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113TH CONGRESS
1ST SESSION

S. 1094

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

IN THE SENATE OF THE UNITED STATES

JUNE 4, 2013

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

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A BILL

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Strengthening America's Schools Act of 2013''.

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Sec. 2101. Supporting teacher and principal excellence.

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

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Sec. 4102. Improving literacy instruction and student achievement.
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SEC. 3. REFERENCES.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.).

SEC. 4. TRANSITION.

(a) MULTI-YEAR AWARDS.—Except as otherwise provided in this Act, the recipient of a multi-year award under the Elementary and Secondary Education Act of 1965, as that Act was in effect prior to the date of enactment of this Act, shall continue to receive funds in accordance with the terms of that award, except that no additional funds may be awarded after September 30, 2014. In the case of a State that received a flexibility waiver from the Secretary of Education under the authority of section 9401 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7861), as such section was in effect on the day before the date of enactment of this Act,

such waiver shall no longer apply, and no additional funds associated with such waiver shall be awarded, after the completion of the original waiver period.

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

(c) ORDERLY TRANSITION.—The Secretary shall take such steps as are necessary to provide for the orderly transition to, and implementation of, programs authorized by this Act, and by the amendments made by this Act, from programs authorized by the Elementary and Secondary Education Act of 1965, as that Act was in effect prior to the date of enactment of this Act except in such cases where this Act requires specific transition steps to take place.

SEC. 5. EFFECTIVE DATES.

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

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

(c) COMPETITIVE PROGRAMS.—With respect to programs that are conducted by the Secretary on a competitive basis, this Act, and the amendments made by this Act, shall take effect with respect to appropriations for use under those programs for fiscal year 2014.

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

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

Section 2 is amended to read as follows:

"SEC. 2. TABLE OF CONTENTS.

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

''Sec. 1. Short title.
''Sec. 2. Table of contents.
''Sec. 3. Authorization of appropriations.

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SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

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

"SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

"(a) LOCAL EDUCATIONAL AGENCY GRANTS.—

"(1) IN GENERAL.—There are authorized to be appropriated to carry out part A of title I (except for sections 1116(g), 1125A, 1132, and subpart 4 of part A of such title) such sums as may be necessary for fiscal year 2014 and each of the 4 succeeding fiscal years.

"(2) SCHOOL IMPROVEMENT GRANTS, NATIONAL ACTIVITIES, AND EVALUATION.—

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

"(B) RESERVATION FOR NATIONAL ACTIVITIES.—Of the amounts appropriated under subparagraph (A) for a fiscal year, the Secretary shall reserve not more than 2 percent for the national activities described in section 1116(f)(6).

"(3) EDUCATION FINANCE INCENTIVE GRANT PROGRAM.—There are authorized to be appropriated to carry out section 1125A such sums as may be necessary for fiscal year 2014 and each of the 4 succeeding fiscal years.

"(4) CENTERS OF EXCELLENCE IN EARLY CHILDHOOD.—There are authorized to be appropriated to carry out section 1132 such sums as may be necessary for fiscal year 2014 and each of the 4 succeeding fiscal years.

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

"(1) NATIONAL ASSESSMENT OF EDUCATIONAL PROGRESS.—For the purpose of administering the State assessments under the National Assessment of Educational Progress, there are authorized to be appropriated such sums as may be necessary for fiscal year 2014 and each of the 4 succeeding fiscal years.

"(2) STATE ASSESSMENTS AND RELATED ACTIVITIES.—For the purpose of carrying out assessment and related activities under subpart 4 of part A of title I, there are authorized to be appropriated such sums as may be necessary for fiscal year 2014 and each of the 4 succeeding fiscal years.

"(c) PATHWAYS TO COLLEGE.—For the purposes of carrying out part B of title I, Pathways to College, there are authorized to be appropriated such sums as may be necessary for fiscal year 2014 and each of the 4 succeeding fiscal years.

"(d) EDUCATION OF MIGRATORY CHILDREN.—For the purposes of carrying out part C of title I, Education of Migratory Children, there are authorized to be appropriated such sums as may be necessary for fiscal year 2014 and each of the 4 succeeding fiscal years.

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

"(f) CONTINUOUS IMPROVEMENT AND SUPPORT FOR TEACHERS AND PRINCIPALS.—

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

"(2) PRINCIPAL RECRUITMENT AND TRAINING.—For the purposes of carrying out subpart 5 of part A of title II, Principal Recruitment and Training, there are authorized to be appropriated such sums as may be necessary for fiscal year 2014 and each of the 4 succeeding fiscal years.

"(g) TEACHER PATHWAYS TO THE CLASSROOM.—For the purposes of carrying out part B of title II, Teacher Pathways to the Classroom, there are authorized to be appropriated such sums as may be necessary for fiscal year 2014 and each of the 4 succeeding fiscal years.

"(h) TEACHER INCENTIVE FUND.—For the purposes of carrying out part C of title II, Teacher Incentive Fund, there are authorized to be appropriated such sums as may be necessary for fiscal year 2014 and each of the 4 succeeding fiscal years.

"(i) ACHIEVEMENT THROUGH TECHNOLOGY AND INNOVATION.—For the purposes of carrying out part D of title II, Achievement through Technology and Innovation, there are authorized to be appropriated such sums as may

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

"(j) ENGLISH LEARNERS AND IMMIGRANT STUDENTS.—For the purposes of carrying out title III, Language and Academic Content Instruction for English Learners and Immigrant Students, there are authorized to be appropriated such sums as may be necessary for fiscal year 2014 and each of the 4 succeeding fiscal years.

"(k) IMPROVING LITERACY AND STUDENT ACHIEVEMENT.—

"(1) IMPROVING LITERACY.—For the purposes of carrying out subpart 1 of part A of title IV, Improving Literacy Instruction, there are authorized to be appropriated such sums as may be necessary for fiscal year 2014 and each of the 4 succeeding fiscal years.

"(2) EFFECTIVE SCHOOL LIBRARY PROGRAMS.—For the purposes of carrying out subpart 2 of part A of title IV, Improving Literacy and College and Career Readiness Through Effective School Library Programs, there are authorized to be appropriated such sums as may be necessary for fiscal year 2014 and each of the 4 succeeding fiscal years.

"(l) IMPROVING SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS INSTRUCTION AND STUDENT

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

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

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

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

"(p) PROMISE NEIGHBORHOODS.—For the purposes of carrying out part G of title IV, Promise Neighborhoods, there are authorized to be appropriated such sums as may be necessary for fiscal year 2014 and each of the 4 succeeding fiscal years.

"(q) PARENT AND FAMILY INFORMATION AND RESOURCE CENTERS.—For the purposes of carrying out part H of title IV, Parent and Family Information and Resource Centers, there are authorized to be appropriated such sums as may be necessary for fiscal year 2014 and each of the 4 succeeding fiscal years.

"(r) READY-TO-LEARN.—For the purposes of carrying out part I of title IV, Ready-to-Learn, there are authorized to be appropriated such sums as may be necessary for fiscal year 2014 and each of the 4 succeeding fiscal years.

"(s) PROGRAMS OF NATIONAL SIGNIFICANCE.—For the purposes of carrying out part I of title IV, Programs of National Significance, there are authorized to be appropriated such sums as may be necessary for fiscal year 2014 and each of the 4 succeeding fiscal years.

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

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

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

"(v) MAGNET SCHOOLS ASSISTANCE.—For the purposes of carrying out part C of title V, Magnet Schools Assistance, there are authorized to be appropriated such sums as may be necessary for fiscal year 2014 and each of the 4 succeeding fiscal years.

"(w) PUBLIC CHARTER SCHOOLS.—For the purposes of carrying out part D of title V, Public Charter Schools, there are authorized to be appropriated such sums as may be necessary for fiscal year 2014 and each of the 4 succeeding fiscal years.

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

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

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

"(z) INDIAN, NATIVE HAWAIIAN, AND ALASKA NATIVE EDUCATION.—

"(1) INDIAN EDUCATION AND NATIVE HAWAIIAN EDUCATION.—For the purposes of carrying out part A and subpart 1 of part B of title VII, Indian Education and Native Hawaiian Education, there are authorized to be appropriated such sums as may be necessary for fiscal year 2014 and each of the 4 succeeding fiscal years.

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

"(aa) IMPACT AID.—For the purposes of carrying out title VIII, Impact Aid, there are authorized to be appropriated such sums as may be necessary for fiscal year 2014 and each of the 4 succeeding fiscal years, in accordance with the following:

"(1) PAYMENTS FOR FEDERAL ACQUISITION OF REAL PROPERTY.—For the purpose of making payments under section 8002, there are authorized to be appropriated such sums as may be necessary for

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

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

"(3) PAYMENTS FOR CHILDREN WITH DISABILITIES.—For the purpose of making payments under section 8003(d), there are authorized to be appropriated such sums as may be necessary for fiscal year 2014 and each of the 4 succeeding fiscal years.

"(4) CONSTRUCTION.—For the purpose of carrying out section 8007, there are authorized to be appropriated such sums as may be necessary for fiscal year 2014 and each of the 4 succeeding fiscal years.

"(5) FACILITIES MAINTENANCE.—For the purpose of carrying out section 8008, there are authorized to be appropriated such sums as may be necessary for fiscal year 2014 and each of the 4 succeeding fiscal years.".

TITLE I—COLLEGE AND CAREER READINESS FOR ALL STUDENTS

SEC. 1001. PURPOSE.

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

"SEC. 1001. PURPOSE.

''The purpose of this title is to ensure every child has a fair, equal, and significant opportunity to obtain a high-quality education and graduate from high school ready for college, career, and citizenship. This purpose can be accomplished by—

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

''(2) supporting high-quality teaching to continuously improve instruction and encourage new models of teaching and learning;

''(3) focusing on increasing student achievement and closing achievement gaps;

''(4) providing additional resources and supports to meet the needs of disadvantaged students, including children from low-income families and

those attending high-poverty schools, English learners, migratory children, children with disabilities, Indian children, and neglected or delinquent children;

''(5) providing young children with greater access to high-quality early learning experiences to ensure they enter school ready to learn;

''(6) removing barriers to, and encouraging State and local innovation and leadership in, education based on the evaluation of success and continuous improvement;

''(7) removing barriers and promoting integration across all levels of education, and across Federal education programs;

''(8) streamlining Federal requirements to reduce burdens on States, local educational agencies, schools, and educators; and

''(9) strengthening parental engagement and coordination of student, family, and community supports to promote student success.''.

SEC. 1002. STATE RESERVATIONS.

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

(1) by striking sections 1002 and 1003;

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

(3) in section 1002 (as redesignated by paragraph (2))—

(A) in the section heading, by inserting "**AND STATE ACCOUNTABILITY AND SUPPORT**" before the period at the end;

(B) by redesignating paragraphs (1) and (2) of subsection (a) as subparagraphs (A) and (B), respectively, and by aligning the margins of such subparagraphs with the margins of subparagraph (A) of section 1111(a)(1);

(C) by redesignating subsection (b) as paragraph (2) of subsection (a), and by aligning the margins of such paragraph with the margins of paragraph (1) of section 1111(a);

(D) by striking "IN GENERAL.—Except as provided in subsection (b)" and inserting the following: "STATE ADMINISTRATION.—

"(1) IN GENERAL.—Except as provided in paragraph (2)";

(E) in subsection (a)(2), as redesignated by subparagraph (C), by striking "subsection (a)(1)" and inserting "paragraph (1)(A)"; and

(F) by adding at the end the following:

"(b) ACCOUNTABILITY AND SUPPORT.—

"(1) IN GENERAL.—Each State may reserve not more than 6 percent of the amount the State receives under subpart 2 of part A to carry out paragraph (2) and to carry out the State and local educational agency responsibilities under section 1116, which may include carrying out a statewide system of technical assistance and support for local educational agencies and identifying and disseminating evidence-based practices.

"(2) USES.—Of the amount reserved under paragraph (1) for any fiscal year, the State educational agency—

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

"(B) may, with the approval of the local educational agency, directly provide for such activities or arrange for their provision through other entities such as educational service agencies and external providers with expertise in using strategies based on scientifically valid research to improve teaching, learning, and schools.

"(3) PRIORITY.—The State educational agency, in allocating funds to local educational agencies under this subsection, shall give priority to local educational agencies that—

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

"(B) demonstrate the greatest need for such funds; and

"(C) demonstrate the strongest commitment to use the funds to enable the lowest-achieving schools to improve student achievement and outcomes through the use of evidence-based practices that are consistent with the evidence standards described in section 5203(e).

"(4) UNUSED FUNDS.—If, after consultation with local educational agencies, the State educational agency determines the amount of funds reserved to carry out this subsection is greater than the amount needed to provide the assistance described in this subsection, the State educational agency shall allocate the excess amount to local educational agencies in accordance with—

"(A) the relative allocations the State educational agency made to those agencies for that fiscal year under subpart 2 of part A; or

"(B) section 1126(c).

"(5) SPECIAL RULE.—Notwithstanding any other provision of this subsection, the amount of funds reserved by the State educational agency under this subsection in any fiscal year shall not decrease the amount of funds each local educational agency receives under subpart 2 of part A below the amount received by such local educational agency under such subpart for the preceding fiscal year.

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

PART A—IMPROVING THE ACADEMIC ACHIEVEMENT OF THE DISADVANTAGED

SEC. 1111. STATE AND LOCAL REQUIREMENTS.

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

"SEC. 1111. STATE AND LOCAL REQUIREMENTS.

"(a) ACADEMIC STANDARDS, ACADEMIC ASSESSMENTS, AND ACCOUNTABILITY REQUIREMENTS.—

"(1) REQUIREMENTS FOR COLLEGE AND CAREER READY STATE STANDARDS.—In order to receive a grant under this part, each State shall demonstrate the State meets the following requirements:

"(A) COLLEGE AND CAREER READY ALIGNED STANDARDS FOR READING OR LANGUAGE ARTS AND MATHEMATICS.—

"(i) IN GENERAL.—The State shall—

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

"(II) not later than the beginning of the 2015–2016 school year, adopt college and career ready student academic achievement standards in reading or language arts and mathematics that meet the requirements of clauses (ii) and (iv).

"(ii) ALIGNMENT OF COLLEGE AND CAREER READY STANDARDS.—Each State

plan shall demonstrate the State has adopted college and career ready academic content standards and college and career ready student academic achievement standards aligned with—

"(I) credit-bearing academic coursework, without the need for remediation, at public institutions of higher education in the State; and

"(II) relevant State career and technical education standards and the State performance measures identified in the State plan under section 113(b) of the Carl D. Perkins Career and Technical Education Act of 2006; and

"(III)(aa) appropriate career skills; or

"(bb) standards that are State-developed and voluntarily adopted by a significant number of States.

"(iii) REQUIREMENTS FOR ACADEMIC CONTENT STANDARDS.—College and career ready academic content standards shall—

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

mentary schools, and public secondary schools in the State, to carry out the requirements of this part;

"(II) be the same standards that the State applies to all public elementary and secondary schools and students in the State;

"(III) include the same knowledge, skills, and levels of achievement expected of all elementary and secondary school students in the State; and

"(IV) be evidence-based and include rigorous content and skills, such as critical thinking, problem solving, and communication skills.

"(iv) REQUIREMENTS FOR STUDENT ACADEMIC ACHIEVEMENT STANDARDS.—College and career ready student academic achievement standards for a subject shall—

"(I) be aligned with the State's academic content standards described in clause (iii); and

"(II) establish the level of performance expected for each grade level that demonstrates the student has mastered the material in the State academic content standards for that grade.

"(B) SCIENCE STANDARDS.—A State—

"(i) shall demonstrate that the State has adopted, by not later than December 31, 2014, statewide academic content standards and student academic achievement standards in science that are aligned with the knowledge and skills needed to be college and career ready, as described in subparagraph (A)(ii); and

"(ii) may choose to use such standards as part of the State's accountability system under paragraph (3), if such standards meet the requirements of clauses (ii) through (iv) of subparagraph (A).

"(C) STANDARDS FOR OTHER SUBJECTS.—If a State adopts high-quality academic content standards and student academic achievement standards in subjects other than reading or language arts, mathematics, and

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

"(D) ALTERNATE ACADEMIC ACHIEVEMENT STANDARDS FOR STUDENTS WITH THE MOST SIGNIFICANT COGNITIVE DISABILITIES.—

"(i) IN GENERAL.—The State may, through a documented and validated standards-setting process, adopt alternate academic achievement standards in any subject included in the State's accountability system under paragraph (3) for students with the most significant cognitive disabilities, if—

"(I) the determination about whether the achievement of an individual student should be measured against such standards is made separately for each student in each subject being assessed;

"(II) all students who use such alternate academic achievement standards in a subject are assessed using the alternate assessments for such

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

"(III) such alternate academic achievement standards—

"(aa) are aligned with the State college and career ready academic content standards;

"(bb) provide access to the general curriculum and the student academic achievement standards; and

"(cc) reflect professional judgment as to the highest possible standards achievable by such student.

"(ii) PROHIBITION ON ANY OTHER ALTERNATE OR MODIFIED STANDARDS.—A State shall not develop, or implement for use, under this part any alternate or modified academic achievement standards for students who are children with disabilities that are not alternate academic achievement standards that meet the requirements of clause (i).

"(E) ENGLISH LANGUAGE PROFICIENCY STANDARDS.—A State shall, not later than December 31, 2015, adopt high-quality English language proficiency standards that—

"(i) are aligned with the State's academic content standards in reading or language arts under subparagraph (A) so that achieving English language proficiency, as measured by the State's English language proficiency standards, indicates a sufficient knowledge of English to allow the State to validly and reliably measure the student's achievement on the State's reading or language arts student academic achievement standards with no interventions designed to support English learners specifically;

"(ii) ensure proficiency in English for each of the domains of speaking, listening, reading, and writing;

"(iii) identify not less than 4 levels of English proficiency;

"(iv) address the different proficiency levels of English learners and set high expectations regarding academic achievement

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

"(v) are updated, not later than 1 year after the State adopts any new academic content standards in reading or language arts under this paragraph, in order to align the English language proficiency standards with the new content standards; and

"(vi) support teachers as teachers enhance instruction to support English learners.

"(F) EARLY LEARNING GUIDELINES AND EARLY GRADE STANDARDS.—A State that uses funds provided under this part to support early childhood education shall provide an assurance that, not later than December 31, 2015, the State will establish, or certify the existence of, early learning guidelines and early grade standards in accordance with the following:

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

opment Block Grant Act of 1990 (42 U.S.C. 9858 et seq.), and the State educational agency, the State shall complete a review, and revise or create, as necessary, the State's early learning guidelines for young children in order to promote developmentally appropriate, high-quality programs. Such guidelines shall—

"(I) address each of the age groups of infants, toddlers, and preschool-aged children;

"(II) be developed, as appropriate, in all domains of child development and learning (including language, literacy, mathematics, creative arts, science, social studies, social and emotional development, approaches to learning, and physical and health development) for each age group;

"(III) reflect research and evidence-based developmental and learning expectations, including the foundation for and progression in how children develop and learn the requisite skills and content from one

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

"(IV) address the cultural and linguistic diversity and the diverse abilities of young children, including infants, toddlers, and preschoolers with disabilities;

"(V) inform teaching practices, improve professional development, and support high-quality services in early childhood education programs;

"(VI) be made publicly available, including through electronic means; and

"(VII) for pre-school age children, appropriately assist in the transition of such children to kindergarten.

"(ii) EARLY GRADE STANDARDS.—In consultation with the State Advisory Council on Early Childhood Education and Care, the lead agency designated under section 658D of the Child Care and Development Block Grant of 1990 (42 U.S.C.

9858 et seq.), and the State educational agency, the State shall establish or review and revise, as needed, standards for kindergarten through grade 3 aligned with the college and career ready academic content and student academic achievement standards described in subsection (a)(1)(A) to ensure that such standards—

"(I) are developed in all domains of child development and learning (including cognitive, language, literacy, mathematics, creative arts, science, social studies, social and emotional development, physical development and health, and approaches to learning);

"(II) reflect research and evidence-based development and learning expectations for each level and address cultural, linguistic, and ability-level diversity; and

"(III) across grade levels, reflect progression in how children develop and learn the requisite skills and content from earlier grades forward, including preschool.

"(G) EXISTING STANDARDS.—Nothing in this part shall prohibit a State from revising, consistent with this section, any standard adopted under this part before, on, or after the date of enactment of the Strengthening America's Schools Act of 2013.

"(H) CONSTRUCTION.—Nothing in this section shall be construed to authorize the Secretary or other officer or employee of the Federal Government to mandate, direct, or control a State's college and career ready academic content or student academic achievement standards under subsection (a).

"(2) ACADEMIC ASSESSMENTS.—

"(A) STATE ASSESSMENTS.—The State shall, beginning not later than the beginning of the 2015–2016 school year, adopt and implement statewide assessments that—

"(i) include statewide assessments in reading or language arts, and mathematics, annually for grades 3 through 8 and not less frequently than once during grades 10 through 12, that—

"(I) are aligned with the State's academic content standards in such subjects under paragraph (1)(A);

"(II) are administered to all public elementary and secondary school students in the State;

"(III) measure the individual academic achievement of a student;

"(IV) assess the student's academic achievement based on the State's student academic achievement standards in the subject in order to measure—

"(aa) whether the student is performing at the student's grade level; and

"(bb) the specific grade level at which the student is performing in the subject;

"(V) measure individual student academic growth, including a measurement of the number of years of academic growth each student attains each year; and

"(VI) may, at the State's choosing—

"(aa) be administered through a single summative assessment each year; or

"(bb) be administered through multiple statewide assessments during the course of the year if the State can demonstrate to the Secretary's satisfaction the results of these multiple assessments, taken in their totality, provide a summative score that provides valid and reliable information on individual student academic growth, as described in subclause (V);

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

"(I) assess the student's academic achievement based on the State's student academic achievement

standards in science in order to measure—

"(aa) whether the student is performing at the student's grade level; and

"(bb) the specific grade level at which the student is performing in the subject;

"(II) measure individual student academic growth, including a measurement of the number of years of academic growth each student attains each year; and

"(iii) include the English language proficiency assessments and any alternate assessments described in subparagraphs (D) and (E), respectively; and

"(iv) at the discretion of the State, measure the proficiency of students in the other academic subjects for which the State has adopted academic content standards and student academic achievement standards under paragraph (1)(C).

"(B) REQUIREMENTS FOR ASSESSMENTS.—The assessments administered under this paragraph shall—

"(i) be the same academic assessments used to measure the achievement of all students, although the individual assessment items administered to a student in order to determine the specific grade level at which a student is performing may vary;

"(ii) be used only for purposes for which such assessments are valid and reliable, and be consistent with relevant, nationally recognized professional and technical standards;

"(iii) be used only if the State educational agency provides to the Secretary evidence that the assessments used are of adequate technical quality for each purpose required under this Act and are consistent with the requirements of this section, which evidence the Secretary may make public;

"(iv) involve multiple up-to-date measures of student academic achievement, including measures that—

"(I) assess the full range of academic content and student academic achievement standards under section 1111(a)(1) that students are expected to master;

"(II) measure students' mastery of content knowledge and their ability to use knowledge to think critically and solve problems, and to communicate effectively; and

"(III) may be partially delivered in the form of portfolios, projects, or extended performance tasks;

"(v) provide for—

"(I) the participation in such assessments of all students;

"(II) the inclusion of English learners, who shall be assessed in a valid and reliable manner and provided reasonable accommodations on assessments administered to such students under this paragraph, including,

to the extent practicable, assessments in the language and form most likely to yield accurate data on what such students know and can do in academic content areas, until such students have achieved English language proficiency as determined under subparagraph (D), except that the State may exempt any English learner at the lowest levels of English language proficiency from the reading or language arts assessment for not more than 2 years following the date of the student being identified as an English learner;

''(vi) shall—

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

''(II) provide for the reasonable adaptations for children with disabilities necessary to measure the academic achievement of such children in

a subject, relative to the State academic content standards and State student academic achievement standards under paragraph (1) for such subject;

"(III) provide for the valid and reliable accommodations for children with disabilities necessary to measure the academic achievement of such children in a subject, relative to the State academic content standards and State student academic achievement standards under paragraph (1) for such subject; and

"(IV) assess children with disabilities using the same, unmodified academic content standards used to measure children without disabilities in the same grade level, except in the case of alternate assessments administered in accordance with subparagraph (E);

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

guage arts of any student who has attended school in the United States (not including Puerto Rico) for 3 or more consecutive school years, except that, if the local educational agency determines, on a case-by-case individual basis, that academic assessments in another language or form would likely yield more accurate and reliable information on what such student knows and can do, the local educational agency may make a determination to assess such student in the appropriate language other than English for a period that does not exceed 2 additional consecutive years, if such student has not yet reached a level of English language proficiency sufficient to yield valid and reliable information on what such student knows and can do on tests (written in English) of reading or language arts;

''(viii) include students who have attended schools in a local educational agency for a full academic year but have not attended a single school for a full academic year, except the performance of students

who have attended more than 1 school in the local educational agency in any academic year shall be used only in determining the progress of the local educational agency;

"(ix) produce individual student interpretive, descriptive, and diagnostic reports that—

"(I) allow parents, teachers, and principals to understand and address the specific academic needs of students and include information regarding achievement on the academic assessments aligned with State academic achievement standards; and

"(II) are provided to parents, teachers, and principals as soon as is practicably possible after the assessment is given, in an understandable and uniform format, and to the extent practicable, in a language that parents can understand;

"(x) enable results to be disaggregated within the State, local educational agency, and school by gender,

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

''(xi) be consistent with widely accepted professional testing standards and objectively measure academic achievement, knowledge, and skills;

''(xii) enable itemized score analyses to be produced and reported, consistent with clause (ii), to local educational agencies and schools, so that parents, teachers, principals, and administrators can interpret and address the specific academic needs of students as indicated by the students' achievement on assessment items;

''(xiii) produce student achievement and other student data that can be used to inform determinations of individual principal and teacher effectiveness for purposes

of evaluation and for determining the needs of principals and teachers for professional development and support;

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

"(xv) in the case of digital assessments or any digital assessment content that is adopted, procured, purchased, or developed for the assessments, incorporate the principles of universal design, as defined in section 3(a) of the Assistive Technology Act of 1998 (29 U.S.C. 3002(a)) and be interoperable and accessible for all students, including students who are children with disabilities.

"(C) LANGUAGES OF ASSESSMENTS.—The State shall identify the languages other than English that are present in the participating student population in the State and indicate, in the State's plan under subsection (b), the languages for which yearly student academic assessments included in the State's accountability

system under paragraph (3) are not available and are needed. The State shall make every effort to develop assessments in such languages and may request assistance from the Secretary if linguistically accessible academic assessments are needed. Upon request, the Secretary shall assist with the identification of appropriate academic assessments in such languages, but shall not mandate a specific academic assessment or mode of instruction.

"(D) ASSESSMENTS OF ENGLISH LANGUAGE PROFICIENCY.—

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

"(ii) REQUIREMENTS.—The English language proficiency assessment described in clause (i) shall—

"(I) be aligned with the State's English language proficiency standards under paragraph (1)(E);

"(II) be designed to measure, in a valid and reliable manner, student progress toward, and attainment of, English language proficiency;

"(III) reflect the academic language that is required for success on the State's academic assessments, consistent with paragraph (1)(E)(iv); and

"(IV) measure each student's progress in achieving the levels of English proficiency established under the State English language proficiency standards, as described in paragraph (1)(D)(iii).

"(E) ALTERNATE ASSESSMENTS FOR STUDENTS WITH THE MOST SIGNIFICANT COGNITIVE DISABILITIES.—A State may provide alternate assessments that are aligned with alternate academic achievement standards described in paragraph (1)(D) for students with the most significant cognitive disabilities, if the State—

"(i) ensures that for each subject, the total number of students in each grade level assessed in such subject using the alternate assessments does not exceed 1 percent of the total number of all students in such grade level in the State who are assessed in such subject;

"(ii) establishes and monitors implementation of clear and appropriate guidelines for individualized education program teams (as defined in section 614(d)(1)(B) of the Individuals with Disabilities Education Act) to apply in determining, on a subject-by-subject basis, when a child's significant cognitive disability justifies assessment based on alternate academic achievement standards;

"(iii) ensures that parents of the students whom the State plans to assess using alternate assessments are involved in the decision that their child's academic achievement will be measured against alternate academic achievement standards, consistent with section 614(d)(1)(A)(i)(VI)(bb) of the Individuals

with Disabilities Education Act, and are informed whether participation in such assessment may preclude the student from completing the requirements for a regular secondary school diploma, as determined by the State;

''(iv) provides evidence that students with the most significant cognitive disabilities are, to the maximum extent practicable, included in the general curriculum and in assessments aligned with such curriculum, as described in section 601(c)(5)(A) of the Individuals with Disabilities Education Act;

''(v) certifies, consistent with section 612(a)(16)(A) of the Individuals with Disabilities Education Act, the State's regular academic assessments described in subparagraphs (A), (C), and (D) are universally designed to be accessible to students, including students with sensory, physical, and intellectual disabilities, through the provision of reasonable adaptations and valid and reliable accommodations that produce valid results;

"(vi) develops, disseminates information about, makes available, and promotes the use of reasonable adaptations and valid and reliable accommodations to increase the number of students with the most significant cognitive disabilities participating in grade-level academic instruction and assessments aligned with grade-level academic standards, and promotes the use of appropriate accommodations to increase the number of students with the most significant cognitive disabilities who are tested against grade-level academic achievement standards;

"(vii) takes steps to ensure regular and special education teachers and other appropriate staff know how to administer assessments, including how to make appropriate use of reasonable adaptations and valid and reliable accommodations for such assessments, for students with the most significant cognitive disabilities; and

"(viii) requires separate determinations about whether a student should be

assessed using an alternate assessment for each subject assessed.

"(F) COMPUTER ADAPTIVE ASSESSMENT.—A State may develop and administer computer adaptive assessments as the assessments required under subparagraph (A). If a State develops and administers a computer adaptive assessment for such purposes, the assessment shall meet the requirements of this paragraph.

"(G) REDUCING DUPLICATIVE ASSESSMENT.—The State shall—

"(i) include, in the State plan under subsection (b), a description of how the State will regularly analyze assessment and accommodations practice and use, and reduce duplicative assessment where appropriate; and

"(ii) ensure that the local educational agencies report, as required in subsection (d), regarding the assessments required by Federal, State, and local laws, regulations, or policies.

"(3) STATE-DESIGNED ACCOUNTABILITY SYSTEMS.—

"(A) ACCOUNTABILITY SYSTEM.—Each State shall, not later than the beginning of the 2014–2015 school year, demonstrate the State educational agency has developed and is implementing a single, statewide accountability system that—

"(i) annually measures and reports on the achievement and academic growth of students in all public elementary schools and secondary schools and local educational agencies in the State, in accordance with subparagraph (B);

"(ii) differentiates all local educational agencies and all schools in the State according to academic achievement and student academic growth, English language proficiency and growth for English learners, and, for high schools, graduation rates, for all students and for each subgroup described in paragraph (2)(B)(x);

"(iii) expects the continuous improvement of all public schools in the State in the academic achievement and academic growth of all students, including the subgroups of students described in subpara-

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

"(iv) annually identifies schools that need supports and interventions to prepare college and career ready students;

"(v) provides for the improvement, through supports and interventions that address student needs, of all local educational agencies with schools not identified under section 1116(d) that are not meeting performance targets for subgroups described in subparagraph (D);

"(vi) develops the capacity of local educational agencies and schools to effectively educate their students and continuously improve;

"(vii) recognizes, and encourages other local educational agencies to replicate, the practices of local educational agencies and schools that are successful in effecting significant student achievement or student academic growth; and

"(viii) meets the requirements of section 1116.

"(B) MEASUREMENT OF ACHIEVEMENT AND ACADEMIC GROWTH.—

"(i) IN GENERAL.—The State accountability system shall measure student achievement and academic growth toward the college and career ready academic content and student academic achievement standards under paragraph (1) by annually measuring and reporting on, in the aggregate and for each subgroup described in subparagraph (D)—

"(I) the number and percentage of students who are in each category described in clause (ii), for each grade and subject covered by an academic assessment included in the accountability system, based on the State academic assessments for the subject; and

"(II) for each such category of students—

"(aa) the number and percentage of students for each grade and subject who are meeting or exceeding the State stu-

dent academic achievement standards or are achieving sufficient academic growth, as described in clause (iii); and

"(bb) the number and percentage of students for each grade and subject who have not achieved sufficient academic growth, as described in such clause.

"(ii) CATEGORIES OF STUDENTS.—The State educational agency shall establish not less than 3 categories of students, which shall include the following:

"(I) A category consisting of students who are meeting or exceeding the State student academic achievement standards under paragraph (1) in a subject for the students' grade level, as determined based on the State academic assessments under paragraph (2).

"(II) A category consisting of students whose proficiency in a subject is below grade level and who are

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

"(III) A category of students whose proficiency in a subject is below grade level and who are not achieving sufficient academic growth, as described in clause (iii).

"(iii) SUFFICIENT ACADEMIC GROWTH.—For purposes of this section, sufficient academic growth for a student means—

"(I) a rate of academic growth, based on a comparison of the student's performance on the most recent State academic assessment with the preceding State academic assessment or combination of preceding State academic assessments, is such that the student will be performing at or above grade level within 3 years;

"(II) a rate of academic growth, based on a comparison of the student's performance on the most recent State academic assessment with the preceding State academic assessment

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

"(III) another aggressive academic growth model approved by the Secretary that supports the State educational agency performance targets under subparagraph (C).

"(C) PERFORMANCE TARGETS.—

"(i) IN GENERAL.—Each State shall establish, after requesting and receiving input from the local educational agencies of the State, ambitious and achievable annual performance targets for the State, for local educational agencies in the State, and for public elementary schools and secondary schools, for each subject and grade level assessed under paragraph (2), that—

"(I) are adopted from the waiver agreement entered into with the Sec-

retary through the authority under section 9401 before the date of enactment of the Strengthening America's Schools Act of 2013;

"(II) subject to approval by the Secretary—

"(aa) sets a goal for every public school to meet the achievement level of the highest-performing 10 percent of schools in the State as of the date of the application submission, based on the percentage of students meeting or exceeding the State academic content and student academic achievement standards;

"(bb) requires annual progress toward that goal for all students, including all subgroups of students consistent with section 1111(a)(3)(D), within a specified reasonable time period; and

"(cc) ensures accelerated progress for the subgroups of

students that start with the lowest levels of student achievement; or

"(III) are equally ambitious to the performance targets described in subclauses (I) and (II) and are approved by the Secretary.

"(ii) PERFORMANCE AREAS.—The performance targets required under this subparagraph shall include targets for—

"(I) student proficiency, as described in subparagraph (B)(ii)(I);

"(II) student academic growth, as determined in accordance with subparagraph (B);

"(III) English language proficiency for English learners, as measured by the number of students who are on track to achieving English proficiency, as described in paragraph (1)(D) (i), by not later than 5 years after being identified as English learners; and

"(IV) for high schools, high school graduation rates.

"(iii) BASELINES.—Each State shall use student performance on the State's academic assessments used for purposes of receiving funds under this subpart and subpart 2 for the 2014–2015 school year as the baseline for the performance targets, subject to paragraph (5)(B)(iv) and subsection (b)(3)(C).

"(iv) ADDITIONAL MEASURES AND PERFORMANCE TARGETS.—A State may develop other measures and performance targets to provide school personnel, parents, and community members with information about the effectiveness of schools in closing performance gaps among subgroups and bringing all students to proficiency, except that any such measure shall not classify individuals who have not attained a high school diploma but have earned a recognized equivalent of such diploma as graduating from high school.

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

group, English proficiency status, status as a child with a disability, and economically disadvantaged status, except that a school shall not be required to disaggregate for any subgroup that includes 15 or less students if such disaggregation would result in the disclosure of personally identifiable information.

"(E) SUBJECTS COVERED.—The State shall include in the accountability system the subjects of reading or language arts and mathematics, and may include science and any other subject that the State chooses through its State plan, if the State has adopted academic content standards and student academic achievement standards under paragraph (1)(C) and assessments under paragraph (2)(B) for the subject.

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

"(G) STUDENTS WITH THE MOST SIGNIFICANT COGNITIVE DISABILITIES.—In determining the percentage of students who are meeting or exceeding the State student aca-

demic achievement standards or are achieving sufficient academic growth as described in subparagraph (B)(iii), for a subject for any purpose under this section or section 1116 or 1131, a State educational agency may include, for all schools in the State, the performance of the State's students with the most significant cognitive disabilities on alternate assessments as described in paragraph (2)(E) in the subjects included in the State's accountability system, consistent with the 1 percent limitation of subsection (a)(2)(E)(i).

"(4) VOLUNTARY PARTNERSHIPS.—A State may enter into a voluntary partnership with another State to develop and implement the academic assessments, academic content standards, and student academic achievement standards required under this section.

"(5) TRANSITION PROVISIONS.—

"(A) IN GENERAL.—The Secretary shall take such steps as are necessary to provide for the orderly transition between the accountability systems required under subsection (b)(2), as such section was in effect on the day before the date of enactment of the Strength-

ening America's Schools Act of 2013, and the new accountability systems required under this subsection, including the transition steps described in subparagraph (B).

"(B) TRANSITION STEPS.—To enable the successful transition to the provisions of this part, as amended by the Strengthening America's Schools Act of 2013, each State educational agency receiving funds under this part shall—

"(i) beginning upon the date of enactment of the Strengthening America's Schools Act of 2013—

"(I) administer assessments, as required under paragraph (2), as amended by such Act, that measure and assess the college and career ready academic content standards and student academic achievement standards described in paragraph (1), as amended by such Act; and

"(II) with respect to any reporting provision under this part that requires the disaggregation of students, carry out such requirement unless the

number of students in such subgroup is less than 15;

"(ii) during the transition period, continue all interventions, services, and activities required under section 1116(b), as in effect on the day before the date of enactment of such Act, for schools identified for corrective action under such section 1116(b)(7);

"(iii) after 2 years of using the assessments described in clause (i)(I), establish a new baseline, as described in paragraph (3)(C), using the new assessment data; and

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

"(C) END OF TRANSITION.—The transition to the requirements of this part, as amended by the Strengthening America's Schools Act of

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

"(b) STATE PLANS.—

"(1) IN GENERAL.—For any State desiring to receive a grant under this part, the State educational agency shall submit to the Secretary a plan, developed by the State educational agency in consultation with local educational agencies, teachers, principals, specialized instructional support personnel, administrators, other staff, representatives of Indian tribes located in the State, and parents, that—

"(A) demonstrates the State's compliance with this section;

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

"(C) provides an assurance the State will continue to administer the academic assessments required under paragraphs (3)(A) and (7) of this subsection, as such paragraphs were in effect on the day before the date of enactment of the Strengthening America's Schools Act of 2013, and to include the results of such assessments in the State's accountability system, until the State has implemented the assessments required under subsection (a)(2);

"(D) provides an assurance the State will participate in the biennial State academic assessments of grade 4 and grade 8 reading and mathematics under the National Assessment of Educational Progress carried out under section 303(b)(2) of the National Assessment of Educational Progress Authorization Act if the Secretary pays the costs of administering such assessments;

"(E) describes the State accountability system under subsection (a)(3) and the State's plan for blue ribbon schools under section 1131 (if the State chooses to carry out such section);

"(F) describes the process the State will utilize to review local educational agency plans

submitted pursuant to section 1112, including the parent and family engagement plan described in section 1118 and other provisions related to parent and family engagement;

"(G) describes the support the State will provide to local educational agencies for the education of homeless children and youths, and how the State will comply with the requirements of subtitle B of title VII of the McKinney-Vento Homeless Assistance Act;

"(H) describes how the State educational agency has involved the committee of practitioners established under section 1603(b) in developing the plan and monitoring its implementation;

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

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

1 garten and a strategy to implement such a
2 plan; and
3 "(ii) if the State provides funding for kin-
4 dergarten programs but does not fund full-day
5 kindergarten programs, describes how the State
6 plans to establish such programs to extend and
7 strengthen the educational continuum for chil-
8 dren entering elementary school;
9 "(K) provides an assurance that the
10 State—
11 "(i) has established a longitudinal
12 data system that includes all elements de-
13 scribed in section 6401(e)(2)(D) of the
14 America COMPETES Act (20 U.S.C.
15 9871), by the date required under the
16 terms for the allocation received by the
17 State through the State Fiscal Stabiliza-
18 tion Fund under section 14001 of the
19 American Recovery and Reinvestment Act
20 of 2009 (Public Law 111–5, 123 Stat.
21 279); or
22 "(ii) if the State was not subject to
23 any such requirement, that the State will
24 establish such a system by a date approved
25 the Secretary;

"(L) describes how the State and State educational agency will comply with the requirements of section 1501, and the State's plan to ensure such compliance;

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

"(i) assist local educational agencies in implementing positive behavioral interventions and supports in schools served by the local educational agency throughout the whole school;

"(ii) provide technical assistance and training to local educational agencies to improve and support the development, implementation, and coordination of comprehensive positive behavioral interventions and supports carried out under this Act with activities carried out under the Individuals with Disabilities Education Act;

"(iii) in coordination with local educational agencies and schools, implement positive, preventative approaches to school discipline to promote a positive school cli-

mate for all students and reduce recidivism of re-entering youth offenders and disconnected youth; and

"(iv) evaluate the effects of providing positive behavioral interventions and supports for all students, including improvement of the learning environment, academic achievement, disciplinary problems such as incidents of suspensions, expulsions, referrals to law enforcement, and other actions that remove students from instruction, and any other effects the State chooses to evaluate;

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

"(i) assist local educational agencies in implementing early intervening services in schools served by the local educational agency to reduce the need to label children as children with disabilities in order to address the learning and behavioral needs of such children;

"(ii) provide technical assistance and training to local educational agencies to improve coordination of early intervening services provided under this Act with early intervening services carried out under the Individuals with Disabilities Education Act; and

"(iii) evaluate the effects of providing early intervening services;

"(O) describes how the State will assist local educational agencies in identifying gifted and talented students, including high-ability students who have not previously been formally identified for gifted education services, and implement educational approaches at the elementary school and secondary school levels to support the learning needs of gifted and talented students to ensure that such students make appropriate learning gains, such as early entrance to kindergarten, enrichment, acceleration, curriculum compacting, and dual enrollment in secondary school and postsecondary education;

"(P) describes how the State educational agency will—

"(i) reduce suspensions, expulsions, referrals to law enforcement, and other disciplinary actions that remove students from instruction;

"(ii) facilitate, to the extent practicable, the re-entry of juvenile offenders and disconnected youth into their local educational agencies;

"(iii) in coordination with the State department of corrections or similar agency, ensure re-entering juvenile offenders receive referrals to a local educational agency and provide that, for any juvenile who commits an offense subject to school expulsion and is subsequently committed to a detention center, secure facility, or any other residential placement within the juvenile or adult criminal justice system for such offense, the period of expulsion shall run concurrently with the period of commitment to the detention center, secure facility, or other residential placement; and

"(iv) in coordination with local educational agencies and schools, provide annual and public reporting on, in the aggre-

gate, in-school suspensions, out-of-school suspensions, expulsions, referrals to law enforcement, school-based arrests, and disciplinary transfers (including placements in alternative schools) in the State;

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

''(R) describes how—

''(i) for the first year following the date of enactment of the Strengthening America's Schools Act of 2013, the State educational agency will provide for the equitable distribution of elementary school teachers, and secondary school teachers, within local educational agencies and the State using data on the percentage and distribution of the categories of teachers described in subparagraph (S) as transitional measures of teacher quality;

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

in local educational agencies and the State so that low-income and minority children are not taught at higher rates than other children by teachers with the lowest ratings in the State professional growth and improvement system; and

"(iii) beginning not later than 1 year after such date of enactment, and for each subsequent year, the State will report to the Secretary the percentage and distribution of teachers in the State, based on the measures used in the State, for each quartile of schools based on school poverty level, for high-minority schools, and for low-minority schools; and

"(S) describes how the State will annually submit to the Secretary, for each quartile of schools in the State based on school poverty level and for high-minority schools and low-minority schools in the State, data regarding the percentage and distribution of the following categories of teachers:

"(i) Teachers who are not classified as highly qualified teachers.

"(ii) Teachers who are new.

"(iii) Teachers who have not completed a teacher preparation program.

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

"(v) Beginning in any year for which data are available from a professional growth and improvement system, and not later than the 2015–2016 school year, teachers with the highest or lowest ratings in the professional growth and improvement system, as data from such system become available, and in no case later than the 2015–2016 school year.

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

"(3) DURATION OF THE PLAN.—

"(A) IN GENERAL.—Each State plan shall—

"(i) remain in effect for the duration of the State's participation under this part or 4 years, whichever is shorter; and

"(ii) be periodically reviewed and revised as necessary by the State educational

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

"(B) ADDITIONAL INFORMATION.—

"(i) REVISED PLANS.—If a State makes significant changes to its plan, such as adopting new State academic content standards, new State student achievement standards, new academic assessments, or improved performance targets under subsection (a), the State shall submit a revised plan to the Secretary.

"(ii) REVIEW OF REVISED PLANS.—The Secretary shall review the information submitted under clause (i) and may, notwithstanding paragraph (4), approve or disapprove changes to the State plan without undertaking the peer-review or hearing process described in such paragraph.

"(C) RENEWAL.—A State educational agency that desires to continue participating in the program under this part shall submit a renewed plan every 4 years with improved performance targets.

"(4) PEER REVIEW AND SECRETARIAL APPROVAL.—

"(A) SECRETARIAL DUTIES.—The Secretary shall—

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

"(ii) appoint expert individuals to the peer-review process who—

"(I) represent a regionally diverse cross-section of States;

"(II) are representative of parents, teachers, State educational agencies, and local educational agencies; and

"(III) are familiar with educational standards, assessments, accountability, the needs of focus and priority schools as described in subsections (c) and (d) of section 1116 and the needs of disadvantaged students, students who are children with disabilities, and other educational needs of students;

"(iii) ensure the peer-review process provides timely feedback from the peer-review panel to the States, and that such

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

"(iv) not decline approval of a State plan before—

"(I) offering the State an opportunity to revise the State plan;

"(II) providing technical assistance to the State to meet the requirements of this subsection and subsections (a) and (c); and

"(III) upon the request of a State, providing a hearing;

"(v) have the authority to disapprove a State plan for not meeting the requirements of this part, and may deny approval to a State plan under this subsection that was recommended by the peer-review panel by making available written findings of the cause for such disapproval;

"(vi) approve a State plan not later than 120 days after its submission unless the Secretary determines that the plan does not meet the requirements of this section;

"(vii) if the Secretary determines that the State plan does not meet the requirements of this subsection and subsection (c), immediately notify the State in writing of such determination and the reasons for such determination; and

"(viii) not have the authority to require a State, as a condition of approval of the State plan, to include in, or delete from, such plan 1 or more specific elements of the State's academic content standards or to use specific academic assessment instruments or items.

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

"(c) PARENT AND FAMILY ENGAGEMENT.—Each State plan shall include a description of how the State will strengthen engagement of the parents and families in education (referred to in this subsection as the 'parent and family engagement plan') in accordance with the following:

"(1) STATEWIDE PARENT AND FAMILY ENGAGEMENT STRATEGY.—The parent and family engagement plan shall demonstrate how the State

plans to increase and enhance the engagement of parents and family members in education throughout the State, through the implementation and replication of evidence-based or promising practices, in order to—

"(A) increase student academic growth and achievement, and college and career readiness;

"(B) provide parents and family members with the skills and opportunities necessary to become full partners in their child's education;

"(C) improve child development;

"(D) strengthen relationships and partnerships among school personnel and parents and family members, to support student academic growth and achievement, and college and career readiness;

"(E) improve the ability of local educational agencies and schools to increase the participation of parents and family members in school improvement strategies, create opportunities for co-location and provision of services for parents and family members, and foster conditions for learning; and

"(F) focus the activities described in subparagraphs (A) through (E) in high-need local educational agencies and high-need schools.

"(2) COORDINATION; COLLECTION; DISSEMINATION.—The parent and family engagement plan shall describe how the State will—

"(A) ensure maximum coordination and minimum duplication of efforts (which may include the designation of a parent and family engagement coordinator) among, at a minimum—

"(i) Federal, State, and local programs;

"(ii) the State Advisory Councils on Early Childhood Education and Care;

"(iii) the parent and family information and resource centers established under part H of title IV; and

"(iv) appropriate non-Federal entities (including community-based and philanthropic organizations and court-appointed special advocates);

"(B) collect and disseminate best practices and research on parent and family engagement strategies to—

"(i) local educational agencies, including high-need local educational agencies, and high-need schools in the State, such as through parent and family engagement academies and other leadership development strategies; and

"(ii) institutions of higher education and other organizations with a demonstrated record of success in increasing the engagement of parents and family members in education; and

"(C) ensure that the process for reviewing local educational agency plans pursuant to section 1112 includes an assessment and response to each local educational agency regarding the extent to which such plans incorporate the best practices identified in subparagraph (B).

"(3) TECHNICAL ASSISTANCE, TRAINING, AND CAPACITY-BUILDING.—The State parent and family engagement plan shall describe the evidence-based technical assistance, professional development, or other capacity-building strategies that the State will provide to, at a minimum, high-need local educational agencies and high-need schools, which—

"(A) shall include the provision of technical assistance to local educational agencies that serve schools identified as focus or priority schools under subsection (c) or (d) of section 1116;

"(B) shall include partnering with the appropriate parent and family information and resource centers;

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

"(D) may include assistance related to implementing evidence-based parent and family engagement strategies to providers of early care and education; and

"(E) may include assistance related to implementing evidence-based parent and family engagement strategies for English learner families, such as those described in section 3115(c)(5).

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

leverage resources of employers, business leaders, philanthropic and non-profit organizations, and other community members to increase and strengthen parent and family engagement.

"(d) ANNUAL STATE REPORT CARDS.—

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

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

"(A) uniform across the State;

"(B) concise;

"(C) presented in a format that is easily understandable and, to the extent practicable, provided in a language that parents can understand; and

"(D) accessible to the public, which shall include—

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

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

"(ii) providing a copy of a school's report card to the parents of each student enrolled in the school each year.

"(3) REQUIRED STUDENT INFORMATION FOR SCHOOL REPORT CARDS.—Each school report card required under paragraph (1) shall include the following:

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

"(B) Information on each of the following for the school, in the aggregate and disaggregated and cross-tabulated by the subgroups described in subsection (a)(2)(B)(x) (except that such disaggregation or cross-tabulation shall not be required in a case in which the results would reveal personally identifiable information about an individual student):

"(i) Student achievement at each performance level on the State academic as-

sessments that are included in the State's accountability system under subsection (a)(3).

''(ii) The percentage of students who do not take the State academic assessments.

''(iii) The most recent 3-year trend in student achievement in each subject area, and for each grade level, for such assessments.

''(iv) A comparison of the school's student academic assessment data to the State average for each tested subject.

''(v)(I) the number and percentage of students who are meeting or exceeding the State student academic achievement standards or are achieving sufficient academic growth, as determined in accordance with subsection (a)(3)(B)(iii), for each subject area and grade level; and

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

"(vi) The number and percentage of students with the most significant cognitive disabilities who take an alternate assessment under subsection (a)(2)(E), by grade and subject.

"(vii) The number of students who are English learners, and the performance of such students, on the State's English language proficiency assessments under sub (a)(2)(D), including the students' attainment of, and progress toward, higher levels of English language proficiency.

"(viii) For each high school—

"(I) student graduation rates, including—

"(aa) the 4-year adjusted cohort graduation rate, as defined in section 9101(30)(A); and

"(bb) the cumulative graduation rate, as defined in section 9101(30)(B);

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

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

"(III) not later than the beginning of the 2014–2015 school year, the rate of student remediation, in the aggregate, for high school graduates who enroll in public institutions of higher education in the State or in other institutions of higher education (to the extent obtaining the data regarding remediation from other institutions is practicable).

"(ix) Beginning not later than the 2015–2016 school year, the evaluation results of teachers and principals as measured by the State's professional growth and improvement system, except that such information shall not provide individually identifiable information on individual teachers and principals.

"(x) Discipline data with respect to all students in the school for the disciplinary exclusionary categories described in subparagraphs (A)(v), (D), and (E) of section

618(a)(1) of the Individuals with Disabilities Education Act.

"(xi) The percentage of students passing examinations related to coursework acceptable for postsecondary credit at institutions of higher education, such as Advanced Placement or International Baccalaureate examinations;

"(xii) Data regarding pregnant and parenting students in the State, including—

"(I) the number of pregnant and parenting students enrolled in secondary schools;

"(II) rates, and data regarding participation, of pregnant and parenting students in mainstream schools or in the schools in which the students originated;

"(III) rates, and data regarding participation, of pregnant and parenting students in alternative programs;

"(IV) the number and percentage of pregnant and parenting students

who have achieved proficiency, as determined for purposes of subsection (a)(3)(B)(ii) in each grade and subject assessed; and

"(V) graduation rates for pregnant and parenting students.

"(xiii) The incidence of school violence, bullying, drug abuse, alcohol abuse, in-school student suspensions, out-of-school student suspensions, expulsions, referrals to law enforcement, school-based arrests, disciplinary transfers (including placements in alternative schools), and student detentions, for each category.

"(C) The average class size, by grade.

"(D) The school's categorization, if applicable, in the State school accountability and improvement system under section 1116.

"(E) The most recently available academic achievement results in grades 4 and 8 of the State's students on the National Assessment of Educational Progress in reading and mathematics, including the percentage of students at each achievement level in the aggregate and by the groups described in section 303(b)(2)(G) of

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

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

"(G) The number of students—

"(i) who are served through the use of early intervening services; and

"(ii) who, in the preceding 2-year period, received early intervening services and who, after receiving such services, have been identified as eligible for, and receive, special education and related services under part B of the Individuals with Disabilities Education Act.

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

"(4) OPTIONAL INFORMATION.—A State may include in each school report card such other information as the State believes will best provide parents, students, and other members of the public with information regarding the progress of each of the

State's public elementary and secondary schools. Such information may include—

"(A) interscholastic athletic program indicators by gender, including number of participants, expenditures, number of coaches, and number of competitive events;

"(B) indicators of school climate;

"(C) student attendance; and

"(D) school readiness of students in kindergarten.

"(5) LOCAL EDUCATIONAL AGENCY AND STATE REPORT CARDS.—Each local educational agency report card and State report card required under paragraph (1)—

"(A) shall include the data described in clauses (i) through (xiv) of paragraph (3)(B) for the local educational agency or State, respectively, as a whole and disaggregated by the subgroups described in subsection (a)(2)(B)(x);

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

personally identifiable information about an individual student;

"(C) in the case of a local educational agency report card, shall include information regarding the assessments administered annually, by grade level and subject, and, for each assessment, whether the assessment is required by Federal, State, or local statute, regulation, or policy; and

"(D) may include any optional information described in paragraph (4) for the local educational agency or State, respectively.

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

"(7) PREEXISTING REPORT CARDS.—A State educational agency or local educational agency that was providing public report cards on the performance of students, schools, local educational agencies, or the State prior to the date of enactment of the Strengthening America's Schools Act of 2013, may use those report cards for the purpose of this subsection as long as any such report card is modified,

as may be needed, to contain the information required by this subsection.

"(8) COST REDUCTION.—Each State educational agency and local educational agency receiving assistance under this part shall, wherever possible, take steps to reduce data collection costs and duplication of effort by obtaining the information required under this subsection through existing data collection efforts.

"(9) CROSS-TABULATED DATA NOT USED FOR ACCOUNTABILITY.—Groups of students obtained by cross-tabulating data under this subsection shall not be considered to be subgroups under section 1116. Such cross-tabulated data shall not be used to determine whether a school is a focus or priority school under subsection (c) or (d) of section 1116.

"(e) REPORTING.—

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

"(A) information on the State's progress in developing and implementing the academic assessments described in subsection (a)(2);

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

"(C) information on any changes in status for all public schools in the State, in accordance with the State's system of differentiation described in subsection (a)(3)(A)(ii) and the categories required under section 1116;

"(D) in any year before the State begins to provide the information described in subparagraph (B), information on the results of student academic assessments (including results disaggregated by the subgroups described in subsection (a)(2)(B)(x)) required under this section;

"(E) information on the acquisition of English language proficiency by students who are English learners;

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

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

"(2) SECRETARY'S REPORT CARD AND BIENNIAL EVALUATION REPORT.—

"(A) SECRETARY'S REPORT CARD.—Not later than July 1, 2014, and annually thereafter, the Secretary shall prepare and submit to the authorizing committees a national report card on the status of elementary and secondary education in the United States. Such report shall—

"(i) analyze existing data from State reports required under this Act, the Individuals with Disabilities Education Act, and the Carl D. Perkins Career and Technical Education Act of 2006, and summarize major findings from such reports;

"(ii) analyze data from the National Assessment of Educational Progress and international assessments, including the

Third International Mathematics and Science Survey;

"(iii) identify trends in student achievement, student academic growth, student performance, and high school graduation rates, by analyzing and reporting on the status and performance of subgroups of students, including subgroups based on race, ethnicity, and socioeconomic status and the subgroups of children with disabilities and English learners;

"(iv) compare the performance of students, including the subgroups described in clause (iii), across States and local educational agencies across the United States;

"(v) identify and report on promising practices, areas of greatest improvement in student achievement and educational attainment, and other examples worthy of national attention;

"(vi) identify and report on areas of educational concern that warrant national attention; and

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

and local expenditures on education, including per pupil spending, teacher salaries and pension obligations, school level spending, and other financial data publicly available; and

"(II) report on current trends and major findings resulting from the analysis.

"(B) SPECIAL RULE.—The information used to prepare the report described in subparagraph (A) shall be derived from existing State and local reporting requirements and data sources. Nothing in this paragraph shall be construed as authorizing, requiring, or allowing any additional reporting requirements, data elements, or information to be reported to the Secretary not otherwise explicitly authorized by any other Federal law.

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

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

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

3 "(g) PARENTS' RIGHT-TO-KNOW.—

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

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

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

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

"(D) Whether the student is provided services by paraprofessionals and, if so, their qualifications.

"(2) EQUITY REPORT CARD.—A local educational agency that receives funds under this part shall make available to parents, separately or as a clearly identified part of the school report card, and through easily accessible means, including electronic means, the following information for each school:

"(A) student achievement data at each performance level, for each category of students described in subsection (a)(3)(B)(ii), on the State academic assessments included in the State accountability system under subsection (a)(3), disaggregated by the subgroups described in subsection (a)(2)(B)(x);

"(B) Individual school funding by source, including Federal, State, and local funding and grants;

"(C) For each high school, the 4-year adjusted cohort graduation rate, as described in section 9101(32)(A), and the rate at which students graduating from the high school in the preceding year enrolled in institutions of higher

education by the beginning of the next school year;

"(D) Data regarding educational opportunity participation, which data—

"(i) shall include, at a minimum, prekindergarten and full-day kindergarten opportunities for children and opportunities for Advanced Placement or International Baccalaureate course work; and

"(ii) may include such opportunities as dual enrollment, gifted programming, and other educational programming.

"(E) Information regarding each school's school climate, including student survey results and school discipline data, which may include information such as the incidence of school violence, bullying, in-school student suspensions, out-of-school student suspensions, expulsions, referrals to law enforcement, school-based arrests, disciplinary transfers (including placements in alternative schools), and student detentions.

"(F) Other data that, in conjunction with the local educational agency report card described in subsection (d), is determined, by the

State or local educational agency in consultation with parents, families, and educators, to be necessary to allow parents, families, and community members to understand, and compare with other schools in the local educational agency and across the State, the resources available to the school that influence the outcomes for students.

"(3) ADDITIONAL INFORMATION.—In addition to the information that parents of students may request under paragraph (1), a school that receives funds under this part shall provide to each individual parent, with respect to the student—

"(A) information on the level of achievement and academic growth of the student on each of the State academic assessments as required under this part; and

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

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

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

''(h) PRIVACY.—Information collected under this section shall be collected and disseminated in a manner that protects the privacy of individuals.

''(i) TECHNICAL ASSISTANCE.—The Secretary shall provide a State educational agency, at the State educational agency's request, with technical assistance in meeting the requirements of this section.

''(j) CONSTRUCTION.—Nothing in this part shall be construed to prescribe the use of the academic assessments described in this part for student promotion or graduation purposes.

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

''(1) STATE ACCREDITED SCHOOLS.—Each such school accredited by the State in which it is operating shall use the assessments the State has developed and implemented to meet the requirements of this section, or such other appropriate assessment as approved by the Secretary of the Interior.

"(2) REGIONALLY ACCREDITED SCHOOLS.—Each such school accredited by a regional accrediting organization shall adopt appropriate assessments, in consultation with and with the approval of, the Secretary of the Interior and consistent with assessments adopted by other schools in the same State or region, that meets the requirements of this section.

"(3) TRIBALLY ACCREDITED SCHOOLS.—Each such school accredited by a tribal accrediting agency or tribal division of education shall use assessments developed by such agency or division, except that the Secretary of the Interior shall ensure that such assessments meet the requirements of this section.".

SEC. 1112. LOCAL EDUCATIONAL AGENCY PLANS.

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

"SEC. 1112. LOCAL EDUCATIONAL AGENCY PLANS.

"(a) PLANS REQUIRED.—

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

abilities Education Act, the Carl D. Perkins Career and Technical Education Act of 2006, the McKinney-Vento Homeless Assistance Act, and other Acts, as appropriate, and activities under title IX of the Education Amendments of 1972.

"(2) CONSOLIDATED APPLICATION.—The plan may be submitted as part of a consolidated application under section 9305.

"(b) PLAN DEVELOPMENT AND DURATION.—

"(1) CONSULTATION.—Each local educational agency plan shall be developed in consultation with—

"(A) teachers, principals, administrators, and other appropriate school personnel;

"(B) representatives of early childhood education programs in the geographic area served by the local educational agency, as appropriate; and

"(C) parents and family members of children in schools served under this part.

"(2) DURATION.—Each local educational agency plan shall be submitted pursuant to this section for the first year for which this part is in effect following the date of enactment of the Strengthening America's Schools Act of 2013, and such plan shall

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

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

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

13 "(c) STATE APPROVAL.—

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

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

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

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

"(B) meets the requirements of this part.

"(d) PLAN PROVISIONS.—In order to help low-achieving children meet college and career ready student academic achievement standards, and to close the achievement gap between high- and low-achieving children each local educational agency plan shall describe each of the following:

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

"(A) develop and implement a comprehensive program of instruction to meet the academic needs of all students;

"(B) identify quickly and effectively students who may be at risk for academic failure;

"(C) provide additional educational assistance to individual students assessed as needing help in meeting the State's college and career ready student academic achievement standards;

"(D) identify significant gaps in student achievement among subgroups of students identified under section 1111(a)(2)(B)(x) and develop strategies to reduce such gaps in achievement; and

"(E) identify and implement effective methods and instructional strategies that are based on scientifically valid research intended to strengthen the core academic programs of the schools, including using multi-tiered systems of support, universal design for learning, and positive behavioral interventions and supports.

"(2) How the local educational agency will monitor and evaluate the effectiveness of school programs in improving student academic achievement and academic growth, especially for students described in section 1111(a)(3)(B)(ii)(II).

"(3) The strategy the local educational agency will use to implement effective parent and family engagement under section 1118.

"(4) How the local educational agency will coordinate and integrate services provided under this part with other high-quality early childhood education programs at the local educational agency or individual school level (including programs under section 619 of the Individuals with Disabilities Education Act) that include plans for the transition of participants in such programs to local elementary school programs and, if appropriate, a description of how the local educational agency will use funds

under this part to support preschool programs for children, particularly children participating in a Head Start program, which may be provided directly by the local educational agency or through a subcontract with the Head Start agency designated by the Secretary of Health and Human Services under section 641 of the Head Start Act, or another comparable public early childhood education program.

"(5) How activities under this part will be coordinated and integrated with Federal, State, and local services and programs, including programs supported under this Act, the Carl D. Perkins Career and Technical Education Act of 2006, the Individuals with Disabilities Education Act, the Rehabilitation Act of 1973, the Head Start Act, the Child Care and Development Block Grant Act of 1990, and the Workforce Investment Act of 1998, violence prevention programs, nutrition programs, and housing programs.

"(6) How the local educational agency will coordinate and integrate services provided under this part with local workforce development programs that serve disadvantaged or out-of-school youth, such as those providing workforce investment activities under chapter 4 of subtitle B of title I of the Work-

force Investment Act of 1998, including a description of how the local educational agency will use funds under this part to support such activities.

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

''(8) How teachers, in consultation with parents and family members, administrators, and specialized instructional support personnel, in targeted assistance schools under section 1115, will identify the eligible children most in need of services under this part.

''(9) How the local educational agency will identify and address any disparities in the equitable distribution of teachers, consistent with the requirements of section 1111(b)(1)(L).

''(10) How the local educational agency will provide for the equitable distribution of elementary school teachers, and of secondary school teachers, within local educational agencies and the State using data on the percentage and distribution of the categories of teachers described in subsection (e)(13).

''(11) A general description of the nature of the programs to be conducted by such agency's schools under sections 1114 and 1115 and, where appropriate, educational services outside such schools for

children living in local institutions for neglected or delinquent children, and for neglected and delinquent children in community day school programs.

"(12) A description of—

"(A) how the local educational agency will provide opportunities for the enrollment, attendance, and success of homeless children and youths; and

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

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

"(14) For each quartile of schools in the local educational agency based on school poverty level and for high-minority schools and low-minority schools in the local educational agency, data regarding access at the high school level to rigorous coursework, including—

"(A) access to opportunities to earn postsecondary credit while in high school, such as through Advanced Placement and International Baccalaureate courses and examinations, and dual enrollment; and

"(B) student performance on Advanced Placement and International Baccalaureate course examinations.

"(15) How the local educational agency will identify and address any disparity within the student subgroups described in section 1111(a)(3)(D) in equitable access to rigorous coursework, including access to opportunities described in paragraph (14)(A).

"(16) How the local educational agency will engage in timely, on-going, and meaningful consultation with representatives of Indian tribes in the area served by such local educational agency to improve the coordination of activities under this Act and to meet the unique cultural, language, and academic needs of Indian and Native Hawaiian students.

"(17) How the local educational agency will implement strategies to facilitate effective transitions for students from middle school to high school and from high school to postsecondary education.

"(18) If the local educational agency proposes to use subgrant funds under this part for positive behavioral interventions and supports, a description of the actions the local educational agency will take to provide positive behavioral interventions and supports and coordinate those activities with activities carried out under the Individuals with Disabilities Education Act.

"(19) If the local educational agency proposes to use subgrant funds under this part for early intervening services, a description of the actions the local educational agency will take to provide early intervening services and coordinate those services with early intervening services carried out under the Individuals with Disabilities Education Act.

"(20) If the local educational agency proposes to use subgrant funds under this part for school-based mental health programs, a description of the actions the local educational agency will take to provide school-based mental health programs and coordinate those activities with activities carried out under the Individuals with Disabilities Education Act.

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

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

"(22) A description of how the local educational agency will plan for pregnant and parenting students to be enrolled, attend, and succeed in school.

"(e) ASSURANCES.—Each local educational agency plan shall provide assurances that the local educational agency will—

"(1) use the results of the academic assessments required under section 1111(a)(2), and other measures or indicators available to the agency, to review annually the progress of each school served by the agency and receiving funds under this part to determine whether all of the schools are making the progress necessary to ensure all students will be performing at or above grade level on the State academic assessments required under such section, in accordance with the ambitious targets described in the State plan under section 1111(a)(3)(C);

"(2) provide to parents and teachers the results from the academic assessments required under section 1111(a)(2) as soon as is practicably possible

after the test is taken in an understandable and uniform format and, to the extent possible, provided in a language that the parents and, to the greatest extent practicable, family members, can understand;

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

''(4) fulfill such agency's school improvement responsibilities under section 1116;

''(5) ensure that migratory children who are eligible to receive services under this part are selected to receive such services on the same basis as other children who are selected to receive services under this part;

''(6) engage in timely and meaningful consultation with representatives of Indian tribes located in the area served by the local educational agency;

''(7) provide services to eligible children attending private elementary schools and secondary schools in accordance with section 1120, and timely and meaningful consultation with private school officials regarding such services;

"(8) inform eligible schools of the local educational agency's authority to obtain waivers on the school's behalf under applicable Federal flexibility provisions;

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

"(10) comply with the requirements of section 1501 that relate to the local educational agency and describe the local educational agency's plan to ensure such compliance;

"(11) comply with the requirements of subtitle B of title VII of the McKinney-Vento Homeless Assistance Act that relate to the local educational agency;

"(12) annually submit to the State educational agency the information contained in each school equity report card described in section 1111(g)(2); and

"(13) annually submit to the State educational agency, for each quartile of schools in the local educational agency based on school poverty level and for

high-minority schools and low-minority schools in the local educational agency, data regarding the percentage and distribution of the following categories of teachers:

"(A) Teachers who are new.

"(B) Teachers who have not completed a teacher preparation program.

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

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

"(f) PARENTAL NOTIFICATION REGARDING LANGUAGE INSTRUCTION PROGRAMS.—

"(1) IN GENERAL.—Each local educational agency using funds under this part to provide a language instruction educational program as determined under part C of title III shall, not later than 30 days after the beginning of the school year, inform a parent or parents of an English learner identified for participation or participating in, such a program of—

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

placement in a language instruction educational program;

"(B) the child's level of English proficiency, how such level was assessed, and the status of the child's academic achievement;

"(C) the methods of instruction used in the program in which their child is, or will be, participating, and the methods of instruction used in other available programs, including how such programs differ in content, instructional goals, and the use of English and a native language in instruction;

"(D) how the program in which their child is, or will be, participating, will meet the educational strengths and needs of their child;

"(E) how such program will specifically help their child learn English, and meet age-appropriate academic achievement standards for grade promotion and graduation;

"(F) the specific exit requirements for the program, including the expected rate of transition from such program into classrooms that are not tailored for English learners, and the expected rate of graduation from secondary

1 school for such program if funds under this
2 part are used for children in secondary schools;
3 "(G) in the case of a child with a dis-
4 ability, how such program meets the objectives
5 of the individualized education program of the
6 child; and
7 "(H) information pertaining to parental
8 rights that includes written guidance—
9 "(i) detailing—
10 "(I) the right that parents have
11 to have their child immediately re-
12 moved from such program upon their
13 request; and
14 "(II) the options that parents
15 have to decline to enroll their child in
16 such program or to choose another
17 program or method of instruction, if
18 available; and
19 "(ii) assisting parents in selecting
20 among various programs and methods of
21 instruction, if more than 1 program or
22 method is offered by the eligible entity.
23 "(2) NOTICE.—The notice and information pro-
24 vided in paragraph (1) to a parent or parents of a
25 child identified for participation in a language in-

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

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

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

content standards expected of all students, including holding, and sending notice of opportunities for, regular meetings for the purpose of formulating and responding to recommendations from parents and family members of students assisted under this part.

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

SEC. 1113. ELIGIBLE SCHOOL ATTENDANCE AREAS.

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

(1) in subsection (a)—

(A) by striking paragraph (3) and inserting the following:

''(3) RANKING ORDER.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), if funds allocated in accordance with subsection (c) are insufficient to serve all eligible school attendance areas, a local educational agency shall—

''(i) annually rank, without regard to grade spans, such agency's eligible school attendance areas in which the concentration of children from low-income families exceeds 75 percent, or exceeds 50 percent

in the case of the high schools served by such agency, from highest to lowest according to the percentage of children from low-income families; and

"(ii) serve such eligible school attendance areas in rank order.

"(B) APPLICABILITY.—A local educational agency shall not be required to reduce, in order to comply with subparagraph (A), the amount of funding provided under this part to elementary schools and middle schools from the amount of funding provided under this part to such schools for the fiscal year preceding the data of enactment of the Strengthening America's Schools Act of 2013 in order to provide funding under this part to high schools pursuant to subparagraph (A).";

(B) by striking paragraph (5) and inserting the following:

"(5) MEASURES.—

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

cent census data approved by the Secretary, the number of children eligible for free and reduced priced lunches under the Richard B. Russell National School Lunch Act, the number of children in families receiving assistance under the State program funded under part A of title IV of the Social Security Act, or the number of children eligible to receive medical assistance under the Medicaid program, or a composite of such indicators, with respect to all school attendance areas in the local educational agency—

"(i) to identify eligible school attendance areas;

"(ii) to determine the ranking of each area; and

"(iii) to determine allocations under subsection (c).

"(B) LOW-INCOME FAMILIES IN SECONDARY SCHOOLS.—For measuring the number of students in low-income families in secondary schools, the local educational agency shall use the same measure of poverty, which shall be the calculation producing the greater of the results from among the following 2 calculations:

"(i) The calculation described under subparagraph (A).

"(ii) A feeder pattern described in subparagraph (C).

"(C) FEEDER PATTERN.—In this part, the term 'feeder pattern' means an accurate estimate of the number of students in low-income families in a secondary school that is calculated by applying the average percentage of students in low-income families of the elementary school attendance areas as calculated under subparagraph (A) that feed into the secondary school to the number of students enrolled in such school."; and

(C) by adding at the end the following:

"(8) RESERVATION FOR EARLY CHILDHOOD EDUCATION.—A local educational agency may reserve funds made available to carry out this section for early childhood education in eligible school attendance areas before making allocations to high schools in eligible school attendance areas pursuant to this section."; and

(2) in subsection (c)—

(A) by striking paragraph (3) and inserting the following:

"(3) RESERVATION FOR HOMELESS CHILDREN AND YOUTH AND OTHER AT-RISK CHILDREN.—

"(A) FUNDS FOR HOMELESS CHILDREN AND YOUTH AND OTHER AT-RISK CHILDREN.—A local educational agency shall reserve such funds as are necessary under this part to serve—

"(i) homeless children who are attending any public school served by the local educational agency, including providing educationally related support services to children in shelters and other locations where children may live;

"(ii) children in local institutions for neglected children;

"(iii) if appropriate, children in local institutions for delinquent children, and neglected or delinquent children in community day programs; and

"(iv) children in foster care (as defined in section 1502), including providing points of contact (as described in section 1501(d)) in local educational agencies for child welfare agencies and children in foster care.

"(B) RESERVATION OF FUNDS.—Notwithstanding the requirements of subsections (b) and (c) of section 1120A, funds reserved under subparagraph (A) may be used to provide homeless children and youths with services not ordinarily provided to other students under this part, including—

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

"(ii) providing transportation pursuant to section 722(g)(1)(J)(iii) of such Act;

"(iii) providing services to preschool-aged homeless children and homeless secondary school students;

"(iv) providing support services to homeless children and youths in shelters and other locations where they may live; and

"(v) removing barriers to homeless children and youths' enrollment, attendance, retention, and success in school.

"(C) AMOUNT RESERVED.—The amount of funds reserved in accordance with subparagraph (A)(i) shall be determined by an assessment of the needs of homeless children and youths in the local educational agency. Such needs assessment shall include the following:

"(i) Information related to child, youth, and family homelessness in the local educational agency obtained through the coordination and collaboration required under subsections (f)(4) and (g)(5) of section 722 of the McKinney-Vento Homeless Assistance Act.

"(ii) The number of homeless children and youths reported by the local educational agency to the State educational agency under section 722(f)(3) of the McKinney-Vento Homeless Assistance Act for the previous school year."; and

(B) in paragraph (4), by striking "eligible under this section and identified for school improvement, corrective action, and restructuring under section 1116(b)" and inserting "identified as a priority school under section 1116(d)".

SEC. 1114. SCHOOLWIDE PROGRAMS.

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

(1) in subsection (a)—

(A) in paragraph (1), by adding at the end the following: ''Funds under this part may be used to support evidence-based activities that address needs identified through the comprehensive needs assessment under subsection (b)(1)(A) and consistent with the schoolwide program.'';

(B) in paragraph (2)—

(i) in subparagraph (A)(ii), by striking ''provide'' and all that follows through the period and inserting ''identify particular services as supplemental.''; and

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

''(B) SUPPLEMENTAL FUNDS.—

''(i) IN GENERAL.—A local educational agency serving a school participating in a schoolwide program shall use funds available to carry out this section only to supplement the aggregate amount of funds that would, in the absence of funds under this part, be made available from State and local sources for the school,

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

"(ii) COMPLIANCE.—To demonstrate compliance with clause (i), a local educational agency shall demonstrate that the methodology it uses to allocate State and local funds to each school receiving funds under this part ensures the school receives all of the State and local funds the school would otherwise receive if it were not receiving funds under this part.

"(iii) NONAPPLICABILITY.—Section 1120A(b) shall not apply to schools operating schoolwide programs under this section.";

(C) in paragraph (3)(B)—

(i) by inserting "or" after "civil rights,"; and

(ii) by striking ", services to private school children, maintenance of effort, comparability of services, uses of Federal funds to supplement, not supplant non-Federal funds, or the distribution of funds

to State educational agencies or local educational agencies''; and

(D) by striking paragraph (4) and inserting the following:

''(4) EXTERNAL PROVIDERS.—A school may carry out a schoolwide program under this subsection through an external provider if the school demonstrates, in the plan required under subsection (b)(2), that the external provider has expertise in using strategies and programs that are based on scientifically valid research to improve teaching, learning, and schools.'';

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in subparagraph (A)—

(I) by striking ''section 1309(2)'' and inserting ''section 1312''; and

(II) by striking ''section 1111(b)(1)'' and inserting ''section 1111(a)(1)''; and

(ii) in subparagraph (B)—

(I) in clause (i), by striking ''to meet the State's proficient and advanced levels of student academic achievement described in section

1111(b)(1)(D)'' and inserting ''to be proficient or advanced students, as described in section 1111(a)(3)(B)(ii)(I)'';

(II) in clause (ii), by striking ''scientifically based research'' and inserting ''scientifically valid research''; and

(III) in clause (iii)—

(aa) in subclause (I)—

(AA) in item (aa), by striking ''pupil services'' and inserting ''specialized instructional support services'';

(BB) in item (bb), by striking ''and'' after the semicolon;

(CC) in item (cc), by striking ''vocational and technical education programs; and'' and inserting ''career and technical education programs;''; and

(DD) by adding at the end the following:

"(dd) implementation of schoolwide positive behavioral interventions and supports, including through coordination with activities carried out under the Individuals with Disabilities Education Act, in order to improve academic outcomes for students and reduce the need for suspensions, expulsions, and other actions that remove students from instruction; and

"(ee) implementation of early intervening services, including through coordination with early intervening services carried out under the Individuals with Disabilities Education Act;"; and

(bb) in subclause (II), by striking "and" after the semicolon; and

(cc) by adding at the end the following:

"(III) a multi-tier system of supports and positive behavioral interventions and supports; and

"(IV) support for programs, activities, courses, and professional development in the core academic subjects that are targeted toward assisting children described in subclause (I) in meeting the academic content and student academic achievement standards described in section 1111(a)(1); and";

(iii) in subparagraph (C), by inserting "and highly rated" after "qualified";

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

(v) by redesignating subparagraphs (E), (G), (H), (I), and (J), as subparagraphs (D), (E), (F), (G), and (H), respectively;

(vi) in subparagraph (D), as redesignated by clause (v), by inserting "and highly rated" after "qualified";

(vii) in subparagraph (E), as redesignated by clause (v), by striking ", Even

Start, Early Reading First,'' and inserting ‘‘, programs under part A of title IV,''; (viii) in subparagraph (F), as redesignated by clause (v), by striking ‘‘section 1111(b)(3)'' and inserting ‘‘section 1111(a)(2)''; and (ix) in subparagraph (G), as redesignated by clause (v), by striking ‘‘proficient or advanced levels of academic achievement standards required by section 1111(b)(1)'' and inserting ‘‘proficient and advanced levels of academic achievement standards described in section 1111(a)(1)(A)(iv)''; and (B) in paragraph (2)—

(i) in subparagraph (A)—

(I) in the matter preceding clause (i), by striking ‘‘No Child Left Behind Act of 2001), in consultation with the local educational agency and its school support team or other technical assistance provider under section 1117,'' and inserting ‘‘Strengthening America's Schools Act of 2013), in consultation with the local educational agency,''; and

(II) in clause (iv), by striking "section 1111(b)(3)" and inserting "section 1111(a)(2)"; and

(ii) in subparagraph (B)—

(I) in clause (i)—

(aa) in subclause (I), by striking ", after considering the recommendation of the technical assistance providers under section 1117,"; and

(bb) in subclause (II), by striking "the No Child Left Behind Act of 2001" and inserting "the Strengthening America's Schools Act of 2013";

(II) in clause (ii), by striking "pupil services personnel" and inserting "specialized instructional support personnel"; and

(III) in clause (v), by striking "Reading First, Early Reading First, Even Start," and inserting "part A of title IV,"; and

(3) in subsection (c), by striking ''Even Start programs or Early Reading First programs'' and inserting ''programs under part A of title IV''.

SEC. 1115. TARGETED ASSISTANCE SCHOOLS.

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

(1) in subsection (b)—

(A) in paragraph (1)(B)—

(i) by striking ''challenging'' and inserting ''college and career ready''; and

(ii) by striking ''except that'' and all that follows through the period at the end and inserting ''including children who are at risk of failing to be ready for elementary school.''; and

(B) in paragraph (2)—

(i) in subparagraph (A), by striking ''or limited English proficient children'' and inserting '', or English learners''; and

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

''(B) HEAD START OR LITERACY PROGRAMS.—A child who, at any time in the 2 years preceding the year for which the determination is made, participated in a Head Start program, a program under part A of title IV,

or in preschool services under this title, is eligible for services under this part.'';

(2) in subsection (c)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking ''challenging'' and inserting ''college and career ready'';

(ii) in subparagraph (A), by striking ''challenging'' and inserting ''college and career ready'';

(iii) in subparagraph (C)—

(I) in the matter preceding clause (i), by striking ''scientifically based research'' and inserting ''scientifically valid research'';

(II) in clause (ii), by striking ''and'' after the semicolon; and

(III) by adding at the end the following:

''(iv) may include a multi-tier system of supports and positive behavioral supports; and

''(v) may include support for programs, activities, courses, and professional development in the core academic subjects

that are targeted toward children described in subclause (I) to enable such children to meet the academic content and student academic achievement standards described in section 1111;'';

(iv) in subparagraph (D), by striking ''Even Start, Early Reading First'' and inserting ''programs under part A of title IV,'';

(v) in subparagraph (E), by inserting ''and highly rated'' after ''qualified''; and

(vi) in subparagraph (F)—

(I) by striking ''subsection (e)(3) and''; and

(II) by striking ''pupil services personnel'' and inserting ''specialized instructional support personnel''; and

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking ''proficient and advanced'' and inserting ''on-track and advanced''; and

(ii) in subparagraph (B), by striking ''challenging'' and inserting ''college and career ready''; and

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

SEC. 1116. SCHOOL PERFORMANCE.

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

''SEC. 1116. SCHOOL PERFORMANCE.

''(a) SCHOOL ACCOUNTABILITY AND IMPROVEMENT SYSTEM.—

''(1) IN GENERAL.—Each State receiving a grant under this part shall establish a school accountability and improvement system that—

''(A) is part of the accountability system required under section 1111(a)(3) and implements the requirements of such system;

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

''(C) identifies the public elementary schools and secondary schools in the State that will need local interventions under subsection (b), that are focus schools under subsection (c), and that are priority schools under subsection (d), and the processes to be used to improve

1 schools in each category, in accordance with
2 this section and section 2123(b).
3 "(2) REVIEW AND APPROVAL.—The State shall
4 include information describing the school account-
5 ability and improvement system in the State plan
6 under section 1111(b), which shall be subject to peer
7 review and approval by the Secretary as part of the
8 State plan, in accordance with such section.
9 "(b) LOCAL INTERVENTIONS; REPORTING.—
10 "(1) LOCAL INTERVENTIONS.—Beginning in
11 the 2015–2016 school year, each local educational
12 agency receiving a subgrant under this part shall—
13 "(A) identify each school that, after 2 con-
14 secutive years, has not met the same perform-
15 ance target described in section 1111(a)(3)(C)
16 for the same subgroup described in section
17 1111(a)(3)(D); and
18 "(B) ensure that such school, in collabora-
19 tion with the local educational agency, develops
20 and implements a locally designed intervention
21 to improve student achievement in each such
22 subgroup.
23 "(2) REPORTING.—Each local educational
24 agency that implements locally designed interven-
25 tions under paragraph (1) to support schools that

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

"(3) LACK OF IMPROVEMENT.—Each school served under this part that has been identified as a school that has not met the same subgroup performance target, as described in paragraph (1), for the preceding 3 consecutive years shall work with the State educational agency to implement a State-approved intervention based on established best practices within State.

"(c) FOCUS SCHOOLS.—

"(1) IDENTIFICATION.—Beginning in the 2015–2016 school year, a State shall identify as a focus school, for the 3-year period following the school's identification period (except as provided in paragraph (2))—

"(A) each public school in the State that—

"(i) is not identified as a priority school under subsection (d); and

"(ii) is in the 10 percent of such schools with the greatest achievement gaps among the subgroups described in section 1111(a)(3)(D) as compared to the statewide average, as determined by the State academic assessments under section 1111(a)(2); and

"(B) each public high school in the State that—

"(i) is not identified as a priority school under subsection (d); and

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

"(2) IMPROVEMENT STRATEGIES.—For each focus school identified under paragraph (1), the local educational agency serving the school shall, in accordance with the State accountability system described in section 1111(a)(3), develop and implement a measurable and data-driven correction plan to improve the performance of low-achieving subgroups in the school in order to close achievement

gaps. A correction plan under this paragraph shall be developed with input from teachers, parents, community members, and other stakeholders.

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

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

"(A) at any time during the 3-year period for which a school is so identified, the school has met all of its performance targets as described in section 1111(a)(3)(C) for the school year; or

"(B) after 2 years of the 3-year period, the State determines, based on the most current data, that the school's rate of improvement is sufficient to enable the school to meet all of the

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

"(d) PRIORITY SCHOOLS.—

"(1) IDENTIFICATION.—

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

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

"(ii) each school served under this part in the State that is in the lowest-achieving 5 percent of secondary schools;

"(iii) each public high school in the State with a graduation rate of less than 60 percent; and

"(iv) each school served under this part that has been identified as a focus school under subsection (c) for the 6 preceding consecutive years.

"(B) STATE WAIVER.—If a State determines that all schools that would otherwise be considered to be the lowest-achieving 5 percent

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

''(2) NEEDS ANALYSIS.—Each local educational agency receiving assistance under this part shall conduct a data-driven needs analysis, which may involve an external partner with expertise in conducting such needs analysis, of each school identified as a priority school, as the case may be, to determine the most appropriate school improvement strategies to improve student performance. Such needs analysis shall include—

''(A) a diagnostic review of data related to students and instructional staff;

''(B) an analysis of the school governance, curriculum, instruction, student supports, conditions for learning, and parent and family engagement practices relative to the needs of the student population; and

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

education, available at the school, local educational agency, and community levels to meet student needs and support improved student achievement and outcomes and the implementation of any school improvement strategy.

"(3) STATE AND LOCAL RESPONSIBILITIES FOR IDENTIFIED SCHOOLS.—

"(A) STATE RESPONSIBILITIES.—Each State receiving a grant under this part shall ensure that a local educational agency receiving assistance under this part carries out the requirements of subparagraph (B) for each school identified as a priority school under paragraph (1) in the State.

"(B) LOCAL EDUCATIONAL AGENCY RESPONSIBILITIES.—Each local educational agency receiving assistance under this part shall, consistent with the State's accountability system under section 1111(a)(3)—

"(i) establish a process for selecting an appropriate school improvement strategy for each school described in subparagraph (A) that is served by the local educational agency;

"(ii) select the school improvement strategy to be used in each such school and the timeline for implementing the selected school improvement strategy in such school;

"(iii) develop a detailed budget covering the 3-year identification period, including planned expenditures at the school level for activities supporting full and effective implementation of the selected school improvement strategy;

"(iv) implement a school improvement strategy at the school in accordance with the requirements of paragraph (4);

"(v) use appropriate measures to monitor the effectiveness of the implementation;

"(vi) review and select turnaround partners to assist in implementing school improvement strategies;

"(vii) align other Federal, State, and local resources with the school improvement strategy;

"(viii) provide the school with the operational flexibility, including autonomy

over staffing, time, and budget, needed to enable full and effective implementation of the selected strategy, including through the modification of practices or policies, if necessary;

''(ix) collect and use data on an ongoing basis to adjust implementation of the school improvement strategy to improve student achievement;

''(x) provide an assurance that the implementation of the selected school improvement strategy addresses the needs of all the subgroups of students described in section 1111(a)(3)(D) in the school;

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

''(xii) provide technical assistance and other support to ensure students graduate from high school college- and career-ready, as determined by the State's academic content standards under section 1111(a)(1), through the effective implementation of the school improvement strategy in the school, which—

"(I) may include assistance in—

"(aa) data collection and analysis;

"(bb) recruiting and retaining staff;

"(cc) teacher and principal evaluation;

"(dd) professional development;

"(ee) parent and family engagement;

"(ff) coordination of services with high-quality early childhood education providers;

"(gg) coordination of services to address students' social, emotional, and health needs; and

"(hh) monitoring the implementation of the school improvement strategy selected under paragraph (4); and

"(II) shall include assistance in the implementation of schoolwide positive behavior supports, school-based mental health programs, and other

approaches with evidence of effectiveness, for improving the learning environment in the school and reducing the need for suspensions, expulsions, and other actions that remove students from instruction, including effective strategies for improving coordination of community resources;

''(xiii) establish partnerships with employers, institutions of higher education, service providers, and others to assist in implementing school improvement strategies described in paragraph (4); and

''(xiv) review school discipline and climate data, disaggregated by each subgroup described in section 1111(a)(3)(D), in assessing the needs of the school and, if low-achieving subgroups receive a disproportionate amount of suspensions, expulsions, or other forms of exclusionary discipline, incorporate evidence-based strategies to reduce out-of-classroom punishment and promote student engagement in the school's improvement plan.

"(C) STATE AS LOCAL EDUCATIONAL AGENCY.—If a school identified as a priority school under this subsection for a 3-year identification period is re-identified as a priority school for the subsequent 3-year period, the State may take over the school and act as the local educational agency for purposes of this subsection, if permitted under State law.

"(4) SCHOOL IMPROVEMENT STRATEGIES.—

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

"(i) provide staff at the school with ongoing professional development, consistent with the needs analysis described in paragraph (2);

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

"(iii) provide time for collaboration among instructional staff at the school to improve student achievement;

"(iv) provide instructional staff at the school with timely access to student data to inform instruction and meet the academic needs of individual students, which may include, in elementary school, school readiness data;

"(v) collaborate with parents and families, the community, teachers, other school personnel at the school, and representatives of Indian tribes located in the area served by the local educational agency, on the selection and implementation of the strategy;

"(vi) use data to identify and implement a research-based instructional program that—

"(I) analyzes student progress and performance and develops appropriate interventions for students who are not making adequate progress; and

"(II) provides differentiated instruction and related instructional supports;

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

"(vii) in the case of an elementary school with kindergarten entry—

"(I) examine factors that contribute to school readiness as part of the needs analysis conducted under paragraph (2);

"(II) coordinate with appropriate high-quality early childhood programs, such as programs under the Child Care Development and Block Grant Act of 1990, the Head Start Act, pre-kindergarten programs, and other similar Federal, State, and local programs, in order to align instruction to better prepare students for elementary school; and

"(III) develop a plan to improve or expand high-quality early childhood options which may include the use of funds under this part for such purposes;

"(viii) provide ongoing mechanisms for parent and family engagement;

"(ix) provide appropriate services and evidence-based, integrated supports for students as identified in the school's needs analysis;

"(x) describe, in a report to the State educational agency and made available to the public upon request, how the local educational agency or school will adopt and implement policies or practices to develop, implement, improve, or expand positive behavioral interventions and supports, early intervening services, and school-based mental health programs in accordance with the requirements of clauses (xi) through (xiv);

"(xi)(I) review and analyze the school's efforts to address behavioral or disciplinary problems; and

"(II) assist the school in developing, expanding, or improving the use of schoolwide positive behavioral interventions and supports that are aligned with activities carried out under the Individuals with Disabilities Education Act; and

"(xii) review and analyze the school's efforts to identify and assist students with poor academic achievement and students who are children with disabilities, and assist the school in developing, implementing, or improving early intervening services that are coordinated with activities carried out under the Individuals with Disabilities Education Act;

"(xiii) review the number of discipline incidents in the school and use that information to assist the school to implement schoolwide positive behavioral interventions and supports or other early intervening services, or both; and

"(xiv) review and analyze the school's efforts to address mental health needs among students and assist the school in developing or improving school-based mental health programs that are coordinated with activities carried out under the Individuals with Disabilities Education Act.

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

school under paragraph (1) from among the following strategies:

"(i) TRANSFORMATION STRATEGY.—A local educational agency implementing a transformation strategy in a school shall—

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

"(aa) training or experience in raising student achievement; or

"(bb) training or experience in turning around low-performing schools;

"(II) require existing instructional staff and school leadership to reapply for their positions; and

"(III) require that all instructional staff and school leadership hiring be done at the school through mutual consent.

"(ii) TURNAROUND STRATEGY.—A local educational agency implementing a turnaround model as a strategy for a school shall—

"(I) replace the principal, if the principal has served in that role at the school for more than 2 years, with a principal who has the demonstrated record of success, training, or experience described in clause (i)(I); and

"(II) screen all teachers in the school and retain not more than 65 percent of them.

"(iii) WHOLE SCHOOL REFORM STRATEGY.—A local educational agency implementing a whole school reform strategy for a school shall implement an evidence-based strategy that ensures whole school reform. The strategy shall be undertaken in partnership with an external provider offering a school reform program that is based on at least a moderate level of evidence that the program will have a statistically significant effect on student outcomes, including more than 1 well-de-

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

"(iv) RESTART STRATEGY.—A local educational agency implementing a restart strategy in a school shall carry out the following:

"(I)(aa) Convert the school into a public charter school, or close and reopen the school as a public charter school in partnership with a nonprofit charter school operator, a nonprofit charter management organization, or a nonprofit education management organization, that has a demonstrated record of improving student achievement for students similar to those served by the school; or

"(bb) convert the school to a magnet school or create a new, innovative school, as defined by the State.

"(II) Ensure that the new school—

"(aa) serves the grade levels as the original school for which

the strategy is being implemented; and

"(bb) enrolls any former student of the original school who requests to attend the school and then, after all such students are enrolled, admits additional students, using a random lottery system if more students apply for admission than can be accommodated.

"(v) SCHOOL CLOSURE STRATEGY.—A local educational agency implementing a school closure strategy for a school—

"(I) shall close the school and enroll the students who attended the school in other schools, including charter schools, served by the local educational agency that are within reasonable proximity to the closed school, as determined by the local educational agency, and that are higher-performing than the school that is being closed;

"(II) shall provide transportation, or shall pay for the provision of transportation, for each such student to the student's new school, consistent with State law and local educational agency policy;

"(III) shall provide information about high-quality educational options, as well as transition and support services to students, who attended the closed school and the students' parents; and

"(IV) may use school improvement funds provided under subsection (f) to pay for the expenses of—

"(aa) transitioning students from the school that is being closed to the new school;

"(bb) supporting the new school; and

"(cc) expanding and offering student supports and services within the new school, which may include high-quality prekindergarten programs and services.

1 "(C) FLEXIBILITY.—

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

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

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

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

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

''(D) PUBLIC SCHOOL CHOICE.—

''(i) IN GENERAL.—In addition to the requirements of subparagraph (A) and the school improvement strategy determined under subparagraph (B) or (C)(ii), a local educational agency shall, not later than 3 months before the first day of the school year following identification as a priority school under paragraph (1), provide all students enrolled in the identified school with the option to transfer to another public school served by the local educational agency that has not been identified under such paragraph, unless such an option is prohibited by State law.

''(ii) PRIORITY.—In providing students the option to transfer to another public school, the local educational agency shall give priority to the lowest-achieving

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

"(iii) TREATMENT.—Students who use the option to transfer to another public school shall be enrolled in classes and other activities in the public school to which the students transfer in the same manner as all other children at the public school.

"(iv) SPECIAL RULE.—A local educational agency shall permit a child who transfers to another public school under this subparagraph to remain in that school until the child has completed the highest grade in such school.

"(5) IMPROVEMENT.—

"(A) IN GENERAL.—The State educational agency shall no longer identify a school that has been identified as a priority school for any remainder of the school's 3-year identification period if—

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

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

"(ii) after 2 years of the 3-year period, the State determines, based on the most current data, that the school's rate of improvement is sufficient to enable the school to meet all of the school's performance targets by the end of the 3-year period.

"(B) CONTINUED ELIGIBILITY FOR SCHOOL IMPROVEMENT FUNDS.—If an eligible entity, as defined in subsection (f)(1), was receiving school improvement funds under subsection (f) for a school that improves as described in subparagraph (A), the eligible entity shall continue to receive such grant funds, and use such funds to carry out the grant activities in such school, for the full period of such grant.

"(6) REPEATED CLASSIFICATION AS A PRIORITY SCHOOL.—

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

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

"(B) SPECIAL RULE.—Notwithstanding subparagraph (A), a local educational agency serving a school described in such paragraph, may, in coordination with the State educational agency and based on a community needs assessment, apply to the Secretary for a waiver to implement another school improvement model not previously used by the local educational agency for the school.

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

"(1) the local educational agency's use of funds for professional development, as required under section 2123(b), in schools identified as priority schools

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

"(2) any changes in, or effects on, student performance at such schools during such school year.

"(f) SCHOOL IMPROVEMENT FUNDS.—

"(1) DEFINITIONS.—In this subsection:

"(A) ELIGIBLE ENTITY.—the term 'eligible entity' means—

"(i) a State educational agency;

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

"(iii) a consortium of such local educational agencies; or

"(iv) an educational service agency that serves at least 1 local educational agency described in clause (ii).

"(B) ELIGIBLE SCHOOL.—The term 'eligible school' means a school identified as a priority school under subsection (d).

"(2) ALLOTMENTS TO STATES.—

"(A) IN GENERAL.—From the funds made available to carry out this subsection under section 3(a)(2) for a fiscal year, the Secretary shall provide States that submit an application

described in paragraph (3) with school improvement funds through an allotment, as determined under subparagraph (B) and in addition to the amounts made available to States under subpart 2, to enable the States to award subgrants and carry out the activities described in this subsection to assist eligible schools.

"(B) ALLOTMENTS TO STATES.—From the funds made available to carry out this subsection under section 3(a)(2) for a fiscal year, the Secretary shall allot to each State with an approved application an amount that bears the same relation to such funds as the amount that the State received under subpart 2 for the preceding fiscal year bears to the amount that all States receive under such subpart for such fiscal year.

"(3) STATE APPLICATION.—A State that desires to receive school improvement funds under this subsection shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require. Each application shall include a description of—

"(A) the process and the criteria that the State will use to award subgrants under paragraph (5)(A)(i);

"(B) the process and the criteria the State will use to determine whether the eligible entity's proposal for each eligible school meets the requirements of paragraphs (2) and (4), and subparagraphs (A) and (B) of paragraph (3), of subsection (d);

"(C) how the State will ensure geographic diversity in making subgrants;

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

"(E) how the State will monitor and evaluate the implementation of school improvement strategies by eligible entities, including how the State will use the results of the evaluation to improve State strategies for supporting schools identified under subsection (d); and

"(F) how the State will reduce barriers for schools in the implementation of school improvement strategies, including operational flexibility that would enable complete implementation of the selected school improvement strategy.

"(4) STATE ADMINISTRATION AND TECHNICAL ASSISTANCE.—A State that receives an allotment under this subsection may reserve not more than a total of 5 percent of such allotment for the administration of this subsection, which may include activities aimed at building State capacity to support the local educational agency and school improvement, such as providing technical assistance and other support (including regular site visits to monitor implementation of selected school improvement strategies to eligible entities serving eligible schools), either directly or through educational service agencies or other public or private organizations.

"(5) SCHOOL IMPROVEMENT ACTIVITIES.—

"(A) IN GENERAL.—A State that receives school improvement funds under this subsection shall use not less than 95 percent of such allotment to carry out school improvement activities for eligible schools by—

"(i) awarding subgrants, on a competitive basis, to eligible entities to enable the eligible entities to carry out the activities described in subparagraph (C) for eligible schools; or

"(ii) if the State chooses and the local educational agency serving an eligible school agrees, directly providing the activities described in subparagraph (C)(ii) to the eligible school and the local educational agency, or arranging for other entities, such as school support teams or educational service agencies, to provide such activities to the school.

"(B) SUBGRANTS.—

"(i) APPLICATIONS.—An eligible entity that desires a subgrant under this paragraph shall submit an application to the State at such time, in such manner, and including such information as the State shall require. The application shall include a description of how the eligible entity will carry out the requirements of paragraphs (2) and (4), and subparagraphs (A) and (B) of paragraph (3), of subsection (d) for each eligible school to be served by the grant.

"(ii) DEMONSTRATION OF ADDITIONAL RESPONSIBILITIES.—Each eligible entity that desires a subgrant under this

paragraph shall demonstrate in its application that the eligible entity has—

"(I) adopted human resource policies that prioritize the recruitment, retention, and placement of effective staff in eligible schools;

"(II) ensured that eligible schools have access to resources to implement the school improvement strategies described in subsection (d)(4), such as facilities, professional development, and technology;

"(III) identified opportunities to reduce duplication, increase efficiency, and assist eligible schools in complying with reporting requirements of State and Federal programs;

"(IV) developed an early warning indicator system that monitors school-level data, and alerts the eligible school when a student indicates slowed progress toward high school graduation, so that the school can provide appropriate student interventions; and

"(V) facilitated alignment and coordination between high-quality early childhood education programs and services serving students who will attend eligible schools that are elementary schools, and teachers and principals of such eligible schools.

"(iii) SUBGRANT SIZE.—A State shall award subgrants under this paragraph of sufficient size to enable subgrant recipients to fully and effectively implement the selected school improvement strategies.

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

"(v) WITHHOLDING FINAL FUNDING.—In order for a State to award subgrant funds to an eligible entity for the final 2 years of the subgrant cycle, the eligible entity shall demonstrate that the schools receiving funds under this paragraph have made significant progress on the leading indicators.

"(C) USE OF SUBGRANT FUNDS.—An eligible entity that receives a subgrant under this paragraph shall use the subgrant funds to—

"(i) carry out the requirements of subparagraphs (A) and (B) of paragraph (3), and paragraphs (2) and (4), of subsection (d) in an eligible school that has been identified under such subsection as of the date of the grant award, which may include a maximum 1-year planning period; and

"(ii) carry out activities at the local educational agency level that directly support such implementation, such as—

"(I) assistance in data collection and analysis;

"(II) recruiting and retaining staff;

"(III) teacher and principal evaluation;

"(IV) professional development;

"(V) coordination of services to address students' social, emotional, and health needs; and

"(VI) progress monitoring.

"(D) SUPPLEMENT, NOT SUPPLANT.—An eligible entity or State shall use Federal funds received under this subsection only to supplement the funds that would, in the absence of such Federal funds, be made available from non-Federal sources for the education of pupils participating in programs funded under this subsection.

"(E) INTERVENTION BY STATE.—In the case of a State educational agency that has taken over a school or local educational agency, the State may use an amount of funds under this subsection similar to the amount that the school or local educational agency would receive, under this subsection, in order to carry out the activities described in subparagraph (C) for the school and local educational agency, either directly or through an eligible entity designated by the State educational agency.

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

"(A) Activities focused on building State and local educational agency capacity to turn

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

"(i) identifying and disseminating effective school improvement strategies, including in rural areas;

"(ii) making available targeted technical assistance, including planning and implementation tools; and

"(iii) expanding the availability of turnaround partners capable of assisting in turning around eligible schools, including in rural areas.

"(B) Activities focused on building capacity to turn around eligible schools, including in rural areas.

"(C) The use of data, research, and evaluation to—

"(i) identify schools that are implementing school improvement strategies effectively;

"(ii) identify effective school improvement strategies; and

"(iii) collect and disseminate that information to States and local educational

agencies in a manner that facilitates replication of effective practices.

"(D) Other activities designed to support State and local efforts to improve eligible schools.

"(7) EVALUATION.—The Director of the Institute of Education Sciences shall conduct an evaluation of the programs carried out under this subsection.

"(g) CONSTRUCTION.—Nothing in this section shall be construed to alter or otherwise affect the rights, remedies, and procedures afforded school or school district employees under Federal, State, or local laws (including applicable regulations or court orders) or under the terms of collective bargaining agreements, memoranda of understanding, or other agreements between such employees and their employers.".

SEC. 1117. QUALIFICATIONS FOR TEACHERS AND PARAPROFESSIONALS.

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

(1) by striking section 1117;

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

(3) by redesignating sections 1120, 1120A, and 1120B as sections 1119, 1120, and 1120A, respectively; and

(4) in section 1117, as redesignated by paragraph (2)—

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

''(a) TEACHER QUALIFICATIONS.—

''(1) IN GENERAL.—Except as provided in paragraph (2), each local educational agency receiving assistance under this part shall ensure that all teachers teaching a core academic subject in a program supported with funds under this part are highly qualified teachers and are certified in the subject area in which the teachers are assigned to teach.

''(2) EXCEPTION.—Each local educational agency located in a State in which the State has fully implemented a professional growth and improvement system shall only be required to comply with the requirements under paragraph (1) as they relate to new teachers.

