

114TH CONGRESS  
1ST SESSION

# H. R. 847

To amend the Elementary and Secondary Education Act of 1965 to invest  
in innovation for education.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 10, 2015

Mr. POLIS (for himself and Mr. SABLAN) introduced the following bill; which  
was referred to the Committee on Education and the Workforce

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## A BILL

To amend the Elementary and Secondary Education Act  
of 1965 to invest in innovation for education.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Investing in Innovation  
5 for Education Act of 2015”.

6 **SEC. 2. INVESTING IN INNOVATION.**

7 (a) IN GENERAL.—Title IV of the Elementary and  
8 Secondary Education Act of 1965 (20 U.S.C. 7101 et  
9 seq.) is amended by adding at the end the following:

1           **“PART D—INVESTING IN INNOVATION**

2   **“SEC. 4401. PURPOSES.**

3           “The purposes of this part are to—

4                   “(1) fund the identification, development, eval-  
5           uation, and expansion of innovative, evidence-based  
6           practices, programs, and strategies in order to sig-  
7           nificantly—

8                           “(A) increase student academic achieve-  
9                           ment and decrease achievement gaps;

10                           “(B) increase secondary school graduation  
11                           rates;

12                           “(C) increase college enrollment rates,  
13                           rates of college persistence, and rates of attain-  
14                           ment of other post-secondary credentials;

15                           “(D) improve teacher and principal effec-  
16                           tiveness or retention of highly effective teachers  
17                           or principals; and

18                           “(E) increase the identification and dis-  
19                           semination of innovative educational strategies  
20                           in rural areas; and

21                           “(2) support the rapid development, expansion,  
22                           and adoption of tools and resources that improve the  
23                           efficiency, effectiveness, or pace of adoption of such  
24                           educational practices, programs, and strategies.

1 **“SEC. 4402. NATIONAL ACTIVITIES.**

2 “(a) IN GENERAL.—Subject to subsection (b), from  
3 the amounts appropriated under section 4408, the Sec-  
4 retary shall reserve not more than 10 percent for each fis-  
5 cal year to carry out activities of national significance,  
6 which may include—

7 “(1) technical assistance, including to appli-  
8 cants from rural areas;

9 “(2) pre-application workshops or web-based  
10 seminars for potential applicants, including appli-  
11 cants from rural areas;

12 “(3) the recruitment of peer reviewers, includ-  
13 ing individuals with a background in rural education  
14 and individuals with expertise in education tech-  
15 nology, to participate in the review of applications  
16 submitted under section 4404;

17 “(4) dissemination of best practices, in con-  
18 sultation with the regional educational laboratories  
19 established under part D of the Education Sciences  
20 Reform Act of 2002 (20 U.S.C. 9561 et seq.) and  
21 comprehensive centers established under section 203  
22 of the Educational Technical Assistance Act of 2002  
23 (20 U.S.C. 9602), developed with grant funds pro-  
24 vided under this part, including best practices devel-  
25 oped with grant funds in rural areas;



1 progress on the program performance measures identified  
2 in section 4406.

3 “(c) RURAL AREAS.—The Secretary shall ensure that  
4 not less than 25 percent of the funds awarded under this  
5 section for any fiscal year are for projects that meet both  
6 of the following requirements:

7 “(1) The eligible entity is—

8 “(A) a local educational agency with an  
9 urban-centric district locale code of 32, 33, 41,  
10 42, or 43, as determined by the Secretary;

11 “(B) a consortium of such local edu-  
12 cational agencies; or

13 “(C) an educational service agency or a  
14 nonprofit organization with demonstrated ex-  
15 pertise in serving students from rural areas.

16 “(2) A majority of the schools to be served by  
17 the project are designated with a school locale code  
18 of 41, 42, or 43, or a combination of such codes, as  
19 determined by the Secretary.

20 “(d) SUPPORT FOR NEW PRACTICES, STRATEGIES,  
21 OR PROGRAMS.—The Secretary shall ensure that not less  
22 than one-half of the funds awarded under this section for  
23 any fiscal year are for projects that—

24 “(1) meet an evidence standard described in  
25 paragraph (2) or (3) of subsection (f); and

1           “(2) do not meet the evidence standard de-  
2           scribed in paragraph (1) of subsection (f).

