this subpart by
2 the outlying areas for a fiscal year.

3 “(b) REALLOTMENT OF UNUSED FUNDS.—

4 “(1) IN GENERAL.—The amount of any State
5 educational agency’s allotment under subsection (a)
6 for any fiscal year which the Secretary determines
7 will not be required for such fiscal year to carry out
8 this subpart shall be available for reallocation from
9 time to time, on such dates during such year as the
10 Secretary may determine, to other State educational
11 agencies in proportion to the original allotments to
12 such State educational agencies under subsection (a)
13 for such year, but with such proportionate amount
14 for any of such other State educational agencies
15 being reduced to the extent such amount exceeds the
16 sum the Secretary estimates such State needs and
17 will be able to use for such year.

18 “(2) OTHER REALLOTMENTS.—The total of re-
19 ductions under paragraph (1) shall be similarly real-
20 lotted among the State educational agencies whose
21 proportionate amounts were not so reduced.

22 **“SEC. 3212. GRANT AWARDS.**

23 “(a) GRANTS TO STATES.—

24 “(1) IN GENERAL.—From amounts made avail-
25 able under section 3211, the Secretary, through the

1 Office of Educational Technology, shall award
2 grants to State educational agencies having applica-
3 tions approved under section 3213.

4 “(2) USE OF GRANTS.—

5 “(A) Each State educational agency that
6 receives a grant under paragraph (1) shall
7 use—

8 “(i) not less than 95 percent of the
9 grant funds to award, on a competitive
10 basis, subgrants to eligible local applicants,
11 as defined in section 3216(1), for use in
12 creating learning environments designed to
13 prepare all students, including students
14 with disabilities or limited English pro-
15 ficiency, to achieve to challenging State
16 academic content and performance stand-
17 ards through the use of research-based
18 teaching practices, integration of tech-
19 nology into the curriculum and advanced
20 technologies for activities described in sec-
21 tion 3214; and

22 “(ii) subject to subparagraph (C), the
23 remainder of the grant funds for adminis-
24 trative costs and technical assistance, and

1 the development and updating of the State
2 technology plan.

3 “(B) In awarding grants under subpara-
4 graph (A)(i), each State educational agency
5 shall—

6 “(i) ensure that each such grant is of
7 sufficient duration, and of sufficient size,
8 scope, and quality, to carry out the pur-
9 poses of this part effectively; and

10 “(ii) shall give priority to an eligible
11 local applicant that is a partnership that
12 meets the requirements of section
13 3216(1)(B).

14 “(C) From funds described in subpara-
15 graph (A)(i), a State educational agency may
16 use not more than 2 percent of the grant funds
17 received by that agency under this subpart to
18 provide planning subgrants to eligible local ap-
19 plicants in order to assist them to develop stra-
20 tegic long-term local technology plans that shall
21 be included in the application for a subgrant
22 under section 3215.

23 “(b) TECHNICAL ASSISTANCE.—Each State edu-
24 cational agency receiving a grant under subsection (a)
25 shall—

1 “(1) identify the local educational agencies in
2 the State educational agency that—

3 “(A) have the highest number or percent-
4 age of children in poverty; and

5 “(B) demonstrate to such State edu-
6 cational agency the greatest need for technical
7 assistance in developing the application under
8 section 3215; and

9 “(2) offer technical assistance to such local edu-
10 cational agencies in—

11 “(A) developing applications under section
12 3215;

13 “(B) forming partnerships among the enti-
14 ties described in section 3216(1)(B); and

15 “(C) meeting the standards and perform-
16 ance indicators as described in section
17 3213(a)(5).

18 **“SEC. 3213. STATE APPLICATION.**

19 “(a) To receive funds under this subpart, each State
20 educational agency shall submit an application to the Sec-
21 retary at such time, in such manner, and accompanied by
22 such information as the Secretary may reasonably require.
23 As part of its application, a State educational agency shall
24 submit a new or updated statewide educational technology
25 plan. The plan shall demonstrate how it will be coordi-

1 nated with and support the State plan or policies for com-
2 prehensive standards-based education reform, and shall
3 describe—

4 “(1) the State educational agency’s long-term
5 strategies for financing educational technology in the
6 State, including how the State educational agency
7 will use other sources of Federal and non-Federal
8 funds, including the E-rate, for this purpose;

9 “(2) the State educational agency’s criteria for
10 identifying local educational agencies under section
11 3216(1)(A) and how the State educational agency
12 will report to the public the criteria to be used and
13 the outcome of the competition under section
14 3212(a)(2)(A)(i);

15 “(3) the State educational agency’s specific
16 goals for using advanced technologies to improve
17 student achievement to challenging State academic
18 content and performance standards by—

19 “(A) using web-based resources and tele-
20 communications networks to provide challenging
21 content and improve classroom instruction;

22 “(B) using research-based teaching prac-
23 tices and models of effective uses of advanced
24 technology to promote basic skills in core aca-

1 demic areas and higher-order thinking skills in
2 all students; and

3 “(C) promoting sustained and intensive
4 high-quality professional development that in-
5 creases teacher capacity to enable students to
6 learn to challenging State content and perform-
7 ance standards and develop higher-order think-
8 ing skills through the integration of technology
9 into instruction;

10 “(4) the strategy of the State educational agen-
11 cy for disseminating information, or arranging for
12 other qualified entities with the appropriate experi-
13 ence to provide technical assistance, regarding soft-
14 ware and other technology applications that are
15 aligned to the content standards in core academic
16 subjects of the States;

17 “(5) the State educational agency’s perform-
18 ance indicators for each of the strategies and goals
19 described in paragraphs (1) and (3) and included in
20 its plan, baseline performance data for the indica-
21 tors, a timeline for achieving the goals, and interim
22 measures of success toward achieving the goals;

23 “(6) how the State educational agency will en-
24 sure that grants to eligible local applicants are of

1 sufficient size, scope, and quality to meet the pur-
2 poses of this subpart effectively;

3 “(7) how the State educational agency will pro-
4 vide technical assistance to eligible local applicants,
5 and its capacity for providing such assistance;

6 “(8) how the State educational agency will en-
7 sure that educational technology is accessible to, and
8 usable by all students, including students with spe-
9 cial needs, such as students who have disabilities or
10 limited English proficiency;

11 “(9) how the State educational agency will en-
12 sure the ongoing integration of technology across the
13 curriculum used by its local educational agencies and
14 schools in all such schools in the State by September
15 30, 2005; and

16 “(10) how the State educational agency will
17 evaluate its activities under the plan as it relates to
18 its specific goals as described in paragraph (3), in-
19 cluding its impact on student achievement for all
20 students, and the ability of teachers to integrate
21 technology into the core academic curriculum.

22 “(b) APPROVAL OF STATE EDUCATIONAL AGENCY
23 APPLICATION.—The Secretary shall review the application
24 of a State educational agency for assistance under this
25 subpart and shall approve the application, unless the Sec-

1 retary makes a determination in writing that such applica-
2 tion does not meet the specific requirements of this sub-
3 part or does not show reasonable promise of achieving its
4 goals.

5 **“SEC. 3214. LOCAL USES OF FUNDS.**

6 “Each eligible local applicant, having an approved ap-
7 plication under section 3215, shall, consistent with such
8 application, use funds made available under section
9 3212(a)(2)(A)(i) for 1 or more of the following activities:

10 “(1)(A) Adapting or expanding existing and
11 new applications of technology to enable teachers to
12 help students to achieve to challenging State aca-
13 demic content and student performance standards
14 through the use of research-based teaching practices
15 and advanced technologies; and

16 “(B) integrating technology across the cur-
17 rriculum.

18 “(2) Providing sustained and intensive, high-
19 quality professional development in the integration
20 of advanced technologies across the curriculum and
21 in using those technologies to create enriching learn-
22 ing environments, including training in the use of
23 technology to access data and resources to develop
24 curricula and instructional materials that are

1 aligned to the challenging State academic content
2 standards in core academic subjects.

3 “(3) Enabling teachers to use the Internet to
4 communicate with other teachers, parents, and stu-
5 dents, and retrieve web-based learning resources.

6 “(4) Using technology to enable teachers and
7 administrators to collect manage, and analyze data
8 to identify strengths and weaknesses in academic,
9 performance to improve school reform efforts.

10 “(5) Acquiring wireless telecommunications,
11 hand-held devices, modeling or simulation tools, dis-
12 tance learning networks, and other advanced tech-
13 nologies with classroom applications.

14 “(6) Acquiring proven and effective technology-
15 based curricular programs that will help students to
16 achieve to challenging State academic content and
17 student performance standards, including programs
18 that enable family and parental access to advanced
19 telecommunications, and support communications
20 between families, parents and schools.

21 “(7) Acquiring proven and effective curricula
22 that includes integrated technology and are designed
23 to help students achieve to challenging State aca-
24 demic content and student performance standards.

1 “(8) Acquiring wiring and access to advanced
2 telecommunications.

3 “(9) Using web-based learning resources, in-
4 cluding those that provide access to challenging
5 courses such as Advanced Placement courses.

6 “(10) Assisting schools to use technology to
7 promote parent and family involvement, and support
8 communications between family and school.

9 “(11) Utilizing technology to develop or expand
10 efforts to connect schools and teachers with parents
11 to promote meaningful parental involvement and fos-
12 ter increased communication about curriculum, as-
13 signments, and assessments.

14 “(12) Providing support to help parents under-
15 stand the technology being applied in their children’s
16 education so such parents will be able to reinforce
17 their children’s learning.

18 **“SEC. 3215. LOCAL APPLICATIONS.**

19 “Each eligible local applicant desiring assistance
20 from a State educational agency under this subpart shall
21 submit an application, consistent with the objectives of the
22 systemic statewide plan, to the State educational agency
23 at such time, in such manner, and accompanied by such
24 information as the State educational agency may reason-
25 ably require. Such application, at a minimum, shall—

1 “(1) include a strategic, long-range (3- to 5-
2 year), plan that includes—

3 “(A) a description of how the applicant
4 plans to improve the achievement of all stu-
5 dents by—

6 “(i) making effective use of new tech-
7 nologies, networks, and electronic learning
8 resources;

9 “(ii) using research-based teaching
10 practices and models of effective uses of
11 advanced technology to promote basic skills
12 in core academic areas and higher-order
13 thinking skills;

14 “(iii) promoting sustained and inten-
15 sive, high quality professional development
16 that increases teacher capacity to enable
17 students to learn to challenging State con-
18 tent and performance standards and de-
19 velop higher-order thinking skills through
20 the integration of technology into instruc-
21 tion; and

22 “(iv) the steps that will be taken to
23 inform parents of the use of technologies
24 in their children’s education so that par-

1 ents will be able to reinforce at home the
2 instruction their children receive in school;

3 “(B) an explanation of how the acquired
4 technologies will be integrated into the cur-
5 riculum to help the local educational agency
6 that is the eligible local applicant under section
7 3216(1)(A) or is a member of a partnership de-
8 scribed in section 3216(1)(B), enhance teach-
9 ing, training, and student achievement;

10 “(C) a description of the applicant’s goals
11 regarding the use of educational technology
12 that are consistent with the performance indica-
13 tors of the State described under section
14 3213(a)(5), as well as the applicant’s baseline
15 data, timelines, benchmarks, and indicators of
16 success for meeting those goals;

17 “(D) a description of how the applicant
18 will ensure sustained and intensive, high-quality
19 professional development for teachers, adminis-
20 trators, and other educational personnel to fur-
21 ther the effective use of technology in the class-
22 room and the integration of technology into in-
23 structional practices;

1 “(E) a description of the administrative
2 and technical support that the applicant will
3 provide schools;

4 “(F) the projected timetable for imple-
5 menting such plan in schools;

6 “(G) the projected cost of technologies to
7 be acquired and related expenses needed to im-
8 plement such plan;

9 “(H) a description of the applicant’s strat-
10 egy for financing its strategic, long-term local
11 technology plan, including the use of other Fed-
12 eral and non-Federal funds, and how the plan
13 will be coordinated with other technology initia-
14 tives;

15 “(I) a description of how the applicant will
16 use advanced technology to promote commu-
17 nication between teachers for activities such
18 as—

19 “(i) sharing examples of student
20 work;

21 “(ii) developing instructional strate-
22 gies that promote basic skills in core aca-
23 demic areas and higher-order thinking
24 skills in all students;

1 “(iii) developing challenging curricula
2 aligned with State or local standards; and

3 “(iv) using data to improve teaching
4 and learning; and

5 “(J) a description of how the applicant will
6 use technology to improve the teaching and
7 learning of students with special needs, such as
8 students with disabilities or limited English
9 proficiency;

10 “(2) describe how the eligible local applicant
11 will involve parents, public libraries, business leaders
12 and community leaders in the development of the
13 plan described in paragraph (1);

14 “(3) describe how the acquired instructionally
15 based technologies will help the local educational
16 agency that is the eligible local applicant under sec-
17 tion 3216(1)(A), or is a member of a partnership de-
18 scribed in section 3216(1)(B) and meets the require-
19 ments of section 3216(1)(A)—

20 “(A) promote equity in education in order
21 to support State content standards and State
22 student performance standards that may be de-
23 veloped; and

1 “(B) provide access for teachers, parents,
2 and students to the best teaching practices and
3 curriculum resources through technology;

4 “(4) describe a process for the ongoing evalua-
5 tion of how technologies acquired under this
6 section—

7 “(A) will be integrated into the school cur-
8 riculum and instructional practices of teachers
9 of the school; and

10 “(B) will affect student achievement and
11 progress toward meeting America’s Education
12 Goals and any challenging State content stand-
13 ards and State student performance standards
14 that may be developed;

15 “(5) describe how the applicant will use
16 subgrant funds to benefit low-performing schools in
17 integrating technology into the curriculum of such
18 schools;

19 “(6) describe how the applicant will ensure that
20 technology is accessible to, and usable by, all stu-
21 dents, particularly students with disabilities or lim-
22 ited English proficiency;

23 “(7) include an assurance that, before any
24 funds received under this subpart are used to ac-
25 quire wiring or access to advanced telecommuni-

1 cations, the applicant will use all appropriate re-
2 sources available to it through the E-Rate;

3 “(8) describe how the eligible local applicant
4 will provide for an independent evaluation of the
5 program funded under this subpart and how such
6 evaluation will be used for program improvement;
7 and

8 “(9) if the applicant is a partnership, describe
9 the members of the partnership, their respective
10 roles, and their respective contributions to improving
11 the capacity of the local educational agency.

12 **“SEC. 3216. DEFINITIONS.**

13 For purpose of this subpart—

14 “(1) the term ‘eligible local applicant’ means

15 “(A) a local educational agency that, as
16 determined by the State educational agency—

17 “(i) is among the local educational
18 agencies in the State with the highest
19 numbers or percentages of children from
20 households living in poverty;

21 “(ii) includes one or more low-per-
22 forming schools; and

23 “(iii) has a substantial need for as-
24 sistance in acquiring and using technology;

25 or

1 “(B) a partnership that includes at least
2 one local educational agency that meets the re-
3 quirements of subparagraph (A) and at least
4 one—

5 “(i) local educational agency that can
6 demonstrate that teachers in schools
7 served by that agency are using technology
8 effectively in their classrooms;

9 “(ii) institution of higher education in
10 full compliance with the reporting require-
11 ments of section 207(f) of the Higher Edu-
12 cation Act of 1965 and that has not been
13 identified by its State as low performing
14 under section 208 of such Act;

15 “(iii) for-profit organization that de-
16 velops, designs, manufactures, or produces
17 technology products or services, or has
18 substantial expertise in the application of
19 technology; or

20 “(iv) public or private non-profit orga-
21 nization with demonstrated experience in
22 the application of educational technology;
23 and

24 “(2) the term ‘low-performing school’ means a
25 school identified by the local educational agency for

1 school improvement under section 1116(c) of this
2 Act.

3 **“Subpart 2—Next-Generation Technology Innovation**
4 **Awards**

5 **“SEC. 3221. PURPOSE; PROGRAM AUTHORITY.**

6 “(a) PURPOSE.—It is the purpose of this subpart
7 to—

8 “(1) expand the knowledge base about the use
9 of the next generation of advanced computers and
10 telecommunications in delivering new applications
11 for teaching and learning;

12 “(2) address questions of national significance
13 about the next generation of technology and its use
14 to improve teaching and learning; and

15 “(3) develop, for wide-scale adoption by State
16 educational agencies and local educational agencies,
17 models of innovative and effective applications of
18 technology to teaching and learning, such as high
19 quality video, voice recognition devices, modeling and
20 simulation software (particularly web-based software
21 and intelligent tutoring), hand-held devices, and vir-
22 tual reality and wireless technologies, that are
23 aligned with challenging State academic content and
24 student performance standards.

25 “(b) PROGRAM AUTHORITY.—

1 “(1) IN GENERAL.—The Secretary is author-
2 ized, through the Office of Educational Technology,
3 to award grants, contracts, or cooperative agree-
4 ments on a competitive basis to eligible applicants in
5 order to carry out the purpose of this subpart.

6 “(2) PERIOD OF AWARD.—The Secretary may
7 award grants, contracts, or cooperative agreements
8 under this subpart for a period of not more than 5
9 years.

10 **“SEC. 3222. ELIGIBILITY.**

11 “(a) ELIGIBLE APPLICANTS.—In order to receive an
12 award under this subpart, an applicant shall, subject to
13 subsection (c)(1), be a consortium that includes—

14 “(1) at least one State educational agency or
15 local educational agency; and

16 “(2) at least one institution of higher education,
17 for-profit business, museum, library, or other public
18 or private entity with a particular expertise that
19 would assist in carrying out the purpose of this sub-
20 part.

21 “(b) APPLICATION REQUIREMENTS.—In order to re-
22 ceive an award under this subpart, an eligible applicant
23 shall submit an application to the Secretary at such time,
24 and containing such information, as the Secretary may re-
25 quire. Such application shall include—

1 “(1) a description of the proposed project, and
2 how it would carry out the purpose of this subpart;
3 and

4 “(2) a detailed plan for the independent evalua-
5 tion of the project, which shall include benchmarks
6 to monitor progress toward specific project objec-
7 tives.

8 “(c) PRIORITIES.—In making awards under this sub-
9 part, the Secretary may establish one or more priorities
10 consistent with the purpose of this subpart, including—

11 “(1) a priority for projects that develop innova-
12 tive models of effective use of educational tech-
13 nology, including the development of distance learn-
14 ing networks, software (including software deliver-
15 able through the Internet), and online-learning re-
16 sources;

17 “(2) a priority for projects serving more than
18 one State and involving large-scale innovations in
19 the use of technology in education;

20 “(3) a priority for projects that develop innova-
21 tive models that serve traditionally underserved pop-
22 ulations, including low-income students, students
23 with disabilities, or students with limited English
24 proficiency;

1 “(4) a priority for projects in which applicants
2 provide substantial financial and other resources to
3 achieve the goals of the project; or

4 “(5) a priority for projects that develop innova-
5 tive models for using electronic networks to provide
6 challenging courses, such as Advanced Placement
7 courses.

8 **“SEC. 3223. USES OF FUNDS.**

9 A recipient shall use funds awarded under this sub-
10 part to—

11 “(1) develop new applications of educational
12 technologies and telecommunications to support
13 school reform efforts, such as wireless and web-
14 based telecommunications, hand-held devices, web-
15 based learning resources, distributed learning envi-
16 ronments (including distance learning networks),
17 and the development of educational software and
18 other applications;

19 “(2) integrate technology across the curriculum
20 of the State educational agency or local educational
21 agency, depending on the composition of the eligible
22 applicant; and

23 “(3) carry out other activities consistent with
24 the purpose of this subpart, such as—

1 “(A) developing innovative models for im-
2 proving teachers’ ability to integrate technology
3 effectively into course curriculum, through sus-
4 tained and intensive, high-quality professional
5 development;

6 “(B) developing high-quality, standards-
7 based, digital content, including multimedia
8 software, digital video, and web-based re-
9 sources, such as—

10 “(i) new technological formats to fa-
11 cilitate deeper subject matter under-
12 standing in particularly challenging learn-
13 ing environments in areas such as physics,
14 foreign language, or Advanced Placement
15 courses;

16 “(ii) computer modeling, visualization,
17 and simulation tools;

18 “(iii) new methods for assessing stu-
19 dent performance;

20 “(iv) web-based and other distance
21 learning curricula and related materials,
22 such as interoperable software components;

23 “(v) learning-focused digital libraries,
24 information retrieval systems, and other

1 designs for supporting broad re-use of
2 learning content; and

3 “(vi) software that supports the devel-
4 opment, modification, and maintenance of
5 educational materials;

6 “(C) using telecommunications and other
7 technologies to make programs accessible to
8 students with special needs (such as low-income
9 students, students with disabilities, students in
10 remote areas, and students with limited English
11 proficiency) through such activities as using
12 technology to support mentoring;

13 “(D) providing classroom and extra-
14 curricular opportunities for female students to
15 explore the different uses of technology and
16 gain awareness of careers and opportunities in
17 the technology field;

18 “(E) promoting school-family partnerships,
19 which may include services for adults and fami-
20 lies, particularly parent education programs
21 that provide parents with training, information,
22 and support on how to help their children
23 achieve to high academic standards;

24 “(F) acquiring connectivity linkages, re-
25 sources, distance learning networks, and serv-

1 ices, including hardware and software, as need-
2 ed to accomplish the goals of the project; and

3 “(G) collaborating with other Department
4 and Federal information technology research
5 and development programs.

6 **“SEC. 3224. EVALUATION.**

7 The Secretary shall—

8 “(1) develop tools and provide resources for re-
9 cipients of funds under this subpart to evaluate their
10 activities;

11 “(2) provide technical assistance to assist re-
12 cipients of funds this under subpart in evaluating
13 their projects;

14 “(3) conduct independent evaluations of the ac-
15 tivities assisted under this subpart; and

16 “(4) disseminate findings and methodologies
17 from evaluations of activities assisted under this
18 subpart, or other information obtained from such
19 projects that would promote the design, replication,
20 or implementation of effective models for evaluating
21 the impact of educational technology on teaching
22 and learning.

23 **“SEC. 3225. LIMITATION ON COSTS.**

24 Not more than 5 percent of the funds made available
25 to a recipient under this subpart for any fiscal year may

1 be used by such recipient for administrative costs or tech-
2 nical assistance.

3 **“SEC. 3226. NON-FEDERAL SHARE.**

4 “(1) IN GENERAL.—Subject to paragraphs (2)
5 and (3), the Secretary may require any recipient of
6 an award under this subpart to share in the cost of
7 the activities assisted under such awards, which non-
8 Federal share shall be announced through a notice
9 in the Federal Register and may be in the form of
10 cash or in-kind contributions, fairly valued.

11 “(2) INCREASE.—The Secretary may increase
12 the non-Federal share that is required of a recipient
13 of an award under this section after the first year
14 such recipient receives funds under such award.

15 “(3) MAXIMUM.—The non-Federal share re-
16 quired under this section shall not exceed 50 percent
17 of the cost of the activities assisted pursuant to an
18 award under this subpart.

19 **“PART C—PREPARING TOMORROW’S TEACHERS**
20 **TO USE TECHNOLOGY**

21 **“SEC. 3311. PURPOSE; PROGRAM AUTHORITY.**

22 “(a) PURPOSE.—The purpose of this part is to assist
23 consortia of public and private entities in carrying out pro-
24 grams that prepare prospective teachers to use advanced
25 technology to enable all students to achieve to challenging

1 State and local content and student performance stand-
2 ards.

3 “(b) PROGRAM AUTHORITY.—

4 “(1) IN GENERAL.—The Secretary is author-
5 ized, through the Office of Educational Technology,
6 to award grants, contracts, or cooperative agree-
7 ments on a competitive basis to eligible applicants in
8 order to assist them in developing or redesigning
9 teacher preparation programs to enable prospective
10 teachers to use technology effectively in their class-
11 rooms.

12 “(2) PERIOD OF AWARD.—The Secretary may
13 award grants, contracts, or cooperative agreements
14 under this part for a period of not more than 5
15 years.

16 **“SEC. 3312. ELIGIBILITY.**

17 “(a) ELIGIBLE APPLICANTS.—In order to receive an
18 award under this part, an eligible applicant shall be a con-
19 sortium that includes—

20 “(1) at least one institution of higher education
21 that offers a baccalaureate degree and prepares
22 teachers for their initial entry into teaching, is in
23 full compliance with all of the reporting require-
24 ments of section 207(f) of the Higher Education Act

1 of 1965, and has not been identified by the State as
2 low performing under section 208 of such Act;

3 “(2) at least one State educational agency or
4 local educational agency with a high number or per-
5 centage of children in poverty; and

6 “(3) one or more of the following entities:

7 “(A) An institution of higher education
8 (other than the institution described in para-
9 graph (1)).

10 “(B) A school or department of education
11 at an institution of higher education that is in
12 full compliance with all of the reporting require-
13 ments of section 207 of the Higher Education
14 Act of 1965 and has not been identified by
15 their state as low performing under section 208
16 of such Act.

17 “(C) A school or college of arts and
18 sciences at an institution of higher education
19 that is in full compliance with the reporting re-
20 quirements of section 207(f) of the Higher
21 Education Act of 1965 and has not bee identi-
22 fied by its State as low performing under sec-
23 tion 208 of such Act.

24 “(D) A professional association, founda-
25 tion, museum, library, for-profit business, pub-

1 lic or private nonprofit organization, commu-
2 nity-based organization, or other entity with the
3 demonstrated capacity to contribute to the tech-
4 nology-related reform of teacher preparation
5 programs.

6 “(b) APPLICATION REQUIREMENTS.—In order to re-
7 ceive an award under this part, an eligible applicant shall
8 submit an application to the Secretary at such time, and
9 containing such information, as the Secretary may re-
10 quire. Such application shall include—

11 “(1) a description of the proposed project and
12 how the project shall—

13 “(A) ensure that individuals participating
14 in the project would be prepared to use tech-
15 nology to enable all students to achieve to chal-
16 lenging State and local content and student
17 performance standards, and integrate such
18 technology into their instructional practices;
19 and

20 “(B) include the adoption of specific, quan-
21 tifiable objectives that the program will achieve
22 over the duration of the award;

23 “(2) a demonstration of—

1 “(A) the commitment, including the finan-
2 cial commitment, of each of the members of the
3 consortium; and

4 “(B) the active support of the leadership of
5 each member of the consortium for the pro-
6 posed project;

7 “(3) a description of how each member of the
8 consortium would be included in project activities;

9 “(4) a description of how the proposed project
10 would be continued once the Federal funds awarded
11 under this part end; and

12 “(5) a plan for the evaluation of the program,
13 which shall include annual measurable benchmarks
14 to monitor progress toward specific project objec-
15 tives, as described in paragraph (1)(B).

16 “(c) MATCHING REQUIREMENTS.—

17 “(1) IN GENERAL.—The Federal share of the
18 cost of any project funded under this part shall not
19 exceed 50 percent. Except as provided in paragraph
20 (2), the non-Federal share of such project may be in
21 cash or in kind, fairly evaluated, including services.

22 “(2) ACQUISITION OF EQUIPMENT.—Not more
23 than 10 percent of the funds awarded for a project
24 under this part may be used to acquire equipment,
25 networking capabilities or infrastructure, and the

1 non-Federal share of the cost of any such acquisition
2 shall be in cash.

3 **“SEC. 3313. USES OF FUNDS.**

4 “(a) **REQUIRED USES.**—A recipient shall use funds
5 under this part for—

6 “(1) creating programs that enable prospective
7 teachers to use advanced technology to prepare all
8 students to achieve to challenging State and local
9 content and student performance standards in the
10 core academic subjects and integrate such tech-
11 nology into their instructional practices; and

12 “(2) evaluating the effectiveness of the project.

13 “(b) **PERMISSIBLE USES.**—A recipient may use funds
14 under this part for activities, described in its application,
15 that carry out the purpose of this part, such as—

16 “(1) developing and implementing high-quality
17 teacher preparation programs that enable educators
18 to—

19 “(A) learn the full range of resources that
20 can be accessed through the use of technology;

21 “(B) integrate a variety of technologies
22 into the classroom in order to expand students’
23 knowledge;

24 “(C) evaluate educational technologies and
25 their potential for use in instruction; and

1 “(D) help students develop their own tech-
2 nical skills and digital learning environments;

3 “(2) developing alternative teacher development
4 paths that provide elementary and secondary schools
5 with well-prepared, technology-proficient educators;

6 “(3) developing performance-based standards
7 and aligned assessments to measure the capacity of
8 prospective teachers to use technology effectively in
9 their classrooms;

10 “(4) providing technical assistance to other
11 teacher preparation programs;

12 “(5) developing and disseminating resources
13 and information in order to assist institutions of
14 higher education to prepare teachers to use tech-
15 nology effectively in their classrooms; and

16 “(6) subject to section 3312(c)(2), acquiring
17 equipment, networking capabilities, and infrastruc-
18 ture to carry out the project.

19 **“PART D—GETTING OUR GIRLS READY FOR THE**
20 **21ST CENTURY (GO GIRL)**

21 **“SEC. 3411. FINDINGS.**

22 “Congress finds the following:

23 “(1) Women have historically been underrep-
24 resented in mathematics, science, and technology oc-
25 cupations.

1 “(2) Female students take fewer high-level
2 mathematics and science courses in high school than
3 male students.

4 “(3) Female students take far fewer advanced
5 computer classes than male students take and tend
6 to take only basic data entry and word processing
7 classes.

8 “(4) Female students earn fewer baccalaureate,
9 masters, and doctoral degrees in mathematics,
10 science, and technology than male students.

11 “(5) Early career exploration is key to choosing
12 a career.

13 “(6) Teachers’ attitudes, methods of teaching,
14 and classroom atmosphere affect female student’s in-
15 terest in nontraditional fields.

16 “(7) Stereotypes about appropriate careers for
17 females, a lack of female role models, and a lack of
18 basic career information significantly deters girls’ in-
19 terest in mathematics, science, and technology ca-
20 reers.

21 “(8) Females consistently rate themselves sig-
22 nificantly lower than males in computer ability.

23 “(9) In the coming years, 65 percent of the
24 economy will be based on information-technology.

1 “(10) Limited access is a hurdle faced by fe-
2 males seeking jobs in mathematics, science, and
3 technology.

4 “(11) Common recruitment and hiring practices
5 make extensive use of traditional networks that
6 often overlook females.

7 **“SEC. 3412. PROGRAM AUTHORITY.**

8 “(a) IN GENERAL.—From funds provided under sec-
9 tion 3005(4), the Secretary is authorized to provide grants
10 to and enter into contracts or cooperative agreements with
11 local educational agencies on behalf of elementary and sec-
12 ondary schools to encourage the ongoing interest of girls
13 in science, mathematics, engineering, and technology and
14 to prepare girls to pursue undergraduate and graduate de-
15 grees and careers in science, mathematics, engineering, or
16 technology.

17 “(b) APPLICATION.—

18 “(1) IN GENERAL.—To be eligible to receive a
19 grant, enter into a contract, or cooperative agree-
20 ment under this part, a local educational agency
21 shall submit an application to the Secretary at such
22 time, in such form, and containing such information
23 as the Secretary may reasonably require.

1 “(2) CONTENTS.—The application referred to
2 in paragraph (1) shall contain, at a minimum, the
3 following:

4 “(A) A specific program description, in-
5 cluding the content of the program and the re-
6 search and models used to design the program.

7 “(B) A description of the collaboration be-
8 tween elementary and secondary schools to ful-
9 fill goals of the program.

10 “(C) An explanation regarding the recruit-
11 ment and selection of participants.

12 “(D) A description of the instructional and
13 motivational activities planned to be used.

14 “(E) An evaluation plan.

15 **“SEC. 3413. ELEMENTARY SCHOOL PROGRAM.**

16 “(a) SELECTION.—Local educational agencies shall
17 select elementary schools to provide services that—

18 “(1) encourage girls in grades 4 through 8 to
19 enjoy and pursue studies in science, mathematics,
20 engineering, and technology;

21 “(2) acquaint girls in grades 4 through 8 with
22 careers in science, mathematics, engineering, and
23 technology; and

24 “(3) educate the parents of girls in grades 4
25 through 8 about the difficulties faced by girls to

1 maintain an interest and desire to achieve in science,
2 mathematics, engineering, and technology and enlist
3 the help of the parents in overcoming these difficul-
4 ties.

5 “(b) SERVICES.—Services provided under this section
6 shall include one or more of the following:

7 “(1) Tutoring in reading, science, mathematics,
8 engineering, and technology.

9 “(2) Mentoring relationships, both in-person
10 and through the Internet.

11 “(3) Paying the costs of female students and
12 their teachers attending events and academic pro-
13 grams in science, mathematics, engineering, and
14 technology.

15 “(4) Providing after-school activities designed
16 to encourage the interest of girls in grades 4 and
17 higher in science, mathematics, engineering, and
18 technology.

19 “(5) Summer programs designed to encourage
20 interest, and develop skills, in science, mathematics,
21 engineering, and technology.

22 “(6) Purchasing software designed for girls, or
23 designed to encourage girls’ interest in science,
24 mathematics, engineering, and technology.

1 “(7) Offering field trips to locations that edu-
2 cate and encourage girls’ interest in science, mathe-
3 matics, engineering, and technology.

4 “(8) Offering field trips to locations that ac-
5 quaint girls with careers in science, mathematics,
6 engineering, and technology.

7 “(9) Purchasing and disseminating information
8 to parents of girls in grades 4 and higher that will
9 help parents to encourage their daughters’ interest
10 in science, mathematics, engineering, and tech-
11 nology.

12 **“SEC. 3414. SECONDARY SCHOOL PROGRAM.**

13 “(a) SELECTION.—Local educational agencies shall
14 select secondary schools to provide services that—

15 “(1) encourage girls in grades 9 and higher to
16 major in science, mathematics, engineering, and
17 technology of a institution of higher education;

18 “(2) provide academic advice and assistance in
19 high school course selection;

20 “(3) encourage girls in grades 9 and higher to
21 plan for careers in science, mathematics, engineer-
22 ing, and technology; and

23 “(4) educate the parents of girls in grades 9
24 and higher about the difficulties faced by girls to
25 maintain an interest in and desire to, achieve in

1 science, mathematics, engineering, and technology,
2 and enlist the help of the parents in overcoming
3 these difficulties.

4 “(b) SERVICES.—Services provided under this section
5 shall include one or more of the following:

6 “(1) Tutoring in science, mathematics, engi-
7 neering, and technology.

8 “(2) Mentoring relationships, both in-person
9 and through the Internet.

10 “(3) Paying the costs of female students and
11 their teachers attending events and academic pro-
12 grams in science, mathematics, engineering, and
13 technology.

14 “(4) Paying up to 50 percent of the cost of an
15 internship in science, mathematics, engineering, or
16 technology for female students.

17 “(5) Providing after-school activities designed
18 to encourage the interest of girls in grades 9 and
19 higher in science, mathematics, engineering, and
20 technology, including the cost of that portion of a
21 staff salary to supervise these activities.

22 “(6) Providing summer programs designed to
23 encourage interest, and develop skills, in science,
24 mathematics, engineering, and technology.

1 “(7) Purchasing software designed for girls, or
2 designed to encourage girls’ interest in science,
3 mathematics, engineering, and technology.

4 “(8) Offering field trips to locations that edu-
5 cate and encourage girls’ interest in science, mathe-
6 matics, engineering, and technology.

7 “(9) Offering field trips to locations that ac-
8 quaint girls with careers in science, mathematics,
9 engineering, and technology.

10 “(10) Visits to institutions of higher education
11 to acquaint girls with college-level programs in
12 science, mathematics, engineering, or technology,
13 and to meet with educators and female college stu-
14 dents who will encourage them to pursue degrees in
15 science, mathematics, engineering, and technology.

16 **“Part E—LIBRARY RESOURCES**

17 **“SEC. 3511. PURPOSE.**

18 “The purposes of this Part are—

19 “(1) to improve academic achievement of stu-
20 dents by providing students with increased access to
21 up-to-date school library materials, a well-equipped,
22 technologically advanced school library media center,
23 and well-trained, professionally certified school li-
24 brary media specialists;

1 “(2) to support the acquisition of up-to-date
2 school library media resources for the use of stu-
3 dents, school library media specialists, and teachers
4 in elementary schools and secondary schools;

5 “(3) to provide school library media specialists
6 with the tools and training opportunities necessary
7 for the specialists to facilitate the development and
8 enhancement of the information literacy, information
9 retrieval, and critical thinking skills of students; and

10 “(4)(A) to ensure the effective coordination of
11 resources for library, technology, and professional
12 development activities for elementary schools and
13 secondary schools; and

14 “(B) collaboration between school library media
15 specialists, and elementary school and secondary
16 school teachers and administrators, in developing
17 curriculum-based instructional activities for stu-
18 dents.

19 **“SEC. 3512. ALLOTMENTS.**

20 (a) For each fiscal year from funds provided under
21 section 3005(e) the Secretary shall—

22 (1) first reserve the lesser of 5 percent or
23 \$10,000,000 to carry out subpart 2; and

24 (2) allot the remainder to each eligible State
25 educational agency an amount that bears the same

1 relation to the amount appropriated under section
2 3005(e) and not reserved under paragraph (1) and
3 section 3520 for the fiscal year as the amount the
4 State educational agency received under part A of
5 title I for the preceding fiscal year bears to the
6 amount all State educational agencies received under
7 part A of title I for the preceding fiscal year.

8 **“Subpart 1—Library Media Resources**

9 **“SEC. 3513. STATE APPLICATIONS.**

10 “To be eligible to receive an allotment under section
11 3512(a)(2) for a fiscal year, the State educational agency
12 shall submit to the Secretary an application at such time,
13 in such manner, and containing such information as the
14 Secretary may require. The application shall contain a de-
15 scription of—

16 “(1) how the State educational agency will use
17 the needs assessment described in section 3516(1)
18 and poverty data to allocate funds made available
19 through the allotment to the local educational agen-
20 cies in the State with the greatest need for school
21 library media improvement;

22 “(2) how the State educational agency will ef-
23 fectively coordinate all Federal and State funds
24 available for library, technology, and professional de-

1 development activities to assist local educational agen-
2 cies, elementary schools, and secondary schools in—

3 “(A) acquiring up-to-date school library
4 media resources in all formats, including books
5 and advanced technology such as Internet con-
6 nections;

7 “(B) providing training for school library
8 media specialists; and

9 “(C) facilitating resource-sharing among
10 schools and school library media centers;

11 “(3) how the State educational agency will de-
12 velop standards for the incorporation of new tech-
13 nologies into the curricula of elementary schools and
14 secondary schools through school library media pro-
15 grams to develop and enhance the information lit-
16 eracy, information retrieval, and critical thinking
17 skills of students; and

18 “(4) how the State educational agency will
19 evaluate the quality and impact of activities carried
20 out under this subpart by local educational agencies
21 to make determinations regarding the need of the
22 agencies for technical assistance and whether to con-
23 tinue funding the agencies under this subpart.

1 **“SEC. 3514. STATE RESERVATION.**

2 “A State educational agency that receives an allot-
3 ment under section 3512(a)(2) may reserve not more than
4 3 percent of the funds made available through the allot-
5 ment to provide technical assistance, disseminate informa-
6 tion about effective school library media programs, and
7 pay administrative costs relating to this subpart.

8 **“SEC. 3515. LOCAL ALLOCATIONS.**

9 “(a) IN GENERAL.—A State educational agency that
10 receives an allotment under section 3512(a)(2) for a fiscal
11 year shall use the funds made available through the allot-
12 ment and not reserved under section 3514 to make alloca-
13 tions to local educational agencies described in subsection
14 (b).

15 “(b) AGENCIES.—The State educational agency shall
16 allocate the funds to local educational agencies in the
17 State that have—

18 “(1) the greatest need for school library media
19 improvement according to the needs assessment de-
20 scribed in section 3516; and

21 “(2) the highest percentages of poverty.

22 **“SEC. 3516. LOCAL APPLICATION.**

23 “To be eligible to receive an allocation under section
24 3515 for a fiscal year, a local educational agency shall sub-
25 mit to the State educational agency an application at such
26 time, in such manner, and containing such information as

1 the State educational agency shall require. The application
2 shall contain—

3 “(1) a needs assessment relating to need for
4 school library media improvement, based on the age
5 and condition of school library media resources (in-
6 cluding book collections), access of school library
7 media centers to advanced technology, including
8 Internet connections, and the availability of well-
9 trained, professionally certified school library media
10 specialists, in schools served by the local educational
11 agency;

12 “(2) a description of the manner in which the
13 local educational agency will use the needs assess-
14 ment to assist schools with the greatest need for
15 school library media improvement;

16 “(3) a description of the manner in which the
17 local educational agency will use the funds provided
18 through the allocation to carry out the activities de-
19 scribed in section 3517;

20 “(4) a description of the manner in which the
21 local educational agency will develop and carry out
22 the activities described in section 3517 with the ex-
23 tensive participation of school library media special-
24 ists, elementary school and secondary school teach-
25 ers and administrators, and parents;

1 “(5) a description of the manner in which the
2 local educational agency will effectively coordinate—

3 “(A) funds provided under this subpart
4 with other Federal, State, and local funds re-
5 ceived by the agency for library, technology,
6 and professional development activities; and

7 “(B) activities carried out under this sub-
8 part with the Federal, State, and local library,
9 technology, and professional development activi-
10 ties carried out by the local educational agency;
11 and

12 “(6) a description of the manner in which the
13 local educational agency will collect and analyze data
14 on the quality and impact of activities carried out
15 under this subpart by schools served by the local
16 educational agency.

17 **“SEC. 3517. LOCAL ACTIVITIES.**

18 “A local educational agency that receives an alloca-
19 tion under section 3515 may use the funds made available
20 through the allocation—

21 “(1) to acquire up-to-date school library media
22 resources, including books, for the use of students,
23 school library media specialists, and teachers in ele-
24 mentary schools and secondary schools;

1 “(2) to acquire and utilize advanced technology,
2 incorporated into the curricula of the schools, to de-
3 velop and enhance the information literacy, informa-
4 tion retrieval, and critical thinking skills of students;

5 “(3) to acquire and utilize advanced technology,
6 including Internet links, to facilitate resource-shar-
7 ing among schools and school library media centers,
8 and public and academic libraries, where possible;

9 “(4) to provide professional development oppor-
10 tunities for school library media specialists; and

11 “(5) to foster increased collaboration between
12 school library media specialists and elementary
13 school and secondary school teachers and adminis-
14 trators.

15 **“SEC. 3518. ACCOUNTABILITY AND CONTINUATION OF**
16 **FUNDS.**

17 “Each local educational agency that receives funds
18 under this subpart for a fiscal year shall be eligible to con-
19 tinue to receive funding—

20 “(1) for each of the 2 subsequent fiscal years;
21 and

22 “(2) for each fiscal year after such 2 fiscal
23 years, if the local educational agency demonstrates
24 that the agency has increased—

1 “(A) the availability of, and the access of
2 students, school library media specialists, and
3 elementary and secondary teachers to, up-to-
4 date school library media resources, including
5 books and advanced technology, in elementary
6 schools and secondary schools served by the
7 local educational agency;

8 “(B) the number of well-trained, profes-
9 sionally certified school library media specialists
10 in those schools; and

11 “(C) collaboration between school library
12 media specialists and elementary school and
13 secondary school teachers and administrators
14 for those schools.

15 **“SEC. 3519. SUPPLEMENT NOT SUPPLANT.**

16 “Funds made available under this subpart shall be
17 used to supplement and not supplant other Federal, State,
18 and local funds expended to carry out activities relating
19 to library, technology, or professional development activi-
20 ties.

21 **“SEC. 3520. NATIONAL ACTIVITIES.**

22 “‘The Secretary shall reserve not more than 3 percent
23 of the amount appropriated under section 3005(e) for a
24 fiscal year—

1 “(1) for an annual, independent, national eval-
2 uation of the activities assisted under this subpart,
3 to be conducted not later than 3 years after the date
4 of the first awards made under this part; and

5 “(2) to broadly disseminate information to help
6 States, local educational agencies, school library
7 media specialists, and elementary and secondary
8 school teachers and administrators learn about effec-
9 tive school library media programs.

10 **“Subpart 2—School Library Access Program**

11 **“SEC. 3531. PROGRAM.**

12 “(a) IN GENERAL.—From funds reserved under sec-
13 tion 3512(a)(1) the Secretary may make grants to local
14 educational agencies to provide students with access to li-
15 braries in elementary schools and secondary schools dur-
16 ing non-school hours, including the hours before and after
17 school, on weekends, and during summer vacation periods.

18 “(b) APPLICATIONS.—To be eligible to receive a
19 grant under subsection (a), a local educational agency
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.

23 “(c) PRIORITY.—In making grants under subsection
24 (a), the Secretary shall give priority to local educational

1 agencies that demonstrate, in applications submitted
2 under subsection (b), that the agencies—

3 “(1) seek to provide activities that will increase
4 reading skills and student achievement;

5 “(2) have effectively coordinated services and
6 funding with entities involved in other Federal,
7 State, and local efforts, to provide programs and ac-
8 tivities for students during the non-school hours de-
9 scribed in subsection (a); and

10 “(3) have a high level of community support.

11 **“PART F—SPECIAL PROJECTS OF NATIONAL**
12 **SIGNIFICANCE**

13 **“Subpart 1—Regional Technology in Education**
14 **Consortium**

15 **“SEC. 3611. GRANTS, CONTRACTS, AND COOPERATIVE**
16 **AGREEMENTS AUTHORIZED.**

17 “(a)(1) **AUTHORITY.**—The Secretary, through the
18 Office of Educational Technology, shall make grants or
19 enter into contracts or cooperative agreements, in accord-
20 ance with the provisions of this subpart, to consortia that
21 meet the requirements of paragraph (2). In awarding
22 grants under this section, the Secretary shall ensure, to
23 the extent possible, that each geographic region of the
24 United States shall be served by a recipient of an award
25 under this subpart.

1 “(2) REQUIREMENTS.—Each consortium receiving an
2 award under this subpart shall—

3 “(A) be composed of State educational agencies,
4 institutions of higher education, nonprofit organiza-
5 tions, or a combination thereof;

6 “(B) meet the requirements of this subpart;

7 “(C) in cooperation with State and local edu-
8 cational agencies, develop a regional program that
9 addresses professional development, technical assist-
10 ance, and information resource dissemination, with
11 special emphasis on meeting the documented needs
12 of educators and learners in the region; and

13 “(D) foster regional cooperation and resource
14 and coursework sharing.

15 “(b) FUNCTIONS.—

16 “(1) Technical assistance.—Each consortium
17 receiving an award under this subpart shall, to the
18 extent practicable—

19 “(A) collaborate with State educational
20 agencies and local educational agencies request-
21 ing collaboration, particularly in the develop-
22 ment of strategies for assisting those schools
23 with the highest numbers or percentages of dis-
24 advantaged students with little or no access to
25 technology in the classroom;

1 “(B) provide information to State edu-
2 cational agencies, local educational agencies,
3 schools and adult education programs, on the
4 types and features of various educational tech-
5 nology equipment and software available, and
6 compile and share information regarding cre-
7 ative and effective applications of technology in
8 the classroom and school library media centers
9 in order to support the purposes of this sub-
10 part;

11 “(C) collaborate with such State edu-
12 cational agencies, local educational agencies, or
13 schools requesting assistance in applying ad-
14 vanced technologies and web-based resources in
15 order to design learning environments for the
16 21st Century; and

17 “(D) provide technical assistance to facili-
18 tate use of the electronic dissemination net-
19 works by State and local educational agencies
20 and schools throughout the region.

21 “(2) PROFESSIONAL DEVELOPMENT.—Each
22 consortium receiving an award under this subpart
23 shall, to the extent practicable—

24 “(A) develop and implement, in collabora-
25 tion with State educational agencies and insti-

1 tutions of higher education, technology-specific,
2 ongoing professional development, such as—

3 “(i) intensive school year and summer
4 workshops that use teachers, school librarians,
5 and school library personnel to train
6 other teachers, school librarians, and other
7 school library media personnel; and

8 “(ii) distance professional development,
9 including—

10 “(I) interactive training tele-
11 courses using researchers, educators,
12 and telecommunications personnel
13 who have experience in developing,
14 implementing, or operating edu-
15 cational and instructional technology
16 as a learning tool;

17 “(II) on-site courses teaching
18 teachers to use educational and in-
19 structional technology and develop
20 their own instructional materials for
21 effectively incorporating technology
22 and programming in their own class-
23 rooms;

24 “(III) methods for successful in-
25 tegration of instructional technology

1 into the curriculum in order to im-
2 prove student learning and achieve-
3 ment;

4 “(IV) the use of advanced tele-
5 communications and distance learning
6 networks to offer professional develop-
7 ment through peer interaction with
8 experts as well as other teachers using
9 technologies in their classrooms; and

10 “(V) mobile education technology
11 and training resources;

12 “(B) identify and link technical assistance
13 providers to State and local educational agen-
14 cies, as needed;

15 “(C) ensure that training, professional de-
16 velopment, and technical assistance meet the
17 needs of educators, parents, and students
18 served by the region;

19 “(D) assist colleges and universities within
20 the region to develop and implement preservice
21 training programs for students enrolled in
22 teacher education programs; and

23 “(E) assist local educational agencies and
24 schools in working with community members
25 and parents to increase the involvement and

1 support of communities and parents for edu-
2 cational technology programs and projects.

3 “(3) INFORMATION AND RESOURCE DISSEMINA-
4 TION.—Each consortium receiving an award under
5 this subpart shall, to the extent practicable—

6 “(A) maintain, or contribute to, a nation-
7 ally accessible repository that contains informa-
8 tion about effective uses of educational tech-
9 nology, including for sustained and intensive,
10 high-quality professional development, and dis-
11 seminate that information nationwide;

12 “(B) assist State and local educational
13 agencies in the identification and procurement
14 of financial, technological and human resources
15 needed to implement technology plans; and

16 “(C) provide outreach and, at the request
17 of a State or local educational agency, work
18 with such agency to assist in the development
19 and validation of instructionally based tech-
20 nology education resources.

21 “(4) COLLABORATION AND COORDINATION.—
22 Each consortium receiving an award under this sub-
23 part shall—

24 “(A) collaborate, and coordinate the serv-
25 ices that it provides, with appropriate regional

1 and other entities assisted in whole or in part
2 by the Department;

3 “(B) coordinate activities and establish
4 partnerships with organizations and institutions
5 of higher education that represent the interests
6 of the region regarding the application of tech-
7 nology to teaching, learning, instructional man-
8 agement, dissemination, the collection and dis-
9 tribution of educational statistics, and the
10 transfer of student information; and

11 “(C) collaborate with the Department and
12 recipients of funding under other technology
13 programs of the Department, particularly the
14 Technology Literacy Challenge Fund under
15 subpart 1 of part B and the Next-Generation
16 Technology Innovation Awards program under
17 subpart 2 of part B, to assist the Department
18 and those recipients as requested by the Sec-
19 retary.

