A BILL

To reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

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 “Every Child Achieves Act of 2015”.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

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Sec. 3. References.
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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.).

2 SEC. 4. STATEMENT OF PURPOSE.

The purpose of this Act is to enable States and local communities to improve and support our Nation’s public schools and ensure that every child has an opportunity to achieve.

3 SEC. 5. 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.

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"Sec. 8005. Application for payments under sections 8002 and 8003.
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1 TITLE I—IMPROVING BASIC PROGRAMS OPERATED BY STATE AND LOCAL EDUCATIONAL AGENCIES

5 SEC. 1001. STATEMENT OF PURPOSE.

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

8 “SEC. 1001. STATEMENT OF PURPOSE.

“The purpose of this title is to ensure that all children have a fair, equitable, and significant opportunity to receive a high-quality education that prepares them for postsecondary education or the workforce, without the need for postsecondary remediation, and to close educational achievement gaps.”.
SEC. 1002. AUTHORIZATION OF APPROPRIATIONS.

Section 1002 (20 U.S.C. 6302) is amended to read as follows:

“SEC. 1002. AUTHORIZATION OF APPROPRIATIONS.

“(a) LOCAL EDUCATIONAL AGENCY GRANTS.—For the purpose of carrying out part A, there are authorized to be appropriated such sums as may be necessary for each of fiscal years 2016 through 2021.

“(b) STATE ASSESSMENTS.—For the purpose of carrying out part B, there are authorized to be appropriated such sums as may be necessary for each of fiscal years 2016 through 2021.

“(c) EDUCATION OF MIGRATORY CHILDREN.—For the purpose of carrying out part C, there are authorized to be appropriated such sums as may be necessary for each of fiscal years 2016 through 2021.

“(d) PREVENTION AND INTERVENTION PROGRAMS FOR CHILDREN AND YOUTH WHO ARE NEGLECTED, DELINQUENT, OR AT-RISK.—For the purpose of carrying out part D, there are authorized to be appropriated such sums as may be necessary for each of fiscal years 2016 through 2021.

“(e) FEDERAL ACTIVITIES.—For the purpose of carrying out evaluation activities related to title I under section 9601, there are authorized to be appropriated such
sums as may be necessary for each of fiscal years 2016 through 2021.

“(f) School Intervention and Support.—For the purpose of carrying out section 1114, there are authorized to be appropriated such sums as may be necessary for each of fiscal years 2016 through 2021.”

SEC. 1003. SCHOOL IMPROVEMENT AND STATE ADMINISTRATION.

The Act (20 U.S.C. 6301 et seq.) is amended—

(1) by striking section 1003;

(2) by redesignating section 1004 as section 1003; and

(3) in section 1003, as redesignated by paragraph (2), by adding at the end the following:

“(c) Technical Assistance and Support.—

“(1) In general.—Each State may reserve not more than 4 percent of the amount the State receives under subpart 2 of part A for a fiscal year to carry out paragraph (2) and to carry out the State educational agency’s responsibilities under section 1114(a), including carrying out the State educational agency’s statewide system of technical assistance and support for local educational agencies.
“(2) USES.—Of the amount reserved under paragraph (1) for any fiscal year, the State educational agency—

“(A) shall use not less than 95 percent of such amount by allocating such sums directly to local educational agencies for activities required under section 1114; 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 school support teams, educational service agencies, or other nonprofit or for-profit organizations that use evidence-based strategies to improve student achievement, teaching, 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 elementary schools and secondary schools, as identified by the State under section 1114;

“(B) demonstrate the greatest need for such funds, as determined by the State; and
“(C) demonstrate the strongest commitment to using evidence-based interventions to enable the lowest-performing schools to improve student achievement and student outcomes.

“(4) UNUSED FUNDS.—If, after consultation with local educational agencies in the State, the State educational agency determines that the amount of funds reserved to carry out this subsection for a fiscal year 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(e).

“(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.”.

SEC. 1004. BASIC PROGRAM REQUIREMENTS.

Subpart 1 of part A of title I (20 U.S.C. 6311 et seq.) is amended—

(1) by striking sections 1111 through 1117 and inserting the following:

“SEC. 1111. STATE PLANS.

“(a) PLANS REQUIRED.—

“(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 with timely and meaningful consultation with the Governor, local educational agencies (including those located in rural areas), representatives of Indian tribes located in the State, teachers, principals, other school leaders, specialized instructional support personnel, paraprofessionals (including organizations representing such individuals), administrators, other staff, and parents, that—
“(A) is coordinated with other programs under this Act, the Individuals with Disabilities Education Act, the Rehabilitation Act of 1973, the Carl D. Perkins Career and Technical Education Act of 2006, the Workforce Innovation and Opportunity Act, the Head Start Act, the Child Care and Development Block Grant Act of 1990, the Education Sciences Reform Act of 2002, the Education Technical Assistance Act, the NAEP Authorization Act, the McKinney-Vento Homeless Assistance Act, and the Adult Education and Family Literacy Act; and

“(B) describes how the State will implement evidence-based strategies for improving student achievement under this title and disseminate that information to local educational agencies.

“(2) CONSOLIDATED PLAN.—A State plan submitted under paragraph (1) may be submitted as part of a consolidated plan under section 9302.

“(3) PEER REVIEW AND SECRETARIAL APPROVAL.—

“(A) IN GENERAL.—The Secretary shall—

“(i) establish a peer-review process to assist in the review of State plans;
“(ii) establish multidisciplinary peer review teams and appoint members of such teams that—

“(I) are representative of teachers, principals, other school leaders, specialized instructional support personnel, State educational agencies, local educational agencies, and individuals and researchers with practical experience in implementing academic standards, assessments, or accountability systems, and meeting the needs of disadvantaged students, children with disabilities, students who are English learners, the needs of low-performing schools, and other educational needs of students;

“(II) include a balanced representation of individuals who have practical experience in the classroom, school administration, or State or local government, such as direct employees of a school, local educational agency, or State educational agency within the preceding 5 years; and
“(III) represent a regionally diverse cross-section of States;

“(iii) make available to the public, including by such means as posting to the Department’s website, the list of peer reviewers who will review State plans under this section;

“(iv) ensure that the peer review teams are comprised of varied individuals so that the same peer reviewers are not reviewing all of the State plans; and

“(v) deem a State plan as approved within 90 days of its submission unless the Secretary presents substantial evidence that clearly demonstrates that such State plan does not meet the requirements of this section.

“(B) PURPOSE OF PEER REVIEW.—The peer-review process shall be designed to—

“(i) maximize collaboration with each State;

“(ii) promote effective implementation of the challenging State academic standards through State and local innovation; and
“(iii) provide publicly available, timely, and objective feedback to States designed to strengthen the technical and overall quality of the State plans.

“(C) STANDARD AND NATURE OF REVIEW.—Peer reviewers shall conduct an objective review of State plans in their totality and out of respect for State and local judgments, with the goal of supporting State- and local-led innovation and providing objective feedback on the technical and overall quality of a State plan.

“(D) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed as prohibiting the Secretary from appointing an individual to serve as a peer reviewer on more than one peer review team under subparagraph (A) or to review more than one State plan.

“(4) STATE PLAN DETERMINATION, DEMONSTRATION, AND REVISION.—If the Secretary determines that a State plan does not meet the requirements of this subsection or subsection (b) or (c), the Secretary shall, prior to declining to approve the State plan—

“(A) immediately notify the State of such determination;
“(B) provide a detailed description of the specific requirements of this subsection or subsection (b) or (c) of the State plan that the Secretary determines fails to meet such requirements;

“(C) provide all peer review comments, suggestions, recommendations, or concerns in writing to the State;

“(D) offer the State an opportunity to revise and resubmit its plan within 60 days of such determination, including the chance for the State to present substantial evidence to clearly demonstrate that the State plan meets the requirements of this section;

“(E) provide technical assistance, upon request of the State, in order to assist the State to meet the requirements of this subsection or subsection (b) or (c); and

“(F) conduct a public hearing within 30 days of such resubmission, with public notice provided not less than 15 days before such hearing, unless the State declines the opportunity for such public hearing.

“(5) STATE PLAN DISAPPROVAL.—The Secretary shall have the authority to disapprove a State
plan if the State has been notified and offered an
opportunity to revise and submit with technical as-
sistance under paragraph (4), and—

“(A) the State does not revise and resub-
mit its plan; or

“(B) the State revises and resubmits a
plan that the Secretary determines does not
meet the requirements of this part after a hear-
ing conducted under paragraph (4)(F), if appli-
cable.

“(6) LIMITATIONS.—

“(A) IN GENERAL.—The Secretary shall
not have the authority to require a State, as a
condition of approval of the State plan or revi-
sions or amendments to the State plan, to—

“(i) include in, or delete from, such
plan 1 or more specific elements of the
challenging State academic standards;

“(ii) use specific academic assessment
instruments or items;

“(iii) set specific State-designed an-
nual goals or specific timelines for such
goals for all students or each of the cat-
egories of students, as defined in sub-
section (b)(3)(A);
“(iv) assign any specific weight or specific significance to any measures or indicators of student academic achievement or growth within State-designed accountability systems;

“(v) include in, or delete from, such a plan any criterion that specifies, defines, or prescribes—

“(I) the standards or measures that States or local educational agencies use to establish, implement, or improve challenging State academic standards, including the content of, or achievement levels within, such standards;

“(II) the specific types of academic assessments or assessment items that States and local educational agencies use to meet the requirements of this part;

“(III) any requirement that States shall measure student growth, the specific metrics used to measure student academic growth if a State chooses to measure student growth, or
the specific indicators or methods to measure student readiness to enter postsecondary education or the workforce;

“(IV) any specific benchmarks, targets, goals, or metrics to measure nonacademic measures or indicators;

“(V) the specific weight or specific significance of any measure or indicator of student academic achievement within State-designed accountability systems;

“(VI) the specific annual goals States establish for student academic achievement or high school graduation rates, as described in subclauses (I) and (II) of subsection (b)(3)(B)(i);

“(VII) any aspect or parameter of a teacher, principal, or other school leader evaluation system within a State or local educational agency; or

“(VIII) indicators or specific measures of teacher, principal, or other school leader effectiveness or quality; or
“(vi) require data collection beyond data derived from existing Federal, State, and local reporting requirements and data sources.

“(B) Rule of construction.—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 under Federal law.

“(7) Public review.—All written communications, feedback, and notifications under this subsection shall be conducted in a manner that is transparent and immediately made available to the public through the website of the Department, including—

“(A) plans submitted or resubmitted by a State;

“(B) peer-review comments;

“(C) State plan determinations by the Secretary, including approvals or disapprovals; and

“(D) notices and transcripts of public hearings under this section.

“(8) 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 7 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) IN GENERAL.—If a State makes significant changes to its plan at any time, such as the adoption of new challenging State academic standards, new academic assessments, or changes to its accountability system under subsection (b)(3), such information shall be submitted to the Secretary in the form of revisions or amendments to the State plan.

“(ii) REVIEW OF REVISED PLANS.—The Secretary shall review the information submitted under clause (i) and approve or disapprove changes to the State plan within 90 days in accordance with paragraphs (4) through (6) without undertaking the peer-review process under paragraph (3).
“(iii) Special rule for standards.—If a State makes changes to its challenging State academic standards, the requirements of subsection (b)(1), including the requirement that such standards need not be submitted to the Secretary pursuant to subsection (b)(1)(A), shall still apply.

“(C) Renewal.—A State educational agency shall submit a revised plan every 7 years subject to the peer-review process under paragraph (3).

“(D) Limitation.—The Secretary shall not have the authority to place any new conditions, requirements, or criteria for approval of a plan submitted for renewal under subparagraph (C) that are not otherwise authorized under this part.

“(9) Failure to meet requirements.—If a State fails to meet any of the requirements of this section, then the Secretary may withhold funds for State administration under this part until the Secretary determines that the State has fulfilled those requirements.
“(b) CHALLENGING STATE ACADEMIC STANDARDS,
ACADEMIC ASSESSMENTS, AND ACCOUNTABILITY SYS-
TEMS.—

“(1) CHALLENGING STATE ACADEMIC STAN-
DRADS.—

“(A) IN GENERAL.—Each State shall pro-
vide an assurance that the State has adopted
challenging academic content standards and
aligned academic achievement standards (re-
ferred to in this Act as ‘challenging State aca-
demic standards’), which achievement standards
shall include not less than 3 levels of achieve-
ment, that will be used by the State, its local
educational agencies, and its schools to carry
out this part. A State shall not be required to
submit such challenging State academic stand-
dards to the Secretary.

“(B) SAME STANDARDS.—Except as pro-
vided in subparagraph (E), the standards re-
quired by subparagraph (A) shall be the same
standards that the State applies to all public
schools and public school students in the State.

“(C) SUBJECTS.—The State shall have
such standards in mathematics, reading or lan-
guage arts, and science, and any other subjects
as determined by the State, which shall include the same knowledge, skills, and levels of achievement expected of all public school students in the State.

“(D) ALIGNMENT.—Each State shall demonstrate that the challenging State academic standards are aligned with—

“(i) entrance requirements, without the need for academic remediation, for the system of public higher education in the State;

“(ii) relevant State career and technical education standards; and

“(iii) relevant State early learning guidelines, as required under section 658E(c)(2)(T) of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858c(e)(2)(T)).

“(E) 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 for stu-
students with the most significant cognitive
disabilities, provided those standards—

“(I) are aligned with the chal-
lenging State academic content stand-
ards under subparagraph (A);

“(II) promote access to the gen-
eral curriculum, consistent with the
purposes of the Individuals with Dis-
abilities Education Act, as stated in
section 601(d) of such Act;

“(III) reflect professional judg-
ment of the highest achievement
standards attainable by those stu-
dents;

“(IV) are designated in the indi-
vidualized education program devel-
oped under section 614(d)(3) of the
Individuals with Disabilities Edu-
cation Act for each such student as
the academic achievement standards
that will be used for the student; and

“(V) are aligned to ensure that a
student who meets the alternate aca-
demic achievement standards is on
track for further education or employ-
ment.

“(ii) Prohibition on any other al-
ternate or modified academic
achievement standards.—A State shall
not develop, or implement for use under
this part, any alternate academic achieve-
ment standards for children with disabil-
ities that are not alternate academic
achievement standards that meet the re-
quirements of clause (i).

“(F) English language proficiency
standards.—Each State plan shall dem-
onstrate that the State has adopted English
language proficiency standards that are aligned
with the challenging State academic standards
under subparagraph (A). Such standards
shall—

“(i) ensure proficiency in each of the
domains of speaking, listening, reading,
and writing;

“(ii) address the different proficiency
levels of children who are English learners;
and
“(iii) be aligned with the challenging State academic standards in reading or language arts, so that achieving proficiency in the State’s English language proficiency standards indicates a sufficient knowledge of English to measure validly and reliably the student’s achievement on the State’s reading or language arts standards.

“(G) Prohibitions.—

“(i) Standards review or approval.—A State shall not be required to submit any standards developed under this subsection to the Secretary for review or approval.

“(ii) Federal control.—The Secretary shall not have the authority to mandate, direct, control, coerce, or exercise any direction or supervision over any of the challenging State academic standards adopted or implemented by a State.

“(H) Existing standards.—Nothing in this part shall prohibit a State from revising, consistent with this section, any standard adopted under this part before or after the date

“(2) ACADEMIC ASSESSMENTS.—

“(A) IN GENERAL.—Each State plan shall demonstrate that the State educational agency, in consultation with local educational agencies, has implemented a set of high-quality statewide academic assessments that—

“(i) includes, at a minimum, academic statewide assessments in mathematics, reading or language arts, and science; and

“(ii) meets the requirements of subparagraph (B).