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

a core academic subject in a small, rural, or remote school, the local educational agency may meet the requirements of this section by using distance learning to provide such instruction by a teacher who is a highly qualified teacher for purposes of the core academic subject, as long as—

"(A) the teacher who is a highly qualified teacher in the core academic subject—

"(i) is responsible for providing at least 50 percent of the direct instruction in the core academic subject through distance learning;

"(ii) is responsible for monitoring student progress; and

"(iii) is the teacher who assigns the students their grades; and

"(B) an on-site teacher who is a highly qualified teacher for a subject other the core academic subject taught through distance learning is present in the classroom throughout the period of distance learning and provides supporting instruction and assistance to the students.

1 "(b) QUALIFICATIONS FOR AMERICAN INDIAN, ALAS-
2 KA NATIVE, OR NATIVE HAWAIIAN LANGUAGE, CULTURE,
3 OR HISTORY TEACHERS.—
4 "(1) LANGUAGE OR CULTURE.—
5 "(A) IN GENERAL.—Notwithstanding any
6 other provision of law, the requirements of sub-
7 section (a) on local educational agencies with
8 respect to highly qualified teachers shall not
9 apply to a teacher of American Indian, Alaska
10 Native, or Native Hawaiian language or cul-
11 ture, whether the teacher is teaching on a per-
12 manent, part-time, or occasional basis.
13 "(B) COMPETENCY.—A State may require
14 that a local tribe or tribal organization, as de-
15 fined in section 4 of the Indian Self-Determina-
16 tion and Education Assistance Act (25 U.S.C.
17 450b), verify the competency of a public school
18 teacher of American Indian, Alaska Native, or
19 Native Hawaiian language or culture to teach
20 such subject, to the chief administrative officer
21 of the local educational agency or the chief
22 State school officer.
23 "(2) HISTORY.—
24 "(A) IN GENERAL.—Notwithstanding any
25 other provision of law, the requirements of sub-

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

''(B) COMPETENCY.—A State may require that a local tribe or tribal organization, as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b), verify the competency of the instructor described in subparagraph (A) of American Indian, Alaska Native, or Native Hawaiian history to teach such subject, to the chief administrative officer of the local educational agency or the chief State school officer.'';

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

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

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

(E) in subsection (d), as redesignated by subparagraph (D), by striking ''Subsections (c) and (d)'' and inserting ''Subsection (c)''; and

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

''(i) SPECIAL RULE.—A State educational agency may not require a school or a local educational agency to expend a specific amount of funds for professional development activities under this part.''.

SEC. 1118. PARENT AND FAMILY ENGAGEMENT.

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

''SEC. 1118. PARENT AND FAMILY ENGAGEMENT.

''(a) LOCAL EDUCATIONAL AGENCY PARENT AND FAMILY ENGAGEMENT ASSESSMENT AND PLAN.—

''(1) IN GENERAL.—In order to increase student academic achievement and improve child development, a local educational agency may receive funds under this part only if such agency develops and implements a strategic, evidence-based plan to support meaningful engagement of parents and family members in education (referred to in this section as the 'parent and family engagement plan'). Such plan shall be—

"(A) based on a needs assessment of parents and family members, school instructional and leadership personnel, and community leaders, conducted to inform the development of the plan; and

"(B) be developed and implemented through meaningful consultation with—

"(i) parents and family members of participating children;

"(ii) youth who have graduated from schools that are part of the local educational agency;

"(iii) as applicable, employers, business leaders, and philanthropic organizations;

"(iv) other members of the community who are committed to increasing student academic achievement and improving child development;

"(v) to the greatest extent practicable, individuals with expertise in effectively engaging parents and family members in education; and

"(vi) organizations that have a demonstrated record of effectiveness in assist-

ing students in becoming college and career ready, as determined in accordance with the State academic content standards under section 1111(a)(1).

"(2) ANNUAL SURVEY.—A local educational agency described in paragraph (1) shall, on an annual basis, conduct a survey, through electronic means to the extent practicable, including delivery through mobile devices, of all parents, family members, and all school instructional and leadership personnel, to—

"(A) determine the needs of parents and family members, in order to assist with the learning of their children and engage with school personnel, including all teachers of their children;

"(B) identify strategies to support school-family interactions, including identifying and addressing the barriers to effective parental involvement in a manner responsive to the cultural and language needs of such parents;

"(C) determine the level of parent and family engagement in each respondent's respective school and the level of engagement of school leaders with parent and family members;

"(D) identify perceived and actual barriers to the activities described in subparagraph (A); and

"(E) determine the perceptions about the school's conditions for learning.

"(3) PARENT AND FAMILY ENGAGEMENT PLAN.—

"(A) DEVELOPMENT.—Based on the results of the survey described in paragraph (2), each local educational agency receiving funds under this part shall develop and implement an annual parent and family engagement plan jointly with the parents and family members of participating children and, where applicable, with a parent advisory committee that represents the entire school district. Such plan shall—

"(i) be designed to foster the engagement of parents and other family members and school instructional and leadership personnel;

"(ii) be designed to integrate such engagement into the practice of all the local educational agency's schools that are served under this part;

"(iii) establish parent engagement goals for the local educational agency and such schools; and

"(iv) establish annual quantifiable performance benchmarks for such goals, which shall require continual progress toward the achievement of such goals.

"(B) ADDITIONAL ELEMENTS.—The parent and family engagement plan shall—

"(i) establish the school's expectations for, and commitment to support, meaningful, evidence-based, parent and family engagement strategies;

"(ii) describe the process through which the school will equip parents and family members, with particular attention to economically disadvantaged parents and family members, to—

"(I) act in partnership with local educational agency and school personnel to improve the academic achievement and development of their children; and

"(II) participate in school improvement strategies;

"(iii) describe how the local educational agency will provide the coordination, technical assistance, and other support and conditions necessary to assist participating schools in planning and implementing effective parent and family engagement strategies, such as—

"(I) making facilities of the local educational agency available, as appropriate;

"(II) making compensatory time available for educators to conduct home visits;

"(III) establishing co-location with public assistance programs;

"(IV) encouraging the implementation of community school models and related activities; and

"(V) utilizing the expertise of, and developing strategies with, organizations that have a demonstrated track record of success in supporting parent and family engagement;

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

year, at a convenient time, to which parents and family members of participating children shall be invited and encouraged to attend, in order to—

"(I) review the parent and family engagement plan;

"(II) inform parents and family members of opportunities for engagement in their child's education; and

"(III) explain to parents and family members the right of the parents and family members to be involved, and the benefits of meaningful engagement;

"(v) provide parents with an opportunity to develop the knowledge and skills to engage in full partnerships with school instructional and leadership staff of the school in the education of their children;

"(vi) provide for professional development and other evidence-based support to school instructional and leadership personnel regarding effective parent and family engagement;

"(vii) to the extent feasible and appropriate, coordinate and integrate parent and family engagement programs and strategies with other Federal, State, and local programs;

"(viii) provide information to school personnel, students, and parents about the school's use of positive behavioral interventions and supports, school-based mental health programs, and the expectations of school personnel, students, and parents in supporting a safe learning environment for all students; and

"(ix) describe how the local educational agency will coordinate with parent and family information and resource centers established under part H of title IV.

"(b) ANNUAL REVIEW OF PERFORMANCE BENCHMARKS.—Each year, each local educational agency described in subsection (a), each school served under this part, and the parent advisory board established under subsection (g) shall collaboratively review the benchmarks for each of the goals established under subsection (a)(3)(A). Based on the review—

"(1) if a local educational agency has met or made continual progress toward meeting, its annual benchmarks in such year, the local educational agency will continue to implement the parent and family engagement plan;

"(2) if the local educational agency has not met or made continual progress toward meeting its annual benchmarks in such year, the local educational agency and parent advisory board shall jointly determine the cause after taking into the account the results of the end-of-the-year survey described in subsection (c); and

"(3) the local educational agency shall publicly report on whether the agency has met or made continual progress toward meeting such benchmarks, and the degree to which the benchmarks were met.

"(c) END-OF-THE-YEAR SURVEY.—As part of the review described in subsection (b), a local educational agency shall conduct an end-of-the-year survey of parents and school instructional and leadership personnel, including parents and personnel who participated in the survey described in subsection (a)(2), to determine whether the needs of parents and personnel were met through the implementation of the plan.

"(d) REVISION OF PLAN.—The local educational agency and the parent advisory board established under subsection (g) shall address the causes described in subsection (b)(2) and the results of the survey in subsection (c) in the development or revision of the parent and family engagement plan.

"(e) RESERVATION AND USE OF FUNDS.—

"(1) IN GENERAL.—Each local educational agency shall reserve not less than 2 percent of such agency's allocation under subpart 2 to assist schools in carrying out the activities described in this section, subject to paragraph (2).

"(2) EXCEPTION.—The reservation requirement under paragraph (1) shall not apply if 1 percent of the local educational agency's allocation under subpart 2 for the fiscal year for which the determination is made is equal to or less than $5,000.

"(3) DISTRIBUTION OF FUNDS.—

"(A) IN GENERAL.—A local educational agency shall—

"(i) distribute not less than 75 percent of funds reserved under paragraph (1) to schools served under this part; and

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

ment activities at the local educational agency level.

"(B) PRIORITY.—In allocating the funds described in subparagraph (A), each local educational agency shall give priority to high-need schools.

"(4) USE OF FUNDS.—Funds reserved under paragraph (1) may be used to carry out activities and strategies consistent with the parent and family engagement plan described in subsection (a), including not less than 1 of the following:

"(A) Designating or establishing a dedicated office or dedicated personnel for parent and family engagement.

"(B) Providing professional development for local educational agency and school personnel regarding parent and family engagement strategies, which may be provided jointly to teachers, school leaders, early childhood educators, and parents and family members.

"(C) Providing adult education and literacy activities, as defined in section 203 of the Adult Education and Family Literacy Act.

"(D) Supporting home visitation programs.

"(E) Engaging in other evidence-based or promising strategies for improving and increasing parent and family engagement, which may include family and student supports, as defined in section 4703.

"(F) Disseminating information on best practices (such as implementation, replication, impact studies, and evaluations) focused on parent and family engagement, especially best practices for increasing the engagement of economically disadvantaged parents and family members.

"(G) Contracting with experienced parent organizations to assist with training and other activities under this section.

"(H) Collaborating, or providing subgrants to schools to enable the schools to collaborate, with community-based organizations, or employers, with a demonstrated track record of success in improving and increasing student academic achievement and parent and family engagement to—

"(i) enhance student achievement and development through greater engagement

with children, such as experiential learning opportunities and internships;

"(ii) increase opportunities for such organizations and employers to support family engagement activities, including by offering family engagement training and supporting adult education and family literacy programs; and

"(iii) expand the role of the school as a community resource, such as by using facilities for community events, meetings, career or health fairs, or adult education and family literacy activities.

"(f) ACCESSIBILITY.—In carrying out the parent and family engagement requirements of this part, local educational agencies and schools, to the greatest extent practicable, shall provide opportunities for the full and informed participation of parents and family members (including parents and family members with disabilities), including providing information and school reports in a format and, to the greatest extent practicable, in a language such parents can understand.

"(g) PARENT ADVISORY BOARD.—Each local educational agency described in subsection (a) shall establish a parent advisory board for the purposes of developing,

revising, and reviewing the parent and family engagement plan. Such board shall—

"(1) consist of a sufficient number of parents of children attending the local educational agency's schools served under this part to adequately represent the interests and needs of parents at the local educational agency;

"(2) meet multiple times throughout the school year; and

"(3) be representative of the population served by the local educational agency.".

SEC. 1119. TECHNICAL CORRECTION REGARDING COMPLAINT PROCESS FOR SECTION 1119.

Section 1119(c)(2) (20 U.S.C. 6320(c)(2)), as redesignated by section 1117(3), is amended by striking "9505" and inserting "9503".

SEC. 1120. COMPARABILITY OF SERVICES.

Section 1120 (20 U.S.C. 6321), as redesignated by section 1117(3), is amended—

(1) in subsection (a), by striking "involved"; and

(2) by striking subsection (c) and inserting the following:

"(c) COMPARABILITY.—

"(1) IN GENERAL.—

"(A) COMPARABILITY.—Beginning for the 2015–2016 school year, a local educational agency may receive funds under this part only if the local educational agency demonstrates to the State educational agency that the combined State and local per-pupil expenditures (including actual personnel and actual non-personnel expenditures) in each school served under this part, in the most recent year for which such data were available, are not less than the average combined State and local per-pupil expenditures for those schools that are not served under this part.

"(B) ALTERNATIVE COMPARABILITY.—If the local educational agency is serving all of the schools under its jurisdiction under this part, the agency shall demonstrate to the State educational agency that the average combined State and local per-pupil expenditures (including actual personnel and actual non-personnel expenditures) for its high-poverty schools, in the most recent year for which such data are available, were not less than the average combined State and local per-pupil expenditures for its low-poverty schools.

"(C) BASIS.—A local educational agency may meet the requirements of subparagraphs (A) and (B) on a local educational agency-wide basis or a grade-span by grade-span basis.

"(D) EXCLUSION OF FUNDS.—

"(i) IN GENERAL.—For the purpose of complying with this paragraph, a local educational agency shall exclude any State or local funds expended in any school for—

"(I) excess costs of providing services to English learners;

"(II) excess costs of providing services to children with disabilities;

"(III) capital expenditures; and

"(IV) such other expenditures as the Secretary determines appropriate.

"(ii) CHANGES AFTER THE BEGINNING OF THE SCHOOL YEAR.—A local educational agency need not include unpredictable changes in student enrollment or personnel assignments that occur after the beginning of a school year in determining compliance under this subsection.

"(2) DOCUMENTATION.—A local educational agency shall demonstrate that it is meeting the re-

quirements of paragraph (1) by submitting to the State educational agency the per-pupil expenditures, personnel expenditures, non-personnel expenditures, and total expenditures for each school served by the local educational agency.

"(3) INAPPLICABILITY.—This subsection shall not apply to a local educational agency that does not have more than 1 building for each grade span.

"(4) PROCESS AND PROCEDURES.—

"(A) LOCAL EDUCATIONAL AGENCY RESPONSIBILITIES.—Each local educational agency assisted under this part shall, by October 31, 2016, report to the State educational agency on its compliance with the requirements of this subsection for the preceding school year, including a listing, by school, of actual combined per-pupil State and local personnel and non-personnel expenditures.

"(B) STATE EDUCATIONAL AGENCY RESPONSIBILITIES.—Each State educational agency assisted under this part shall ensure that such information is made publicly available by the State or the local educational agency, including the school by school listing described in subparagraph (A).

"(C) PLAN.—A local educational agency that does not meet the requirements of this subsection in any year shall develop and implement a plan to ensure compliance for the subsequent school year and may be required by the State educational agency to report on its progress in implementing such plan.

"(5) TRANSITION PROVISIONS.—

"(A) SCHOOL YEARS PRECEDING THE 2015–2016 SCHOOL YEAR.—For school years preceding the 2015–2016 school year, a local educational agency may receive funds under this part only if the local educational agency demonstrates to the State educational agency that the local educational agency meets the requirements of this subsection, as in effect on the day before the date of enactment of the Strengthening America's Schools Act of 2013.

"(B) TRANSITION BETWEEN REQUIREMENTS.—The Secretary shall take such steps as are necessary to provide for the orderly transition between the requirements under this section, as in effect on the day before the date of enactment of the Strengthening America's

Schools Act of 2013, and the new requirements under this section, as amended by such Act.

''(6) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to require a local educational agency to transfer school personnel in order to comply with this subsection.

''(7) COMPARABLE REQUIREMENTS.—In the case of a State, State educational agency, or local educational agency that has, before the date of enactment of the Strengthening America's Schools Act of 2013, enacted requirements relating to the comparability of educational expenditures that differ from the requirements of this subsection, the Secretary shall allow the local educational agency to demonstrate comparability of educational expenditures for purposes of this subsection through the enacted requirements if the Secretary determines that the enacted requirements provide the same, or a higher, standard of comparability for schools served under this part as required by this subsection.''.

SEC. 1121. COORDINATION REQUIREMENTS.

Section 1120A (20 U.S.C. 6322), as redesignated by section 1117(3), is amended to read as follows:

"SEC. 1120A. COORDINATION REQUIREMENTS.

"(a) IN GENERAL.—Each local educational agency receiving assistance under this part shall carry out the activities described in subsection (b) with Head Start agencies (consistent with section 642(e)(5) of the Head Start Act (42 U.S.C. 9801(e)(5)), providers of services under part C of the Individuals with Disabilities Education Act, programs carried out under section 619 of such Act, and, if feasible, other entities carrying out high-quality early childhood education programs and services.

"(b) ACTIVITIES.—The activities and services referred to in subsection (a) include—

"(1) developing and implementing a systematic procedure for transferring, with parental consent, early childhood program records for each participating child to the school in which such child will enroll;

"(2) establishing ongoing communication between early childhood program staff and their counterparts in the schools (including teachers, principals, social workers, local educational agency liaisons designated under section 722(g)(1)(J)(ii) of the McKinney-Vento Homeless Assistance Act, and health staff) to facilitate the coordination and alignment of programs;

"(3) establishing ongoing communications between the early childhood program and the local educational agency for developing continuity of developmentally appropriate instructional programs and shared expectations for children's learning and development as children transition to school;

"(4) organizing and participating in joint training, including transition-related training for school staff and early childhood programs;

"(5) establishing comprehensive transition policies and procedures that support the school readiness of children transitioning to school;

"(6) conducting outreach to parents, families, and elementary school teachers to discuss the educational, developmental, and other needs of children entering school;

"(7) helping parents of children who are English learners understand—

"(A) the instructional and other services provided by the school in which such child will enroll after participation in a Head Start program or other Federal early childhood care and education program; and

"(B) as appropriate, the information provided to parents of English learners under section 3202;

"(8) helping parents understand the instructional and other services provided by the school in which their child will enroll after participation in a Head Start program or other Federal early childhood care and education program; and

"(9) developing and implementing a system to increase program participation of underserved populations of eligible children, especially children eligible for a free or reduced price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.), parents of children who are English learners, and parents of children with disabilities.".

SEC. 1122. GRANTS FOR THE OUTLYING AREAS AND THE SECRETARY OF THE INTERIOR.

Section 1121 (20 U.S.C. 6331) is amended—

(1) in subsection (a), by striking "section 1002(a) and 1125A(f)" and inserting "paragraphs (1) and (3) of section 3(a)";

(2) in subsection (b)(3)—

(A) in subparagraph (A), by striking "and freely associated States"; and

(B) in subparagraph (C)(ii), by striking ''challenging State academic content standards'' and inserting ''college and career ready State academic content standards under section 1111(a)(1)''; and

(3) by striking subsection (c) and inserting the following:

''(c) DEFINITION OF OUTLYING AREA.—As used in subsections (a) and (b), the term 'outlying area' has the meaning given that term in subparagraphs (A) and (B) of section 9101(42).''.

SEC. 1123. ALLOCATIONS TO STATES.

Section 1122(a) (20 U.S.C. 6332(a)) is amended by striking ''section 1002(a) to carry out this part for each of fiscal years 2002–2007'' and inserting ''section 3(a)(1) to carry out this part for each of fiscal years 2014 through 2019''.

SEC. 1124. EDUCATION FINANCE INCENTIVE GRANT PROGRAM.

Section 1125A (20 U.S.C. 6337) is amended—

(1) in subsection (a), by striking ''subsection (f)'' and inserting ''section 3(a)(3),'';

(2) in subsection (b)(1)(A), by striking ''subsection (f)'' and inserting ''section 3(a)(3)'';

(3) by striking subsection (f); and

(4) by redesignating subsection (g) as subsection (f).

SEC. 1125. BLUE RIBBON SCHOOLS; CENTERS FOR EXCELLENCE IN EARLY CHILDHOOD.

Part A of title I (20 U.S.C. 6301 et seq.) is amended by adding at the end the following:

"Subpart 3—Blue Ribbon Schools; Centers for Excellence in Early Childhood

"SEC. 1131. BLUE RIBBON SCHOOLS.

"(a) PROGRAM PURPOSE.—It is the purpose of this section to assist States and local educational agencies in identifying and rewarding high-performing public schools.

"(b) BLUE RIBBON SCHOOLS.—

"(1) IDENTIFICATION OF BLUE RIBBON SCHOOLS.—Each State receiving a grant under subpart 2 may—

"(A) define the category of blue ribbon schools, consistent with paragraph (2), for the State as part of its State plan in section 1111(b); and

"(B) identify, for each school year, the schools in the State that are blue ribbon schools for such year.

"(2) BLUE RIBBON SCHOOL CRITERIA.—

"(A) IN GENERAL.—If a State elects to carry out this subsection, the State's blue ribbon schools shall consist of the highest 5 percent of the State's public elementary schools and secondary schools, as designated by the State based on—

"(i) the percentage of proficient or advanced students, as determined under section 1111(a)(3)(B)(ii), in English or language arts, and mathematics;

"(ii) in the case of high schools, the school's graduation rates;

"(iii) the performance of each category of students described in section 1111(a)(3)(D);

"(iv) the percentage of students who are meeting or exceeding the State student academic achievement standards or are achieving sufficient academic growth as described in section 1111(a)(3)(B)(iii); and

"(v) school gains.

"(B) NONELIGIBILITY FOR BLUE RIBBON STATUS.—A school identified under subsection (c) or (d) of section 1116 for a year shall not

be eligible for blue ribbon school status for the same year.

"(c) REWARDS.—

"(1) IN GENERAL.—Each State that defines and identifies blue ribbon schools under subsection (b)(1) for a school year may—

"(A) provide each blue ribbon school in the State with increased autonomy over the school's budget, staffing, and time;

"(B) allow each blue ribbon school to have flexibility in the use of any funds provided to the school under this Act for any purpose allowed under this Act (notwithstanding any other provision of this Act), as long as such use is consistent with the Civil Rights Act of 1964, title IX of the Education Amendments of 1972, section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 (42 U.S.C. 12101), and part B of the Individuals with Disabilities Education Act; and

"(C) reserve not more than .5 percent of the funds allotted to the State under subpart 2 and use such reserved amounts to distribute rewards, on a competitive basis, to local educational agencies that serve 1 or more blue rib-

bon schools identified under subsection (b) that receive funds under subpart 2 to enable the local educational agencies to provide awards to such blue ribbon schools that receive funds under such subpart.

"(2) USE OF REWARDS.—As a condition of receiving an award from a local educational agency under this subsection, a blue ribbon school shall agree to use the award funds to—

"(A) improve student achievement; and

"(B) provide technical assistance to the lowest-achieving schools in the closest geographic region of the State to the blue ribbon school, in accordance with the State plan under section 1111(b)(1)(F).

"SEC. 1132. CENTERS OF EXCELLENCE IN EARLY CHILDHOOD.

"(a) DEFINITION OF ELIGIBLE EARLY CHILDHOOD EDUCATION PROGRAM.—In this section, the term 'eligible early childhood education program' means an early childhood education program, as defined in section 103 of the Higher Education Act of 1965, that—

"(1) serves young children from households that would be eligible to receive a free or reduced price

lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.);

"(2) is nominated, by the Governor of the State in which the program is located and through a competitive selection process, to be a center of excellence in early childhood under this section.

"(b) PROGRAM AUTHORIZED.—

"(1) IN GENERAL.—The Secretary of Education, acting jointly with the Secretary of Health and Human Services as provided in paragraph (2), shall, subject to the availability of funds under section 3(b)(4), establish a program under which the Secretary shall—

"(A) designate exemplary eligible early childhood education programs as centers of excellence in early childhood for the purposes of sharing best practices among early childhood education programs and to support or recognize the centers of excellence to improve the quality of care in programs in their local region; and

"(B) award bonus grants to each center of excellence in early childhood, to enable the center to carry out the activities described in subsection (e).

"(2) FEDERAL ADMINISTRATION.—

"(A) IN GENERAL.—With respect to this section, the Secretary shall bear responsibility for obligating and disbursing funds and ensuring compliance with applicable laws and administrative requirements, subject to subparagraph (B).

"(B) INTERAGENCY AGREEMENT.—The Secretary of Education and the Secretary of Health and Human Services shall jointly administer activities supported under this subsection on such terms as such secretaries shall set forth in an interagency agreement.

"(c) APPLICATION.—

"(1) IN GENERAL.—In order to be eligible to be designated as a center of excellence in early childhood under subsection (b), an eligible early childhood education program shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

"(2) CONTENTS.—At a minimum, the application shall include—

"(A) evidence that the eligible early childhood education program has significantly improved the school readiness, as determined by

the Secretaries, of young children who have participated in the program;

"(B) evidence that the eligible early childhood education program demonstrates improved child outcomes across all the essential domains of school readiness;

"(C) evidence that the eligible early childhood education program has high staff qualifications that are designed to promote the social, emotional, physical, and cognitive development of children;

"(D) an assurance that the eligible early childhood education program will develop a collaborative partnership with other providers of early childhood education in the local community involved to conduct activities under subsection (e);

"(E) a nomination letter, from the Governor of the State in which the eligible early childhood education program is located, demonstrating the eligible early childhood education program's ability to—

"(i) provide the coordination, transition, and training services of the activities proposed to be carried out under the bonus

grant, including the coordination of such activities with State and local agencies that provide early childhood education and development to young children and families in the community served by the eligible early childhood education program; and

"(ii) carry out the activities described in subsection (e)(1); and

"(F) a description of how the early childhood program, in order to expand accessibility and continuity of quality early childhood education and development services and programs, will coordinate activities under subsection (e) with—

"(i) programs serving children assisted under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.);

"(ii) the temporary assistance for needy families program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.);

"(iii) the block grants to State for social services program funded under subtitle

A of title XX of the Social Security Act (42 U.S.C. 1397 et seq.);

"(iv) child care programs supported directly through the Community Services Block Grant;

"(v) the Head Start and Early Head Start programs carried out under Head Start Act;

"(vi) programs supported by grants under part I of title IV;

"(vii) other preschool programs supported under this title;

"(viii) programs carried out under section 619 and part C of the Individuals with Disabilities Education Act;

"(ix) State prekindergarten programs;

"(x) programs that support parent and family engagement, including programs funded under section 1118 or, if applicable, grantees supported through parent and family information and resource center grants under part H of title IV; and

"(xi) other programs of early childhood education and development; and

"(G) a description of how the early childhood education program, if selected as a center for excellence in early childhood, will work with the local educational agency of the area in which the program is located, to—

"(i) provide for effective transitions between the program and elementary schools; and

"(ii) to facilitate ongoing communication between the program and elementary school teachers concerning young children participating in the program to improve the teachers' ability to work effectively with low-income, at-risk young children and their families.

"(d) DESIGNATION AND BONUS GRANTS.—

"(1) IN GENERAL.—For each 5-year term described in paragraph (2), the Secretary shall—

"(A) select and designate, as centers of excellence in early childhood, not less than 1 early childhood education program from each of the several States of the United States, the District of Columbia, Commonwealth of Puerto Rico, and each of the outlying areas from which the Secretary has received applications; and

"(B) award each center of excellence in early childhood a bonus grant for the 5-year term, subject to paragraph (2)(B).

"(2) TERM OF DESIGNATION.—

"(A) IN GENERAL.—Subject to subparagraph (B), the Secretary shall designate each early childhood education program as a center of excellence in early childhood under paragraph (1) for a 5-year term. During the period of that designation, the program shall receive a bonus grant under subsection (b).

"(B) REVOCATION.—The Secretary may revoke a program's grant and designation under subparagraph (A) if the Secretary determines that the program has not made substantial progress in meeting the goals and objectives of the grant.

"(3) BONUS GRANT AMOUNT.—

"(A) MINIMUM AMOUNT OF BONUS GRANT.—Subject to the availability of appropriations, each bonus grant awarded under this subsection shall be in an amount of not less than $200,000 per year.

"(B) PRIORITY FOR INCREASED BONUS GRANT FUNDING.—In determining the amount

of the bonus grant for a center of excellence in early childhood under this section, and subject to the requirements of subparagraph (A), the Secretary—

"(i) shall give priority to centers that, through their applications, demonstrate that their programs are of exceptional quality and would serve as exemplary models for programs in the same geographic region; and

"(ii) may give consideration to—

"(I) the populations served by the centers, such as centers that serve large proportions of young children who are English learners, children who are infants or toddlers with disabilities, as defined in 632 of the Individuals with Disabilities Education Act, children with disabilities who are eligible for services under section 619 of such Act, homeless children, foster children, or children who receive child protective services, or young children of other underserved populations; and

"(II) centers that do an exceptional job meeting the needs of young children in such populations.

"(e) USE OF BONUS GRANT FUNDS.—A center of excellence in early childhood that receives a bonus grant under this subsection shall—

"(1) use not less than 15 percent of the funds made available through the grant to disseminate to other early childhood education programs in the State involved (including to early childhood education programs who serve young children who live on tribal lands or come from families who engage in seasonal or migrant work), best practices for achieving early academic success, including—

"(A) best practices for achieving school readiness, including developing early literacy and mathematics skills;

"(B) best practices for achieving the acquisition of the English language for English learners, if appropriate to the population served;

"(C) best practices for providing high-quality comprehensive services, if applicable, for participating young children and their families; and

"(D) best practices for facilitating the social and emotional development of children and young children; and

"(2) use the remainder of such funds for not less than 2 of the following activities:

"(A) In the case of a center of excellence that is a Head Start program, providing Head Start services to additional eligible young children.

"(B) Extending the services of the center of excellence to provide full-day, full-week, or full-year care to young children served by the program, if appropriate to better meet the needs of working families in the community served by the center.

"(C) Further coordinating early childhood education programs and services and social services available in the community served by the center for at-risk young children, their families, and pregnant women.

"(D) Providing professional development for program instructional and support staff, including joint training for with child care providers, public preschool and elementary school teachers and school leaders, and other providers

of early childhood education and development programs.

"(E) Developing or maintaining partnerships with institutions of higher education and nonprofit organizations, including community-based organizations, that recruit, train, place, and support postsecondary education students to serve as mentors and reading partners to preschool children in centers that serve such children.

"(F) Carrying out other activities determined by the center to improve the overall quality of the center's early childhood education program and for which there is evidence that the activities will lead to improved safety, development, well-being, or school readiness of the young children served by the program.

"(G) Sharing best practices concerning the transition of children into elementary school.

"(f) REPORTS TO THE SECRETARY.—Each center of excellence in early childhood that receives bonus grant funds under this section shall submit an annual report to the Secretary, at such time and in such manner as the Secretary may require, that contains a description of the activities the center carried out with funds received under

this section, including a description of how such funds improved services for young children and families.

"(g) RESEARCH AND TECHNICAL ASSISTANCE.—From the funds made available to carry out this section, the Secretary may reserve not more than 1 percent of such funds to carry out the following activities:

"(1) Supporting a research collaborative among the Institute of Education Sciences, the National Institute of Child Health and Human Development, the Office of Planning, Research, and Evaluation within the Administration for Children and Families of the Department of Health and Human Services, and, as appropriate, other Federal entities, to support research on early learning that can inform improved State and other standards and licensing requirements and improved outcomes for young children, which collaborative shall—

"(A) biennially prepare and publish for public comment a detailed research plan;

"(B) support early learning research activities that could include determining—

"(i) the characteristics of early learning programs that produce positive developmental outcomes for young children;

"(ii) the effects of program quality standards on child outcomes;

"(iii) the relationships between specific interventions and types of child and family outcomes;

"(iv) the effectiveness of early learning provider training in raising program quality and improving child outcomes;

"(v) the effectiveness of professional development strategies in raising program quality and improving child outcomes; and

"(vi) how to improve the school readiness outcomes of young children who are English learners, children with special needs, and homeless children, including evaluation of professional development programs for working with such children; and

"(C) disseminate relevant research findings and best practices.

"(2) Evaluating barriers to improving the quality of early learning programs serving low-income young children, including evaluating barriers to successful interagency collaboration and coordination, by conducting a review of the statewide strategic reports developed by State Advisory Councils on Early

Childhood Education and Care and other relevant reports, reporting the findings of such review to Congress, and disseminating relevant research findings and best practices.

"SEC. 1133. GREEN RIBBON SCHOOLS.

''The Secretary is authorized to identify and recognize exemplary schools, programs, and individuals. Such recognitions may include—

''(1) a Green Ribbon Schools program, such as the Green Ribbons School program carried out by the Secretary under section 5411(b)(5) as of the day before the date of enactment of the Strengthening America's Schools Act of 2013, that recognizes excellence in reducing environmental impact, increasing health and wellness, and providing sustainability education; and

''(2) an award program recognizing excellence exhibited by classified school employees in the public school system.''.

SEC. 1126. GRANTS FOR STATE ASSESSMENTS AND RELATED ACTIVITIES.

Part A of title I (20 U.S.C. 6301 et seq.), as amended by section 1125, is further amended by adding at the end the following:

"Subpart 4—Grants for State Assessments and Related Activities

"SEC. 1141. GRANTS FOR STATE ASSESSMENTS AND RELATED ACTIVITIES.

''(a) GRANTS FOR STATE ASSESSMENTS.—From amounts made available under subsection (c)(1) to carry out this subsection, the Secretary shall make grants to States—

''(1) to enable States to pay the costs of developing, improving, or administering State assessments and standards consistent with section 1111(a), which may include the cost of working in voluntary partnerships with other States, at the sole discretion of each such State; and

''(2) in the case of States that have developed the assessments and standards consistent with the requirements of section 1111(a), to enable each such State—

''(A) to administer such assessments; or

''(B) to carry out other activities described in this section, which may include—

''(i) developing college and career ready State academic content and student academic achievement standards and aligned assessments in academic subjects

for which standards and assessments are not required under section 1111(a);

"(ii) developing or improving assessments of English language proficiency necessary to comply with section 1111(a)(2)(D);

"(iii) developing multiple measures of student academic achievement, including measures that assess higher-order thinking skills and understanding, and elicit complex student demonstrations or applications of knowledge and skills to increase the reliability and validity of State assessment systems;

"(iv) developing, enhancing, or administering, in publicly funded early childhood education programs and elementary schools, early learning assessments (including accommodations to provide access for young children with disabilities) to improve instruction for young children;

"(v) strengthening the capacity of local educational agencies and schools to provide all students with the opportunity to increase educational achievement, in-

cluding carrying out professional development activities aligned with State student academic achievement standards and assessments;

"(vi) expanding the range, and improving the quality, of accommodations available to English learners and students with disabilities to improve the use of such accommodations, including professional development activities;

"(vii) improving the dissemination of information about student achievement and school performance to parents and families, including the development of information and reporting systems designed to—

"(I) identify best educational practices based on scientifically valid research; or

"(II) assist in linking records of student achievement, length of enrollment, and graduation over time;

"(viii) providing instructional supports, which may include formative assessments;

"(ix) developing computer adaptive assessments that meet the requirements of section 1111(a);

"(x) developing alternate assessments, as described in section 1111(a)(2)(E), aligned to alternate achievement standards; and

"(xi) providing professional development to local educational agency staff to transition between assessment systems, including technology for that purpose.

"(b) GRANTS FOR ENHANCED ASSESSMENT SYSTEMS.—

"(1) GRANT PROGRAM AUTHORIZED.—From amounts made available under subsection (c)(2) to carry out this subsection, the Secretary shall award, on a competitive basis, grants to State educational agencies to enable the State educational agencies to carry out the activities described in paragraph (3).

"(2) APPLICATION.—Each State educational agency desiring to receive a grant under this section shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require.

"(3) AUTHORIZED ACTIVITIES.—Each State educational agency that receives a grant under this section shall use the grant funds to—

"(A) enable States, or a consortia of States, to collaborate with institutions of higher education or other organizations or agencies to improve the quality, validity, and reliability of State academic assessments beyond the requirements for such assessments described in section 1111(a)(2);

"(B) measure student academic achievement using multiple measures of student academic achievement from multiple sources, including measures that assess higher-order thinking skills and understanding;

"(C) chart student progress over time; or

"(D) evaluate student academic achievement through the development of comprehensive academic assessment instruments.

"(c) ALLOTMENT OF APPROPRIATED FUNDS.—

"(1) IN GENERAL.—Except as provided in paragraph (2), for each fiscal year, the Secretary shall use the amount of funds made available for this section for such year or $400,000,000 of such funds, whichever is less, to—

"(A) reserve one-half of 1 percent for the Bureau of Indian Education;

"(B) reserve one-half of 1 percent for the outlying areas; and

"(C) from the amounts remaining after the application of subparagraphs (A) and (B), allocate to each State, for the purposes of carrying out the activities under subsection (a), an amount equal to—

"(i) $3,000,000; and

"(ii) with respect to any amounts remaining after the allocation is made under clause (i), an amount that bears the same relationship to such total remaining amounts as the number of students ages 5 through 17 in the State (as determined by the Secretary on the basis of the most recent satisfactory data) bears to the total number of such students in all States.

"(2) SPECIAL RULE FOR FISCAL YEAR 2014.—For fiscal year 2014, the Secretary shall use not less than $800,000,000 or, if a lesser amount is made available for this section for such year, such entire lesser amount, to carry out the requirements of paragraph (1).

"(3) REMAINDER.—Any amounts remaining for a fiscal year after the Secretary carries out paragraph (1) shall be made available to award funds under subsection (b) to States according to the quality, needs, and scope of the State application under this section. In determining the grant amount, the Secretary shall ensure that a State's grant shall include an amount that bears the same relationship to the total funds available under this paragraph for the fiscal year as the number of students ages 5 through 17 in the State (as determined by the Secretary on the basis of the most recent satisfactory data) bears to the total number of such students in all States.

"(4) DEFINITION OF STATE.—In this section, the term 'State' means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.".

PART B—PATHWAYS TO COLLEGE

SEC. 1201. IMPROVING SECONDARY SCHOOLS.

Part B of title I (20 U.S.C. 6361 et seq.) is amended to read as follows:

"PART B—PATHWAYS TO COLLEGE

"Subpart 1—Improving Secondary Schools

"SEC. 1201. SECONDARY SCHOOL REFORM.

''(a) PURPOSES.—The purposes of this section are to ensure students graduate from secondary school college and career ready and to increase graduation rates by providing grants to eligible entities to provide schools with the necessary resources to implement innovative and effective secondary school reform strategies.

''(b) DEFINITIONS.—In this section:

''(1) APPLIED LEARNING.—The term 'applied learning' means a strategy that—

''(A) engages students in opportunities to apply rigorous academic content aligned with college-level expectations to real world experience, through such means as work experience, work-based learning, problem-based learning, or service-learning; and

''(B) develops students' cognitive competencies and pertinent employability skills.

''(2) CHRONIC ABSENTEEISM.—The term 'chronic absenteeism' means a student misses—

''(A) 10 percent of the school days per school year; or

''(B) not less than 20 school days per school year.

"(3) COMPETENCY-BASED LEARNING MODEL.—The term 'competency-based learning model' means an education model in which educators use explicit measurable learning objectives to assist students to advance upon mastery of objectives as determined through relevant assessments.

"(4) EFFECTIVE SECONDARY SCHOOL REFORM STRATEGIES.—The term 'effective secondary school reform strategies' means a set of programs, interventions, and activities with demonstrated effectiveness in improving the academic achievement of struggling students or dropouts.

"(5) ELIGIBLE ENTITY.—The term 'eligible entity' means a high-need local educational agency, or a consortia of such local educational agencies, in partnership with—

"(A) 1 or more institutions of higher education;

"(B) 1 or more employers or industry-related organizations; and

"(C) 1 or more external partners or qualified intermediaries.

"(6) ELIGIBLE SECONDARY SCHOOL.—The term 'eligible secondary school' means a high school that—

"(A) is eligible for funds under part A;

"(B) has a graduation rate below 75 percent;

"(C) does not receive grant funds under section 1116(d); and

"(D) is identified as low performing based on the State's accountability system.

"(7) EXTERNAL PARTNER.—The term 'external partner' means a public or private nonprofit organization or a nonprofit charter management organization, with a demonstrated record of successful secondary school reform.

"(8) FEEDER MIDDLE SCHOOL.—The term 'feeder middle school' means an elementary school or secondary school from which a majority of students go on to attend an eligible secondary school.

"(9) QUALIFIED INTERMEDIARY.—The term 'qualified intermediary' means an entity that has demonstrated expertise to build and sustain partnerships with entities such as employers, schools, community-based organizations, postsecondary educational institutions, social service agencies, economic development organizations, and workforce investment systems, to broker services, resources, and

supports for youth and the organizations and systems designed to serve them.

"(10) STRUGGLING STUDENT.—The term 'struggling student' means a student who—

"(A) is at an increased risk for low academic achievement and is unlikely to graduate secondary school within 4 years; or

"(B) a student who has dropped out of school.

"(c) GRANTS AUTHORIZED.—

"(1) IN GENERAL.—

"(A) RESERVATION.—From the total amount of funds appropriated to carry out this section for a fiscal year, the Secretary shall reserve—

"(i) not more than 2.5 percent for national activities, which the Secretary shall use for technical assistance, data collection and dissemination, and evaluation and reporting activities; and

"(ii) not less than one half of 1 percent for the Bureau of Indian Education for activities consistent with the purposes of this section.

"(B) GRANTS.—From the total amount of funds appropriated to carry out this section for a fiscal year and not reserved under subparagraph (A), the Secretary shall award grants, on a competitive basis, to eligible entities, based on the quality of the applications submitted, of which—

"(i) not more than 25 percent of grant funds shall be used for activities described in subsection (e)(1); and

"(ii) not less than 75 percent of grant funds shall be used for activities described in paragraphs (2) and (3) of subsection (e) and subsection (f).

"(2) GRANT DURATION.—Grants awarded under this section shall be for a period of 5 years, conditional after 3 years on satisfactory progress on the performance indicators described in subsection (d)(2)(G), as determined by the Secretary.

"(3) GRANT CONSIDERATIONS.—In awarding grants under this section, the Secretary shall give special consideration to applications from eligible entities—

"(A) serving high-need areas, such as high-poverty or rural local educational agencies; or

"(B) that demonstrate partnerships with employers to provide students at participating schools with career-related experience or assistance in attaining career-related credentials.

"(4) ANNUAL REPORT.—Each eligible entity that receives a grant under this section shall submit to the Secretary an annual report including data on the entity's progress on the performance indicators described in subsection (d)(2)(G).

"(d) APPLICATION.—

"(1) IN GENERAL.—An eligible entity that desires a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require.

"(2) CONTENTS.—Each application submitted under paragraph (1) shall include, at a minimum, a description of the following:

"(A) How the eligible entity will use funds awarded under this section to carry out the activities described in subsection (e)(1).

"(B) The role of each entity that comprises the eligible entity in meeting the purposes of this section, including the external

partner's capacity and record of success in secondary school reform.

"(C) How the eligible entity will sustain the activities proposed, including the availability of funds from non-Federal sources and coordination with other Federal, State, and local funds.

"(D) How the eligible entity conducted a comprehensive needs analysis and capacity assessment of the eligible secondary schools served by the eligible entity to identify secondary schools proposed to be served by the grant. The needs analysis and capacity assessment shall include the following:

"(i) An examination of each secondary school's data in the aggregate, and disaggregated by each of the subgroups of students described in section 1111(a)(2)(B)(x), on the following:

"(I) Graduation rates and characteristics of those students who are not graduating, including such students' attendance, behavior, expulsion rates, suspension rates, course per-

formance, and credit accumulation rates.

"(II) Rates of dropout recovery (re-entry).

"(III) Rates of enrollment and remediation in institutions of higher education, in accordance with section 1111(d)(3)(B)(viii).

"(IV) The percentage of students who are 2 or more years over-aged or under-credited for their grade level.

"(ii) An examination of each eligible secondary school and feeder middle school's data in the aggregate, and disaggregated by each of the subgroups of students described in section 1111(a)(2)(B)(x), as applicable, on the following:

"(I) Student academic achievement, including the percentage of students who have on-time credit accumulation at the end of each grade and the percentage of students failing a core, credit-bearing, reading or language arts, science, or mathematics

course, or failing 2 or more of any courses.

"(II) The percentage of students who have an attendance rate lower than 90 percent.

"(III) Annual rates of expulsions, suspensions, school violence, harassment, and bullying, as defined under State or local laws or policies.

"(IV) Annual, average credit accumulation.

"(V) Annual, average attendance rates.

"(VI) Annual rates of students who move in and out of the school within a school year.

"(VII) Annual, average rates of enrollment in and completion of advanced coursework, including opportunities to earn postsecondary credit while in high school, such as Advanced Placement and International Baccalaureate courses and exams, dual enrollment, and early college.

"(VIII) Curriculum alignment with college and career ready standards across all grade levels.

"(IX) The non-academic barriers that impact student achievement and the available support services to address such barriers.

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

"(iii) An examination, including a description, of each eligible secondary school's capacity to implement the school reform activities described under subsection (e)(3), including—

"(I) the capacity and experience levels of administrative, instructional, and noninstructional staff;

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

sessment) and can be better spent; and

"(III) the technical assistance, additional resources, and staff necessary to implement the activities identified in subsection (e)(3).

"(iv) An assessment of the capacity of the eligible entity to provide technical assistance and resources to implement the activities described in subsection (e).

"(E) The rationale for the strategies chosen to be implemented under subsection (e), including how such strategies will address the needs identified through the needs analysis.

"(F) How the eligible entity will incorporate students with disabilities, English learners, and struggling students into the activities under subsection (e).

"(G) The performance indicators and targets the eligible entity will use to assess the effectiveness of the activities implemented under this section including—

"(i) graduation rates;

"(ii) dropout recovery (re-entry) rates;

"(iii) percentage of students with less than a 90 percent attendance rate;

"(iv) percentage of students who have on-time credit accumulation at the end of each grade and the percentage of students failing a core subject course;

"(v) rates of expulsions, suspensions, school violence, harassment, and bullying, as defined under State or local laws or policies;

"(vi) annual, average attendance rates;

"(vii) annual rates of student mobility;

"(viii) annual rates of student transfers;

"(ix) college remediation, enrollment, persistence, and completion rates; and

"(x) percentage of students successfully—

"(I) completing Advanced Placement or International Baccalaureate courses;

"(II) completing rigorous post-secondary education courses while attending a secondary school; or

"(III) enrolling in and completing, career and technical education, as defined in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302) or a program that leads to an apprenticeship registered under the Act of August 16, 1937 (commonly known as the 'National Apprenticeship Act'; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.).

"(e) REQUIRED USES OF FUNDS.—

"(1) IN GENERAL.—An eligible entity that receives a grant under this section shall use the grant funds to—

"(A) implement an early warning indicator system to help high schools and feeder middle schools, served by the eligible entity's local educational agency, to identify struggling students and create a system of evidence-based interventions, by—

"(i) identifying and analyzing the academic and non-academic risk factors that most reliably predict dropouts by using longitudinal data of past cohorts of students;

"(ii) identifying specific indicators of student progress and performance, such as attendance and chronic absenteeism, academic performance in core courses, and credit accumulation, to guide decision-making;

"(iii) identifying or developing a mechanism for regularly collecting and analyzing data about the impact of interventions on the indicators of student progress and performance;

"(iv) analyzing academic indicators to determine whether students are making sufficient academic growth to graduate secondary school in the standard numbers of years; and

"(v) identifying and implementing strategies for pairing academic support with integrated student services and case-management interventions for students re-

quiring intensive supports, which may include partnerships with other external partners;

"(B) provide support and credit recovery opportunities for struggling students, including those who are over-aged and under-credited, at secondary schools served by the eligible entity by offering activities, such as—

"(i) a flexible school schedule;

"(ii) competency-based learning models and performance-based assessments; and

"(iii) the provision of support services;

"(C) provide dropout recovery or re-entry programs to secondary schools that are designed to encourage and support dropouts returning to an educational system, program, or institution following an extended absence in order to graduate college and career ready;

"(D) provide evidence-based grade and school transition programs and supports, including through curricula alignment; and

"(E) provide school leaders, instructional staff, noninstructional staff, students, and fami-

lies with high-quality, easily accessible and timely information about—

"(i) secondary school graduation requirements;

"(ii) postsecondary education application processes;

"(iii) postsecondary admissions processes and requirements, including public financial aid and other available private scholarship and grant aid opportunities; and

"(iv) other programs and services for increasing rates of college access and success for students from low-income families.

"(2) REQUIRED USE OF FUNDS IN FEEDER MIDDLE SCHOOLS.—An eligible entity that receives a grant under this section shall use the grant funds in feeder middle schools to improve the academic achievement of students and prepare students to graduate college and career ready by—

"(A) using early warning indicator and intervention systems described in paragraph (1)(A);

"(B) creating a personalized learning environment;

"(C) implementing a transition strategy to support the successful transition of students between grades, including encouraging collaboration among elementary, middle, and secondary school grades;

"(D) providing high-quality professional development opportunities to school leaders, teachers, and other school staff to prepare staff to—

"(i) address the academic challenges of students in middle grades;

"(ii) understand the developmental needs of students in the middle grades and how to address those needs in an educational setting;

"(iii) implement data-driven interventions; and

"(iv) provide academic guidance to students so that students can graduate on college and career ready; and

"(E) implementing organizational practices and school schedules that allow for collaborative staff participation, team teaching, and common instructional planning time.

"(3) REQUIRED USE OF FUNDS IN ELIGIBLE SECONDARY SCHOOLS.—An eligible entity that receives a grant under this section shall use the grant funds in eligible secondary schools to implement a comprehensive approach that will—

"(A) personalize the school experience by taking steps such as—

"(i) creating opportunities for struggling students to receive personalized instruction, including providing a personalized sequence of instructional content and skills development, and opportunities for credit recovery;

"(ii) implementing competency-based learning models; and

"(iii) providing ongoing evaluation of student academic achievement and the necessary supports so that students graduate college and career ready;

"(B) increase student engagement by providing applied learning opportunities;

"(C) provide school leaders with autonomy through a flexible budget and staffing authority;

"(D) implement high-quality, evidence-based professional development for teachers and school leaders, provide increased opportunities for teachers to work collaboratively, and improve instruction;

"(E) improve curriculum and instruction, by—

"(i) redesigning academic content and instructional practices to align with high academic standards for all students, the criteria associated with admission to and success in postsecondary education, and the skills necessary to be successful in the workplace;

"(ii) increasing rigor by providing opportunities to earn postsecondary credit while in high school, including through Advanced Placement or International Baccalaureate courses, dual enrollment, and early college; and

"(iii) implementing competency-based learning models;

"(F) strengthen the transition between high school and postsecondary education through activities such as—

"(i) providing academic and career counseling in student-to-counselor ratios that allow students to make informed decisions about academic and career options;

"(ii) provide high-quality college and career exploration opportunities including college campus visits;

"(iii) coordinating secondary and postsecondary support services, and academic calendars, to allow students to visit and take courses at institutions of higher education; and

"(iv) providing academic and support services, including financial aid counseling for postsecondary education; and

"(G) implement not less than 1 of the following effective secondary school reform strategies to prepare students for college and a career, and to improve graduation rates:

"(i) Graduation Promise Academies, which include—

"(I) 9th grade academies taught by teams of teachers who work with small groups of students;

"(II) career academies for upper grades;

"(III) extended learning periods, such as block scheduling, to reduce the number of students for whom teachers are responsible and the number of courses students are taking at any one time;

"(IV) an after-hours credit recovery program;

"(V) curriculum coaches who provide high-quality professional development and support;

"(VI) partnerships among parents, teachers, administrators, community-based organizations, and community members focused on improving student achievement; and

"(VII) a college-going culture, including student supports and guidance.

"(ii) Career academies, which implement a college and career ready curriculum that integrates rigorous academics, career and technical education, and experiential

learning for high school students in high-skill, high-demand industries, in collaboration with local and regional employers.

"(iii) Dual enrollment programs that provide dual enrollment opportunities with college credit-bearing courses, including accelerated certificate programs with community colleges or other recognized postsecondary credentials.

"(iv) Early college high schools that design curricula and sequences of courses in collaboration with teachers from the eligible secondary school and faculty from the partner institution of higher education so that students may simultaneously earn credits towards a high school diploma and either an associate degree or transferable postsecondary education credits toward a postsecondary degree at no cost to students or their families.

"(f) ALLOWABLE USES OF FUNDS.—An eligible entity that receives a grant under this section may use grant funds to—

"(1) improve parent and family engagement in the educational attainment and achievement of

struggling students and dropouts to be college and career ready by—

"(A) leveraging community-based services and opportunities; and

"(B) providing parents and families with the necessary information, including data on their child's academic achievement and how to navigate the public school system;

"(2) provide extended learning opportunities, by extending the school day, week, or year to increase the total number of school hours to include additional time for instruction in academic subjects and enrichment activities that contribute to a well-rounded education;

"(3) increase student supports through activities such as student advisories, school counseling opportunities, and one-to-one mentoring; and

"(4) create smaller learning communities.

"(g) MATCHING FUNDS.—

"(1) IN GENERAL.—An eligible entity that receives a grant under this section shall provide matching funds, from non-Federal sources, in an amount equal to not less than 20 percent of the amount of grant funds awarded in the first 3 years of the grant, not less than 50 percent of the amount

awarded in the fourth year of the grant, and not less than 75 percent of the amount awarded in the fifth year of the grant, as applicable.

"(2) WAIVER.—The Secretary may waive all or part of the matching requirement described in paragraph (1) for a fiscal year for an eligible entity, on a case-by-case basis, if the Secretary determines that applying the matching requirement to such eligible entity would result in serious hardship or an inability to carry out the authorized activities described in subsection (e).

"(h) SUPPLEMENT NOT SUPPLANT.—An eligible entity shall use Federal funds received under this section only to supplement the funds that would, in the absence of such Federal funds, be made available from other Federal and non-Federal sources for the activities described in this section, and not to supplant such funds.

"Subpart 2—Accelerated Learning

"SEC. 1221. PURPOSES.

"The purposes of this subpart are—

"(1) to raise student academic achievement by—

"(A) increasing the number of teachers serving high-need schools who are qualified to

teach Advanced Placement or International Baccalaureate courses; and

"(B) increasing the number of students attending high-need schools who—

"(i) enroll and succeed in Advanced Placement or International Baccalaureate courses; and

"(ii) take Advanced Placement or International Baccalaureate examinations;

"(2) to increase, and to support statewide and, as applicable, districtwide, efforts to increase the availability of, and enrollment in, Advanced Placement or International Baccalaureate courses, and pre-Advanced Placement or pre-International Baccalaureate courses, in high-need schools; and

"(3) to provide high-quality professional development for teachers of Advanced Placement or International Baccalaureate courses, and pre-Advanced Placement or pre-International Baccalaureate courses, in high-need schools.

"SEC. 1222. FUNDING DISTRIBUTION RULE.

"From amounts appropriated to carry out this subpart for a fiscal year, the Secretary shall give priority to funding activities under section 1223 and shall distribute any remaining funds under section 1224.

"SEC. 1223. ADVANCED PLACEMENT AND INTERNATIONAL BACCALAUREATE EXAMINATION FEE PROGRAM.

"(a) GRANTS AUTHORIZED.—From amounts made available to carry out this subpart for a fiscal year, the Secretary shall award grants to State educational agencies having applications approved under this section to enable the State educational agencies to pay, on behalf of low-income students, part or all of the costs of Advanced Placement or International Baccalaureate examination fees, if the low-income students—

"(1) are enrolled in an Advanced Placement or International Baccalaureate course; and

"(2) plan to take an Advanced Placement or International Baccalaureate examination.

"(b) AWARD BASIS.—In determining the amount of the grant awarded to a State educational agency under this section for a fiscal year, the Secretary shall consider the number of children eligible to be counted under section 1124(c) in the State in relation to the number of such children so counted in all States.

"(c) INFORMATION DISSEMINATION.—A State educational agency that is awarded a grant under this section shall make publicly available information regarding the availability of Advanced Placement or International Baccalaureate examination fee payments under this section,

and shall disseminate such information to eligible secondary school students and parents, including through secondary school teachers and counselors.

"(d) APPLICATIONS.—Each State educational agency desiring to receive a grant under this section shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require. At a minimum, each State educational agency application shall—

"(1) describe the Advanced Placement or International Baccalaureate examination fees the State educational agency will pay on behalf of low-income students in the State from grant funds awarded under this section;

"(2) provide an assurance that any grant funds awarded under this section shall be used only to pay for Advanced Placement or International Baccalaureate examination fees; and

"(3) contain such information as the Secretary may require to demonstrate that the State educational agency will ensure that a student is eligible for payments authorized under this section, including ensuring that the student is a low-income student.

"(e) REGULATIONS.—The Secretary shall prescribe such regulations as are necessary to carry out this section.

"(f) REPORT.—

"(1) IN GENERAL.—Each State educational agency awarded a grant under this section shall, with respect to each Advanced Placement or International Baccalaureate course subject, annually report to the Secretary the following data for the preceding year:

"(A) The number of students in the State who are taking an Advanced Placement or International Baccalaureate course in such subject.

"(B) The number of Advanced Placement or International Baccalaureate examinations taken by students in the State who have taken an Advanced Placement or International Baccalaureate course in such subject.

"(C) The number of students in the State scoring at each level on Advanced Placement or International Baccalaureate examinations in such subject, disaggregated by each of the subgroups of students described in section 1111(a)(2)(B)(x).

"(D) Demographic information regarding students in the State taking Advanced Placement or International Baccalaureate courses and Advanced Placement or International Baccalaureate examinations in that subject, disaggregated by race, ethnicity, sex, English proficiency status, and socioeconomic status.

"(2) REPORT TO CONGRESS.—The Secretary shall annually compile the information received from each State educational agency under paragraph (1) and report to the authorizing committees regarding the information.

"(g) BUREAU OF INDIAN AFFAIRS AS STATE EDUCATIONAL AGENCY.—For purposes of this section, the Bureau of Indian Affairs shall be treated as a State educational agency.

"SEC. 1224. ADVANCED PLACEMENT AND INTERNATIONAL BACCALAUREATE INCENTIVE PROGRAM GRANTS.

"(a) GRANTS AUTHORIZED.—

"(1) IN GENERAL.—From amounts made available to carry out this subpart for a fiscal year, the Secretary shall award grants, on a competitive basis, to eligible entities to enable such entities to carry

out the authorized activities described in subsection (e).

"(2) DURATION, RENEWAL, AND PAYMENTS.—

"(A) DURATION.—The Secretary shall award a grant under this section for a period of not more than 3 years.

"(B) RENEWAL.—The Secretary may renew a grant awarded under this section for an additional period of not more than 2 years, if an eligible entity—

"(i) is achieving the objectives of the grant; and

"(ii) has shown improvement against baseline data on the performance measures described in subparagraphs (A) through (E) of subsection (g)(1).

"(C) PAYMENTS.—The Secretary shall make grant payments under this section on an annual basis.

"(b) DEFINITION OF ELIGIBLE ENTITY.—In this section, the term 'eligible entity' means—

"(1) a State educational agency;

"(2) a high-need local educational agency; or

"(3) a partnership consisting of—

"(A) a national, regional, or statewide public or nonprofit organization with expertise and experience in providing Advanced Placement or International Baccalaureate course services; and

"(B) a State educational agency or a high-need local educational agency.

"(c) APPLICATION.—

"(1) IN GENERAL.—Each eligible entity desiring a grant under this section shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require.

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

"(A) the goals and objectives for the project supported by the grant under this section, including—

"(i) increasing the number of teachers serving high-need schools who are qualified to teach Advanced Placement or International Baccalaureate courses;

"(ii) increasing the number of Advanced Placement or International Bacca-

laureate courses that are offered at high-need schools; and

"(iii) increasing the number of students attending a high-need school, particularly low-income students, who succeed in—

"(I) Advanced Placement or International Baccalaureate courses; and

"(II) if offered by the school, pre-Advanced Placement or pre-International Baccalaureate courses;

"(B) how the eligible entity will ensure that students have access to courses, including pre-Advanced Placement or pre-International Baccalaureate courses, that will prepare students to enroll and succeed in Advanced Placement or International Baccalaureate courses;

"(C) how the eligible entity will provide professional development for teachers that will further the goals and objectives of the grant project;

"(D) how the eligible entity will ensure that teachers serving high-need schools are

qualified to teach Advanced Placement or International Baccalaureate courses;

"(E) how the eligible entity will provide for the involvement of business and community organizations and other entities, including institutions of higher education, in carrying out the activities described in subsection (e);

"(F) how the eligible entity will use funds received under this section; and

"(G) how the eligible entity will evaluate the outcome of the grant project.

"(d) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to applications from eligible entities that—

"(1) are part of a statewide or districtwide strategy, as applicable, for increasing the availability of Advanced Placement or International Baccalaureate courses, and pre-Advanced Placement or pre-International Baccalaureate courses, in high-need schools;

"(2) demonstrate a focus on increasing the availability of Advanced Placement or International Baccalaureate courses in core academic subjects; and

"(3) propose to carry out activities that target high-need schools.

"(e) AUTHORIZED ACTIVITIES.—

"(1) IN GENERAL.—Each eligible entity that receives a grant under this section shall use the grant funds to carry out activities designed to increase—

"(A) the number of teachers serving high-need schools who are qualified to teach Advanced Placement or International Baccalaureate courses; and

"(B) the number of students attending high-need schools who succeed in the examinations for such courses, including through reimbursing low-income students attending high-need schools for part or all of the cost of Advanced Placement or International Baccalaureate examination fees.

"(2) ALLOWABLE ACTIVITIES.—In addition to the activities described in paragraph (1), an eligible entity that receives a grant under this section may use grant funds for—

"(A) high-quality teacher professional development, in order to expand the pool of teachers in the participating State, high-need local educational agency, or high-need school who are

qualified to teach Advanced Placement or International Baccalaureate courses, including through innovative models, such as online academies and training institutes;

"(B) pre-Advanced Placement or pre-International Baccalaureate teacher and counselor high-quality professional development in secondary school to prepare students for success in Advanced Placement or International Baccalaureate courses and in institutions of higher education;

"(C) coordination and articulation between grade levels to prepare students to succeed in Advanced Placement or International Baccalaureate courses;

"(D) purchase of instructional materials for Advanced Placement or International Baccalaureate courses;

"(E) activities to increase the availability of, and participation in, online Advanced Placement or International Baccalaureate courses;

"(F) carrying out the requirements of subsection (g); and

"(G) in the case of an eligible entity described in subsection (b)(1), awarding sub-

grants to high-need local educational agencies to enable the high-need local educational agencies to carry out authorized activities described in subparagraphs (A) through (F).

"(f) CONTRACTS.—An eligible entity that is awarded a grant to provide online Advanced Placement or International Baccalaureate courses under this subpart may enter into a contract with an organization to provide the online Advanced Placement or International Baccalaureate courses, including contracting for necessary support services.

"(g) COLLECTING AND REPORTING REQUIREMENTS.—

"(1) REPORT.—Each eligible entity receiving a grant under this section shall collect and report to the Secretary annually such data regarding the results of the grant as the Secretary may reasonably require, including—

"(A) the number of students served by the eligible entity enrolling in Advanced Placement or International Baccalaureate courses, and pre-Advanced Placement or pre-International Baccalaureate courses, disaggregated by grade level of the student, and the grades received by such students in the courses;

"(B) the number of students taking an Advanced Placement or International Baccalaureate examination and the distribution of scores on those examinations, disaggregated by the grade level of the student at the time of examination;

"(C) the number of teachers who are currently, as of the date of the report, receiving training to teach Advanced Placement or International Baccalaureate courses and will teach such courses in the next school year;

"(D) the number of teachers becoming qualified to teach Advanced Placement or International Baccalaureate courses; and

"(E) the number of qualified teachers who are teaching Advanced Placement or International Baccalaureate courses in high-need schools served by the eligible entity.

"(2) REPORTING OF DATA.—Each eligible entity receiving a grant under this section shall report the data required under paragraph (1)—

"(A) disaggregated by subject area;

"(B) in the case of student data, disaggregated in the same manner as informa-

tion is disaggregated under section 1111(a)(2)(B)(x); and

"(C) in a manner that allows for an assessment of the effectiveness of the grant program.

"(h) EVALUATION.—From the amount appropriated for this subpart and reserved for evaluation activities in accordance with section 9601(a), the Secretary, acting through the Director of the Institute of Education Sciences, shall, in consultation with the relevant program office at the Department, evaluate the implementation and impact of the activities supported under this section, consistent with section 9601, including progress as measured by the performance measures established under subparagraphs (A) through (E) of subsection (g)(1).

"(i) MATCHING REQUIREMENT.—

"(1) IN GENERAL.—Subject to paragraph (3), each eligible entity that receives a grant under this section shall provide toward the cost of the activities assisted under the grant, from non-Federal sources, an amount equal to 100 percent of the amount of the grant, except that an eligible entity that is a high-need local educational agency shall provide an amount equal to not more than 50 percent of the amount of the grant.

"(2) MATCHING FUNDS.—The eligible entity may provide the matching funds described in paragraph (1) in cash or in-kind, fairly evaluated, but may not provide more than 50 percent of the matching funds in-kind. The eligible entity may provide the matching funds from State, local, or private sources.

"(3) WAIVER.—The Secretary may waive all or part of the matching requirement described in paragraph (1) for any fiscal year for an eligible entity described in paragraph (1) or (2) of subsection (b), if the Secretary determines that applying the matching requirement to such eligible entity would result in serious hardship or an inability to carry out the authorized activities described in subsection (e).

"SEC. 1225. SUPPLEMENT, NOT SUPPLANT.

"Grant funds provided under this subpart shall supplement, and not supplant, other non-Federal funds that are available to assist low-income students to pay for the cost of Advanced Placement or International Baccalaureate examination fees or to expand access to Advanced Placement or International Baccalaureate courses, and pre-Advanced Placement or pre-International Baccalaureate courses.

"SEC. 1226. DEFINITIONS.

"In this subpart:

"(1) HIGH-NEED SCHOOL.—The term 'high-need school' means a secondary school—

"(A) with a demonstrated need for Advanced Placement or International Baccalaureate courses; and

"(B) that—

"(i) has a high concentration of low-income students; or

"(ii) is designated with a school locale code of 33, 41, 42, or 43, as determined by the Secretary.

"(2) LOW-INCOME STUDENT.—The term 'low-income student' means a student who is eligible for free or reduced-price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.).".

PART C—EDUCATION OF MIGRATORY CHILDREN

SEC. 1301. PROGRAM PURPOSE.

Section 1301 (20 U.S.C. 6391) is amended to read as follows:

"SEC. 1301. PROGRAM PURPOSE.

"It is the purpose of this part to assist States in providing high-quality and comprehensive educational programs (including, as appropriate, instructional and educa-

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

"(1) succeed in school;

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

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

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

SEC. 1302. PROGRAM AUTHORIZED.

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

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

(2) by striking "combinations" and inserting "consortia"; and

(3) by striking ''to establish'' and inserting ''to enable such agencies or consortia to establish''.

SEC. 1303. STATE ALLOCATIONS.

Section 1303 (20 U.S.C. 6393) is amended—

(1) by striking subsection (a) and inserting the following:

''(a) STATE ALLOCATIONS.—Except as provided in subsection (b), the amount awarded to each State (other than the Commonwealth of Puerto Rico) under this part for each fiscal year shall be an amount equal to the product of—

''(1) the sum of—

''(A) the average number of identified eligible migratory children aged 3 through 21, residing in the State, based on data for the preceding 3 years; and

''(B) the number of identified eligible migratory children, aged 3 through 21, who received services under this part in summer or intersession programs provided by the State during the previous year; multiplied by

''(2) 40 percent of the average per-pupil expenditure in the State, except that the amount calculated under this paragraph shall not be less than

32 percent, or more than 48 percent, of the average per-pupil expenditure in the United States.''; (2) by redesignating subsections (b) through (e) as subsections (c) through (f), respectively; (3) by inserting after subsection (a) the following:

''(b) HOLD HARMLESS.—Notwithstanding subsection (a), for each of fiscal years 2011 through 2013, no State receiving an allocation under this section shall receive less than 90 percent of the State's allocation under this section for the previous year.'';

(4) in subsection (c), as redesignated by paragraph (2)—

(A) by striking paragraphs (2) and (3);

(B) by striking ''PUERTO RICO.—'' and all that follows through ''For each'' and inserting the following: ''PUERTO RICO.—For each'';

(C) by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively, and by aligning such paragraphs with the margins of paragraph (1) of subsection (e), as redesignated by paragraph (2);

(D) in the matter preceding paragraph (1), as redesignated by subparagraph (C)—

(i) by striking ''which'' and inserting ''that''; and

(ii) by striking ''subsection (a)(1)(A)'' and inserting ''subsection (g)''; and

(E) in paragraph (1), as redesignated by subparagraph (C)—

(i) by striking ''which'' and inserting ''that''; and

(ii) by inserting '', except that the percentage calculated under this paragraph shall not be less than 85 percent'' before the semicolon at the end; and

(5) in subsection (d), as redesignated by paragraph (2)—

(A) in paragraph (1)—

(i) by striking ''IN GENERAL.—(A) If,'' and all that follows through ''this part'' and inserting the following: ''IN GENERAL.—

''(A) RATABLE REDUCTIONS.—If the amount available for allocations to States under this part''; and

(ii) in subparagraph (B), by striking ''If additional'' and inserting ''REALLOCATION.—If additional'';

(B) in paragraph (2)—

(i) by striking ''SPECIAL RULE.—(A) The'' and inserting the following: ''SPECIAL RULE.—

''(A) FURTHER REDUCTIONS.—The'';

(ii) in subparagraph (A), by striking ''required under section 1304'' and inserting ''needed to carry out the approved activities in the application under section 1304'';

(iii) in subparagraph (B), by striking ''The Secretary shall'' and inserting ''REALLOCATION.—The Secretary shall''; and

(iv) by adding at the end the following:

''(C) ADDITIONAL REQUIREMENTS.—The Secretary—

''(i) shall—

''(I) develop and implement a procedure for monitoring the accuracy of the information described in subparagraph (A); and

''(II) issue, through regulations or guidance, criteria for a system of State quality control for the accuracy

of State counts of eligible migratory children; and

"(ii) may not reduce the amount of a State allocation under this paragraph on the basis of unintentional errors in such counts for States implementing a system of State quality control that meets the criteria described in clause (i)(II), if the discrepancy between the initial State count and any subsequent revisions is minimal.";

(6) in subsection (f), as redesignated by paragraph (2)—

(A) in the matter preceding paragraph (1), by inserting "best serve migratory children under this part and" after "In order to";

(B) in paragraph (1), by striking "such information as the Secretary finds" and inserting "the most recent information that";

(C) by redesignating paragraphs (2) through (4) as paragraphs (3) through (5), respectively;

(D) by inserting after paragraph (1) the following:

"(2) develop and implement a procedure for monitoring the accuracy of such information, if such

a procedure does not create barriers to the families of migratory children who are eligible for services under this part;'';

(E) in paragraph (3), as redesignated by subparagraph (C), by striking ''develop and implement a procedure for more accurately reflecting'' and inserting ''update such procedure, and implement the updated procedure, to more accurately reflect the'';

(F) in paragraph (4)(A), as redesignated by subparagraph (C), by inserting ''of high-quality, sustained, and intensive education services'' after ''special programs''; and

(G) in paragraph (5), as redesignated by subparagraph (C), by striking ''the child whose education has been interrupted'' and inserting ''migratory children''; and

(7) by adding at the end the following:

''(g) NONPARTICIPATING STATES.—In the case of a State desiring to receive an allocation under this part for a fiscal year that did not receive an allocation for the previous fiscal year or that has been participating for less than 3 consecutive years, the Secretary shall calculate the State's number of identified migratory children aged 3 through 21 for purposes of subsection (a)(1)(A) by using

the most recent data available that identifies the migratory children residing in the State until data is available to calculate the 3-year average number of such children in accordance with such subsection.''.

SEC. 1304. STATE APPLICATIONS; SERVICES.

Section 1304 (20 U.S.C. 6394) is amended—

(1) in subsection (b)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A)—

(I) by striking ''special'' and inserting ''unique''; and

(II) by inserting ''and out of school migratory children'' after ''preschool migratory children''; and

(ii) in subparagraph (B)—

(I) by striking ''migrant'' and inserting ''migratory''; and

(II) by striking ''part A or B of title III'' and inserting ''part A of title III'';

(B) in paragraph (2)—

(i) by striking ''migratory students'' and inserting ''migratory children''; and

(ii) by striking ''same challenging'' and all that follows through ''standards that'' and inserting ''same State college and career ready academic content and student academic achievement standards adopted under section 1111(a)(1) that'';

(C) by striking paragraph (6);

(D) by redesignating paragraphs (3) through (5) as paragraphs (4) through (6), respectively;

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

''(3) a description of how the State will meet the requirements of section 1308(b) for the timely electronic transfer of student records and how the State will use such records transfer to meet the unique educational needs of migratory students and remove barriers to the proper enrollment and retention of migratory children in schools;'';

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

(i) by striking ''require, the State'' and inserting ''require and using the linkage system described in section 1308(b),

the State and each of its local operating agencies'';

(ii) by striking ''another'' and inserting ''another or from 1 school district to another''; and

(iii) by striking ''such move'' and inserting ''such a move'';

(G) in paragraph (7)—

(i) by striking ''family literacy services'' and inserting ''family literacy activities'';

(ii) by striking ''program or project serves'' and inserting ''programs and projects serve'';

(iii) by striking ''who have parents who'' and inserting ''whose parents''; and

(iv) by striking the period at the end and inserting ''; and''; and

(H) by adding at the end the following:

''(8) such budgetary and other information as the Secretary may require.'';

(2) in subsection (c)—

(A) in paragraph (2), by striking ''part I'' and inserting ''part F'';

(B) by striking paragraph (3) and inserting the following:

"(3) in the planning and operation of programs and projects at both the State and local agency operating levels, there is consultation with parent advisory councils for programs of not less than 1 school year in duration, and that all such programs and projects are—

"(A) conducted in a manner that provides for the same parental involvement as is required for programs and projects under section 1118, including, to the extent practicable, descriptions required for parental involvement under section 1118(a)(3)(A), unless extraordinary circumstances make such provision impractical; and

"(B) are developed in a format and language understandable to the parents;";

(C) in paragraph (4), by inserting "and migratory children who are not attending school" before the semicolon at the end;

(D) in paragraph (6), by striking subparagraph (C) and inserting the following:

"(C) family literacy programs that are determined to be high quality;"; and

(E) by striking paragraph (7) and inserting the following:

''(7) the State has procedures in place to verify the accuracy and completeness of any data regarding the counting of migratory children that is submitted to the Secretary under this part.''; and

(3) in subsection (d)—

(A) by striking ''who are failing'' and all that follows through the period and inserting the following: ''who have made a move within the previous 1-year period and who—

''(1) are failing, or most at risk of failing, to meet the State college and career ready academic content standards and student academic achievement standards adopted under section 1111(a)(1); or

''(2) have dropped out of school.''; and

(B) in subsection (e)—

(i) in paragraph (2), by striking ''1'' and inserting ''one''; and

(ii) in paragraph (3), by striking ''secondary school students'' and inserting ''students''.

SEC. 1305. SECRETARIAL APPROVAL; PEER REVIEW.

Section 1305(b) (20 U.S.C. 6395(b)) is amended by striking ''may'' and inserting ''shall, to the extent practicable,''.

SEC. 1306. COMPREHENSIVE NEEDS ASSESSMENT AND SERVICE-DELIVERY PLAN; AUTHORIZED ACTIVITIES.

Section 1306 (20 U.S.C. 6396) is amended—

(1) in subsection (a)(1)—

(A) in the matter preceding subparagraph (A)—

(i) by striking ''special'' and inserting ''unique''; and

(ii) by inserting '', consistent with the purposes of this part,'' after ''migratory children'';

(B) by striking subparagraph (B);

(C) by redesignating subparagraphs (C) through (G) as subparagraphs (E) through (I), respectively;

(D) by inserting after subparagraph (A) the following:

''(B) addresses the unique educational needs of migratory children;

''(C) is developed in collaboration with parents of migratory children;

"(D) is not used to supplant State efforts regarding, or administrative funding for, this part;";

(E) in subparagraph (E), as redesignated by subparagraph (C), by striking "same challenging" and all that follows through "standards that" and inserting "same State college and career ready academic content and student academic achievement standards adopted under section 1111(a)(1) that"; and

(F) in subparagraph (H), as redesignated by subparagraph (C)—

(i) by striking "early childhood programs," and inserting "early childhood education programs,"; and

(ii) by striking "part A or B of title III" and inserting "part A of title III";

(2) in subsection (b)—

(A) in paragraph (1), by striking "local educational" and inserting "local operating";

(B) by striking paragraph (2) and inserting the following:

"(2) UNMET NEEDS.—Funds provided under this part shall be used to meet the needs of migratory children that are not met by services available

from other Federal or non-Federal programs, except that migratory children who are eligible to receive services under part A may receive those services through funds provided under that part or through funds under this part that remain after the agency meets the needs described in paragraph (1).''; and

(C) in paragraph (4), by striking ''special educational'' and inserting ''unique educational''.

SEC. 1307. BYPASS.

Section 1307 (20 U.S.C. 6397) is amended, in the matter preceding paragraph (1), by striking ''make arrangements with'' and inserting ''award grants to, or enter into contracts with,''.

SEC. 1308. NATIONAL ACTIVITIES.

Section 1308 (20 U.S.C. 6398) is amended—

(1) by striking the section heading and inserting ''**NATIONAL ACTIVITIES.**'';

(2) in subsection (a)—

(A) in paragraph (1)—

(i) by striking ''nonprofit entities to improve'' and inserting the following: ''entities to—

''(A) improve'';

(ii) by inserting ''through'' before ''the establishment'';

(iii) by striking the period at the end and inserting ''; and''; and

(iv) by adding at the end the following:

''(B) improve the coordination between State educational agencies, local operating agencies, and their counterparts in other nations in educating migratory children who move between the United States and such nations.''; and

(B) in paragraph (2), by inserting ''or contracts'' after ''Grants'';

(3) in subsection (b)—

(A) by striking paragraph (1) and inserting the following:

''(1) ASSISTANCE.—In order to determine the number of migratory children in each State, the Secretary shall assist each State in maintaining an effective system for the electronic transfer of student records.'';

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) in the matter preceding clause (i), by striking ''The Secretary, in consultation'' and all that follows through ''may include—'' and inserting the following: ''The Secretary, in consultation with the States, shall continue to ensure the linkage of migratory child record systems for the purpose of electronically exchanging, within and among the States, health and educational information regarding all migratory children eligible under this part. The Secretary shall ensure such linkage occurs in a cost-effective manner, utilizing systems used by the State prior to, or developed after, the date of enactment of the Strengthening America's Schools Act of 2013. The Secretary shall determine the minimum data elements that each State receiving funds under this part shall collect, maintain, and exchange, and the requirements of the linkage system that States shall meet for the timely submission of access to such

information. Such minimum data elements may include—''; and

(II) in clause (ii), by striking ''section 1111(b)'' and inserting ''section 1111(a)(2)''; and

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

''(B) CONSULTATION.—The Secretary shall maintain ongoing consultation with the States, local educational agencies, and other migratory student service providers on—

''(i) the effectiveness of the system of electronic records transfer described in subparagraph (A); and

''(ii) the ongoing improvement of such system.''; and

(C) in paragraph (4)—

(i) in subparagraph (A)—

(I) by striking ''2003'' and inserting ''2012, and every 2 years thereafter,''; and

(II) by striking ''the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Work-

force of the House of Representatives'' and inserting ''the authorizing committees''; and

(ii) in subparagraph (B)—

(I) in clause (ii), by striking ''the development and linkage of'' and inserting ''maintaining''; and

(II) in clause (iii), by striking ''measures that may be taken to ensure'' and inserting ''improving'';

(4) by redesignating subsection (c) as subsection (f), and transferring such subsection so as to follow subsection (e);

(5) by inserting after subsection (b) the following:

''(c) TECHNICAL ASSISTANCE.—The Secretary may provide technical assistance designed to support State efforts to meet the needs of migratory children, which may include supporting the attendance of State and local operating agency staff, and other appropriate individuals, at special meetings convened by the Secretary in order to carry out activities consistent with this section.'';

(6) in subsection (d)—

(A) by striking '', pursuant to criteria that the Secretary shall establish,''; and

(B) by striking ''whose education is interrupted'' and inserting ''described in section 1304(d)''; and

(7) by striking subsection (e) and inserting the following:

''(e) IMPROVEMENTS AND COORDINATION.—From any funds made available under this section and remaining after carrying out the requirements under subsections (b) and (d), the Secretary, in consultation with the States, may make grants to, or enter into contracts with, State educational agencies, local educational agencies, institutions of higher education, and other public and private nonprofit entities to improve the interstate and intrastate coordination among such agencies' and entities' programs available to migratory students consistent with this section, including the establishment or improvement of programs for academic credit accrual and exchange.''.

SEC. 1309. PERFORMANCE DATA; EVALUATIONS AND STUDY; STATE ASSISTANCE.

Part C of title I (20 U.S.C. 6391 et seq.) is further amended—

(1) by redesignating section 1309 as section 1312; and

(2) by inserting after section 1308 the following:

"SEC. 1309. PERFORMANCE DATA.

"Consistent with section 1111(d)(3)(B), and in a manner prescribed by the Secretary, each State that receives a grant under this part shall annually submit to the Secretary, and make public, data on—

"(1) the academic achievement of migratory students, as measured by the State assessments required under section 1111(a)(2);

"(2) such students' high school graduation rates and rates of enrollment and persistence in, and completion of a program of study at, institutions of higher education; and

"(3) the results of such other performance measures and targets as the Secretary may prescribe.

"SEC. 1310. EVALUATION AND STUDY.

"(a) PROGRAM EVALUATION.—From the amount reserved for evaluation activities in accordance with section 9601(a), the Secretary, acting through the Director of the Institute of Education Sciences, shall, in consultation with the relevant program office at the Department, evaluate the implementation and impact of the activities supported under this part, consistent with section 9601.

"(b) STUDY.—The Secretary shall conduct a pilot study, funded as part of the 2012 National Assessment of Educational Progress, on the feasibility of using the

National Assessment of Educational Progress for assessing and reporting on the academic achievement of migratory children in grades 4 and 8 in reading and mathematics.

"SEC. 1311. STATE ASSISTANCE IN DETERMINING NUMBER OF MIGRATORY CHILDREN.

''Each State that desires to receive assistance under this part shall assist the Secretary in determining the number of migratory children in such State under paragraphs (1) and (2) of subsection (a), and subsection (g), of section 1303 through such procedures as the Secretary may require, except that the Secretary shall not require additional information that is not directly related to determining the migratory status of the child or the administration of this part.''.

SEC. 1310. DEFINITIONS.

Section 1312 (20 U.S.C. 6399), as redesignated by section 1309(1), is amended—

(1) by redesignating paragraphs (1) and (2) as paragraphs (3) and (5), respectively;

(2) by inserting before paragraph (3), as redesignated by paragraph (1), the following:

''(1) FOOD PROCESSOR.—The term 'food processor' means a position working with a raw agricultural, dairy, or fishing product and transforming the

product into a more refined product up to the point of an initial commercial sale.

"(2) INITIAL COMMERCIAL SALE.—The term 'initial commercial sale' means the first point of sale of an agricultural, dairy, or fishing product—

"(A) for refining to the next-stage processor;

"(B) to the wholesaler;

"(C) to the retailer; or

"(D) directly to the consumer.";

(3) by inserting after paragraph (3), as redesignated by paragraph (1), the following:

"(4) MIGRATORY AGRICULTURAL WORKER.—The term 'migratory agricultural worker' means an individual who—

"(A) made a qualifying move in the preceding 36-month period; and

"(B) after making such move, sought or engaged in employment in agricultural work, which may be dairy work or the initial processing of raw agricultural products."; and

(4) by striking paragraph (5), as redesignated by paragraph (1), and inserting the following:

"(5) MIGRATORY CHILD.—The term 'migratory child' means a child who—

"(A) is, or whose parent or spouse is, a migratory agricultural worker or migratory fisher who is currently engaged in, or seeking to obtain, temporary or seasonal employment, usually for not longer than 15 months, in agricultural or fishing work until the point of the initial commercial sale (including employment as a migratory dairy worker, a food processor, or a migratory fisher); and

"(B) in the preceding 36 months—

"(i) has moved from 1 school district to another;

"(ii) in a State that is comprised of a single school district, has moved from 1 administrative area to another within such district; or

"(iii) resides in a school district of more than 15,000 square miles, and migrates a distance of 20 miles or more to a temporary residence to engage in, or to accompany a parent or spouse engaging in, a fishing activity.

"(6) MIGRATORY FISHER.—The term 'migratory fisher' means an individual who made a qualifying move in the preceding 36 months and, after

doing so, sought or engaged in employment in fishing work.

"(7) QUALIFYING MOVE.—The term 'qualifying move'—

"(A) means—

"(i) a move from 1 school district to another, or from 1 administrative area to another within a State that is comprised of a single school district; and

"(ii) in the case of a migratory fisher who resides in a school district of more than 15,000 square miles, includes migrating a distance of 20 miles or more to a temporary residence; and

"(B) with respect to a qualifying move for a parent or spouse of a migratory child, means a move described in subparagraph (A) that is separated by not more than 1 year from the move or migration described in paragraph (5)(B) of the migratory child.".

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

SEC. 1401. PURPOSE AND PROGRAM AUTHORIZATION.

Section 1401 (20 U.S.C. 6421) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''challenging State academic content standards and challenging State student academic achievement standards'' and inserting ''college and career ready academic content standards and student academic achievement standards under section 1111(a)(1)''; and

(B) in paragraph (3), by striking ''to prevent at-risk youth from dropping out of school, and''; and

(2) in subsection (b), by striking ''1002(d)'' and inserting ''3(e)''.

SEC. 1402. ALLOCATION OF FUNDS.

(a) Section 1402 (20 U.S.C. 6422) is amended by inserting after subsection (b) the following:

''(c) RESERVATION FOR THE SECRETARY OF THE INTERIOR.—From the amount appropriated for this part in any fiscal year, the Secretary shall reserve 0.5 percent to provide assistance to the Secretary of the Interior to provide educational services for at-risk Indian children, including Indian youth in correctional facilities operated by the Secretary of the Interior or by an Indian tribe.''.

(b) Section 1412(b) (20 U.S.C. 6432(b)) is amended by striking paragraph (2) and inserting the following:

"(2) MINIMUM PERCENTAGE.—The percentage in paragraph (1)(A) shall not be less than 85 percent.".

SEC. 1403. STATE PLAN AND STATE AGENCY APPLICATIONS.

Section 1414 (20 U.S.C. 6434) is amended—

(1) in subsection (a)—

(A) in paragraph (1)(B)—

(i) by striking "from" and inserting "between"; and

(ii) by striking "to" and inserting "and";

(B) in paragraph (2)—

(i) in subparagraph (A), by striking "academic, vocational, and technical skills" and inserting "college and career readiness (as determined based on the State college and career ready academic content and student academic achievement standards under section 1111(a)(1))"; and

(ii) in subparagraph (B), by striking "and" after the semicolon;

(C) in subparagraph (C)(iv), by striking the period at the end and inserting "; and"; and

(D) by adding at the end the following:

"(D) provide assurances that the State educational agency has established—

"(i) procedures to ensure that each student who has been placed in the juvenile justice system is promptly re-enrolled in secondary school or placed in a re-entry program that best meets the educational and social needs of the student;

"(ii) procedures for facilitating the transfer of credits that such students earned during placement; and

"(iii) opportunities for such students to participate in higher education or career pathways."; and

(2) in subsection (c)—

(A) in paragraph (1)—

(i) by inserting "and respond to" after "assess"; and

(ii) by inserting ", including an assessment upon entry into a correctional facility" before the semicolon at the end;

(B) in paragraph (8), by striking "vocational" and inserting "career";

(C) in paragraph (9)—

(i) by striking ''encourage'' and insert ''require, to the extent practicable,'';

(ii) by inserting ''and after'' after ''prior to''; and

(iii) by inserting ''and that transition plans are in place'' before the semicolon at the end;

(D) in paragraph (11)—

(i) by inserting ''such'' after ''transition of'';

(ii) by striking ''from'' and inserting ''between''; and

(iii) by striking ''institution to locally operated'' and inserting ''institution and locally operated education'';

(E) in paragraph (16)—

(i) by inserting ''and obtain a secondary school diploma'' after ''reenter school''; and

(ii) by inserting ''that leads to economic self-sufficiency'' after ''employment''; and

(F) in paragraph (17), by inserting ''certified or licensed'' before ''teachers''.

SEC. 1404. USE OF FUNDS.

Section 1415(a) (20 U.S.C. 6435(a)) is amended—

(1) in paragraph (1)(B), by striking ''vocational'' and inserting ''career''; and

(2) in paragraph (2)—

(A) in subparagraph (B)—

(i) in clause (i), by striking ''challenging academic content standards and student academic achievement standards'' and inserting ''college and career ready academic content standards and student academic achievement standards under section 1111(a)(1)''; and

(ii) in clause (iii), by striking ''challenging'' and inserting ''such'';

(B) in subparagraph (C)—

(i) by striking ''part I'' and inserting ''part F''; and

(ii) by striking ''and'' after the semicolon;

(C) in subparagraph (D), by striking the period at the end and inserting ''; and''; and

(D) by adding at the end the following:

''(E) may include the costs of testing for such children and youth for a recognized equivalent of a secondary school diploma.''.

SEC. 1405. INSTITUTION-WIDE PROJECTS.

Section 1416 (20 U.S.C. 6436) is amended—

(1) in paragraph (3), by striking ''challenging State academic content standards and student academic achievement standards'' and inserting ''college and career ready academic content standards and student academic achievement standards under section 1111(a)(1)'';

(2) in paragraph (4)—

(A) by striking ''pupil services'' and inserting ''specialized instructional support services''; and

(B) by inserting ''and the development and implementation of transition plans'' before the semicolon; and

(3) in paragraph (6), by inserting ''and improve'' after ''assess''.

SEC. 1406. TRANSITION SERVICES.

Section 1418(a) (20 U.S.C. 6438(a)) is amended—

(1) by striking paragraph (1) and inserting the following:

''(1) projects that facilitate the transition of children and youth between State-operated institutions, or institutions in the State operated by the Secretary of the Interior or Indian tribes, and schools served by local educational agencies or

schools funded by the Bureau of Indian Education; or''; and

(2) in paragraph (2), by striking ''vocational'' each place the term appears and inserting ''career''.

SEC. 1407. PROGRAM EVALUATION.

Section 1419 is amended to read as follows:

''SEC. 1419. PROGRAM EVALUATION.

''From the amount reserved for evaluation activities in accordance with section 9601(a), the Secretary, acting through the Director of the Institute for Education Sciences, shall, in consultation with the relevant program office of the Department, evaluate the implementation and impact of the activities supported under this part, consistent with section 9601.''.

SEC. 1408. PURPOSE OF LOCAL AGENCY PROGRAMS.

Section 1421 (20 U.S.C. 6451) is amended—

(1) in the matter preceding paragraph (1), by inserting '', including correctional facilities in the State operated by the Secretary of the Interior and Indian tribes'' after ''facilities'';

(2) in paragraph (1), by striking '', training, employment, or further education'' and inserting ''and college and career readiness (as determined based on the State college and career ready aca-

demic content and student academic achievement standards under section 1111(a)(1))''; and

(3) in paragraph (3), by inserting '', including schools funded by the Bureau of Indian Education,'' after ''schools''.

SEC. 1409. PROGRAMS OPERATED BY LOCAL EDUCATIONAL AGENCIES.

Section 1422 (20 U.S.C. 6452) is amended—

(1) in subsection (a), by inserting '', and including facilities in the State operated by the Secretary of the Interior and Indian tribes.'' after ''day programs)'';

(2) in subsection (d)—

(A) by striking ''meet the transitional'' and inserting ''meet the transitional needs (including the social and emotional needs)'';

(B) by striking ''meeting the transitional'' and inserting ''meeting such transitional''; and

(C) by inserting '', schools funded by the Bureau of Indian Education,'' after ''returning to local educational agencies''.

SEC. 1410. LOCAL EDUCATIONAL AGENCY APPLICATIONS.

Section 1423 (20 U.S.C. 6453) is amended—

(1) in paragraph (2)—

(A) in subparagraph (A), by inserting ''or, as appropriate, an Indian tribe in the State'' after ''agency'';

(B) in subparagraph (B), by inserting '', including such facilities operated by the Secretary of the Interior and Indian tribes'' after ''system'';

(2) by redesignating paragraphs (4) through (13) as paragraphs (5) through (14), respectively;

(3) by inserting after paragraph (3) the following:

''(4) a description of the process of consultation and coordination with Indian tribes in the State regarding services provided under the program to children and youth who are Indian;'';

(4) in paragraph (7), as redesignated by paragraph (2), by striking '', at-risk children or youth, and other participating children or youth,'' and inserting ''and at-risk children or youth,'';

(5) in paragraph (9), as redesignated by paragraph (2), by inserting ''and family members'' after ''parents'';

(6) in paragraph (10), as redesignated by paragraph (2), by striking ''vocational'' and inserting ''career'';

(7) in paragraph (13), as redesignated by paragraph (2), by striking and after the semicolon;

(8) in paragraph (14), as redesignated by paragraph (2), by striking the period at the end and inserting ''; and''; and

(9) by inserting after paragraph (14), as redesignated by (2), the following:

''(15) a description of the demographics of the children and youth served and an assurance that the activities under this subpart meet the cultural, language, and academic needs of such children and youth.''.

SEC. 1411. USES OF FUNDS.

Section 1424 (20 U.S.C. 6454) is amended—

(1) in paragraph (2), by striking '', including'' and all that follows through ''gang members'';

(2) in paragraph (4)—

(A) by striking ''vocational and technical education'' and inserting ''career and technical education, costs associated with testing for a recognized equivalent of a secondary school diploma''; and

(B) by striking ''and'' after the semicolon;

(3) in paragraph (5), by striking the period at the end and inserting ''; and''; and

(4) by adding at the end the following:

''(6) programs for at-risk Indian children and youth, including such children and youth in correctional facilities in the area served by the local educational agency that are operated by the Secretary of the Interior or Indian tribes.''.

SEC. 1412. PROGRAM REQUIREMENTS FOR CORRECTIONAL FACILITIES RECEIVING FUNDS UNDER THIS SECTION.

Section 1425 (20 U.S.C. 6455) is amended—

(1) in paragraph (9), by striking ''vocational'' and inserting ''career'';

(2) in paragraph (10), by striking ''and'' after the semicolon;

(3) in paragraph (11), by striking the period at the end and inserting a semicolon; and

(4) by adding at the end the following:

''(12) develop an initial educational services and transition plan for each child or youth served under this subpart upon entry into the correctional facility, in partnership with the child or youth's family members and the local educational agency that most recently provided services to the child or youth (if applicable), consistent with section 1414(a)(1); and

"(13) consult with the local educational agency for a period jointly determined necessary by the correctional facility and local educational agency upon discharge from that facility, to coordinate educational services so as to minimize disruption to the child's or youth's achievement.".

SEC. 1413. ACCOUNTABILITY.

Section 1426 (20 U.S.C. 6456) is amended to read as follows:

"SEC. 1426. ACCOUNTABILITY.

"The State educational agency—

"(1) shall require correctional facilities or institutions for delinquent children and youth to annually report on the number of children and youth released from the correctional facility or institution who returned or did not return to school, the number of children and youth obtaining a secondary school diploma or its recognized equivalent, and the number of children and youth obtaining employment; and

"(2) may require correctional facilities or institutions for delinquent children and youth to demonstrate, after receiving assistance under this subpart for 3 years, that there has been an increase in the number of children and youth returning to school, obtaining a secondary school diploma or its

recognized equivalent, or obtaining employment after such children and youth are released.''.

SEC. 1414. PROGRAM EVALUATIONS.

Section 1431 (20 U.S.C. 6471) is amended—

(1) in the matter preceding subsection (a), by striking ''State agency or local educational agency'' and inserting ''State agency, local educational agency, or Indian tribe'';

(2) in subsection (a)—

(A) in paragraph (1), by inserting '', including the ability to become college and career ready, as determined under the State academic content and student academic achievement standards under section 1111(a)(1), and to graduate high school in the standard number of years'' before the semicolon at the end; and

(B) in paragraph (3), by inserting ''or school funded by the Bureau of Indian Education'' after ''local educational agency'';

(3) in subsection (c), by striking ''a State agency or local educational agency'' and inserting ''a State agency, local educational agency, or Indian tribe''; and

(4) by striking subsection (d) and inserting the following:

"(d) EVALUATION RESULTS.—

"(1) IN GENERAL.—Each State agency, local educational agency, and Indian tribe shall—

"(A) submit evaluation results to the State educational agency and the Secretary; and

"(B) use the results of evaluations under this section to plan and improve subsequent programs for participating children and youth.

"(2) RESULTS TO THE SECRETARY OF THE INTERIOR.—Each Indian tribe shall also submit evaluation results to the Secretary of the Interior.".

SEC. 1415. DEFINITIONS.

Section 1432(2) (20 U.S.C. 6472(2)) is amended to read as follows:

(1) in subsection (a)—

(A) by striking "or" before "local" and by inserting "or Indian tribe" after "agency; and

(B) in paragraph (3), by inserting " or school funded by the Bureau of Indian Education";

(2) in subsection (c), by inserting "or Indian tribe" after agency; and

(3) by striking subsection (d) and inserting the following:

"(d) EVALUATION RESULTS.—

"(1) Each State agency, local educational agency, and Indian tribe shall—

"(A) submit evaluation results to the State educational agency and the Secretary; and

"(B) use the results of evaluation sunder this section to plan and improve subsequent programs for participating children and youth.

"(2) Each Indian tribe shall also submit evaluation results to the Secretary of the Interior.".

PART E—EDUCATIONAL STABILITY OF CHILDREN IN FOSTER CARE

SEC. 1501. EDUCATIONAL STABILITY OF CHILDREN IN FOSTER CARE.

(a) IN GENERAL.—Part E of title I (20 U.S.C. 6491 et seq.) is amended to read as follows:

"PART E—EDUCATIONAL STABILITY OF CHILDREN IN FOSTER CARE

"SEC. 1501. EDUCATIONAL STABILITY OF CHILDREN IN FOSTER CARE.

"(a) OBLIGATIONS TO COLLABORATE WITH CHILD WELFARE AGENCIES.—

"(1) IN GENERAL.—Each State educational agency receiving assistance under part A shall collaborate with the State agency responsible for administering the State plans under parts B and E of

title IV of the Social Security Act (42 U.S.C. 621 et seq., 670 et seq.) to develop and implement a plan to ensure that the following occurs, for each child in the State, when the child moves to a new school attendance area as a result of being placed in foster care (as described in section 1502(1)), changing foster care placements, or leaving foster care:

"(A) ATTENDANCE AT A SCHOOL OF ORIGIN.—

"(i) IN GENERAL.—The child enrolls or remains in the child's school of origin, unless a determination is made that it is in the child's best interest to attend a different school.

"(ii) LIMITATION.—A child who leaves foster care shall only be entitled to remain in the child's school of origin for the remainder of the school year.

"(B) IMMEDIATE ENROLLMENT.—When a determination is made regarding the school that it is in the best interest of a child in foster care to attend, the child shall be immediately enrolled in such school, even if the child is unable to produce records normally required for enrollment, such as previous academic records, im-

1 munization and medical records, a birth certifi-
2 cate, guardianship records, proof of residency,
3 or other documentation.

4 "(C) RECORDS TRANSFER.—Any records
5 ordinarily kept by a school, including records of
6 immunizations, health screenings, and other re-
7 quired health records, academic records, birth
8 certificates, evaluations for special services or
9 programs, and any individualized education pro-
10 grams (as defined in section 602 of the Individ-
11 uals with Disabilities Education Act (20 U.S.C.
12 1401)), regarding a child in foster care shall
13 be—

14 "(i) maintained so that the records in-
15 volved are available, in a timely fashion,
16 when a child in foster care enters a new
17 school; and

18 "(ii) immediately transferred to the
19 enrolling school, even if the child owes fees
20 or fines or was not withdrawn from pre-
21 vious schools in conformance with local
22 withdrawal procedures.

23 "(2) IMPLEMENTATION.—Each State edu-
24 cational agency receiving assistance under part A
25 shall ensure that the plan described in paragraph

(1) is implemented by the local educational agencies in the State.

"(b) CREDIT TRANSFER AND DIPLOMAS.—Each State that receives assistance under part A shall have policies for ensuring that—

"(1) a child in foster care who is changing schools can transfer school credits and receive partial credits for coursework satisfactorily completed while attending a prior school or educational program;

"(2) a child in foster care is afforded opportunities to recover school credits lost due to placement instability while in foster care; and

"(3) a child in foster care who has changed secondary schools can receive a secondary school diploma either from one of the schools in which the child was enrolled or through a State-issued secondary school diploma system, consistent with State graduation requirements.

"(c) TRANSPORTATION.—Not later than 1 year after the date of enactment of the Strengthening America's Schools Act of 2013, the State educational agency shall enter into an agreement with the State agency responsible for administering the State plans under parts B and E of title IV of the Social Security Act to ensure that chil-

1 dren in foster care, and children leaving foster care, who
2 are attending their schools of origin receive transportation
3 to and from those schools, in accordance with subsection
4 (a)(1) and with section 475(1)(G) of the Social Security
5 Act (42 U.S.C. 675(1)(G)). The agreement shall include
6 a description of the following:

7 "(1) How foster care maintenance payments
8 will be used to help fund the transportation of chil-
9 dren in foster care to their schools of origin.

10 "(2) How children who leave foster care will re-
11 ceive transportation to maintain their enrollment in
12 their schools of origin for the remainder of the aca-
13 demic year, if remaining in their schools of origin is
14 in their best interests.

15 "(d) POINTS OF CONTACT.—

16 "(1) LOCAL EDUCATIONAL AGENCIES.—A State
17 that receives assistance under part A shall ensure
18 that each local educational agency in the State des-
19 ignates an individual employed by the agency to
20 serve as a point of contact for the child welfare
21 agencies responsible for children in foster care en-
22 rolled in the local educational agency and to oversee
23 the implementation of the local educational agency
24 requirements under this section. A local educational
25 agency's point of contact shall not be the individual

designated as its local educational agency liaison under section 722(g)(1)(J)(ii) of the McKinney-Vento Homeless Assistance Act, unless such individual has the capacity, resources, and time to perform both roles.

"(2) STATE EDUCATIONAL AGENCIES.—Each State educational agency receiving assistance under part A shall designate an individual to serve as a point of contact for child welfare agencies and to oversee the implementation of the State educational agency requirements under this section. A State educational agency's point of contact shall not be the individual designated as the State's Coordinator for Education of Homeless Children and Youths under section 722(d)(3) of the McKinney-Vento Homeless Assistance Act, unless such individual has the capacity, resources, and time to perform both roles.

"SEC. 1502. DEFINITIONS.

"In this part:

"(1) CHILD IN FOSTER CARE.—The term 'child in foster care' means a child whose care and placement is the responsibility of the agency that administers a State plan under part B or E of title IV of the Social Security Act (42 U.S.C. 621 et seq., 670 et seq.), without regard to whether foster care main-

tenance payments are made under section 472 of the Social Security Act (42 U.S.C. 672) on behalf of the child.

"(2) SCHOOL ATTENDANCE AREA.—The term 'school attendance area' has the meaning given the term in section 1113(a)(2).

"(3) SCHOOL OF ORIGIN.—The term 'school of origin' means, with respect to a child in foster care, any of the following:

"(A) The public school in which the child was enrolled prior to entry into foster care.

"(B) The public school in which the child is enrolled when a change in foster care placement occurs.

"(C) The public school the child attended when last permanently housed, as such term is used in section 722(g)(3)(G) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11432(g)(3)(G)), if such child was eligible for assistance under such Act before the child became a child in foster care.".

(b) GUIDANCE.—Not later than 90 days after the date of enactment of this Act, the Secretary, in collaboration with the Secretary of Health and Human Services, is directed to issue guidance on the implementation of part

E of title I of the Elementary and Secondary Education Act of 1965, including how State and local agencies will work together to ensure that transportation for children in foster care is provided to the school of origin.

PART F—GENERAL PROVISIONS

SEC. 1601. REORGANIZATION.

(a) IN GENERAL.—Title I (20 U.S.C. 6301 et seq.) is further amended—

(1) by striking parts F through H;

(2) by redesignating part I as part F; and

(3) by redesignating sections 1901 through 1908 as sections 1601 through 1608, respectively.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Part F of title I, as redesignated by subsection (a)(2), is further amended—

(1) in section 1601(b)(4)(A) (20 U.S.C. 6571(b)(4)(A)), as redesignated by subsection (a)(3), by striking ''No Child Left Behind Act of 2001'' and inserting ''Strengthening America's Schools Act of 2013'';

(2) in section 1602(a) (20 U.S.C. 6572(a)), as redesignated by subsection (a)(3), by striking ''1901'' and inserting ''1601'';

(3) in section 1603(b)(2)(G) (20 U.S.C. 6573(b)(2)(G)), as redesignated by subsection

(a)(3), by striking ''pupil services personnel'' and inserting ''specialized instructional support personnel''; and

(4) in section 1608 (20 U.S.C. 6578), as redesignated by subsection (a)(3), by striking ''No Child Left Behind Act of 2001'' and inserting ''Strengthening America's Schools Act of 2013''.

TITLE II—SUPPORTING TEACHER AND PRINCIPAL EXCELLENCE

SEC. 2101. SUPPORTING TEACHER AND PRINCIPAL EXCELLENCE.