20 **“Subpart 2—Community Technology Centers**

21 **“SEC. 3621. PURPOSE; PROGRAM AUTHORITY.**

22 “(a) PURPOSE.—It is the purpose of this subpart to
23 assist eligible applicants to—

24 “(1) create or expand community technology
25 centers that will provide disadvantaged residents of

1 economically distressed urban and rural communities
2 with access to information technology and related
3 training; and

4 “(2) provide technical assistance and support to
5 community technology centers.

6 “(b) PROGRAM AUTHORITY.—

7 “(1) IN GENERAL.—The Secretary is author-
8 ized, through the Office of Educational Technology,
9 to award grants, contracts, or cooperative agree-
10 ments on a competitive basis to eligible applicants in
11 order to assist them in—

12 “(A) creating or expanding community
13 technology centers; or

14 “(B) providing technical assistance and
15 support to community technology centers.

16 “(2) PERIOD OF AWARD.—The Secretary may
17 award grants, contracts, or cooperative agreements
18 under this subpart for a period of not more than 3
19 years.

20 **“SEC. 3622. ELIGIBILITY AND APPLICATION REQUIRE-**
21 **MENTS.**

22 “(a) ELIGIBLE APPLICANTS.—In order to be eligible
23 to receive an award under this subpart, an applicant
24 shall—

1 “(1) have the capacity to expand significantly
2 access to computers and related services for dis-
3 advantaged residents of economically distressed
4 urban and rural communities (who would otherwise
5 be denied such access); and

6 “(2) be—

7 “(A) an entity such as a foundation, mu-
8 seum, library, for-profit business, public or pri-
9 vate nonprofit organization, or community-
10 based organization;

11 “(B) an institution of higher education;

12 “(C) a State educational agency;

13 “(D) a local educational agency; or

14 “(E) a consortium of entities described in
15 subparagraphs (A), (B), (C), or (D).

16 “(b) APPLICATION REQUIREMENTS.—In order to re-
17 ceive an award under this subpart, an eligible applicant
18 shall submit an application to the Secretary at such time,
19 and containing such information, as the Secretary may re-
20 quire. Such application shall include—

21 “(1) a description of the proposed project, in-
22 cluding a description of the magnitude of the need
23 for the services and how the project would expand
24 access to information technology and related services

1 to disadvantaged residents of an economically dis-
2 tressed urban or rural community;

3 “(2) a demonstration of—

4 “(A) the commitment, including the finan-
5 cial commitment, of entities such as institu-
6 tions, organizations, business and other groups
7 in the community that will provide support for
8 the creation, expansion, and continuation of the
9 proposed project; and

10 “(B) the extent to which the proposed
11 project establishes linkages with other appro-
12 priate agencies, efforts, and organizations pro-
13 viding services to disadvantaged residents of an
14 economically distressed urban or rural commu-
15 nity;

16 “(3) a description of how the proposed project
17 would be sustained once the Federal funds awarded
18 under this subpart end; and

19 “(4) a plan for the evaluation of the program,
20 which shall include benchmarks to monitor progress
21 toward specific project objectives.

22 “(c) MATCHING REQUIREMENTS.—The Federal
23 share of the cost of any project funded under this subpart
24 shall not exceed 50 percent. The non-Federal share of

1 such project may be in cash or in kind, fairly evaluated,
2 including services.

3 **“SEC. 3623. USES OF FUNDS.**

4 “(a) REQUIRED USES.—A recipient shall use funds
5 under this subpart for—

6 “(1) creating or expanding community tech-
7 nology centers that expand access to information
8 technology and related training for disadvantaged
9 residents of distressed urban or rural communities;
10 and

11 “(2) evaluating the effectiveness of the project.

12 “(b) PERMISSIBLE USES.—A recipient may use funds
13 under this subpart for activities, described in its applica-
14 tion, that carry out the purposes of this subpart, such
15 as—

16 “(1) supporting a center coordinator, and staff,
17 to supervise instruction and build community part-
18 nerships;

19 “(2) acquiring equipment, networking capabili-
20 ties, and infrastructure to carry out the project;

21 “(3) developing and providing services and ac-
22 tivities for community residents that provide access
23 to computers, information technology, and the use of
24 such technology in support of pre-school preparation,

1 academic achievement, lifelong learning, and work-
2 force development, such as the following:

3 “(A) After-school activities in which chil-
4 dren and youths use software that provides aca-
5 demic enrichment and assistance with home-
6 work, develop their technical skills, explore the
7 Internet, and participate in multimedia activi-
8 ties, including web page design and creation.

9 “(B) Adult education and family literacy
10 activities through technology and the Internet,
11 including—

12 “(i) general education development,
13 English as a second language, and adult
14 basic education classes or programs;

15 “(ii) introduction to computers;

16 “(iii) intergenerational activities; and

17 “(iv) lifelong learning opportunities.

18 “(C) Career development and job prepara-
19 tion activities, such as—

20 “(i) training in basic and advanced
21 computer skills;

22 “(ii) resume writing workshops; and

23 “(iii) access to databases of employ-
24 ment opportunities, career information,
25 and other online materials.

1 “(D) Small business activities, such as—
2 “(i) computer-based training for basic
3 entrepreneurial skills and electronic com-
4 merce; and
5 “(ii) access to information on business
6 start-up programs that is available online,
7 or from other sources.

8 “(E) Activities that provide home access to
9 computers and technology, such as assistance
10 and services to promote the acquisition, instal-
11 lation, and use of information technology in the
12 home through low-cost solutions such as
13 networked computers, web-based television de-
14 vices, and other technology.

15 **“Subpart 3—Ready-To-Learn Digital Television**

16 **“SEC. 3631. READY-TO-LEARN.**

17 “(a) IN GENERAL.—The Secretary is authorized to
18 award grants to or enter into contracts or cooperative
19 agreements with—

20 “(1) eligible entities described in section
21 3632(b) to develop, produce, and distribute edu-
22 cational and instructional video programming for
23 preschool and elementary school children and their
24 parents in order to facilitate the achievement of
25 America’s Education Goals; and

1 “(2) eligible entities described in section
2 3633(1) to carry out special projects of national sig-
3 nificance program.

4 “(b) AVAILABILITY.—In making such grants, con-
5 tracts, or cooperative agreements, the Secretary shall en-
6 sure that recipients make programming widely available
7 with support materials as appropriate to young children,
8 their parents, child care workers, and Head Start pro-
9 viders to increase the effective use of such programming.

10 **“SEC. 3632. EDUCATIONAL PROGRAMMING.**

11 “(a) AWARDS.—From funds appropriated under sec-
12 tion 3005(f)(3) for each fiscal year, the Secretary shall
13 award grants, contracts, or cooperative agreements to eli-
14 gible entities to—

15 “(1) facilitate the development, directly or
16 through contracts with producers of children’s and
17 family educational television programming, of edu-
18 cational programming for preschool and elementary
19 school children, and accompanying support materials
20 and services that promote the effective use of such
21 programming; and

22 “(2) enable such entities to contract with enti-
23 ties such as public telecommunications entities, so
24 that programs developed under this section are dis-
25 seminated and distributed to the widest possible au-

1 dience appropriate to be served by the programming
2 by the most appropriate distribution technologies.

3 “(b) **ELIGIBLE ENTITIES.**—To be eligible to receive
4 a grant, contract, or cooperative agreement under sub-
5 section (a), an entity shall be—

6 “(1) a nonprofit entity (including a public tele-
7 communications entity) able to demonstrate a capaci-
8 ty for the development and distribution of edu-
9 cational and instructional television programming of
10 high quality for preschool and elementary school
11 children; and

12 “(2) able to demonstrate a capacity to contract
13 with the producers of children’s television program-
14 ming for the purpose of developing educational tele-
15 vision programming of high quality for preschool
16 and elementary school children.

17 “(c) **CULTURAL EXPERIENCES.**—Programming de-
18 veloped under this section shall reflect the recognition of
19 diverse cultural experiences and the needs and experiences
20 of both boys and girls in engaging and preparing young
21 children for schooling.

22 **“SEC. 3633. SPECIAL PROJECTS OF NATIONAL SIGNIFI-**
23 **CANCE.**

24 The Secretary is authorized—

1 “(1) to establish and administer a Special
2 Projects of National Significance program to award
3 grants, contracts, or cooperative agreements to pub-
4 lic and nonprofit private entities, or local public tele-
5 vision stations or such public television stations that
6 are part of a consortium with one or more State
7 educational agencies, local educational agencies, local
8 schools, institutions of higher education, or commu-
9 nity-based organizations of demonstrated effective-
10 ness, for the purpose of—

11 “(A) addressing the learning needs of
12 young children in limited English proficient
13 households, and developing appropriate edu-
14 cational and instructional television program-
15 ming to foster the school readiness of such chil-
16 dren;

17 “(B) developing programming and support
18 materials to increase family literacy skills
19 among parents to assist parents in teaching
20 their children and utilizing educational tele-
21 vision programming to promote school readi-
22 ness; and

23 “(C) identifying, supporting, and enhanc-
24 ing the effective use and outreach of innovative
25 programs that promote school readiness;

1 “(2) to establish within the Department a clear-
2 inghouse to compile and provide information, refer-
3 rals and model program materials and programming
4 obtained or developed under this subpart to parents,
5 child care providers, and other appropriate individ-
6 uals or entities to assist such individuals and entities
7 in accessing programs and projects under this sub-
8 part;

9 “(3) to develop and disseminate training mate-
10 rials, including—

11 “(A) interactive programs and programs
12 adaptable to distance learning technologies that
13 are designed to enhance knowledge of childrens
14 social and cognitive skill development and posi-
15 tive adult-child interactions; and

16 “(B) support materials to promote the ef-
17 fective use of materials developed under para-
18 graph (1) among parents, Head Start pro-
19 viders, in-home and center based day care pro-
20 viders, early childhood development personnel,
21 and elementary school teachers, public libraries,
22 and after school program personnel caring for
23 preschool and elementary school children; and

24 “(4) coordinate activities with the Secretary of
25 Health and Human Services in order to—

1 “(A) maximize the utilization of quality
2 educational programming by preschool and ele-
3 mentary school children, and make such pro-
4 gramming widely available to federally funded
5 programs serving such populations; and

6 “(B) provide information to recipients of
7 funds under Federal programs that have major
8 training components for early childhood devel-
9 opment, including Head Start, Even Start, and
10 State training activities funded under the Child
11 Care Development Block Grant Act of 1990, re-
12 garding the availability and utilization of mate-
13 rials developed under paragraph (3) to enhance
14 parent and child care provider skills in early
15 childhood development and education.

16 **“SEC. 3634. APPLICATIONS.**

17 Each eligible entity desiring a grant, contract, or co-
18 operative agreement under section 3632 shall submit an
19 application to the Secretary at such time, in such manner,
20 and containing such information as the Secretary may rea-
21 sonably require.

22 **“SEC. 3635. REPORTS AND EVALUATION.**

23 “(a) ANNUAL REPORT TO SECRETARY.—An entity
24 receiving funds under this subpart shall prepare and sub-
25 mit to the Secretary an annual report which contains such

1 information as the Secretary may require. At a minimum,
2 the report shall describe the program activities undertaken
3 with funds received under this subpart, including—

4 “(1) the programming that has been developed
5 directly or indirectly by the entity, and the target
6 population of the programs developed;

7 “(2) the support materials that have been de-
8 veloped to accompany the programming, and the
9 method by which such materials are distributed to
10 consumers and users of the programming;

11 “(3) the means by which programming devel-
12 oped under this section has been distributed, includ-
13 ing the distance learning technologies that have been
14 utilized to make programming available and the geo-
15 graphic distribution achieved through such tech-
16 nologies; and

17 “(4) the initiatives undertaken by the entity to
18 develop public-private partnerships to secure non-
19 Federal support for the development and distribu-
20 tion and broadcast of educational and instructional
21 programming.

22 “(b) REPORT TO CONGRESS.—The Secretary shall
23 prepare and submit to the relevant committees of Con-
24 gress a biannual report which includes—

1 “(1) a summary of the information made avail-
2 able under subsection (a); and

3 “(2) a description of the training materials
4 made available under section 3633(3), the manner in
5 which outreach has been conducted to inform par-
6 ents and child care providers of the availability of
7 such materials, and the manner in which such mate-
8 rials have been distributed in accordance with such
9 section.

10 **“SEC. 3636. ADMINISTRATIVE COSTS.**

11 With respect to the implementation of section 3632,
12 entities receiving a grant, contract, or cooperative agree-
13 ment from the Secretary may use not more than 5 percent
14 of the amounts received under such section for the normal
15 and customary expenses of administering the grant, con-
16 tract, or cooperative agreement.

17 **“SEC. 3637. DEFINITION.**

18 For the purposes of this subpart, the term distance
19 learning means the transmission of educational or instruc-
20 tional programming to geographically dispersed individ-
21 uals and groups via telecommunications.

1 **“Subpart 4—Telecommunications Project for**
2 **Mathematics**

3 **“SEC. 3641. PROJECT AUTHORIZED.**

4 The Secretary is authorized to make grants to a non-
5 profit telecommunications entity, or partnership of such
6 entities, for the purpose of carrying out a national tele-
7 communications-based project to improve the teaching of
8 mathematics. The project authorized by this subpart shall
9 be designed to assist elementary and secondary school
10 teachers in preparing all students for achieving State con-
11 tent standards.

12 **“SEC. 3642. APPLICATION REQUIRED.**

13 “(a) IN GENERAL.—Each nonprofit telecommuni-
14 cations entity, or partnership of such entities, desiring a
15 grant under this subpart shall submit an application to
16 the Secretary. Each such application shall—

17 “(1) demonstrate that the applicant will use the
18 existing publicly funded telecommunications infra-
19 structure to deliver video, voice and data in an inte-
20 grated service and to include digital libraries, school
21 networks, and delivery of web-based resources to
22 train teachers in the use of new standards-based
23 curricula materials and learning technologies;

24 “(2) assure that the project for which assist-
25 ance is sought will be conducted in cooperation with
26 appropriate State educational agencies, local edu-

1 cational agencies, State or local nonprofit public
2 telecommunications entities, and a national mathe-
3 matics education professional association that has
4 developed content standards;

5 “(3) assure that a significant portion of the
6 benefits available for elementary and secondary
7 schools from the project for which assistance is
8 sought will be available to schools of local edu-
9 cational agencies which have a high percentage of
10 children counted for the purpose of part A of title
11 I; and

12 “(4) contain such additional assurances and in-
13 formation as the Secretary may reasonably require.

14 “(b) APPROVAL OF APPLICATIONS; NUMBER OF
15 SITES.—In approving applications under this section, the
16 Secretary shall ensure that the project authorized by this
17 subpart is conducted at elementary and secondary school
18 sites in at least 15 States.

19 **“Subpart 5—Future Math and Science Teacher**
20 **Recruitment**

21 **“SEC. 3651. FINDINGS.**

22 “Congress finds the following:

23 “(1) United States high school students rate
24 16th and 19th, respectively, in science and math out
25 of 21 countries.

1 “(2) Of United States high school students who
2 take physical science and math courses, 56 percent
3 and 27 percent, respectively, are taught by teachers
4 who did not prepare in that field.

5 “(3) Teachers’ knowledge and skills powerfully
6 influence student learning.

7 “(4) More than 2,000,000 teachers will need to
8 be hired over the next decade.

9 “(5) The ability of the United States to place
10 highly qualified math and science teachers special-
11 izing in their field of instruction will depend on
12 proactive policies that increase funding for teacher
13 training, recruitment, and induction.

14 **“SEC. 3652. PURPOSE.**

15 “It is the purpose of this subpart to make grants
16 available, through a pilot program, to eligible institutions
17 described in section 3653, to enable such institutions to
18 provide 500 scholarship awards to outstanding students
19 enrolled in an accredited teacher training graduate pro-
20 gram who are committed to pursuing careers teaching
21 math and science at an urban or rural secondary level
22 classroom.

1 **“SEC. 3653. SCHOLARSHIP DESIGNATION AND SELECTION**
2 **CRITERIA.**

3 “(a) SCHOLARSHIP DESIGNATION.—Funds made
4 available under this subpart shall be designated as the
5 ‘National Math and Science Teacher Scholarships’.

6 “(b) SELECTION CRITERIA.—(1) The Secretary of
7 Education may award funds for National Math and
8 Science Teacher Scholarships on a competitive basis to in-
9 stitutions of higher education that meet the requirements
10 of paragraph (2) and have graduate programs in teacher
11 training. The Secretary may not provide any individual in-
12 stitution of higher education more than \$100,000 per aca-
13 demic year for the purpose of the National Math and
14 Science Teacher Scholarships.

15 “(2) An institution applying for such scholarships
16 may only be eligible to receive funds if such institution
17 is in full compliance with the reporting requirements of
18 section 207(f) of the Higher Education Act of 1965 and
19 has not been identified as low performing under section
20 208 of such Act.

21 “(c) PRIORITIES.—The Secretary shall give priority
22 to eligible institutions that meet 1 or more of the following
23 criteria:

24 “(1) Provide a year long graduate level intern-
25 ship program in a professional development school.

1 “(2) Provide mentoring programs for novice
2 teachers in their first 3 years.

3 “(3) Demonstrate a history of placing grad-
4 uates in rural and urban schools.

5 “(4) Demonstrate that there is a high retention
6 rate of teachers that the institution places in teach-
7 ing positions.

8 **“SEC. 3654. INDIVIDUAL SCHOLARSHIP ELIGIBILITY.**

9 “An individual may be eligible for a National Math
10 and Science Teacher Scholarship only if such individual—

11 “(1) is a citizen or national of the United
12 States or an alien lawfully admitted to the United
13 States for permanent residence;

14 “(2) is majoring in a physical or life science or
15 mathematics graduate teacher training program;

16 “(3) is enrolled in an institution of higher edu-
17 cation that—

18 “(A) is ranked by the Secretary in the top
19 25 percent of schools in the State in which the
20 institution is located with the highest percent-
21 age of graduates passing the State teacher
22 qualification assessment for new teachers; or

23 “(B) if there are fewer than 4 such institu-
24 tions in a State, is the institution with the high-
25 est percentage of such graduates; and

1 “(4) agrees to teach math or science in a rural
2 or urban public secondary school for no less than 3
3 full academic years.

4 **“SEC. 3655. SCHOLARSHIP AMOUNT.**

5 “(a) AMOUNT OF AWARD.—

6 “(1) IN GENERAL.—The amount of a scholar-
7 ship awarded by a participating teacher training
8 graduate program under this subpart for any aca-
9 demic year shall be \$10,000 per student, except that
10 in no case shall the total amount of the scholarship
11 for any academic year exceed the total cost of at-
12 tendance as defined in section 472 of the Higher
13 Education Act of 1965.

14 “(2) INSUFFICIENT FUNDS.—In any fiscal year
15 in which the amount appropriated to carry out this
16 subpart is insufficient to award 500 scholarships,
17 the Secretary shall reduce the number of awards to
18 eligible institutions.

19 “(b) RELATIONSHIP TO OTHER ASSISTANCE.—A
20 scholarship awarded under this subpart shall not be re-
21 duced on the basis of the student’s receipt of other forms
22 of Federal student financial assistance.

1 **“SEC. 3656. AGREEMENT; SCHOLARSHIP REPAYMENT PRO-**
2 **VISIONS.**

3 “(a) AGREEMENT.—Each National Math and Science
4 Teachers Scholar shall agree to teach mathematics of
5 science in an urban or rural public secondary school for
6 no less than 3 full academic years.

7 “(b) REPAYMENT FOR FAILURE TO FULFILL
8 AGREEMENT.—Any recipient of a Scholarship found by
9 the Secretary to be in noncompliance with the agreement
10 entered into under subsection (a) of this section shall be
11 required to repay a pro rata amount of the scholarship
12 awards received, plus interest and, where applicable, rea-
13 sonable collection fees, on a schedule and at a rate of in-
14 terest prescribed by the Secretary by regulations.

15 **“SEC. 3657. EXCEPTIONS TO REPAYMENT PROVISIONS.**

16 “An individual recipient of a Scholarship under this
17 subpart shall not be considered in violation of the agree-
18 ment entered into pursuant to section 3656 during any
19 period in which the recipient—

20 “(1) is pursuing a full-time course of study in
21 math or science at an accredited institution;

22 “(2) is serving, not in excess of 3 years, as a
23 member of the armed services of the United States;

24 “(3) is temporarily disabled for a period of time
25 not to exceed 3 years as established by sworn affi-
26 davit of a qualified physician;

1 “(4) is seeking and unable to find full-time em-
2 ployment for a single period not to exceed 12
3 months;

4 “(5) is seeking and unable to find full-time em-
5 ployment as a math or science teacher in a public
6 elementary or secondary school or education pro-
7 gram for a single period not to exceed 27 months;

8 “(6) satisfies the provision of additional repay-
9 ment exceptions that may be prescribed by the Sec-
10 retary in regulations issued pursuant to this section;
11 or

12 “(7) is permanently and totally disabled, as es-
13 tablished by sworn affidavit of a qualified physician.

14 **“SEC. 3658. REPORT TO CONGRESS.**

15 “Three years after the date on which funds are first
16 made available to carry out this subpart, the Secretary
17 shall submit a report to Congress evaluating the success
18 of the National Math and Science Teacher Scholarships
19 pilot program in recruiting math and science teachers to
20 teach in America’s public secondary schools.”.

21 **SEC. 5. SAFE AND DRUG FREE SCHOOLS AND COMMU-**
22 **NITIES.**

23 Title IV of the Act is amended to read as follows:

1 **“TITLE IV—SAFE AND DRUG-**
2 **FREE SCHOOLS AND COMMU-**
3 **NITIES**

4 **“SEC. 4001. SHORT TITLE.**

5 This title may be cited as the ‘Safe and Drug-Free
6 Schools and Communities Act’.

7 **“SEC. 4002. FINDINGS.**

8 The Congress finds that:

9 “(1) Safe and Drug-Free Schools and Commu-
10 nities Programs support achievement of Goal One of
11 the National Drug Control Strategy—to educate and
12 enable America’s youth to reject illegal drugs, as
13 well as alcohol and tobacco; and Goal Seven of
14 America’s Education Goals—that every school in the
15 United States will be free of drugs, violence, and the
16 unauthorized presence of firearms and alcohol.

17 “(2) It is essential for schools to provide a
18 drug-free, safe, and orderly learning environment for
19 all students, if all students are to live healthy lives
20 and achieve to high academic standards.

21 “(3) Student drug use and school violence are
22 serious educational and public health concerns.

23 “(4) Safe and Drug-Free Schools and Commu-
24 nities programs are most likely to be effective when
25 they are based on a thorough assessment of objective

1 data about the drug and violence problems in schools
2 and communities, are designed to meet measurable
3 goals and objectives, are based on sound research or
4 evaluation findings, and are evaluated regularly and
5 held accountable for results.

6 “(5) Safe and Drug-Free Schools and Commu-
7 nities program resources should be targeted at the
8 local level to projects in areas that demonstrate need
9 for the funds, have developed the best strategic
10 plans for using the funds, and are committed to
11 being accountable for results.

12 “(6) Lifelong physical activity contributes to
13 students’ well-being and, consistent with the second
14 of America’s Education Goals, it is appropriate for
15 the Federal government to help strengthen State
16 and local efforts in this area.

17 “(7) Alternative education, for children who
18 have been suspended or expelled from school, is vital
19 to improving the safety of schools and communities,
20 and ensuring continued educational opportunity.

21 **“SEC. 4003. PURPOSE.**

22 The purpose of this title is to support programs that
23 prevent violence in and around schools and the illegal use
24 of alcohol, tobacco, and drugs; involve parents; and are
25 coordinated with related Federal, State, and community

1 efforts and resources, through the provision of Federal as-
2 sistance to—

3 “(1) States for grants to local educational agen-
4 cies and educational service agencies and consortia
5 of such agencies to establish, operate, and improve
6 local programs of school drug and violence preven-
7 tion, early intervention, rehabilitation referral, and
8 education in elementary and secondary schools (in-
9 cluding intermediate and junior high schools);

10 “(2) States for grants to, and contracts with,
11 community-based organizations and other public and
12 private nonprofit agencies and organizations for pro-
13 grams of drug and violence prevention, early inter-
14 vention, rehabilitation referral, and education;

15 “(3) States for development, training, technical
16 assistance, and coordination activities;

17 “(4) public and private nonprofit organizations
18 to conduct training, demonstrations, and evaluation,
19 and to provide supplementary services for the pre-
20 vention of drug use and violence among students
21 and youth; and

22 “(5) institutions of higher education to estab-
23 lish, operate, expand, and improve programs of
24 school drug and violence prevention, education, and

1 rehabilitation referral for students enrolled in col-
2 leges and universities.

3 **“SEC. 4004. AUTHORIZATION OF APPROPRIATIONS.**

4 There are authorized to be appropriated—

5 “(1) \$500,000,000 for fiscal year 2001, and
6 such sums as may be necessary for each of the four
7 succeeding fiscal years, for State grants under sub-
8 part 1 of part A;

9 “(2) \$200,000,000 for fiscal year 2001, and
10 such sums as may be necessary for each of the four
11 succeeding fiscal years, for national programs under
12 subpart 2 of part A;

13 “(3) \$25,000,000 for fiscal year 2001, and such
14 sums as may be necessary for each of the four suc-
15 ceeding fiscal years, to carry out part B related to
16 Comprehensive Prevention Technical Assistance
17 Grants;

18 “(4) \$200,000,000 for fiscal year 2001, and
19 such sums as may be necessary for each of the four
20 succeeding fiscal years to carry out part C related
21 to Alternative Education;

22 “(5) \$1,300,000,000 for fiscal year 2001; and
23 such sums as may be necessary for the four subse-
24 quent fiscal years to carry out part D related to Re-
25 serve Staff for Students; and

1 “(6) \$10,000,000 for fiscal year 2001, and such sums
2 as may be necessary for each of the four succeeding fiscal
3 years to carry out part E, related to Project Service.

4 **“PART A—STATE GRANTS FOR DRUG AND**
5 **VIOLENCE PREVENTION PROGRAMS**

6 **“Subpart 1—State Grants for Drug and Violence**
7 **Prevention Programs**

8 **“SEC. 4111. RESERVATIONS AND ALLOTMENTS.**

9 “(a) RESERVATIONS.—From the amount made avail-
10 able under section 4004(1) to carry out this subpart for
11 each fiscal year, the Secretary—

12 “(1) shall reserve 1 percent of such amount for
13 grants under this subpart to Guam, American
14 Samoa, the Virgin Islands, and the Commonwealth
15 of the Northern Mariana Islands, to be allotted in
16 accordance with the Secretary’s determination of
17 their respective needs;

18 “(2) shall reserve 1 percent of such amount for
19 the Secretary of the Interior to carry out programs
20 under this part for Indian youth;

21 “(3) may reserve not more than \$2,000,000 for
22 the national evaluation activities required by section
23 4117(a); and

1 “(4) shall reserve 0.2 percent of such amount
2 for programs for Native Hawaiians under section
3 4118.

4 “(b) STATE ALLOTMENTS.—

5 “(1) IN GENERAL.—Except as provided in para-
6 graph (2), the Secretary shall, for each fiscal year,
7 allocate among the States—

8 “(A) $\frac{1}{2}$ of the remainder not reserved
9 under subsection (a) according to the ratio be-
10 tween the school-aged population of each State
11 and the school-aged population of all the States;
12 and

13 “(B) $\frac{1}{2}$ of such remainder according to
14 the ratio between the amount each State re-
15 ceived under part A of title I for the preceding
16 year and the sum of such amounts received by
17 all the States.

18 “(2) MINIMUM.—For any fiscal year, no State
19 shall be allotted under this subsection an amount
20 that is less than $\frac{1}{2}$ of 1 percent of the total amount
21 allotted to all the States under this subsection.

22 “(3) REALLOTMENT.—The Secretary may
23 reallocate any amount of any allotment to a State if the
24 Secretary determines that the State will be unable to
25 use such amount within 2 years of such allotment.

1 Such reallocations shall be made on the same basis
2 as allocations are made under paragraph (1).

3 “(4) DEFINITIONS.—For the purpose of this
4 subsection—

5 “(A) the term ‘State’ means each of the 50
6 States, the District of Columbia, and the Com-
7 monwealth of Puerto Rico; and

8 “(B) the term ‘local educational agency’
9 includes educational service agencies and con-
10 sortia of such agencies.

11 **“SEC. 4112. STATE APPLICATION.**

12 “(a) STATE APPLICATION.—In order to receive an al-
13 lotment under section 4111(b) for any fiscal year, a State
14 shall submit to the Secretary, at such time and in such
15 manner as the Secretary may require, a 5-year application
16 that—

17 “(1) is submitted jointly by the Governor and
18 the State educational agency of the State;

19 “(2) contains a description of how funds under
20 this part will be coordinated with other programs
21 under this Act and with other Federal education and
22 drug prevention programs;

23 “(3) contains a comprehensive plan for the use
24 of funds by the State educational agency and the

1 Governor to provide safe, orderly, and drug-free
2 school environments that includes—

3 “(A) the results of the State’s needs as-
4 sessment for drug and violence-prevention pro-
5 grams, which shall be based on the results of
6 ongoing State evaluation activities and include
7 data on the prevalence of drug use and violence
8 by youth in schools and communities in the
9 State;

10 “(B) a list of the State’s results-based per-
11 formance measures for drug and violence pre-
12 vention, which shall—

13 “(i) be focused on student behavior
14 and attitudes and derived from the needs
15 assessment;

16 “(ii) be selected from a core set of in-
17 dicators that the Secretary shall develop in
18 consultation with State and local officials;

19 “(iii) include targets and due dates
20 for the attainment of these indicators;

21 “(iv) include a description of the pro-
22 cedures the State will use to inform local
23 educational agencies of the State’s results-
24 based performance measures for drug and
25 violence prevention for assessing and pub-

1 licly reporting progress toward meeting
2 these indicators, or revising them as need-
3 ed;

4 “(v) include a description of how the
5 procedures described in subparagraph (C)
6 and subparagraph (D) will support the
7 achievement of the State’s results-based
8 performance measures; and

9 “(vi) incorporate each of the following
10 principles of effectiveness:

11 “(I) The applicant’s program is
12 based on a thorough assessment of
13 objective data about the drug and vio-
14 lence problems in the schools and
15 communities to be served.

16 “(II) The applicant has estab-
17 lished a set of measurable goals and
18 objectives aimed at ensuring that all
19 schools served by the local educational
20 agency have a drug-free, safe, and or-
21 derly learning environment, and has
22 designed its programs to meet those
23 goals and objectives.

24 “(III) The applicant has designed
25 and will implement its programs for

1 youth based on research or evaluation
2 that provides evidence that the pro-
3 gram to be used will prevent or reduce
4 drug use, violence, delinquency, or dis-
5 ruptive behavior among youth.

6 “(IV) The applicant will evaluate
7 its program periodically to assess its
8 progress toward achieving its goals
9 and objectives, and will use evaluation
10 results to refine, improve, and
11 strengthen its program, and refine its
12 goals and objectives, as needed;

13 “(C) a description of the procedures the
14 Governor will use to award funds to eligible ap-
15 plicants on a competitive basis consistent with
16 section 4115, including—

17 “(i) the criteria the Governor will use
18 to assess the relative quality of applica-
19 tions and demonstrated need for funding
20 of eligible applicants;

21 “(ii) the peer review process the Gov-
22 ernor will use to review applications;

23 “(iii) how those funds will be used for
24 community resources and activities that
25 support local educational agency programs

1 to create drug-free, safe, and disciplined
2 learning environments in, and passageways
3 to and from, schools; and

4 “(iv) how the Governor will ensure
5 that the geographic distribution of awards
6 reflects the diversity of local educational
7 agencies in the State;

8 “(D) a description of how the State edu-
9 cational agency and Governor will use the funds
10 reserved under sections 4113(b) and 4115(c)
11 for coordinated capacity-building and technical
12 assistance and program accountability services
13 and activities at the State and local levels, in-
14 cluding how the State educational agency and
15 Governor will coordinate their activities with
16 law enforcement, health, mental health, and
17 education programs and officials at the State
18 and local levels;

19 “(E) a description of how the State edu-
20 cational agency and the Governor will monitor
21 local programs and provide corrective action if
22 necessary; and

23 “(F) a description of how the State edu-
24 cational agency will ensure that local edu-
25 cational agencies not receiving funds under this

1 part will be provided technical assistance to im-
2 prove their programs;

3 “(4) contains assurances that the application
4 was developed in consultation and coordination with
5 appropriate State officials, including the head of the
6 State alcohol and drug abuse agency, the heads of
7 the State health and mental health agencies, the
8 head of the State criminal justice planning agency,
9 the head of the State child welfare agency, the head
10 of the State board of education, or their designees,
11 and representatives of parents, students, and com-
12 munity-based organizations; and

13 “(5) contains an assurance that the State will
14 cooperate with, and assist, the Secretary in con-
15 ducting the national impact evaluation of programs
16 required by section 4117(a).

17 “(b) PEER REVIEW.—The Secretary shall use a peer
18 review process in reviewing State applications under this
19 section.

20 **“SEC. 4113. STATE AND LOCAL EDUCATIONAL AGENCY PRO-**
21 **GRAMS.**

22 “(a) USE OF FUNDS.—

23 “(1) IN GENERAL.—Except as provided in para-
24 graph (2), an amount equal to 85 percent of the
25 total amount allocated to a State under section

1 4111(b) for each fiscal year shall be used by the
2 State educational agency and its local educational
3 agencies for drug and violence prevention activities
4 in accordance with this section.

5 “(2) EXCEPTION.—

6 “(A) If a State had, on or before January
7 1, 1994, established an independent State agen-
8 cy for the purpose of administering all of the
9 funds described in section 5121 of this Act (as
10 such section was in effect on the day preceding
11 the date of the enactment of the Improving
12 America’s Schools Act of 1994), then—

13 “(i) an amount equal to 85 percent of
14 the total amount allocated to such State
15 under section 4111 for each fiscal year
16 shall be used by the State educational
17 agency and its local educational agencies
18 for drug and violence prevention activities
19 in accordance with this section; and

20 “(ii) an amount equal to 15 percent of
21 such total amount shall be used by such
22 independent State agency for drug and vio-
23 lence prevention activities in accordance
24 with this section.

1 “(B) Not more than 5 percent of the
2 amount reserved under subparagraph (A)(ii)
3 may be used for administrative costs of the
4 independent State agency incurred in carrying
5 out the activities described in such subpara-
6 graph.

7 “(C) For the purposes of this paragraph,
8 the term independent State agency means an
9 independent agency with a board of directors or
10 a cabinet level agency whose chief executive of-
11 ficer is appointed by the chief executive officer
12 of the State and confirmed with the advice and
13 consent of the Senate of such State.

14 “(b) STATE LEVEL ACTIVITIES.—

15 “(1) IN GENERAL.—A State educational agency
16 may use not more than 5 percent of the amount
17 available under subsection (a) for activities such
18 as—

19 “(A) training and technical assistance con-
20 cerning drug and violence prevention for local
21 educational agencies and educational service
22 agencies, including teachers, administrators,
23 coaches and athletic directors, other staff, par-
24 ents, students, community leaders, health serv-

1 ice providers, local law enforcement officials,
2 and judicial officials;

3 “(B) the development, identification, dis-
4 semination, and evaluation of the most readily
5 available, accurate, and up-to-date curriculum
6 materials with a solid research base, for consid-
7 eration by local educational agencies;

8 “(C) making available to local educational
9 agencies cost effective programs for youth vio-
10 lence and drug abuse prevention;

11 “(D) demonstration projects in drug and
12 violence prevention;

13 “(E) training, technical assistance, and
14 demonstration projects to address violence asso-
15 ciated with prejudice and intolerance;

16 “(F) financial assistance to enhance re-
17 sources available for drug and violence preven-
18 tion in areas serving large numbers of economi-
19 cally disadvantaged children or sparsely popu-
20 lated areas, or to meet other special needs con-
21 sistent with the purposes of this title;

22 “(G) developing and implementing strate-
23 gies and programs to greatly reduce the inci-
24 dence of sexual harassment and abuse and to

1 encourage positive and respectful interactions
2 between girls and boys; and

3 “(H) the evaluation of activities carried
4 out within the State under this part.

5 “(2) SPECIAL RULE.—A State educational
6 agency may carry out activities under this subsection
7 directly, or through grants or contracts with commu-
8 nity based organizations, institutions of higher edu-
9 cation and other public and private non-profit enti-
10 ties.

11 “(c) STATE ADMINISTRATION.—A State educational
12 agency may use not more than 4 percent of the amount
13 reserved under subsection (a) for the administrative costs
14 of carrying out its responsibilities under this part.

15 “(d) LOCAL EDUCATIONAL AGENCY PROGRAMS.—

16 “(1) IN GENERAL.—A State educational agency
17 shall distribute not less than 91 percent of the
18 amount made available under subsection (a) for each
19 fiscal year to local educational agencies in accord-
20 ance with this subsection.

21 “(2) DISTRIBUTION.—

22 “(A) Of the amount distributed under
23 paragraph (1), a State educational agency shall
24 distribute—

1 “(i) 70 percent of such amount to
2 local educational agencies, based on the
3 relative enrollments in public and private
4 nonprofit elementary and secondary
5 schools within the boundaries of such
6 agencies; and

7 “(ii) 30 percent of such amount to
8 local educational agencies that the State
9 educational agency determines have the
10 greatest need for additional funds to carry
11 out drug and violence prevention programs
12 authorized by this subpart.

13 “(B) Where appropriate and to the extent
14 consistent with the needs assessment conducted
15 by the State, not less than 25 percent of the
16 amount distributed under subparagraph (A)(ii)
17 for a fiscal year shall be distributed to local
18 educational agencies located in rural and urban
19 areas.

20 “(C)(i) A State educational agency shall
21 distribute funds under subparagraph (A)(ii) to
22 not more than 10 percent of the local edu-
23 cational agencies in the State, or 5 such agen-
24 cies, whichever is greater.

1 “(ii) In determining which local edu-
2 cational agencies have the greatest need for ad-
3 ditional funds under subparagraph (A)(ii), the
4 State educational agency shall consider objec-
5 tive data such as—

6 “(I) high rates of alcohol or drug use
7 among youth;

8 “(II) high rates of victimization of
9 youth by violence and crime;

10 “(III) high rates of arrests and con-
11 victions of youth for violent or drug- or al-
12 cohol-related crime;

13 “(IV) the extent of illegal gang activ-
14 ity;

15 “(V) high incidence of violence associ-
16 ated with prejudice and intolerance;

17 “(VI) high rates of referrals of youths
18 to drug and alcohol abuse treatment and
19 rehabilitation programs;

20 “(VII) high rates of referrals of
21 youths to juvenile court;

22 “(VIII) high rates of expulsions and
23 suspensions of students from schools; and

24 “(IX) high rates of reported cases of
25 child abuse and domestic violence.

1 “(D) SPECIAL RULE, MINIMUM GRANT
2 AMOUNTS.—

3 “(i) Except as provided in clause (ii),
4 a local educational agency shall not receive
5 an allocation under this subsection unless
6 the amount allocated to such agency under
7 this subsection is greater than \$5,000. A
8 local educational agency may enter into a
9 consortium with other local educational
10 agencies for the purposes of meeting the
11 minimum allocation requirement of this
12 clause.

13 “(ii) WAIVER.—The State educational
14 agency shall waive the requirement of
15 clause (i) in any case in which the local
16 educational agency demonstrates that it is
17 unable to enter into a consortium for the
18 purposes of carrying out activities under
19 this part.

20 “(e) REALLOCATION OF FUNDS.—If a local edu-
21 cational agency chooses not to apply to receive the amount
22 allocated to such agency under subsection (d), does not
23 meet the requirements of subsection (d)(2)(D) and does
24 not form a consortium, or if such agency’s application
25 under section 4115 is disapproved by the State edu-

1 cational agency, the State educational agency shall reallo-
2 cate such amount to one or more of the local educational
3 agencies determined by the State educational agency
4 under subsection (d)(2)(A)(ii) to have the greatest need
5 for additional funds.

6 “(f) RETURN OF FUNDS TO STATE EDUCATIONAL
7 AGENCY; REALLOCATION.—

8 “(1) RETURN.—Except as provided in para-
9 graph (2), upon the expiration of the 1-year period
10 beginning on the date that a local educational agen-
11 cy or educational service agency under this title re-
12 ceives its allocation under this title—

13 “(A) such agency shall return to the State
14 educational agency any funds from such alloca-
15 tion that remain unobligated; and

16 “(B) the State educational agency shall re-
17 allocate any such amount to local educational
18 agencies or educational service agencies that
19 have plans for using such amount for programs
20 or activities on a timely basis.

21 “(2) REALLOCATION.—In any fiscal year, a
22 local educational agency, may retain for obligation in
23 the succeeding fiscal year—

1 “(A) an amount equal to not more than 25
2 percent of the allocation it receives under this
3 title for such fiscal year; or

4 “(B) upon a demonstration of good cause
5 by such agency or consortium, a greater
6 amount approved by the State educational
7 agency.

8 **“SEC. 4114. LOCAL DRUG AND VIOLENCE PREVENTION PRO-**
9 **GRAMS.**

10 “(a) **PRINCIPLES OF EFFECTIVENESS.**—Each local
11 educational agency that receives a subgrant under section
12 4113(c) shall use those funds to support research-based
13 drug- and violence-prevention services and activities that
14 are consistent with the principles of effectiveness described
15 in section 4119..

16 “(b) **OTHER AUTHORIZED ACTIVITIES.**—

17 “(1) **IN GENERAL.**—Each local educational
18 agency that receives a subgrant under section
19 4113(d) may also use those funds to carry out, in
20 a manner that is consistent with the most relevant
21 research, other services and activities that are con-
22 sistent with the purpose of this title, such as—

23 “(A) staff training and development;

24 “(B) parental involvement and training;

25 “(C) community involvement activities;

1 “(D) law enforcement and security activi-
2 ties that are related to school safety and drug
3 use;

4 “(E) creating and maintaining safe zones
5 of passage to and from school to prevent vio-
6 lence and drug trafficking;

7 “(F) counseling, mentoring, and referral
8 services, and other student assistance programs;

9 “(G) before- and after-school programs;

10 “(H) alternative education programs for
11 those students who have been expelled from
12 their regular education programs;

13 “(I) programs to assist students to reenter
14 the regular education program upon return
15 from treatment or alternative education set-
16 tings;

17 “(J) services and activities that reduce the
18 need for suspension and expulsion in maintain-
19 ing classroom order and school discipline;

20 “(K) services and activities to prevent and
21 reduce truancy;

22 “(L) teaching students about the risks and
23 consequences associated with handling firearms
24 that enabling them to make safe choices and
25 avoid injury to themselves and others;

1 “(M) age-appropriate, developmentally
2 based violence prevention and education pro-
3 grams for all students, from the preschool level
4 through grade 12, that address the legal,
5 health, personal, and social consequences of vio-
6 lent and disruptive behavior, including sexual
7 harassment and abuse, and victimization associ-
8 ated with prejudice and intolerance, and that
9 include activities designed to help students de-
10 velop a sense of individual responsibility and re-
11 spect for the rights of others, and to resolve
12 conflicts without violence;

13 “(N) age-appropriate, developmentally-
14 based or community-oriented safety programs
15 for all students, from the preschool level
16 through grade 12, that address prevention and
17 education of child abuse and abduction,
18 including—

19 “(i) teaching students the skills to
20 identify, avoid if possible, and cope with
21 potentially dangerous or threatening situa-
22 tions that may include abduction, abuse, or
23 neglect; and

24 “(ii) providing guidance to students
25 that encourages students to seek advice for

1 anxiety, threats of abuse, or actual abuse
2 and to confide in a trusted adult regarding
3 an uncomfortable or threatening situation;

4 “(O) activities designed to prevent hate
5 crimes and strengthen tolerance and under-
6 standing;

7 “(P) activities to greatly reduce the inci-
8 dence of sexual harassment and abuse;

9 “(Q) activities to increase the safety of
10 children going to and from school, including
11 those that improve pedestrian and bicyclist
12 safety; and

13 “(R) other activities that are consistent
14 with the purposes of this title.

15 “(2) LIMITATION.—A local educational agency
16 may not use more than 20 percent of its subgrant
17 for the acquisition or use of metal detectors and se-
18 curity personnel unless it demonstrates in its appli-
19 cation under section 4116 to the satisfaction of the
20 State educational agency that it has a compelling
21 need to do so.

22 “(c) SCHOOL PROTECTION.—Each local educational
23 agency, or consortium of such agencies, that receives a
24 subgrant under section 4113(c) and has reported expul-
25 sions under part F during the past 3 years shall develop

1 a program with local law enforcement agencies to protect
2 students and employees of public schools against gun vio-
3 lence that includes promoting the benefits of child safety
4 locks for firearms.

5 **“SEC. 4115. GOVERNORS PROGRAMS.**

6 “(a) USE OF FUNDS.—

7 “(1) IN GENERAL.—An amount equal to 15
8 percent of the total amount allocated to a State
9 under section 4111(b) for each fiscal year shall be
10 used by the chief executive officer of such State for
11 drug and violence prevention programs and activities
12 in accordance with this section.

13 “(2) LAW ENFORCEMENT EDUCATION PART-
14 NERSHIPS.—A chief executive officer shall use not
15 less than 10 percent of the 15 percent of the total
16 amount described in paragraph (1) for each fiscal
17 year for law enforcement education partnerships in
18 accordance with subsection (d).

19 “(3) ADMINISTRATIVE COSTS.—A chief execu-
20 tive officer may use not more than 20 percent of the
21 total amount described in paragraph (1) for the ad-
22 ministrative costs incurred in carrying out the duties
23 of such officer under this section.

24 “(b) PROGRAMS AUTHORIZED.—

1 “(1) IN GENERAL.—A chief executive officer
2 shall use funds made available under subsection (a)
3 for competitive grants to or contracts with parent
4 groups, community action and job training agencies,
5 community-based organizations, and other public en-
6 tities and private nonprofit organizations and con-
7 sortia thereof to support community efforts that di-
8 rectly complement the efforts of local educational
9 agencies to foster drug-free, safe, and orderly learn-
10 ing environments in and around schools. In making
11 such grants and contracts, a chief executive officer
12 shall give priority to programs and activities de-
13 scribed in subsection (c) for—

14 “(A) children and youth who are not nor-
15 mally served by State or local educational agen-
16 cies; or

17 “(B) populations that need special services
18 or additional resources (such as preschoolers,
19 youth in juvenile detention facilities, runaway
20 or homeless children and youth, pregnant and
21 parenting teenagers, and school dropouts).

22 “(2) PEER REVIEW.—Grants or contracts
23 awarded under this subsection shall be subject to a
24 peer review process.

1 “(c) AUTHORIZED ACTIVITIES.—Grants and con-
2 tracts under subsection (b) shall be used for programs and
3 activities, which are based on most relevant research, to
4 the extent available and feasible, such as—

5 “(1) disseminating information about drug and
6 violence prevention;

7 “(2) training parents, law enforcement officials,
8 judicial officials, social service providers, health serv-
9 ice providers and community leaders about drug and
10 violence prevention, comprehensive health education,
11 early intervention, pupil services, or rehabilitation
12 referral;

13 “(3) developing and implementing comprehen-
14 sive, community-based drug and violence prevention
15 programs that link community resources with
16 schools and integrate services involving education,
17 vocational and job skills training and placement, law
18 enforcement, health, mental health, community serv-
19 ice, mentoring, and other appropriate services;

20 “(4) planning and implementing drug and vio-
21 lence prevention activities that coordinate the efforts
22 of State agencies with efforts of the State edu-
23 cational agency and its local educational agencies;

1 “(5) activities to protect students traveling to
2 and from school, including pedestrian and bicycle
3 safety education;

4 “(6) before-and-after school recreational, in-
5 structional, cultural, and artistic programs that en-
6 courage drug- and violence-free lifestyles;

7 “(7) activities that promote the awareness of
8 and sensitivity to alternatives to violence through
9 courses of study that include related issues of intol-
10 erance and hatred in history;

11 “(8) developing and implementing activities to
12 prevent and reduce violence associated with preju-
13 dice and intolerance;

14 “(9) developing and implementing strategies to
15 prevent illegal gang activity;

16 “(10) coordinating and conducting community-
17 wide violence and safety assessments and surveys;

18 “(11) service-learning projects that encourage
19 drug- and violence-free lifestyles; and

20 “(12) evaluating programs and activities as-
21 sisted under this section.

22 “(d) LAW ENFORCEMENT EDUCATION PARTNER-
23 SHIPS.—A chief executive officer shall use funds under
24 subsection (a)(2) to award grants to State, county, or local
25 law enforcement agencies (including district attorneys) in

1 consortium with local educational agencies or community-
2 based agencies for the purpose of carrying out drug abuse
3 and violence prevention activities, such as—

4 “(1) Project Drug Abuse Resistance Education
5 and other programs which provide classroom instruc-
6 tion by uniformed law enforcement officials that is
7 designed to teach students to recognize and resist
8 pressures to experiment that influence such children
9 to use controlled substances or alcohol;

10 “(2) Project Legal Lives and other programs in
11 which district attorneys provide classroom instruc-
12 tion in the law and legal system which emphasizes
13 interactive learning techniques, such as mock trial
14 competitions;

15 “(3) partnerships between law enforcement and
16 child guidance professionals; and

17 “(4) before- and after-school activities.

18 **“SEC. 4116. LOCAL APPLICATIONS.**

19 “(a) APPLICATION REQUIRED.—

20 “(1) IN GENERAL.—In order to be eligible to
21 receive a subgrant under section 4113(d) or section
22 4115 for any fiscal year, an applicant shall submit,
23 at such time and including such information as the
24 State educational agency or Governor, as applicable,
25 requires, an application to the State educational

1 agency or Governor, as applicable for approval. Such
2 an application shall be amended, as necessary, to re-
3 flect changes in the applicant's program.

4 “(2) APPLICATION PROCESS.—

5 “(A) Applications for subgrants from enti-
6 ties other than local educational agencies, under
7 section 4115 shall be developed in consultation
8 with the schools or local educational agencies to
9 be served and, to the extent practicable, with
10 the representatives described in subparagraph
11 (B).

12 “(B) An application from local educational
13 agencies for subgrants shall be developed in
14 consultation with a local or substate regional
15 advisory council that includes, to the extent
16 possible, representatives of local government,
17 business, parents, students, teachers, pupil
18 services personnel, appropriate State agencies,
19 private schools, the medical profession, law en-
20 forcement, community-based organizations, and
21 other groups with interest and expertise in drug
22 and violence prevention.