“(B) REQUIREMENTS.—The assessments under subparagraph (A) shall—

“(i) except as provided in subparagraph (D), be—

“(I) the same academic assessments used to measure the achievement of all public elementary school and secondary school students in the State; and

“(II) administered to all public elementary school and secondary school students in the State;
“(ii) be aligned with the challenging State academic standards, and provide coherent and timely information about student attainment of such standards and whether the student is performing at the student’s grade level;

“(iii) be used for purposes for which such assessments are valid and reliable, consistent with relevant, nationally recognized professional and technical testing standards, and objectively measure academic achievement, knowledge, and skills;

“(iv) be of adequate technical quality for each purpose required under this Act and consistent with the requirements of this section, the evidence of which is made public, including on the website of the State educational agency;

“(v)(I) measure the annual academic achievement of all students against the challenging State academic standards in, at a minimum, mathematics and reading or language arts, and be administered—

“(aa) in each of grades 3 through 8; and
“(bb) at least once in grades 9 through 12; and

“(II) measure the academic achievement of all students against the challenging State academic standards in science, and be administered not less than one time, during—

“(aa) grades 3 through 5;

“(bb) grades 6 through 9; and

“(cc) grades 10 through 12;

“(vi) involve multiple up-to-date measures of student academic achievement, including measures that assess higher-order thinking skills and understanding, which may include measures of student academic growth and may be partially delivered in the form of portfolios, projects, or extended performance tasks;

“(vii) provide for—

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

“(II) the appropriate accommodations for children with disabilities and students with a disability who are provided accommodations
under another Act, necessary to measure the academic achievement of such children relative to the challenging State academic standards;

“(III) the inclusion of English learners, who shall be assessed in a valid and reliable manner and provided appropriate 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 paragraph (1)(F);

“(viii) at the State’s choosing—

“(I) be administered through a single summative assessment; or

“(II) be administered through multiple statewide assessments during the course of the year if the State can demonstrate that the results of these
multiple assessments, taken in their totality, provide a summative score that provides valid and reliable information on individual student achievement or growth;

“(ix) notwithstanding clause (vii)(III), provide for assessments (using tests in English) of reading or language arts of any student who has attended school in the United States (not including the Commonwealth of 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, provided that such student has not yet reached a level of English language proficiency sufficient to yield valid and reli-
able information on what such student
knows and can do on tests (written in
English) of reading or language arts;

“(x) produce individual student inter-
pretive, descriptive, and diagnostic reports,
consistent with clause (iii), that allow par-
ents, teachers, principals, and other school
leaders to understand and address the spe-
cific academic needs of students, and in-
clude information regarding achievement
on academic assessments aligned with chal-
 lenging State academic achievement stand-
ards, and that are provided to parents,
teachers, principals, and other school lead-
ers as soon as is practicable after the as-
sessment is given, in an understandable
and uniform format, and, to the extent
practicable, in a language that the parents
can understand;

“(xi) enable results to be
disaggregated within each State, local edu-
cational agency, and school, by—

“(I) each major racial and ethnic
group;
“(II) economically disadvantaged students as compared to students who are not economically disadvantaged;
“(III) children with disabilities as compared to children without disabilities;
“(IV) English proficiency status;
“(V) gender; and
“(VI) migrant status;
“(xii) enable itemized score analyses to be produced and reported, consistent with clause (iii), to local educational agencies and schools, so that parents, teachers, principals, other school leaders, and administrators can interpret and address the specific academic needs of students as indicated by the students’ achievement on assessment items; and
“(xiii) be developed, to the extent practicable, using the principles of universal design for learning.
“(C) Exception to disaggregation.—Notwithstanding subparagraph (B)(xi), the disaggregated results of assessments shall not
be required in the case of a local educational agency or school if—

“(i) the number of students in a category described under subparagraph (B)(xi) is insufficient to yield statistically reliable information; or

“(ii) the results would reveal personally identifiable information about an individual student.

“(D) ALTERNATE ASSESSMENTS FOR STUDENTS WITH THE MOST SIGNIFICANT COGNITIVE DISABILITIES.—

“(i) ALTERNATE ASSESSMENTS ALIGNED WITH ALTERNATE ACADEMIC ACHIEVEMENT STANDARDS.—A State may provide for alternate assessments aligned with the challenging State academic content standards and alternate academic achievement standards described in paragraph (1)(E) for students with the most significant cognitive disabilities, if the State—

“(I) ensures that for each subject, the total number of students assessed in such subject using the alter-
nate assessments does not exceed 1 percent of the total number of all students 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, individually for each subject, when a child’s significant cognitive disability justifies assessment based on alternate academic achievement standards;

“(III) ensures that, consistent with the requirements of the Individuals with Disabilities Education Act, parents are involved in the decision to use the alternate assessment for their child;

“(IV) ensures that, consistent with the requirements of the Individuals with Disabilities Education Act, students with the most significant
cognitive disabilities are involved in
and make progress in the general edu-
cation curriculum;

“(V) describes in the State plan
the appropriate accommodations pro-
vided to ensure access to the alternate
assessment;

“(VI) describes in the State plan
the steps the State has taken to incor-
porate universal design for learning,
to the extent feasible, in alternate as-
sessments;

“(VII) ensures that general and
special education teachers and other
appropriate staff know how to admin-
ister assessments, including making
appropriate use of accommodations, to
children with disabilities;

“(VIII) develops, disseminates in-
formation on, and promotes the use of
appropriate accommodations to in-
crease the number of students with
significant cognitive disabilities par-
ticipating in academic instruction and
assessments and increase the number
of students with significant cognitive disabilities who are tested against challenging State academic achievement standards; and

“(IX) ensures that students who take alternate assessments based on alternate academic achievement standards are not precluded from attempting to complete the requirements for a regular high school diploma.

“(ii) STUDENTS WITH THE MOST SIGNIFICANT COGNITIVE DISABILITIES.—In determining the achievement of students in the State accountability system, a State educational agency shall 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 this subparagraph in the subjects included in the State’s accountability system, consistent with the 1 percent limitation of clause (i)(I).

“(E) STATE AUTHORITY.—If a State educational agency provides evidence, which is sat-
satisfactory to the Secretary, that neither the State educational agency nor any other State government official, agency, or entity has sufficient authority, under State law, to adopt challenging State academic standards, and academic assessments aligned with such standards, which will be applicable to all students enrolled in the State’s public elementary schools and secondary schools, then the State educational agency may meet the requirements of this subsection by—

“(i) adopting academic standards and academic assessments that meet the requirements of this subsection, on a statewide basis, and limiting their applicability to students served under this part; or

“(ii) adopting and implementing policies that ensure that each local educational agency in the State that receives grants under this part will adopt academic content and student academic achievement standards, and academic assessments aligned with such standards, which—

“(I) meet all of the criteria in this subsection and any regulations
regarding such standards and assessments that the Secretary may publish; and

“(II) are applicable to all students served by each such local educational agency.

“(F) LANGUAGE ASSESSMENTS.—Each State plan shall identify the languages other than English that are present to a significant extent in the participating student population of the State and indicate the languages for which annual student academic assessments are not available and are needed, and such State shall make every effort to develop such assessments as necessary.

“(G) ASSESSMENTS OF ENGLISH LANGUAGE PROFICIENCY.—Each State plan shall demonstrate that local educational agencies in the State will provide for an annual assessment of English proficiency, which is valid, reliable, and consistent with relevant nationally recognized professional and technical testing standards measuring students’ speaking, listening, reading, and writing skills in English, of all
children who are English learners in the schools served by the State educational agency.

“(H) DEFERRAL.—A State may defer the commencement, or suspend the administration, but not cease the development, of the assessments described in this paragraph, for 1 year for each year for which the amount appropriated for grants under part B is less than $378,000,000.

“(I) RULE OF CONSTRUCTION REGARDING USE OF ASSESSMENTS FOR STUDENT PROMOTION OR GRADUATION.—Nothing in this paragraph shall be construed to prescribe or prohibit the use of the academic assessments described in this part for student promotion or graduation purposes.

“(J) RULE OF CONSTRUCTION REGARDING ASSESSMENTS.—

“(i) IN GENERAL.—Except as provided in clause (ii), nothing in this paragraph shall be construed to prohibit a State from developing and administering computer adaptive assessments as the assessments described in this paragraph, as
long as the computer adaptive assessments—

“(I) meet the requirements of this paragraph; and

“(II) assess the student’s academic achievement in order to measure, in the subject being assessed, whether the student is performing above or below the student’s grade level.

“(ii) Applicability to Alternate Assessments for Students with the Most Significant Cognitive Disabilities.—In developing and administering computer adaptive assessments as the assessments allowed under subparagraph (D), a State shall ensure that such computer adaptive assessments—

“(I) meet the requirements of this paragraph, including subparagraph (D), except such assessments shall not be required to meet the requirements of clause (i)(II); and

“(II) assess the student’s academic achievement in order to meas-
ure, in the subject being assessed, whether the student is performing at the student’s grade level.

“(K) Rule of construction on parent and guardian rights.—Nothing in this part shall be construed as preemption a State or local law regarding the decision of a parent or guardian to not have the parent or guardian’s child participate in the statewide academic assessments under this paragraph.

“(3) State accountability system.—

“(A) Category of students.—In this paragraph, the term ‘category of students’ means—

“(i) economically disadvantaged students;

“(ii) students from major racial and ethnic groups;

“(iii) children with disabilities; and

“(iv) English learner students.

“(B) Description of system.—Each State plan shall describe a single, statewide State accountability system that will be based on the challenging State academic standards adopted by the State to ensure that all students
graduate from high school prepared for postsec-
ondary education or the workforce without the
need for postsecondary remediation and at a
minimum complies with the following:

“(i) Annually establishes State-de-
signed goals for all students and each of
the categories of students in the State that
take into account the progress necessary
for all students and each of the categories
of students to graduate from high school
prepared for postsecondary education or
the workforce without the need for postsec-
ondary remediation, for, at a minimum
each of the following:

“(I) Academic achievement,
which may include student growth, on
the State assessments under para-
graph (2).

“(II) High school graduation
rates, including—

“(aa) the 4-year adjusted
cohort graduation rate; and

“(bb) at the State’s discre-
tion, the extended-year adjusted
cohort graduation rate.
“(ii) Annually measures and reports
on the following indicators:

“(I) The academic achievement
of all public school students in all
public schools and local educational
agencies in the State towards meeting
the goals described in clause (i) and
the challenging State academic stand-
ards for all students and for each of
the categories of students using stu-
dent performance on State assess-
ments required under paragraph (2),
which may include measures of stu-
dent academic growth to such stand-
ards.

“(II) The academic success of all
public school students in all public
schools and local educational agencies
in the State, that is with respect to—

“(aa) elementary schools
and secondary schools that are
not high schools, an academic in-
dicator, as determined by the
State, that is the same statewide
for all public elementary school
students and all students at such
secondary schools, and each cate-
egory of students; and

“(bb) high schools, the high
school graduation rates of all
public high school students in all
public high schools in the State
toward meeting the goals de-
scribed in clause (i), for all stu-
dents and for each of the cat-
egories of students, including the
4-year adjusted cohort gradu-
ation rate and at the State’s dis-
cretion, the extended-year ad-
justed cohort graduation rate.

“(III) English language pro-
ficiency of all English learners in all
public schools and local educational
agencies, which may include measures
of student growth.

“(IV) Not less than one other
valid and reliable indicator of school
quality, success, or student supports,
as determined appropriate by the
State, that will be applied to all local
educational agencies and schools consistently throughout the State for all students and for each of the categories of students, which may include measures of—

“(aa) student readiness to enter postsecondary education or the workforce without the need for postsecondary remediation;

“(bb) student engagement, such as attendance rates and chronic absenteeism;

“(cc) educator engagement, such as educator satisfaction (including working conditions within the school), teacher quality and effectiveness, and teacher absenteeism;

“(dd) results from student, parent, and educator surveys;

“(ee) school climate and safety, such as incidents of school violence, bullying, and harassment, and disciplinary rates, including rates of suspension, ex-
pulsion, referrals to law enforce-
ment, school-based arrests, dis-
iplinary transfers (including
placements in alternative
schools), and student detentions;

“(ff) student access to or
success in advanced coursework
or educational programs or op-
portunities; and

“(gg) any other State-deter-
mined measure of school quality
or student success.

“(iii) Establishes a system of annually
identifying and meaningfully differen-
tiating among all public schools in the
State, which shall—

“(I) be based on all indicators in
the State’s accountability system for
all students and for each of the cat-
egories of students; and

“(II) use the indicators described
in subclauses (I) and (II) of clause (ii)
as substantial factors in the annual
identification of schools, and the
weight of such factors shall be determined by the State.

“(iv) For public schools receiving assistance under this part, meets the requirements of section 1114.

“(v) Provides a clear and understandable explanation of the method of identifying and meaningfully differentiating schools under clause (iii).

“(vi) Measures the annual progress of not less than 95 percent of all students, and students in each of the categories of students, who are enrolled in the school and are required to take the assessments under paragraph (2) and provides a clear and understandable explanation of how the State will factor this requirement into the State-designed accountability system determinations.

“(4) Exception for English learners.—A State may choose to—

“(A) exclude a recently arrived English learner who has attended school in one of the 50 States in the United States or in the District of Columbia for less than 12 months from
one administration of the reading or language
arts assessment required under paragraph (2);

“(B) exclude the results of a recently ar-
ived English learner who has attended school
in one of the 50 States in the United States or
in the District of Columbia for less than 12
months on the assessments under paragraph
(2), except for the results on the English lan-
guage proficiency assessments required under
paragraph (2)(G), for the first year of the
English learner’s enrollment in a school in the
United States for the purposes of the State-de-
determined accountability system under this sub-
section; and

“(C) include the results on the assessments
under paragraph (2), except for results on the
English language proficiency assessments re-
quired under paragraph (2)(G), of former
English learners for not more than 2 years
after the student is no longer identified as an
English learner within the English learner cat-
egory of the categories of students, as defined
in paragraph (3)(A), for the purposes of the
State-determined accountability system.
“(5) Accountability for Charter Schools.—The accountability provisions under this title shall be overseen for charter schools in accordance with State charter school law.

“(6) Prohibition on Federal Interference with State and Local Decisions.—Nothing in this subsection shall be construed to permit the Secretary to establish any criterion that specifies, defines, or prescribes—

“(A) the standards or measures that States or local educational agencies use to establish, implement, or improve challenging State academic standards, including the content of, or achievement levels within, such standards;

“(B) the specific types of academic assessments or assessment items that States or local educational agencies use to meet the requirements of paragraph (2)(B) or otherwise use to measure student academic achievement or student growth;

“(C) the specific goals that States establish within State-designed accountability systems for all students and for each of the categories of students, as defined in paragraph (3)(A), for student academic achievement or
high school graduation rates, as described in
subclauses (I) and (II) of paragraph (3)(B)(i);

“(D) any requirement that States shall
measure student growth or the specific metrics
used to measure student academic growth if a
State chooses to measure student growth;

“(E) the specific indicator under para-
graph (3)(B)(ii)(II)(aa), or any indicator under
paragraph (3)(B)(ii)(IV), that a State must use
within the State-designed accountability system;

“(F) setting specific benchmarks, targets,
or goals, for any other measures or indicators
established by a State under subclauses (III)
and (IV) of paragraph (3)(B)(ii), including
progress or growth on such measures or indica-
tors;

“(G) the specific weight or specific signifi-
cance of any measures or indicators used to
measure, identify, or differentiate schools in the
State-determined accountability system, as de-
scribed in clauses (ii) and (iii) of paragraph
(3)(B);

“(H) the terms ‘meaningfully’ or ‘substan-
tially’ as used in this part;
“(I) the specific methods used by States and local educational agencies to identify and meaningfully differentiate among public schools;

“(J) any aspect or parameter of a teacher, principal, or other school leader evaluation system within a State or local educational agency; or

“(K) indicators or measures of teacher, principal, or other school leader effectiveness or quality.