(a) TECHNICAL AMENDMENTS.—The Act (20 U.S.C. 6301 et seq.) is amended—

(1) in title II, by striking the title heading and inserting ''**SUPPORTING TEACHER AND PRINCIPAL EXCELLENCE**'';

(2) by redesignating subpart 3 of part D of title II as part I of title IV, and transferring such part I so as to follow part H of title IV, as added by section 4108 of this Act;

(3) in part I of title IV, as redesignated by paragraph (2), by striking the part heading and inserting the following: ''**READY-TO-LEARN**'';

(4) by redesignating section 2431 as section 4901;

(5) in section 4901, as redesignated by paragraph (4)—

(A) by striking the section heading and inserting the following: ''**READY-TO-LEARN**'';

(B) in subsection (a)—

(i) in paragraph (1)(E)(ii)—

(I) by striking ''Even Start providers,''; and

(II) by striking ''family literacy services'' and inserting ''family literacy activities'';

(ii) in paragraph (2)—

(I) by striking ''Even Start providers,''; and

(II) by striking ''family literacy services'' and inserting ''family literacy activities'';

(iii) in paragraph (4)(B), by striking ''Even Start, and'';

(C) in subsection (c)(2), by striking ''relevant committees of Congress'' and inserting ''authorizing committees''; and

(D) by striking subsection (e) and inserting the following:

"(e) FUNDING RULE.—Not less than 60 percent of the amount appropriated to carry out this section for each fiscal year shall be used to carry out activities under subparagraphs (B) through (D) of subsection (a)(1).";

(6) by redesignating subpart 5 of part C of title II as subpart 3 of part E of title IX, and transferring such subpart 3 so as to follow subpart 2 of part E of title IX;

(7) by redesignating sections 2361, 2362, 2363, 2364, 2365, 2366, 2367, and 2368, as sections 9541, 9542, 9543, 9544, 9545, 9546, 9547, and 9548, respectively; and

(8) in section 9546(b), as redesignated by paragraph (7), by striking the matter following paragraph (2) and inserting the following:

"(3) A State law that makes a limitation of liability inapplicable if the civil action was brought by an officer of a State or local government pursuant to State or local law.".

(b) SUPPORTING TEACHER AND PRINCIPAL EXCELLENCE.—Title II (20 U.S.C. 6601 et seq.), as amended by subsection (a), is further amended by striking parts A, B, C, and D, and inserting the following:

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

"SEC. 2101. PURPOSE.

''The purpose of this part is to provide grants to State educational agencies and subgrants to local educational agencies to enable such agencies to improve academic achievement for all students, including students with disabilities and English learners, by—

''(1) providing professional development that is based on the result of a rigorous, transparent, and fair evaluation and is designed to improve instruction and student achievement; and

''(2) increasing the number and improving the equitable distribution of teachers and principals in accordance with section 1111(b)(1)(R).

"SEC. 2102. DEFINITIONS.

''In this part:

''(1) INDUCTION PROGRAM.—The term 'induction program' has the meaning given the term in section 200 of the Higher Education Act of 1965 (20 U.S.C. 1021).

''(2) MENTORING.—The term 'mentoring' means supporting teachers or principals to increase the effectiveness and retention of such teachers or principals through a program that—

"(A) includes clear criteria for the selection of mentors that takes into account the mentor's—

"(i) record of increasing student achievement; and

"(ii) ability to facilitate professional development activities;

"(B) provides high-quality training for mentors in how to support teachers or principals;

"(C) provides regularly scheduled time for collaboration, examination of student work and achievement data, and observation of teaching, and identifies and addresses areas for improvement; and

"(D) matches mentees with mentors in the same field, grade, grade span, or subject area.

"(3) STATE.—The term 'State' means each of the several States of the United States, the Commonwealth of Puerto Rico, and the District of Columbia.

"Subpart 1—Grants to States

"SEC. 2111. ALLOTMENTS TO STATES.

"(a) IN GENERAL.—The Secretary shall make grants to States with applications approved under section 2112

to enable the States to carry out the activities specified in section 2113. Each grant shall consist of the allotment determined for a State under subsection (b).

"(b) DETERMINATION OF ALLOTMENTS.—

"(1) RESERVATION OF FUNDS.—From the total amount appropriated to carry out this subpart for a fiscal year, the Secretary shall reserve—

"(A) one-half of 1 percent for allotments for the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, to be distributed among those outlying areas on the basis of their relative need, as determined by the Secretary, in accordance with the purpose of this part; and

"(B) one-half of 1 percent for the Secretary of the Interior for programs under this part in schools operated or funded by the Bureau of Indian Education.

"(2) STATE ALLOTMENTS.—

"(A) IN GENERAL.—Subject to subparagraph (B), from the funds appropriated to carry out this subpart and not reserved under paragraph (1), the Secretary shall allot to each State the sum of—

"(i) an amount that bears the same relationship to 35 percent of the remaining amount as the number of individuals ages 5 through 17 in the State, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals in all such States, as so determined; and

"(ii) an amount that bears the same relationship to 65 percent of the remaining amount as the number of individuals, ages 5 through 17 from families with incomes below the poverty line, in the State, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals in all such States, as so determined.

"(B) EXCEPTION.—No State receiving an allotment under subparagraph (A) may receive less than one-half of 1 percent of the total amount allotted under such subparagraph.

"(3) REALLOTMENT.—If any State does not receive an allotment under this subsection for any fiscal year, the Secretary shall reallot the amount of

the allotment to the remaining States in accordance with this subsection.

"SEC. 2112. STATE APPLICATIONS.

"(a) IN GENERAL.—For a State to be eligible to receive a grant under this subpart, the State educational agency shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require.

"(b) CONTENTS.—Each application submitted under this section shall include—

"(1) a description of how the State educational agency will—

"(A) ensure that each local educational agency receiving a subgrant under subpart 2 will comply with the requirements of such subgrant, including implementing a professional growth and improvement system;

"(B) provide technical assistance to support such implementation; and

"(C) ensure that the State educational agency regularly assesses implementation and results across local educational agencies' professional growth and improvement systems to ensure comparability across the State in imple-

mentation of such systems in differentiating teacher and principal performance levels;

''(2) a description of how the State will use funds reserved under section 2113(a);

''(3) a description of how the activities to be carried out by the State educational agency under this subpart will be evidence-based and an explanation of why the activities are expected to improve student achievement;

''(4) a description of how activities under this subpart are aligned with State academic content and student academic achievement standards and State assessments, which include, as appropriate, State early learning standards for children younger than kindergarten;

''(5) a description of how the State educational agency, working with local educational agencies, will provide data on each teacher's student achievement and growth for the State assessments required under section 1111(a)(2) to teachers and local educational agencies, in a timely and useful manner;

''(6) a description of how the State educational agency will hold local educational agencies accountable for meeting the requirements of section 1117;

"(7) an assurance that the State educational agency will comply with section 9501 (regarding participation by private school children and teachers);

"(8) a description of the activities funded under this subpart, including how such activities will be coordinated with the State agency responsible for early childhood education programs and the State Advisory Council on Early Childhood Education and Care established under section 642B of the Head Start Act, that are designed to improve and strengthen the knowledge and skills of teachers and principals responsible for educating children in preschool, where applicable, through grade 3;

"(9) a description of how the State educational agency will provide for the equitable distribution of teachers in accordance with section 1111(b)(1)(K); and

"(10) an assurance that the State educational agency is encouraging collaboration between higher education-based educator preparation programs, the State, and local educational agencies to promote the readiness of new educators entering the profession through clinical experience and interaction, as well as other activities.

"(c) DEEMED APPROVAL.—An application submitted by a State educational agency pursuant to subsection (a) shall be deemed to be approved by the Secretary unless the Secretary makes a written determination, prior to the expiration of the 120-day period beginning on the date on which the Secretary received the application, that the application is not in compliance with this subpart.

"(d) DISAPPROVAL.—The Secretary shall not finally disapprove the application, except after giving the State educational agency notice and an opportunity for a hearing.

"(e) NOTIFICATION.—If the Secretary finds that the application is not in compliance, in whole or in part, with this subpart, the Secretary shall—

"(1) give the State educational agency notice and an opportunity for a hearing; and

"(2) notify the State educational agency of the finding of noncompliance and, in such notification, shall—

"(A) cite the specific provisions in the application that are not in compliance; and

"(B) request additional information, only as to the noncompliant provisions, needed to make the application compliant.

"(f) RESPONSE.—If the State educational agency responds to the Secretary's notification described in subsection (e)(2) during the 45-day period beginning on the date on which the agency received the notification, and resubmits the application with the requested information described in subsection (e)(2)(B), the Secretary shall approve or disapprove such application prior to the later of—

"(1) the expiration of the 45-day period beginning on the date on which the application is resubmitted; or

"(2) the expiration of the 120-day period described in subsection (c).

"(g) FAILURE TO RESPOND.—If the State educational agency does not respond to the Secretary's notification described in subsection (e)(2) during the 45-day period beginning on the date on which the agency received the notification, such application shall be deemed to be disapproved.

"SEC. 2113. STATE USE OF FUNDS.

"(a) IN GENERAL.—A State that receives a grant under section 2111—

"(1) shall reserve 95 percent of the funds made available through the grant to make subgrants to local educational agencies as described in subpart 2;

"(2) shall use not less than 2 percent but not more than 5 percent of funds made available through the grant to support local educational agencies in—

"(A) improving the performance and equitable distribution of principals and, at the State's discretion, other school leaders, including through—

"(i) activities designed to recruit, prepare, place, assist, support, and retain highly rated principals for high-need schools and low-performing schools, including through compensation or incentives; and

"(ii) providing training and support to principals and school leadership teams in high-need schools and low-performing schools on improving instruction and closing achievement gaps; and

"(B) providing technical assistance to local educational agencies to support the design and implementation of professional growth and improvement systems, including—

"(i) developing and disseminating research-based models and designing high-

quality evaluation tools, such as classroom observation rubrics;

"(ii) developing and providing training for principals and other evaluators on how to evaluate teachers in order to differentiate teacher performance accurately, provide useful feedback, and use evaluation results to inform decisionmaking about professional development, improvement strategies, and personnel decisions;

"(iii) developing methods, including training and auditing, for ensuring inter-rater reliability of evaluation results;

"(iv) providing information on the appropriate collection, reporting, analysis, and use of evaluation data; and

"(v) developing a system for auditing the quality of professional growth and improvement systems, including the correlation with student achievement and continuous improvement, and improving such systems based on data and feedback; and

"(3) shall use funds remaining after making the reservations under paragraphs (1) and (2) to—

"(A) plan and administer State activities under this part, including awarding, monitoring, and enforcing the requirements of subgrants awarded under subpart 2;

"(B) assist local educational agencies in recruiting, preparing, placing, developing, and retaining highly rated teachers for high-need schools and low-performing schools;

"(C) provide technical assistance, as necessary, to local educational agencies that receive subgrants under subpart 2, to improve performance on the measures described in section 2141(b), as applicable;

"(D) develop and disseminate the State Report described in subpart 4, and use the information in the State Report to guide efforts under this part; and

"(E) provide technical assistance and support to local educational agencies in the development and implementation of programs and policies that support young children's transition from early childhood education programs into elementary schools, improve school readiness, and improve the academic achievement of young children.

"(b) OPTIONAL USES.—

"(1) IN GENERAL.—A State that receives a grant under section 2111 may, from the funds available for the uses described in subsection (a)(2), use an amount equal to not more than 1 percent of the funds made available through the grant to establish, expand, or implement 1 or more teacher or principal preparation academies and to provide for a State authorizer, if—

"(A) the State does not have in place legal, statutory, or regulatory barriers to the creation or operation of teacher or principal preparation academies;

"(B) the State enables candidates attending a teacher or principal preparation academy to be eligible for State financial aid to the same extent as participants in other State-approved teacher or principal preparation programs, including alternative certification, licensure, or credential programs;

"(C) the State enables teachers or principals who are teaching or working while on alternative certificates, licenses, or credentials to teach or work in the State while enrolled in a teacher or principal preparation academy; and

"(D) the State will recognize a certificate of completion (from any teacher or principal preparation academy that is not, or is unaffiliated with, an institution of higher education), as at least the equivalent of a master's degree in education for the purposes of hiring, retention, compensation, and promotion in the State.

"(2) DEFINITIONS.—In this subsection:

"(A) TEACHER OR PRINCIPAL PREPARATION ACADEMY.—The term 'teacher or principal preparation academy' means a public or other nonprofit institution that will prepare teachers or principals, or both, to serve in high-need schools and that—

"(i) enters into an agreement with a State authorizer that specifies the goals expected of the institution, including—

"(I) a requirement that—

"(aa) teacher or principal candidates, or teachers teaching or principals serving on alternative certificates, licenses, or credentials, who are enrolled in the academy receive a significant part of their training through

clinical preparation that partners candidates with mentor teachers or principals with a demonstrated track record of success in improving student growth, including (where applicable) children with disabilities, children living in poverty, and English learners; and

"(bb) the academy will provide instruction to teacher candidates that links to the clinical preparation experience;

"(II) the number of teachers or principals the academy will produce and the minimum number and percentage of teachers or principals who will demonstrate success in improving student performance based on multiple measures (including student growth);

"(III) a requirement that the teacher preparation component of the academy will only award a certificate of completion (or degree, if the academy is, or is affiliated with, an insti-

tution of higher education) after the graduate demonstrates a track record of success in improving student performance based on multiple measures (including student growth), either as a student teacher or teacher-of-record on an alternative certificate, license, or credential;

"(IV) a requirement that the principal preparation component of the academy will only award a certificate of completion (or degree, if the academy is, or is affiliated with, an institution of higher education) after the graduate demonstrates a track record of success in improving student performance for some or all of a school's students; and

"(V) timelines for producing cohorts of graduates and conferring certificates of completion (or degrees, if the academy is, or is affiliated with, an institution of higher education) from the academy;

"(ii) shall not have unnecessary restrictions placed on the methods the academy will use to train teacher or principal candidates (or teachers or principals that are teaching or working while on alternative certificates, licenses, or credentials), including restrictions or requirements—

"(I) obligating the faculty of the academy to hold advanced degrees, or prohibiting the faculty of the academy from holding advanced degrees;

"(II) obligating such faculty to conduct academic research;

"(III) related to the physical infrastructure of the academy;

"(IV) related to the number of course credits required as part of the program of study;

"(V) related to the undergraduate coursework completed by teachers teaching on alternative certificates, licenses, or credentials, as long as such teachers have successfully passed all relevant State-approved content area examinations; or

"(VI) related to obtaining additional accreditation from a national accrediting body; and

"(iii) limits admission to its program to candidates who demonstrate strong potential to improve student achievement, based on a rigorous selection process that reviews a candidate's prior academic achievement or record of professional accomplishment.

"(B) STATE AUTHORIZER.—The term 'State authorizer' means an entity designated by the Governor of a State to recognize teacher or principal preparation academies within the State that—

"(i) enters into an agreement with a teacher or principal preparation academy that specifies the goals expected of the academy, as described in subparagraph (A)(i);

"(ii) may be a nonprofit organization, State educational agency, or other public entity, or consortium of such entities (including a consortium of States); and

"(iii) does not reauthorize a teacher or principal preparation academy if the academy fails to produce the minimum number or percentage of effective teachers or principals, respectively, identified in the academy's authorizing agreement.

"(c) SUPPLEMENT, NOT SUPPLANT.—Funds received under this subpart shall be used to supplement, and not supplant, non-Federal funds that would otherwise be used for activities authorized under this subpart.

"Subpart 2—Subgrants to Local Educational Agencies

"SEC. 2121. ALLOCATIONS TO LOCAL EDUCATIONAL AGENCIES.

"(a) IN GENERAL.—The Secretary may make a grant to a State under subpart 1 only if the State educational agency agrees to distribute the funds described in this section as subgrants to local educational agencies under this subpart.

"(b) ALLOCATIONS.—

"(1) IN GENERAL.—From the total amount reserved by a State under section 2113(a)(1) for a fiscal year, the State educational agency shall allocate to each of the eligible local educational agencies in the State for such fiscal year the sum of—

"(A) an amount that bears the same relationship to 20 percent of the total amount reserved as the number of individuals age 5 through 17 in the geographic area served by the agency, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals in the geographic areas served by all the local educational agencies in the State, as so determined; and

"(B) an amount that bears the same relationship to 80 percent of the total amount reserved as the number of individuals age 5 through 17 from families with incomes below the poverty line in the geographic area served by the agency, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals in the geographic areas served by all the local educational agencies in the State, as so determined.

"(2) HOLD HARMLESS.—

"(A) IN GENERAL.—Notwithstanding paragraph (1), the State educational agency shall allocate to each of the eligible local educational agencies in the State an amount that is not less

than 90 percent of the allocation the eligible local educational agency received for the previous fiscal year under this part.

"(B) RATABLE REDUCTION.—If insufficient funds are appropriated to allocate the amounts that all eligible local educational agencies in the State are eligible to receive under subparagraph (A) for a fiscal year, the Secretary shall ratably reduce those amounts for the fiscal year.

"SEC. 2122. LOCAL APPLICATIONS AND NEEDS ASSESSMENT.

"(a) IN GENERAL.—To be eligible to receive a subgrant under this subpart, a local educational agency shall—

"(1) submit an application to the State educational agency at such time, in such manner, and containing such information as the State educational agency may reasonably require; and

"(2) conduct, with the involvement of school staff and other stakeholders, as applicable, an assessment of the human capital needs of the local educational agency, including in the areas set forth under section 2141(b), as applicable.

"(b) CONTENTS.—Each application submitted under this section shall include the following:

"(1) NEEDS ASSESSMENT.—A description of the results of the needs assessment conducted under subsection (a)(2) and how the local educational agency will align uses of funds with such assessment.

"(2) PERFORMANCE MEASURES.—A description of the performance measures and activities the local educational agency will use to address the needs identified in such assessment.

"(3) PROFESSIONAL GROWTH AND IMPROVEMENT SYSTEM.—An assurance that the local educational agency will create, or improve, and implement a professional growth and improvement system as by a date identified by the local educational agency and approved by the State educational agency that shall not be later than the 2015–2016 school year.

"(4) PROFESSIONAL DEVELOPMENT.—A description of the professional development activities that will be made available to teachers and principals under this subpart and how the local educational agency will ensure that the professional development needs of teachers and principals, as iden-

tified by the professional growth and improvement system, will be met using funds under this subpart.

"(5) ENCOURAGING COLLABORATION TO PROMOTE EDUCATOR READINESS.—An assurance that the local educational agency is encouraging collaboration with higher education-based educator preparation programs to promote the readiness of new educators entering the profession through clinical experience and interaction, as well as other activities.

"(6) INTEGRATION OF TECHNOLOGY INTO CURRICULA AND INSTRUCTION.—A description of how the local educational agency will integrate funds under this subpart with funds received under part D that are used for professional development to train teachers to integrate technology into curricula and instruction to improve teaching, learning, and technology literacy.

"(7) EVIDENCE-BASED ACTIVITIES.—A description of how the activities to be carried out by the State educational agency under this subpart will be evidence-based and an explanation of why the activities are expected to improve student achievement.

"SEC. 2123. LOCAL USE OF FUNDS.

"(a) IN GENERAL.—A local educational agency that receives a subgrant under section 2121 shall use subgrant

1 funds to address the achievement of students in schools
2 designated as focus schools under section 1116(c) and pri-
3 ority schools under section 1116(d) and schools not meet-
4 ing their performance targets, as described in section
5 1116(b).

6 "(b) PROFESSIONAL DEVELOPMENT.—

7 "(1) IN GENERAL.—A local educational agency
8 that receives a subgrant under section 2121 shall
9 use subgrant funds to develop and carry out profes-
10 sional development, which may include joint profes-
11 sional development for teachers, principals, and
12 other relevant school staff with early childhood edu-
13 cation program staff.

14 "(2) PRIORITY SCHOOLS; FOCUS SCHOOLS.—
15 Not less than 20 percent of subgrant funds—

16 "(A) shall be used to provide professional
17 development for teachers serving students in
18 schools identified as priority schools under sec-
19 tion 1116(d) and not receiving school improve-
20 ment funds as described in section 1116(f); and

21 "(B) if a local educational agency has ex-
22 cess funds after meeting the needs of teachers
23 serving students in priority schools, as required
24 under subparagraph (A), may be used to pro-
25 vide professional development for teachers serv-

ing students in schools identified as focus schools under section 1116(c).

"(c) PERMISSIBLE USES OF FUNDS.—A local educational agency that receives a subgrant under section 2121 may use subgrant funds to implement strategies that lead to increased student achievement for all students, including English learners and students with disabilities, by carrying out 1 or more of the following activities:

"(1) Developing, implementing and improving an induction program or a mentoring program.

"(2) Improving within-district equity in the distribution of teachers consistent with the requirements of section 1111(b)(1)(R).

"(3) Developing and implementing a professional growth and improvement system.

"(4) Carrying out in-service training for school personnel in—

"(A) the techniques and supports needed for early identification of children with trauma histories, and children with, or at risk of, mental illness;

"(B) the use of referral mechanisms that effectively link such children to appropriate treatment and intervention services in the

school and in the community, where appropriate; and

"(C) forming partnerships between school-based mental health programs and public or private mental health organizations.

"(5) Increasing teacher capacity to evaluate student work and use student achievement data and creating career ladders to provide opportunities for highly rated teachers or paraprofessionals to advance or take on additional roles and responsibilities.

"(6) Recruiting, preparing, placing, supporting, developing, rewarding, and retaining highly rated teachers and principals in high-need schools and low-performing schools.

"(7) Reducing class size for prekindergarten through grade 3, by an amount and to a level consistent with what scientifically valid research has found to improve student achievement.

"(d) SUPPLEMENT, NOT SUPPLANT.—Funds received under this subpart shall be used to supplement, and not supplant, non-Federal funds that would otherwise be used for activities authorized under this subpart.

"Subpart 3—National Leadership Activities

"SEC. 2131. NATIONAL LEADERSHIP ACTIVITIES.

''From the funds made available to carry out this part for a fiscal year, the Secretary is authorized to set aside not more than 1 percent to carry out the following activities related to the purpose of this part:

''(1) Research and development.

''(2) Technical assistance.

''(3) Outreach and dissemination activities directly or through grants, contracts, or cooperative agreements.

''(4) Activities relating to gifted and talented students, as described in section 2132.

"SEC. 2132. GIFTED AND TALENTED STUDENTS.

''The Secretary shall—

''(1) acting through the Director of the Institute of Education Sciences, continue research and development activities related to the education of gifted and talented students, particularly research and development activities related to such students who reside in rural communities or have been underrepresented as gifted and talented;

''(2) support a National Research Center on the Gifted and Talented that conducts research and serves as a national clearinghouse for evidence-based

best practices to improve the identification and instruction of gifted and talented students; and

''(3) administer demonstration grants, in consultation with the Director of the Institute of Education Sciences, to programs that build and enhance the ability of elementary school and secondary school personnel to support gifted and talented students.

"Subpart 4—Accountability

"SEC. 2141. ACCOUNTABILITY.

''(a) IN GENERAL.—

''(1) STATE REPORT.—Each State that receives a grant under subpart 1 shall annually submit to the Secretary, in a manner prescribed by the Secretary, and make public, a State Report on program performance and results under such grant. Such State Report shall provide the information required under subsection (b).

''(2) LOCAL EDUCATIONAL AGENCY REPORT.—Each local educational agency that receives a subgrant under subpart 2 shall annually submit to the State, in a manner prescribed by the State, and make public, a Local Educational Agency Report on program performance and results under such subgrant. Such Local Educational Agency Report

shall provide the information required under subsection (b).

"(3) FERPA COMPLIANCE.—Each State and local educational agency that submits a report in compliance with this subsection shall collect, report, and disseminate information contained in such report in compliance with section 444 of the General Education Provisions Act (20 U.S.C. 1232g, commonly known as the 'Family Educational Rights and Privacy Act of 1974').

"(4) TEACHER AND PRINCIPAL PRIVACY.—No State or local educational agency shall publicly report information in compliance with this subsection in a case in which the results would reveal personally identifiable information about an individual teacher or principal.

"(b) INFORMATION.—Each State Report and Local Educational Agency Report shall contain, as appropriate—

"(1) a description of how funds have been used, including how funds have been used to address the needs of teachers serving students in schools not meeting performance targets, as described in section 1116(b), and schools identified as focus schools and

priority schools under subsections (c) and (d) of section 1116 and the results of the use of those funds;

''(2) the number of highly rated teachers in the local educational agency teaching in schools identified as focus schools and priority schools under subsections (c) and (d) of section 1116;

''(3) student achievement data, by teacher preparation program within the State, for students taught by such program's graduates;

''(4) a description of the professional growth and improvement system required under section 2122;

''(5) a description of how chosen professional development activities improved teacher and principal performance using the professional growth and improvement system; and

''(6) how funds have been used to contribute to the equitable distribution of teachers.

"Subpart 5—Principal Recruitment and Training

"SEC. 2151. PRINCIPAL RECRUITMENT AND TRAINING GRANT PROGRAM.

''(a) DEFINITIONS.—In this section:

''(1) ASPIRING PRINCIPAL.—The term 'aspiring principal' means an individual who is enrolled in a principal preparation program's preservice residency

that provides training in instructional leadership, organizational management, and the development of teachers.

"(2) CURRENT PRINCIPAL.—The term 'current principal' means an individual who, as of the date of the determination of participation in a program under this section, is employed as a principal or has been employed as a principal.

"(3) ELIGIBLE ENTITY.—The term 'eligible entity' means—

"(A) a local educational agency or educational service agency that serves an eligible school or a consortium of such agencies;

"(B) a State educational agency or a consortium of such agencies;

"(C) a State educational agency in partnership with 1 or more local educational agencies or educational service agencies that serve an eligible school;

"(D) an entity described in subparagraph (A), (B), or (C) in partnership with 1 or more nonprofit organizations or institutions of higher education; or

"(E) an institution of higher education or a nonprofit organization, if the institution or

nonprofit organization can demonstrate a record of—

"(i) preparing principals who have been able to improve student achievement substantially; and

"(ii) placing a significant percentage of such principals in eligible schools.

"(4) ELIGIBLE SCHOOL.—The term 'eligible school' means a public school, including a public charter school, that meets 1 or more of the following criteria:

"(A) Is a high-need school.

"(B) Is identified as a priority school under section 1116(d).

"(C) Is identified as a focus school under section 1116(c).

"(D) In the case of a public school containing middle grades, feeds into a public high school that has less than a 60 percent graduation rate.

"(E) Is a rural school served by a local educational agency that is eligible to receive assistance under part B of title VI.

"(5) HIGH-NEED SCHOOL.—

"(A) IN GENERAL.—The term 'high-need school' means—

"(i) an elementary school or middle school in which not less than 50 percent of the enrolled students are children from low-income families; or

"(ii) a high school in which not less than 40 percent of the enrolled students are children from low-income families, which may be calculated using comparable data from feeder schools.

"(B) LOW-INCOME FAMILY.—For purposes of subparagraph (A), the term 'low-income family' means a family—

"(i) in which the children are eligible for a free or reduced price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.);

"(ii) receiving assistance under a State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.); or

"(iii) in which the children are eligible to receive medical assistance under the Medicaid program.

"(6) MENTOR PRINCIPAL.—The term 'mentor principal' means an individual with the following characteristics:

"(A) Strong instructional leadership skills in an elementary school or secondary school setting.

"(B) Strong verbal and written communication skills, which may be demonstrated by performance on appropriate assessments.

"(C) Knowledge, skills, and attitudes to—

"(i) establish and maintain a professional learning community that effectively extracts information from data to improve the school culture and personalize instruction for all students to result in improved student achievement;

"(ii) create and maintain a learning culture within the school that provides a climate conducive to the development of all members of the school community, including one of continuous learning for adults tied to student learning and other school goals;

"(iii) engage in continuous professional development, utilizing a combination

of academic study, developmental simulation exercises, self-reflection, mentorship, and internship;

"(iv) understand youth development appropriate to the age level served by the school and from this knowledge set high expectations and standards for the academic, social, emotional, and physical development of all students; and

"(v) actively engage the community to create shared responsibility for student academic performance and successful development.

"(7) MIDDLE GRADE.—The term 'middle grade' means any of grades 5 through 8.

"(8) SCHOOL-LEVEL STUDENT OUTCOMES.—The term 'school-level student outcomes' means, at the whole school level and for each subgroup of students described in section 1111(a)(3)(D) who are served by the school—

"(A) student academic achievement and student growth; and

"(B) additional outcomes, including, at the high school level, graduation rates and the per-

1 centage of students taking college-level
2 coursework.
3 "(b) PROGRAM AUTHORIZED.—
4 "(1) PRINCIPAL RECRUITMENT AND TRAINING
5 GRANT PROGRAM.—The Secretary shall award
6 grants to eligible entities to enable such entities to
7 recruit, prepare, place, and support principals in eli-
8 gible schools.
9 "(2) DURATION.—
10 "(A) IN GENERAL.—
11 "(i) NOT MORE THAN 5 YEAR DURA-
12 TION.—A grant awarded under this section
13 shall be not more than 5 years in duration.
14 "(ii) RENEWAL.—The Secretary
15 may—
16 "(I) renew a grant awarded
17 under this section based on perform-
18 ance; and
19 "(II) in renewing a grant under
20 subclause (I), award the grantee in-
21 creased funding to scale up or rep-
22 licate the grantee's program.
23 "(B) PERFORMANCE.—In evaluating per-
24 formance for purposes of subparagraph
25 (A)(ii)(I)—

"(i) the Secretary's primary consideration shall be the extent to which the principals recruited, prepared, placed, or supported by the grantee have improved school-level student outcomes in eligible schools; and

"(ii) the Secretary shall also consider the percentage of program graduates—

"(I) who become principals in eligible schools;

"(II) who remain principals in eligible schools for multiple years; and

"(III) who are highly rated principals, as determined by the State educational agency.

"(c) APPLICATION AND SELECTION CRITERIA.—

"(1) APPLICATION.—An eligible entity that desires a grant under this section shall submit to the Secretary an application at such time, in such manner, and accompanied by such information as the Secretary may require.

"(2) SELECTION CRITERIA.—In awarding grants under this section, the Secretary shall consider—

"(A) the extent to which the entity has the capacity to implement the activities described in subsection (e) that the entity proposes to implement;

"(B) the extent to which the entity has a demonstrated record of effectively preparing high-quality principals or an evidenced-based plan for preparing principals to improve school-level student outcomes in eligible schools;

"(C) the extent to which the entity has a demonstrated record of effectiveness or an evidence-based plan for providing principals trained by the entity with the guidance, support, and tools they need to improve school-level student outcomes in eligible schools, including providing principals with resources, such as funding to ensure supports for quality teaching, access to best practices, and decisionmaking authority over areas such as personnel, budget, curriculum, or scheduling;

"(D) the likelihood of the entity sustaining the project with funds other than funds provided under this section, which other funds may include funds provided under this title other

than this section, once the grant is no longer available to the entity; and

"(E) the extent to which the proposed project will serve rural areas or high-poverty areas.

"(d) AWARDING GRANTS.—

"(1) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to an eligible entity with a record of preparing or developing principals who—

"(A) have improved school-level student outcomes;

"(B) have become principals in eligible schools; and

"(C) remain principals in eligible schools for multiple years.

"(2) GRANTS FOR RURAL SCHOOLS AND LOWEST PERFORMING SCHOOLS.—In awarding grants under this section, the Secretary shall, consistent with the quality of applications—

"(A) award not less than 1 grant to an eligible entity that intends to establish a program that focuses on training or supporting principals and other school leaders for rural schools; and

"(B) award not less than 1 grant to an eligible entity that intends to establish a program to train and support principals and other school leaders to lead reform efforts in persistently low-achieving schools in a State or more than 1 State.

"(3) REFORM EFFORTS.—An eligible entity that receives a grant under this section to carry out a program described in paragraph (2)(B)—

"(A) during the first year of the grant, shall use grant funds—

"(i) to bring together experts and stakeholders who are committed to dramatic and effective reform of persistently low-achieving schools who can provide input about what the evidence base shows regarding effective school leadership in such schools;

"(ii) to collect and develop, in consultation with experts and stakeholders, a core body of knowledge regarding effective school reform leadership in persistently low-achieving schools, which is evidence-based;

"(iii) to develop, drawing on the core body of knowledge developed in clause (ii), a leadership training program for principals, mentors, and other school leaders, to prepare and support the principals, mentors, and leaders to lead effective school reform efforts in persistently low-achieving schools; and

"(B) during each year of the grant after the first year, shall use grant funds—

"(i) to carry out the leadership training program described in subparagraph (A)(iii);

"(ii) to ensure that the leadership training program described in subparagraph (A)(iii) is informed, on an ongoing basis, by consultation with experts and stakeholders, and by the program's tracking of the performance of its graduates in leading school reform efforts in persistently low-achieving schools;

"(iii) to select cohorts of trained or experienced principals to lead school reform efforts in persistently low-achieving schools;

"(iv) to provide support for, and encourage interaction among, cohorts of principals after completion of the leadership training program described in subparagraph (A)(iii); and

"(v) to disseminate information to principals, mentors, and other school leaders engaging in reform efforts in persistently low-achieving schools.

"(e) ACTIVITIES.—Each eligible entity that receives a grant under this section shall use grant funds to carry out the following:

"(1) To recruit and select, using rigorous, competency-based, selection criteria, and train and support a diverse group of aspiring principals or current principals, or both, for work in eligible schools.

"(2) Tracking participants to determine if such individuals are attaining, or have attained, the competencies needed to complete the training and enter into an effective leadership role, and provide counseling and, if appropriate, separation, to participants who the entity determines will not attain, or have not attained, those competencies.

"(3) If the eligible entity provides a program for aspiring principals—

"(A) candidates shall demonstrate awareness of and have experience with the knowledge, skills, and attitudes to—

"(i) establish and maintain a professional learning community that effectively extracts information from data to improve the school culture and personalize instruction for all students to result in improved student achievement;

"(ii) create and maintain a learning culture within the school that provides a climate conducive to the development of all members of the school community, including one of continuous learning for adults tied to student learning and other school goals;

"(iii) engage in continuous professional development, utilizing a combination of academic study, developmental simulation exercises, self-reflection, mentorship, and internship;

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

demic, social, emotional, and physical development of all students; and

"(v) actively engage the community to create shared responsibility for student academic performance and successful development; and

"(B) the program shall provide aspiring principals with—

"(i) a preservice residency that is not less than 1 year in length, and that includes coaching from a mentor principal, and instructional leadership and organizational management experience;

"(ii) focused coursework on instructional leadership, organizational management, and the use of a variety of data for purposes of—

"(I) instruction;

"(II) evaluation and development of teachers; and

"(III) development of highly effective school organizations; and

"(iii) ongoing support, mentoring, and professional development for not less than 2 years after the aspiring principals com-

plete the residency and commence work as assistant principals and principals.

"(4) To train mentors for principals who are serving or who wish to serve in eligible schools or for aspiring principals who wish to serve in such eligible schools, or for both.

"(5) Providing differentiated training to participants in competencies that evidence shows are critical to improving school-level student outcomes in eligible schools, such as—

"(A) recruiting, training, supervising, supporting, and evaluating teachers and other staff;

"(B) developing teams of effective school staff, and distributing among members of such teams responsibilities for leading and improving their schools;

"(C) establishing learning communities where principals and teachers—

"(i) share a school mission and goals with an explicit vision of quality teaching and learning that guides all instructional decisions;

"(ii) commit to improving student outcomes and performances;

"(iii) set a continuous cycle of collective inquiry and improvement;

"(iv) foster a culture of collaboration where teachers and principals work together on a regular basis to analyze and improve teaching and learning; and

"(v) support and share leadership;

"(D) where applicable for participants serving elementary schools, offering high-quality early childhood education to the students such participants are serving and facilitating the transition of children from early learning settings to elementary school;

"(E) setting high expectations for student achievement;

"(F) addressing the unique needs of specific student populations served, such as students with disabilities, students who are English learners, and students who are homeless or in foster care;

"(G) managing budget resources and school time to support high-quality instruction and improvements in student achievement, such as by extending the school day and year and

providing common planning time to teachers and staff;

"(H) working effectively with students' parents and other members of the community;

"(I) using technology and multiple sources of data to personalize instruction;

"(J) monitoring and improving the alignment and effectiveness of curriculum, instruction, and assessment, using a variety of data providing evidence of student and school outcomes; and

"(K) developing and maintaining a positive school culture where students, teachers and other staff are motivated to collaborate and work together to achieve goals.

"(6) Delivering high-quality, differentiated, school-level support services and training to current principals of eligible schools, if the eligible entity provides a program for current principals, or during the period described in paragraph (3)(C) to individuals who have completed the aspiring principal residency, if the eligible entity provides a program for aspiring principals, to help meet the specific needs of the eligible schools they serve, which may include—

"(A) training and support for the design of school-wide improvement plans based on the diagnosis of school conditions and needs informed by data and analysis of classroom and school practices; and

"(B) support in organizing and training the teams described in paragraph (5)(B).

"(7) Making available any training materials funded under the grant, such as syllabi, assignments, or selection rubrics, to the Department for public dissemination.

"(8) Tracking the effectiveness of the program based on, at a minimum—

"(A) school-level student outcomes at the schools where program graduates have served as principals;

"(B) the percentage of program graduates who become principals in eligible schools; and

"(C) the percentage of program graduates who remain principals in eligible schools for multiple years.

"(9) Using the data on the effectiveness of the program for, among other purposes, the continuous improvement of the program.

1 "(f) ANNUAL REPORT.—An eligible entity that re-
2 ceives a grant under this section shall submit an annual
3 report, beginning in the third year of the grant, to the
4 Secretary regarding—
5 "(1) school-level student outcomes resulting
6 from implementation of the grant activities; and
7 "(2) data on—
8 "(A) the percentage of program graduates
9 who become principals in eligible schools;
10 "(B) the percentage of graduates who re-
11 main principals in eligible schools for multiple
12 years; and
13 "(C) the percentage of program graduates
14 who are highly rated, as determined by the
15 State educational agency.
16 "(g) MATCHING REQUIREMENT.—
17 "(1) MATCHING REQUIREMENT.—
18 "(A) IN GENERAL.—An eligible entity that
19 receives a grant under this section shall con-
20 tribute annually to the activities assisted under
21 such grant matching funds in an amount equal
22 to not less than 20 percent of the amount of
23 the grant from non-Federal sources.

"(B) MATCHING FUNDS.—The matching funds requirement under subparagraph (A) may be met by—

"(i) contributions that are in cash or in kind, fairly evaluated; and

"(ii) payments of a salary or stipend to an aspiring principal during the aspiring principal's residency year.

"(2) WAIVER.—The Secretary may waive or reduce the matching requirement under paragraph (1) if the eligible entity demonstrates a need for such waiver or reduction due to financial hardship.

"(h) SUPPLEMENT, NOT SUPPLANT.—Grant funds provided under this section shall be used to supplement, and not supplant, any other Federal, State, or local funds otherwise available to carry out the activities described in this section.

"PART B—TEACHER PATHWAYS TO THE CLASSROOM

"SEC. 2201. TEACHER PATHWAYS.

"(a) PURPOSE.—It is the purpose of this section to support the recruitment, selection, preparation, placement, retention, and support of teachers in high-need subjects or fields who will improve student academic achievement and student outcomes at high-needs schools.

1 "(b) DEFINITIONS.—In this section:
2 "(1) ELIGIBLE ENTITY.—The term 'eligible en-
3 tity' means—
4 "(A) a partnership of—
5 "(i) 1 or more institutions of higher
6 education or nonprofit organizations; and
7 "(ii) a high-need local educational
8 agency and 1 or more other local edu-
9 cational agencies or State educational
10 agencies; or
11 "(B) an institution of higher education or
12 a nonprofit organization that can demonstrate a
13 record of—
14 "(i) preparing teachers who are suc-
15 cessful in improving student achievement;
16 and
17 "(ii) placing a significant percentage
18 of those teachers in high-need schools.
19 "(2) TEACHER IN A HIGH-NEED SUBJECT OR
20 FIELD.—The term 'teacher in a high-need subject or
21 field' means a teacher of—
22 "(A) students with disabilities;
23 "(B) English learners; or
24 "(C) science, technology, engineering, or
25 mathematics.

1 "(c) AUTHORIZATION OF GRANT AWARDS.—The Sec-
2 retary shall award grants to eligible entities to pay for the
3 Federal share of the cost of carrying out the activities de-
4 scribed in this section.

5 "(d) APPLICATIONS.—An eligible entity that desires
6 to receive a grant under this section shall submit an appli-
7 cation to the Secretary at such time, in such manner, and
8 accompanied by such information as the Secretary may
9 require.

10 "(e) CONSIDERATIONS.—In awarding grants under
11 this section, the Secretary shall consider the geographic
12 diversity of the eligible entities, including the distribution
13 of grants among urban, suburban, and rural areas.

14 "(f) PRIORITY.—In awarding grants under this sec-
15 tion, the Secretary shall give priority to applicants that
16 demonstrate a record of—

17 "(1) recruiting college undergraduates, recent
18 college graduates, graduate students, and profes-
19 sionals with a demonstrated history of significant
20 academic achievement to become teachers;

21 "(2) recruiting and selecting candidates who
22 are members of groups underrepresented in the
23 teaching profession; and

"(3) preparing teachers who consistently improve student academic achievement at high-need schools.

"(g) REQUIRED USE OF FUNDS.—An eligible entity that receives a grant under this section shall use the grant funds for the following:

"(1) To recruit, select, prepare, place, retain, and support teachers for high-need schools and teachers in high-need subjects or fields.

"(2) To prepare all teachers to teach students with disabilities and English learners.

"(3) To prepare teachers in classroom management, instructional planning and delivery, learning theory and cognitive development, literacy development, and student assessment.

"(4) To provide school-based, clinical experience at a high-need school that includes observation of and feedback on teacher candidates' teaching.

"(5) To provide ongoing mentoring and support, which may include coursework, for participants for at least 1 school year.

"(h) PERMISSIBLE USE OF GRANT FUNDS.—An eligible entity that receives a grant under this section may use the grant funds to provide financial stipends for teacher candidates who are not the teacher of record.

"(i) PERFORMANCE AND GRANT RENEWAL.—

"(1) TRACKING PERFORMANCE.—An eligible entity that receives a grant under this section shall—

"(A) track the placement rate, retention rate, and performance in improving student academic achievement of teachers recruited and prepared by programs funded by the grant; and

"(B) submit data on such performance to the Secretary.

"(2) CONDITIONS FOR GRANT RENEWAL.—The Secretary shall evaluate the information submitted under paragraph (1) and renew a grant awarded under this section only if the data indicate the teachers are successful in improving student academic achievement.

"(j) FISCAL AGENT.—The fiscal agent for an eligible entity that receives a grant under this section may be a local educational agency, State educational agency, institution of higher education, or nonprofit organization that is a partner in the eligible entity.

"(k) MATCHING REQUIREMENTS.—

"(1) FEDERAL SHARE.—Except as provided in paragraph (2)(B), the Federal share for this section shall be a percentage of the cost of the activities as-

sisted under the grant as determined by the Secretary.

"(2) NON-FEDERAL SHARE.—

"(A) IN GENERAL.—The non-Federal share provided by an eligible entity receiving a grant under this section shall be a percentage of the cost of the activities assisted under the grant as determined by the Secretary. The non-Federal share may include in-kind contributions.

"(B) SPECIAL RULE.—The Secretary may waive or reduce the amount of the non-Federal share described in subparagraph (A) for any fiscal year if the eligible entity demonstrates to the Secretary that the funds needed to carry out that subparagraph are unavailable due to economic hardship, as determined by the Secretary.

"(l) EVALUATION.—From the amount appropriated for this subpart and reserved for evaluation activities in accordance with section 9601(a), the Secretary, acting through the Director of the Institute of Education Sciences, shall, in consultation with the relevant program office at the Department—

"(1) evaluate the implementation and impact of the program under this section;

"(2) identify best practices for recruiting, selecting, preparing, placing, retaining, and supporting teachers in high-need subjects or fields for high-need schools; and

"(3) disseminate research on best practices.

"PART C—TEACHER INCENTIVE FUND PROGRAM

"SEC. 2301. PURPOSES; DEFINITIONS.

"(a) PURPOSES.—The purposes of this part are to assist States, local educational agencies, and nonprofit organizations to develop, implement, improve, or expand strategies to ensure that the most effective teachers and principals are serving in the lowest-performing schools.

"(b) DEFINITIONS.—Except as otherwise provided, in this part:

"(1) ELIGIBLE ENTITY.—The term 'eligible entity' means—

"(A) a local educational agency or a consortium of local educational agencies, which may include a charter school that is a local educational agency;

"(B) a State educational agency, or other State agency designated by the chief executive of a State to participate under this subpart; or

"(C) an institution of higher education or nonprofit organization, in partnership with an entity described in subparagraph (A) or (B).

"(2) HIGHLY EFFECTIVE TEACHER OR PRINCIPAL.—The term 'highly effective teacher or principal' means a teacher or principal who has not less than 3 years of—

"(A) receiving the highest ratings in a professional growth and improvement system; or

"(B) if a professional growth and improvement system has not yet been implemented, receiving the highest rating category of an existing local educational agency teacher or principal evaluation system.

"(3) HUMAN CAPITAL SYSTEM.—The term 'human capital system' means an evidence-based and data-driven system for—

"(A) identifying, recruiting, training, hiring, placing, and retaining those individuals who are or are most likely to be highly effective teachers and principals;

"(B) attracting highly effective teachers and principals to high-need schools, including by providing highly effective teachers and principals in such schools with support and develop-

ment opportunities focused on increasing student achievement; and

"(C) retaining highly effective teachers and principals in high-need schools over time by creating school environments that enable excellent teaching, including through strategies such as personalized learning, project-based learning, blended learning, distributed leadership, career pathways, and time for collaboration and use of student data in professional learning communities.

"SEC. 2302. TEACHER INCENTIVE FUND GRANTS.

"(a) IN GENERAL.—From the amounts appropriated to carry out this part, the Secretary is authorized to award grants, on a competitive basis, to eligible entities to enable the eligible entities to develop, implement, improve, or expand strategies, including incentives and human capital systems to increase the number of highly effective teachers and principals serving in high-need schools.

"(b) PRIORITY.—In awarding a grant under this part, the Secretary shall give priority to an eligible entity that concentrates the proposed activities in high-need schools designated as priority schools, as described in section 1116(d), and then to an eligible entity that concentrates the proposed activities in a State or local edu-

1 cational agency that has already developed a professional
2 growth and improvement system required under section
3 2122.

4 ''(c) APPLICATIONS.—To be eligible to receive a grant
5 under this part, an eligible entity shall submit an applica-
6 tion to the Secretary, at such time and in such manner
7 as the Secretary may reasonably require. The application
8 shall include, as applicable—

9 ''(1) a description of the strategy that the eligi-
10 ble entity proposes to develop, implement, improve,
11 or expand;

12 ''(2) a description and evidence of the support
13 and commitment of teachers and principals in the
14 school to be served by the project, the community,
15 including community-based organizations, and the
16 local educational agencies, including a demonstration
17 of consultation with teachers and principals in the
18 design and development of the proposal;

19 ''(3) a description of the local educational agen-
20 cy or school to be served by the project, including
21 such student academic achievement, demographic,
22 and socioeconomic information as the Secretary may
23 request;

24 ''(4) a description of the quality of teachers and
25 principals in the local educational agency and the

schools to be served by the project and how the project will increase the quality of teachers and principals in a high-need school;

"(5) a description of how the eligible entity will use grant funds under this part in each year of the grant to continuously increase the number of highly effective teachers and principals in the highest-need schools;

"(6) a description of how the eligible entity will continue funding and carrying out the project after the grant period ends;

"(7) a description of the State, local, or other public or private funds that will be used to supplement the grant and sustain the activities assisted under the grant at the end of the grant period; and

"(8) a description of the rationale and evidence base for the proposed activities and of any prior experience of the eligible entity in developing and implementing such activities.

"(d) USE OF FUNDS.—An eligible entity that receives a grant under this part shall use the grant funds to carry out activities that are designed to develop, implement, improve, or expand strategies to increase the number of highly effective teachers or principals serving in high-need schools, consistent with this part, which may include—

1 "(1) paying bonuses and increased salaries, if
2 the eligible entity uses an increasing share of non-
3 Federal funds to pay the bonuses and increased sal-
4 aries each year of the grant, to highly effective
5 teachers or principals who work in high-need
6 schools;
7 "(2) improving a professional growth and im-
8 provement system required under section 2122;
9 "(3) reforming the local educational agency's
10 system of compensating teachers and principals; and
11 "(4) developing and implementing a human
12 capital system.
13 "(e) DURATION OF GRANTS.—
14 "(1) IN GENERAL.—The Secretary may award
15 a grant under this part for a period of not more
16 than 5 years.
17 "(2) LIMITATION.—A local educational agency
18 may receive (whether individually or as part of a
19 consortium or partnership) a grant under this part
20 only twice. A second grant may be awarded only if
21 the Secretary determines that the eligible entity has
22 demonstrated sufficient progress and demonstrates
23 the sustainability of the grant project after the expi-
24 ration of the grant period.

"(f) EQUITABLE GEOGRAPHIC DISTRIBUTION.—To the extent practicable, the Secretary shall ensure an equitable geographic distribution of grants under this part, including the distribution between rural and urban areas.

"(g) SUPPLEMENT, NOT SUPPLANT.—Grant funds provided under this part shall be used to supplement, not supplant, other Federal, State, or local funds available to carry out the activities described in this part.

"PART D—ACHIEVEMENT THROUGH TECHNOLOGY AND INNOVATION

"SEC. 2401. SHORT TITLE.

"This part may be cited as the 'Achievement Through Technology and Innovation Act of 2013' or the 'ATTAIN Act'.

"SEC. 2402. PURPOSES AND GOALS.

"The purposes and goals of this part are—

"(1) to ensure that through effective and innovative uses of technology every student has access to personalized, rigorous, and relevant learning to meet the goals of this part to raise student achievement, close the achievement gap, and ensure highly effective teaching, and to prepare all students to be technology literate and make sufficient academic growth to succeed in the 21st century digital economy;

"(2) to evaluate, build upon, and increase the use of evidence-based and innovative systemic education transformations that center on the use of technology that leads to school improvement, improved productivity, and increased student achievement;

"(3) to ensure that all educators are connected in an ongoing manner to technology-based and online resources and supports, including through enhanced ongoing, meaningful professional development to ensure that—

"(A) all educators are technology literate and effectively use technology to improve instruction; and

"(B) education administrators possess the capacity to—

"(i) provide leadership in the use of technology for systemic education transformation; and

"(ii) improve educational productivity;

"(4) to improve student engagement, opportunity, attendance, graduation rates, and technology access through enhanced or redesigned curriculum or instruction;

"(5) to more effectively collect and use student performance and other data in a timely manner to inform instruction, address individualized student needs, support school decisionmaking, and support school improvement and increased student achievement, including through delivery of computer-based and online assessments;

"(6) to enhance the use of technology, online learning, and blended learning for systemic education transformation, including curricula redesign and new instructional strategies to personalize learning; and

"(7) to increase education productivity and reduce costs through the use of technology, blended learning, and online learning, including for the delivery of online assessments.

"SEC. 2403. DEFINITIONS.

"In this part:

"(1) BLENDED LEARNING.—The term 'blended learning' means the combination of online learning and traditional in-person classroom instruction, or technology-based learning, in a supervised classroom setting with some element of student control over time, place, path or pace.

"(2) DIGITAL LEARNING.—The term 'digital learning' means any instructional practice that effectively uses technology to strengthen a student's learning experience and encompasses a wide spectrum of tools and practices, including—

"(A) interactive learning resources that engage students in academic content;

"(B) access to online databases and other primary source documents;

"(C) the use of data to personalize learning and provide targeted supplementary instruction;

"(D) student collaboration with content experts and peers;

"(E) online and computer-based assessments;

"(F) digital content, adaptive, and simulation software or courseware,

"(G) online courses, online instruction, or digital learning platforms;

"(H) mobile and wireless technologies for learning in school and at home;

"(I) learning environments that allow for rich collaboration and communication;

"(J) authentic audiences for learning in a relevant, real world experience; and

"(K) teacher participation in virtual professional communities of practice.

"(3) ELIGIBLE TECHNOLOGY.—The term 'eligible technology' means modern information, computer, and communication technology hardware, software, services, or tools, including computer or mobile hardware devices and other computer and communications hardware, software applications, systems and platforms, and digital and online content, courseware, and online instruction and other online services and supports.

"(4) E-RATE PROGRAM.—The term 'E-rate program' means the Schools and Libraries Universal Service Support Mechanism under section 254(h)(1)(B) of the Communications Act of 1934 (47 U.S.C. 254(h)(1)(B)).

"(5) STUDENT TECHNOLOGY LITERACY.—The term 'student technology literacy' means student knowledge and skills in using contemporary information, communication, and learning technologies in a manner necessary for successful employment, lifelong learning, and citizenship in the knowledge-

based, digital, and global 21st century, including, at a minimum, the ability to—

"(A) effectively communicate and collaborate;

"(B) analyze and solve problems;

"(C) access, evaluate, manage, and create information and otherwise gain information literacy;

"(D) demonstrate creative thinking, construct knowledge, and develop innovative products and processes; and

"(E) carry out the activities described in subparagraphs (A) through (D) in a safe and ethical manner.

"(6) TECHNOLOGY READINESS SURVEY.—The term 'technology readiness survey' means a survey completed by a local educational agency that provides standardized information comparable to the information collected through the technology readiness survey administered under the Race to the Top Assessment program under section 14006 of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5) on the quantity and types of technology infrastructure and access available to the students served by the local educational agency,

including computer devices, Internet connectivity, operating systems, related network infrastructure, data systems, and—

"(A) requiring—

"(i) an internal review of the degree to which instruction, additional student support, and professional development is delivered in digital formats, media, and platforms and is available to students and educators at any time;

"(ii) an internal review of the ability of educators to use assessments and other student data to personalize and strengthen instruction and identify professional development needs and priorities; and

"(iii) any other information required by the State educational agency serving the local educational agency; and

"(B) may include an assessment of local community needs to ensure students have adequate online access and access to devices for school-related work during out-of-school time.

"SEC. 2404. ALLOCATION OF FUNDS; LIMITATION.

"(a) ALLOCATION OF FUNDS BETWEEN STATE AND LOCAL INITIATIVES.—The funds made available to carry out this part shall be available to carry out subpart 1.

"(b) LIMITATION.—

"(1) LOCAL ADMINISTRATIVE COSTS.—Of the funds made available to a local educational agency under this part for a fiscal year, not more than 3 percent may be used by the local educational agency for administrative costs.

"(2) STATE ADMINISTRATIVE COSTS.—Of the funds made available to a State educational agency under section 2412(a)(1)(A), not more than 60 percent may be used by the State educational agency for administrative costs.

"SEC. 2405. E-RATE RESTRICTION.

"Funds awarded under this part may be used to address the networking needs of a recipient of such funds under the E-rate program, except that such funds may not be duplicative of support received by the recipient under the E-rate program.

"SEC. 2406. RULE OF CONSTRUCTION REGARDING PURCHASING.

"Nothing in this part shall be construed to permit a recipient of funds under this part to purchase goods or services using such funds without ensuring that the pur-

chase is free of any conflict of interest between such recipient, or any partner of such recipient, and the person or entity from whom such goods or services are purchased.

"Subpart 1—State and Local Grants

"SEC. 2411. ALLOTMENT AND REALLOTMENT.

"(a) RESERVATIONS AND ALLOTMENT.—From the amount made available to carry out this subpart for a fiscal year—

"(1) the Secretary shall reserve—

"(A) three-quarters of 1 percent for the Secretary of the Interior for programs under this subpart for schools operated or funded by the Bureau of Indian Education; and

"(B) 1 percent to provide assistance under this subpart to the outlying areas; and

"(2) subject to subsection (b), the Secretary shall use the remainder to award grants by allotting to each State educational agency an amount that bears the same relationship to such remainder for such year as the amount received under part A of title I for such year by such State educational agency bears to the amount received under such part for such year by all State educational agencies.

"(b) MINIMUM ALLOTMENT.—The amount of any State educational agency's allotment under subsection

(a)(2) for any fiscal year shall not be less than one-half of 1 percent of the amount made available for allotments to State educational agencies under this subpart for such year.

"(c) REALLOTMENT OF UNUSED FUNDS.—The Secretary shall reallot any unused amount of a State educational agency's allotment to the remaining State educational agencies that use their entire allotments under this subpart in accordance with this section.

"(d) MATCHING FUNDS.—

"(1) IN GENERAL.—A State educational agency that receives a grant under subsection (a)(2) shall provide matching funds, from non-Federal sources, in an amount equal to 20 percent of the amount of grant funds provided to the State educational agency to carry out the activities supported by the grant. Such matching funds may be provided in cash or in-kind except that any such in-kind contributions shall be provided for the purpose of supporting the State educational agency's activities under section 2414.

"(2) WAIVER.—The Secretary may waive the matching requirement under paragraph (1) for a State educational agency that demonstrates that such requirement imposes an undue financial hardship on the State educational agency.

"SEC. 2412. USE OF ALLOTMENT BY STATE.

"(a) IN GENERAL.—

"(1) IN GENERAL.—Of the amount provided to a State educational agency under section 2411(a)(2) for a fiscal year—

"(A) the State educational agency may use not more than 10 percent of such amount or $100,000, whichever amount is greater, to carry out activities under section 2414; and

"(B) the State educational agency shall distribute the remainder in accordance with paragraphs (2) and (3).

"(2) DISTRIBUTION OF REMAINDER.—The State educational agency shall—

"(A)(i) use 80 percent of the remainder to award Improving Teaching and Learning through Technology subgrants to local educational agencies having applications approved under section 2415(c) for the activities described in section 2416(b); and

"(ii) allot to each such local educational agency an amount that bears the same relationship to 80 percent of the remainder for such year as the amount received under part A of title I for such year by such local educational agency bears to the amount received under such

part for such year by all local educational agencies within the State, subject to subsection (b)(2); and

"(B) use 20 percent of the remainder to award Systemic Education Transformation through Technology Integration subgrants, through a State-determined competitive process, to local educational agencies having applications approved under section 2415(b) for the activities described in section 2416(a).

"(3) OPTION IN YEARS WITH INSUFFICIENT AMOUNTS APPROPRIATED.—If the amount provided to a State educational agency under section 2411(a)(2) for a fiscal year is not large enough to provide every local educational agency with a minimum subgrant under subsection (b)(3), the State educational agency may distribute 100 percent of the remainder described in paragraph (1)(B) as either formula grants under paragraph (2)(A) or competitive grants under paragraph (2)(B).

"(b) SUFFICIENT AMOUNTS.—

"(1) SPECIAL RULE.—In awarding subgrants under subsection (a)(2)(B), the State educational agency shall—

"(A) ensure the subgrants are of sufficient size and scope to be effective, consistent with the purposes of this part;

"(B) ensure subgrants are of sufficient duration to be effective, consistent with the purposes of this part, including by awarding subgrants for a period of not less than 2 years that may be renewed for not more than an additional 1 year;

"(C) give preference in the awarding of subgrants, and the providing of all technical assistance, to local educational agencies that serve schools identified as priority schools or focus schools under subsection (c) or (d) of section 1116, including those schools with high populations of—

"(i) English learners;

"(ii) students with disabilities; or

"(iii) other subgroups of students who have not met the State's student academic achievement standards; and

"(D) ensure an equitable distribution among urban and rural areas of the State, according to the demonstrated need for assistance

under this subpart of the local educational agencies serving the areas.

"(2) ADDITIONAL RESERVATION.—A State educational agency that forms a State purchasing consortium under subsection 2414(c) may reserve an additional 1 percent to carry out the activities described in subsection 2414 (c)(1) if such State educational agency receives direct approval from the local educational agencies receiving subgrants under subsection (a)(2).

"(3) MINIMUM FORMULA-BASED SUBGRANT.—The amount of any local educational agency's subgrant under subsection (a)(2)(A) for any fiscal year shall be not less than $3,000.

"(c) REALLOTMENT OF UNUSED FUNDS.—If any local educational agency does not apply for a subgrant under subsection (a) for a fiscal year, or does not use the local educational agency's entire allotment under this subpart for such fiscal year, the State shall reallot any unused funds to the remaining local educational agencies.

"SEC. 2413. STATE APPLICATIONS.

"(a) IN GENERAL.—To be eligible to receive a grant under this subpart, a State educational agency shall submit to the Secretary, at such time and in such manner as the Secretary may specify, an application containing

the information described in subsection (b) and such other information as the Secretary may reasonably require.

"(b) CONTENTS.—Each State educational agency application submitted under subsection (a) shall include each of the following:

"(1) A description of how the State educational agency will support local educational agencies that receive subgrants under this subpart in meeting the purposes and goals of this part and the requirements of this subpart, including through technical assistance in using technology to redesign curriculum and instruction, improve educational productivity, and deliver computer-based and online assessment.

"(2) A description of the State educational agency's long-term goals and strategies for improving student academic achievement, including student technology literacy, through the effective use of technology.

"(3) A description of the priority area upon which the State educational agency will focus its assistance under this subpart, which shall be identified from among the core academic subjects, grade levels, and student subgroup populations with the largest achievement gaps in the State.

"(4) A description of how the State educational agency will support local educational agencies to implement professional development programs pursuant to section 2416(b)(1)(A).

"(5) A description of how the State educational agency will ensure that teachers, paraprofessionals, school librarians, and administrators possess the knowledge and skills to use technology—

"(A) for curriculum redesign to change teaching and learning and improve student achievement;

"(B) for assessment, data analysis, and to personalize learning;

"(C) to improve student technology literacy; and

"(D) for their own ongoing professional development and for access to teaching resources and tools.

"(6) A description of the process, activities, and performance measures that the State educational agency will use to evaluate the impact and effectiveness of activities described in section 2414.

"(7) Identification of the State college and career ready academic content standards and college and career ready student academic achievement

standards that the State educational agency will use to ensure that each student is technologically literate, consistent with the definition of student technology literacy, and a description of how the State educational agency will assess student performance in gaining technology literacy, only for the purpose of tracking progress towards achieving the 8th grade technology literacy goal and not for accountability purposes as described in section 1111(a)(3), including through embedding such assessment items in other State tests or performance-based assessment portfolios, or through other valid and reliable means. Nothing in this subpart shall be construed to require States to develop a separate test to assess student technology literacy.

''(8) An assurance that financial assistance provided under this subpart will supplement, and not supplant, State and local funds.

''(9) A description of how the State educational agency consulted with local educational agencies in the development of the State application.

''(10) An assurance that the State educational agency will provide matching funds as required under section 2411(d).

"(11) A description of how the State educational agency will ensure that funds received under this part do not duplicate support received under the E-rate program.

"(12) An assurance that the State educational agency will protect the privacy and safety of students and teachers, consistent with the requirements of section 444 of the General Education Provisions Act (20 U.S.C. 1232g) (commonly known as the 'Family Educational Rights and Privacy Act of 1974').

"(13) A description of how the State educational agency will, in providing technical and other assistance to local educational agencies, give priority to schools identified as priority schools or focus schools under subsection (c) or (d) of section 1116, including those schools with high populations of—

"(A) English learners;

"(B) students with disabilities; or

"(C) other subgroups of students who have not met the State's student academic achievement standards;

"(14) A description of how the State educational agency will ensure that the State edu-

cational agency's data systems and eligible technology are interoperable.

"(15) A description of—

"(A) the State's process for the adoption, acquisition, distribution, and use of content;

"(B) how the State will ensure integrity of such processes;

"(C) how such processes support the goals of this part or how a State will change such processes to support such goals; and

"(D) how the State will ensure content quality.

"(16) A description of the technology readiness in the State, as determined by local educational agency responses to the technology readiness survey, including—

"(A) an assurance that not less than 90 percent of the local educational agencies served by the State educational agency have completed and submitted the technology readiness survey to the State educational agency; and

"(B) an assurance that the results of the technology readiness survey for each such local educational agency are made available to the

Secretary and the public through the website of the local educational agency.

"SEC. 2414. STATE ACTIVITIES.

"(a) MANDATORY ACTIVITIES.—From funds made available under section 2412(a)(1)(A), a State educational agency shall carry out each of the following activities:

"(1) Identify the State college and career ready academic content standards and college and career ready student academic achievement standards that the State educational agency will use to ensure that each student is technologically literate consistent with the definition of student technology literacy.

"(2) Assess student performance in gaining technology literacy consistent with paragraph (1), including through embedding such assessment items in other State tests, performance-based assessments, or portfolios, or through other means, except that such assessments shall be used only to track student technology literacy and shall not be used for accountability purposes as described in section 1111(a)(3), and widely disseminate such results.

"(3) Providing guidance, technical assistance, and other assistance, including in the priority area identified by the State pursuant to section 2413(b)(3), to local educational agencies to—

"(A) identify and address technology readiness needs;

"(B) redesign curriculum and instruction, improve educational productivity, and deliver computer-based and online assessment;

"(C) use technology, consistent with the principles of universal design for learning, to support the learning needs of all students, including students with disabilities and English learners;

"(D) support principals so that principals have the expertise to evaluate teachers' proficiency in implementing digital tools for teaching and learning;

"(4) Developing or utilizing research-based or innovative strategies for the delivery of specialized or rigorous academic courses and curricula through the use of technology, including digital learning technologies and assistive technology.

"(5) Integrating and coordinating activities under this part with other educational resources and programs across the State.

"(6) Disseminating information, including making publicly available on the website of the State educational agency, promising practices to improve

technology instruction, and acquiring and implementing technology tools and applications.

"(7) Coordinating with teacher and principal preparation programs to align digital learning teaching standards.

"(8) Providing, or supporting local educational agencies in providing, sustained and intensive, high-quality professional development pursuant to section 2416(b)(1)(A).

"(b) PERMISSIVE ACTIVITIES.—From funds made available under section 2412(a)(1)(A), a State educational agency may carry out 1 or more of the following activities that assist local educational agencies:

"(1) State leadership activities and technical assistance that support achieving the purposes and goals of this part.

"(2) Developing or utilizing research-based or innovative strategies for the delivery of specialized or rigorous academic courses and curricula through the use of technology, including distance learning technologies.

"(3) Assessing student performance in gaining technology literacy consistent with subsection (a)(2), including through embedding such assessment items

in other State tests, performance-based assessments, or portfolios, or through other means.

"(c) PURCHASING CONSORTIA.—

"(1) IN GENERAL.—From funds made available under section 2412(a)(1)(A), a State educational agency receiving a grant under this subpart may—

"(A) form a State purchasing consortium with 1 or more State educational agencies receiving such a grant to carry out the State activities described in subsections (a) and (b), including purchasing eligible technology;

"(B) encourage local educational agencies to form local purchasing consortia under section 2415; and

"(C) promote pricing opportunities to local educational agencies for the purchase of eligible technology that are—

"(i) negotiated by the State educational agency or the State purchasing consortium of the State educational agency; and

"(ii) available to such local educational agencies.

"(2) RESTRICTIONS.—A State educational agency receiving a grant under section 2412(a)(1)(A) shall not—

"(A) except for promoting the pricing opportunities described in paragraph (1)(C), make recommendations to local educational agencies for, or require, use of any specific commercial products and services by local educational agencies;

"(B) require local educational agencies to participate in a State purchasing consortia or local purchasing consortia; or

"(C) use more than the amount reserved under subsection 2412(a)(1)(A) to carry out the activities described in paragraph (1) unless the State educational agency receives approval in accordance with section 2412(b)(2).

"SEC. 2415. LOCAL APPLICATIONS.

"(a) IN GENERAL.—Each local educational agency desiring a subgrant under this subpart shall submit to the State educational agency an application containing a new or updated local long-range strategic educational technology plan, and such other information as the State educational agency may reasonably require, and shall include each of the following:

"(1) A description of how the local educational agency will align and coordinate the local educational agency's use of funds under this subpart with—

"(A) the local educational agency's efforts to boost student achievement and close achievement gaps;

"(B) the local educational agency's technology plan;

"(C) the local educational agency's plans and activities for improving student achievement, including plans and activities under sections 1111, 1112, 1116, and 2123, as applicable; and

"(D) funds available from other Federal, State, and local sources.

"(2) An assurance that financial assistance provided under this subpart will supplement, and not supplant, other funds available to carry out activities assisted under this subpart.

"(3) A description of the process used to assess and, as needed, update technologies throughout the local educational agency.

"(4) A description of how the local educational agency will—

"(A) enable schools served by the local educational agency to build the technological capacity and infrastructure (including through local purchasing of eligible technology), necessary for the full implementation of online assessments for all students (including students with disabilities and English learners); and

"(B) ensure the interoperability of data systems and eligible technology.

"(5) A description of the results of the technology readiness survey completed by the local educational agency.

"(6) A description of the local educational agency's student technology literacy standards, the agency's goals for the technology skills for teachers and administrators, and an assurance that the student technology literacy standards meet the requirements of section 2403.

"(7) A description of how the local educational agency will evaluate teachers' proficiency and progress in implementing technology for teaching and learning.

"(8) A description of how the local educational agency will ensure that principals have the expertise to evaluate teachers' proficiency and progress in im-

plementing technology for teaching and learning and the interoperability of data systems and eligible technology.

"(9) A description of—

"(A) the local educational agency's procurement process and process for the creation, acquisition, distribution, and use of content;

"(B) how the local educational agency will ensure the integrity of such processes;

"(C) how such processes support the goals described in paragraph (1) or how a local educational agency will change such processes to support such goals; and

"(D) how the local educational agency will ensure content quality.

"(10) An assurance that the local educational agency will protect the privacy and safety of students and teachers, consistent with requirements section 444 of the General Education Provisions Act (20 U.S.C. 1232g) (commonly known as the 'Family Educational Rights and Privacy Act of 1974').

"(11) A description of how the local educational agency will ensure that the subgrant received under subsection (a) is not duplicative of support received under the E-rate program.

"(12) Such other information as the State educational agency may reasonably require.

"(b) COMPETITIVE GRANTS; SYSTEMIC EDUCATION TRANSFORMATION THROUGH TECHNOLOGY INTEGRATION.—In addition to the information described in subsection (a), a local educational agency submitting an application for a Systemic Education Transformation Through Technology Integration subgrant shall submit to the State educational agency an application containing each of the following:

"(1) A description of how the local educational agency will use the subgrant funds to implement systemic education transformation, which is a comprehensive set of programs, practices, and technologies to improve student achievement and close achievement gaps that—

"(A) collectively lead to school or school district change and improvement, including in the use of technology; and

"(B) incorporate all of the following elements:

"(i) Reform or redesign of curriculum, instruction, assessment, use of data, or other practices through the use of technology in order to increase student learn-

ing opportunity, and engagement in learning.

"(ii) Improvement of educator quality, knowledge and skills, and effectiveness through ongoing, sustainable, timely, and contextual professional development described in section 2416(b)(1)(A).

"(iii) Ongoing use of formative and other assessments and other timely data sources and data systems to more effectively identify individual student learning needs and personalize learning.

"(iv) Engagement of school district leaders, school leaders, and classroom educators.

"(v) Programs, practices, and technologies that are based on scientific research.

"(2) An assurance that the local educational agency will use not less than 25 percent of the subgrant funds to implement a program of professional development described in section 2416(b)(1)(A).

"(3) A description of how the local educational agency will evaluate the impact of 1 or more programs or activities carried out under this subpart.

"(c) FORMULA GRANTS; IMPROVING TEACHING AND LEARNING THROUGH TECHNOLOGY.—In addition to the information described in subsection (a), a local educational agency submitting an application for an Improving Teaching and Learning Through Technology subgrant shall submit to the State educational agency an application containing each of the following:

"(1) An assurance that the local educational agency will use not less than 40 percent of the subgrant funds for ensuring educators, including teachers and administrators, are technology literate, prepared to use technology to improve the curriculum and instruction, and are connected online to supports and resources, including—

"(A) for professional development described in section 2416(b)(1)(A); and

"(B) to provide educators with ongoing access to technology tools, applications, supports and other resources, including those related specifically to such professional development activities.

"(2) A description of the local educational agency's program of professional development described in section 2416(b)(1)(A).

"(3) A description of the use of technology tools, applications, and other resources to improve student learning and achievement in the area of priority identified under paragraph (4).

"(4) A description of the priority area subgrant funds will target, identified from among the core academic subjects, grade levels, and student subgroup populations in which the most number of students served by the local educational agency are not proficient.

"(5) A description of how funds will be used to integrate technology to redesign the curriculum or instruction, implement computer-based and online assessments, improve use of data to personalize learning, or improve education productivity.

"(d) COMBINED APPLICATIONS.—A local educational agency that submits an application under subsection (b), may, upon notice to the State educational agency, submit a single application that will also be considered as an application for subgrant funds awarded under subsection (c), if the application addresses each application requirement under subsections (a), (b), and (c).

"SEC. 2416. LOCAL ACTIVITIES.

"(a) COMPETITIVE GRANTS; SYSTEMIC EDUCATION TRANSFORMATION THROUGH TECHNOLOGY INTEGRATION.—A local educational agency that receives funds through a subgrant under section 2412(a)(2)(B), shall carry out activities to improve student learning, technology literacy, and achievement, as follows:

"(1) Use not less than 5 percent of such funds to evaluate the impact of 1 or more programs or activities carried out under the subgrant as identified in the local educational agency's application and approved by the State educational agency.

"(2) Use funds remaining after carrying out paragraph (1) to implement a plan for systemic education transformation in 1 or more schools, in accordance with section 2415(b)(1), including each of the following:

"(A) Using not less than 25 percent of subgrant funds to ensure educators, including teachers and administrators, are technology literate, prepared to use technology to improve the curriculum and instruction, and are connected online to supports and resources, including through the following:

"(i) Professional development activities, as described in subsection (b)(1)(A).

"(ii) The acquisition and implementation of technology tools, applications, and other resources to provide educators with ongoing access and support, including for use in the professional development activities described in clause (i).

"(B) Acquiring and effectively implementing technology tools, applications, and other resources in conjunction with enhancing or redesigning the curriculum or instruction in order to—

"(i) increase student learning opportunity or access, student engagement in learning, or student attendance or graduation rates;

"(ii) improve student achievement in 1 or more of the core academic subjects; and

"(iii) improve student technology literacy.

"(C) Acquiring and effectively implementing eligible technology, tools, applications, and other resources to—

"(i) conduct ongoing formative and other assessments and use other timely

data sources and data systems to more effectively identify and address individual student learning needs;

"(ii) support personalized student learning, including through instructional software and digital content that supports the learning needs of each student, or through providing access to high-quality courses and instructors otherwise not available except through technology and online learning;

"(iii) conduct other activities consistent with research-based or innovative systemic education transformation, including activities that increase parental involvement; and

"(iv) address readiness shortfalls identified under the technology readiness survey completed by the local educational agency.

"(b) FORMULA GRANTS; IMPROVING TEACHING AND LEARNING THROUGH TECHNOLOGY.—A local educational agency that receives funds through a subgrant under section 2412(a)(2)(A), shall carry out activities to improve student learning, technology literacy, and achievement in

the area of priority identified under section 2415(c)(4), as follows:

"(1) Use not less than 40 percent of such funds for professional development activities that are aligned with activities supported under section 2123 to improve educator effectiveness and quality through support for the following:

"(A) Training of school personnel, which—

"(i) shall include the development, acquisition, or delivery of—

"(I) training that is ongoing, sustainable, timely, and directly related to up-to-date teaching content areas;

"(II) training in strategies and pedagogy in the core academic subjects that involve use of technology and curriculum redesign as key components of changing teaching and learning and improving student achievement and technology literacy;

"(III) training in the use of computer-based and online assessments, and in the use of student performance and other data for individualized instruction;

"(IV) training that includes ongoing communication and follow-up with instructors, facilitators, and peers; and

"(ii) may include—

"(I) the use of, and training of, instructional technology specialists, mentors, master teachers, or coaches to serve as experts and train other teachers in the effective use of technology; and

"(II) the use of technology, such as distance learning and online virtual educator-to-educator peer communities, as a means for delivering professional development.

"(B) The acquisition and implementation of eligible technology, tools, applications, and other resources to be employed in the professional development activities described in subparagraph (A).

"(2) Use funds remaining after carrying out paragraph (1) to acquire or implement technology tools, applications, and other resources to improve student learning, technology literacy, and achieve-

ment in the area of priority identified by the local educational agency, including through 1 or more of the following:

"(A) Conducting ongoing formative assessment and using other timely data sources and data systems to more effectively identify and address individual student learning needs.

"(B) Supporting personalized student learning, including through instructional software and digital content that supports the learning needs of each student, or through providing access to high-quality courses and instructors not otherwise available except through technology such as online learning.

"(C) Increasing parental involvement through improved communication with teachers and access to student assignments and grades.

"(D) Enhancing accountability, instruction, and data-driven decisionmaking through data systems that allow for management, analysis, and disaggregating of student, teacher, and school data.

"(E) Such other activities as are appropriate and consistent with the goals and purposes of this part.

"(c) MULTIPLE GRANTS.—A local educational agency that receives subgrants under both subparagraph (A) and subparagraph (B) of section 2412(a)(2) may use all such subgrant funds for activities authorized under subsection (a).

"(d) MODIFICATION OF FUNDING ALLOCATIONS.—A State educational agency may authorize a local educational agency to modify the percentage of the local educational agency's subgrant funds required to carry out the activities described in subsections (a) or (b) if the local educational agency demonstrates that such modification will assist the local educational agency in more effectively carrying out such activities.

"(e) PURCHASING CONSORTIA.—Local educational agencies receiving subgrants under subsection (a) or (b) may—

"(1) form a local purchasing consortia with other such local educational agencies to carry out the activities described in subsection (a) or (b), including purchasing eligible technology; and

"(2) use such funds for purchasing eligible technology through a State purchasing consortia under section 2414(c).

"SEC. 2417. REPORTING.

"(a) LOCAL EDUCATIONAL AGENCIES.—Each local educational agency receiving a subgrant under this part shall submit to the State educational agency that awarded such subgrant an annual report that meets the requirements of subsection (c).

"(b) STATE EDUCATIONAL AGENCIES.—Each State educational agency receiving a grant under this subpart shall submit to the Secretary an annual report that meets the requirements of subsection (c).

"(c) REPORT REQUIREMENTS.—A report submitted under subsection (a) or (b) shall include, at a minimum, a description of—

"(1) the status of the State educational agency's plan described in section 2413(b)(1) or the local educational agency's technology plan under section 2415(a)(1)(B), as applicable;

"(2) the categories of eligible technology acquired with funds under this subpart and how such technology is being used;

"(3) the professional development activities funded under this subpart, including types of activities and entities involved in providing such professional development to classroom teachers and other staff, such as school librarians;

"(4) the instruction, strategies, activities, and curricula used in the programs funded under this subpart; and

"(5) the types of programs funded under this subpart.

"Subpart 2—Internet Safety

"SEC. 2421. INTERNET SAFETY.

"(a) IN GENERAL.—No funds made available under this part to a local educational agency for an elementary school or secondary school that does not receive services at discount rates under section 254(h)(5) of the Communications Act of 1934 (47 U.S.C. 254(h)(5)) may be used to purchase computers used to access the Internet, or to pay for direct costs associated with accessing the Internet, for such school unless the school, school board, local educational agency, or other authority with responsibility for administration of such school both—

"(1)(A) has in place a policy of Internet safety for minors that includes the operation of a technology protection measure with respect to any of its computers with Internet access that protects against access through such computers to visual depictions that are—

"(i) obscene;

"(ii) child pornography; or

"(iii) harmful to minors; and

"(B) is enforcing the operation of such technology protection measure during any use of such computers by minors; and

"(2)(A) has in place a policy of Internet safety that includes the operation of a technology protection measure with respect to any of its computers with Internet access that protects against access through such computers to visual depictions that are—

"(i) obscene; or

"(ii) child pornography; and

"(B) is enforcing the operation of such technology protection measure during any use of such computers.

"(b) TIMING AND APPLICABILITY OF IMPLEMENTATION.—

"(1) IN GENERAL.—The local educational agency with responsibility for a school covered by subsection (a) shall certify the compliance of such school with the requirements of subsection (a) as part of the application process for each program funding year.

"(2) PROCESS.—

"(A) SCHOOLS WITH INTERNET SAFETY POLICIES AND TECHNOLOGY PROTECTION MEASURES IN PLACE.—A local educational agency with responsibility for a school covered by subsection (a) that has in place an Internet safety policy meeting the requirements of subsection (a) shall certify its compliance with subsection (a) during each annual program application cycle under this part.

"(B) SCHOOLS WITHOUT INTERNET SAFETY POLICIES AND TECHNOLOGY PROTECTION MEASURES IN PLACE.—

"(i) CERTIFICATION.—A local educational agency with responsibility for a school covered by subsection (a) that does not have in place an Internet safety policy meeting the requirements of subsection (a) for each year in which the local educational agency is applying for funds for such school under this part, shall certify that it is undertaking such actions, including any necessary procurement procedures, to put in place an Internet safety policy that meets such requirements.

"(ii) INELIGIBILITY.—Any school covered by subsection (a) for which the local educational agency concerned is unable to certify compliance with such requirements for a year shall be ineligible for all funding under this part for such year and all subsequent years until such time as such school comes into compliance with such requirements.

"(c) DISABLING DURING CERTAIN USE.—An administrator, supervisor, or person authorized by the responsible authority under subsection (a) may disable the technology protection measure concerned to enable access for bona fide research or other lawful purposes.

"(d) NONCOMPLIANCE.—

"(1) USE OF GENERAL EDUCATION PROVISIONS ACT REMEDIES.—Whenever the Secretary has reason to believe that any recipient of funds under this part is failing to comply substantially with the requirements of this section, the Secretary may—

"(A) withhold further payments to the recipient under this part;

"(B) issue a complaint to compel compliance of the recipient through a cease and desist order; or

"(C) enter into a compliance agreement with a recipient to bring it into compliance with such requirements,

in same manner as the Secretary is authorized to take such actions under sections 455, 456, and 457, respectively, of the General Education Provisions Act.

"(2) RECOVERY OF FUNDS PROHIBITED.—The actions authorized by paragraph (1) are the exclusive remedies available with respect to the failure of a school to comply substantially with a provision of this section, and the Secretary shall not seek a recovery of funds from the recipient for such failure.

"(3) RECOMMENCEMENT OF PAYMENTS.—Whenever the Secretary determines (whether by certification or other appropriate evidence) that a recipient of funds who is subject to the withholding of payments under paragraph (1)(A) has cured the failure providing the basis for the withholding of payments, the Secretary shall cease the withholding of payments to the recipient under that paragraph.

"(e) DEFINITIONS.—In this subpart:

"(1) ACCESS TO INTERNET.—A computer shall be considered to have access to the Internet if such computer is equipped with a modem or is connected

to a computer network that has access to the Internet.

"(2) ACQUISITION OR OPERATION.—An elementary school or secondary school shall be considered to have received funds under this part for the acquisition or operation of any computer if such funds are used in any manner, directly or indirectly—

"(A) to purchase, lease, or otherwise acquire or obtain the use of such computer; or

"(B) to obtain services, supplies, software, or other actions or materials to support, or in connection with, the operation of such computer.

"(3) CHILD PORNOGRAPHY.—The term 'child pornography' has the meaning given that term in section 2256 of title 18, United States Code.

"(4) COMPUTER.—The term 'computer' includes any hardware, software, or other technology attached or connected to, installed in, or otherwise used in connection with a computer.

"(5) HARMFUL TO MINORS.—The term 'harmful to minors' means any picture, image, graphic image file, or other visual depiction that—

"(A) taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion;

"(B) depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and

"(C) taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

"(6) MINOR.—The term 'minor' means an individual who has not attained the age of 17.

"(7) OBSCENE.—The term 'obscene' has the meaning applicable to that term under section 1460 of title 18, United States Code.

"(8) SEXUAL ACT AND SEXUAL CONTACT.—The terms 'sexual act' and 'sexual contact' have the meanings given those terms in section 2246 of title 18, United States Code.

"(f) SEVERABILITY.—If any provision of this section is held invalid, the remainder of this section shall not be affected thereby.".

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

SEC. 3001. LANGUAGE AND ACADEMIC CONTENT INSTRUCTION FOR ENGLISH LEARNERS AND IMMIGRANT STUDENTS.

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

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

"PART A—ENGLISH LANGUAGE ACQUISITION, LANGUAGE ENHANCEMENT, AND ACADEMIC ACHIEVEMENT ACT

"SEC. 3101. SHORT TITLE.

''This part may be cited as the 'English Language Acquisition, Language Enhancement, and Academic Achievement Act'.

"SEC. 3102. PURPOSES.

''The purposes of this part are—

"(1) to ensure that English learners, including immigrant children and youth, achieve English proficiency;

"(2) to supplement the other services under this Act and related programs designed to ensure that English learners develop high levels of academic attainment and meet the college and career ready standards under section 1111(a)(1);

"(3) to support States as they—

"(A) adopt English language proficiency standards that include not less than 4 levels of English proficiency;

"(B) establish statewide frameworks for identifying and supporting English learners; and

"(C) adopt valid and reliable assessments of English proficiency aligned to—

"(i) English language proficiency standards;

"(ii) the statewide criteria for identifying English learners,;

"(iii) entering and exiting criteria; and

"(iv) a statewide system for supporting English learners; and

"(4) to support the efforts of early childhood educators, teachers, school leaders, State educational agencies, and local educational agencies to develop and enhance the capacity and flexibility needed to—

"(A) provide evidence-based, linguistically and culturally appropriate services to assist English learners supported under this part in—

"(i) attaining English language proficiency;

"(ii) meeting college and career ready academic content standards under section 1111(a)(1); and

"(iii) achieving school readiness before kindergarten entry;

"(B) implement such services effectively;

"(C) evaluate the impact of such services on school readiness, English language proficiency, and academic content knowledge;

"(D) modify such services as appropriate to meet the needs of students; and

"(E) create the conditions for learning necessary to meet the needs of English learners so English learners can access rigorous academic content; and

"(5) to promote family and community participation in language instruction educational programs in communities for parents of English learners.

"Subpart 1—Grants and Subgrants for English Language Acquisition and Language Enhancement

"SEC. 3111. FORMULA GRANTS TO STATES.

"(a) IN GENERAL.—In the case of each State educational agency having a plan approved by the Secretary for a fiscal year under section 3113, the Secretary shall make a grant for the year to the agency for the purposes specified in subsection (b). The grant shall consist of the allotment determined for the State educational agency under subsection (c).

"(b) USE OF FUNDS.—

"(1) SUBGRANTS TO ELIGIBLE ENTITIES.—The Secretary may make a grant under subsection (a) only if the State educational agency involved agrees to expend not less than 95 percent of the State educational agency's allotment under subsection (c) for a fiscal year—

"(A) to award subgrants, from allocations under section 3114, to eligible entities to carry out the activities described in section 3115 (other than subsection (e) of that section); and

"(B) to award subgrants under section 3114(d)(1) to eligible entities that are described in that subsection to carry out the activities described in section 3115(d).

"(2) STATE ACTIVITIES.—

"(A) IN GENERAL.—Subject to subparagraph (B), each State educational agency receiving a grant under subsection (a) may reserve not more than 10 percent of the agency's allotment under subsection (c) for the purpose of carrying out 1 or more of the following activities:

"(i) Establishing and implementing a framework for identifying English learners that includes not less than 4 levels of English proficiency that—

"(I) can reasonably be measured;

"(II) are based on actual student performance; and

"(III) shall be used for identification, placement in English language instruction, reporting, and accountability purposes.

"(ii) Establishing and implementing standardized, statewide evidence-based en-

trance and exit procedures, including a requirement that all students who may be English learners are assessed for such status within 30 days of enrollment in a school in the State.

"(iii) Establishing and implementing policies to support local educational agencies as local educational agencies ensure the continuity of English-learner identification and English proficiency level for students who transfer between local educational agencies.

"(iv) Adopting and implementing high-quality, evidence-based English language proficiency standards and matching assessments that identify not less than 4 levels of English proficiency and that are aligned with the college and career ready standards under section 1111(a)(1) adopted by the State for each grade level that—

"(I) set high expectations regarding academic achievement and linguistic proficiency for English learners at all levels of proficiency; and

"(II) support teachers as teachers enhance instruction to support English learners.

"(v) Establishing and implementing systems and policies to encourage and facilitate the sharing of highly effective practices for serving English learners among local educational agencies.

"(vi) Developing, in States where 20 percent of the English learner population has the same native language and a minimum of 10,000 students speak that language, native-language content assessments for students of that language group who cannot yet access the content in English, and incorporating the results of those assessments into the accountability system established under section 1111(a)(3) and 1116.

"(vii) Providing technical assistance to local educational agencies regarding professional development and family and community outreach and engagement.

"(viii) As appropriate, providing competitive grants to support improved out-

reach and school readiness in early education settings.

"(ix) As appropriate, developing curricula appropriate for dual-language instructional environments.

"(x) Planning, administration, and interagency coordination.

"(B) LIMITATION.—A State may use not more than one-third of the amount reserved under subparagraph (A) or $175,000, whichever is greater, for the activities described in subparagraph (A)(x).

"(c) RESERVATIONS AND ALLOTMENTS.—

"(1) RESERVATIONS.—From the amount appropriated under section 3(j) for each fiscal year, the Secretary shall reserve—

"(A) 0.5 percent or $5,000,000 of such amount, whichever is greater, for payments to eligible entities that are defined under section 3112(a) for activities, approved by the Secretary, consistent with this subpart;

"(B) 0.5 percent of such amount for payments to outlying areas, to be allotted in accordance with their respective needs for assistance under this subpart (as determined by the

Secretary) for activities that are approved by the Secretary and consistent with the purposes of this subpart;

"(C) 3.5 percent of such amount for national activities under subpart 3, except that not more than 0.5 percent of such amount shall be reserved for evaluation activities conducted by the Secretary and not more than $2,000,000 of such amount may be reserved for the National Clearinghouse for English Learner Support and Educational Programs described in section 3203; and

"(D) 3 percent of such amount for technical assistance provided to States under section 3122(c).

"(2) STATE ALLOTMENTS.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), from the amount appropriated under section 3(j) for each fiscal year that remains after making the reservations under paragraph (1), the Secretary shall allot to each State educational agency having a plan approved under section 3113(c)—

"(i) an amount that bears the same relationship to 80 percent of the remainder

as the number of English learners in the State bears to the number of such children in all States , as determined by using data in accordance with paragraph (3); and

"(ii) an amount that bears the same relationship to 20 percent of the remainder as the number of immigrant children and youth in the State bears to the number of such children and youth in all States, as determined based only on data available from the American Community Survey conducted by the Department of Commerce.

"(B) MINIMUM ALLOTMENTS.—No State educational agency shall receive an allotment under this paragraph that is less than $500,000.

"(C) REALLOTMENT.—If any State educational agency described in subparagraph (A) does not submit a plan to the Secretary for a fiscal year, or submits a plan (or any amendment to a plan) that the Secretary, after reasonable notice and opportunity for a hearing, determines does not satisfy the requirements of this subpart, the Secretary shall reallot any

portion of such allotment to the remaining State educational agencies in accordance with subparagraph (A).

"(D) SPECIAL RULE FOR PUERTO RICO.—The total amount allotted to Puerto Rico for any fiscal year under subparagraph (A) shall not exceed 0.5 percent of the total amount allotted to all States for that fiscal year.

"(3) USE OF DATA FOR DETERMINATIONS.—In making State allotments under paragraph (2)(A)(i), for each fiscal year, the Secretary shall determine the number of English learners in a State and in all States, for each fiscal year, using the most accurate, up-to-date data, which may be—

"(A) data available from the American Community Survey conducted by the Department of Commerce, which may be multiyear estimates;

"(B) the number of students assessed as not having attained English language proficiency, based on the State's English language proficiency assessment under section 1111(a)(2)(D), which may be multi-year estimates;

"(C) a combination of data available under subparagraphs (A) and (B); or

"(D) the most reliable source of data available to the Secretary for determining the number of immigrant children and youth in a State and in all States.

"SEC. 3112. NATIVE AMERICAN AND ALASKA NATIVE CHILDREN IN SCHOOL.

"(a) ELIGIBLE ENTITIES.—For the purpose of carrying out programs under this part for individuals served by elementary schools, secondary schools, and postsecondary schools operated predominately for Native American children (including Alaska Native children), the following shall be considered to be an eligible entity:

"(1) An Indian tribe.

"(2) A tribally sanctioned educational authority.

"(3) A Native Hawaiian or Native American Pacific Islander native language educational organization.

"(4) An elementary school or secondary school that is operated or funded by the Bureau of Indian Education of the Department of the Interior, or a consortium of such schools.

"(5) An elementary school or secondary school operated under a contract with or grant from the Bureau of Indian Education of the Department of the Interior, in consortium with another such school or a tribal or community organization.

"(6) An elementary school or secondary school operated by the Bureau of Indian Education of the Department of the Interior and an institution of higher education, in consortium with an elementary school or secondary school operated under a contract with or grant from the Bureau of Indian Education of the Department of the Interior or a tribal or community organization.

"(b) SUBMISSION OF APPLICATIONS FOR ASSISTANCE.—Notwithstanding any other provision of this part, an entity that is considered to be an eligible entity under subsection (a) that desires to receive Federal financial assistance under this subpart, shall submit an application to the Secretary.

"(c) SPECIAL RULES.—

"(1) INELIGIBILITY FOR MULTIPLE AWARDS FOR SAME PERIOD.—An eligible entity described in subsection (a) that receives a grant under this section shall not be eligible to receive a subgrant under section 3114 for the same period.

"(2) NATIVE AMERICAN LANGUAGE PROGRAMS.—An eligible entity described in subsection (a) that receives a grant under this section may, in addition to other activities supported under this subpart, use the grant funds to support Native American language immersion programs and Native American language restoration programs, which may be taught by traditional or tribal leaders.

"SEC. 3113. STATE EDUCATIONAL AGENCY PLANS.

"(a) PLAN REQUIRED.—Each State educational agency desiring a grant under this subpart shall submit a plan to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

"(b) CONTENTS.—Each plan submitted under subsection (a) shall—

"(1) describe the process that the agency will use in awarding subgrants to eligible entities under this subpart;

"(2) include high-quality, evidence-based English language proficiency standards aligned with the college and career ready standards adopted by the State and described in section 1111(a)(1) for each grade level that—

"(A) set high expectations regarding academic achievement and linguistic proficiency for English learners at all levels of proficiency; and

"(B) support teachers as teachers enhance curriculum and instruction to support English learners;

"(3) include a statewide framework for identifying, supporting, and exiting English learners that—

"(A) is aligned with the English language proficiency standards described in paragraph (2); and

"(B) includes not less than 4 levels of proficiency;

"(4) describe the statewide framework adopted under paragraph (3), including a justification for the number of levels of proficiency, the defining characteristics of each level, and a description of the extent to which students can use the English language to access rigorous academic content at each level of English language proficiency;

"(5) include a State English language proficiency assessment system that—

"(A) is valid, reliable, and aligned to the English language proficiency standards de-

scribed in paragraph (2) and the statewide framework described in paragraph (3); and

"(B) provides relevant information to educators to better meet the needs of the English learners being served;

"(6) describe how the State will ensure that—

"(A) each student is proficient in academic English not more than 5 years after being identified as an English learner; and

"(B) in the case of a student who is an English learner who will graduate from secondary school in less than 5 years of being identified as an English learner—

"(i) such English learner student will receive not less than 5 years of services to help the student attain English proficiency;

"(ii) such English learner student will continue to receive services to gain English proficiency after graduation from secondary school, through a memorandum of understanding between the local educational agency and a local institution of higher education; and

"(iii) if such English learner student does not attain English proficiency not

more than 5 years after being identified as an English learner, the student will not be counted as a graduating student in the State or local educational agency's calculation of the graduation rate;

"(7) provide an assurance the State will include English language proficiency assessment results as a representative and significant portion of the State-designed professional growth and improvement system, and a description of the process for doing so;

"(8) provide an assurance the State will include English language proficiency assessment results as a significant portion of the State-designed professional growth and improvement system for all teachers of English learners, and a description of the process for doing so;

"(9) describe how the State educational agency will support local educational agencies in assisting English learners in acquiring proficiency in each of the 4 language domains of reading, writing, speaking, and listening, as measured by the State's English language proficiency assessment;

"(10) describe how the State educational agency will encourage and facilitate the sharing of highly-effective practices for serving English learners

among local educational agencies, and, to the extent practicable, early childhood education programs;

"(11) describe how the State educational agency will coordinate programs and activities carried out under this subpart with the other programs and activities that such agency carries out under this Act, the Individuals with Disabilities Education Act, the Carl D. Perkins Career and Technical Education Act of 2006, the Head Start Act, the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.), the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.), and the McKinney-Vento Homeless Assistance Act;

"(12) describe how the agency will assist eligible entities in increasing the extent to which English learners acquire English language proficiency within the time frame described in paragraph (6), as informed by evidence-based practices;

"(13) provide an assurance eligible entities in the State will be given the flexibility to teach English learners using a language instruction curriculum that has been demonstrated to be effective;

"(14) describe how the agency will manage subgrants awarded under this subpart, including—

"(A) how the agency will ensure subgrant funds are expended to support the provision of services to help English learners achieve English language proficiency and meet the State's college and career ready academic content standards, which may include using a evidence-based language instruction curriculum;

"(B) how the agency will monitor eligible entities receiving a subgrant under this part to ensure compliance with applicable Federal fiscal requirements, while also assisting such entities in building their capacity to offer high-quality services; and

"(C) how the agency will, in awarding subgrants under section 3114, address the needs of local educational agencies of all sizes and in all geographic areas, including local educational agencies that serve rural and urban schools;

"(15) identify the lowest performing local educational agencies in the State (regarding the activities described in this title) and describe how the State will ensure that those local educational agencies improve; and

"(16) provide an assurance the plan has been developed in consultation with local educational

agencies, teachers, administrators of programs described under this part, parents, family members, community partners, and other relevant stakeholders.

"(c) APPROVAL.—

"(1) IN GENERAL.—The Secretary, after using a peer review process, shall approve a plan submitted under subsection (a) if the plan meets the requirements of this section.

"(2) FREQUENCY AND DURATION.—The State shall resubmit the plan submitted under subsection (a) every 4 years, and such resubmissions shall coincide with the years that the State submits a State plan under title I.

"(3) ADDITIONAL INFORMATION.—

"(A) AMENDMENTS.—If a State educational agency amends the plan approved under this subsection, the agency shall submit the amendment to the Secretary.

"(B) APPROVAL.—The Secretary shall approve an amendment to an approved plan, unless the Secretary determines that the amendment will result in the agency not meeting the requirements, or fulfilling the purposes, of this part.

"(d) CONSOLIDATED PLAN.—A plan submitted under subsection (a) may be submitted as part of a State consolidated plan.

"(e) SECRETARY ASSISTANCE.—The Secretary shall provide technical assistance, if requested, in the development of English language proficiency standards, performance targets, and assessments.

"SEC. 3114. WITHIN-STATE ALLOCATIONS.

"(a) IN GENERAL.—After making the reservation required under subsection (d)(1), each State educational agency receiving a grant under section 3111(c)(2) shall award subgrants for a fiscal year by allocating, in a timely manner, to each eligible entity in the State having a plan approved under section 3116, an amount that bears the same relationship to the amount received under the grant and remaining after making such reservation as the population of English learners in public and nonpublic schools served by the eligible entity bears to the population of English learners in public and nonpublic schools served by all eligible entities in the State.

"(b) LIMITATION.—A State educational agency shall not award a subgrant from an allocation made under subsection (a) if the amount of such subgrant would be less than $10,000.

"(c) REALLOCATION.—Whenever a State educational agency determines that an amount from an allocation made to an eligible entity under subsection (a) for a fiscal year will not be used by the entity for the purpose for which the allocation was made, the agency shall, in accordance with such rules as the agency determines to be appropriate, reallocate such amount, consistent with such subsection, to other eligible entities in the State that the agency determines will use the amount to carry out that purpose.

"(d) REQUIRED RESERVATION.—A State educational agency receiving a grant under this subpart for a fiscal year—

"(1) may reserve not more than 15 percent of the agency's allotment under section 3111(c)(2) to award subgrants to eligible entities in the State that have experienced a significant increase, as compared to the average of the 2 preceding fiscal years, in the percentage or number of immigrant children and youth, including students with interrupted formal education, who have enrolled, during the fiscal year preceding the fiscal year for which the subgrant is made, in public and nonpublic elementary schools and secondary schools in the geographic areas under the jurisdiction of, or served by, such entities; and

"(2) in awarding subgrants under paragraph (1)—

"(A) shall consider eligible entities that satisfy the requirement of such paragraph but have limited or no experience in serving immigrant children and youth, including students with interrupted formal education,;

"(B) shall consider eligible entities that experience a significant increase in the percentage of immigrant children and youth served, including students with interrupted formal education, and eligible entities that experience a significant increase in the number of immigrant children and youth served, including students with interrupted formal education; and

"(C) shall consider the quality of each local plan under section 3116 and ensure that each subgrant is of sufficient size and scope to meet the purposes of this part.

"SEC. 3115. SUBGRANTS TO ELIGIBLE ENTITIES.

"(a) PURPOSES OF SUBGRANTS.—A State educational agency may make a subgrant to an eligible entity from funds received by the agency under this subpart only if the entity agrees to expend the funds to supplement the education of English learners by helping English learners

learn English and meet the State college and career ready academic content and student academic achievement standards. The eligible subgrantee shall carry out activities with such funds, using evidence-based approaches and methodologies that have been demonstrated to be effective for teaching English learners and immigrant children and youth, for the following purposes:

"(1) Developing and implementing new language instruction educational programs and academic content instruction programs for English learners and immigrant children and youth, including early childhood education programs, elementary school programs, and secondary school programs.

"(2) Carrying out highly focused, innovative, locally designed, evidence-based activities to expand or enhance existing language instruction educational programs and academic content instruction programs for English learners and immigrant children and youth.

"(3) Implementing, within an individual school, whole school programs for restructuring, reforming, and upgrading all relevant programs, activities, and operations relating to language instruction educational programs and academic content instruction

for English learners and immigrant children and youth.

"(4) Implementing, within the entire jurisdiction of a local educational agency, agencywide programs for restructuring, reforming, and upgrading all relevant programs, activities, and operations relating to language instruction educational programs and academic content instruction for English learners and immigrant children and youth.

"(b) ADMINISTRATIVE EXPENSES.—Each eligible entity receiving funds under section 3114(a) for a fiscal year may use not more than 2 percent of such funds for the cost of administering this subpart.

"(c) ALLOWABLE ACTIVITIES.—An eligible agency that receives a subgrant under section 3114 may use subgrant funds to meet the academic and language needs of English learners, in order to meet the performance targets described under section 3121, by carrying out the following activities:

"(1)(A) Developing an individual performance target for each English learner that is not less than the rate of growth in English proficiency necessary for the student to achieve proficiency not more than 5 years after being identified as an English learner; and

"(B) in the case of a student who will graduate from secondary school in less than 5 years, ensuring that—

"(i) such student will receive not less than 4 years of services to help the student attain English proficiency;

"(ii) the student will continue to receive services to gain English proficiency after graduation from secondary school, through a partnership between the local educational agency and a local institution of higher education; and

"(iii) if a student described in this subparagraph does not attain English proficiency not more than 5 years after being identified as an English learner, the student will not be counted as a graduating student in the local educational agency's calculation of the graduation rate.

"(2) Developing and carrying out sustained, long term, job-embedded, data driven professional development for educators that includes—

"(A) specific knowledge and skills school leaders need to—

"(i) implement evidence-based strategies to create positive conditions for learning;

"(ii) create conditions for learning;

"(iii) support effective, evidence-based instructional programs;

"(iv) design comprehensive professional growth plans for educators who serve English learners;

"(v) develop the capacity of content-area teachers to meet the unique cultural, language, and academic needs of English learners; and

"(vi) meet the unique needs, cultural and otherwise, of families of English learners;

"(B) specific knowledge and skills teachers of English learners need to—

"(i) implement evidence-based instructional strategies for improving English learner acquisition of academic language;

"(ii) meet the academic and language needs of English learners of different ages; and

"(iii) meet the unique needs, cultural and otherwise, of families of English learners; and

"(C) specific knowledge and skills content-area teachers need to—

"(i) adapt, accommodate, and enhance academic content curricula and assessments, to the greatest extent practicable, to ensure that English learners can access academic content while maintaining the high expectations necessary to meet the performance targets described under section 3121 and the college and career ready standards described in section 1111(a)(1);

"(ii) execute evidence-based instructional strategies for improving English learner acquisition of content-specific language and concepts;

"(iii) execute evidence-based instructional practices for improving English learner acquisition of academic language; and

"(iv) meet the unique needs, cultural and otherwise, of families of English learners.

"(3) Implementing and carrying out opportunities for teachers of English learners and content-area teachers to plan collaboratively during contract hours.

"(4) Implementing or enhancing schoolwide data analysis and intervention teams to improve the achievement of English learners.

"(5) Developing, implementing, and carrying out not less than 1 of the following family engagement strategies:

"(A) Implementing community school models and related activities, such as opening school facilities to community-based organizations, establishing parent institutes, operating or supporting co-location with family literacy programs, and establishing co-location with public assistance programs.

"(B) Providing compensatory time to allow teachers to conduct home visits, or establishing a home visiting program in collaboration with a community-based organization.

"(C) Establishing native-language family outreach call centers.

"(D) Other evidence-based outreach strategies.

"(6) As necessary, acquiring evidence-based curricular and instructional materials designed to meet the needs of English learners.