23 “(b) CONTENTS OF APPLICATIONS.—(1) An applica-
24 tion under this section shall contain—

1 “(A) the results of the applicant’s needs assess-
2 ment concerning the creation and maintenance of a
3 drug-free, safe, and orderly school environment and
4 include data on the prevalence of drug use and vio-
5 lence by youth in the schools and communities to be
6 served;

7 “(B) a description of how the applicant will tar-
8 get services and activities on the communities,
9 schools, and students with the greatest need for as-
10 sistance in creating and maintaining drug-free, safe,
11 and orderly learning environments;

12 “(C) the applicant’s results-based performance
13 measures for creating and maintaining a drug-free,
14 safe, and orderly learning environment, which shall
15 be focused on student behavior and attitudes, and
16 include annual targets for each performance meas-
17 ure;

18 “(D) a description of the procedures the appli-
19 cant will use to assess and publicly report progress
20 toward meeting its performance indicators;

21 “(E) a description of how—

22 “(i) the applicant will use the funds to be
23 awarded and how the activities it will support
24 with those funds address the needs identified
25 under subparagraph (A) and the performance

1 measures identified under subparagraph (C);
2 and

3 “(ii) if the applicant is a local educational
4 agency, how those activities are consistent with
5 the Safe and Drug-Free Schools plan under
6 paragraph (2)(D) or another existing school
7 plan related to safe, disciplined, and drug-free
8 environments;

9 “(F) a description of how the applicant will co-
10 ordinate its activities with local, State, and Federal
11 law enforcement, health, mental health, and edu-
12 cation officials;

13 “(G) a description of the applicant’s plan for
14 evaluating its project; and

15 “(H) any other information the State edu-
16 cational agency or Governor, as applicable, may re-
17 quire to review application’s, and award subgrants,
18 based on the applicants need for assistance and the
19 quality of the application.

20 “(2) Each applicant for a subgrant under this section
21 shall also include in its application an assurance that it—

22 “(A) has a policy, consistent with State law and
23 the Gun-Free Schools Act, that requires the expul-
24 sion of students who possess a firearm at school;

1 “(B) has, or will have, a full-or part-time pro-
2 gram coordinator whose primary responsibility is
3 planning, designing, implementing, and evaluating
4 the applicant’s programs (unless the applicant dem-
5 onstrates in its application, to the satisfaction of the
6 State educational agency, that such a program coor-
7 dinator is not needed);

8 “(C) will evaluate its program every 2 years to
9 assess its progress toward meeting its goals and ob-
10 jectives, and will use the results of its evaluation to
11 improve its program and refine its goals and objec-
12 tives, as needed; and

13 “(D) has, or the schools to be served have, a
14 comprehensive Safe and Drug-Free Schools plan
15 that includes—

16 “(i) appropriate and effective discipline
17 policies that prohibit disorderly conduct, the
18 possession of firearms and other weapons, and
19 the illegal use, possession, distribution, and sale
20 of tobacco, alcohol, and other drugs by stu-
21 dents, and that mandate predetermined con-
22 sequences, sanctions, or interventions for spe-
23 cific offenses;

24 “(ii) security procedures at school and
25 while students are on the way to and from

1 school, which may include the use of metal de-
2 tectors and the development and implementa-
3 tion of formal agreements with law enforcement
4 officials;

5 “(iii) early intervention and prevention ac-
6 tivities of demonstrated effectiveness designed
7 to create and maintain safe, disciplined, and
8 drug-free environments;

9 “(iv) school readiness and family involve-
10 ment activities;

11 “(v) improvements to classroom manage-
12 ment and school environment, such as efforts to
13 reduce class size or improve classroom dis-
14 cipline;

15 “(vi) procedures to identify and intervene
16 with troubled students, including establishing
17 linkages with, and referring students to, juve-
18 nile justice, community mental health, and
19 other service providers;

20 “(vii) activities that connect students to re-
21 sponsible adults in the community, including ac-
22 tivities such as after-school or mentoring pro-
23 grams; and

24 “(viii) a crisis management plan for re-
25 sponding to violent or traumatic incidents on

1 school grounds, which provides for addressing
2 the needs of victims, and communicating with
3 parents, the media, law enforcement officials,
4 and mental health service providers.

5 “(3) Each applicant for a subgrant under section
6 4115 shall also include in its application—

7 “(A) a description of how the services and ac-
8 tivities to be supported will be coordinated with rel-
9 evant programs under this part that are supported
10 by State educational agencies, including how recipi-
11 ents will share resources, services, and data;

12 “(B) a description of how the applicant will co-
13 ordinate its activities under this part with those im-
14 plemented under the Drug-Free Communities Act, if
15 any; and

16 “(C)(i) an assurance that it will evaluate its
17 program every 2 years to assess its progress toward
18 meeting its goals and objectives, and will use the re-
19 sults of its evaluation to improve its program and
20 refine its goals and objectives as needed, if the appli-
21 cant is not a local educational agency; or

22 “(ii) the assurance under paragraph (2) if the
23 applicant is a local educational agency.

24 “(c) REVIEW OF APPLICATION.—

1 “(1) IN GENERAL.—In reviewing local applica-
2 tions under this section—

3 “(A) a State educational agency shall use
4 a peer review process or other methods of as-
5 suring the quality of such applications; and

6 “(B) Governors may use a peer review
7 process or other methods that ensure that ap-
8 plications are funded and approved on the basis
9 of need and quality.

10 “(2) CONSIDERATIONS.—

11 “(A) In determining whether to approve
12 the application of a local educational agency
13 under this section, a State educational agency
14 shall consider the quality of the local edu-
15 cational agency’s comprehensive plan under
16 subsection (b)(2).

17 “(B) A State educational agency may dis-
18 approve a local educational agency’s application
19 under this section in whole or in part and may
20 withhold, limit, or place restrictions on the use
21 of funds allotted to such a local educational
22 agency in a manner the State educational agen-
23 cy determines will best promote the purpose of
24 this title, except that a local educational agency

1 shall be afforded an opportunity to appeal any
2 such disapproval.

3 **“SEC. 4117. NATIONAL EVALUATIONS AND DATA COLLEC-**
4 **TIONS.**

5 “(a) NATIONAL EVALUATIONS.—

6 “(1) The Secretary shall provide for periodic
7 national evaluations, at least every 2 years, of the
8 quality and impact of programs under this title and
9 other programs designed to prevent drugs and vio-
10 lence in schools and submit a report of the findings
11 of such evaluations to the President and Congress.

12 “(2)(A) The National Center for Education
13 Statistics shall collect data for the following pur-
14 poses:

15 “(i) To determine the frequency, serious-
16 ness, and incidence of drug use by youth in
17 schools and communities in the States using, if
18 appropriate, data submitted by the States pur-
19 suant to subsection (b).

20 “(ii) To determine the frequency, degree of
21 harm, and morbidity of violent incidents, par-
22 ticularly firearm-related injuries and fatalities,
23 by youth in schools and communities in the
24 States, including information with respect to—

1 “(I) the relationship between victims
2 and perpetrators;

3 “(II) demographic characteristics of
4 victims and perpetrators; and

5 “(III) type and characteristic of the
6 firearm used in the shooting.

7 “(B) The Secretary shall report to Con-
8 gress on the data collected under this para-
9 graph, together with such recommendations as
10 the Secretary determines appropriate.

11 “(3) The Secretary shall publish annual reports
12 on school safety.

13 “(b) STATE REPORTS.—

14 “(1) The Governor and State educational agen-
15 cy of each State shall annually report to the Sec-
16 retary, in such form as the Secretary may require,
17 on the State’s progress toward attaining its perform-
18 ance indicators, required under section
19 4112(a)(1)(B), for achieving drug-free, safe, and or-
20 derly learning environments in its schools. Annual
21 reports shall—

22 “(A) be based on the State’s ongoing eval-
23 uation activities;

1 “(B) include data on the prevalence and
2 incidence of drug use and violence by youth in
3 schools and communities;

4 “(C) address the implementation and out-
5 comes of State and local programs under this
6 part, as well as their effectiveness; and

7 “(D) be made readily available to the pub-
8 lic.

9 “(2) Each State shall report to the Secretary,
10 in such form as the Secretary, in consultation with
11 the Secretary of Health and Human services, may
12 require, all school-related suicides and homicides
13 within the State within 30 days of the incident.

14 “(c) LOCAL REPORTS.—

15 “(1)(A) Each local educational agency that re-
16 ceives a subgrant under section 4113(d) shall report
17 annually to the State educational agency and the
18 public on—

19 “(i) the local educational agency’s
20 progress toward meeting its results-based
21 performance indicators for its program;

22 “(ii) the results of its on-going evalua-
23 tion of its program; and

24 “(iii) any problems the local edu-
25 cational agency has encountered in imple-

1 menting its program that warrant the pro-
2 vision of technical assistance by the State
3 educational agency.

4 “(B)(i) The State educational agency shall
5 review the annual reports described under para-
6 graph (1) and shall not provide funding for the
7 second or third year of a local educational agen-
8 cy’s program unless it determines that the local
9 educational agency is making reasonable
10 progress toward meeting its objectives.

11 “(ii) Before the denial of funding under
12 clause (i) a local educational agency shall be af-
13 forded an opportunity to a hearing.

14 “(2)(A) Each recipient of funds under section
15 4115 shall report annually to the Governor and to
16 the public on—

17 “(i) its progress toward meeting its
18 results-based performance measures for its
19 program;

20 “(ii) the results of its on-going evalua-
21 tion of its program; and

22 “(iii) any problems it encountered in
23 implementing its program that warrant the
24 provision of technical assistance by the
25 Governor.

1 “(B) The Governor shall review the annual
2 reports described under subparagraph (A), and
3 shall not provide funding for subsequent years
4 of a multi-year program unless the Governor
5 determines that the recipient is making reason-
6 able progress toward meeting its objectives.

7 **“SEC. 4118. PROGRAMS FOR NATIVE HAWAIIANS.**

8 “(a) GENERAL AUTHORITY.—From the funds made
9 available pursuant to section 4111(a)(4) to carry out this
10 section, the Secretary shall make grants to or enter into
11 cooperative agreements or contracts with organizations
12 primarily serving and representing Native Hawaiians,
13 which are recognized by the Governor of the State of Ha-
14 waii to plan, conduct, and administer programs, or por-
15 tions thereof, which are authorized by and consistent with
16 the provisions of this title for the benefit of Native Hawai-
17 ians.

18 “(b) DEFINITION OF NATIVE HAWAIIAN.—For the
19 purposes of this section, the term Native Hawaiian means
20 any individual any of whose ancestors were natives, prior
21 to 1778, of the area which now comprises the State of
22 Hawaii.

23 **“SEC. 4119. PRINCIPLES OF EFFECTIVENESS.**

24 “The principles of effectiveness referred to under this
25 title are as follows:

1 “(1) The applicant’s program is based on a
2 thorough assessment of objective data about the
3 drug and violence problems in the schools and com-
4 munities to be served.

5 “(2) The applicant has established a set of
6 measurable goals and objectives aimed at ensuring
7 that all schools served by the local educational agen-
8 cy have a drug-free, safe, and orderly learning envi-
9 ronment, and has designed its programs to meet
10 those goals and objectives.

11 “(3) The applicant has designed and will imple-
12 ment its programs for youth based on research or
13 evaluation that provides evidence that the program
14 to be used will prevent or reduce drug use, violence,
15 delinquency, or disruptive behavior among youth.

16 “(4) The applicant will evaluate its program pe-
17 riodically to assess its progress toward achieving its
18 goals and objectives, and will use evaluation results
19 to refine, improve, and strengthen its program, and
20 refine its goals and objectives, as needed;

21 **“Subpart 2—National Programs**

22 **“SEC. 4121. NATIONAL PROGRAMS.**

23 “(a) PROGRAM AUTHORIZED.—From funds appro-
24 priated to carry out this part for each fiscal year under
25 section 4004(2), the Secretary shall—

1 “(1) carry out programs—

2 “(A) designed to promote drug-free, safe,
3 and orderly learning environments for students
4 at all educational levels, from preschool through
5 the postsecondary level;

6 “(B) for such students that promote life-
7 long physical activity; and

8 “(2) reserve the lesser of 5 percent or
9 \$10,000,000 to carry out section 4122, relating to
10 Hate Crime prevention.

11 “(b) DRUG-FREE, SAFE, AND ORDERLY LEARNING
12 ENVIRONMENTS.—

13 “(1) The Secretary may carry out the programs
14 described in subsection (a)(1)(A) directly, or through
15 grants, contracts, or cooperative agreements with
16 public and private agencies, organizations, and indi-
17 viduals, or through agreements with other Federal
18 agencies, and shall coordinate with other Federal
19 agencies, as appropriate.

20 “(2) Programs under this subsection may in-
21 clude, but are not limited to—

22 “(A) one or more centers to provide train-
23 ing and technical assistance for teachers, school
24 administrators and staff, and others on the
25 identification and implementation of effective

1 strategies to promote safe, orderly, and drug-
2 free learning environments;

3 “(B) programs to train teachers in innova-
4 tive techniques and strategies of effective drug
5 and violence prevention;

6 “(C) research and demonstration projects
7 to test innovative approaches to drug and vio-
8 lence prevention;

9 “(D) evaluations of the effectiveness of
10 programs funded under this title, or other pro-
11 grams designed to create safe, disciplined, and
12 drug-free environments;

13 “(E) direct services and technical assist-
14 ance to schools and school systems, including
15 those afflicted with especially severe drug and
16 violence problems;

17 “(F) developing and disseminating drug
18 and violence prevention materials and informa-
19 tion in print, audiovisual, or electronic format,
20 including information about effective research-
21 based programs, policies, practices, strategies,
22 and curriculum and other relevant materials to
23 support drug and violence prevention education;

24 “(G) recruiting, hiring, and training pro-
25 gram coordinators to assist local educational

1 agencies in implementing high-quality, effective,
2 research-based drug and violence prevention
3 programs;

4 “(H) the development and provision of
5 education and training programs, curricula, in-
6 structional materials, and professional training
7 for preventing and reducing the incidence of
8 crimes or conflicts motivated by bullying, hate,
9 prejudice, intolerance, or sexual harassment and
10 abuse;

11 “(I) programs for youth who are out of the
12 education mainstream, including school drop-
13 outs, students who have been suspended or ex-
14 pelled from their regular education program,
15 and runaway or homeless children and youth;

16 “(J) programs implemented in conjunction
17 with other Federal agencies that support local
18 educational agencies and communities in devel-
19 oping and implementing comprehensive pro-
20 grams that create safe, disciplined, and drug-
21 free learning environments and promote healthy
22 childhood development;

23 “(K) services and activities that reduce the
24 need for suspension and expulsion in maintain-
25 ing classroom order and discipline;

1 “(L) services and activities to prevent and
2 reduce truancy;

3 “(M) services and activities by an organi-
4 zation that uses an effective life management
5 skills curriculum specifically designed to target
6 at-risk and disenfranchised youth who are con-
7 fronted with multiple challenging problems;

8 “(N) programs to provide counseling serv-
9 ices to troubled youth, including support for the
10 recruitment and hiring of counselors and the
11 operation of telephone help lines; and

12 “(O) other activities that meet emerging or
13 unmet national needs consistent with the pur-
14 poses of this title.

15 “(c) LIFELONG PHYSICAL ACTIVITY PROGRAMS.—

16 “(1) The Secretary may carry out the programs
17 described in paragraph (2) directly, or through
18 grants, contracts, or cooperative agreements with
19 public and private agencies, organizations, and indi-
20 viduals, or through agreements with other Federal
21 agencies, and shall coordinate with the Centers for
22 Disease Control and Prevention, the Presidents
23 Council on Physical Fitness, and other Federal
24 agencies, as appropriate.

1 “(2) Programs under this subsection may in-
2 clude, but are not limited to—

3 “(A) the conduct of demonstrations of
4 school-based programs that promote lifelong
5 physical activity, with a particular emphasis on
6 physical education programs that are part of
7 coordinated school health programs, that pro-
8 mote healthy, drug-free lifestyles;

9 “(B) training, technical assistance, and
10 other activities to encourage States and local
11 educational agencies to implement sound school-
12 based programs that promote lifelong physical
13 activity and healthy lifestyles; and

14 “(C) activities designed to build State ca-
15 pacity to provide leadership and strengthen
16 schools capabilities to provide school-based pro-
17 grams that promote lifelong physical activity
18 and healthy lifestyles.

19 “(d) PEER REVIEW.—The Secretary shall use a peer
20 review process in reviewing applications for funds under
21 this section.

22 **“SEC. 4122. HATE CRIME PREVENTION.**

23 “(a) GRANT AUTHORIZATION.—From funds reserved
24 to carry out this section under section 4121(a)(2) the Sec-
25 retary may make grants, on a competitive basis, to local

1 educational agencies or local educational agencies in con-
2 junction with community-based organizations for the pur-
3 pose of providing assistance to localities most directly af-
4 fected by hate crimes.

5 “(b) USE OF FUNDS.—

6 “(1) PROGRAM DEVELOPMENT.—Grants under
7 this section may be used to improve elementary and
8 secondary educational efforts, including—

9 “(A) development of education and train-
10 ing programs designed to prevent and to reduce
11 the incidence of crimes and conflicts motivated
12 by hate;

13 “(B) development of curricula for the pur-
14 pose of improving conflict or dispute resolution
15 skills of students, teachers, and administrators;

16 “(C) development and acquisition of equip-
17 ment and instructional materials to meet the
18 needs of, or otherwise be part of, hate crime or
19 conflict programs; and

20 “(D) professional training and develop-
21 ment for teachers and administrators on the
22 causes, effects, and resolutions of hate crimes
23 or hate-based conflicts.

24 “(2) IN GENERAL.—In order to be eligible to
25 receive a grant under this section for any fiscal year,

1 a local educational agency, or a local educational
2 agency in conjunction with a community-based orga-
3 nization, shall submit an application to the Secretary
4 in such form, at such time, and containing such in-
5 formation as the Secretary may reasonably require.

6 “(3) REQUIREMENTS.—Each application under
7 paragraph (2) shall include—

8 “(A) a request for funds to be used con-
9 sistent with the purposes described in this sec-
10 tion;

11 “(B) a description of the schools and com-
12 munities to be served by the grants; and

13 “(C) or assurance that Federal funds re-
14 ceived under this section shall be used to sup-
15 plement, not supplant, non-Federal funds.

16 “(4) COMPREHENSIVE PLAN.—Each application
17 shall also include a comprehensive plan that
18 contains—

19 “(A) a description of the hate crime or
20 conflict problems within the schools or the com-
21 munity described in paragraph (3)(B);

22 “(B) a description of the program to be
23 developed or augmented by such Federal and
24 non-Federal matching funds (which may be pro-
25 vided in cash, or in-kind);

1 “(C) an assurance that such program or
2 activity shall be administered by or under the
3 supervision of the applicant;

4 “(D) procedures for proper and efficient
5 administration of such program; and

6 “(E) procedures for fiscal control and fund
7 accounting as may be necessary to ensure pru-
8 dent use, proper disbursement, and accurate ac-
9 counting of funds received under this section.

10 “(c) AWARD OF GRANTS.—

11 “(1) SELECTION OF RECIPIENTS.—The Sec-
12 retary shall consider the incidence of crimes and
13 conflicts motivated by bias in the schools and com-
14 munities described in subsection (b)(3)(B) in award-
15 ing grants under this section.

16 “(2) GEOGRAPHIC DISTRIBUTION.—The Sec-
17 retary shall attempt, to the extent practicable, to
18 achieve an equitable geographic distribution of grant
19 awards.

20 “(3) DISSEMINATION OF INFORMATION.—The
21 Secretary shall make available information regarding
22 successful research based hate crime prevention pro-
23 grams, including programs established or expanded
24 with grants under this section to grantees under this
25 section.

1 “(d) REPORTS.—The Secretary shall submit to the
2 Committee on Education and the Workforce in the House
3 of Representatives and the Committee on Health, Edu-
4 cation, Labor, and Pensions in the Senate a report every
5 2 years which shall contain a detailed statement regarding
6 grants and awards, activities of grant recipients, and an
7 evaluation of programs established under this section.

8 **“Subpart 3—General Provisions**

9 **“SEC. 4131. DEFINITIONS.**

10 “For the purposes of this part:

11 “(1) DRUG AND VIOLENCE PREVENTION.—The
12 term drug and violence prevention means—

13 “(A) with respect to drugs, prevention,
14 early intervention, rehabilitation, referral, or
15 education related to the illegal use of alcohol
16 and the use of controlled, illegal, addictive, or
17 harmful substances, including inhalants and an-
18 abolic steroids;

19 “(B) prevention, early intervention, smok-
20 ing cessation activities, or education, related to
21 the use of tobacco by children and youth eligible
22 for services under this title; and

23 “(C) with respect to violence, the pro-
24 motion of school safety, such that students and
25 school personnel are free from violent and dis-

1 ruptive acts, including sexual harassment and
2 abuse, and victimization associated with preju-
3 dice and intolerance, on school premises, going
4 to and from school, and at school-sponsored ac-
5 tivities, through the creation and maintenance
6 of a school environment that is free of weapons
7 and fosters individual responsibility and respect
8 for the rights of others.

9 “(2) HATE CRIME.—The term ‘hate crime’
10 means a crime as described in section 1(b) of the
11 Hate Crime Statistics Act of 1990.

12 “(3) NONPROFIT.—The term ‘nonprofit’, as ap-
13 plied to a school, agency, organization, or institution
14 means a school, agency, organization, or institution
15 owned and operated by one or more nonprofit cor-
16 porations or associations, no part of the net earnings
17 of which inures, or may lawfully inure, to the benefit
18 of any private shareholder or individual.

19 “(4) SCHOOL-AGED POPULATION.—The term
20 ‘school-aged population’ means the population aged
21 5 through 17, as determined by the Secretary on the
22 basis of the most recent satisfactory data available
23 from the Department of Commerce.

24 “(5) SCHOOL PERSONNEL.—The term ‘school
25 personnel’ includes teachers, administrators, guid-

1 ance counselors, social workers, psychologists,
2 nurses, librarians, and other support staff who are
3 employed by a school or who perform services for the
4 school on a contractual basis.

5 **“SEC. 4132. MATERIALS.**

6 “(a) **WRONG AND HARMFUL MESSAGE.**—Drug pre-
7 vention programs supported under this part shall convey
8 a clear and consistent message that the illegal use of alco-
9 hol and other drugs is wrong and harmful.

10 “(b) **CURRICULUM.**—The Secretary shall not pre-
11 scribe the use of specific curricula for programs supported
12 under this part, but may evaluate the effectiveness of such
13 curricula and other strategies in drug and violence preven-
14 tion.

15 **“SEC. 4133. PROHIBITED USES OF FUNDS.**

16 “No funds under this part may be used for—

17 “(1) construction (except for minor remodeling
18 needed to accomplish the purposes of this part); and

19 “(2) medical services, drug treatment or reha-
20 bilitation, except for pupil services or referral to
21 treatment for students who are victims of, or wit-
22 nesses to, crime or who use alcohol, tobacco, or
23 drugs.

1 “PART B—TECHNICAL ASSISTANCE**2 “SEC. 4211. COMPREHENSIVE PREVENTION TECHNICAL AS-**
3 SISTANCE GRANTS.

4 “(a) PROGRAM AUTHORIZED.—The Secretary is au-
5 thORIZED to provide grants to State educational agencies
6 that meet the requirements of this part to implement pre-
7 vention programs that meet a high scientific standard of
8 program effectiveness.

9 “(b) CONTENTS OF STATE PLAN.—To be eligible to
10 receive a grant under this part, a State educational agency
11 shall submit an application, to the Secretary at such time
12 and including such information as the Secretary may rea-
13 sonably require, including a State plan that describes—

14 “(1) the process and selection criteria by which
15 the State educational agency will make competitive
16 grants to eligible local educational agencies;

17 “(2) how the State educational agency will en-
18 sure that only high quality, well-defined, and well-
19 documented comprehensive prevention programs are
20 funded;

21 “(3) how the State educational agency will dis-
22 seminate materials developed or collected by the Sec-
23 retary about research-based comprehensive preven-
24 tion models that are proven to be effective and will
25 provide technical assistance to assist local edu-
26 cational agencies in evaluating, selecting, developing,

1 and implementing comprehensive prevention pro-
2 grams;

3 “(4) how the State educational agency will
4 evaluate the implementation of comprehensive pre-
5 vention programs and measure the results achieved
6 in preventing violence, criminal and delinquent be-
7 havior, substance abuse, and other problem behav-
8 iors and improving student academic performance;

9 “(5) how the State educational agency will en-
10 sure that local programs meet the requirements of
11 section 4214(c); and

12 “(6) provide an assurance that funds provided
13 under this part shall supplement, and not supplant,
14 other Federal, State, and local funds that would oth-
15 erwise be available for the purposes described under
16 this part.

17 **“SEC. 4212. RESERVATIONS AND ALLOCATIONS.**

18 “(a) RESERVATIONS.—From the funds made avail-
19 able under section 4004(3) to carry out this part for each
20 fiscal year, the Secretary shall—

21 “(1) reserve funds in accordance with para-
22 graphs (1), (2), and (4) of section 4111(a); and

23 “(2) except as provided in subsection (b), allo-
24 cate the remainder of funds among the States in ac-
25 cordance with section 4111(b)(1).

1 “(b) REALLOCATION OF FUNDS TO STATES.—If a
2 State educational agency does not develop a plan that
3 meets the requirements of section 4211(b), the Secretary
4 shall not make an allocation to the State under subsection
5 (a)(2) and shall allocate such funds in accordance with
6 section 4111(b)(1) to other States that have developed
7 such plans. Funds allocated to a State under this sub-
8 section may be used only to implement programs under
9 this subpart.

10 **“SEC. 4213. DISTRIBUTION OF FUNDS.**

11 “(a) FUNDS TO LOCAL EDUCATIONAL AGENCIES.—

12 “(1) IN GENERAL.—Each State educational
13 agency that receives an allocation under this part
14 shall use such funds to make competitive grants to
15 local educational agencies.

16 “(2) AWARDS.—In awarding competitive grants
17 under this part, a State educational agency shall—

18 “(A) give the highest priority to local edu-
19 cational agencies with demonstrated need in ac-
20 cordance with the criteria described in section
21 4113(d)(2)(C)(ii);

22 “(B) make grant awards that are of suffi-
23 cient size and scope to support the initial start-
24 up costs for a comprehensive prevention plan
25 that meets the requirements of this part; and

1 “(C) take into account the equitable dis-
2 tribution of awards to different geographic re-
3 gions within the State, including urban and
4 rural areas, and to schools serving elementary
5 and secondary students.

6 “(b) RESERVATION.—A State educational agency
7 may use not more than 5 percent of the funds made avail-
8 able to it under this section for administrative, evaluation,
9 and technical assistance expenses, including expenses nec-
10 essary to inform local educational agencies about research-
11 based comprehensive prevention approaches that have
12 proven to be effective.

13 **“SEC. 4214. LOCAL AWARDS.**

14 “(a) IN GENERAL.—To be eligible to receive a
15 subgrant under this subpart for any fiscal year, a local
16 educational agency shall submit, at such time and includ-
17 ing such information, as the State educational agency re-
18 quires, an application to the State educational agency for
19 approval.

20 “(b) PLAN.—Each local educational agency shall sub-
21 mit a plan to the State educational agency demonstrating
22 how it will meet the requirements of subsection (c).

23 “(c) USE OF FUNDS.—A grant awarded to a local
24 educational agency under this part shall be used only for

1 the purpose of identifying and implementing comprehen-
2 sive prevention programs that—

3 “(1) employ strategies or approaches that are
4 based on reliable research and that show effective-
5 ness in preventing violence, criminal and delinquent
6 behavior, substance abuse, and other problem behav-
7 iors and improving student academic performance;

8 “(2) comprehensively address the mental, emo-
9 tional, social, and physical health of children and
10 adolescents;

11 “(3) employ developmentally appropriate activi-
12 ties and interventions;

13 “(4) assist children and adolescents in improv-
14 ing cognitive, affective, and behavioral skills;

15 “(5) use methods that ensure the active engage-
16 ment of the children and adolescents who participate
17 and that facilitate better communication between
18 children and adults about problem situations;

19 “(6) provide for the meaningful involvement of
20 parents, educators, health and mental health profes-
21 sionals, and the local community in planning and
22 implementation;

23 “(7) provide high-quality and continuous staff
24 professional development and training;

1 “(8) have measurable outcome goals and a clear
2 evaluation plan, including annual reports to the
3 State and the Secretary;

4 “(9) use high-quality external technical support
5 and assistance from individuals or entities with expe-
6 rience and expertise in developing, implementing,
7 and evaluating comprehensive prevention ap-
8 proaches; and

9 “(10) identify how other resources (Federal,
10 State, local, and private) available to the State will
11 be used to coordinate services to support and sustain
12 the comprehensive prevention effort.

13 **“PART C—ALTERNATIVE EDUCATION**

14 **“SEC. 4311. PURPOSE.**

15 “The purpose of this part is to assist local edu-
16 cational agencies to implement, establish, develop, or
17 improve—

18 “(1) sound and equitable policies that ensure a
19 safe, orderly, and drug-free learning environment for
20 all children, while reducing the need to suspend or
21 expel students and the number of such suspensions
22 and expulsions; and

23 “(2) educational supports, services, and pro-
24 grams, using trained and qualified staff, for children
25 aged 5 through 21 who have been suspended or ex-

1 pelled so such children make continuing progress to-
2 ward meeting the State’s challenging academic
3 standards.

4 **“SEC. 4312. RESERVATION AND ALLOTMENTS.**

5 “(a) RESERVATION.—From the amount made avail-
6 able under section 4004(4) to carry out this part for each
7 fiscal year, the Secretary—

8 “(1) shall reserve 0.5 percent for grants to
9 Guam, American Samoa, the United States Virgin
10 Islands, the Commonwealth of the Northern Mar-
11 iana Islands, and until October 1, 2001, the Repub-
12 lic of Palau, the Marshall Islands, and the Fed-
13 erated States of Micronesia;

14 “(2) shall reserve 1 percent for the Secretary of
15 Interior to carry out programs under this part for
16 Indian children; and

17 “(3) may reserve not more than the lesser of 5
18 percent or \$5,000,000 for evaluation and national
19 activities under section 4322.

20 “(b) STATE EDUCATIONAL AGENCY ALLOTMENTS.—

21 “(1) IN GENERAL.—Except as provided in para-
22 graph (2), and after making the reservations in sub-
23 section (a), the Secretary shall, for each fiscal year,
24 allocate among the States the remainder according
25 to the ratio between the amount each State received

1 under part A of title I for the preceding year and
2 the sum of such amounts received by all the States.

3 “(2) MINIMUM.—For any fiscal year, the Sec-
4 retary shall not allot to a State an amount under
5 this subsection that is less than one-quarter of 1
6 percent of the total amount allotted to all the States
7 under this subsection.

8 “(3) REALLOTMENT.—The Secretary may
9 reallocate any amount of any allotment to a State if the
10 Secretary determines that the State will be unable to
11 use such amount within two years of such allotment.
12 Such reallocations shall be made on the same basis
13 as allotments are made under paragraph (1).

14 “(c) WITHIN-STATE DISTRIBUTION OF FUNDS.—
15 Each State educational agency having an approved appli-
16 cation pursuant to section 4313 and receiving an alloca-
17 tion under subsection (b), shall—

18 “(1) allocate not less than 95 percent of such
19 allocation to local educational agencies pursuant to
20 section 4317(a) or 4317(b); and

21 “(2) reserve not more than 5 percent for State
22 level activities and evaluation, of which not more
23 than 40 percent may be used for administration.

1 “(d) SPECIAL RULE.—For the purposes of subsection
2 (b) the term ‘State’ means the 50 States, the District of
3 Columbia, and Puerto Rico.

4 **“SEC. 4313. STATE EDUCATIONAL AGENCY APPLICATIONS.**

5 “Each State educational agency seeking a grant
6 under this part shall submit an application in such form,
7 and containing such information, as the Secretary may
8 reasonably require. At a minimum, the application shall
9 include—

10 “(1) a description of the competitive process the
11 State educational agency will use to award subgrants
12 to local educational agencies if the total amount ap-
13 propriated to carry out this part is less than
14 \$350,000,000 in any given fiscal year;

15 “(2) a description of the performance indicators
16 the State educational agency will establish, con-
17 sistent with section 4316, that will be used to evalu-
18 ate local educational agency programs funded under
19 this part;

20 “(3) a description of the research-base of pro-
21 grams funded under this part;

22 “(4) a description of the professional develop-
23 ment necessary for teachers, other educators, and
24 pupil services personnel to implement alternative

1 education supports, services, and programs based on
2 scientifically based research;

3 “(5) a description of how the State will ensure
4 a reduction in the number of suspensions and expul-
5 sions, including reductions among groups of minor-
6 ity, low-income, and disabled children;

7 “(6) a description of the programs and activi-
8 ties the State will carry out under section 4315;

9 “(7) an assurance that the State educational
10 agency will make awards to local educational agen-
11 cies under section 4317(a) based on the quality of
12 their programs and their need for assistance under
13 this part;

14 “(8) a description of how the State will ensure
15 the implementation of disciplinary policies that are
16 fair and equitable;

17 “(9) a description of how the State will ensure
18 that supports, services, and programs funded under
19 this part will enable children to meet challenging
20 State academic standards;

21 “(10) a description of how the State will ensure
22 that programs funded under this part include ade-
23 quate support services for students and their fami-
24 lies, including counseling, and how the State will co-
25 ordinate with and use services available through ju-

1 venile justice, mental health, and social services
2 agencies;

3 “(11) an assurance that the State and local
4 educational agencies which receive funds under this
5 part will use such funds to provide educational serv-
6 ices to children who have been suspended or expelled
7 from school; and

8 “(12) a description of how the State will ensure
9 the programs funded under this part provide ade-
10 quate support for students to return to a regular
11 education setting, if appropriate.

12 **“SEC. 4314. STATE APPLICATION APPROVAL.**

13 “The Secretary shall review the application of a State
14 educational agency for assistance under this part and shall
15 approve the application, unless the Secretary makes a de-
16 termination in writing that such application does not meet
17 the specific requirements of this part or is of insufficient
18 quality to meet the goals and purposes of this part.

19 **“SEC. 4315. STATE EDUCATIONAL AGENCY ACTIVITIES.**

20 “(a) **REQUIRED USES OF FUNDS.**—A State edu-
21 cational agency shall use funds reserved under section
22 4312(c)(2) for the following activities:

23 “(1) **IDENTIFICATION.**—Identification and dis-
24 semination of effective supports, services, and pro-
25 grams that are consistent with the purpose of this

1 part, based on scientifically based research, to local
2 educational agencies within the State.

3 “(2) ASSISTANCE.—Technical assistance de-
4 signed to improve the performance of supports, serv-
5 ices, and programs funded under this part.

6 “(3) EVALUATION.—Evaluation of programs
7 funded under this part, and dissemination of the
8 findings of the evaluations.

9 “(b) PERMISSIVE USES OF FUNDS.—A State edu-
10 cational agency may use funds reserved under section
11 4312(c)(2) for the following activities:

12 “(1) DEVELOPMENT.—Development of effective
13 supports, services, and programs consistent with the
14 purpose of this part.

15 “(2) PROFESSIONAL DEVELOPMENT.—Profes-
16 sional development designed to provide teachers,
17 pupil services personnel, and other related instruc-
18 tional personnel with skills necessary to integrate be-
19 havior intervention techniques and methodology into
20 the academic curriculum used by the State and local
21 educational agencies to maintain effective discipline
22 and an environment conducive to learning that re-
23 duces the need to suspend or expel students.

24 “(3) OTHER ACTIVITIES.—Any other activities
25 consistent with the purpose of this part.

1 **“SEC. 4316. STATE PERFORMANCE MEASURES.**

2 “Each State educational agency shall establish per-
3 formance indicators and acceptable goals of progress to
4 evaluate the effectiveness of programs funded under this
5 part. Such performance indicators shall include, at a min-
6 imum:

7 “(1) reduction in the number of incidents of
8 disruptive and violent behavior;

9 “(2) reduction in the number of suspensions
10 and expulsions;

11 “(3) reduction in the total amount of time stu-
12 dents are out of school as a result of being sus-
13 pended or expelled;

14 “(4) attainment of challenging State academic
15 standards by students in programs funded under
16 this part;

17 “(5) reduction in dropout rate; and

18 “(6) an increase in the number of students re-
19 turning successfully to a regular education program,
20 as appropriate.

21 **“SEC. 4317. LOCAL EDUCATIONAL AGENCY DISTRIBUTION**
22 **OF FUNDS.**

23 “(a) **COMPETITIVE GRANTS.**—In any fiscal year in
24 which the total amount provided under section 4004(4)
25 is less than \$350,000,000, the State educational agency
26 shall distribute funds under section 4312(c)(1) on a com-

1 petitive basis to local educational agencies that have an
2 approved application under section 4318 and can dem-
3 onstrate a significant number of incidents of children aged
4 5 through 21 who have been suspended or expelled from
5 public school. Such competitive grant process shall—

6 “(1) give priority to local educational agencies
7 in which more than 30 percent of the children are
8 from low-income families as determined under part
9 A of title I;

10 “(2) ensure that each grant is sufficient size
11 and scope so as to be effective;

12 “(3) ensure, to the extent practicable, the dis-
13 tribution of grants on an equitable geographic basis,
14 including selecting agencies that serve urban, subur-
15 ban, and rural populations; and

16 “(4) utilize a peer review process to approve ap-
17 plications.

18 “(b) FORMULA GRANTS.—

19 “(1) IN GENERAL.—In any fiscal year for which
20 the total amount provided under section 4004(4) is
21 more than, or equal to \$350,000,000, the State edu-
22 cational agency shall distribute funds under section
23 4312(e)(1) on the following basis:

24 “(A) 80 percent of such amount shall be
25 allocated to such local educational agencies in

1 proportion to the number of children, aged 5
2 through 17, who reside in the school district
3 served by the local educational agency from
4 families with incomes below the poverty line (as
5 defined by the Office of Management and
6 Budget and revised annually in accordance with
7 section 673(2) of the Community Services
8 Block Grant Act (42 U.S.C. 9902(2)) applica-
9 ble to a family of the size involved for the most
10 recent fiscal year for which satisfactory data
11 are available, compared to the number of such
12 individuals who reside in the school districts
13 served by all the local educational agencies in
14 the State for that fiscal year.

15 “(B) 20 percent of such amount shall be
16 allocated to local educational agencies, based on
17 the relative enrollments in public and private
18 nonprofit elementary and secondary schools
19 within the boundaries of such agencies.

20 “(2) REALLOCATION.—If a local educational
21 agency chooses not to apply to receive the amount
22 allocated to it under paragraph (1), or if such agen-
23 cy’s application is disapproved by the State edu-
24 cational agency pursuant to section 4319, the State
25 educational agency shall reallocate such amount to

1 other local educational agencies on the same basis as
2 allocations are made under paragraph (1).

3 “(c) FEDERAL SHARE.—The Federal share of pro-
4 grams funded under this part shall be 65 percent for local
5 educational agencies with poverty levels of 30 percent and
6 above, and 35 percent for local educational agencies with
7 poverty levels below 30 percent. Local educational agencies
8 may satisfy the non-Federal share funding requirements
9 of this section with in-kind contributions and may use
10 Federal funds, other than those provided under this part,
11 that may be used to carry out the purpose of this part.

12 **“SEC. 4318. LOCAL APPLICATION.**

13 “In order to be eligible to receive a grant under sec-
14 tion 4317, for any fiscal year, a local educational agency
15 shall submit an application to the State educational agen-
16 cy, at such time, and containing such information as the
17 State educational agency shall require. Such application
18 shall, at a minimum, include—

19 “(1) an assurance that programs shall serve
20 children aged 5 through 21 who have been sus-
21 pended or expelled from another public school within
22 the local educational agency;

23 “(2) a description of how the local educational
24 agency will provide, in a safe, orderly, and drug-free
25 learning environment with trained and qualified

1 staff, educational supports, services, and programs
2 for students who have been suspended or expelled so
3 such students are able to meet the State’s chal-
4 lenging academic standards;

5 “(3) a description of the plan of the local edu-
6 cational agency for reducing the number of suspen-
7 sions and expulsions and reducing the total amount
8 of time students are out of a regular education set-
9 ting as a result of being suspended or expelled;

10 “(4) a plan for training teachers, pupil services
11 personnel, and other appropriate school staff on ef-
12 fective strategies for dealing with disruptive stu-
13 dents;

14 “(5) a description of how the local educational
15 agency will involve parents in the education of chil-
16 dren who have been suspended or expelled, to the ex-
17 tent possible;

18 “(6) an assurance that local educational agen-
19 cies will develop annually increasing program per-
20 formance goals, consistent with the State’s perform-
21 ance indicators under section 4316;

22 “(7) information demonstrating how the appli-
23 cant will continue the programs and activities devel-
24 oped under this part after completion of the grant;

1 “(8) an assurance that the program will provide
2 sufficient support services for children and their
3 families, including counseling, and will coordinate
4 with and utilize services provided through juvenile
5 justice, social service, and mental health agencies;

6 “(9) an assurance that the program will assist
7 participating students in making the transition back
8 to a regular education setting, as appropriate; and

9 “(10) provide an assurance that such program
10 will place an emphasis on personal, academic, social,
11 and workplace skills and behavior modification, as
12 appropriate.

13 **“SEC. 4319. LOCAL APPLICATION APPROVAL.**

14 “The State educational agency shall review the appli-
15 cation of a local educational agency for assistance under
16 this part. For the purposes of grants awarded under sec-
17 tion 4317(b), such application shall be deemed approved
18 unless the State makes a determination in writing that
19 such application does not meet the specific requirements
20 of this part or is of insufficient quality to meet the goals
21 and purposes of this part.

22 **“SEC. 4320. LOCAL EDUCATIONAL AGENCY USES OF FUNDS.**

23 “Each local educational agency, with an approved ap-
24 plication under section 4319, shall use funds provided

1 under section 4317 for one or more of the following activi-
2 ties, which shall be based on the most relevant research:

3 “(1) The development, establishment, or im-
4 provement of alternative schools, either established
5 within a school or separate and apart from an exist-
6 ing school, that are designed—

7 “(A) to reduce disruptive behavior;

8 “(B) to reduce the need for repeat suspen-
9 sions and expulsions; and

10 “(C) to enable students to meet chal-
11 lenging State academic standards.

12 “(2) The development, establishment, or im-
13 provement of alternative supports, services, pro-
14 grams, and strategies for students served by pro-
15 grams funded under this part.

16 “(3) Professional development for teachers, ad-
17 ministrators, pupil services personnel, and other
18 school staff on the most effective ways of preventing
19 students from disrupting class, and for dealing with
20 those students who disrupt class.

21 “(4) Mentoring, tutoring, and other services for
22 students.

23 “(5) Counseling and mental health services,
24 such as mental health assessment and counseling,

1 counseling on transitioning to work or other edu-
2 cational options, and family counseling.

3 “(6) Programs in such areas as conflict resolu-
4 tion, peer mediation, character education, social
5 skills building, alcohol, drug, and violence preven-
6 tion, and behavior interventions.

7 “(7) Programs providing sufficient support
8 services for children and their families, including
9 counseling, and coordination with and utilization of
10 services provided through juvenile justice, social
11 service, and mental health agencies.

12 “(8) Activities to assist students in making the
13 transition back to regular school programs, as ap-
14 propriate.

15 “(9) Programs to assist students to meet chal-
16 lenging academic standards.

17 “(10) Other programs and activities consistent
18 with the purpose of this part.

19 **“SEC. 4321. PROGRAM EVALUATION.**

20 “(a) IN GENERAL.—(1) Each State educational
21 agency receiving funds under this part shall evaluate the
22 effectiveness of programs and activities carried out under
23 this part in reducing the need to suspend or expel students
24 and in helping students who have been suspended or ex-
25 pelled to meet the State’s challenging academic standards.

1 “(2) In evaluating local programs, the State edu-
2 cational agency shall, as appropriate, review performance
3 data based on the attainment of the goals established by
4 local educational agencies under section 4318(6),
5 disaggregated, as appropriate, on the basis of gender,
6 race, ethnicity, migrant status, limited English proficiency
7 status, disability, primary versus secondary education, and
8 economic status.

9 “(b) EVALUATION RESULTS, CORRECTIVE ACTION,
10 AND TERMINATION OF FUNDS.—

11 “(1) RESULTS.—Each State shall submit the
12 results of its evaluation to the Secretary in an an-
13 nual report. The Secretary shall submit a summary
14 of the annual reports to both the Committee on
15 Education and the Workforce of the House of Rep-
16 resentatives and the Health, Education, Labor, and
17 Pensions Committee of the Senate.

18 “(2) DISTRIBUTION.—The State shall distribute
19 the results of the evaluation of individual programs
20 to each evaluated program.

21 “(3) INSUFFICIENT PROGRESS.—If the State
22 educational agency determines that a local edu-
23 cational agency’s program under this part did not
24 make sufficient progress toward the performance in-
25 dicators established by the State educational agency

1 based on the goals described in section 4318(6), the
2 State educational agency shall provide technical as-
3 sistance to such program. After two consecutive
4 years of failure by a program to make sufficient
5 progress toward the levels of performance estab-
6 lished by the State educational agency, the State
7 educational agency shall take such action as may be
8 necessary, including the withdrawal of funds, in
9 whole or in part, from such program.

10 **“SEC. 4322. NATIONAL ACTIVITIES AND EVALUATION.**

11 “(a) EVALUATION BY THE SECRETARY.—The Sec-
12 retary shall evaluate a representative sample of the pro-
13 grams funded under this part, and shall report the find-
14 ings of the evaluation to the Committee on Education and
15 the Workforce of the House of Representatives and the
16 Committee on Health, Education, Labor, and Pensions of
17 the Senate not later than 3 years after the first grants
18 are made under this part.

19 “(b) RESEARCH.—The Secretary shall conduct re-
20 search to develop and identify proven alternative education
21 practices. The Secretary shall disseminate such alternative
22 education practices to State educational agencies and local
23 educational agencies receiving funds under this title.

24 “(c) OTHER NATIONAL ACTIVITIES.—The Secretary
25 may directly, or through grants or contracts, carry out

1 programs and activities consistent with the purpose of this
2 part, such as collection of data, dissemination of informa-
3 tion, and development of model programs and activities.

4 **“SEC. 4323. SPECIAL RULE.**

5 “(a) CONSTRUCTION.—Nothing in this part shall be
6 construed to affect the requirements of the Individuals
7 with Disabilities Education Act or the Gun-Free Schools
8 Act.

9 “(b) SUPPLEMENT.—Funds made available under
10 this part shall be used to supplement, and shall not sup-
11 plant, non-Federal funds available to carry out programs
12 and activities authorized by this part.

13 **“PART D—RESOURCE STAFF FOR STUDENTS**

14 **“SEC. 4411. FINDINGS.**

15 “Congress finds the following:

16 “(1) Although 7,500,000 children under the age
17 of 18 require mental health services, fewer than 1 in
18 5 of these children receive the services.

19 “(2) Across the United States, counseling pro-
20 fessionals have an extremely busy caseload and often
21 students do not get the help they need. The current
22 national average ratio of students to counselors in
23 elementary and secondary schools is 513:1.

1 “(3) Schools in the United States need more
2 mental health professionals, and the funds needed to
3 hire staff to specifically serve students.

4 “(4) The maximum recommended ratio of stu-
5 dents-to-counselors is 250:1.

6 “(5) Existing counselors are severely taxed to
7 perform duties that are largely administrative in na-
8 ture, such as scheduling. They are burdened with
9 many demands regarding placement in colleges, test-
10 ing, career guidance, and the like.

11 “(6) Student populations are expected to grow
12 significantly over the next few years. School-based
13 services for students will be in great demand. With
14 expected large scale retirements, more than 100,000
15 new dedicated resource staff for students will be
16 needed to increase student-to-staff service avail-
17 ability.

18 “(7) The Federal support for reducing the stu-
19 dent-to-staff ratio would pay for itself, through re-
20 duced violence and substance abuse, and through
21 improvements in students’ academic achievement.

22 **“SEC. 4412. PURPOSE.**

23 “The purpose of this part is to assist States and local
24 educational agencies to recruit, train, and hire 100,000

1 school-based resource staff to specifically work with
2 students—

3 “(1) to reduce the student-to-counseling ratios
4 nationally, in grades 6–12, to an average of 1 such
5 staff for every 250 students as recommended in a
6 report by the Institute of Medicine of the National
7 Academy of Sciences relating to schools and health,
8 issued in 1997;

9 “(2) to help address the mental, emotional, and
10 developmental needs of public school students; and

11 “(3) to support other school staff and teachers
12 in reaching students early before problems arise,
13 conducting behavioral interventions to improve
14 school discipline, and developing the awareness and
15 skills to identify early warning signs of violence and
16 the need for mental health services.

17 **“SEC. 4413. STUDENT RESOURCE STAFF PROGRAM.**

18 “(a) IN GENERAL.—From funds provided under sec-
19 tion 4004(s), the Secretary shall award grants under this
20 part to establish or expand the number of resource staff
21 available for students’ needs.

22 “(1) DISTRIBUTION.—In awarding grants
23 under this part, the Secretary shall allocate funds
24 proportionately based on the population that is less

1 than 18 years of age in each local educational agen-
2 cy.

3 “(2) DURATION.—A grant under this section
4 shall be awarded for a period not to exceed 3 years.

5 “(b) APPLICATIONS.—

6 “(1) IN GENERAL.—Each local educational
7 agency desiring a grant under this section shall sub-
8 mit an application to the Secretary at such time, in
9 such manner, and accompanied by such information
10 as the Secretary may reasonably require.

11 “(2) CONTENTS.—Each application for a grant
12 under this section shall—

13 “(A) describe the secondary public school
14 population to be targeted by the program, the
15 particular personal, social, emotional, education,
16 and career development needs of such popu-
17 lation, and the current school counseling re-
18 sources available for meeting such needs;

19 “(B) describe the activities, services, and
20 training to be provided by the program and the
21 specific approaches to be used to meet the
22 needs described in subparagraph (A);

23 “(C) describe the methods to be used to
24 evaluate the outcomes and effectiveness of the
25 program; and

1 “(D) document that the applicant has the
2 personnel qualified to develop, implement, and
3 administer the program.

4 “(c) USE OF FUNDS.—Funds under this section shall
5 be used to initiate or expand student resource staff pro-
6 grams that carry out the purpose under section.“(d) DEFINI-
7 TIONS.—For the purpose of this part the term ‘resource
8 staff’ means an individual who has documented com-
9 petence and training in mental health to be able to provide
10 services to children and adolescents in a school setting and
11 who—

12 “(1) possesses State licensure or certification in
13 mental health granted by an independent profes-
14 sional regulatory authority;

15 “(2) in the absence of such State licensure or
16 certification, possesses national certification in men-
17 tal health or in a related specialty granted by an
18 independent professional organization;

19 “(3) holds at least a master’s degree in school
20 counseling from a program accredited by the Council
21 for Accreditation of Counseling and Related Edu-
22 cational Programs or an equivalent degree;

23 “(4) possesses a minimum of 60 graduate se-
24 mester hours in school psychology from an institu-
25 tion of higher education and has completed 1,200

1 clock hours in a supervised school psychology intern-
2 ship, of which 600 hours shall be in the school set-
3 ting, and possesses State licensure or certification in
4 school psychology in the State in which the indi-
5 vidual works; or

6 “(5) holds a master’s degree in social work and
7 is licensed or certified by the State in which services
8 are to be provided or holds a school social work spe-
9 cialist credential.