“(c) OTHER PLAN PROVISIONS.—

“(1) DESCRIPTIONS.—Each State plan shall de-
scribe—

“(A) with respect to any accountability provisions under this part that require disaggregation of information by each of the categories of students, as defined in subsection (b)(3)(A)—

“(i) the minimum number of students that the State determines are necessary to be included in each such category of students to carry out such requirements and how that number is statistically sound;

“(ii) how such minimum number of students was determined by the State, in-
cluding how the State collaborated with teachers, principals, other school leaders, parents, and other stakeholders when setting the minimum number; and

“(iii) how the State ensures that such minimum number does not reveal personally identifiable information about students;

“(B) the State educational agency’s system to monitor and evaluate the intervention and support strategies implemented by local educational agencies in schools identified as in need of intervention and support under section 1114, including the lowest-performing schools and schools identified for other reasons, including schools with categories of students, as defined in subsection (b)(3)(A), not meeting the goals described in subsection (b)(3)(B)(i), and the steps the State will take to further assist local educational agencies, if such strategies are not effective;

“(C) in the case of a State that proposes to use funds under this part to offer early childhood education programs, how the State provides assistance and support to local edu-
cational agencies and individual elementary
schools that are creating, expanding, or improv-
ing such programs;

“(D) in the case of a State that proposes
to use funds under this part to support a multi-
tiered system of supports, positive behavioral
interventions and supports, or early intervening
services, how the State educational agency will
assist local educational agencies in the develop-
ment, implementation, and coordination of such
activities and services with similar activities and
services carried out under the Individuals with
Disabilities Education Act in schools served by
the local educational agency, including by pro-
viding technical assistance, training, and eval-
uation of the activities and services;

“(E) how the State educational agency will
provide support to local educational agencies for
the education of homeless children and youths,
and how the State will comply with the require-
ments of subtitle B of title VII of the McKin-
ney-Vento Homeless Assistance Act;

“(F) how low-income and minority children
enrolled in schools assisted under this part are
not served at disproportionate rates by ineffec-
tive, out-of-field, and inexperienced teachers, principals, or other school leaders, and the measures the State educational agency will use to evaluate and publicly report the progress of the State educational agency with respect to such description;

“(G) how the State will make public the methods or criteria the State or its local educational agencies are using to measure teacher, principal, and other school leader effectiveness for the purpose of meeting the requirements described in subparagraph (F), however nothing in this subparagraph shall be construed as requiring a State to develop or implement a teacher, principal, or other school leader evaluation system;

“(H) how the State educational agency will protect each student from physical or mental abuse, aversive behavioral interventions that compromise student health and safety, or any physical restraint or seclusion imposed solely for purposes of discipline or convenience, which may include how such agency will identify and support, including through professional development, training, and technical assistance, local
educational agencies and schools that have high levels of seclusion and restraint or disproportionality in rates of seclusion and restraint;

“(I) how the State educational agency will address school discipline issues, which may include how such agency will identify and support, including through professional development, training, and technical assistance, local educational agencies and schools that have high levels of exclusionary discipline or disproportionality in rates of exclusionary discipline;

“(J) how the State educational agency will address school climate issues, which may include providing technical assistance on effective strategies to reduce the incidence of school violence, bullying, harassment, drug and alcohol use and abuse, and rates of chronic absenteeism;

“(K) how the State determines, with timely and meaningful consultation with local educational agencies representing the geographic diversity of the State, the timelines and annual goals for progress necessary to move English
learners from the lowest levels of English proficiency to the State-defined proficient level in a State-determined number of years, including an assurance that such goals will be based on students’ initial language proficiency when first identified as an English learner and may take into account the amount of time that an individual child has been enrolled in a language program and grade level;

“(L) the steps a State educational agency will take to ensure collaboration 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. and 670 et seq.) to improve the educational stability of children or youth in foster care, including an assurance that—

“(i) any such child or youth is immediately enrolled in a school, even if the child or youth is unable to produce records normally required for enrollment; and

“(ii) the enrolling school shall immediately contact the school last attended by any such child or youth to obtain relevant academic and other records; and
“(M) any other information on how the State proposes to use funds under this part to meet the purposes of this part, and that the State determines appropriate to provide, which may include how the State educational agency will—

“(i) assist local educational agencies in identifying and serving gifted and talented students; and

“(ii) encourage the offering of a variety of well-rounded education experiences to students.

“(2) ASSURANCES.—Each State plan shall provide an assurance that—

“(A) the State educational agency will notify local educational agencies, Indian tribes and tribal organizations, schools, teachers, parents, and the public of the challenging State academic standards, academic assessments, and State accountability system, developed under this section;

“(B) the State educational agency will assist each local educational agency and school affected by the State plan to meet the requirements of this part;
“(C) the State will participate in the biennial State academic assessments in reading and mathematics in grades 4 and 8 of the National Assessment of Educational Progress carried out under section 303(b)(3) of the National Assessment of Educational Progress Authorization Act if the Secretary pays the costs of administering such assessments;

“(D) the State educational agency will modify or eliminate State fiscal and accounting barriers so that schools can easily consolidate funds from other Federal, State, and local sources in order to improve educational opportunities and reduce unnecessary fiscal and accounting requirements;

“(E) the State educational agency will support the collection and dissemination to local educational agencies and schools of effective parent and family engagement strategies, including those included in the parent and family engagement policy under section 1115;

“(F) the State educational agency will provide the least restrictive and burdensome regulations for local educational agencies and indi-
individual schools participating in a program assisted under this part;

“(G) the State educational agency will ensure that local educational agencies, in developing and implementing programs under this part, will, to the extent feasible, work in consultation with outside intermediary organizations, such as educational service agencies, or individuals, that have practical expertise in the development or use of evidence-based strategies and programs to improve teaching, learning, and schools;

“(H) the State educational agency has appropriate procedures and safeguards in place to ensure the validity of the assessment process;

“(I) the State educational agency will ensure that all teachers and paraprofessionals working in a program supported with funds under this part meet applicable State certification and licensure requirements, including alternative certification requirements;

“(J) the State educational agency will coordinate activities funded under this part with other Federal activities as appropriate;
“(K) the State educational agency has involved the committee of practitioners established under section 1503(b) in developing the plan and monitoring its implementation;

“(L) the State has professional standards for paraprofessionals working in a program supported with funds under this part, including qualifications that were in place on the day before the date of enactment of the Every Child Achieves Act of 2015; and

“(M) the State educational agency will assess the system for collecting data from local educational agencies, and the technical assistance provided to local educational agencies on data collection, and will evaluate the need to upgrade or change the system and to provide additional support to help minimize the burden on local educational agencies related to reporting data required for the annual State report card described in subsection (d)(1) and annual local educational agency report cards described in subsection (d)(2).

“(d) REPORTS.—

“(1) ANNUAL STATE REPORT CARD.—
“(A) IN GENERAL.—A State that receives assistance under this part shall prepare and disseminate widely to the public an annual State report card for the State as a whole that meets the requirements of this paragraph.

“(B) IMPLEMENTATION.—

“(i) IN GENERAL.—The State report card required under this paragraph shall be—

“(I) concise;

“(II) presented in an understandable and uniform format and, to the extent practicable, in a language that parents can understand; and

“(III) widely accessible to the public, which shall include making the State report card, along with all local educational agency and school report cards required under paragraph (2), and the annual report to the Secretary under paragraph (5), available on a single webpage of the State educational agency’s website.

“(ii) ENSURING PRIVACY.—No State report card required under this paragraph
shall include any personally identifiable in-
formation about any student. Each such
report card shall be consistent with the
privacy protections under 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’).

“(C) Minimum Requirements.—Each
State report card required under this subsection
shall include the following information:

“(i) A clear and concise description of
the State’s accountability system under
subsection (b)(3), including the goals for
all students and for each of the categories
of students, as defined in subsection
(b)(3)(A), the indicators used in the ac-
countability system to evaluate school per-
formance described in subsection
(b)(3)(B), and the weights of the indica-
tors used in the accountability system to
evaluate school performance.

“(ii) For all students and
disaggregated by each category of students
described in subsection (b)(2)(B)(xi),
homeless status, and 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 a category is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student, information on student achievement on the academic assessments described in subsection (b)(2) at each level of achievement, as determined by the State under subsection (b)(1).

“(iii) For all students and disaggregated by each category of students described in subsection (b)(2)(B)(xi), the percentage of students assessed and not assessed.

“(iv) For all students and disaggregated by each of the categories of students, as defined in subsection (b)(3)(A), except that such disaggregation shall not be required 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—

“(I) information on the performance on the other academic indicator under subsection (b)(3)(B)(ii)(II)(aa) used by the State in the State accountability system; and

“(II) high school graduation rates, including 4-year adjusted cohort graduation rates and, at the State’s discretion, extended-year adjusted cohort graduation rates.

“(v) Information on indicators or measures of school quality, climate and safety, and discipline, including the rates of in-school suspensions, out-of-school suspensions, expulsions, school-based arrests, referrals to law enforcement, chronic absenteeism, and incidences of violence, including bullying and harassment, that the State educational agency and each local educational agency in the State reported to the Civil Rights Data Collection biennial survey required by the Office for Civil Rights of the Department that is the most
recent to the date of the determination in
the same manner that such information is
presented on such survey.

“(vi) The minimum number of stu-
dents that the State determines are nec-
essary to be included in each of the cat-
egories of students, as defined in sub-
section (b)(3)(A), for use in the account-
ability system under subsection (b)(3).

“(vii) The professional qualifications
of teachers, principals, and other school
leaders in the State, including information
(that shall be presented in the aggregate
and disaggregated by high-poverty com-
pared to low-poverty schools which, for the
purpose of this clause, means schools in
each quartile based on school poverty level,
and high–minority and low–minority
schools in the State) on the number, per-
centage, and distribution of—

“(I) inexperienced teachers, prin-
cipals, and other school leaders;

“(II) teachers teaching with
emergency or provisional credentials;
“(III) teachers who are not teaching in the subject or field for which the teacher is certified or licensed;

“(IV) teachers, principals, and other school leaders who are ineffective, as determined by the State, using the methods or criteria under subsection (c)(1)(G); and

“(V) the annual retention rates of effective and ineffective teachers, principals, and other school leaders, as determined by the State, using the methods or criteria under subsection (c)(1)(G).

“(viii) Information on the performance of local educational agencies and schools in the State, including the number and names of each school identified for intervention and support under section 1114.

“(ix) For a State that implements a teacher, principal, and other school leader evaluation system consistent with title II, the evaluation results of teachers, prin-
cipals, and other school leaders, except that such information shall not provide personally identifiable information on individual teachers, principals, or other school leaders.

“(x) The per-pupil expenditures of Federal, State, and local funds, including actual personnel expenditures and actual nonpersonnel expenditures of Federal, State, and local funds, disaggregated by source of funds, for each local educational agency and each school in the State for the preceding fiscal year.

“(xi) The number and percentages of students with the most significant cognitive disabilities that take an alternate assessment under subsection (b)(2)(D), by grade and subject.

“(xii) Information on the acquisition of English language proficiency by students who are English learners.

“(xiii) Information that the State educational agency and each local educational agency in the State reported to the Civil Rights Data Collection biennial survey re-
quired by the Office for Civil Rights of the Department that is the most recent to the date of the determination in the same manner that such information is presented on such survey that includes—

“(I) the number and percentage of—

“(aa) students enrolled in gifted and talented programs;

“(bb) students enrolled in rigorous coursework to earn post-secondary credit while still in high school, such as Advanced Placement and International Baccalaureate courses and examinations, and dual enrollment and early college high schools; and

“(cc) children enrolled in preschool programs;

“(II) the average class size, by grade; and

“(III) any other indicators determined by the State.

“(xiv) The number and percentage of students attaining career and technical
proficiencies, as defined by section 113(b) of the Carl D. Perkins Career and Technical Education Act of 2006 and reported by States only in a manner consistent with section 113(c) of that Act.

“(xv) Results on the National Assessment of Educational Progress in reading and mathematics in grades 4 and 8 for the State, compared to the national average.

“(xvi) Information on the percentage of students, including for each of the categories of students, as defined in subsection (b)(3)(A), who did not meet the annual State goals established under subsection (b)(3)(B).

“(xvii) Information regarding the number of military-connected students (which, for purposes of this clause, shall mean students with parents who serve in the uniformed services, including the National Guard and Reserves), and information regarding the academic achievement of such students, except that such information shall not be used for school or local
educational agency accountability purposes
under sections 1111(b)(3) and 1114.

“(xviii) Any additional information
that 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 ele-
mentary schools and secondary schools.

“(D) RULE OF CONSTRUCTION.—

“(i) IN GENERAL.—Nothing in clause
(v) or (xiii) of subparagraph (C) shall be
construed as requiring a State to report
any data that are not otherwise required or
voluntarily submitted to the Civil Rights
Data Collection biennial survey required by
the Office for Civil Rights of the Depart-
ment.

“(ii) CONTINUATION OF SUBMISSION
to department of information.—If, at
any time after the date of enactment of the
Every Child Achieves Act of 2015, the
Civil Rights Data Collection biennial sur-
vey is no longer conducted by the Office
for Civil Rights of the Department, a State
educational agency shall still include the
information under clauses (v) and (xiii) of subparagraph (C) in the State report card under this paragraph in the same manner that such information is presented on such survey.

“(2) ANNUAL LOCAL EDUCATIONAL AGENCY REPORT CARDS.—

“(A) IN GENERAL.—

“(i) PREPARATION AND DISSEMINATION.—A local educational agency that receives assistance under this part shall prepare and disseminate an annual local educational agency report card that includes—

“(I) information on such agency as a whole; and

“(II) for each school served by the agency, a school report card that meets the requirements of this paragraph.

“(ii) NO PERSONALLY IDENTIFIABLE INFORMATION.—No local educational agency report card required under this paragraph shall include any personally identifiable information about any student.
“(iii) CONSISTENT WITH FERPA.—

Each local educational agency report card shall be consistent with the privacy protections under 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’).

“(B) IMPLEMENTATION.—Each local educational agency report card shall be—

“(i) concise;

“(ii) presented in an understandable and uniform format, and to the extent practicable in a language that parents can understand; and

“(iii) accessible to the public, which shall include—

“(I) placing such report card on the website of the local educational agency and on the website of each school served by the agency; and

“(II) in any case in which a local educational agency or school does not operate a website, providing the information to the public in another man-
ner determined by the local educational agency.