"(d) ACTIVITIES BY AGENCIES EXPERIENCING SUBSTANTIAL INCREASES IN IMMIGRANT CHILDREN AND YOUTH.—

"(1) IN GENERAL.—An eligible entity receiving funds under section 3114(d)(1) shall use the funds to pay for activities that provide enhanced instructional opportunities for immigrant children and youth, including students with interrupted formal education, which may include—

"(A) family literacy, parent and family outreach, and leadership development activities designed to assist parents and family members in becoming engaged participants in the education and development of their children;

"(B) recruitment of, and support for, personnel, including early childhood educators, teachers, and paraprofessionals who have been specifically trained, or are being trained, to provide services to immigrant children and youth;

"(C) the provision of tutorials, mentoring, and academic or career counseling for immigrant children and youth;

"(D) identification, development, and acquisition of curricular materials, educational software, and technologies to be used in the program carried out with funds awarded under section 3114(a);

"(E) basic instructional services that are directly attributable to the presence in the local educational agency involved of immigrant children and youth, including the payment of costs of providing additional classroom supplies and costs of transportation;

"(F) such other costs that are directly attributable to such additional basic instructional services or that are designed to assist immigrant children and youth to achieve in elementary schools and secondary schools in the United States, such as programs of introduction to the educational system and civics education; and

"(G) activities, coordinated with community-based organizations (including community-based organizations providing early childhood education programs), institutions of higher education, private sector entities, or other entities with expertise in working with immigrants, to

assist parents of immigrant children and youth by offering comprehensive community services.

"(2) DURATION OF SUBGRANTS.—The duration of a subgrant made by a State educational agency under section 3114(d)(1) shall be determined by the agency in the agency's discretion.

"(e) SELECTION OF METHOD OF INSTRUCTION.—

"(1) IN GENERAL.—An eligible entity receiving a subgrant from a State educational agency under this subpart shall select 1 or more methods or forms of evidence-based instruction to be used in the programs and activities undertaken by the entity in assisting English learners in attaining English language proficiency and meeting State college and career ready academic content standards and student academic achievement standards under section 1111(a)(1) in order to be college and career ready.

"(2) CONSISTENCY.—The selection of methods or forms of instruction, as described under paragraph (1), shall be consistent with sections 3125 through 3128.

"(f) SUPPLEMENT, NOT SUPPLANT.—Federal funds made available under this subpart shall be used so as to supplement the level of Federal, State, and local public funds that, in the absence of such availability, would have

been expended for programs for English learners and immigrant children and youth and in no case to supplant such Federal, State, and local public funds.

"SEC. 3116. LOCAL PLANS.

"(a) PLAN REQUIRED.—Each eligible entity desiring a subgrant from a State educational agency under section 3114 shall submit a plan to the State educational agency at such time, in such manner, and containing such information as the State educational agency may require.

"(b) CONTENTS.—Each plan submitted under subsection (a) for a subgrant under section 3114(a) shall, at a minimum—

"(1) describe the evidence-based programs and activities proposed to be developed, implemented, and administered under the subgrant, including how such programs and activities will enable children to speak, read, write, and comprehend the English language, meet State college and career ready academic content standards and student academic achievement standards under section 1111(a)(1), and be college and career ready;

"(2) describe how the eligible entity will hold elementary schools and secondary schools receiving funds under this subpart accountable for—

"(A) assessing annually, in accordance with section 1111(a)(2)(D), the English language proficiency of all English learners participating in programs funded under this subpart; and

"(B) meeting timelines, progress criteria, and performance targets for English learners in order to ensure that students served by programs carried out under this part—

"(i) achieve English proficiency; and

"(ii) meet the State's college and career ready academic content standards under section 1111(a)(1);

"(3) describe how the eligible entity will engage family and community members and involve them in activities carried out using subgrant funds;

"(4) describe how the eligible entity will consult with teachers, researchers, school administrators, parents, family and community members, and, if appropriate, with education-related community groups and nonprofit organizations, and institutions of higher education, in developing and implementing such plan;

"(5) describe how language instruction and academic content instruction carried out under the

subgrant will ensure that English learners being served by the programs develop English language proficiency and demonstrate such proficiency through academic content mastery;

"(6) describe how the eligible entity will, if applicable, coordinate activities under the plan with local Head Start and Early Head Start agencies, including migrant and seasonal Head Start agencies, and other early childhood education providers; and

"(7) contain an assurance that—

"(A) the eligible entity is not in violation of State law, including State constitutional law, regarding the education of English learners, consistent with sections 3124 through 3128;

"(B) each local educational agency that is included in the eligible entity complies with section 3202 prior to, and throughout, each school year; and

"(C) in developing the plan, the eligible entity considered how best to target funds to schools with high concentrations of English learners and to support continuous improvement in the services offered to English learners in the area served by the eligible entity.

"(c) TEACHER ENGLISH FLUENCY.—Each eligible entity receiving a subgrant under this subpart shall include in the plan a certification that all teachers in any language instruction educational program for English learners that is, or will be, funded under this part are fluent in the language used for instruction, including having written and oral communications skills.

"Subpart 2—Accountability and Administration

"SEC. 3121. LOCAL EVALUATION AND ACCOUNTABILITY.

"(a) EVALUATION.—

"(1) IN GENERAL.—Each eligible entity that receives a subgrant from a State educational agency under subpart 1 shall provide such agency, at the conclusion of every second fiscal year during which the subgrant is received, with an evaluation, in a form prescribed by the agency, that includes—

"(A) a description of the programs and activities conducted by the entity with funds received under subpart 1 during the 2 immediately preceding fiscal years;

"(B) a description of the progress made by children in learning the English language as measured by the State English language proficiency assessment described in section 3113(b)(5) and meeting college and career

ready academic content standards and student academic achievement standards under section 1111(a)(1);

"(C) the number and percentage of children in the programs and activities who meet the target established under section 3113(b)(6)(A);

"(D) a description of the progress made by children in meeting college and career ready academic content standards and student academic achievement standards under section 1111(a)(1) for each of the 2 years after such children are no longer receiving services under this part; and

"(E) a description of the progress made by former English learners in meeting college and career ready academic content standards and student achievement standards under section 1111(a)(1).

"(2) USE OF EVALUATION.—An evaluation provided by an eligible entity under subsection (a) shall be used by the entity and the State educational agency—

"(A) for improvement of programs and activities;

"(B) to determine the effectiveness of programs and activities in assisting children who are English learners to attain English proficiency, as measured in a way that is consistent with paragraph (4), and meet college and career ready academic content standards and student academic achievement standards under section 1111(a)(1); and

"(C) in determining whether or not to continue funding for specific programs or activities.

"(3) EVALUATION COMPONENTS.—An evaluation provided by an eligible entity under subsection (a) shall—

"(A) provide an evaluation of children enrolled in a program or activity conducted by the entity using funds under subpart 1 (including the percentage of children) who—

"(i) are making progress in attaining English proficiency, including the percentage of children who have achieved English proficiency;

"(ii) have transitioned into classrooms not tailored to English learners, and have a sufficient level of English proficiency to permit them to achieve in English and

transition into classrooms not tailored to limited English learners;

"(iii) are meeting the college and career ready standards under section 1111(a)(1); and

"(iv) are not exempted from the State reading or language arts academic assessment in accordance with section 1111(a)(2)(B)(v)(II); and

"(B) include such other information as the State educational agency may require.

"(4) EVALUATION MEASURES.—A State shall approve evaluation measures for use under paragraph (3) that are designed to assess—

"(A) the progress of children in attaining English proficiency, including a child's level of comprehension, speaking, listening, reading, and writing skills in English;

"(B) student attainment of college and career ready student academic achievement standards under section 1111(a)(1) on assessments described in section 1111(a)(2); and

"(C) progress in meeting the annual State performance targets described in section 3122.

"(b) ACCOUNTABILITY.—

"(1) IN GENERAL.—Each eligible entity that receives a subgrant from a State educational agency under this title shall annually reach an agreement with the State educational agency on a local English proficiency performance target for the percentage of English learners served by the eligible entity under this title who are making progress in achieving English proficiency not more than 5 years after being identified as an English learner. For purposes of this paragraph, English proficiency shall be measured using the English language proficiency assessment described in section 3113(b)(5).

"(2) STUDENTS WHO WILL GRADUATE IN LESS THAN 5 YEARS.—In the case of a student who will graduate from secondary school in less than 5 years, if such does not attain English proficiency not more than 5 years after being identified as an English learner, the student shall not be counted as a graduating student in the local educational agency's calculation of the graduation rate.

"(3) TECHNICAL ASSISTANCE.—During the development of the improvement plan described in paragraph (4), and throughout the implementation of such plan, the State educational agency shall—

"(A) provide technical assistance to the eligible entity;

"(B) provide technical assistance, if applicable, to schools served by the eligible entity under subpart 1 that need assistance to enable the schools to meet the eligible entity's local performance target described in paragraph (1);

"(C) assist the eligible entity in improving the professional development described in section 3115(c)(2) that such eligible entity is providing to educators; and

"(D) develop, in consultation with the eligible entity, a plan to incorporate evidence-based strategies and methodologies to improve the specific program or method of instruction provided to English learners.

"(4) ACCOUNTABILITY.—

"(A) 2-YEAR ACCOUNTABILITY.—If an eligible entity fails to meet the local performance target described in paragraph (1) for 2 consecutive years, the State educational agency shall—

"(i) identify such eligible entity as being in need of improvement; and

"(ii) require the eligible entity to develop and implement an improvement plan.

"(B) ENTITIES IN NEED OF IMPROVEMENT.—If an eligible entity fails to meet the local performance targets described in paragraph (1) a year after being identified as being in need of improvement, as described in subparagraph (A)(i), the State educational agency shall—

"(i) identify such eligible entity as being in need of State support;

"(ii) require such eligible entity to develop and implement a plan to modify the entity's curriculum, program, and method of instruction; and

"(iii) submit such plan to the State educational agency for approval.

"(C) ENTITIES IN NEED OF STATE SUPPORT.—If an eligible entity fails to meet the local performance targets described in paragraph (1) a year after being identified as being in need of State support, as described in subparagraph (B)(i), the State educational agency shall—

"(i) identify such eligible entity as being in need of State action;

"(ii) manage the subgrant funds and the eligible entity's subgrant programs for 4 years, or until the local performance target is reached if such target is reached in less than 4 years; and

"(iii) after 4 years, or after the local performance target is reached if such target is reached in less than 4 years, institute a 2 year probationary period, during which the State educational agency shall once again manage the subgrant funds and programs if the eligible entity fails to meet the local performance target at any time during the probationary period.

"SEC. 3122. STATE ACCOUNTABILITY.

"(a) IN GENERAL.—Each State educational agency, with input from subgrantees, shall establish in the State plan submitted under section 3113, a State performance target for the percentage of English learners served by the State under this title who are making progress in achieving English proficiency not more than 5 years after being identified as an English learner. The State performance target established under this subsection shall be subject to approval by the Secretary. Each State educational agency shall ensure that the local performance targets de-

1 scribed in section 3121(b)(1) result, in the aggregate, in
2 the State achieving the State's performance target for
3 English learners.

4 "(b) IMPROVEMENT PLAN.—If a State educational
5 agency has failed to meet the State's performance target
6 for 2 consecutive years, the Secretary shall require the
7 State educational agency to develop an improvement plan
8 that will ensure that the State educational agency meets
9 the State performance target. The improvement plan shall
10 specifically address the factors that prevented the agency
11 from meeting such performance target.

12 "(c) TECHNICAL ASSISTANCE.—During the develop-
13 ment of the improvement plan described in subsection (b),
14 and throughout the implementation of such plan, the Sec-
15 retary shall—

16 "(1) provide technical assistance to the State
17 educational agency using the funds described in sec-
18 tion 3111(c)(1)(D);

19 "(2) assist the State educational agency in de-
20 veloping a plan to improve and disseminate the pro-
21 fessional development described in section
22 3115(c)(2); and

23 "(3) develop, in consultation with the State
24 educational agency, a plan to incorporate evidence-
25 based strategies and methodologies to improve the

specific programs and method of instruction in use in such State.

"(d) ACCOUNTABILITY.—

"(1) IN GENERAL.—If a State educational agency fails to meet its performance target for 4 consecutive years, the Secretary shall—

"(A) require such State educational agency to modify its State plan and the methods of instruction in use in the State; or

"(B) require such State educational agency to—

"(i) identify low-performing local educational agencies in the State;

"(ii) develop and implement a plan to partner such low-performing local educational agencies with high-performing local educational agencies in the State that have met the local performance targets for the previous 3 years; and

"(iii) reallocate any grant funding under this title that would have otherwise been distributed to an identified low-performing local educational agency to such agency's high-performing partner local educational agency, as described in clause

(ii), to enable the high-performing partner agency to provide technical assistance.

"(2) STUDENTS WHO WILL GRADUATE IN LESS THAN 5 YEARS.—In the case of a student who will graduate from secondary school in less than 5 years, if such student does not attain English proficiency not more than 5 years after being identified as an English learner, the student shall not be counted as a graduating student in the State educational agency's calculation of the graduation rate.

"SEC. 3123. REPORTING REQUIREMENTS.

"(a) STATES.—Each State educational agency that receives assistance under this part shall provide annually to the Secretary, and make widely available within the State, a report containing information about—

"(1) the State's progress in developing and implementing the English language proficiency standards described in section 3111(b)(2)(A)(iv);

"(2) the achievement, academic growth, and acquisition of English language proficiency of students served under this title;

"(3) programs and activities carried out by the State educational agency under this part; and

"(4) the effectiveness of such programs and activities in improving the education provided to English learners.

"(b) SECRETARY.—Every second year, the Secretary shall prepare and submit to the authorizing committees of Congress a report containing—

"(1) information about programs and activities carried out to serve English learners under this part, and the effectiveness of such programs and activities in improving the academic achievement and English proficiency of English learners;

"(2) information about the types of language instruction educational programs used by eligible entities receiving funding under this part to teach English learners;

"(3) a critical synthesis of data reported by eligible entities to States under section 3121(a)(3);

"(4) a description of technical assistance and other assistance provided by State educational agencies under section 3111(b)(2)(A);

"(5) an estimate of the number of certified or licensed teachers working in language instruction educational programs and educating English learners, and an estimate of the number of such teachers that will be needed for the succeeding 5 fiscal years;

"(6) the major findings of scientifically based research carried out under this title;

"(7) the number of programs or activities, if any, that were subject to accountability measures described in section 3121(b)(4) due to a failure to meet local performance targets;

"(8) the number of English learners served by eligible entities receiving funding under this part who were transitioned out of language instruction educational programs funded under this part into classrooms where instruction is not tailored for English learners; and

"(9) other information gathered from other reports submitted to the Secretary under this title, as applicable.

"SEC. 3124. COORDINATION WITH RELATED PROGRAMS.

"In order to maximize Federal efforts aimed at serving the educational needs of English learners, the Secretary shall coordinate and ensure close cooperation with other entities carrying out programs serving language-minority and English learners that are administered by the Department and other agencies.

"SEC. 3125. RULES OF CONSTRUCTION.

"Nothing in this part shall be construed—

"(1) to prohibit a local educational agency from serving English learners simultaneously with children with similar educational needs, in the same educational settings where appropriate;

"(2) to require a State or a local educational agency to establish, continue, or eliminate any particular type of instructional program for English learners;

"(3) to limit the preservation or use of Native American languages;

"(4) to prohibit the use of dual language programs to serve the needs of English learners and children with similar educational needs, in the same educational setting as appropriate.

"SEC. 3126. LEGAL AUTHORITY UNDER STATE LAW.

"Nothing in this part shall be construed to negate or supersede State law, or the legal authority under State law of any State agency, State entity, or State public official, over programs that are under the jurisdiction of the State agency, entity, or official.

"SEC. 3127. CIVIL RIGHTS.

"Nothing in this part shall be construed in a manner inconsistent with any Federal law guaranteeing a civil right.

"SEC. 3128. PROGRAMS FOR NATIVE AMERICANS AND PUERTO RICO.

''Notwithstanding any other provision of this part, programs authorized under this part that serve Native American (including Native American Pacific Islander) children and children in the Commonwealth of Puerto Rico may include programs of instruction, teacher training, curriculum development, evaluation, and assessment designed for Native American children learning and studying Native American languages and children of limited Spanish proficiency, except that an outcome of programs serving such children shall be increased English proficiency among such children.

"SEC. 3129. PROHIBITION.

''In carrying out this part, the Secretary shall neither mandate nor preclude the use of a particular curricular or pedagogical approach to educating English learners.

"Subpart 3—National Activities

"SEC. 3131. PROFESSIONAL DEVELOPMENT GRANTS.

''(a) GRANTS AUTHORIZED.—The Secretary shall use funds made available under section 3111(c)(1)(C) to award grants, on a competitive basis and for a period of not more than 5 years, to institutions of higher education or nonprofit institutions with relevant experience or expertise and capacity (in consortia with State educational

1 agencies or local educational agencies) in order to enable
2 such consortia to—
3 "(1) provide for professional development activi-
4 ties that will improve classroom instruction for
5 English learners;
6 "(2) assist educational personnel working with
7 English learners to meet high professional stand-
8 ards, including standards for certification and licen-
9 sure as teachers who work in language instruction
10 educational programs and academic content instruc-
11 tion programs or serve English learners.
12 "(b) USES OF FUNDS.—Grants awarded under this
13 section may be used to—
14 "(1) support partnerships between State or
15 local educational agencies and institutions of higher
16 education to support the work of individuals who are
17 completing baccalaureate and masters programs
18 (such as programs in the areas of teacher training,
19 program administration, policy, research, evaluation,
20 assessment, and curriculum development) and to im-
21 prove educational services and programs for English
22 learners, provided that recipients of fellowships or
23 assistance are required, on completion of their stud-
24 ies, to—

"(A) assist in the education of English learners through work in a school, local educational agency, or other educational agency or organization for a period of time equivalent to the period of time during which the individual receives assistance under this section; or

"(B) repay all or a prorated part of the financial assistance received under this section;

"(2) support research on promising instructional strategies or programs that have practical applications for teachers, counselors, parents and family members, school leaders, and others responsible for educating or improving the education of English learners and their families;

"(3) support strategies that promote school readiness for English learners and the transition from early childhood education programs, such as Head Start or State preschool programs, to elementary school programs;

"(4) support strategies that promote high school graduation for English learners;

"(5) support strategies that strengthen and increase family and community member engagement in education;

"(6) support the development of curricula that are appropriate to the needs of the participating consortium; and

"(7) support the dissemination of information gathered in accordance with paragraphs (1) through (5), particularly evidence-based best practices and the provision of technical assistance.

"SEC. 3132. COMMISSION ON ASSESSMENT OF ENGLISH LEARNERS.

"(a) COMMISSION ON ASSESSMENT OF ENGLISH LEARNERS.—

"(1) IN GENERAL.—The Secretary shall establish an independent commission on the assessment and advancement of English learners (referred to in this section as the 'commission') to carry out the activities described in subsection (c).

"(2) DATE OF APPOINTMENT.—The members of the commission shall be appointed not later than 6 months after the date of enactment of the Strengthening America's Schools Act of 2013.

"(b) COMPOSITION.—

"(1) IN GENERAL.—The commission shall be comprised of individuals with experience and expertise in the educational advancement and develop-

ment of English learners, including individuals with expertise in—

"(A) the practice of teaching English to speakers of other languages;

"(B) measurement and educational assessment systems; and

"(C) educational assessment and accountability practices.

"(2) EXPERTISE OF MEMBERS.—The Secretary shall ensure that the individuals selected in accordance with paragraph (1) are experts who are competent, by virtue of their training, expertise, or experience, to evaluate instruction, assessments, and models for English learners.

"(c) DUTIES OF THE COMMISSION.—The commission shall provide the Secretary with advice and recommendations about the following issues:

"(1) The development and approval of standards pertaining to English learners, in order to assist the Secretary in the review and approval of statewide accountability systems that are required under section 3113(b)(5) and section 1111(a)(3).

"(2) The provision of regulations and guidance pertaining to the inclusion of English learners in assessment and accountability systems, including rec-

ommendations about appropriate accommodations and appropriate weights for assessments involving English learners, including the English language proficiency assessments described in section 3113(b)(5).

"(3) Ensuring that State English language proficiency standards under section 3113(b)(2) and section 1111(a)(1)(D) are properly aligned with college and career ready academic content standards under section 1111(a)(1).

"(4) The formation of peer review panels, under section 1111(b)(4), with regard to—

"(A) the inclusion on the panels of experts about English learners; and

"(B) processes to ensure that the work of the peer review panel is consistent with the standards and guidance developed by the commission.

"(5) Identifying ways to support local capacity-building efforts to assist local educational agencies and schools in properly supporting English learners.

"(6) Ensuring that the research, development, and dissemination activities of the Department address identified gaps in knowledge for effectively in-

cluding English learners in assessment and accountability practices.

"(7) Ways to address the needs of English learners in all program planning at the Department, including inter- and intra-agency coordination.

"(8) The development of improved early learning assessment strategies and instruments that take into account the development of English learners across all of the essential domains of school readiness.

"(d) INDEPENDENTLY COMMISSIONED RESEARCH.—The commission may independently commission research that is directly relevant to the implementation of accountability provisions under this Act for English learners.

"(e) ANNUAL REPORT.—The commission shall, beginning not later than 1 year after the date on which all members of the commission have been appointed, submit an annual report to the Secretary and the authorizing committees of Congress containing the recommendations described in subsection (c).

"SEC. 3133. ENGLISH LANGUAGE ACQUISITION TECHNOLOGY INNOVATION GRANTS.

"(a) PURPOSES.—The Secretary shall use funds made available under section 3111(c)(1)(C) to provide English language acquisition technology innovation grants

for purposes of pursuing breakthrough research and development in educational technology and providing the effective use of that technology to improve English proficiency and academic achievement for English learners, by—

"(1) identifying and promoting advances in fundamental and applied sciences and engineering that could be translated into new language learning or instruction technologies;

"(2) developing novel language learning or instruction technologies, and the enabling processes and contexts for effective use of those technologies;

"(3) developing, testing, and evaluating the impact and efficacy of those technologies;

"(4) accelerating technological advances in areas in which the private sector, by itself, is not likely to accelerate such advances because of difficulties in implementation or adoption, or technical and market uncertainty;

"(5) coordinating activities with nongovernmental entities to demonstrate technologies and research applications to facilitate technology transfer; and

"(6) encouraging educational research on English language acquisition using new technologies and the data produced by those technologies.

1 "(b) AUTHORITIES OF SECRETARY.—The Secretary
2 is authorized to—
3 "(1) establish processes for the development
4 and execution of English language acquisition tech-
5 nology innovation grant projects and the solicitation
6 of entities to carry out the projects in a manner that
7 is—
8 "(A) tailored to the purposes of the
9 English language acquisition technology innova-
10 tion grants and not constrained by other De-
11 partment-wide administrative requirements that
12 could detract from achieving program results;
13 "(B) designed to heighten transparency;
14 and
15 "(C) designed to heighten public- and pri-
16 vate-sector involvement to ensure that invest-
17 ments are made in the most promising areas;
18 "(2) award grants, contracts, cooperative agree-
19 ments, and cash prizes, and enter into other trans-
20 actions (in accordance with such regulations as the
21 Secretary may establish regarding other trans-
22 actions);
23 "(3) obtain independent, periodic, rigorous eval-
24 uations, as appropriate, of—

"(A) the effectiveness of the processes being used to award and evaluate the effectiveness of the English language acquisition technology innovation grants in achieving the stated purposes; and

"(B) the effectiveness of individual projects assisted by English language acquisition technology innovation grants, using evidence standards developed in consultation with the Institute of Education Sciences, and the suitability of ongoing projects assisted by such grants for further investment or increased scale;

"(4) disseminate, through the comprehensive centers established under section 203 of the Educational Technical Assistance Act of 2002 (20 U.S.C. 9602), the regional educational laboratories system established under section 174 of the Education Sciences Reform Act of 2002 (20 U.S.C. 9564), or such other means as the Secretary determines to be appropriate, information on effective practices and technologies developed with the support of English language acquisition technology innovation grants; and

"(5) collect, analyze, synthesize, and disseminate, through the comprehensive centers established

under section 203 of the Educational Technical Assistance Act of 2002 (20 U.S.C. 9602), the regional educational laboratories system established under section 174 of the Education Sciences Reform Act of 2002 (20 U.S.C. 9564), or such other means as the Secretary determines to be appropriate, information and educational research and processes related to the education of English learners.

''(c) EVALUATION FUNDS.—The Secretary may use funds made available for English language acquisition technology innovation grants to pay the cost of the evaluations under subsection (b)(3).

''(d) NONDUPLICATION.—To the maximum extent practicable, the Secretary shall ensure that grants, contracts, cooperative agreements, cash prizes, or other assistance or arrangements awarded or entered into pursuant to this section that are designed to carry out the purposes of the English language acquisition technology innovation grants do not duplicate activities under programs carried out under Federal law other than this section by the Department or other Federal agencies.

"PART B—GENERAL PROVISIONS

"SEC. 3201. DEFINITIONS.

''Except as otherwise provided, in this title:

"(1) CHILD.—The term 'child' means any individual aged 3 through 21.

"(2) COMMUNITY-BASED ORGANIZATION.—The term 'community-based organization' means a private nonprofit organization of demonstrated effectiveness, Indian tribe, or tribally sanctioned educational authority, that is representative of a community or significant segments of a community and that provides educational or related services to individuals in the community. Such term includes a Native Hawaiian or Native American Pacific Islander native language educational organization.

"(3) ELIGIBLE ENTITY.—The term 'eligible entity' means—

"(A) 1 or more local educational agencies; or

"(B) 1 or more local educational agencies, in collaboration with an institution of higher education, community-based organization, or State educational agency.

"(4) IMMIGRANT CHILDREN AND YOUTH.—The term 'immigrant children and youth' means individuals who—

"(A) are aged 3 through 21;

"(B) were not born in any State; and

"(C) have not been attending one or more schools in any one or more States or operated by the Department of Defense Education Authority for more than 3 full academic years.

"(5) INDIAN TRIBE.—The term 'Indian tribe' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

"(6) LANGUAGE INSTRUCTION EDUCATIONAL PROGRAM.—The term 'language instruction educational program' means an instruction course—

"(A) in which an English learner is placed for the purpose of developing and attaining English proficiency, while meeting college and career ready academic content standards and student academic achievement standards under section 1111(a)(1); and

"(B) that may make instructional use of both English and a child's native language to enable the child to develop and attain English proficiency, and may include the participation of English proficient children if such course is designed to enable all participating children to become proficient in English and a second language.

"(7) NATIVE AMERICAN AND NATIVE AMERICAN LANGUAGE.—The terms 'Native American' and 'Native American language' shall have the meanings given such terms in section 103 of the Native American Languages Act (25 U.S.C. 2902).

"(8) NATIVE HAWAIIAN OR NATIVE AMERICAN PACIFIC ISLANDER NATIVE LANGUAGE EDUCATIONAL ORGANIZATION.—The term 'Native Hawaiian or Native American Pacific Islander native language educational organization' means a nonprofit organization with—

"(A) a majority of its governing board and employees consisting of fluent speakers of the traditional Native American languages used in the organization's educational programs; and

"(B) not less than 5 years successful experience in providing educational services in traditional Native American languages.

"(9) NATIVE LANGUAGE.—The term 'native language', when used with reference to an English learner, means—

"(A) the language normally used by such individual; or

"(B) in the case of a child or youth, the language normally used by the parents of the child or youth.

"(10) PARAPROFESSIONAL.—The term 'paraprofessional' means an individual who is employed in a preschool, elementary school, or secondary school under the supervision of a certified or licensed teacher, including individuals employed in language instruction educational programs, special education, and migrant education.

"(11) STATE.—The term 'State' means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

"(12) TRIBALLY SANCTIONED EDUCATIONAL AUTHORITY.—The term 'tribally sanctioned educational authority' means—

"(A) any department or division of education operating within the administrative structure of the duly constituted governing body of an Indian tribe; and

"(B) any nonprofit institution or organization that is—

"(i) chartered by the governing body of an Indian tribe to operate a school described in section 3112(a) or otherwise to

oversee the delivery of educational services to members of the tribe; and

"(ii) approved by the Secretary for the purpose of carrying out programs under subpart 1 of part A for individuals served by a school described in section 3112(a).

"SEC. 3202. PARENTAL NOTIFICATION.

"(a) IN GENERAL.—Each eligible entity receiving funds under this title to provide a language instruction educational program and academic content instruction program shall, not later than 30 days after the beginning of the school year, inform a parent or the parents of an English learner identified for participation in, or participating in, such program of—

"(1) the reasons for the identification of their child as an English learner and in need of placement in a language instruction educational program and academic content instruction program;

"(2) the child's level of English language proficiency, how that level was assessed, whether the child is on track to achieve English proficiency not later than 5 years after being identified as an English learner, and the status of the child's academic achievement;

"(3) the method of instruction used in the program in which their child is, or will be, participating, and the methods of instruction used in other available programs, including how such programs differ in content, instructional goals, and use of English and a native language in instruction;

"(4) how the program in which their child is, or will be participating, will appropriately respond to the educational strengths and needs of the child;

"(5) how the program will specifically help their child learn English and reflect age appropriate academic achievement standards for grade promotion and graduation;

"(6) the specific exit requirements for the program, the expected rate of transition from the program into classrooms that are not tailored for English learners, and the expected rate of graduation from secondary school for English learners in the program if the child is in secondary school;

"(7) in the case of a child with a disability, how the program meets the objectives of the child's individualized education program; and

"(8) information pertaining to parental rights that includes written guidance—

"(A) detailing—

"(i) the parent's right to have the parent's child immediately removed from the program upon the parent's request; and

"(ii) the options that parents have to decline to enroll their child in such program or to choose another program or method of instruction, if available; and

"(B) assisting parents in selecting among various programs and methods of instruction, if more than 1 program or method is offered by the eligible entity.

"(b) SEPARATE NOTIFICATION.—In addition to providing the information required to be provided under subsection (a), each eligible entity that is using funds provided under this title to provide a language instruction educational program, and that has failed to make progress on the local performance targets described in section 3122 for any fiscal year for which part A is in effect, shall separately inform a parent or the parents of a child identified for participation in such program, or participating in such program, of such failure not later than 30 days after the eligible entity receives notification of such failure from the State.

"(c) RECEIPT OF INFORMATION.—The information described in subsection (a) shall be provided in an understandable and uniform format and, to the extent practicable, in a language that the parent can understand.

"(d) SPECIAL RULE APPLICABLE DURING SCHOOL YEAR.—For a child who has not been identified for participation in a language instruction educational program and academic content instruction program prior to the beginning of the school year, the eligible entity shall carry out subsections (a) and (b) with respect to the parents of the child not later than 2 weeks after the child is placed in such program.

"(e) PARENT AND FAMILY ENGAGEMENT.—

"(1) IN GENERAL.—Each eligible entity using funds provided under this title to provide a language instruction educational program and academic content instruction program shall implement an effective means of outreach to parents and family members of English learners to inform such parents and family members of how they can—

"(A) be full partners in the education of their children, including ensuring that immigrant parents and family members are well informed about the elements of the educational system in the United States; and

"(B) be active participants in assisting their children—

"(i) to learn English;

"(ii) to achieve at high levels in core academic subjects;

"(iii) to meet the same college and career ready academic content standards and student academic achievement standards under section 1111(a)(1) as all children are expected to meet to become college and career ready; and

"(iv) to understand expectations for college readiness and career success.

"(2) RECEIPT OF RECOMMENDATIONS.—The outreach described in paragraph (1) shall include holding, and sending notice of opportunities for, regular meetings for the purpose of formulating and responding to recommendations from parents described in such paragraph.

"(f) BASIS FOR ADMISSION OR EXCLUSION.—A child shall not be admitted to, or excluded from, any Federally assisted education program on the basis of a surname or language-minority status.

"SEC. 3203. NATIONAL CLEARINGHOUSE.

''The Secretary shall establish and support the operation of a National Clearinghouse for English Learner Support and Educational Programs, which shall collect, analyze, synthesize, and disseminate information about programs that support the academic achievement of English learners, and related programs. The National Clearinghouse shall—

''(1) be administered as an adjunct clearinghouse of the Educational Resources Information Center Clearinghouses system supported by the Office of Educational Research and Improvement;

''(2) coordinate activities with Federal data and information clearinghouses and entities operating Federal dissemination networks and systems;

''(3) develop a system for improving the operation and effectiveness of programs that receive Federal funding that serve English learners;

''(4) collect and disseminate information on—

''(A) educational research and processes related to the education of English learners;

''(B) accountability systems that monitor the academic progress of English learners in language instruction educational programs, including information on academic content and

English proficiency assessments for language instruction educational programs;

"(C) effective practices for meeting the academic and cultural needs of English learners; and

"(D) effective practices for engaging the families and caretakers of English learners; and

"(5) publish, on an annual basis, a list of grant recipients under this title.

"SEC. 3204. REGULATIONS.

"In developing regulations under this title, the Secretary shall consult with State educational agencies and local educational agencies, organizations representing English learners, and organizations representing teachers and other personnel involved in the education of English learners.".

TITLE IV—SUPPORTING SUCCESSFUL, WELL-ROUNDED STUDENTS

SEC. 4101. REDESIGNATIONS.

Title IV (20 U.S.C. 7101 et seq.) is amended—

(1) by striking the title heading and inserting the following: "**SUPPORTING SUCCESSFUL, WELL-ROUNDED STUDENTS**";

(2) by redesignating subpart 3 of part A as subpart 1 of part G of title IX, as added by section 9104(a) of this Act, and transferring such subpart 1 so as to follow the part heading of such part G as added by section 9104(a) of this Act;

(3) by redesignating section 4141 as section 9701;

(4) by redesignating part C as subpart 2 of part G of title IX, as added by section 9104(a) of this Act, and transferring such subpart 2 so as to follow subpart 1 of part G of title IX, as redesignated by paragraph (2);

(5) by redesignating sections 4301, 4302, 4303, and 4304, as sections 9721, 9722, 9723, and 9724, respectively;

(6) in section 9721, as redesignated by paragraph (5), by striking ''part'' and inserting ''subpart'';

(7) in section 9722, as redesignated by paragraph (5)—

(A) in the matter preceding paragraph (1), by striking ''part'' and inserting ''subpart''; and

(B) in paragraph (2)(B), by striking ''part'' and inserting ''subpart'';

(8) in section 9723(e)(3), by striking the matter following subparagraph (B) and inserting the following:

"(C) such other matters as justice may require."; and

(9) in section 9724, as redesignated by paragraph (5), by striking "part" both places the term appears and inserting "subpart".

SEC. 4102. IMPROVING LITERACY INSTRUCTION AND STUDENT ACHIEVEMENT.

Part A of title IV (20 U.S.C. 7101 et seq.) is amended to read as follows:

"PART A—IMPROVING LITERACY INSTRUCTION AND STUDENT ACHIEVEMENT

"Subpart 1—Improving Literacy Instruction

"SEC. 4101. SHORT TITLE.

"This part may be cited as the 'Improving Literacy Instruction and Student Achievement Act'.

"SEC. 4102. PURPOSES.

"The purposes of this part are—

"(1) to improve student academic achievement in reading and writing by providing Federal support to State educational agencies to develop, improve, coordinate, and implement comprehensive literacy plans that ensure high-quality instruction and effec-

tive strategies in reading and writing from birth through grade 12; and

"(2) to assist State educational agencies in achieving the purpose described in paragraph (1) by—

"(A) supporting the development and implementation of comprehensive early learning through grade 12 literacy programs in every State that are based on scientifically valid research, to ensure that every child can read and write at grade level or above;

"(B) providing children with learning opportunities in high-quality, language rich, literature rich, informational text rich, culturally relevant, and developmentally appropriate environments so that the children develop the fundamental knowledge and skills necessary for literacy engagement, development, and achievement in pre-kindergarten through grade 12;

"(C) educating parents in the ways the parents can support their child's communication and literacy development;

"(D) supporting efforts to link and align standards and research-based instruction and teaching practices in early learning programs;

"(E) supporting high-quality and effective strategies for children to develop oral language, reading, and writing abilities through high-quality research-based instruction and teaching practices;

"(F) improving academic achievement by establishing adolescent literacy initiatives that provide explicit and systematic instruction in oral language, reading, and writing development across the curriculum;

"(G) identifying and supporting children reading and writing significantly below grade level by providing evidence-based, intensive interventions, including interventions conducted during extended learning time, to help the children acquire the language and literacy skills the children need to stay on track for graduation;

"(H) providing assistance to local educational agencies in order to provide educators with ongoing, job-embedded professional development, and other support, that focuses on—

"(i) effective literacy instruction; and

"(ii) the special knowledge and skills necessary to teach and support literacy de-

velopment effectively across the developmental and age span;

"(I) supporting State educational agencies and local educational agencies in improving reading, writing, and literacy-based academic achievement for children, especially children who are low-income individuals, are English learners, are migratory, are children with disabilities, are Indian or Alaskan Native, are neglected or delinquent, are homeless, are in the custody of the child welfare system, or have dropped out of school;

"(J) supporting State educational agencies and local educational agencies in using age appropriate and developmentally and linguistically appropriate instructional materials and strategies that assist teachers as the teachers work with children to develop reading and writing competencies appropriate to the children's grade and skill levels;

"(K) strengthening coordination among schools, early literacy programs, family literacy programs, juvenile justice programs, public libraries, and outside-of-school programs that provide children with strategies, curricula,

interventions, and assessments designed to advance early and continuing language and literacy development in ways appropriate for each context;

"(L) supporting professional development for educators based on scientific approaches to adult learning; and

"(M) evaluating whether the professional development activities and approaches are effective in building knowledge and skills of educators and their use of appropriate and effective practices.

"SEC. 4103. DEFINITIONS.

"In this part:

"(1) CHILD.—The term 'child' means an individual from the age of birth through the final year for which the State provides free public education.

"(2) CLASSROOM-BASED INSTRUCTIONAL ASSESSMENT.—The term 'classroom-based instructional assessment' means an assessment for children from birth through grade 3 that—

"(A) is valid and reliable for the age and population of children served in the program;

"(B) is used to evaluate children's developmental progress and learning and includes sys-

tematic observations by teachers of children performing tasks, including academic and literacy tasks, that are part of the children's daily classroom experience; and

"(C) is used to improve classroom instruction.

"(3) COMPREHENSIVE LITERACY INSTRUCTION.—The term 'comprehensive literacy instruction' means instruction that—

"(A) incorporates effective literacy instruction; and

"(B) is designed to support—

"(i) developmentally appropriate, contextually explicit, systematic instruction, and frequent practice, in reading across content areas; and

"(ii) developmentally appropriate and contextually explicit instruction, and frequent practice, in writing across content areas.

"(4) DEVELOPMENTAL DELAY.—The term 'developmental delay' has the meaning given the term in section 632 of the Individuals with Disabilities Education Act (20 U.S.C. 1432).

"(5) EARLY LEARNING PROGRAM.—The term 'early learning program' means a program serving children between the ages of birth and kindergarten entry.

"(6) EFFECTIVE-LITERACY INSTRUCTION.—

"(A) IN GENERAL.—The term 'effective literacy instruction' means literacy instruction that—

"(i) includes age-appropriate, explicit, systematic, and intentional instruction in phonological awareness, phonic decoding, vocabulary, language structure, reading fluency, and reading comprehension;

"(ii) includes age-appropriate, explicit instruction in writing, including opportunities for children to write with clear purposes, with critical reasoning appropriate to the topic and purpose, and with specific instruction and feedback from instructional staff;

"(iii) makes available and uses diverse, high-quality print materials that reflect the reading and development levels, and interests, of children;

"(iv) uses differentiated instructional approaches, including individual and small group instruction and discussion;

"(v) provides opportunities for children to use language with peers and adults in order to develop language skills, including developing vocabulary;

"(vi) includes frequent practice of reading and writing strategies;

"(vii) uses age-appropriate, valid, and reliable screening assessments, diagnostic assessments, formative assessments, and summative assessments to identify a child's learning needs, to inform instruction, and to monitor the child's progress and the effects of instruction;

"(viii) uses strategies to enhance children's motivation to read and write and children's engagement in self-directed learning;

"(ix) incorporates the principles of universal design for learning;

"(x) depends on teachers' collaboration in planning, instruction, and assessing

a child's progress and on continuous professional learning; and

"(xi) links literacy instruction to the State college and career ready academic content standards under section 1111(a)(1), including the ability to navigate, understand, and write about, complex print and digital subject matter.

"(B) BIRTH THROUGH KINDERGARTEN.—When used with respect to instruction for children from birth to kindergarten entry, the term 'effective literacy instruction' also includes—

"(i) developing such children's alphabet knowledge, reading aloud to children, discussing reading and writing with children, and modeling age and developmentally appropriate reading and writing strategies; and

"(ii) encouraging children's early attempts at oral communication, reading, and writing.

"(C) KINDERGARTEN THROUGH GRADE 12.—When used with respect to the instruction of children in kindergarten through grade 12,

the term 'effective literacy instruction' also includes—

"(i) providing systematic and intensive interventions, which can be provided inside or outside the classroom as well as before, during, or after regular school hours, to supplement regular instruction for children reading below grade level;

"(ii) providing reading and writing opportunities that build academic vocabulary and knowledge of different text structures in core academic subjects;

"(iii) enabling children to write, communicate, and create knowledge, in ways that fit purpose, audience, occasion, discipline, and format, including practice in—

"(I) adhering to language conventions, including spelling, punctuation, and grammar;

"(II) planning and revising to improve clarity, coherence, logical development, and language usage; and

"(III) writing individually and collaboratively with feedback from instructors and peers; and

1 "(iv) cultivating shared responsibility
2 for children's literacy learning by coordi-
3 nating writing tasks, instructional prac-
4 tices, and criteria for feedback across aca-
5 demic content areas.
6 "(7) ELIGIBLE ENTITY.—The term 'eligible en-
7 tity' means an entity—
8 "(A) that serves high-need children; and
9 "(B)(i) when used with respect to a
10 subgrant under section 4108, that consists of—
11 "(I) 1 or more local educational
12 agencies providing early learning pro-
13 grams that have a demonstrated
14 record of providing comprehensive lit-
15 eracy instruction for the age group
16 such agencies or programs propose to
17 serve;
18 "(II) 1 or more public or private
19 early learning programs, such as a
20 Head Start program, a child care pro-
21 gram, a State-funded prekindergarten
22 program, a public library program, or
23 a family literacy program, that have a
24 demonstrated record of providing
25 comprehensive literacy instruction for

the age group such programs propose to serve; or

"(III) 1 or more local educational agencies providing early learning programs, or 1 or more public or private early learning programs, such as a Head Start program, a child care program, a State-funded prekindergarten program, a public library program, or a family literacy program, in partnership with 1 or more public or private nonprofit organizations or agencies that have a demonstrated record of effectiveness—

"(aa) in improving the early literacy development of children from birth through kindergarten entry; and

"(bb) in providing professional development aligned with the activities described in section 4108(e)(1); or

"(ii) when used with respect to a subgrant under section 4109—

"(I) that is—

"(aa) a local educational agency;

"(bb) a consortium of local educational agencies; or

"(cc) a local educational agency or consortium of local educational agencies acting in partnership with 1 or more public or private nonprofit organizations or agencies that have a demonstrated record of effectiveness in—

"(AA) improving literacy achievement of children consistent with the purposes of their participation from kindergarten through grade 12; and

"(BB) providing professional development aligned with the activities described in subsection (b) and (c) of section 4109; and

"(II)(aa) has the highest numbers or proportion of children who are

counted under section 1124(c), in comparison to other local educational agencies in the State;

"(bb) is among or consists of the local educational agencies in the State with the highest numbers or percentages of children reading or writing below grade level, based on the most currently available State academic assessment data under section 1111(a)(2); or

"(cc) has jurisdiction over a significant number or percentage of schools that are identified as persistently low-achieving under section 1116(c)(2).

"(8) ENGLISH LANGUAGE ACQUISITION.—

"(A) IN GENERAL.—The term 'English language acquisition' means the process by which a non-native English speaker acquires proficiency in speaking, listening, reading, and writing the English language.

"(B) INCLUSIONS FOR ENGLISH LEARNERS IN SCHOOL.—For an English learner in school, such term includes not only the social language

proficiency needed to participate in the school environment, but also the academic language proficiency needed to acquire literacy and academic content and demonstrate the child's learning.

"(9) FAMILY LITERACY SERVICES.—The term 'family literacy services' means literacy services provided to participants on a voluntary basis that are of sufficient intensity and quality, that better enable parents to support their children's learning needs, and that integrate—

"(A) interactive literacy activities between or among family members who are primary caregivers and their children, including family literacy education to improve literacy of parents; and

"(B) training for family members who are primary caregivers regarding how to be the primary teacher for their children and full partners in the education of their children.

"(10) FORMATIVE ASSESSMENT.—The term 'formative assessment' means an assessment that—

"(A) is teacher-generated or selected by teachers or instructional leaders for use during learning;

"(B) is embedded within the learning activity and linked directly to the intended outcomes of the current unit of instruction; and

"(C) provides feedback to help adjust ongoing teaching and learning to improve children's achievement of intended instructional outcomes.

"(11) HIGH-QUALITY PROFESSIONAL DEVELOPMENT.—The term 'high-quality professional development' means professional development that—

"(A) is job-embedded, ongoing, and based on scientifically valid research;

"(B) is sustained, intensive, and classroom-focused, and is not limited in scope to a 1-day or short-term workshop or conference;

"(C) is designed to increase the knowledge and expertise of teachers, early childhood educators and administrators, principals, other instructional leaders, and other program staff in applying—

"(i) effective literacy instruction; and

"(ii) instructional strategies and practices that are appropriate to the age, development, and needs of children and improve learning, including strategies and practices

consistent with the principles of universal design for learning;

"(D) includes and supports teachers in effectively administering age and developmentally appropriate assessments, and analyzing the results of these assessments for the purposes of planning, monitoring, adapting, and improving effective classroom instruction or teaching strategies to improve child literacy;

"(E) includes instructional strategies utilizing one-to-one, small group, and classroom-based instructional materials and approaches based on scientifically valid research on literacy;

"(F) provides ongoing instructional literacy coaching—

"(i) to ensure high-quality implementation of comprehensive literacy instruction that is—

"(I) content centered;

"(II) integrated across the curriculum;

"(III) collaborative; and

"(IV) school, setting, and classroom embedded; and

"(ii) that uses student data to improve instruction;

"(G) includes and supports teachers in setting high reading and writing achievement goals for all children and provides the teachers with the instructional tools and skills to help children reach such goals;

"(H) for educators serving children in kindergarten through grade 12—

"(i) supports effective literacy instruction through core academic subjects, and through career and technical education subjects where such career and technical education subjects provide for the integration of core academic subjects; and

"(ii) includes explicit instruction in discipline-specific thinking and how to read and interpret discipline-specific text structures and features;

"(I) is differentiated for educators working with children from birth through kindergarten entry, children in kindergarten through grade 3, and children in grades 4 through 12, and, as appropriate, based on the grade or needs of the children; and

"(J) supports family literacy experiences and practices, and educating parents, teachers, and other caregivers about literacy development and child literacy development.

"(12) INSTRUCTIONAL LEADER.—The term 'instructional leader' means an individual who—

"(A) is an employee or officer of a school; and

"(B) is responsible for—

"(i) the school's performance; and

"(ii) the daily instructional and managerial operations of the school.

"(13) LITERACY COACH.—The term 'literacy coach' means a professional—

"(A) who has—

"(i) previous teaching experience;

"(ii) demonstrated abilities in working with adult learners; and

"(iii)(I) a master's degree with a concentration in reading and writing education or demonstrated proficiency in teaching reading or writing in a core academic subject consistent with effective literacy instruction; or

"(II) in the case of a literacy coach for children from birth through kindergarten entry, a concentration, credential, or significant experience in child development and early literacy development;

"(B) who supports teachers to—

"(i) apply research on how children become successful readers, writers, and communicators;

"(ii) apply multiple forms of assessment to guide instructional decisionmaking and use data to improve literacy instruction;

"(iii) improve children's writing and reading in and across content areas such as mathematics, science, social studies, and language arts;

"(iv) develop and implement differentiated instruction and teaching approaches to serve the needs of the full range of learners, including English learners and children with disabilities;

"(v) apply principles of universal design for learning;

"(vi) employ best practices in engaging principals, early learning program educators and administrators, teachers, and other relevant professionals to create school cultures that encourage and support literacy development and achievement; and

"(vii) set for children birth through kindergarten developmentally appropriate expectations for language and literacy development, and high reading and writing achievement goals for all children and select, acquire, and use instructional tools and skills to help children reach such goals; and

"(C) whose role with teachers and professionals supporting literacy instruction is—

"(i) to provide high-quality professional development, consistent with the definition of comprehensive literacy instruction;

"(ii) to work cooperatively and collaboratively with principals, teachers, and other professionals in employing strategies to help teachers identify and support child literacy and language development needs

and teach literacy across the content areas and developmental domains; and

"(iii) to work cooperatively and collaboratively with other professionals in employing strategies to help teachers teach literacy across the content areas so that the teachers can meet the needs of all children, including children with disabilities, English learners, and children who are reading at or above grade level.

"(14) LOCAL EDUCATIONAL AGENCY.—The term 'local educational agency'—

"(A) has the meaning given the term in section 9101; and

"(B) includes any public charter school that constitutes a local educational agency under State law.

"(15) READING.—The term 'reading' means a complex system of deriving meaning from print that is developmentally appropriate, that requires all of the following:

"(A) The skills and knowledge to understand how phonemes, or speech sounds, are connected to print.

"(B) The ability to read with comprehension.

"(C) The ability to decode unfamiliar words with fluency.

"(D) The use of background knowledge and vocabulary to make meaning from a text.

"(E) The development and use of appropriate active strategies to interpret and construct meaning from print.

"(F) The development and maintenance of a motivation to read.

"(16) SCIENTIFICALLY VALID RESEARCH.—The term 'scientifically valid research' has the meaning given the term in section 200 of the Higher Education Act of 1965 (20 U.S.C. 1021).

"(17) SCREENING ASSESSMENT.—The term 'screening assessment' means an assessment that is—

"(A) valid, reliable, and based on scientifically based reading research; and

"(B) a brief procedure designed as a first step in identifying children who may be at high risk for delayed development or academic failure and in need of further diagnosis of their

need for special services or additional reading instruction.

"(18) STATE.—The term 'State' means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

"(19) STATE LITERACY LEADERSHIP TEAM.—

"(A) IN GENERAL.—The term 'State literacy leadership team' means a team that—

"(i) is appointed and coordinated by the State educational agency;

"(ii) assumes the responsibility to guide the improvement or development and implementation of a statewide, comprehensive literacy plan;

"(iii) shall include, at a minimum—

"(I) a school principal with literacy expertise;

"(II) a teacher with literacy expertise;

"(III) a teacher or administrator with expertise in special education;

"(IV) a teacher or administrator with expertise in teaching the English language to English learners;

1 ''(V) a representative from the
2 State educational agency who oversees
3 literacy initiatives; and
4 ''(VI) a representative from high-
5 er education who is actively involved
6 in research, development, or teacher
7 preparation in comprehensive literacy
8 instruction and intervention based on
9 scientifically valid research;
10 ''(iv) may include—
11 ''(I) a literacy specialist serving
12 in a school district within the State;
13 ''(II) a literacy coach;
14 ''(III) a librarian;
15 ''(IV) a representative with fam-
16 ily literacy expertise;
17 ''(V) a representative from a
18 State child-serving agency with exper-
19 tise in comprehensive language and
20 literacy instruction and strategies;
21 ''(VI) a school counselor;
22 ''(VII) a teacher of a core aca-
23 demic subject;
24 ''(VIII) a special education ad-
25 ministrator;

"(IX) a professor from a 4-year institution of higher education;

"(X) a parent;

"(XI) a business leader;

"(XII) the Governor or a delegated representative of the Governor;

"(XIII) a representative from the State board of education;

"(XIV) a representative from the State legislature;

"(XV) a representative of a nonprofit and community-based organization providing comprehensive literacy instruction and support; and

"(XVI) a representative from a school district superintendent's office; and

"(v) shall include, among the individuals selected to be members of the council pursuant to clauses (iii) and (iv), not less than 5 individuals who have literacy expertise in 1 of each of the areas of—

"(I) birth through kindergarten entry, such as the State Head Start collaboration director;

"(II) kindergarten entry through grade 3;

"(III) grades 4 through 12;

"(IV) English learners; and

"(V) special education.

"(B) INCLUSION OF A PREEXISTING PARTNERSHIP.—If, before the date of enactment of the Strengthening America's Schools Act of 2013, a State educational agency established a consortium, partnership, or any other similar body that was considered a literacy partnership for purposes of subpart 1 or 2 of part B of title I (as such title was in effect on such date) and that includes the individuals required under clauses (iii) and (v) of subparagraph (A), such consortium, partnership, or body may be considered a State literacy leadership team for purposes of subparagraph (A).

"(20) SUMMATIVE ASSESSMENT.—The term 'summative assessment' means an assessment that—

"(A) is valid, reliable, and based on scientifically valid research on literacy and English language acquisition; and

"(B) for children from birth through kindergarten entry, measures how young children

have progressed over time relative to developmental norms, and for children in kindergarten through grade 12, measures what children have learned over time, relative to academic content standards.

"(21) WRITING.—The term 'writing' means—

"(A) composing meaning in print or through other media, including technologies, to communicate and to create new knowledge in ways appropriate to the context of the writing and the literacy development stage of the writer;

"(B) composing ideas individually and collaboratively in ways that are appropriate for a variety of purposes, audiences, and occasions;

"(C) choosing vocabulary, tone, genre, and conventions, such as spelling and punctuation, suitable to the purpose, audience, and occasion; and

"(D) revising compositions for clarity of ideas, coherence, logical development, and precision of language use.

"SEC. 4104. PROGRAM AUTHORIZED.

"(a) RESERVATIONS AND AWARDS TO STATE EDUCATIONAL AGENCIES.—

"(1) IN GENERAL.—From the amounts appropriated to carry out this part for a fiscal year, the Secretary shall—

"(A) reserve not more than a total of 4 percent of such amounts for dissemination of information and technical assistance under section 4110;

"(B) reserve not more than 5 percent of such amounts to award planning grants, on a competitive basis, to State educational agencies serving States, in accordance with section 4105;

"(C) in the case of a fiscal year for which the amounts to carry out this part are less than $500,000,000, use the amount not reserved under subparagraphs (A) and (B) to make awards, on a competitive basis, to State educational agencies serving States that have applications approved under section 4106 to enable the State educational agencies to carry out the activities described in section 4106(a); and

"(D) in the case of a fiscal year for which the amounts appropriated to carry out this part are equal to or exceeding $500,000,000—

"(i) reserve a total of 1 percent of such amount for—

"(I) allotments for the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, to be distributed among such outlying areas on the basis of their relative need, as determined by the Secretary in accordance with the purposes of this part; and

"(II) the Secretary of the Interior for programs under sections 4105 through 4109 in schools operated or funded by the Bureau of Indian Education; and

"(ii) use the amount not reserved under clause (i) and subparagraphs (A) and (B) to make awards, as described in paragraph (2), to State educational agencies serving States that have applications approved under section 4106 to enable the State educational agencies to carry out the activities described in section 4106(a).

"(2) SPECIAL RULES FOR YEARS WITH FUNDS EQUAL OR EXCEEDING $500,000,000.—

"(A) PROPORTIONAL DIVISION.—In each fiscal year described in paragraph (1)(D), the amount reserved under paragraph (1)(D)(i) shall be divided between the uses described in subclauses (I) and (II) of such paragraph in the same proportion as the amount reserved under section 1121(a) is divided between the uses described in paragraphs (1) and (2) of such section for such fiscal year.

"(B) CONSULTATION.—A State educational agency that receives an allotment under paragraph (1)(D)(ii) shall engage in timely and meaningful consultation with representatives of Indian tribes located in the State in order to improve the coordination and quality of activities designed to develop effective approaches to achieve the purposes of this part consistent with the cultural, language, and educational needs of Indian children.

"(C) STATE ALLOTMENT FORMULA.—The Secretary shall allot the amount made available under paragraph (1)(D)(ii) for a fiscal year among the States in proportion to the number of children, from birth through age 17, who reside within the State and are from families with

incomes below the poverty line for the most recent fiscal year for which satisfactory data are available, compared to the number of such children who reside in all States for that fiscal year.

"(3) MINIMUM AWARD AMOUNT.—No State educational agency receiving an award under this section for a fiscal year may receive less than one-fourth of 1 percent of the total amount appropriated to carry out this part for the fiscal year.

"(4) PUERTO RICO.—The amount allotted under paragraph (1)(C) to the Commonwealth of Puerto Rico for a fiscal year may not exceed one-fourth of 1 percent of the total amount appropriated to carry out this part for such fiscal year.

"(b) PEER REVIEW.—

"(1) IN GENERAL.—The Secretary shall convene a peer review panel to evaluate the applications to carry out section 4105 or 4106 using the evaluation criteria described in paragraph (2).

"(2) DEVELOPMENT OF EVALUATION CRITERIA.—The Secretary shall report to the authorizing committees regarding the peer review process and evaluation criteria that shall be used to evaluate

the grant applications to carry out sections 4105 and 4106.

"(3) MEMBERSHIP.—

"(A) COMPOSITION.—A peer review panel convened under paragraph (1) shall be composed of not less than 9 members, of whom—

"(i) 3 shall be appointed by the Secretary;

"(ii) 3 shall be appointed by the Secretary from among individuals—

"(I) recommended by the Chairman of the National Research Council of the National Academy of Sciences; and

"(II) with expertise in comprehensive language and literacy instruction and strategies; and

"(iii) 3 shall be appointed by the Secretary from among individuals—

"(I) recommended by the Director of the National Institute of Child Health and Human Development; and

"(II) with expertise concerning literacy development in children from birth through grade 12.

"(B) COMPETENCY AND EXPERTISE.—The peer review panel convened under paragraph (1) may include—

"(i) classroom teachers with expertise in literacy, and literacy coaches, including—

"(I) special education teachers;

"(II) teachers of children who are English learners; and

"(III) early childhood educators;

"(ii) experts who provide high-quality professional development to teachers and other instructional staff to support children's literacy development;

"(iii) experts in the screening assessment, diagnostic assessment, and other assessment of children's literacy development; and

"(iv) experts in comprehensive literacy instruction and strategies in reading and writing, language development, and English language acquisition, as appropriate, including reading and writing in core academic subjects.

"(4) DISTRIBUTION OF RECOMMENDATIONS.—Not later than 120 days after a peer review panel submits to the Secretary the panel's recommendation regarding an application by a State educational agency for a grant under section 4105 or 4106, the Secretary shall notify the State educational agency that the application has been approved or disapproved and shall provide to such State educational agency a copy of the peer review panel's recommendation.

"(c) CONFLICTS OF INTEREST.—

"(1) PEER REVIEW PANELS.—The Secretary shall ensure that each member of a peer review panel described in subsection (b) does not stand to benefit financially from a grant or subgrant awarded under this part.

"(2) STATE LITERACY LEADERSHIP TEAMS.—Each State educational agency that receives funding under this part shall ensure that each member of a State literacy leadership team participating in a program or activity assisted under this part does not stand to benefit financially from a grant or subgrant awarded under this part.

"(d) SUPPLEMENT NOT SUPPLANT.—Award funds provided under this part shall supplement, and not sup-

plant, non-Federal funds that would, in the absence of such award funds, be made available for literacy instruction and support of children participating in programs assisted under this part.

"(e) MAINTENANCE OF EFFORT.—Each State educational agency that receives a grant or allotment under this section, and each eligible entity that receives a subgrant under section 4108 or 4109, shall maintain for the fiscal year for which the grant or subgrant is received and for each subsequent fiscal year the expenditures of the State educational agency or eligible entity, respectively, for literacy instruction at a level not less than the level of such expenditures maintained by the State educational agency or eligible entity, respectively, for the fiscal year preceding such fiscal year for which the grant or subgrant is received.

"SEC. 4105. STATE PLANNING GRANTS.

"(a) PLANNING GRANTS AUTHORIZED.—

"(1) IN GENERAL.—From amounts made available under section 4104(a)(1)(B), the Secretary may award planning grants to State educational agencies to enable the State educational agencies to complete comprehensive planning to carry out activities that improve literacy for children from birth through grade 12.

"(2) GRANT PERIOD.—A planning grant awarded under this section shall be for a period of not more than 1 year.

"(3) NONRENEWABILITY.—The Secretary shall not award a State educational agency more than 1 planning grant under this section.

"(b) APPLICATION.—

"(1) IN GENERAL.—Each State educational agency desiring a planning grant under this section shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require.

"(2) CONTENTS.—Each application submitted under this subsection shall, at a minimum, include a description of how the State educational agency will develop a plan for improving State efforts to develop, coordinate, implement, and assess comprehensive literacy activities that ensure high-quality instruction and effective strategies in reading and writing for all children in early learning programs and kindergarten through grade 12 programs. Such plan shall—

"(A) describe the activities for which assistance under this section is sought, demonstrating a particular focus on children who

are reading or writing below grade level and children whose early literacy skills are below the appropriate age or developmental level;

"(B) provide a budget for the use of the planning grant funds to complete the required activities described in subsection (c);

"(C) include an analysis of data on child literacy and language and student academic achievement in reading to identify and establish baseline and benchmark levels against which to monitor child progress and improvement in literacy; and

"(D) provide an assurance that all State agencies responsible for administering early learning programs and services (including the State Head Start Collaboration Office and the State agency responsible for administering child care) and the State Advisory Council on Early Childhood Education and Care collaborated with the State educational agency to write the early learning portion of the grant application submitted under this subsection.

"(3) APPROVAL OF APPLICATIONS.—The Secretary shall evaluate applications under this subsection based on the quality of the response of the

applications to the requirements under this subsection.

"(c) REQUIRED ACTIVITIES.—A State educational agency receiving planning grant funds under this section shall carry out each of the following activities:

"(1) Reviewing reading, writing, or other language and literacy resources and programs, such as school library programs, and data across the State to identify any literacy needs and gaps in the State.

"(2) Forming or designating a State literacy leadership team which shall execute the following functions:

"(A) Creating a comprehensive State literacy plan that—

"(i) is designed to improve language development, reading, writing, and academic achievement for children, especially children reading below grade level and children whose literacy skills are below the appropriate age or developmental level;

"(ii) includes—

"(I) a needs assessment and an implementation plan, including an analysis of data on child literacy and student academic achievement in

reading to identify baseline and benchmark levels of literacy and early literacy skills in order to monitor progress and improvement; and

"(II) a plan to improve reading achievement among all children;

"(iii) ensures high-quality instruction, consistent with the characteristics of effective literacy instruction and strategies, in early learning programs and kindergarten through grade 12 programs; and

"(iv) provides for activities designed to improve literacy achievement for children who read or write below grade level, including such children who—

"(I) attend schools that are identified under section 1116(c)(2); or

"(II) are counted under section 1124(c);

"(B) Providing recommendations to guide the State educational agency in the State educational agency's process of strengthening State literacy standards and embedding State literacy standards with the State's college and career ready academic content standards and college

and career ready student academic achievement standards, and early learning and development standards.

"(C) Providing recommendations to guide the State educational agency in the State educational agency's process of measuring, assessing, and monitoring progress in literacy at the school, local educational agency, and State levels.

"(D) Identifying criteria for high-quality professional development providers, which providers may include qualified teachers within the State, for the State educational agency and local educational agencies.

"(E) Advising the State educational agency on how to help ensure that local educational agencies and schools provide timely and appropriate data to teachers to inform and improve instruction.

"(F) Providing recommendations to guide the State educational agency in the State educational agency's planning process of building educators' capacity to provide high-quality comprehensive literacy instruction.

"SEC. 4106. STATE IMPLEMENTATION GRANTS.

"(a) IMPLEMENTATION GRANTS AUTHORIZED.—

"(1) IN GENERAL.—From amounts made available under subparagraphs (C) or (D)(ii) of section 4104(a)(1) (as applicable), the Secretary shall award implementation grants to State educational agencies to enable the State educational agencies—

"(A) to implement the comprehensive literacy plan that meets the criteria in section 4105(c)(2)(A) for early learning programs and kindergarten through grade 12 programs;

"(B) to carry out State activities under section 4107; and

"(C) to award subgrants under sections 4108 and 4109.

"(2) LIMITATION.—The Secretary shall not award an implementation grant under this section to a State for any year for which the State has received a planning grant under section 4105.

"(3) DURATION OF GRANTS.—An implementation grant under this section shall be awarded for a period of not more than 5 years.

"(4) RENEWALS.—

"(A) IN GENERAL.—The Secretary may renew a grant under this section for a period of not more than 2 years.

"(B) CONDITIONS.—In order to be eligible to have an implementation grant renewed under this paragraph, the State educational agency shall demonstrate to the satisfaction of the Secretary that, during the project period—

"(i) with respect to children from birth through kindergarten entry, the State educational agency has collaborated with the State agencies that oversee child care and other early learning programs, and has collaborated with the State Advisory Council on Early Childhood Education and Care, to comply with the terms of the grant, including using the funds—

"(I) to increase access to high-quality professional development;

"(II) for developmentally appropriate curricula and teaching materials; and

"(III) for developmentally appropriate classroom-based instructional assessments and developmentally appropriate screening assessments and diagnostic assessments; and

"(ii) with respect to children in kindergarten through grade 12, demonstrates that there has been significant progress in student academic achievement, as measured by appropriate assessments, including the assessments included in the State accountability system under section 1111(a)(3)(A).

"(b) STATE APPLICATIONS.—

"(1) IN GENERAL.—A State educational agency that desires to receive an implementation grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require. The State educational agency shall collaborate with the State agency responsible for administering early learning programs and the State agency responsible for administering child care programs in the State in writing and implementing the early learning portion of the grant application under this subsection.

"(2) CONTENTS.—An application described in paragraph (1) shall include the following:

"(A) A description of the members of the State literacy leadership team and a description

of how the State educational agency has developed a comprehensive State literacy plan, consistent with the requirements of section 4105(c)(2)(A).

"(B) An implementation plan that includes a description of how the State educational agency will—

"(i) carry out the State activities described in section 4107;

"(ii) assist eligible entities with—

"(I) providing strategic and intensive comprehensive literacy instruction based on scientifically valid research for children who are reading and writing below grade level, including through—

"(aa) the use of multitiered systems of support; and

"(bb) addressing the literacy needs of children with disabilities or developmental delays and English learners in programs serving children from birth through grade 12;

"(II) providing training to parents, as appropriate, so that the parents can participate in the literacy related activities described in sections 4108 and 4109 to assist in the language and literacy development of their children;

"(III) selecting and using reading and writing assessments;

"(IV) providing classroom-based instruction that is supported by one-to-one and small group work;

"(V) using curricular materials and instructional tools, which may include technology, to improve instruction and literacy achievement;

"(VI) providing for high-quality professional development; and

"(VII) using the principles of universal design for learning;

"(iii) ensure that local educational agencies in the State have leveraged and are effectively leveraging the resources needed to implement effective comprehensive literacy instruction, and have the ca-

pacity to implement literacy initiatives effectively; and

"(iv) continually coordinate and align the activities assisted under this part with reading, writing, and other literacy resources and programs across the State and locally that serve children and their families and promote comprehensive literacy instruction and learning, including strengthening partnerships among schools, libraries, local youth-serving agencies, and programs, in order to improve literacy for all children.

"(C) A description of the key data metrics, and the performance targets for such metrics, that will be used and reported annually under section 4111(b)(1), which shall include—

"(i) metrics established consistent with section 1111(a)(3)(A), for children in grades 3 through 12; and

"(ii) the relevant program metrics and performance targets that the State shall use to monitor the implementation of its plan under section 4111.

"(D) An assurance that the State educational agency, and any eligible entity receiving a subgrant from the State educational agency under section 4108 or 4109, will, if requested, participate in the national evaluation under section 4110.

"(E) An assurance that the State educational agency will use implementation grant funds for literacy programs as follows:

"(i) Not less than 10 percent of such grant funds shall be used for State and local programs and activities pertaining to children from birth through kindergarten entry.

"(ii) Not less than 30 percent of such grant funds shall be used for State and local programs and activities, allocated equitably among the grades of kindergarten through grade 5.

"(iii) Not less than 30 percent of such grant funds shall be used for State and local programs and activities, allocated equitably among grades 6 through 12.

"(iv) Not more than 10 percent of such implementation grant funds shall be

used for the State activities described in section 4107.

"(F) An assurance that the State educational agency shall give priority to awarding a subgrant to an eligible entity—

"(i) under section 4108 based on the number or percentage of children younger than the age of kindergarten entry who are—

"(I) served by the eligible entity; and

"(II) from families with income levels below the poverty line; and

"(ii) under section 4109 based on—

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

"(aa) served by the eligible entity; and

"(bb) from families with income levels below the poverty line; and

"(II) the number or percentage of children in kindergarten through grade 12 served by the eligible entity

who are reading and writing below grade level according to State assessments.

"(c) APPROVAL OF APPLICATIONS.—

"(1) IN GENERAL.—The Secretary shall evaluate State educational agency applications under subsection (b) based on the quality of the response of the applications to the application requirements under such subsection.

"(2) PEER REVIEW.—The Secretary shall convene a peer review panel in accordance with section 4104(b) to evaluate applications for each implementation grant awarded to a State educational agency under this section.

"(3) EARLY LEARNING.—In order for a State educational agency's application under this section to be approved by the Secretary, the application shall contain an assurance that the State agencies responsible for administering early learning programs and services, including the State agency responsible for administering child care programs, including, as applicable, the State Advisory Council on Early Childhood Education and Care, approve of and will be extensively consulted in the implementation of activities consistent with section 4108, with

respect to the early learning portion of the application.

"SEC. 4107. STATE ACTIVITIES.

"(a) REQUIRED ACTIVITIES.—A State educational agency shall use the implementation grant funds described in section 4106(b)(2)(E)(iv) to carry out the activities proposed in a State's implementation plan under section 4106(b)(2)(B), including the following activities:

"(1) In consultation with the State literacy leadership team, providing technical assistance, or engaging qualified providers to provide technical assistance, to eligible entities to enable the eligible entities to design and implement literacy programs under section 4108 or 4109.

"(2) Consulting with the State literacy leadership team and coordinating with institutions of higher education in the State—

"(A) in order to provide recommendations to strengthen and enhance preservice courses for students preparing, at institutions of higher education in the State, to teach children from birth through grade 12 in explicit, systematic, and intensive instruction in evidence-based literacy methods; and

"(B) by following up on reviews completed by the State literacy leadership team with recommendations to ensure that such institutions offer courses that meet the highest standards.

"(3) Reviewing and updating, in collaboration with teachers, statewide educational and professional organizations representing teachers, and statewide educational and professional organizations representing institutions of higher education, State licensure or certification standards in the area of literacy instruction in early education through grade 12.

"(4) Making publicly available, including on the State educational agency's website, information on promising instructional practices to improve child literacy achievement.

"(b) PERMISSIVE ACTIVITIES.—After carrying out the activities described in subsection (a), a State educational agency may use remaining implementation grant funds described in section 4106(b)(2)(E)(iv) to carry out 1 or more of the following activities:

"(1) Training the personnel of eligible entities to use data systems to improve child literacy learning.

"(2) Developing literacy coach training programs and training literacy coaches.

"(3) Building public support among local educational agency personnel, early learning programs, and the community for comprehensive literacy instruction for children from birth through grade 12.

"(4) Administration and evaluation of activities carried out under this part.

"SEC. 4108. SUBGRANTS TO ELIGIBLE ENTITIES IN SUPPORT OF BIRTH THROUGH KINDERGARTEN ENTRY LITERACY.

"(a) SUBGRANTS.—

"(1) IN GENERAL.—A State educational agency, in consultation with the State agencies responsible for administering early learning programs and services, including the State agency responsible for administering child care programs, including, as applicable, the State Advisory Council on Early Childhood Education and Care, shall use a portion of implementation grant funds provided under subparagraph (C) or (D)(ii) of section 4104(a)(1) to award subgrants, on a competitive basis, to eligible entities to enable the eligible entities to support high-quality early literacy initiatives for children from birth through kindergarten entry.

"(2) DURATION.—The term of a subgrant under this section shall be determined by the State educational agency awarding the subgrant.

"(b) SUFFICIENT SIZE AND SCOPE.—Each subgrant awarded under this section shall be of sufficient size and scope to allow the eligible entity to carry out high-quality early literacy initiatives for children from birth through kindergarten entry.

"(c) LOCAL APPLICATIONS.—An eligible entity desiring to receive a subgrant under this section shall submit an application to the State educational agency, at such time, in such manner, and containing such information as the State educational agency may require. Such application shall include a description of—

"(1) how the subgrant funds will be used to enhance the language and literacy development and school readiness of children, from birth through kindergarten entry, in early learning programs, which shall include an analysis of data that support the proposed use of subgrant funds;

"(2) the programs that the eligible entity proposes to assist under the subgrant, including demographic and socioeconomic information on the children enrolled in the programs;

"(3) a budget for the eligible entity that projects the cost of developing and implementing literacy initiatives to carry out the activities described in subsection (e);

"(4) how, if the eligible entity is requesting a planning period, which shall not exceed 1 year, the eligible entity will use that planning period to prepare for successful implementation of a plan to support the development of learning and literacy consistent with the purposes of this part;

"(5) the literacy initiatives, if any, in place and how these initiatives will be coordinated and integrated with activities supported under this section;

"(6) how the subgrant funds will be used to prepare and provide ongoing assistance to staff in the programs, through high-quality professional development;

"(7) how the subgrant funds will be used to provide services, incorporate activities, and select and use literacy instructional materials that—

"(A) meet the diverse developmental and linguistic needs of children, including English learners and children with disabilities and developmental delays; and

"(B) are based on scientifically valid research on child development and learning for children from birth through kindergarten entry;

"(8) how the subgrant funds will be used to provide screening assessments, diagnostic assessments, and classroom-based instructional assessments and assessments of developmental progress;

"(9) how families and caregivers will be involved, as appropriate, in supporting their child's literacy development, instruction, and assessment;

"(10) how the subgrant funds will be used to help children, particularly children experiencing difficulty with spoken and written language, to make the transition from early childhood education programs to formal classroom instruction;

"(11) how the activities assisted under the subgrant will be coordinated with comprehensive literacy instruction at the kindergarten through grade 12 levels;

"(12) how the subgrant funds will be used—

"(A) to evaluate the success of the activities assisted under the subgrant in enhancing the early language and literacy development of children from birth through kindergarten entry; and

"(B) to evaluate data for program improvement; and

"(13) such other information as the State educational agency may require.

"(d) APPROVAL OF LOCAL APPLICATIONS.—The State educational agency, in consultation with the State agencies responsible for administering early learning programs, including the State agency responsible for administering child care programs and the State Advisory Council on Early Childhood Education and Care, shall—

"(1) select applications for funding under this section based on the quality of the applications submitted, including the relationship between literacy activities proposed and the research base or data supporting such investments, as appropriate, and the recommendations of—

"(A) the State literacy leadership team; and

"(B) other experts in the area of early literacy; and

"(2) place priority for funding programs based on the criteria in section 4106(b)(2)(F).

"(e) LOCAL USES OF FUNDS.—

"(1) IN GENERAL.—An eligible entity that receives a subgrant under this section shall use the

subgrant funds, consistent with the entity's approved application under subsection (c), to—

"(A) enhance and improve early learning programs to ensure that children in such programs are provided with high-quality oral language and literature- and print-rich environments in which to develop early literacy skills;

"(B) carry out high-quality professional development opportunities for early childhood educators, teachers, and instructional leaders;

"(C) acquire, provide training for, and implement screening assessments, diagnostic assessments, and classroom-based instructional assessments;

"(D) select, develop, and implement a multitier system of support;

"(E) integrate research-based instructional materials, activities, tools, and measures into the programs offered by the eligible entity to improve development of early learning language and literacy skills;

"(F) train providers and personnel to support, develop, and administer high-quality early learning literacy initiatives that—

"(i) utilize data—

"(I) to inform instructional design; and

"(II) to assess literacy needs; and

"(ii) provide time and support for personnel to meet to plan comprehensive literacy instruction;

"(G) provide family literacy services, as appropriate, and educate parents, teachers, and other caregivers about child literacy development;

"(H) annually collect, summarize, and report to the State educational agency data—

"(i) to document child progress in early literacy and language skills development as a result of activities carried out under this section;

"(ii) to stimulate and accelerate improvement by identifying the programs served by the eligible entity that produce significant gains in skills development; and

"(iii) for all subgroups of children and categories of children, including children in the subgroups described in section 1111(a)(2)(B)(x), in a manner that—

"(I) utilizes a variety of measures of child literacy and language skills development; and

"(II) is consistent across the State; and

"(I) coordinate the involvement of families, early learning program staff, principals, other instructional leaders, and teachers in literacy development of children served under this part.

"(2) CURRICULA AND ASSESSMENT MATERIALS LIMITATION.—Each eligible entity that receives a subgrant under this section shall not use more than 20 percent of the subgrant funds in the first year of subgrant funding, and not more than 10 percent of the subgrant funds in each year thereafter, to purchase curricula and assessment materials.

"(f) PROHIBITION.—The use of assessment items and data on any assessment authorized under this section to provide rewards or sanctions for individual children, early learning program providers, teachers, program directors, or principals is prohibited.

"SEC. 4109. SUBGRANTS TO ELIGIBLE ENTITIES IN SUPPORT OF KINDERGARTEN THROUGH GRADE 12 LITERACY.

"(a) SUBGRANTS TO LOCAL EDUCATIONAL AGENCIES.—

"(1) SUBGRANTS.—A State educational agency shall use a portion of the implementation grant funds provided under subparagraph (C) or (D)(ii) of section 4104(a)(1) to award subgrants, on a competitive basis, to eligible entities to enable the eligible entities to carry out the authorized activities described in subsections (b) and (c).

"(2) SUFFICIENT SIZE AND SCOPE.—A State educational agency shall award subgrants under this section of sufficient size and scope to allow the eligible entities to carry out high-quality literacy initiatives in each grade level for which the subgrant funds are provided.

"(3) LOCAL APPLICATIONS.—An eligible entity desiring to receive a subgrant under this section shall submit an application to the State educational agency at such time, in such manner, and containing such information as the State educational agency may require. Such application shall include, for each school that the eligible entity identifies as partici-

pating in a subgrant program under this section, the following information:

"(A) A description of the eligible entity's capacity to identify how subgrant funds will be used to inform and improve comprehensive literacy instruction at the school.

"(B) How the school, local educational agency, or a provider of high-quality professional development will provide ongoing high-quality professional development to all teachers, including early childhood educators, principals, and other instructional leaders served by the school, including early learning program administrators.

"(C) How the school will identify children in need of literacy interventions or other support services and provide appropriate scientifically valid instructional interventions or other support services which may include extended learning time for struggling children.

"(D) A budget for the school that projects the cost of developing and implementing literacy initiatives to carry out the activities described in subsections (b) and (c) as applicable.

"(E) An explanation of how the school will integrate comprehensive literacy instruction into core academic subjects.

"(F) A description of how the school will coordinate comprehensive literacy instruction with early learning and before- and after-school programs and activities in the area served by the local educational agency, such as school library programs.

"(G) A description of the assessments that will be used in an assessment system to improve comprehensive literacy instruction and track child literacy progress.

"(H) A description of how families and caregivers will be involved in supporting their children's literacy instruction and assessment.

"(I) A description of how, if an eligible entity is requesting a planning period, the eligible entity will use that planning period to prepare for successful implementation of a plan to support the development of learning and literacy consistent with the purposes of this part.

"(J) A description of the literacy initiatives, if any, in place and how these initiatives

will be coordinated and integrated with activities supported under this section.

"(K) An assurance that the eligible entity will, if requested, participate in the national evaluation described in section 4110.

"(b) LOCAL USES OF FUNDS FOR KINDERGARTEN THROUGH GRADE 5.—An eligible entity that receives a subgrant under this section shall use the subgrant funds to carry out the following activities pertaining to children in kindergarten through grade 5:

"(1) Developing and implementing a literacy plan across content areas that—

"(A) serves the needs of all children, including children with disabilities and English learners, especially children who are reading or writing below grade level;

"(B) provides intensive, supplemental, accelerated, and explicit intervention and support in reading and writing for children whose literacy skills are below grade level; and

"(C) supports activities that are provided primarily during the regular school day but which may be augmented by after-school and out-of-school time instruction.

"(2) Acquiring, providing training for, selecting, and administering assessments, and managing, monitoring, and planning instruction based on the assessment data.

"(3) Providing high-quality professional development opportunities for teachers, literacy coaches, literacy specialists, English as a second language specialists (as appropriate), principals, and other program staff.

"(4) Training principals, specialized instructional support personnel, and other school district personnel to support, develop, administer, and evaluate high-quality kindergarten through grade 5 literacy initiatives that—

"(A) utilize data—

"(i) to inform instructional decisions; and

"(ii) to assess professional development needs; and

"(B) provide time and support for teachers and other instructional staff to meet to plan comprehensive literacy instruction.

"(5) Coordinating the involvement of early learning program staff, principals, other instructional leaders, teachers, teacher literacy teams,

English as a second language specialists (as appropriate), special educators, and school librarians in the literacy development of children served under this part.

"(6) Engaging families and encouraging family literacy experiences and practices to support literacy development.

"(7) Annually collecting, summarizing, and reporting to the State educational agency data—

"(A) to document and monitor for the purpose of improving practice, improvements, or increases in children's reading and writing pursuant to activities carried out under this section;

"(B) to stimulate and accelerate improvement by identifying the schools that produce significant gains in literacy achievement; and

"(C) for all children and categories of children, including the subgroups of children described in section 1111(a)(2)(B)(x), in a manner that utilizes a variety of measures and that is consistent across the State.

"(c) LOCAL USES OF FUNDS FOR GRADES 6 THROUGH 12.—An eligible entity that receives a subgrant under this section shall use subgrant funds to carry out

the following activities pertaining to children in grades 6 through 12:

"(1) Developing and implementing a literacy plan described in paragraphs (1), (2), (3), (6), and (7) of subsection (b) for children in grades 6 through 12.

"(2) Training principals, specialized instructional support personnel, and other instructional leaders to support, develop, administer, and evaluate high-quality adolescent literacy initiatives that—

"(A) utilize data—

"(i) to inform instructional decisions and allow for personalization of instruction based on a child's need; and

"(ii) to assess professional development needs;

"(B) assess the quality of adolescent comprehensive literacy instruction in core academic subjects, and career and technical education subjects where such career and technical education subjects provide for the integration of core academic subjects;

"(C) provide time for teachers to meet to plan research-based adolescent comprehensive literacy instruction in core academic subjects,

and career and technical education subjects where such career and technical education subjects provide for the integration of core academic subjects; and

"(D) include explicit instruction in discipline-specific thinking and how to read and interpret discipline-specific text structures and features.

"(3) Coordinating the involvement of principals, other instructional leaders, teachers, teacher literacy teams, English as a second language specialists (as appropriate), special educators, and school librarians in the literacy development of children served under this part.

"(d) ALLOWABLE USES.—An eligible entity that receives a subgrant under this section may, in addition to carrying out the activities described in subsections (b) and (c), use subgrant funds to carry out the following activities pertaining to children in kindergarten through grade 12:

"(1) Providing a planning period of not more than 1 year for eligible entities to establish the elements necessary for successful implementation of a literacy program for kindergarten through grade 12.

"(2) Recruiting, placing, training, and compensating literacy coaches.

"(3) Connecting out-of-school learning opportunities to in-school learning in order to improve the literacy achievement of the children.

"(4) Training families and caregivers to support the improvement of adolescent literacy.

"(5) Providing for a multitier system of support.

"(6) Forming a school literacy leadership team to help implement, assess, and identify necessary changes to the literacy initiatives in 1 or more schools to ensure success.

"(7) Providing high-quality, literacy-rich environments that engage children with materials and experiences at the children's reading and writing levels.

"(8) Providing time for teachers (and other literacy staff, as appropriate, such as school librarians) to meet to plan comprehensive literacy instruction.

"(e) LIMITATION OF USE TO CERTAIN SCHOOLS.—An eligible entity receiving a subgrant under this section shall, in distributing the subgrant funds, provide the subgrant funds only to schools, including public charter schools, that have the highest percentages or numbers of children counted under section 1124(c).

"SEC. 4110. NATIONAL EVALUATION, INFORMATION DISSEMINATION, AND TECHNICAL ASSISTANCE.

"(a) NATIONAL EVALUATION.—

"(1) IN GENERAL.—From the amount reserved in accordance with section 9601, the Secretary shall enter into a contract with an organization independent of the Department for a 5-year national evaluation of the grant and subgrant programs assisted under this part. Such evaluation shall include scientifically valid research that applies rigorous and systematic procedures to obtain valid knowledge relevant to the implementation and effect of the programs.

"(2) CONTENTS OF EVALUATION.—The evaluation described in this subsection shall include an analysis of each of the following:

"(A) The impact of the implementation of literacy initiatives and practices supported under this part on—

"(i) increasing academic outcomes, including child literacy development in reading and writing, and speaking (as appropriate), grade promotion, and graduation to the extent predictable;

"(ii) promoting the appropriate early literacy development of young children; and

"(iii) strengthening the literacy skills of English learners and children with disabilities.

"(B) The fidelity of implementation of core program features, such as coherence of the program across grades, quality of technical assistance, State and local educational agency leadership, professional development for teachers and administrators, use of quality materials and pedagogy, and use of assessment.

"(C) The relationship between implementation of core features and children's academic outcomes.

"(D) Other inquiries as designated by the Secretary, such as—

"(i) the core functions of literacy initiatives that have demonstrated the greatest impact on child literacy achievement, especially among children reading below grade level;

"(ii) effective strategies to integrate State and local standards, curricula, as-

sessments, instruction, materials, and interventions to improve literacy;

"(iii) the types of literacy activities and professional development that most effectively improve the early reading, writing, and language skills of children from birth through kindergarten entry;

"(iv) the impact of adolescent literacy initiatives on adolescent motivation, engagement, and participation in adolescent literacy activities;

"(v) the relationship between children's literacy achievement and secondary school success, including improving graduation rates; and

"(vi) effective strategies to integrate school and public library programs to improve literacy.

"(3) PROGRAM IMPROVEMENT.—The Secretary shall—

"(A) provide the findings of the evaluation conducted under this section to State educational agencies and subgrant recipients for use in program improvement;

"(B) make such findings publicly available, including on the Department's website; and

"(C) submit such findings to the authorizing committees.

"(b) INFORMATION DISSEMINATION AND TECHNICAL ASSISTANCE.—

"(1) IN GENERAL.—From amounts reserved under section 4104(a)(1)(A), the Secretary, in collaboration with the regional educational laboratories established under section 174 of the Education Sciences Reform Act of 2002, the comprehensive centers established under section 203 of the Educational Technical Assistance Act of 2002, and the Director of the National Institute of Child Health and Human Development, shall—

"(A) distribute information on—

"(i) comprehensive literacy instruction, including best practices and model programs identified in the evaluation;

"(ii) other inquiries designated by the Secretary under subsection (a)(2)(D); or

"(iii) other relevant Federal studies of literacy activities; and

"(B) provide technical assistance in order to assist States and local educational agencies

in improving comprehensive literacy instruction and learning.

"(2) DISSEMINATION AND COORDINATION.—The Secretary shall disseminate the information described in paragraph (1)(A) to—

"(A) recipients of Federal financial assistance under this part, the Head Start Act, the Individuals with Disabilities Education Act, and the Adult Education and Family Literacy Act; and

"(B) each Bureau-funded school (as defined in section 1141 of the Education Amendments of 1978 (25 U.S.C. 2021)).

"(3) USE OF NETWORKS.—In carrying out this subsection, the Secretary shall, to the extent practicable, use information and dissemination networks developed and maintained through other public and private entities.

"SEC. 4111. RULES OF CONSTRUCTION.

"(a) CHILD ELIGIBILITY.—Nothing in this part shall be construed to prohibit children eligible for assistance under title I or III or children eligible for assistance under part B or C of the Individuals with Disabilities Education Act from receiving literacy instruction and intervention under this part.

"(b) IDEA EVALUATION.—The screening assessments, diagnostic assessments, and formative assessments of reading and writing authorized under this part shall not be construed to constitute an evaluation required under part B or C of the Individuals with Disabilities Education Act, except that assessments administered under this Act may be used in conjunction with other assessments as part of an evaluation under part B or C of the Individuals with Disabilities Education Act, provided that the respective evaluation requirements under part B or C of such Act are met.

"Subpart 2—Improving Literacy and College and Career Readiness Through Effective School Library Programs

"SEC. 4113. PURPOSE.

"The purpose of this subpart is to improve students' literacy skills and readiness for higher education and careers, by providing students with effective school library programs.

"SEC. 4114. DEFINITIONS.

"In this subpart:

"(1) EFFECTIVE SCHOOL LIBRARY PROGRAM.—The term 'effective school library program' means a school library program that—

"(A) is staffed by a State certified or licensed school librarian;

"(B) has up-to-date books, materials, equipment, and technology (including broadband);

"(C) includes regular collaboration between classroom teachers and school librarians to assist with development and implementation of the curriculum and other school reform efforts; and

"(D) supports the development of digital literacy skills.

"(2) ELIGIBLE ENTITY.—The term 'eligible entity' means—

"(A) a local educational agency in which not less than 20 percent of the students served by the local educational agency are from families with incomes below the poverty line;

"(B) a local educational agency that has a percentage of low-income children that is in the highest quartile among all local educational agencies in the State; or

"(C) a consortia of local educational agencies described in subparagraph (A) or (B).

"SEC. 4115. IMPROVING LITERACY AND COLLEGE AND CAREER READINESS THROUGH EFFECTIVE SCHOOL LIBRARY PROGRAM GRANTS.

"(a) GRANTS TO LOCAL EDUCATIONAL AGENCIES.—

"(1) IN GENERAL.—From amounts appropriated under section 3(k) for this subpart, the Secretary shall award grants, on a competitive basis, to eligible entities to enable such entities to carry out the authorized activities described in subsection (b).

"(2) SUFFICIENT SIZE AND SCOPE.—The Secretary shall award grants under this section of sufficient size and scope to allow the eligible entities to carry out effective school library programs for which the grant funds are provided.

"(3) DISTRIBUTION.—The Secretary shall ensure that grants under this section are equitably distributed among the different geographic regions of the United States, and among eligible entities serving urban and rural areas.

"(4) DURATION.—A grant awarded under this section shall be for a period of 3 years.

"(5) LOCAL APPLICATIONS.—An eligible entity desiring to receive a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require. Such application shall in-

clude, for each school that the eligible entity identifies as participating in a grant program under this section, the following information:

"(A) a needs assessment relating to the need for literacy improvement at all grade levels and the need for effective school library programs, based on the age and condition of school library resources, including—

"(i) book collections;

"(ii) access to advanced technology;

"(iii) the availability of well-trained, State-certified or licensed school librarians; and

"(iv) the current level of coordination and shared planning time among school librarians and classroom teachers;

"(B) a description of which grade spans will be served, and an assurance that funding will be distributed to serve students in elementary, middle, and high schools;

"(C) how the eligible entity will extensively involve school librarians, teachers, administrators, and parents in the activities assisted under this section, and the manner in which the eligible entity will carry out the activities described

in subsection (b) using programs and materials that are grounded in scientifically valid research;

"(D) the manner in which the eligible entity will effectively coordinate the funds and activities provided under this section with Federal, State, and local funds and activities under this subpart and other literacy, library, technology, and professional development funds and activities, including those funded through the Institute of Museum and Library Services; and

"(E) the manner in which the eligible entity will collect and analyze data on the quality and impact of activities carried out under this section by schools served by the eligible entity.

"(b) LOCAL ACTIVITIES.—Funds under this section may be used to develop and enhance effective school library programs, which may include activities to—

"(1) acquire up-to-date school library resources, including books and reading materials that—

"(A) are appropriate for students in all grade levels to be served and for students with special learning needs, including students who are English learners; and

"(B) engage the interest of readers at all reading levels;

"(2) acquire and use advanced technology, incorporated into the curricula of the school, to develop and enhance the digital literacy skills of students;

"(3) facilitate Internet links and other resource-sharing networks among schools and school libraries, and public and academic libraries, where possible;

"(4) provide—

"(A) professional development in the acquisition of digital literacy skills and literacy instruction that is appropriate for all grades, including the assessment of student literacy needs, the coordination of reading and writing instruction across content areas, and training in literacy strategies in all content areas for school librarians; and

"(B) activities that foster increased collaboration among school librarians, teachers, and administrators; and

"(5) provide students with access to school libraries during nonschool hours, including the hours before and after school, during weekends, and during summer vacation periods.

"(c) SUPPLEMENT NOT SUPPLANT.—Funds made available under this section shall be used to supplement, and not supplant, other Federal, State, and local funds expended to carry out activities relating to library, technology, or professional development activities.

"(d) ACCOUNTABILITY AND REPORTING.—Each eligible entity that receives funds under this section for a fiscal year shall prepare and submit a report to the Secretary regarding how the funding was used and the extent to which the availability of, the access to, and the use of, up-to-date school library resources in the elementary schools and secondary schools served by the eligible entity was increased.".

SEC. 4103. IMPROVING SCIENCE, TECHNOLOGY, ENGINEERING, AND MATH INSTRUCTION AND STUDENT ACHIEVEMENT.

(a) REDESIGNATION.—Title IV (20 U.S.C. 7101 et seq.) is amended—

(1) by redesignating part B as part F, and transferring such part F so as to follow part E, as added by section 4106;

(2) by striking section 4206; and

(3) by redesignating sections 4201, 4202, 4203, 4204, and 4205, as sections 4601, 4602, 4603, 4604, and 4605, respectively.

(b) IMPROVING SCIENCE, TECHNOLOGY, ENGINEERING, AND MATH INSTRUCTION AND STUDENT ACHIEVEMENT.—Title IV (20 U.S.C. 7101 et seq.) is amended by inserting after part A the following:

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

"Subpart 1—Improving STEM Instruction and Student Achievement

"SEC. 4201. PURPOSE.

''The purpose of this subpart is to improve student academic achievement in science, technology, engineering, and mathematics, including computer science, by—

''(1) improving instruction in such subjects through grade 12;

''(2) improving student engagement in, and increasing student access to, such subjects;

''(3) improving the quality and effectiveness of classroom instruction by recruiting, training, and supporting highly rated teachers and providing robust tools and supports for students and teachers in such subjects; and

''(4) closing student achievement gaps, and preparing more students to be college and career ready in such subjects.

"SEC. 4202. DEFINITIONS.

"In this subpart:

"(1) ELIGIBLE ENTITY.—The term 'eligible entity' means—

"(A) a State educational agency; or

"(B) a State educational agency in partnership with 1 or more State educational agencies.

"(2) ELIGIBLE SUBGRANTEE.—The term 'eligible subgrantee' means—

"(A) a high-need local educational agency;

"(B) an educational service agency serving more than 1 high-need local educational agency;

"(C) a consortium of high-need local educational agencies; or

"(D) an entity described in subparagraph (A) or (C) of paragraph (3) that has signed a memorandum of agreement with an entity described in subparagraph (A), (B), or (C) of this paragraph to implement the requirements of this subpart in partnership with such entity.

"(3) OUTSIDE PARTNER.—The term 'outside partner' means an entity that has expertise and a demonstrated record of success in improving student learning and engagement in the identified subjects

described in section 4204(b)(2), including any of the following:

"(A) A nonprofit or community-based organization, which may include a cultural organization, such as a museum or learning center.

"(B) A business.

"(C) An institution of higher education.

"(D) An educational service agency.

"(4) STATE.—The term 'State' means—

"(A) any of the 50 States;

"(B) the District of Columbia;

"(C) the Bureau of Indian Education; or

"(D) the Commonwealth of Puerto Rico.

"SEC. 4203. GRANTS; ALLOTMENTS.

"(a) RESERVATIONS.—

"(1) IN GENERAL.—From the amounts appropriated for this part for a fiscal year, the Secretary shall reserve—

"(A) not more than 2 percent to provide technical assistance to States under this subpart;

"(B) not more than 5 percent for State capacity-building grants under this subpart, if the Secretary is awarding such grants in accordance with paragraph (2); and

"(C) 10 percent for the STEM Master Teacher Corps program under subpart 2.

"(2) CAPACITY-BUILDING GRANTS.—

"(A) IN GENERAL.—In any year for which funding is distributed competitively, as described in subsection (b)(1), the Secretary may award 1 capacity-building grant to each State that does not receive a grant under subsection (b), on a competitive basis, to enable such State to become more competitive in future years.

"(B) DURATION.—Grants awarded under subparagraph (A) shall be for a period of 1 year.

"(b) COMPETITIVE GRANTS.—

"(1) IN GENERAL.—For each fiscal year for which the amount appropriated to carry out this part, and not reserved under subsection (a)(1), is less than $500,000,000, the Secretary shall award grants, on a competitive basis, to eligible entities to enable such eligible entities to carry out the activities described in this subpart.

"(2) DURATION.—Grants awarded under this subsection shall be for a period of not more than 3 years.

"(3) RENEWAL.—

"(A) IN GENERAL.—If an eligible entity demonstrates progress, as measured by the metrics described in section 4206(a), the Secretary may renew a grant for an additional 2-year period.

"(B) REDUCED FUNDING.—Grant funds awarded under subparagraph (A) shall be awarded at a reduced amount.

"(c) FORMULA GRANTS.—

"(1) IN GENERAL.—For each fiscal year for which the amount appropriated to carry out this part, and not reserved under subsection (a)(1), is equal to or more than $500,000,000, the Secretary shall award grants to States, based on the formula described in paragraph (2).

"(2) DISTRIBUTION OF FUNDS.—The Secretary shall allot to each State—

"(A) an amount that bears the same relationship to 35 percent of the excess amount described in paragraph (1) as the number of individuals ages 5 through 17 in the State, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals in all such States, as so determined; and

"(B) an amount that bears the same relationship to 65 percent of the excess amount as the number of individuals ages 5 through 17 from families with incomes below the poverty line, in the State, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals in all such States, as so determined.

"(3) FUNDING MINIMUM.—No State receiving an allotment under this subsection may receive less than one-half of 1 percent of the total amount allotted under paragraph (1) for a fiscal year.

"(4) PUERTO RICO.—The amount allotted under paragraph (2) to the Commonwealth of Puerto Rico for a fiscal year may not exceed one-half of 1 percent of the total amount allotted under paragraph (1) for such fiscal year.

"(5) REALLOTMENT OF UNUSED FUNDS.—If a State does not successfully apply, the Secretary shall reallot the amount of the State's allotment to the remaining States in accordance with this subsection.

"SEC. 4204. APPLICATIONS.

"(a) IN GENERAL.—Each eligible entity or State desiring a grant under this subpart, whether through a competitive grant under section 4203(b) or through an allot-

ment under section 4203(c), shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require.

"(b) CONTENTS.—At a minimum, an application submitted under subsection (a) shall include the following:

"(1) A description of the needs, including assets, identified by the State or eligible entity, based on a State analysis, which—

"(A) may include results from a relevant pre-existing analysis of science, technology, engineering, and mathematics education quality and outcomes in the State or States served by the eligible entity;

"(B) shall include data for elementary school and secondary school grades, as applicable, to the extent that such data are available, on—

"(i) student achievement in science and mathematics, including such data collected in accordance with the requirements of section 1111(a)(3)(A), and student achievement in technology and engineering;

"(ii) science, technology, engineering, and mathematics teacher evaluations;

"(iii) student access to mathematics and science courses needed to enroll in credit-bearing coursework at institutions of higher education in the State or States served by the eligible entity;

"(iv) access to science, technology, engineering, and mathematics courses for students through grade 12 who—

"(I) are eligible to receive a free or reduced priced lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.); or

"(II) come from families with an income that is below the poverty line;

"(v) student achievement gaps in science, technology, engineering, and mathematics subjects;

"(vi) the percentage of students who successfully—

"(I) complete Advanced Placement or International Baccalaureate courses in science, technology, engineering, and mathematics subjects; or

"(II) complete rigorous, credit-bearing postsecondary education courses in science, technology, engineering, and mathematics subjects;

"(vii) the information collected under section 1111(d)(3)(B)(viii)(III);

"(viii) available instructional systems and supports, such as curricula, instructional materials, professional development, teacher evaluation systems, and assessments;

"(ix) science, technology, engineering, and mathematics teacher qualifications; and

"(x) teacher shortages and teacher distribution among local educational agencies and schools in science, technology, engineering, and mathematics subjects;

"(C) shall include labor market information regarding the industry and business workforce needs within the eligible entity;

"(D) shall include an analysis of the quality of pre-service preparation at all public institutions of higher education (including alternative pathways to teacher licensure or certifi-

cation) for individuals preparing to teach science, technology, engineering, and mathematics subjects in a preschool, elementary school, or secondary school in the State; and

"(E) shall include an analysis of the implementation of any multi-tiered systems of support that have been employed in the State or States served by the eligible entity to address the learning needs of students in any science, technology, engineering, and mathematics subjects.

"(2) An identification of the specific science, technology, engineering, and mathematics subjects that the State or eligible entity will address through the activities described in section 4205, consistent with the needs identified under paragraph (1) (referred to in this subpart as 'identified subjects').

"(3) A description, in a manner that addresses any needs identified under paragraph (1), of—

"(A) how grant funds will be used by the State or eligible entity to improve instruction in identified subjects using evidence-based programs of instruction that are aligned with the college and career ready standards and aca-

demic assessments under paragraphs (1) and (2) of section 1111(a);

"(B) how grant funds will be used to support subgrantees and other high-need local educational agencies in the employment of multi-tiered systems of support to provide early intervening services, as described in section 613(a)(4)(A)(ii) of the Individuals with Disabilities Education Act, and to increase student achievement in identified subjects;

"(C) the process that the State or eligible entity will use for awarding subgrants, including how relevant stakeholders will be involved;

"(D) how the State's or eligible entity's activities and subgrants will be coordinated with other Federal, State, and local programs and activities, including career and technical education programs authorized under the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.);

"(E) the technical assistance that the State or eligible entity will provide to subgrantees to support the activities undertaken by the subgrantees;

"(F) how the State or eligible entity will evaluate the activities funded, both at the State and subgrantee level, with funds provided under this subpart, and in a manner consistent with any evaluation activities carried out by the Institute of Education Sciences under section 4207, or the National Science Foundation;

"(G) how the State or eligible entity will allocate funds in a manner that will provide services to both elementary schools and secondary schools;

"(H) how the State or eligible entity will provide targeted support to improve instruction in high-need local educational agencies and high-need schools;

"(I) how the State or eligible entity's proposed project will ensure an increase in access for students who are members of groups underrepresented in science, technology, engineering, and mathematics subject fields to high-quality courses in 1 or more of the identified subjects; and

"(J) how the State or eligible entity will continue to involve stakeholders in education re-

form efforts related to science, technology, engineering, and mathematics instruction.

''(4) Assurances that the State or eligible entity will monitor implementation of approved subgrantee plans.

''(c) ADDITIONAL FUNDING.—A State or eligible entity that submits a request to use the additional State activities reservation described in section 4205(d)(2), shall provide, in a manner that addresses the needs identified under subsection (b)(1), a description of the activities that the eligible entity will carry out with such funds, consistent with section 4205.

''SEC. 4205. AUTHORIZED ACTIVITIES.

''(a) REQUIRED ACTIVITIES.—Each State or eligible entity that receives a grant under this subpart shall use the grant funds to carry out each of the following activities:

''(1) Increasing access for students through grade 12 who are members of groups underrepresented in science, technology, engineering, and mathematics subject fields to high-quality courses in the identified subjects.

''(2) Implementing evidence-based programs of instruction based on high-quality standards and assessments in the identified subjects.

"(3) Providing professional development and other comprehensive systems of support for teachers and school leaders to promote high-quality instruction and instructional leadership in the identified subjects.

"(4) Providing technical assistance to subgrantees and other high-need schools and local educational agencies in order to improve student achievement and narrow achievement gaps in identified subjects, including through—

"(A) the development and implementation of multi-tiered systems of support; and

"(B) the development of curriculum or instructional materials consistent with the principals of universal design for learning, as defined in section 103 of the Higher Education Act of 1965.

"(b) PERMISSIBLE ACTIVITIES.—Each State or eligible entity that receives a grant under this subpart may use the grant funds to carry out 1 or more of the following activities:

"(1) Recruiting qualified teachers and instructional leaders who are trained in identified subjects, including teachers who have transitioned into the

teaching profession from a career in science, technology, engineering, and mathematics fields.

"(2) Providing induction and mentoring services to new teachers in identified subjects.

"(3) Developing instructional supports, such as curricula and assessments, which shall be evidence-based and aligned with State college and career ready academic content standards under section 1111(a)(1), and may include Internet-based curricula and Internet-based instructional supports.

"(4) Implementing an interdisciplinary approach, by integrating instruction in 1 or more science, technology, engineering, and mathematics subjects with reading, English language arts, or instruction in other core academic subjects and noncore academic subjects.

"(c) SUBGRANTS.—

"(1) IN GENERAL.—Each State or eligible entity that receives a grant under this section shall award subgrants, on a competitive basis, to eligible subgrantees.

"(2) MINIMUM SUBGRANT.—A State or eligible entity shall award subgrants under this subsection that are of sufficient size and scope to support high-

quality, evidence-based, effective programs that are consistent with the purpose of this subpart.

"(3) SUBGRANTEE APPLICATION.—

"(A) IN GENERAL.—Each eligible subgrantee desiring a subgrant under this subsection shall submit an application to the State or eligible entity at such time, in such manner, and accompanied by such information as the State or eligible entity may require.