10 **“PART E—PROJECT SERV**

11 **“SEC. 4510. PROJECT SERV.**

12 “(a) PROJECT SERV.—(1) From funds appropriated
13 to carry out this part for each fiscal year under section
14 4004(6), the Secretary is authorized to carry out a pro-
15 gram of providing education-related services to local edu-
16 cational agencies in which the learning environment has
17 been disrupted due to a violent or traumatic crisis, such
18 as a shooting or major accident. Such program may be
19 referred to as ‘Project SERV’.

20 “(2) The Secretary may carry out Project SERV di-
21 rectly, or through grants, contracts, or cooperative agree-
22 ments with public and private organizations, agencies, and
23 individuals, or through agreements with other Federal
24 agencies.

1 “(b) AUTHORIZED ACTIVITIES.—(1) Project SERV
2 may provide—

3 “(A) assistance to school personnel in assessing
4 a crisis situation, including—

5 “(i) assessing the resources available to the
6 local educational agency and community to re-
7 spond to the situation; and

8 “(ii) developing a response plan to coordi-
9 nate services provided at the Federal, State,
10 and local level;

11 “(B) mental health crisis counseling to students
12 and their families, teachers, and others in need of
13 such services;

14 “(C) increased school security;

15 “(D) training and technical assistance for State
16 and local educational agencies, State and local men-
17 tal health agencies, State and local law enforcement
18 agencies, and communities to enhance their capacity
19 to develop and implement crisis intervention plans;

20 “(E) services and activities designed to identify
21 and disseminate the best practices of school and
22 community-related plans for responding to crises;
23 and

24 “(F) other needed services and activities that
25 are consistent with the purposes of this part.

1 “(2) The Secretary, in consultation with the Attorney
2 General, the Secretary of Health and Human Services,
3 and the Director of the Federal Emergency Management
4 Agency—

5 “(A) shall establish such criteria and applica-
6 tion requirements as may be needed to select which
7 local educational agencies are assisted under this
8 part; and

9 “(B) may establish such reporting requirements
10 as may be needed to collect uniform data and other
11 information from all local educational agencies as-
12 sisted under this part.

13 “(c) COORDINATING COMMITTEE.—(1) There shall
14 be established a Federal coordinating committee on school
15 crises comprised of the Secretary, the Attorney General,
16 the Secretary of Health and Human Services, the Director
17 of the Federal Emergency Management Agency, the Di-
18 rector of the Office of National Drug Control Policy, and
19 such other members as the Secretary shall determine. The
20 Secretary shall serve as chair of the committee.

21 “(2) The committee shall coordinate the Federal re-
22 sponses to crises that occur in schools or directly affect
23 the learning environment in schools.

1 agency under this Act shall provide to the State in its
2 application—

3 “(1) an assurance that such local educational
4 agency is in compliance with the State law required
5 by subsection (b);

6 “(2) a description of the circumstances sur-
7 rounding any expulsions imposed under the State
8 law required by subsection (b), including—

9 “(A) the name of the school concerned;

10 “(B) the number of students expelled from
11 such school (disaggregated by gender, race, eth-
12 nicity, and educational level); and

13 “(C) the type of weapons concerned; and

14 “(3) the number of—

15 “(A) students referred to the criminal jus-
16 tice or juvenile justice system as required by
17 section 4512(a)(1); and

18 “(B) instances in which the chief admin-
19 istering officer of a local educational agency
20 modified the expulsion requirement described in
21 subsection (b)(1) on a case-by-case basis.

22 “(e) REPORTING.—Each State shall report the infor-
23 mation described in subsection (d) to the Secretary on an
24 annual basis.

1 **“SEC. 4512. REQUIREMENTS.**

2 “(a) **REQUIRED POLICIES.**—No funds shall be made
3 available under this Act to any local educational agency
4 unless that agency has a policy ensuring—

5 “(1) that any student who possesses a firearm
6 at school served by such agency is referred to the
7 criminal justice or juvenile justice system;

8 “(2) that a student described in paragraph (1)
9 is referred to a mental health professional for as-
10 sessment as to whether he or she poses an imminent
11 threat of harm to himself, herself, or others and
12 needs appropriate mental health services before re-
13 admission to school; and

14 “(3) that a student under paragraph (1) who
15 has been determined by a mental health professional
16 to pose an imminent threat of harm to himself, her-
17 self, or others receive appropriate mental health
18 services before being permitted to return to school.

19 “(b) **SPECIAL RULE.**—This section shall be construed
20 in a manner consistent with the Individuals with Disabil-
21 ities Education Act.

22 “(c) **DEFINITIONS.**—For the purposes of this section,
23 the terms ‘firearm’ and ‘school’ have the same meaning
24 given those terms in section 921(a) of title 18, United
25 States Code.

1 **“SEC. 4513. POLICIES.**

2 “(a) **REQUIRED POLICY.**—Each State educational
3 agency and local educational agency that receives funds
4 under this title shall have a policy that prohibits cigarette
5 vending machines, and the illegal possession or use of
6 drugs and alcohol, in any form, at any time, and by any
7 person, in school buildings, on school grounds, or at any
8 school-sponsored event.

9 “(b) **ASSURANCE.**—Each local educational agency re-
10 questing assistance under this title from the State edu-
11 cational agency shall include in its application an assur-
12 ance that it is in compliance with the requirements of this
13 section.

14 “(c) **STATE REPORTING.**—Each State educational
15 agency shall report to the Secretary on an annual basis
16 if any local educational agency is not in compliance with
17 the requirements of subsection (a).

18 **“SEC. 4514. SUPPLANTING PROHIBITED.**

19 Funds under this title shall be used to increase the
20 level of State, local, and other non-Federal funds that
21 would, in the absence of funds under this title, be made
22 available for programs and activities authorized under this
23 title, and in no case to supplant such State, local, and
24 other non-Federal funds.”.

1 **SEC. 6. INNOVATIVE EDUCATIONAL STRATEGIES.**

2 (a) ALLOTMENT.—Section 6101(a) of the Act is
3 amended as follows:

4 “(a) RESERVATIONS AND ALLOTMENTS.—

5 “(1) PAYMENTS TO OUTLYING AREAS.—From
6 the sums appropriated to carry out this title for any
7 fiscal year (excluding sums appropriated under sec-
8 tion 6405(b)), the Secretary shall reserve not to ex-
9 ceed 1 percent for payments to outlying areas to be
10 allotted in accordance with their respective needs.

11 “(2) ALLOTMENTS TO STATES FOR LOCAL EDU-
12 CATIONAL AGENCIES DEMONSTRATING ADEQUATE
13 YEARLY PROGRESS.—From the sums appropriated
14 to under section 6405(b) for any fiscal year, the
15 Secretary shall reserve 100 percent. The Secretary
16 shall allot to each State an amount which bears the
17 same ratio to the reserved amount as the school-age
18 population of the State bears to the school-age popu-
19 lation of all States, except that no State shall receive
20 less than an amount equal to $\frac{1}{2}$ of 1 percent of such
21 reserved amount.”.

22 (b) ALLOCATION TO LOCAL EDUCATIONAL AGEN-
23 CIES.—

24 (1) Section 6102(a) is amended by redesignig-
25 nating subsections (a), (a)(1), (a)(2), and (a)(3) as

1 subsections (a)(1), (a)(1)(A), (a)(1)(B), and
2 (a)(1)(C), respectively.

3 (2) Section 6102(a)(1), as redesignated, is
4 amended by striking “From” and inserting “Subject
5 to paragraph (2), from”.

6 (3) Section 6102(a) is amended by adding at
7 the end the following:

8 “(2) DISTRIBUTIONS TO LOCAL EDUCATIONAL
9 AGENCIES DEMONSTRATING ADEQUATE YEARLY
10 PROGRESS.—

11 “(A) IN GENERAL.—

12 “(i) DISTRIBUTION RULE.—From the
13 sums made available to a State for a fiscal
14 year under section 6101(a)(2), the State
15 shall distribute, in accordance with para-
16 graph (1), not less than 96 percent to local
17 educational agencies within such State that
18 have demonstrated adequate yearly
19 progress with respect to the previous fiscal
20 year. Such sums shall be used locally for
21 innovative assistance described in section
22 6301(b).

23 “(ii) DEFINITION.—For purposes of
24 this subparagraph, adequate yearly

1 progress for a local educational agency
2 shall be defined in a manner that—

3 “(I) applies the same high stand-
4 ards of academic performance to all;

5 “(II) takes into account the
6 progress of all students served under
7 section 1114 or 1115;

8 “(III) compares separately, the
9 performance and progress of students
10 by gender, each major ethnic and ra-
11 cial group, by English proficiency sta-
12 tus, by migrant status, by students
13 with disabilities as compared to non-
14 disabled students, and by economically
15 disadvantaged students as compared
16 to students who are not economically
17 disadvantaged (except that such
18 disaggregation shall not be required in
19 a case in which the number of stu-
20 dents in a category is insufficient to
21 yield statistically reliable information
22 or the results would reveal individ-
23 ually identifiable information about an
24 individual student);

1 “(IV) compares the proportions
2 of students at the ‘basic’, ‘proficient’,
3 and ‘advanced’ levels of performance
4 with the proportions of students at
5 each of the 3 levels in the same grade
6 in the previous school year;

7 “(V) at the State’s discretion,
8 may also include other academic
9 measures such as promotion, comple-
10 tion of college preparatory courses,
11 and high school completion, except
12 that inclusion of such other measures
13 may not change which schools would
14 otherwise be subject to improvement
15 or corrective action under section
16 1116 if the discretionary indicators
17 were not included;

18 “(VI) means not less than 90
19 percent of the schools within its juris-
20 diction meet the State’s criteria for
21 adequate yearly progress;

22 “(VII) includes annual numerical
23 goals for improving the performance
24 of all groups specified in subclause

1 (III) and narrowing gaps in perform-
2 ance between these groups; and

3 “(VIII) includes a timeline for
4 ensuring that each group of students
5 described in subclause (III) meets or
6 exceeds the State’s proficient level of
7 performance on each State assessment
8 used for the purposes of section 1111
9 and section 1116 within 10 years
10 from the date of the enactment of the
11 Safe and Successful Schools Act.

12 “(B) LIMITATION ON ADMINISTRATIVE
13 COSTS.—Not more than 4 percent of the sums
14 made available to a State for a fiscal year
15 under section 6101(a)(2) may be used by the
16 State for administration and supervision of pro-
17 grams assisted under this title.”.

18 (c) STRATEGIES.—Part A of title VI of the Act is
19 amended by adding at the end the following:

20 **“SEC. 6103. ANNUAL PERFORMANCE REPORTING.**

21 “(a) A local education agency that receive funds
22 under this title shall report annually to the State Edu-
23 cation Agency on—

24 “(1) the specific purposes for which the funds
25 were used;

1 “(2) the measurable impact such funds had on
2 student achievement and enabling children to
3 achieve challenging State academic standards; and

4 “(3) the extent to which the local education
5 agency met the goals established by the State Edu-
6 cation Agency for annual progress on improving stu-
7 dent academic achievement and student perform-
8 ance.

9 “(b) A local education agency receiving funds under
10 this Title shall annually report to the public information
11 on the agency’s annual progress in meeting the goals es-
12 tablished by the State, and the specific purposes for which
13 funds under this Title were used.

14 “(c) A local education agency shall not receive funds
15 under this title unless in complies with the requirements
16 of this section.”.

17 (d) STATE APPLICATIONS.—Paragraph (2) of section
18 6202(a) of this Act is amended to read as follows:

19 “(2)(A) annually provides the submission of
20 data on the use of funds, the types of services fur-
21 nished, and the extent that special populations and
22 economically disadvantaged students were served rel-
23 ative to the overall student population for each local
24 education agency.

1 “(B) provides, beginning in 2002, for a rig-
2 orous, independent evaluation of this title’s effective-
3 ness in each local education agency in the state in
4 improving student academic achievement and stu-
5 dent performance, consistent with the goals specified
6 in paragraph (8).”.

7 (e) GOALS.—Section 6202(a) of the Act is amended
8 by adding at the end the following:

9 “(8) provides an assurance that the State edu-
10 cational agency will establish specific measurable
11 goals for the annual progress of local education
12 agencies and schools within the State with respect to
13 improving student academic achievement and stu-
14 dent performance.”.

15 (f) LOCAL ACTIVITY.—Section 6301(b) is amended

16 (1) by redesignating paragraphs (8) and (9) as
17 paragraphs (9) and (10); and

18 (2) after paragraph (7), by inserting the fol-
19 lowing:

20 “(8) programs to encourage academic rigor in
21 scientific education in elementary schools through
22 the environmental sciences, including the use of
23 hands-on recycling;”.

1 (g) DEFINITIONS AND DATA ELEMENTS.—Part D of
2 title VI of the Act is amended by adding at the end the
3 following:

4 **“SEC. 6404. DEFINITIONS AND DATA ELEMENTS.**

5 “The Secretary shall establish, in consultation with
6 the States, common definitions and data elements to en-
7 sure that data required to be provided under this title are
8 comparable across States and the data can be used by the
9 Department for compliance with the Government Perform-
10 ance and Results Act.”.

11 (h) AUTHORIZATION.—Section 6002 of the Act is
12 amended to read as follows:

13 **“SEC. 6002. AUTHORIZATION.**

14 “(a) IN GENERAL.—To carry out the purposes of this
15 title, there are authorized to be appropriated
16 \$400,000,000 for fiscal year 2001 and such sums as may
17 be necessary for the 4 succeeding fiscal years.”.

18 “(b) FUNDS FOR LOCAL EDUCATIONAL AGENCIES
19 DEMONSTRATING ADEQUATE YEARLY PROGRESS.—For
20 purposes of making allotments to States under section
21 6101(a)(2), there are authorized to be appropriated, in ad-
22 dition to any amounts appropriated under subsection (a),
23 \$200,000,000 for fiscal years 2001 through 2005.

24 (i) CLASS SIZE REDUCTION.—At the end of title VI
25 of the Act, insert the following:

1 **“PART E—CLASS SIZE REDUCTION**

2 **“SEC. 6511. GRANT PROGRAM.**

3 “(a) PURPOSE.—The purposes of this section are—

4 “(1) to reduce class size through the use of
5 fully qualified teachers;

6 “(2) to assist States and local educational agen-
7 cies in recruiting, hiring, and training 100,000
8 teachers in order to reduce class sizes nationally, in
9 grades 1 through 3, to an average of 18 students
10 per regular classroom; and

11 “(3) to improve teaching in those grades so
12 that all students can learn to read independently
13 and well by the end of the 3rd grade.

14 “(b) ALLOTMENT TO STATES.—

15 “(1) RESERVATION.—From the amount made
16 available to carry out this subpart for a fiscal year,
17 the Secretary shall reserve not more than 1 percent
18 for the Secretary of the Interior (on behalf of the
19 Bureau of Indian Affairs) and the outlying areas for
20 activities carried out in accordance with this section.

21 “(2) STATE ALLOTMENTS.—

22 “(A) HOLD HARMLESS.—

23 “(i) IN GENERAL.—Subject to sub-
24 paragraph (B) and clause (ii), from the
25 amount made available to carry out this
26 subpart for a fiscal year and not reserved

1 under paragraph (1), the Secretary shall
2 allot to each State an amount equal to the
3 amount that such State received for the
4 preceding fiscal year under this section or
5 section 310 of the Department of Edu-
6 cation Appropriations Act, 2000, as the
7 case may be.

8 “(ii) RATABLE REDUCTION.—If the
9 amount made available to carry out this
10 subpart for a fiscal year and not reserved
11 under paragraph (1) is insufficient to pay
12 the full amounts that all States are eligible
13 to receive under clause (i) for such fiscal
14 year, the Secretary shall ratably reduce
15 such amounts for such fiscal year.

16 “(B) ALLOTMENT OF ADDITIONAL
17 FUNDS.—

18 “(i) IN GENERAL.—Subject to clause
19 (ii), for any fiscal year for which the
20 amount made available to carry out this
21 part and not reserved under paragraph (1)
22 exceeds the amount made available to the
23 States for the preceding year under the au-
24 thorities described in subparagraph (A)(i),
25 the Secretary shall allot to each of those

1 States the percentage of the excess amount
2 that is the greater of—

3 “(I) the percentage the State re-
4 ceived for the preceding fiscal year of
5 the total amount made available to
6 the States under section 1122; or

7 “(II) the percentage so received
8 of the total amount made available to
9 the States under section 6511(b), as
10 in effect on the day before the date of
11 enactment of the Safe and Successful
12 Schools Act, or the corresponding pro-
13 vision of this title, as the case may be.

14 “(ii) RATABLE REDUCTIONS.—If the
15 excess amount for a fiscal year is insuffi-
16 cient to pay the full amounts that all
17 States are eligible to receive under clause
18 (i) for such fiscal year, the Secretary shall
19 ratably reduce such amounts for such fis-
20 cal year.

21 “(c) ALLOCATION TO LOCAL EDUCATIONAL AGEN-
22 CIES.—

23 “(1) ALLOCATION.—Each State that receives
24 funds under this section shall allocate 100 percent

1 of those funds to local educational agencies, of
2 which—

3 “(A) 80 percent shall be allocated to those
4 local educational agencies in proportion to the
5 number of children, age 5 through 17, from
6 families with incomes below the poverty line (as
7 defined by the Office of Management and
8 Budget and revised annually in accordance with
9 section 673(2) of the Community Services
10 Block Grant Act (42 U.S.C. 9902(2))) applica-
11 ble to a family of the size involved, who reside
12 in the school district served by that local edu-
13 cational agency for the most recent fiscal year
14 for which satisfactory data are available, com-
15 pared to the number of those children who re-
16 side in the school districts served by all the
17 local educational agencies in the State for that
18 fiscal year; and

19 “(B) 20 percent shall be allocated to those
20 local educational agencies in accordance with
21 the relative enrollments of children, age 5
22 through 17, in public and private nonprofit ele-
23 mentary schools and secondary schools within
24 the areas served by those agencies.

1 “(2) EXCEPTION.—Notwithstanding paragraph
2 (1) and subsection (d)(2)(B), if the award to a local
3 educational agency under this section is less than
4 the starting salary for a new fully qualified teacher
5 for a school served by that agency, that agency may
6 use funds made available under this section to—

7 “(A) help pay the salary of a full- or part-
8 time fully qualified teacher hired to reduce class
9 size, which may be done in combination with
10 the expenditure of other Federal, State, or local
11 funds; or

12 “(B) pay for activities described in sub-
13 section (d)(2)(A)(iii) that may be related to
14 teaching in smaller classes.

15 “(d) USE OF FUNDS.—

16 “(1) MANDATORY USES.—Each local edu-
17 cational agency that receives funds under this sec-
18 tion shall use those funds to carry out effective ap-
19 proaches to reducing class size through use of fully
20 qualified teachers to improve educational achieve-
21 ment for both regular and special needs children,
22 with particular consideration given to reducing class
23 size in the early elementary grades for which some
24 research has shown class size reduction is most ef-
25 fective.

1 “(2) PERMISSIBLE USES.—

2 “(A) IN GENERAL.—Each such local edu-
3 cational agency may use funds made available
4 under this section for—

5 “(i) recruiting (including through the
6 use of signing bonuses, and other financial
7 incentives), hiring, and training fully quali-
8 fied regular and special education teachers
9 (which may include hiring special edu-
10 cation teachers to team-teach with regular
11 teachers in classrooms that contain both
12 children with disabilities and non-disabled
13 children) and teachers of special needs
14 children;

15 “(ii) testing new teachers for aca-
16 demic content knowledge, and to meet
17 State certification or licensing require-
18 ments that are consistent with title II of
19 the Higher Education Act of 1965; and

20 “(iii) providing professional develop-
21 ment (which may include such activities as
22 promoting retention and mentoring) for
23 teachers, including special education teach-
24 ers and teachers of special needs children,
25 in order to meet the goal of ensuring that

1 all teachers have the general knowledge,
2 teaching skills, and subject matter knowl-
3 edge necessary to teach effectively in the
4 content areas in which the teachers teach,
5 consistent with title II of the Higher Edu-
6 cation Act of 1965.

7 “(B) LIMITATION ON TESTING AND PRO-
8 FESSIONAL DEVELOPMENT.—

9 “(i) IN GENERAL.—Except as pro-
10 vided in clause (ii), a local educational
11 agency may use not more than a total of
12 25 percent of the funds received by the
13 agency under this section for activities de-
14 scribed in clauses (ii) and (iii) of subpara-
15 graph (A).

16 “(ii) WAIVERS.—A local educational
17 agency may apply to the State educational
18 agency for a waiver that would permit the
19 agency to use more than 25 percent of the
20 funds the agency receives under this sec-
21 tion for activities described in subpara-
22 graph (A)(iii) for the purpose of helping
23 teachers who are not yet fully qualified in
24 attaining full qualification if—

1 “(I) the agency is in an Ed-Flex
2 Partnership State under the Edu-
3 cation Flexibility Partnership Act of
4 1999; and

5 “(II) 10 percent or more of the
6 elementary school classes are taught
7 by individuals who are not fully quali-
8 fied teachers or the State educational
9 agency has waived State certification
10 or licensing requirements for 10 per-
11 cent or more of such teachers.

12 “(iii) USE OF FUNDS UNDER WAIV-
13 ER.—If the State educational agency ap-
14 proves the local educational agency’s appli-
15 cation for a waiver under clause (ii), the
16 local educational agency may use the funds
17 subject to the conditions of the waiver for
18 activities described in subparagraph
19 (A)(iii) that are needed to ensure that all
20 elementary school classes in such local edu-
21 cational agency are taught by fully quali-
22 fied teachers by not later than December
23 31, 2003.

24 “(C) USE OF FUNDS BY AGENCIES THAT
25 HAVE REDUCED CLASS SIZE.—Notwithstanding

1 subparagraph (B), a local educational agency
2 that has already reduced class size in the early
3 elementary grades to 18 or fewer children (or
4 has already reduced class size to a State or
5 local class size reduction goal that was in effect
6 on November 28, 1999 if that goal is 20 or
7 fewer children) may use funds received under
8 this section—

9 “(i) to make further class size reduc-
10 tions in kindergarten through third grade;

11 “(ii) to reduce class size in other
12 grades; or

13 “(iii) to carry out activities to improve
14 teacher quality, including professional de-
15 velopment.

16 “(3) SUPPLEMENT, NOT SUPPLANT.—Each
17 such agency shall use funds made available under
18 this section only to supplement, and not to supplant,
19 State and local funds that, in the absence of funds
20 made available under this section, would otherwise
21 be expended for activities described in this section.

22 “(4) LIMITATION ON USE FOR SALARIES AND
23 BENEFITS.—

24 “(A) IN GENERAL.—Except as provided in
25 subparagraph (B), no funds made available

1 under this section may be used to increase the
2 salaries of, or provide benefits (other than par-
3 ticipation in professional development and en-
4 richment programs) to, teachers who are not
5 hired under this section.

6 “(B) EXCEPTION.—Funds made available
7 under this section may be used to pay the sala-
8 ries of teachers hired under section 310 of the
9 Department of Education Appropriations Act,
10 2000.

11 “(e) REPORTS.—

12 “(1) STATE ACTIVITIES.—Each State receiving
13 funds under this section shall prepare and submit to
14 the Secretary a biennial report on activities carried
15 out in the State under this section that provides the
16 information described in section 6122(a)(2) with re-
17 spect to the activities.

18 “(2) PROGRESS CONCERNING CLASS SIZE AND
19 QUALIFIED TEACHERS.—Each State and local edu-
20 cational agency receiving funds under this section
21 shall annually report to parents and the public, in
22 numeric form as compared to the previous year,
23 on—

24 “(A) the agency’s progress in reducing
25 class size, and increasing the percentage of

1 classes in core academic areas taught by fully
2 qualified teachers ; and

3 “(B) the impact that hiring additional fully
4 qualified teachers and reducing class size, has
5 had, if any, on increasing student academic
6 achievement.

7 “(3) PROFESSIONAL QUALIFICATIONS.—Each
8 local educational agency that receives funds under
9 this section shall provide, upon request, to any par-
10 ent of a student attending any school in a local edu-
11 cational agency receiving funds under this section, in
12 an understandable and uniform format, information
13 regarding the professional qualifications of the stu-
14 dent’s teacher, including—

15 “(A) whether the teacher has met State
16 qualification and licensing criteria for the grade
17 levels and subject areas in which the teacher
18 provides instruction;

19 “(B) whether the teacher is teaching under
20 emergency or other provisional status through
21 which the State qualifications or licensing cri-
22 teria have been waived;

23 “(C) the college major of the teacher and
24 any other graduate certification or degree held

1 by the teacher, and the field or discipline of the
2 certificate or degree; and

3 “(D) the school or local educational agen-
4 cy’s hiring policy.

5 “(4) NOTICE.—Each local educational agency
6 that receives funds under this section shall provide
7 to each individual parent of a child who attends a
8 school in such local educational agency timely, writ-
9 ten notice if the child has been assigned or has been
10 taught for two or more consecutive weeks by a sub-
11 stitute teacher, as defined by such local educational
12 agency, or a teacher who is not fully qualified.

13 “(f) PRIVATE SCHOOLS.—If a local educational agen-
14 cy uses funds made available under this section for profes-
15 sional development activities, the agency shall ensure the
16 equitable participation of private nonprofit elementary
17 schools and secondary schools in such activities in accord-
18 ance with section 6402. Section 6402 shall not apply to
19 other activities carried out under this section.

20 “(g) ADMINISTRATIVE EXPENSES.—A local edu-
21 cational agency that receives funds under this section may
22 use not more than 3 percent of such funds for local admin-
23 istrative costs.

24 “(h) REQUEST FOR FUNDS.—Each local educational
25 agency that desires to receive funds under this section

1 shall include in the application required under section
2 6303 a description of the agency's program to reduce class
3 size by hiring additional fully qualified teachers.

4 “(i) CERTIFICATION, LICENSING, AND COM-
5 PETENCY.—No funds made available under this section
6 may be used to pay the salary of any teacher hired with
7 funds made available under section 310 of the Department
8 of Education Appropriations Act, 2000, unless, by the
9 start of the 2000–2001 school year, the teacher is fully
10 qualified.

11 “(j) DEFINITION.—In this section:

12 “(1) CERTIFIED.—The term ‘certified’ includes
13 certification through State or local alternative
14 routes.

15 “(2) PROFESSIONAL DEVELOPMENT.—The
16 term ‘professional development’ means sustained and
17 intensive activities that improve teachers’ content
18 knowledge and teaching skills and that—

19 “(A) are part of a comprehensive plan to
20 ensure that, by December 21, 2003, all classes
21 in local educational agencies served under this
22 part are taught by fully qualified teachers;

23 “(B) enhance the ability of teachers to
24 help all students, including females, minorities,
25 children with disabilities, children with limited

1 English proficiency and economically disadvan-
2 tagged children, reach high State and local con-
3 tent and student performance standards;

4 “(C) advance teacher understanding of one
5 or more of the core academic subject areas and
6 effective instructional strategies for improving
7 student achievement in those areas, including
8 technology;

9 “(D) are directly related to the subject
10 area in which the teacher provides instruction;

11 “(E) are of sufficient duration to have a
12 positive and lasting impact on classroom in-
13 struction;

14 “(F) are an integral part of broader school
15 and district-wide plans for raising student
16 achievement to State and local standards;

17 “(G) are aligned with State content and
18 student performance standards;

19 “(H) are based on the best available re-
20 search on teaching and learning;

21 “(I) include professional development ac-
22 tivities that involve collaborative groups of
23 teachers and administrators from the same
24 school or district and, to the greatest extent

1 possible, include follow-up and school-based
2 support such as coaching or study groups; and

3 “(J) as a whole, are regularly evaluated for
4 their impact on increased teacher effectiveness
5 and improved student achievement, with the
6 findings of such evaluations used to improve the
7 quality of professional development.

8 “(3) STATE.—The term ‘State’ means each of
9 the 50 States, the District of Columbia, and the
10 Commonwealth of Puerto Rico.

11 **“SEC. 6512. AUTHORIZATION OF APPROPRIATIONS.**

12 “There are authorized to be appropriated to carry out
13 this part \$2,000,000,000 for fiscal year 2001 and such
14 sums as may be necessary for fiscal years 2002 through
15 2005.

16 **“PART F—HIGHER STANDARDS, HIGHER PAY**

17 **“SEC. 6611. AUTHORIZATION**

18 “(a) AUTHORIZATION.—The Secretary is authorized
19 to award competitive grants to high-poverty local edu-
20 cational agencies to assist them in attracting and retaining
21 fully qualified teachers and high-quality principals through
22 better pay and benefits.

23 “(b) ELIGIBILITY.—In order to be eligible to receive
24 a grant under this part an eligible applicant shall submit

1 an application to the Secretary at such time, and con-
2 taining such information, as the Secretary may require.

3 “(c) **ELIGIBLE ENTITY.**—For the purposes of this
4 part, an eligible entity shall be a partnership consisting
5 of—

6 “(1) a local educational agency; and

7 “(2) local for-profit businesses; and

8 “(3) local teacher unions.

9 “(d) **AUTHORIZATION OF APPROPRIATION.**—There
10 are authorized to be appropriated such sums as may be
11 necessary for fiscal year 2001 and each of the 4 subse-
12 quent fiscal years to carry out this part.”.

13 **SEC. 7. FUND FOR THE IMPROVEMENT OF EDUCATION.**

14 Part A of title X of the Act is amended to read as
15 follows:

16 **“PART A—FUND FOR THE IMPROVEMENT OF**
17 **EDUCATION**

18 **“SEC. 10101. FUND FOR THE IMPROVEMENT OF EDU-**
19 **CATION.**

20 “(a) **FUND AUTHORIZED.**—From funds appropriated
21 under subsection (e), the Secretary is authorized to sup-
22 port nationally significant programs and projects to im-
23 prove the quality of elementary and secondary education,
24 assist all students to meet challenging State content
25 standards and challenging State student performance

1 standards, and contribute to achievement of America’s
2 Education Goals. The Secretary is authorized to carry out
3 such programs and projects directly or through grants to,
4 or contracts with, State and local educational agencies, in-
5 stitutions of higher education, and other public and pri-
6 vate agencies, organizations, and institutions.

7 “(b) USES OF FUNDS.—Funds under this section
8 may be used for—

9 “(1) activities that will promote systemic edu-
10 cation reform at the State and local levels, such as—

11 “(A) research and development related to
12 challenging State content and challenging State
13 student performance standards;

14 “(B) the development and evaluation of
15 model strategies for—

16 “(i) assessment of student learning;

17 “(ii) professional development for
18 teachers and administrators;

19 “(iii) parent and community involve-
20 ment; and

21 “(iv) other aspects of systemic reform;

22 “(C) developing and evaluating strategies
23 for eliminating ability-grouping practices, and
24 developing policies and programs that place all
25 students on a college-preparatory path of study,

1 particularly in academic fields such as mathe-
2 matics, science, English, and social studies, in-
3 cluding comprehensive inservice programs for
4 teachers and pupil services personnel and aca-
5 demic enrichment programs that supplement
6 regular courses for students;

7 “(D) developing and evaluating programs
8 that directly involve parents and family mem-
9 bers in the academic progress of their children;

10 “(E) developing and evaluating strategies
11 for integrating instruction and assessment such
12 that teachers and administrators can focus on
13 what students should know and be able to do at
14 particular grade levels, which instruction shall
15 promote the synthesis of knowledge, encour-
16 aging the development of problem-solving skills
17 drawing on a vast range of disciplines, and pro-
18 moting the development of higher order think-
19 ing by all students; and

20 “(F) developing and evaluating strategies
21 for supporting professional development for
22 teachers across all disciplines that is consistent
23 with the requirements of Title II and for pupil
24 services personnel, guidance counselors, and ad-
25 ministrators, including inservice training that

1 improves the skills of pupil services personnel,
2 counselors and administrators for working with
3 students from diverse populations;

4 “(2) demonstrations at the State and local lev-
5 els that are designed to yield nationally significant
6 results, including approaches to public school choice
7 and school-based decisionmaking;

8 “(3) joint activities with other agencies to assist
9 the effort to achieve America’s Education Goals, in-
10 cluding activities related to improving the transition
11 from preschool to school and from school to work, as
12 well as activities related to the integration of edu-
13 cation and health and social services;

14 “(4) activities to promote and evaluate coun-
15 seling and mentoring for students, including
16 intergenerational mentoring;

17 “(5) activities to promote and evaluate coordi-
18 nated pupil services programs;

19 “(6) activities to promote comprehensive health
20 education;

21 “(7) activities to promote environmental edu-
22 cation;

23 “(8) activities to promote consumer, economic,
24 and personal finance education, such as saving, in-
25 vesting, and entrepreneurial education;

1 “(9) activities to promote programs to assist
2 students to demonstrate competence in foreign lan-
3 guages;

4 “(10) studies and evaluation of various edu-
5 cation reform strategies and innovations being pur-
6 sued by the Federal Government, States, and local
7 educational agencies;

8 “(11) senior mentoring of at-risk children;

9 “(12) the identification and recognition of ex-
10 emplary schools and programs, such as Blue Ribbon
11 Schools;

12 “(13) programs designed to promote gender eq-
13 uity in education by evaluating and eliminating gen-
14 der bias in instruction and educational materials,
15 identifying, and analyzing gender inequities in edu-
16 cational practices, and implementing and evaluating
17 educational policies and practices designed to
18 achieve gender equity;

19 “(14) programs designed to reduce excessive
20 student mobility, retain students who move within a
21 school district at the same school, educate parents
22 about the effect of mobility on a child’s education
23 and encourage parents to participate in school activi-
24 ties;

1 “(15) experiential-based learning, such as serv-
2 ice-learning;

3 “(16) the development and expansion of public-
4 private partnership programs which extend the
5 learning experience, via computers, beyond the class-
6 room environment into student homes through such
7 programs as the Buddy System Computer Project;

8 “(17) activities that are designed to contribute
9 towards the achievement of America’s Education
10 goals;

11 “(18) activities to promote child abuse edu-
12 cation and prevention programs;

13 “(19) activities to raise standards and expecta-
14 tions for academic achievement among all students,
15 especially disadvantaged students traditionally un-
16 derserved in schools;

17 “(20) activities to provide the academic sup-
18 port, enrichment and motivation to enable all stu-
19 dents to reach such standards;

20 “(21) demonstrations relating to the planning
21 and evaluations of the effectiveness of projects under
22 which local educational agencies or schools contract
23 with private management organizations to reform a
24 school or schools;

1 “(22) demonstration programs providing pre-
2 natal and counseling to pregnant students with such
3 education and counseling emphasizing the impor-
4 tance of prenatal care, the value of sound diet and
5 nutrition habits, and the harmful effects of smoking,
6 alcohol, and substance abuse on fetal development;

7 “(23) the development, implementation, and
8 evaluation of programs that are designed to foster
9 student community service, encourage responsible
10 citizenship and improve academic learning, and give
11 students the opportunity to apply what they learn in
12 the classroom to meet actual community needs;

13 “(24) activities to assist all students to meet
14 challenging State standards;

15 “(25) grants to establish cultural education
16 centers;

17 “(26) grants to museums to operate Indian
18 education programs in public schools;

19 “(27) programs or activities designed to im-
20 prove academic achievement through innovative
21 partnerships between local educational agencies and
22 teachers unions;

23 “(28) programs to hire and support school
24 nurses;

1 “(29) programs under sections 10102, 10103,
2 and 10104; and

3 “(30) other programs and projects that meet
4 the purposes of this section;

5 “(c) AWARDS.—

6 “(1) IN GENERAL.—The Secretary may—

7 “(A) make awards under this section on
8 the basis of competitions announced by the Sec-
9 retary; and

10 “(B) support meritorious unsolicited pro-
11 posals.

12 “(2) GOALS.—An applicant for an award under
13 this section, shall—

14 “(A) establish clear goals and objectives
15 for its project under this part; and

16 “(B) describe the activities it will carry out
17 in order to meet the goals and objectives of its
18 project.

19 “(3) SECRETARIAL DISCRETION.—The Sec-
20 retary may—

21 “(A) require recipients of awards under
22 this section to provide matching funds from
23 non-Federal sources; and

1 “(B) limit competitions to particular types
2 of entities, such as State or local educational
3 agencies.

4 “(4) PEER REVIEW.—The Secretary shall use a
5 peer review process in reviewing applications for as-
6 sistance under this section and may use funds ap-
7 propriated under subsection (e) for the cost of such
8 peer review.

9 “(d) EVALUATION AND PROGRAM DEVELOPMENT.—

10 “(1) IN GENERAL.—Each recipient of a grant
11 under this section shall submit to the Secretary a
12 comprehensive evaluation of the effects of its pro-
13 gram assisted under this part, including its impact
14 on students, teachers, administrators, parents and
15 others—

16 “(A) at the mid-point of the program; and

17 “(B) not later than one year after the com-
18 pletion of the program.

19 “(2) EFFECTIVENESS.—Evaluations under this
20 subsection shall focus on the effectiveness of the pro-
21 gram in achieving its goals and objectives.

22 “(e) AUTHORIZATION.—For the purpose of carrying
23 out this section, there are authorized to be appropriated
24 \$50,000,000 for fiscal year 2001 and such sums as may
25 be necessary for each of the four succeeding fiscal years.

1 **“SEC. 10102. STATE AND LOCAL CHARACTER EDUCATION**
2 **PROGRAM.**

3 “(a) PROGRAM AUTHORIZED.—

4 “(1) The Secretary may make grants to State
5 educational agencies, local educational agencies, or
6 consortia of such agencies for the design and imple-
7 mentation of character education programs.

8 “(2) Each grant under this section shall be
9 awarded for a period not to exceed 5 years, of which
10 the recipient shall use not more than one year for
11 planning and program design.

12 “(b) APPLICATIONS.—

13 “(1) Each applicant desiring a grant under this
14 section shall submit an application to the Secretary
15 at such time and in such manner as the Secretary
16 may require.

17 “(2) Each application under this section shall
18 include—

19 “(A) a description of any partnerships and
20 other collaborative efforts between the applicant
21 and other educational agencies;

22 “(B) a description of the programs goals
23 and objectives;

24 “(C) a description of the activities the ap-
25 plicant will carry out, and how these activities

1 are designed to meet the programs goals and
2 objectives under subparagraph (B), including—

3 “(i) how parents, students, and other
4 members of the community, including
5 members of private and nonprofit organi-
6 zations, will be involved in the design and
7 implementation of the program;

8 “(ii) the curriculum and instructional
9 practices that will be used or developed;
10 and

11 “(iii) the methods of teacher training
12 and parent education that will be used or
13 developed;

14 “(D) a description of how the program will
15 be linked to other efforts to improve educational
16 outcomes, including—

17 “(i) broader educational reforms that
18 are being instituted by the applicant or its
19 partners; and

20 “(ii) applicable State and local stand-
21 ards for student performance;

22 “(E) a description of how the appli-
23 cant will evaluate the progress of its pro-
24 gram in meeting the goals and objectives
25 under subparagraph (B), including the

1 performance indicators that will be used to
2 measure progress; and

3 “(F) such other information as the Sec-
4 retary may require.

5 “(c) DIVERSITY OF PROJECTS.—The Secretary shall
6 make awards under this section that, to the extent prac-
7 ticable, support programs that serve different geographic
8 areas of the Nation, including urban, suburban, and rural
9 areas.;

10 **“SEC. 10103. CHARACTER EDUCATION RESEARCH, DISSEMI-**
11 **NATION, AND EVALUATION.**

12 “(a) PROGRAM AUTHORIZED.—The Secretary is au-
13 thorized to make grants, or enter into contracts or cooper-
14 ative agreements with, State educational agencies, local
15 educational agencies, institutions of higher education, trib-
16 al organizations, and other public or private agencies or
17 organizations to carry out research, development, dissemi-
18 nation, technical assistance, and evaluation activities that
19 support or inform character education programs under
20 section 10102.

21 “(b) USE OF FUNDS.—Consistent with subsection
22 (a), funds under this section may be used—

23 “(1) to conduct research and development ac-
24 tivities that focus on such matters as—

1 “(A) the effectiveness of instructional mod-
2 els;

3 “(B) materials and curricula that can be
4 used by programs in character education;

5 “(C) models of professional development in
6 character education; and

7 “(D) the development of outcome measures
8 for character education programs;

9 “(2) to provide technical assistance to the agen-
10 cies receiving awards under section 10102, particu-
11 larly on matters of program evaluation;

12 “(3) to conduct a national evaluation of pro-
13 grams under section 10102; and

14 “(4) to compile and disseminate, through var-
15 ious approaches, such as a national clearinghouse—

16 “(A) information on model character edu-
17 cation programs;

18 “(B) character education materials and
19 curricula;

20 “(C) research findings in the area of char-
21 acter education and character development; and

22 “(D) any other information that will be
23 useful to character education program partici-
24 pants and other educators and administrators,
25 nationwide.

1 “(c) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated, \$10,000,000 for fiscal
3 year 2001 and such sums as may be necessary for the
4 4 subsequent fiscal years to carry out sections 10102 and
5 10103.

6 **“SEC. 10104. SMALLER LEARNING COMMUNITIES.**

7 “(a) IN GENERAL.—Each local educational agency
8 desiring a grant under this section shall submit an appli-
9 cation to the Secretary at such time, in such manner, and
10 accompanied by such information as the Secretary may
11 require. Each such application shall describe—

12 “(1) strategies and methods the applicant will
13 use to create the smaller learning community or
14 communities;

15 “(2) curriculum and instructional practices, in-
16 cluding any particular themes or emphases, to be
17 used in the learning environment;

18 “(3) the extent of involvement of teachers and
19 other school personnel in investigating, designing,
20 implementing and sustaining the smaller learning
21 community or communities;

22 “(4) the process to be used for involving stu-
23 dents, parents and other stakeholders in the develop-
24 ment and implementation of the smaller learning
25 community or communities;

1 “(5) any cooperation or collaboration among
2 community agencies, organizations, businesses, and
3 others to develop or implement a plan to create the
4 smaller learning community or communities;

5 “(6) the training and professional development
6 activities that will be offered to teachers and others
7 involved in the activities assisted under this part;

8 “(7) the goals and objectives of the activities
9 assisted under this part, including a description of
10 how such activities will better enable all students to
11 reach challenging State content standards and State
12 student performance standards;

13 “(8) the methods by which the applicant will
14 assess progress in meeting such goals and objectives;

15 “(9) if the smaller learning community or com-
16 munities exist as a school-within-a-school, the rela-
17 tionship, including governance and administration,
18 of the smaller learning community to the rest of the
19 school;

20 “(10) a description of the administrative and
21 managerial relationship between the local edu-
22 cational agency and the smaller learning community
23 or communities, including how such agency will dem-
24 onstrate a commitment to the continuity of the
25 smaller learning community or communities, includ-

1 ing the continuity of student and teacher assignment
2 to a particular learning community;

3 “(11) how the applicant will coordinate or use
4 funds provided under this part with other funds pro-
5 vided under this Act or other Federal laws;

6 “(12) grade levels or ages of students who will
7 participate in the smaller learning community or
8 communities; and

9 “(13) the method of placing students in the
10 smaller learning community or communities, such
11 that students are not placed according to ability,
12 performance or any other measure, so that students
13 are placed at random or by their own choice, not
14 pursuant to testing or other judgments.

15 “(b) AUTHORIZED ACTIVITIES.—Funds under this
16 section may be used—

17 “(1) to study the feasibility of creating the
18 smaller learning community or communities as well
19 as effective and innovative organizational and in-
20 structional strategies that will be used in the smaller
21 learning community or communities;

22 “(2) to research, develop and implement strate-
23 gies for creating the smaller learning community or
24 communities, as well as effective and innovative
25 changes in curriculum and instruction, geared to

1 high State content standards and State student per-
2 formance standards;

3 “(3) to design and construct improvements
4 which improve the learning environment, including
5 appropriate use of daylighting, advanced energy con-
6 servation technologies, and renewable energy;

7 “(4) to provide professional development for
8 school staff in innovative teaching methods that
9 challenge and engage students to be used in the
10 smaller learning community or communities; and

11 “(5) to develop and implement strategies to in-
12 clude parents, business representatives, local institu-
13 tions of higher education, community-based organi-
14 zations, and other community members in the small-
15 er learning communities, as facilitators of activities
16 that enable teachers to participate in professional
17 development activities, as well as to provide links be-
18 tween students and their community.

19 “(c) SECRETARY’S ACTIVITIES.—The Secretary may
20 reserve up to 5 percent of the funding provided under sub-
21 section (d) for evaluation, technical assistance, and school
22 networking.

23 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
24 are authorized to be appropriated \$120,000,000 for fiscal

1 year 2001 and such sums as may be necessary for the
2 4 succeeding fiscal years to carry out this section.

3 **SEC. 8. CHARTER SCHOOLS.**

4 Section 10311 of the Act is amended to read as fol-
5 lows:

6 **“SEC. 10311. AUTHORIZATION OF APPROPRIATIONS.**

7 For the purpose of carrying out this part, there are
8 authorized to be appropriated \$175,000,000 for fiscal year
9 2001 and such sums as may be necessary for each of the
10 four succeeding fiscal years.”

11 **SEC. 9. ARTS IN EDUCATION**

12 Part D of title X of the Act is amended to read as
13 follows:

14 **“PART D—ARTS IN EDUCATION**

15 **“Subpart 1—Arts Education**

16 **“SEC. 10401. SUPPORT FOR ARTS EDUCATION.**

17 “(a) FINDINGS.—The Congress finds that—

18 “(1) the arts are forms of understanding and
19 ways of knowing that are fundamentally important
20 to education;

21 “(2) the arts are important to excellent edu-
22 cation and to effective school reform;

23 “(3) the most significant contribution of the
24 arts to education reform is the transformation of
25 teaching and learning;

1 “(4) such transformation is best realized in the
2 context of comprehensive, systemic education reform;

3 “(5) demonstrated competency in the arts for
4 American students is among America’s Education
5 Goals;

6 “(6) participation in performing arts activities
7 has proven to be an effective strategy for promoting
8 the inclusion of persons with disabilities in main-
9 stream settings;

10 “(7) opportunities in the arts have enabled per-
11 sons of all ages with disabilities to participate more
12 fully in school and community activities;

13 “(8) the arts can motivate at-risk students to
14 stay in school and become active participants in the
15 educational process; and

16 “(9) arts education should be an integral part
17 of the elementary and secondary school curriculum.

18 “(b) PURPOSES.—The purposes of this subpart are
19 to—

20 “(1) support systemic education reform by
21 strengthening arts education as an integral part of
22 the elementary and secondary school curriculum;

23 “(2) help ensure that all students have the op-
24 portunity to learn to challenging State content

1 standards and challenging State student perform-
2 ance standards in the arts; and

3 “(3) support the national effort to enable all
4 students to demonstrate competence in the arts in
5 accordance with America’s Education Goals.

6 “(c) ELIGIBLE RECIPIENTS.—In order to carry out
7 the purposes of this subpart, the Secretary is authorized
8 to award grants to, or enter into contracts or cooperative
9 agreements with—

10 “(1) State educational agencies;

11 “(2) local educational agencies;

12 “(3) institutions of higher education;

13 “(4) museums and other cultural institutions;

14 and

15 “(5) other public and private agencies, institu-
16 tions, and organizations.

17 “(d) AUTHORIZED ACTIVITIES.—Funds under this
18 subpart may be used for—

19 “(1) research on arts education;

20 “(2) the development of, and dissemination of
21 information about, model arts education programs;

22 “(3) the development of model arts education
23 assessments based on high standards;

24 “(4) the development and implementation of
25 curriculum frameworks for arts education;

1 “(5) the development of model preservice and
2 inservice professional development programs for arts
3 educators and other instructional staff;

4 “(6) supporting collaborative activities with
5 other Federal agencies or institutions involved in
6 arts education, such as the National Endowment for
7 the Arts, the Institute of Museum and Library Serv-
8 ices, the John F. Kennedy Center for the Per-
9 forming Arts, Very Special Arts, and the National
10 Gallery of Art;

11 “(7) supporting model projects and programs in
12 the performing arts for children and youth through
13 arrangements made with the John F. Kennedy Cen-
14 ter for the Performing Arts;

15 “(8) supporting model projects and programs
16 by Very Special Arts which assure the participation
17 in mainstream settings in arts and education pro-
18 grams of individuals with disabilities;

19 “(9) supporting model projects and programs in
20 the performing arts for children and youth through
21 arrangements made with the Division of Cultural
22 History of the Smithsonian Institution’s National
23 Museum of American History;

1 “(10) supporting model projects and programs
2 to integrate arts education into the regular elemen-
3 tary and secondary school curriculum; and

4 “(11) other activities that further the purposes
5 of this subpart.

6 “(e) COORDINATION.—

7 “(1) IN GENERAL.—A recipient of funds under
8 this subpart shall, to the extent possible, coordinate
9 projects assisted under this subpart with appropriate
10 activities of public and private cultural agencies, in-
11 stitutions, and organizations, including museums,
12 arts education associations, libraries, and theaters.

13 “(2) SPECIAL RULE.—In carrying out this sub-
14 part, the Secretary shall coordinate with the Na-
15 tional Endowment for the Arts, the Institute of Mu-
16 seum and Library Services, the John F. Kennedy
17 Center for the Performing Arts, Very Special Arts,
18 and the National Gallery of Art.

19 “(f) AUTHORIZATION.—

20 “(1) IN GENERAL.—For the purpose of car-
21 rying out this subpart, there are authorized to be
22 appropriated \$15,000,000 for fiscal year 2001 and
23 such sums as may be necessary for each of the four
24 succeeding fiscal years.

1 **“Subpart 2—Cultural Partnerships for At-Risk**

2 **Children and Youth**

3 **“SEC. 10411. FINDINGS AND PURPOSE.**

4 “(a) FINDINGS.—The Congress finds:

5 “(1) With local school budget cuts there are in-
6 adequate arts and cultural programs available for
7 children and youth in schools, especially at the ele-
8 mentary school level.

9 “(2) The arts promote progress in academic
10 subjects as shown by research conducted by the Na-
11 tional Endowment for the Arts.

12 “(3) Children and youth who receive instruction
13 in the arts and humanities, or who are involved in
14 cultural activities, remain in school longer and are
15 more successful than children who do not receive
16 such instruction.

17 “(4) Learning in the arts and humanities pro-
18 motes progress in other academic subjects, and gen-
19 erates positive self-esteem and a greater sense of ac-
20 complishment in young people.

21 “(5) School-university and school-cultural insti-
22 tution partnerships that upgrade teacher training in
23 the arts and humanities have significantly contrib-
24 uted to improved instruction and achievement levels
25 of school-aged children.

1 “(6) Museum outreach, cultural activities and
2 informal education for at-risk children and youth
3 have contributed significantly to the educational
4 achievement and enhanced interest in learning of at-
5 risk children and youth.