“(C) MINIMUM REQUIREMENTS.—Each local educational agency report card required under this paragraph shall include—

“(i) the information described in paragraph (1)(C), disaggregated in the same manner as under paragraph (1)(C), except for clause (xv) of such paragraph, as applied to the local educational agency, and each school served by the local educational agency, including—

“(I) in the case of a local educational agency, information that shows how students served by the local educational agency achieved on the academic assessments described in subsection (b)(2) compared to students in the State as a whole; and

“(II) in the case of a school, information that shows how the school’s students’ achievement on the academic assessments described in subsection (b)(2) compared to students
served by the local educational agency
and the State as a whole;
“(ii) any information required by the
State under paragraph (1)(C)(xviii); and
“(iii) any other information that the
local educational agency determines is ap-
propriate and will best provide parents,
students, and other members of the public
with information regarding the progress of
each public school served by the local edu-
cational agency, whether or not such infor-
mation is included in the annual State re-
port card.
“(D) PUBLIC DISSEMINATION.—
“(i) IN GENERAL.—Except as pro-
vided in clause (ii), a local educational
agency shall—
“(I) publicly disseminate the in-
formation described in this paragraph
to all schools in the school district
served by the local educational agency
and to all parents of students attend-
ing such schools; and
“(II) make the information wide-
ly available through public means, in-
including through electronic means, including posting in an easily accessible manner on the local educational agency’s website, except in the case in which an agency does not operate a website, such agency shall determine how to make the information available, such as through distribution to the media, and distribution through public agencies.

“(ii) EXCEPTION.—If a local educational agency issues a report card for all students, the local educational agency may include the information described in this paragraph as part of such report.

“(3) 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 Every Child Achieves Act of 2015, may use such report cards for the purpose of disseminating information under this subsection if the report card is modified, as may be needed, to contain the information required by this subsection.
“(4) 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.

“(5) Annual state report to the Secretary.—Each State educational agency receiving assistance under this part shall report annually to the Secretary, and make widely available within the State—

“(A) information on student achievement on the academic assessments described in subsection (b)(2) for all students and disaggregated by each of the categories of students, as defined in subsection (b)(3)(A), including—

“(i) the percentage of students who achieved at each level of achievement the State has set in subsection (b)(1);

“(ii) the percentage of students who did not meet the annual State goals set in subsection (b)(3)(B); and
“(iii) if applicable, the percentage of students making at least one year of academic growth over the school year, as determined by the State;

“(B) the percentage of students assessed and not assessed on the academic assessments described in subsection (b)(2) for all students and disaggregated by each category of students described in subsection (b)(2)(B)(xi);

“(C) for all students and disaggregated by each of the categories of students, as defined in subsection (b)(3)(A)—

“(i) information on the performance on the other academic indicator under subsection (b)(3)(B)(ii)(II)(aa) used by the State in the State accountability system;

“(ii) high school graduation rates, including 4-year adjusted cohort graduation rates and, at the State’s discretion, extended-year adjusted cohort graduation rates; and

“(iii) information on each State-determined indicator of school quality, success, or student support under subsection
(b)(3)(B)(ii)(IV) selected by the State in the State accountability system;

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

“(E) the per-pupil expenditures of Federal, State, and local funds, including actual staff personnel expenditures and actual nonpersonnel expenditures, disaggregated by source of funds for each school served by the agency for the preceding fiscal year;

“(F) the number and percentage of students with the most significant cognitive disabilities that take an alternate assessment under subsection (b)(2)(D), by grade and subject;

“(G) the number and names of the schools identified as in need of intervention and support under section 1114, and the school intervention and support strategies developed and implemented by the local educational agency under section 1114(b) to address the needs of students in each school;
“(H) the number of students and schools that participated in public school choice under section 1114(b)(4);

“(I) information on the quality and effectiveness of teachers for each quartile of schools based on the school’s poverty level and high-minority and low-minority schools in the local educational agencies in the State, including the number, percentage, and distribution of—

“(i) inexperienced teachers;

“(ii) teachers who are not teaching in the subject or field for which the teacher is certified or licensed; and

“(iii) teachers who are not effective, as determined by the State if the State has a statewide teacher, principal, or other school leader evaluation system; and

“(J) if the State has a statewide teacher, principal, or other school leader evaluation system, information on the results of such teacher, principal, or other school leader evaluation systems that does not reveal personally identifiable information.

“(6) PRESENTATION OF DATA.—
“(A) IN GENERAL.—A State educational agency or local educational agency shall only include in its annual report card described under paragraphs (1) and (2) data that are sufficient to yield statistically reliable information, and that do not reveal personally identifiable information about an individual student, teacher, principal, or other school leader.

“(B) STUDENT PRIVACY.—In carrying out this subsection, student education records shall not be released without written consent consistent 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’).

“(7) REPORT TO CONGRESS.—The Secretary shall transmit annually to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives a report that provides national and State level data on the information collected under paragraph (5). Such report shall be submitted through electronic means only.

“(8) SECRETARY’S REPORT CARD.—
“(A) IN GENERAL.—Not later than July 1, 2017, and annually thereafter, the Secretary, acting through the Director of the Institute of Education Sciences, shall transmit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives 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 comparable international assessments;

“(iii) identify trends in student achievement and high school graduation rates (including 4-year adjusted cohort graduation rates and extended-year adjusted cohort graduation rates), by analyzing and reporting on the status and per-
formance of students, disaggregated by achievement level and by each of the categories of students, as defined in subsection (b)(3)(A);

“(iv) analyze data on Federal, State, and local expenditures on education, including per-pupil spending, teacher salaries, school level spending, and other financial data publicly available, and report on current trends and major findings; and

“(v) analyze information on the teaching, principal, and other school leader professions, including education and training, retention and mobility, and effectiveness in improving student achievement.

“(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) PUBLIC RECOGNITION.—The Secretary may identify and publicly recognize States, local educational agencies, schools, programs, and individuals for exemplary performance.

“(e) VOLUNTARY PARTNERSHIPS.—

“(1) IN GENERAL.—Nothing in this section shall be construed to prohibit a State from entering into a voluntary partnership with another State to develop and implement the academic assessments, challenging State academic standards, and accountability systems required under this section.

“(2) PROHIBITION.—The Secretary shall be prohibited from requiring or coercing a State to enter into a voluntary partnership described in paragraph (1), including—

“(A) as a condition of approval of a State plan under this section;

“(B) as a condition of an award of Federal funds under any grant, contract, or cooperative agreement;

“(C) as a condition of approval of a waiver under section 9401; or

“(D) by providing any priority, preference, or special consideration during the application
process under any grant, contract, or cooperative agreement.

“(f) 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 the Interior that receives funds under this part, the following shall apply:

“(1) Each such school that is 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) Each such school that is accredited by a regional accrediting organization shall adopt an appropriate assessment 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) Each such school that is accredited by a tribal accrediting agency or tribal division of education shall use an assessment developed by such agency or division, except that the Secretary of the
Interior shall ensure that such assessment meets the requirements of this section.

“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—

“(A) is developed with timely and meaningful consultation with teachers, principals, other school leaders, specialized instructional support personnel, paraprofessionals (including organizations representing such individuals), administrators (including administrators of programs described in other parts of this title), and other appropriate school personnel, and with parents of children in schools served under this part;

“(B) satisfies the requirements of this section; and

“(C) as appropriate, is coordinated with other programs under this Act, the Individuals with Disabilities Education Act, the Rehabilitation Act of 1973, the Carl D. Perkins Career
and Technical Education Act of 2006, the Workforce Innovation and Opportunity Act, the Head Start Act, the Child Care and Development Block Grant Act of 1990, the Education Sciences Reform Act of 2002, the Education Technical Assistance Act, the NAEP Authorization Act, the McKinney-Vento Homeless Assistance Act, and the Adult Education and Family Literacy Act.

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

“(3) STATE REVIEW AND APPROVAL.—

“(A) IN GENERAL.—Each local educational agency plan shall be filed according to a schedule established by the State educational agency.

“(B) APPROVAL.—The State educational agency shall approve a local educational agency’s plan only if the State educational agency determines that the local educational agency’s plan meets the requirements of this part and enables children served under this part to meet the challenging State academic standards described in section 1111(b)(1).
“(4) Duration.—Each local educational agency plan shall be submitted for the first year for which this part is in effect following the date of enactment of the Every Child Achieves Act of 2015 and shall remain in effect for the duration of the agency’s participation under this part.

“(5) Review.—Each local educational agency shall periodically review and, as necessary, revise its plan to reflect changes in the local educational agency’s strategies and programs under this part.

“(6) Renewal.—A local educational agency that desires to continue participating in a program under this part shall submit a renewed plan on a periodic basis, as determined by the State.

“(b) Plan Provisions.—To ensure that all children receive a high-quality education that prepares them for postsecondary education or the workforce without the need for postsecondary remediation, and to close the achievement gap between children meeting the challenging State academic standards and those who are not, each local educational agency plan shall describe—

“(1) how the local educational agency will work with each of the schools served by the agency so that students meet the challenging State academic standards by—
“(A) developing and implementing a comprehensive program of instruction to meet the academic needs of all students;

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

“(C) providing additional educational assistance to individual students determined as needing help in meeting the challenging State academic standards;

“(D) identifying significant gaps in student academic achievement and graduation rates between each of the categories of students, as defined in section 1111(b)(3)(A), and developing strategies to reduce such gaps in achievement and graduation rates; and

“(E) identifying and implementing evidence-based methods and instructional strategies intended to strengthen the academic program of the school and improve school climate;

“(2) how the local educational agency will monitor and evaluate the effectiveness of school programs in improving student academic achievement and academic growth, if applicable, especially for
students not meeting the challenging State academic standards;

“(3) how the local educational agency will—

“(A) ensure that all teachers and para-
professionals working in a program supported
with funds under this part meet applicable
State certification and licensure requirements,
including alternative certification requirements;
and

“(B) identify and address, as required
under State plans as described in section
1111(c)(1)(F), any disparities that result in
low-income students and minority students
being taught at higher rates than other stu-
dents by ineffective, inexperienced, and out-of-
field teachers;

“(4) the actions the local educational agency
will take to assist schools identified as in need of
intervention and support under section 1114, includ-
ing the lowest-performing schools in the local edu-
cational agency, and schools identified for other rea-
sons, including schools with categories of students,
as defined in section 1111(b)(3)(A), not meeting the
goals described in section 1111(b)(3)(B), to improve
student academic achievement, the funds used to
conduct such actions, and how such agency will
monitor such actions;

“(5) the poverty criteria that will be used to se-
select school attendance areas under section 1113;

“(6) the programs to be conducted by such
agency’s schools under section 1113, and where ap-
propriate, educational services outside such schools
for children living in local institutions for neglected
or delinquent children, and for neglected and delin-
quent children in community day school programs;

“(7) the services the local educational agency
will provide homeless children, including services
provided with funds reserved under section
1113(a)(4)(A)(i);

“(8) the strategy the local educational agency
will use to implement effective parent and family en-
gagement under section 1115;

“(9) if applicable, how the local educational
agency will coordinate and integrate services pro-
vided under this part with preschool educational
services at the local educational agency or individual
school level, such as Head Start programs, the lit-
eracy program under part D of title II, State-funded
preschool programs, and other community-based
early childhood education programs, including plans
for the transition of participants in such programs
to local elementary school programs;

“(10) how the local educational agency will co-
ordinate programs and integrate services under this
part with other Federal, State, tribal, and local serv-
ices 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, the
Workforce Innovation and Opportunity Act, the
McKinney-Vento Homeless Assistance Act, and the
Education Sciences Reform Act of 2002, violence
prevention programs, nutrition programs, and hous-
ing programs;

“(11) how teachers and school leaders, in con-
sultation with parents, administrators, paraprofes-
sionals, and specialized instructional support per-
sonnel, in schools operating a targeted assistance
school program under section 1113, will identify the
eligible children most in need of services under this
part;

“(12) in the case of a local educational agency
that proposes to use funds under this part to sup-
port a multi-tiered system of supports, positive behavioral interventions and supports, or early intervening services, how the local educational agency will provide such activities and services and coordinate them with similar activities and services carried out under the Individuals with Disabilities Education Act in schools served by the local educational agency, including by providing technical assistance, training, and evaluation of the activities and services;

“(13) how the local educational agency will provide opportunities for the enrollment, attendance, and success of homeless children and youths consistent with the requirements of the McKinney-Vento Homeless Assistance Act and the services the local educational agency will provide homeless children and youths;

“(14) 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;

“(15) how the local educational agency will address school discipline issues, which may include identifying and supporting schools with significant discipline disparities, or high rates of discipline, disaggregated by each of the categories of students,
as defined in section 1111(b)(3)(A), including by providing technical assistance on effective strategies to reduce such disparities and high rates;

“(16) how the local educational agency will address school climate issues, which may include identifying and improving performance on school climate indicators related to student achievement and providing technical assistance to schools; and

“(17) any other information on how the local educational agency proposes to use funds to meet the purposes of this part, and that the local educational agency determines appropriate to provide, which may include how the local educational agency will—

“(A) assist schools in identifying and serving gifted and talented students; and

“(B) encourage the offering of a variety of well-rounded education experiences to students.

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

“(1) ensure that migratory children and formerly 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;

“(2) provide services to eligible children attending
private elementary schools and secondary schools
in accordance with section 1116, and timely and
meaningful consultation with private school officials
regarding such services;

“(3) participate, if selected, in the National As-
ssessment of Educational Progress 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; and

“(4) coordinate and integrate services provided
under this part with other educational services at
the local educational agency or individual school
level, such as services for English learners, children
with disabilities, migratory children, American In-
dian, Alaska Native, and Native Hawaiian children,
and homeless children, in order to increase program
effectiveness, eliminate duplication, and reduce frag-
mentation of the instructional program.

“(d) Parents Right-to-Know.—

“(1) Teacher Qualifications.—

“(A) In General.—At the beginning of
each school year, a local educational agency
that receives funds under this part shall notify
the parents of each student attending any
school receiving funds under this part that the
parents may request, and the agency will pro-
vide the parents on request (and in a timely
manner), information regarding the professional
qualifications of the student’s classroom teach-
ers, including at a minimum, the following:

“(i) Whether the teacher has met
State qualification and licensing criteria
for the grade levels and subject areas in
which the teacher provides instruction.

“(ii) Whether the teacher is teaching
under emergency or other provisional sta-
tus through which State qualification or li-
censing criteria have been waived.

“(iii) The field of discipline of the cer-
tification of the teacher.

“(iv) Whether the child is provided
services by paraprofessionals and, if so,
their qualifications.

“(B) ADDITIONAL INFORMATION.—In ad-
dition to the information that parents may re-
quest under subparagraph (A), a school that re-
ceives funds under this part shall provide to
each individual parent of a child who is a student in such school, with respect to such student—

“(i) information on the level of achievement and academic growth of the student, if applicable and available, on each of the State academic assessments required under this part; and

“(ii) timely notice that the student has been assigned, or has been taught for 4 or more consecutive weeks by, a teacher who does not meet applicable State certification or licensure requirements at the grade level and subject area in which the teacher has been assigned.