3           “(e) PRIORITIES.—In awarding grants under this  
4           section, the Secretary may give priority to an eligible enti-  
5           ty that includes, in its application under section 4404, a  
6           plan to—

7           “(1) improve early learning outcomes and aca-  
8           demic connections between early learning and ele-  
9           mentary school;

10           “(2) support college access, persistence, and  
11           success;

12           “(3) support family and community engage-  
13           ment;

14           “(4) address the unique learning needs of stu-  
15           dents with disabilities or English language learners;

16           “(5) support the effective use of education tech-  
17           nology to improve teaching and learning;

18           “(6) improve the teaching and learning of  
19           science, technology, engineering, computing, or  
20           mathematics;

21           “(7) serve schools in rural local educational  
22           agencies;

23           “(8) train teachers or principals to adopt and  
24           implement college and career ready standards;

1           “(9) develop alternative career pathways or dif-  
2           ferentiated school staffing models for effective teach-  
3           ers or principals to expand their impact on student  
4           learning;

5           “(10) train or support principals or teacher  
6           leaders, including teacher leaders preparing for prin-  
7           cipal roles;

8           “(11) support, improve, or develop any other  
9           area of school innovation, as determined by the Sec-  
10          retary; and

11          “(12) address the learning needs of Indian, Na-  
12          tive American, Alaska Native, or migrant children in  
13          school.

14          “(f) STANDARDS OF EVIDENCE.—The Secretary shall  
15          set standards for the quality of evidence that an eligible  
16          entity shall provide to demonstrate that the activities the  
17          eligible entity proposes to carry out with grant funds  
18          under this section are likely to succeed in improving stu-  
19          dent outcomes or outcomes on other performance meas-  
20          ures. These standards may include any of the following:

21                 “(1) Strong evidence that the activities pro-  
22                 posed by the eligible entity will have a statistically  
23                 significant effect on student academic achievement,  
24                 student growth, graduation rates, or outcomes on  
25                 other performance measures.

1           “(2) Moderate evidence that the activities pro-  
2           posed by the eligible entity will improve student aca-  
3           demic achievement, student growth, graduation  
4           rates, or outcomes on other performance measures.

5           “(3) Evidence of promise or a strong theory  
6           that the activities proposed by the eligible entity will  
7           improve student academic achievement, student  
8           growth, graduation rates, or outcomes on other per-  
9           formance measures.

10 **“SEC. 4404. APPLICATIONS.**

11           “(a) APPLICATIONS.—An eligible entity that desires  
12           to receive a grant under section 4403 shall submit an ap-  
13           plication to the Secretary at such time, in such manner,  
14           and containing such information as the Secretary may rea-  
15           sonably require.

16           “(b) CONTENTS.—Each application submitted by an  
17           eligible entity under subsection (a) shall—

18           “(1) describe the project for which the eligible  
19           entity is seeking a grant and how the evidence sup-  
20           porting that project meets the standards of evidence  
21           established by the Secretary under section 4403(f);

22           “(2) describe how the eligible entity will address  
23           at least one of the areas described in section  
24           4405(a)(1);



1           “(3) provide an estimate of the number of stu-  
2           dents that the eligible entity plans to serve under  
3           the proposed project, including the percentage of  
4           those students who are from low-income families,  
5           and the number of students to be served through ad-  
6           ditional expansion after the grant ends;

7           “(4) demonstrate that the eligible entity has es-  
8           tablished one or more partnerships with the private  
9           sector, which may include philanthropic organiza-  
10          tions, and that the partner or partners will provide  
11          matching funds, except that the Secretary may  
12          waive, on a case-by-case basis, the matching funds  
13          requirement under this paragraph upon a showing of  
14          exceptional circumstances, such as the difficulty of  
15          raising matching funds for a project to serve a rural  
16          area;

17          “(5) describe the eligible entity’s plan for con-  
18          tinuing the proposed project after the grant funding  
19          under section 4403 ends, including a plan for dis-  
20          semination of best practices and collaboration with  
21          other local educational agencies;

22          “(6) demonstrate that the proposed project has  
23          incorporated input and feedback from educators  
24          working in the area to be served;

1           “(7) if the eligible entity is a local educational  
2 agency—

3           “(A) document the local educational agen-  
4 cy’s record in—

5           “(i) increasing student achievement,  
6 including achievement for each subgroup  
7 described in section 1111(b)(2)(C)(v); or

8           “(ii) decreasing achievement gaps;  
9 and

10           “(B) demonstrate how the local edu-  
11 cational agency has made significant improve-  
12 ments in other outcomes, as applicable, on the  
13 performance measures described in section  
14 4406;

15           “(8) if the eligible entity is a nonprofit organi-  
16 zation—

17           “(A) provide evidence that the nonprofit  
18 organization has helped at least one high-need  
19 school or high-need local educational agency  
20 significantly—