6 “(7) While all children benefit from instruction
7 in the arts and the humanities, at-risk children and
8 youth have a special, additional need for arts and
9 cultural programs both in school and after school.

10 “(b) PURPOSE.—The purpose of this subpart is to
11 make demonstration grants to eligible entities to improve
12 the educational performance and future potential of at-
13 risk children and youth by providing comprehensive and
14 coordinated educational and cultural services.

15 **“SEC. 10412. PROGRAM AUTHORIZED.**

16 “(a) IN GENERAL.—The Secretary is authorized to
17 award grants to eligible entities to pay the Federal share
18 of the costs of the activities described in section 10413.

19 “(b) SPECIAL REQUIREMENTS.—

20 “(1) IN GENERAL.—The Secretary shall award
21 grants under this subpart only to programs designed
22 to—

23 “(A) promote and enhance educational and
24 cultural activities;

1 “(B) provide multi-year services to at-risk
2 children and youth and to integrate community
3 cultural resources into in-school and after-
4 school educational programs;

5 “(C) provide integration of community cul-
6 tural resources into the regular curriculum and
7 school day;

8 “(D) focus school and cultural resources in
9 the community on coordinated cultural services
10 to address the needs of at-risk children and
11 youth;

12 “(E) provide effective cultural programs to
13 facilitate the transition from preschool pro-
14 grams to elementary school programs, including
15 programs under the Head Start Act and part C
16 of the Individuals with Disabilities Education
17 Act;

18 “(F) facilitate school-to-work transition
19 from secondary schools and alternative schools
20 to job training, higher education and employ-
21 ment through educational programs and activi-
22 ties that utilize school resources;

23 “(G) increase parental and community in-
24 volvement in the educational, social, and cul-

1 tural development of at-risk children and youth;
2 or

3 “(H)(i) develop programs and strategies
4 that provide high-quality coordinated edu-
5 cational and cultural services; and

6 “(ii) provide a model to replicate such
7 services in other schools and communities.

8 “(2) PARTNERSHIP.—An interagency partner-
9 ship comprised of the Secretary of Education, the
10 Chairman of the National Endowment for the Hu-
11 manities, the Chairman of the National Endowment
12 for the Arts, and the Director of the Institute of
13 Museum and Library Services, or their designees,
14 shall establish criteria and procedures for awarding
15 grants, including the establishment of panels to re-
16 view the applications, and shall administer the
17 grants program authorized by this section. The Sec-
18 retary shall publish such criteria and procedures in
19 the Federal Register.

20 “(3) COORDINATION.—Grants may only be
21 awarded under this subpart to eligible entities that
22 agree to coordinate activities carried out under other
23 Federal, State, and local grants, received by the
24 members of the partnership for purposes and target
25 populations described in this subpart, into an inte-

1 grated service delivery system located at a school,
2 cultural, or other community-based site accessible to
3 and utilized by at-risk youth.

4 “(4) ELIGIBLE ENTITIES.—For purposes of this
5 subpart, the term eligible entity means a partnership
6 between—

7 “(A) a local educational agency or an indi-
8 vidual school that is eligible to participate in a
9 school-wide program under section 1114; and

10 “(B) at least one institution of higher edu-
11 cation, museum, local arts agency, or cultural
12 entity that is accessible to individuals within the
13 school district of such local educational agency
14 or school, and that has a history of providing
15 quality services to the community, which may
16 include—

17 “(i) nonprofit institutions of higher
18 education, museums, libraries, performing,
19 presenting and exhibiting arts organiza-
20 tions, literary arts organizations, State and
21 local arts organizations, cultural institu-
22 tions, and zoological and botanical organi-
23 zations; or

1 “(ii) private for-profit entities with a
2 history of training children and youth in
3 the arts.

4 “(5) GEOGRAPHIC DISTRIBUTION.—In awarding
5 grants under this subpart the Secretary, to the ex-
6 tent feasible, shall ensure an equitable geographic
7 distribution of such grants.

8 “(6) DURATION.—Grants made under this sub-
9 part may be renewable for a maximum of 5 years if
10 the Secretary determines that the eligible recipient
11 has made satisfactory progress toward the achieve-
12 ment of the program objectives described in the ap-
13 plication.

14 “(c) TARGET POPULATION.—To be eligible for a
15 grant under this subpart, an eligible entity shall serve—

16 “(1) students enrolled in schools participating
17 in a school-wide program under section 1114 and
18 the families of such students to the extent prac-
19 ticable;

20 “(2) out-of-school children and youth at risk of
21 disadvantages resulting from teenage parenting, sub-
22 stance abuse, recent migration, disability, limited-
23 English proficiency, illiteracy, being the child of a
24 teenage parent, living in a single parent household,
25 or dropping out of school; or

1 “(3) any combination of in-school and out-of-
2 school at-risk children and youth.

3 **“SEC. 10413. AUTHORIZED ACTIVITIES.**

4 “(a) IN GENERAL.—Grants awarded under this sub-
5 part may be used—

6 “(1) to plan, develop, acquire, expand, and im-
7 prove school-based or community-based coordinated
8 educational and cultural programs to strengthen the
9 educational performance and future potential of in-
10 school or out-of-school at-risk children and youth
11 through grants, cooperative agreements, contracts
12 for services, or administrative coordination;

13 “(2) to provide at-risk students with integrated
14 cultural activities designed to develop a love of learn-
15 ing that fosters the smooth transition of preschool
16 children to elementary school;

17 “(3) to design collaborative cultural activities
18 for students in secondary or alternative schools that
19 ensure the smooth transition to job training, higher
20 education, or full employment;

21 “(4) to provide child care for children of at-risk
22 students who would not otherwise be able to partici-
23 pate in the program;

24 “(5) to provide transportation necessary for
25 participation in the program;

1 “(6) to work with existing school personnel to
2 develop curriculum materials and programs in the
3 arts;

4 “(7) to work with existing school personnel on
5 staff development activities that encourage the inte-
6 gration of the arts into the curriculum;

7 “(8) for stipends that allow local artists to work
8 with at-risk children and youth in schools;

9 “(9) for training individuals who are not
10 trained to work with children and youth;

11 “(10) for cultural programs that encourage the
12 active participation of parents in the education of
13 their children;

14 “(11) for programs that use the arts and cul-
15 ture to reform current school practices, including
16 lengthening the school day or academic year;

17 “(12) for equipment or supplies that the Sec-
18 retary determines appropriate; and

19 “(13) for evaluation, administration, and super-
20 vision.

21 “(b) PLANNING GRANTS.—

22 “(1) APPLICATION.—An eligible entity may
23 submit an application to the Secretary for a plan-
24 ning grant for an amount not to exceed \$50,000.

1 Such grants shall be for periods of not more than
2 one year.

3 “(2) LIMIT ON PLANNING GRANTS.—Not more
4 than 10 percent of the amounts appropriated in each
5 fiscal year under this subpart shall be used for
6 grants under this subsection, and an eligible entity
7 may receive not more than one such planning grant.

8 “(c) GENERAL PROVISIONS.—

9 “(1) IN GENERAL.—Each eligible entity desir-
10 ing a grant under this subpart 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 reasonably require.

14 “(2) CONTENTS.—Each application submitted
15 pursuant to paragraph (1) shall—

16 “(A) describe the cultural entity or entities
17 that will participate in the partnership;

18 “(B) describe the target population to be
19 served;

20 “(C) describe the services to be provided;

21 “(D) describe a plan for evaluating the
22 success of the program;

23 “(E) in the case of each local educational
24 agency or school participating in the eligible re-
25 cipient partnership, describe how the activities

1 assisted under this subpart will be perpetuated
2 beyond the duration of the grant;

3 “(F) describe the manner in which the eli-
4 gible entity will improve the educational
5 achievement or future potential of at-risk youth
6 through more effective coordination of cultural
7 services in the community;

8 “(G) describe the overall and operational
9 goals of the program;

10 “(H) describe the nature and location of
11 all planned sites where services will be delivered
12 and a description of services which will be pro-
13 vided at each site; and

14 “(I) describe training that will be provided
15 to individuals who are not trained to work with
16 children and youth, and how teachers will be in-
17 volved.

18 **“SEC. 10414. PAYMENTS; AMOUNTS OF AWARD; COST**
19 **SHARE; LIMITATIONS.**

20 “(a) PAYMENTS.—

21 “(1) IN GENERAL.—The Secretary shall pay to
22 each eligible recipient having an application ap-
23 proved under section 10413(c) the Federal share of
24 the cost of the activities described in the application.

25 “(2) SPECIAL RULE.—

1 “(A) Grants awarded under this subpart
2 shall be of sufficient size, scope, and quality to
3 be effective.

4 “(B) The Secretary shall award grants
5 under this subpart so as to ensure nonduplica-
6 tion of services provided by grant recipients and
7 services provided by—

8 “(i) the National Endowment for the
9 Humanities;

10 “(ii) the National Endowment for the
11 Arts; and

12 “(iii) the Institute of Museum and Li-
13 brary Services.

14 “(b) COST SHARE.—

15 “(1) FEDERAL SHARE.—The Federal share of a
16 grant under this subpart shall be 80 percent of the
17 cost of carrying out the activities described in the
18 application.

19 “(2) NON-FEDERAL SHARE.—The non-Federal
20 share of a grant under this subpart shall be 20 per-
21 cent of the cost of carrying out the activities de-
22 scribed in the application and may be in cash or in
23 kind, fairly evaluated, including the provision of
24 equipment, services, or facilities.

25 “(c) LIMITATIONS.—

1 “(1) NONINSTRUCTIONAL SERVICES.—Not
2 more than 25 percent of the grant funds provided in
3 any fiscal year under this subpart may be used for
4 noninstructional activities such as the activities de-
5 scribed in paragraphs (4), (5), and (12) of section
6 10413(a).

7 “(2) SUPPLEMENT AND NOT SUPPLANT.—
8 Grant funds awarded under this part shall be used
9 to supplement not supplant the amount of funds
10 made available from non-Federal sources, for the ac-
11 tivities assisted under this subpart, in amounts that
12 exceed the amounts expended for such activities in
13 the year preceding the year for which the grant is
14 awarded.

15 “(3) ADMINISTRATIVE COSTS.—

16 “(A) The Secretary may reserve not more
17 than 5 percent of the grant funds received
18 under this subpart in each fiscal year for the
19 costs of administration.

20 “(B) Each eligible recipient may reserve
21 not more than 5 percent of any grant funds re-
22 ceived under this subpart in each fiscal year for
23 the costs of administration.

1 **“SEC. 10415. AUTHORIZATION OF APPROPRIATIONS.**

2 There are authorized to be appropriated to carry out
3 this subpart, \$15,000,000 for fiscal year 2001, and such
4 sums as may be necessary for each of the four succeeding
5 fiscal years.”

6 **SEC. 9. CIVIC EDUCATION.**

7 Part F of title X of the Elementary and Secondary
8 Education Act of 1965 (20 U.S.C. 8141 et seq.) is amend-
9 ed to read as follows:

10 **“PART F—CIVIC EDUCATION**

11 **“SEC. 10601. SHORT TITLE.**

12 “‘This part may be cited as the ‘Education for De-
13 mocracy Act’.

14 **“SEC. 10602. FINDINGS.**

15 “‘The Congress finds that—

16 “(1) college freshmen surveyed in 1997 by the
17 Higher Education Research Institute at the Univer-
18 sity of California at Los Angeles demonstrated high-
19 er levels of disengagement, both academically and
20 politically, than any previous entering class of stu-
21 dents;

22 “(2) college freshmen in 1997 demonstrated the
23 lowest levels of political interest in the 20-year his-
24 tory of surveys conducted by the Higher Education
25 Research Institute at the University of California at
26 Los Angeles;

1 “(3) United States secondary school students
2 expressed relatively low levels of interest in politics
3 and economics in a 1999 Harris survey;

4 “(4) the 28th Annual Phi Delta Kappa/Gallup
5 Poll in 1996 indicated that American citizens believe
6 that the Nation’s schools, apart from providing a
7 basic education, had a very important role to play in
8 preparing students to be responsible citizens;

9 “(5) Americans surveyed by the Organization of
10 Economic Cooperation and Development indicated
11 that only 59 percent had confidence that schools
12 have a major effect on the development of good citi-
13 zenship;

14 “(6) teachers too often do not have sufficient
15 expertise in the subjects that they teach, and half of
16 all secondary school history students in America are
17 being taught by teachers with neither a major nor
18 a minor in history;

19 “(7) secondary school students correctly an-
20 swered less than half of the questions on a national
21 test of economic knowledge in a 1999 Harris survey;

22 “(8) the most recent National Assessment of
23 Educational Progress indicated that students have
24 only superficial knowledge of, and lacked a depth of
25 understanding regarding, civics;

1 “(9) civic and economic education are impor-
2 tant in developing citizenship competencies in the
3 United States;

4 “(10) more than three quarters of Americans
5 surveyed by the National Constitution Center in
6 1997 admitted that they knew only some or very lit-
7 tle about the Constitution of the United States; and

8 “(11) the Constitution of the United States is
9 too often viewed within the context of history and
10 not as a living document that shapes current events.

11 **“SEC. 10603. PURPOSE.**

12 “‘It is the purpose of this part—

13 “(1) to improve the quality of civics and gov-
14 ernment education, and to enhance the attainment
15 of the third and sixth America’s Education Goals, by
16 educating students about the history and principles
17 of the Constitution of the United States, including
18 the Bill of Rights;

19 “(2) to foster civic competence and responsi-
20 bility; and

21 “(3) to improve the quality of civic education
22 and economic education.

23 **“SEC. 10604. GENERAL AUTHORITY.**

24 “‘The Secretary is authorized to award grants to or
25 enter into contracts with the Center for Civic Education

1 to carry out civic education activities under sections
2 10605.

3 **“SEC. 10605. WE THE PEOPLE PROGRAM.**

4 “(a) THE CITIZEN AND THE CONSTITUTION.—

5 “(1) IN GENERAL.—The Center for Civic Edu-
6 cation shall use funds awarded under section
7 10604(a)(1)(A) to carry out The Citizen and the
8 Constitution program in accordance with this sub-
9 section.

10 “(2) EDUCATIONAL ACTIVITIES.—The Citizen
11 and the Constitution program—

12 “(A) shall continue and expand the edu-
13 cational activities of the ‘We the People . . .
14 The Citizen and the Constitution’ program ad-
15 ministered by the Center for Civic Education;

16 “(B) shall enhance student attainment of
17 challenging content standards in civics and gov-
18 ernment; and

19 “(C) shall provide—

20 “(i) a course of instruction on the
21 basic principles of our Nation’s constitu-
22 tional democracy and the history of the
23 Constitution of the United States and the
24 Bill of Rights;

1 “(ii) at the request of a participating
2 school, school and community simulated
3 congressional hearings following the course
4 of study;

5 “(iii) an annual national competition
6 of simulated congressional hearings for
7 secondary school students who wish to par-
8 ticipate in such a program;

9 “(iv) advanced training of teachers
10 about the Constitution of the United
11 States and the political system the United
12 States created;

13 “(v) materials and methods of instruc-
14 tion, including teacher training, that utilize
15 the latest advancements in educational
16 technology; and

17 “(vi) civic education materials and
18 services to address specific problems such
19 as the prevention of school violence and the
20 abuse of drugs and alcohol.

21 “(3) AVAILABILITY OF PROGRAM.—The edu-
22 cation program authorized under this subsection
23 shall be made available to public and private elemen-
24 tary schools and secondary schools, including Bu-
25 reau funded schools, in the 435 congressional dis-

1 tricts, and in the District of Columbia, the Common-
2 wealth of Puerto Rico, the United States Virgin Is-
3 lands, Guam, American Samoa, and the Common-
4 wealth of the Northern Mariana Islands.

5 “(b) PROJECT CITIZEN.—

6 “(1) IN GENERAL.—The Center for Civic Edu-
7 cation shall use funds awarded under section
8 10604(a)(1)(A) to carry out The Project Citizen
9 program in accordance with this subsection.

10 “(2) EDUCATIONAL ACTIVITIES.—The Project
11 Citizen program—

12 “(A) shall continue and expand the edu-
13 cational activities of the ‘We the People . . .
14 Project Citizen’ program administered by the
15 Center for Civic Education;

16 “(B) shall enhance student attainment of
17 challenging content standards in civics and gov-
18 ernment; and

19 “(C) shall provide—

20 “(i) a course of instruction at the
21 middle school level on the roles of State
22 and local governments in the Federal sys-
23 tem established by the Constitution of the
24 United States;

1 “(ii) optional school and community
2 simulated State legislative hearings;

3 “(iii) an annual national showcase or
4 competition;

5 “(iv) advanced training of teachers on
6 the roles of State and local governments in
7 the Federal system established by the Con-
8 stitution of the United States;

9 “(v) materials and methods of instruc-
10 tion, including teacher training, that utilize
11 the latest advancements in educational
12 technology; and

13 “(vi) civic education materials and
14 services to address specific problems such
15 as the prevention of school violence and the
16 abuse of drugs and alcohol.

17 “(3) AVAILABILITY OF PROGRAM.—The edu-
18 cation program authorized under this subsection
19 shall be made available to public and private middle
20 schools, including Bureau funded schools, in the 50
21 States of the United States, the District of Colum-
22 bia, the Commonwealth of Puerto Rico, the United
23 States Virgin Islands, Guam, American Samoa, and
24 the Commonwealth of the Northern Mariana Is-
25 lands.

1 “(c) DEFINITION OF BUREAU FUNDED SCHOOL.—
2 In this section the term ‘Bureau funded school’ has the
3 meaning given the term in section 1146 of the Education
4 Amendments of 1978.

5 **“SEC. 10606. AUTHORIZATION OF APPROPRIATIONS.**

6 “‘There are authorized to be appropriated to carry out
7 section 10605, \$10,000,000 for fiscal year 2001 and such
8 sums as may be necessary for each of the fiscal years 2002
9 through 2005.’”.

10 **SEC. 10. ALLEN J. ELLENDER FELLOWSHIPS.**

11 Part G of title X of the Act is amended to read as
12 follows:

13 **“SEC. 10701. FINDINGS.**

14 The Congress finds as follows:

15 “(1) It is a worthwhile goal to ensure that all
16 students in America are prepared for responsible
17 citizenship and that all students should have the op-
18 portunity to be involved in activities that promote
19 and demonstrate good citizenship.

20 “(2) It is a worthwhile goal to ensure that
21 America’s educators have access to programs for the
22 continued improvement of their professional skills.

23 “(3) Allen J. Ellender, a Senator from Lou-
24 isiana and President pro tempore of the United
25 States Senate, had a distinguished career in public

1 service characterized by extraordinary energy and
2 real concern for young people. Senator Ellender pro-
3 vided valuable support and encouragement to the
4 Close Up Foundation, a nonpartisan, nonprofit foun-
5 dation promoting knowledge and understanding of
6 the Federal Government among young people and
7 educators. Therefore, it is a fitting and appropriate
8 tribute to Senator Ellender to provide fellowships in
9 his name to students of limited economic means, the
10 teachers who work with such students, and older
11 Americans, so that such students, teachers, and
12 older Americans may participate in the programs
13 supported by the Close Up Foundation.

14 **“Subpart 1—Program for Middle and Secondary**
15 **School Students**

16 **“SEC. 10711. ESTABLISHMENT.**

17 “(a) GENERAL AUTHORITY.—The Secretary is au-
18 thorized to make grants in accordance with the provisions
19 of this subpart to the Close Up Foundation of Wash-
20 ington, District of Columbia, a nonpartisan, nonprofit
21 foundation, for the purpose of assisting the Close Up
22 Foundation in carrying out its programs of increasing un-
23 derstanding of the Federal Government among middle and
24 secondary school students.

1 “(b) USE OF FUNDS.—Grants under this subpart
2 shall be used only to provide financial assistance to eco-
3 nomically disadvantaged students who participate in the
4 program described in subsection (a). Financial assistance
5 received pursuant to this subpart by such students shall
6 be known as Allen J. Ellender fellowships.

7 **“SEC. 10712. APPLICATIONS.**

8 “(a) APPLICATION REQUIRED.—No grant under this
9 subpart may be made except upon an application at such
10 time, in such manner, and accompanied by such informa-
11 tion as the Secretary may reasonably require.

12 “(b) CONTENTS OF APPLICATION.—Each such appli-
13 cation shall contain provisions to assure—

14 “(1) that fellowship grants are made to eco-
15 nomically disadvantaged middle and secondary
16 school students;

17 “(2) that every effort will be made to ensure
18 the participation of students from rural and small
19 town areas, as well as from urban areas, and that
20 in awarding fellowships to economically disadvan-
21 tagged students, special consideration will be given to
22 the participation of students with special educational
23 needs, including student with disabilities, ethnic mi-
24 nority students, and gifted and talented students;
25 and

1 “(1) that fellowship grants are made only to
2 teachers who have worked with at least one student
3 from such teachers school who participates in the
4 programs described in section 10711(a);

5 “(2) that not more than one teacher in each
6 school participating in the programs provided for in
7 section 10711(a) may receive a fellowship in any fis-
8 cal year; and

9 “(3) the proper disbursement of the funds re-
10 ceived under this subpart.

11 **Subpart 3—Programs for Recent Immigrants,**
12 **Students of Migrant Parents and Older Americans**

13 **“SEC. 10731. ESTABLISHMENT.**

14 “(a) GENERAL AUTHORITY.—

15 “(1) IN GENERAL.—The Secretary is authorized
16 to make grants in accordance with the provisions of
17 this subpart to the Close Up Foundation of Wash-
18 ington, District of Columbia, a nonpartisan, non-
19 profit foundation, for the purpose of assisting the
20 Close Up Foundation in carrying out its programs
21 of increasing understanding of the Federal Govern-
22 ment among economically disadvantaged older Amer-
23 icans, recent immigrants and students of migrant
24 parents.

1 “(2) DEFINITION.—For the purpose of this
2 subpart, the term older American means an indi-
3 vidual who has attained 55 years of age.

4 “(b) USE OF FUNDS.—Grants under this subpart
5 shall be used for financial assistance to economically dis-
6 advantaged older Americans, recent immigrants and stu-
7 dents of migrant parents who participate in the program
8 described in subsection (a). Financial assistance received
9 pursuant to this subpart by such individuals shall be
10 known as Allen J. Ellender fellowships.

11 **“SEC. 10732. APPLICATIONS.**

12 “(a) APPLICATION REQUIRED.—No grant under this
13 subpart may be made except upon application at such
14 time, in such manner, and accompanied by such informa-
15 tion as the Secretary may reasonably require.

16 “(b) CONTENTS OF APPLICATION.—Except such ap-
17 plication shall contain provisions to assure—

18 “(1) that fellowship grants are made to eco-
19 nomically disadvantaged older Americans, recent im-
20 migrants and students of migrant parents;

21 “(2) that every effort will be made to ensure
22 the participation of older Americans, recent immi-
23 grants and students of migrant parents from rural
24 and small town areas, as well as from urban areas,
25 and that in awarding fellowships, special consider-

1 ation will be given to the participation of older
2 Americans, recent immigrants and students of mi-
3 grant parents with special needs, including individ-
4 uals with disabilities, ethnic minorities, and gifted
5 and talented students;

6 “(3) that activities permitted by subsection (a)
7 are fully described; and

8 “(4) the proper disbursement of the funds re-
9 ceived under this subpart.

10 **“Subpart 4—General Provisions**

11 **“SEC. 10741. ADMINISTRATIVE PROVISIONS.**

12 “(a) GENERAL RULE.—Payments under this part
13 may be made in installments, in advance, or by way of
14 reimbursement, with necessary adjustments on account of
15 underpayment or overpayment.

16 “(b) AUDIT RULE.—The Comptroller General of the
17 United States or any of the Comptroller Generals duly au-
18 thorized representatives shall have access for the purpose
19 of audit and examination to any books, documents, papers,
20 and records that are pertinent to any grant under this
21 part.

22 **“SEC. 10742. AUTHORIZATION OF APPROPRIATIONS.**

23 “(a) IN GENERAL.—There are authorized to be ap-
24 propriated to carry out the provisions of subparts 1, 2,
25 and 3 of this part \$4,400,000 for fiscal year 2001 and

1 such sums as may be necessary of each of the four suc-
2 ceeding fiscal years.

3 “(b) SPECIAL RULE.—Of the funds appropriated
4 pursuant to subsection (a), not more than 30 percent may
5 be used for teachers associated with students participating
6 in the programs described in section 10711(a).

7 **SEC. 11. EARLY LEARNING FUND**

8 Part H of title X of the Act is amended to read as
9 follows:

10 **“PART H—EARLY LEARNING PROGRAM**

11 **“SEC. 10801. PROGRAM AUTHORIZATION.**

12 “The Secretary is authorized to provide grants to
13 States to establish an Early Learning Program for the
14 purposes of improving the educational opportunity of
15 young children (ages birth through age 5).

16 **“SEC. 10802. AUTHORIZATION OF APPROPRIATIONS.**

17 “To carry out the purposes of this part, there are
18 authorized to be appropriated \$600,000,000 for fiscal year
19 2001 and such sums as may be necessary for the subse-
20 quent 4 fiscal years.

21 **“SEC. 10803. ALLOCATION OF APPROPRIATIONS.**

22 “Amounts appropriated under section 10802 shall be
23 allocated as follows:

1 “(1) AMOUNT FOR INDIAN TRIBES.—2 percent
2 shall be reserved for allocations to Indian tribes
3 based on their respective needs.

4 “(2) AMOUNTS FOR OUTLYING AREAS.—.5 per-
5 cent shall be allocated to the outlying areas based on
6 their relative need.

7 “(3) NATIONAL ACTIVITIES.—The Secretary
8 may reserve the lesser of 1 percent or \$6,000,000 to
9 conduct a national evaluation of the effect of State,
10 local, and tribal early learning programs carried out
11 under this part on early childhood development and
12 school readiness, including child development and
13 educational outcome measures specified in section
14 546(b)(2)(E), \$2,000,000 of which may be used for
15 costs of providing technical assistance to State, local,
16 and tribal early learning programs under such sec-
17 tion 10804.

18 “(4)(A) AMOUNTS FOR STATES.—From the
19 amounts appropriated under section 10802 remain-
20 ing after application of paragraphs (1), (2), and (3),
21 the Secretary shall allot to each State an amount
22 equal to the sum of—

23 “(i) an amount that bears the same ratio
24 to 50 percent of such remainder as the product
25 of the young child factor of the State and the

1 allotment percentage of the State bears to the
2 sum of the corresponding products for all
3 States; and

4 “(ii) an amount that bears the same ratio
5 to 50 percent of such remainder as the product
6 of the low-income young child factor of the
7 State and the allotment percentage of the State
8 bears to the sum or the corresponding products
9 for all States.

10 “(B) YOUNG CHILD FACTOR.—The term
11 “young child factor” means the ratio of the number
12 of children in the State under 5 years of age to the
13 number of such children in all States as provided by
14 the most recent annual estimates of population in
15 the States by the Census Bureau of the Department
16 of Commerce.

17 “(C) LOW-INCOME YOUNG CHILD FACTOR.—
18 The term “low-income young child factor” means
19 the ratio of the number of children, from families
20 below the poverty line, as defined by the Office of
21 Management and Budget, in the State under 5 years
22 of age to the number of such children in all States
23 as provided by the most recent annual estimates of
24 population in the States by the Census Bureau of
25 the Department of Commerce.

1 “(5) REDISTRIBUTION.—The Secretary shall, to
2 the extent necessary, determine the need for redis-
3 tribution of, and redistribute, amounts allotted
4 under this subsection to States, in accordance with
5 the procedures and formula set forth in subsection
6 (a)(2)(D).

7 **“SEC. 10804. EARLY LEARNING PROGRAM.**

8 “(a) PROGRAM PURPOSE.—The purpose of the pro-
9 gram under this section is to enable States, through
10 grants to communities, to support activities that—

11 “(1) promote children’s cognitive, social, behav-
12 ioral and physical development during the earliest
13 years of life;

14 “(2) improve early childhood education and de-
15 velopment for children aged five and under, includ-
16 ing those with disabilities and those with limited
17 English proficiency; and

18 “(3) encourage and facilitate emerging literacy,
19 language development, numeracy, and school readi-
20 ness.

21 “(b) REQUIREMENTS FOR STATE PARTICIPATION.—

22 “(1) IN GENERAL.—In order to be eligible for
23 funds under this part, the State shall have in effect
24 an early learning program plan meeting the require-
25 ments specified in paragraph (2).

1 “(2) EARLY LEARNING PROGRAM PLAN RE-
2 QUIREMENTS.—The early learning program plan
3 shall meet the following requirements:

4 “(A) LEAD AGENCY.—The lead agency for
5 the administration of this part shall be the
6 State educational agency.

7 “(B) COMMUNITY GRANT PROCEDURES.—
8 The plan shall describe the standards and pro-
9 cedures to be applied in the review and approval
10 of applications, and in setting amounts, com-
11 petitive process, terms, and conditions of
12 grants, including the methods to be used to en-
13 sure that no less than 70 percent of grant
14 funds are awarded to low-income communities,
15 funded programs are designed to promote the
16 child development and educational outcomes
17 specified in subsection (b)(2)(E)(i), and funded
18 programs reflect scientifically based research
19 findings on emerging literacy, language develop-
20 ment, numeracy, and school readiness of chil-
21 dren birth to 5 years of age.

22 “(C) COMMUNITY PARTICIPATION IN PLAN-
23 NING AND MONITORING.—The plan shall de-
24 scribe the methods to be used to ensure partici-
25 pation, in planning and monitoring activities

1 under the application, of representatives of con-
2 cerned elements of the community, including
3 parents of young children, child care providers,
4 child development and mental health profes-
5 sionals, early intervention specialists, health
6 care providers, public school representatives,
7 local interagency coordinating councils for chil-
8 dren with disabilities, local government, and
9 business leaders.

10 “(D) PROGRAM ACTIVITIES.—The plan
11 shall specify which of the allowable activities
12 enumerated in subsection (c) may be carried
13 out under grants under the plan.

14 “(E) PERFORMANCE GOALS AND MEAS-
15 URES.—States participating in early learning
16 programs funded under this part will be held
17 accountable for increasing the availability of
18 high quality early learning programs that pro-
19 vide an environment that supports the young
20 child’s emerging communication, literacy, and
21 numeracy skills and social, emotional, and phys-
22 ical development through activities and mate-
23 rials appropriate to the ages and developmental
24 levels of the infants, toddlers, or preschool chil-
25 dren enrolled.

1 “(F) GOAL OF ACCOUNTABILITY.—(i) The
2 goal of the program accountability standards is
3 to ensure that children participating in early
4 learning programs funded under this part shall
5 progress in ways appropriate to their age and
6 development, enabling them to be successful in
7 language, reading, and math when they enter
8 school.

9 “(ii) Infants and toddlers participating in
10 programs funded under this part will be ex-
11 pected to progress toward using verbal and non-
12 verbal means of communication; developing fine
13 and gross motor skills; and developing self con-
14 fidence and autonomy.

15 “(iii) Older preschoolers participating in
16 programs funded under this part will be ex-
17 pected to progress toward, at a minimum, un-
18 derstanding and using language to commu-
19 nicate for various purposes; understanding and
20 using increasingly complex and varied vocabu-
21 lary; developing and demonstrating an apprecia-
22 tion of books; developing phonemic, print, and
23 numeracy awareness; and in the case of chil-
24 dren with limited English proficiency, acquiring
25 the English language.

1 “(iv) The Secretary, in consultation with
2 the States, shall develop performance goals and
3 indicators for quality factors associated with
4 improved developmental outcomes for young
5 children, including parent education, enhanced
6 child care provider training (particularly in lan-
7 guage and literacy development as described in
8 the previous paragraph), increased ratios of
9 child care staff to children, retention of child
10 care providers, support for family child care
11 providers, licensing and accreditation of child
12 care providers and programs, and strengthened
13 standards enforcement.

14 “(v) The Secretary shall provide guidance
15 to the States regarding the specific performance
16 goals and indicators, and acceptable methodolo-
17 gies for assessing the progress of States in
18 meeting such goals and indicators.

19 “(vi) States will be held accountable for
20 progress toward performance goals and indica-
21 tors and shall develop a plan to meet such goals
22 and indicators. The plan shall specify—

23 “(I) how the State will make progress
24 toward the performance goals and indica-
25 tors provided in guidance by the Secretary;

1 “(II) the methodology the State will
2 use to assess progress toward the perform-
3 ance goals and indicators provided in guid-
4 ance by the Secretary; and

5 “(III) the steps to be taken by the
6 State or grantees in accordance with guid-
7 ance provided by the Secretary if the speci-
8 fied performance indicators are not
9 achieved.

10 “(G) COORDINATION.—The State plan
11 shall specify the methods to be used to enhance
12 coordination of planning and of performance
13 goals and coordination with local educational
14 agencies to ensure a smooth transition from
15 child care programs receiving funds under this
16 part to kindergarten and early elementary edu-
17 cation. Funds provided under this part shall be
18 used to supplement rather than supplant exist-
19 ing programs.

20 “(c) LOCAL APPLICATION.—Local educational agen-
21 cies who desire a grant under this part shall submit an
22 application, in such form, and containing such information
23 as the State may reasonably require.

24 “(d) ALLOWABLE ACTIVITIES.—An early learning
25 program under a State plan under this section may pro-

1 vide for any or all of the following activities to promote
2 cognitive, social, emotional, and physical development in
3 order to enhance emerging literacy and language develop-
4 ment, and school readiness:

5 “(1) PARENTING EDUCATION TO PROMOTE
6 LEARNING AT HOME.—

7 “(A) PARENTING EDUCATION.—Provision
8 of parenting education, including use of or col-
9 laboration with Even Start or similar programs,
10 for parents of young children by means includ-
11 ing use of community-based resource centers,
12 family literacy programs with parenting edu-
13 cation components, collaboration with early
14 intervention and preschool providers of services
15 for children, public elementary schools, centers
16 that serve children with special health care
17 needs or disabilities and their families, and
18 home visiting programs.

19 “(2) ACTIVITIES TO PROMOTE QUALITY TEACH-
20 ING IN CHILD CARE SETTINGS.—

21 “(A) PROVIDER TRAINING.—Training of
22 child care personnel, which may include train-
23 ing in early childhood development, early lit-
24 eracy, best practices for serving children with
25 disabilities and those with limited English pro-

1 efficiency, health and safety, and other appro-
2 priate matters.

3 “(B) IMPROVED STAFFING RATIOS.—Ini-
4 tiatives to increase ratios of staff to children in
5 care and to reduce group sizes.

6 “(C) SALARY AND BENEFIT ENHANCE-
7 MENT.—Assistance to child care programs to
8 increase the quality and continuity of care by
9 attracting or retaining highly qualified child
10 care staff working directly with children
11 through enhanced compensation.

12 “(D) FAMILY CHILD CARE NETWORKS.—
13 Development of support networks, information
14 and referral services, and other supportive serv-
15 ices addressing needs of family child care pro-
16 viders for access to such resources as education,
17 training, and community support services.

18 “(3) ACTIVITIES TO PROMOTE QUALITY CHILD
19 CARE.—

20 “(A) LICENSING AND ACCREDITATION AS-
21 SISTANCE.—Assistance to entities and individ-
22 uals in meeting applicable child care accredita-
23 tion and licensing requirements and in obtain-
24 ing licensing or accreditation.

1 “(B) STANDARDS ENFORCEMENT.—Initia-
2 tives to increase the numbers of qualified child
3 care licensing and standards enforcement staff
4 and activities to increase monitoring and en-
5 forcement of State and local health and safety
6 standards.

7 “(C) INFORMATION AND REFERRAL.—Ini-
8 tiatives to develop or increase the availability of
9 consumer education information and referral
10 services and other resources to assist parents to
11 locate and assess the quality of available child
12 care services.

13 “(D) HEALTH SERVICES.—Improving co-
14 ordination of child care with appropriate health
15 services including health and mental health con-
16 sultations, hearing and vision testing, and im-
17 munizations, by methods such as colocation of
18 health and child care services, referrals of chil-
19 dren in child care to health care providers or
20 screening services, and transfer of child health
21 records to public school at school entry. Serv-
22 ices under this subparagraph shall not include
23 direct provision of or payment for health care
24 services.

1 “(E) CARE FOR CHILDREN WITH SPECIAL
2 NEEDS.—Increasing the availability and quality
3 of child care for young children with special
4 health care needs, developmental delays, and
5 disabilities and those with limited English pro-
6 ficiency; and coordinating with early interven-
7 tion and preschool special education services.

8 “(F) MONITORING AND TECHNICAL AS-
9 SISTANCE.—Technical assistance to grantees,
10 and monitoring of programs, assisted under this
11 section. State expenditures under this subpara-
12 graph shall not exceed a percentage of total
13 State expenditures for the program under this
14 section equal to 10 percent for each of fiscal
15 years 2001 through 2003, and 5 percent for fis-
16 cal year 2004 and each succeeding fiscal year.

17 **“SEC. 10805. ANNUAL REPORT.**

18 “(a) REPORT.—States receiving funds under this
19 part shall report annually on the following:

20 “(1) the number and average dollar amount of
21 grants awarded;

22 “(2) the number, average dollar amount, and
23 percentage of the total State award of such grants
24 made to low-income communities;

25 “(3) the number of early learning programs;

1 “(4) the number of children served with special
2 health care needs, disabilities or developmental
3 delays, and those with limited English proficiency;

4 “(5) the number of early learning programs
5 that assist children with special needs;

6 “(6) progress toward the educational outcomes
7 and quality enhancements specified in section
8 10804(b)(2)(F), including specific and quantifiable
9 measures of achievement of progress toward each
10 performance goal and indicator provided in guidance
11 by the Secretary;

12 “(7) expenditures for each allowable activity
13 listed in section 10804(d), total expenditures and, to
14 the extent feasible, the volume or frequency of such
15 activity and the average expenditure per unit of such
16 activity; and

17 “(8) with respect to any allowable activity listed
18 in section 10804(d) for which expenditures are made
19 by the State; and

20 “(9) such other data as the Secretary may re-
21 quire.

22 “(b) The Secretary shall summarize the annual re-
23 ports of the State educational agencies and submit an an-
24 nual report to the Committee on Health, Education, Labor

1 and Pensions in the Senate and the Committee on Edu-
2 cation and the Workforce in the House.”.

3 **SEC. 12. HOLOCAUST EDUCATION.**

4 Title X of the Act is amended by adding after part
5 K the following:

6 **“PART L—HOLOCAUST EDUCATION**

7 **“SEC. 10995A. SHORT TITLE.**

8 “This part may be cited as the ‘Holocaust Education
9 Assistance Act’.

10 **“SEC. 10995B. FINDINGS AND PURPOSES.**

11 “(a) FINDINGS.—The Congress makes the following
12 findings:

13 “(1) The Holocaust was an historical event that
14 resulted in the systemic, state-sponsored mass mur-
15 ders by Nazi Germany of 6,000,000 Jews, along
16 with millions of others, in the name of racial purity.

17 “(2) Six States (California, Florida, Illinois,
18 Massachusetts, New Jersey, and New York) now
19 mandate that the Holocaust be taught in the edu-
20 cational curriculum, and 10 States (Connecticut,
21 Georgia, Indiana, North Carolina, Ohio, Pennsyl-
22 vania, South Carolina, Tennessee, Virginia, and
23 Washington) recommend teaching the Holocaust but
24 do not provide sufficient funds to assist in the train-
25 ing and educating of teachers.

1 “(3) The Holocaust is a sensitive and difficult
2 issue about which to teach, and to do so effectively,
3 educators need appropriate teaching tools and train-
4 ing to increase their knowledge to enhance the edu-
5 cational experience.

6 “(b) PURPOSES.—The purposes of this part are the
7 following:

8 “(1) To educate Americans so that they can—
9 “(A) explore the lessons that the Holocaust
10 provides for all people; and

11 “(B) be less susceptible to the falsehood of
12 Holocaust denial and to the destructive mes-
13 sages of hate that arise from Holocaust denial.

14 “(2) To provide resources and support for edu-
15 cation programs that—

16 “(A) portray accurate historical informa-
17 tion about the Holocaust;

18 “(B) sensitize communities to the cir-
19 cumstances that gave rise to the Holocaust;

20 “(C) convey the lessons that the Holocaust
21 provides for all people; and

22 “(D) by developing curriculum guides and
23 providing training, help teachers incorporate
24 into their mainstream disciplines the study of
25 the Holocaust and its lessons.

1 **“SEC. 10995C. AUTHORITY TO MAKE GRANTS.**

2 “From any amounts made available to carry out this
3 part, the Secretary may make grants under this part to
4 local educational agencies to carry out proposed or exist-
5 ing Holocaust education programs.

6 **“SEC. 10995D. USE OF GRANT AMOUNTS.**

7 “(a) IN GENERAL.—A local educational agency re-
8 ceiving grant amounts under this part shall use such grant
9 amounts only to carry out the Holocaust education pro-
10 gram for which the grant amounts were provided.

11 “(b) REQUIREMENTS.—A local educational agency
12 receiving grant amounts under this part shall comply with
13 the following requirements:

14 “(1) CONTINUATION OF ELIGIBILITY.—The
15 local educational agency shall, throughout the period
16 that it receives and uses such grant amounts, con-
17 tinue to be a local educational agency.

18 “(2) SUPPLEMENTATION OF EXISTING
19 FUNDS.—The local educational agency shall ensure
20 that such grant amounts are used to supplement,
21 and not supplant, non-Federal funds that would oth-
22 erwise be available to the local educational agency to
23 carry out the Holocaust education program for
24 which the grant amounts were provided.

25 “(c) ADDITIONAL CONDITIONS.—The Secretary may
26 require additional terms and conditions in connection with

1 the use of grant amounts provided under this part as the
2 Secretary considers appropriate.

3 **“SEC. 10995E. SELECTION CRITERIA.**

4 “(a) IN GENERAL.—The Secretary shall award grant
5 amounts under this part in accordance with competitive
6 criteria to be established by the Secretary.

7 “(b) CONSULTATION WITH HOLOCAUST EDU-
8 CATORS.—In establishing the competitive criteria under
9 subsection (a), the Secretary shall consult with a variety
10 of individuals, to be determined by the Secretary, who are
11 prominent educators in the field of Holocaust education.

12 **“SEC. 10995F. APPLICATION.**

13 “The Secretary may award grant amounts under this
14 part only to a local educational agency that has submitted
15 an application to the Secretary at such time, in such man-
16 ner, and containing such information as the Secretary may
17 require.

18 **“SEC. 10995G. REVIEW AND SANCTIONS.**

19 “(a) ANNUAL REVIEW.—The Secretary shall review
20 at least annually, each local educational agency receiving
21 grant amounts under this part to determine the extent to
22 which the local educational agency has complied with the
23 provisions of this part.

24 “(b) IMPOSITION OF SANCTIONS.—The Secretary
25 may impose sanctions on a local educational agency for

1 any failure of the local educational agency to comply sub-
2 stantially with the provisions of this part. The Secretary
3 shall establish the sanctions to be imposed for a failure
4 to comply substantially with the provisions of this part.

5 **“SEC. 10996H. ANNUAL REPORT.**

6 “Not later than February 1 of each year, the Sec-
7 retary shall submit to the Senate and House of Represent-
8 atives a report describing the activities carried out under
9 this part and containing any related information that the
10 Secretary considers appropriate.

11 **“SEC. 10995I. CONTRACTING WITH OTHER ENTITIES.**

12 “Nothing in this part shall preclude a local edu-
13 cational agency from contracting with other entities to as-
14 sist it with the Holocaust education program.

15 **“SEC. 10995J. DEFINITIONS.**

16 “For purposes of this part, the following definitions
17 shall apply:

18 “(1) HOLOCAUST EDUCATION PROGRAM.—The
19 term ‘Holocaust education program’ means a pro-
20 gram that—

21 “(A) has as its specific and primary pur-
22 pose to improve awareness and understanding
23 of the Holocaust; and

24 “(B) furnishes one or more of the fol-
25 lowing:

1 “(i) classes, seminars, or conferences.

2 “(ii) educational materials.

3 “(iii) teacher training.

4 “(iv) any other good or service de-
5 signed to improve awareness and under-
6 standing of the Holocaust.

7 “(2) HOLOCAUST.—The term ‘Holocaust’
8 means the historical event that resulted in the sys-
9 temic, state-sponsored mass murders by Nazi Ger-
10 many of 6,000,000 Jews, along with millions of oth-
11 ers, in the name of racial purity.

12 **“SEC. 10995K. AUTHORIZATION OF APPROPRIATIONS.**

13 “There are authorized to be appropriated \$2,000,000
14 for fiscal year 2001 and such sums as may be necessary
15 for the next 4 subsequent fiscal years to remain available
16 until expended.”.

17 **SEC. 13. 21ST CENTURY COMMUNITY LEARNING CENTERS**

18 Part I of title X of the Act is amended to read as
19 follows:

20 **“SEC. 10901. SHORT TITLE.**

21 “This part may be cited as the ‘21st Century Com-
22 munity Learning Centers Act’.

23 **“SEC. 10902. FINDINGS.**

24 The Congress finds that—

1 “(1) a local public school often serves as a cen-
2 ter for the delivery of education and human re-
3 sources for all members of a community;

4 “(2) evaluations show that collaboration be-
5 tween public schools (particularly in inner and small
6 cities and rural and disadvantaged suburban com-
7 munities) and other public and nonprofit agencies
8 and organizations, local businesses, educational enti-
9 ties, recreational, cultural, and other community and
10 human service entities helps to meet the needs of,
11 and expands the opportunities available to, all resi-
12 dents of the communities served by such schools;

13 “(3) participation in high-quality programs can
14 result in better grades and conduct in school, and is
15 particularly beneficial for children living in high-risk
16 environments. In particular, children who participate
17 in high-quality after school program spend more
18 time in academic and enrichment activities; watch
19 less television; have significantly lower incidences of
20 drug use and unwanted teenage pregnancies; and
21 communicate better with adults and their peers.

22 “(4) by using school facilities, equipment, and
23 resources, communities can promote a more efficient
24 use of public education facilities, especially in rural
25 and inner city areas where limited financial re-

1 sources have enhanced the necessity for local public
2 schools to become social service centers;

3 “(5) the high technology, global economy of the
4 21st century will require lifelong learning to keep
5 America’s workforce competitive and successful, and
6 local public schools should provide centers for life-
7 long learning and educational opportunities for indi-
8 viduals of all ages; and

9 “(6) 21st Century Community Learning Cen-
10 ters enable the entire community to develop an edu-
11 cation strategy that addresses the educational needs
12 of all members of local communities.

13 **“SEC. 10903. PROGRAM AUTHORIZATION.**

14 “(a) PROGRAM AUTHORITY.—The Secretary is au-
15 thorized, in accordance with the provisions of this part,
16 to award grants to State educational agencies to enable
17 its schools or a consortia of its schools to plan, implement,
18 or to expand projects that benefit the educational, health,
19 social service, cultural, and recreational needs of inner and
20 small cities and rural and disadvantaged suburban com-
21 munities with a substantial need for expanded learning op-
22 portunities because—

23 “(1) they lack resources to establish or expand
24 after-school centers that benefit the educational,

1 health, social service, cultural, and recreational
2 needs of the community; or

3 “(2) they have other needs consistent with the
4 purposes of this part.

5 “(b) RESERVATION.—From the funds appropriated
6 under section 10913 to carry out this part for each fiscal
7 year, the Secretary—

8 “(1) shall reserve an amount necessary to make
9 continuation grants to existing grantees under part
10 I of title X, as it existed on the day before the enact-
11 ment of the Safe and Successful Schools Act;

12 “(2) shall reserve the lesser of .5 percent or
13 \$3,000,000 of such amount for grants under this
14 part to Guam, American Samoa, the Virgin Islands,
15 the Commonwealth of the Northern Mariana Is-
16 lands, and until October 1, 2001, the Republic of
17 Palau, the Marshall Islands, and the Federated
18 States of Micronesia;

19 “(3) shall reserve .5 percent of such amount for
20 the Bureau of Indian Affairs of the Department of
21 Interior to carry out programs under this part for
22 Indian children; and

23 “(4) shall reserve the lesser of 2.5 percent or
24 \$20,000,000 for evaluation and national activities
25 under section 10910.

1 “(c) STATE EDUCATIONAL AGENCY ALLOTMENTS.—

2 “(1) IN GENERAL.—Except as provided in para-
3 graph (2), and after making the reservations in sub-
4 section (b), the Secretary shall, for each fiscal year,
5 allocate among the States the remainder according
6 to the ratio between the amount each State received
7 under part A of title I for the preceding year and
8 the sum of such amounts received by all the States.

9 “(2) MINIMUM.—For any fiscal year, no State
10 (including for the purposes of this part, the Bureau
11 of Indian Affairs) shall be allotted under this sub-
12 section an amount that is less than .5 percent of the
13 total amount allotted to all the States under this
14 subsection.

15 “(3) REALLOTMENT.—The Secretary may
16 reallocate any amount of any allotment to a State if the
17 Secretary determines that the State will be unable to
18 use such amount within 2 years of such allotment.
19 Such reallocations shall be made on the same basis
20 as allotments are made under paragraph (1).

21 “(d) WITHIN STATE DISTRIBUTION OF FUNDS.—
22 Each State educational agency having an approved appli-
23 cation pursuant to section 10904 and receiving an alloca-
24 tion under subsection (c), shall—

1 “(1) use not less than 95 percent of the funds
2 made available to it under section 10903(c) to award
3 grants, on a competitive basis, to local educational
4 agencies, or consortia of local educational agencies,
5 acting on behalf of public elementary or secondary
6 schools; and

7 “(2) use up to 5 percent for State level activi-
8 ties and evaluation, of which 40 percent may be used
9 for administration.

10 **“SEC. 10904. STATE EDUCATIONAL AGENCY APPLICATIONS.**

11 Each State educational agency seeking a grant under
12 this subpart shall submit an application in such form, and
13 containing such information, as the Secretary may reason-
14 ably require. At a minimum, the application shall—

15 “(1) designate the State educational agency as
16 the agency responsible for the administration and
17 supervision of programs assisted under this part;

18 “(2) describe the competitive procedures and
19 criteria the State will use to ensure that grants
20 under this part will support high-quality programs
21 in communities with a substantial need for expand-
22 ing learning opportunities, with a priority for those
23 that—

24 “(A) have a high proportion of high-pov-
25 erty students; and

1 “(B) lack resources to establish or expand
2 after-school centers that benefit the educational
3 health, social service, cultural, and recreational
4 needs of the community.