“(2) LANGUAGE INSTRUCTION.—

“(A) NOTICE.—Each local educational agency using funds under this part or title III to provide a language instruction educational program as determined under title III shall, not later than 30 days after the beginning of the school year, inform a parent or parents of a child who is an English learner identified for participation or participating in such a program, of—
“(i) the reasons for the identification of their child as an English learner and in need of placement in a language instruction educational program;

“(ii) the child’s level of English proficiency, how such level was assessed, and the status of the child’s academic achievement;

“(iii) 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;

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

“(v) how such program will specifically help their child learn English and meet age-appropriate academic achievement standards for grade promotion and graduation;
“(vi) the specific exit requirements for
the program, including the expected rate of
transition from such program into class-
rooms that are not tailored for children
who are English learners, and the expected
rate of graduation from high school (in-
cluding 4-year adjusted cohort graduation
rates and extended-year adjusted cohort
graduation rates for such program) if
funds under this part are used for children
in high schools;

“(vii) in the case of a child with a dis-
ability, how such program meets the objec-
tives of the individualized education pro-
gram of the child, as described in section
614(d) of the Individuals with Disabilities
Education Act; and

“(viii) information pertaining to pa-
rental rights that includes written guid-
ance—

“(I) detailing the right that par-
ents have to have their child imme-
diately removed from such program
upon their request;
“(II) detailing 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

“(III) 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) SPECIAL RULE APPLICABLE DURING THE SCHOOL YEAR.—For those children who have not been identified as English learners prior to the beginning of the school year but are identified as English learners during such school year, the local educational agency shall notify the children’s parents during the first 2 weeks of the child being placed in a language instruction educational program consistent with subparagraph (A).

“(C) PARENTAL PARTICIPATION.—Each local educational agency receiving funds under this part and title III shall implement an effective means of outreach to parents of children who are English learners to inform the parents
how the parents can be involved in the edu-
cation of their children, and be active partici-
pants in assisting their children to attain
English proficiency, achieve at high levels in
core academic subjects, and meet the chal-
lenging State academic standards expected of
all students, including holding, and sending no-
tice of opportunities for, regular meetings for
the purpose of formulating and responding to
recommendations from parents of students as-
sisted under this part and title III.

“(D) Basis for Admission or Exclu-
sion.—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.

“(3) Notice and Format.—The notice and in-
formation provided to parents under this subsection
shall be in an understandable and uniform format
and, to the extent practicable, provided in a lan-
guage that the parents can understand.

“SEC. 1113. ELIGIBLE SCHOOL ATTENDANCE AREAS;
SCHOOLWIDE PROGRAMS; TARGETED ASSIST-
ANCE PROGRAMS.

“(a) Eligible School Attendance Areas.—
“(1) Determination.—

“(A) In general.—A local educational agency shall use funds received under this part only in eligible school attendance areas.

“(B) Eligible school attendance areas.—In this part—

“(i) the term ‘school attendance area’ means, in relation to a particular school, the geographical area in which the children who are normally served by that school reside; and

“(ii) the term ‘eligible school attendance area’ means a school attendance area in which the percentage of children from low-income families is at least as high as the percentage of children from low-income families served by the local educational agency as a whole.

“(C) Ranking order.—

“(i) In general.—Except as provided in clause (ii), if funds allocated in accordance with paragraph (3) 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.

“(ii) Rule of Construction.—Nothing in this subparagraph shall be construed as requiring a local educational agency to reduce, in order to comply with clause (i), 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 date of enactment of the Every Child Achieves Act of 2015 in order to provide funding under this part to high schools pursuant to clause (i).
“(D) REMAINING FUNDS.—If funds remain after serving all eligible school attendance areas under subparagraph (C), a local educational agency shall—

“(i) annually rank such agency’s remaining eligible school attendance areas from highest to lowest either by grade span or for the entire local educational agency according to the percentage of children from low-income families; and

“(ii) serve such eligible school attendance areas in rank order either within each grade-span grouping or within the local educational agency as a whole.

“(E) MEASURES.—

“(i) IN GENERAL.—Except as provided in clause (ii), a local educational agency shall use the same measure of poverty, which measure shall be the number of children aged 5 through 17 in poverty counted in the most recent census data approved by the Secretary, the number of children eligible for a free or reduced price lunch 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 established under title XIX of the Social Security Act, 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 paragraph (3).

“(ii) 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—

“(I) the calculation described under clause (i); or

“(II) 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 clause (i) that feed into the secondary school to the number of students enrolled in such school.

“(F) EXCEPTION.—This subsection shall not apply to a local educational agency with a total enrollment of less than 1,000 children.

“(G) WAIVER FOR DESEGREGATION PLANS.—The Secretary may approve a local educational agency’s written request for a waiver of the requirements of this paragraph and paragraph (3) and permit such agency to treat as eligible, and serve, any school that children attend with a State-ordered, court-ordered school desegregation plan or a plan that continues to be implemented in accordance with a State-ordered or court-ordered desegregation plan, if—

“(i) the number of economically disadvantaged children enrolled in the school
is at least 25 percent of the school’s total enrollment; and

“(ii) the Secretary determines on the basis of a written request from such agency and in accordance with such criteria as the Secretary establishes, that approval of that request would further the purposes of this part.

“(2) LOCAL EDUCATIONAL AGENCY DISCRETION.—

“(A) IN GENERAL.—Notwithstanding paragraph (1)(B), a local educational agency may—

“(i) designate as eligible any school attendance area or school in which at least 35 percent of the children are from low-income families;

“(ii) use funds received under this part in a school that is not in an eligible school attendance area, if the percentage of children from low-income families enrolled in the school is equal to or greater than the percentage of such children in a participating school attendance area of such agency;
“(iii) designate and serve a school attendance area or school that is not eligible under this section, but that was eligible and that was served in the preceding fiscal year, but only for 1 additional fiscal year; and

“(iv) elect not to serve an eligible school attendance area or eligible school that has a higher percentage of children from low-income families if—

“(I) the school meets the comparability requirements of section 1117(e);

“(II) the school is receiving supplemental funds from other State or local sources that are spent according to the requirements of this section; and

“(III) the funds expended from such other sources equal or exceed the amount that would be provided under this part.

“(B) SPECIAL RULE.—Notwithstanding subparagraph (A)(iv), the number of children attending private elementary schools and sec-
secondary schools who are to receive services, and
the assistance such children are to receive
under this part, shall be determined without re-
gard to whether the public school attendance
area in which such children reside is assisted
under subparagraph (A).

“(3) ALLOCATIONS.—

“(A) IN GENERAL.—A local educational
agency shall allocate funds received under this
part to eligible school attendance areas or eligi-
ble schools, identified under paragraphs (1) and
(2) in rank order, on the basis of the total
number of children from low-income families in
each area or school.

“(B) SPECIAL RULE.—

“(i) IN GENERAL.—Except as pro-
vided in clause (ii), the per-pupil amount
of funds allocated to each school attend-
ance area or school under subparagraph
(A) shall be at least 125 percent of the
per-pupil amount of funds a local edu-
cational agency received for that year
under the poverty criteria described by the
local educational agency in the plan sub-
mitted under section 1112, except that this
clause shall not apply to a local educational agency that only serves schools in which the percentage of such children is 35 percent or greater.

“(ii) EXCEPTION.—A local educational agency may reduce the amount of funds allocated under clause (i) for a school attendance area or school by the amount of any supplemental State and local funds expended in that school attendance area or school for programs that meet the requirements of this section.

“(4) RESERVATION OF FUNDS.—

“(A) IN GENERAL.—A local educational agency shall reserve such funds as are necessary under this part to provide services comparable to those provided to children in schools funded under this part to serve—

“(i) homeless children, 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; and
“(iii) if appropriate, children in local institutions for delinquent children, and neglected or delinquent children in community day programs.

“(B) HOMELESS CHILDREN AND YOUTH.— Funds reserved under subparagraph (A)(i) may be—

“(i) determined based on a needs assessment of homeless children and youths in the local educational agency, as conducted under section 723(b)(1) of the McKinney-Vento Homeless Assistance Act; and

“(ii) used to provide homeless children and youths with services not ordinarily provided to other students under this part, including providing—

“(I) funding for the liaison designated pursuant to section 722(g)(1)(J)(ii) of such Act; and

“(II) transportation pursuant to section 722(g)(1)(J)(iii) of such Act.

“(5) EARLY CHILDHOOD EDUCATION.—A local educational agency may reserve funds made avail-
able to carry out this section to provide early childhood education programs for eligible children.

“(b) Schoolwide Programs and Targeted Assistance Schools.—

“(1) In general.—For each school that will receive funds under this part, the local educational agency shall determine whether the school shall operate a schoolwide program consistent with subsection (c) or a targeted assistance school program consistent with subsection (d).

“(2) Needs assessment.—The determination under paragraph (1) shall be—

“(A) based on a comprehensive needs assessment of the entire school that takes into account information on the academic achievement of children in relation to the challenging State academic standards under section 1111(b)(1), particularly the needs of those children failing or are at-risk of failing to meet the challenging State academic standards and any other factors as determined by the local educational agency; and

“(B) conducted with the participation of individuals who would carry out the schoolwide
plan, including those individuals under subsection (e)(2)(B).

“(3) COORDINATION.—The needs assessment under paragraph (2) may be undertaken as part of other related needs assessments under this Act.

“(e) SCHOOLWIDE PROGRAMS.—

“(1) IN GENERAL.—

“(A) ELIGIBILITY.—A local educational agency may consolidate and use funds under this part, together with other Federal, State, and local funds, in order to upgrade the entire educational program of a school that serves an eligible school attendance area in which not less than 40 percent of the children are from low-income families, or not less than 40 percent of the children enrolled in the school are from such families.

“(B) EXCEPTION.—A school that serves an eligible school attendance area in which less than 40 percent of the children are from low-income families, or a school for which less than 40 percent of the children enrolled in the school are from such families, may operate a schoolwide program under this section if—
“(i) the local educational agency in which the school is located allows such school to do so; and

“(ii) the results of the comprehensive needs assessment conducted under subsection (b) (2) determine a schoolwide program will best serve the needs of the students in the school served under this part in improving academic achievement and other factors.

“(2) SCHOOLWIDE PROGRAM PLAN.—An eligible school operating a schoolwide program shall develop a comprehensive plan, in consultation with the local educational agency, tribes and tribal organizations present in the community, and other individuals as determined by the school, that—

“(A) is developed during a 1-year period, unless—

“(i) the local educational agency determines in consultation with the school that less time is needed to develop and implement the schoolwide program; or

“(ii) the school is operating a schoolwide program on the day before the date of enactment of the Every Child
Achieves Act of 2015, in which case such school may continue to operate such pro-
gram, but shall develop amendments to its existing plan during the first year of as-
sistance after that date to reflect the provi-
sions of this section;

“(B) is developed with the involvement of parents and other members of the community to be served and individuals who will carry out such plan, including teachers, principals, other school leaders, paraprofessionals present in the school, and administrators (including adminis-
trators of programs described in other parts of this title), and, if appropriate, specialized in-
structional support personnel, technical assist-
ance providers, school staff, and students;

“(C) remains in effect for the duration of the school’s participation under this part, ex-
cept that the plan and the implementation of, and results achieved by, the schoolwide program shall be regularly monitored and revised as nec-
essary to ensure students are meeting the chal-
 lenging State academic standards;

“(D) is available to the local educational agency, parents, and the public, and the infor-
mation contained in such plan shall be in an understandable and uniform format and, to the extent practicable, provided in a language that the parents can understand;

“(E) if appropriate and applicable, developed in coordination and integration with other Federal, State, and local services, resources, and programs, such as programs supported under this Act, violence prevention programs, nutrition programs, housing programs, Head Start programs, adult education programs, career and technical education programs, and interventions and supports for schools identified as in need of intervention and support under section 1114; and

“(F) includes a description of—

“(i) the results of the comprehensive needs assessments of the entire school required under subsection (b)(2);

“(ii) the strategies that the school will be implementing to address school needs, including a description of how such strategies will—

“(I) provide opportunities for all children, including each of the cat-
egories of students, as defined in section 1111(b)(3)(A), to meet the challenging State academic standards under section 1111(b)(1);

“(II) use evidence-based methods and instructional strategies that strengthen the academic program in the school, increase the amount and quality of learning time, and help provide an enriched and accelerated curriculum;

“(III) address the needs of all children in the school, but particularly the needs of those at risk of not meeting the challenging State academic standards, which may include—

“(aa) counseling, specialized instructional support services, and mentoring services;

“(bb) preparation for and awareness of opportunities for postsecondary education and the workforce, including career and technical education programs;
“(cc) implementation of a schoolwide multi-tiered system of supports, including positive behavioral interventions and supports and early intervening services, including through coordination with such activities and services carried out under the Individuals with Disabilities Education Act;

“(dd) implementation of supports for teachers and other school personnel, which may include professional development and other activities to improve instruction, activities to recruit and retain effective teachers, particularly in high-need schools, and using data from academic assessments under section 1111(b)(2) and other formative and summative assessments to improve instruction;

“(ee) programs, activities, and courses in the core academic
subjects to assist children in meeting the challenging State academic standards; and

“(ff) other strategies to improve student’s academic and nonacademic skills essential for success; and

“(IV) be monitored and improved over time based on student needs, including increased supports for those students who are lowest-achieving;

“(iii) if programs are consolidated, a list of State educational agency and local educational agency programs and other Federal programs that will be consolidated in the schoolwide program; and

“(iv) if appropriate, how funds will be used to establish or enhance early childhood education programs for children who are aged 5 or younger, including how programs will help transition such children to local elementary school programs.

“(3) Identification of students not re-

quired.—
“(A) IN GENERAL.—No school participating in a schoolwide program shall be required to identify—

“(i) particular children under this part as eligible to participate in a schoolwide program; or

“(ii) individual services as supplementary.

“(B) SUPPLEMENTAL FUNDS.—In accordance with the method of determination described in section 1117, a school participating in a schoolwide program shall use funds available to carry out this paragraph only to supplement the amount of funds that would, in the absence of funds under this part, be made available from non-Federal 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.

“(4) EXEMPTION FROM STATUTORY AND REGULATORY REQUIREMENTS.—

“(A) EXEMPTION.—The Secretary may, through publication of a notice in the Federal Register, exempt schoolwide programs under
this section from statutory or regulatory provi-
sions of any other noncompetitive formula grant
program administered by the Secretary (other
than formula or discretionary grant programs
under the Individuals with Disabilities Edu-
cation Act, except as provided in section
613(a)(2)(D) of such Act), or any discretionary
grant program administered by the Secretary,
to support schoolwide programs if the intent
and purposes of such other programs are met.

“(B) REQUIREMENTS.—A school that
chooses to use funds from such other programs
shall not be relieved of the requirements relat-
ing to health, safety, civil rights, student and
parental participation and involvement, services
to private school children, comparability of serv-
ices, maintenance of effort, uses of Federal
funds to supplement, not supplant non-Federal
funds (in accordance with the method of deter-
mination described in section 1117), or the dis-
tribution of funds to State educational agencies
or local educational agencies that apply to the
receipt of funds from such programs.

“(C) RECORDS.—A school that chooses to
consolidate and use funds from different Fed-
eral programs under this paragraph shall not be required to maintain separate fiscal accounting records, by program, that identify the specific activities supported by those particular funds as long as the school maintains records that demonstrate that the schoolwide program, considered as a whole, addresses the intent and purposes of each of the Federal programs that were consolidated to support the schoolwide program.

“(5) Preschool Programs.—A school that operates a schoolwide program under this subsection may use funds made available under this part to establish, expand, or enhance preschool programs for children aged 5 or younger.

“(d) Targeted Assistance School Programs.—

“(1) In general.—Each school selected to receive funds under subsection (a)(3) for which the local educational agency serving such school, based on the results of the comprehensive needs assessment conducted under subsection (b)(2), determines the school shall operate a targeted assistance school program, may use funds received under this part only for programs that provide services to eligible
children under paragraph (3) who are identified as
having the greatest need for special assistance.