"(B) CONTENTS OF SUBGRANTEE APPLICATION.—At a minimum, the application described in subparagraph (A) shall include the following:

"(i) A description of the activities that the eligible subgrantee will carry out, and how such activities will improve teaching and student academic achievement in the identified subjects, in a manner consistent with scientifically valid research.

"(ii) A description of how the eligible subgrantee will use funds provided under this subsection to serve students and teachers in high-need schools.

"(iii) A description of how funds provided under this subsection will be coordi-

nated with other Federal, State, and local programs and activities, including career and technical education programs authorized under the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.).

"(iv) If the eligible subgrantee is working with outside partners, a description of how such outside partners will be involved in improving instruction and increasing access to high-quality learning experiences in the identified subjects.

"(4) SUBGRANTEE USE OF FUNDS.—

"(A) REQUIRED USE OF FUNDS.—Each subgrantee under this subsection shall use the subgrant funds to carry out activities for students through grade 12, consistent with the activities described in the subgrantee's application, which shall include—

"(i) high-quality teacher and instructional leader recruitment, support, and evaluation in the identified subjects;

"(ii) professional development, which may include development and support for instructional coaches, to enable teachers

and instructional leaders to increase student achievement in identified subjects, through—

"(I) implementation of classroom assessments; and

"(II) differentiation of instruction in identified subjects for all students, including for students who are children with disabilities and students who are English learners;

"(iii) activities to—

"(I) improve the content knowledge of teachers; and

"(II) facilitate professional collaboration, which may include providing time for such collaborations;

"(iv) the development, adoption, and improvement of high-quality curricula and instructional supports that—

"(I) are aligned with State college and career ready academic content standards under section 1111(a)(1); and

"(II) the eligible subgrantee will use to improve student academic achievement in identified subjects;

"(v) the development or improvement, and implementation, of multi-tiered systems of support to provide early intervening services and to increase student achievement in 1 or more of the identified subjects; and

"(vi) integrating instruction in the identified subjects with instruction in reading, English language arts, or other core and noncore academic subjects.

"(B) ALLOWABLE USE OF FUNDS.—In addition to the required activities described in subparagraph (A), each eligible subgrantee that receives a subgrant under this subsection, may also use the subgrant funds to—

"(i) support the participation of low-income students in nonprofit competitions related to science, technology, engineering, and mathematics subjects (such as robotics, science research, invention, mathematics, computer science, and technology competitions); and

"(ii) broaden secondary school students' access to, and interest in, careers that require academic preparation in 1 or more identified subjects.

"(C) LIMITATION.—Each subgrantee that receives a subgrant under this subsection shall not expend more than 15 percent of the subgrant funds on the activities described in subparagraph (B).

"(D) MATCHING FUNDS.—A State or eligible entity shall require an eligible subgrantee receiving a subgrant under this subsection to demonstrate that such subgrantee has obtained a commitment from 1 or more outside partners to match, using non-Federal funds or in-kind contributions, not less than 15 percent of the amount of subgrant funds. In the case of significant financial hardship, an eligible subgrantee may apply to the State or eligible entity for, and the State or eligible entity may grant, a waiver of a portion of the minimum matching funds requirement.

"(d) STATE ACTIVITIES.—

"(1) IN GENERAL.—Each State or eligible entity that receives a grant under this subpart may use not more than 5 percent of grant funds for—

"(A) administrative costs;

"(B) monitoring the implementation of subgrants;

"(C) providing technical assistance to subgrantees; and

"(D) evaluating subgrants in coordination with the evaluation described in section 4207.

"(2) RESERVATION.—Each State or eligible entity that receives a grant under this subpart may submit a request to the Secretary to reserve not more than 15 percent of grant funds, inclusive of the amount described in paragraph (1), for additional State activities, consistent with subsections (a) and (b).

"SEC. 4206. PERFORMANCE METRICS; REPORT.

"(a) ESTABLISHMENT OF PERFORMANCE METRICS.—The Secretary, acting through the Director of the Institute of Education Sciences, shall establish performance metrics to evaluate the effectiveness of the activities carried out under this subpart.

"(b) ANNUAL REPORT.—Each State or eligible entity that receives a grant under this subpart shall prepare and

submit an annual report to the Secretary, which shall include information relevant to the performance metrics described in subsection (a).

"SEC. 4207. EVALUATION.

"From the amount reserved in accordance with section 9601, the Secretary shall—

"(1) acting through the Director of the Institute of Education Sciences, and in consultation with the Director of the National Science Foundation—

"(A) evaluate the implementation and impact of the activities supported under this subpart, including progress measured by the metrics established under section 4206(a); and

"(B) identify best practices to improve instruction in science, technology, engineering, and mathematics subjects; and

"(2) disseminate, in consultation with the National Science Foundation, research on best practices to improve instruction in science, technology, engineering, and mathematics subjects.

"SEC. 4208. SUPPLEMENT NOT SUPPLANT.

"Funds received under this subpart shall be used to supplement, and not supplant, funds that would otherwise be used for activities authorized under this subpart.

"SEC. 4209. MAINTENANCE OF EFFORT.

"A State that receives funds under this subpart for a fiscal year shall maintain the fiscal effort provided by the State for the subjects supported by the funds under this part at a level equal to or greater than the level of such fiscal effort for the preceding fiscal year.

"Subpart 2—STEM Master Teacher Corps Program

"SEC. 4221. PURPOSE.

"The purpose of this subpart is to establish a STEM Master Teacher Corps program that—

"(1) elevates the status of the STEM teaching profession by recognizing and rewarding outstanding STEM teachers;

"(2) attracts and retains effective STEM teachers, particularly in high-need schools, by offering them additional compensation, instructional resources, and instructional leadership roles; and

"(3) creates a network of outstanding STEM teacher-leaders who will—

"(A) share best practices and resources;

"(B) take on leadership responsibilities in their schools, districts, States (if part of the participating area), or consortia with the authority to provide professional support to their STEM colleagues not participating in the STEM Master Teacher Corps;

"(C) aid in the development and retention of beginning teachers by serving as their role models and providing them with instructional support; and

"(D) inform the development of STEM education policy.

"SEC. 4222. DEFINITIONS.

"In this subpart:

"(1) ELIGIBLE ENTITY.—The term 'eligible entity' means a consortium of high-need local educational agencies or 1 or more State educational agencies, acting in partnership with 1 or more—

"(A) institutions of higher education; or

"(B) nonprofit organizations with a demonstrated record of success in preparing or improving the effectiveness of STEM teachers.

"(2) PARTICIPATING AREA.—The term 'participating area' means—

"(A) in the case of an eligible entity that includes a State educational agency or consortium of State educational agencies, the State or States; or

"(B) in the case of an eligible entity that includes a consortium of local educational agencies, the area served by such agencies.

"(3) RURAL SCHOOL.—The term 'rural school' means a public school—

"(A) designated with a school locale code of Distant Town, Remote Town, Fringe Rural, Distant Rural, or Remote Rural; and

"(B) served by a local educational agency in which not less than two-thirds of the students served by the agency attend a school designated with 1 of the school locale codes listed in subparagraph (A).

"(4) STEM.—The term 'STEM' means science, technology, engineering, and mathematics, including computer science.

"SEC. 4223. STEM MASTER TEACHER CORPS PROGRAM.

"(a) IN GENERAL.—

"(1) GRANTS AUTHORIZED.—From the amount reserved under section 4203(a)(1)(C), the Secretary, in consultation with the Director of the National Science Foundation and the heads of other appropriate Federal agencies, as determined by the Secretary, shall establish a STEM Master Teacher Corps program by awarding, on a competitive basis, 1 or more grants of not less than $15,000,000 each to eligible entities to enable the eligible entities to

establish the program, in accordance with section 4225.

"(2) PLANNING GRANTS.—The Secretary may award planning grants to eligible entities to enable the entities to make plans to establish the program, in accordance with section 4225.

"(b) DURATION OF GRANT.—

"(1) IN GENERAL.—A grant awarded under this subpart shall be for a period of not more than 5 years.

"(2) REVIEW.—The Secretary shall—

"(A) review, 3 years after an eligible entity is awarded a grant under this subpart, the performance of the entity during the 3-year period; and

"(B) fund the remaining grant period for such entity if the Secretary determines, based on such review, that the entity is achieving satisfactory results.

"(c) MATCHING REQUIREMENT.—

"(1) IN GENERAL.—Except as provided in paragraph (2), an eligible entity that receives a grant under this subpart shall provide, from non-Federal sources, an amount equal to not less than 50 percent of the amount of the grant, which may be pro-

vided in cash or in-kind, to carry out the activities supported by the grant.

"(2) EXCEPTION.—

"(A) IN GENERAL.—The Secretary may waive the 50 percent matching requirement under paragraph (1) for an eligible entity that the Secretary determines is unable to meet such requirement. The Secretary shall set a matching requirement for such eligible entities according to the sliding scale described in subparagraph (B).

"(B) SLIDING SCALE.—The amount of a match under subparagraph (A) shall be established based on a sliding fee scale that takes into account—

"(i) the relative poverty of the population to be targeted by the eligible entity; and

"(ii) the ability of the eligible entity to obtain such matching funds.

"(3) CONSIDERATION.—The Secretary shall not consider an eligible entity's ability to match funds when determining which eligible entities will receive grant awards under this subpart.

"SEC. 4224. APPLICATION.

"(a) IN GENERAL.—An eligible entity desiring a grant under this subpart shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

"(b) CONTENTS.—An application submitted under this section shall include—

"(1) a description of the STEM Master Teacher Corps program that the eligible entity intends to carry out, including the number of Corps members the entity intends to select, the intended distribution of subjects and grade levels taught, the geographic and economic characteristics of the local educational agencies that are part of the participating area, such as the rural-urban continuum codes and proportion of high-need schools served, and the type of activities proposed for recruitment of Corps members;

"(2) a description of the roles and responsibilities that each participating local educational agency, State, institution of higher education, or nonprofit organization, as applicable, will have;

"(3) a demonstration that the entity has sufficient capacity to carry out the activities described in section 4225;

"(4) a description of the member selection process and criteria that the applicant will use to select

members of the STEM Master Teacher Corps, in accordance with section 4225(b);

''(5) a description of how the eligible entity intends to facilitate networking and sharing of best practices and educational resources relating to STEM education among Corps members, particularly at rural schools, if applicable, and make a selection of these best practices and resources more widely available to other teachers and the STEM educational community, including through electronic means;

''(6) a demonstration that the entity has a clear plan for—

''(A) offering research-based professional development to Corps members, including training on instructional leadership, mentoring, engaging and effectively teaching historically underachieving or underrepresented groups in STEM fields, such as girls, minorities, low-income students, English learners, and students with disabilities, and effective STEM teaching methods, such as incorporating hands-on STEM projects into their lesson plans; and

''(B) tracking the effectiveness of such professional development;

"(7) a demonstration that the entity has a clear plan for evaluating the impact of the professional support provided by STEM Master Teacher Corps members to other teachers in their school, district, State (if part of the participating area), or consortium;

"(8) a description of how the local educational agencies and schools served by the eligible entity intend to align STEM Master Teacher Corps members' duties with school systems and activities already in place, if applicable, such as professional development and mentoring;

"(9) an explanation of how STEM Master Teacher Corps members will be afforded the time, authority, and resources to fulfill requirements under the program, and how other teachers will be afforded the time to receive professional support from Corps members;

"(10) a demonstration that the entity has a clear plan for oversight to ensure that STEM Master Teacher Corps members carry out the responsibilities described in section 4225(c) to the fullest extent practicable, and a description of the actions to be taken if a member does not carry out such responsibilities; and

"(11) a description of how the grant funds will be financially managed.

"(c) CRITERIA FOR AWARDING GRANTS.—

"(1) IN GENERAL.—The Secretary shall award grants under this subpart on the basis of merit considering, at a minimum, the following:

"(A) The extent to which the local educational agencies that are part of the eligible entity are committed to integrating the program into existing school structures, policies, operations, and budgets, such as by enabling STEM Master Teacher Corps members to take on leadership roles in their schools, districts, States, if part of the participating area, or consortia, in addition to their classroom duties, including assisting in the development and implementation of professional development activities and driving the instructional program of the school.

"(B) The quality of the proposed professional development, teacher leadership and mentorship activities, and networking opportunities.

"(C) Demonstration that the local educational agencies and schools they serve have

removed barriers to full participation in the program, including affording Corps members and the teachers they mentor the time to participate in activities required by the program.

"(D) The number and quality of the individuals that will be served by the program.

"(E) The capacity of the eligible entity to effectively carry out the program.

"(2) PRIORITY.—In awarding grants under this subpart, the Secretary shall give priority to—

"(A) eligible entities that intend to include large numbers of teachers in the STEM Master Teacher Corps; and

"(B) eligible entities that intend to include rural schools, particularly high-need rural schools, in the participating area to be served.

"SEC. 4225. REQUIRED USE OF FUNDS.

"(a) IN GENERAL.—An eligible entity receiving a grant under this subpart shall use grant funds to—

"(1) administer the selection of teachers for membership in the STEM Master Teacher Corps, in accordance with the requirements of subsection (b);

"(2) provide compensation to each public school teacher who is selected and serves as a member of the STEM Master Teacher Corps, in recognition of

the teacher's teaching accomplishments, leadership, and increased responsibilities, which amount shall—

"(A) supplement, and not supplant, the teacher's base salary; and

"(B) be equal to—

"(i) in the case of a teacher who teaches at a high-need public school, including a high-need charter school, $15,000 per year for each year the teacher serves as a member of the Corps; and

"(ii) in the case of a teacher who teaches at a public school, including a charter school, that is not a high-need school, $5,000 per year for each year the teacher serves as a member of the Corps;

"(3) provide research-based professional development activities for members of the STEM Master Teacher Corps, as described in section 4224(b)(6), and track the effectiveness of such professional development in order to determine whether to alter professional development activities;

"(4) provide discretionary resources for STEM Master Teacher Corps members at high-need public schools to use in their classrooms and schools, including for after school activities to enrich STEM

education and for equipment and technology to facilitate long distance networking, mentoring, and sharing of best practices;

"(5) assist in coordinating instructional leadership roles for STEM Master Teacher Corps members and mentoring relationships between STEM Master Teacher Corps members and other teachers in the same school, school district, State, if part of the participating area, or consortium in which the Corps members serve as instructional leaders;

"(6) facilitate efforts by STEM Master Teacher Corps members to inform STEM education policy at the national, State, and local levels;

"(7) help defray costs associated with affording STEM Master Teacher Corps members the time to fulfill their duties as Corps members; and

"(8) support other activities that advance the purpose of this subpart.

"(b) SELECTING MEMBERS OF THE STEM MASTER TEACHER CORPS.—

"(1) SELECTION CRITERIA FOR CORPS MEMBERS.—The eligible entity shall select, as members of the STEM Master Teacher Corps, exemplary STEM teachers at the elementary school and secondary school levels who teach in the participating

area, which may also include special education teachers and teachers of English learners who teach a STEM subject. In selecting the members, the eligible entity shall—

"(A) make decisions based on the teacher's—

"(i) ability to improve student academic achievement in the STEM fields, as demonstrated by, if applicable, student academic growth in such fields;

"(ii) ability to enhance student engagement in such fields;

"(iii) record of leadership in the teacher's school and involvement in professional and outreach activities;

"(iv) record of teaching students not on grade level or not making sufficient growth to graduate college and career ready; and

"(v) demonstrated ability to facilitate student academic achievement growth with the students described in clause (iv), where such measures are available; and

"(B) evaluate the teacher's ability and record based on multiple measures, such as—

"(i) teacher evaluations of pedagogical skills;

"(ii) an assessment of content knowledge;

"(iii) the performance and improvement of the teacher's students on tests;

"(iv) demonstration of practical professional experience in the teacher's discipline, such as having worked in industry or research;

"(v) involvement in STEM discipline professional societies;

"(vi) STEM outreach and community involvement; and

"(vii) certification by the National Board for Professional Teaching Standards, or other equivalently rigorous, performance-based, peer-reviewed certification, as a high-performing teacher.

"(2) OVERALL CORPS MEMBERSHIP REQUIREMENTS.—An eligible entity receiving a grant under this subpart shall ensure that—

"(A) not more than 5 percent of the STEM teachers who teach in the participating area are members of the Corps;

"(B) not less than 75 percent of the STEM Master Teacher Corps members are teachers at high-need schools;

"(C) the proportion of STEM Master Teacher Corps members in the participating area who teach at rural high-need schools is not less than the proportion of all teachers who teach at rural high-need schools in the participating area;

"(D) there are multiple cohorts of STEM Master Teacher Corps members; and

"(E) the STEM Master Teacher Corps includes teachers from each of science, technology, engineering, and mathematics, if teachers from each of these disciplines meeting the standards of Corps membership are available in the participating area and may include teachers of career and technical education.

"(3) PARTICIPATION OF PRIVATE SCHOOL TEACHERS.—An eligible entity may select STEM teachers who teach at private schools in the participating area to be members of the STEM Master Teacher Corps, except that—

"(A) not more than 5 percent of teachers selected as STEM Master Teacher Corps members shall be teachers at private schools; and

"(B) private school teachers shall not be eligible for compensation described in subsection (a)(2), discretionary resource funds described in subsection (a)(4), or for defrayment funds described in subsection (a)(7).

"(c) CORPS MEMBER REQUIREMENTS.—Each teacher selected to be a member of the STEM Master Teacher Corps who wishes to join the Corps shall enter into an agreement with the eligible entity, under which the teacher shall, as a condition of receiving the compensation described in subsection (a)(2) and the discretionary resources described in subsection (a)(4), agree to carry out the responsibilities of a master teacher as required by the eligible entity, including—

"(1) participating in professional development activities offered by the program;

"(2) networking and sharing best practices and educational resources with other members of the STEM Master Teacher Corps; and

"(3) contributing to the professional development of the teacher's colleagues, which may include providing school-based professional support to other

STEM teachers through regular weekly professional development sessions and individual coaching, where possible, leading professional learning communities, and taking on other instructional leadership roles in the teacher's school, district, State, if part of the participating area, or consortium.

"(d) COLLECTION FOR NONCOMPLIANCE.—

"(1) MONITORING COMPLIANCE.—Each eligible entity that receives a grant under this subpart shall monitor whether each teacher the entity selects to be a member of the STEM Master Teacher Corps is in compliance with the Corps member requirements described in subsection (c).

"(2) COLLECTION OF REPAYMENT.—

"(A) IN GENERAL.—A teacher selected to be a member of the STEM Master Teacher Corps shall repay the additional compensation provided for a school year described in subsection (a)(2) to the eligible entity if—

"(i) the entity finds the teacher not in compliance with the Corps member requirements described in subsection (c) and the entity determines the teacher should no longer be a member of the Corps for such year; or

"(ii) the teacher withdraws during such year from membership in the Corps without an accepted excuse, as determined by the eligible entity.

"(B) COMPENSATION RETURNED TO THE TREASURY.—

"(i) IN GENERAL.—Except as provided in clause (ii), an eligible entity that receives repaid compensation under subparagraph (A) shall return such compensation to the United States Treasury.

"(ii) ADMINISTRATIVE COSTS.—An eligible entity that receives repaid compensation under subparagraph (A) may retain a percentage, determined by the Secretary, of such repayment to defray administrative costs associated with the collection.

"SEC. 4226. PERFORMANCE METRICS; REPORT.

"(a) ESTABLISHMENT OF PERFORMANCE METRICS.—The Secretary, acting through the Director of the Institute of Education Sciences, shall establish performance metrics to evaluate the effectiveness of the activities carried out under this subpart.

"(b) ANNUAL REPORT.—Each eligible entity that receives a grant under this subpart shall prepare and submit

an annual report to the Secretary, which shall include information relevant to the performance metrics described in subsection (a).

"SEC. 4227. SUPPLEMENT NOT SUPPLANT.

''Funds received under this subpart shall be used to supplement, and not supplant, funds that would otherwise be used for activities authorized under this subpart.

"SEC. 4228. EVALUATION.

''From the amount reserved in accordance with section 9601, the Secretary shall—

''(1) acting through the Director of the Institute of Education Sciences, and in consultation with the Director of the National Science Foundation—

''(A) evaluate the implementation and impact of the activities supported under this subpart, with regard to the program's success in achieving the purpose described in section 4221;

''(B) identify optimal strategies for the design, implementation, and continuing development of the STEM Master Teacher Corps program; and

''(C) identify best practices for developing, supporting, and retaining STEM teachers based on lessons learned from the STEM Master Teacher Corps program; and

"(2) disseminate findings from the evaluation conducted under paragraph (1) to the STEM education field and make the findings publicly available.".

SEC. 4104. INCREASING ACCESS TO A WELL-ROUNDED EDUCATION.

Title IV (20 U.S.C. 7101 et seq.) is amended by inserting after part B, as added by section 4103 of this Act, the following:

"PART C—INCREASING ACCESS TO A WELL-ROUNDED EDUCATION AND FINANCIAL LITERACY

"Subpart 1—Increasing Access to a Well-rounded Education

"SEC. 4301. PURPOSE.

"The purpose of this subpart is to improve the academic achievement of low-income students by giving students increased access to high-quality instruction for a well-rounded education.

"SEC. 4302. DEFINITIONS.

"In this subpart:

"(1) COVERED SUBJECTS.—The term 'covered subjects' means any of the following academic subjects:

"(A) Arts.

"(B) Civics and government.

"(C) Economics.

"(D) Environmental education.

"(E) Financial literacy.

"(F) Foreign languages.

"(G) Geography.

"(H) Health education.

"(I) History.

"(J) Music.

"(K) Physical education.

"(L) Social studies.

"(2) ELIGIBLE ENTITY.—The term 'eligible entity' means a State educational agency in partnership with—

"(A) a nonprofit organization with a demonstrated record of success in improving student achievement in 1 or more covered subjects;

"(B) an institution of higher education;

"(C) a local educational agency;

"(D) an educational service agency; or

"(E) 1 or more other State educational agencies.

"(3) ELIGIBLE SUBGRANTEE.—The term 'eligible subgrantee' means—

"(A) a high-need local educational agency;

"(B) an educational service agency serving more than 1 high-need local educational agency; or

"(C) a consortium of high-need local educational agencies.

"(4) LOW-INCOME STUDENT.—The term 'low-income student' means a student—

"(A) from a family with an income below the poverty line; or

"(B) who is eligible for free or reduced-price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.).

"SEC. 4303. GRANT PROGRAM.

"(a) GRANTS TO ELIGIBLE ENTITIES.—From amounts appropriated to carry out this subpart for a fiscal year, and not reserved in accordance with section 9601, the Secretary shall make grants to eligible entities to enable the eligible entities to carry out the activities described in subsection (e).

"(b) DURATION.—A grant under this section shall be for a period of not more than 5 years.

"(c) PAYMENTS.—

"(1) CONTINGENT PAYMENTS.—After the third year of a grant under this section, the Secretary

shall make continued funding under the grant contingent upon the eligible entity's progress toward reaching the goals established under the metrics described in subsection (h)(1).

"(2) FORMULA.—

"(A) DISTRIBUTION TRIGGER.—

"(i) AMOUNT TO TRIGGER FORMULA.—If the amount of funds appropriated to carry out this subpart for a fiscal year equals or exceeds $500,000,000, then the Secretary shall award grants to eligible entities based on the formula described under subparagraph (B).

"(ii) AMOUNT TO TRIGGER COMPETITIVE GRANT PROCESS.—If the funds appropriated to carry out this subpart for a fiscal year are less than $500,000,000, then the Secretary shall award grants to eligible entities on a competitive basis.

"(B) FORMULA.—From funds made available to carry out this subpart for a fiscal year, and not reserved in accordance with section 9601, the Secretary shall allot to each eligible entity having an application approved under subparagraph (C)—

"(i) an amount that bears the same relationship to 80 percent of the remainder as the number of individuals ages 5 through 17 from families with incomes below the poverty line, in the State, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals in all States that have an application approved under such subparagraph; and

"(ii) an amount that bears the same relationship to 20 percent of the remainder as the number of individuals ages 5 to 17 in the State, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals in all States that have an application approved under such subparagraph.

"(C) EXCEPTIONS.—

"(i) MINIMUM GRANT AMOUNT.—Subject to clause (ii), no State receiving an allotment under subparagraph (B) may receive less than 1 percent of the total amount allotted under such subparagraph.

"(ii) PUERTO RICO.—The percentage of the amount allotted under subparagraph (B) that is allotted to the Commonwealth of Puerto Rico for a fiscal year may not exceed the amount under clause (i).

"(D) PEER REVIEW REQUIREMENTS.—The Secretary shall establish a peer review process to ensure that applications submitted for formula funding, as described in subparagraph (B), are of high quality and meet the requirements and purposes of this subpart.

"(d) APPLICATION.—

"(1) IN GENERAL.—Each eligible entity desiring a grant under this section shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require.

"(2) CONTENTS.—The application shall, at a minimum—

"(A) describe the needs identified by the eligible entity, based on the eligible entity's analysis of—

"(i) student access to, and quality of instruction in, covered subjects, including a comparison of such access and quality be-

tween low-income and non-low-income students in the State served by the eligible entity;

"(ii) the capacity of high-need local educational agencies in such State to deliver high-quality instruction in covered subjects, including an analysis of instructional supports, curricula, professional growth and improvement systems, and teacher qualifications, effectiveness, knowledge, and skills;

"(iii) the capacity of the eligible entity to provide local educational agencies with the support, including professional development and technical assistance, needed to deliver high-quality instruction and develop curricula in covered subjects; and

"(iv) standards, assessments, curricula, accommodations, and other supports used in such State in covered subjects;

"(B) identify the covered subjects that the eligible entity will address through the activities described in subsection (e), consistent with the needs identified in subparagraph (A);

"(C) describe, in a manner that addresses the needs identified in subparagraph (A)—

"(i) how access to high-quality courses in the subjects identified in subparagraph (B) will be increased for low-income students in such State;

"(ii) how the knowledge and skills of teachers will be evaluated and improved so that such teachers will deliver high-quality instruction in such subjects;

"(iii) how the eligible entity will provide assistance to high-need local educational agencies to improve student access to, and achievement in, the subjects identified in subparagraph (B), including through principal training; and

"(iv) how the eligible entity will ensure that all activities funded through a grant awarded under this section are evidence-based;

"(D) describe how activities funded through a grant awarded under this section will be aligned with other Federal, State, and local funding, programs, and strategies, as appropriate; and

"(E) if applicable, describe the eligible entity's plan for disbursing funds to eligible subgrantees to implement the activities described in subsection (e).

"(3) COMPETITIVE PRIORITY.—If grants are awarded competitively, consistent with subsection (c)(2)(A)(ii), the Secretary shall give priority to applications from eligible entities that—

"(A) include in the application a plan to implement an interdisciplinary approach, by integrating instruction in 1 or more covered subjects with reading, English, language arts, science, or mathematics instruction; and

"(B) include in the application a plan to provide expanded learning time in the schools served by eligible subgrantees, in order to increase access to covered subjects.

"(e) AUTHORIZED ACTIVITIES.—

"(1) IN GENERAL.—Each eligible entity that receives a grant under this section shall use the grant funds to increase access for low-income students, including students who are English learners and students who are children with disabilities, to high-quality instruction in at least 1 of the covered subjects by carrying out 1 or more of the following activities:

"(A) Improving the knowledge and skills of teachers through professional growth and improvement systems, and other instructional supports.

"(B) Building local capacity to develop and implement, high-quality curricula, instructional supports, and assessments that are aligned with the State college and career ready academic content and achievement standards, consistent with section 1111(a)(1), in such subjects.

"(2) SPECIAL RULE.—Each eligible entity that receives a grant under this section shall use grant funds to meet the needs identified in subsection (d)(2)(A) and the Secretary shall not require any eligible entity to address a specific subject or to address all covered subjects.

"(3) STATE ADMINISTRATION.—Each eligible entity that receives a grant under this section may reserve not more than 4 percent of grant funds for administration costs of the grant.

"(f) SUBGRANTS.—

"(1) IN GENERAL.—Each eligible entity that receives a grant under this section may, in accordance with paragraph (2), award subgrants, on a competitive basis, to eligible subgrantees to enable such eli-

gible subgrantees to carry out the activities described in subsection (e).

"(2) MINIMUM GRANT.—Each subgrant under this subsection shall be of sufficient size and scope to support a high-quality, effective program that is consistent with the purpose of this subpart.

"(g) EVALUATION.—From the amount reserved in accordance with section 9601, the Secretary shall—

"(1) acting through the Director of the Institute of Education Sciences—

"(A) evaluate, in consultation with the relevant program office at the Department of Education, the implementation and impact of the activities supported under this section, including progress as measured by the metrics established under subsection (h)(1); and

"(B) identify best practices to improve instruction in covered subjects; and

"(2) disseminate research on best practices to improve instruction in covered subjects.

"(h) ACCOUNTABILITY.—

"(1) PERFORMANCE METRICS.—The Secretary, acting through the Director of the Institute of Education Sciences, shall, in consultation with the relevant program office at the Department, establish

performance metrics to evaluate the outcomes of grant projects that are assisted under this subpart.

''(2) ANNUAL REPORTS.—Each eligible entity that receives a grant under this section shall prepare and submit an annual report to the Secretary, which shall include information about the performance metrics described in paragraph (1).

''(i) SUPPLEMENT NOT SUPPLANT.—An eligible entity shall use Federal funds received under this section only to supplement the funds that would, in the absence of such Federal funds, be made available from other Federal and non-Federal sources for the activities described in this section, and not to supplement such funds.

''(j) MAINTENANCE OF EFFORT.—A State that receives assistance under this subpart shall maintain the fiscal effort provided by the State for the subjects supported by a grant under this subpart at a level equal to or greater than the level of such fiscal effort for the preceding fiscal year.

"Subpart 2—Financial Literacy Education

"SEC. 4311. SHORT TITLE.

''This subpart may be cited as the 'Financial Literacy for Students Act'.

"SEC. 4312. STATEWIDE INCENTIVE GRANTS FOR FINANCIAL LITERACY EDUCATION.

"(a) GRANTS AUTHORIZED.—From amounts made available under this subpart, the Secretary may award grants to State educational agencies to enable State educational agencies, on a statewide basis—

"(1) to integrate financial literacy education into each public elementary school and public secondary school within the State that is eligible to receive funds under title I; and

"(2) to provide professional development regarding the teaching of financial literacy in core academic subjects to each secondary school teacher of financial literacy or entrepreneurship within the State.

"(b) PERMISSIBLE USES OF FUNDS.—In carrying out the grant activities described in subsection (a), the State educational agency may use grant funds to—

"(1) implement school-based financial literacy activities, including after school activities;

"(2) enhance student understanding and experiential learning with consumer, economic, entrepreneurship, and personal finance concepts; and

"(3) promote partnerships with community-based organizations, financial institutions, local busi-

nesses, entrepreneurs, or other organizations providing financial literacy activities.

"(c) LIMITATION ON USES OF FUNDS.—A State educational agency receiving grant funds under this section shall not use more than 20 percent of such grant funds to carry out the following:

"(1) Teacher professional development programs to embed financial literacy or personal finance or entrepreneurship education into core academic subjects.

"(2) Curriculum development.

"(3) An evaluation of the impact of financial literacy or personal finance education on students' understanding of financial literacy concepts.

"(d) MATCHING FUNDS.—A State educational agency that receives a grant under this section shall provide matching funds, from non-Federal sources, in an amount equal to 25 percent of the amount of grant funds provided to the State to carry out the activities supported by the grant.".

SEC. 4105. SUCCESSFUL, SAFE, AND HEALTHY STUDENTS.

Title IV (20 U.S.C. 7101 et seq.) is amended by inserting after part C, as added by section 4104 of this Act, the following:

"PART D—SUCCESSFUL, SAFE, AND HEALTHY STUDENTS

"SEC. 4401. PURPOSE.

''The purpose of this part is to assist States and local educational agencies in developing and implementing comprehensive programs and strategies to foster positive conditions for learning in public schools, in order to increase academic achievement for all students through the provision of Federal assistance to States for the—

''(1) promotion of student physical health and well-being, nutrition, and fitness;

''(2) promotion of student mental health and well-being;

''(3) prevention of school violence, harassment, and substance abuse among students; and

''(4) promotion of safe and supportive schools.

"SEC. 4402. DEFINITIONS.

''In this part:

''(1) CHILD AND ADOLESCENT PSYCHIATRIST.—The term 'child and adolescent psychiatrist' means an individual who—

''(A) possesses State medical licensure; and

''(B) has completed residency training programs in both general psychiatry and child and adolescent psychiatry.

"(2) CONDITIONS FOR LEARNING.—The term 'conditions for learning' means conditions that—

"(A) advance student achievement and positive child and youth development by proactively supporting schools;

"(B) are applied in and around the school building, on pathways to and from the school and students' homes, at school-sponsored activities, and through electronic and social media involving students or school personnel;

"(C) promote physical, mental, and emotional health;

"(D) ensure physical and emotional safety for students and staff;

"(E) promote social, emotional, and character development; and

"(F) have the following attributes:

"(i) Provide opportunities for physical activity, good nutrition, and healthy living.

"(ii) Prevent the use and abuse of drugs.

"(iii) ensure that the school environments described in subparagraph (B) are—

"(I) free of weapons; and

"(II) free of harassment, abuse, dating violence, and all other forms of interpersonal aggression or violence.

"(iv) Do not condone or tolerate unhealthy or harmful behaviors, including discrimination of any kind.

"(v) Help staff and students to model positive social and emotional skills, including tolerance and respect for others.

"(vi) Promote concern for the well-being of students, including through the presence of caring adults.

"(vii) Ensure that the adults employed by the school—

"(I) have high expectations for student conduct, character, and academic achievement and the capacity to establish supportive relationships with students; and

"(II) are provided specialized training specific to the students' stages of development.

"(viii) Engage families and community members with the school in meaningful and sustained ways, such as through

case management services, to promote positive student academic achievement, developmental, and social growth, including non-cognitive skill development.

"(ix) To the extent practicable, provide access to school nurses, school counselors, and school social workers for the promotion of student physical health, mental health, and well-being.

"(3) CONTROLLED SUBSTANCE.—The term 'controlled substance' means a drug or other substance identified under Schedule I, II, III, IV, or V of section 202(c) of the Controlled Substances Act (21 U.S.C. 812(c)).

"(4) DRUG.—The term 'drug' includes—

"(A) a controlled substance;

"(B) with respect to alcohol and tobacco, the illegal use of such substances; and

"(C) with respect to inhalants and anabolic steroids, the harmful, abusive, or addictive use of such substances.

"(5) DRUG AND VIOLENCE PREVENTION.—The term 'drug and violence prevention' means—

"(A) with respect to drugs, prevention, early intervention, rehabilitation referral, or

education related to the abuse and illegal use of drugs, in order to—

"(i) raise awareness about the costs and consequences of drug use and abuse;

"(ii) change attitudes, perceptions, and social norms about the dangers and acceptability of alcohol, tobacco, and drugs; and

"(iii) reduce access to and use of alcohol, tobacco, and drugs; and

"(B) with respect to violence, the promotion of school safety in and around the school building, on pathways to and from the school and students' homes, at school-sponsored activities, and through electronic and social media involving students or school personnel, through the creation and maintenance of a school environment that—

"(i) is free of—

"(I) weapons;

"(II) violent and disruptive acts;

"(III) harassment;

"(IV) sexual harassment, dating violence, and abuse; and

"(V) victimization associated with prejudice and intolerance;

"(ii) fosters individual responsibility and respect for the rights and dignity of others;

"(iii) employs positive, preventative approaches to school discipline, such as schoolwide positive behavior supports and interventions and restorative justice, that improve student engagement while minimizing students' removal from instruction and reducing the frequency of discipline infractions and disparities among the subgroups of students described in section 1116(b)(1)(B); and

"(iv) demonstrates preparedness and readiness to respond to, and recover from, incidents of school violence.

"(6) ELIGIBLE LOCAL APPLICANT.—The term 'eligible local applicant' means—

"(A) a local educational agency;

"(B) a consortium of local educational agencies; or

"(C) a nonprofit organization that has a track record of success in implementing the ac-

tivities proposed in the grant application and has signed a memorandum of understanding with a local educational agency or consortium of local educational agencies that the organization will, upon receipt of a subgrant under this part—

"(i) implement school-based activities and programs described in section 4404(i)(1)(A)(iii) in 1 or more schools served by the local educational agency or consortium; and

"(ii) conduct school-level measurement of conditions for learning that are consistent with the State's conditions for learning measurement system under section 4404(h).

"(7) HARASSMENT.—The term 'harassment' means conduct, including bullying, that—

"(A) is sufficiently severe, persistent, or pervasive to limit or interfere with a student's ability to participate in or benefit from a program or activity of a public school or educational agency, including acts of verbal, nonverbal, or physical aggression, intimidation, or

hostility, and communications made available through electronic means; and

"(B) is based on—

"(i) a student's actual or perceived race, color, national origin, sex, disability, sexual orientation, gender identity, or religion;

"(ii) the actual or perceived race, color, national origin, sex, disability, sexual orientation, gender identity, or religion of a person with whom a student associates or has associated; or

"(iii) any other distinguishing characteristics that may be enumerated by a State or local educational agency.

"(8) OTHER QUALIFIED PSYCHOLOGIST.—The term 'other qualified psychologist' means an individual who has demonstrated competence in counseling children in a school setting and who—

"(A) is licensed in psychology by the State in which the individual works; and

"(B) practices in the scope of the individual's education, training, and experience with children in school settings.

"(9) PHYSICAL EDUCATION INDICATORS.—The term 'physical education indicators' means a set of measures for instruction on physical activity, health-related fitness, physical competence, and cognitive understanding about physical activity. Such indicators shall include—

"(A) for the State, for each local educational agency in the State, and for each elementary school and secondary school in the State, the average number of minutes per week (averaged over the school year) that all students spend in required physical education, and the average number of minutes per week (averaged over the school year) that all students engage in moderate to vigorous physical activity, as measured against established recommended guidelines of the Centers for Disease Control and Prevention and the Department of Health and Human Services;

"(B) for the State, the percentage of local educational agencies that have a required, age-appropriate physical education curriculum that adheres to Centers for Disease Control and Prevention guidelines and State standards;

"(C) for the State, for each local educational agency in the State, and for each elementary school and secondary school in the State, the percentage of elementary school and secondary school physical education teachers who are licensed or certified in the State to teach physical education;

"(D) for the State, and for each local educational agency in the State, the percentage of elementary schools and secondary schools that have a physical education teacher who is certified or licensed to teach physical education and adapted physical education in the State;

"(E) for each school in the State, the number of indoor square feet and the number of outdoor square feet used primarily for physical education; and

"(F) for the State, the percentage of local educational agencies that have a school wellness council that—

"(i) includes members appointed by the local educational agency superintendent;

"(ii) may include parents, students, representatives of the school food author-

ity, representatives of the school board, school administrators, school nurses, and members of the public; and

"(iii) meets regularly to promote a healthy school environment.

"(10) PRESCRIPTION DRUG.—The term 'prescription drug' means a drug (as defined in section 201(g)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(g)(1)) that is described in section 503(b)(1) of such Act (21 U.S.C. 353(b)(1))).

"(11) PROGRAMS TO PROMOTE MENTAL HEALTH.—The term 'programs to promote mental health' means programs that—

"(A) develop students' social and emotional competencies;

"(B) link students with local mental health systems by—

"(i) enhancing, improving, or developing collaborative efforts between school-based service systems and mental health service systems to provide, enhance, or improve prevention, diagnosis, and treatment services to students, and to improve student social and emotional competencies;

"(ii) enhancing the availability of—

1 "(I) crisis intervention services;
2 "(II) appropriate referrals for
3 students potentially in need of mental
4 health services, including suicide pre-
5 vention; and
6 "(III) ongoing mental health
7 services; and
8 "(iii) providing services that establish
9 or expand school counseling and mental
10 health programs that—
11 "(I) are comprehensive in ad-
12 dressing the counseling, social, emo-
13 tional, behavioral, mental health, and
14 educational needs of all students;
15 "(II) use a developmental, pre-
16 ventive approach to counseling and
17 mental health services;
18 "(III) are linguistically appro-
19 priate and culturally responsive;
20 "(IV) increase the range, avail-
21 ability, quantity, and quality of coun-
22 seling and mental health services in
23 the elementary schools and secondary
24 schools of the local educational agen-
25 cy;

1 "(V) expand counseling and men-
2 tal health services through—
3 "(aa) school counselors,
4 school social workers, school psy-
5 chologists, other qualified psy-
6 chologists, child and adolescent
7 psychiatrists, or other qualified
8 health or mental health profes-
9 sionals, such as school nurses;
10 and
11 "(bb) school-based mental
12 health services partnership pro-
13 grams;
14 "(VI) use innovative approaches
15 to—
16 "(aa) increase children's un-
17 derstanding of peer and family
18 relationships, work and self, deci-
19 sionmaking, or academic and ca-
20 reer planning; or
21 "(bb) improve peer inter-
22 action;
23 "(VII) provide counseling and
24 mental health services in settings that
25 meet the range of student needs;

"(VIII) include professional development appropriate to the activities covered in this paragraph for teachers, school leaders, instructional staff, and appropriate school personnel, including training in appropriate identification and early intervention techniques by school counselors, school social workers, school psychologists, other qualified psychologists, child and adolescent psychiatrists, or other qualified health professionals, such as school nurses;

"(IX) ensure a team approach to school counseling and mental health services in the schools served by the local educational agency;

"(X) demonstrate that the local educational agency is working toward—

"(aa) a 1:250 ratio of school counselors to students, as recommended by the American School Counselor Association;

"(bb) a 1:250 ratio of school social workers to students, as recommended by the School Social Work Association of America;

"(cc) a 1:700 ratio of school psychologists to students, as recommended by the National Association of School Psychologists; and

"(dd) a 1:750 ratio of school nurses to students in the general population, a 1:225 ratio for students requiring daily professional school nursing services, and a 1:125 ratio for students with complex needs, as recommended by the National Association of School Nurses; and

"(XI) ensure that school counselors, school psychologists, other qualified psychologists, school social workers, or child and adolescent psychiatrists paid from funds made available under the programs spend a ma-

jority of their time counseling or providing mental health services to students or in other activities directly related to counseling or providing such services;

"(C) provide training for the school personnel, health professionals (such as school nurses), and mental health professionals who will participate in the programs; and

"(D) provide technical assistance and consultation to school systems, mental health agencies, and families participating in the programs.

"(12) PROGRAMS TO PROMOTE PHYSICAL ACTIVITY, EDUCATION, AND FITNESS, AND NUTRITION.—The term 'programs to promote physical activity, education, and fitness, and nutrition' means programs that—

"(A) increase and enable active student participation in physical well-being activities and provide teacher and school leader professional development to encourage and increase such participation;

"(B) are comprehensive in nature;

"(C) include opportunities for professional development for teachers of physical education

to stay abreast of the latest research, issues, and trends in the field of physical education; and

"(D) include 1 or more of the following activities:

"(i) Fitness education and assessment to help students understand, improve, or maintain their physical well-being.

"(ii) Instruction in a variety of motor skills and physical activities designed to enhance the physical, mental, social, and emotional development of every student.

"(iii) Development of, and instruction in, cognitive concepts about motor skill and physical fitness that support a lifelong healthy lifestyle.

"(iv) Opportunities to develop positive social and cooperative skills through physical activity.

"(v) Instruction in healthy eating habits and good nutrition.

"(13) SCHOOL-BASED MENTAL HEALTH SERVICES PARTNERSHIP PROGRAM.—The term 'school-based mental health services partnership program' means a program that—

"(A) includes a public or private mental health entity or health care entity and may include a child welfare agency, family-based mental health entity, family organization, trauma network, or other community-based entity;

"(B) provides comprehensive school-based mental health services and supports;

"(C) provides comprehensive staff development for school and community service personnel working in the school;

"(D) includes the early identification of social, emotional, or behavioral problems, or substance use disorders, and the provision of early intervening services;

"(E) provides for the treatment or referral for treatment of students with social, emotional, or behavioral health problems, or substance use disorders;

"(F) includes the development and implementation of programs to assist children in dealing with trauma and violence;

"(G) includes the development of mechanisms, based on best practices, for children to report incidents of violence or plans by other children or adults to commit violence;

"(H) is based on trauma-informed and evidence-based practices;

"(I) is coordinated, where appropriate, with early intervening services carried out under the Individuals with Disabilities Education Act; and

"(J) is provided by qualified mental and behavioral health professionals who are certified or licensed by the State involved and practicing within their area of expertise.

"(14) SCHOOL COUNSELOR.—The term 'school counselor' means an individual who has documented competence in counseling children and adolescents in a school setting and who—

"(A) is licensed by the State or certified by an independent professional regulatory authority;

"(B) in the absence of such State licensure or certification, possesses national certification in school counseling or a specialty of counseling granted by an independent professional organization; or

"(C) holds a minimum of a master's degree in school counseling from a program accredited by the Council for Accreditation of

Counseling and Related Educational Programs or the equivalent.

"(15) SCHOOL HEALTH INDICATORS.—The term 'school health indicators' means a set of measurements for determining the number of students seen in the school health office with, or for, social and emotional disturbances, abuse and neglect, substance use disorders, acute and chronic illness, and oral and visual health issues, (to the extent the school health office has applicable information), and the number of student deaths on school property, if any.

"(16) SCHOOL NURSE.—The term 'school nurse' means a graduate of an accredited school of nursing program who is licensed by the State as a registered nurse.

"(17) SCHOOL PSYCHOLOGIST.—The term 'school psychologist' means an individual who—

"(A) has completed a minimum of 60 graduate semester hours in school psychology from an institution of higher education and has completed 1,200 clock hours in a supervised school psychology internship, of which 600 hours are in the school setting;

"(B) is licensed or certified in school psychology by the State in which the individual works; or

"(C) in the absence of such State licensure or certification, possesses national certification by the National School Psychology Certification Board.

"(18) SCHOOL SOCIAL WORKER.—The term 'school social worker' means an individual who—

"(A) holds a master's degree in social work from a program accredited by the Council on Social Work Education; and

"(B)(i) is licensed or certified by the State in which services are provided; or

"(ii) in the absence of such State licensure or certification, possesses a national credential or certification as a school social work specialist granted by an independent professional organization.

"SEC. 4403. ALLOCATION OF FUNDS.

"From amounts made available to carry out this part, the Secretary shall allocate—

"(1) in each year for which funding is made available to carry out this part, not more than 2 per-

cent of such amounts for technical assistance and evaluation;

"(2) for the first 3 years for which funding is made available to carry out this part—

"(A) except as provided in subparagraph (B)—

"(i) not more than 30 percent of such amounts or $30,000,000, whichever amount is more, for State conditions for learning measurement systems grants, distributed to every State (by an application process consistent with section 4404(d)) in an amount proportional to each State's share of funding under part A of title I, to develop or improve the State's conditions for learning measurement system described in section 4404(h), and to conduct a needs analysis to meet the requirements of section 4404(d)(2)(D); and

"(ii) not more than 68 percent of such amounts for Successful, Safe, and Healthy Students State Grants under section 4404; and

"(B) for any fiscal year for which the amount remaining available after funds are re-

served under paragraph (1) is less than $30,000,000, all of such remainder for the State conditions for learning measurement systems grants described in subparagraph (A)(i); and

"(3) for the fourth year and each subsequent year for which funding is made available to carry out this part, not less than 98 percent of such amounts for Successful, Safe, and Healthy Students State Grants under section 4404.

"SEC. 4404. SUCCESSFUL, SAFE, AND HEALTHY STUDENTS STATE GRANTS.

"(a) PURPOSE.—The purpose of this section is to provide funding to eligible States to implement comprehensive programs that—

"(1) address conditions for learning in schools in the State; and

"(2) are based on—

"(A) scientifically valid research; and

"(B) an analysis of need that considers, at a minimum, the indicators in the State's conditions for learning measurement system described in subsection (h).

"(b) STATE GRANTS.—

"(1) IN GENERAL.—From amounts allocated under section 4403 for Successful, Safe, and Healthy Students State Grants, the Secretary shall award grants to eligible States to carry out the purpose of this section.

"(2) AWARDS TO STATES.—

"(A) FORMULA GRANTS.—Except as provided in subparagraph (B), if the total amount allocated under section 4403 for Successful, Safe, and Healthy Students State Grants for a fiscal year is $500,000,000 or greater, the Secretary shall allot to each State that meets the eligibility requirements of subsection (c) with an approved application an amount that bears the same relationship to such total amount as the amount received under part A of title I by such eligible State for the preceding fiscal year bears to the amount received under such part for the preceding fiscal year by all eligible States.

"(B) MINIMUM STATE ALLOTMENT.—

"(i) IN GENERAL.—No State receiving an allotment under subparagraph (A) may receive less than one-half of 1 percent of the total amount allotted under such subparagraph.

"(ii) PUERTO RICO.—The amount allotted under subparagraph (A) to the Commonwealth of Puerto Rico for a fiscal year may not exceed one-half of 1 percent of the total amount allotted under such subparagraph for such fiscal year.

"(C) COMPETITIVE GRANTS.—

"(i) IN GENERAL.—If the total amount allocated under section 4403 for Successful, Safe, and Healthy Students State Grants for a fiscal year is less than $500,000,000, the Secretary shall award grants under this section to States that meet the eligibility requirements of subsection (c) on a competitive basis.

"(ii) SUFFICIENT SIZE AND SCOPE.—In awarding grants on a competitive basis pursuant to clause (i), the Secretary shall ensure that grant awards are of sufficient size and scope to carry out required and approved activities under this section.

"(c) ELIGIBILITY.—To be eligible to receive a grant under this section, a State shall demonstrate to the Secretary that the State has—

"(1) established a statewide physical education requirement that is consistent with widely recognized standards; and

"(2) required all local educational agencies in the State to—

"(A) establish policies that prevent and prohibit harassment in schools; and

"(B) provide—

"(i) annual notice to parents, students, and educational professionals describing the full range of prohibited conduct contained in such local educational agency's discipline policies; and

"(ii) grievance procedures for students or parents to register complaints regarding the prohibited conduct contained in such local educational agency's discipline policies, including—

"(I) the name of the local educational agency official who is designated as responsible for receiving such complaints; and

"(II) timelines that the local educational agency will follow in the resolution of such complaints.

"(d) APPLICATIONS.—

"(1) IN GENERAL.—A State that desires to receive a grant under this section shall submit an application at such time, in such manner, and containing such information as the Secretary may require.

"(2) CONTENT OF APPLICATION.—At a minimum, the application shall include—

"(A) documentation of the State's eligibility to receive a grant under this section, as described in subsection (c);

"(B) an assurance that the policies used to prohibit harassment in schools that are required under subsection (c)(2)(A) emphasize alternatives to school suspension that minimize students' removal from grade-level instruction, promote mental health, and only allow out-of-school punishments in severe or persistent cases;

"(C) a plan for improving conditions for learning in schools in the State in a manner consistent with the requirements of this part that may be a part of a broader statewide child and youth plan, if such a plan exists and is consistent with the requirements of this part;

"(D) a needs analysis of the conditions for learning in schools in the State, which—

"(i) shall include a description of, and data measuring, the State's conditions for learning; and

"(ii) may be a part of a broader statewide child and youth needs analysis, if such an analysis exists and is consistent with the requirements of this part;

"(E) a description of how the activities the State proposes to implement with grant funds are responsive to the results of the needs analysis described in subparagraph (D); and

"(F) a description of how the State will—

"(i) develop, adopt, adapt, or improve and implement the State's conditions for learning measurement system and how the State will ensure that all local educational agencies and schools in the State participate in such system;

"(ii) ensure the quality and validity of the State's conditions for learning data collection, including the State's plan for survey administration as required under sub-

section (h)(2)(A) and for ensuring the reliability and validity of survey instruments;

"(iii) coordinate the proposed activities with other Federal and State programs, including programs funded under this part, which may include programs to expand learning time and for before- and after-school programming in order to provide sufficient time to carry out activities described in this part;

"(iv) assist local educational agencies to align activities with funds the agencies receive under the program with other funding sources in order to support a coherent and nonduplicative program;

"(v) solicit and approve subgrant applications, including how the State will—

"(I) allocate funds for statewide activities and subgrants for each year of the grant, consistent with allocation requirements under subsection (i)(2); and

"(II) consider the results of the needs analysis described in subpara-

graph (D) in the State's distribution of subgrants;

''(vi) address the needs of diverse geographic areas in the State, including rural and urban communities;

''(vii) provide assistance to local educational agencies and schools in their efforts to prevent and appropriately respond to incidents of harassment, including building the capacity of such agencies and schools to educate family and community members regarding the agencies' and schools' respective roles in preventing and responding to such incidents; and

''(viii) provide assistance to local educational agencies and schools in their efforts to implement positive, preventative approaches to school discipline, such as schoolwide positive behavior supports and interventions and restorative justice, that improve student engagement while minimizing students' removal from instruction and reducing the frequency of discipline infractions and disciplinary disparities

among the subgroups of students described in section 1116(b)(2)(B);

"(ix) provide assistance to local educational agencies and schools in their efforts to increase the provision of physical activity and physical education opportunities during the school day and implement programs to promote physical activity, education, and fitness, and nutrition; and

"(x) provide assistance to local educational agencies and schools in their efforts to improve access to State-licensed or State-certified school counselors, school psychologists, and school social workers or other State-licensed or State–certified mental health professional qualified under State law to provide mental health services to students in schools.

"(3) REVIEW PROCESS.—The Secretary shall establish a peer review process to review applications submitted under this subsection.

"(e) DURATION.—

"(1) IN GENERAL.—A State that receives a grant under this section may receive funding for not

more than 5 years in accordance with this subsection.

"(2) INITIAL PERIOD.—The Secretary shall award grants under this section for an initial period of not more than 3 years.

"(3) GRANT EXTENSION.—The Secretary may extend a grant awarded to a State under this section for not more than an additional 2 years if the State shows sufficient improvement, as determined by the Secretary, against baseline data for the performance metrics established under subsection (j).

"(f) RESERVATION AND USE OF FUNDS.—A State that receives a grant under this section shall—

"(1) reserve not more than 10 percent of the grant funds for administration of the program, technical assistance, and the development, improvement, and implementation of the State's conditions for learning measurement system, as described in subsection (h); and

"(2) use the remainder of grant funds after making the reservation under paragraph (1) to award subgrants, on a competitive basis, to eligible local applicants.

"(g) REQUIRED STATE ACTIVITIES.—A State that receives a grant under this section shall—

"(1) not later than 1 year after receipt of the grant, develop, adapt, improve, or adopt and implement the statewide conditions for learning measurement system described in subsection (h) (unless the State can demonstrate, to the satisfaction of the Secretary, that an appropriate system has already been implemented) that annually measures the State's progress in the conditions for learning for every public school in the State;

"(2) collect information in each year of the grant on the conditions for learning at the school-building level through comprehensive needs assessments of student, school staff, and family perceptions, experiences, and behaviors;

"(3) collect annual incident data at the school-building level that are accurate and complete;

"(4) publicly report, at the local educational agency and school level, the data collected in the State's conditions for learning measurement system, described in subsection (h), each year in a timely and highly accessible manner, and in a manner that does not reveal personally identifiable information;

"(5) use, on a continuous basis, the results of the data collected in the State's conditions for learning measurement system to—

"(A) identify and address conditions for learning statewide;

"(B) help subgrantees identify and address school and student needs; and

"(C) provide individualized assistance to low-performing schools identified under section 1116 and schools with significant conditions for learning weaknesses;

"(6) encourage local educational agencies to—

"(A) integrate physical activity, education, and fitness into a range of subjects throughout the school day and locations within schools;

"(B) encourage consultation with a variety of stakeholders, including families, students, school officials, and other organizations with wellness and physical activity, education, and fitness expertise; and

"(C) regularly monitor schools' efforts in improving wellness and physical activity, education, and fitness understanding and habits among students;

"(7) encourage local educational agencies to—

"(A) integrate healthy eating and nutrition education into various times of the school day and locations within schools to encourage con-

sultation with a variety of stakeholders, including families, students, school officials, and other organizations with nutrition education expertise; and

"(B) regularly monitor schools' efforts in improving nutrition understanding and healthy eating among students;

"(8) encourage local educational agencies to implement programs that expand student access to State-licensed or State-certified school counselors, school psychologists, and school social workers or other State-licensed or State-certified mental health professional that are qualified under State law to provide mental health services to students in schools;

"(9) award subgrants, consistent with subsection (i), to eligible local applicants; and

"(10) monitor subgrants and provide technical assistance to subgrantees on the implementation of grant activities.

"(h) CONDITIONS FOR LEARNING MEASUREMENT SYSTEM.—

"(1) IN GENERAL.—Each State that receives a grant under this part shall establish a State reporting and information system that measures conditions for learning in the State and is part of the State's

system for reporting the data required under section 1111 and part of any State longitudinal data system that links statewide elementary and secondary data systems with early childhood, postsecondary, and workforce data systems.

"(2) SYSTEM ACTIVITIES.—The State reporting and information system described in paragraph (1) shall—

"(A) contain, at a minimum, data from valid and reliable surveys of students and staff and the indicators in subparagraph (B) that allow staff at the State, local educational agencies, and schools to examine and improve school-level conditions for learning;

"(B) collect school-level data on—

"(i) physical education indicators, as applicable;

"(ii) individual student attendance and truancy;

"(iii) in-school suspensions, out-of-school suspensions, expulsions, referrals to law enforcement, school-based arrests, and disciplinary transfers (including placements in alternative schools) by student;

"(iv) the frequency, seriousness, and incidence of violence and drug-related offenses resulting in disciplinary action in elementary schools and secondary schools in the State;

"(v) the incidence and prevalence, age of onset, perception of and actual health risk, and perception of social disapproval of drug use and violence, including harassment, by youth and school personnel in schools and communities;

"(vi) school health indicators, including acute and chronic physical, mental, and emotional health care needs; and

"(vii) student access to State-licensed or State-certified school counselors, school psychologists, and school social workers or other State-licensed or State-certified mental health professional qualified under State law to provide such services to students in schools, including staff-to-student ratios;

"(C) collect and report data, including, at a minimum, the data described in clauses (ii), (iii), and (v) of subparagraph (B), in the aggre-

gate and disaggregated by the categories of race, ethnicity, gender, disability status, migrant status, English proficiency, and status as economically disadvantaged, and cross-tabulated across all of such categories by gender and by disability;

"(D) protect student privacy, consistent with applicable data privacy laws and regulations, including section 444 of the General Education Provisions Act (20 U.S.C. 1232g, commonly known as the 'Family Educational Rights and Privacy Act of 1974'); and

"(E) to the extent practicable, utilize a web-based reporting system.

"(3) COMPILING STATISTICS.—In compiling the statistics required to measure conditions for learning in the State—

"(A) the offenses described in paragraph (2)(B)(iv) shall be defined pursuant to the State's criminal code, and aligned to the extent practicable, with the Federal Bureau of Investigation's Uniform Crime Reports categories, but shall not identify victims of crimes or persons accused of crimes; and the collected data shall include incident reports by school officials,

anonymous student surveys, and anonymous teacher surveys;

"(B) the performance metrics that are established under subsection (j) shall be collected and the performance on such metrics shall be defined and reported uniformly statewide;

"(C) the State shall collect, analyze, and use the data under subparagraph (2)(B) at least annually; and

"(D) grant recipients and subgrant recipients shall use the data for planning and continuous improvement of activities implemented under this part, and may collect data for indicators that are locally defined, and that are not reported to the State, to meet local needs (so long as such indicators are aligned with the conditions for learning).

"(i) SUBGRANTS.—

"(1) IN GENERAL.—

"(A) AWARDING OF SUBGRANTS.—A State that receives a grant under this section shall award subgrants, on a competitive basis, to eligible local applicants—

"(i) based on need as identified by—

"(I) the State's conditions for learning measurement system described in subsection (h); or

"(II) in the case of a State for which the learning measurement system described in subsection (h) is not yet implemented, other data determined appropriate by the State;

"(ii) that are of sufficient size and scope to enable the eligible local applicants to carry out approved activities; and

"(iii) to implement programs that—

"(I) are comprehensive in nature;

"(II) are based on scientifically valid research;

"(III) are consistent with achieving the conditions for learning for the State; and

"(IV) address 1 or more of the uses described in clauses (i) through (iii) of paragraph (2)(A).

"(B) ASSISTANCE.—A State that receives a grant under this section shall provide assistance to subgrant applicants and recipients in

the selection of scientifically valid programs and interventions.

"(C) PARTNERSHIPS ALLOWED.—An eligible local applicant may apply for a subgrant under this subsection in partnership with 1 or more community-based organizations.

"(2) ALLOCATION.—

"(A) IN GENERAL.—In awarding subgrants under this section, each State shall ensure that, for the aggregate of all subgrants awarded by the State—

"(i) not less than 20 percent of subgrant funds are used to carry out drug and violence prevention;

"(ii) not less than 20 percent of subgrant funds are used to carry out programs to promote mental health; and

"(iii) not less than 20 percent of subgrant funds are used to carry out programs to promote physical activity, education, and fitness, and nutrition.

"(B) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to require States, in making subgrants to eligible local applicants, to require the eligible local applicants

to use 20 percent of subgrant funds for each of the uses described in clauses (i) through (iii) of subparagraph (A).

"(3) APPLICATIONS.—An eligible local applicant that desires to receive a subgrant under this subsection shall submit to the State an application at such time, in such manner, and containing such information as the State may require.

"(4) PRIORITY.—In awarding subgrants under this subsection, a State shall give priority to applications that—

"(A) demonstrate the greatest need, according to the results of the State's conditions for learning surveys described in subsection (h)(2); and

"(B) propose to serve schools with the highest concentrations of poverty, based on the percentage of students receiving or are eligible to receive a free or reduced price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.).

"(5) ACTIVITIES OF SUBGRANT RECIPIENTS.—Each recipient of a subgrant under this subsection shall, for the duration of the subgrant—

"(A) carry out activities—

"(i) the need for which has been identified—

"(I) at a minimum, through the State's conditions for learning measurement system described in subsection (h); or

"(II) in the case of a State that has not yet implemented the learning measurement system described in subsection (h), through the State's needs analysis described in subsection (d)(2)(D); and

"(ii) that are part of a comprehensive strategy or framework to address such need; and

"(iii) that include 1 or more of the following:

"(I) Drug and violence prevention.

"(II) Programs to promote mental health.

"(III) Programs to promote physical activity, education, and fitness, and nutrition;

"(B) ensure that each framework, intervention, or program selected be based on scientifically valid research and be used for the purpose for which such framework, intervention, or program was found to be effective;

"(C) use school-level data from the State's conditions for learning measurement system described in subsection (h), to inform the implementation and continuous improvement of activities carried out under this part;

"(D) use data from the statewide conditions for learning measurement system to identify challenges outside of school or off school grounds (including the need for safe passages for students to and from school), and collaborate with 1 or more community-based organization to address such challenges;

"(E) collect, and report to the State educational agency, data for schools served by the subgrant recipient, in a manner consistent with the State's conditions for learning measurement system described in subsection (h);

"(F) establish policies to expand access to quality physical activity opportunities, including local school wellness policies;

"(G) if the local educational agency to be served through the grant does not have an active school wellness council consistent with the requirements of the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), establish such a school wellness council, which may be part of an existing school council that has the capacity and willingness to address school wellness;

"(H) engage family members and community-based organizations in the development of conditions for learning surveys, and in the planning, implementation, and review of the subgrant recipient's efforts under this part;

"(I) consider and accommodate the unique needs of students with disabilities and English learners in implementing activities; and

"(J) establish policies to expand access to quality counseling and mental health programs and services.

"(j) ACCOUNTABILITY.—

"(1) ESTABLISHMENT OF PERFORMANCE METRICS.—The Secretary, acting through the Director of the Institute of Education Sciences, shall establish program performance metrics to measure the

effectiveness of the activities carried out under this part.

"(2) ANNUAL REPORT.—Each State that receives a grant under this part shall prepare and submit an annual report to the Secretary, which shall include information relevant to the conditions for learning, including progress toward meeting outcomes for the metrics established under paragraph (1).

"(k) EVALUATION.—From the amount reserved in accordance with section 9601, the Secretary, acting through the Director of the Institute of Education Sciences, shall conduct an evaluation of the impact of the practices funded or disseminated under this section.

"SEC. 4405. TECHNICAL ASSISTANCE.

"From the amount allocated under section 4403(3), the Secretary shall provide technical assistance to applicants, recipients, and subgrant recipients of the programs funded under this part.

"SEC. 4406. PROHIBITED USES OF FUNDS.

"No funds appropriated under this part may be used to pay for—

"(1) school resource officer or other security personnel salaries, metal detectors, security cameras,

or other security-related salaries, equipment, or expenses;

''(2) drug testing programs; or

''(3) the development, establishment, implementation, or enforcement of zero-tolerance discipline policies, other than those expressly required under the Gun-Free Schools Act (20 U.S.C. 7151 et seq.).

''SEC. 4407. FEDERAL AND STATE NONDISCRIMINATION LAWS.

''Nothing in this part shall be construed to invalidate or limit nondiscrimination principles or rights, remedies, procedures, or legal standards available to victims of discrimination under any other Federal law or law of a State or political subdivision of a State, including title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), section 504 or 505 of the Rehabilitation Act of 1973 (29 U.S.C. 794 and 794a), or the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.). The obligations imposed by this part are in addition to those imposed by title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794),

and the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).''.

SEC. 4106. STUDENT NON-DISCRIMINATION.

Title IV (20 U.S.C. 7101 et seq.) is amended by inserting after part D, as added by section 4105 of this Act, the following:

"PART E—STUDENT NON-DISCRIMINATION

"SEC. 4501. SHORT TITLE.

''This part may be cited as the 'Student Non-Discrimination Act of 2013'.

"SEC. 4502. FINDINGS AND PURPOSES.

''(a) FINDINGS.—The Congress finds the following:

''(1) Public school students who are lesbian, gay, bisexual, or transgender (referred to in this part as 'LGBT'), or are perceived to be LGBT, or who associate with LGBT people, have been and are subjected to pervasive discrimination, including harassment, bullying, intimidation, and violence, and have been deprived of equal educational opportunities, in schools in every part of the Nation.

''(2) While discrimination of any kind is harmful to students and to the education system, actions that target students based on sexual orientation or gender identity represent a distinct and severe prob-

lem that remains inadequately addressed by current Federal law.

"(3) Numerous social science studies demonstrate that discrimination at school has contributed to high rates of absenteeism, academic underachievement, dropping out, and adverse physical and mental health consequences among LGBT youth.

"(4) When left unchecked, discrimination in schools based on sexual orientation or gender identity can lead, and has led, to life-threatening violence and to suicide.

"(5) Public school students enjoy a variety of constitutional rights, including rights to equal protection, privacy, and free expression, which are infringed when school officials engage in or fail to take prompt and effective action to stop discrimination on the basis of sexual orientation or gender identity.

"(6) Provisions of Federal statutory law expressly prohibit discrimination on the basis of race, color, sex, religion, disability, and national origin. The Department of Education and the Department of Justice, as well as numerous courts, have correctly interpreted the prohibitions on sex discrimination to include discrimination based on sex stereotypes and gender identity, even when that sex-based

discrimination coincides or overlaps with discrimination based on sexual orientation. However, the absence of express Federal law prohibitions on discrimination on the basis of sexual orientation and gender identity has created unnecessary uncertainty that risks limiting access to legal remedies under Federal law for LGBT students and their parents.

''(b) PURPOSES.—The purposes of this part are—

''(1) to ensure that all students have access to public education in a safe environment free from discrimination, including harassment, bullying, intimidation, and violence, on the basis of sexual orientation or gender identity;

''(2) to provide a comprehensive Federal prohibition of discrimination in public schools based on actual or perceived sexual orientation or gender identity;

''(3) to provide meaningful and effective remedies for discrimination in public schools based on actual or perceived sexual orientation or gender identity;

''(4) to invoke congressional powers, including the power to enforce the 14th Amendment to the Constitution and to provide for the general welfare pursuant to section 8 of article I of the Constitution

and the power to make all laws necessary and proper for the execution of the foregoing powers pursuant to section 8 of article I of the Constitution, in order to prohibit discrimination in public schools on the basis of sexual orientation or gender identity; and

''(5) to allow the Department of Education and the Department of Justice to effectively combat discrimination based on sexual orientation and gender identity in public schools, through regulation and enforcement, as the Departments have issued regulations under and enforced title IX of the Education Amendments of 1972 and other nondiscrimination laws in a manner that effectively addresses discrimination.

''SEC. 4503. DEFINITIONS AND RULE.

''(a) DEFINITIONS.—For purposes of this part:

''(1) EDUCATIONAL AGENCY.—The term 'educational agency' means a local educational agency, an educational service agency, and a State educational agency, as those terms are defined in section 9101.

''(2) GENDER IDENTITY.—The term 'gender identity' means the gender-related identity, appearance, or mannerisms or other gender-related charac-

teristics of an individual, with or without regard to the individual's designated sex at birth.

"(3) HARASSMENT.—The term 'harassment' means conduct, including bullying, that is sufficiently severe, persistent, or pervasive to limit or interfere with a student's ability to participate in or benefit from a program or activity of a public school or educational agency, including acts of verbal, nonverbal, or physical aggression, intimidation, or hostility, and communications made available through electronic means, if such conduct is based on—

"(A) a student's actual or perceived sexual orientation or gender identity; or

"(B) the actual or perceived sexual orientation or gender identity of a person with whom a student associates or has associated.

"(4) PROGRAM OR ACTIVITY.—The terms 'program or activity' and 'program' have the same meanings given such terms as applied under section 606 of the Civil Rights Act of 1964 (42 U.S.C. 2000d–4a) to the operations of public entities under paragraph (2)(B) of such section.

"(5) PUBLIC SCHOOL.—The term 'public school' means an elementary school (as the term is defined in section 9101) that is a public institution,

and a secondary school (as so defined) that is a public institution.

"(6) SEXUAL ORIENTATION.—The term 'sexual orientation' means homosexuality, heterosexuality, or bisexuality.

"(7) STUDENT.—The term 'student' means an individual within the age limits for which the State provides free public education who is enrolled in a public school or who, regardless of official enrollment status, attends classes or participates in the programs or activities of a public school or local educational agency.

"(b) RULE.—Consistent with Federal law, in this part the term 'includes' means 'includes but is not limited to'.

"SEC. 4504. PROHIBITION AGAINST DISCRIMINATION.

"(a) IN GENERAL.—No student shall, on the basis of actual or perceived sexual orientation or gender identity of such individual or of a person with whom the student associates or has associated, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity if any part of the program or activity receives Federal financial assistance.

"(b) HARASSMENT.—For purposes of this part, discrimination includes harassment of a student on the basis of actual or perceived sexual orientation or gender identity of such student or of a person with whom the student associates or has associated.

"(c) RETALIATION PROHIBITED.—

"(1) PROHIBITION.—No person shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination, retaliation, or reprisal under any program or activity receiving Federal financial assistance based on the person's opposition to conduct made unlawful by this part.

"(2) DEFINITION.—For purposes of this subsection, 'opposition to conduct made unlawful by this part' includes—

"(A) opposition to conduct believed to be made unlawful by this part or conduct that could be believed to become unlawful under this part if allowed to continue;

"(B) any formal or informal report, whether oral or written, to any governmental entity, including public schools and educational agencies and employees of the public schools or educational agencies, regarding conduct made unlawful by this part, conduct believed to be made

unlawful by this part, or conduct that could be believed to become unlawful under this part if allowed to continue;

"(C) participation in any investigation, proceeding, or hearing related to conduct made unlawful by this part, conduct believed to be made unlawful by this part, or conduct that could be believed to become unlawful under this part if allowed to continue; and

"(D) assistance or encouragement provided to any other person in the exercise or enjoyment of any right granted or protected by this part,

if in the course of that opposition to conduct made unlawful by this part, the person involved does not purposefully provide information known to be materially false to any public school or educational agency or other governmental entity regarding conduct made unlawful by this part, or conduct believed to be made unlawful by this part, or conduct that could be believed to become unlawful under this part if allowed to continue.

"SEC. 4505. FEDERAL ADMINISTRATIVE ENFORCEMENT; REPORT TO CONGRESSIONAL COMMITTEES.

"(a) REQUIREMENTS.—Each Federal department and agency which is empowered to extend Federal financial assistance to any education program or activity, by way of grant, loan, or contract other than a contract of insurance or guaranty, is authorized and directed to effectuate the provisions of section 4504 with respect to such program or activity by issuing rules, regulations, or orders of general applicability which shall be consistent with achievement of the objectives of the statute authorizing the financial assistance in connection with which the action is taken. No such rule, regulation, or order shall become effective unless and until approved by the President.

"(b) ENFORCEMENT.—Compliance with any requirement adopted pursuant to this section may be effected—

"(1) by the termination of or refusal to grant or to continue assistance under such program or activity to any recipient as to whom there has been an express finding on the record, after opportunity for hearing, of a failure to comply with such requirement, but such termination or refusal shall be limited to the particular political entity, or part thereof, or other recipient as to whom such a finding has been made, and shall be limited in its effect to the

1 particular program, or part thereof, in which such
2 noncompliance has been so found; or
3 ''(2) by any other means authorized by law,
4 except that no such action shall be taken until the depart-
5 ment or agency concerned has advised the appropriate per-
6 son or persons of the failure to comply with the require-
7 ment and has determined that compliance cannot be se-
8 cured by voluntary means.
9 ''(c) REPORTS.—In the case of any action termi-
10 nating, or refusing to grant or continue, assistance be-
11 cause of failure to comply with a requirement imposed
12 pursuant to this section, the head of the Federal depart-
13 ment or agency shall file with the committees of the House
14 of Representatives and Senate having legislative jurisdic-
15 tion over the program or activity involved a full written
16 report of the circumstances and the grounds for such ac-
17 tion. No such action shall become effective until 30 days
18 have elapsed after the filing of such report.
19 **''SEC. 4506. PRIVATE CAUSE OF ACTION.**
20 ''(a) PRIVATE CAUSE OF ACTION.—Subject to sub-
21 section (c), and consistent with the cause of action recog-
22 nized under title VI of the Civil Rights Act of 1964 (42
23 U.S.C. 2000d et seq.) and title IX of the Education
24 Amendments of 1972 (20 U.S.C. 1681 et seq.), and their
25 implementing regulations, an aggrieved person may bring

an action in a court of competent jurisdiction, asserting a violation of this part or the requirements adopted to effectuate this part. Aggrieved persons may be awarded all appropriate relief, including equitable relief, compensatory damages, and costs of the action.

"(b) RULE OF CONSTRUCTION.—This section shall not be construed to preclude an aggrieved person from obtaining remedies under any other provision of law or to require such person to exhaust any administrative complaint process or notice of claim requirement before seeking redress under this section.

"(c) STATUTE OF LIMITATIONS.—For actions brought pursuant to this section, the statute of limitations period shall be determined in accordance with section 1658(a) of title 28, United States Code. The tolling of any such limitations period shall be determined in accordance with the law governing actions under section 1979 of the Revised Statutes (42 U.S.C. 1983) in the State in which the action is brought.

"SEC. 4507. CAUSE OF ACTION BY THE ATTORNEY GENERAL.

"The Attorney General is authorized to institute for or in the name of the United States a civil action for a violation of this part or the requirements adopted to effectuate this part in any appropriate district court of the

United States against such parties and for such relief as may be appropriate, including equitable relief and compensatory damages. Whenever a civil action is instituted for a violation of this part, or the requirements adopted to effectuate this part, the Attorney General may intervene in such action upon timely application and shall be entitled to the same relief as if the Attorney General had instituted the action. Nothing in this part shall adversely affect the right of any person to sue or obtain relief in any court for any activity that violates this part, including requirements adopted to effectuate this part.

"SEC. 4508. STATE IMMUNITY.

"(a) STATE IMMUNITY.—A State shall not be immune under the 11th Amendment to the Constitution from suit in Federal court for a violation of this part or the requirements adopted to effectuate this part.

"(b) WAIVER.—An educational agency's, including a State educational agency's, receipt or use of Federal financial assistance shall constitute a waiver of sovereign immunity, under the 11th Amendment or otherwise, to a suit brought by an aggrieved person for a violation of section 4504 or the requirements adopted to effectuate section 4504.

"(c) REMEDIES.—In a suit against a State for a violation of this part, remedies (including remedies both at

law and in equity) are available for such a violation to the same extent as such remedies are available for such a violation in the suit against any public or private entity other than a State.

"SEC. 4509. ATTORNEY'S FEES.

"Section 722(b) of the Revised Statutes (42 U.S.C. 1988(b)) is amended by inserting 'the Student Non-Discrimination Act of 2013,' after 'Religious Land Use and Institutionalized Persons Act of 2000,'.

"SEC. 4510. EFFECT ON OTHER LAWS.

"(a) FEDERAL AND STATE NONDISCRIMINATION LAWS.—Nothing in this part or the requirements adopted to effectuate this part shall be construed to preempt, invalidate, or limit rights, remedies, procedures, or legal standards available to victims of discrimination or retaliation, under any other Federal law or law of a State or political subdivision of a State, including titles IV and VI of the Civil Rights Act of 1964 (42 U.S.C. 2000c et seq., 2000d et seq.), title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), or section 1979 of the Revised Statutes (42 U.S.C. 1983). The obligations imposed by this part are in addition to those imposed by titles IV and VI of the Civil Rights Act of 1964

(42 U.S.C. 2000c et seq., 2000d et seq.), title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), and section 1979 of the Revised Statutes (42 U.S.C. 1983).

"(b) FREE SPEECH AND EXPRESSION LAWS AND RELIGIOUS STUDENT GROUPS.—Nothing in this part shall be construed to alter legal standards regarding, or affect the rights available to individuals or groups under, other Federal laws that establish protections for freedom of speech and expression, such as legal standards and rights available to religious and other student groups under the First Amendment and the Equal Access Act (20 U.S.C. 4071 et seq.).

"SEC. 4511. SEVERABILITY.

"If any provision of this part, or any application of such provision to any person or circumstance, is held to be unconstitutional, the remainder of this part, and the application of the provision to any other person or circumstance shall not be impacted.

"SEC. 4512. EFFECTIVE DATE.

"This part shall take effect 60 days after the date of enactment of the Student Non-Discrimination Act of

2013 and shall not apply to conduct occurring before the effective date of this part.''.

SEC. 4107. 21ST CENTURY COMMUNITY LEARNING CENTERS.

Part F of title IV, as redesignated by section 4103(a) of this Act, is amended—

(1) in section 4601, as redesignated by section 4103(a) of this Act—

(A) in subsection (a)—

(i) in the matter preceding paragraph (1)—

(I) by striking ''to provide'' and inserting ''to assist States in providing''; and

(II) by striking ''communities'' and inserting ''eligible entities'';

(ii) in paragraph (1)—

(I) by inserting ''students with before school, after school, or summer learning'' after provide;

(II) by striking '', particularly students''; and

(III) by striking the comma after ''low-performing schools'';

(iii) in paragraph (2)—

(I) by inserting ''who attend low-performing schools'' after ''offer students''; and

(II) by striking ''and'' after the semicolon; and

(iv) by striking paragraph (3) and inserting the following:

''(3) significantly increase the number of hours in a regular school day, week, or year in order to provide students with additional time for academic work and for additional subjects and enrichment activities that increase student achievement and engagement; and

''(4) comprehensively redesign and implement an expanded school day, expanded school week, or expanded school year schedule for all students in a high-need school, to provide additional time for—

''(A) instruction in core academic subjects;

''(B) instruction in additional subjects and enrichment activities; and

''(C) teachers and staff to collaborate, plan, and engage in professional development within and across grades and subjects.''; and

(B) in subsection (b)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by striking ''that—'' and inserting ''that provides 1 or more of the following:'';

(II) in subparagraph (A)—

(aa) by striking ''assists'' and inserting ''Before school, after school, or summer learning programs that assist'';

(bb) by striking ''(such as before and after school or during summer recess)'' after ''not in session''; and

(cc) by striking ''; and'' and inserting a period; and

(III) by striking subparagraph (B) and inserting the following:

''(B) Expanded learning time programs that significantly increase the total number of hours in a regular school day, week, or year, in order to provide students with the greatest academic needs with—

''(i) additional time to participate in academic activities that—

"(I) are aligned with the instruction that such students receive during the regular school day; and

"(II) are targeted to the academic needs of such students; and

"(ii) time to engage in enrichment and other activities that complement the academic program and contribute to a well-rounded education, which may include music and the arts, physical education, and experiential and work-based learning opportunities.

"(C) Expanded learning time initiatives that use an expanded school day, expanded school week, or expanded school year schedule to increase the total number of school hours for the school year at a high-need school by not less than 300 hours and redesign the school's program in a manner that includes additional time—

"(i) for academic work, and to support innovation in teaching, in order to improve the proficiency of participating students, particularly struggling students, in core academic subjects;

"(ii) to advance student learning for all students in all grades;

"(iii) for additional subjects and enrichment activities that contribute to a well-rounded education, which may include music and the arts, physical education, and experiential and work-based learning opportunities; and

"(iv) for teachers to engage in collaboration and professional planning, within and across grades and subjects.";

(ii) by striking paragraphs (2) and (3) and inserting the following:

"(2) ELIGIBLE ENTITY.—

"(A) IN GENERAL.—The term 'eligible entity' means a partnership of—

"(i) 1 or more high-need local educational agencies in partnership with 1 or more public entities or nonprofit organizations with a demonstrated record of success in designing and implementing before school, after school, summer learning, or expanded learning time activities; or

"(ii) 1 or more public entities or nonprofit organizations with a demonstrated

record of success in designing and implementing before school, after school, summer learning, or expanded learning time activities, in partnership with 1 or more high-need local educational agencies.

"(B) SPECIAL RULE.—A State educational agency shall deem a rural local educational agency applying for a grant under section 4604 without a partnering public or nonprofit entity to be an eligible entity if the rural local educational agency demonstrates that such agency is unable to partner with a public or nonprofit organization in reasonable geographic proximity or of sufficient quality to meet the requirements of this part."; and

(iii) by redesignating paragraph (4) as paragraph (3);

(2) in section 4602, as redesignated by section 4103(a) of this Act—

(A) in subsection (a)—

(i) by striking "under section 4206" and inserting "to carry out this part";

(ii) by striking paragraph (1);

(iii) by redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively; and

(iv) in paragraph (2), as redesignated by clause (iii), by striking ''Bureau of Indian Affairs'' and inserting ''Bureau of Indian Education'';

(B) in subsection (b)(1), by striking ''under section 4206'' and inserting ''to carry out this part''; and

(C) in subsection (c)—

(i) in paragraph (1), by striking ''4204'' and inserting ''4604'';

(ii) in paragraph (2)—

(I) in subparagraph (B)—

(aa) by striking ''responsible for administering youth development programs and adult learning activities'' and inserting ''as applicable''; and

(bb) by striking ''4204(b)'' and inserting ''4604(b)''; and

(II) by striking the undesignated matter following subparagraph (B) and inserting the following:

"(C) supervising the awarding of funds to eligible entities (in consultation with the Governor and other State agencies responsible for administering youth development programs and adult learning activities)."; and

(iii) in paragraph (3)—

(I) in subparagraph (A)—

(aa) by inserting "comprehensive" after "Monitoring and"; and

(bb) by inserting "(directly, or through a grant or contract) of the effectiveness" after "evaluation";

(II) by striking subparagraph (B) and inserting the following:

"(B) Providing capacity building, training, professional development, and technical assistance under this part to eligible entities, relating to activities such as—

"(i) coordinating activities carried out under this part with other Federal, State, and local programs so as to implement high-quality programs; and

"(ii) aligning activities carried out under this part with State academic content standards."; and

(III) by striking subparagraphs (C) and (D);

(3) in section 4603(a), as redesignated by section 4103(a) of this Act—

(A) in the matter preceding paragraph (1), by striking "4202" and inserting "4602";

(B) in paragraph (3), by striking "serve—" through "subparagraph (A)" and inserting "serve students who primarily attend high-need schools and schools that are identified through a State's accountability and improvement system under subsection (b) or (c)(2) of section 1116";

(C) in paragraph (4)—

(i) by inserting "the State's rigorous, high-quality competition for grants under section 4204, including" after "describes"; and

(ii) by striking ", which shall include" through "standards";

(D) by striking paragraph (5) and inserting the following:

"(5) describes how the State educational agency will ensure that awards made under this part are of sufficient size and scope to support high-quality, effective programs that are consistent with the purpose of this part;";

(E) by striking paragraph (7) and inserting the following:

"(7) describes how the State educational agency will assist eligible entities in coordinating funds received through the grant with other funding streams, in order to support a coherent and sustainable approach to funding and implementing programs and activities under this part and other programs under this Act;";

(F) in paragraph (8)(A), by striking "not less than 3 years and not more than 5 years" and inserting "not more than 3 years, and may extend a grant for an additional period of not more than 2 years if the eligible entity is achieving the intended outcomes of the grant";

(G) in paragraph (10)—

(i) by inserting ", if any," after "transportation needs"; and

(ii) by striking "4204(b)" and inserting "4604(b)";

(H) in paragraph (11), by striking ''before and after school (or summer school) programs, the heads of the State health and mental health agencies or their designees,'' and inserting ''before school, after school, summer learning, and expanded learning time programs and initiatives,'';

(I) in paragraph (12), by striking ''before and after school'' and inserting ''before school, after school, summer learning, and expanded learning time'';

(J) in paragraph (13)—

(i) in the matter preceding subparagraph (A), by inserting '', on a regular basis, and not less than every 3 years after the receipt of the grant'' after ''will evaluate'';

(ii) by striking subparagraph (A) and inserting the following:

''(A) a description of the benchmarks and performance goals that will be used to hold eligible entities accountable and to determine whether to provide eligible entities receiving a grant under section 4604 with an additional 2-

year period of grant funding after the initial 3-year grant; and''; and

(iii) in subparagraph (B), by striking ''and'' after the semicolon;

(K) in paragraph (14), by striking the period at the end and inserting ''; and''; and

(L) by adding at the end the following:

''(15) contains an assurance that each eligible entity that applies for an award under section 4604 shall have the flexibility to apply for funds to carry out programs described in subparagraph (A), (B), or (C) of section 4601(b)(1).'';

(4) in section 4604, as redesignated by section 4103(a) of this Act—

(A) in subsection (a), by striking ''4202(c)(1)'' and inserting ''4602(c)(1)'';

(B) in subsection (b)(2)—

(i) by striking subparagraph (A) and inserting the following:

''(A) a description of the before school, after school, summer learning, or expanded learning time activities to be funded, including—

"(i) evidence that research-based strategies for student achievement and engagement will be utilized in the program;

"(ii) as applicable, an explanation of how the program will offer students—

"(I) academic instruction that is aligned with the academic needs of the students, including English learners and students with disabilities; and

"(II) engaging enrichment activities that are aligned with the developmental needs and interests of the students, and that contribute to a well-rounded education;

"(iii) an assurance that the program will take place in a safe learning environment and an easily accessible facility;

"(iv) if applicable, a description of how students participating in the program will travel safely to and from home; and

"(v) a description of how the eligible entity will disseminate information about the program to the community in a manner that is understandable and accessible;";

(ii) in subparagraph (B)—

(I) by striking ''activity'' and inserting ''program''; and

(II) by adding at the end ''and help keep students on a path to make sufficient academic growth'';

(iii) by striking subparagraphs (L) and (M);

(iv) by striking subparagraph (E) and inserting the following:

''(E) as applicable, an explanation of how the program will offer students—

''(i) academic instruction that is aligned with the academic needs of the students; and

''(ii) engaging enrichment activities that are aligned with the developmental needs and interests of the students, and that contribute to a well-rounded education;'';

(v) in subparagraph (F), by striking ''schools eligible'' and all that follows through ''such students'' and inserting ''high-need schools and schools that are identified through a State's accountability

and improvement system under subsections (b) or (c)(2) of section 1116'';

(vi) by striking subparagraph (H) and inserting the following:

''(H) a description of the capacity of the eligible entity partners described in section 4601(b)(2)(A)(ii) to successfully implement the program, including the quality and experience of the management team of such partners;'';

(vii) in subparagraph (I)—

(I) by striking ''in the center''; and

(II) by striking ''(including the needs of working families)'';

(viii) by striking subparagraph (J) and inserting the following:

''(J) a description of the education and training activities that program staff and teachers, as applicable, have received or will receive to effectively administer the proposed program;''; and

(ix) by redesignating subparagraph (N) as subparagraph (L);

(C) by striking subsections (d) and (h) and redesignating subsections (e) through (g) and

(i) as subsections (d) through (f) and (g), respectively;

(D) in subsection (f), as redesignated by subparagraph (C), by striking ''not less than 3 years and not more than 5 years'' and inserting ''not more than 3 years, and may be extended for an additional period of not more than 2 years, if an eligible entity is achieving the intended outcomes of the grant'';

(E) by striking subsection (g), as redesignated by subparagraph (C), and inserting the following:

''(g) PRIORITY.—

''(1) IN GENERAL.—In awarding grants under this part, a State educational agency shall give priority to high-quality applications that—

''(A) are based on strong research evidence for improving student learning, as measured by student achievement and other measures of student learning and development that are appropriate for, and aligned to, the program's goals and design;

''(B) propose to serve the highest percentage of students from low-income families;

"(C) include a partnership agreement, signed by each partner of the eligible entity, that—

"(i) shows that the staff of each partner are committed to work collaboratively to implement the proposed activities, including through coordinated planning, collaborative implementation, and joint professional development and training opportunities;

"(ii) sets clear expectations, including measurable goals for each partner;

"(iii) requires the collection and reporting of data about the outcomes of programs funded under this part, in order to monitor progress toward achieving such goals and inform implementation; and

"(iv) specifies how student information will be shared to advance the goals of the proposed program and activities, including student academic achievement and engagement data, as appropriate and in accordance with Federal, State, and local laws; and

"(D) are submitted by eligible entities that will provide matching funds to carry out the activities supported by the grant, as described in paragraph (2).

"(2) MATCHING FUNDS.—

"(A) AMOUNT OF MATCHING FUNDS.—In awarding grants under this section, a State educational agency shall give priority to applications from eligible entities that, in addition to meeting the requirements of paragraph (1), provide matching funds in an amount not less than—

"(i) for the first year of an initial grant under this section, 10 percent of the cost of the activities;

"(ii) for the second year of such grant, 20 percent of the cost of the activities;

"(iii) for the third year of such grant, and for the first year of a subsequent grant under this section, 30 percent of the cost of the activities; and

"(iv) for the second or any succeeding year of such subsequent grant, 40 percent of the cost of the activities.

"(B) CASH OR IN-KIND.—The eligible entity may provide the matching funds described in subparagraph (A) in cash or in-kind, fairly evaluated, including plant, equipment, or services, but may not provide more than 50 percent of the matching funds in-kind.

"(C) WAIVER.—A State educational agency may waive all or part of the matching requirement for priority described in this paragraph, on a case-by-case basis, upon a showing of serious financial hardship."; and

(F) by adding at the end the following:

"(h) SPECIAL RULE.—In implementing 21st Century Community Learning Centers, the Department shall not give priority to, show preference for, or provide direction about whether communities use 21st Century Community Learning Centers funds for eligible entities described in subparagraph (A), (B), or (C) of section 4601(b)(1).";

(5) in section 4605, as redesignated by section 4103(a) of this Act—

(A) in subsection (a)—

(i) in the matter preceding paragraph (1), by striking "before and after school activities (including during summer recess periods)" and inserting "before school,

after school, summer learning, or expanded learning time activities'';

(ii) by redesignating paragraphs (1) through (12) as paragraphs (2) through (13), respectively;

(iii) by inserting before paragraph (2), as redesignated by clause (ii), the following:

''(1) high-quality expanded learning time programs or initiatives;'';

(iv) in paragraph (6), as redesignated by clause (ii), by striking ''(including those provided by senior citizen volunteers)''; and

(v) in paragraph (7), as redesignated by clause (ii), by striking ''limited English proficient students'' and inserting ''English learners''; and

(B) by striking subsection (b) and inserting the following:

''(b) PERFORMANCE INDICATORS.—Each State educational agency that receives a grant under this part shall collect, and annually report to the Secretary, information on the following performance indicators, disaggregated, as appropriate, by the subgroups described in section 1111(a)(2)(B)(x):

"(1) The average time added to the school day, school week, or school year, if applicable.

"(2) Student participation and attendance rates for the programs funded under this part.

"(3) Student achievement in core academic subjects and high school graduation rates, as applicable, for students who participate in such programs.".

SEC. 4108. PROMISE NEIGHBORHOODS.

Title IV (20 U.S.C. 7101 et seq.) is amended by inserting after part F, as redesignated by section 4103(a) of this Act, the following:

"PART G—PROMISE NEIGHBORHOODS

"SEC. 4701. SHORT TITLE.

"This part may be cited as the 'Promise Neighborhoods Act of 2013'.

"SEC. 4702. PURPOSE.

"The purpose of this part is to significantly improve the academic and developmental outcomes of children living in our Nation's most distressed communities from birth through college and career entry, including ensuring school readiness, high school graduation, and college and career readiness for such children, through the use of data-driven decisionmaking and access to a community-based continuum of high-quality services, beginning at birth.

"SEC. 4703. DEFINITIONS.

"In this part:

"(1) CHILD.—The term 'child' means an individual from birth through age 21.

"(2) COLLEGE AND CAREER READINESS.—The term 'college and career readiness' means the level of preparation a student needs in order to meet the State academic content and achievement standards under section 1111(a)(1).

"(3) COMMUNITY OF PRACTICE.—The term 'community of practice' means a group of entities that interact regularly to share best practices to address 1 or more persistent problems, or improve practice with respect to such problems, in 1 or more neighborhoods.

"(4) COMPREHENSIVE SCHOOL READINESS ASSESSMENT.—The term 'comprehensive school readiness assessment' means an objective tool that—

"(A) screens for school readiness across domains, including language, cognitive, physical, motor, sensory, and social-emotional domains, and through a developmental screening.; and

"(B) may also include other sources of information, such as child observations by parents and others, verbal and written reports, child

work samples (for children aged 3 to 5), and health and developmental histories.

"(5) DEVELOPMENTAL SCREENING.—The term 'developmental screening' means the use of a standardized tool to identify a child who may be at risk of a developmental delay or disorder.

"(6) EXPANDED LEARNING TIME.—The term 'expanded learning time' means the activities and programs described in subparagraphs (A), (B), and (C) of section 4601(b)(1).

"(7) FAMILY AND COMMUNITY ENGAGEMENT.—The term 'family and community engagement' means the process of engaging family and community members in education meaningfully and at all stages of the planning, implementation, and school and neighborhood improvement process, including, at a minimum—

"(A) disseminating a clear definition of the neighborhood to the members of the neighborhood;

"(B) ensuring representative participation by the members of such neighborhood in the planning and implementation of the activities of each grant awarded under this part;

"(C) regular engagement by the eligible entity and the partners of the eligible entity with family members and community partners;

"(D) the provision of strategies and practices to assist family and community members in actively supporting student achievement and child development; and

"(E) collaboration with institutions of higher education, workforce development centers, and employers to align expectations and programming with college and career readiness.

"(8) FAMILY AND STUDENT SUPPORTS.—The term 'family and student supports' includes—

"(A) health programs (including both mental health and physical health services);

"(B) school, public, and child-safety programs;

"(C) programs that improve family stability;

"(D) workforce development programs (including those that meet local business needs, such as internships and externships);

"(E) social service programs;

"(F) legal aid programs;

"(G) financial literacy education programs;

"(H) adult education and family literacy programs;

"(I) parent, family, and community engagement programs; and

"(J) programs that increase access to learning technology and enhance the digital literacy skills of students.

"(9) FAMILY MEMBER.—The term 'family member' means a parent, relative, or other adult who is responsible for the education, care, and well-being of a child.

"(10) INTEGRATED STUDENT SUPPORTS.—The term 'integrated student supports' means wrap-around services, supports, and community resources, which shall be offered through a site coordinator for at-risk students, that have been shown by evidence-based research—

"(A) to increase academic achievement and engagement;

"(B) to support positive child development; and

"(C) to increase student preparedness for success in college and the workforce.

"(11) NEIGHBORHOOD.—The term 'neighborhood' means a defined geographical area in which

there are multiple signs of distress, demonstrated by indicators of need, including poverty, childhood obesity rates, academic failure, and rates of juvenile delinquency, adjudication, or incarceration.

"(12) PIPELINE SERVICES.—The term 'pipeline services' means a continuum of supports and services for children from birth through college entry, college success, and career attainment, including, at a minimum, strategies to address through services or programs (including integrated student supports) the following:

"(A) Prenatal education and support for expectant parents.

"(B) High-quality early learning opportunities.

"(C) High-quality schools and out-of-school-time programs and strategies.

"(D) Support for a child's transition to elementary school, including the administration of a comprehensive school readiness assessment.

"(E) Support for a child's transition from elementary school to middle school, from middle school to high school, and from high school into and through college and into the workforce.

"(F) Family and community engagement.

"(G) Family and student supports.

"(H) Activities that support college and career readiness, including coordination between such activities, such as—

"(i) assistance with college admissions, financial aid, and scholarship applications, especially for low-income and low-achieving students; and

"(ii) career preparation services and supports.

"(I) Neighborhood-based support for college-age students who have attended the schools in the pipeline, or students who are members of the community, facilitating their continued connection to the community and success in college and the workforce.

"Subpart 1—Promise Neighborhood Partnership Grants

"SEC. 4711. PROGRAM AUTHORIZED.

"(a) IN GENERAL.—

"(1) PROGRAM AUTHORIZED.—From amounts appropriated to carry out this subpart, the Secretary shall award grants, on a competitive basis, to eligible entities to implement a comprehensive, evidence-based continuum of coordinated services and sup-

ports that engages community partners to improve academic achievement, student development, and college and career readiness, measured by common outcomes, by carrying out the activities described in section 4714 in neighborhoods with high concentrations of low-income individuals and persistently low-achieving schools or schools with an achievement gap.

"(2) SUFFICIENT SIZE AND SCOPE.—Each grant awarded under this subpart shall be of sufficient size and scope to allow the eligible entity to carry out the purpose of this part.

"(b) DURATION.—A grant awarded under this subpart—

"(1) shall be for a period of not more than 5 years; and

"(2) may be renewed for not more than 1 additional grant period, if the eligible entity demonstrates significant improvement in relation to the performance metrics established under section 4716(a).

"(c) CONTINUED FUNDING.—Continued funding of a grant under this subpart, including a grant renewed under subsection (b)(2), after the third year of the grant period shall be contingent on the eligible entity's progress toward

meeting the performance metrics described in section 4716(a).

"(d) MATCHING REQUIREMENT.—

"(1) IN GENERAL.—Each eligible entity receiving a grant under this subpart shall contribute matching funds in an amount equal to not less than 100 percent of the amount of the grant. Such matching funds shall come from Federal, State, local, and private sources.

"(2) PRIVATE SOURCES.—The Secretary—

"(A) shall require that a portion of the matching funds come from private sources; and

"(B) may allow the use of in-kind donations to satisfy the matching funds requirement.

"(3) ADJUSTMENT.—The Secretary may adjust the matching funds requirement for applicants that demonstrate high need, including applicants from rural areas or applicant that wish to provide services on tribal lands.

"(e) FINANCIAL HARDSHIP WAIVER.—

"(1) IN GENERAL.—The Secretary may waive or reduce, on a case-by-case basis, the matching requirement described in subsection (d), for a period

of 1 year at a time, if the eligible entity demonstrates significant financial hardship.

"(2) PRIVATE SOURCES WAIVER.—The Secretary may waive or reduce, on a case-by-case basis, the requirement described in subsection (d) that a portion of matching funds come from private sources if the eligible entity demonstrates an inability to access such funds in the State.

"SEC. 4712. ELIGIBLE ENTITIES.

"In this subpart, the term 'eligible entity' means not less than 1 nonprofit entity working in coordination with not less than 1 of the following entities:

"(1) A high-need local educational agency.

"(2) A charter school funded by the Bureau of Indian Education that is not a local educational agency, except that such school shall not be the fiscal agent for the eligible entity partnership.

"(3) An institution of higher education, as defined in section 102 of the Higher Education Act of 1965.

"(4) The office of a chief elected official of a unit of local government.

"(5) An Indian tribe or tribal organization, as defined under section 4 of the Indian Self-Deter-

mination and Education Assistance Act (25 U.S.C. 450b).

"SEC. 4713. APPLICATION REQUIREMENTS.

"(a) IN GENERAL.—An eligible entity desiring a grant under this subpart shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

"(b) CONTENTS OF APPLICATION.—At a minimum, an application described in subsection (a) shall include the following:

"(1) A plan to significantly improve the academic outcomes of children living in a neighborhood that is served by the eligible entity, by providing pipeline services that address the needs of children in the neighborhood, as identified by the needs analysis described in paragraph (4) and supported by evidence-based practices.

"(2) A description of the neighborhood that the eligible entity will serve.

"(3) Measurable annual goals for the outcomes of the grant, including—

"(A) performance goals, in accordance with the metrics described in section 4716(a), for each year of the grant; and

"(B) projected participation rates and any plans to expand the number of children served or the neighborhood proposed to be served by the grant program.

"(4) An analysis of the needs and assets of the neighborhood identified in paragraph (2), including—

"(A) a description of the process through which the needs analysis was produced, including a description of how parents, family, and community members were engaged in such analysis;

"(B) an analysis of community assets, including programs already provided from Federal and non-Federal sources, within, or accessible to, the neighborhood, including, at a minimum—

"(i) early learning programs, including high-quality child care, Early Head Start programs, Head Start programs, and prekindergarten programs;

"(ii) the availability of healthy food options and opportunities for physical activity;

1 ''(iii) existing family and student sup-
2 ports;
3 ''(iv) locally owned businesses and em-
4 ployers; and
5 ''(v) institutions of higher education;
6 ''(C) evidence of successful collaboration
7 within the neighborhood;
8 ''(D) the steps that the eligible entity is
9 taking, at the time of the application, to ad-
10 dress the needs identified in the needs analysis;
11 and
12 ''(E) any barriers the eligible entity, public
13 agencies, and other community-based organiza-
14 tions have faced in meeting such needs.
15 ''(5) A description of the data used to identify
16 the pipeline services to be provided, including data
17 regarding—
18 ''(A) school readiness;
19 ''(B) academic achievement and college
20 and career readiness;
21 ''(C) graduation rates;
22 ''(D) health indicators;
23 ''(E) rates of enrollment, remediation, per-
24 sistence, and completion at institutions of high-
25 er education, as available; and

"(F) conditions for learning, including school climate surveys, discipline rates, and student attendance and incident data.

"(6) A description of the process used to develop the application, including the involvement of family and community members.

"(7) An estimate of—

"(A) the number of children, by age, who will be served by each pipeline service; and

"(B) for each age group, the percentage of children (of such age group), within the neighborhood, who the eligible entity proposes to serve, disaggregated by each service, and the goals for increasing such percentage over time.

"(8) A description of how the pipeline services will facilitate the coordination of the following activities:

"(A) Providing high-quality early learning opportunities for children, beginning prenatally and extending through grade 3, by—

"(i) supporting high-quality early learning opportunities that provide children with access to programs that support the cognitive and developmental skills, in-

cluding social and emotional skills, needed for success in elementary school;

"(ii) providing for opportunities, through parenting classes, baby academies, home visits, family and community engagement, or other evidence-based strategies, for families and expectant parents to—

"(I) acquire the skills to promote early learning, development, and health and safety, including learning about child development and positive discipline strategies (such as through the use of technology and public media programming);

"(II) learn about the role of families and expectant parents in their child's education; and

"(III) become informed about educational opportunities for their children, including differences in quality among early learning opportunities;

"(iii) ensuring successful transitions between early learning programs and elementary school, including through the es-

tablishment of memoranda of understanding between early learning providers and local educational agencies serving young children and families;

"(iv) ensuring appropriate screening, diagnostic assessments, and referrals for children with disabilities, developmental delays, or other special needs, consistent with the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), where applicable;

"(v) improving the early learning workforce in the community, including through—

"(I) investments in the recruitment, retention, distribution, and support of high-quality professionals, especially those with certification and experience in child development;

"(II) the provision of high-quality teacher preparation and professional development; or

"(III) the use of joint professional development for early learning

1 providers and elementary school
2 teachers and administrators; and
3 ''(vi) enhancing data systems and
4 data sharing among the eligible entity,
5 partners, early learning providers, schools,
6 and local educational agencies operating in
7 the neighborhood.
8 ''(B) Supporting, enhancing, operating, or
9 expanding rigorous and comprehensive edu-
10 cation reforms designed to significantly improve
11 educational outcomes for children in early
12 learning programs through grade 12, which
13 may include—
14 ''(i) operating schools or working in
15 close collaboration with local schools to
16 provide high-quality academic programs,
17 curricula, and integrated student supports;
18 ''(ii) providing expanded learning
19 time, which may include the integration
20 and use of arts education in such learning
21 time; and
22 ''(iii) providing programs and activi-
23 ties that ensure that students—

1 "(I) are prepared for the college
2 admissions, scholarship, and financial
3 aid application processes; and
4 "(II) graduate college and career
5 ready.
6 "(C) Supporting access to a healthy life-
7 style, which may include—
8 "(i) the provision of high-quality and
9 nutritious meals;
10 "(ii) access to programs that promote
11 physical activity, physical education, and
12 fitness; and
13 "(iii) education to promote a healthy
14 lifestyle and positive body image.
15 "(D) Providing social, health, and mental
16 health services and supports, including referrals
17 for essential care and preventative screenings,
18 for children, family, and community members,
19 which may include—
20 "(i) dental services;
21 "(ii) vision care; and
22 "(iii) speech, language, and auditory
23 screenings and referrals.
24 "(E) Supporting students and family mem-
25 bers as the students transition from early learn-

ing programs into elementary school, from elementary school to middle school, from middle school to high school, from high school into and through college and into the workforce, including through evidence-based strategies to address challenges that students may face as they transition, such as the following:

"(i) Early college high schools.