5 “(3) describe the steps the State will take to
6 ensure that programs implement effective strategies,
7 including providing ongoing technical assistance and
8 training, evaluation, dissemination of promising
9 practices, and monitoring;

10 “(4) contain an assurance that the State edu-
11 cational agency shall provide for the annual submis-
12 sion of data regarding the uses of funds under this
13 part, including the activities provided and popu-
14 lations served under this part, and such other infor-
15 mation as the Secretary may require;

16 “(5) contain an assurance that the State edu-
17 cational agency shall comply with the requirements
18 of this part;

19 “(6) contain a description of how the State will
20 coordinate Federal, State, and local programs in
21 order to use most effectively the resources available
22 to support the project;

23 “(7) provide that the State educational agency
24 will keep such records and provide such information
25 to the Secretary as may be required for fiscal audit

1 and program evaluation (consistent with all State
2 educational agency fiscal audit and program evalua-
3 tion responsibilities required under this Act);

4 “(8) describe how the State will evaluate the ef-
5 fectiveness of programs and activities carried out
6 with funds under this part; and

7 “(9) provide for timely public notice and public
8 dissemination of the data submitted under this part.

9 “(b) The Secretary shall approve a State application
10 under this section if the Secretary determines that it satis-
11 fies the requirements, and holds reasonable promise for
12 accomplishing the purposes of this part.

13 **SEC. 10905. STATE EDUCATIONAL AGENCY ACTIVITIES.**

14 Each State, having an approved application under
15 section 10904 may use funds allocated under section
16 10903(d)(2) for one or more of the following activities:

17 “(1) establishment and implementation of a
18 peer review process for grant applications;

19 “(2) supervision of the awarding of funds to
20 local educational agencies on behalf of public ele-
21 mentary schools, secondary schools or consortia
22 thereof;

23 “(3) planning, supervision, and processing of
24 funds made available under this section;

1 “(4) monitoring and evaluation of programs
2 and activities assisted under this part; and

3 “(5) providing technical assistance under this
4 part.

5 **“SEC. 10906. STATE PERFORMANCE INDICATORS.**

6 Each State educational agency shall establish per-
7 formance indicators and acceptable goals of progress to
8 evaluate the effectiveness of programs funded under this
9 part.

10 **“SEC. 10907. LOCAL COMPETITIVE GRANTS**

11 “(a) COMPETITIVE GRANTS.—The State educational
12 agency shall distribute funds provided under section
13 10903(d)(1) on a competitive basis to local educational
14 agencies, consortia of local educational agencies, acting on
15 behalf of a public elementary or secondary schools to en-
16 able such schools to plan, implement, or expand commu-
17 nity learning centers that address the educational, health,
18 social service, cultural, and recreational needs of the local
19 community.

20 “(b) EXTENDED LEARNING TIME.—In order to re-
21 ceive a grant under this part, a local educational agency
22 shall provide significant expanded learning opportunities,
23 such as before and after school, for children and youth
24 in the community that:

1 “(1) are designed to help students in the school
2 and community achieve to challenging state content
3 and performance standards;

4 “(2) provide academic instruction by trained
5 and qualified teachers;

6 “(3) utilize research-based practices, to the ex-
7 tent available and feasible, that show success in rais-
8 ing student achievement and increasing literacy
9 skills;

10 “(4) include a parent and family involvement
11 component;

12 “(5) include professional development that is
13 aligned to the extended learning curriculum;

14 “(6) indicate how the school will provide a con-
15 tinuity of extended learning curriculum over multiple
16 years; and

17 “(7) include ongoing evaluation to assess the ef-
18 fectiveness of the program.

19 “(c) **EQUITABLE DISTRIBUTION.**—In awarding
20 grants under this part, the State educational agency shall
21 ensure that both urban and rural areas of the State are
22 served.

23 “(d) **GRANT PERIOD.**—A State educational agency
24 shall award grants under this part for a period not to ex-
25 ceed 5 years.

1 “(e) AMOUNT.—A State educational agency shall not
2 award a grant under this part in any fiscal year in an
3 amount less than \$75,000.

4 **“SEC. 10908. LOCAL APPLICATION.**

5 “(a) APPLICATION.—To be eligible to receive a grant
6 under this part, a local educational agency, or a consortia
7 of local educational agencies, on behalf of public elemen-
8 tary or secondary schools, shall submit an application to
9 the State educational agency at such time, in such man-
10 ner, and accompanied by such information as the State
11 educational agency may reasonably require.

12 “(b) CONTENTS.—Each such application shall
13 include—

14 “(1) a comprehensive local plan that enables
15 the school or consortium to serve as a center for the
16 delivery of education and human resources for mem-
17 bers of a community;

18 “(2) an evaluation of the needs, available re-
19 sources, and goals and objectives for the proposed
20 project in order to determine which activities will be
21 undertaken to address such needs;

22 “(3) a description of the proposed project,
23 including—

24 “(A) a description of the mechanism that
25 will be used to disseminate information in a

1 manner that is understandable and accessible to
2 the community;

3 “(B) a description of how the applicant
4 will coordinate Federal, State, and local pro-
5 grams in order to use most effectively the re-
6 sources available to support the project;

7 “(C) a description of the collaborative ef-
8 forts to be undertaken with community-based
9 organizations, related public agencies, busi-
10 nesses, or other appropriate organizations in
11 order to promote community involvement in the
12 planning and implementation of services pro-
13 vided under this part;

14 “(D) a description of how the community
15 learning center will serve as a delivery center
16 for existing and new services, especially for
17 interactive telecommunication used for edu-
18 cation and professional training; and

19 “(E) an assurance that the school or con-
20 sortium will establish a facility utilization policy
21 that specifically states—

22 “(i) the rules and regulations applica-
23 ble to building and equipment use; and

24 “(ii) supervision guidelines;

1 “(4) information demonstrating that the school
2 or consortium will provide at least 50 percent of the
3 cost of the project from other sources, which may in-
4 clude other Federal funds and may be provided in
5 cash or in-kind, fairly evaluate;

6 “(5) an assurance that the school or consortium
7 will, each year of the project, expend, from non-Fed-
8 eral sources, at least as much for the services under
9 this part as it expended for the preceding year; and

10 “(6) information demonstrating how the school
11 or consortium will continue the project after comple-
12 tion of the grant.

13 **“SEC. 10909. USES OF FUNDS.**

14 Grants awarded under section 10907, either directly
15 or through contracts with community-based organizations
16 with demonstrated ability to provide high-quality program-
17 ming, shall be used to establish or expand community
18 learning centers that provide activities that offer signifi-
19 cant expanded learning opportunities, such as before and
20 after school, for children and youth in the community. A
21 grantee shall use at least a portion of its grant under sec-
22 tion 10907 to implement or expand after school learning
23 opportunities, and shall use the remainder of its grant to
24 carry out not less than three of the following activities:

25 “(1) Literacy education programs.

1 “(2) Senior citizen programs.

2 “(3) Children’s day care services.

3 “(4) Integrated education, health, social service,
4 recreational, or cultural programs.

5 “(5) Summer and weekend school programs in
6 conjunction with recreation programs.

7 “(6) Nutrition and health programs.

8 “(7) Expanded library service hours to serve
9 community needs.

10 “(8) Telecommunications and technology edu-
11 cation programs for individuals of all ages.

12 “(9) Parenting skills education programs.

13 “(10) Support and training for child day care
14 providers.

15 “(11) Employment counseling, training, and
16 placement.

17 “(12) Services for individuals who leave school
18 before graduating from secondary school, regardless
19 of the age of such individual.

20 “(13) Services for individuals with disabilities.

21 “(14) Mentoring of at-risk children, including
22 mentoring by senior citizens.

23 **“SEC. 10910. NATIONAL ACTIVITIES.**

24 The Secretary shall use funds reserved under section
25 10903(b)(4) for technical assistance, evaluation, dissemi-

1 nation of information, activities to encourage the spread
2 and adoption of successful extended learning opportunities
3 programs, and other national activities that support pro-
4 grams under this part.

5 **“SEC. 10911. DEFINITIONS.**

6 For the purpose of this part, the term community
7 learning center means an entity within a public elementary
8 or secondary school building that—

9 “(1) provides expanded learning opportunities,
10 and educational, recreational, health, and social
11 service programs for residents of all ages within a
12 local community in a safe and drug-free environ-
13 ment;

14 “(2) is operated by a local educational agency
15 in conjunction with local governmental agencies,
16 businesses, vocational education programs, institu-
17 tions of higher education, community colleges, and
18 cultural, recreational, and other community and
19 human service entities; and

20 “(3) includes expanded learning opportunities
21 such as before- and after-school.

22 **“SEC. 10912. SUPPLEMENT.**

23 “Funds made available under this part shall be used
24 to supplement and not supplant other Federal, State, and

1 local funds expended to carry out activities relating to ex-
2 panded learning opportunities.

3 **“SEC. 10913. AUTHORIZATION OF APPROPRIATIONS.**

4 There are authorized to be appropriated
5 \$1,000,000,000 for fiscal year 2001, and such sums as
6 may be necessary for each of the four succeeding fiscal
7 years, to carry out this part.

8 **SEC. 14. PARENTAL INFORMATION AND RESOURCE CEN-**
9 **TERS.**

10 Title X of the Act is amended by adding at the end
11 the following:

12 **“PART M—PARENTAL INFORMATION AND**
13 **RESOURCE CENTERS**

14 **“SEC. 10996. PURPOSE.**

15 “(a) The purpose of this part is—

16 “(1) to increase parents’ knowledge of and con-
17 fidence in child-rearing activities, such as teaching
18 and nurturing their young children;

19 “(2) to strengthen partnerships between par-
20 ents and professionals in meeting the educational
21 needs of children aged birth through 5 and the
22 working relationship between home and school;

23 “(3) to enhance the developmental progress of
24 children assisted under this part;

1 “(4) to fund parental information and resource
2 center in as many States as possible; and

3 “(5) to provide training and information to par-
4 ents of school-aged children and persons who work
5 with parents to enable them to work more effectively
6 with professionals in meeting the educational needs
7 of children, increasing parents’ knowledge and un-
8 derstanding of teaching and learning, developing
9 strategies for collaboration among parents, adminis-
10 trators and educators that recognize the relationship
11 between improved educational achievement and pa-
12 rental engagement in their children’s education and
13 accomplishing the purposes of this Act.—

14 “(b) GRANTS AUTHORIZED.—

15 “(1) IN GENERAL.—The Secretary is authorized
16 to award grants in each fiscal year to nonprofit or-
17 ganizations to establish parental information and re-
18 source centers that provide training, information,
19 and support to—

20 “(A) parents of children aged birth
21 through 5 years;

22 “(B) parents of children enrolled in ele-
23 mentary and secondary schools; and

24 “(C) individuals who work with the parents
25 described in subparagraphs (A) and (B).

1 “(2) AWARD RULE.—In awarding grants under
2 this part, the Secretary shall ensure that such
3 grants are distributed, to the greatest extent pos-
4 sible, to all geographic regions of the United States.

5 “(c) GRANTS APPLICATIONS.—

6 “(1) IN GENERAL.—Each nonprofit organiza-
7 tion and nonprofit organization in consortium with
8 a local educational agency which desires a grant
9 under this part shall submit an application to the
10 Secretary at such time, and containing such infor-
11 mation, as the Secretary shall determine.

12 “(2) GRANTEES.—Grantees receiving funds
13 under this part shall be a private nonprofit organiza-
14 tion (other than an institution of higher education)
15 that will—

16 “(A) be governed by a board of directors
17 the membership of which is a majority of par-
18 ents of children in school receiving funds under
19 this Act and includes members who are edu-
20 cation professionals with expertise in standards-
21 based school reform or improving educational
22 outcomes for disadvantaged children; or

23 “(B) be an organization that represents
24 the interests of parents and has a governing
25 committee whose membership—

1 “(i) includes a majority of parents
2 and representatives of education profes-
3 sionals with expertise in improving services
4 for disadvantaged children; and

5 “(ii) pertaining to such organization’s
6 parent and professional membership that
7 such membership is broadly representative
8 of minority, low-income, and other individ-
9 uals and groups that have an interest in
10 compensatory education and family lit-
11 eracy.

12 “(3) CONTENTS.—Each application submitted
13 under paragraph (1) shall, at a minimum, include
14 assurances that a grantee will—

15 “(A) use at least one-half of the funds pro-
16 vided under this Act in each fiscal year to serve
17 areas with high concentrations of low-income
18 families in order to serve parents who are se-
19 verely educationally or economically disadvan-
20 taged;

21 “(B) operate a center of sufficient size,
22 scope, and quality to ensure that the center is
23 adequate to serve the parents in the area;

24 “(C) serve both urban and rural areas;

1 “(D) design a center that meets the unique
2 training, information, and support needs of par-
3 ents described in subparagraphs (A) and (B) of
4 section 401(b)(1), particularly parents who are
5 educationally or economically disadvantaged;

6 “(E) demonstrate the capacity and exper-
7 tise to conduct the effective training informa-
8 tion and support activities for which assistance
9 is sought;

10 “(F) network with—

11 “(i) clearinghouses;

12 “(ii) parent centers for the parents of
13 infants, toddlers, children, and youth with
14 disabilities served under section 631(e) of
15 the Individuals with Disabilities Education
16 Act;

17 “(iii) other organizations and agencies
18 serving local low-income, minority, and
19 limited English proficient families with
20 children in programs served under Part I
21 of this Act;

22 “(iv) established national, State, and
23 local parent groups representing the full
24 range of parents of children, aged birth
25 through 5 years; and

1 “(v) parents of children enrolled in el-
2 mentary and secondary schools; and

3 “(G) focus on serving parents described in
4 subparagraphs (A) and (B) of section 401(b)
5 who are parents of low-income, minority, and
6 limited-English proficient, children.

7 “(d) GRANT RENEWAL.—In each fiscal year after the
8 first fiscal year a grantee receives assistance under this
9 part, the grantee shall demonstrate in the application sub-
10 mitted for each fiscal year after such first year that a por-
11 tion of the services provided by such grantee is supported
12 through non-Federal contributions, which contributions
13 may be in cash or in kind.

14 “(e) Grant funds received under this part may be
15 used—

16 “(1) for parent training, information, and sup-
17 port programs that assist parents to—

18 “(A) better understand their children’s
19 educational needs, teaching and learning, and
20 the provisions of this Act which are designed to
21 improve educational programs for those chil-
22 dren;

23 “(B) provide follow up support for their
24 children’s educational achievement;

1 “(C) communicate more effectively with
2 teachers, counselors, administrators, and other
3 professional educators and support staff in
4 meeting the educational needs of children;

5 “(D) participate in the design and provi-
6 sion of assistance to students who are not mak-
7 ing adequate educational progress so that they
8 to meet the state standards;

9 “(E) obtain information about the range of
10 options, programs, services, and resources avail-
11 able at the national, State, and local levels to
12 assist parents and families in promoting mean-
13 ingful family involvement consistent with parent
14 involvement provisions of this Act;

15 “(F) seek technical assistance regarding
16 compliance with the requirements of this part
17 and of other Federal programs relevant to
18 achieving the National Education Goals;

19 “(G) participate in State and local deci-
20 sionmaking and understand the standards that
21 their child is expected to meet, state and local
22 assessments, and the state’s accountability sys-
23 tem, as well as the parent involvement provi-
24 sions and other provisions of this Act.;

25 “(H) train other parents; and

1 “(I) plan, implement, and fund activities
2 that coordinate the education of their children
3 with other Federal programs that serve their
4 children or their families;

5 “(2) to include State or local educational per-
6 sonnel where such participation will further the ac-
7 tivities assisted under the grant; and

8 “(3) to establish, expand, or operate Parents as
9 Teachers programs or Home Instruction for Pre-
10 school Youngsters programs.

11 “(f) TECHNICAL ASSISTANCE.—The Secretary shall
12 provide technical assistance, through a competitive grant
13 or contract process, for the establishment, development,
14 and coordination of parent training, information and sup-
15 port programs and parental information and resource cen-
16 ters.

17 “(g) DEFINITIONS.—For purposes of this part—

18 “(1) the term ‘parent education’ includes par-
19 ent support activities, the provision of resource ma-
20 terials on child development, parent-child learning
21 activities and child rearing issues, private and group
22 educational guidance, individual and group learning
23 experiences for the parent and child, and other ac-
24 tivities that enable the parent to improve learning in
25 the home and in elementary and secondary schools

1 served by this Act, and assistance to parents in un-
2 derstanding elementary and secondary education
3 teaching and learning, standards, assessments, re-
4 port cards, and accountability, and teaching and
5 learning that will assist their children in meeting
6 high standards.

7 “(2) the term ‘Parents as Teachers program’
8 means a voluntary early childhood parent education
9 program that—

10 “(A) is designed to provide all parents of
11 children from birth through age 5 with the in-
12 formation and support such parents need to
13 give their child a solid foundation for school
14 success;

15 “(B) is based on the Missouri Parents as
16 Teachers model with the philosophy that par-
17 ents are their child’s first and most influential
18 teachers;

19 “(C) provides—

20 “(i) regularly scheduled personal visits
21 with families by certified parent educators;

22 “(ii) regularly scheduled develop-
23 mental screenings; and

24 “(iii) linkage with other resources
25 within the community in order to provide

1 services that parents may want and need,
2 except that such services are beyond the
3 scope of the Parents as Teachers program;

4 “(3) the term ‘Home Instruction for Preschool
5 Youngsters program’ means a voluntary early-learn-
6 ing program for parents with one or more children
7 between the ages of 3 through 5, that—

8 “(A) provides support, training, and appro-
9 priate educational materials necessary for par-
10 ents to implement a school-readiness, home in-
11 struction program for their child; and

12 “(B) includes—

13 “(i) group meetings with other par-
14 ents participating in the program;

15 “(ii) individual and group learning ex-
16 periences with the parent and child;

17 “(iii) provision of resource materials
18 on child development and parent-child
19 learning activities; and

20 “(iv) other activities that enable the
21 parent to improve learning in the home.

22 “(h) REPORTS.—Each organization receiving a grant
23 under this part shall submit to the Secretary, on an an-
24 nual basis, information concerning the parental informa-

1 tion and resource centers assisted under this part,
2 including—

3 “(1) the number of parents, including the num-
4 ber of minority and limited-English-proficient par-
5 ents, who receive information and training;

6 “(2) the types and modes of training, informa-
7 tion, and support provided under this part;

8 “(3) the number of Parents as Teachers pro-
9 grams and Home Instruction for Preschool Young-
10 sters programs which have been assisted under this
11 part; and

12 “(4) the strategies used to reach and serve par-
13 ents of minority and limited-English-proficient chil-
14 dren, parents with limited literacy skills, and other
15 parents in need of the services provided under this
16 part.

17 “(i) GENERAL PROVISION.—Notwithstanding any
18 other provision of this part—

19 “(1) no person, including a parent who edu-
20 cates a child at home, public school parent, or pri-
21 vate school parent, shall be required to participate in
22 any program of parent education or developmental
23 screening pursuant to the provisions of this part;

24 “(2) no program assisted under this part shall
25 take any action that infringes in any manner on the

1 right of a parent to direct the education of their
2 children; and

3 “(3) the provisions of section 438(c) of the
4 General Education Provision Act shall apply to orga-
5 nizations awarded grants under this part.

6 “(j) AUTHORIZATION OF APPROPRIATIONS.—There
7 are authorized to be appropriated such sums as may be
8 necessary for fiscal year 2001 and such sums as may be
9 necessary for the four subsequent fiscal years to carry out
10 this part.

11 **“PART N—URBAN EDUCATION ASSISTANCE”.**

12 **“SEC. 10997A. SHORT TITLE.**

13 “This subpart may be cited as the ‘Eliminating Edu-
14 cational Disparities and Promoting Learning for Urban
15 Students Act of 1999’.

16 **“SEC. 10997B. FINDINGS.**

17 “The Congress finds that—

18 “(1) the ability of the Nation’s major urban
19 public school systems to meet the Nation’s edu-
20 cational goals will substantially determine the coun-
21 try’s economic competitiveness and academic stand-
22 ing in the world community;

23 “(2) the quality of public education in the Na-
24 tion’s major urban areas has a direct effect on the
25 economic development of the Nation’s cities;

1 “(3) the success of urban public schools in ac-
2 celerating the achievement of its youth attending
3 such schools will determine the ability of the Nation
4 to close the gap between the ‘haves and the have-
5 nots’ in society;

6 “(4) the cost to America’s businesses to provide
7 remedial education to high school graduates is ap-
8 proximately \$21,000,000,000 per year;

9 “(5) approximately one-third of the Nation’s
10 workforce will be members of minority groups by the
11 year 2000;

12 “(6) urban schools enroll a disproportionately
13 large share of the Nation’s poor and ‘at-risk’ youth;

14 “(7) urban schools enroll over one-third of the
15 Nation’s poor, 40 percent of the Nation’s African
16 American children, and 30 percent of the Nation’s
17 Hispanic youth;

18 “(8) nearly 40 percent of the Nation’s limited-
19 English-proficient children and 15 percent of the
20 Nation’s disabled youth are enrolled in urban public
21 schools;

22 “(9) the National Assessment of Educational
23 Progress shows substantial achievement gaps be-
24 tween urban and nonurban students, whether en-
25 rolled in schools located in high or low poverty areas;

1 “(10) urban school children have begun to nar-
2 row the achievement gap in reading according to the
3 recent Reading Report Card issued by the National
4 Assessment of Educational Progress;

5 “(11) the National Assessment of Educational
6 Progress reports show substantial achievement gaps
7 between white students and African-American and
8 Hispanic students;

9 “(12) African-American and Hispanic school
10 children have begun to narrow the achievement gap
11 in reading according to the recent Reading Report
12 Card issued by National Assessment of Educational
13 Progress;

14 “(13) the dropout rate for urban students is
15 more than 50 percent higher than the national drop-
16 out rate;

17 “(14) urban preschoolers have one-half the ac-
18 cess to early childhood development programs as do
19 other children;

20 “(15) teacher shortages and teacher turnover in
21 urban public school systems are substantially greater
22 than in nonurban school systems, particularly in
23 mathematics and science;

24 “(16) urban public school systems have less pa-
25 rental involvement, and greater problems with health

1 care, teenage pregnancy, truancy and discipline,
2 drug abuse, and gangs than do other kinds of school
3 systems;

4 “(17) urban school buildings are in more seri-
5 ous disrepair according to the General Accounting
6 Office than facilities in other kinds of school systems
7 with 75 percent of urban public school buildings over
8 25 years old, 33 percent of such buildings over 50
9 years old, which create poor and demoralizing work-
10 ing and learning conditions;

11 “(18) solving the challenges facing our Nation’s
12 urban schools will require the concerted and collabo-
13 rative efforts of all levels of government and all sec-
14 tors of the community;

15 “(19) Federal and State funding of urban pub-
16 lic schools has not adequately reflected need; and

17 “(20) Federal funding that is well-targeted,
18 flexible, and accountable will contribute significantly
19 to addressing the comprehensive needs of inner-city
20 public schools and school children.

21 **“SEC. 10997C. PURPOSE.**

22 “It is the purpose of this subpart to provide financial
23 assistance to develop, demonstrate, and disseminate edu-
24 cational policies, strategies, and practices in central city
25 schools with high concentrations of students from racial

1 and language minority groups that will significantly im-
2 prove the academic achievement of an entire school, and
3 narrow or overcome educational disparities between
4 groups of minority and nonminority students, and between
5 urban and nonurban public school students.

6 **“SEC. 10997D. URBAN SCHOOL GRANTS.**

7 “(a) PROGRAM AUTHORIZED.—The Secretary is au-
8 thorized to make grants to eligible local educational agen-
9 cies serving an urban area or State educational agencies
10 in the case where the State educational agency is the local
11 educational agency for activities designed to assist schools
12 with high concentrations of students from racial and lan-
13 guage minority groups improve schoolwide academic
14 achievement with particular attention to narrowing or
15 overcoming disparities in achievement scores and school
16 completion (1) between minority and nonminority group
17 students; and (2) between urban and nonurban public
18 school students.

19 “(b) AUTHORIZED ACTIVITIES.—(1) Funds under
20 this section may be used for activities designed—

21 “(A) to increase the academic achievement of
22 urban public school children and narrow or overcome
23 the achievement gap between urban and nonurban
24 students;

1 “(B) to increase the academic achievement of
2 students who are members of racial and language
3 minority groups and narrow or overcome the
4 achievement gap between minority and nonminority
5 group students

6 “(C) to increase the graduation rates of urban
7 public school students and reduce the dropout rates
8 of urban students, particularly students who are
9 members of minority groups;

10 “(D) to recruit and retain qualified teachers;

11 “(E) to facilitate effective parental and commu-
12 nity involvement;

13 “(F) to provide for ongoing staff development
14 to increase the professional capacities of the school
15 leadership, instructional staff and other support
16 services personnel;

17 “(G) to plan, develop, operate, or expand pro-
18 grams and activities that are designed to assist
19 urban public schools in meeting the National Edu-
20 cation Goals; and

21 “(H) to document, evaluate, and disseminate
22 the results of such activities as required under sec-
23 tion 10997G.

24 “(2) Activities conducted under paragraph (1) shall
25 demonstrate policies, strategies, and practices that hold

1 the promise of effectively addressing the educational dis-
2 parities identified in subparagraphs (A), (B), and (C) of
3 paragraph (1), such as—

4 “(A) enrollment in rigorous courses and early
5 completion of gatekeeper courses;

6 “(B) delivery of instruction by experienced and
7 effective teachers;

8 “(C) reduced class size;

9 “(D) increased emphasis on reading in the early
10 grades;

11 “(E) data-driven instructional design and early
12 identification and intervention with at-risk students;

13 “(F) extended learning time, including extended
14 school day, extended school year, Saturday school,
15 and summer school;

16 “(G) establishing annual achievement goals tied
17 to rigorous content and performance standards;

18 “(H) school-based improvement planning and
19 accountability, and the provision of extended profes-
20 sional development, and ongoing technical assistance
21 and support; and

22 “(I) increased parental involvement and com-
23 munity involvement including mentoring programs,

24 “(3) Authorized activities shall be carried out in a
25 school or schools of a feeder system with high concentra-

1 tions of students from racial and language minority
2 groups within the eligible agency.

3 “(c) APPLICATIONS.—

4 “(1) IN GENERAL.—An urban eligible local edu-
5 cational agency desiring to receive a grant under
6 this section shall submit an application to the Sec-
7 retary containing a plan describing activities under
8 subsection (b) at such time, in such manner, and ac-
9 companied by such information as the Secretary may
10 reasonably require to determine that the application
11 is of sufficient size, scope, and quality to meet the
12 purposes this subpart.

13 “(2) DURATION.—An application submitted
14 pursuant to paragraph (1) may be for a period of
15 not more than five years.

16 “(d) PAYMENTS.—The Secretary shall make an
17 award only to urban eligible local educational agencies
18 that—

19 “(1) comply with the provisions of section
20 10997G; and

21 “(2) demonstrate to the satisfaction of the Sec-
22 retary that the data submitted pursuant to section
23 10997G shows progress toward meeting National
24 Education Goals and the purposes of this subpart.

1 “(e) ADMINISTRATIVE COSTS.—Not more than five
2 percent of any award made under this subpart may be
3 used for administrative costs.

4 “(f) FEDERAL FUNDS TO SUPPLEMENT NOT SUP-
5 PLANT NON-FEDERAL FUNDS.—An eligible local edu-
6 cational agency may use funds received under this subpart
7 only to supplement and, to the extent practicable, increase
8 the level of funds that would, in the absence of such Fed-
9 eral funds, be made available from non-Federal sources
10 for the education of students participating in activities as-
11 sisted under this subpart, and in no such case may such
12 funds be used to supplant funds from non-Federal
13 sources.

14 **“SEC. 10997E. ALLOCATIONS.**

15 “‘In making awards from amounts appropriated
16 under this subpart, the Secretary shall allocate amounts
17 directly to each urban eligible local educational agency on
18 the basis of the relative number of children counted under
19 section 1124(c) of this Act in such agencies as determined
20 by the Secretary using the most recent satisfactory data.

21 **“SEC. 10997F. COORDINATION.**

22 “‘Each local educational agency receiving assistance
23 under this subpart shall carry out activities, to the extent
24 feasible and appropriate, in coordination with other pro-
25 grams funded this Act. Such agency may request directly

1 from the Secretary under the appropriate provisions of
2 section 14401 the waiver of requirements in such pro-
3 grams that would inhibit such coordination and the effec-
4 tive implementation of the activities required under this
5 subpart.

6 **“SEC. 10997G. EVALUATION AND DISSEMINATION.**

7 “(a) IN GENERAL.—Each local educational agency
8 receiving assistance under this subpart shall select an
9 independent evaluator to assist the agency in designing
10 and implementing an evaluation plan that documents and
11 analyzes the effectiveness of the demonstrated activities.

12 “(b) LIMITATION.—A local educational agency shall
13 expend no more than two percent of funds awarded by
14 the Secretary for activities under section
15 10997D(b)(1)(H).

16 “(c) PROJECT MODIFICATIONS.—A local educational
17 agency shall modify, not less than every two years, activi-
18 ties supported under this subpart based on the results of
19 information gathered under subsection (a), and dis-
20 continue practices that do not promise to produce signifi-
21 cant results; and

22 “(d) DISSEMINATION ACTIVITIES.—Each local edu-
23 cational agency receiving assistance under this subpart
24 shall design and implement appropriate dissemination ac-
25 tivities to distribute information on effective policies,

1 strategies and practices that have been demonstrated by
2 the project.

3 **“SEC. 10997H. DEFINITIONS.**

4 “Except as otherwise provided, for the purposes of
5 this subpart:

6 “(1) CENTRAL CITY.—The term ‘central city’
7 has the same meaning used by the Bureau of the
8 Census.

9 “(2) METROPOLITAN STATISTICAL AREA.—The
10 term ‘metropolitan statistical area’ has the same
11 meaning used by the Bureau of the Census.

12 “(3) POVERTY LEVEL.—The term ‘poverty
13 level’ means the criteria of poverty used by the Bu-
14 reau of the Census in compiling the most recent de-
15 cennial census.

16 “(4) URBAN ELIGIBLE LOCAL EDUCATIONAL
17 AGENCY.—The term ‘urban eligible local educational
18 agency’ means a local educational agency that—

19 “(A) serves the largest central city in a
20 State;

21 “(B) enrolls more than 30,000 students
22 and serves a central city with a population of
23 at least 200,000 in a metropolitan statistical
24 area; or

1 “(C) enrolls between 25,000 and 30,000
2 students and serves a central city with a popu-
3 lation of at least 140,000 in a metropolitan sta-
4 tistical area.

5 **“SEC. 10997I. AUTHORIZATION OF APPROPRIATIONS.**

6 “There are authorized to be appropriated
7 \$250,000,000 for fiscal year 2001, and such sums as may
8 be necessary for each of the four succeeding fiscal years
9 for the purpose of carrying out this part.”.

10 **SEC. 15. COORDINATED SERVICES.**

11 Title XI of the Act is amended to read as follows:

12 **“TITLE XI—COORDINATED**
13 **SERVICES**

14 **“SEC. 11001. FINDINGS AND PURPOSE.**

15 “(a) FINDINGS.—Congress finds the following:

16 “(1) Growing numbers of children are harmed
17 by influences outside of the classroom that increase
18 their risk of academic failure.

19 “(2) Factors such as poor nutrition, unsafe liv-
20 ing conditions, physical and sexual abuse, family and
21 gang violence, inadequate health care, unemploy-
22 ment, lack of child care, and substance abuse harm
23 families, and negatively affect a child’s ability to
24 learn.

1 “(3) Parents and other caregivers in today’s
2 high-pressure society often face heavy demands on
3 their time that affect their ability to adequately meet
4 all the needs of their children.

5 “(4) Access to health and social service pro-
6 grams in a school-based or school-linked community
7 service center may make it easier for families to ad-
8 dress the basic physical and emotional needs of chil-
9 dren and parents.

10 “(5) Services for families need to be more con-
11 venient and less fragmented and duplicative.

12 “(6) Parents, school personnel, and service pro-
13 viders should have access to services and activities to
14 improve the education, health, mental health, safety
15 and economic well-being of children and their fami-
16 lies.

17 “(7) School personnel, health care providers,
18 mental health care providers, child care providers,
19 juvenile justice workers and other family service pro-
20 viders could be of greater assistance to children and
21 their families if they had access to a single school-
22 based or school-linked community service center.

23 “(8) Coordinating health and social services
24 with education will help the Nation meet America’s

1 Education Goals by ensuring that children come to
2 school ready to learn.

3 “(b) PURPOSE.—The purpose of this title is to en-
4 courage eligible partnerships to establish or expand child
5 opportunity zone family centers in or near public elemen-
6 tary and secondary schools in order to provide students
7 and their families better access to coordinated services
8 which improve their education, health, mental health, safe-
9 ty, and economic well-being.

10 **SEC. 11002. COORDINATED SERVICES.**

11 (a) PROGRAM AUTHORIZED.—Pursuant to section
12 14205(b), a local educational agency, school, or consor-
13 tium of schools may use not more than 5 percent of the
14 funds received under this Act for the development, or the
15 implementation or expansion, of a coordinated service
16 project under this section.

17 (b) APPLICATION.—Each local educational agency
18 desiring to use funds described in subsection (a) to carry
19 out this section shall submit an application to the Sec-
20 retary at such time, in such manner and accompanied by
21 such information as the Secretary may reasonably require.

22 (c) USES OF FUNDS.—Funds described in subsection
23 (a) may be used to plan, implement, or expand activities
24 which include—

25 (1) hiring a services coordinator;

- 1 (2) making minor renovations to existing build-
2 ings;
- 3 (3) purchasing basic operating equipment;
- 4 (4) improving communications and information-
5 sharing among entities participating in the coordi-
6 nated services project; or
- 7 (5) providing training to teachers and appro-
8 priate personnel concerning such teacher's and per-
9 sonnel's role in a coordinated services project.

10 **“SEC. 11003. GRANTS AUTHORIZED.**

11 “(a) IN GENERAL.—The Secretary may award, on a
12 competitive basis, grants to eligible partnerships to pay
13 for the Federal share of the cost of establishing and ex-
14 panding child opportunity zone family centers.

15 “(b) DURATION.—The Secretary shall award grants
16 under this section for periods of 5 years.

17 **“SEC. 11004. REQUIRED ACTIVITIES.**

18 “Each eligible partnership receiving a grant under
19 this part shall use the grant funds—

20 “(1) in accordance with the needs assessment
21 described in section 11005(b)(1), to provide or link
22 children and their families with information, sup-
23 port, activities, or services in core areas consisting
24 of—

1 “(A) education, such as child care and
2 education programs for children below the age
3 of compulsory school attendance, before- and
4 after-school care, and school age enrichment
5 and education support programs;

6 “(B) health, such as primary care (includ-
7 ing prenatal care, well child care, and mental
8 health care), preventative health and safety pro-
9 grams, outreach and referral, screening and
10 health promotion, and enrollment in health in-
11 surance programs; and

12 “(C) family support, such as adult edu-
13 cation and literacy programs, welfare-to-work-
14 programs, job training, parenting skills pro-
15 grams, assistance that supports healthy child
16 development, and access to basic needs, includ-
17 ing food and housing;

18 “(2) to provide intensive, high-quality, research-
19 based instructional programs that—

20 “(A) provide violence prevention education
21 for families and developmentally appropriate in-
22 structional services to children (including chil-
23 dren below the age of compulsory school attend-
24 ance), such as education and services on non-
25 violent conflict resolution, pro social skills and

1 behaviors, and other skills necessary for effec-
2 tively relating to others without violence; and

3 “(B) provide effective strategies for nur-
4 turing and supporting the emotional, social, and
5 cognitive growth of children; and

6 “(3) to provide training, information, and sup-
7 port to families to enable the families to participate
8 effectively in their children’s education, and to help
9 their children meet challenging standards, including
10 assisting families to—

11 “(A) understand the accountability sys-
12 tems, including content standards, performance
13 standards, and local assessments, in place for
14 the State involved, the participating local edu-
15 cational agency, and the participating elemen-
16 tary school or secondary school;

17 “(B) understand their children’s edu-
18 cational needs, their children’s educational per-
19 formance in comparison to State and local
20 standards, and the steps the school is taking to
21 address the children’s needs and to help the
22 children meet the standards; and

23 “(C) communicate effectively with per-
24 sonnel responsible for providing educational
25 services to the families’ children, and to partici-

1 pate in the development, amendment, review,
2 and implementation of school-parent compacts,
3 parent involvement policies, and school plans.

4 **“SEC. 11005. APPLICATIONS.**

5 “(a) IN GENERAL.—Each eligible partnership desir-
6 ing a grant under this part shall submit an application
7 to the Secretary at such time, in such manner, and con-
8 taining such information as the Secretary may require.

9 “(b) CONTENTS.—Each application submitted pursu-
10 ant to subsection (a) shall—

11 “(1) include a needs assessment, including a de-
12 scription of how the partnership will ensure that the
13 activities to be assisted under this part will be tai-
14 lored to meet the specific needs of the children and
15 families to be served;

16 “(2) describe arrangements that have been for-
17 malized between the participating elementary school
18 or secondary school, and other partnership members;

19 “(3) describe how the partnership will effec-
20 tively coordinate and utilize Federal, State, and local
21 educational agency sources of funding, including
22 funding provided under part I of title X and under
23 the Safe Schools/Healthy Students Initiative (jointly
24 funded by the Departments of Education, Justice,
25 and Health and Human Services), that provide as-

1 sistance to families and their children in the areas
2 of job training, housing, justice, health, mental
3 health, child care, and social and human services;

4 “(4) describe the partnership’s plan to—

5 “(A) develop and carry out the activities
6 assisted under this part with extensive partici-
7 pation of parents, administrators, teachers,
8 pupil services personnel, social and human serv-
9 ice agencies, and community organizations and
10 leaders; and

11 “(B) connect and integrate the activities
12 assisted under this part with the education re-
13 form efforts of the participating elementary
14 school or secondary school, and the partici-
15 pating local educational agency;

16 “(5) describe the partnership’s strategy for pro-
17 viding information and assistance in a language and
18 form that families can understand, including how
19 the partnership will ensure that families of students
20 with limited English proficiency, or families of stu-
21 dents with disabilities, are effectively involved, in-
22 formed, and assisted;

23 “(6) describe how the partnership will collect
24 and analyze data, and will utilize specific perform-
25 ance measures and indicators to—

1 “(A) determine the impact of activities as-
2 sisted under this part as described in section
3 11008(a); and

4 “(B) improve the activities assisted under
5 this part; and

6 “(7) describe how the partnership will protect
7 the privacy of families and their children partici-
8 pating in the activities assisted under this part.

9 **“SEC. 11006. FEDERAL SHARE.**

10 “The Federal share of the cost of establishing and
11 expanding child opportunity zone family centers—

12 “(1) for the first year for which an eligible
13 partnership receives assistance under this part shall
14 not exceed 90 percent;

15 “(2) for the second such year, shall not exceed
16 80 percent;

17 “(3) for the third such year, shall not exceed 70
18 percent;

19 “(4) for the fourth such year, shall not exceed
20 60 percent; and

21 “(5) for the fifth such year, shall not exceed 50
22 percent.

23 **“SEC. 11007. CONTINUATION OF FUNDING.**

24 “Each eligible partnership that receives a grant
25 under this part shall, after the third year for which the

1 partnership receives funds through the grant, be eligible
2 to continue to receive the funds if the Secretary deter-
3 mines that the partnership has made significant progress
4 in meeting the performance measures used for the part-
5 nership's local evaluation under section 11008(a)(4).

6 **“SEC. 11008. EVALUATIONS AND REPORTS.**

7 “(a) LOCAL EVALUATIONS.—Each partnership re-
8 ceiving funds under this part shall conduct annual evalua-
9 tions and submit to the Secretary reports containing the
10 results of the evaluations. The reports shall include—

11 “(1) information on the partnership's activities
12 that are assisted under this part;

13 “(2) information on the number of families and
14 children served by the partnership's activities that
15 are assisted under this part;

16 “(3) information on the partnership's effective-
17 ness in reaching and meeting the needs of families
18 and children served under this part, including under-
19 served families, families of students with limited
20 English proficiency, and families of students with
21 disabilities; and

22 “(4) the results of a partnership's performance
23 assessment of the partnership, including perform-
24 ance measures demonstrating—

1 “(A) improvements in student achieve-
2 ment, school readiness, family participation in
3 schools, and access to health care, mental
4 health care, child care, and family support serv-
5 ices, resulting from activities assisted under this
6 part; and

7 “(B) reductions in violence-related prob-
8 lems and risk taking behavior among youth,
9 and reductions in truancy, suspension, and
10 dropout rates, resulting from activities assisted
11 under this part.

12 “(b) NATIONAL EVALUATIONS.—

13 “(1) IN GENERAL.—The Secretary shall reserve
14 not more than 3 percent of the amount appropriated
15 under this part to carry out a national evaluation of
16 the activities assisted under this part. Such evalua-
17 tion shall be completed not later than 3 years after
18 the date of enactment of the Child Opportunity Zone
19 Family Center Act of 1999, and every year there-
20 after.

21 “(2) SCOPE OF EVALUATION.—In conducting
22 the national evaluation, the Secretary shall evaluate
23 the effectiveness and impact of the activities, and
24 identify model activities, assisted under this part.

1 “(3) ANNUAL REPORTS.—The Secretary shall
2 submit an annual report to Congress, regarding each
3 national evaluation conducted under paragraph (1),
4 that contains the information described in the na-
5 tional evaluation.

6 “(c) MODEL ACTIVITIES.—The Secretary shall
7 broadly disseminate information on model activities devel-
8 oped under this part.

9 **“SEC. 11009. DEFINITIONS.**

10 “For the purpose of this title—

11 “(1) the term ‘coordinated services project’
12 means a comprehensive approach to meeting the
13 educational, health, social service, and other needs of
14 children and their families, including foster children
15 and their foster families, through a communitywide
16 partnership that links public and private agencies
17 providing such services or access to such services
18 through a coordination site at or near a school; and

19 “(2) CHILD OPPORTUNITY ZONE FAMILY CEN-
20 TER.—The term ‘child opportunity zone family cen-
21 ter’ means a school-based or school-linked commu-
22 nity service center that provides and links children
23 and their families with comprehensive information,
24 support, services, and activities to improve the edu-

1 cation, health, mental health, safety, and economic
2 well-being of the children and their families.

3 “(3) ELIGIBLE PARTNERSHIP.—The term ‘eligi-
4 ble partnership’ means a partnership—

5 “(A) that contains—

6 “(i) at least 1 elementary school or
7 secondary school that—

8 “(I) receives assistance under
9 title I and for which a measure of
10 poverty determination is made under
11 section 1113(a)(5) with respect to a
12 minimum of 40 percent of the chil-
13 dren in the school; and

14 “(II) demonstrates parent in-
15 volvement and parent support for the
16 partnership’s activities;

17 “(ii) a local educational agency;

18 “(iii) a public agency, other than a
19 local educational agency, including a local
20 or State department of health and social
21 services; and

22 “(iv) a nonprofit community-based or-
23 ganization, including a community mental
24 health services organization or a family

1 health center that provides mental health
2 services; and

3 “(B) that may contain—

4 “(i) an institution of higher education;
5 and

6 “(ii) other public or private nonprofit
7 entities.

8 **“SEC. 11010. AUTHORIZATION OF APPROPRIATIONS.**

9 “There are authorized to be appropriated to carry out
10 this part \$50,000,000 for fiscal year 2000, and such sums
11 as may be necessary for each of the fiscal years 2001
12 through 2004.”.

13 **SEC. 15. PUBLIC SCHOOL REPAIR AND RENOVATION.**

14 Title XII of the Act is amended to read as follows:

15 **“TITLE XII—PUBLIC SCHOOL**
16 **REPAIR AND RENOVATION**

17 **“SEC. 12001. FINDINGS.**

18 “The Congress finds as follows:

19 “(1) The General Accounting Office estimated
20 in 1995 that it would cost \$112,000,000,000 to
21 bring school facilities in the United States into good
22 overall condition.

23 “(2) The General Accounting Office also found,
24 in that year, that 60 percent of the schools in the
25 United States, serving 28,000,000 students, re-

1 reported that one or more building features, such as
2 roofs or plumbing, needed to be extensively repaired,
3 overhauled, or replaced.

4 “(3) The National Center for Education Statis-
5 tics reported that the average age for a school build-
6 ing in 1998 was 42 years and that local educational
7 agencies with relatively high rates of poverty tend to
8 have relatively old buildings.

9 “(4) School condition is positively correlated
10 with student achievement, according to a number of
11 research studies.

12 “(5) The results of a recent survey indicate
13 that the condition of schools with large proportions
14 of students living on Indian lands is particularly
15 poor.

16 “(6) While school repair and renovation are pri-
17 marily a State and local concern, some States and
18 communities are not, on their own, able to meet the
19 burden of providing adequate school facilities for all
20 students, and the poorest communities have had the
21 greatest difficulty meeting this need. It is, therefore,
22 appropriate for the Federal Government to provide
23 assistance to high-need communities for school re-
24 pair and renovation.

1 **“SEC. 12002. PURPOSE.**

2 “The purpose of this title is to assist high-need local
3 educational agencies in making urgent repairs and renova-
4 tions to public school facilities in order to—

5 “(1) reduce health and safety problems faced by
6 students; and

7 “(2) improve the ability of students to learn in
8 their school environment.

9 **“SEC. 12003. AUTHORIZED ACTIVITIES.**

10 “(a) IN GENERAL.—A recipient of a grant or loan
11 under this title shall use the grant or loan to carry out
12 the purpose of this title by—

13 “(1) repairing or replacing roofs, electrical wir-
14 ing, or plumbing;

15 “(2) repairing, replacing, or installing heating,
16 ventilation, or air conditioning systems;

17 “(3) undertaking asbestos removal or abate-
18 ment;

19 “(4) removing lead-based paint;

20 “(5) bringing schools into compliance with fire
21 safety codes;

22 “(6) ensuring that repairs and renovations
23 under this title comply with the requirements of sec-
24 tion 504 of the Rehabilitation Act of 1973 (29
25 U.S.C. 793) and the Americans with Disabilities Act
26 of 1990 (42 U.S.C. 12101 et seq.) relating to the

1 accessibility of public school programs to individuals
2 with disabilities; and

3 “(7) making other types of school repairs and
4 renovations that the Secretary may reasonably deter-
5 mine are urgently needed, particularly projects to
6 correct facilities problems that endanger the health
7 and safety of students and staff.

8 “(b) LIMITATION.—The Secretary shall not approve
9 an application for a grant or loan under this title unless
10 the applicant demonstrates to the Secretary’s satisfaction
11 that it lacks sufficient funds, from other sources, to carry
12 out the repairs or renovations for which it is requesting
13 assistance.

14 **“SEC. 12004. GRANTS TO LOCAL EDUCATIONAL AGENCIES**
15 **WITH HIGH CONCENTRATIONS OF STUDENTS**
16 **LIVING ON INDIAN LANDS.**

17 “(a) ELIGIBILITY.—A local educational agency is eli-
18 gible for a grant under this section for a fiscal year if
19 the number of children determined under section
20 8003(a)(1)(C) for such agency and year constituted at
21 least 50 percent of the number of children who were in
22 average daily attendance in the schools of such agency,
23 and for whom such agency provided free public education,
24 during the preceding school year.

1 “(b) ALLOCATION OF FUNDS.—The Secretary shall
2 allocate funds available to carry out this section for a fis-
3 cal year to eligible local educational agencies based on
4 their respective numbers of children who were determined
5 under section 8003(a)(1)(C) for purposes of the computa-
6 tion under section 8003(a) for such year.

7 “(c) APPLICATIONS.—Each eligible local educational
8 agency that desires to receive a grant under this section
9 shall submit an application to the Secretary that
10 includes—

11 “(1) a statement of how it would use the grant
12 funds;

13 “(2) a description of the steps it will take to
14 adequately maintain the facilities that it repairs,
15 renovates, or constructs with those funds; and

16 “(3) such other information and assurances as
17 the Secretary may reasonably require.

18 “(d) CONSTRUCTION OF NEW SCHOOLS.—In addi-
19 tion to any other activity authorized under section 12003,
20 a grantee under this section may use grant funds to con-
21 struct a new school if it demonstrates to the Secretary’s
22 satisfaction that it would replace an existing school that
23 is in such poor condition that renovating it would not be
24 cost-effective.

1 **“SEC. 12005. GRANTS TO HIGH-POVERTY LOCAL EDU-**
2 **CATIONAL AGENCIES.**

3 “(a) GRANTS AUTHORIZED.—From funds available
4 under section 12008(e)(1), the Secretary shall make
5 grants, on a competitive basis, to local educational agen-
6 cies. A local educational agency is eligible to receive a
7 grant under this section only if at least 25 percent of the
8 children under the jurisdiction of the agency are from fam-
9 ilies with incomes below the poverty line (as defined by
10 the Office of Management and Budget and revised annu-
11 ally in accordance with section 673(2) of the Community
12 Services Block Grant Act (42 U.S.C. 9902(2))).

13 “(b) CRITERIA FOR AWARDING GRANTS.—In making
14 grants under this section, the Secretary shall consider—

15 “(1) the percentage of children from low-income
16 families under the jurisdiction of each applicant, the
17 need for school repairs and renovations, and the fis-
18 cal capacity of each applicant; and

19 “(2) such other factors as the Secretary deter-
20 mines appropriate.

21 “(c) APPLICATIONS.—Each eligible local educational
22 agency that desires to receive a grant under this section
23 shall submit an application to the Secretary that
24 includes—

1 “(1) a description of its urgent need for school
2 repair and renovation and how it would use funds
3 available under this title to meet those needs;

4 “(2) information on the fiscal effort that it is
5 making in support of education and evidence dem-
6 onstrating that it lacks the capacity to meet its ur-
7 gent school repair and renovation needs without as-
8 sistance available under this title;

9 “(3) a description of the steps it will take to
10 adequately maintain the facilities that it repairs or
11 renovates with that assistance; and

12 “(4) such other information and assurances as
13 the Secretary may reasonably require.

14 **“SEC. 12006. SCHOOL RENOVATION LOANS AND GRANTS.**

15 “(a) LOANS AND GRANTS AUTHORIZED.—From
16 funds available under section 12008(c)(2), the Secretary
17 shall pay the cost of loans and grants made, on a competi-
18 tive basis, to high-need local educational agencies that lack
19 the ability to fund urgent school repairs.

20 “(b) LOAN PERIOD.—Each loan under this section
21 shall be for a period of seven years and shall carry an
22 interest rate of zero percent.

23 “(c) CRITERIA FOR MAKING LOANS AND GRANTS.—
24 In making loans and grants under this section, the Sec-
25 retary shall consider—

1 “(1) the percentage of children from low-income
2 families under the jurisdiction of each applicant, the
3 need for school repairs and renovations, and the fis-
4 cal capacity of each applicant; and

5 “(2) such other factors as the Secretary deter-
6 mines appropriate.

7 “(d) APPLICATIONS.—Each eligible local educational
8 agency that desires to receive a loan or grant under this
9 section shall submit an application to the Secretary that
10 includes the information described in section 12005(c).

11 “(e) CREDIT STANDARDS.—In making loans under
12 this section, the Secretary—

13 “(1) shall not extend credit without finding that
14 there is reasonable assurance of repayment; and

15 “(2) may use credit enhancement techniques, as
16 appropriate, to reduce the credit risk of loans.