21           “(i) increase student achievement, in-  
22 cluding achievement for each subgroup de-  
23 scribed in section 1111(b)(2)(C)(v);

24           “(ii) reduce achievement gaps; or

25           “(iii) increase graduation rates; and

1           “(B) describe how the nonprofit organiza-  
2           tion has helped at least 1 school or local edu-  
3           cational agency make a significant improve-  
4           ment, as applicable, in other outcomes on the  
5           performance measures described in section  
6           4406;

7           “(9) if the eligible entity is an educational serv-  
8           ice agency—

9           “(A) provide evidence that the agency has  
10          helped at least one high-need school or high-  
11          need local educational agency significantly—

12                 “(i) increase student achievement, in-  
13                 cluding achievement for each subgroup de-  
14                 scribed in section 1111(b)(2)(C)(v);

15                 “(ii) reduce achievement gaps; or

16                 “(iii) increase graduation rates; and

17          “(B) describe how the agency has helped  
18          at least 1 school or local educational agency  
19          make a significant improvement, as applicable,  
20          in other outcomes on the performance measures  
21          described in section 4406;

22          “(10) provide a description of the eligible enti-  
23          ty’s plan for independently evaluating the effective-  
24          ness of activities carried out with funds under sec-  
25          tion 4403;

1           “(11) provide an assurance that the eligible en-  
2           tity will—

3                   “(A) cooperate with cross-cutting evalua-  
4                   tions;

5                   “(B) make evaluation data available to  
6                   third parties for validation and further study  
7                   consistent with protections established by appli-  
8                   cable Federal, State, and local privacy require-  
9                   ments and other on provisions on the protection  
10                  of personally identifiable information; and

11                  “(C) participate in communities of prac-  
12                  tice; and

13                  “(12) if the eligible entity is a nonprofit organi-  
14                  zation that intends to make subgrants, consistent  
15                  with section 4405(b), provide an assurance that the  
16                  eligible entity will apply paragraphs (1) through  
17                  (10), as appropriate, in the eligible entity’s selection  
18                  of subgrantees and in the oversight of such sub-  
19                  grants.

20                  “(c) CRITERIA FOR EVALUATING APPLICATIONS.—

21                  The Secretary shall award grants under section 4403 on  
22                  a competitive basis, based on the quality of the applica-  
23                  tions under this section submitted and, consistent with the  
24                  standards established under section 4403(f), each eligible  
25                  entity’s likelihood of achieving success in improving stu-

1 dent outcomes or outcomes on other performance meas-  
2 ures.

3 **“SEC. 4405. USES OF FUNDS.**

4 “(a) USES OF FUNDS.—Each eligible entity that re-  
5 ceives a grant under section 4403—

6 “(1) shall use the grant funds to address, at a  
7 minimum, one of the following areas of school inno-  
8 vations:

9 “(A) Improving the effectiveness and dis-  
10 tribution of teachers or principals.

11 “(B) Strengthening the use of data to im-  
12 prove teaching and learning.

13 “(C) Providing high-quality instruction  
14 based on rigorous standards that build toward  
15 college and career readiness and measuring stu-  
16 dents’ mastery using high-quality assessments  
17 aligned to those standards.

18 “(D) Turning around the lowest-per-  
19 forming schools.

20 “(E) Supporting the effective use of tech-  
21 nology to improve teaching or principals and  
22 learning, including training teachers or prin-  
23 cipals in the innovative use of technology.

24 “(F) Any other area of school innovation,  
25 as determined by the Secretary.;

1           “(2) shall use those funds to develop or expand  
2 strategies to improve the performance of high-need  
3 students on the performance measures described in  
4 section 4406; and

5           “(3) may use the grant funds for an inde-  
6 pendent evaluation, as required by section  
7 4404(b)(9), of the innovative practices carried out  
8 with the grant.

9           “(b) **AUTHORITY TO SUBGRANT.**—In the case of an  
10 eligible entity receiving a grant under section 4403 that  
11 is nonprofit organization such eligible entity may use the  
12 grant funds to make subgrants to other entities to provide  
13 support to one or more high-need schools or high-need  
14 local educational agencies. Any entity receiving a subgrant  
15 under this subsection shall comply with the requirements  
16 of this part for eligible entities, as appropriate.