"(ii) Dual enrollment programs.

"(iii) Career academies.

"(iv) Counseling and support services.

"(v) Dropout prevention and recovery strategies.

"(vi) Collaboration with the juvenile justice system and reentry counseling for adjudicated youth.

"(vii) Advanced Placement or International Baccalaureate courses.

"(viii) Teen parent classrooms.

"(ix) Graduation and career coaches.

"(9) A description of the strategies that will be used to provide pipeline services (including a description of the process used to identify such strategies and the outcomes expected and a description of which programs and services will be provided to chil-

dren, family members, community members, and children not attending schools or programs operated by the eligible entity or its partner providers) to support the purpose of this part.

''(10) An explanation of the process the eligible entity will use to establish and maintain family and community engagement.

''(11) An explanation of how the eligible entity will continuously evaluate and improve the continuum of high-quality pipeline services, including—

''(A) a description of the metrics, consistent with section 4716(a), that will be used to inform each component of the pipeline; and

''(B) the processes for using data to improve instruction, optimize integrated student supports, provide for continuous program improvement, and hold staff and partner organizations accountable.

''(12) An identification of the fiscal agent, which may be any entity described in section 4712 (not including paragraph (2) of such section).

''(13) A list of the non-Federal sources of funding that the eligible entity will secure to comply with the matching funds requirement described in section 4711(d), in addition to other programs from which

the eligible entity has already secured funding, including programs funded by the Department or programs of the Department of Health and Human Services, the Department of Housing and Urban Development, the Department of Justice, or the Department of Labor.

"(c) MEMORANDUM OF UNDERSTANDING.—An eligible entity, as part of the application described in this section, shall submit a preliminary memorandum of understanding, signed by each partner entity or agency. The preliminary memorandum of understanding shall describe, at a minimum—

"(1) each partner's financial and programmatic commitment with respect to the strategies described in the application, including an identification of the fiscal agent;

"(2) each partner's long-term commitment to providing pipeline services that, at a minimum, accounts for the cost of supporting the continuum of supports and services (including a plan for how to support services and activities after grant funds are no longer available) and potential changes in local government;

"(3) each partner's mission and the plan that will govern the work that the partners do together;

"(4) each partner's long-term commitment to supporting the continuum of supports and services through data collection, monitoring, reporting, and sharing; and

"(5) each partner's commitment to ensure sound fiscal management and controls, including evidence of a system of supports and personnel.

"SEC. 4714. USE OF FUNDS.

"(a) IN GENERAL.—Each eligible entity that receives a grant under this subpart shall use the grant funds to—

"(1) implement the pipeline services, as described in the application under section 4713; and

"(2) continuously evaluate the success of the program and improve the program based on data and outcomes.

"(b) SPECIAL RULES.—

"(1) FUNDS FOR PIPELINE SERVICES.—Each eligible entity that receives a grant under this subpart shall, following the second year of the grant and each subsequent year, including each year of a renewal grant, use not less than 80 percent of grant funds to carry out the activities described in subsection (a)(1).

"(2) OPERATIONAL FLEXIBILITY.—Each eligible entity that operates a school in a neighborhood

served by a grant program under this subpart shall provide such school with the operational flexibility, including autonomy over staff, time, and budget, needed to effectively carry out the activities described in the application under section 4713.

"(3) LIMITATION ON USE OF FUNDS FOR EARLY CHILDHOOD EDUCATION PROGRAMS.—Funds under this subpart that are used to improve early childhood education programs shall not be used to carry out any of the following activities:

"(A) Assessments that provide rewards or sanctions for individual children or teachers.

"(B) A single assessment that is used as the primary or sole method for assessing program effectiveness.

"(C) Evaluating children, other than for the purposes of improving instruction, classroom environment, professional development, or parent and family engagement, or program improvement.

"SEC. 4715. REPORT AND PUBLICLY AVAILABLE DATA.

"(a) REPORT.—Each eligible entity that receives a grant under this subpart shall prepare and submit an annual report to the Secretary, which shall include—

"(1) information about the number and percentage of children in the neighborhood who are served by the grant program, including a description of the number and percentage of children accessing each support or service offered as part of the pipeline services;

"(2) information relating to the performance metrics described in section 4716(a); and

"(3) other indicators that may be required by the Secretary, in consultation with the Director of the Institute of Education Sciences.

"(b) PUBLICLY AVAILABLE DATA.—Each eligible entity that receives a grant under this subpart shall make publicly available, including through electronic means, the information described in subsection (a). To the extent practicable, such information shall be provided in a form and language accessible to parents and families in the neighborhood, and such information shall be a part of statewide longitudinal data systems.

"SEC. 4716. PERFORMANCE ACCOUNTABILITY AND EVALUATION.

"(a) PERFORMANCE METRICS.—Each eligible entity that receives a grant under this subpart shall collect data on performance indicators of pipeline services and family and student supports and report the results to the Sec-

retary, who shall use the results as a consideration in continuing grants after the third year and in awarding grant renewals. The indicators shall, at a minimum, include the following:

"(1) Evidence of increasing qualifications for staff in early care and education programs attended by children in the neighborhood.

"(2) With respect to the children served by the grant—

"(A) the percentage of children who are ready for kindergarten, as measured by a comprehensive developmental screening instrument;

"(B) the percentage of school-age children proficient in core academic subjects;

"(C) evidence of narrowing student achievement gaps among the categories described in section 1111(a)(2)(B)(x);

"(D) the percentage of children who are reading at grade level by the end of grade 3;

"(E) the percentage of children who successfully transition from grade 8 to grade 9;

"(F) for each school year during the grant period, the percentage of students in prekindergarten, elementary school, and secondary school who miss more than 10 percent of school days

for any reason, excused or unexcused, and the number and percentage of students who are suspended or expelled for any reason, starting in prekindergarten;

''(G) the percentage of children who graduate with a high school diploma;

''(H) the percentage of children who enter postsecondary education and remain after 1 year;

''(I) the percentage of children who are healthy, as measured by a child-health index that includes cognitive, nutritional, physical, social, mental-health, and emotional domains;

''(J) the percentage of children who feel safe, as measured by a school climate survey;

''(K) rates of student mobility and homelessness;

''(L) opportunities for family members of children to receive education and job training; and

''(M) the percentage of children who have digital literacy skills and access to broadband internet and a connected computing device at home and at school.

"(b) EVALUATION.—The Secretary shall evaluate the implementation and impact of the activities funded under this subpart, in accordance with section 9601.

"Subpart 2—Promise School Grants

"SEC. 4721. PROGRAM AUTHORIZED.

"(a) IN GENERAL.—

"(1) PROGRAM AUTHORIZED.—From amounts appropriated to carry out this subpart, the Secretary shall award grants, on a competitive basis, to eligible entities to implement school-centered, evidence-based strategies and integrated student supports that leverage community partnerships to improve student achievement and child development by carrying out the activities described in section 4724 in schools with high concentrations of low-income children.

"(2) SUFFICIENT SIZE AND SCOPE.—Each grant awarded under this subpart shall be of sufficient size and scope to allow the eligible entity to carry out the purpose of this part.

"(b) GENERAL PROVISIONS.—The requirements of subsections (b), (c), (d), and (e) of section 4711 and section 4714(b) shall apply to a grant under this subpart in the same manner as such subsections apply to a grant under subpart 1, except that the performance metrics used

for section 4711(c) shall be the metrics under section 4726(a).

"SEC. 4722. DEFINITION OF ELIGIBLE ENTITY.

"In this subpart, the term 'eligible entity' means—

"(1) not less than 1 high-need local educational agency (including a charter school that is a local educational agency) in partnership with 1 or more nonprofit entities or institutions of higher education; or

"(2) a school funded by the Bureau of Indian Education that falls under the definition of a local educational agency in partnership with 1 or more nonprofit entities or institutions of higher education.

"SEC. 4723. APPLICATION REQUIREMENTS; PRIORITY.

"(a) IN GENERAL.—An eligible entity desiring a grant under this subpart shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

"(b) CONTENTS OF APPLICATION.—At a minimum, the application described in subsection (a) shall include the following:

"(1) A description of the local educational agency, schools, and students that will be served by the grant program.

"(2) A description of the steps that the eligible entity is taking—

"(A) to meet the needs identified in the analysis described in paragraph (4); and

"(B) to remove any barriers that the eligible entity has identified in meeting such needs.

"(3) The designation of a site coordinator, with appropriate qualifications and appropriate time, autonomy, and support to provide—

"(A) leadership in building relationships and establishing and sustaining partnerships that support school improvement, school turnaround efforts in accordance with section 1116(c), increases in student achievement, positive child development, and parent, family, and community engagement; and

"(B) effective coordination of student services at all stages of the continuum of high-quality pipeline services.

"(4) An analysis of the needs and assets of the schools and communities that will be assisted under the grant. Such analysis shall include—

"(A) student data, including information about—

"(i) kindergarten readiness, as measured by a comprehensive developmental screening instrument;

"(ii) academic achievement;

"(iii) credit accumulation;

"(iv) grade-to-grade promotion;

"(v) graduation;

"(vi) attendance; and

"(vii) discipline; and

"(B) information about the assets described in section 4713(b)(4)(B) with respect to such schools and communities.

"(5) An explanation of how the eligible entity and its program partners will use evidence-based practice, data, research, and partnerships to provide pipeline services that—

"(A) address the needs identified in paragraph (4);

"(B) conduct family and community engagement;

"(C) enable teachers and administrators, including early learning providers, to complement and enrich efforts to help children—

"(i) achieve learning gains;

"(ii) prepare for graduation; and

"(iii) plan for the future, including preparing for college and careers; and

"(D) coordinate and leverage other programs that serve children, the schools served by the grant, and the neighborhood.

"(6) An explanation of the extent to which the eligible entity and its program partners will serve or involve children residing in the neighborhood regardless of whether such children attend a school served by the grant, including by carrying out the activities described in section 4713(b)(8).

"(7) A description of the capacity of the eligible entity for measuring student outcomes and school-specific outcomes.

"(8) A description of how the strategies supported with funds under this subpart will be—

"(A) coordinated with other programs and strategies carried out by the local educational agency; and

"(B) to the greatest extent practicable, coordinated with other agencies, such as agencies that provide reentry services to adjudicated youth.

"(9) A description of the strategy the eligible entity will use to—

"(A) conduct family and community engagement; and

"(B) make schools the centers of their respective communities.

"(10) A list of the non-Federal sources of funding that the eligible entity will secure to comply with the matching funds requirement pursuant to sections 4711(d) and 4721, in addition to other programs the eligible entity has already secured funding from, including programs funded by the Department, or programs of the Department of Health and Human Services, the Department of Housing and Urban Development, the Department of Justice, or the Department of Labor.

"(c) MEMORANDUM OF UNDERSTANDING.—An eligible entity, as part of the application described in this section, shall submit a preliminary memorandum of understanding that meets the requirements of section 4713(c).

"(d) PRIORITY.—In awarding grants under this subpart, the Secretary shall give priority to applicants that—

"(1) propose to include significant investments, as determined by the Secretary, in high-quality early learning programs, consistent with section 4713(b)(8)(A); and

"(2) provide schools served by the grant with the operational flexibility, including autonomy over staff, time, and budget, needed to effectively carry out the activities described in the application under this section.

"SEC. 4724. USE OF FUNDS.

"(a) IN GENERAL.—Each eligible entity that receives a grant under this subpart shall use the grant funds to—

"(1) implement the activities described in the application under section 4723; and

"(2) continuously evaluate the success of the grant program and improve the grant program based on data and outcomes.

"(b) SPECIAL RULE.—

"(1) LIMITATION ON USE OF FUNDS FOR EARLY CHILDHOOD EDUCATION PROGRAMS.—Funds under this subpart that are used to improve early childhood education programs shall not be used to carry out any of the following activities:

"(A) Assessments that provide rewards or sanctions for individual children or teachers.

"(B) A single assessment that is used as the primary or sole method for assessing program effectiveness.

"(C) Evaluating children, other than for the purposes of improving instruction, classroom environment, professional development, or parent and family engagement, or program improvement.

"SEC. 4725. REPORT AND PUBLICLY AVAILABLE DATA.

"(a) REPORT.—Each eligible entity that receives a grant under this subpart shall prepare and submit an annual report to the Secretary, which shall include—

"(1) information about the number and percentage of children served by the grant program, disaggregated the subgroups described in section 1111(a)(2)(B)(x);

"(2) information relating to the performance metrics described in section 4726(a); and

"(3) other indicators that may be required by the Secretary, in consultation with the Director of the Institute of Education Sciences.

"(b) PUBLICLY AVAILABLE DATA.—Each eligible entity that receives a grant under this subpart shall make publicly available, including through electronic means, the information described in subsection (a). To the extent practicable, such information shall be provided in a form and language accessible to parents and families in the neighborhood.

"SEC. 4726. PERFORMANCE ACCOUNTABILITY AND EVALUATION.

"(a) PERFORMANCE METRICS.—Each eligible entity receiving a grant under this subpart shall collect data on performance indicators of pipeline services and family and student supports and report the results to the Secretary, who shall use the results as a consideration in continuing grants after the third year and awarding grant renewals. The indicators shall, at a minimum, include the indicators described in paragraphs (1) and (2) of section 4716(a).

"(b) EVALUATION.—The Secretary shall evaluate the implementation and impact of the activities funded under this subpart, in accordance with section 9601.

"Subpart 3—General Provisions

"SEC. 4731. NATIONAL ACTIVITIES.

"From the amounts appropriated to carry out this part for a fiscal year, in addition to the amounts that may be reserved in accordance with section 9601, the Secretary may reserve not more than 8 percent for national activities, which may include—

"(1) research on the activities carried out under subparts 1 and 2;

"(2) identification and dissemination of best practices, including through support for a community of practice;

"(3) technical assistance, including assistance relating to family and community engagement and outreach to potential partner organizations;

"(4) professional development, including development of materials related to professional development; and

"(5) other activities consistent with the purpose of this part.".

SEC. 4109. PARENT AND FAMILY INFORMATION AND RESOURCE CENTERS.

Title IV (20 U.S.C. 7101 et seq.) is amended by inserting after part G, as added by section 4108 of this Act, the following:

"PART H—PARENT AND FAMILY INFORMATION AND RESOURCE CENTERS

"SEC. 4801. PURPOSE.

"The purpose of this part is to increase and enhance parent and family engagement in education by—

"(1) providing support and technical assistance to State educational agencies;

"(2) supporting a community of practice related to effective parent and family engagement strategies and practices; and

"(3) as appropriate, providing information and training to local educational agencies, schools, parents and families, and community members.

"SEC. 4802. DEFINITION OF ELIGIBLE ENTITY.

"In this part, the term 'eligible entity' means—

"(1) a nonprofit organization (including a statewide nonprofit organization); or

"(2) a consortium consisting of a nonprofit organization (including a statewide nonprofit organization) and a State educational agency or local educational agency.

"SEC. 4803. GRANTS AUTHORIZED.

"(a) PARENT AND FAMILY INFORMATION AND RESOURCE CENTERS.—The Secretary is authorized to award grants, on a competitive basis, to eligible entities to enable such eligible entities to operate State parent and family information and resource centers that—

"(1) assist the State educational agency in identifying, implementing, and replicating effective, evidence-based parent, family, and community engagement strategies, including assisting the State educational agency in carrying out parent and family engagement strategies that are funded under section 1118 and other provisions of this Act;

"(2) provide technical assistance, training, information, and support regarding parent and family engagement, as appropriate (including support in turning around schools), to, at a minimum, high-need schools, schools that are served by high-need local educational agencies, and early care and education providers that primarily serve low-income parents and families; and

"(3) strengthen partnerships among parents, family members, community-based organizations (including faith-based organizations), early care and education providers, schools, local educational agencies, employers, and other appropriate community members who are committed to improving and enhancing parent, family, and community engagement in order to improve student achievement and support positive child development.

"(b) DURATION.—Grants awarded under this part shall be for a period of 5 years.

"(c) GEOGRAPHIC DISTRIBUTION.—In awarding grants under this part, the Secretary shall ensure that not less than 1 grant is awarded to an eligible entity in each State, except that competitions conducted pursuant to section 4806(b)(2)(B), or for which no eligible entity from a State applies, shall be open to all eligible entities.

"(d) PRIORITY.—In awarding grants under this part, the Secretary shall give priority to applications from eligible entities that have a demonstrated record of effectiveness in increasing and enhancing the engagement of parents and families whose children attend a high-need school or a school that is served by a high-need local educational agency.

"SEC. 4804. APPLICATIONS.

"(a) SUBMISSION.—Each eligible entity that desires a grant under this part shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require.

"(b) ASSURANCES.—Each application submitted under subsection (a) shall include, at a minimum, an assurance that the eligible entity will—

"(1)(A) be governed by a board of directors, of which not less than 50 percent is comprised of members who are—

"(i) parents or family members of school-aged children in the State that the eligible entity serves, including educationally and economically disadvantaged parents; and

"(ii) community stakeholders who are committed to improving schools and increasing parent and family engagement; or

"(B) be an organization or consortium that represents the interests of parents and family members of school-aged children;

"(2) use not less than 60 percent of the funds received under this part for each fiscal year to support parent and family engagement in high-need local educational areas;

"(3) reserve not less than 30 percent of the funds received under this part for each fiscal year to support parent and family engagement of low-income parents and family members whose children attend early childhood education programs;

"(4) operate a parent and family information and resource center of sufficient size, scope, and quality to effectively carry out the purpose of this part;

"(5) ensure that parents and family members, including economically disadvantaged parents and family members with children who attend high-need schools or schools that are served by high-need local educational agencies, have access to leadership development training and other evidence-based strategies that provide the skills and resources parents and family members need to support school improve-

ment, increase student achievement, and promote positive student development; and

"(6) demonstrate to the Secretary that a portion of the services provided by the eligible entity under the grant is supported through non-Federal contributions, which contributions may be in cash or in-kind.

"(c) CONTENTS.—In addition to the requirements described in subsection (b), each application submitted under subsection (a) shall, at a minimum—

"(1) describe how the eligible entity will serve both urban and rural areas throughout the State that is served by the eligible entity;

"(2) demonstrate the eligible entity's record of effectiveness in carrying out parent and family engagement activities, including the provision of high-quality technical assistance to State educational agencies and local educational agencies;

"(3) describe the process through which the eligible entity will—

"(A) leverage relationships with, and collect and exchange information among, partners; and

"(B) disseminate information about evidence-based best practices to support parent and family engagement strategies;

"(4) describe the eligible entity's strategy for serving parents and family members of children in the area served by the eligible entity, including parents and family members of students who are served by high-need local educational agencies;

"(5) describe how the eligible entity will assist the State educational agency in effectively supporting high-need local educational agencies in—

"(A) increasing parent and family member understanding of, and opportunities to develop, the knowledge and skills to engage as full partners in supporting academic achievement, child development, and school improvement; and

"(B) employing evidence-based strategies to—

"(i) increase the participation of economically disadvantaged and English learner parents and family members, and low-income parents and family members of children with disabilities, in school activities; and

"(ii) improve parent and family engagement strategies in low-performing schools served by high-need local educational agencies; and

"(6) describe how the eligible entity will coordinate its activities with the parent training and information centers assisted under section 671 of the Individuals with Disabilities Education Act;

"(7) identify the Federal, State, and local services and programs that prepare children to be ready for institutions of higher education and careers with which the eligible entity will coordinate, including—

"(A) programs supported under this Act;

"(B) violence prevention programs;

"(C) programs that serve at-risk or out-of-school youth;

"(D) nutrition programs;

"(E) housing programs;

"(F) Head Start and other early childhood education programs;

"(G) adult education and literacy activities (as defined in section 203 of the Adult Education and Family Literacy Act); and

"(H) workforce development programs.

"SEC. 4805. USES OF FUNDS.

"(a) REQUIRED ACTIVITIES.—Each eligible entity that receives a grant under this part shall use such grant funds to provide services to parents, family members, educators, and community members and to assist State educational agencies, local educational agencies, and, where applicable, districtwide parent advisory committees in supporting parent and family engagement in education by carrying out the following activities:

"(1) Providing technical assistance to State educational agencies in—

"(A) reviewing and responding to local parent and family engagement plans described in section 1118(a) (including, at a minimum, such plans submitted by high-need local educational agencies) in order to support evidence-based strategies and best practices in parent and family engagement;

"(B) the implementation of Federal and State laws, regulations, and guidance relating to parent and family engagement;

"(C) the implementation or replication of statewide, evidence-based programs and strategies, such as professional development for educators related to parent and family engagement, especially that impact parents and family mem-

bers who are educationally and economically disadvantaged;

"(D) ensuring that schools and classrooms are welcoming of family and community members; and

"(E) applicable evaluation, reporting, and accountability processes.

"(2) Obtaining and disseminating information about the range of options, programs, services, and resources (including curricula) that are available at the national level, the State level, and the local level to assist school and local educational agency personnel in implementing evidence-based parent and family engagement strategies.

"(3) Coordinating parent and family engagement strategies with relevant Federal, State, and local services and programs.

"(4) Working with individuals and organizations with expertise in identifying and implementing evidence-based practices to improve parent and family engagement.

"(5) Coordinating and integrating early care and education programs with school-age programs, especially those programs focusing on supporting the transition of young children into kindergarten

through grade 3, such as by increasing awareness of school readiness expectations among family and community members.

"(6) Implementing parent institutes or other leadership development strategies to ensure that parents and family members have the skills and resources needed to understand student and school data in order to make decisions, effectively communicate with school officials and educators, support school improvement, and increase student achievement.

"(b) PERMISSIVE ACTIVITIES.—In addition to the activities required under subsection (a), each eligible entity that receives a grant under this part may use such grant funds to carry out the following activities:

"(1) Developing and disseminating templates for schools and local educational agencies to use to provide information about curricula, academic expectations, academic assessments, and the results of academic assessments to family members in a manner and a language that such family members can understand.

"(2) Providing training, information, and support to organizations that support partnerships

among schools, parents, family members, and districtwide parent advisory committees, as applicable.

"(3) Providing professional development to, and supporting a community of practice among, school and local educational agency staff (which may be provided jointly to educators and family members) to assist school and agency staff in developing and implementing strategies to increase and strengthen ongoing communication with parents and family members, including professional development opportunities that prepare teachers to have more focused, goal-oriented, and reciprocal parent-teacher conferences.

"SEC. 4806. ADMINISTRATIVE PROVISIONS.

"(a) MATCHING FUNDS FOR GRANT RENEWAL.—For each fiscal year after the first fiscal year for which an eligible entity receives assistance under this part, the eligible entity shall demonstrate that a portion of the services provided by the eligible entity is supported through non-Federal contributions, which contributions may be in cash or in-kind.

"(b) PERFORMANCE ACCOUNTABILITY.—

"(1) PERFORMANCE INDICATORS.—Each eligible entity receiving a grant under this part shall submit to the Secretary an annual report regarding

the parent and family information and resource centers assisted under this part. Such report shall be made publicly available, including through electronic means, and shall include, at a minimum, a description of how each parent and family information and resource center has performed with respect to the following indicators:

"(A) The number of local educational agencies or other entities that received assistance or support in the previous academic year.

"(B) The number of parents and family members whose children participated in the previous academic year in programs, activities, or strategies supported by the parent and family information and resource center, and—

"(i) the number of such parents whose children are eligible to be counted under section 1124(c)(1)(A);

"(ii) the number of such parents whose children are English learners; and

"(iii) the number of such parents who are parents of children with disabilities.

"(C) The outcomes directly attributable to the provision of assistance or support provided by the parent and family information and re-

source center, such as increased parent and family member participation in school planning activities, parent-teacher conferences, or the local educational agency budgeting process.

"(D) Other evidence-based indicators that the Secretary may reasonably require.

"(2) PERFORMANCE GOALS.—

"(A) IN GENERAL.—Each eligible entity that is awarded a grant under this part shall establish, in consultation with the Secretary, annual performance goals for each of the indicators described in paragraph (1). Such performance goals shall be made publicly available, including through electronic means.

"(B) CONSEQUENCES FOR POOR PERFORMANCE.—If an eligible entity receiving grant funds under this part does not meet the performance goals established under this paragraph for 2 consecutive years, after the provision of technical assistance in the second consecutive year, the Secretary shall terminate the grant and conduct a new competition for the grant.

"(C) LOSS OF ELIGIBILITY.—If an eligible entity has received a grant under this part and

such grant has been terminated in accordance with subparagraph (B), the eligible entity shall not be eligible to participate in future grant competitions, or receive grant funds, under this part.

"(3) TECHNICAL ASSISTANCE.—The Secretary shall provide technical assistance to each eligible entity receiving a grant under this part that does not meet the performance goals established under paragraph (2).

"(c) REPORT TO CONGRESS.—The Secretary shall prepare and submit an annual report to the authorizing committees, which shall—

"(1) include the information that each eligible entity submits to the Secretary in accordance with subsection (b)(1);

"(2) summarize and synthesize the best practices collected by the parent and family information and resource centers for increasing and improving parent, family, and community engagement; and

"(3) be made available to the public (including through electronic means).

"(d) RULE OF CONSTRUCTION.—Nothing in this part shall be construed to prohibit a parent and family information and resource center from—

"(1) allowing its employees or agents to meet with family members at a site that is not on school grounds; or

"(2) working with another public or nonprofit agency that serves children.

"(e) PARENTAL RIGHTS.—Notwithstanding any other provision of this part—

"(1) no individual (including a parent who educates a child at home, parent of a public school student, or parent of a private school student) shall be required to participate in any program of parent or family education or developmental screening under this part; and

"(2) a program or center assisted under this part shall not take any action that infringes in any manner on the right of a parent to direct the education of such parent's child.".

SEC. 4110. PROGRAMS OF NATIONAL SIGNIFICANCE.

The Act (20 U.S.C. 6301 et seq.) is amended—

(1) by redesignating subpart 1 of part D of title V as part J of title IV, and transferring such part J so as to follow part I of title IV, as redesignated by section 2101(a) of this Act;

(2) in part J of title IV, as redesignated under paragraph (1), by striking the heading and inserting

the following: "**PROGRAMS OF NATIONAL SIGNIFICANCE**";

(3) by striking section 5414;

(4) by redesignating sections 5411, 5412, and 5413, as sections 4905, 4906, and 4907, respectively;

(5) in section 4905, as redesignated under paragraph (4)—

(A) in subsection (a)—

(i) by striking "challenging State academic content and student academic achievement standards" and inserting "college and career ready academic content and student academic achievement standards under section 1111(a)(1)"; and

(ii) by inserting "nonprofit" before "private"; and

(B) by striking subsection (b), and inserting the following:

"(b) USES OF FUNDS.—A nonprofit entity receiving a grant under subsection (a) shall use the grant funds to carry out 1 of the following activities:

"(1) Providing funding for economically disadvantaged students, including students from military families and recent immigrants, and their

teachers, to participate in programs based in Washington, DC, that increase civic responsibility and understanding of the Federal Government among young people.

''(2) Developing, implementing, evaluating, and disseminating innovative, research-based approaches to civic learning, which may include hands-on civic engagement activities, for low-income elementary school and secondary school students that demonstrate innovation, scalability, accountability, and a focus on underserved populations.

''(3) Supporting a national principal and teacher certification process that provides a framework for measuring and improving teaching and instructional leadership with a focus on educators working in schools that are eligible for funding under part A of title I, including comprehensive rigorous teaching standards, leadership standards, and high-quality metrics designed to reward educator effectiveness and inform and deliver high-quality professional development for all educators.

''(4) Creating a national teacher corps of outstanding college graduates to teach in underserved communities in order to—

"(A) increase the supply of effective teachers in low-income communities; and

"(B) provide and support the retention of teachers for high-need fields.

"(5) Supporting a national network of providers of high-quality, evidence-based professional development in writing instruction for teachers across all academic subjects and grades.

"(6) Encouraging parents and caregivers to read aloud to their children by supporting programs through which, during pediatric exams, doctors and nurses train parents and caregivers who may not be skilled readers.

"(7) Supporting the research and implementation of highly effective, evidence-based strategies, instructional and other wise, and the expansion of programs designed to engage and support students who are recent immigrant and students with interrupted formal education, and families of such students, in order to improve the language acquisition and academic achievement of such students.

"(8) Researching and promoting the use of instructional technology and strategies across all content areas that will drastically accelerate the language acquisition in English learners and will sup-

port English learners as they access rigorous academic content.

"(9) Preparing young children from low-income families for reading success by the third grade by—

"(A) distributing inexpensive books;

"(B) training volunteers to serve at-risk children;

"(C) developing motivational literacy activities for at-risk children; and

"(D) providing information on literacy resources, such as those provided by local libraries and other community-based organizations.

"(10) Supporting model projects and programs that encourage involvement in the performing and visual arts, for—

"(A) persons with disabilities, by—

"(i) increasing access to all forms of the arts for all persons, including those living with intellectual, physical, and sensory disabilities; and

"(ii) fostering a greater awareness of the need for arts programs for individuals with disabilities; and

"(B) children, youth, and educators.

"(11) Implementing a coordinated program of scientifically based research, demonstration projects, innovative strategies, and professional development for teachers and other instructional leaders working in high-poverty schools to—

"(A) enhance the ability of educators to meet the special educational needs of gifted and talented students, including high-ability students who have not been formally identified as gifted; and

"(B) prioritize students who have been underrepresented in gifted education programs, including students who are economically disadvantaged, of minority backgrounds, English learners, students with disabilities, and students in rural communities.

"(12) Supporting the research and implementation of highly effective, evidence-based strategies and the expansion of programs designed to engage and support students who experience homelessness, or are at risk of homelessness, and families of such students, in order to improve social and emotional well-being, health outcomes, and academic achievement of such students.

"(13) Providing social, emotional, and academic support to students from military families, and families of such students, by—

"(A) developing, implementing, evaluating, and disseminating innovative, research-based approaches to providing early intervening services that mitigate the effect of deployment of family members;

"(B) providing training to teachers and volunteers on the unique needs of such students; and

"(C) supporting model projects and programs for tutoring and counseling.

"(14) Developing, implementing, evaluating, and disseminating innovative, research-based approaches to teaching financial literacy, which may include curriculum and hands-on activities, for low-income elementary school and secondary school students that demonstrate innovation, scalability, accountability, and a focus on underserved populations.

"(15) Promoting gender equity in education by supporting educational agencies and institutions in meeting the requirements of title IX of the Edu-

cation Amendments of 1972 (20 U.S.C. 1681 et seq.).

"(16) Other high-quality, nationally significant programs that meet the purposes of this Act.";

(6) in section 4906(c), as redesignated under paragraph (4), by striking "and in recognizing States, local educational agencies, and schools under section 5411(b)(3), only if funds are used for such recognition programs";

(7) in section 4907, as redesignated under paragraph (4)—

(A) in subsection (a)(1), by striking "5412" and inserting "4906"; and

(B) by striking subsection (d); and

(8) in each of sections 4905, 4906, and 4907, as redesignated under paragraph (4), by striking "subpart" each place the term appears and inserting "part".

SEC. 4111. COMPETENCY-BASED ASSESSMENT AND ACCOUNTABILITY DEMONSTRATION AUTHORITY.

Title IV (20 U.S.C. 7101 et seq.) is amended by inserting after part J, as redesignated under section 4110(1), the following:

"PART K—COMPETENCY-BASED ASSESSMENT AND ACCOUNTABILITY DEMONSTRATION AUTHORITY

"SEC. 4909. COMPETENCY-BASED ASSESSMENT AND ACCOUNTABILITY DEMONSTRATION.

''(a) DEFINITIONS.—In this part:

''(1) COLLEGE AND CAREER READY STANDARDS.—The term 'college and career ready standards' means the academic content and student academic achievement standards adopted by a State under section 1111(a)(1).

''(2) COMPETENCY.—The term 'competency' means a target for student learning representing key content-specific concepts and higher order skills, such as critical thinking, problem solving, and self-directed learning that is—

''(A) applied within or across content domains; and

''(B) aligned with college and career ready standards.

''(3) CORE INDICATORS.—The term 'core indicators' means—

''(A) State academic assessments that meet the requirements of section 1111(a)(2)(B) and that provide data that can be compared

with data regarding the State academic assessments required under section 1111(a)(2); and

"(B) State graduation rates.

"(4) ELIGIBLE ENTITY.—The term 'eligible entity' means a State educational agency or consortium of State educational agencies.

"(5) MASTERY.—The term 'mastery' means a level of knowledge or skill development demonstrated by a student signifying that the student has met a standard and is prepared to progress to a subsequent standard.

"(6) PERFORMANCE ASSESSMENT.—The term 'performance assessment' means a multi-step assessment that—

"(A) includes complex activities with clear criteria, expectations, and processes that enable students to interact with meaningful content; and

"(B) measures the depth at which students learn content and apply complex skills to create or refine an original product or solution.

"(7) UNIVERSAL DESIGN.—The term 'universal design' has the meaning given the term in section 3(a) of the Assistive Technology Act of 1998 (29 U.S.C. 3002(a)).

"(b) DEMONSTRATION AUTHORITY.—

"(1) IN GENERAL.—The Secretary may provide eligible entities, in accordance with paragraph (3), with the authority to incorporate competency-based accountability into the State accountability system required under section 1111(a)(3) in accordance with an application approved under subsection (c).

"(2) DEMONSTRATION PERIOD.—Each award of demonstration authority under this part shall be for a period of 3 years.

"(3) INITIAL DEMONSTRATION AUTHORITY; EXPANSION; RENEWAL.—

"(A) INITIAL LIMIT.—During the initial 3-year period of demonstration authority under this section, the Secretary may not provide more than 3 eligible entities with the authority described in paragraph (1).

"(B) EXPANSION OF DEMONSTRATION AUTHORITY.—After the end of the initial demonstration period described in subparagraph (A), the Secretary may provide additional eligible entities with demonstration authority described in paragraph (1), subject to each of the requirements of this part as applicable, if the Secretary determines that the demonstration

1 authority provided under this part during the
2 initial demonstration period has effectively sup-
3 ported student progress on core indicators
4 among students served by the eligible entities,
5 including subgroups of students described in
6 section 1111(a)(3)(D).

7 "(C) RENEWAL REQUIREMENTS.—The
8 Secretary may renew an award of demonstra-
9 tion authority under this part for additional 2-
10 year periods if the eligible entity demonstrates
11 progress on core indicators.

12 "(c) APPLICATIONS.—To be eligible to participate in
13 the demonstration under this part, an eligible entity shall
14 submit an application to the Secretary at such time, in
15 such manner, and containing such information as the Sec-
16 retary may require, that describes the competency-based
17 accountability system that will be used by the eligible enti-
18 ty, including—

19 "(1) an assurance that the competency-based
20 accountability system will only utilize summative as-
21 sessments for accountability purposes that—

22 "(A) are determined by the Secretary to
23 provide comparable data across the eligible enti-
24 ty, demonstrate inter-rater reliability, and meet

the requirements for assessments described in section 1111(a)(2)(B);

"(B) have been field-tested;

"(C) are aligned to college and career ready standards and State-approved competencies;

"(D) have been developed in collaboration with stakeholders representing the interests of students with disabilities, English learners, and civil rights organizations in the State, as demonstrated through modifications made to the assessments resulting from such collaboration; and

"(E) incorporate the principles of universal design;

"(2) how the competency-based accountability system will—

"(A) incorporate a system of formative, interim, and summative assessments, including the use of performance assessments and other sources of evidence of student learning that determine mastery of State-approved competencies aligned to college and career ready standards and competencies;

"(B) allow students to demonstrate progress toward mastery of such standards and State-approved competencies;

"(C) assess mastery of State-approved competencies when students are ready to demonstrate mastery of such standards and competencies;

"(D) provide students with multiple opportunities to demonstrate mastery of such standards and competencies;

"(E) ensure that summative assessments comply with the requirements for academic assessments, as described in section 1111(a)(2)(B), while engaging and supporting teachers in scoring assessments, including the use of high quality professional development, standardized and calibrated scoring rubrics, and other strategies to ensure inter-rater reliability and comparability of determinations of mastery across the State;

"(F) provide educators, students, and parents with real-time data to inform instructional practice and continuously improve student performance;

"(G) be used in conjunction with the accountability requirements described in section 1111(a)(3) and section 1116 to improve the academic outcomes of focus schools identified under section 1116(c), priority schools identified under section 1116(d), and all other schools that fail to meet the school performance targets, established in accordance with section 1111(a)(3)(C), for any subgroup described in section 1111(a)(3)(D);

"(H) require not less than 1 year of academic growth within a school year for each student and assure instructional support and targeted intervention are in place for those students performing below their peers; and

"(I) only utilize a student's individualized education program, as defined in section 602 of the Individuals with Disabilities Education Act, for purposes specifically allowed under such Act;

"(3) the eligible entity's plan to—

"(A) ensure that all students, including each student subgroup described in section 1111(a)(3)(D)—

"(i) are held to the same high standard;

"(ii) demonstrate annually, at a minimum, at least 1 year of academic growth consistent with the requirement in section 1111(a)(3)(B); and

"(iii) receive the instructional support needed to attain mastery of college and career ready standards and State-approved competencies;

"(B) train local educational agency and school staff to implement the assessments described in paragraph (2)(A);

"(C) acclimate students to the new assessment and accountability systems; and

"(D) ensure that each local educational agency has the technological infrastructure to operate the competency-based accountability system described in this section; and

"(4) a description of how instruction and professional development will be enhanced within the competency-based system to personalize the educational experience for each student to ensure all students graduate college and career ready, as deter-

mined in accordance with State academic achievement standards under section 1111(a)(1).

"(d) PEER REVIEW.—The Secretary shall—

"(1) implement a peer review process, which shall include a review team comprised of practitioners and experts who are knowledgeable about competency-based learning systems, to inform the awarding of the demonstration authority under this part; and

"(2) make publicly available the applications submitted under subsection (c) and the peer comments and recommendations on such applications.

"(e) DEMONSTRATION AUTHORITY WITHDRAWN.—The Secretary may withdraw the demonstration authority provided to an eligible entity under this part if—

"(1) at any point after the first 2 years of the 3-year demonstration period described in subsection (b)(2), the Secretary determines that student performance for all students served by the eligible entity or any student subgroup described under section 1111(a)(3)(D) has declined on core indicators; or

"(2) after providing a State with a renewal of demonstration authority under subsection (b)(3), the Secretary makes a determination that student performance has declined on core indicators for 2 con-

secutive years during the State's participation in the demonstration under this part.

"(f) DISSEMINATION OF BEST PRACTICES.—The Secretary shall disseminate best practices on the implementation of competency-based accountability systems, including on—

"(1) the effective use of formative, interim, and summative assessments to inform instruction;

"(2) the development of summative assessments that meet the requirements of section 1111(a)(2)(B), can be compared with the State assessments required under section 1111(a)(2), and include assessment tasks that determine mastery of State-approved competencies aligned to college and career ready standards; and

"(3) the development of standardized and calibrated scoring rubrics, and other strategies to ensure inter-rater reliability and comparability of determinations of mastery across the State.".

TITLE V—PROMOTING INNOVATION

SEC. 5001. PROMOTING INNOVATION.

Title V (20 U.S.C. 7201 et seq.) is amended by striking the title heading and inserting the following:

"TITLE V—PROMOTING INNOVATION".

PART A—RACE TO THE TOP

SEC. 5101. RACE TO THE TOP.

Part A of title V (20 U.S.C. 7201 et seq.) is amended to read as follows:

"PART A—RACE TO THE TOP

"SEC. 5101. PURPOSES.

''The purposes of this part are to provide incentives for States and high-need local educational agencies to implement comprehensive reforms and innovative strategies that are designed to lead to—

''(1) significant improvements in outcomes for all students, including improvements in student readiness, student academic achievement, high school graduation rates, and rates of student enrollment, persistence, and completion in institutions of higher education; and

''(2) significant reductions in achievement gaps between the groups of students described in section 1111(a)(2)(B)(x).

"SEC. 5102. RESERVATION OF FUNDS.

''From amounts made available to carry out this part for a fiscal year, the Secretary may reserve not more than 5 percent to carry out activities in accordance with this

1 part related to technical assistance, evaluation, outreach,
2 and dissemination.

3 **"SEC. 5103. RACE TO THE TOP PROGRAM.**

4 "(a) PROGRAM AUTHORIZED.—

5 "(1) IN GENERAL.—For each fiscal year for
6 which funds are appropriated under this part and
7 from such funds that are not reserved under section
8 5102, the Secretary shall, in accordance with para-
9 graph (2), determine the educational goals that are
10 the greatest priority for the United States and
11 award grants, through a grant competition, to eligi-
12 ble entities to enable such eligible entities to carry
13 out comprehensive reforms and innovative strategies
14 in furtherance of such goals.

15 "(2) SELECTION OF GOALS AND CATEGORIES
16 OF ENTITIES.—

17 "(A) IN GENERAL.—The Secretary shall
18 determine the priorities for grants awarded
19 through a grant competition under this part by
20 selecting in advance of the application period—

21 "(i) 1 or more categories of entities
22 described in paragraph (3) that may apply
23 for and receive the grants through such
24 grant competition; and

"(ii) 1 or more goals described in paragraph (4) to be supported under the grants.

"(B) ANNOUNCEMENT.—The Secretary shall ensure that information regarding the selections of goals and categories of entities for the grants under this part for an upcoming grant competition is made widely available to eligible entities and that the eligible entities will have sufficient time to prepare a grant application based on the Secretary's decisions for the upcoming grant competition.

"(3) ELIGIBLE ENTITIES.—The categories of entities that may be selected for grants under this part are the following:

"(A) A State.

"(B) A high-need local educational agency.

"(C) A consortium of States.

"(D) A consortium of high-need local educational agencies.

"(4) EDUCATIONAL GOALS.—The goals that the Secretary shall select to support through grants under this part are 1 or more of the following:

"(A) Increasing the access of children from low-income families to highly rated teachers and school leaders, including by—

"(i) developing and implementing a professional growth and improvement system;

"(ii) improving the effectiveness of teachers (including early childhood education educators) and school leaders, including through high-quality preparation, recruitment, professional development, evaluation, and other personnel policies; and

"(iii) ensuring that all teachers are prepared to effectively serve the needs of students who are children with disabilities or English learners, particularly through the general education curriculum.

"(B) Strengthening the availability and use of high-quality and timely data to improve instructional practices, policies, and student outcomes.

"(C) Implementing—

"(i) elementary and secondary school academic standards that prepare students

to be college and career ready, in accordance with section 1111(a)(1); and

"(ii) strategies that translate such standards into classroom practice, including in the areas of assessment, instructional materials, and professional development.

"(D) Turning around the schools served by the eligible entity that are identified through a State's accountability and improvement system under subsection (c) or (d) of section 1116.

"(E) Creating successful conditions for the creation, expansion, and replication of high-performing public charter schools and the creation of new, innovative, and highly autonomous public schools that will enroll a large percentage of students from low-income families.

"(F) Providing more equitable State and local resources to high-poverty schools.

"(G) Improving school readiness by—

"(i) increasing the number and percentage of children from low-income families, in each age group of infants, toddlers, and preschoolers, who are enrolled in high-

quality early childhood education programs; and

"(ii) designing and implementing an integrated system of high-quality early childhood education programs and services that strengthens the coordination and collaboration among Federal, State, and local early childhood education programs.

"(b) DURATION OF GRANTS.—

"(1) IN GENERAL.—Each grant awarded under this part shall be for a period of not more than 4 years.

"(2) REQUIREMENTS FOR ADDITIONAL FUNDING.—Before receiving funding under any grant under this part for the second or any subsequent year of the grant, the eligible entity receiving the grant shall demonstrate to the Secretary that the eligible entity is—

"(A) making progress in implementing the plan under section 5104(a)(3) at a rate that the Secretary determines will result in full implementation of the plan during the remainder of the grant period; and

"(B) making progress, as measured by the annual performance measures and targets es-

tablished by the eligible entity under section 5105, at a rate that the Secretary determines will result in reaching the targets and achieving the objectives of the grant, during the remainder of the grant period.

''(c) INTERAGENCY AGREEMENT.—The Secretary shall establish an interagency agreement with the Secretary of Health and Human Services to jointly administer any grant competition for the goal of improving early childhood education, as described in subsection (a)(4)(G), and any grants issued under such grant competition.

''SEC. 5104. APPLICATION PROCESS.

''(a) IN GENERAL.—Each eligible entity that desires to receive a grant under this part shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require. At a minimum, each such application shall include the following:

''(1) Documentation of the eligible entity's record, as applicable, in the areas to be measured by the performance measures identified by the Secretary under section 5105(2).

''(2) Evidence of conditions of innovation and reform that the eligible entity has established and

the eligible entity's plan for implementing additional conditions for innovation and reform, including—

"(A) a description of how the eligible entity has identified and eliminated ineffective practices in the past, and its plan for doing so in the future;

"(B) a description of how the eligible entity has identified and promoted effective practices in the past, and its plan for doing so in the future; and

"(C) steps the eligible entity has taken and will take to eliminate statutory, regulatory, procedural, or other barriers to facilitate the full implementation of its proposed plan under paragraph (3).

"(3) A comprehensive and coherent plan for using funds under this part, and other Federal, State, and local funds, to improve the eligible entity's performance on the performance measures identified under section 5105(2), including how the applicant will implement reforms and innovative strategies to achieve the goals selected by the Secretary under section 5103(a)(2).

"(4) In the case of an eligible entity that is described in subparagraph (A) or (C) of section

5103(a)(3), evidence of collaboration among the eligible entity, local educational agencies in the State (including the local educational agencies participating in carrying out the plan under paragraph (3)), schools that are expected to benefit from the activities under the plan, parents, teachers, and other stakeholders, in developing and implementing the plan, including evidence of the commitment and capacity to implement such plan.

"(5) In the case of an eligible entity described in subparagraph (B) or (D) of section 5103(a)(3), evidence of the eligible entity's collaboration with its school leaders, teachers, parents, and other stakeholders in developing the plan under paragraph (3), including evidence of the commitment and capacity to implement that plan.

"(6) The eligible entity's annual performance measures and targets, in accordance with the requirements of section 5105.

"(b) CRITERIA FOR EVALUATING APPLICATIONS.—

"(1) IN GENERAL.—The Secretary shall award grants under this part on a competitive basis, based on the quality of the applications submitted by eligible entities.

"(2) PUBLICATION OF EXPLANATION.—The Secretary shall publish an explanation of how the application review process will ensure an equitable, transparent, and objective evaluation.

"(c) PRIORITY.—In awarding grants under this part, the Secretary shall—

"(1) give priority to any eligible entity described in subparagraph (B) or (D) of section 5103(a)(3) that serves a school designated with a school locale code of 33, 41, 42, or 43, as determined by the Secretary; and

"(2) for any grant competition under this part for the goal of improving early childhood education, as described in section 5103(a)(4)(G), give priority to any eligible entity that provides a full-day kindergarten program to all kindergarten students, or to all kindergarten students from low-income families, served by the eligible entity.

"SEC. 5105. PERFORMANCE MEASURES.

"Each eligible entity receiving a grant under this part shall establish, subject to approval by the Secretary, annual performance measures and targets for the programs and activities carried out under this part. Such performance measures and targets shall, at a minimum, track the eligible entity's progress in—

"(1) implementing the plan described in section 5104(a)(3); and

"(2) making progress on any other performance measure identified by the Secretary.

"SEC. 5106. USES OF FUNDS.

"(a) USE OF STATE GRANT FUNDS.—

"(1) IN GENERAL.—Each eligible entity described in subparagraph (A) or (C) of section 5103(a)(3) that receives a grant under this part shall—

"(A) except as provided in paragraph (3), use not less than 50 percent of the grant funds to award subgrants under paragraph (2) to the local educational agencies that will participate in the plan for any purpose included in the eligible entity's plan described in section 5104(a)(3); and

"(B) use any amount of the grant not distributed under subparagraph (A) for any purpose included in the eligible entity's plan.

"(2) AMOUNT OF SUBGRANTS.—For a fiscal year, the amount of a subgrant under paragraph (1)(A) for a local educational agency that will participate in the eligible entity's plan shall bear the same relation to the amount available for all such

subgrants by the eligible entity for such year, as the amount made available to the local educational agency under part A of title I for the most recent year for which such data are available bears to the total amount made available for such year to all local educational agencies selected to participate in the eligible entity's plan.

"(3) EXCEPTION.—An eligible entity described in subparagraph (A) or (C) of section 5103(a)(3) that receives a grant under this part for the goal of improving early childhood education, as described in section 5103(a)(4)(G)—

"(A) shall not be subject to the requirements of paragraph (1)(A); and

"(B) may use grant funds to award subgrants to public or private nonprofit agencies and organizations for activities consistent with any purpose included in the eligible entity's plan described in section 5104(a)(3).

"(b) USE OF SUBGRANT FUNDS.—Each local educational agency or public or private nonprofit agency or organization that receives a subgrant under paragraph (1)(A) or (3)(B) of subsection (a) from an eligible entity shall use subgrant funds for any purpose included in the

eligible entity's plan described in section 5104(a)(3), subject to any requirements of the eligible entity.

"(c) USE OF HIGH-NEED LOCAL EDUCATIONAL AGENCY GRANT FUNDS.—Each eligible entity described in subparagraph (B) or (D) of section 5103(a)(3) that receives a grant under this part shall use such funds for any purpose included in the eligible entity's plan described in section 5104(a)(3).

"(d) SPECIAL RULE.—

"(1) LIMITATION ON USE OF FUNDS.—Notwithstanding any other provision of this section, grant or subgrant funds under this part shall only be used to fund a program or activity that is an allowable use of funds under another section of this Act (excluding this part and section 8007, as amended by section 8004 of the Strengthening America's Schools Act of 2013), the Individuals with Disabilities Education Act, the Adult Education and Family Literacy Act, or the Carl D. Perkins Career and Technical Education Act of 2006, except that grant or subgrant funds for the goal of improving early childhood education, as described in section 5103(a)(4)(G), may also be used to fund a program or activity that is an allowable use of funds under the Head Start Act

or the Child Care and Development Block Grant Act of 1990.

"(2) LIMITATION OF USE OF FUNDS FOR EARLY CHILDHOOD EDUCATION PROGRAMS.—Grant or subgrant funds under this part that are used to improve early childhood education programs shall not be used to carry out any of the following activities:

"(A) Assessments that provide rewards or sanctions for individual children or teachers.

"(B) A single assessment that is used as the primary or sole method for assessing program effectiveness.

"(C) Evaluating children, other than for the purposes of improving instruction, classroom environment, professional development, or parent and family engagement, or program improvement.

"SEC. 5107. REPORTING.

"(a) ANNUAL REPORT.—An eligible entity that receives a grant under this part shall submit to the Secretary, at such time and in such manner as the Secretary may require, an annual report including, at a minimum—

"(1) data on the eligible entity's progress in achieving the targets for the annual performance

measures and targets established under section 5105; and

"(2) a description of the challenges the eligible entity has faced in implementing its program under this part, and how the eligible entity has addressed, or plans to address, such challenges.

"(b) LOCAL REPORT.—Each local educational agency and each public or private nonprofit agency or organization that receives a subgrant from an eligible entity under section 5106(a) shall submit to the eligible entity such information as the eligible entity may require to complete the annual report required by subsection (a).".

PART B—INVESTING IN INNOVATION

SEC. 5201. INVESTING IN INNOVATION.

Part B of title V (20 U.S.C. 7221 et seq.) is amended to read as follows:

"PART B—INVESTING IN INNOVATION

"SEC. 5201. PURPOSES.

"The purposes of this part are to—

"(1) fund the identification, development, evaluation, and expansion of innovative, research- and evidence-based practices, programs, and strategies in order to significantly—

"(A) increase student academic achievement and close achievement gaps;

"(B) increase high school graduation rates;

"(C) increase college enrollment readiness and rates of college enrollment;

"(D) improve teacher and school leader effectiveness; and

"(E) improve school readiness and strengthen collaboration and coordination among elementary schools and early childhood care and education; and

"(2) support the rapid development, expansion, adoption, and implementation of tools and resources that improve the efficiency, effectiveness, or pace of adoption of such educational practices, programs, and strategies.

"SEC. 5202. RESERVATIONS.

"(a) ARPA-ED.—The Secretary may reserve not more than 30 percent of the funds appropriated under section 3(u) for each fiscal year to carry out the activities of the Advanced Research Projects Agency-Education established under section 221 of the Department of Education Organization Act, except that the amount so reserved for any fiscal year shall not exceed $100,000,000.

"(b) NATIONAL ACTIVITIES.—The Secretary may reserve not more than 5 percent of the funds appropriated

under section 3(u) for any fiscal year to carry out activities of national significance. Such activities may include—

"(1) capacity-building;

"(2) technical assistance;

"(3) dissemination of best practices developed with grant funds provided under this part; and

"(4) carrying out prize awards consistent with section 24 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3719).

"(c) AVAILABILITY OF FUNDS.—Funds for the activities described in subsection (a), and for prize awards under subsection (b)(4), shall be available until expended.

"SEC. 5203. PROGRAM AUTHORIZED; LENGTH OF GRANTS; PRIORITIES.

"(a) PROGRAM AUTHORIZATION.—

"(1) IN GENERAL.—From amounts made available to carry out this part and not reserved under section 5202 for a fiscal year, the Secretary shall award grants, on a competitive basis, to eligible entities.

"(2) ELIGIBLE ENTITY.—In this part, the term 'eligible entity' means—

"(A) a local educational agency or a consortium of local educational agencies; or

"(B) a partnership between a nonprofit organization or an educational service agency and—

"(i) 1 or more local educational agencies; or

"(ii) a consortium of public schools.

"(b) DURATION OF GRANTS.—The Secretary—

"(1) shall award grants under this part for a period of not more than 3 years; and

"(2) may extend such grants for an additional 2-year period if the grantee demonstrates to the Secretary that it is making significant progress on the program performance measures identified in section 5206.

"(c) RURAL SET-ASIDE.—The Secretary shall ensure that not less than 22 percent of the funds awarded under subsection (a) for any fiscal year are for projects that meet both of the following requirements, except that the Secretary shall not be required to make such awards unless a sufficient number of otherwise eligible high quality applications are received:

"(1) The eligible entity includes—

"(A) a local educational agency with an urban-centric district locale code of 32, 33, 41, 42, or 43, as determined by the Secretary;

"(B) a consortium of such local educational agencies; or

"(C) if the applicant is a partnership, an educational service agency or a nonprofit organization with demonstrated expertise in serving students from rural areas.

"(2) A majority of the schools to be served by the project are designated with a school locale code of 41, 42, or 43, or a combination of such codes, as determined by the Secretary, and—

"(A) are served by a local educational agency in which 20 percent or more of the children ages 5 through 17 years old are from families with incomes below the poverty line;

"(B) are served by a local educational agency in which the total number of students in average daily attendance at all of the schools served by the local educational agency is fewer than 600; or

"(C) are served by a local educational agency located in a county that has a total population density of fewer than 10 persons per square mile.

"(d) PRIORITIES.—In awarding grants under this part, the Secretary shall give priority to an eligible entity

that includes, in its application under section 5204, a plan to—

"(1) address the needs of high-need local educational agencies;

"(2) improve school readiness; or

"(3) address the unique learning needs of students who are children with disabilities or English learners.

"(e) STANDARDS OF EVIDENCE.—The Secretary shall set standards for the quality of evidence that an applicant shall provide in order to demonstrate that the activities it proposes to carry out with funds under this part are likely to succeed in improving student outcomes, including, where applicable, academic achievement and graduation rates. These standards shall include the following:

"(1) Strong evidence that the activities proposed by the applicant will have a statistically significant effect on student outcomes.

"(2) Moderate evidence that the activities proposed by the applicant will improve outcomes.

"(3) A rationale based on research findings or a reasonable hypothesis that the activities proposed by the applicant will improve student outcomes.

"(f) SUPPORT FOR NEW PRACTICES, STRATEGIES, OR PROGRAMS.—

"(1) IN GENERAL.—The Secretary shall ensure that not less than one-half of the funds awarded under subsection (a) for any fiscal year are for projects that—

"(A) meet an evidence standard described in paragraph (2) or (3) of subsection (e); and

"(B) do not meet the evidence standard described in paragraph (1) of such subsection.

"(2) EXCEPTION.—The Secretary shall not be required to make the awards described in paragraph (1) unless a sufficient number of otherwise eligible high-quality applications are received.

"SEC. 5204. APPLICATIONS.

"Each eligible entity that desires to receive a grant under this part shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require. At a minimum, each application shall—

"(1) describe the project for which the applicant is seeking a grant and how the evidence supporting that project meets the standards of evidence established by the Secretary under section 5203(e);

"(2) describe how the applicant will address at least 1 of the areas described in section 5205(a)(1);

"(3) provide an estimate of the number of children that the applicant plans to serve under the proposed project, including the percentage of those children who are from low-income families;

"(4) demonstrate that the applicant has established 1 or more partnerships with public or private organizations and that the partner or partners will provide matching funds, except that the Secretary may waive the matching funds requirement on a case-by-case basis, upon a showing of exceptional circumstances;

"(5) describe the applicant's plan for continuing the proposed project after funding under this part ends;

"(6) if the applicant is a local educational agency—

"(A) document the local educational agency's record during the previous 3 years in—

"(i) increasing student achievement, including achievement for each subgroup of students described in section 1111(a)(2)(B)(x); and

"(ii) closing achievement gaps; and

"(B) demonstrate how the local educational agency has made significant improve-

ments in other outcomes, as applicable, on the performance measures described in section 5206;

"(7) if the applicant is a partnership that includes a nonprofit organization or educational service agency, provide evidence that the nonprofit organization or educational service agency has helped at least 1 school or local educational agency, during the previous 3 years, significantly—

"(A) increase student achievement, including achievement for each subgroup of students described in section 1111(a)(2)(B)(x); and

"(B) close achievement gaps;

"(8) provide a description of the applicant's plan for independently evaluating the effectiveness of activities carried out with funds under this part;

"(9) provide an assurance that the applicant will—

"(A) cooperate with evaluations, as requested by the Secretary;

"(B) make data available to third parties for validation and further study; and

"(C) participate in communities of practice; and

"(10) if the applicant is a partnership that includes a nonprofit organization or educational service agency that intends to make subgrants, consistent with section 5205(b), provide an assurance that the applicant will apply paragraphs (1) through (9), as appropriate, in its selection of subgrantees and in its oversight of those subgrants.

"SEC. 5205. USES OF FUNDS.

"(a) USES OF FUNDS.—

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

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

"(i) Improving the effectiveness of teachers and school leaders and increasing equity in the distribution of effective teachers and school leaders.

"(ii) Strengthening the use of data to improve teaching and learning.

"(iii) Providing high-quality instruction based on college and career ready standards and measuring students' mastery of standards using high-quality assessments aligned with those standards.

"(iv) Turning around the lowest-performing schools.

"(v) Improving school readiness for students who are low-income, English learners, or children with disabilities.

"(vi) Other areas relating to school improvement consistent with the purposes of this part, as determined by the Secretary.

"(B) Use the grant funds to develop or expand strategies to improve the performance of high-need students on the applicable performance measures described in section 5206.

"(2) PERMISSIVE USE OF FUNDS.—Each eligible entity that receives a grant under this part may use the grant funds for an independent evaluation, as required under section 5204(a)(8), of the innovative practice carried out with the grant.

"(b) AUTHORITY TO SUBGRANT.—

"(1) IN GENERAL.—If an eligible entity that receives a grant under this part includes a nonprofit organization or educational service agency, such nonprofit organization or educational service agency may use the grant funds to award subgrants to

other entities to provide support to 1 or more schools or local educational agencies.

"(2) COMPLIANCE WITH REQUIREMENTS OF GRANTEES.—Each entity awarded a subgrant under paragraph (1) shall comply with the requirements of this part relating to grantees, as appropriate.

"SEC. 5206. PERFORMANCE MEASURES.

"The Secretary shall establish performance measures for the programs and activities carried out under this part. These measures, at a minimum, shall track the grantee's progress in improving outcomes for each subgroup of students described in section 1111(a)(2)(B)(x) that is served by the grantee, including, as applicable, by—

"(1) increasing student achievement and decreasing achievement gaps;

"(2) increasing high school graduation rates;

"(3) increasing college readiness and rates of college enrollment;

"(4) improving teacher and school leader effectiveness;

"(5) improving school readiness; and

"(6) any other indicator as the Secretary or grantee may determine.

"SEC. 5207. REPORTING.

"An eligible entity that receives a grant under this part shall submit to the Secretary, at such time and in such manner as the Secretary may require, an annual report that includes, among other things, information on the entity's progress on the performance measures established under section 5206, and the data supporting that progress.".

PART C—MAGNET SCHOOLS ASSISTANCE

SEC. 5301. FINDINGS AND PURPOSE.

Section 5301 (20 U.S.C. 7231) is amended—

(1) in subsection (a)—

(A) by striking paragraph (2) and inserting the following:

"(2) The use of magnet schools has increased dramatically since the inception of the magnet schools assistance program under this Act, with more than 1,500,000 students nationwide attending such schools."; and

(B) in paragraph (4), by striking subparagraph (B) and inserting the following:

"(B) to ensure that all students have equitable access to a high-quality public education that will prepare them to succeed in a highly competitive economy comprised of people from

many different racial and ethnic backgrounds; and''; and

(2) in subsection (b)—

(A) in paragraph (2)—

(i) by inserting '', particularly whole-school programs,'' after ''magnet school programs''; and

(ii) by striking ''challenging State academic content standards and student academic achievement standards'' and inserting ''college and career ready State academic content standards and student academic achievement standards under section 1111(a)(1)''; and

(B) by striking paragraphs (3) and (4) and inserting the following:

''(3) the development and design of evidence-based educational methods and practices that promote diversity and increase high-quality public educational options;

''(4) courses of instruction within magnet schools that will substantially increase the college and career readiness of students attending such schools;''.

SEC. 5302. PROGRAM AUTHORIZED.

Section 5303 (20 U.S.C. 7231b) is amended, in the matter preceding paragraph (1), by inserting ''competitive'' after ''to award''.

SEC. 5303. APPLICATIONS AND REQUIREMENTS.

Section 5305 (20 U.S.C. 7231d) is amended—

(1) by striking subsection (b) and inserting the following:

''(b) INFORMATION AND ASSURANCES.—Each application submitted under subsection (a) shall include—

''(1) a description of—

''(A) how a grant awarded under this part will be used to—

''(i) improve student academic achievement for all students and subgroups of students described in section 1111(a)(2)(B)(x) attending the magnet school program; and

''(ii) promote desegregation, including how the proposed magnet school program will increase interaction among students of different social, economic, ethnic, and racial backgrounds, including the policies, programs, and activities aimed at increasing interaction among such students;

"(B)(i) a description of the evidence that the magnet school program that the applicant proposes to implement would improve student academic achievement and reduce minority group isolation; or

"(ii) if such evidence is not available, a rationale, based on current research findings, for how the program would improve student academic achievement and reduce minority group isolation;

"(C) how the applicant will continue the magnet school program after assistance under this part is no longer available, and, if applicable, an explanation of why magnet schools established or supported by the applicant with grant funds under this part cannot be continued without the use of grant funds under this part;

"(D) how grant funds under this part will be used—

"(i) to improve student academic achievement for all students attending the magnet school programs; and

"(ii) to implement services and activities that are consistent with other pro-

grams under this Act, and other Acts, as appropriate;

"(E) the student application process, and selection criteria, if any, to be used by the proposed magnet school program;

"(F) how the applicant will conduct outreach and disseminate information about the proposed magnet school program, including the application and selection process, in a timely, clear, and accessible manner to all students and their parents and families and, to the extent practicable, in a language they can understand; and

"(G) how the applicant will assess, monitor, and evaluate the impact of the activities funded under this part on student academic achievement and integration; and

"(2) assurances that the applicant will—

"(A) use grant funds under this part for the purpose specified in section 5301(b);

"(B) employ highly rated school leaders and teachers in the courses of instruction assisted under this part;

"(C) not engage in discrimination based on race, religion, color, national origin, sex, or disability in—

"(i) the hiring, promotion, or assignment of employees of the applicant or other personnel for whom the applicant has any administrative responsibility;

"(ii) the assignment of students to schools, or to courses of instruction within the schools, of such applicant, except to carry out the approved plan; and

"(iii) designing or operating extracurricular activities for students;

"(D) carry out a high-quality education program that will result in greater parent and family decisionmaking and engagement; and

"(E) give students residing in the local attendance area of the proposed magnet school program equitable consideration for placement in the program, consistent with desegregation guidelines and the capacity of the applicant to accommodate the students."; and

(2) in subsection (c), by striking "will be met" and inserting "are being met".

SEC. 5304. PRIORITY.

Section 5306 (20 U.S.C. 7231e) is amended by striking paragraphs (1), (2), and (3), and inserting the following:

"(1) have the highest quality applications and demonstrate the greatest need for assistance, based on the expense or difficulty of effectively carrying out approved desegregation plans and the magnet school program for which the grant is sought;

"(2) propose to carry out new magnet school programs, significantly revise existing magnet school programs, or significantly expand magnet school programs, in a manner that—

"(A) is aligned with other programs that have demonstrated a record of success in increasing student academic achievement and reducing minority group isolation; or

"(B) has a strong research basis for improving student academic achievement and reducing minority group isolation;

"(3) select, or propose to select, students to attend magnet school programs solely or primarily by lottery, rather than through academic examination or other selective enrollment methods; and

"(4) propose to serve the entire student population of a school.".

SEC. 5305. USE OF FUNDS.

Section 5307 (20 U.S.C. 7231f) is amended—

(1) in subsection (a), by striking paragraphs (1) through (7) and inserting the following:

''(1) for planning, outreach, and promotional activities directly related to the development, expansion, continuation, or enhancement of academic programs and services offered at magnet schools;

''(2) for the acquisition of books, educational technology, materials, and equipment necessary to conduct programs in magnet schools;

''(3) for—

''(A) the compensation, or subsidization of the compensation, of elementary school and secondary school teachers, leaders, and other instructional staff who are highly rated; and

''(B) high-quality professional development and staff capacity-building activities, including those designed to recruit, prepare, support, and retain highly rated school teachers, leaders, and other instructional staff;

''(4) with respect to a magnet school program offered to less than the entire student population of a school, for instructional activities that are designed to make available the special curriculum that is offered by the magnet school program to students who

are enrolled in the school but who are not enrolled in the magnet school program;

''(5) for activities, which may include the formation of partnerships with public or nonprofit organizations, to help enhance the program or promote parent and family decisionmaking and engagement that will build the recipient's capacity to operate magnet school programs once the grant period has ended;

''(6) to enable the local educational agency, or consortium of such agencies, to have more flexibility in designing magnet schools for students in all grades; and

''(7) for other operational costs that cannot be met with other State or local sources.''; and

(2) in subsection (b), by striking ''based on the State's challenging academic content standards and student academic achievement standards or directly related to improving student reading skills or knowledge of mathematics, science, history, geography, English, foreign languages, art, or music, or to improving vocational, technological, and professional skills'' and inserting ''and making sufficient academic growth''.

SEC. 5306. LIMITATIONS.

Section 5309 (20 U.S.C. 7231h) is amended—

(1) in subsection (a), by striking ''a period that shall not exceed 3 fiscal years'' and inserting ''an initial period of not more than 3 fiscal years, and may be renewed for not more than an additional 2 years if the Secretary finds that the grantee is achieving the intended outcomes of the grant and shows improvement in increasing student academic achievement and reducing minority-group isolation, and other indicators of success established by the Secretary''; and

(2) in subsection (b)—

(A) by striking ''50'' and inserting ''40''; and

(B) by striking ''15'' and inserting ''10''.

SEC. 5307. EVALUATIONS.

Section 5310 (20 U.S.C. 7231i) is amended to read as follows:

''SEC. 5310. EVALUATIONS.

''(a) IMPACT OF ACTIVITIES.—From the amount reserved for evaluation activities in accordance with section 9601(a), the Secretary, acting through the Director of the Institute of Education Sciences, shall, in consultation with the relevant program office at the Department, evaluate

the implementation and impact of the activities supported under this part, consistent with section 9601, including—

"(1) how, and the extent to which, magnet school programs lead to educational quality and improvement;

"(2) the extent to which magnet school programs enhance student access to a high quality education;

"(3) the extent to which magnet school programs lead to the elimination, reduction, or prevention of minority group isolation in elementary schools and secondary schools with substantial proportions of minority students; and

"(4) the extent to which magnet school programs differ from other school programs in terms of the organizational characteristics and resource allocations of such magnet school programs.

"(b) DISSEMINATION.—The Secretary shall collect and disseminate to the general public information on successful magnet school programs.".

SEC. 5308. AVAILABILITY OF FUNDS FOR GRANTS TO AGENCIES NOT PREVIOUSLY ASSISTED.

Section 5311 (20 U.S.C. 7231j) is amended to read as follows:

"SEC. 5311. AVAILABILITY OF FUNDS FOR GRANTS TO AGENCIES NOT PREVIOUSLY ASSISTED.

''For any fiscal year for which the amount appropriated pursuant to section 3(v) exceeds $75,000,000, the Secretary shall give priority in using such amounts in excess of $75,000,000 to awarding grants to local educational agencies or consortia of such agencies that did not receive a grant under this part for the preceding fiscal year.''.

PART D—PUBLIC CHARTER SCHOOLS

SEC. 5401. PUBLIC CHARTER SCHOOLS.

Part D of title V (20 U.S.C. 7241 et seq.) is amended to read as follows:

"PART D—PUBLIC CHARTER SCHOOLS

"SEC. 5401. PURPOSE.

''The purpose of this part is to support the creation, expansion, and replication of high-performing charter schools that serve the needs and increase the academic achievement of all students.

"SEC. 5402. DISTRIBUTION OF FUNDS.

''From the funds appropriated to carry out this part for a fiscal year—

''(1) 85 percent shall be available to carry out subpart 1; and

''(2) 15 percent shall be available to carry out subpart 2.

"Subpart 1—Successful Charter Schools Program

"SEC. 5411. DEFINITIONS.

''In this subpart:

''(1) CHARTER SCHOOL.—The term 'charter school' means a public school that—

''(A) is governed by a separate and independent board that exercises authority over 1 or more schools, including authority in the areas of governance, personnel, budget, schedule, and instructional program;

''(B) has ongoing, significant autonomy in the areas of—

''(i) the hiring, replacement, and salaries of the school staff;

''(ii) the school budget;

''(iii) scheduling formats for the school day and school year;

''(iv) the instructional programs of the school, including instructional models and curricula; and

''(v) the management and daily operation of the school;

''(C) in accordance with a specific State statute authorizing the granting of charters to schools, is exempt from significant State or local rules that inhibit the flexible operation

and management of public schools, but not from any rules relating to the other requirements of this paragraph;

"(D) is created by a developer as a public school, or is adapted by a developer from an existing public school, and is operated under public supervision and direction;

"(E) operates in pursuit of a specific set of educational objectives determined by the school's developer and agreed to by the charter school authorizer;

"(F) provides 1 or more programs of elementary education, secondary education, or both, including early childhood education, and may also provide adult education, in accordance with State law;

"(G) is nonsectarian in its programs, admissions policies, employment practices, and all other operations, and is not affiliated with a sectarian school or religious institution;

"(H) does not charge tuition;

"(I) complies with the Age Discrimination Act of 1975, title VI of the Civil Rights Act of 1964, title IX of the Education Amendments of 1972, section 504 of the Rehabilitation Act of

1973, title II of the Americans with Disabilities Act of 1990, and part B of the Individuals with Disabilities Education Act;

"(J) is a school to which parents choose to send their children, and that admits students on the basis of a lottery if more students apply for admission than can be accommodated, except as modified by the Secretary by regulation in accordance with clause (iv) or (v) of section 1116(d)(4)(B);

"(K) complies with the same Federal and State audit requirements as do other elementary schools, secondary schools, and early childhood education and adult education programs, as applicable, in the State, unless such requirements are specifically waived for the purpose of this program;

"(L) meets all applicable Federal, State, and local health and safety requirements;

"(M) operates in accordance with State law; and

"(N) has a written performance contract with a charter school authorizer that includes—

"(i) a description of how student performance will be measured on the basis of—

"(I) State assessments that are required of other public schools; and

"(II) any other assessments that are mutually agreeable to the charter school authorizer and the charter school;

"(ii) a requirement that student academic achievement and growth, consistent with section 1111, for the students enrolled at the school as a whole and for each subgroup described in section 1111(a)(3)(D) will be used as a primary factor in decisions about the renewal or revocation of the charter, in addition to other criteria, as appropriate;

"(iii) the student academic achievement and growth, consistent with section 1111, and student retention goals, and, in the case of a high school, graduation rate goals for the students enrolled at the school as a whole and for each subgroup described in section 1111(a)(3)(D), and

any other goals to be achieved by the end of the contract period;

"(iv) the obligations and responsibilities of the charter school and the charter school authorizer; and

"(v) a description of the autonomy that will be granted to the charter school in each area described under subparagraph (B).

"(2) CHARTER SCHOOL AUTHORIZER.—The term 'charter school authorizer' means any public or nonprofit entity that has the authority under State law, and is approved by the Secretary, to authorize or approve a public charter school.

"(3) DEVELOPER.—The term 'developer' means any individual, group of individuals, or public nonprofit organization that—

"(A) has applied for, or been granted, a charter for a charter school; or

"(B) has received authorization to start a charter school.

"(4) ELIGIBLE ENTITY.—The term 'eligible entity' means—

"(A) a State educational agency;

"(B) a local educational agency, except a charter school that is considered a local educational agency under State law;

"(C) a charter school authorizer; or

"(D) a charter management organization.

"(5) EXPAND.—The term 'expand' means to increase the student enrollment of an existing high-performing charter school by more than 50 percent or through the addition of not less than 2 grades to such existing charter school over the course of a grant or subgrant under this part.

"(6) HIGH-PERFORMING CHARTER SCHOOL.—The term 'high-performing charter school' means—

"(A) in the case of a charter school that was not open or did not enroll students in the preceding school year, a charter school that has a written performance contract with a charter school authorizer that includes, for the students enrolled at the school as a whole and for each subgroup described in section 1111(a)(3)(D) for the most recent year for which such data are available—

"(i) student academic achievement and growth goals (as measured, in the case of a charter school that is an elementary

school or secondary school, by performance on the statewide academic assessments required under section 1111(a)(2) and individual academic growth, consistent with section 1111(a)) that are higher than the average student academic achievement and growth results, consistent with section 1111, in demographically similar schools in the State;

''(ii) student retention goals that are similar to, or greater than, the average student retention rates in demographically similar schools in the State; and

''(iii) if the charter school is a high school, goals for graduation rates, rates of student enrollment at institutions of higher education, and rates of student persistence at institutions of higher education that are higher than such average rates in demographically similar schools in the State; or

''(B) in the case of a charter school that was open and enrolled students for the preceding school year, a charter school that has, for the students enrolled at the school as a whole and for each subgroup described in sec-

tion 1111(a)(3)(D) for the most recent year for which such data are available—

"(i) student academic achievement and growth results (as measured, in the case of a charter school that is an elementary school or secondary school, by performance on the statewide academic assessments required under section 1111(a)(2) and individual academic growth, consistent with section 1111) that are significantly higher than the average student academic achievement and growth results, consistent with section 1111, in demographically similar schools in the State;

"(ii) student retention rates that are similar to or higher than the average student retention rates in demographically similar schools in the State; and

"(iii) if the school is a high school, higher graduation rates, rates of student enrollment at institutions of higher education, and rates of student persistence at institutions of higher education than such average rates in demographically similar schools in the State.

"(7) REPLICATE.—The term 'replicate' means to open 1 or more new campuses of, or schools based on, an existing high-performing charter school under a new or existing charter, or both, over the course of a grant or subgrant under this part.

"SEC. 5412. PROGRAM AUTHORIZED.

"(a) IN GENERAL.—From the amount available to carry out this subpart, the Secretary shall award grants, on a competitive basis, to eligible entities to enable such eligible entities to award subgrants to developers to create, expand, or replicate 1 or more high-performing charter schools, including through conversion of an existing public school into a charter school.

"(b) ALLOCATIONS.—The Secretary shall use not less than 25 percent of funds to award grants to eligible entities described in 5411(4)(A).

"(c) CONSIDERATIONS.—In awarding grants under this subpart, the Secretary shall consider—

"(1) the geographic diversity of the eligible entities, including the distribution of grants among urban, suburban, and rural areas; and

"(2) the number of eligible entities in a State that are receiving grants under this subpart in any fiscal year.

"(d) GRANT AMOUNT.—

"(1) In determining the amount of each grant to be awarded under subsection (a), the Secretary shall consider—

"(A) the number of operating charter schools under the jurisdiction or in the service area of the eligible entity;

"(B) to the extent practicable, the number of students, including students on charter school waiting lists, that will be served by high-performing charter schools that receive funds under this subpart; and

"(C) the amount of funds that is needed to implement the activities described in the approved application.

"(e) DURATION.—

"(1) IN GENERAL.—Each grant awarded under this subpart shall be for an initial period of not more than 3 years.

"(2) RENEWAL.—The Secretary may renew a grant awarded under this subpart for an additional period of not more than 2 years, if the eligible entity is achieving the objectives of the grant and has shown improvement on the performance measures and targets described in section 5417(a).

"(f) LIMITATIONS.—

"(1) GRANTS.—An eligible entity described under subparagraph (A) of section 5411(4) may not receive more than 1 grant at a time under this section.

"(2) SUBGRANTS.—A developer may not receive more than 1 grant or subgrant at a time under this section.

"(g) RESERVATIONS.—

"(1) ADMINISTRATIVE EXPENSES.—An eligible entity that receives a grant under this subpart may use not more than a total of 5 percent of grant funds for administrative expenses associated with the grant, including for improvement of the eligible entity's oversight or management of charter schools.

"(2) IMPROVING AUTHORIZER QUALITY.—An eligible entity described in subparagraph (A), (B), or (C) of section 5411(4) shall use 5 percent of grant funds for improving authorizer quality, including charter school oversight and monitoring systems and procedures for revoking or not renewing charters.

"(h) WAIVER.—The Secretary may waive a statutory or regulatory requirement over which the Secretary exercises administrative authority, except a requirement described in section 5411(1), if—

"(1) the waiver is requested in an approved application under this subpart; and

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

"SEC. 5413. APPLICATIONS.

"(a) IN GENERAL.—Each eligible entity desiring a grant under this subpart shall submit an application to the Secretary at such time, in such manner, and containing such information and assurances as the Secretary may require.

"(b) CONTENTS.—

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

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

"(B) the need for the high-performing charter schools that the eligible entity seeks to support, including information that demonstrates the interest of parents and communities in increasing charter school enrollment capacity, such as the number of students who are on waiting lists for charter schools under the jurisdiction of the eligible entity;

"(C) the performance measures the eligible entity will use to measure outcomes;

"(D) how the eligible entity will provide information and support to parents, families, and students regarding the available charter school options in a simple, clear, and easily accessible format and, to the extent practicable, in a language that such parents, families, and students can understand;

"(E) how the eligible entity will coordinate the grant funds received under this subpart with other Federal, State, and local funds;

"(F) how the eligible entity will ensure that each charter school within such eligible entity's jurisdiction or service area—

"(i) meets the requirements of section 5411(1); and

"(ii) provides equitable access and effectively serves the needs of all students, including children with disabilities and English learners, and implements outreach and recruitment practices that include families of such students;

"(G) how the eligible entity will award subgrants to developers, on a competitive basis and

through a high-quality review process, including a description of the subgrant application;

"(H) how the eligible entity will target subgrants to high-performing charter schools that plan to serve students who attend schools that have been identified through the State accountability and improvement system described in section 1116;

"(I) the eligible entity's record, if applicable, of success in creating, expanding, replicating, managing, and overseeing high-performing charter schools, and closing unsuccessful schools;

"(J) how the eligible entity will hold charter schools within such eligible entity's jurisdiction accountable if such schools do not meet the objectives specified in the performance contract described in section 5411(1)(N), including by closing unsuccessful schools; and

"(K) how charter school authorizers are approved, monitored, held accountable for establishing rigorous standards, periodically reviewed, and re-approved in the State in which the eligible entity operates, based on the performance of the charter schools that such char-

ter school authorizers authorize, including in the areas of student safety, financial management, and compliance with all applicable statutes and regulations.

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

"(A) A description of the State's laws, policies, or procedures, if applicable, that address—

"(i) how decisions are made to close unsuccessful charter schools, and how student academic achievement and growth, consistent with section 1111, for all students and for each subgroup of students described in section 1111(a)(3)(D), is a primary factor in such decisions;

"(ii) how charter schools are monitored and held accountable for—

"(I) meeting the requirements described in section 5411(1); and

"(II) providing equitable access and effectively serving the needs of all

students, including students with disabilities and English learners; and

"(iii) how a charter school that is considered a local educational agency under State law, or a local educational agency in which a charter school is located, will comply with subsections (a)(5) and (e)(1)(B) of section 613 of the Individuals with Disabilities Education Act.

"(B) Information about the eligible entity's record of funding charter schools, including funding charter school facilities.

"(C) Information about the number of charter schools in the State that—

"(i) have been closed or have had charters revoked or not renewed in the preceding 5-year period, and the reasons for such closures, revocations, or nonrenewals;

"(ii) have been identified, through the State accountability and improvement system, as focus schools or priority schools under subsection (c) or (d) of section 1116 in the preceding 5-year period;

"(iii) have met objectives specified in the performance contract described in section 5411(1)(N); and

"(iv) the charter school authorizer has authorized that are high-performing charter schools, and the percentage of such charter schools as compared to the total number of charter schools that the charter school authorizer has authorized.

"(3) LOCAL EDUCATIONAL AGENCIES.—Each eligible entity described in section 5411(4)(B) shall include in the application described in paragraph (1) (in addition to the requirements described in such paragraph), a description of the eligible entity's policies and procedures for—

"(A) ensuring that charter schools under the jurisdiction of such eligible entity have equitable access to school facilities and school facilities financing;

"(B) complying with subsections (a)(5) and (e)(1)(B) of section 613 of the Individuals with Disabilities Education Act; and

"(C) supporting public school choice.

"(4) CHARTER SCHOOL AUTHORIZERS.—Each eligible entity described in section 5411(4)(C) shall

include in the application described in paragraph (1) (in addition to the requirements of such paragraph), the following:

"(A) A demonstration that the eligible entity has explicit and clear policies and procedures in place for the approval, monitoring, renewal, and closure of charter schools, and an assurance that such policies and procedures make student academic achievement and growth, consistent with section 1111, for all students and for each subgroup of students described in section 1111(a)(3)(D), a primary factor in such decisions.

"(B) A description of how the eligible entity will make publicly available (in a clear and uniform format, a timely manner, and a form that is easily accessible, and, to the extent practicable, in a language that families and students can understand)—

"(i) information about the criteria and procedures for granting, denying, revoking, and renewing charters for charter schools; and

"(ii) the results of decisions relating to the granting, denial, revocation, and re-

newal of charters for charter schools, including performance data and other relevant information on which each decision is based.

"(C) Information about the number of charter schools that the charter school authorizer has authorized in each of the following categories:

"(i) Charter schools that have been closed or have had charters revoked or not renewed by the eligible entity in the preceding 5-year period, and the reasons for such closures, revocations, or nonrenewals.

"(ii) Charter schools that have been identified as focus schools or priority schools under subsection (c) or (d) of section 1116 through the State accountability and improvement system.

"(iii) Charter schools that have met objectives specified in the performance contract described in section 5411(1)(N).

"(iv) Charter schools that are high-performing charter schools, and the percentage of such charter schools as compared to the total number of charter

schools that the charter school authorizer has authorized.

"(5) CHARTER MANAGEMENT ORGANIZATIONS.—Each eligible entity described in section 5411(4)(D) shall include in the application described in paragraph (1) (in addition to the requirements of such paragraph), a description of—

"(A) the qualifications of such eligible entity's management team; and

"(B) a multi-year financial and operating model for each of the high-performing charter schools that such eligible entity will create, expand, or replicate under the grant.

"(6) SPECIAL RULE.—In the case of a developer that plans to open a charter school in a jurisdiction or service area where no eligible entity will be awarding subgrants under this subpart for the fiscal year for which the developer applies, the Secretary may award a grant to such developer if such developer has an approved application that includes the requirements described in subparagraphs (A) through (F) of paragraph (1) and paragraph (5). The requirements of subsections (b) and (c) of section 5416 and section 5417(c) shall apply to a developer receiving a grant under this paragraph in the

same manner as such sections apply to a developer receiving a subgrant under section 5416, except that the developer shall submit the data under section 5417(c) directly to the Secretary.

"SEC. 5414. SELECTION CRITERIA; PRIORITY.

"(a) SELECTION CRITERIA.—

"(1) IN GENERAL.—In awarding grants to eligible entities under this subpart, the Secretary shall consider—

"(A) the quality of the eligible entity's application;

"(B) the eligible entity's record, if applicable, of success in creating, expanding, replicating, managing, and overseeing high-performing charter schools;

"(C) the eligible entity's record of discontinuing funding or closing low-performing charter schools, including, as applicable, by revoking or not renewing the charters of such charter schools, and the eligible entity's commitment to discontinuing funding or closing low-performing charter schools in the future;

"(D) the extent to which the eligible entity demonstrates that such eligible entity will award subgrants targeted to serving students

who attend schools that have been identified as focus schools or priority schools under subsection (c) or (d) of section 1116 through the State accountability and improvement system;

"(E) the quality of the eligible entity's plan for supporting subgrant recipients, through such activities as technical assistance, directly or through grants, contracts, or cooperative agreements, in order to—

"(i) improve student academic achievement and growth, consistent with section 1111, for all students and for each subgroup of students described in section 1111(a)(3)(D); and

"(ii) promote effective outreach to, and recruitment of, students who are children with disabilities and students who are English learners, and the parents and families of such students; and

"(F) the extent to which the State in which the eligible entity operates provides for and enforces high-quality standards for charter school authorizers, including by establishing standards for rigorous and periodic reviews.

"(2) STATE EDUCATIONAL AGENCIES.—In the case of an applicant that is an eligible entity described in section 5411(4)(A), in addition to the elements described in paragraph (1), the Secretary shall also consider the extent to which such eligible entity—

"(A) ensures that charter schools receive equitable funding compared to other public schools in the State, and a commensurate share of Federal, State, and local revenues compared to public schools in the State, including equitable State funding to support early childhood education programs operated by charter schools in the State, in accordance with State law; and

"(B) provides charter schools with equitable access to funds for facilities (which may include funds for leasing or purchasing facilities or for making tenant improvements), assistance for facilities acquisition, access to public facilities, the ability to share in the proceeds of bonds and levies, or other support related to facilities.

"(3) LOCAL EDUCATIONAL AGENCIES.—In the case of an applicant that is an eligible entity described in section 5411(4)(B) (except for a charter

school that is considered a local educational agency under State law), in addition to the elements described in paragraph (1), the Secretary shall also consider—

"(A) if charter schools are operating within the area served by such eligible entity, the extent to which the eligible entity has policies and procedures in place to ensure that—

"(i) charter schools have equitable access to school facilities; or

"(ii) charter schools are not denied access to available public school facilities; and

"(B) the extent to which the eligible entity demonstrates support for public school choice.

"(4) CHARTER SCHOOL AUTHORIZERS.—In the case of an applicant that is an eligible entity described in section 5411(4)(C), in addition to the elements described in paragraph (1), the Secretary shall also consider the eligible entity's record of success in authorizing and supporting high-performing charter schools.

"(5) CHARTER MANAGEMENT ORGANIZATIONS.—In the case of an applicant that is an eligible entity described in section 5411(4)(D), in addi-

tion to the elements described in paragraph (1), as applicable, the Secretary shall also consider—

"(A) the quality of the eligible entity's management team; and

"(B) the quality and sustainability of the eligible entity's multi-year financial and operating model.

"(b) PRIORITY.—

"(1) STUDENTS FROM LOW-INCOME FAMILIES.—In awarding grants under this subpart, the Secretary shall give priority to eligible entities that propose to create, expand, or replicate high-performing charter schools that plan to enroll a large percentage of students from low-income families.

"(2) DIVERSITY.—In awarding grants under this subpart, the Secretary may give priority to eligible entities that propose to create, expand, or replicate a high-performing charter school that will have a diverse student population.

"(3) STATE EDUCATIONAL AGENCIES.—In the case of an applicant that is an eligible entity described in section 5411(4)(A), the Secretary shall give priority to such eligible entities—

"(A) from States that do not have a law that prohibits, or effectively inhibits, increasing

the number of high-performing charter schools in the State;

"(B) from States that—

"(i) provide for, and adequately support, 2 or more charter school authorizers, of which not less than 1 is a statewide charter school authorizer; or

"(ii) in the case of a State in which local educational agencies are the only charter school authorizers—

"(I) allow for an appeals process through which developers have an opportunity to appeal a denial to another authorizer that will issue a final determination regarding whether or not to grant the developer a charter; and

"(II) require charter school authorizers to indicate an affirmative interest in serving as charter school authorizers; and

"(C) that have a policy or procedure in place that ensures that—

"(i) charter schools are reauthorized or have their charter renewed not less than once every 5 years; and

"(ii) charter schools submit independently audited financial statements to the authorizer.

"SEC. 5415. USES OF FUNDS.

"(a) REQUIRED USES OF FUNDS.—Each eligible entity receiving a grant under section 5412(a) shall—

"(1) use not less than 95 percent of the remaining grant funds, after the reservations made under section 5412(g), to award subgrants to 1 or more developers, as described in section 5416, to enable such developers to create, expand, or replicate 1 or more high-performing charter schools (which may include opening new schools or converting existing schools into charter schools) in the area served by the eligible entity or under the jurisdiction of the eligible entity;

"(2) in awarding subgrants, give priority to developers that propose to create, expand, or replicate a high-performing charter school in which a large percentage of the students enrolled are from low-income families;

"(3) provide developers who are receiving a subgrant with support and technical assistance in—

"(A) improving student academic achievement and growth, consistent with section 1111;

"(B) effectively serving the needs of all students, including students who are children with disabilities and students who are English learners; and

"(C) implementing outreach and recruitment practices that includes families of students who are children with disabilities and English learners;

"(4) directly, or through a partnership with a nonprofit organization (such as a community-based organization), develop and implement parent, family, and student information, outreach, and recruitment programs to provide information and support to parents, families, and students about the public school choice options available to them, including students who are children with disabilities and students who are English learners, in a simple, clear, and easily accessible format and, to the extent practicable, in a language that such parents, families, and students can understand.

"(b) PERMISSIBLE USE OF FUNDS.—Each eligible entity receiving a grant under section 5412(a) may use not more than 2.5 percent of grant funds to disseminate information to public schools in the eligible entity's jurisdiction or service area about lessons learned through the grant activities, in order to—

"(1) successfully address the education needs of all students, including students who are children with disabilities and students who are English learners; and

"(2) replicate high-performing charter school models.

"SEC. 5416. SUBGRANTS.

"(a) APPLICATIONS.—Each developer that desires to receive a subgrant under this subpart shall submit an application to the appropriate eligible entity at such time, in such form, and including such information and assurances as the eligible entity may reasonably require, which shall include the information required under subparagraphs (A) through (F) of paragraph (1) and paragraph (5) of section 5413(b).

"(b) USE OF FUNDS.—A developer that receives a subgrant under this subpart shall use such subgrant funds to create, expand, or replicate 1 or more high-performing

1 charter schools, which may include carrying out the fol-
2 lowing activities:

3 ''(1) If necessary, carrying out not more than
4 12 months of planning and program design, unless
5 such developer demonstrates the need for an addi-
6 tional planning period of not more than 3 months.

7 ''(2) Recruiting and providing preparation, in-
8 duction, and professional development for teachers,
9 school leaders, and other staff who will work in a
10 charter school that is supported by the developer.

11 ''(3) Acquiring necessary equipment, supplies,
12 and educational materials, including curricula, as-
13 sessments, and instructional materials.

14 ''(4) Professional development and implementa-
15 tion of systems for the delivery of appropriate serv-
16 ices for students who are children with disabilities
17 and students who are English learners, including
18 through centralizing, purchasing, or sharing the pro-
19 vision of such services with other organizations.

20 ''(5) Develop transportation systems to provide
21 transportation to students to and from the school.

22 ''(6) Paying operational costs for a charter
23 school that cannot be met through State or local
24 funding sources.

"(7) Directly, or through a partnership with a nonprofit organization (including a community-based organization), developing and implementing parent, family, and student information and outreach programs to provide information and support to parents, families, and students about each charter school, in a simple, clear, and easily accessible format and, to the extent practicable, in a language that the parents, families, and students can understand.

"(8) Developing and implementing effective outreach and recruitment strategies to inform families of students who are children with disabilities and students who are English learners about the charter school, the charter school admissions process, and the charter school's plan to effectively provide appropriate educational and related services to such students.

"(9) Evaluating and disseminating information, including through technical assistance, about the effectiveness of the activities supported by the subgrant.

"(c) LIMITATIONS.—Not more than 1 percent of subgrant funds may be used to carry out the activities described in subsection (b)(9).

"SEC. 5417. PERFORMANCE MEASURES; REPORTS.

"(a) PERFORMANCE MEASURES AND TARGETS.—Each eligible entity receiving a grant under this subpart shall establish performance measures and annual targets, approved by the Secretary, for the charter schools that are created, expanded, or replicated with funds provided through a grant or subgrant under this subpart. Such measures and targets shall include, at a minimum, in the aggregate and disaggregated by each subgroup of students described in section 1111(a)(3)(D)—

"(1) the number of students enrolled in each charter school;

"(2) the number of students enrolled in each high-performing charter school;

"(3) the number of students enrolled in each high-performing charter school who were formerly attending a school that has been identified as a focus school or priority school under subsection (c) or (d) of section 1116 through the State accountability and improvement system;

"(4) student academic achievement and growth, consistent with section 1111, including, if applicable, performance on the State academic assessments required under section 1111(a)(2), and student growth consistent with section 1111;

"(5) student retention rates;

"(6) in the case of a public charter school that is a secondary school, student graduation rates, and student rates of enrollment and persistence in institutions of higher education; and

"(7) other measures required by the Secretary.

"(b) REPORTS.—Each eligible entity receiving a grant under this subpart shall annually prepare and submit a report to the Secretary containing the information described under subsection (a).

"(c) DEVELOPERS.—Each developer receiving a subgrant under this subpart from an eligible entity shall provide the eligible entity with the data necessary to comply with the requirements of this section.

"SEC. 5418. FEDERAL FORMULA ALLOCATION DURING FIRST YEAR AND FOR SUCCESSIVE ENROLLMENT EXPANSIONS.

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

1 tity and characteristics of the students enrolling in that
2 charter school are not fully and completely determined
3 until that charter school actually opens. The measures
4 similarly shall ensure that every charter school expanding
5 its enrollment in any subsequent year of operation receives
6 the Federal funding for which the charter school is eligible
7 not later than 5 months after such expansion.

8 ''(b) ADJUSTMENT AND LATE OPENINGS.—

9 ''(1) IN GENERAL.—The measures described in
10 subsection (a) shall include provision for appropriate
11 adjustments, through recovery of funds or reduction
12 of payments for the succeeding year, in cases where
13 payments made to a charter school on the basis of
14 estimated or projected enrollment data exceed the
15 amounts that the school is eligible to receive on the
16 basis of actual or final enrollment data.

17 ''(2) RULE.—For charter schools that first
18 open after November 1 of any academic year, the
19 State, in accordance with guidance provided by the
20 Secretary and applicable Federal statutes and regu-
21 lations, shall ensure that such charter schools that
22 are eligible for the funds described in subsection (a)
23 for such academic year have a full and fair oppor-
24 tunity to receive those funds during the charter
25 schools' first year of operation.

"SEC. 5419. RECORDS TRANSFER.

''State educational agencies and local educational agencies receiving funds under part A of title I or any other Federal funds from the Secretary, shall, in the most timely manner possible and to the extent practicable, ensure that a student's records and, if applicable, a student's individualized education program as defined in section 602 of the Individuals with Disabilities Education Act, are transferred to a charter school upon the transfer of the student to the charter school, and to another public school upon the transfer of the student from a charter school to another public school, in accordance with applicable State law.

"SEC. 5420. NATIONAL ACTIVITIES.

''From funds made available under this subpart for each fiscal year, the Secretary may reserve not more than 5 percent for national activities to carry out (directly or through grants, contracts that use a competitive bidding process, or cooperative agreements) research, development, data collection, technical assistance, outreach, and dissemination activities, including—

''(1) research, technical assistance, and other activities to assist eligible entities receiving a grant under this subpart, and other eligible entities in improving the entity's capacity to—

"(A) create, expand, replicate, operate, or support high-performing charter schools that meet the needs of, and improve the outcomes for, all students, including students who are children with disabilities and students who are English learners;

"(B) support charter school authorizers to improve quality through the adoption of research-based policies and procedures and increased capacity; and

"(C) work to turn around schools that have been identified as focus schools or priority schools under subsection (c) or (d) of section 1116 through the State accountability and improvement system;

"(2) providing for the research and dissemination of information about specific charter school models and program characteristics for which there is strong evidence of a significant impact on improving student academic achievement and growth, consistent with section 1111, for all students, including students who are children with disabilities and English learners;

"(3) developing and implementing activities that help parents, families, students, and the com-

munity identify and access high-performing charter schools;

"(4) providing for the collection of information regarding the financial resources available to charter schools (including access to private capital) and widely disseminating to charter schools any such relevant information and model descriptions of successful programs; and

"(5) carrying out other related activities.

"Subpart 2—Charter School Facility Acquisition, Construction, and Renovation

"SEC. 5431. PURPOSE.

"The purpose of this subpart is to provide grants to eligible entities to improve access to facilities and facilities financing for high-performing charter schools and assist such schools to address the cost of acquiring, constructing, and renovating facilities.

"SEC. 5432. DEFINITIONS.

"In this subpart:

"(1) ELIGIBLE ENTITY.—The term 'eligible entity' means—

"(A) a State educational agency;

"(B) a local educational agency, except a charter school that is considered a local educational agency under State law;

"(C) a nonprofit entity;

"(D) a State financing authority; or

"(E) a consortium of entities described in any of subparagraphs (A) through (D).

"(2) HIGH-PERFORMING CHARTER SCHOOL.—The term 'high-performing charter school' has the meaning given such term in section 5411.

"(3) PER-PUPIL FACILITIES AID PROGRAM.—The term 'per-pupil facilities aid program' means a program—

"(A) that is specified in State law;

"(B) that provides annual financing, on a per-pupil basis, for charter school facilities; and

"(C) in which a State makes payments, on a per-pupil basis, to charter schools to provide such schools with financing—

"(i) that is dedicated solely for funding charter school facilities; or

"(ii) a portion of which is dedicated for funding charter school facilities.

"SEC. 5433. GRANTS TO ELIGIBLE ENTITIES.

"(a) CREDIT ENHANCEMENT GRANTS.—The Secretary shall use not less than 65 percent of the amount available to carry out this subpart to award grants on a competitive basis to eligible entities to enable such eligible

1 entities to demonstrate innovative credit enhancement
2 methods of assisting high-performing charter schools to
3 access private sector capital to address the cost of acquir-
4 ing, constructing, and renovating facilities by enhancing
5 the availability of loans or bond financing.

6 "(b) OTHER FACILITIES GRANTS.—The Secretary
7 shall use the remainder of the amount available to carry
8 out this subpart to award grants on a competitive basis
9 to eligible entities to—

10 "(1) improve access to facilities and facilities fi-
11 nancing for high-performing charter schools, through
12 methods that may include—

13 "(A) leveraging State and local facilities
14 funds, including the cost of implementing school
15 bond programs that include high-performing
16 charter schools;

17 "(B) implementing open-facilities-access
18 programs or making available renovated or
19 adapted space for high-performing charter
20 schools; and

21 "(C) assisting with constructing or improv-
22 ing, at low cost, facilities for high-performing
23 charter schools through innovative methods;
24 and

"(2) support an eligible entity described in section 5432(1)(A) in the establishment, enhancement, and administration of a per-pupil facilities aid program through Federal payments that shall be not more than—

"(A) 90 percent of the cost, for the first fiscal year for which the program receives assistance under this subsection;

"(B) 80 percent in the second such year;

"(C) 60 percent in the third such year;

"(D) 40 percent in the fourth such year; and

"(E) 20 percent in the fifth such year.

"(c) STATE SHARE OF PER-PUPIL FACILITIES AID PROGRAM.—A State receiving a grant under subsection (b)(2) may partner with 1 or more organizations to provide not more than 50 percent of the State share of the cost of establishing, enhancing, or administering the per-pupil facilities aid program.

"(d) GRANT AMOUNT.—In determining the amount of each grant to be awarded under this subpart, the Secretary shall consider—

"(1) the quality of the application submitted under section 5435;

"(2) the number of students that are served or may be served by high-performing charter schools that would receive assistance under the grant program; and

"(3) the amount of funds that is needed to implement the activities described in the approved application.

"(e) SUPPLEMENT NOT SUPPLANT.—Funds made available under this section shall be used to supplement, and not supplant, State and local public funds expended to provide programs for charter schools.

"SEC. 5434. CHARTER SCHOOL OBJECTIVES.

"An eligible entity receiving a grant under this subpart shall use the funds to assist 1 or more high-performing charter schools to accomplish 1 or both of the following objectives:

"(1) The acquisition (by purchase, lease, donation, or otherwise) of an interest (including an interest held by a third party for the benefit of a charter school) in improved or unimproved real property that is necessary to commence or continue the operation of a charter school.

"(2) The construction of new facilities, or the renovation, repair, or alteration of existing facilities,

necessary to commence or continue the operation of a charter school.

"SEC. 5435. APPLICATIONS; SELECTION CRITERIA.

"(a) IN GENERAL.—Each eligible entity desiring a grant under this subpart shall submit an application to the Secretary at such time, in such manner, and containing such information and assurances as the Secretary may require.

"(b) CONTENTS.—An application submitted under subsection (a) shall include—

"(1) a description of the activities that the eligible entity proposes to carry out using funds received under this subpart;

"(2) a demonstration that the eligible entity will consider the quality of a charter school when determining—

"(A) which charter schools will receive assistance under this subpart;

"(B) how much grant assistance will be provided to each charter school; and

"(C) the type of assistance that each charter school will receive;

"(3) a description of the eligible entity's record of successfully carrying out the activities that such eligible entity proposes to carry out;

"(4) if applicable, the eligible entity's record of leveraging private-sector funding and a description of how the proposed activities will leverage the maximum amount of private-sector financing capital relative to the amount of government funding;

"(5) an explanation of how the eligible entity possesses sufficient expertise in education to evaluate the likelihood of success of a charter school for which facilities financing is sought;

"(6) in the case of an application submitted by an eligible entity that includes 1 or more State or local educational agencies, a description of the agency's policies and procedures for ensuring that charter schools have equitable access to school facilities; and

"(7) such other information as the Secretary may reasonably require.

"(c) SELECTION CRITERIA.—In awarding grants under this subpart, the Secretary shall consider—

"(1) the quality of the eligible entity's application;

"(2) the extent to which the eligible entity proposes to support high-performing charter schools that plan to enroll a large percentage of students from low-income families;

"(3) the extent to which the eligible entity proposes to support high-performing charter schools that plan to enroll a large percentage of students who attend schools that have been identified as focus schools or priority schools under subsection (c) or (d) of section 1116 through the State accountability and improvement system;

"(4) the geographic diversity of the eligible entities, including the distribution of grants between urban and rural areas; and

"(5) the number of eligible entities in a State that are receiving grants under this subpart in any fiscal year.

"SEC. 5436. RESERVE ACCOUNT.

"(a) USE OF FUNDS.—To assist charter schools with addressing the cost of acquiring, constructing, and renovating facilities and accessing facilities and facilities financing, an eligible entity receiving a grant under section 5433(a) shall, in accordance with State and local law, directly or indirectly, alone or in collaboration with others, deposit the funds received under this subpart (other than funds used for administrative costs in accordance with section 5437) in a reserve account established and maintained by the eligible entity for this purpose. Amounts de-

1 posited in such account shall be used by the eligible entity
2 for 1 or more of the following purposes:
3 "(1) Guaranteeing, insuring, and reinsuring
4 bonds, notes, evidences of debt, loans, and interests
5 therein, the proceeds of which are used for an objec-
6 tive described in section 5434.
7 "(2) Guaranteeing and insuring leases of per-
8 sonal and real property for an objective described in
9 section 5434.
10 "(3) Facilitating financing by identifying poten-
11 tial lending sources, encouraging private lending,
12 and other similar activities that directly promote
13 lending to, or for the benefit of, charter schools.
14 "(4) Facilitating the issuance of bonds by char-
15 ter schools, or by other public entities for the benefit
16 of charter schools, by providing technical, adminis-
17 trative, and other appropriate assistance (including
18 the recruitment of bond counsel, underwriters, and
19 potential investors and the consolidation of multiple
20 charter school projects within a single bond issue).
21 "(b) INVESTMENT.—Funds received under this sub-
22 part and deposited in the reserve account established
23 under subsection (a) shall be invested in obligations issued
24 or guaranteed by the United States or a State, or in other
25 similarly low-risk securities.