17 “(f) NUMBER OF LOANS AND GRANTS.—Subject to
18 section 12008(d), in carrying out this section, the Sec-
19 retary shall determine the number of loans and grants to
20 be made for a fiscal year and their relative proportions.

21 **“SEC. 12007. PROGRESS REPORTS.**

22 ““The Secretary shall require recipients of grants and
23 loans under this title to submit progress reports and such
24 other information as the Secretary determines necessary

1 to ensure compliance with this title and to evaluate its im-
2 pact.

3 **“SEC. 12008. AUTHORIZATION OF APPROPRIATIONS; RES-**
4 **ERVATION OF FUNDS; LIMITATION ON LOAN**
5 **VOLUME.**

6 “(a) IN GENERAL.—For the purpose of carrying out
7 this title, there are authorized to be appropriated
8 \$1,300,000,000 for fiscal year 2001 and such sums as
9 may be necessary for each of the 4 succeeding fiscal years.

10 “(b) RESERVATION FOR GRANTS UNDER SECTION
11 12004.—Of the amount appropriated under subsection (a)
12 for any fiscal year, the Secretary shall reserve
13 \$50,000,000 for the purpose of making grants under sec-
14 tion 12004.

15 “(c) GRANTS UNDER SECTION 12005 AND LOANS
16 AND GRANTS UNDER SECTION 12006.—Of the amount
17 appropriated under subsection (a) for any fiscal year and
18 remaining after the application of subsection (b)—

19 “(1) 10 percent shall be available for making
20 grants under section 12005; and

21 “(2) 90 percent shall be available for making
22 loans and grants under section 12006.

23 “(d) LIMITATION ON LOAN VOLUME.—Within the
24 available resources and authority, gross obligations for the
25 principal amount of loans made by the Secretary under

1 section 12006 for fiscal year 2001 shall not exceed
2 \$7,000,000,000, or the amount specified in an applicable
3 appropriations Act, whichever is greater.

4 **“SEC. 12009. DEFINITIONS; SPECIAL RULE.**

5 “(a) DEFINITIONS.—For the purpose of this title, the
6 following terms have the following meanings:

7 “(1) INDIAN LANDS.—The term ‘Indian lands’
8 has the meaning given such term in section 8013.

9 “(2) PUBLIC SCHOOL FACILITY.—

10 “(A) IN GENERAL.— The term ‘public
11 school facility’ means a public building whose
12 primary purpose is the instruction of public ele-
13 mentary or secondary students and minimal ini-
14 tial equipment, machinery, and utilities nec-
15 essary or appropriate for school purposes.

16 “(B) EXCLUSION.—The term excludes ath-
17 letic stadiums or any other structure or facility
18 intended primarily for athletic exhibitions, con-
19 tests, games, or events for which admission is
20 charged to the general public.

21 “(3) REPAIR AND RENOVATION.—The term ‘re-
22 pair and renovation’ means the repair or renovation
23 of an existing public school facility without increas-
24 ing its size.

1 “(b) SPECIAL RULE.—In any of the 50 States of the
 2 United States in which there is only one local educational
 3 agency, the Secretary shall, for purposes of this title, con-
 4 sider each administrative school district in the State to
 5 be a separate local educational agency.”.

6 **SEC. 16. SUPPORT AND ASSISTANCE PROGRAMS TO IM-**
 7 **PROVE EDUCATION AND ESTABLISH AMER-**
 8 **ICA’S EDUCATION GOALS.**

9 Title XIII of the Act is amended to read as follows:

10 **“TITLE XIII—SUPPORT AND AS-**
 11 **SISTANCE PROGRAMS TO IM-**
 12 **PROVE EDUCATION AND ES-**
 13 **TABLISH AMERICA’S EDU-**
 14 **CATION GOALS**

15 **PART A—COMPREHENSIVE REGIONAL**
 16 **ASSISTANCE CENTERS**

17 **“SEC. 13101. PROGRAM AUTHORIZED.**

18 “(a) COMPREHENSIVE REGIONAL ASSISTANCE CEN-
 19 TERS.—

20 “(1) IN GENERAL.—The Secretary is authorized
 21 to award grants to, or enter into contracts or coop-
 22 erative agreements with, public or private nonprofit
 23 entities or consortia of such entities in order to es-
 24 tablish a networked system of 15 comprehensive re-
 25 gional assistance centers to provide comprehensive

1 training and technical assistance, related to adminis-
2 tration and implementation of programs under this
3 Act, to States, local educational agencies, schools,
4 tribes, community-based organizations, and other re-
5 cipients of funds under this Act.

6 “(2) CONSIDERATION.—In establishing com-
7 prehensive regional assistance centers and allocating
8 resources among the centers, the Secretary shall
9 consider—

10 “(A) the geographic distribution of stu-
11 dents assisted under title I;

12 “(B) the geographic and linguistic dis-
13 tribution of students of limited-English pro-
14 ficiency;

15 “(C) the geographic distribution of Indian
16 students;

17 “(D) the special needs of students living in
18 urban and rural areas; and

19 “(E) the special needs of States and out-
20 lying areas in geographic isolation.

21 “(3) SPECIAL RULE.—The Secretary shall es-
22 tablish 1 comprehensive regional assistance center
23 under this section in Hawaii.

24 “(b) SERVICE TO INDIANS AND ALASKA NATIVES.—
25 The Secretary shall ensure that each comprehensive re-

1 gional assistance center that serves a region with a signifi-
2 cant population of Indian or Alaska Native students
3 shall—

4 “(1) be awarded to a consortium which includes
5 a tribally controlled community college or other In-
6 dian organization; and

7 “(2) assist in the development and implementa-
8 tion of instructional strategies, methods and mate-
9 rials which address the specific cultural and other
10 needs of Indian or Alaska Native students.

11 “(c) ACCOUNTABILITY.—To ensure the quality and
12 effectiveness of the networked system of comprehensive re-
13 gional assistance centers supported under this part, the
14 Secretary shall—

15 “(1) develop, in consultation with the Assistant
16 Secretary for Elementary and Secondary Education,
17 the Director of the Office of Bilingual Education
18 and Minority Languages Affairs, and the Assistant
19 Secretary for Educational Research and Improve-
20 ment, a set of performance indicators that assesses
21 whether the work of the centers assists in improving
22 teaching and learning under this Act for all children,
23 particularly children at risk of educational failure;

24 “(2) conduct surveys every 2 years of popu-
25 lations to be served under this Act to determine if

1 such populations are satisfied with the access to and
2 quality of such services;

3 “(3) collect, as part of the Department’s re-
4 views of programs under this Act, information about
5 the availability and quality of services provided by
6 the centers, and share that information with the cen-
7 ters; and

8 “(4) take whatever steps are reasonable and
9 necessary to ensure that each center performs its re-
10 sponsibilities in a satisfactory manner, which may
11 include—

12 “(A) termination of an award under this
13 part (if the Secretary concludes that perform-
14 ance has been unsatisfactory) and the selection
15 of a new center; and

16 “(B) whatever interim arrangements the
17 Secretary determines are necessary to ensure
18 the satisfactory delivery of services under this
19 part to an affected region.

20 “(d) DURATION.—Grants, contracts or cooperative
21 agreements under this section shall be awarded for a pe-
22 riod of 5 years.

1 **“SEC. 13102. REQUIREMENTS OF COMPREHENSIVE RE-**
2 **REGIONAL ASSISTANCE CENTERS.**

3 “(a) IN GENERAL.—Each comprehensive regional as-
4 sistance center established under section 13101(a) shall—

5 “(1) maintain appropriate staff expertise and
6 provide support, training, and assistance to State
7 educational agencies, tribal divisions of education,
8 local educational agencies, schools, and other grant
9 recipients under this Act, in—

10 “(A) improving the quality of instruction,
11 curricula, assessments, and other aspects of
12 school reform, supported with funds under title
13 I;

14 “(B) implementing effective schoolwide
15 programs under section 1114;

16 “(C) meeting the needs of children served
17 under this Act, including children in high-pov-
18 erty areas, migratory children, immigrant chil-
19 dren, children with limited-English proficiency,
20 neglected or delinquent children, homeless chil-
21 dren and youth, Indian children, children with
22 disabilities, and, where applicable, Alaska Na-
23 tive children and Native Hawaiian children;

24 “(D) implementing high-quality profes-
25 sional development activities for teachers, and

1 where appropriate, administrators, pupil serv-
2 ices personnel and other staff;

3 “(E) improving the quality of bilingual
4 education, including programs that emphasize
5 English and native language proficiency and
6 promote multicultural understanding;

7 “(F) creating safe and drug-free environ-
8 ments, especially in areas experiencing high lev-
9 els of drug use and violence in the community
10 and school;

11 “(G) implementing educational applica-
12 tions of technology;

13 “(H) coordinating services and programs
14 to meet the needs of students so that students
15 can fully participate in the educational program
16 of the school;

17 “(I) expanding the involvement and par-
18 ticipation of parents in the education of their
19 children;

20 “(J) reforming schools, school systems,
21 and the governance and management of schools;

22 “(K) evaluating programs; and

23 “(L) meeting the special needs of students
24 living in urban and rural areas and the special

1 needs of local educational agencies serving
2 urban and rural areas;

3 “(2) ensure that technical assistance staff have
4 sufficient training, knowledge, and expertise in how
5 to integrate and coordinate programs under this Act
6 with each other, as well as with other Federal, State,
7 and local programs and reforms;

8 “(3) provide technical assistance using the
9 highest quality and most cost-effective strategies
10 possible;

11 “(4) coordinate services, work cooperatively,
12 and regularly share information with, the regional
13 educational laboratories, the Eisenhower regional
14 consortia under part B, research and development
15 centers, and other entities engaged in research, de-
16 velopment, dissemination, and technical assistance
17 activities which are supported by the Department as
18 part of a Federal technical assistance system, to
19 provide a broad range of support services to schools
20 in the region while minimizing the duplication of
21 such services;

22 “(5) work collaboratively with the Department’s
23 regional offices; and

1 “(6) consult with representatives of State edu-
2 cational agencies, local educational agencies, and
3 populations served under this Act.

4 “(b) PRIORITY.—Each comprehensive regional assist-
5 ance center assisted under this part shall give priority to
6 servicing—

7 “(1) schoolwide programs under section 1114;
8 and

9 “(2) local educational agencies and Bureau-
10 funded schools with the highest percentages or num-
11 bers of children in poverty.

12 **“SEC. 13103. APPLICATION REQUIREMENTS.**

13 “Each entity or consortium desiring assistance under
14 this part shall submit an application to the Secretary at
15 such time, in such manner and accompanied by such infor-
16 mation, as the Secretary may require. Each such applica-
17 tion shall—

18 “(1) demonstrate how the comprehensive re-
19 gional assistance center will provide expertise and
20 services in the areas described in section 13102;

21 “(2) demonstrate support from States, local
22 educational agencies and tribes in the area to be
23 served;

1 “(3) demonstrate how such centers will ensure
2 a fair distribution of services to urban and rural
3 areas; and

4 “(4) provide such other information as the Sec-
5 retary may require.

6 **“SEC. 13104. AUTHORIZATION OF APPROPRIATIONS.**

7 For the purpose of carrying out this part, there are
8 authorized to be appropriated \$70,000,000 for fiscal year
9 2001 and such sums as may be necessary for each of the
10 four succeeding fiscal years.

11 **“PART B—EISENHOWER REGIONAL MATHE-**
12 **MATICS AND SCIENCE EDUCATION CON-**
13 **SORTIA**

14 **“SEC. 13201. PROGRAM ESTABLISHED.**

15 “(a) IN GENERAL.—

16 “(1) GRANTS AUTHORIZED.—The Secretary, in
17 consultation with the Director of the National
18 Science Foundation, is authorized to award grants
19 or contracts to eligible entities to enable such enti-
20 ties to establish and operate regional mathematics
21 and science education consortia for the purpose of—

22 “(A) disseminating exemplary mathematics
23 and science education instructional materials;
24 and

1 “(B) providing technical assistance for the
2 implementation of teaching methods and assess-
3 ment tools for use by elementary and secondary
4 school students, teachers and administrators.

5 “(2) NUMBER.—The Secretary, in accordance
6 with the provisions of this section, shall award at
7 least one grant or contract to an eligible entity in
8 each region.

9 “(3) SPECIAL RULE.—In any fiscal year, if the
10 amount made available pursuant to section 13208 is
11 less than \$4,500,000, then the Secretary may waive
12 the provisions of paragraph (2) and award grants or
13 contracts of sufficient size, scope, and quality to
14 carry out this section.

15 “(4) DESIGNATION.—Each regional consortium
16 assisted under this section shall be known as an ‘Ei-
17 senhower regional consortium’.

18 “(b) GRANT TERM AND REVIEW.—Grants or con-
19 tracts under this part shall be awarded for a period of
20 not more than 5 years and shall be reviewed before the
21 end of the 30-month period beginning on the date the
22 grant or contract is awarded. Grants or contracts under
23 this part shall be awarded before the end of the 12-month
24 period beginning on the date of the enactment of an Act
25 making appropriations to carry out this part.

1 “(c) AMOUNT.—In awarding grants or contracts
2 under this part, the Secretary shall ensure that there is
3 a relatively equal distribution of the funds made available
4 among the regions, except that the Secretary may award
5 additional funds to a regional consortium on the basis of
6 population and geographical conditions of the region being
7 served.

8 **“SEC. 13202. USE OF FUNDS.**

9 Funds provided under this part may be used by a
10 regional consortium, under the direction of a regional
11 board established under section 13204, to—

12 “(1) work cooperatively with the other regional
13 consortia, the Eisenhower National Clearinghouse
14 for Science and Mathematics Education established
15 under title II and federally funded technical assist-
16 ance providers to more effectively accomplish the ac-
17 tivities described in this section;

18 “(2) assist, train and provide technical assist-
19 ance to classroom teachers, administrators, and
20 other educators to identify, implement, assess or
21 adapt the instructional materials, teaching methods
22 and assessment tools described in section
23 13201(a)(1);

24 “(3) provide for the training of classroom
25 teachers to enable such teachers to instruct other

1 teachers, administrators, and educators in the use of
2 the instructional materials, teaching methods and
3 assessment tools described in section 13201(a)(1) in
4 the classroom;

5 “(4) when necessary, provide financial assist-
6 ance to enable teachers and other educators to at-
7 tend and participate in the activities of the regional
8 consortium;

9 “(5) implement programs and activities de-
10 signed to meet the needs of groups that are under-
11 represented in, and underserved by, mathematics
12 and science education;

13 “(6) assist State and local educational agencies
14 in identifying science equipment needs, and help
15 such agencies, or consortia thereof, assess the need
16 for and desirability of regional mathematics and
17 science academies;

18 “(7) develop and disseminate early childhood
19 education mathematics and science instructional ma-
20 terials;

21 “(8) disseminate information regarding infor-
22 mal mathematics and science education activities
23 and programs offered by Federal agencies and pri-
24 vate or public agencies and institutions within the
25 region;

1 “(9) collect data on activities assisted under
2 this part in order to evaluate the effectiveness of the
3 activities of the regional consortia;

4 “(10) identify exemplary teaching practices and
5 materials from within the region and communicate
6 such practices and materials to the Eisenhower Na-
7 tional Clearinghouse for Mathematics and Science
8 Education;

9 “(11) communicate, on a regular basis, with en-
10 tities within the region who are delivering services to
11 students and teachers of mathematics and science;

12 “(12) assist in the development and evaluation
13 of State and regional plans and activities that hold
14 promise of bringing about systemic reform in stu-
15 dent performance in mathematics and science; and

16 “(13) increase the use of informal education en-
17 tities (such as science technology centers, museums,
18 libraries, Saturday academies, and 4H programs) for
19 educational purposes to expand student knowledge
20 and understanding.

21 **“SEC. 13203. APPLICATION AND REVIEW.**

22 “(a) IN GENERAL.—Each eligible entity desiring a
23 grant or contract under this part shall submit an applica-
24 tion to the Secretary at such time, in such manner, and
25 accompanied by such additional information as the Sec-

1 retary may reasonably require. Each such application
2 shall—

3 “(1) demonstrate that the eligible entity has
4 demonstrated expertise in the fields of mathematics
5 and science education;

6 “(2) demonstrate that the eligible entity shall
7 implement and disseminate mathematics and science
8 education instructional materials, teaching methods,
9 and assessment tools through a consortium of the
10 region’s mathematics and science education organi-
11 zations and agencies;

12 “(3) demonstrate that the eligible entity shall
13 carry out the functions of the regional consortium;

14 “(4) demonstrate that emphasis will be given to
15 programs and activities designed to meet the needs
16 of groups that are underrepresented in, and under-
17 served by, mathematics and science education;

18 “(5) demonstrate that the business community
19 in the region served by the regional consortium will
20 play an integral role in designing and supporting the
21 regional consortium’s work; and

22 “(6) assure that the entity will conduct its ac-
23 tivities and supervise its personnel in a manner that
24 effectively ensures compliance with the copyright

1 laws of the United States under title 17, United
2 States Code.

3 “(b) APPROVAL OF APPLICATION.—

4 “(1) IN GENERAL.—The Secretary shall ap-
5 prove or disapprove applications submitted pursuant
6 to subsection (a) in accordance with the criteria and
7 procedures established under paragraph (2).

8 “(2) PROCEDURES AND CRITERIA.—The Sec-
9 retary shall develop procedures and criteria designed
10 to ensure that grants or contracts are competitively
11 awarded on the basis of merit determined under a
12 peer review process.

13 “(3) NATIONAL PANEL.—

14 “(A) The Secretary, in consultation with
15 the Director, shall establish a national panel, or
16 to the extent necessary, panels, to submit to the
17 Secretary recommendations for awards of
18 grants or contracts under this part. The Sec-
19 retary shall appoint the members of such panel
20 or panels.

21 “(B) Each panel appointed under subpara-
22 graph (A) shall include participation, to the ex-
23 tent feasible, from each region.

1 **“SEC. 13204. REGIONAL BOARDS.**

2 “(a) IN GENERAL.—Each eligible entity receiving a
3 grant or contract under this part shall establish a regional
4 board to oversee the administration and establishment of
5 program priorities for the regional consortium established
6 by such eligible entity. Such regional board shall be broad-
7 ly representative of the agencies and organizations partici-
8 pating in the regional consortium.

9 “(b) PROHIBITION ON USE OF FEDERAL FUNDS.—
10 No Federal funds may be used for the establishment or
11 operation of a regional board required by subsection (a),
12 except that, at the discretion of a regional board, Federal
13 funds may be used to provide assistance such as travel
14 and accommodations for board members who could not
15 otherwise afford to participate as members of the board.

16 **“SEC. 13205. PAYMENTS; FEDERAL SHARE; NON-FEDERAL**
17 **SHARE.**

18 “(a) PAYMENTS.—The Secretary shall pay to each el-
19 igible entity having an application approved under section
20 13203 the Federal share of the cost of the activities de-
21 scribed in the application.

22 “(b) FEDERAL SHARE.—For the purpose of sub-
23 section (a), the Federal share shall be 80 percent.

24 “(c) NON-FEDERAL SHARE.—The non-Federal share
25 of the cost of activities described in the application sub-
26 mitted under section 13203 may be in cash or in kind,

1 fairly evaluated. At least 10 percent of such non-Federal
2 share shall be from sources other than the Federal Gov-
3 ernment, or State or local government.

4 **“SEC. 13206. EVALUATION.**

5 “(a) EVALUATION REQUIRED.—The Secretary,
6 through the Office of Educational Research and Improve-
7 ment and in accordance with section 14701, shall collect
8 sufficient data on, and evaluate the effectiveness of, the
9 activities of each regional consortium.

10 “(b) ASSESSMENT.—The evaluations described in
11 paragraph (1) shall include an assessment of the effective-
12 ness of the regional consortium in meeting the needs of
13 the schools, teachers, administrators and students in the
14 region.

15 “(c) REPORT.—At the end of each grant or contract
16 period, the Secretary shall submit to the Congress a report
17 on the effectiveness of the programs conducted at each
18 regional consortium.

19 **“SEC. 13207. DEFINITIONS.**

20 For purposes of this part:

21 “(1) The term ‘eligible entity’ means—

22 “(A) a private nonprofit organization of
23 demonstrated effectiveness;

24 “(B) an institution of higher education;

25 “(C) an elementary or secondary school;

1 “(D) a State or local educational agency;

2 “(E) a regional educational laboratory in
3 consortium with the research and development
4 center established under section 931(c)(1)(B)(i)
5 of the Educational Research, Development, Dis-
6 semination, and Improvement Act of 1994; or

7 “(F) any combination of the entities de-
8 scribed in subparagraphs (A) through (E), with
9 demonstrated expertise in mathematics and
10 science education.

11 “(2) The terms ‘mathematics’ and ‘science’ in-
12 clude the technology education associated with math-
13 ematics and science, respectively.

14 “(3) The term ‘region’ means a region of the
15 United States served by a regional education labora-
16 tory that is supported by the Secretary pursuant to
17 section 405(d)(4)(A)(i) of the General Education
18 Provisions Act (as such section was in existence on
19 the day preceding the date of enactment of the
20 Goals 2000: Educate America Act).

21 “(4) The term ‘regional consortium’ means
22 each regional mathematics and science education
23 consortium established pursuant to section 13201.

24 “(5) The term ‘State agency for higher edu-
25 cation’ means the State board of higher education or

1 other agency or officer primarily responsible for the
2 State supervision of higher education, or, if there is
3 no such officer or agency, an officer or agency des-
4 ignated for the purpose of carrying out this part by
5 the Governor or by State law.

6 **“SEC. 13208. AUTHORIZATION OF APPROPRIATIONS.**

7 There are authorized to be appropriated \$23,000,000
8 for fiscal 2001, and such sums as may be necessary for
9 each of the 4 succeeding fiscal years, to carry out this
10 part.

11 **“PART C—AMERICA’S EDUCATION GOALS PANEL**
12 **AND AMERICA’S EDUCATION GOALS**

13 **“SEC. 13301. PURPOSE.**

14 “The purpose of this part is—

15 “(1) to establish America’s Education Goals;

16 and

17 “(2) to support a bipartisan mechanism for—

18 “(A) building a national consensus for edu-
19 cation improvement;

20 “(B) reporting on progress toward achiev-
21 ing America’s Education Goals; and

22 “(C) encouraging the development and use
23 of challenging academic content and student
24 performance standards.

1 **“SEC. 13302. AMERICA’S NATIONAL EDUCATION GOALS.**

2 “Congress declares that America’s Education Goals
3 are the following:

4 “(1) SCHOOL READINESS.—(A) All children in
5 America will start school ready to learn.

6 “(B) The objectives for this goal are that—

7 “(i) all children will have access to high-
8 quality and developmentally appropriate pre-
9 school programs that help prepare children for
10 school;

11 “(ii) every parent in the United States will
12 be a child’s first teacher and devote time each
13 day to helping such parent’s preschool child
14 learn, and parents will have access to the train-
15 ing and support parents need; and

16 “(iii) children will receive the nutrition,
17 physical activity experiences, and health care
18 needed to arrive at school with healthy minds
19 and bodies, and to maintain the mental alert-
20 ness necessary to be prepared to learn, and the
21 number of low-birthweight babies will be signifi-
22 cantly reduced through enhanced prenatal
23 health systems.

24 “(2) SCHOOL COMPLETION.—(A) The high
25 school graduation rate will increase to at least 90
26 percent.

1 “(B) The objectives for this goal are that—

2 “(i) the Nation must dramatically reduce
3 its school dropout rate, and 75 percent of the
4 students who do drop out will successfully com-
5 plete a high school degree or its equivalent; and

6 “(ii) the gap in high school graduation
7 rates between American students from minority
8 backgrounds and their non-minority counter-
9 parts will be eliminated.

10 “(3) STUDENT ACHIEVEMENT AND CITIZEN-
11 SHIP.—(A) All students will leave grades 4, 8, and
12 12 having demonstrated competency over challenging
13 subject matter including English, mathematics,
14 science, foreign languages, civics and government,
15 economics, arts, history, and geography, and every
16 school in America will ensure that all students learn
17 to use their minds well, so they may be prepared for
18 responsible citizenship, further learning, and produc-
19 tive employment in our Nation’s modern economy.

20 “(B) The objectives for this goal are that—

21 “(i) the academic performance of all stu-
22 dents at the elementary and secondary level will
23 increase significantly in every quartile, and the
24 distribution of minority students in each quar-

1 tile will more closely reflect the student popu-
2 lation as a whole;

3 “(ii) the percentage of all students who
4 demonstrate the ability to reason, solve prob-
5 lems, apply knowledge, and write and commu-
6 nicate effectively will increase substantially;

7 “(iii) all students will be involved in activi-
8 ties that promote and demonstrate good citizen-
9 ship, good health, community service, and per-
10 sonal responsibility;

11 “(iv) all students will have access to phys-
12 ical education and health education to ensure
13 they are healthy and fit;

14 “(v) the percentage of all students who are
15 competent in more than one language will sub-
16 stantially increase; and

17 “(vi) all students will be knowledgeable
18 about the diverse cultural heritage of this Na-
19 tion and about the world community.

20 “(4) TEACHER EDUCATION AND PROFESSIONAL
21 DEVELOPMENT.—(A) The Nation’s teaching force
22 will have access to programs for the continued im-
23 provement of their professional skills and the oppor-
24 tunity to acquire the knowledge and skills needed to

1 instruct and prepare all American students for the
2 next century.

3 “(B) The objectives for this goal are that—

4 “(i) all teachers will have access to
5 preservice teacher education and continuing
6 professional development activities that will pro-
7 vide such teachers with the knowledge and skills
8 needed to teach to an increasingly diverse stu-
9 dent population with a variety of educational,
10 social, and health needs;

11 “(ii) all teachers will have continuing op-
12 portunities to acquire additional knowledge and
13 skills needed to teach challenging subject mat-
14 ter and to use emerging new methods, forms of
15 assessment, and technologies;

16 “(iii) States and school districts will create
17 integrated strategies to attract, recruit, pre-
18 pare, retrain, and support the continued profes-
19 sional development of teachers, administrators,
20 and other educators, so that there is a highly
21 talented work force of professional educators to
22 teach challenging subject matter; and

23 “(iv) partnerships will be established,
24 whenever possible, among local educational
25 agencies, institutions of higher education, par-

1 ents, and local labor, business, and professional
2 associations to provide and support programs
3 for the professional development of educators.

4 “(5) MATHEMATICS AND SCIENCE.—(A) United
5 States students will be first in the world in mathe-
6 matics and science achievement.

7 “(B) The objectives for this goal are that—

8 “(i) mathematics and science education, in-
9 cluding the metric system of measurement, will
10 be strengthened throughout the system, espe-
11 cially in the early grades;

12 “(ii) the number of teachers with a sub-
13 stantive background in mathematics and
14 science, including the metric system of meas-
15 urement, will increase by 50 percent; and

16 “(iii) the number of United States under-
17 graduate and graduate students, especially
18 women and minorities, who complete degrees in
19 mathematics, science, and engineering will in-
20 crease significantly.

21 “(6) ADULT LITERACY AND LIFELONG LEARN-
22 ING.—(A) Every adult American will be literate and
23 will possess the knowledge and skills necessary to
24 compete in a global economy and exercise the rights
25 and responsibilities of citizenship.

1 “(B) The objectives for this goal are that—

2 “(i) every major American business will be
3 involved in strengthening the connection be-
4 tween education and work;

5 “(ii) all workers will have the opportunity
6 to acquire the knowledge and skills, from basic
7 to highly technical, needed to adapt to emerging
8 new technologies, work methods, and markets
9 through public and private educational, voca-
10 tional, technical, workplace, or other programs;

11 “(iii) the number of quality programs, in-
12 cluding those at libraries, that are designed to
13 serve more effectively the needs of the growing
14 number of part-time and midcareer students
15 will increase substantially;

16 “(iv) the proportion of the qualified stu-
17 dents, especially minorities, who enter college,
18 who complete at least two years, and who com-
19 plete their degree programs will increase sub-
20 stantially;

21 “(v) the proportion of college graduates
22 who demonstrate an advanced ability to think
23 critically, communicate effectively, and solve
24 problems will increase substantially; and

1 “(vi) schools, in implementing comprehen-
2 sive parent involvement programs, will offer
3 more adult literacy, parent training and life-
4 long learning opportunities to improve the ties
5 between home and school, and enhance parents’
6 work and home lives.

7 “(7) SAFE, DISCIPLINED, AND ALCOHOL- AND
8 DRUG-FREE SCHOOLS.—(A) Every school in the
9 United States will be free of drugs, violence, and the
10 unauthorized presence of firearms and alcohol and
11 will offer a disciplined environment conducive to
12 learning.

13 “(B) The objectives for this goal are that—

14 “(i) every school will implement a firm and
15 fair policy on use, possession, and distribution
16 of drugs and alcohol;

17 “(ii) parents, businesses, governmental and
18 community organizations will work together to
19 ensure the rights of students to study in a safe
20 and secure environment that is free of drugs
21 and crime, and that schools provide a healthy
22 environment and are a safe haven for all chil-
23 dren;

24 “(iii) every local educational agency will
25 develop and implement a policy to ensure that

1 all schools are free of violence and the unau-
2 thorized presence of weapons;

3 “(iv) every local educational agency will de-
4 velop a sequential, comprehensive kindergarten
5 through twelfth grade drug and alcohol preven-
6 tion education program;

7 “(v) drug and alcohol curriculum should be
8 taught as an integral part of sequential, com-
9 prehensive health education;

10 “(vi) community-based teams should be or-
11 ganized to provide students and teachers with
12 needed support; and

13 “(vii) every school should work to eliminate
14 sexual harassment.

15 “(8) PARENTAL PARTICIPATION.—(A) Every
16 school will promote partnerships that will increase
17 parental involvement and participation in promoting
18 the social, emotional, and academic growth of chil-
19 dren.

20 “(B) The objectives for this goal are that—

21 “(i) every State will develop policies to as-
22 sist local schools and local educational agencies
23 to establish programs for increasing partner-
24 ships that respond to the varying needs of par-
25 ents and the home, including parents of chil-

1 dren who are disadvantaged or bilingual, or
2 parents of children with disabilities;

3 “(ii) every school will actively engage par-
4 ents and families in a partnership which sup-
5 ports the academic work of children at home
6 and shared educational decisionmaking at
7 school; and

8 “(iii) parents and families will help to en-
9 sure that schools are adequately supported and
10 will hold schools and teachers to high standards
11 of accountability.

12 **“SEC. 13303. AMERICA’S EDUCATION GOALS PANEL.**

13 “(a) ESTABLISHMENT.—There is established in the
14 executive branch an “America’s Education Goals Panel”
15 (hereafter in this title referred to as the “Goals Panel”)
16 to advise the President, the Secretary of Education (here-
17 after in this title referred to as the “Secretary”), and Con-
18 gress.

19 “(b) COMPOSITION.—The Goals Panel shall be com-
20 posed of 18 members (hereafter in this title referred to
21 as “members”), including—

22 “(1) 2 members appointed by the President;

23 “(2) 8 members who are Governors, 3 of whom
24 shall be from the same political party as the Presi-
25 dent and 5 of whom shall be from the opposite polit-

1 ical party of the President, appointed by the Chair-
2 person and Vice Chairperson of the National Gov-
3 ernors' Association, with the Chairperson and Vice
4 Chairperson each appointing representatives of such
5 Chairperson's or Vice Chairperson's respective polit-
6 ical party, in consultation with each other;

7 “(3) 4 Members of Congress, of whom—

8 “(A) 1 member shall be appointed by the
9 Majority Leader of the Senate from among the
10 Members of the Senate;

11 “(B) 1 member shall be appointed by the
12 Minority Leader of the Senate from among the
13 Members of the Senate;

14 “(C) 1 member shall be appointed by the
15 Majority Leader of the House of Representa-
16 tives from among the Members of the House of
17 Representatives; and

18 “(D) 1 member shall be appointed by the
19 Minority Leader of the House of Representa-
20 tives from among the Members of the House of
21 Representatives; and

22 “(4) 4 members of State legislatures appointed
23 by the President of the National Conference of State
24 Legislatures, of whom 2 shall be of the same polit-
25 ical party as the President of the United States.

1 “(c) SPECIAL APPOINTMENT RULES.—

2 “(1) IN GENERAL.—The members appointed
3 pursuant to subsection (b)(2) shall be appointed as
4 follows:

5 “(A) If the Chairperson of the National
6 Governors’ Association is from the same polit-
7 ical party as the President, the Chairperson
8 shall appoint 3 individuals and the Vice Chair-
9 person of such association shall appoint 5 indi-
10 viduals.

11 “(B) If the Chairperson of the National
12 Governors’ Association is from the opposite po-
13 litical party as the President, the Chairperson
14 shall appoint 5 individuals and the Vice Chair-
15 person of such association shall appoint 3 indi-
16 viduals.

17 “(2) REPRESENTATION.—To the extent fea-
18 sible, the membership of the Goals Panel shall be
19 geographically representative and reflect the racial,
20 ethnic, and gender diversity of the United States.

21 “(d) TERMS.—The terms of service of members shall
22 be as follows:

23 “(1) PRESIDENTIAL APPOINTEES.—Members
24 appointed under subsection (b)(1) shall serve at the
25 pleasure of the President.

1 “(2) GOVERNORS.—Members appointed under
2 subsection (b)(2) shall serve for 2-year terms.

3 “(3) CONGRESSIONAL APPOINTEES AND STATE
4 LEGISLATORS.—Members appointed under para-
5 graphs (3) and (4) of subsection (b) shall serve for
6 2-year terms.

7 “(e) VACANCIES.—A vacancy on the Goals Panel
8 shall not affect the powers of the Goals Panel, but shall
9 be filled in the same manner as the original appointment.

10 “(f) TRAVEL.—Each member may be allowed travel
11 expenses, including per diem in lieu of subsistence, as au-
12 thorized by section 5703 of title 5, United States Code,
13 for each day the member is engaged in the performance
14 of duties for the Goals Panel away from the home or reg-
15 ular place of business of the member.

16 “(g) CHAIRPERSON.—

17 “(1) IN GENERAL.—The members shall select a
18 Chairperson from among the members.

19 “(2) TERM AND POLITICAL AFFILIATION.—The
20 Chairperson of the Goals Panel shall serve a 1-year
21 term and shall alternate between political parties.

22 “(h) EX OFFICIO MEMBER.—If the President has not
23 appointed the Secretary as 1 of the 2 members the Presi-
24 dent appoints pursuant to subsection (b)(1), then the Sec-

1 retary shall serve as a nonvoting ex officio member of the
2 Goals Panel.

3 **“SEC. 13304. DUTIES.**

4 “(a) IN GENERAL.—The Goals Panel shall—

5 (1) report to the President, the Secretary, and
6 Congress regarding the progress the Nation and the
7 States are making toward achieving America’s Edu-
8 cation Goals established under section 13302, in-
9 cluding issuing an annual report;

10 “(2) encourage the development and use of
11 challenging academic content standards and student
12 performance standards;

13 “(3) report on promising or effective actions
14 being taken at the national, State, and local levels,
15 and in the public and private sectors, to achieve
16 America’s Education Goals; and

17 “(4) help build a nationwide, bipartisan con-
18 sensus for the reforms necessary to achieve Amer-
19 ica’s Education Goals.

20 “(b) REPORT.—

21 “(1) IN GENERAL.—The Goals Panel shall an-
22 nually prepare and submit to the President, the Sec-
23 retary, the appropriate committees of Congress, and
24 the Governor of each State a report that shall—

1 “(A) report on the progress of the United
2 States toward achieving America’s Education
3 Goals; and

4 “(B) identify actions that should be taken
5 by Federal, State, and local governments to en-
6 hance progress toward achieving America’s
7 Education Goals and to provide all students
8 with a fair opportunity-to-learn.

9 “(2) FORM; DATA.—Reports shall be presented
10 in a form, and include data, that are understandable
11 to parents and the general public.

12 **“SEC. 13305. POWERS OF THE GOALS PANEL.**

13 “(a) HEARINGS.—

14 “(1) IN GENERAL.—The Goals Panel shall, for
15 the purpose of carrying out this title, conduct such
16 hearings, sit and act at such times and places, take
17 such testimony, and receive such evidence, as the
18 Goals Panel considers appropriate.

19 “(2) REPRESENTATION.—In carrying out this
20 title, the Goals Panel shall conduct hearings to re-
21 ceive reports, views, and analyses of a broad spec-
22 trum of experts and the public on the establishment
23 and use of challenging academic content standards,
24 student performance standards, and State assess-
25 ments.

1 “(b) INFORMATION.—The Goals Panel may secure di-
2 rectly from any department or agency of the United States
3 information necessary to enable the Goals Panel to carry
4 out this title. Upon request of the Chairperson of the
5 Goals Panel, the head of a department or agency shall
6 furnish such information to the Goals Panel to the extent
7 permitted by law.

8 “(c) POSTAL SERVICES.—The Goals Panel may use
9 the United States mail in the same manner and under the
10 same conditions as other departments and agencies of the
11 United States.

12 “(d) USE OF FACILITIES.—The Goals Panel may,
13 with consent of any agency or instrumentality of the
14 United States, or of any State or political subdivision
15 thereof, use the research, equipment, services, and facili-
16 ties of such agency, instrumentality, State, or subdivision,
17 respectively.

18 “(e) ADMINISTRATIVE ARRANGEMENTS AND SUP-
19 PORT.—

20 “(1) IN GENERAL.—The Secretary shall provide
21 to the Goals Panel, on a reimbursable basis, such
22 administrative support services as the Goals Panel
23 may request.

24 “(2) CONTRACTS AND OTHER ARRANGE-
25 MENTS.—The Secretary, to the extent appropriate,

1 and on a reimbursable basis, shall make contracts
2 and other arrangements that are requested by the
3 Goals Panel to help the Goals Panel compile and
4 analyze data or carry out other functions necessary
5 to the performance of such responsibilities.

6 “(f) GIFTS.—The Goals Panel may accept, admin-
7 ister, and utilize gifts or donations of services, money, or
8 property, whether real or personal, tangible or intangible.

9 **“SEC. 13306. ADMINISTRATIVE PROVISIONS.**

10 “(a) MEETINGS.—The Goals Panel shall meet on a
11 regular basis, as necessary, at the call of the Chairperson
12 of the Goals Panel or a majority of its members.

13 “(b) QUORUM.—A majority of the members shall con-
14 stitute a quorum for the transaction of business.

15 “(c) VOTING AND FINAL DECISION.—

16 “(1) VOTING.—No individual may vote, or exer-
17 cise any of the powers of a member, by proxy.

18 “(2) FINAL DECISIONS.—(A) In making final
19 decisions of the Goals Panel with respect to the ex-
20 ercise of its duties and powers the Goals Panel shall
21 operate on the principle of consensus among the
22 members of the Goals Panel.

23 “(B) Except as otherwise provided in this title,
24 if a vote of the membership of the Goals Panel is re-
25 quired to reach a final decision with respect to the

1 exercise of its duties and powers, then such final de-
2 cision shall be made by a three-fourths vote of the
3 members of the Goals Panel who are present and
4 voting.

5 “(d) PUBLIC ACCESS.—The Goals Panel shall ensure
6 public access to its proceedings (other than proceedings,
7 or portions of proceedings, relating to internal personnel
8 and management matters) and make available to the pub-
9 lic, at reasonable cost, transcripts of such proceedings.

10 **“SEC. 13307. DIRECTOR AND STAFF; EXPERTS AND CON-**
11 **SULTANTS.**

12 “(a) DIRECTOR.—The Chairperson of the Goals
13 Panel, without regard to the provisions of title 5, United
14 States Code, relating to the appointment and compensa-
15 tion of officers or employees of the United States, shall
16 appoint a Director of the Goals Panel to be paid at a rate
17 not to exceed the rate of basic pay payable for level V
18 of the Executive Schedule.

19 “(b) APPOINTMENT AND PAY OF EMPLOYEES.—

20 “(1) IN GENERAL.—(A) The Director may ap-
21 point not more than 4 additional employees to serve
22 as staff to the Goals Panel without regard to the
23 provisions of title 5, United States Code, governing
24 appointments in the competitive service.

1 “(B) The employees appointed under subpara-
2 graph (A) may be paid without regard to the provi-
3 sions of chapter 51 and subchapter III of chapter 53
4 of that title relating to classification and General
5 Schedule pay rates, but shall not be paid a rate that
6 exceeds the maximum rate of basic pay payable for
7 GS–15 of the General Schedule.

8 “(2) ADDITIONAL EMPLOYEES.—The Director
9 may appoint additional employees to serve as staff
10 to the Goals Panel in accordance with title 5, United
11 States Code.

12 “(c) EXPERTS AND CONSULTANTS.—The Goals
13 Panel may procure temporary and intermittent services of
14 experts and consultants under section 3109(b) of title 5,
15 United States Code.

16 “(d) STAFF OF FEDERAL AGENCIES.—Upon the re-
17 quest of the Goals Panel, the head of any department or
18 agency of the United States may detail any of the per-
19 sonnel of such agency to the Goals Panel to assist the
20 Goals Panel in its duties under this title.”.

21 **SEC. 17. GENERAL PROVISIONS.**

22 Title XIV of the Act is amended to read as follows:

1 **“TITLE XIV—GENERAL**
2 **PROVISIONS**

3 **“PART A—DEFINITIONS**

4 **“SEC. 14101. DEFINITIONS.**

5 Except as otherwise provided, for the purposes of this
6 Act, the following terms have the following meanings:

7 “(1) AVERAGE DAILY ATTENDANCE.—

8 “(A) Except as provided otherwise by
9 State law or this paragraph, the term ‘average
10 daily attendance’ means—

11 “(i) the aggregate number of days of
12 attendance of all students during a school
13 year; divided by

14 “(ii) the number of days school is in
15 session during such school year.

16 “(B) The Secretary shall permit the con-
17 version of average daily membership (or other
18 similar data) to average daily attendance for
19 local educational agencies in States that provide
20 State aid to local educational agencies on the
21 basis of average daily membership or such other
22 data.

23 “(C) If the local educational agency in
24 which a child resides makes a tuition or other
25 payment for the free public education of the

1 child in a school located in another school dis-
2 trict, the Secretary shall, for purposes of this
3 Act—

4 “(i) consider the child to be in attend-
5 ance at a school of the agency making such
6 payment; and

7 “(ii) not consider the child to be in at-
8 tendance at a school of the agency receiv-
9 ing such payment.

10 “(D) If a local educational agency makes a
11 tuition payment to a private school or to a pub-
12 lic school of another local educational agency
13 for a child with disabilities, as defined in sec-
14 tion 602(a)(1) of the Individuals with Disabil-
15 ities Education Act, the Secretary shall, for the
16 purposes of this Act, consider such child to be
17 in attendance at a school of the agency making
18 such payment.

19 “(2) AVERAGE PER-PUPIL EXPENDITURE.—The
20 term ‘average per-pupil expenditure’ means, in the
21 case of a State or of the United States—

22 “(A) without regard to the source of
23 funds—

24 “(i) the aggregate current expendi-
25 tures, during the third fiscal year pre-

1 ceding the fiscal year for which the deter-
2 mination is made (or, if satisfactory data
3 for that year are not available, during the
4 most recent preceding fiscal year for which
5 satisfactory data are available) of all local
6 educational agencies in the State or, in the
7 case of the United States for all States
8 (which, for the purpose of this paragraph,
9 means the 50 States and the District of
10 Columbia); plus

11 “(ii) any direct current expenditures
12 by the State for the operation of such
13 agencies; divided by

14 “(B) the aggregate number of children in
15 average daily attendance to whom such agencies
16 provided free public education during such pre-
17 ceding year.

18 “(3) CHILD.—The term ‘child’ means any per-
19 son within the age limits for which the State pro-
20 vides free public education.

21 “(4) COMMUNITY-BASED ORGANIZATION.—The
22 term ‘community-based organization’ means a public
23 or private nonprofit organization of demonstrated ef-
24 fectiveness that—

1 “(A) is representative of a community or
2 significant segments of a community; and

3 “(B) provides educational or related serv-
4 ices to individuals in the community.

5 “(5) CONSOLIDATED LOCAL APPLICATION.—
6 The term ‘consolidated local application’ means an
7 application submitted by a local educational agency
8 pursuant to section 14304.

9 “(6) CONSOLIDATED LOCAL PLAN.—The term
10 ‘consolidated local plan’ means a plan submitted by
11 a local educational agency pursuant to section
12 14304.

13 “(7) CONSOLIDATED STATE APPLICATION.—
14 The term ‘consolidated State application’ means an
15 application submitted by a State educational agency
16 pursuant to section 14302.

17 “(8) CONSOLIDATED STATE PLAN.—The term
18 ‘consolidated State plan’ means a plan submitted by
19 a State educational agency pursuant to section
20 14302.

21 “(9) COUNTY.—The term ‘county’ means one of
22 the divisions of a State used by the Secretary of
23 Commerce in compiling and reporting data regard-
24 ing counties.

1 “(10) COVERED PROGRAM.—The term ‘covered
2 program’ means each of the programs authorized
3 by—

4 “(A) part A of title I;

5 “(B) part C of title I;

6 “(C) title II (other than section 2103 and
7 part D);

8 “(D) subpart 2 of part B of title III;

9 “(E) part A of title IV (other than section
10 4114);

11 “(F) title VI; and

12 “(G) Comprehensive School Reform.

13 “(11) CURRENT EXPENDITURES.—The term
14 ‘current expenditures’ means expenditures for free
15 public education—

16 “(A) including expenditures for adminis-
17 tration, instruction, attendance and health serv-
18 ices, pupil transportation services, operation
19 and maintenance of plant, fixed charges, and
20 net expenditures to cover deficits for food serv-
21 ices and student body activities; but

22 “(B) not including expenditures for com-
23 munity services, capital outlay, and debt serv-
24 ice, or any expenditures made from funds re-
25 ceived under title I and title VI.

1 “(12) DEPARTMENT.—The term ‘Department’
2 means the Department of Education.

3 “(13) EDUCATIONAL SERVICE AGENCY.—The
4 term ‘educational service agency’ means a regional
5 public multiservice agency authorized by State stat-
6 ute to develop, manage, and provide services or pro-
7 grams to local educational agencies.

8 “(14) ELEMENTARY SCHOOL.—The term ‘ele-
9 mentary school’ means a nonprofit institutional day
10 or residential school, including a public elementary
11 charter school, that provides elementary education,
12 as determined under State law.

13 “(15) FREE PUBLIC EDUCATION.—The term
14 ‘free public education’ means education that is
15 provided—

16 “(A) at public expense, under public super-
17 vision and direction, and without tuition charge;
18 and

19 “(B) as elementary or secondary school
20 education as determined under applicable State
21 law, except that such term does not include any
22 education provided beyond grade 12.

23 “(16) FULLY QUALIFIED.—The term ‘fully
24 qualified’—

1 “(A) when used with respect to an elemen-
2 tary or secondary school teacher, means that
3 the teacher has obtained certification or passed
4 the State licensing exam and holds a license;
5 and

6 “(B) when used with respect to—

7 “(i) an elementary school teacher,
8 means that the teacher holds a bachelor’s
9 degree and demonstrates general knowl-
10 edge, teaching skill, and subject matter
11 knowledge required to teach at the elemen-
12 tary school level in the core academic sub-
13 jects; or

14 “(ii) a middle or secondary school
15 teacher, means that the teacher holds a
16 bachelor’s degree and demonstrates a high
17 level of competency in all subject areas in
18 which he or she teaches through—

19 “(I) a high level of performance
20 on a rigorous academic subject area
21 test; or

22 “(II) completion of an academic
23 major in each of the subject areas in
24 which he or she provides instruction.

1 “(17) GIFTED AND TALENTED.—The term
2 ‘gifted and talented’, when used with respect to stu-
3 dents, children or youth, means students, children or
4 youth who give evidence of high performance capa-
5 bility in areas such as intellectual, creative, artistic,
6 or leadership capacity, or in specific academic fields,
7 and who require services or activities not ordinarily
8 provided by the school in order to fully develop such
9 capabilities.

10 “(18) INSTITUTION OF HIGHER EDUCATION.—
11 The term ‘institution of higher education’ has the
12 meaning given that term in section 101 of the High-
13 er Education Act of 1965.

14 “(19) LOCAL EDUCATIONAL AGENCY.—

15 “(A) The term ‘local educational agency’
16 means a public board of education or other pub-
17 lic authority legally constituted within a State
18 for either administrative control or direction of,
19 or to perform a service function for, public ele-
20 mentary or secondary schools in a city, county,
21 township, school district, or other political sub-
22 division of a State, or for such combination of
23 local educational agencies or counties as are
24 recognized in a State as an administrative

1 agency for its public elementary or secondary
2 schools.

3 “(B) The term includes any other public
4 institution or agency having administrative con-
5 trol and direction of a public elementary or sec-
6 ondary school.

7 “(C) The term includes an elementary or
8 secondary school funded by the Bureau of In-
9 dian Affairs but only to the extent that such in-
10 clusion makes such school eligible for programs
11 for which specific eligibility is not provided to
12 such school in another provision of law and
13 such school does not have a student population
14 that is smaller than the student population of
15 the local educational agency receiving assistance
16 under this Act with the smallest student popu-
17 lation, except that such school shall not be sub-
18 ject to the jurisdiction of any State educational
19 agency other than the Bureau of Indian Affairs.

20 “(20) MENTORING.—The term ‘mentoring’
21 means a program in which an adult works with a
22 child or youth on a 1-to-1 basis, establishing a sup-
23 portive relationship, providing academic assistance,
24 and introducing the child or youth to new experi-

1 ences that enhance the child or youths ability to
2 excel in school and become a responsible citizen.

3 “(21) OTHER STAFF.—The term ‘other staff’
4 means pupil services personnel, librarians, career
5 guidance and counseling personnel, education aides,
6 and other instructional and administrative per-
7 sonnel.

8 “(22) OUTLYING AREA.—The term ‘outlying
9 area’ means the Virgin Islands, Guam, American
10 Samoa, the Commonwealth of the Northern Mariana
11 Islands, and for the purpose of section 1121 and any
12 other discretionary grant program under this Act,
13 the Republic of the Marshall Islands, the Federated
14 States of Micronesia, and the Republic of Palau.

15 “(23) PARENT.—The term ‘parent’ includes a
16 legal guardian or other person standing in loco
17 parentis.

18 “(24) PUBLIC TELECOMMUNICATION ENTITY.—
19 The term ‘public telecommunication entity’ has the
20 same meaning given to such term in section 397(12)
21 of the Communications Act of 1934.

22 “(25) PUPIL SERVICES PERSONNEL; PUPIL
23 SERVICES.—

24 “(A) The term ‘pupil services personnel’
25 means school counselors, school social workers,

1 school psychologists, and other qualified profes-
2 sional personnel involved in providing assess-
3 ment, diagnosis, counseling, educational, thera-
4 peutic, and other necessary services (including
5 related services as such term is defined in sec-
6 tion 602(a)(17) of the Individuals with Disabil-
7 ities Education Act) as part of a comprehensive
8 program to meet student needs.

9 “(B) The term ‘pupil services’ means the
10 services provided by pupil services personnel.