“(2) **TARGETED ASSISTANCE SCHOOL PRO-
gram.**—Each school operating a targeted assistance
school program shall develop a plan, in consultation
with the local educational agency and other individ-
uals as determined by the school, that includes—

“(A) a description of the results of the
comprehensive needs assessments of the entire
school required under subsection (b)(2);

“(B) a description of the process for deter-
mining which students will be served and the
students to be served;

“(C) a description of how the activities
supported under this part will be coordinated
with and incorporated into the regular edu-
cation program of the school;

“(D) a description of how the program will
serve participating students identified under
subparagraph (B), including by—

“(i) using resources under this part,
such as support for programs, activities,
and courses in core academic subjects to
help participating children meet the chal-
lenging State academic standards;
“(ii) using methods and instructional strategies that are evidence-based to strengthen the core academic program of the school and that may include—

“(I) expanded learning time, before- and after-school programs, and summer programs and opportunities; or

“(II) a multi-tiered system of supports, positive behavioral interventions and supports, and early intervening services;

“(iii) coordinating with and supporting the regular education program, which may include services to assist preschool children in the transition from early childhood education programs such as Head Start, the literacy program under part D of title II, or State-run preschool programs to elementary school programs;

“(iv) supporting effective teachers, principals, other school leaders, paraprofessionals, and, if appropriate, specialized instructional support personnel, and other school personnel who work with partici-
pating children in programs under this
subsection or in the regular education pro-
gram with resources provided under this
part, and, to the extent practicable, from
other sources, through professional devel-
opment;

“(v) implementing strategies to in-
crease parental involvement of parents of
participating children in accordance with
section 1115; and

“(vi) if applicable, coordinating and
integrating Federal, State, and local serv-
ices and programs, such as programs sup-
ported under this Act, violence prevention
programs, nutrition programs, housing
programs, Head Start programs, adult
education programs, career and technical
education, and intervention and supports
in schools identified as in need of interven-
tion and support under section 1114; and

“(E) assurances that the school will—

“(i) help provide an accelerated, high-
quality curriculum;

“(ii) minimize removing children from
the regular classroom during regular
school hours for instruction provided under this part; and

“(iii) on an ongoing basis, review the progress of participating children and revise the plan under this section, if necessary, to provide additional assistance to enable such children to meet the challenging State academic standards.

“(3) ELIGIBLE CHILDREN.—

“(A) ELIGIBLE POPULATION.—

“(i) IN GENERAL.—The eligible population for services under this subsection shall be—

“(I) children not older than age 21 who are entitled to a free public education through grade 12; and

“(II) children who are not yet at a grade level at which the local educational agency provides a free public education.

“(ii) ELIGIBLE CHILDREN FROM ELIGIBLE POPULATION.—From the population described in clause (i), eligible children are children identified by the school as failing, or most at risk of failing, to meet the chal-
lenging State academic standards on the basis of multiple, educationally related, objective criteria established by the local educational agency and supplemented by the school, except that children from preschool through grade 2 shall be selected solely on the basis of criteria, including objective criteria, established by the local educational agency and supplemented by the school.

“(B) CHILDREN INCLUDED.—

“(i) IN GENERAL.—Children who are economically disadvantaged, children with disabilities, migrant children, or children who are English learners, are eligible for services under this subsection on the same basis as other children selected to receive services under this subsection.

“(ii) HEAD START AND PRESCHOOL CHILDREN.—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, the literacy program under part D of title II, or in preschool services under this title, is eligible for services under this subsection.
“(iii) Migrant Children.—A child who, at any time in the 2 years preceding the year for which the determination is made, received services under part C is eligible for services under this subsection.

“(iv) Neglected or Delinquent Children.—A child in a local institution for neglected or delinquent children and youth or attending a community day program for such children is eligible for services under this subsection.

“(v) Homeless Children.—A child who is homeless and attending any school served by the local educational agency is eligible for services under this subsection.

“(C) Special Rule.—Funds received under this subsection may not be used to provide services that are otherwise required by law to be made available to children described in subparagraph (B) but may be used to coordinate or supplement such services.

“(4) Integration of Professional Development.—To promote the integration of staff supported with funds under this subsection into the regular school program and overall school planning and
improvement efforts, public school personnel who are paid with funds received under this subsection may—

“(A) participate in general professional development and school planning activities; and

“(B) assume limited duties that are assigned to similar personnel who are not so paid, including duties beyond classroom instruction or that do not benefit participating children, so long as the amount of time spent on such duties is the same proportion of total work time as prevails with respect to similar personnel at the same school.

“(5) SPECIAL RULES.—

“(A) SIMULTANEOUS SERVICE.—Nothing in this subsection shall be construed to prohibit a school from serving students under this subsection simultaneously with students with similar educational needs, in the same educational settings where appropriate.

“(B) COMPREHENSIVE SERVICES.—If health, nutrition, and other social services are not otherwise available to eligible children in a school operating a targeted assistance school program and such school, if appropriate, has
established a collaborative partnership with local service providers and funds are not reasonably available from other public or private sources to provide such services, then a portion of the funds provided under this subsection may be used to provide such services, including through—

“(i) the provision of basic medical equipment and services, such as eyeglasses and hearing aids;

“(ii) compensation of a coordinator;

“(iii) family support and engagement services;

“(iv) health care services and integrated student supports to address the physical, mental, and emotional well-being of children; and

“(v) professional development necessary to assist teachers, specialized instructional support personnel, other staff, and parents in identifying and meeting the comprehensive needs of eligible children.

“(e) PROHIBITION.—Nothing in this section shall be construed to authorize the Secretary or any other officer or employee of the Federal Government to require a local
educational agency or school to submit the results of a comprehensive needs assessment under subsection (b)(2) or a plan under subsection (c) or (d) for review or approval by the Secretary.

“SEC. 1114. SCHOOL IDENTIFICATION, INTERVENTIONS, AND SUPPORTS.

“(a) STATE REVIEW AND RESPONSIBILITIES.—

“(1) IN GENERAL.—Each State educational agency receiving funds under this part shall use the system designed by the State under section 1111(b)(3) to annually—

“(A) identify the public schools that receive funds under this part and are in need of intervention and support using the method established by the State in section 1111(b)(3)(B)(iii);

“(B) require for inclusion—

“(i) on each local educational agency report card required under section 1111(d), the names of schools served by the agency identified under subparagraph (A); and

“(ii) on each school report card required under section 1111(d), whether the
school was identified under subparagraph (A); 

“(C) ensure that all public schools that receive funds under this part and are identified as in need of intervention and support under subparagraph (A), implement an evidence-based intervention or support strategy designed by the State or local educational agency described in subparagraph (A) or (B) of subsection (b)(3); 

“(D) prioritize intervention and supports in the identified schools most in need of intervention and support, as determined by the State, using the results of the accountability system under 1111(b)(3)(B)(iii); and 

“(E) monitor and evaluate the implementation of school intervention and support strategies by local educational agencies, including in the lowest-performing elementary schools and secondary schools in the State, and use the results of the evaluation to take appropriate steps to change or improve interventions or support strategies as necessary.

“(2) STATE EDUCATIONAL AGENCY RESPONSIBILITIES.—The State educational agency shall—
“(A) make technical assistance available to local educational agencies that serve schools identified as in need of intervention and support under paragraph (1)(A);

“(B) if the State educational agency determines that a local educational agency failed to carry out its responsibilities under this section, take such actions as the State educational agency determines to be appropriate and in compliance with State law to assist the local educational agency and ensure that such local educational agency is carrying out its responsibilities;

“(C) inform local educational agencies of schools identified as in need of intervention and support under paragraph (1)(A) in a timely and easily accessible manner that is before the beginning of the school year; and

“(D) publicize and disseminate to the public, including teachers, principals and other school leaders, and parents, the results of the State review under paragraph (1).

“(b) Local Educational Agency Review and Responsibilities.—
“(1) IN GENERAL.—Each local educational agency with a school identified as in need of intervention and support under subsection (a)(1)(A) shall, in consultation with teachers, principals and other school leaders, school personnel, parents, and community members—

“(A) conduct a review of such school, including by examining the indicators and measures included in the State-determined accountability system described in section 1111(b)(3)(B) to determine the factors that led to such identification;

“(B) conduct a review of the policies, procedures, personnel decisions, and budgetary decisions of the local educational agency, including the measures on the local educational agency and school report cards under section 1111(d) that impact the school and could have contributed to the identification of the school;

“(C) develop and implement appropriate intervention and support strategies, as described in paragraph (3), that are proportional to the identified needs of the school, for assisting the identified school;
“(D) develop a rigorous comprehensive plan that will be publicly available and provided to parents, for ensuring the successful implementation of the intervention and support strategies described in paragraph (3) in identified schools, which may include—

“(i) technical assistance that will be provided to the school;

“(ii) improved delivery of services to be provided by the local educational agency;

“(iii) increased support for stronger curriculum, program of instruction, wrap-around services, or other resources provided to students in the school;

“(iv) any changes to personnel necessary to improve educational opportunities for children in the school;

“(v) redesigning how time for student learning or teacher collaboration is used within the school;

“(vi) using data to inform instruction for continuous improvement;
“(vii) providing increased coaching or support for principals and other school leaders and teachers;
“(viii) improving school climate and safety;
“(ix) providing ongoing mechanisms for family and community engagement to improve student learning; and
“(x) establishing partnerships with entities, including private entities with a demonstrated record of improving student achievement, that will assist the local educational agency in fulfilling its responsibilities under this section; and
“(E) collect and use data on an ongoing basis to monitor the results of the intervention and support strategies and adjust such strategies as necessary during implementation in order to improve student academic achievement.
“(2) NOTICE TO PARENTS.—A local educational agency shall promptly provide to a parent or parents of each student enrolled in a school identified as in need of intervention and support under subsection (a)(1)(A) in an easily accessible and understandable
form and, to the extent practicable, in a language
that parents can understand—

“(A) an explanation of what the identification
means, and how the school compares in
terms of academic achievement and other meas-
ures in the State accountability system under
section 1111(b)(3)(B) to other schools served
by the local educational agency and the State
educational agency involved;

“(B) the reasons for the identification;

“(C) an explanation of what the local edu-
cational agency or State educational agency is
doing to help the school address student aca-
demic achievement and other measures, includ-
ing a description of the intervention and sup-
port strategies developed under paragraph
(1)(C) that will be implemented in the school;

“(D) an explanation of how the parents
can become involved in addressing academic
achievement and other measures that caused
the school to be identified; and

“(E) an explanation of the parents’ option
to transfer their child to another public school
under paragraph (4), if applicable.
“(3) School intervention and support strategies.—

“(A) In general.—Consistent with subsection (a)(1) and paragraph (1), a local educational agency shall develop and implement evidence-based intervention and support strategies for an identified school that the local educational agency determines appropriate to address the needs of students in such identified school, which shall—

“(i) be designed to address the specific reasons for identification, as described in subparagraphs (A) and (B) of paragraph (1);

“(ii) be implemented, at a minimum, in a manner that is proportional to the specific reasons for identification, as described in subparagraphs (A) and (B) of paragraph (1); and

“(iii) distinguish between the lowest-performing schools and other schools identified as in need of intervention and support for other reasons, including schools with categories of students, as defined in section 1111(b)(3)(A), not meeting the
goals described in section 1111(b)(3)(B)(i),
as determined by the review in subparagraphs (A) and (B) of paragraph (1).

“(B) State determined strategies.—
Consistent with State law, a State educational agency may establish alternative evidence-based State determined strategies that can be used by local educational agencies to assist a school identified as in need of intervention and support under subsection (a)(1)(A), in addition to the assistance strategies developed by a local educational agency under subparagraph (A).

“(4) Public school choice.—

“(A) In general.—A local educational agency may provide all students enrolled in a school identified as in need of intervention and support under subsection (a)(1)(A) with the option to transfer to another public school served by the local educational agency, unless such an option is prohibited by State law.

“(B) 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).

“(C) 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.

“(D) Special Rule.—A local educational
agency shall permit a child who transfers to an-
other public school under this paragraph to re-
main in that school until the child has com-
pleted the highest grade in that school.

“(E) Funding for Transportation.—A
local educational agency may spend an amount
equal to not more than 5 percent of its alloca-
tion under subpart 2 to pay for the provision of
transportation for students who transfer under
this paragraph to the public schools to which
the students transfer.

“(5) Prohibitions on Federal Inter-
ference with State and Local Decisions.—
Nothing in this section shall be construed to author-
ize or permit the Secretary to establish any criterion
that specifies, defines, or prescribes—
“(A) any school intervention or support strategy that States or local educational agencies shall use to assist schools identified as in need of intervention and support under this section; or

“(B) the weight of any indicator or measure that a State shall use to identify schools under subsection (a).

“(c) Funds for Local School Interventions and Supports.—

“(1) In general.—

“(A) Grants authorized.—From the total amount appropriated under section 1002(f) for a fiscal year, the Secretary shall award grants to States and the Bureau of Indian Education of the Department of the Interior, through an allotment as determined under subparagraph (B), to carry out the activities described in this subsection.

“(B) Allotments.—From the total amount appropriated under section 1002(f) for a fiscal year, the Secretary shall allot to each State, the Bureau of Indian Education of the Department of the Interior, and each outlying area for such fiscal year with an approved ap-
application, an amount that bears the same relationship to such total amount as the amount such State, the Bureau of Indian Education of the Department of the Interior, or such outlying area received under parts A, C, and D of this title for the most recent preceding fiscal year for which the data are available bears to the amount received by all such States, the Bureau of Indian Education of the Department of the Interior, and all such outlying areas under parts A, C, and D of this title for such most recent preceding fiscal year.

“(2) State Application.—A State that desires to receive school improvement funds under this subsection shall submit an application to the Secretary at such time and in such manner as the Secretary may require, which shall include a description of—

“(A) the process and the criteria that the State will use to award subgrants under paragraph (4)(A), including how the subgrants will serve schools identified by the State as the lowest–performing schools under subsection (a)(1);

“(B) the process and the criteria the State will use to determine whether the local edu-
cational agency’s proposal for serving each identified school meets the requirements of paragraph (6) and other provisions of this section;

“(C) how the State will ensure that local educational agencies conduct a comprehensive review of each identified school as required under subsection (b) to identify evidence-based school intervention and support strategies that are likely to be successful in each particular school;

“(D) how the State will ensure geographic diversity in making subgrants;

“(E) how the State will set priorities in awarding subgrants to local educational agencies, including how the State will prioritize local educational agencies serving elementary schools and secondary schools identified as the lowest-performing schools under subsection (a)(1) that will use subgrants to serve such schools;

“(F) how the State will monitor and evaluate the implementation of evidence-based school intervention and support strategies supported by funds under this subsection; and
“(G) how the State will reduce barriers for schools in the implementation of school intervention and support strategies, including by providing operational flexibility that would enable complete implementation of the selected school improvement strategy.

“(3) State administration; technical assistance; exception.—

“(A) In general.—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 to carry out its responsibilities under subsection (a)(2) to support school and local educational agency interventions and supports, which may include activities aimed at building State capacity to support and monitor the local educational agency and school intervention and supports.

“(B) Exception.—Notwithstanding subparagraph (A), a State educational agency may reserve from the amount allotted under this subsection additional funds to meet its responsibilities under subsection (a)(2)(B) if a local educational agency fails to carry out its responsibilities under subsection (b), but shall not re-
serve more than necessary to meet such State responsibilities.