"(c) REINVESTMENT OF EARNINGS.—Any earnings on funds received under this subpart shall be deposited in the reserve account established under subsection (a) and used in accordance with such subsection.

"SEC. 5437. LIMITATION ON ADMINISTRATIVE COSTS.

"An eligible entity may use not more than 2.5 percent of the funds received under this subpart for the administrative costs of carrying out its responsibilities under this subpart.

"SEC. 5438. AUDITS AND REPORTS.

"(a) FINANCIAL RECORD MAINTENANCE AND AUDIT.—The financial records of each eligible entity receiving a grant under this subpart shall be maintained in accordance with generally accepted accounting principles and shall be subject to an annual audit by an independent public accountant.

"(b) REPORTS.—

"(1) GRANTEE ANNUAL REPORTS.—Each eligible entity receiving a grant under this subpart annually shall submit to the Secretary a report of its operations and activities under this subpart.

"(2) CONTENTS.—Each annual report submitted under paragraph (1) shall include—

"(A) a copy of the most recent financial statements, and any accompanying opinion on

such statements, prepared by the independent public accountant reviewing the financial records of the eligible entity;

"(B) a copy of any report made on an audit of the financial records of the eligible entity that was conducted under subsection (a) during the reporting period;

"(C) if applicable, an evaluation by the eligible entity of the effectiveness of its use of the Federal funds provided under this subpart in leveraging private funds;

"(D) a listing and description of the charter schools served during the reporting period and the performance of such charter schools in increasing student achievement and growth, consistent with section 1111;

"(E) a description of the activities carried out by the eligible entity to assist charter schools in meeting the objectives set forth in section 5434; and

"(F) a description of the characteristics of lenders and other financial institutions participating in the activities undertaken by the eligible entity under this subpart during the reporting period, if applicable.

"(3) SECRETARIAL REPORT.—The Secretary shall review the reports submitted under paragraph (1) and shall provide a comprehensive annual report to Congress on the activities conducted under this subpart.

"SEC. 5439. NO FULL FAITH AND CREDIT FOR GRANTEE OBLIGATIONS.

"No financial obligation of an eligible entity entered into pursuant to this subpart (such as an obligation under a guarantee, bond, note, evidence of debt, or loan) shall be an obligation of, or guaranteed in any respect by, the United States. The full faith and credit of the United States is not pledged to the payment of funds which may be required to be paid under any obligation made by an eligible entity pursuant to any provision of this subpart.

"SEC. 5440. RECOVERY OF FUNDS.

"(a) IN GENERAL.—The Secretary, in accordance with chapter 37 of title 31, United States Code, shall collect—

"(1) all of the funds in a reserve account established by an eligible entity under section 5436(a) if the Secretary determines, not earlier than 2 years after the date on which the eligible entity first received funds under this subpart, that the eligible en-

tity has failed to make substantial progress in carrying out the purposes described in such section; or

"(2) all or a portion of the funds in a reserve account established by an eligible entity under section 5436(a) if the Secretary determines that the eligible entity has permanently ceased to use all or a portion of the funds in such account to accomplish any purpose described in such section.

"(b) EXERCISE OF AUTHORITY.—The Secretary shall not exercise the authority provided in subsection (a) to collect from any eligible entity any funds that are being properly used to achieve 1 or more of the purposes described in section 5436(a).

"(c) PROCEDURES.—The provisions of sections 451, 452, and 458 of the General Education Provisions Act shall apply to the recovery of funds under subsection (a).

"(d) CONSTRUCTION.—This section shall not be construed to impair or affect the authority of the Secretary to recover funds under part D of the General Education Provisions Act.".

PART E—VOLUNTARY PUBLIC SCHOOL CHOICE

SEC. 5501. VOLUNTARY PUBLIC SCHOOL CHOICE.

Title V (20 U.S.C. 7201 et seq.) is further amended by adding at the end the following:

"PART E—VOLUNTARY PUBLIC SCHOOL CHOICE PROGRAMS

"SEC. 5501. GRANTS.

''(a) AUTHORIZATION.—From funds made available to carry out this part, the Secretary shall award grants, on a competitive basis, to eligible entities to enable the entities to establish or expand a program of public school choice (referred to in this part as a 'program') in accordance with this part in order to increase student academic achievement and student growth by increasing the educational options available to students who are served by high-need local educational agencies.

''(b) DURATION.—Grants awarded under subsection (a) may be awarded for a period of 3 years and may be renewed for not more than an additional 2 years if the Secretary finds that the grantee is achieving the objectives of the grant.

"SEC. 5502. USES OF FUNDS.

''(a) REQUIRED USE OF FUNDS.—An eligible entity that receives a grant under this part shall use the grant funds to establish or expand inter- or intra-district public school choice programs for students attending the lowest-performing schools that enable those students to attend high-quality public elementary schools and secondary schools, including charter schools.

"(b) PERMISSIBLE USES OF FUNDS.—An eligible entity that receives a grant under this part may use the grant funds for—

"(1) planning or designing a program (for not more than 1 year);

"(2) transportation services to and from high-quality schools for participating students;

"(3) improving public school finance systems to allow school funding to follow students, including tuition transfer payments to high-quality public elementary schools or secondary schools to which students transfer under the program;

"(4) capacity-enhancing activities that enable high-quality public elementary schools or secondary schools to accommodate transfer requests under the program;

"(5) public education and recruitment campaigns to inform students attending the lowest-performing schools and their parents about the program and to facilitate their participation; and

"(6) other costs reasonably necessary to implement the program, such as the development of lottery systems.

"(c) NONPERMISSIBLE USES OF FUNDS.—An eligible entity that receives a grant under this part may not use the grant funds for school construction.

"(d) ADMINISTRATIVE EXPENSES.—The eligible entity may use not more than 5 percent of the funds made available through a grant under this part for any fiscal year for administrative expenses.

"SEC. 5503. APPLICATIONS.

"(a) SUBMISSION.—An eligible entity that desires a grant under this part shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

"(b) CONTENTS.—An application submitted under subsection (a) shall include a comprehensive plan that describes—

"(1) the activities to be carried out;

"(2) how the activities—

"(A) will increase access to high-quality schools for students attending the lowest-performing schools;

"(B) will increase the student academic achievement and student growth of students participating in the grant activities, including English learners and students with disabilities; and

"(C) if applicable, will increase diversity within a school or local educational agency;

"(3) how students will be selected to participate in grant activities, including the design and implementation of a lottery system if the program is oversubscribed, and how students and parents will be informed of their opportunity to participate;

"(4) how the program will be coordinated with and leverage other related Federal and non-Federal funding and programs;

"(5) how the applicant will continue to implement the plan after the period of the grant has expired;

"(6) if the activities required under section 5505(a)(2) are to be carried out in partnership with a public or other nonprofit organization, a description of the organization's experience, capacity, responsibilities, and how the eligible entity will monitor the public or other nonprofit organization's effectiveness in carrying our such activities; and

"(7) such other information as the Secretary may require.

"(c) SELECTION CRITERIA.—In selecting grantees under this part, the Secretary shall consider—

"(1) the quality of the applicant's comprehensive plan;

"(2) the extent to which the applicant can demonstrate that its grant activities will increase student academic achievement and student growth for students participating in the grant activities, including English learners and students with disabilities; and

"(3) the extent to which the applicant can demonstrate that its grant activities will ensure that parents and students are informed of the program, in a clear and uniform format and, to the extent practicable, in a language that the parents and students can understand, to increase the likelihood that parents will have their children participate in the grantee's program.

"SEC. 5504. PRIORITIES.

"In awarding grants under this part, the Secretary shall give priority to an eligible entity that proposes to—

"(1) establish or expand an inter-district choice program that serves a large percentage of students from low-income families; and

"(2) establish or expand a program that will increase diversity.

"SEC. 5505. REQUIREMENTS AND VOLUNTARY PARTICIPATION.

"(a) PARENT AND COMMUNITY INVOLVEMENT AND NOTICE.—In carrying out a program under this part, an eligible entity shall carry out the following:

"(1) Develop the program with—

"(A) the involvement of parents and other education stakeholders in the community to be served; and

"(B) individuals who will carry out the program, including administrators, teachers, principals, and other staff.

"(2) Develop and carry out the following activities, alone or in partnership with a public or other nonprofit organization that has a record of success in implementing such activities:

"(A) Disseminating timely and accurate information about the program to parents of students attending the lowest-performing schools, in a clear and uniform format and, to the extent practicable, in a language that they can understand, including through the use of a variety of effective and innovative outreach approaches, such as by sending customized letters to each family about available programs.

"(B) Providing education and training to parents of students attending the lowest-performing schools to enable the parents to use the information provided under subparagraph (A) in their decisions about their children's education.

"(b) SELECTION OF STUDENTS.—An eligible entity that receives a grant under this part shall select students to participate in a program on the basis of a lottery, if more students apply for admission to the program than can be accommodated.

"(c) VOLUNTARY PARTICIPATION.—Student participation in a program funded under this part shall be voluntary.

"(d) PERFORMANCE MEASURES.—

"(1) IN GENERAL.—Each eligible entity awarded a grant under this part shall establish performance measures and targets that—

"(A) are approved by the Secretary;

"(B) are implemented for each program established or expanded with funds provided under this part; and

"(C) at a minimum, track—

"(i) the number of students participating;

"(ii) the participating students' academic achievement and student growth;

"(iii) in the case of participating high school students, their graduation rates;

"(iv) the extent to which students in schools participating in the programs or schools funded under this part are being educated in diverse schools and classrooms; and

"(v) any other measure required by the Secretary.

"(2) REPORTS.—Each eligible entity awarded a grant under this part shall annually report to the Secretary on its performance on the measures and targets established under paragraph (1), and shall provide that information both in the aggregate and disaggregated for each subgroup of students described in section 1111(a)(2)(B)(x).

"SEC. 5506. EVALUATIONS.

"From the amount reserved for evaluation activities in accordance with section 9601(a), the Secretary, acting through the Director of the Institute of Education Sciences, shall, in consultation with the relevant program office at the Department, evaluate the implementation and

impact of the activities supported under this part, consistent with section 9601, including—

"(1) how, and the extent to which, the programs promote educational equity and excellence;

"(2) the characteristics of the students participating in the programs; and

"(3) the effect of the programs on the academic achievement and student growth of students participating in the programs both in the aggregate and disaggregated for each subgroup of students described in section 1111(a)(2)(B)(x).

"SEC. 5507. DEFINITIONS.

"In this part:

"(1) CHARTER SCHOOL.—The term 'charter school' has the meaning given such term in section 5411.

"(2) ELIGIBLE ENTITY.—The term 'eligible entity' means—

"(A) 1 or more high-need local educational agencies applying with 1 or more other local educational agencies; or

"(B) a State educational agency applying with 1 or more high-need local educational agencies.

"(3) LOWEST-PERFORMING SCHOOL.—The term 'lowest-performing school' means a public elementary school or secondary school that has been identified as a focus school under section 1116(c) or a priority school under section 1116(d).".

TITLE VI—PROMOTING FLEXIBILITY; RURAL EDUCATION

SEC. 6101. PROMOTING FLEXIBILITY.

Title VI (20 U.S.C. 7301 et seq.) is amended—

(1) by striking the title heading and inserting the following: "**PROMOTING FLEXIBILITY; RURAL EDUCATION**"; and

(2) by striking part A and inserting the following:

"PART A—TRANSFERABILITY

"SEC. 6101. TRANSFERABILITY OF FUNDS.

"(a) TRANSFERS BY STATES.—

"(1) AUTHORITY TO TRANSFER.—Except as provided in paragraph (2), in accordance with this part, a State may transfer up to 100 percent of the State funds allotted to the State for a fiscal year for use for State-level activities described in this Act that are carried out as part of a grant program in which funds for the grant are distributed by a for-

mula to 1 or more other State formula grant programs under this Act for such fiscal year.

"(2) PROHIBITION AGAINST TRANSFERRING FUNDS OUT CERTAIN TITLES.—A State may not transfer, pursuant to paragraph (1), any funds that originate in title I or III out of such respective title.

"(b) TRANSFERS BY LOCAL EDUCATIONAL AGENCIES.—

"(1) AUTHORITY TO TRANSFER.—Except as provided in paragraph (2), in accordance with this part, a local educational agency may transfer 100 percent of the funds allocated to it for a fiscal year for use for local-level activities described in this Act that are carried out as part of a grant program in which funds for the grant are distributed by a formula to 1 or more other local educational agency formula grant programs under this Act for such fiscal year.

"(2) PROHIBITION AGAINST TRANSFERRING FUNDS OUT OF CERTAIN TITLES.—A local educational agency may not transfer, pursuant to paragraph (1), any funds that originate in title I, III, part A of title VII, or VIII out of such respective title.

"(3) SPECIAL RULE WITH RESPECT TO RURAL DISTRICTS.—Except as provided in paragraph (2), a local educational agency that is eligible to receive assistance under part B may transfer 100 percent of the funds allocated to it for a fiscal year for use for local-level activities described in this Act that are carried out as part of a grant program in which funds for the grant are distributed by a formula to 1 or more other local educational agency formula grant programs under this Act for such fiscal year or to carry out activities under a grant program in which funds for the grant are distributed by formula to States.

"(c) APPLICABLE RULES.—

"(1) IN GENERAL.—Except as otherwise provided in this part, funds transferred pursuant to this section are subject to each of the rules and requirements applicable to the funds under the provision to which the transferred funds are transferred.

"(2) CONSULTATION.—Each State educational agency or local educational agency that transfers funds under this section shall conduct consultations in accordance with section 9501, if such transfer transfers funds from a program that provides for

the participation of students, teachers, or other educational personnel, from private schools.''.

SEC. 6102. RURAL EDUCATION.

Part B of title VI (20 U.S.C. 7341 et seq.) is amended—

(1) by striking section 6211;

(2) by redesignating sections 6212 and 6213 as sections 6211 and 6212, respectively;

(3) in section 6211, as redesignated by paragraph (2)—

(A) in the section heading, by striking ''**GRANT**'';

(B) in subsection (a), by striking ''activities authorized'' and all that follows through the period at the end of paragraph (5) and inserting ''activities consistent with section 6101(b).'';

(C) in subsection (b)—

(i) in paragraph (1)—

(I) by striking ''paragraph (3)'' and inserting ''paragraphs (3) and (4)'';

(II) by striking ''section 6211(b)'' and inserting ''subsection (d)''; and

(III) by striking ''section 6211(c)'' and inserting ''subpart 2 of part A of title II''; and

(ii) by striking paragraph (2) and inserting the following:

''(2) DETERMINATION OF INITIAL AMOUNT.—

''(A) IN GENERAL.—The initial amount referred to in paragraph (1) is equal to $100 multiplied by the total number of students in excess of 50 students, in average daily attendance at the schools served by the local educational agency, plus $20,000, except that the initial amount may not exceed $60,000.

''(B) APPROPRIATION MORE THAN $211,723,832.—Notwithstanding subparagraph (A), if the appropriation for this part is more than $211,723,832, a grant under this part shall not be less than $25,000, and the initial amount may not exceed $80,000.''; and

(iii) by inserting after paragraph (3) the following:

''(4) COALITIONS OF LIKE SCHOOL DISTRICTS.—

''(A) IN GENERAL.—Notwithstanding paragraph (1) and subject to subparagraph (B), in

the case of a local educational agency that is eligible under subsection (d) and is comprised of 3 or more like school districts, the Secretary shall award a grant under subsection (a) to such a local educational agency for a fiscal year in an amount equal to the difference between—

"(i) the initial amount determined under paragraph (2) for the fiscal year; and

"(ii) the quotient that is obtained by dividing—

"(I) the total amount received by the agency under the provisions of law described in subpart 2 of part A of title II for the preceding fiscal year; by

"(II) the sum of—

"(aa) the number of constituent districts that comprise such local educational agency; plus

"(bb) the product of—

"(BB) the number of constituent school districts

within such local educational agency; and

"(CC) 4,000.

"(B) LIMITATION.—Notwithstanding subparagraph (A), no local educational agency shall receive more than $60,000 under this paragraph.".

(D) by redesignating subsection (d) as subsection (e);

(E) by inserting after subsection (c) the following:

"(d) ELIGIBILITY.—

"(1) IN GENERAL.—A local educational agency shall be eligible for a grant under this section if—

"(A)(i)(I) the total number of students in average daily attendance at all of the schools served by the local educational agency is fewer than 600;

"(II) in the case of a local educational agency described in paragraph (4) of subsection (b), the total number of students in average daily attendance at all schools served by the local educational agency is fewer than the product of—

"(aa) 600; and

"(bb) the number of constituent school districts within the local educational agency; or

"(III) each county or locale in which a school served by the local educational agency is located has a total population density of fewer than 10 persons per square mile; and

"(ii) each of the schools served by the local educational agency is designated with a school locale code of 32, 33, 41, 42, or 43, as determined by the Secretary; or

"(B) the agency meets at least 1 of the criteria established in subparagraph (A)(i) and the Secretary, in accordance with paragraph (2), grants the State educational agency's request to waive the criterion described in subparagraph (A)(ii).

"(2) CERTIFICATION.—The Secretary shall determine whether to waive the criterion described in paragraph (1)(A)(ii) based on a demonstration by the local educational agency, and with the concurrence of the State educational agency, that the local educational agency is located in an area defined as rural by a governmental agency of the State."; and

(F) by striking subsection (e), as redesignated by subparagraph (D), and inserting the following:

''(e) SPECIAL ELIGIBILITY RULE.—A local educational agency may receive grant funding under subpart 1 or subpart 2, but may not receive grant funding under both such subparts.'';

(4) by striking section 6212, as redesignated by paragraph (2), and inserting the following:

''SEC. 6212. ACADEMIC ACHIEVEMENT ASSESSMENTS.

''Each local educational agency that uses or receives funds under this subpart for a fiscal year shall administer assessments that are consistent with section 1111(a)(2).'';

(5) in section 6221—

(A) in subsection (a)(1), by striking ''under section 6234 for'' and inserting ''to carry out'';

(B) in subsection (b)(1)(B), by striking ''6, 7, or 8,'' and inserting ''33, 41, 42, or 43,''; and

(C) in subsection (c)—

(i) in the matter preceding paragraph (1), by striking ''under section 6234 for'' and inserting ''to carry out''; and

(ii) in paragraph (1), by striking ''Bureau of Indian Affairs'' and inserting ''Bureau of Indian Education'';

(6) in section 6222, by striking subsection (a) and inserting the following:

''(a) LOCAL AWARDS.—Grant funds awarded to local educational agencies under this subpart shall be used to carry out local-level activities consistent with section 6101(b).'';

(7) in section 6224—

(A) in subsection (c)—

(i) in the matter preceding paragraph (1), by striking ''the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate'' and inserting ''the authorizing committees''; and

(ii) by striking ''local educational agencies and schools'' and inserting the following:

''(2) how local educational agencies and schools'';

(B) in subsection (d)—

(i) in the subsection heading, by striking ''ASSESSMENT'' and inserting ''ASSESSMENTS''; and

(ii) by striking ''an assessment that is consistent with section 1111(b)(3)'' and inserting ''assessments that are consistent with section 1111(a)(2)''; and

(C) by striking subsection (e);

(8) by striking section 6234;

(9) by redesignating sections 6231 through 6233 as sections 6232 through 6234, respectively;

(10) by inserting before section 6232, as redesignated by paragraph (9), the following:

''SEC. 6231. CHOICE OF PARTICIPATION.

''If a local educational agency is eligible for funding under subpart 1 and subpart 2 of this part, such local educational agency may choose to participate in either subpart 1 or subpart 2.'';

(11) in section 6232, as redesignated by paragraph (9)—

(A) in subsection (a), by striking ''6212'' and inserting ''6211''; and

(B) in subsection (b)—

(i) by striking ''under section 6212 or subpart 2'' each place the term appears and inserting ''under this part''; and

(ii) by striking ''under this section'' and inserting ''under this part''; and

(12) in section 6233, as redesignated by paragraph (9), by striking ''subpart 1 or subpart 2'' and inserting ''this part''.

SEC. 6103. GENERAL PROVISIONS.

Title VI (20 U.S.C. 7301 et seq.) is amended by striking part C.

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

PART A—INDIAN EDUCATION

SEC. 7101. PURPOSE.

Section 7102 (20 U.S.C. 7402) is amended to read as follows:

''SEC. 7102. PURPOSE.

''It is the purpose of this part to support the efforts of local educational agencies, Indian tribes and organizations, postsecondary institutions, and other entities—

''(1) to ensure the academic achievement of American Indian and Alaska Native students by

meeting their unique cultural, language, and educational needs, consistent with section 1111(a);

''(2) to ensure that Indian and Alaska Native students gain knowledge and understanding of Native communities, languages, tribal histories, traditions, and cultures; and

''(3) to ensure that principals, teachers, and other staff who serve Indian and Alaska Native students have the ability to provide culturally appropriate and effective instruction to such students.''.

Subpart 1—Formula Grants to Local Educational Agencies

SEC. 7111. FORMULA GRANT PURPOSE.

Section 7111 (20 U.S.C. 7421) is amended to read as follows:

''SEC. 7111. PURPOSE.

''(a) PURPOSE.—It is the purpose of this subpart to support the efforts of local educational agencies, Indian tribes and organizations, postsecondary institutions, and other entities to improve the academic achievement of American Indian and Alaska Native students by meeting their unique cultural, language, and educational needs.

''(b) PROGRAMS.—This subpart carries out the purpose described in subsection (a) by authorizing programs of direct assistance for—

"(1) meeting the unique educational and culturally related academic needs of Indians and Alaska Natives, including gaining knowledge of Native American languages, history, traditions, and cultures;

"(2) the education of Indian children and adults;

"(3) the training of Indian persons as educators and counselors, and in other professions serving Indian people; and

"(4) research, evaluation, data collection, and technical assistance.".

SEC. 7112. GRANTS TO LOCAL EDUCATIONAL AGENCIES, TRIBES, AND INDIAN ORGANIZATIONS.

Section 7112 (20 U.S.C. 7422) is amended—

(1) in subsection (a), by striking "and Indian tribes" and inserting ", Indian tribes, and Indian organizations";

(2) in subsection (b)(2), by striking "a reservation" and inserting "an Indian reservation"; and

(3) by striking subsection (c) and inserting the following:

"(c) INDIAN TRIBES AND INDIAN ORGANIZATIONS.—

"(1) IN GENERAL.—If a local educational agency that is otherwise eligible for a grant under this

subpart does not establish a committee under section 7114(c)(5) for such grant, an Indian tribe, an Indian organization, or a consortium of such entities, that represents more than one-half of the eligible Indian children who are served by such local educational agency may apply for such grant.

"(2) UNAFFILIATED INDIAN TRIBES.—An Indian tribe that operates a school and is not affiliated with either the local educational agency or the Bureau of Indian Education shall be eligible to apply for a grant under this subpart.

"(3) SPECIAL RULE.—

"(A) IN GENERAL.—The Secretary shall treat each Indian tribe, Indian organization, or consortium of such entities applying for a grant pursuant to paragraph (1) or (2) as if such tribe, Indian organization, or consortium were a local educational agency for purposes of this subpart .

"(B) EXCEPTIONS.—Notwithstanding subparagraph (A), such Indian tribe, Indian organization, or consortium shall not be subject to the requirements of subsections (b)(7) or (c)(5) of section 7114 or section 7118(c) or 7119.

"(4) ASSURANCE TO SERVE ALL INDIAN CHILDREN.—An Indian tribe, Indian organization, or consortium of such entities that is eligible to apply for a grant under paragraph (1) shall include, in the application required under section 7114, an assurance that the entity will use the grant funds to provide services to all Indian students served by the local educational agency.

"(d) INDIAN COMMUNITY-BASED ORGANIZATION.—

"(1) IN GENERAL.—If no local educational agency pursuant to subsection (b), and no Indian tribe, Indian organization, or consortium pursuant to subsection (c), applies for a grant under this subpart, an Indian community-based organization serving the community of the local educational agency may apply for such grant.

"(2) APPLICABILITY OF SPECIAL RULE.—The Secretary shall apply the special rule in subsection (c)(3) to a community-based organization applying or receiving a grant under paragraph (1) in the same manner as such rule applies to an Indian tribe, Indian organization, or consortium.

"(3) DEFINITION OF INDIAN COMMUNITY-BASED ORGANIZATION.—In this subsection, the term

1 'Indian community-based organization' means any
2 organization that—
3 "(A) is composed primarily of Indian par-
4 ents and community members, tribal govern-
5 ment education officials, and tribal members
6 from a specific community;
7 "(B) assists in the social, cultural, and
8 educational development of Indians in such
9 community;
10 "(C) meets the unique cultural, language,
11 and academic needs of Indian students; and
12 "(D) demonstrates organizational capacity
13 to manage the grant.
14 "(e) CONSORTIA.—
15 "(1) IN GENERAL.—A local educational agency,
16 Indian tribe, or Indian organization that meets the
17 eligibility requirements under this section may form
18 a consortium with other eligible local educational
19 agencies, Indian tribes, or Indian organizations for
20 the purpose of obtaining grants and operating pro-
21 grams under this subpart.
22 "(2) REQUIREMENTS FOR LOCAL EDUCATIONAL
23 AGENCIES IN CONSORTIA.—In any case where 2 or
24 more local educational agencies that are eligible
25 under subsection (b) form or participate in a consor-

tium to obtain a grant, or operate a program, under this subpart, each local educational agency participating in such a consortium shall—

"(A) provide, in the application submitted under section 7114, an assurance that the eligible Indian children served by such local educational agency will receive the services of the programs funded under this subpart; and

"(B) agree to be subject to all requirements, assurances, and obligations applicable to a local educational agency receiving a grant under this subpart.".

SEC. 7113. AMOUNT OF GRANTS.

Section 7113 (20 U.S.C. 7423) is amended—

(1) in subsection (b)—

(A) in paragraph (1)—

(i) by striking "Bureau of Indian Affairs" and inserting "Bureau of Indian Education"; and

(ii) by striking "$3,000" and inserting "$10,000"; and

(B) in paragraph (3), by striking "$4,000" and inserting "$15,000";

(2) in subsection (d)—

(A) in the subsection heading, by striking "BUREAU OF INDIAN AFFAIRS" and inserting "BUREAU OF INDIAN EDUCATION";

(B) in paragraph (1)(A)(i), by striking "the Bureau of Indian Affairs" and inserting "the Bureau of Indian Education"; and

(C) in paragraph (2), by striking "section 7114(c)(4)" and inserting "section 7114(c)(5)"; and

(3) in subsection (e), by striking "under section 7152(a)" and inserting "to carry out this subpart".

SEC. 7114. APPLICATIONS.

(a) IN GENERAL.—Section 7114 (20 U.S.C. 7424) is amended—

(1) in subsection (b)—

(A) in paragraph (2)—

(i) in subparagraph (A)—

(I) by striking "is consistent with" and inserting "supports"; and

(II) by inserting ", tribal," after "State"; and

(ii) in subparagraph (B), by striking "such goals" and all that follows through the semicolon at the end and inserting "such goals, to ensure such students meet

the same college and career ready State academic achievement standards under section 1111(a)(1) for all children;'';

(B) by striking paragraph (3) and inserting the following:

''(3) explains how the local educational agency will use the funds made available under this subpart to supplement other Federal, State, and local programs that meet the needs of such students;'';

(C) in paragraph (5)—

(i) in subparagraph (A), by striking ''and'' after the semicolon; and

(ii) by adding at the end the following:

''(C) the parents of Indian children, and representatives of Indian tribes, on the committee described in subsection (c)(5) will participate in the planning of the professional development materials;'';

(D) in paragraph (6)—

(i) in subparagraph (B)—

(I) in clause (i), by striking ''subsection (c)(4); and'' and inserting ''subsection (c)(5);''; and

(II) by adding at the end the following:

''(iii) the Indian tribes whose children are served by the local educational agency; and''; and

(ii) in subparagraph (C), by striking the period at the end and inserting ''; and''; and

(E) by adding at the end the following:

''(7) describes—

''(A) the formal process the local educational agency used to collaborate with Indian tribes located in the community in the development of the comprehensive programs; and

''(B) the actions taken as a result of the collaboration.'';

(2) in subsection (c)—

(A) in paragraph (1), by striking ''the education of Indian children, and not to supplant such funds'' and inserting ''services and activities consistent with those described in this subpart, and not to supplant such funds'';

(B) by redesignating paragraphs (2), (3), and (4) as paragraphs (3), (4), and (5), respectively;

(C) by inserting after paragraph (1) the following:

"(2) the local educational agency will use funds received under this subpart only for activities described and authorized under this subpart;";

(D) in paragraph (3), as redesignated by subparagraph (B)—

(i) in subparagraph (A), by striking "and" after the semicolon;

(ii) in subparagraph (B)—

(I) by inserting ", as measured by the State academic assessments required under section 1111(a)(2), high school graduation rates, and other academic outcomes as appropriate," after "effective"; and

(II) by inserting "and" after the semicolon; and

(iii) by adding at the end the following:

"(C) determine the extent to which such activities address the unique cultural, language, and educational needs of Indian students;";

(E) in paragraph (4)(C), as redesignated by subparagraph (B)—

(i) by inserting ''representatives of Indian tribes with reservations located within 50 miles of any of the schools that have Indian children in any such school,'' after ''Indian children and teachers''; and

(ii) by striking ''and'' after the semicolon; and

(F) in paragraph (5), as redesignated by subparagraph (B)—

(i) by inserting ''and family members'' after ''parents'' each place the term appears;

(ii) in subparagraph (A)—

(I) by redesignating clauses (ii) and (iii) as clauses (iii) and (iv), respectively; and

(II) by inserting after clause (i) the following:

''(ii) representatives of Indian tribes with reservations located within 50 miles of any of the schools that have children in any such school;'';

(iii) in subparagraph (B), by adding ''or representatives of Indian tribes de-

scribed in subparagraph (A)(ii)'' after ''children'';

(iv) in subparagraph (D)—

(I) in clause (i), by striking ''and'' after the semicolon; and

(II) by adding at the end the following:

''(iii) determined that the program will directly enhance the educational experience of Indian and Alaska Native students;'';

(v) in subparagraph (E), by striking the period at the end and inserting a semicolon; and

(vi) by adding at the end the following:

''(F) that shall determine the extent to which the activities of the local educational agency will address the unique cultural, language, and education needs of Indian students; and

''(G) that shall determine the extent to which grant funds will directly enhance the educational experiences of American Indian students;''; and

(G) by adding at the end the following:

"(6) the local educational agency will coordinate activities under this title with other Federal programs supporting educational and related services administered by such agency; and

"(7) the local educational agency conducted outreach to parents and family members to meet the requirements under subsection (c)(5)."; and

(3) by adding at the end the following:

"(d) OUTREACH.—The Secretary shall monitor the applications for grants under this subpart to identify eligible local educational agencies and schools operated by the Bureau of Indian Education that have not applied for such grants, and shall undertake appropriate outreach activities to encourage and assist eligible entities to submit applications for such grants.

"(e) TECHNICAL ASSISTANCE.—The Secretary shall, directly or by contract, provide technical assistance to a local educational agency upon request (in addition to any technical assistance available under other provisions of this Act or available through the Institute of Education Sciences) to support the services and activities provided under this subpart, including technical assistance for—

"(1) the development of applications under this subpart;

"(2) improvement in the quality of implementation, content, and evaluation of activities supported under this subpart; and

"(3) integration of activities under this subpart with other educational activities carried out by the local educational agency.".

SEC. 7115. AUTHORIZED SERVICES AND ACTIVITIES.

Section 7115 (20 U.S.C. 7425) is amended—

(1) in subsection (a)—

(A) by adjusting the margin of paragraph (1) to align with paragraphs (2) and (3); and

(B) in paragraph (1), by inserting "solely for the services and activities described in such application" after "section 7114(a)";

(2) in subsection (b)—

(A) by redesignating paragraphs (1) through (11) as paragraphs (2) through (12), respectively;

(B) by inserting before paragraph (2), as redesignated by subparagraph (A), the following:

"(1) activities that support Native American language immersion programs and Native American language restoration programs, which may be taught by traditional leaders;";

(C) in paragraph (3), as redesignated by subparagraph (A), by striking ''early childhood'' and inserting ''high-quality early education'';

(D) in paragraph (4), as redesignated by subparagraph (A), by striking ''challenging State academic content and student academic achievement standards'' and inserting ''college and career ready State academic content and student academic achievement standards under section 1111(a)'';

(E) by striking paragraph (5), as redesignated by subparagraph (A), and inserting the following:

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

''(A) in school activities; and

''(B) to increase student achievement;'';

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

''(7) activities to educate individuals so as to prevent violence, suicide, and substance abuse;'';

(G) by striking paragraphs (10) and (11), as redesignated by subparagraph (A), and inserting the following:

''(10) activities that incorporate culturally and linguistically relevant curriculum content into classroom instruction that is responsive to the unique learning styles of Indian and Alaska Native children to ensure that such children are better able to meet the student academic achievement standards, consistent with section 1111(a);

''(11) family literacy activities;'';

(H) in paragraph (12), as redesignated by subparagraph (A), by striking ''children'' and all that follows through the period and inserting ''children; and''; and

(I) by adding at the end the following:

''(13) dropout prevention strategies and strategies—

''(A) to meet the educational needs of at-risk Indian students in correctional facilities; and

''(B) to support Indian students who are transitioning from such facilities to schools served by local educational agencies.'';

(3) in subsection (c)—

(A) in paragraph (1)—

(i) by striking ''section 7114(c)(4)'' and inserting ''section 7114(c)(5)''; and

(ii) by striking ''; and'' and inserting a semicolon;

(B) in paragraph (2), by striking the period and inserting ''; and''; and

(C) by adding at the end the following:

''(3) the local educational agency identifies in its application how the use of such funds in a schoolwide program will produce benefits to the Indian students that would not be achieved if the funds were not used in a schoolwide program.''; and

(4) by adding at the end the following:

''(e) LIMITATION ON USE OF FUNDS.—Funds provided to a grantee under this subpart may not be used for long-distance travel expenses for training activities available locally or regionally.''.

SEC. 7116. INTEGRATION OF SERVICES AUTHORIZED.

Section 7116 (20 U.S.C. 7426) is amended—

(1) in subsection (d)(9), by striking ''section 7114(c)(4)'' and inserting ''section 7114(c)(5)'';

(2) in subsection (g), in the matter preceding paragraph (1)—

(A) by striking ''the No Child Left Behind Act of 2001'' and inserting ''the Strengthening America's Schools Act of 2013'';

(B) by inserting ''the Secretary of Health and Human Services,'' after ''the Secretary of the Interior,''; and

(C) by inserting ''and coordination'' after ''providing for the implementation'';

(3) by striking subsection (o) and inserting the following:

''(o) REPORT ON STATUTORY OBSTACLES TO, AND BEST PRACTICES FOR, PROGRAM INTEGRATION.—

''(1) IN GENERAL.—Not later than 3 years after the date of enactment of the Strengthening America's Schools Act of 2013, the Secretary of Education shall submit a report to the authorizing committees, the Committee on Indian Affairs of the Senate, and the Committee on Natural Resources of the House of Representatives on the results of the implementation of the demonstration projects authorized under this section.

''(2) CONTENTS.—Such report shall identify—

''(A) statutory barriers to the ability of participants to integrate more effectively their education and related services to Indian stu-

dents in a manner consistent with the objectives of this section; and

"(B) the best practices for program integration that result in increased student proficiency, graduation rates, and other relevant academic outcomes for Indian and Alaska Native students.".

SEC. 7117. STUDENT ELIGIBILITY FORMS.

Section 7117 (20 U.S.C. 7427) is amended—

(1) in subsection (b)(1)—

(A) in subparagraph (A)(ii), by inserting "or membership" after "enrollment"; and

(B) in subparagraph (B), by inserting "or membership" after "enrollment";

(2) by striking subsections (d) and (e) and inserting the following:

"(d) DOCUMENTATION AND TYPES OF PROOF.—

"(1) TYPES OF PROOF.—For purposes of determining whether a child is eligible to be counted for the purpose of computing the amount of a grant award under section 7113, the membership of the child, or any parent or grandparent, of the child, in a tribe or band of Indians (as so defined) may be established by proof other than an enrollment number, notwithstanding the availability of an enroll-

ment number for a member of such tribe or band. Nothing in subsection (b) shall be construed to require the furnishing of an enrollment number.

"(2) NO NEW OR DUPLICATE DETERMINATIONS.—Once a child is determined to be an Indian eligible to be counted for such grant award, the local educational agency shall maintain a record of such determination and shall not require a new or duplicate determination to be made for such child for a subsequent application for a grant under this subpart.

"(3) PREVIOUSLY FILED FORMS.—An Indian student eligibility form that was on file as required by this section on the day before the date of enactment of the Strengthening America's Schools Act of 2013 and that met the requirements of this section, as this section was in effect on the day before the date of enactment of such Act, shall remain valid for such Indian student.";

(3) by redesignating subsections (f) and (g) as subsections (e) and (f), respectively;

(4) in subsection (f), as redesignated by paragraph (3), by striking "the Bureau of Indian Affairs" and inserting "the Bureau of Indian Education"; and

(5) by inserting after subsection (f), as redesignated by paragraph (3), the following:

''(g) TECHNICAL ASSISTANCE.—The Secretary shall, directly or through contract, provide technical assistance to a local educational agency upon request, in addition to any technical assistance available under section 1116 or available through the Institute of Education Sciences, to support the services and activities described under this section, including for the—

''(1) development of applications under this section;

''(2) improvement in the quality of implementation, content of activities, and evaluation of activities supported under this subpart;

''(3) integration of activities under this title with other educational activities established by the local educational agency; and

''(4) coordination of activities under this title with programs administered by each Federal agency providing grants for the provision of educational and related services.''.

Subpart 2—Special Programs and Projects to Improve Educational Opportunities for Indian Children and Youth

SEC. 7121. SPECIAL PROGRAMS AND PROJECTS TO IMPROVE EDUCATIONAL OPPORTUNITIES FOR INDIAN CHILDREN AND YOUTH.

Subpart 2 of part A of title VII is amended by inserting "**and Youth**" after "**Children**" in the subpart heading.

SEC. 7122. IMPROVEMENT OF EDUCATIONAL OPPORTUNITIES FOR INDIAN CHILDREN AND YOUTH.

Section 7121 (20 U.S.C. 7441) is amended—

(1) in the heading, by adding "**AND YOUTH**" after "**CHILDREN**";

(2) in subsection (a), by inserting "and youth" after "children" both places the term appears;

(3) in subsection (c)—

(A) by inserting "and youth" after "children" each place the term appears; and

(B) in paragraph (1)—

(i) in subparagraph (D), by inserting "emotional," after "social,";

(ii) by striking subparagraph (G) and inserting the following:

"(G) high-quality early childhood education programs that are effective in preparing young

children to be making sufficient academic growth by the end of grade 3, including kindergarten and prekindergarten programs, family-based preschool programs that emphasize school readiness, screening and referral, and the provision of services to Indian children and youth with disabilities;'';

(iii) in subparagraph (K), by striking ''family literacy services'' and inserting ''family literacy activities'';

(iv) in subparagraph (L), by striking ''qualified tribal elders and seniors; or'' and inserting ''traditional leaders;'';

(v) in subparagraph (M), by striking the period at the end and inserting ''; or''; and

(vi) by adding at the end the following:

''(N) other services that meet the purpose described in this section.'';

(C) in paragraph (2), by striking ''Professional development of'' and inserting ''High-quality professional development of'';

(4) in subsection (d)—

(A) in paragraph (1)(C), by striking "make a grant payment for a grant described in this paragraph to an eligible entity after the initial year of the multi-year grant only if the Secretary determines" and inserting "award grants for an initial period of not more than 3 years and may renew such grants for not more than an additional 2 years if the Secretary determines"; and

(B) in paragraph (3)(B)—

(i) in clause (i), by striking "parents of Indian children and representatives of Indian tribes" and inserting "family members of Indian children and youth and official representatives designated by the Indian tribes"; and

(ii) in clause (iii)—

(I) by striking "information" and inserting "evidence"; and

(II) by striking "scientifically based" and inserting "evidence-based"; and

(5) by adding at the end the following:

"(f) CONTINUATION.—Notwithstanding any other provision of this section, a grantee that is carrying out

activities pursuant to a grant awarded under this section prior to the date of enactment of the Strengthening America's Schools Act of 2013 may continue to carry out such activities under such grant in accordance with the terms of that grant award.''.

SEC. 7123. PROFESSIONAL DEVELOPMENT FOR TEACHERS AND EDUCATION PROFESSIONALS.

Section 7122 (20 U.S.C. 7442) is amended—

(1) in subsection (a), by striking paragraphs (1) and (2) and inserting the following:

''(1) to increase the number of qualified Indian teachers and administrators serving Indian students;

''(2) to provide training to qualified Indian individuals to become educators; and'';

(2) in subsection (d), by adding at the end the following:

''(3) CONTINUATION.—Notwithstanding any other provision of this section, a grantee that is carrying out activities pursuant to a grant awarded under this section prior to the date of enactment of the Strengthening America's Schools Act of 2013 may continue to carry out such activities under such grant in accordance with the terms of that award.'';

(3) by striking subsection (e) and inserting the following:

"(e) APPLICATION.—Each eligible entity desiring a grant under this section shall submit an application to the Secretary at such time, in such manner, and accompanied by such information, as the Secretary may reasonably require. At a minimum, an application under this section shall describe how the eligible entity will—

"(1) recruit qualified Indian individuals, such as students who may not be of traditional college age, to become teachers or principals;

"(2) use funds made available under the grant to support the recruitment, preparation, and professional development of Indian teachers or principals in local educational agencies that serve a high proportion of Indian students; and

"(3) assist participants in meeting the requirements under subsection (h).";

(4) by striking subsection (g) and inserting the following:

"(g) GRANT PERIOD.—The Secretary shall award grants under this section for an initial period of not more than 3 years, and may renew such grants for not more than an additional 2 years if the Secretary finds that the grantee is achieving the objectives of the grant."; and

(5) in subsection (h)(1)(A), by striking clause (ii) and inserting the following:

"(ii) in a local educational agency that serves a high proportion of Indian students; or".

Subpart 3—National Activities

SEC. 7131. NATIONAL ACTIVITIES.

Subpart 3 of part A of title VII (20 U.S.C. 7451 et seq.) is amended—

(1) in section 7131—

(A) in subsection (a)—

(i) in the matter preceding paragraph (1), by striking "under section 7152(b)" and inserting "to carry out this subpart";

(ii) in paragraph (1), by striking "the education" and inserting "improving the academic achievement and development";

(iii) by striking paragraph (2);

(iv) by redesignating paragraph (3) as paragraph (2);

(v) in paragraph (2), as redesignated by clause (iv), by striking "Indians; and" and inserting "Indian students;"; and

(vi) by inserting after paragraph (2), as redesignated by clause (iv), the following:

"(3) provide technical assistance and logistical support to grantees under this subpart; and"; and

(B) by striking subsection (c) and inserting the following:

"(c) COORDINATION.—Research activities supported under this section—

"(1) shall be coordinated with appropriate offices within the Department; and

"(2) may include collaborative research activities that are jointly funded and carried out by the Bureau of Indian Education and the Institute of Education Sciences.";

(2) by striking sections 7132, 7133, 7134, 7135, and 7136; and

(3) by adding at the end the following:

"SEC. 7132. IMPROVEMENT OF ACADEMIC SUCCESS FOR STUDENTS THROUGH NATIVE AMERICAN LANGUAGE.

"(a) PURPOSE.—It is the purpose of this section to improve educational opportunities and academic achievement of Indian and Alaska Native students through Native American language programs and to foster the acquisition of Native American language.

"(b) DEFINITION OF ELIGIBLE ENTITY.—In this section, the term 'eligible entity' means a State educational

agency, local educational agency, Indian tribe, Indian organization, federally supported elementary school or secondary school for Indian students, Indian institution (including an Indian institution of higher education), or a consortium of such entities.

"(c) GRANTS AUTHORIZED.—The Secretary shall award grants to eligible entities to enable such entities to carry out the following activities:

"(1) Native American language programs that—

"(A) provide instruction through the use of a Native American language for not less than 10 children for an average of not less than 500 hours per year per student;

"(B) provide for the involvement of parents, caregivers, and families of students enrolled in the program;

"(C) utilize, and may include the development of, instructional courses and materials for learning Native American languages and for instruction through the use of Native American languages;

"(D) provide support for professional development activities; and

"(E) include a goal of all students achieving—

"(i) fluency in a Native American language; and

"(ii) academic proficiency in mathematics, English, reading or language arts, and science.

"(2) Native American language restoration programs that—

"(A) provide instruction in not less than 1 Native American language;

"(B) provide support for professional development activities for teachers of Native American languages;

"(C) develop instructional materials for the programs; and

"(D) include the goal of increasing proficiency and fluency in not less than 1 Native American language.

"(d) APPLICATION.—

"(1) IN GENERAL.—An eligible entity that desires to receive a grant under this section shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require.

"(2) CERTIFICATION.—An eligible entity that submits an application for a grant to carry out the activity specified in subsection (c)(1), shall include in such application a certification that assures that such entity has experience and a demonstrated record of effectiveness in operating and administering a Native American language program or any other educational program in which instruction is conducted in a Native American language.

"(e) GRANT DURATION.—The Secretary shall make grants under this section only on a multi-year basis. Each such grant shall be for a period not to exceed 5 years.

"(f) DEFINITION.—In this section, the term 'average' means the aggregate number of hours of instruction through the use of a Native American language to all students enrolled in a Native American language program during a school year divided by the total number of students enrolled in the program.

"(g) ADMINISTRATIVE COSTS.—

"(1) IN GENERAL.—Except as provided in paragraph (2), not more than 5 percent of the funds provided to a grantee under this section for any fiscal year may be used for administrative purposes.

"(2) EXCEPTION.—An elementary school or secondary school for Indian students that receives

funds from a recipient of a grant under subsection (c) for any fiscal year may use not more than 10 percent of the funds for administrative purposes.

"SEC. 7133. IMPROVING STATE AND TRIBAL EDUCATION AGENCY COLLABORATION.

''The Secretary, in consultation with the Director of the Bureau of Indian Education, shall conduct a study of the relationship among State educational agencies, local educational agencies, and other relevant State and local agencies, and tribes or tribal representatives to—

''(1) identify examples of best practices in collaboration among those entities that result in the provision of better services to Indian students; and

''(2) provide recommendations on—

''(A) State educational agency functions that tribal educational agencies could perform;

''(B) areas and agency functions in which greater State educational agency and tribal education agency collaboration is needed; and

''(C) other steps to reducing barriers to serving Indian students, especially such students who are at risk of academic failure.''.

Subpart 4—Federal Administration

SEC. 7141. NATIONAL ADVISORY COUNCIL ON INDIAN EDUCATION.

Section 7141(b)(1) (20 U.S.C. 7471(b)(1)) is amended by inserting ''and the Secretary of the Interior'' after ''advise the Secretary''.

Subpart 5—Definitions; Authorization of Appropriations

SEC. 7151. DEFINITIONS; AUTHORIZATION OF APPROPRIATIONS.

Subpart 5 of part A of title VII (20 U.S.C. 7491 et seq.) is amended—

(1) in the subpart heading, by striking ''**; Authorizations of Appropriations**'';

(2) by striking section 7152; and

(3) in section 7151—

(A) by striking paragraph (2);

(B) by redesignating paragraph (3) as paragraph (2); and

(C) by adding at the end the following:

''(3) TRADITIONAL LEADERS.—The term 'traditional leaders' has the meaning given the term in the Native American Languages Act of 1990 (25 U.S.C. 2902).''.

PART B—NATIVE HAWAIIAN EDUCATION; ALASKA NATIVE EDUCATION

SEC. 7201. NATIVE HAWAIIAN EDUCATION AND ALASKA NATIVE EDUCATION.

Title VII (20 U.S.C. 7401 et seq.) is amended—

(1) in part B, by striking the part heading and inserting the following: ''**NATIVE HAWAIIAN EDUCATION; ALASKA NATIVE EDUCATION**'';

(2) by inserting before section 7201 the following:

"Subpart 1—Native Hawaiian Education";

(3) in section 7201, by striking ''part'' and inserting ''subpart'';

(4) by redesignating part C as subpart 2 of part B; and

(5) in subpart 2 of part B, as redesignated by paragraph (4), by striking the heading and inserting ''**Alaska Native Education**''.

Subpart 1—Native Hawaiian Education

SEC. 7202. FINDINGS.

Section 7202 (20 U.S.C. 7512) is amended to read as follows:

"SEC. 7202. FINDINGS.

''Congress finds the following:

''(1) Native Hawaiians are a distinct and unique indigenous people with a historical continuity

to the original inhabitants of the Hawaiian archipelago, whose society was organized as a nation and internationally recognized as a nation by the United States, and many other countries.

"(2) Native Hawaiians have a cultural, historic, and land-based link to the indigenous people who exercised sovereignty over the Hawaiian Islands.

"(3) The political relationship between the United States and the Native Hawaiian people has been recognized and reaffirmed by the United States, as evidenced by the inclusion of Native Hawaiians in many Federal statutes.

"(4) In 1993, 2005, and 2009, the Kamehameha Schools Bishop Estate released the findings of the Native Hawaiian Educational Assessment Project, which found that despite the successes of the programs established under title IV of the Augustus F. Hawkins-Robert T. Stafford Elementary and Secondary School Improvement Amendments of 1988, many of the same educational needs still existed for Native Hawaiians.

"(5) The percentage of Native Hawaiian students served by the State of Hawaii Department of Education rose 30 percent from 1980 to 2008, and there are and will continue to be geographically

rural, isolated areas with a high Native Hawaiian population density.

"(6) The Native Hawaiian people are determined to preserve, develop, and transmit to future generations their ancestral territory and their cultural identity in accordance with their own spiritual and traditional beliefs, customs, practices, language, and social institutions.

"(7) The State of Hawaii, in the constitution and statutes of the State of Hawaii—

"(A) reaffirms and protects the unique right of the Native Hawaiian people to practice and perpetuate their culture and religious customs, beliefs, practices, and language;

"(B) recognizes the traditional language of the Native Hawaiian people as an official language of the State of Hawaii, which may be used as the language of instruction for all subjects and grades in the public school system; and

"(C) promotes the study of the Hawaiian culture, language, and history by providing a Hawaiian education program and using community expertise as a suitable and essential means to further the program.".

SEC. 7203. PURPOSES.

Section 7203 (20 U.S.C. 7513) is amended to read as follows:

"SEC. 7203. PURPOSES.

''The purposes of this subpart are to—

''(1) develop, implement, assess, expand, and evaluate innovative educational programs, Native Hawaiian language medium programs, Native Hawaiian culture-based education programs, and other education programs to improve the academic achievement of Native Hawaiian students by meeting their unique cultural and language needs to help such students meet college and career ready State academic content and student academic achievement standards adopted under section 1111(a)(1);

''(2) provide guidance to appropriate Federal, State, and local agencies to more effectively and efficiently focus resources, including resources made available under this subpart, on the development and implementation of—

''(A) innovative educational programs for Native Hawaiian students;

''(B) rigorous and substantive Native Hawaiian language programs; and

''(C) Native Hawaiian culture-based educational programs; and

"(3) create a system by which information from programs funded under this subpart will be collected, analyzed, evaluated, reported, and used in decision making activities with respect to the types of grants awarded under this subpart.".

SEC. 7204. NATIVE HAWAIIAN EDUCATION COUNCIL.

Section 7204 (20 U.S.C. 7514) is amended to read as follows:

"SEC. 7204. NATIVE HAWAIIAN EDUCATION COUNCIL.

"(a) GRANT AUTHORIZED.—

"(1) IN GENERAL.—In order to better effectuate the purposes of this subpart through the coordination of educational and related services and programs available to Native Hawaiian students, including those programs receiving funding under this subpart, the Secretary shall award a grant to an education council, as described in subsection (b).

"(2) DURATION OF GRANT.—A grant under this section shall be for a period of 5 years.

"(3) FUNDING.—For each fiscal year, the Secretary shall use the amount described in section 7205(h)(1) to make a payment under the grant. Funds made available through the grant shall remain available until expended.

"(b) COMPOSITION.—

"(1) ELIGIBILITY.—To be eligible to receive the grant under subsection (a), the council shall be an education council (referred to in this section as the 'Education Council') that meets the requirements of this subsection.

"(2) IN GENERAL.—The Education Council shall consist of 15 members, of whom—

"(A) 1 shall be the President of the University of Hawaii (or a designee);

"(B) 1 shall be the Governor of the State of Hawaii (or a designee);

"(C) 1 shall be the Superintendent of the State of Hawaii Department of Education (or a designee);

"(D) 1 shall be the chairperson of the Office of Hawaiian Affairs (or a designee);

"(E) 1 shall be the executive director of Hawaii's Charter School Network (or a designee);

"(F) 1 shall be the chief executive officer of the Kamehameha Schools (or a designee);

"(G) 1 shall be the chairperson of the Queen Liliuokalani Trust (or a designee);

"(H) 1 shall be a member, selected by the other members of the Education Council, who

represents a private grant making entity (or a designee);

"(I) 1 shall be the mayor of the County of Hawaii (or a designee);

"(J) 1 shall be the Mayor of Maui County (or a designee from the Island of Maui);

"(K) 1 shall be the Mayor of the County of Kauai (or a designee);

"(L) 1 shall be appointed by the Mayor of Maui County from the Island of either Molokai or Lanai;

"(M) 1 shall be the Mayor of the City and County of Honolulu (or a designee);

"(N) 1 shall be the Chairperson of the Hawaiian Homes Commission (or a designee); and

"(O) 1 shall be the Chairperson of the Hawaii Workforce Development Council (or a designee representing the private sector).

"(3) REQUIREMENTS.—Any designee serving on the Council shall demonstrate, as determined by the individual who appointed such designee with input from the Native Hawaiian community, not less than 5 years of experience as a consumer or provider of Native Hawaiian education or cultural activities,

with traditional cultural experience given due consideration.

"(4) LIMITATION.—A member of the Education Council, including a designee, may not receive, as an individual, grant funds awarded under this subpart while serving on the Education Council.

"(5) NO COMPENSATION.—None of the funds made available through the grant may be used to provide compensation to any member of the Education Council or member of a working group established by the Education Council, for functions described in this section.

"(6) ADMINISTRATIVE PROVISIONS RELATING TO EDUCATION COUNCIL.—The Education Council shall meet at the call of the Chair of the Council, or upon request by a majority of the members of the Education Council, but in any event not less often than every 120 days.

"(7) CHAIR, VICE CHAIR.—

"(A) SELECTION.—The Education Council shall select a Chair and Vice Chair from among the members of the Education Council.

"(B) SERVICE.—The Chair and Vice Chair selected under subparagraph (A) shall each serve for one 2-year term.

"(c) USE OF FUNDS FOR TECHNICAL ASSISTANCE AND ASSESSMENT.—The Education Council shall use funds made available through the grant under this section to carry out, directly or through subgrant or contract, the following activities:

"(1) Providing technical assistance to Native Hawaiian organizations that are grantees or potential grantees under this subpart.

"(2) Obtaining from such grantees information and data regarding grants awarded under this subpart, including information and data about—

"(A) the effectiveness of such grantees in meeting the educational priorities recommended by the Education Council under subsection (e)(1)(B), using metrics consistent with such priorities; and

"(B) the effectiveness of such grantees in carrying out any of the activities described in section 7205(c) that are related to the specific goals and purposes of each grantee's grant project, using metrics consistent with such goals and purposes.

"(3) Assessing and defining the educational needs of Native Hawaiians.

"(4) Assessing the programs and services available to address the educational needs of Native Hawaiians.

"(5) Assessing and evaluating the individual and aggregate impact achieved by grantees under this subpart in improving Native Hawaiian educational performance and meeting the goals of this subpart.

"(6) Providing direction and guidance, through the issuance of reports and recommendations, to appropriate Federal, State, and local agencies in order to focus and improve the use of resources, including resources made available under this subpart, relating to Native Hawaiian student education, and serve, where appropriate, in an advisory capacity.

"(7) Hiring an executive director to enable the Commission to carry out the activities described in this subsection.

"(d) USE OF FUNDS FOR COMMUNITY CONSULTATIONS.—The Education Council shall use funds made available through the grant under this section to hold not less than 1 community consultation each year on each of the Islands of Hawaii, Maui, Molokai, Lanai, Oahu, and Kauai, at which—

"(1) not less than 3 members of the Education Council shall be in attendance;

"(2) the Education Council shall gather community input regarding—

"(A) entities that are, at the time of the community consultation, receiving a grant under this subpart;

"(B) priorities and needs; and

"(C) other Native Hawaiian educational issues; and

"(3) the Education Council shall report to the community on the outcomes of the grants awarded under this subpart.

"(e) REPORTS.—

"(1) ANNUAL EDUCATION COUNCIL REPORT.—The Education Council shall use funds made available through the grant under this section to prepare and submit to the Secretary, before the end of each calendar year, annual reports that contain—

"(A) a description of the activities of the Education Council during the preceding calendar year;

"(B) recommendations of the Education Council, if any, regarding priorities to be established under section 7205(b);

"(C) significant barriers to achieving the goals under this subpart;

"(D) a summary of each community consultation session, as described in subsection (d); and

"(E) recommendations to establish funding priorities based on an assessment of—

"(i) the educational needs of Native Hawaiians;

"(ii) programs and services currently available to address such needs, including the effectiveness of such programs in improving educational performance of Native Hawaiians; and

"(iii) priorities for funding in specific geographic communities.

"(2) REPORT BY THE SECRETARY.—Not later than 2 years after the date of enactment of the Strengthening America's Schools Act of 2013, the Secretary shall prepare and submit to the Committee on Indian Affairs of the Senate and the authorizing committees a report that—

"(A) summarizes the annual reports of the Education Council;

"(B) describes the allocation and use of funds under this subpart and the information gathered since the first annual report submitted by the Education Council to the Secretary under this section; and

"(C) contains recommendations for changes in Federal, State, and local policy to advance the purposes of this subpart.".

SEC. 7205. PROGRAM AUTHORIZED.

Section 7205 (20 U.S.C. 7515) is amended to read as follows:

"SEC. 7205. PROGRAM AUTHORIZED.

"(a) GRANTS AND CONTRACTS.—In order to carry out programs that meet the purposes of this subpart, the Secretary is authorized to award grants to, or enter into contracts with—

"(1) Native Hawaiian educational organizations;

"(2) Native Hawaiian community-based organizations;

"(3) public and private nonprofit organizations, agencies, and institutions with experience in successfully developing or operating Native Hawaiian education and workforce development programs or pro-

grams of instruction in the Native Hawaiian language;

"(4) charter schools; and

"(5) consortia of the organizations, agencies, institutions, and schools described in paragraphs (1) through (4).

"(b) PRIORITY.—In awarding grants and entering into contracts under this subpart, the Secretary shall give priority to—

"(1) programs that meet the educational priorities recommended by the Education Council under section 7204(e)(1)(B);

"(2) programs designed to improve the academic achievement of Native Hawaiian students by meeting their unique cultural and linguistic needs in order to help such students meet college and career ready academic standards adopted under section 1111(a)(1); and

"(3) programs in which a State educational agency, local educational agency, institution of higher education, or a State educational agency or local educational agency in partnership with an institution of higher education apply for a grant or contract under this subpart as part of a partnership or consortium.

1 "(c) AUTHORIZED ACTIVITIES.—Activities provided
2 through programs carried out under this subpart may in-
3 clude—
4 "(1) the development and maintenance of a
5 statewide Native Hawaiian early childhood education
6 system to provide a continuum of high-quality serv-
7 ices for Native Hawaiian children from the prenatal
8 period through the age of kindergarten entry;
9 "(2) the operation of family-based education
10 centers that provide such services as—
11 "(A) programs for Native Hawaiian par-
12 ents and their infants from the prenatal period
13 of infancy through age 3;
14 "(B) preschool programs for Native Ha-
15 waiian children; and
16 "(C) research on, and development and as-
17 sessment of, family-based early childhood edu-
18 cation programs for Native Hawaiians;
19 "(3) activities that enhance beginning reading
20 and literacy in either the Hawaiian or the English
21 language among Native Hawaiian students in kin-
22 dergarten through grade 3 and assistance in ad-
23 dressing the distinct features of combined English
24 and Hawaiian literacy for Hawaiian speakers in
25 grades 5 and 6;

"(4) activities to meet the special needs of Native Hawaiian students with disabilities, including—

"(A) the identification of such students and their needs;

"(B) the provision of support services to the families of those students; and

"(C) other activities consistent with the requirements of the Individuals with Disabilities Education Act;

"(5) activities that address the special needs of Native Hawaiian students who are gifted and talented, including—

"(A) educational, psychological, social, emotional, and developmental activities designed to assist in the educational progress of such students; and

"(B) activities that involve the parents of such students in a manner designed to assist in the students' educational progress;

"(6) the development of academic and career and technical curricula to address the needs of Native Hawaiian children, youth, and adults, including curricula materials in the Hawaiian language and mathematics, science, engineering, and technology

curricula that incorporate Native Hawaiian tradition and culture;

"(7) professional development activities for educators, including—

"(A) the development of programs to prepare prospective teachers to address the unique needs of Native Hawaiian students within the context of Native Hawaiian culture, language, and traditions;

"(B) in-service programs to improve the ability of teachers who teach in schools with concentrations of Native Hawaiian students to meet those students' unique needs; and

"(C) the recruitment and preparation of Native Hawaiian individuals, and other individuals who live in communities with a high concentration of Native Hawaiians, to become teachers or leaders;

"(8) the operation of community-based learning centers that address the needs of Native Hawaiian families and communities through the coordination of public and private programs and services, including—

"(A) early childhood education programs, including preschool programs;

"(B) before- and after-school programs and weekend academies;

"(C) career and technical and adult education programs; and

"(D) programs that recognize and support the unique cultural and educational needs of Native Hawaiian children and youth and incorporate appropriately qualified Native Hawaiian elders and seniors;

"(9) activities, including program co-location, to enable Native Hawaiian individuals to enter and complete programs of postsecondary education, including—

"(A) the provision of full or partial scholarships for undergraduate or graduate study that are awarded to students based on their academic promise and financial need, with a priority, at the graduate level, given to Native Hawaiian students entering professions in which Native Hawaiians are underrepresented;

"(B) family literacy activities;

"(C) counseling and support services for students receiving scholarship assistance;

"(D) counseling and guidance for Native Hawaiian secondary school students who have the potential to receive scholarships;

"(E) assistance with completing the higher education admissions and financial aid application process; and

"(F) faculty development activities designed to promote the matriculation of Native Hawaiian students;

"(10) activities that recognize and support the unique needs of Native Hawaiian youth regarding the completion of quality workforce preparation and training programs and activities, including apprenticeship programs;

"(11) research and data collection activities to determine the educational status and needs of Native Hawaiian children and youth;

"(12) other research and evaluation activities related to programs carried out under this subpart; and

"(13) other activities, consistent with the purposes of this subpart, to meet the educational needs of Native Hawaiian children and youth.

"(d) ADDITIONAL ACTIVITIES.—From funds made available to carry out this subpart, the Secretary shall support the following:

"(1) The development of a body of Native Hawaiian law.

"(2) The repair and renovation of public schools that serve high concentrations of Native Hawaiian students.

"(3) Informal education programs that present traditional Hawaiian knowledge, science, astronomy, and the environment through State museums or learning centers.

"(4) Public charter schools serving high concentrations of Native Hawaiian students.

"(5) The perpetuation of, and expansion of access to, Hawaiian culture and history through digital archives.

"(e) SPECIAL RULE AND CONDITIONS.—

"(1) INSTITUTIONS OUTSIDE HAWAII.—The Secretary may not establish a policy under this section that prevents a Native Hawaiian student enrolled at a 2- or 4-year degree-granting institution of higher education outside of the State of Hawaii from receiving a scholarship pursuant to subsection (c)(9)(A).

"(2) SCHOLARSHIP CONDITIONS.—The Secretary shall establish conditions for receipt of a scholarship awarded under subsection (c)(9)(A). The conditions shall require that an individual seeking such a scholarship enter into a contract to provide professional services, either during the scholarship period or upon completion of a program of postsecondary education, to the Native Hawaiian community.

"(f) TREATMENT OF FUNDS.—

"(1) IN GENERAL.—Except as provided in paragraph (2), funds made available under this subpart shall be used to supplement, and not supplant, any State or local funds used to achieve the purposes of this subpart.

"(2) EXCEPTION.—Paragraph (1) shall not apply to any nonprofit entity or Native Hawaiian community-based organization that receives a grant or other funds under this subpart.

"(g) ADMINISTRATIVE COSTS.—

"(1) IN GENERAL.—Except as provided in paragraph (2), not more than 5 percent of funds provided to a recipient of a grant or contract under subsection (a) for any fiscal year may be used for administrative purposes.

"(2) EXCEPTION.—Not more than 10 percent of funds provided under subsection (a) for any fiscal year to a nonprofit entity serving the Native Hawaiian community may be used for administrative purposes.

"(h) RESERVATION; AVAILABILITY OF FUNDS.—

"(1) RESERVATION.—From the funds made available to carry out this subpart, the Secretary shall reserve, for each of fiscal years 2012 through 2017, not less than $500,000 for the Education Council.

"(2) AVAILABILITY.—Funds made available to carry out this subpart and funds reserved under this subsection shall remain available until expended.".

SEC. 7206. ADMINISTRATIVE PROVISIONS.

Section 7206 (20 U.S.C. 7516) is amended to read as follows:

"SEC. 7206. ADMINISTRATIVE PROVISIONS.

"(a) APPLICATION REQUIRED.—

"(1) IN GENERAL.—No grant may be made under this subpart, and no contract may be entered into under this subpart, unless the entity seeking the grant or contract submits an application to the Secretary at such time, in such manner, and containing such information as the Secretary may determine to

be necessary to carry out the provisions of this subpart.

"(2) ACADEMIC PROJECTS.—Applications submitted under this subpart to carry out projects and activities that are academic in nature shall describe—

"(A) the criteria that will be used to ensure that such projects and activities use evidence-based strategies and methods; and

"(B) the process through which the applicant will monitor and report such activities, including the achievement of identified objectives.

"(b) APPLICATIONS TO EDUCATION COUNCIL.—The Secretary shall provide to the Education Council a copy of each grant or contract application submitted under this subpart.

"(c) ANNUAL REPORT.—

"(1) IN GENERAL.—Each entity that receives a grant under this subpart (except for section 7204) shall submit to the Secretary an annual report, in such form and containing such information as the Secretary may require, that determines the extent to which activities carried out with funds provided under this subpart are effective in improving the

educational achievement of Native Hawaiian students served by such funds.

"(2) CONTENT.—As a part of the information reported under paragraph (1), each entity that receives a grant under this subpart shall provide data, using information from the most recent year for which data are available, on—

"(A) the academic achievement of the Native Hawaiian students the entity serves, as measured by the State assessments required under section 1111(a)(2) and the high school graduation rates and institution of higher education attendance rates of those students; and

"(B) such other measures as the Secretary may prescribe.".

SEC. 7207. DEFINITIONS.

Section 7207 (20 U.S.C. 7517) is amended—

(1) in the matter preceding paragraph (1), by striking "part" and inserting "subpart";

(2) by redesignating paragraphs (1) through (6) as paragraphs (2) through (7), respectively; and

(3) by inserting before paragraph (2), as redesignated by paragraph (2), the following:

"(1) COMMUNITY CONSULTATION.—The term 'community consultation' means a public gathering—

"(A) to discuss Native Hawaiian education concerns; and

"(B) about which the public has been given not less than 30 days notice.".

Subpart 2—Alaska Native Education

SEC. 7301. ALASKA NATIVE EDUCATION.

Subpart 2 of part B of title VII (20 U.S.C. 7541 et seq.), as amended by section 7201, is further amended by striking sections 7301 through 7306 and inserting the following:

"SEC. 7301. SHORT TITLE.

"This subpart may be cited as the 'Alaska Native Educational Equity, Support, and Assistance Act'.

"SEC. 7302. FINDINGS.

"Congress finds the following:

"(1) The attainment of educational success is critical to the betterment of the conditions, long-term well-being, and preservation of the culture and languages of Alaska Natives.

"(2) It is the policy of the Federal Government to encourage the maximum participation by Alaska Natives in the planning and the management of

Alaska Native education programs and to support efforts developed by and undertaken within the Alaska Native community to improve educational opportunity for all students.

"(3) Alaska Native children enter and exit school with serious educational handicaps.

"(4) The educational achievement of Alaska Native children is far below national norms. Alaska Native performance on standardized tests is low, Alaska Native student dropout rates are high, Natives are significantly underrepresented among holders of baccalaureate degrees in the State of Alaska, and Alaska Natives are more likely than other Alaskans to be without access to employment. As a result, Alaska Native students are being denied their opportunity to become full participants in society and an entire generation is being condemned to an underclass status and a life of limited choices.

"(5) The programs and activities authorized under this subpart are essential if educational handicaps are to be overcome.

"(6) The sheer magnitude of the geographic and other barriers to be overcome in delivering educational services in rural Alaska and Alaska villages should be addressed through the development and

implementation of innovative, model programs in a variety of areas.

''(7) Alaska Native children should be afforded the opportunity to begin their formal education on a par with their non-Native peers. The Federal Government should lend support to efforts developed by and undertaken within the Alaska Native community to improve educational opportunity for all students.

''(8) In 1983, pursuant to Public Law 98–63 (97 Stat. 326), Alaska ceased to receive educational funding from the Bureau of Indian Affairs.

''SEC. 7303. PURPOSES.

''The purposes of this subpart are as follows:

''(1) To address the critical need to meet the unique educational needs of Alaska Natives.

''(2) To authorize the development and expansion of effective supplemental educational programs to benefit Alaska Natives.

''(3) To supplement existing programs and authorities in the area of education to further the purposes of this subpart.

''(4) To provide direction and guidance to appropriate Federal, State, and local agencies to focus resources, including resources made available under

this subpart, on meeting the educational needs of Alaska Natives.

"(5) To ensure the maximum participation by Alaska Natives in the planning and management of programs designed to serve Alaska Natives.

"SEC. 7304. PROGRAM AUTHORIZED.

"(a) GENERAL AUTHORITY.—

"(1) GRANTS AND CONTRACTS.—The Secretary is authorized to make grants to, or enter into contracts with, the following entities in order to enable such entities to carry out programs that meet the purposes of this subpart:

"(A) Alaska Native organizations.

"(B) Educational entities with experience in developing or operating Alaska Native programs or programs of instruction conducted in Alaska Native languages.

"(C) Cultural and community-based organizations with experience in developing or operating programs to benefit the educational needs of Alaska Natives.

"(D) Consortia of organizations and entities described in this paragraph.

"(2) PERMISSIBLE ACTIVITIES.—Activities provided through programs carried out under this subpart may include the following:

"(A) The development and implementation of plans, methods, and strategies to improve the education of Alaska Natives.

"(B) The development of curricula and programs that address the educational needs of Alaska Native students, including the following:

"(i) Curricula materials that reflect the cultural diversity, languages, history, or the contributions of Alaska Natives.

"(ii) Instructional programs that make use of Alaska Native languages and cultures.

"(iii) Networks that develop, test, and disseminate best practices and introduce successful programs, materials, and techniques to meet the educational needs of Alaska Native students in urban and rural schools.

"(C) Training and professional development activities for educators, including the following:

"(i) Pre-service and in-service training and professional development programs to prepare teachers to develop appreciation for and understanding of Alaska Native cultures, values, and ways of knowing and learning in order to effectively address the cultural diversity and unique needs of Alaska Native students.

"(ii) The recruitment and preparation of teachers who are Alaska Native.

"(iii) Programs that will lead to the certification and licensing of Alaska Native teachers, principals, and superintendents.

"(D) The development and operation of home instruction programs for Alaska Native preschool children, to ensure the active involvement of parents in their children's education from the earliest ages.

"(E) Family literacy activities.

"(F) The development and operation of student enrichment programs, including such programs in science, technology, engineering, and mathematics that—

"(i) are designed to prepare Alaska Native students to excel in such subjects;

"(ii) provide appropriate support services to the families of such students that are needed to enable such students to benefit from the programs; and

"(iii) include activities that recognize and support the unique cultural and educational needs of Alaska Native children, and incorporate appropriately qualified Alaska Native elders and other tradition bearers.

"(G) Research and data collection activities to determine the educational status and needs of Alaska Native children and adults.

"(H) Other research and evaluation activities related to programs carried out under this subpart.

"(I) Remedial and enrichment programs to assist Alaska Native students to be college or career ready upon graduation from high school.

"(J) Parenting education for parents and caregivers of Alaska Native children to improve parenting and caregiving skills (including skills relating to discipline and cognitive development), including parenting education provided through in-home visitation of new mothers.

"(K) Culturally based education programs designed and provided by an entity with demonstrated experience in—

"(i) providing programs of study, both on site and in local schools, to share the rich and diverse cultures of Alaska Native peoples among youth, elders, teachers, and the larger community;

"(ii) instructing Alaska Native youth in leadership, communication, Native culture, arts, and languages;

"(iii) increasing the high school graduation rate of the Alaska Native students who are served;

"(iv) providing instruction in Alaska Native history and ways of living to students and teachers in the local school district;

"(v) providing intergenerational learning and internship opportunities to Alaska Native youth and young adults; and

"(vi) providing cultural immersion activities aimed at Alaska Native cultural preservation.

"(L) A statewide on-site exchange program, for both students and teachers, involving schools and culture camps that demonstrates effectiveness in facilitating cultural relationships between urban and rural Alaskans to build mutual respect and understanding, and foster a statewide sense of common identity through host family, school, and community cross-cultural immersion. Such a program should be competitively awarded.

"(M) Activities carried out through Head Start programs carried out under the Head Start Act, including the training of teachers for such programs.

"(N) Other early childhood education programs.

"(O) Education programs for at-risk urban Alaska Native students in kindergarten through grade 12 that are operated by tribes or tribal organizations that have demonstrated experience in increasing graduation rates among such students and that—

"(i) include a culturally informed curriculum intended to preserve and promote Alaska Native culture;

"(ii) partner effectively with the local educational agency by providing a school-within-a school program model;

"(iii) provide high-quality academic instruction, small classroom sizes, and social-emotional support for students from elementary school through high school;

"(iv) work with parents to increase parental involvement in their students' education;

"(v) have a proven track record of improving academic proficiency and increasing graduation rates;

"(vi) provide college preparation and career planning; and

"(vii) incorporate a strong data collection and continuous evaluation component at all levels of the program.

"(P) A statewide program that has demonstrated effectiveness in providing technical assistance and support to schools and communities in order to engage adults in promoting the academic progress and overall well-being of young people through strengths-based approaches to child and youth development, posi-

tive youth-adult relationships, improved conditions for learning (such as school climate and student connection to school and community), and increased connections between schools and families.

"(Q) Career preparation activities to enable Alaska Native children and adults to prepare for meaningful employment, including programs providing career and technical preparation, mentoring, training, and apprenticeship activities.

"(R) The provision of operational support and the purchase of equipment to develop regional career and technical schools in rural areas of Alaska, including boarding schools, for Alaska Native students in grades 9 through 12, or at higher levels of education, to provide the students with necessary resources to prepare for skilled employment opportunities.

"(S) Other activities, consistent with the purposes of this subpart, to meet the educational needs of Alaska Native children and adults.

"(T) Regional leadership academies that demonstrate effectiveness in building respect

and understanding and fostering a sense of Alaska Native identity to promote Alaska Native students pursuit of, and success in, completing higher education or career training.

"(3) HOME INSTRUCTION PROGRAMS.—Home instruction programs for Alaska Native preschool children carried out under paragraph (2)(D) may include the following:

"(A) Programs for parents and their infants, from the prenatal period of the infant through age 3.

"(B) Preschool programs.

"(C) Training, education, and support for parents in such areas as reading readiness, observation, story telling, and critical thinking.

"(b) LIMITATION ON ADMINISTRATIVE COSTS.—Not more than 5 percent of funds provided to a grantee under this section for any fiscal year may be used for administrative purposes.

"(c) PRIORITIES.—In awarding grants or contracts to carry out activities described in this subpart, the Secretary shall give priority to applications from Alaska Native regional nonprofit organizations, Alaska Native organizations, or consortia that include not less than 1 Alaska Native regional nonprofit organization.

"SEC. 7305. ADMINISTRATIVE PROVISIONS.

"(a) APPLICATION REQUIRED.—No grant may be made under this subpart, and no contract may be entered into under this subpart, unless the entity seeking the grant or contract submits an application to the Secretary in such form, in such manner, and containing such information as the Secretary may determine necessary to carry out the provisions of this subpart.

"(b) APPLICATIONS.—A State educational agency or local educational agency may apply for an award under this subpart only as part of a consortium involving an Alaska Native organization. The consortium may include other eligible applicants.

"(c) CONSULTATION REQUIRED.—Each applicant for an award under this subpart shall provide for ongoing advice from and consultation with representatives of the Alaska Native community.

"(d) LOCAL EDUCATIONAL AGENCY COORDINATION.—Each entity that applies for an award under this subpart shall inform each local educational agency that serves students who would participate in the program that such entity plans to carry out under the grant or contract about the application described in subsection (a).

"SEC. 7306. DEFINITIONS.

"In this subpart:

"(1) ALASKA NATIVE.—The term 'Alaska Native' has the same meaning as the term 'Native' has in section 3(b) of the Alaska Native Claims Settlement Act (43 U.S.C. 1602(b)).

"(2) ALASKA NATIVE ORGANIZATION.—The term 'Alaska Native organization' means a federally recognized tribe, a consortium of tribes, a regional nonprofit Alaska Native association, or another organization, that—

"(A) has or commits to acquire expertise in the education of Alaska Natives; and

"(B) has Alaska Natives in substantive and policymaking positions within the tribe, consortium, association, or organization.".

TITLE VIII—IMPACT AID

SEC. 8001. PURPOSE.

Section 8001 (20 U.S.C. 7701) is amended, in the matter preceding paragraph (1), by striking "challenging State standards" and inserting "college and career ready State academic content and student academic achievement standards under section 1111(a)(1)".

SEC. 8002. PAYMENTS RELATING TO FEDERAL ACQUISITION OF REAL PROPERTY.

(a) AMENDMENTS.—Section 8002 (20 U.S.C. 7702) is amended—

(1) in subsection (b)(1)(B), by striking "8014(a)" and inserting "3(aa)(1)";

(2) in subsection (f)—

(A) by aligning the margins of paragraphs (2) and (3) with the margins of paragraph (1); and

(B) by striking paragraphs (4) and (5);

(3) by striking subsection (g) and inserting the following:

"(g) FORMER DISTRICTS.—

"(1) CONSOLIDATIONS.—For fiscal year 2006 and all succeeding fiscal years, if a local educational agency described in paragraph (2) is formed at any time after 1938 by the consolidation of 2 or more former school districts, the local educational agency may elect to have the Secretary determine its eligibility and any amount for which the local educational agency is eligible under this section for any fiscal year on the basis of 1 or more of those former districts, as designated by the local educational agency.

"(2) ELIGIBLE LOCAL EDUCATIONAL AGENCIES.—A local educational agency referred to in paragraph (1) is—

"(A) any local educational agency that, for fiscal year 1994 or any preceding fiscal year, applied, and was determined to be eligible under section 2(c) of the Act of September 30, 1950 (Public Law 874, 81st Congress) as the section was in effect for that fiscal year; or

"(B) a local educational agency formed by the consolidation of 2 or more districts, at least 1 of which was eligible for assistance under this section for the fiscal year preceding the year of consolidation, if—

"(i) for fiscal years 2006 through 2013, the local educational agency had notified the Secretary of the designation not later than 30 days after the date of enactment of the Strengthening America's Schools Act of 2013; and

"(ii) for fiscal year 2014, and any subsequent fiscal year, the local educational agency includes the designation in its application under section 8005 or any timely amendment to such application.

"(3) AVAILABILITY OF FUNDS.—Notwithstanding any other provision of law limiting the period during which the Secretary may obligate funds

appropriated for any fiscal year after 2005, the Secretary may obligate funds remaining after final payments have been made from any of such fiscal years to carry out this subsection.'';

(4) in subsection (h)—

(A) in the matter preceding paragraph (1), by striking ''8014(a)'' and inserting ''3(aa)(1)'';

(B) in paragraph (1)(C), by striking ''8014(a)'' and inserting ''3(aa)(1)''; and

(C) in paragraph (2)—

(i) in subparagraph (C)(ii), by striking ''8014(a)'' and inserting ''3(aa)(1)''; and

(ii) in subparagraph (D), by striking ''8014(a) of this title'' and inserting ''3(aa)(1)'';

(5) by striking paragraph (1) of subsection (i) and inserting the following:

''(1) IN GENERAL.—The calculation of the foundation payment under subsection (h)(1)(B) for a local educational agency described in paragraph (2) of this subsection shall be equal to 90 percent of the payment received in fiscal year 2005, for fiscal year 2009 and each succeeding fiscal year.'';

(6) by striking subsections (k) and (m);

(7) by redesignating subsections (l) and (n) as subsections (j) and (k), respectively;

(8) in subsection (j) (as redesignated by paragraph (7)), in the matter preceding paragraph (1), by striking ''(h)(4)(B)'' and inserting ''(h)(3)''; and

(9) by adding at the end the following:

''(l) RECORDS.—The Secretary may base a determination of eligibility under subsection (a)(1) on original records (including facsimiles or other reproductions of those records) documenting the assessed value of real property, prepared by a legally authorized official as of the time of the Federal acquisition, or other records that the Secretary determines to be appropriate and reliable, including Federal agency records or local historical records.''.

(b) EFFECTIVE DATE.—Notwithstanding section 5(d), this section, and the amendments made by this section, shall take effect with respect to applications submitted under section 8002 of the Elementary and Secondary Education Act of 1965 on or after the date of enactment of this Act.

SEC. 8003. PAYMENTS FOR ELIGIBLE FEDERALLY CONNECTED CHILDREN.

Section 8003 (20 U.S.C. 7703) is amended—

(1) in subsection (a)—

(A) in paragraph (1), in the matter preceding subparagraph (A), by inserting after ''of such agency'' the following: ''(including those children enrolled in a State that has a State open enrollment policy but not including children enrolled in a distance learning program who are not residing within the geographic boundaries of the agency)''; and

(B) in paragraph (5)(A), by inserting after ''1984,'' the following: ''or under lease of off-base property under subchapter IV of chapter 169 of title 10, United States Code (10 U.S.C. 2871 et seq.), to be children described in paragraph (1)(B) if the property described is within the fenced security perimeter of the military facility or is attached to, and under any type of force protection agreement with, the military installation where such housing is situated,'';

(2) in subsection (b)—

(A) in each of paragraphs (1)(A) and (2)(A)(i), by striking ''8014(b)'' and inserting ''3(aa)(2)'';

(B) in paragraph (2)—

(i) in subparagraph (B)—

(I) in the subparagraph heading, by striking "CONTINUING";

(II) by striking clauses (i) and (ii) and inserting the following:

"(i) IN GENERAL.—A heavily impacted local educational agency is eligible to receive a basic support payment under subparagraph (A) with respect to a number of children determined under subsection (a)(1) if the agency—

"(I) is a local educational agency whose boundaries are the same as a Federal military installation, or whose boundaries are the same as island property designated by the Secretary of the Interior to be property that is held in trust by the Federal Government, and that has no taxing authority;

"(II) is a local educational agency that—

"(aa) has an enrollment of children described in subsection (a)(1) that constitutes a percentage of the total student enroll-

ment of the agency that is not less than 45 percent;

"(bb) has a per-pupil expenditure that is less than—

"(AA) for an agency that has a total student enrollment of 500 or more students, 125 percent of the average per-pupil expenditure of the State in which the agency is located; or

"(BB) for an agency that has a total student enrollment of less than 500 students, 150 percent of the average per-pupil expenditure of the State in which the agency is located, or the average per-pupil expenditure of 3 or more comparable local educational agencies in the State in which the agency is located; and

"(cc) is an agency that—

"(AA) has a tax rate for general fund purposes that is not less than 95 percent of the average tax rate for general fund purposes of comparable local educational agencies in the State; or

"(BB) was eligible to receive a payment under this subsection for fiscal year 2012 and is located in a State that by State law has eliminated ad valorem tax as a revenue source for local educational agencies;

"(III) is a local educational agency that has an enrollment of children described in subsection (a)(1) that constitutes a percentage of the total student enrollment of the agency which is not less than 30 percent, and has a tax rate for general fund purposes which is not less than 125 percent of the average tax rate for general fund purposes for comparable

local educational agencies in the State; or

"(IV) is a local educational agency that has a total student enrollment of not less than 25,000 students, of which not less than 50 percent are children described in subsection (a)(1) and not less than 5,500 of such children are children described in subparagraphs (A) and (B) of subsection (a)(1).

"(ii) LOSS OF ELIGIBILITY.—

"(I) IN GENERAL.—A heavily impacted local educational agency that met the requirements of clause (i) for a fiscal year shall be ineligible to receive a basic support payment under subparagraph (A) if the agency fails to meet the requirements of such clause for the subsequent fiscal year, except that such agency shall continue to receive a basic support payment under this paragraph for the fiscal year for which the ineligibility determination is made.

"(II) EXCEPTION.—Notwithstanding subclause (I) and clause (i), a local educational agency that obtains eligibility for a basic support payment under subparagraph (A) by meeting the requirements of clause (i)(II) for a fiscal year and, for the subsequent fiscal year, meets all of the requirements of such clause except for the requirement of item (cc) of such clause, shall be eligible to receive a basic support payment under subparagraph (A). If, for the next subsequent fiscal year, such local educational agency again fails to meet the requirement of such item (cc), the local educational agency shall be ineligible to receive a basic support payment under subparagraph (A), except that such agency shall continue to receive a basic support payment under this paragraph for the fiscal year for which the ineligibility determination is made."; and

(III) by adding at the end the following:

"(iv) SPECIAL RULE.—Notwithstanding clause (i)(II)(aa), a local educational agency shall be considered eligible to receive a basic support payment under subparagraph (A) with respect to the number of children determined under subsection (a)(1) for a fiscal year if the agency—

"(I) has an enrollment of children described in subsection (a)(1), including, for purposes of determining eligibility, those children described in subparagraphs (F) and (G) of such subsection, that constitutes a percentage of the total student enrollment of the agency that is not less than 35 percent;

"(II) was eligible to receive assistance under this paragraph for fiscal year 2001; and

"(III) meets the requirements of items (bb) and (cc) of clause (i)(II)

for the fiscal year for which the determination is being made.

"(v) APPLICATION.—With respect to the first fiscal year for which a heavily impacted local educational agency described in clause (i) applies for a basic support payment under subparagraph (A), or with respect to the first fiscal year for which a heavily impacted local educational agency applies for a basic support payment under subparagraph (A) after becoming ineligible under clause (i) for 1 or more preceding fiscal years, the agency shall apply for such payment at least 1 year prior to the start of that first fiscal year.";

(ii) by striking subparagraphs (C) and (D) and inserting the following:

"(C) MAXIMUM AMOUNT FOR HEAVILY IMPACTED LOCAL EDUCATIONAL AGENCIES.—

"(i) IN GENERAL.—Except as provided for in subparagraph (D), the maximum amount that a heavily impacted local educational agency is eligible to receive under this paragraph for any fiscal year is the sum of the total weighted student

units, as computed under subsection (a)(2) and subject to clause (ii), multiplied by the greater of—

"(I) four-fifths of the average per-pupil expenditure of the State in which the local educational agency is located for the third fiscal year preceding the fiscal year for which the determination is made; or

"(II) four-fifths of the average per-pupil expenditure of all of the States for the third fiscal year preceding the fiscal year for which the determination is made.

"(ii) SPECIAL RULES.—

"(I) CALCULATIONS FOR LOCAL EDUCATIONAL AGENCIES WITH LARGE NUMBERS OF CERTAIN ELIGIBLE CHILDREN.—

"(aa) IN GENERAL.—In the case of a local educational agency with respect to which 35 percent or more of the total student enrollment of the schools of the agency are children described in

subparagraph (D) or (E) of subsection (a)(1), and that has an enrollment of children described in subparagraph (A), (B), or (C) of such subsection equal to at least 10 percent of the agency's total enrollment, the Secretary shall calculate the weighted student units of the children described in subparagraph (D) or (E) of such subsection by multiplying the number of such children by a factor of 0.55.

"(bb) EXCEPTION.—Notwithstanding subclause (I), any local educational agency that received a payment under this clause for fiscal year 2006, shall not be required to have an enrollment of children described in subparagraph (A), (B), or (C) of subsection (a)(1) equal to at least 10 percent of the agency's total enrollment for purposes of subclause (I).

"(II) CALCULATIONS FOR LOCAL EDUCATIONAL AGENCIES WITH SMALL NUMBERS OF ELIGIBLE CHILDREN.—For a local educational agency that has an enrollment of 100 or fewer children described in subsection (a)(1), the Secretary shall calculate the total number of weighted student units for purposes of subsection (a)(2) by multiplying the number of such children by a factor of 1.75.

"(III) CALCULATIONS FOR CERTAIN OTHER LOCAL EDUCATIONAL AGENCIES.—For a local educational agency that does not qualify under paragraph (2)(B)(i)(I) and has an enrollment of more than 100 but not more than 1,000 children described in subsection (a)(1), the Secretary shall calculate the total number of weighted student units for purposes of subsection (a)(2) by multiplying the number of such children by a factor of 1.25.

"(D) MAXIMUM AMOUNT FOR LARGE HEAVILY IMPACTED LOCAL EDUCATIONAL AGENCIES.—

"(i) APPLICABLE FORMULA.—

"(I) IN GENERAL.—Subject to clause (ii), the maximum amount that a heavily impacted local educational agency described in subclause (II) is eligible to receive under this paragraph for any fiscal year shall be determined in accordance with the formula described in paragraph (1)(C).

"(II) LARGE HEAVILY IMPACTED LOCAL EDUCATIONAL AGENCIES.—A heavily impacted local educational agency described in this subclause is a local educational agency that has a total student enrollment of not less than 25,000 students, of which not less than 50 percent are children described in subsection (a)(1) and not less than 5,500 of such children are children described in subparagraphs (A) and (B) of subsection (a)(1).

"(ii) FACTOR.—For purposes of calculating the maximum amount described in clause (i), the factor used in determining the weighted student units under subsection (a)(2) with respect to children described in subparagraphs (A) and (B) of subsection (a)(1) shall be 1.35.";

(iii) by striking subparagraph (E);

(iv) by redesignating subparagraphs (F) through (H) as subparagraph (E) through (G), respectively;

(v) in subparagraph (E) (as redesignated by clause (iv))—

(I) by striking clause (ii);

(II) by striking "; and" at the end of clause (i) and inserting a period; and

(III) by striking "the Secretary" and all that follows through "shall use" and inserting "the Secretary shall use";

(vi) in subparagraph (F) (as redesignated by clause (iv)), in the matter preceding clause (i), by striking

"(C)(i)(II)(bb)" and inserting "(B)(i)(II)(bb)";

(vii) in subparagraph (G) (as redesignated by clause (iv))—

(I) in clause (i)—

(aa) by striking "(B), (C), (D), or (E),", and inserting "(B), (C), or (D),";

(bb) by striking "by reason of" and inserting "due to";

(cc) by inserting after "clause (iii)" the following: "or as the direct result of base realignment and closure or modularization as determined by the Secretary of Defense, force structure change, or force relocation,"; and

(dd) by inserting before the period at the end the following: "or during such time as activities associated with base realignment and closure, modularization, force structure change, or force relocation are ongoing"; and

(II) in clause (ii), by striking "(D) or (E)" in both places such term appears and inserting "(C) or (D)"; and

(viii) by adding at the end the following:

"(H) SPECIAL RULE.—The Secretary shall—

"(i) deem each local educational agency that received a fiscal year 2009 basic support payment for heavily impacted local educational agencies under this paragraph as eligible to receive a basic support payment for heavily impacted local educational agencies under this paragraph for each of fiscal years 2011, 2012, 2013, and 2014; and

"(ii) make a payment to such local educational agency under such section for each of fiscal years 2011, 2012, 2013, and 2014.

"(I) CONTINUED ELIGIBILITY FOR A HEAVILY IMPACTED LOCAL EDUCATIONAL AGENCY ENTERING INTO AN INTERGOVERNMENTAL COOPERATIVE AGREEMENT WITH A STATE EDU-

CATIONAL AGENCY.—For any fiscal year, a heavily impacted local educational agency that received a basic support payment under this paragraph for the fiscal year prior to the fiscal year for which such local educational agency entered into an intergovernmental cooperative agreement with a State educational agency shall remain eligible to receive a basic support payment under this paragraph for the duration of the intergovernmental cooperative agreement, but in no case for more than 5 years.''; and

(C) in paragraph (3)—

(i) in subparagraph (A), by striking ''8014(b)'' and inserting ''3(aa)(2)'';

(ii) in subparagraph (B)—

(I) by redesignating clause (iv) as clause (v); and

(II) by inserting after clause (iii) the following:

''(iv) In the case of a local educational agency that is providing a program of distance learning to children not residing within the geographic boundaries of the agency, the Secretary shall disregard such children from such agency's total enroll-

ment when calculating the percentage under clause (i)(I) and shall disregard any funds received for such children when calculating the total current expenditures attributed to the operation of such agency when calculating the percentage under clause (i)(II).'';

(iii) in subparagraph (C), by striking ''subparagraph (D) or (E) of paragraph (2), as the case may be'' and inserting ''paragraph (2)(D)''; and

(iv) by striking subparagraph (D) and inserting the following:

''(D) RATABLE DISTRIBUTION.—

''(i) IN GENERAL.—For each fiscal year described in subparagraph (A) for which the sums appropriated under section 3(aa)(2) exceed the amount required to pay each local educational agency 100 percent of the local educational agency's threshold payment under subparagraph (B) or (C), the Secretary shall distribute such excess sums to each eligible local educational agency that has not received the agency's maximum payment amount com-

puted under paragraph (1) or (2) (as the case may be) by multiplying—

"(I) a percentage, the denominator of which is the difference between the maximum payment amount computed under paragraph (1) or (2) (as the case may be) for all local educational agencies and the amount of the threshold payment (as calculated under subparagraphs (B) and (C)) of all local educational agencies, and the numerator of which is the aggregate amount of funds appropriated under section 3(aa)(2) that exceeds the amount of such threshold payments for all local educational agencies; by

"(II) the difference between the maximum payment amount computed under paragraph (1) or (2) (as the case may be) for the agency and the amount of the threshold payment as calculated under subparagraphs (B) and (C) for the agency.

"(ii) INSUFFICIENT PAYMENTS.—For each fiscal year described in subparagraph

(A) for which the sums appropriated under section 3(aa)(2) are insufficient to pay each local educational agency all of the local educational agency's threshold payment described in clause (i), the Secretary shall ratably reduce the payment to each local educational agency under this paragraph.

"(iii) INCREASES.—If the sums appropriated under section 3(aa)(2) are sufficient to increase the threshold payment above the 100 percent threshold payment described in clause (i), then the Secretary shall increase payments on the same basis as such payments were reduced, except no local educational agency may receive a payment amount greater than 100 percent of the maximum payment calculated under this subsection.";

(3) in subsection (c), by amending paragraph (2) to read as follows:

"(2) EXCEPTION.—Calculation of payments for a local educational agency shall be based on data from the fiscal year for which the agency is making an application for payment if such agency—

"(A) is newly established by a State, for the first year of operation of such agency only;

"(B) was eligible to receive a payment under this section for the previous fiscal year and has had an overall increase in enrollment (as determined by the Secretary in consultation with the Secretary of Defense, the Secretary of Interior, or the heads of other Federal agencies)—

"(i) of not less than 10 percent, or 100 students, of children described in—

"(I) subparagraph (A), (B), (C), or (D) of subsection (a)(1); or

"(II) subparagraph (F) or (G) of subsection (a)(1), but only to the extent such children are civilian dependents of employees of the Department of Defense or the Department of the Interior; and

"(ii) that is the direct result of closure or realignment of military installations under the base closure process or the relocation of members of the Armed Forces and civilian employees of the Department of Defense as part of force structure

changes or movements of units or personnel between military installations or because of actions initiated by the Secretary of Interior or the head of another Federal agency; or

"(C) was eligible to receive a payment under this section for the previous fiscal year and has had an overall increase in enrollment (as determined by the Secretary)—

"(i) of not less than 10 percent of children described in subsection (a)(1), or not less than 100 of such children; and

"(ii) that is the direct result of the closure of a local educational agency that received a payment under paragraph (1) or (2) of subsection (b) in the previous fiscal year.";

(4) in subsection (d)(1), by striking "8014(c)" and inserting "3(aa)(3)";

(5) in subsection (e)—

(A) by striking paragraphs (1) and (2) and inserting the following:

"(1) IN GENERAL.—Subject to paragraph (2), the total amount the Secretary shall pay a local educational agency under subsection (b)—

"(A) for fiscal year 2014, shall not be less than 90 percent of the total amount that the local educational agency received under paragraphs (1) and (2) of subsection (b) for fiscal year 2013;

"(B) for fiscal year 2015, shall not be less than 85 percent of the total amount that the local educational agency received under paragraphs (1) and (2) of subsection (b) for fiscal year 2013; and

"(C) for fiscal year 2016, shall not be less than 80 percent of the total amount that the local educational agency received under paragraphs (1) and (2) of subsection (b) for fiscal year 2013."; and

(B) by redesignating paragraph (3) as paragraph (2); and

(6) by striking subsection (g).

SEC. 8004. CONSTRUCTION.

Section 8007 (20 U.S.C. 7707) is amended—

(1) by striking "8014(e)" each place the term appears and inserting "3(aa)(4)"; and

(2) in subsection (a)(2), by adding at the end the following:

"(C) The agency is eligible under section 8003(b)(2) or is receiving a basic support payment under circumstances described in section 8003(b)(2)(B)(ii).".

SEC. 8005. FACILITIES.

Section 8008(a) (20 U.S.C. 7708(a)) is amended by striking "8014(f)" and inserting "3(aa)(5)".

SEC. 8006. FEDERAL ADMINISTRATION.

Section 8010 (20 U.S.C. 7710) is amended—

(1) in subsection (c)(2)(E), by striking "under section 8003(b)" and all that follows through the period at the end and inserting "under this title."; and

(2) in subsection (d)(2), by striking "section 8014" and inserting "section 3(aa)".

SEC. 8007. DEFINITIONS.

Section 8013 (20 U.S.C. 7713) is amended—

(1) in paragraph (1), by striking "and Marine Corps" and inserting "Marine Corps, and Coast Guard"; and

(2) in paragraph (5)(A)(iii)(II), by striking "Stewart B. McKinney Homeless Assistance Act" and inserting "McKinney-Vento Homeless Assistance Act".

SEC. 8008. CONFORMING AMENDMENT.

Title VIII (20 U.S.C. 7701 et seq.) is amended by striking section 8014.

SEC. 8009. ELIGIBILITY FOR IMPACT AID PAYMENT.

(a) LOCAL EDUCATIONAL AGENCIES.—Notwithstanding section 8013(9) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713(9)), North Chicago Community Unit School District 187, North Shore District 112, and Township High School District 113 in Lake County, Illinois, and Glenview Public School District 34 and Glenbrook High School District 225 in Cook County, Illinois, shall be considered local educational agencies as such term is used in, and for purposes of, title VIII of such Act.

(b) COMPUTATION.—Notwithstanding any other provision of law, federally connected children (as determined under section 8003(a) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(a))) who are in attendance in the North Shore District 112, Township High School District 113, Glenview Public School District 34, and Glenbrook High School District 225 described in subsection (a), shall be considered to be in attendance in the North Chicago Community Unit School District 187 described in subsection (a) for purposes of computing the amount that the North Chicago Community Unit School

District 187 is eligible to receive under subsection (b) or (d) of section 8003 of such Act if—

(1) such school districts have entered into an agreement for such students to be so considered and for the equitable apportionment among all such school districts of any amount received by the North Chicago Community Unit School District 187 under such section; and

(2) any amount apportioned among all such school districts pursuant to paragraph (1) is used by such school districts only for the direct provision of educational services.

SEC. 8010. REPEAL OF SUNSET UNDER THE NDAA AMENDMENTS TO IMPACT AID.

Section 563(c) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239) is amended—

(1) in the heading, by striking ", IMPLEMENTATION, AND REPEAL" and inserting "AND IMPLEMENTATION";

(2) in paragraph (1), by striking "for a 2-year period"; and

(3) by striking paragraph (4).

TITLE IX—GENERAL PROVISIONS

SEC. 9101. DEFINITIONS.

(a) IN GENERAL.—Section 9101 (20 U.S.C. 7801) is amended to read as follows:

"SEC. 9101. DEFINITIONS.

''Except as otherwise provided, in this Act:

''(1) ADJUSTED COHORT; ENTERING COHORT; TRANSFERRED INTO; TRANSFERRED OUT.—

''(A) ADJUSTED COHORT.—Subject to clauses (ii) and (iii) of subparagraph (D) and subparagraphs (E) through (G), the term 'adjusted cohort' means the difference of—

''(i) the sum of—

''(I) the entering cohort; plus

''(II) any students that transferred into the cohort in any of grades 9 through 12; minus

''(ii) any students that are removed from the cohort as described in subparagraph (E).

''(B) ENTERING COHORT.—The term 'entering cohort', when used with respect to a secondary school, means the number of first-time students in grade 9 enrolled in the secondary

school 1 month after the start of the secondary school's academic year.

"(C) TRANSFERRED INTO.—The term 'transferred into', when used with respect to a secondary school student, means a student who—

"(i) was a first-time student in grade 9 during the same school year as the entering cohort; and

"(ii) enrolls after the entering cohort is calculated as described in subparagraph (B).

"(D) TRANSFERRED OUT.—

"(i) IN GENERAL.—The term 'transferred out' when used with respect to a secondary school student, means a student who the secondary school or local educational agency has confirmed has transferred—

"(I) to another school from which the student is expected to receive a regular secondary school diploma; or

"(II) to another educational program from which the student is ex-

pected to receive a regular secondary school diploma.

"(ii) CONFIRMATION REQUIREMENTS.—

"(I) DOCUMENTATION REQUIRED.—The confirmation of a student's transfer to another school or educational program described in clause (i) requires documentation from the receiving school or program that the student enrolled in the receiving school or program.

"(II) LACK OF CONFIRMATION.—A student who was enrolled, but for whom there is no confirmation of the student having transferred out, shall remain in the cohort as a nongraduate for reporting and accountability purposes under this Act.

"(iii) PROGRAMS NOT PROVIDING CREDIT.—A student enrolled in a GED or other alternative educational program that does not issue or provide credit toward the issuance of a regular secondary school diploma shall not be considered transferred

out and shall remain in the adjusted cohort.

"(E) COHORT REMOVAL.—To remove a student from a cohort, a school or local educational agency shall require documentation to confirm that the student has transferred out, emigrated to another country, or is deceased.

"(F) TREATMENT OF OTHER DEPARTURES AND WITHDRAWALS.—A student who was retained in a grade, enrolled in a GED program or other program that provides a recognized equivalent of a secondary school diploma, aged out of a secondary school or secondary school program, or left secondary school for any other reason, including expulsion, shall not be considered transferred out, and shall remain in the adjusted cohort.

"(G) SPECIAL RULE.—For secondary schools that start after grade 9, the entering cohort shall be calculated 1 month after the start of the secondary school's academic year in the earliest secondary school grade at the secondary school.

"(2) ADVANCED PLACEMENT OR INTERNATIONAL BACCALAUREATE COURSE.—The term

'Advanced Placement or International Baccalaureate course' means—

"(A) a course of postsecondary-level instruction provided to middle school or secondary school students, terminating in an Advanced Placement or International Baccalaureate examination; or

"(B) another highly rigorous, evidence-based, postsecondary preparatory program terminating in—

"(i) an examination or courses that are widely accepted for credit at institutions of higher education; or

"(ii) another examination or courses approved by the Secretary.

"(3) ADVANCED PLACEMENT OR INTERNATIONAL BACCALAUREATE EXAMINATION.—The term 'Advanced Placement or International Baccalaureate examination' means an Advanced Placement examination administered by the College Board, an International Baccalaureate examination administered by the International Baccalaureate Organization, or another such examination approved by the Secretary.

"(4) AUTHORIZING COMMITTEES.—The term 'authorizing committees' means the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate.

"(5) AVERAGE DAILY ATTENDANCE.—

"(A) IN GENERAL.—Except as provided otherwise by State law or this paragraph, the term 'average daily attendance' means—

"(i) the aggregate number of days of attendance of all students during a school year; divided by

"(ii) the number of days school is in session during that year.

"(B) CONVERSION.—The Secretary shall permit the conversion of average daily membership (or other similar data) to average daily attendance for local educational agencies in States that provide State aid to local educational agencies on the basis of average daily membership (or other similar data).

"(C) SPECIAL RULE.—If the local educational agency in which a child resides makes a tuition or other payment for the free public education of the child in a school served by an-

other local educational agency, the Secretary shall, for the purpose of this Act—

"(i) consider the child to be in attendance at a school of the agency making the payment; and

"(ii) not consider the child to be in attendance at a school of the agency receiving the payment.

"(6) AVERAGE PER-PUPIL EXPENDITURE.—The term 'average per-pupil expenditure' means, in the case of a State or of the United States—

"(A) without regard to the source of funds—

"(i) the aggregate current expenditures, during the most recent fiscal year for which satisfactory data are available, of all local educational agencies in the State or, in the case of the United States, for all States (which, for the purpose of this paragraph, means the 50 States and the District of Columbia); plus

"(ii) any direct current expenditures by the State for the operation of those agencies; divided by

"(B) the aggregate number of children in average daily attendance to whom those agencies provided free public education during that year.