11 “(26) SECONDARY SCHOOL.—The term ‘sec-
12 ondary school’ means a nonprofit institutional day or
13 residential school, including a public secondary char-
14 ter school, that provides secondary education, as de-
15 termined under State law, except that such term
16 does not include any education beyond grade 12.

17 “(27) SECRETARY.—The term ‘Secretary’
18 means the Secretary of Education.

19 “(28) STATE.—The term ‘State’ means each of
20 the 50 States, the District of Columbia, the Com-
21 monwealth of Puerto Rico, and each of the outlying
22 areas.

23 “(29) STATE EDUCATIONAL AGENCY.—The
24 term ‘State educational agency’ means the agency

1 primarily responsible for the State supervision of
2 public elementary and secondary schools.

3 “(30) TECHNOLOGY.—The term ‘technology’
4 means the latest state-of-the-art technology products
5 and services, such as closed circuit television sys-
6 tems, educational television or radio programs and
7 services, cable television, satellite, copper fiber optic
8 transmission, computer hardware and software,
9 video and audio laser and CDROM disks, video and
10 audio tapes, including interactive forms of such
11 products and services, or other technologies.

12 **“SEC. 14102. APPLICABILITY OF THIS TITLE.**

13 Parts B, C, D, E, and F of this title do not apply
14 to title VIII of this Act.

15 **“SEC. 14103. APPLICABILITY TO BUREAU OF INDIAN AF-
16 FAIRS OPERATED SCHOOLS.**

17 For purposes of any competitive program under this
18 Act, a consortia of schools operated by the Bureau of In-
19 dian Affairs, a school operated under a contract or grant
20 with the Bureau of Indian Affairs in consortia with an-
21 other contract or grant school or tribal or community or-
22 ganization, or a Bureau of Indian Affairs school in con-
23 sortia with an institution of higher education, a contract
24 or grant school and tribal or community organization shall

1 be given the same consideration as a local educational
2 agency.

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

5 **“SEC. 14201. CONSOLIDATION OF STATE ADMINISTRATIVE**
6 **FUNDS FOR ELEMENTARY AND SECONDARY**
7 **EDUCATION PROGRAMS.**

8 “(a) CONSOLIDATION OF ADMINISTRATIVE FUNDS.—

9 “(1) IN GENERAL.—A State educational agency
10 may consolidate the amounts specifically made avail-
11 able to such agency for State administration under
12 one or more of the programs specified under para-
13 graph (2) if such State educational agency can dem-
14 onstrate that the majority of such agency’s resources
15 come from non-Federal sources.

16 “(2) APPLICABILITY.—This section applies to—

17 “(A) programs under title I and those pro-
18 grams described in subparagraphs (C), (D),
19 (E), (F), and (G) of section 14101(10);

20 “(B) the Carl D. Perkins Vocational and
21 Technical Education Act of 1998; and

22 “(C) such other programs as the Secretary
23 may designate..

24 “(b) USE OF FUNDS.—

1 “(1) IN GENERAL.—A State educational agency
2 shall use the amount available under this section for
3 the administration of the programs included in the
4 consolidation under subsection (a).

5 “(2) ADDITIONAL USES.—A State educational
6 agency may also use the funds available under this
7 section for administrative activities designed to en-
8 hance the effective and coordinated use of funds
9 under the programs included in the consolidation
10 under subsection (a), such as—

11 “(A) State-level activities designed to carry
12 out this title, including part B;

13 “(B) the coordination of those programs
14 with other Federal and non-Federal programs;

15 “(C) the establishment and operation of
16 peer-review mechanisms under this Act;

17 “(D) collaborative activities with other
18 State educational agencies to improve adminis-
19 tration under this Act;

20 “(E) the dissemination of information re-
21 garding model programs and practices;

22 “(F) technical assistance under the pro-
23 grams specified in subsection (a)(2);

24 “(G) training personnel engaged in audit
25 and other monitoring activities; and

1 “(H) implementation of the Cooperative
2 Audit Resolution and Oversight Initiative.

3 “(c) RECORDS.—A State educational agency that
4 consolidates administrative funds under this section shall
5 not be required to keep separate records, by individual
6 program, to account for costs relating to the administra-
7 tion of programs included in the consolidation under sub-
8 section (a).

9 “(d) REVIEW.—To determine the effectiveness of
10 State administration under this section, the Secretary may
11 periodically review the performance of State educational
12 agencies in using consolidated administrative funds under
13 this section and take such steps as the Secretary finds
14 appropriate to ensure the effectiveness of such administra-
15 tion.

16 “(e) UNUSED ADMINISTRATIVE FUNDS.—If a State
17 educational agency does not use all of the funds available
18 to such agency under this section for administration, such
19 agency may use such funds during the applicable period
20 of availability as funds available under one or more pro-
21 grams included in the consolidation under subsection (a).

22 **“SEC. 14202. SINGLE LOCAL EDUCATIONAL AGENCY**
23 **STATES.**

24 A State educational agency that also serves as a local
25 educational agency, in such agency’s applications or plans

1 under this Act, shall describe how such agency will elimi-
2 nate duplication in the conduct of administrative func-
3 tions.

4 **“SEC. 14203. CONSOLIDATION OF FUNDS FOR LOCAL AD-
5 MINISTRATION.**

6 “(a) GENERAL AUTHORITY.—In accordance with
7 regulations of the Secretary, a local educational agency,
8 with the approval of its State educational agency, may
9 consolidate and use for the administration of one or more
10 covered programs for any fiscal year not more than the
11 percentage, established in each covered program, of the
12 total amount available to the local educational agency
13 under such covered programs.

14 “(b) STATE PROCEDURES.—Each State educational
15 agency shall, in collaboration with local educational agen-
16 cies in the State, implement procedures for responding to
17 requests from local educational agencies to consolidate ad-
18 ministrative funds under subsection (a) and for estab-
19 lishing limitations on the amount of funds under covered
20 programs that may be used for administration on a con-
21 solidated basis.

22 “(c) CONDITIONS.—A local educational agency that
23 consolidates administrative funds under this section for
24 any fiscal year shall not use any other funds under the

1 programs included in the consolidation for administration
2 for that fiscal year.

3 “(d) USES OF ADMINISTRATIVE FUNDS.—A local
4 educational agency that consolidates administrative funds
5 under this section may use such consolidated funds for
6 the administration of covered programs and for the uses
7 described in section 14201(b)(2).

8 “(e) RECORDS.—A local educational agency that con-
9 solidates administrative funds under this section shall not
10 be required to keep separate records, by individual covered
11 program, to account for costs relating to the administra-
12 tion of covered programs included in the consolidation.

13 **“SEC. 14204. CONSOLIDATED SET-ASIDE FOR DEPARTMENT**
14 **OF THE INTERIOR FUNDS.**

15 “(a) GENERAL AUTHORITY.—

16 “(1) TRANSFER.—The Secretary shall transfer
17 to the Department of the Interior, as a consolidated
18 amount for covered programs, the Indian education
19 programs under part A of title IX of this Act, and
20 the education for homeless children and youth pro-
21 gram under subtitle B of title VII of the Stewart B.
22 McKinney Homeless Assistance Act, the amounts al-
23 lotted to the Department of the Interior under those
24 programs.

25 “(2) AGREEMENT.—

1 “(A) The Secretary and the Secretary of
2 the Interior shall enter into an agreement, con-
3 sistent with the requirements of the programs
4 specified in paragraph (1), for the distribution
5 and use of those program funds under terms
6 that the Secretary determines best meet the
7 purposes of those programs.

8 “(B) The agreement shall—

9 “(i) set forth the plans of the Sec-
10 retary of the Interior for the use of the
11 amount transferred, the steps to be taken
12 to achieve America’s Education Goals, and
13 performance measures to assess program
14 effectiveness, including measurable goals
15 and objectives; and

16 “(ii) be developed in consultation with
17 Indian tribes.

18 “(b) ADMINISTRATION.—The Department of the In-
19 terior may use not more than 1.5 percent of the funds
20 consolidated under this section for such departments costs
21 related to the administration of the funds transferred
22 under this section.

1 **“SEC. 14205. MOST EFFECTIVE USE OF UNNEEDED PRO-**
2 **GRAM FUNDS.**

3 “(a) MOST EFFECTIVE USE.—With the approval of
4 its State educational agency, a local educational agency
5 that determines for any fiscal year that funds under a cov-
6 ered program (other than title I) would be more effective
7 in helping all its students achieve the State’s challenging
8 standards if used under another covered program, may use
9 those funds, not to exceed 5 percent of the local edu-
10 cational agency’s total allotment for that fiscal year, to
11 carry out programs and activities under that other covered
12 program.

13 “(b) COORDINATION OF SERVICES.—A local edu-
14 cational agency, individual school, or consortium of schools
15 may use a total of not more than 5 percent of the funds
16 such agency, school, or consortium, respectively, receives
17 under this Act for the establishment and implementation
18 of a coordinated services project in accordance with the
19 requirements of title XI of this Act.

20 **“PART C—COORDINATION OF PROGRAMS; CON-**
21 **SOLIDATED STATE AND LOCAL PLANS AND**
22 **APPLICATIONS**

23 **“SEC. 14301. PURPOSE.**

24 It is the purpose of this part to improve teaching and
25 learning by encouraging greater cross-program coordina-
26 tion, planning, and service delivery under this Act and en-

1 hanced integration of programs under this Act with edu-
2 cational activities carried out with State and local funds.

3 **“SEC. 14302. OPTIONAL CONSOLIDATED STATE PLANS AND**
4 **APPLICATIONS.**

5 “(a) IN GENERAL.—

6 “(1) PURPOSE AND AUTHORITY.—In order to
7 promote continuing, standards-based education re-
8 form, encourage the integration and coordination of
9 resources, and simplify application requirements and
10 reduce burden for State educational agencies under
11 this Act, the Secretary, in accordance with sub-
12 section (b), shall establish procedures and criteria
13 under which a State educational agency may submit
14 a consolidated State plan meeting the requirements
15 of this section for any or all of—

16 “(A) the covered programs in which the
17 State participates; and

18 “(B) the additional programs described in
19 paragraph (2).

20 “(2) ADDITIONAL PROGRAMS.—A State edu-
21 cational agency may also include in its consolidated
22 State plan—

23 “(A) the Even Start program under part B
24 of title I;

1 “(B) the State Agency Programs for Chil-
2 dren and Youth Who Are Neglected or Delin-
3 quent under part D of title I;

4 “(C) programs under part A of title II of
5 the Carl D. Perkins Vocational and Technical
6 Education Act of 1998; and

7 “(D) such other programs as the Secretary
8 may designate.

9 “(3) STATE DEVELOPMENT AND SUBMISSION.—

10 “(A) A State educational agency desiring
11 to receive a grant under 2 or more of the pro-
12 grams to which this section applies may submit
13 a consolidated State plan for those programs
14 that satisfies the procedures and criteria estab-
15 lished under this section.

16 “(B) A State educational agency that sub-
17 mits a consolidated State plan shall not be re-
18 quired to submit separate State plans or appli-
19 cations for the programs included in the con-
20 solidated State plan.

21 “(C) A State educational agency that sub-
22 mits a consolidated State plan shall comply
23 with all the requirements applicable to the pro-
24 grams in the consolidated State plan as if it
25 had submitted separate State plans.

1 “(4) CONSOLIDATED STATE PLANS.—A State
2 educational agency that desires to receive funds
3 under a program to which this section applies for
4 fiscal year 2001 and the succeeding four fiscal years
5 shall submit to the Secretary a new consolidated
6 plan that meets the requirements of this section
7 within the time specified by the Secretary.

8 “(b) PLAN CONTENTS.—

9 “(1) COLLABORATIVE PROCESS.—

10 “(A) In establishing criteria and proce-
11 dures under this section, the Secretary shall
12 collaborate with State educational agencies and,
13 as appropriate, with other State agencies, local
14 educational agencies, public and private non-
15 profit agencies, organizations, and institutions,
16 private schools, and representatives of parents,
17 students, and teachers.

18 “(B)(i) Through the collaborative process
19 described in subparagraph (A), the Secretary
20 shall establish, for each program under the Act
21 to which this section applies, the descriptions
22 and information that must be included in a con-
23 solidated State plan.

24 “(ii) In carrying out clause (i), the Sec-
25 retary shall ensure that a consolidated State

1 plan contains, for each program included in the
2 plan, the descriptions and information needed
3 to ensure proper and effective administration of
4 that program in accordance with its purposes.

5 “(2) INTEGRATION AND COORDINATION OF RE-
6 SOURCES.—In its consolidated plan under this sec-
7 tion, a State educational agency shall describe
8 how—

9 “(A) funds under the programs included in
10 the plan will be integrated as appropriate to
11 best serve the students and teachers intended to
12 benefit from those programs; and

13 “(B) those programs will be coordinated at
14 the State, school district, and school levels with
15 other covered programs not included in the
16 plan.

17 “(c) PEER REVIEW AND SECRETARIAL APPROVAL.—

18 “(1) The Secretary shall—

19 “(A) establish a peer-review process to as-
20 sist in the review, and provide recommendations
21 for the revision, of consolidated State plans
22 under this section; and

23 “(B) appoint individuals to the peer-review
24 process who—

1 “(i) are knowledgeable about the pro-
2 grams, and the populations they serve, in-
3 cluded in the plans;

4 “(ii) to the extent practicable are rep-
5 resentative of State educational agencies,
6 local educational agencies, teachers, and
7 parents of students served under those
8 programs; and

9 “(iii) have expertise on educational
10 standards, assessments, and accountability.

11 “(2)(A) Following such peer review, the Sec-
12 retary shall approve a consolidated State plan if the
13 Secretary determines that the plan meets the re-
14 quirements of this section.

15 “(B) The Secretary may accompany such ap-
16 proval with one or more conditions that the State
17 educational agency shall meet.

18 “(3) If the Secretary determines that the plan
19 does not meet the requirements of this section, the
20 Secretary shall notify the State of that determina-
21 tion and the reasons for it.

22 “(4) The Secretary shall not finally disapprove
23 a consolidated State plan before—

24 “(A) offering the State an opportunity to
25 revise its plan;

1 “(B) providing technical assistance to as-
2 sist the State to meet the requirements; and

3 “(C) providing a hearing.

4 “(d) REVISION AND AMENDMENT.—A State edu-
5 cational agency shall periodically review its consolidated
6 State plan to ensure that it accurately reflects its strate-
7 gies and activities under the programs covered by the plan.
8 If the State educational agency makes significant changes
9 to its strategies and activities, it shall submit an amend-
10 ment to its plan to the Secretary for approval in accord-
11 ance with this section.

12 **“SEC. 14303. GENERAL APPLICABILITY OF STATE EDU-**
13 **CATIONAL AGENCY ASSURANCES.**

14 “(a) ASSURANCES.—A State educational agency that
15 submits a consolidated State plan or consolidated State
16 application under this Act, whether separately or under
17 section 14302, shall have on file with the Secretary a sin-
18 gle set of assurances, applicable to each program for which
19 such plan or application is submitted, that provides that—

20 “(1) each such program will be administered in
21 accordance with all applicable statutes, regulations,
22 program plans, and applications;

23 “(2)(A) the control of funds provided under
24 each such program and title to property acquired
25 with program funds will be in a public agency, in a

1 nonprofit private agency, institution, or organiza-
2 tion, or in an Indian tribe if the law authorizing the
3 program provides for assistance to such entities; and

4 “(B) the public agency, nonprofit private agen-
5 cy, institution, or organization, or Indian tribe will
6 administer such funds and property to the extent re-
7 quired by the authorizing law;

8 “(3) the State will adopt and use proper meth-
9 ods of administering each such program, including—

10 “(A) the enforcement of any obligations
11 imposed by law on agencies, institutions, orga-
12 nizations, and other recipients responsible for
13 carrying out each program;

14 “(B) the correction of deficiencies in pro-
15 gram operations that are identified through au-
16 dits, monitoring, or evaluation; and

17 “(C) the adoption of written procedures for
18 the receipt and resolution of complaints alleging
19 violations of law in the administration of such
20 programs;

21 “(4) the State will monitor performance by
22 local educational agencies to ensure compliance with
23 the requirements of this Act and—

24 “(A) maintain proper documentation of
25 monitoring activities;

1 “(B) provide technical assistance when ap-
2 propriate and undertake enforcement activities
3 when needed; and

4 “(C) systematically analyze the results of
5 audits and other monitoring activities to iden-
6 tify trends in funding and to develop strategies
7 to correct problems;

8 “(5) the data used by the State to measure its
9 performance (and that of its local educational agen-
10 cies) under this Act are complete, reliable, accurate,
11 or if not, that the State will take such steps as are
12 necessary to make those data complete, reliable, and
13 accurate.

14 “(6) the State will cooperate in carrying out
15 any evaluation of each such program conducted by
16 or for the Secretary or other Federal officials;

17 “(7) the State will use such fiscal control and
18 fund accounting procedures as will ensure proper
19 disbursement of, and accounting for, Federal funds
20 paid to the State under each such program;

21 “(8) the State will—

22 “(A) make reports to the Secretary as may
23 be necessary to enable the Secretary to perform
24 the Secretary’s duties under each such pro-
25 gram; and

1 dated State application to submit consolidated local plans
2 or applications under such programs.

3 “(c) COLLABORATION.—A State educational agency
4 shall collaborate with local educational agencies in the
5 State in establishing procedures for the submission of the
6 consolidated State plans or consolidated State applications
7 under this section.

8 “(d) NECESSARY MATERIALS.—The State edu-
9 cational agency shall require only descriptions, informa-
10 tion, assurances, and other material that are absolutely
11 necessary for the consideration of the local educational
12 agency plan or application.

13 **“SEC. 14306. OTHER GENERAL ASSURANCES.**

14 “(a) ASSURANCES.—Any applicant other than a
15 State educational agency that submits a plan or applica-
16 tion under this Act shall have on file with the State edu-
17 cational agency a single set of assurances, applicable to
18 each program for which a plan or application is submitted,
19 that provides that—

20 “(1) each such program will be administered in
21 accordance with all applicable statutes, regulations,
22 program plans, and applications;

23 “(2)(A) the control of funds provided under
24 each such program and title to property acquired
25 with program funds will be in a public agency or in

1 a nonprofit private agency, institution, organization,
2 or Indian tribe, if the law authorizing the program
3 provides for assistance to such entities; and

4 “(B) the public agency, nonprofit private agen-
5 cy, institution, or organization, or Indian tribe will
6 administer such funds and property to the extent re-
7 quired by the authorizing statutes;

8 “(3) the applicant will adopt and use proper
9 methods of administering each such program,
10 including—

11 “(A) the enforcement of any obligations
12 imposed by law on agencies, institutions, orga-
13 nizations, and other recipients responsible for
14 carrying out each program; and

15 “(B) the correction of deficiencies in pro-
16 gram operations that are identified through au-
17 dits, monitoring, or evaluation;

18 “(4) the applicant will cooperate in carrying out
19 any evaluation of each such program conducted by
20 or for the State educational agency, the Secretary or
21 other Federal officials;

22 “(5) the applicant will use such fiscal control
23 and fund accounting procedures as will ensure prop-
24 er disbursement of, and accounting for, Federal

1 funds paid to such applicant under each such pro-
2 gram;

3 “(6) the applicant will—

4 “(A) make reports to the State educational
5 agency and the Secretary as may be necessary
6 to enable such agency and the Secretary to per-
7 form their duties under each such program; and

8 “(B) maintain such records, provide such
9 information, and afford access to the records as
10 the State educational agency or the Secretary
11 may find necessary to carry out the State edu-
12 cational agency’s or the Secretary’s duties; and

13 “(7) before the application was submitted, the
14 applicant afforded a reasonable opportunity for pub-
15 lic comment on the application and has considered
16 such comment.

17 “(b) GEPA PROVISION.—Section 442 of the General
18 Education Provisions Act does not apply to programs
19 under this Act.

20 **“PART D—WAIVERS**

21 **“SEC. 14401. WAIVERS OF STATUTORY AND REGULATORY**
22 **REQUIREMENTS.**

23 “(a) IN GENERAL.—Except as provided in subsection
24 (c), the Secretary may waive any statutory or regulatory
25 requirement of this Act for a State educational agency,

1 local educational agency, Indian tribe, or school through
2 a local educational agency, that—

3 “(1) receives funds under a program authorized
4 by this Act; and

5 “(2) requests a waiver under subsection (b).

6 “(b) REQUEST FOR WAIVER.—

7 “(1) IN GENERAL.—A State educational agen-
8 cy, local educational agency, or Indian tribe which
9 desires a waiver shall submit a waiver request to the
10 Secretary that—

11 “(A) identifies the Federal programs af-
12 fected by such requested waiver;

13 “(B) describes which Federal requirements
14 are to be waived and how the waiving of such
15 requirements will—

16 “(i) increase the quality of instruction
17 for students; or

18 “(ii) improve the academic perform-
19 ance of students;

20 “(C) if applicable, describes which similar
21 State and local requirements will be waived and
22 how the waiving of such requirements will assist
23 the local educational agencies, Indian tribes or
24 schools, as appropriate, to achieve the objectives

1 described in clauses (i) and (ii) of subparagraph
2 (B);

3 “(D) describes specific, measurable edu-
4 cational improvement goals and expected out-
5 comes for all affected students;

6 “(E) describes the methods to be used to
7 measure progress in meeting such goals and
8 outcomes; and

9 “(F) describes how schools will continue to
10 provide assistance to the same populations
11 served by programs for which waivers are re-
12 quested.

13 “(2) ADDITIONAL INFORMATION.—Such
14 requests—

15 “(A) may provide for waivers of require-
16 ments applicable to State educational agencies,
17 local educational agencies, Indian tribes, and
18 schools; and

19 “(B) shall be developed and submitted—

20 “(i)(I) by local educational agencies
21 (on behalf of such agencies and schools) to
22 State educational agencies; and

23 “(II) by State educational agencies
24 (on behalf of, and based upon the requests

1 of, local educational agencies) to the Sec-
2 retary; or

3 “(ii) by Indian tribes (on behalf of
4 schools operated by such tribes) to the Sec-
5 retary.

6 “(3) GENERAL REQUIREMENTS.—

7 “(A) In the case of a waiver request sub-
8 mitted by a State educational agency acting in
9 its own behalf, the State educational agency
10 shall—

11 “(i) provide all interested local edu-
12 cational agencies in the State with notice
13 and a reasonable opportunity to comment
14 on the request;

15 “(ii) submit the comments to the Sec-
16 retary; and

17 “(iii) provide notice and information
18 to the public regarding the waiver request
19 in the manner that the applying agency
20 customarily provides similar notices and
21 information to the public.

22 “(B) In the case of a waiver request sub-
23 mitted by a local educational agency that re-
24 ceives funds under this Act—

1 “(i) such request shall be reviewed by
2 the State educational agency and be ac-
3 companied by the comments, if any, of
4 such State educational agency; and

5 “(ii) notice and information regarding
6 the waiver request shall be provided to the
7 public by the agency requesting the waiver
8 in the manner that such agency custom-
9 arily provides similar notices and informa-
10 tion to the public.

11 “(c) RESTRICTIONS.—The Secretary shall not waive
12 under this section any statutory or regulatory require-
13 ments relating to—

14 “(1) the allocation or distribution of funds to
15 States, local educational agencies, or other recipients
16 of funds under this Act;

17 “(2) maintenance of effort;

18 “(3) comparability of services;

19 “(4) use of Federal funds to supplement, not
20 supplant, non-Federal funds;

21 “(5) equitable participation of private school
22 students and teachers;

23 “(6) parental participation and involvement;

24 “(7) applicable civil rights requirements;

1 “(8) the requirement for a charter school under
2 part C of title X; or

3 “(9) the prohibitions regarding—

4 “(A) State aid in section 14502; or

5 “(B) use of funds for religious worship or
6 instruction in section 14507.

7 “(d) DURATION AND EXTENSION OF WAIVER.—

8 “(1) IN GENERAL.—Except as provided in para-
9 graph (2), the duration of a waiver approved by the
10 Secretary under this section may be for a period not
11 to exceed 3 years.

12 “(2) EXTENSION.—The Secretary may extend
13 the period described in paragraph (1) if the Sec-
14 retary determines that—

15 “(A) the waiver has been effective in ena-
16 bling the State or affected recipients to carry
17 out the activities for which the waiver was re-
18 quested and the waiver has contributed to im-
19 proved student performance; and

20 “(B) such extension is in the public inter-
21 est.

22 “(e) REPORTS.—

23 “(1) LOCAL WAIVER.—A local educational agen-
24 cy that receives a waiver under this section shall at
25 the end of the second year for which a waiver is re-

1 ceived under this section, and each subsequent year,
2 submit a report to the State educational agency
3 that—

4 “(A) describes the uses of such waiver by
5 such agency or by schools;

6 “(B) describes how schools continued to
7 provide assistance to the same populations
8 served by the programs for which waivers are
9 requested; and

10 “(C) evaluates the progress of such agency
11 and of schools in improving the quality of in-
12 struction or the academic performance of stu-
13 dents.

14 “(2) STATE WAIVER.—A State educational
15 agency that receives reports required under para-
16 graph (1) shall annually submit a report to the Sec-
17 retary that is based on such reports and contains
18 such information as the Secretary may require.

19 “(3) INDIAN TRIBE WAIVER.—An Indian tribe
20 that receives a waiver under this section shall annu-
21 ally submit a report to the Secretary that—

22 “(A) describes the uses of such waiver by
23 schools operated by such tribe; and

1 “(B) evaluates the progress of such schools
2 in improving the quality of instruction or the
3 academic performance of students.

4 “(4) REPORT TO CONGRESS.—Beginning in fis-
5 cal year 1997 and each subsequent year, the Sec-
6 retary shall submit to the Committee on Education
7 and the Workforce of the House of Representatives
8 and the Committee on Health, Education, Labor
9 and Pensions of the Senate an annual report—

10 “(A) summarizing the uses of waivers by
11 State educational agencies, local educational
12 agencies, Indian tribes, and schools; and

13 “(B) describing whether such waivers—

14 “(i) increased the quality of instruc-
15 tion to students; or

16 “(ii) improved the academic perform-
17 ance of students.

18 “(f) TERMINATION OF WAIVERS.—The Secretary
19 shall terminate a waiver under this section if the Secretary
20 determines that the performance of the State or other re-
21 cipient affected by the waiver has been inadequate to jus-
22 tify a continuation of the waiver or if the waiver is no
23 longer necessary to achieve its original purposes.

24 “(g) PUBLICATION.—A notice of the Secretary’s deci-
25 sion to grant each waiver under subsection (a) shall be

1 published in the Federal Register and the Secretary shall
2 provide for the dissemination of such notice to State edu-
3 cational agencies, interested parties, including educators,
4 parents, students, advocacy and civil rights organizations,
5 and the public.

6 **“PART E—UNIFORM PROVISIONS**

7 **“SEC. 14501. MAINTENANCE OF EFFORT.**

8 “(a) IN GENERAL.—A local educational agency may
9 receive funds under a covered program for any fiscal year
10 only if the State educational agency finds that either the
11 combined fiscal effort per student or the aggregate ex-
12 penditures of such agency and the State with respect to
13 the provision of free public education by such agency for
14 the preceding fiscal year was not less than 90 percent of
15 such combined fiscal effort or aggregate expenditures for
16 the second preceding fiscal year.

17 “(b) REDUCTION IN CASE OF FAILURE TO MEET.—

18 “(1) IN GENERAL.—The State educational
19 agency shall reduce the amount of the allocation of
20 funds under a covered program in any fiscal year in
21 the exact proportion to which a local educational
22 agency fails to meet the requirement of subsection
23 (a) by falling below 90 percent of both the combined
24 fiscal effort per student and aggregate expenditures

1 (using the measure most favorable to such local
2 agency).

3 “(2) SPECIAL RULE.—No such lesser amount
4 shall be used for computing the effort required
5 under subsection (a) for subsequent years.

6 “(c) WAIVER.—The Secretary may waive the require-
7 ments of this section if the Secretary determines that such
8 a waiver would be equitable due to—

9 “(1) exceptional or uncontrollable circumstances
10 such as a natural disaster; or

11 “(2) a precipitous decline in the financial re-
12 sources of the local educational agency.

13 **“SEC. 14502. PROHIBITION REGARDING STATE AID.**

14 “A State shall not take into consideration payments
15 under this Act (other than under title VIII) in determining
16 the eligibility of any local educational agency in such State
17 for State aid, or the amount of State aid, with respect
18 to free public education of children.

19 **“SEC. 14503. PARTICIPATION BY PRIVATE SCHOOL CHIL-
20 DREN AND TEACHERS.**

21 “(a) PRIVATE SCHOOL PARTICIPATION.—

22 “(1) IN GENERAL.—Except as otherwise pro-
23 vided in this Act, to the extent consistent with the
24 number of eligible children in a State educational
25 agency, local educational agency, or educational

1 service agency or consortium of such agencies receiv-
2 ing financial assistance under a program specified in
3 subsection (b), who are enrolled in private elemen-
4 tary and secondary schools in such agency or consor-
5 tium, such agency or consortium shall, after timely
6 and meaningful consultation with appropriate pri-
7 vate school officials, provide such children and their
8 teachers or other educational personnel, on an equi-
9 table basis, special educational services or other ben-
10 efits under such program.

11 “(2) SECULAR, NEUTRAL, AND NONIDEOLOG-
12 ICAL SERVICES OR BENEFITS.—Educational services
13 or other benefits, including materials and equipment,
14 provided under this section, shall be secular, neutral,
15 and nonideological.

16 “(3) SPECIAL RULE.—Educational services and
17 other benefits provided under this section for such
18 private school children, teachers, and other edu-
19 cational personnel shall be equitable in comparison
20 to services and other benefits for public school chil-
21 dren, teachers, and other educational personnel par-
22 ticipating in such program.

23 “(4) EXPENDITURES.—Expenditures for edu-
24 cational services and other benefits provided under
25 this section to eligible private school children, their

1 teachers, and other educational personnel serving
2 such children shall be equal, taking into account the
3 number and educational needs of the children to be
4 served, to the expenditures for participating public
5 school children.

6 “(5) PROVISION OF SERVICES.—Such agency or
7 consortium described in subsection (a)(1) may pro-
8 vide such services directly or through contracts with
9 public and private agencies, organizations, and insti-
10 tutions.

11 “(b) APPLICABILITY.—

12 “(1) IN GENERAL.—This section applies to pro-
13 grams under—

14 “(A) part C of title I (migrant education);

15 “(B) title II (other than section 2103 and
16 part D of such title);

17 “(C) title VII;

18 “(D) title III (other than part B of such
19 title) (Star Schools); and

20 “(E) part A of title IV (other than section
21 4114).

22 “(2) DEFINITION.—For the purposes of this
23 section, the term eligible children means children eli-
24 gible for services under a program described in para-
25 graph (1).

1 “(c) CONSULTATION.—

2 “(1) IN GENERAL.—To ensure timely and
3 meaningful consultation, a State educational agency,
4 local educational agency, educational service agency
5 or consortium of such agencies shall consult with ap-
6 propriate private school officials during the design
7 and development of the programs under this Act, on
8 issues such as—

9 “(A) how the childrens needs will be identi-
10 fied;

11 “(B) what services will be offered;

12 “(C) how and where the services will be
13 provided; and

14 “(D) how the services will be assessed.

15 “(2) TIMING.—Such consultation shall occur
16 before the agency or consortium makes any decision
17 that affects the opportunities of eligible private
18 school children, teachers, and other educational per-
19 sonnel to participate in programs under this Act.

20 “(3) DISCUSSION REQUIRED.—Such consulta-
21 tion shall include a discussion of service delivery
22 mechanisms that the agency or consortium could use
23 to provide equitable services to eligible private school
24 children, teachers, administrators, and other staff.

25 “(d) PUBLIC CONTROL OF FUNDS.—

1 “(1) IN GENERAL.—The control of funds used
2 to provide services under this section, and title to
3 materials, equipment, and property purchased with
4 such funds, shall be in a public agency for the uses
5 and purposes provided in this Act, and a public
6 agency shall administer such funds and property.

7 “(2) PROVISION OF SERVICES.—

8 “(A) THE PROVISION OF SERVICES UNDER
9 THIS SECTION SHALL BE PROVIDED—

10 “(i) by employees of a public agency;

11 or

12 “(ii) through contract by such public
13 agency with an individual, association,
14 agency, or organization.

15 “(B) In the provision of such services, such
16 employee, person, association, agency, or orga-
17 nization shall be independent of such private
18 school and of any religious organization, and
19 such employment or contract shall be under the
20 control and supervision of such public agency.

21 “(C) Funds used to provide services under
22 this section shall not be commingled with non-
23 Federal funds.

1 **“SEC. 14504. STANDARDS FOR BY-PASS.**

2 “If, by reason of any provision of law, a State edu-
3 cational agency, local educational agency, educational
4 service agency or consortium of such agencies is prohibited
5 from providing for the participation in programs of chil-
6 dren enrolled in, or teachers or other educational per-
7 sonnel from, private elementary and secondary schools, on
8 an equitable basis, or if the Secretary determines that
9 such agency or consortium has substantially failed or is
10 unwilling to provide for such participation, as required by
11 section 14503, the Secretary shall—

12 “(1) waive the requirements of that section for
13 such agency or consortium; and

14 “(2) arrange for the provision of equitable serv-
15 ices to such children, teachers, or other educational
16 personnel through arrangements that shall be sub-
17 ject to the requirements of this section and of sec-
18 tions 14503, 14505, and 14506.

19 **“SEC. 14505. COMPLAINT PROCESS FOR PARTICIPATION OF**
20 **PRIVATE SCHOOL CHILDREN.**

21 “(a) PROCEDURES FOR COMPLAINTS.—The Sec-
22 retary shall develop and implement written procedures for
23 receiving, investigating, and resolving complaints from
24 parents, teachers, or other individuals and organizations
25 concerning violations of section 14503 by a State edu-
26 cational agency, local educational agency, educational

1 service agency, or consortium of such agencies. Such indi-
2 vidual or organization shall submit such complaint to the
3 State educational agency for a written resolution by the
4 State educational agency within a reasonable period of
5 time.

6 “(b) APPEALS TO THE SECRETARY.—Such resolution
7 may be appealed by an interested party to the Secretary
8 not later than 30 days after the State educational agency
9 resolves the complaint or fails to resolve the complaint
10 within a reasonable period of time. Such appeal shall be
11 accompanied by a copy of the State educational agency’s
12 resolution, and a complete statement of the reasons sup-
13 porting the appeal. The Secretary shall investigate and re-
14 solve each such appeal not later than 120 days after re-
15 ceipt of the appeal.

16 **SEC. 14506. BY-PASS DETERMINATION PROCESS.**

17 “(a) REVIEW.—

18 “(1) IN GENERAL.—

19 “(A) The Secretary shall not take any final
20 action under section 14504 until the State edu-
21 cational agency, local educational agency, edu-
22 cational service agency, or consortium of such
23 agencies affected by such action has had an op-
24 portunity, for not less than 45 days after re-
25 ceiving written notice thereof, to submit written

1 objections and to appear before the Secretary to
2 show cause why that action should not be
3 taken.

4 “(B) Pending final resolution of any inves-
5 tigation or complaint that could result in a de-
6 termination under this section, the Secretary
7 may withhold from the allocation of the affected
8 State or local educational agency the amount
9 estimated by the Secretary to be necessary to
10 pay the cost of those services.

11 “(2) PETITION FOR REVIEW.—

12 “(A) If such affected agency or consortium
13 is dissatisfied with the Secretary’s final action
14 after a proceeding under paragraph (1), such
15 agency or consortium may, within 60 days after
16 notice of such action, file with the United
17 States court of appeals for the circuit in which
18 such State is located a petition for review of
19 that action.

20 “(B) A copy of the petition shall be forth-
21 with transmitted by the clerk of the court to the
22 Secretary.

23 “(C) The Secretary upon receipt of the
24 copy of the petition shall file in the court the
25 record of the proceedings on which the Sec-

1 retary based this action, as provided in section
2 2112 of title 28, United States Code.

3 “(3) FINDINGS OF FACT.—

4 “(A) The findings of fact by the Secretary,
5 if supported by substantial evidence, shall be
6 conclusive, but the court, for good cause shown,
7 may remand the case to the Secretary to take
8 further evidence and the Secretary may then
9 make new or modified findings of fact and may
10 modify the Secretary’s previous action, and
11 shall file in the court the record of the further
12 proceedings.

13 “(B) Such new or modified findings of fact
14 shall likewise be conclusive if supported by sub-
15 stantial evidence.

16 “(4) JURISDICTION.—

17 “(A) Upon the filing of such petition, the
18 court shall have jurisdiction to affirm the action
19 of the Secretary or to set such action aside, in
20 whole or in part.

21 “(B) The judgment of the court shall be
22 subject to review by the Supreme Court of the
23 United States upon certiorari or certification as
24 provided in section 1254 of title 28, United
25 States Code.

1 “(b) DETERMINATION.—Any determination by the
2 Secretary under this section shall continue in effect until
3 the Secretary determines, in consultation with such agency
4 or consortium and representatives of the affected private
5 school children, teachers, or other educational personnel
6 that there will no longer be any failure or inability on the
7 part of such agency or consortium to meet the applicable
8 requirements of section 14503 or any other provision of
9 this Act.

10 “(c) PAYMENT FROM STATE ALLOTMENT.—When
11 the Secretary arranges for services pursuant to this sec-
12 tion, the Secretary shall, after consultation with the ap-
13 propriate public and private school officials, pay the cost
14 of such services, including the administrative costs of ar-
15 ranging for those services, from the appropriate allocation
16 or allocations under this Act.

17 “(d) PRIOR DETERMINATION.—Any by-pass deter-
18 mination by the Secretary under this Act as in effect on
19 the day preceding the date of enactment of the Safe and
20 Successful Schools Act shall remain in effect to the extent
21 the Secretary determines that such determination is con-
22 sistent with the purpose of this section.

1 **“SEC. 14507. PROHIBITION AGAINST FUNDS FOR RELIGIOUS**
2 **WORSHIP OR INSTRUCTION AND**
3 **VOUCHERIZED ASSISTANCE.**

4 “(a) Nothing contained in this Act shall be construed
5 to authorize the making of any payment under this Act
6 for religious worship or instruction.

7 “(b) Notwithstanding any other provision of this Act,
8 no services under this Act may be provided through vouch-
9 er or certificate.

10 **“SEC. 14508. APPLICABILITY TO HOME SCHOOLS.**

11 Nothing in this Act shall be construed to affect home
12 schools.

13 **“SEC. 14509. GENERAL PROVISION REGARDING NON-**
14 **RECIPIENT NONPUBLIC SCHOOLS.**

15 “Nothing in this Act shall be construed to permit,
16 allow, encourage, or authorize any Federal control over
17 any aspect of any private, religious, or home school,
18 whether or not a home school is treated as a private school
19 or home school under State law. This section shall not be
20 construed to bar private, religious, or home schools from
21 participation in programs or services under this Act.

22 **“SEC. 14510. SCHOOL PRAYER.**

23 “Any State or local educational agency that is ad-
24 judged by a Federal court of competent jurisdiction to
25 have willfully violated a Federal court order mandating
26 that such local educational agency remedy a violation of

1 the constitutional right of any student with respect to
2 prayer in public schools, in addition to any other judicial
3 remedies, shall be ineligible to receive Federal funds under
4 this Act until such time as the local educational agency
5 complies with such order. Funds that are withheld under
6 this section shall not be reimbursed for the period during
7 which the local educational agency was in willful non-
8 compliance.

9 **“SEC. 14511. GENERAL PROHIBITIONS.**

10 “(a) PROHIBITION.—None of the funds authorized
11 under this Act shall be used—

12 “(1) to develop or distribute materials, or oper-
13 ate programs or courses of instruction directed at
14 youth that are designed to promote or encourage,
15 sexual activity;

16 “(2) to distribute or to aid in the distribution
17 by any organization of legally obscene materials to
18 minors on school grounds;

19 “(3) to purchase unsafe needles;

20 “(4) to provide sex education or HIV preven-
21 tion education in schools unless such instruction is
22 age appropriate and includes the health benefits of
23 abstinence; or

24 “(5) to operate a program of condom distribu-
25 tion in schools.

1 “(b) LOCAL CONTROL.—Nothing in this section shall
2 be construed to—

3 “(1) authorize an officer or employee of the
4 Federal Government to mandate, direct, review, or
5 control a State, local educational agency, or school’s
6 instructional content, curriculum, and related activi-
7 ties;

8 “(2) limit the application of the General Edu-
9 cation Provisions Act;

10 “(3) require the distribution of scientifically or
11 medically false or inaccurate materials or to prohibit
12 the distribution of scientifically or medically true or
13 accurate materials; or

14 “(4) create any legally enforceable right.

15 **“SEC. 14512. PROHIBITION ON FEDERAL MANDATES, DIREC-**
16 **TION, AND CONTROL.**

17 “Nothing in this Act shall be construed to authorize
18 an officer or employee of the Federal Government to man-
19 date, direct, or control a State, local educational agency,
20 or schools curriculum, program of instruction, or alloca-
21 tion of State or local resources, or mandate a State or
22 any subdivision thereof to spend any funds or incur any
23 costs not paid for under this Act.

1 **“SEC. 14513. REPORT.**

2 “The Secretary shall report to the Congress not later
3 than 180 days after the date of enactment of the Safe
4 and Successful Schools Act regarding how the Secretary
5 shall ensure that audits conducted by Department employ-
6 ees of activities assisted under this Act comply with
7 changes to this Act made by the Safe and Successful
8 Schools Act, particularly with respect to permitting chil-
9 dren with similar educational needs to be served in the
10 same educational settings, where appropriate.

11 **“SEC. 14514. REQUIRED PARTICIPATION PROHIBITED.**

12 “Notwithstanding any other provision of law, no
13 State shall be required to participate in any program
14 under the Goals 2000: Educate America Act, or to have
15 content standards or student performance standards ap-
16 proved or certified under such Act, in order to receive as-
17 sistance under this Act.

18 **“SEC. 14515. TEACHER QUALITY.**

19 “All State educational agencies receiving funds under
20 this Act shall have a plan in place to have all teachers
21 in such State fully qualified, as defined under section
22 14101, by September 30, 2003. Such States shall report
23 annually to the Secretary on their progress in imple-
24 menting this plan.

1 **“SEC. 14516. PRIVACY FOR STUDENTS.**

2 “(a) IN GENERAL.—No State educational agency or
3 local educational agency that receives funds under this Act
4 may enter into an agreement, or allow a school under its
5 supervision to enter into an agreement, with any person
6 or entity that allows such person or entity to monitor,
7 gather, or obtain information used to advertise, sell, or
8 develop a product from any student under 18 years of age
9 unless such agreement requires the written permission of
10 the parent of such student prior to monitoring, gathering,
11 or obtaining such information.

12 “(b) NATURE OF INFORMATION COLLECTED.—Be-
13 fore a school, local educational agency, or State edu-
14 cational agency, as the case may be, enters into an agree-
15 ment to allow a person or entity to monitor, gather, or
16 obtain information used to advertise, sell, or develop a
17 product from any student under 18 years, the school,
18 agency, or State shall ascertain the nature of the informa-
19 tion to be collected, how the information will be used, if
20 the information will be sold, distributed, or transferred to
21 any person or entity, and the amount of class time, if any,
22 that will be consumed by such activity.

23 “(c) CONSENT FORM.—The written permission re-
24 quired by subsection (a) shall clearly disclose to the parent
25 the nature of the agreement between a school, local edu-

1 cational agency, or State educational agency, as the case
2 may be, and the person or entity, including—

3 “(1) the dollar amount of any consideration
4 paid under the agreement;

5 “(2) the nature of the information to be gath-
6 ered;

7 “(3) how the information will be used;

8 “(4) whether the information will be sold, dis-
9 tributed, or transferred to any other entity; and

10 “(5) the amount of class time, if any, that will
11 be consumed by such activity.

12 “(d) EXCEPTIONS.—This section shall not apply to—

13 “(1) the recruitment activities of any institution
14 of higher education, as such term is defined in sec-
15 tion 102 of the Higher Education Act of 1965;

16 “(2) the development and administration of
17 tests and assessments used by elementary and sec-
18 ondary schools to provide cognitive, evaluative, diag-
19 nostic, aptitude, or achievement information about
20 students (or for normalizing data), and the subse-
21 quent analysis and public release of aggregate data,
22 if—

23 “(A) the information is not used to sell,
24 advertise, or develop another product; and

1 “(B) the tests are conducted in accordance
2 with applicable Federal, State, and local poli-
3 cies;

4 “(3) the development and administration of
5 educational curriculum and instructional materials
6 used by elementary and secondary schools to teach
7 core academic subjects, if—

8 “(A) the information is not used to sell,
9 advertise, or develop another product; and

10 “(B) the curriculum and instructional ma-
11 terials are used in accordance with applicable
12 Federal, State, and local policies; or

13 “(4) contact information collected from a stu-
14 dent that is used only to respond directly to a spe-
15 cific request from the student for a transaction, if
16 the information—

17 “(A) is not used for any purpose other
18 than as required in order to effect the trans-
19 action with the student; and

20 “(B) is not used to recontact the student
21 in order to advertise, sell, or develop any other
22 product or service to the student.

23 **“PART F—EVALUATIONS**

24 **“SEC. 14601. EVALUATIONS.**

25 “(a) EVALUATIONS.—

1 “(1) IN GENERAL.—Except as provided in para-
2 graph (2), the Secretary is authorized to reserve not
3 more than 0.50 percent of the amount appropriated
4 to carry out each program authorized under this
5 Act—

6 “(A) to carry out comprehensive evalua-
7 tions of categorical programs and demonstra-
8 tion projects, and studies of program effective-
9 ness, under this Act, and the administrative im-
10 pact of such programs on schools and local edu-
11 cational agencies in accordance with subsection
12 (b);

13 “(B) to evaluate the aggregate short- and
14 long-term effects and cost efficiencies across
15 Federal programs under this Act and related
16 Federal preschool, elementary and secondary
17 programs under other Federal law; and

18 “(C) to strengthen the usefulness of grant
19 recipient evaluations for continuous program
20 progress through improving the quality, timeli-
21 ness, efficiency, and utilization of program in-
22 formation on program performance.

23 “(2) SPECIAL RULE.—

24 “(A) Paragraph (1) shall not apply to any
25 program under title I.

1 “(B) If funds are made available under
2 any program assisted under this Act (other
3 than a program under title I) for evaluation ac-
4 tivities, then the Secretary shall reserve no ad-
5 ditional funds pursuant to the authority in sub-
6 section (a)(1) to evaluate such program, but
7 shall coordinate the evaluation of such program
8 with the national evaluation described in sub-
9 section (b).

10 “(b) NATIONAL EVALUATION.—The Secretary shall
11 use funds reserved under subsection (a) to conduct inde-
12 pendent studies of programs under this Act and the effec-
13 tiveness of those programs in achieving their purposes, to
14 determine whether those programs (or the administration
15 of those programs) are—

16 “(1) contributing to improved student academic
17 performance;

18 “(2) supporting the development of challenging
19 standards and aligned assessments that guide other
20 elements of school reform, including teacher certifi-
21 cation, curriculum frameworks, instruction, and pro-
22 fessional development;

23 “(3) assisting efforts in schools and classrooms
24 to improve teaching and the climate for learning,
25 particularly in high-poverty schools, including efforts

1 related to technology, professional development,
2 school violence and drug prevention, and public
3 school choice;

4 “(4) promoting flexibility with accountability;

5 “(5) supporting efforts to strengthen family
6 and community involvement in education;

7 “(6) targeting their resources effectively;

8 “(7) contributing to reform efforts and contin-
9 uous improvement; and

10 “(8) achieving other goals consistent with the
11 purposes of this Act.

12 “(c) INDEPENDENT PANEL.—The Secretary shall es-
13 tablish an independent panel to review studies under sub-
14 section (b) to advise the Secretary on their progress, and
15 to comment, if the panel chooses, on the final report de-
16 scribed in subsection (d).

17 “(d) REPORTS.—The Secretary shall submit an in-
18 terim report on the evaluation described in subsection (b)
19 within three years of enactment of the Safe and Successful
20 Schools Act and a final report within four years of its en-
21 actment to the Committee on Education and the Work-
22 force of the House of Representatives and to the Com-
23 mittee on Health, Education, Labor, and Pensions of the
24 Senate.

1 “(e) PARTNERSHIPS TO STRENGTHEN PERFORM-
2 ANCE INFORMATION FOR IMPROVEMENT.—The Secretary
3 may provide technical assistance to recipients of assistance
4 under this Act in order to strengthen the collection and
5 assessment of information relating to program perform-
6 ance and quality assurance at the State and local levels.
7 Such technical assistance shall be designed to promote the
8 development, measurement, use, and reporting of data on
9 valid, reliable, timely, and consistent performance indica-
10 tors, within and across programs, and may include one-
11 time grants, from funds reserved under subsection (a), to
12 recipients to develop their data systems with the goal of
13 helping recipients make continuous program improvement.

14 **“SEC. 14602. PERFORMANCE MEASURES.**

15 “(a) IN GENERAL.—The Secretary is authorized to
16 establish performance indicators, benchmarks, and targets
17 for each program under this Act and subtitle B of title
18 VII of the Stewart B. McKinney Homeless Assistance Act,
19 to assist in measuring program performance. Indicators,
20 benchmarks, and targets under this section shall be con-
21 sistent with the Government Performance and Results Act
22 of 1993 (and strategic plans adopted by the Secretary
23 under that Act).

24 “(b) COLLABORATION.—The Secretary shall collabo-
25 rate with State educational agencies, local educational

1 agencies, and other recipients under this Act in estab-
2 lishing performance indicators, benchmarks, and targets
3 under this section.

4 “(c) PLANS AND APPLICATIONS.—The Sec-
5 retary may require any applicant for funds under
6 this Act or subtitle B of title VII of the Stewart B.
7 McKinney Homeless Assistance Act to—

8 “(1) include in its plan or application informa-
9 tion relating to how it will use performance indica-
10 tors, benchmarks, and targets under this section to
11 improve its program performance; and

12 “(2) report data relating to such performance
13 indicators, benchmarks, and targets to the Sec-
14 retary.

15 **“PART G—SENSE OF CONGRESS**

16 **“SEC. 14701. SENSE OF CONGRESS; REQUIREMENT REGARD-**
17 **ING NOTICE.**

18 “(a) PURCHASE OF AMERICAN-MADE EQUIPMENT
19 AND PRODUCTS.—In the case of any equipment or prod-
20 ucts that may be authorized to be purchased with financial
21 assistance provided under this Act, it is the sense of the
22 Congress that entities receiving such assistance should, in
23 expending the assistance, purchase only American-made
24 equipment and products.

1 “(b) NOTICE TO RECIPIENTS OF ASSISTANCE.—In
2 providing financial assistance under this Act, the head of
3 each Federal agency shall provide to each recipient of the
4 assistance a notice describing the statement made in sub-
5 section (a) by the Congress.”.

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