17 **“SEC. 4406. PERFORMANCE MEASURES.**

18           “(a) **IN GENERAL.**—The Secretary shall establish  
19 performance measures for the projects carried out under  
20 this part. These measures, at a minimum, shall track an  
21 eligible entity’s progress in—

22           “(1) improving outcomes for each subgroup de-  
23 scribed in section 1111(b)(2)(C)(v) that is served by  
24 the grantee on measures, including, as applicable,  
25 by—

1           “(A) increasing student achievement and  
2 decreasing achievement gaps;

3           “(B) increasing secondary school gradua-  
4 tion rates;

5           “(C) increasing college enrollment rates  
6 and rates of college persistence;

7           “(D) improving teacher and principal ef-  
8 fectiveness or the retention of highly effective  
9 teachers or principals;

10           “(E) improving school readiness; or

11           “(F) any other indicator as the Secretary  
12 or grantee may determine; and

13           “(2) implementing the eligible entity’s project  
14 in rural schools, as applicable.

15           “(b) DATA COLLECTION PERIOD.—From the  
16 amounts appropriated under section 4408, the Secretary  
17 may—

18           “(1) approve, for an eligible entity receiving a  
19 grant under section 4403, a data collection period of  
20 not more than 72 months beginning after the end of  
21 the eligible entity’s grant period; and

22           “(2) provide the eligible entity with funding  
23 during such period for the sole purpose of collecting,  
24 analyzing, and reporting performance information

1 under this subsection on the project carried out dur-  
2 ing the grant period.

3 **“SEC. 4407. ANNUAL REPORT.**

4 “An eligible entity that receives a grant under section  
5 4403 shall submit to the Secretary, at such time and in  
6 such manner as the Secretary may require, an annual re-  
7 port that includes information on—

8 “(1) the eligible entity’s progress on the per-  
9 formance measures established under section 4406;  
10 and

11 “(2) the data supporting such progress.

12 **“SEC. 4408. AUTHORIZATION OF APPROPRIATIONS.**

13 “There are authorized to be appropriated to carry out  
14 this part \$500,000,000 for fiscal year 2016 and such sums  
15 as may be necessary for each of the 5 succeeding fiscal  
16 years.

17 **“SEC. 4409. DEFINITIONS.**

18 “In this part:

19 “(1) ELIGIBLE ENTITY.—The term ‘eligible en-  
20 tity’ means—

21 “(A) a local educational agency;

22 “(B) an educational service agencies; or

23 “(C) a nonprofit organization in partner-  
24 ship with a local educational agency or consor-  
25 tium of schools.



1           “(2) HIGH-NEED LOCAL EDUCATIONAL AGEN-  
2           CY.—The term ‘high-need local educational agency’  
3           means a local educational agency—

4                   “(A) that serves not fewer than 10,000  
5                   children from families with incomes below the  
6                   poverty line;

7                   “(B) for which not less than 20 percent of  
8                   the children served by the agency are from fam-  
9                   ilies with incomes below the poverty line; or

10                   “(C) that is in the highest quartile of local  
11                   educational agencies in the State, based on stu-  
12                   dent poverty.

13           “(3) HIGH-NEED SCHOOL.—The term ‘high-  
14           need school’ means—

15                   “(A) an elementary school or middle school  
16                   in which not less than 50 percent of the en-  
17                   rolled students are children eligible for free or  
18                   reduced price lunch under the Richard B. Rus-  
19                   sell National School Lunch Act (42 U.S.C.  
20                   1751 et seq.); and

21                   “(B) a high school in which not less than  
22                   40 percent of the enrolled students are children  
23                   eligible for free or reduced price lunch under  
24                   the Richard B. Russell National School Lunch  
25                   Act (42 U.S.C. 1751 et seq.), which may be cal-

1           culated using comparable data from feeder  
2           schools.

3           “(4) PRINCIPAL.—The term ‘principal’ includes  
4           an assistant principal.

5           “(5) TEACHER.—The term ‘teacher’ includes  
6           teacher leaders.

7           “(6) TEACHER LEADER.—The term ‘teacher  
8           leader’ means a teacher who has demonstrated effec-  
9           tiveness and assumes leadership responsibilities to  
10          work with other teachers to raise student achieve-  
11          ment in multiple classrooms.”.

12          (b) TABLE OF CONTENTS.—The table of contents in  
13          section 2 of the Elementary and Secondary Education Act  
14          of 1965 is amended by inserting after the item relating  
15          to section 4304 the following:

“PART D—INVESTING IN INNOVATION

- “Sec. 4401. Purposes.
- “Sec. 4402. National activities.
- “Sec. 4403. Program authorized; length of grants; priorities.
- “Sec. 4404. Applications.
- “Sec. 4405. Uses of funds.
- “Sec. 4406. Performance measures.
- “Sec. 4407. Reporting; annual report.
- “Sec. 4408. Authorization of appropriations.”.

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