“(4) Subgrants to local educational agencies.—

“(A) In general.—From the amounts awarded to a State under this subsection, the State educational agency shall allocate not less than 95 percent to make subgrants to local educational agencies, on a competitive basis, to serve schools identified as in need of intervention and support under subsection (a)(1)(A).

“(B) Duration.—The State educational agency shall award subgrants under this paragraph for a period of not more than 5 years, which period may include a planning year.

“(C) Criteria.—Subgrants awarded under this section shall be of sufficient size to enable a local educational agency to effectively implement the selected intervention and support strategy.

“(D) Rule of construction.—Nothing in this subsection shall be construed as prohibiting a State from allocating subgrants under this subsection to a statewide school district, consortium of local educational agencies, or an
educational service agency that serves schools identified as in need of intervention and support under this section, if such entities are legally constituted or recognized as local educational agencies in the State.

“(5) APPLICATION.—In order to receive a subgrant under this subsection, a local educational agency shall submit an application to the State educational agency at such time, in such form, and including such information as the State educational agency may require. Each application shall include, at a minimum—

“(A) a description of the process the local educational agency has used for selecting an appropriate evidence-based school intervention and support strategy for each school to be served, including how the local educational agency has analyzed the needs of each such school in accordance with subsection (b)(1) and meaningfully consulted with teachers, principals, and other school leaders in selecting such intervention and support strategy;

“(B) the specific evidence-based school interventions and supports to be used in each school to be served, how these interventions and
supports will address the needs identified in the review under subsection (b)(1), and the timeline for implementing such school interventions and supports in each school to be served;

“(C) a detailed budget covering the grant period, including planned expenditures at the school level for activities supporting full and effective implementation of the selected school intervention and support strategy;

“(D) a description of how the local educational agency will—

“(i) design and implement the selected school intervention and support strategy, in accordance with the requirements under subsection (b)(1)(C), including the use of appropriate measures to monitor the effectiveness of implementation;

“(ii) use a rigorous review process to recruit, screen, select, and evaluate any external partners with whom the local educational agency will partner;

“(iii) align other Federal, State, and local resources with the intervention and support strategy to reduce duplication, increase efficiency, and assist identified
schools in complying with reporting requirements of Federal and State programs;

“(iv) modify practices and policies, if necessary, to provide operational flexibility that enables full and effective implementation of the selected school intervention and support strategy;

“(v) collect and use data on an ongoing basis to adjust the intervention and support strategy during implementation, and if necessary, modify or implement a different strategy if implementation is not effective, in order to improve student academic achievement;

“(vi) ensure that the implementation of the intervention and support strategy meets the needs of each of the categories of students, as defined in section 1111(b)(3)(A);

“(vii) provide information to parents, guardians, teachers, and other stakeholders about the effectiveness of implementation, to the extent practicable, in a language that the parents can understand; and
“(viii) sustain successful reforms and practices after the funding period ends;

“(E) a description of the technical assistance and other support that the local educational agency will provide to ensure effective implementation of school intervention and support strategies in identified schools, in accordance with subsection (b)(1)(D), such as ensuring identified schools have access to resources like facilities, professional development, and technology and adopting human resource policies that prioritize recruitment, retention, and placement of effective staff in identified schools; and

“(F) an assurance that each school the local educational agency proposes to serve will receive all of the State and local funds it would have received in the absence of funds received under this subsection.

“(6) LOCAL ACTIVITIES.—A local educational agency that receives a subgrant under this subsection—

“(A) shall use the subgrant funds to implement evidence-based school intervention and support strategies in schools identified as in
need of intervention and support under subsection (a)(1)(A); and

“(B) may use the subgrant funds to carry out, at the local educational agency level, activities that directly support the implementation of the intervention and support strategies such as—

“(i) assistance in data collection and analysis;

“(ii) recruiting and retaining staff;

“(iii) high-quality, evidence-based professional development;

“(iv) coordination of services to address students’ non-academic needs; and

“(v) progress monitoring.

“(7) REPORTING.—A State that receives funds under this subsection shall report to the Secretary a list of all the local educational agencies that received a subgrant under this subsection and for each local educational agency that received a subgrant, a list of all the schools that were served, the amount of funds each school received, and the intervention and support strategies implemented in each school.

“(8) SUPPLEMENT NOT SUPPLANT.—A local educational agency 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 students participating in programs funded under this subsection.

“(d) RULE OF 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.”;

(2) by striking section 1119; and

(3) by redesignating sections 1118, 1120, 1120A, and 1120B as sections 1115, 1116, 1117, and 1118, respectively.

SEC. 1005. PARENT AND FAMILY ENGAGEMENT.

Section 1115, as redesignated by section 1004(3), is amended—

(1) in the section heading, by striking “PARENTAL INVOLVEMENT” and inserting “PARENT AND FAMILY ENGAGEMENT”;

(2) in subsection (a)—

(A) in paragraph (1)—

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(i) by inserting “conducts outreach to all parents and family members and” after “only if such agency”; and

(ii) by inserting “and family members” after “and procedures for the involvement of parents”;

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A)—

(I) by inserting “and family members” after “, and distribute to, parents”; 

(II) by striking “written parent involvement policy” and inserting “written parent and family engagement policy”; and 

(III) by striking “expectations for parent involvement” and inserting “expectations and objectives for meaningful parent and family involvement”; and 

(ii) by striking subparagraphs (A) through (F) and inserting the following:

“(A) involve parents and family members in jointly developing the local educational agen-
cy plan under section 1112 and the process of
school review and intervention and support
under section 1114;

“(B) provide the coordination, technical as-
sistance, and other support necessary to assist
and build the capacity of all participating
schools within the local educational agency in
planning and implementing effective parent and
family involvement activities to improve student
academic achievement and school performance,
which may include meaningful consultation with
employers, business leaders, and philanthropic
organizations, or individuals with expertise in
effectively engaging parents and family mem-
bers in education;

“(C) coordinate and integrate parent and
family engagement strategies under this part
with parent and family engagement strategies,
to the extent feasible and appropriate, with
other relevant Federal, State, and local laws
and programs;

“(D) conduct, with the meaningful involve-
ment of parents and family members, an annual
evaluation of the content and effectiveness of
the parent and family engagement policy in im-
proving the academic quality of all schools served under this part, including identifying—

“(i) barriers to greater participation by parents in activities authorized by this section (with particular attention to parents who are economically disadvantaged, are disabled, are English learners, have limited literacy, or are of any racial or ethnic minority background);

“(ii) the needs of parents and family members to assist with the learning of their children, including engaging with school personnel and teachers; and

“(iii) strategies to support successful school and family interactions;

“(E) use the findings of such evaluation in subparagraph (D) to design evidence-based strategies for more effective parental involvement, and to revise, if necessary, the parent and family engagement policies described in this section; and

“(F) involve parents in the activities of the schools served under this part, which may include establishing a parent advisory board comprised of a sufficient number and representative
group of parents or family members served by
the local educational agency to adequately rep-
resent the needs of the population served by
such agency for the purposes of developing, re-
vising, and reviewing the parent and family en-
gagement policy.”; and

(C) in paragraph (3)—

(i) in subparagraph (A), by striking
“to carry out this section, including pro-
moting family literacy and parenting
skills,” and insert “to assist schools to
carry out the activities described in this
section,”;

(ii) in subparagraph (B), by striking
“(B) PARENTAL INPUT.—Parents of chil-
dren” and inserting “(B) PARENT AND
FAMILY MEMBER INPUT.—Parents and
family members of children”;

(iii) in subparagraph (C)—

(I) by striking “95 percent” and
inserting “85 percent”; and

(II) by inserting “, with priority
given to high-need schools” after
“schools served under this part”; and
(iv) by adding at the end the following:

“(D) USE OF FUNDS.—Funds reserved under subparagraph (A) by a local educational agency shall be used to carry out activities and strategies consistent with the local educational agency’s parent and family engagement policy, including not less than 1 of the following:

“(i) Supporting schools and nonprofit organizations in 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, specialized instructional support personnel, paraprofessionals, early childhood educators, and parents and family members.

“(ii) Supporting home visitation programs.

“(iii) Disseminating information on best practices focused on parent and family engagement, especially best practices for increasing the engagement of economically
disadvantaged parents and family members.

“(iv) Collaborating or providing sub-grants to schools to enable such schools to collaborate with community-based or other organizations or employers with a demonstrated track record of success in improving and increasing parent and family engagement.

“(v) Engaging in any other activities and strategies that the local educational agency determines are appropriate and consistent with such agency’s parent and family engagement policy, which may include adult education and literacy activities, as defined in section 203 of the Adult Education and Family Literacy Act.”;

(3) in subsection (b)—

(A) in the subsection heading, by striking “PARENTAL INVOLVEMENT POLICY” and inserting “PARENTAL AND FAMILY ENGAGEMENT POLICY”;

(B) in paragraph (1)—

(i) by inserting “and family members” after “distribute to, parents”; and
(ii) by striking “written parental involvement policy” and inserting “written parent and family engagement policy”; (C) in paragraph (2)—

(i) by striking “parental involvement policy” and inserting “parent and family engagement policy”; and

(ii) by inserting “and family members” after “that applies to all parents”; and

(D) in paragraph (3)—

(i) by striking “school district-level parental involvement policy” and inserting “district-level parent and family engagement policy”; and

(ii) by inserting “and family members in all schools served by the local educational agency” after “policy that applies to all parents”; (4) in subsection (c)—

(A) in paragraph (3), by striking “parental involvement policy” and inserting “parent and family engagement policy”; (B) in paragraph (4)(B), by striking “the proficiency levels students are expected to
meet” and inserting “the achievement levels of the challenging State academic standards”; and

(C) in paragraph (5), by striking “section 1114(b)(2)” and inserting “section 1113(c)(2)”;

(5) in subsection (d)—

(A) in the matter preceding paragraph (1), by striking “parental involvement policy” and inserting “parent and family engagement policy”;

(B) in paragraph (1)—

(i) by striking “the State’s student academic achievement standards” and inserting “the challenging State academic standards”; and

(ii) by striking “, such as monitoring attendance, homework completion, and television watching”; and

(C) in paragraph (2)—

(i) in subparagraph (B), by striking “and” after the semicolon;

(ii) in subparagraph (C), by striking the period and inserting “; and”; and

(iii) by adding at the end the following:
“(D) ensuring regular two-way, meaningful communication between family members and school staff, to the extent practicable, in a language that family members can understand and access.”;

(6) in subsection (c)—

(A) in paragraph (1), by striking “the State’s academic content standards and State student academic achievement standards” and inserting “the challenging State academic standards”;

(B) in paragraph (3), by striking “pupil services personnel, principals” and inserting “specialized instructional support personnel, principals, and other school leaders”; and

(C) in paragraph (4), by striking “Head Start, Reading First, Early Reading First, Even Start, the Home Instruction Programs for Preschool Youngsters, the Parents as Teachers Program,” and inserting “other relevant Federal, State, and local laws,”;

(7) by striking subsection (f) and inserting the following:

“(f) ACCESSIBILITY.—In carrying out the parent and family engagement requirements of this part, local edu-
cational agencies and schools, to the extent practicable, shall provide opportunities for the full and informed participation of parents and family members (including parents and family members who are English learners, parents and family members with disabilities, and parents and family members of migratory children), including providing information and school reports required under section 1111 in a format and, to the extent practicable, in a language such parents understand.”; and

(8) in subsection (h), by striking “parental involvement policies” and inserting “parent and family engagement policies”.

SEC. 1006. PARTICIPATION OF CHILDREN ENROLLED IN PRIVATE SCHOOLS.

Section 1116, as redesignated by section 1004(3), is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking “section 1115(b)” and inserting “section 1113(d)(3)”; and

(ii) by striking “sections 1118 and 1119” and inserting “section 1115”; and

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

“(4) EXPENDITURES.—
“(A) IN GENERAL.—Expenditures for educational services and other benefits to eligible private school children shall be equal to the proportion of funds allocated to participating school attendance areas based on the number of children from low-income families who attend private schools.

“(B) TERM OF DETERMINATION.—The local educational agency may determine the equitable share each year or every 2 years.

“(C) METHOD OF DETERMINATION.—The proportional share of funds shall be determined—

“(i) based on the total allocation received by the local educational agency; and

“(ii) prior to any allowable expenditures or transfers by the local educational agency.”; and

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in subparagraph (E)—

(I) by striking “and” before “the proportion of funds”; and
(II) by inserting “, and how that proportion of funds is determined” after “such services”;

(ii) in subparagraph (F), by striking “section 1113(c)(1)” and inserting “section 1113(a)(3)”;

(iii) in subparagraph (G), by striking “and” after the semicolon;

(iv) in subparagraph (H), by striking the period at the end and inserting “; and”;

(v) by adding at the end the following:

“(I) whether the agency shall provide services directly or assign responsibility for the provision of services to a separate government agency, consortium, or entity, or to a third-party contractor.”; and

(B) in paragraph (5)(A)—

(i) by striking “or” before “did not give due consideration”; and

(ii) by inserting “, or did not make a decision that treats the private school students equitably as required by this section” before the period at the end.
SEC. 1007. SUPPLEMENT, NOT SUPPLANT.

Section 1117, as redesignated by section 1004(3), is amended by striking subsection (b) and inserting the following:

“(b) FEDERAL FUNDS TO SUPPLEMENT, NOT SUPPLANT, NON-FEDERAL FUNDS.—

“(1) IN GENERAL.—A State educational agency or local educational agency shall use Federal funds received under this part 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 students participating in programs assisted under this part, and not to supplant such funds.

“(2) COMPLIANCE.—To demonstrate compliance with paragraph (1), a local educational agency shall demonstrate that the methodology used to allocate State and local funds to each school receiving assistance under this part ensures that such school receives all of the State and local funds it would otherwise receive if it were not receiving assistance under this part.

“(3) SPECIAL RULE.—No local educational agency shall be required to—
“(A) identify that an individual cost or service supported under this part is supplemental; and

“(B) provide services under this part through a particular instructional method or in a particular instructional setting in order to demonstrate such agency’s compliance with paragraph (1).

“(4) PROHIBITION.—Nothing in this section shall be construed to authorize or permit the Secretary to establish any criterion that specifies, defines, or prescribes the specific methodology a local educational agency uses to allocate State and local funds to each school receiving assistance under this part.

“(5) TIMELINE.—A local educational agency—

“(A) shall meet the compliance requirement under paragraph (2) not later than 2 years after the date of enactment of the Every Child Achieves Act of 2015; and

“(B) may demonstrate compliance with the requirement under paragraph (1) before the end of such 2-year period using the method such local educational agency used on the day
before the date of enactment of the Every Child Achieves Act of 2015.”.

SEC. 1008. COORDINATION REQUIREMENTS.

Section 1118, as redesignated by section 1004(3), is amended—

(1) in subsection (a), by striking “early childhood development programs such as the Early Reading First program” and inserting “, early childhood education programs, including by developing agreements with such Head Start agencies and other entities to carry out such activities”; and

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking “early childhood development programs, such as the Early Reading First program,” and inserting “early childhood education programs”;

(B) in paragraph (1), by striking “early childhood development program such as the Early Reading First program” and inserting “early childhood education program”;  

(C) in paragraph (2), by striking “early childhood development programs such as the Early Reading First program” and inserting “early childhood education programs”;
(D) in paragraph (3), by striking “early childhood development programs such as the Early Reading First program” and inserting “early childhood education programs”;

(E) in paragraph (4)—

(i) by striking “Early Reading First program staff,”; and

(ii) by striking “early childhood development program” and inserting “early childhood education program”;

(F) in paragraph (5), by striking “and entities carrying out Early Reading First programs”.