"(7) CHARTER MANAGEMENT ORGANIZATION.—The term 'charter management organization' means a nonprofit organization that operates, manages, or oversees multiple charter schools by centralizing or sharing certain functions and resources among such schools.

"(8) CHILD.—The term 'child' means any person within the age limits for which the State provides free public education.

"(9) CHILD WITH A DISABILITY.—The term 'child with a disability' has the same meaning given that term in section 602 of the Individuals with Disabilities Education Act.

"(10) CONDITIONS FOR LEARNING.—The term 'conditions for learning' means conditions that advance student achievement and positive child and youth development by supporting schools that—

"(A) promote physical, mental, and emotional health;

"(B) ensure the safety of students and staff;

"(C) promote social, emotional, and character development; and

"(D) have the following attributes:

"(i) Provide opportunities for physical activity and good nutrition.

"(ii) Are free of violence, harassment, and weapons.

"(iii) Prevent use and abuse of drugs and controlled substances.

"(iv) Help staff and students to model positive social and emotional skills.

"(v) Employ adults who have high expectations for student conduct, character, and academic achievement.

"(vi) Engage parents and family members in meaningful and sustained ways to promote positive student academic achievement and developmental outcomes.

"(11) CONSOLIDATED LOCAL APPLICATION.—The term 'consolidated local application' means an application submitted by a local educational agency pursuant to section 9305.

"(12) CONSOLIDATED LOCAL PLAN.—The term 'consolidated local plan' means a plan submitted by a local educational agency pursuant to section 9305.

"(13) CONSOLIDATED STATE APPLICATION.—The term 'consolidated State application' means an application submitted by a State educational agency pursuant to section 9302.

"(14) CONSOLIDATED STATE PLAN.—The term 'consolidated State plan' means a plan submitted by a State educational agency pursuant to section 9302.

"(15) CORE ACADEMIC SUBJECTS.—The term 'core academic subjects' means English, reading or language arts, mathematics, science, foreign languages, civics and government, economics, arts, history, and geography.

"(16) COVERED PROGRAM.—The term 'covered program' means each of the programs authorized by—

"(A) part A of title I;

"(B) part C of title I;

"(C) part D of title I;

"(D) part A of title II;

"(E) part A of title III;

"(F) part B of title IV; and

"(G) subpart 2 of part B of title VI.

"(17) CURRENT EXPENDITURES.—The term 'current expenditures' means expenditures for free public education—

"(A) including expenditures for administration, instruction, attendance and health services, pupil transportation services, operation and maintenance of plant, fixed charges, and net expenditures to cover deficits for food services and student body activities; but

"(B) not including expenditures for community services, capital outlay, and debt service, or any expenditures made from funds received under title I.

"(18) DEPARTMENT.—The term 'Department' means the Department of Education.

"(19) DEVELOPMENTAL DELAY.—The term 'developmental delay' has the meaning given the term in section 632 of the Individuals with Disabilities Education Act (20 U.S.C. 1432).

"(20) DISTANCE LEARNING.—The term 'distance learning' means the transmission of educational or instructional programming to geographically dispersed individuals and groups via telecommunications.

"(21) EARLY CHILDHOOD EDUCATION PROGRAM.—The term 'early childhood education program' has the meaning given the term in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003).

"(22) EDUCATIONAL SERVICE AGENCY.—The term 'educational service agency' means a regional public multiservice agency authorized by State statute to develop, manage, and provide services or programs to local educational agencies.

"(23) ELEMENTARY SCHOOL.—The term 'elementary school' means a nonprofit institutional day or residential school, including a public elementary charter school, that provides elementary education, as determined under State law.

"(24) ENGLISH LEARNER.—The term 'English learner' means an individual—

"(A) who is aged 3 through 21;

"(B) who is enrolled or preparing to enroll in an elementary school or secondary school;

"(C)(i) who was not born in the United States or whose native language is a language other than English;

"(ii)(I) who is a Native American or Alaska Native, or a native resident of the outlying areas; and

"(II) who comes from an environment where a language other than English has had a significant impact on the individual's level of English language proficiency; or

"(iii) who is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant; and

"(D) whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the individual—

"(i) the ability to meet or exceed the State student academic achievement standards under section 1111(a)(1) in a subject for the individual's grade level, as determined based on the State academic assessments described in section 1111(a)(2);

"(ii) the ability to successfully achieve in classrooms where the language of instruction is English; or

1 "(iii) the opportunity to participate
2 fully in society.
3 "(25) EVIDENCE-BASED.—The term 'evidence-
4 based', when used with respect to a program, prac-
5 tice, or policy, means—
6 "(A) based on a comprehensive, unbiased
7 review and weighing of 1 or more evaluation
8 studies that—
9 "(i) have been carried out consistent
10 with the principles of scientific research;
11 "(ii) have strong internal and external
12 validity; and
13 "(iii) support the direct attribution of
14 1 or more outcomes to the program, prac-
15 tice, or policy; or
16 "(B) in the absence of any study described
17 in subparagraph (A), based on a comprehensive,
18 unbiased review and weighing of data analysis,
19 research, or 1 or more evaluation studies of rel-
20 evant programs, practices, or policies, that—
21 "(i) were carried out consistent with
22 the principles of scientifically based re-
23 search; and
24 "(ii) are accompanied by strategies to
25 generate more robust evidence over time

through research, evaluation, and data analysis, including—

"(I) the measurement of performance with reliable process and outcome indicators; and

"(II) the implementation of evaluations with strong internal and external validity where feasible and appropriate.

"(26) EXPANDED LEARNING TIME.—The term 'expanded learning time' means using a longer school day, week, or year schedule to significantly increase the total number of school hours, in order to include additional time for—

"(A) instruction in core academic subjects;

"(B) instruction in other subjects and enrichment and other activities that contribute to a well-rounded education, including music and the arts, physical education, and experiential and work-based learning; and

"(C) instructional and support staff to collaborate, plan, and engage in professional development, including on family and community engagement, within and across grades and subjects.

"(27) FAMILY LITERACY ACTIVITIES.—The term 'family literacy activities' means activities that—

"(A) are of sufficient intensity in terms of hours, and of sufficient duration, to make sustainable improvements in the literacy rates of a family;

"(B) better enable parents to support their children's learning needs; and

"(C) integrate all of the following activities:

"(i) Parent adult education and literacy activities that lead to readiness for postsecondary education or training, career advancement, and economic self-sufficiency.

"(ii) Interactive literacy activities between parents and their children.

"(iii) Training for parents regarding how to be the primary teacher for their children and full partners in the education of their children.

"(iv) Age-appropriate education to prepare children for success in school and life experiences.

"(28) FAMILY MEMBER.—The term 'family member' means a parent, relative, or other adult who is responsible for the care and well-being of a child.

"(29) FORMER ENGLISH LEARNER.—The term 'former English learner' means a student who is proficient in English, as determined by the State assessment of English language proficiency under section 1111(a)(2)(D), but previously was an English learner, as defined in this section.

"(30) FREE PUBLIC EDUCATION.—The term 'free public education' means education that is provided—

"(A) at public expense, under public supervision and direction, and without tuition charge; and

"(B) as elementary or secondary education, as determined under State law, except that, notwithstanding State law, such term—

"(i) includes preschool education; and

"(ii) does not include any education provided beyond grade 12.

"(31) GIFTED AND TALENTED.—The term 'gifted and talented', when used with respect to students, children, or youth, means students, children,

or youth who give evidence of high achievement capability in areas such as intellectual, creative, artistic, or leadership capacity, or in specific academic fields, and who need services or activities not ordinarily provided by the school in order to fully develop those capabilities.

"(32) GRADUATION RATES.—The term 'graduation rates' shall, at a minimum, include both of the following:

"(A) A 4-year adjusted cohort graduation rate for a school year, defined as the percent obtained by calculating the product of—

"(i) the result of—

"(I) the number of students who—

"(aa) formed the adjusted cohort 4 years earlier; and

"(bb) graduate in 4 years or less with a regular secondary school diploma; divided by

"(II) the number of students who formed the adjusted cohort for that year's graduating class 4 years earlier; multiplied by

"(ii) 100.

"(B) A cumulative graduation rate for a school year, defined as the percent obtained by calculating the product of—

"(i) the result of—

"(I) the sum of—

"(aa) the number of students who—

"(AA) form the adjusted cohort for that year's graduating class; and

"(BB) graduate in 4 years or less with a regular secondary school diploma; plus

"(bb) the number of additional students from previous cohorts who graduate with a regular secondary school diploma by the end of the school year in—

"(AA) more than 4 years but not more than 6 years; or

"(BB) before exceeding the age for eligibility for a free appropriate public edu-

cation (as defined in section 602 of the Individuals with Disabilities Education Act) under State law; divided by

"(II) the sum of—

"(aa) the number of students who form the adjusted cohort for that year's graduating class; plus

"(bb) the number of additional student graduates described in subclause (I)(bb); multiplied by

"(ii) 100.

"(33) HIGH SCHOOL.—The term 'high school' means a secondary school that—

"(A) grants a diploma, as defined by the State; and

"(B) includes, at least, grade 12.

"(34) HIGHLY QUALIFIED TEACHER.—

"(A) IN GENERAL.—The term 'highly qualified teacher' means—

"(i) with respect to any public elementary school, middle school, or high school

teacher teaching in a State, a teacher who—

"(I)(aa) has obtained State certification as a teacher (including certification obtained through alternative routes to certification) or passed the State teacher licensing examination, and holds a license to teach in the State, except that when used with respect to any teacher teaching in a charter school, the term means that the teacher meets the requirements set forth in the State's charter school law; or

"(bb) has passed a rigorous State test for subject matter knowledge and is making satisfactory progress towards obtaining full certification or licensure within 3 years through participation in a high-quality, State-approved alternative certification program; and

"(II) has not had certification or licensure requirements waived on an

emergency, temporary, or provisional basis;

"(ii) with respect to—

"(I) an elementary school teacher who is new to the profession, that the teacher holds at least a bachelor's degree and—

"(aa) if teaching more than a single subject, has demonstrated, by receiving a passing score on a rigorous State test, subject knowledge and teaching skills in reading, writing, mathematics, and other areas of the basic elementary school curriculum (which may consist of passing a State-required certification or licensing test or tests in reading, writing, mathematics, and other areas of the basic elementary school curriculum); or

"(bb) if teaching a single subject, meets either the requirement in item (aa) or (bb) of subclause (II); and

"(II) a middle school or high school teacher who is new to the profession, that the teacher holds at least a bachelor's degree and has demonstrated a high level of competency in each of the academic subjects in which the teacher teaches by—

"(aa) receiving a passing score on a rigorous State academic subject test in each of the academic subjects in which the teacher teaches (which may consist of a passing level of performance on a State-required certification or licensing test or tests in each of the academic subjects the teacher teaches); or

"(bb) successful completion, in each of the academic subjects in which the teacher teaches, of an academic major, a graduate degree, coursework equivalent to an undergraduate academic major, or advanced certification or credentialing; and

"(iii) with respect to an elementary school, middle school, or high school teacher who is not new to the profession, that the teacher holds at least a bachelor's degree and—

"(I) has met the applicable standard in subclause (I) or (II) of clause (ii), which includes an option for a test; or

"(II) demonstrates competence in all the academic subjects in which the teacher teaches based on a high objective uniform State standard of evaluation, which may include multiple subjects, that—

"(aa) is set by the State for both grade-appropriate academic subject-matter knowledge and teaching skills;

"(bb) is aligned with State academic content and student academic achievement standards under section 1111(a)(1) and developed in consultation with core content specialists, teachers,

principals, and school administrators;

"(cc) provides objective, coherent information about the teacher's attainment of core content knowledge in the academic subjects in which a teacher teaches;

"(dd) is applied uniformly to all teachers in the same academic subject and the same grade level throughout the State;

"(ee) takes into consideration, but is not based primarily on, the time the teacher has been teaching in the academic subject;

"(ff) is made available to the public on request; and

"(gg) may involve multiple, objective measures of teacher competency.

"(B) SPECIAL RULE.—Notwithstanding the requirements of subparagraph (A), a State may deem a teacher to be a highly qualified

teacher for purposes of this Act, if the teacher is—

"(i) a teacher with a bachelor's degree who has received and maintained, for the State in which the teacher teaches, a rating in the highest categories of a professional growth and improvement system;

"(ii) a teacher in a rural local educational agency, as described in section 6211(d), who teaches multiple subjects, if the teacher is a highly qualified teacher in 1 of the core academic subjects that the teacher teaches and becomes highly qualified in the additional subjects in not more than 3 years by meeting the requirements of clause (ii) or (iii) of subparagraph (A);

"(iii) a science teacher who holds a broad field science or individual science certification or licensure and whom the State determines is highly qualified for purposes of this paragraph;

"(iv) a teacher who has been determined to be highly qualified by the State as of the day before the date of enactment

of the Strengthening America's Schools Act of 2013; or

"(v) a teacher who is a participant in an exchange visitor program and whom the State determines is highly qualified for the purposes of this paragraph.

"(C) SPECIAL EDUCATION TEACHERS.—The definition of the term 'highly qualified teacher' shall also include a special education teacher who is highly qualified as determined under section 602(10) of the Individuals with Disabilities Education Act.

"(35) HIGH-NEED LOCAL EDUCATIONAL AGENCY.—The term 'high-need local educational agency' means a local educational agency—

"(A) that serves not fewer than 10,000 children from families with incomes below the poverty line;

"(B) for which not less than 20 percent of the children served by the agency are from families with incomes below the poverty line; or

"(C) that is in the highest quartile of local educational agencies in the State, based on student poverty.

"(36) HIGH-NEED SCHOOL.—

"(A) IN GENERAL.—The term 'high-need school' means—

"(i) an elementary school or middle school in which not less than 50 percent of the enrolled students are children from low-income families; or

"(ii) a high school in which not less than 40 percent of the enrolled students are children from low-income families, which may be calculated using comparable data from feeder schools.

"(B) LOW-INCOME FAMILY.—For purposes of subparagraph (A), the term 'low-income family' means a family—

"(i) in which the children are eligible for a free or reduced price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.);

"(ii) receiving assistance under a State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.); or

"(iii) in which the children are eligible to receive medical assistance under the Medicaid program.

"(37) INSTITUTION OF HIGHER EDUCATION.—The term 'institution of higher education' has the meaning given that term in section 101(a) of the Higher Education Act of 1965.

"(38) LEADING INDICATORS.—The term 'leading indicators' means areas in which a priority school is expected to demonstrate improvement, such as—

"(A) average student attendance rates;

"(B) teacher attendance rates;

"(C) on-time grade promotion;

"(D) credit accumulation rates;

"(E) expulsion, suspension, violence, and harassment rates;

"(F) teacher retention and turnover rates;

"(G) percentage of students failing a core, credit-bearing course; and

"(H) entrance and placement examinations, and preparation courses, for postsecondary education.

"(39) LOCAL EDUCATIONAL AGENCY.—

"(A) IN GENERAL.—The term 'local educational agency' means a public board of education or other public authority legally constituted within a State for either administrative

control or direction of, or to perform a service function for, public elementary schools or secondary schools in a city, county, township, school district, or other political subdivision of a State, or of or for a combination of school districts or counties that is recognized in a State as an administrative agency for its public elementary schools or secondary schools.

"(B) ADMINISTRATIVE CONTROL AND DIRECTION.—The term includes any other public institution or agency having administrative control and direction of a public elementary school or secondary school.

"(C) BIE SCHOOLS.—The term includes an elementary school or secondary school funded by the Bureau of Indian Education but only to the extent that including the school makes the school eligible for programs for which specific eligibility is not provided to the school in another provision of law and the school does not have a student population that is smaller than the student population of the local educational agency receiving assistance under this Act with the smallest student population, except that the school shall not be subject to the jurisdiction of

any State educational agency other than the Bureau of Indian Affairs.

"(D) EDUCATIONAL SERVICE AGENCIES.—The term includes educational service agencies and consortia of those agencies.

"(E) STATE EDUCATIONAL AGENCY.—The term includes the State educational agency in a State in which the State educational agency is the sole educational agency for all public schools.

"(40) MAGNET SCHOOL.—The term 'magnet school' means a public elementary school, public secondary school, public elementary education center, or public secondary education center, that offers a special curriculum capable of attracting substantial numbers of students of different racial backgrounds.

"(41) MULTI-TIER SYSTEM OF SUPPORTS.—The term 'multi-tier system of supports' means a comprehensive system of differentiated supports that includes evidence-based instruction, universal screening, progress monitoring, formative assessments, research-based interventions matched to students' needs, and educational decision-making using student outcome data.

"(42) MUTUAL CONSENT.—The term 'mutual consent' means a process through which—

"(A) the principal or hiring team and the teacher agree to the placement at a school;

"(B) the principal or hiring team selects teachers for the school from an unrestricted pool of internal and external candidates based on an assessment of the qualifications of the individual candidates; and

"(C) the local educational agency ensures that other schools served by the local educational agency are not being forced to accept teachers displaced from persistently low-achieving schools.

"(43) NATIVE AMERICAN AND NATIVE AMERICAN LANGUAGE.—The terms 'Native American' and 'Native American language' have the same meaning given those terms in section 103 of the Native American Languages Act of 1990 (25 U.S.C. 2902).

"(44) OUTLYING AREA.—The term 'outlying area'—

"(A) means American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, and the United States Virgin Islands;

"(B) means the Republic of Palau, to the extent permitted under section 105(f)(1)(B)(ix) of the Compact of Free Association Amendments Act of 2003 (Public Law 108–188; 117 Stat. 2751) and until an agreement for the extension of United States education assistance under the Compact of Free Association becomes effective for the Republic of Palau; and

"(C) for the purpose of any discretionary grant program under this Act, includes the Republic of the Marshall Islands and the Federated States of Micronesia, to the extent permitted under section 105(f)(1)(B)(viii) of the Compact of Free Association Amendments Act of 2003 (Public Law 108–188; 117 Stat. 2751).

"(45) PARENT.—The term 'parent' includes a legal guardian or other person standing in loco parentis (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the child's welfare).

"(46) POSITIVE BEHAVIORAL INTERVENTIONS AND SUPPORTS.—The term 'positive behavioral interventions and supports' means a management system and set of activities establishing the social

culture of a school and the use of evidence-based behavioral practices needed for schools to prevent problem behaviors and provide effective learning environments for all students.

"(47) POVERTY LINE.—The term 'poverty line' means the poverty line (as defined by the Office of Management and Budget and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)) applicable to a family of the size involved.

"(48) PROFESSIONAL DEVELOPMENT.—The term 'professional development' means activities based on scientifically valid research that are coordinated and aligned to increase the effectiveness of educators (including teachers, principals, other school leaders, specialized instructional support personnel, paraprofessionals, and, as applicable, early childhood educators) and are regularly assessed to determine the activities' effectiveness, and that—

"(A) are designed and implemented to improve student achievement and classroom practice;

"(B) are aligned with—

"(i) State academic content standards and student academic achievement standards developed under section 1111(a)(1);

"(ii) related academic and school improvement goals of the school, local educational agency, and, as appropriate, statewide and local curricula; and

"(iii) rigorous teaching standards;

"(C) increase educators'—

"(i) knowledge and understanding about how students learn;

"(ii) academic content knowledge;

"(iii) ability to analyze student work and achievement data from multiple sources, including how to adjust instructional strategies, assessments, and materials based on such analysis; and

"(iv) ability to instruct students with disabilities and English learners so that they are able to meet the State academic content standards and student academic achievement standards;

"(D) are informed by, and aligned with, such educators' evaluations under the applicable professional growth and improvement system;

"(E) are job-embedded, ongoing, collaborative, data-driven, and classroom-focused; and

"(F) are, as appropriate—

"(i) designed to provide educators with the knowledge and skills to work more effectively with parents and families; and

"(ii) provided jointly for school staff and other early childhood education program providers, where applicable, to address the transition to elementary school, including issues related to school readiness across all major domains of early learning.

"(49) PROFESSIONAL GROWTH AND IMPROVEMENT SYSTEM.—

"(A) IN GENERAL.—The term 'professional growth and improvement system' means a rigorous, transparent, and fair system of evaluation and support based on research and best practices for teachers and principals that—

"(i) provides meaningful feedback to teachers and principals on the results of their evaluation;

"(ii) establishes multiple categories of teacher and principal performance to ensure that the evaluation provides meaning-

ful differentiation and is aligned with student academic achievement results;

"(iii) evaluates teachers and principals regularly consistent with research and best practices, including by using multiple measures;

"(iv) is directly aligned with professional development activities;

"(v) is developed and implemented with teacher and principal involvement;

"(vi) provides training for the evaluators who are responsible for conducting classroom and school level observations;

"(vii) for principals—

"(I) is based in significant part on evidence of improved student academic achievement and growth and student outcomes, including the English language proficiency of English learner students, and evidence of providing strong instructional leadership and support to teachers and other staff; and

"(II) may include other measures of principal performance such as parent and family engagement; and

"(viii) for teachers, is based in significant part on each of the following:

"(I) Evidence of improved student academic achievement and growth that is limited to evidence-based or externally validated measures.

"(II) Observations of classroom teaching.

"(III) Other measures that inform teacher performance, which may include student perception surveys.

"(B) RULES OF CONSTRUCTION.—Nothing in this paragraph shall be construed to—

"(i) require a State or local educational agency to change the components of a teacher and principal evaluation system that has been approved by the Secretary pursuant to the Secretary's waiver authority under section 9401 on the day before the date of enactment of the

Strengthening America's Schools Act of 2013; and

"(ii) alter or otherwise affect the rights, remedies, and procedures afforded school or school district employees under Federal, State, or local laws (including applicable regulations or court orders) or under the terms of collective bargaining agreements, memoranda of understanding, or other agreements between such employees and their employers.

"(50) REGULAR SECONDARY SCHOOL DIPLOMA.—

"(A) IN GENERAL.—The term 'regular secondary school diploma' means the standard secondary school diploma awarded to the preponderance of students in the State that is fully aligned with State standards, or a higher diploma. Such term shall not include a GED or other recognized equivalent of a diploma, a certificate of attendance, or any lesser diploma award.

"(B) EXCEPTION FOR STUDENTS WITH SIGNIFICANT COGNITIVE DISABILITIES.—For a student who has a significant cognitive dis-

ability and is assessed using an alternate assessment aligned to alternate academic achievement standards under section 1111(a)(1)(C), receipt of a regular secondary school diploma or a State-defined alternate diploma aligned with completion of the student's right to a free appropriate public education under the Individuals with Disabilities Education Act shall be counted as graduating with a regular secondary school diploma for the purposes of this Act, except that not more than 1 percent of students served by a State or a local educational agency, as appropriate, shall be counted as graduates with a regular secondary school diploma under this subparagraph.

''(51) SCIENTIFICALLY BASED RESEARCH.—The term 'scientifically based research'—

''(A) means research that involves the application of rigorous, systematic, and objective procedures to obtain reliable and valid knowledge relevant to education activities and programs; and

''(B) includes research that—

"(i) employs systematic, empirical methods that draw on observation or experiment;

"(ii) involves rigorous data analyses that are adequate to test the stated hypotheses and justify the general conclusions drawn;

"(iii) relies on measurements or observational methods that provide reliable and valid data across evaluators and observers, across multiple measurements and observations, and across studies by the same or different investigators;

"(iv) is evaluated using experimental or quasi-experimental designs in which individuals, entities, programs, or activities are assigned to different conditions and with appropriate controls to evaluate the effects of the condition of interest, with a preference for random-assignment experiments, or other designs to the extent that those designs contain within-condition or across-condition controls;

"(v) ensures that experimental studies are presented in sufficient detail and clar-

ity to allow for replication or, at a minimum, offer the opportunity to build systematically on their findings; and

"(vi) has been accepted by a peer-reviewed journal or approved by a panel of independent experts through a comparably rigorous, objective, and scientific review.

"(52) SCIENTIFICALLY VALID RESEARCH.—The term 'scientifically valid research' includes applied research, basic research, and field-initiated research in which the rationale, design, and interpretation are soundly developed in accordance with principles of scientific research.

"(53) SECONDARY SCHOOL.—The term 'secondary school' means a nonprofit institutional day or residential school, including a public secondary charter school, that provides secondary education, as determined under State law, except that the term does not include any education beyond grade 12.

"(54) SECRETARY.—The term 'Secretary' means the Secretary of Education.

"(55) SPECIALIZED INSTRUCTIONAL SUPPORT PERSONNEL; SPECIALIZED INSTRUCTIONAL SUPPORT SERVICES.—

"(A) SPECIALIZED INSTRUCTIONAL SUPPORT PERSONNEL.—The term 'specialized instructional support personnel' means school counselors, school social workers, school psychologists, school nurses, and other qualified professional personnel involved in providing assessment, diagnosis, counseling, educational, therapeutic, and other necessary services (including related services as that term is defined in section 602 of the Individuals with Disabilities Education Act) as part of a comprehensive program to meet student needs.

"(B) SPECIALIZED INSTRUCTIONAL SUPPORT SERVICES.—The term 'specialized instructional support services' means the services provided by specialized instructional support personnel.

"(56) STATE.—The term 'State' means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, and each of the outlying areas.

"(57) STATE ADVISORY COUNCIL ON EARLY CHILDHOOD EDUCATION AND CARE.—The term 'State Advisory Council on Early Childhood Education and Care' means the State Advisory Council

on Early Childhood Education and Care designated or established under section 642B(b)(1)(A) of the Head Start Act (42 U.S.C. 9837b(b)(1)(A)).

"(58) STATE EDUCATIONAL AGENCY.—The term 'State educational agency' means the agency primarily responsible for the State supervision of public elementary schools and secondary schools.

"(59) STUDENT WITH INTERRUPTED FORMAL EDUCATION.—The term 'student with interrupted formal education' means a student identified as an English learner who—

"(A) enrolled in a United States school after grade 2;

"(B) has completed successfully 2 or more years less of schooling than students of the same age;

"(C) performs 2 years or more below grade level, as measured by State college and career ready student academic achievement standards; and

"(D) is preliterate in such student's first language.

"(60) TEACHER MENTORING.—The term 'teacher mentoring' means supporting teachers or principals to increase the effectiveness and retention

of such teachers or principals through a program that—

"(A) includes clear criteria for the selection of mentors that takes into account the mentor's—

"(i) effectiveness; and

"(ii) ability to facilitate adult learning;

"(B) provides high-quality training for mentors in how to support teachers or principals effectively;

"(C) provides regularly scheduled time for collaboration, examination of student work and achievement data, and ongoing opportunities for mentors and mentees to observe each other's teaching or leading, and identify and address areas for improvement; and

"(D) matches mentees with mentors in the same field, grade, grade span, or subject area.

"(61) TEACHER OF ENGLISH LEARNERS.—The term 'teacher of English learners' means a teacher who—

"(A) teaches students who are identified as English learners;

"(B) has as a primary role to support English learners with English language acquisition; and

"(C) is responsible for tracking the progress toward English proficiency of English learners.

"(62) TURNAROUND PARTNER.—The term 'turnaround partner' means a public or private nonprofit organization, institution of higher education, or charter management organization, with a demonstrated record of successful school improvement.

"(63) UNIVERSAL DESIGN FOR LEARNING.—The term 'universal design for learning' has the meaning given the term in section 103 of the Higher Education Act of 1965.

"(64) YOUNG CHILD.—The term 'young child' means an individual who has not reached the age at which the State in which the child resides requires mandatory school attendance.".

(b) CONFORMING AMENDMENTS.—The Act (20 U.S.C. 6301 et seq.) is amended—

(1) in section 1604(b) (20 U.S.C. 6574(b)), as redesignated by section 1601(a)(3) of this Act, by striking "the Committee on Education and the Workforce of the House of Representatives and the

Committee on Health, Education, Labor and Pensions of the Senate'' and inserting ''the authorizing committees'';

(2) in section 3122(b) (20 U.S.C. 6843(b)), as redesignated by section 3001(3) of this Act, by striking ''the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate'' and inserting ''the authorizing committees''; and

(3) in section 9401(e)(4) (20 U.S.C. 7861(e)(4)), by striking ''the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate'' and inserting ''the authorizing committees''.

SEC. 9102. UNSAFE SCHOOL CHOICE OPTION.

Section 9532(a) (20 U.S.C. 7912(a)) is amended by striking ''attending'' and all that follows through ''victim of'' and inserting ''who is threatened with, or becomes a victim of,''.

SEC. 9103. GEOGRAPHIC DIVERSITY.

Subpart 2 of part E of title IX (20 U.S.C.) is amended by adding at the end the following:

"SEC. 9537. GEOGRAPHIC DIVERSITY.

"When awarding grants on a competitive basis under this Act, the Secretary shall ensure geographic diversity.".

SEC. 9104. EVALUATION AUTHORITY.

Section 9601 (20 U.S.C. 7941) is amended to read as follows:

"SEC. 9601. EVALUATION AUTHORITY.

"(a) RESERVATION OF FUNDS.—Except as provided in subsection (b), the Secretary may reserve not less than 1 percent and not more than 3 percent of the amount appropriated to carry out each categorical program and demonstration project authorized under this Act. The reserved amounts shall be used by the Secretary, acting through the Director of the Institute of Education Sciences, to—

"(1) conduct—

"(A) comprehensive, high-quality evaluations of the program or project that—

"(i) provide information to inform policy-making and to support continuous program improvement; and

"(ii) use methods appropriate for the questions being asked; and

"(B) impact evaluations that employ experimental or quasi-experimental designs, where practicable and appropriate, and other rigorous

methodologies that permit the strongest possible causal inferences;

''(2) provide technical assistance to grant recipients on—

''(A) the conduct of the evaluation activities that the grantees carry out under this Act; and

''(B) the collection and reporting of performance data relating to the program or project;

''(3) evaluate the aggregate short- and long-term effects and cost efficiencies across Federal programs assisted or authorized under this Act and related Federal preschool, elementary, and secondary programs under any other Federal law;

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

''(5) identify and disseminate research and best practices related to the programs and projects authorized under this Act to build the evidence base

for the programs and projects that effectively meet the goals of this Act.

"(b) TITLE I.—The Secretary shall reserve under subsection (a) 1 percent of the funds appropriated to carry out title I.

"(c) EVALUATION PLAN.—Beginning not later than 1 year after the date of enactment of the Strengthening America's Schools Act of 2013, the Secretary shall annually develop and submit to Congress a plan that—

"(1) describes the timeline for evaluation of the programs and projects authorized under this Act; and

"(2) describes the specific evaluation activities that the Secretary intends to carry out for such programs and projects during the next year.

"(d) EVALUATION ACTIVITIES AUTHORIZED ELSEWHERE.—If, under any other provision of this Act (other than title I), funds are authorized to be reserved or used for evaluation activities with respect to a program or project, the Secretary may not reserve additional funds under this section for the evaluation of that program or project.

"(e) SPECIAL RULE REGARDING ALLOCATION FOR IMPACT EVALUATIONS.—The Secretary shall use not less than 30 percent of the funds reserved under this section

for each of the fiscal years 2014 through 2019, in the aggregate for each year, for impact evaluations that meet the requirements of subsection (a)(1).''.

SEC. 9105. CONFORMING AMENDMENTS.

(a) REORGANIZATION.—Title IX (20 U.S.C. 7801 et seq.) is amended by adding at the end the following:

"PART G—MISCELLANEOUS PROVISIONS".

(b) CONFORMING AMENDMENTS.—Title IX (20 U.S.C. 7801 et seq.) is amended—

(1) in section 9401 (20 U.S.C. 7861)—

(A) in subsection (b)(1)(C), by striking '', in accordance with section 1111(b),''; and

(B) in subsection (c), by striking ''subpart 1 of part B of title V'' and inserting ''subpart 1 of part D of title V'';

(2) by striking paragraph (1) of section 9501(b) (20 U.S.C. 7881(b)) and inserting the following:

''(1) IN GENERAL.—This section applies to programs under—

''(A) part C of title I;

''(B) part A of title II, to the extent provided in paragraph (3);

''(C) part A of title III;

''(D) part A of title IV;

"(E) part B of title IV;

"(F) part D of title IV; and

"(G) part E of title IV."; and

(3) in section 9534(b) (20 U.S.C. 7914(b)), by striking "part B of title V" each place the term appears and inserting "part D of title V".

TITLE X—COMMISSION ON EFFECTIVE REGULATION AND ASSESSMENT SYSTEMS FOR PUBLIC SCHOOLS

SEC. 10011. SHORT TITLE.

This title may be cited as the "Commission on Effective Regulation and Assessment Systems for Public Schools Act".

SEC. 10012. DEFINITIONS.

In this title:

(1) CHAIRPERSON.—The term "Chairperson" means the Chairperson of the Commission.

(2) COMMISSION.—The term "Commission" means the Commission on Effective Regulation and Assessment Systems for Public Schools.

SEC. 10013. ESTABLISHMENT OF COMMISSION ON EFFECTIVE REGULATION AND ASSESSMENT SYSTEMS FOR PUBLIC SCHOOLS.

(a) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Secretary shall establish a commission to be known as the ''Commission on Effective Regulation and Assessment Systems for Public Schools''.

(b) PURPOSE.—The Commission shall—

(1) examine Federal, State, and local regulatory requirements on elementary and secondary education;

(2) make recommendations on how to align and improve such Federal, State, and local requirements to improve performance and innovation;

(3) examine the quality and purpose of current Federal, State, and local assessment requirements; and

(4) make recommendations to improve and align assessment systems to provide quality and meaningful information for parents, teachers, and students to improve student achievement, teacher performance, and innovation.

(c) MEMBERSHIP.—

(1) COMPOSITION.—The Commission shall be composed of—

(A) 4 Governors;

(B) 6 State legislators;

(C) 2 Chief State school officers;

(D) 2 State officials responsible for administering Federal education programs;

(E) 4 superintendents;

(F) 2 principals;

(G) 2 teachers;

(H) 2 assessment experts; and

(I) 2 teacher and principal effectiveness experts.

(2) RECOMMENDATIONS.—The Secretary shall solicit input and nominations for appointing members of the Commission from—

(A) Governors;

(B) members of Congress;

(C) State legislators;

(D) superintendents, principals, teachers, and other members of the education community; and

(E) parents, students, and other members of the general public.

(3) DETERMINATION.—The Secretary shall determine the membership of the Commission after

considering recommendations submitted under paragraph (2).

(d) CHAIRPERSON.—The Secretary shall designate a Governor as the Chairperson of the Commission.

(e) MEETINGS.—The Commission shall hold, at the call of the Chairperson, not less than 1 meeting every 6 months. All such meetings shall be open to the public. The Commission may hold, at the call of the Chairperson, such other meetings as the Chairperson sees fit to carry out this title.

(f) QUORUM.—A majority of the members of the Commission shall constitute a quorum, but a lesser number of members may hold hearings.

(g) INITIAL MEETING.—The Commission shall hold its first meeting not later than 60 days after the date of enactment of this Act.

SEC. 10014. POWERS OF THE COMMISSION.

(a) HEARINGS.—

(1) IN GENERAL.—The Commission shall hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission determines appropriate to carry out this title.

(2) PARTICIPATION.—In hearings held under this subsection, the Commission shall consider inviting witnesses from, among other groups—

(A) teachers;

(B) parents;

(C) principals;

(D) superintendents;

(E) Federal, State, and local educational agency personnel;

(F) researchers and other experts; and

(G) any other individuals determined appropriate by the Commission.

(b) INFORMATION FROM FEDERAL AGENCIES.—The Commission may secure directly from any Federal department or agency such information as the Commission considers necessary to carry out this title. Upon request of the Chairperson, the head of such department or agency shall furnish such information to the Commission.

SEC. 10015. DUTIES OF THE COMMISSION.

(a) DUTIES.—

(1) IN GENERAL.—The Commission shall take such actions as it determines necessary to gain a full understanding of the issues of effective regulation and assessment systems for public schools.

(2) AREAS OF EMPHASIS.—The Commission shall focus—

(A) in examining the over-regulation of public schools, on—

(i) examining Federal, State, and local regulations governing public schools;

(ii) differentiating between financial, programmatic, general education, special education, and civil rights requirements;

(iii) identifying which government entity requires each regulation;

(iv) measuring the cost of compliance in terms of funds spent on compliance and time in hours and personnel;

(v) identifying duplicative, redundant, or unnecessary regulations at each governmental level; and

(vi) investigating how Federal, State, and local interpretations of laws and regulations create an additional or unnecessary burden and are used as a rationale for imposing requirements that are not actually mandated by law; and

(B) in examining the effective testing of public schools, on—

(i) examining Federal, State, and local testing and standardized assessment requirements for public elementary schools, middle schools, and high schools;

(ii) determining the purpose and intent of each such test or assessment, including whether it is intended to measure student achievement and growth, teacher and principal effectiveness, or system accountability;

(iii) determining the frequency, length, and scheduling of such tests and assessments, and measuring, in hours and days, the student and teacher time spent on testing;

(iv) examining standardized assessments required by Federal, State, or local requirements, excluding teacher-created tests and quizzes and formative assessments;

(v) reporting on the quality of standardized assessments;

(vi) examining reporting practices of test results and the degree to which such results are returned in a timely manner

with sufficient quality to be useful to parents, teachers and principals, and students to inform and improve their work, including targeting instruction to student needs, grading student work, and evaluating teacher and principal effectiveness;

(vii) analyzing the ability of quality assessments to measure whether a student is prepared to graduate from high school and pursue college or a career without the need for academic remediation;

(viii) examining what factors most contribute to quality assessments and the extent to which high-quality assessments can advance student learning;

(ix) determining the technology infrastructure required for next generation assessments; and

(x) identifying opportunities to improve assessment practices to better promote parent, teacher and principal, and student understanding of progress toward college and career readiness and public understanding of school performance and educational productivity.

(3) SAMPLES.—In conducting its work under this title, the Commission may rely on samples of States and local educational agencies for examples of regulations and testing requirements.

(b) REPORTS.—

(1) IN GENERAL.—Subject to paragraph (2), the Commission shall provide regular reports in a manner and form of the Commission's choosing to—

(A) the Secretary; and

(B) the members of the authorizing committees.

(2) ANNUAL REPORT.—Not later than 1 year after the date of the first meeting of the Commission, and annually thereafter, the Commission shall issue a report to—

(A) the Secretary; and

(B) the members of the authorizing committees.

(3) PUBLIC REPORT.—The Commission shall—

(A) prepare a report—

(i) analyzing findings of the Commission; and

(ii) making recommendations for Federal, State, and local policy makers; and

(B) broadly disseminate such report to the general public.

(c) TESTIMONY.—The Chairperson shall annually provide testimony to the authorizing committees.

SEC. 10016. COMMISSION PERSONNEL MATTERS.

(a) COMPENSATION OF MEMBERS.—Each member of the Commission shall serve without compensation in addition to any such compensation received for the member's service as an officer or employee of the United States, if applicable.

(b) TRAVEL EXPENSES.—The members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter 1 of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(c) ASSISTANCE.—

(1) IN GENERAL.—The Assistant Secretary of Elementary and Secondary Education shall provide assistance to the Commission, upon request of the Commission, without reimbursement.

(2) DETAIL OF GOVERNMENT EMPLOYEES.—Any Federal Government employee may be detailed to the Commission without reimbursement, and such

detail shall be without interruption or loss of civil service status or privilege.

TITLE XI—AMENDMENTS TO OTHER LAWS; MISCELLANEOUS PROVISIONS

PART A—AMENDMENTS TO OTHER LAWS

Subpart 1—McKinney-Vento Homeless Assistance Act

SEC. 11011. SHORT TITLE.

This subpart may be cited as the ''McKinney-Vento Homeless Education Reauthorization Act of 2013''.

SEC. 11012. EDUCATION FOR HOMELESS CHILDREN AND YOUTH.

Subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.) is amended to read as follows:

"Subtitle B—Education for Homeless Children and Youth

"SEC. 721. STATEMENT OF POLICY.

''The following is the policy of Congress:

''(1) Each State shall ensure that each homeless child and youth has access to the same free appropriate public education, including a public preschool education, as is provided to other children and youth.

"(2) In any State where compulsory residency requirements or other requirements of laws, regulations, practices, or policies may act as a barrier to the identification, enrollment, attendance, or success in school of homeless children and youth, the State shall review and revise such laws, regulations, practices, or policies to ensure that homeless children and youth are afforded the same free appropriate public education as is provided to other children and youth.

"(3) Homelessness is not a sufficient reason to separate students from the mainstream school environment.

"(4) Homeless children and youth shall have access to the education and other services that such children and youth need to ensure that such children and youth have an opportunity to meet the same college and career ready State student academic achievement standards to which all students are held.

"SEC. 722. GRANTS FOR STATE AND LOCAL ACTIVITIES FOR THE EDUCATION OF HOMELESS CHILDREN AND YOUTH.

"(a) GENERAL AUTHORITY.—The Secretary is authorized to make grants to States from allotments made

under subsection (c) and in accordance with this section to enable such States to carry out the activities described in subsections (d) through (g).

"(b) APPLICATION.—In order for a State to be eligible to receive a grant under this section, the State educational agency, in consultation with other relevant State agencies, shall submit an application to the Secretary at such time, in such manner, and containing or accompanied by such information as the Secretary may reasonably require.

"(c) ALLOCATION AND RESERVATIONS.—

"(1) ALLOCATION.—

"(A) IN GENERAL.—Subject to subparagraph (C), the Secretary is authorized to allot to each State an amount that bears the same ratio to the amount appropriated for such year under section 727 that remains after the Secretary reserves funds under paragraph (2) and uses funds to carry out section 724 (d) and (h), as the amount allocated under section 1122 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6332) to the State for that year bears to the total amount allocated under section 1122 of such Act to all States for that year, except as provided in subparagraph (B).

"(B) MINIMUM ALLOTMENTS.—No State shall receive for a fiscal year less under this paragraph than the greater of—

"(i) $300,000; or

"(ii) an amount that bears the same ratio to the amount appropriated for such year under section 727 that remains after the Secretary reserves funds under paragraph (2) and uses funds to carry out section 724 (d) and (h), as the amount the State received under this paragraph for the preceding fiscal year bears to the total amount received by all States under this paragraph for the preceding fiscal year.

"(C) REDUCTION FOR INSUFFICIENT FUNDS.—If there are insufficient funds in a fiscal year to allot to each State the minimum amount under subparagraph (B), the Secretary shall ratably reduce the allotments to all States based on the proportionate share that each State received under this subsection for the preceding fiscal year.

"(2) RESERVATIONS.—

"(A) STUDENTS IN TERRITORIES.—The Secretary is authorized to reserve 0.1 percent of

the amount appropriated for each fiscal year under section 727 to be allocated by the Secretary among the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, according to their respective need for assistance under this subtitle, as determined by the Secretary. Funds allocated under this subparagraph shall be used for programs that are consistent with the purposes of the programs described in this subtitle.

"(B) INDIAN STUDENTS.—

"(i) TRANSFER.—The Secretary shall transfer 1 percent of the amount appropriated for each fiscal year under section 727 to the Department of the Interior for programs that are for Indian students served by schools funded by the Secretary of the Interior, as determined under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.), and that are consistent with the purposes of the programs described in this subtitle.

"(ii) AGREEMENT.—The Secretary of Education and the Secretary of the Inte-

rior shall enter into an agreement, consistent with the requirements of this subtitle, for the distribution and use of the funds described in clause (i) under terms that the Secretary of Education determines best meet the purposes of the programs described in this subtitle. Such agreement shall set forth the plans of the Secretary of the Interior for the use of the funds transferred, including appropriate goals, objectives, and milestones for that use.

''(d) STATE ACTIVITIES.—Grant funds from a grant made to a State under this section shall be used for the following:

''(1) To provide activities for and services to improve the identification of homeless children and youth and enable such children and youth to enroll in, attend, and succeed in school, including in early childhood education programs.

''(2) To establish or designate an Office of the Coordinator for Education of Homeless Children and Youth in the State educational agency in accordance with subsection (f) that has sufficient knowledge, authority, and time to carry out the duties described in this subtitle.

"(3) To prepare and carry out the State plan described in subsection (g).

"(4) To develop and implement professional development activities for liaisons designated under subsection (g)(1)(J)(ii), other local educational agency and school personnel, and community agencies—

"(A) to improve their identification of homeless children and youth; and

"(B) to improve their awareness of, and capacity to respond to, specific needs in the education of homeless children and youth.

"(e) STATE AND LOCAL SUBGRANTS.—

"(1) MINIMUM DISBURSEMENTS BY STATES.—From the grant funds made available each year to a State under subsection (a) to carry out this subtitle, the State educational agency shall distribute not less than 75 percent by making subgrants under section 723 to local educational agencies for the purposes of carrying out section 723.

"(2) USE BY STATE EDUCATIONAL AGENCY.—A State educational agency may use any grant funds remaining after making subgrants under section 723 to conduct activities under subsection (f) directly or through making grants or entering into contracts.

"(3) PROHIBITION ON SEGREGATING HOMELESS STUDENTS.—In providing a free public education to a homeless child or youth, no State receiving funds under this subtitle shall segregate such child or youth in a separate school, or in a separate program within a school, based on such child's or youth's status as homeless.

"(f) FUNCTIONS OF THE OFFICE OF THE COORDINATOR.—The Coordinator for Education of Homeless Children and Youth established in each State shall—

"(1) gather and make publicly available reliable, valid, and comprehensive information on—

"(A) the nature and extent of the problems homeless children and youth have in gaining access to public preschool programs, and to public elementary schools and secondary schools;

"(B) the difficulties in identifying the special needs and barriers to participation and achievement of such children and youth;

"(C) any progress made by the State educational agency and local educational agencies in the State in addressing such problems and difficulties; and

"(D) the success of the programs under this subtitle in identifying homeless children

and youth and allowing homeless children and youth to enroll in, attend, and succeed in, school; and

''(2) develop and carry out the State plan described in subsection (g);

''(3) collect data for and transmit to the Secretary, at such time and in such manner as the Secretary may require, reports containing such information as the Secretary determines is necessary to assess the educational needs of homeless children and youth within the State, including data requested pursuant to section 724(h);

''(4) improve the provision of comprehensive education and related support services to homeless children and youth and their families, and to minimize educational disruption, through coordination of activities, and collaboration with—

''(A) educators, including teachers, administrators, special education personnel, and child development and preschool program personnel;

''(B) providers of services to homeless children and youth and homeless families, public and private child welfare and social services agencies, law enforcement agencies, juvenile and family courts, agencies providing mental health

services, domestic violence agencies, child care providers, runaway and homeless youth centers, and providers of services and programs funded under the Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.);

"(C) providers of emergency, transitional, and permanent housing to homeless children and youth, and their families, including public housing agencies, shelter operators, operators of transitional housing facilities, and providers of transitional living programs for homeless youth;

"(D) local educational agency liaisons designated under subsection (g)(1)(J)(ii) for homeless children and youth; and

"(E) community organizations and groups representing homeless children and youth and their families;

"(5) provide professional development and technical assistance to and conduct monitoring of local educational agencies, in coordination with local educational agency liaisons designated under subsection (g)(1)(J)(ii), to ensure that local educational agencies comply with the requirements of paragraphs (3) through (8) of subsection (g), and subsection (e)(3); and

"(6) make opportunities available for teachers and local educational agency liaisons designated under subsection (g)(1)(J)(ii) to participate in ongoing and relevant professional development programs and activities.

"(g) STATE PLAN.—

"(1) IN GENERAL.—Each State shall submit to the Secretary and implement a plan to provide for the education of all homeless children and youth within the State. Such plan shall include the following:

"(A) A description of how such children and youth are (or will be) given the opportunity—

"(i) to meet the same college and career ready State student academic achievement standards as all students are expected to meet; and

"(ii) to become college and career ready.

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

"(C) A description of procedures for the prompt resolution of disputes arising under this subtitle, which shall—

"(i) be developed in coordination and collaboration with the liaisons designated under subparagraph (J)(ii);

"(ii) be readily available and provided in a written format and, to the extent practicable, in a manner and form understandable to the parents and guardians of homeless children and youth;

"(iii) take into account the educational best interest of the homeless child or youth, or unaccompanied youth, involved; and

"(iv) ensure that parents and guardians of homeless children and youth, and unaccompanied youth, who have exhausted the procedures available under this paragraph are able to appeal to the State educational agency, and are enrolled in school pursuant to paragraph (4)(C) and receive transportation pursuant to subparagraph (J)(iii) pending final resolution of the dispute.

"(D) A description of programs for school personnel (including the liaisons, principals, attendance officers, teachers, enrollment personnel, and specialized instructional support personnel) to increase the awareness of such personnel of the specific needs of homeless adolescents, including runaway and homeless youth.

"(E) A description of procedures that ensure that homeless children and youth are able to participate in Federal, State, or local nutrition programs.

"(F) A description of procedures that ensure that—

"(i) homeless children have access to public preschool programs, administered by the State educational agency or local educational agency, including through the policies and practices required under paragraph (3);

"(ii) homeless youth, including youth separated from public schools, are identified and accorded equal access to appropriate and available secondary education and support services, including receiving

appropriate credit for full or partial coursework satisfactorily completed while attending a prior school, and for work completed after their enrollment in a new school, consistent with State graduation requirements and accreditation standards; and

"(iii) homeless children and youth who meet the relevant eligibility criteria are able to participate in Federal, State, or local before- and after-school care, magnet schools, summer schools, career and technical education, advanced placement, online learning opportunities, charter school programs, and relevant workforce investment programs.

"(G) Strategies to address problems identified in the reports provided to the Secretary under subsection (f)(3).

"(H) Strategies to address other problems with respect to the education of homeless children and youth, including enrollment problems related to—

"(i) immunization and other required health records and screenings;

"(ii) residency requirements;

"(iii) lack of birth certificates, school records, or other documentation;

"(iv) guardianship issues; or

"(v) uniform or dress code requirements.

"(I) A demonstration that the State educational agency, and local educational agencies and schools in the State, have developed and shall regularly review and revise their policies and practices to remove barriers to the identification, enrollment, attendance, retention, and success of homeless children and youth in schools, including early childhood education programs, in the State.

"(J) Assurances that the following will be carried out:

"(i) The State educational agency and local educational agencies in the State will adopt policies and practices to ensure that homeless children and youth are not stigmatized or segregated on the basis of their status as homeless.

"(ii) Local educational agencies will designate an appropriate staff person as

the local educational agency liaison for homeless children and youth, who shall have sufficient training and time to carry out the duties described in paragraph (7)(A), and who may also be a coordinator for other Federal programs.

"(iii) The State and local educational agencies in the State will adopt policies and practices to ensure that transportation is provided at the request of the parent or guardian involved (or in the case of an unaccompanied youth, the liaison), to and from the school of origin, for as long as the student has the right to attend the school of origin as determined in paragraph (4)(A), in accordance with the following, as applicable:

"(I) If the child or youth continues to live in the area served by the local educational agency for the school of origin, the child's or youth's transportation to and from the school of origin shall be provided or arranged by the local educational agency for the school of origin.

"(II) If the child's or youth's living arrangements in the area served by the local educational agency of origin terminate and the child or youth, though continuing the child's or youth's education in the school of origin, begins living in an area served by another local educational agency, the local educational agency of origin and the local educational agency for the area in which the child or youth is living shall agree upon a method to apportion the responsibility and cost for providing transportation to and from the school of origin. If the local educational agencies are unable to agree upon such method, the responsibility and costs for transportation shall be shared equally between the agencies.

"(iv) The State educational agency and local educational agencies will adopt policies and practices to promote school success for homeless children and youth, including access to full participation in academic and extracurricular activities that

are made available to non-homeless students.

"(2) COMPLIANCE.—

"(A) IN GENERAL.—Each plan adopted under this subsection shall also describe how the State will ensure that local educational agencies in the State will comply with the requirements of paragraphs (3) through (8).

"(B) COORDINATION.—Such plan shall indicate what technical assistance the State will furnish to local educational agencies and how compliance efforts will be coordinated with the local educational agency liaisons designated under paragraph (1)(J)(ii).

"(3) SCHOOL READINESS FOR HOMELESS CHILDREN.—Each State plan adopted under this subsection shall ensure that entities carrying out preschool programs funded, administered, or overseen by the agency involved—

"(A) identify and prioritize homeless children for enrollment and increase their enrollment and attendance in early childhood education programs, including through policies such as—

"(i) reserving spaces in preschool programs for homeless children;

"(ii) conducting targeted outreach to homeless children and their families;

"(iii) waiving application deadlines;

"(iv) providing ongoing professional development for staff regarding the needs of homeless children and their families and strategies to serve the children and families; and

"(v) developing the capacity to serve all identified homeless children; and

"(B) review the educational and related needs of homeless children and their families in such agency's service area, in coordination with the liaison designated under paragraph (1)(J)(ii).

"(4) LOCAL EDUCATIONAL AGENCY REQUIREMENTS.—

"(A) IN GENERAL.—The local educational agency serving each child or youth to be assisted under this subtitle shall, according to the child's or youth's best interest—

"(i) continue the child's or youth's education in the school of origin for the duration of homelessness—

"(I) in any case in which the child or youth becomes a homeless child or youth between academic years or during an academic year; and

"(II) for the remainder of the academic year, if the child or youth becomes permanently housed during an academic year; or

"(ii) enroll the child or youth in any public school that nonhomeless students who live in the attendance area in which the child or youth is actually living are eligible to attend.

"(B) BEST INTEREST IN SCHOOL STABILITY.—In determining the best interest of the child or youth under subparagraph (A), the local educational agency shall—

"(i) presume that keeping a homeless child or youth in the school of origin is in the child's or youth's best interest, except when doing so is contrary to the wishes of the child's or youth's parent or guardian;

"(ii) consider student-centered factors related to the child's or youth's best interest, including factors related to the impact of mobility on achievement, education, health, and safety of homeless children and youth, giving priority to the wishes of the homeless child's or youth's parent or guardian or the unaccompanied youth involved;

"(iii) if, after conducting the best interest determination described in clause (ii), the local educational agency determines that it is not in the child's or youth's best interest to attend the school of origin or the school requested by the parent, guardian, or unaccompanied youth, provide, in coordination with the local education agency liaison, the homeless child's or youth's parent or guardian or the unaccompanied youth, with a written explanation in a manner or form understandable to such parent, guardian, or youth, to the extent practicable, including a statement regarding the right to appeal under subparagraph (E);

"(iv) in the case of an unaccompanied youth, ensure that the local educational agency liaison assists in placement or enrollment decisions under this subparagraph, gives priority to the views of such unaccompanied youth, and provides notice to such youth of the right to appeal under subparagraph (E); and

"(v) provide transportation pursuant to paragraphs (1)(J)(iii) and (5).

"(C) ENROLLMENT.—

"(i) ENROLLMENT.—The school selected in accordance with this paragraph shall immediately enroll the homeless child or youth, even if the child or youth—

"(I) is unable to produce records traditionally required for enrollment, including previous academic records, health records, proof of residency or guardianship, or other documentation;

"(II) has unpaid fines or fees from prior schools or is unable to pay fees in the school selected; or

"(III) has missed application or enrollment deadlines during any period of homelessness.

"(ii) CONTACTING SCHOOL LAST ATTENDED.—The enrolling school shall immediately contact the school last attended by the child or youth to obtain relevant academic and other records.

"(iii) RELEVANT HEALTH RECORDS.—If the child or youth needs to obtain immunizations or other required health records, the enrolling school shall immediately enroll the child or youth and immediately refer the parent or guardian of the child or youth, or the unaccompanied youth, to the local educational agency liaison designated under paragraph (1)(J)(ii), who shall assist in obtaining necessary immunizations or screenings, or immunization or other required health records in accordance with subparagraph (D).

"(iv) NO LIABILITY.—Whenever the school selected enrolls an unaccompanied youth in accordance with this paragraph, no liability shall be imposed upon the

school by reason of enrolling the youth without parent or guardian consent.

"(D) RECORDS.—Any record ordinarily kept by the school, including immunizations or medical records, academic records, birth certificates, guardianship records, and evaluations for special services or programs, regarding each homeless child or youth shall be maintained—

"(i) so that the records involved are available when a homeless child or youth enters a new school or school district, even if the child or youth owes fees or fines or did not withdraw from the previous school in conformance with local withdrawal procedures; and

"(ii) in a manner consistent with section 444 of the General Education Provisions Act (20 U.S.C. 1232g).

"(E) DISPUTES.—If a dispute arises over eligibility, enrollment, school selection, or service in a public school or public preschool, or any other issue relating to services under this subtitle—

"(i) in the case of a dispute relating to eligibility for enrollment or school selec-

tion, the child or youth shall be immediately enrolled in the school in which enrollment is sought, pending final resolution of the dispute including all available appeals;

''(ii) the parent or guardian of the child or youth shall be provided with a written explanation of the school's decision regarding eligibility for enrollment, school selection, or services, made by the school or the local educational agency, which shall include information about the right to appeal the decision;

''(iii) the child, youth, parent, or guardian shall be referred to the local educational agency liaison designated under paragraph (1)(J)(ii), who shall carry out the dispute resolution process as described in paragraph (1)(C) as expeditiously as possible after receiving notice of such dispute; and

''(iv) in the case of an unaccompanied youth, the liaison shall ensure that the youth is immediately enrolled in the school

in which the youth seeks enrollment, pending resolution of such dispute.

"(F) PLACEMENT CHOICE.—The choice regarding placement shall be made regardless of whether the child or youth involved lives with the homeless parents or has been temporarily placed elsewhere.

"(G) SCHOOL OF ORIGIN DEFINED.—

"(i) IN GENERAL.—In this paragraph, the term 'school of origin' means the school that a child or youth attended when permanently housed or the school in which the child or youth was last enrolled.

"(ii) RECEIVING SCHOOL.—When a child or youth completes the final grade level served by the school of origin, as described in clause (i), the term 'school of origin' shall include the designated receiving school at the next grade level for the feeder school that the child or youth attended.

"(H) CONTACT INFORMATION.—Nothing in this subtitle shall prohibit a local educational agency from requiring a parent or guardian of a homeless child to submit contact information.

"(I) PRIVACY.—Information about a homeless child's or youth's living situation shall be treated as a student education record under section 444 of the General Education Provisions Act (20 U.S.C. 1232g) and shall not be released to housing providers, employers, law enforcement personnel, or other persons or agencies not authorized to have such information under section 99.31 of title 34, Code of Federal Regulations, paying particular attention to preventing disruption of the living situation of the child or youth and to supporting the safety of such children and youth who are survivors of domestic violence and unaccompanied youth.

"(J) ACADEMIC ACHIEVEMENT.—The school selected in accordance with this paragraph shall ensure that homeless children and youth have opportunities to meet the same college and career ready State student academic achievement standards to which other students are held, including implementing the policies and practices required by paragraph (1)(J)(iv).

"(K) SCHOOL READINESS FOR HOMELESS CHILDREN.—Each local educational agency

shall ensure school readiness for homeless children as described in paragraph (3).

"(5) COMPARABLE SERVICES.—In addition to receiving services provided for homeless children and youth under this subtitle or other Federal, State, or local laws, regulations, policies, or practices, each homeless child or youth to be assisted under this subtitle also shall be provided services comparable to services offered to other students in the school selected under paragraph (4), including the following:

"(A) Transportation services.

"(B) Educational services for which the child or youth meets the eligibility criteria, including services provided under title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), similar State or local programs, charter schools, magnet schools, educational programs for children with disabilities, and educational programs for students with limited English proficiency.

"(C) Programs in career and technical education.

"(D) Programs for gifted and talented students.

"(E) School nutrition programs.

"(F) Health and counseling services, as appropriate.

"(6) COORDINATION.—

"(A) IN GENERAL.—Each local educational agency shall coordinate—

"(i) the provision of services under this subtitle with the services of local social services agencies and other agencies or entities providing services to homeless children and youth and their families, including services and programs funded under the Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.); and

"(ii) transportation, transfer of school records, and other interdistrict activities, with other local educational agencies.

"(B) HOUSING ASSISTANCE.—Each State educational agency and local educational agency that receives assistance under this subtitle shall coordinate, if applicable, with State and local housing agencies responsible for developing a comprehensive housing affordability strategy described in section 105 of the Cranston-Gonzalez National Affordable Housing Act (42

U.S.C. 12705) to minimize education disruption for children and youth who become homeless.

"(C) COORDINATION PURPOSE.—The coordination required under subparagraphs (A) and (B) shall be designed to—

"(i) ensure that all homeless children and youth are identified within a reasonable time frame;

"(ii) ensure that homeless children and youth have access to and are in reasonable proximity to available education and related support services; and

"(iii) raise the awareness of school personnel and service providers of the effects of short-term stays in a shelter and other challenges associated with homelessness.

"(D) HOMELESS CHILDREN AND YOUTHS WITH DISABILITIES.—For children and youth who are to be assisted both under this subtitle, and under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) or section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), each local educational agency shall coordinate the provision of services under this

subtitle with the provision of programs for children with disabilities served by such local educational agency and other involved local educational agencies.

"(7) LOCAL EDUCATIONAL AGENCY LIAISON.—

"(A) DUTIES.—Each local educational agency liaison for homeless children and youth, designated under paragraph (1)(J)(ii), shall ensure that—

"(i) all homeless children and youth are identified by school personnel and through outreach and coordination activities with other entities and agencies;

"(ii) homeless children and youth are enrolled in, and have a full and equal opportunity to succeed in, schools of that local educational agency;

"(iii) homeless families, and homeless children and youth, have access to educational services for which such families, children, and youth are eligible, including services through Head Start, Early Head Start, early intervention, and Even Start programs, and preschool programs described in paragraph (3);

"(iv) homeless families, and homeless children and youth, receive referrals to health care services, dental services, mental health and substance abuse services, housing services, and other appropriate services;

"(v) homeless children and youth are certified as eligible for free meals offered under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), without further application;

"(vi) the parents or guardians of homeless children and youth are informed of the educational and related opportunities available to their children, including early learning opportunities, and are provided with meaningful opportunities to participate in the education of their children;

"(vii) public notice of the educational rights of homeless children and youth is incorporated into documents related to residency requirements or enrollment, provided upon school enrollment and withdrawal,

posted on the local educational agency's website, and disseminated in locations frequented by parents or guardians of such children and youth, and unaccompanied youth, including schools, shelters, public libraries, and soup kitchens, in a manner and form understandable to parents and guardians of homeless children and youth and unaccompanied youth;

''(viii) disputes are resolved in accordance with paragraph (4)(E);

''(ix) the parent or guardian of a homeless child or youth, and any unaccompanied youth, is fully informed of all transportation services, including transportation to the school of origin, as described in paragraph (1)(J)(iii), and is assisted in accessing transportation to the school that is selected under paragraph (4)(A);

''(x) school personnel are adequately prepared to implement this subtitle and receive professional development, resource materials, technical assistance, and other support; and

''(xi) unaccompanied youth—

"(I) are enrolled in school;

"(II) have opportunities to meet the same college and career ready State student academic achievement standards to which other students are held, including through implementation of the policies and practices required by subparagraphs (F)(ii) and (J)(iv) of paragraph (1); and

"(III) are informed of their status as independent students under section 480 of the Higher Education Act of 1965 (20 U.S.C. 1087vv), including through school counselors that have received professional development about unaccompanied youth, and receive verification of such status for purposes of the Free Application for Federal Student Aid described in section 483 of such Act (20 U.S.C. 1090).

"(B) NOTICE.—State Coordinators appointed under subsection (d)(2) and local educational agencies shall inform school personnel, service providers, and advocates working with

homeless families and homeless children and youth of the contact information and duties of the local educational agency liaisons, including publishing an annually updated list of the liaisons on the State educational agency's website.

"(C) LOCAL AND STATE COORDINATION.—The local educational agency liaisons shall, as a part of their duties, coordinate and collaborate with the State Coordinators and community and school personnel responsible for the provision of education and related support services to homeless children and youth. Such coordination shall include collecting and providing to the State Coordinator the reliable, valid, and comprehensive data needed to meet the requirements of paragraphs (1) and (3) of subsection (f).

"(D) PROFESSIONAL DEVELOPMENT.—The local educational agency liaisons shall participate in the professional development and other technical assistance activities provided by the State Coordinator pursuant to subsection (f)(5).

"(8) SCHOOL READINESS FOR HOMELESS CHILDREN.—The State educational agency, and the local educational agencies in the State, shall ensure that

the programs serving public preschool children comply with the requirements of this subtitle.

"(h) EMERGENCY DISASTER GRANTS.—

"(1) IN GENERAL.—The Secretary shall make emergency disaster grants to eligible local educational agencies and eligible States described in paragraph (2), in order to increase the capacity for such local educational agencies and States to respond to major disasters.

"(2) ELIGIBILITY; APPLICATION.—

"(A) ELIGIBILITY.—

"(i) LOCAL EDUCATIONAL AGENCY ELIGIBILITY.—A local educational agency shall be eligible to receive an emergency disaster grant under this subsection, based on demonstrated need, if such local educational agency's enrollment of homeless children and youth has increased as a result of a hurricane, flood, or other natural disaster for which the President declared a major disaster under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 et seq.).

"(ii) STATE ELIGIBILITY.—A State, through the Office of the Coordinator for

Education of Homeless Children and Youths in the State educational agency, shall be eligible to receive an emergency disaster grant under this subsection if there are 1 or more eligible local educational agencies, as described in clause (i), located within the State.

"(B) APPLICATION.—In order for an eligible State or an eligible local educational agency to receive a grant under this subsection, the State educational agency, in consultation with other relevant State agencies, or local educational agency shall submit an application to the Secretary at such time, in such manner, and containing or accompanied by such information as the Secretary may reasonably require.

"(3) DISTRIBUTION OF GRANTS.—The Secretary shall distribute emergency disaster grant funds—

"(A) based on demonstrated need, to State educational agencies or local educational agencies for local educational agencies whose enrollment of homeless children and youths has increased as a result of a hurricane, flood, or

other natural disaster for which the President has declared a major disaster under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 et seq.);

"(B) expeditiously, and in no case later than 75 days after such funds are appropriated to the Secretary; and

"(C) in a manner that enables local educational agencies to use such funds for the immediate needs of disaster response and ongoing disaster recovery.

"(4) AMOUNT OF GRANTS.—The Secretary shall distribute grants under this subsection in amounts determined by the Secretary and related to the increase in enrollment of homeless children and youths as a result of such major disaster.

"(5) USES OF FUNDS.—A local educational agency or State educational agency that receives an emergency disaster grant under this subsection shall use the grant funds to carry out the activities described in section 723(d).

"(6) RESTRICTION.—The Secretary—

"(A) shall determine the amount (if any) by which the funds appropriated under section

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

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

"SEC. 723. LOCAL EDUCATIONAL AGENCY SUBGRANTS FOR THE EDUCATION OF HOMELESS CHILDREN AND YOUTH.

"(a) GENERAL AUTHORITY.—

"(1) IN GENERAL.—The State educational agency shall, in accordance with section 722(e), and from amounts made available to such agency under section 727, make subgrants to local educational agencies for the purpose of facilitating the identification, enrollment, attendance, and success in school of homeless children and youth.

"(2) SERVICES.—

"(A) IN GENERAL.—Services under paragraph (1)—

"(i) may be provided through programs on school grounds or at other facilities; and

"(ii) shall, to the maximum extent practicable, be provided through existing programs and mechanisms that integrate

homeless children and youth with non-homeless children and youth.

"(B) SERVICES ON SCHOOL GROUNDS.—If services under paragraph (1) are provided to homeless children and youth on school grounds, the school involved may use funds under this subtitle to provide the same services to other children and youth who are determined by the local educational agency serving the school to be at risk of failing in, or dropping out of, school.

"(3) REQUIREMENT.—Services provided under this section shall not replace the regular academic program and shall be designed to expand upon or improve services provided as part of the school's regular academic program.

"(4) DURATION OF GRANTS.—Subgrants awarded under this section shall be for terms of not to exceed 3 years.

"(b) APPLICATION.—A local educational agency that desires to receive a subgrant under this section shall submit an application to the State educational agency at such time, in such manner, and containing or accompanied by such information as the State educational agency may reasonably require. Such application shall include the following:

"(1) An assessment of the educational and related needs of homeless children and youth in the area served by the local educational agency (which may be undertaken as part of a needs assessment for another disadvantaged group).

"(2) A description of the services and programs for which assistance is sought to address the needs identified in paragraph (1).

"(3) An assurance that the local educational agency's combined fiscal effort per student, or the aggregate expenditures of that agency and the State with respect to the provision of free public education by such agency for the fiscal year preceding the fiscal year for which the subgrant determination is made, was not less than 90 percent of such combined fiscal effort or aggregate expenditures for the second fiscal year preceding the fiscal year for which the determination is made.

"(4) An assurance that the applicant complies with, or will use requested funds to comply with, paragraphs (3) through (7) of section 722(g).

"(5) A description of policies and procedures that the agency will implement to ensure that activities carried out by the agency will not isolate or stigmatize homeless children and youth.

"(6) An assurance that the local educational agency will collect and promptly provide data requested by the State Coordinator pursuant to paragraphs (1) and (3) of section 722(f).

"(7) An assurance that the local educational agency has removed the policies and practices that have created barriers to the identification, enrollment, attendance, retention, and success in school of all homeless children and youth.

"(c) AWARDS.—

"(1) IN GENERAL.—The State educational agency shall, in accordance with the requirements of this subtitle and from amounts made available to it under section 722(a), make subgrants on a competitive basis to local educational agencies that submit applications under subsection (b). Such subgrants shall be awarded on the basis of the need of such agencies for assistance under this subtitle and the quality of the applications submitted.

"(2) NEED.—

"(A) IN GENERAL.—In determining need under paragraph (1), the State educational agency may consider the number of homeless children and youth enrolled in preschool, elementary schools, and secondary schools within

the area served by the local educational agency, and shall consider the needs of such children and youth and the ability of the local educational agency to meet such needs.

"(B) OTHER CONSIDERATIONS.—The State educational agency may also consider the following:

"(i) The extent to which the proposed use of funds will facilitate the identification, enrollment, attendance, retention, and educational success of homeless children and youth.

"(ii) The extent to which the application reflects coordination with other local and State agencies that serve homeless children and youth.

"(iii) The extent to which the applicant exhibits in the application and in current practice (as of the date of submission of the application) a commitment to education for all homeless children and youth.

"(iv) Such other criteria as the State agency determines to be appropriate.

"(3) QUALITY.—In determining the quality of applications under paragraph (1), the State educational agency shall consider each of the following:

"(A) The applicant's needs assessment under subsection (b)(1) and the likelihood that the program presented in the application will meet such needs.

"(B) The types, intensity, and coordination of services to be provided under the program.

"(C) The extent to which the applicant will promote meaningful involvement of parents or guardians of homeless children or youth in the education of their children.

"(D) The extent to which homeless children and youth will be integrated into the regular education program involved.

"(E) The quality of the applicant's evaluation plan for the program.

"(F) The extent to which services provided under this subtitle will be coordinated with other services available to homeless children and youth and their families, including housing and social services and services provided under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), title I of the Elemen-

tary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), and similar State and local programs.

"(G) The extent to which the local educational agency will use the subgrant to leverage resources, including by maximizing nonsubgrant funding for the position of the liaison described in section 722(g)(1)(J)(ii) and the provision of transportation.

"(H) The local educational agency's use of funds to serve homeless children and youth under section 1113(c)(3) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6313(c)(3)).

"(I) The extent to which the applicant's program meets such other measures as the State educational agency considers to be indicative of a high-quality program, including the extent to which the local educational agency will provide services to unaccompanied youth and preschool-aged children.

"(J) The extent to which the application describes how the applicant will meet the requirements of section 722(g)(4).

1 "(d) AUTHORIZED ACTIVITIES.—A local educational
2 agency may use funds awarded under this section for ac-
3 tivities that carry out the purpose of this subtitle, includ-
4 ing the following:

5 "(1) The provision of tutoring, supplemental in-
6 struction, and enriched educational services that are
7 linked to the achievement of the same college and
8 career ready State academic content standards and
9 college and career ready State student academic
10 achievement standards as the State establishes for
11 other children and youth.

12 "(2) The provision of expedited evaluations of
13 the strengths, needs, and eligibility of homeless chil-
14 dren and youth, including needs and eligibility for
15 programs and services (including educational pro-
16 grams for gifted and talented students, children with
17 disabilities, and students with limited English pro-
18 ficiency, charter school programs, magnet school
19 programs, programs in career and technical edu-
20 cation, and school nutrition programs).

21 "(3) Professional development and other activi-
22 ties for educators and specialized instructional sup-
23 port personnel that are designed to heighten the un-
24 derstanding and sensitivity of such educators and
25 personnel to the needs of homeless children and

youth, the rights of such children and youth under this subtitle, and the specific educational needs of runaway and homeless youth.

''(4) The provision of referral services to homeless children and youth for medical, dental, mental, and other health services.

''(5) The provision of assistance to defray the cost of transportation under paragraphs (1)(J)(iii) and (5)(A) of section 722(g), not otherwise provided through Federal, State, or local funding.

''(6) The provision of developmentally appropriate early childhood education programs, not otherwise provided through Federal, State, or local funding.

''(7) The provision of services and assistance to attract, engage, and retain homeless children and youth, particularly homeless children and youth who are not enrolled in school, in public school programs and services provided to nonhomeless children and youth.

''(8) The provision for homeless children and youth of before- and after-school, mentoring, and summer programs in which a teacher or other qualified individual provides tutoring, homework assistance, and supervision of educational activities.

"(9) If necessary, the payment of fees and other costs associated with tracking, obtaining, and transferring records necessary to facilitate the appropriate placement of homeless children and youth in school, including birth certificates, immunization or other required health records, academic records, guardianship records, and evaluations for special programs or services.

"(10) The provision of education and training to the parents of homeless children and youth about the rights of, and resources available to, such children and youth, and other activities designed to increase the meaningful involvement of families of homeless children or youth in the education of their children.

"(11) The development of coordination of activities between schools and agencies providing services to homeless children and youth, as described in section 722(g)(6).

"(12) The provision of specialized instructional support services (including counseling) and referrals for such services.

"(13) Activities to address the particular needs of homeless children and youth that may arise from

domestic violence and parental mental health or substance abuse problems.

"(14) The adaptation of space and purchase of supplies for any nonschool facilities made available under subsection (a)(2) to provide services under this subsection.

"(15) The provision of school supplies, including supplies to be distributed at shelters or temporary housing facilities, or other appropriate locations.

"(16) The provision of assistance to defray the cost of the position of liaison designated pursuant to section 722(g)(1)(J)(ii), not otherwise provided through Federal, State, or local funding.

"(17) The provision of other extraordinary or emergency assistance needed to enable homeless children and youth to enroll, attend, and succeed in school, including in early childhood education programs.

"SEC. 724. SECRETARIAL RESPONSIBILITIES.

"(a) REVIEW OF STATE PLANS.—In reviewing the State plan submitted by a State educational agency under section 722(g), the Secretary shall use a peer review process and shall evaluate whether State laws, policies, and practices described in such plan adequately address the

problems of all homeless children and youth relating to access to education and placement as described in such plan.

"(b) TECHNICAL ASSISTANCE.—The Secretary shall—

"(1) provide support and technical assistance to State educational agencies to assist such agencies in carrying out their responsibilities under this subtitle; and

"(2) establish or designate a Federal Office of the Coordinator for Education of Homeless Children and Youths that has sufficient capacity, resources, and support to carry out the responsibilities described in this subtitle.

"(c) NOTICE.—

"(1) IN GENERAL.—The Secretary shall, before the next school year that begins after the date of enactment of the McKinney-Vento Homeless Education Reauthorization Act of 2013, develop and disseminate a public notice of the educational rights of homeless children and youth. The notice shall include information regarding the definition of homeless children and youth in section 726.

"(2) DISSEMINATION.—The Secretary shall disseminate the notice nationally. The Secretary also

shall disseminate such notice to heads of other Department of Education offices, including those responsible for special education programs, higher education, and programs under parts A, B, C, D, G, and H of title I, title III, title IV, and part B of title V of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq., 6361 et seq., 6391 et seq., 6421 et seq., 6531 et seq., 6551 et seq., 6801 et seq., 7102 et seq., and 7221 et seq.). The Secretary shall also disseminate such notice to heads of other Federal agencies, and grant recipients and other entities carrying out federally funded programs, including Head Start programs, grant recipients under the Health Care for the Homeless program of the Health Resources and Services Administration of the Department of Health and Human Services, grant recipients under the Emergency Food and Shelter National Board Program of the Federal Emergency Management Agency, grant recipients under the Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.), grant recipients under the John H. Chafee Foster Care Independence program, grant recipients under homeless assistance programs administered by the Department of Housing and Urban Development, and recipients of Fed-

eral funding for programs carried out by the Administration on Children, Youth and Families of the Department of Health and Human Services.

"(d) EVALUATION AND DISSEMINATION.—The Secretary shall conduct evaluation, dissemination, and technical assistance activities for programs that are designed to meet the educational needs of homeless preschool, elementary school, and secondary school students, and may use funds appropriated under section 727 to conduct such activities.

"(e) SUBMISSION AND DISTRIBUTION.—The Secretary shall require applications for grants under section 722 to be submitted to the Secretary not later than the expiration of the 120-day period beginning on the date that funds are available for purposes of making such grants and shall make such grants not later than the expiration of the 180-day period beginning on such date.

"(f) DETERMINATION BY SECRETARY.—The Secretary, based on the information received from the States and information gathered by the Secretary under subsection (h), shall determine the extent to which State educational agencies are ensuring that each homeless child or youth has access to a free appropriate public education, as described in section 721(1). The Secretary shall provide support and technical assistance to State educational

1 agencies in areas in which barriers to a free appropriate
2 public education persist.

3 "(g) PUBLICATION.—The Secretary shall develop,
4 issue, and publish in the Federal Register, not later than
5 90 days after the date of enactment of the McKinney-
6 Vento Homeless Education Reauthorization Act of 2013,
7 a summary of the changes enacted by that Act and related
8 strategies, which summary shall include—

9 "(1) strategies by which a State can assist local
10 educational agencies to implement the provisions
11 amended by the Act;

12 "(2) strategies by which a State can review and
13 revise State policies and procedures that may
14 present barriers to the identification, enrollment, at-
15 tendance, and success of homeless children and
16 youth in school; and

17 "(3) strategies by which entities carrying out
18 preschool programs can implement requirements of
19 section 722(g)(3).

20 "(h) INFORMATION.—

21 "(1) IN GENERAL.—From funds appropriated
22 under section 727, the Secretary shall, directly or
23 through grants, contracts, or cooperative agree-
24 ments, periodically but not less frequently than every

2 years, collect and disseminate publicly data and information regarding—

"(A) the number of homeless children and youth;

"(B) the education and related support services such children and youth receive;

"(C) the extent to which the needs of homeless children and youth are being met;

"(D) the academic progress being made by homeless children and youth, including the percent or number of homeless children and youth participating in State assessments; and

"(E) such other data and information as the Secretary determines to be necessary and relevant to carry out this subtitle.

"(2) COORDINATION.—The Secretary shall coordinate such collection and dissemination with other agencies and entities that receive assistance and administer programs under this subtitle.

"(i) REPORT.—Not later than 4 years after the date of enactment of the McKinney-Vento Homeless Education Reauthorization Act of 2013, the Secretary shall prepare and submit to the President and the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and

Pensions of the Senate a report on the status of the provision of education and related support services to homeless children and youth, which shall include information on—

"(1) the education of homeless children and youth; and

"(2) the actions of the Secretary and the effectiveness of the programs supported under this subtitle.

"SEC. 725. RULE OF CONSTRUCTION.

"Nothing in this subtitle shall be construed to diminish the rights of parents or guardians of homeless children or youth, or unaccompanied youth, otherwise provided under State law, policy, or practice, including laws or policies that authorize the best interest determination in section 722(g)(3) to be made solely by the parent, guardian, or youth involved.

"SEC. 726. DEFINITIONS.

"In this subtitle:

"(1) ENROLL; ENROLLMENT.—The terms 'enroll' and 'enrollment' include attending classes and participating fully in school activities.

"(2) HOMELESS CHILDREN AND YOUTH.—The term 'homeless children and youth'—

"(A) means individuals who lack a fixed, regular, and adequate nighttime residence (within the meaning of section 103(a)(1)); and

"(B) includes—

"(i) children and youth who—

"(I) are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;

"(II) are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations;

"(III) are living in emergency or transitional shelters; and

"(IV) are abandoned in hospitals;

"(ii) children and youth who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings (within the meaning of section 103(a)(2)(C));

"(iii) children and youth who are living in cars, parks, public spaces, aban-

doned buildings, substandard housing, bus or train stations, or similar settings; and

"(iv) migratory children (as such term is defined in section 1312 of the Elementary and Secondary Education Act of 1965) who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses (i) through (iii).

"(3) LOCAL EDUCATIONAL AGENCY; STATE EDUCATIONAL AGENCY.—The terms 'local educational agency' and 'State educational agency' have the meanings given such terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

"(4) SCHOOL.—The term 'school' includes charter schools, virtual schools, distance learning programs, and other public education programs administered by a State or local educational agency.

"(5) SECRETARY.—The term 'Secretary' means the Secretary of Education.

"(6) STATE.—The term 'State' means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

"(7) UNACCOMPANIED YOUTH.—The term 'unaccompanied youth' means a homeless child or youth not in the physical custody of a parent or legal guardian.

"SEC. 727. AUTHORIZATION OF APPROPRIATIONS.

"For the purpose of carrying out this subtitle, there are authorized to be appropriated such sums as may be necessary for fiscal year 2014 and each of the 6 succeeding fiscal years.".

Subpart 2—Advanced Research Projects Agency-Education

SEC. 11021. ADVANCED RESEARCH PROJECTS AGENCY-EDUCATION.

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

"SEC. 221. ADVANCED RESEARCH PROJECTS AGENCY-EDUCATION.

"(a) ESTABLISHMENT.—There shall be in the Department an Advanced Research Projects Agency-Education (referred to in this section as 'ARPA-ED').

"(b) PURPOSES.—ARPA-ED is established under this section for the purposes of pursuing breakthrough research and development in educational technology and

providing the effective use of the technology to improve achievement for all students, by—

"(1) identifying and promoting revolutionary advances in fundamental and applied sciences and engineering that could be translated into new learning technologies;

"(2) developing novel learning technologies, and the enabling processes and contexts for effective use of those technologies;

"(3) developing, testing, and evaluating the impact and efficacy of those technologies;

"(4) accelerating transformational technological advances in areas in which the private sector, by itself, is not likely to accelerate such advances because of difficulties in implementation or adoption, or technical and market uncertainty;

"(5) coordinating activities with nongovernmental entities to demonstrate technologies and research applications to facilitate technology transfer; and

"(6) encouraging educational research using new technologies and the data produced by the technologies.

"(c) AUTHORITIES OF SECRETARY.—The Secretary is authorized to—

"(1) appoint a Director, who shall be responsible for carrying out the purposes of ARPA-ED, as described in subsection (b), and such additional functions as the Secretary may prescribe;

"(2) establish processes for the development and execution of projects and the solicitation of entities to carry out the projects in a manner that is—

"(A) tailored to the purposes of ARPA-ED and not constrained by other Department-wide administrative requirements that could detract from achieving program results; and

"(B) designed to heighten transparency, and public- and private-sector involvement, to ensure that investments are made in the most promising areas;

"(3) award grants, contracts, cooperative agreements, and cash prizes, and enter into other transactions (in accordance with such regulations as the Secretary may establish regarding other transactions);

"(4) make appointments of up to 20 scientific, engineering, professional, and other mission-related employees, for periods of up to 4 years (which appointments may not be renewed) without regard to

the provisions of title 5, United States Code, governing appointments in the competitive service;

"(5)(A) prescribe the rates of basic pay for the personnel described in paragraph (4) at rates not in excess of the maximum rate of basic pay authorized for senior-level positions under section 5376 of title 5, United States Code, notwithstanding any provision of that title governing the rates of basic pay or classification of employees in the executive branch, but those personnel shall not receive any payment for service (such as an award, premium payment, incentive payment or bonus, allowance, or other similar payment) under any other provision of that title; and

"(B) pay any employee appointed pursuant to paragraph (4) payments in addition to that basic pay, except that the total amount of those payments for any calendar year shall not exceed the lesser of—

"(i) $25,000; or

"(ii) the difference between the employee's annual rate of basic pay under paragraph (4) and the annual rate for level I of the Executive Schedule under section 5312 of title 5, United States Code, based on the rates in effect at the

end of the applicable calendar year (or, if the employee separated during that year, on the date of separation);

''(6) obtain independent, periodic, rigorous evaluations, as appropriate, of—

''(A) the effectiveness of the processes ARPA-ED is using to achieve its purposes; and

''(B) the effectiveness of individual projects assisted by ARPA-ED, using evidence standards developed in consultation with the Institute of Education Sciences, and the suitability of ongoing projects assisted by ARPA-ED for further investment or increased scale; and

''(7) disseminate, through the comprehensive centers established under section 203 of the Educational Technical Assistance Act of 2002 (20 U.S.C. 9602), the regional educational laboratories system established under section 174 of the Education Sciences Reform Act of 2002 (20 U.S.C. 9564), or such other means as the Secretary determines to be appropriate, information on effective practices and technologies developed with ARPA-ED support.

"(d) EVALUATION FUNDS.—The Secretary may use funds made available for ARPA-ED to pay the cost of the evaluations under subsection (c)(6).

"(e) FEDERAL ADVISORY COMMITTEE ACT.—Notwithstanding any other provision of law, any advisory committee convened by the Secretary to provide advice with respect to this section shall be exempt from the requirements of the Federal Advisory Committee Act (5 U.S.C. App.) and the definition of 'employee' in section 2105 of title 5, United States Code, shall not be considered to include any appointee to such a committee.

"(f) NONDUPLICATION.—To the maximum extent practicable, the Secretary shall ensure that grants, contracts, cooperative agreements, cash prizes, or other assistance or arrangements awarded or entered into pursuant to this section that are designed to carry out the purposes of ARPA-ED do not duplicate activities under programs carried out under Federal law other than this section by the Department or other Federal agencies.".

PART B—MISCELLANEOUS PROVISIONS

SEC. 11211. TECHNICAL AND CONFORMING AMENDMENTS.

(a) HIGHER EDUCATION ACT OF 1965.—The Higher Education Act of 1965 (20 U.S.C. 1001 et seq.) is amended as follows:

(1) Section 103(24)(B) (20 U.S.C. 1003(24)(B)) is amended by striking ''students who are limited English proficient'' and inserting ''English learners''.

(2) Section 200 (20 U.S.C. 1021) is amended—

(A) in paragraph (6)(B)(x) by striking ''section 5210'' and inserting ''section 5411'';

(B) by striking paragraph (8);

(C) by redesignating paragraphs (9) through (23) as paragraphs (8) through (22), respectively;

(D) by striking paragraph (12), as redesignated by subparagraph (C), and inserting the following:

''(12) HIGHLY QUALIFIED TEACHER.—The term 'highly qualified teacher' has the meaning given such term in section 9101 of the Elementary and Secondary Education Act of 1965.'';

(E) by striking paragraph (14), as redesignated by subparagraph (C), and inserting the following:

''(14) ENGLISH LEARNER.—The term 'English learner' has the meaning given the term in section 9101 of the Elementary and Secondary Education Act of 1965.'';

(F) in paragraph (16)(B)(ii), as redesignated by subparagraph (C), by striking ''to become highly qualified'' and inserting ''to become a highly qualified teacher'';

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

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

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

(A) in subsection (b)(6)—

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

(ii) in subparagraph (G), by striking ''students who are limited English pro-

ficient'' and inserting ''English learners''; and

(B) in subsection (d)—

(i) in paragraph (1)—

(I) in subparagraph (A)(i)(I)—

(aa) by inserting ''teachers'' after ''highly qualified''; and

(bb) by striking ''students who are limited English proficient'' and inserting ''English learners''; and

(II) in subparagraph (B)—

(aa) in clause (ii)(IV)(aa), by striking ''students who are limited English proficient'' and inserting ''English learners''; and

(bb) in clause (iii), by inserting ''teachers'' after ''highly qualified''; and

(ii) in paragraph (5)(B), by striking ''limited English proficient students'' and inserting ''English learners''.

(4) Section 204(a)(4)(D) (20 U.S.C. 1022c(a)(4)(D)) is amended by striking ''limited

English proficient students'' and inserting ''English learners''.

(5) Section 205 (20 U.S.C. 1022d) is amended—

(A) in subsection (a)(1)(G), by striking ''students who are limited English proficient'' and inserting ''English learners''; and

(B) in subsection (b)(1)—

(i) in subparagraph (C), by striking ''State's challenging academic content standards required under section 1111(b)(1)'' and inserting ''college and career ready State academic content standards required under section 1111(a)(1)''; and

(ii) in subparagraph (L), by striking ''students who are limited English proficient'' and inserting ''English learners''.

(6) Section 206 (20 U.S.C. 1022e) is amended—

(A) in subsection (a), by striking ''limited English proficient students'' and inserting ''English learners''; and

(B) in subsection (b)(4), by striking ''limited English proficient students'' and inserting ''English learners''.

(7) Section 208(b) (20 U.S.C. 1022g(b)) is amended—

(A) by inserting ''teachers'' after ''are highly qualified''; and

(B) by striking ''is highly qualified'' and inserting ''is a highly qualified teacher''.

(8) Section 242(b) (20 U.S.C. 1033a(b)) is amended—

(A) in the matter preceding paragraph (1), by inserting ''teachers'' after ''highly qualified''; and

(B) in paragraph (1), by inserting ''teachers'' after ''highly qualified''.

(9) Section 251(b)(1)(A)(iii) (20 U.S.C. 1034(b)(1)(A)(iii)) is amended by inserting ''teachers'' after ''highly qualified''.

(10) Section 255(k) (20 U.S.C. 1035(k)) is amended—

(A) in paragraph (1), by striking ''section 9101(23)(B)(ii)'' and inserting ''section 9101(32)(A)(ii)(II)''; and

(B) in paragraph (3), by striking ''section 9101(23)'' and inserting ''section 9101(32)''.

(11) Section 258(d) (20 U.S.C. 1036(d)) is amended—

(A) in paragraph (1)—

(i) by striking ''limited English proficient students'' and inserting ''English learners''; and

(ii) by inserting ''teachers who will be'' after ''highly qualified''; and

(B) in paragraph (2)(C), by striking ''limited English proficient students'' and inserting ''English learners''.

(12) Section 402B(c)(7) (20 U.S.C. 1070a–12(c)(7)) is amended by striking ''students who are limited English proficient'' and inserting ''English learners''.

(13) Section 402C(d)(7) (20 U.S.C. 1070a–13(d)(7)) is amended by striking ''students who are limited English proficient'' and inserting ''English learners''.

(14) Section 402D (20 U.S.C. 1070a–14) is amended—

(A) in subsection (a)(3), by striking ''students who are limited English proficient'' and inserting ''English learners''; and

(B) in subsection (c)(6), by striking ''students who are limited English proficient'' and inserting ''English learners''.

(15) Section 402F(b)(11) (20 U.S.C. 1070a–16(b)(11)) is amended by striking ''students who are limited English proficient'' and inserting ''English learners''.

(16) Section 404D (20 U.S.C. 1070a–24) is amended—

(A) in subsection (b)(10)(K), by striking ''students who are limited English proficient'' and inserting ''English learners''; and

(B) in subsection (c)(6)(B)(ii), by striking ''students who are limited English proficient'' and inserting ''English learners''.

(17) Section 428J(b)(1)(B) (20 U.S.C. 1078–10(b)(1)(B)) is amended by striking ''is highly qualified'' and inserting ''is a highly qualified teacher''.

(18) Section 428K(b)(5) (20 U.S.C. 1078–11(b)(5)) is amended—

(A) in the heading, by striking ''STUDENTS WHO ARE LIMITED ENGLISH PROFICIENT'' and inserting ''ENGLISH LEARNERS'';

(B) in subparagraph (A), by striking ''is highly qualified'' and inserting ''is a highly qualified teacher''; and

(C) in subparagraph (B)(i), by striking ''students who are limited English proficient'' and inserting ''English learners''.

(19) Section 460(b)(1)(B) (20 U.S.C. 1087j(b)(1)(B)) is amended by striking ''is highly qualified'' and inserting ''is a highly qualified teacher''.

(20) Section 741(a)(10) (20 U.S.C. 1138(a)(10)) is amended by striking ''limited English proficient students'' and inserting ''English learners'' each place the term appears.

(21) Section 806(a)(2) (20 U.S.C. 1161f(a)(2)) is amended to read as follows:

''(2) HIGHLY QUALIFIED TEACHER.—The term 'highly qualified teacher' has the meaning given the term in section 9101 of the Elementary and Secondary Education Act of 1965.''.

(b) INDIVIDUALS WITH DISABILITIES EDUCATION ACT.—The Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) is amended as follows:

(1) Section 602 (20 U.S.C. 1401) is amended—

(A) in paragraph (10)—

(i) in subparagraph (A)—

(I) in the matter preceding clause (i), by striking ''has the meaning given the term in section 9101'' and inserting ''means that the teacher is a highly qualified teacher in accordance with subparagraphs (A) and (B) of section 9101(32)''; and

(II) in clause (ii), by striking ''requirements of section 9101'' and inserting ''requirements for a highly qualified teacher as defined in section 9101(32)(A)'';

(ii) in subparagraph (C)—

(I) in the matter preceding clause (i), by striking ''section 1111(b)(1)'' and inserting ''section 1111(a)(1)'';

(II) clause (i), by striking ''requirements of section 9101'' and inserting ''requirements for a highly

qualified teacher, as defined in section 9101''; and

(III) in clause (ii), by striking ''subparagraph (B) or (C) of section 9101(23)'' and inserting ''clause (ii) or (iii) of section 9101(32)(A)'';

(iii) in subparagraph (D)—

(I) in clause (i), by striking ''applicable requirements of section 9101'' and inserting ''applicable requirements to be a highly qualified teacher as defined in section 9101''; and

(II) in each of clauses (ii) and (iii), by striking ''section 9101(23)(C)(ii)'' and inserting ''section 9101(32)(A)(iii)(II)''; and

(iv) in subparagraph (F), by striking ''highly qualified for purposes of'' and inserting ''to be a highly qualified teacher for purposes of''; and

(B) in paragraph (18), by striking ''has the meaning given the term in section 9101 of the Elementary and Secondary Education Act of 1965'' and inserting ''when used in reference to an individual, means an individual who meets

the requirements described in subparagraphs (C) and (D) of section 9101(23) of the Elementary and Secondary Education Act of 1965''.

(2) Section 611(e)(2)(C) (20 U.S.C. 1411(e)(2)(C)) is amended—

(A) in clause (x), by striking ''sections 1111(b) and 6111'' and inserting ''sections 1111 and 1131''; and

(B) in clause (xi)—

(i) by striking '', including supplemental educational services as defined in 1116(e) of the Elementary and Secondary Education Act of 1965''; and

(ii) by striking ''objectives established by the State under section 1111(b)(2)(G)'' and inserting ''targets established by the State under section 1111(a)(3)(C) of''.

(3) Section 612(a) (20 U.S.C. 1412(a))—

(A) in paragraph (15)—

(i) by striking clause (ii) of subparagraph (A);

(ii) by redesignating clauses (iii) and (iv) of subparagraph (A) as clauses (ii) and (iii), respectively;

(iii) in subparagraph (B), by striking ", including measurable annual objectives for progress by children with disabilities under section 1111(b)(2)(C)(v)(II)(cc) of the Elementary and Secondary Education Act of 1965"; and

(iv) in subparagraph (C), by striking "section 1111(h)" and inserting "section 1111(e)";

(B) in paragraph (16)(C)(ii)(II), by striking "section 1111(b)(1)" and inserting "section 1111(a)";

(4) Section 654(a)(1)(B) (20 U.S.C. 1454(a)(1)(B)) is amended by striking "challenging State student academic achievement and functional standards and with the requirements for professional development, as defined in section 9101" and inserting "college and career ready State academic achievement and functional standards and with the requirements for professional development, as defined in section 9101".

(5) Section 663(b)(2) (20 U.S.C. 1463(b)(2)) is amended by striking "for assessing adequate yearly progress, as described under section 1111(b)(2)(B)" and inserting "as described in section 1111(a)(2)".

(c) CARL D. PERKINS CAREER AND TECHNICAL EDUCATION ACT OF 2006.—The Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.) is amended as follows:

(1) Section 3(8) (20 U.S.C. 2302(8)) is amended by striking ''section 5210'' and inserting ''section 5411''.

(2) Section 8(e) (20 U.S.C. 2306a(e)) is amended by striking ''section 1111(b)(1)(D)'' and inserting section ''1111(a)(1)''.

(3) Section 113 (20 U.S.C. 2323) is amended—

(A) in subsection (b)—

(i) in paragraph (2)(A)—

(I) in clause (i), by striking ''challenging academic content standards and student academic achievement standards, as adopted by a State in accordance with section 1111(b)(1) of the Elementary and Secondary Education Act of 1965 and measured by the State determined proficient levels on the academic assessments described in section 1111(b)(3) of such Act'' and inserting ''college and career ready State aca-

demic content and student academic achievement standards, as adopted by a State in accordance with section 1111(a)(1) of the Elementary and Secondary Education Act of 1965 and measured by the State-determined proficient levels on the academic assessments described in section 1111(a)(2) of such Act''; and

(II) in clause (iv), by striking ''Student graduation rates (as described in section 1111(b)(2)(C)(vi) of the Elementary and Secondary Education Act of 1965)'' and inserting ''Student graduation rates (as described in section 9101 of the Elementary and Secondary Education Act of 1965)''; and

(ii) in paragraph (4)(C)(ii)(I), by striking ''categories of students described in section 1111(h)(1)(C)(i)'' and inserting ''categories of students described in section 1111(a)(2)(B)(x)''; and

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

1111(h)(1)(C)(i)'' and inserting ''categories of students described in section 1111(a)(2)(B)(x)''.

(4) Section 114(d)(4)(A)(iii)(I)(aa) (20 U.S.C. 2324(d)(4)(A)(iii)(I)(aa)) is amended by striking ''academic content standards and student academic achievement standards, as adopted by States under section 1111(b)(1)'' and inserting ''college and career ready State academic content and student academic achievement standards, as adopted by a State in accordance with section 1111(a)(1)''.

(5) Section 122(c)(1)(I)(i) (20 U.S.C. 2342(c)(1)(I)(i)) is amended by striking ''rigorous and challenging academic content standards and student academic achievement standards adopted by the State under section 1111(b)(1)'' and inserting ''college and career ready State academic content and student academic achievement standards, as adopted by a State in accordance with section 1111(a)(1)''.

(d) NATIONAL AND COMMUNITY SERVICE ACT OF 1990.—The National and Community Service Act of 1990 (42 U.S.C. 12501 et seq.) is amended as follows:

(1) Section 112(a)(1)(F) (42 U.S.C. 12523(a)(1)(F)) is amended by striking ''attention to schools not making adequate yearly progress for

two or more consecutive years under section 1111 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.)'' and inserting ''attention to schools that are identified as focus schools or priority schools under subsection (c) or (d) of section 1116 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6316)''.

(2) Section 119(a)(2)(A)(ii)(II) (42 U.S.C. 12563(a)(2)(A)(ii)(II)) is amended by striking ''the graduation rate (as defined in section 1111(b)(2)(C)(vi)'' and inserting ''the graduation rates (as defined in section 9101''.

(3) Section 120(a)(2)(C) (42 U.S.C. 12565(a)(2)(C)) is amended by striking ''improved graduation rates, as defined in section 1111(b)(2)(C)(vi)'' and inserting ''improved graduation rates, as defined in section 9101''.

(4) Section 122 (42 U.S.C. 12572) is amended—

(A) in subsection (a)(1)(C)(iii), by striking ''secondary school graduation rates as defined in section 1111(b)(2)(C)(vi)'' and inserting ''secondary school graduation rates as defined in section 9101''; and

(B) in subsection (i)(1), by inserting ''college and career ready'' after ''State''.

(e) TITLE VI OF THE AMERICA COMPETES ACT.—The America COMPETES Act (Public Law 110–69) is amended as follows:

(1) Section 6112 (20 U.S.C. 9812) is amended—

(A) in paragraph (3)(B)(i), by inserting ''teachers'' after ''highly qualified''; and

(B) by striking paragraph (4) and inserting the following:

''(4) HIGHLY QUALIFIED TEACHER.—The term 'highly qualified teacher' has the meaning given such term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).''.

(2) Section 6113(d)(2)(G)(i) (20 U.S.C. 9813(d)(2)(G)(i)) is amended—

(A) by inserting ''teachers of'' after ''highly qualified''; and

(B) by striking ''teachers'' after ''foreign language''.

(3) Section 6114(b)(3) (20 U.S.C. 9814(b)(3)) is amended—

(A) by inserting ''teachers of'' after ''highly qualified''; and

(B) by striking ''teachers'' after ''foreign language''.

(4) Section 6122 (20 U.S.C. 9832) is amended—

(A) in paragraph (3), by striking ''has the meaning given the term 'low-income individual' in section 1707(3) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6537(3))'' and inserting ''means a student who is from a low-income family, as defined in section 9101(36)(B) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801(36)(B))'';

(B) in paragraph (4), by striking ''has the meaning'' and all that follows through the period and inserting '', used with respect to a school, means a school that serves a student population 40 percent or more of whom are low-income students.''; and

(C) in paragraph (5), by striking ''means a local educational agency or educational service agency described in 6112(3)(A)'' and inserting ''means a high-need local educational agency, as defined under section 9101 of the Elementary

and Secondary Education Act of 1965 (20 U.S.C. 7801)''.

(5) Section 6123(j)(2)(B) (20 U.S.C. 9833(j)(2)(B)) is amended by striking ''disaggregated under section 1111(h)(1)(C)(i)'' and inserting ''disaggregated under section 1111(a)(2)(B)(x)''.

(6) Section 6201(e)(2)(D)(ii)(I) (20 U.S.C. 9871(e)(2)(D)(ii)(I)) is amended by striking ''assessments under section 1111(b)'' and inserting ''assessments under section 1111(a)''.

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

(1) in subparagraph (A)—

(A) in clause (i), by striking ''challenging academic content standards, challenging student academic achievement standards, and academic assessments of a State, adopted and implemented, as appropriate, pursuant to paragraphs (1) and (3) of section 1111(b)'' and inserting ''college and career ready State academic content and student academic achievement standards and assessments of a State,

adopted and implemented, as appropriate, pursuant to section 1111(a)''; and

(B) in clause (ii), by adding ''and'' after the semicolon;

(2) by striking subparagraph (B);

(3) by redesignating subparagraph (C) as subparagraph (B); and

(4) in subparagraph (B), as redesignated by paragraph (3), by striking '', and whether the programs at the Clerc Center are making adequate yearly progress, as determined under subparagraph (B)''.

(g) THE EDUCATION SCIENCES REFORM ACT OF 2002.—The Education Sciences Reform Act of 2002 (20 U.S.C. 9501 et seq.) is amended as follows:

(1) Section 153(a)(1)(F)(ii) (20 U.S.C. 9543(a)(1)(F)(ii)) is amended by striking ''the percentage of teachers who are highly qualified'' and inserting ''the percentage of teachers who are highly qualified teachers''.

(2) Section 177(a)(5) (20 U.S.C. 9567b(a)(5)) is amended by striking ''section 1111(b)'' and inserting ''section 1111(a)''.

(h) THE EDUCATIONAL TECHNICAL ASSISTANCE ACT OF 2002.—Section 203 of the Educational Technical Assistance Act of 2002 (20 U.S.C. 9602) is amended—

(1) in subsection (a)(2)(B), by striking ''schools identified for school improvement (as described in section 1116(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6316(b))'' and inserting ''schools identified as priority schools (as described in section 1116(d) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6316(c)(2)))'';

(2) in subsection (e), by striking paragraph (3) and inserting the following:

''(3) schools in the region identified by the State's accountability system under section 1116 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6316).''; and

(3) in subsection (f)(1)(B), by striking ''1116(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6316(b))'' and inserting ''1116 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6316)''.

(i) NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT OF 2002.—Section 9 of the National Science

Foundation Authorization Act of 2002 (42 U.S.C. 1862n) is amended—

(1) in subsection (a)(10)(A)(iii)(I), by striking ''are considered highly qualified'' and inserting ''are considered highly qualified teachers''; and

(2) in subsection (b)(3)(A), by striking ''or a high-need local educational agency in which at least one school does not make adequate yearly progress, as determined pursuant to part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.)''.

(j) RICHARD B. RUSSELL NATIONAL SCHOOL LUNCH ACT.—Section 9 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758) is amended—

(1) in subsection (b)—

(A) in paragraph (5)(D), by striking ''section 1309'' and inserting ''section 1312''; and

(B) in paragraph (12)(A)(vi), by striking ''section 1309'' and inserting ''section 1312''; and

(2) in subsection (d)(2)(E), by striking ''section 1309'' and inserting ''section 1312''.

(k) AMERICA COMPETES REAUTHORIZATION ACT OF 2010.—Section 553(d)(6) of the America COMPETES Reauthorization Act of 2010 (20 U.S.C. 9903(d)(6)) is

amended by striking ''the requirements under section 9101(23) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801(23)) for highly qualified teachers'' and inserting ''the requirements for a highly qualified teacher as defined in section 9101 of the Elementary and Secondary Education Act of 1965''.

(l) VIOLENCE AGAINST WOMEN ACT OF 1994.—Section 41403(6)(B)(iii) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e–2(6)(B)(iii)) is amended by striking ''section 1309'' and inserting ''section 1312''.

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