SEC. 1009. GRANTS FOR THE OUTLYING AREAS AND THE SECRETARY OF THE INTERIOR.


SEC. 1010. ALLOCATIONS TO STATES.

Section 1122(a) (20 U.S.C. 6332(a)) is amended by striking “for each of fiscal years 2002–2007” and inserting “for each of fiscal years 2016 through 2021”.

SEC. 1011. MAINTENANCE OF EFFORT.

Section 1125A (20 U.S.C. 6337) is amended—
(1) in subsection (c), by redesignating subpara-
graphs (A) and (B) as paragraphs (1) and (2), re-
spectively;

(2) in subsection (d)(1)(A)(ii), by striking
“clause “(i)” and inserting “clause (i)”;

(3) by striking subsection (e) and inserting the
following:

“(e) MAINTENANCE OF EFFORT.—

“(1) IN GENERAL.—A State is entitled to re-
ceive its full allotment of funds under this section
for any fiscal year if the Secretary finds that the
State’s fiscal effort per student or the aggregate ex-
penditures of the State with respect to the provision
of free public education by the State for the pre-
ceding fiscal year was not less than 90 percent of
the fiscal effort or aggregate expenditures for the
second preceding fiscal year, subject to the require-
ments of paragraph (2).

“(2) REDUCTION IN CASE OF FAILURE TO
MEET.—

“(A) IN GENERAL.—The Secretary shall
reduce the amount of the allotment of funds
under this section in any fiscal year in the exact
proportion by which a State fails to meet the
requirement of paragraph (1) by falling below
90 percent of both the fiscal effort per student and aggregate expenditures (using the measure most favorable to the State), if such State has also failed to meet such requirement (as determined using the measure most favorable to the State) for 1 or more of the 5 immediately preceding fiscal years.

“(B) SPECIAL RULE.—No such lesser amount shall be used for computing the effort required under paragraph (1) for subsequent years.

“(3) WAIVER.—The Secretary may waive the requirements of this subsection if the Secretary determines that a waiver would be equitable due to—

“(A) exceptional or uncontrollable circumstances, such as a natural disaster or a change in the organizational structure of the State; or

“(B) a precipitous decline in the financial resources of the State.”;

(4) in subsection (f), by striking “fiscal year 2002” and inserting “fiscal year 2016”; and

(5) in subsection (g)(3), in the matter preceding subparagraph (A), by striking “shall be” and inserting “shall be—”.
SEC. 1012. ACADEMIC ASSESSMENTS.

Part B of title I (20 U.S.C. 6361 et seq.) is amended to read as follows:

"PART B—ACADEMIC ASSESSMENTS

"SEC. 1201. GRANTS FOR STATE ASSESSMENTS AND RELATED ACTIVITIES.

"From amounts made available in accordance with section 1204, the Secretary shall make grants to States to enable the States to carry out 1 or more of the following:

"(1) To pay the costs of the development of the State assessments and standards adopted under section 1111(b), which may include the costs of working in voluntary partnerships with other States, at the sole discretion of each such State.

"(2) If a State has developed the assessments adopted under section 1111(b), to administer those assessments or to carry out other assessment activities described in this part, such as the following:

"(A) Expanding the range of appropriate accommodations available to children who are English learners and children with disabilities to improve the rates of inclusion in regular assessments of such children, including professional development activities to improve the im-
plementation of such accommodations in in-
structional practice.

“(B) Developing challenging State aca-
demic standards and aligned assessments in
academic subjects for which standards and as-
sessments are not required under section
1111(b).

“(C) Developing or improving assessments
of English language proficiency necessary to
comply with section 1111(b)(2)(G).

“(D) Ensuring the continued validity and
reliability of State assessments.

“(E) Refining State assessments to ensure
their continued alignment with the challenging
State academic standards and to improve the
alignment of curricula and instructional mate-
rials.

“(F) Developing or improving the quality,
validity, and reliability of assessments for chil-
dren who are English learners, including alter-
native assessments aligned with the challenging
State academic standards, testing accommoda-
tions for children who are English learners, and
assessments of English language proficiency.
“(G) Developing or improving balanced assessment systems that include summative, interim, and formative assessments, including supporting local educational agencies in developing or improving such assessments.

“SEC. 1202. GRANTS FOR ENHANCED ASSESSMENT INSTRUMENTS.

“(a) GRANT PROGRAM AUTHORIZED.—From amounts made available in accordance with section 1204, the Secretary shall award, on a competitive basis, grants to State educational agencies that have submitted applications at such time, in such manner, and containing such information as the Secretary may reasonably require, which demonstrate, to the satisfaction of the Secretary, that the requirements of this section will be met, for one of more of the following:

“(1) Allowing for collaboration with institutions of higher education, other research institutions, or other organizations to improve the quality, validity, and reliability of State academic assessments beyond the requirements for such assessments described in section 1111(b)(2).

“(2) Developing or improving assessments for students who are children with disabilities, including using the principles of universal design for learning,
which may include developing assessments aligned to alternate academic achievement standards for students with the most significant cognitive disabilities described in section 1111(b)(2)(D).

“(3) Measuring student progress or academic growth over time, including by using multiple measures.

“(4) Evaluating student academic achievement through the development of comprehensive academic assessment instruments, such as performance and technology-based academic assessments that emphasize the mastery of standards and aligned competencies in a competency-based education model, technology-based academic assessments, computer adaptive assessments, and portfolios, projects, or extended performance task assessments.

“(b) ANNUAL REPORT.—Each State educational agency receiving a grant under this section shall submit an annual report to the Secretary describing its activities under the grant and the result of such activities.

“(c) PROHIBITION.—No funds provided under this section to the Secretary shall be used to mandate, direct, control, incentivize, or make financial awards conditioned upon States (or a consortia of States) developing any as-
assessment common to a number of States, including testing
activities prohibited under section 9529.

“SEC. 1203. AUDITS OF ASSESSMENT SYSTEMS.

“(a) IN GENERAL.—From the amount reserved
under section 1204(b)(1)(C) for a fiscal year, the Sec-
retary shall make grants, from allotments in accordance
with subsection (b), to States to enable the States to—

“(1) in the case of a grant awarded under this
section to a State for the first time—

“(A) carry out audits of State assessment
systems and ensure that local educational agen-
cies carry out audits of local assessments under
subsection (e)(1);

“(B) prepare and carry out the State plan
under subsection (e)(6); and

“(C) award subgrants under subsection (f);

and

“(2) in the case of a grant awarded under this
section to a State that has previously received a
grant under this section—

“(A) carry out the State plan under sub-
section (e)(6); and

“(B) award subgrants under subsection
(f).
“(b) MINIMUM AMOUNT.—Each State with an approved application shall receive a grant amount of not less than $1,500,000 per fiscal year.

“(c) REALLOCATION.—If a State chooses not to apply to receive a grant under this subsection, or if such State’s application under subsection (d) is disapproved by the Secretary, the Secretary shall reallocate such grant amount to other States with approved applications.

“(d) APPLICATION.—A State 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.

“(e) AUDITS OF STATE ASSESSMENT SYSTEMS AND LOCAL ASSESSMENTS.—

“(1) AUDIT REQUIREMENTS.—Not later than 1 year after a State receives a grant under this section for the first time, the State shall—

“(A) conduct an audit of the State assessment system;

“(B) ensure that each local educational agency under the State’s jurisdiction and receiving funds under this Act—

“(i) conducts an audit of each local assessment administered by the local educational agency; and
“(ii) submits the results of such audit to the State; and

“(C) report the results of each State and local educational agency audit conducted under subparagraphs (A) and (B), in a format that is—

“(i) publicly available, such as a widely accessible online platform; and

“(ii) with appropriate accessibility provisions for children with disabilities and English learners.

“(2) Resources for Local Educational Agencies.—In carrying out paragraph (1)(B), each State shall develop and provide local educational agencies with resources, such as guidelines and protocols, to assist the agencies in conducting and reporting the results of the audit required under such paragraph.

“(3) State Assessment System Description.—An audit of a State assessment system conducted under paragraph (1) shall include a description of each State assessment carried out in the State, including—

“(A) the grade and subject matter assessed;
“(B) whether the assessment is required under section 1111(b)(2) or allowed under section 1111(b)(2)(D);

“(C) the annual cost to the State educational agency involved in developing, purchasing, administering, and scoring the assessment;

“(D) the purpose for which the assessment was designed and the purpose for which the assessment is used, including assessments designed to contribute to systems of improvement of teaching and learning;

“(E) the time for disseminating assessment results;

“(F) a description of how the assessment is aligned with the challenging State academic standards under section 1111(b)(1);

“(G) a description of any State law or regulation that established the requirement for the assessment;

“(H) the schedule and calendar for all State assessments given; and

“(I) a description of the State’s policies for inclusion of English learners and children with disabilities participating in assessments, includ-
ing developing and promoting the use of appropriate accommodations.

“(4) LOCAL ASSESSMENT DESCRIPTION.—An audit of a local assessment conducted under paragraph (1) shall include a description of the local assessment carried out by the local educational agency, including—

“(A) the descriptions listed in subparagraphs (A), (D), and (E) of paragraph (3);

“(B) the annual cost to the local educational agency of developing, purchasing, administering, and scoring the assessment;

“(C) the extent to which the assessment is aligned to the challenging State academic standards under section 1111(b)(1);

“(D) a description of any State or local law or regulation that establishes the requirement for the assessment; and

“(E) in the case of a summative assessment that is used for accountability purposes, whether the assessment is valid and reliable and consistent with nationally recognized professional and technical standards.

“(5) STAKEHOLDER FEEDBACK.—Each audit of a State assessment system or local assessment sys-
tem conducted under subparagraph (A) or (B) of paragraph (1) shall include feedback on such system from education stakeholders, which shall cover information such as—

“(A) how educators, school leaders, and administrators use assessment data to improve and differentiate instruction;

“(B) the timing of release of assessment data;

“(C) the extent to which assessment data is presented in an accessible and understandable format for educators, school leaders, parents, students (if appropriate), and the community;

“(D) the opportunities, resources, and training educators and administrators are given to review assessment results and make effective use of assessment data;

“(E) the distribution of technological resources and personnel necessary to administer assessments;

“(F) the amount of time educators spend on assessment preparation;
“(G) the assessments that administrators, educators, parents, and students, if appropriate, do and do not find useful;

“(H) the amount of time students spend taking the assessments; and

“(I) other information as appropriate.

“(6) STATE PLAN ON AUDIT FINDINGS.—

“(A) PREPARING THE STATE PLAN.—Not later than 6 months after a State conducts an audit under paragraph (1) and based on the results of such audit, the State shall, in coordination with the local educational agencies under the jurisdiction of the State, prepare and submit to the Secretary, a plan to improve and streamline State assessment systems and local assessment systems, including through activities such as—

“(i) eliminating any assessments that are not required by section 1111(b)(2) (such as by buying out the remainder of procurement contracts with assessment developers) and that—

“(I) are low-quality;
“(II) are not aligned to the challenging State academic standards under section 1111(b)(1));

“(III) in the case of summative assessments used for accountability purposes, are not valid or reliable and are inconsistent with nationally recognized professional and technical standards;

“(IV) do not contribute to systems of improvement for teaching and learning; or

“(V) are redundant;

“(ii) supporting the dissemination of best practices from local educational agencies or other States that have successfully improved assessment quality and efficiency to improve teaching and learning;

“(iii) supporting local educational agencies or consortia of local educational agencies to carry out efforts to streamline local assessment systems and implementing a regular process of review and evaluation of assessment use in local educational agencies;
“(iv) disseminating the assessment data in an accessible and understandable format for educators, parents, and families; and

“(v) decreasing time between administering such State assessments and releasing assessment data.

“(B) Carry out the state plan.—A State shall carry out a State plan as soon as practicable after the State prepares such State plan under subparagraph (A) and during each grant period of a grant described in subsection (a)(2) that is awarded to the State.

“(f) Subgrants to local educational agencies.—

“(1) In general.—From the amount awarded to a State under this section, the State shall reserve not less than 20 percent of funds to make subgrants to local educational agencies in the State, or consortia of such local educational agencies, based on demonstrated need in the agency’s or consortium’s application to improve assessment quality, use, and alignment with the challenging State academic standards under section 1111(b)(1).
“(2) LOCAL EDUCATIONAL AGENCY APPLICATION.—Each local educational agency, or consortium of local educational agencies, seeking a subgrant under this subsection shall submit an application to the State at such time, in such manner, and containing such other information as determined by the State. The application shall include a description of the agency’s or consortium’s needs to improve assessment quality, use, and alignment (as described in paragraph (1)).

“(3) USE OF FUNDS.—A subgrant awarded under this subsection to a local educational agency or consortium of such agencies may be used to—

“(A) conduct an audit of local assessments under subsection (e)(1)(B);

“(B) eliminate any assessments identified for elimination by such audit, such as by buying out the remainder of procurement contracts with assessment developers;

“(C) disseminate the best practices described in subsection (e)(6)(A)(ii);

“(D) improve the capacity of school leaders and educators to disseminate assessment data in an accessible and understandable format for
parents and families, including for children with
disabilities or English learners;

“(E) improve assessment delivery systems
and schedules, including by increasing access to
technology and exam proctors, where appro-
priate;

“(F) hire instructional coaches, or promote
educators who may receive increased compensa-
tion to serve as instructional coaches, to sup-
port educators to develop classroom-based as-
sessments, interpret assessment data, and de-
sign instruction; and

“(G) provide for appropriate accommoda-
tions to maximize inclusion of children with dis-
abilities and English learners participating in
assessments.

“(g) DEFINITIONS.—In this section:

“(1) LOCAL ASSESSMENT.—The term ‘local as-
essment’ means an academic assessment selected
and carried out by a local educational agency that
is separate from an assessment required by section
1111(b)(2).

“(2) STATE.—The term ‘State’ means each of
the 50 States, the District of Columbia, and the
Commonwealth of Puerto Rico.
“SEC. 1204. FUNDING.

“(a) 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 years 2016 through 2021.

“(b) Allotment of Appropriated Funds.—

“(1) From amounts made available for each fiscal year under subsection 1002(b) that are equal to or less than the amount described in section 1111(b)(2)(H), the Secretary shall—

“(A) reserve $\frac{1}{2}$ of 1 percent for the Bureau of Indian Education;

“(B) reserve $\frac{1}{2}$ of 1 percent for the outlying areas;

“(C) reserve not more than 20 percent to carry out section 1203; and

“(D) from the remainder, allocate to each State for section 1201 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 aged 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) REMAINDER.—Any amounts made available for a fiscal year under subsection 1002(b) that are remaining after the Secretary carries out paragraph (1) shall be made available as follows:

“(A)(i) To award funds under section 1202 to States selected for such grants, according to the quality, needs, and scope of the State application under that section.

“(ii) In determining the grant amount under clause (i), 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.

“(B) Any amounts remaining after the Secretary awards funds under subparagraph (A) shall be allocated to each State that did not
receive a grant under such subparagraph, in an amount that bears the same relationship to the total funds available under this subparagraph 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.

“(e) STATE DEFINED.—In this section, the term ‘State’ means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

“SEC. 1205. INNOVATIVE ASSESSMENT AND ACCOUNTABILITY DEMONSTRATION AUTHORITY.

“(a) INNOVATIVE ASSESSMENT SYSTEM DEFINED.—The term ‘innovative assessment system’ means a system of assessments that may include—

“(1) competency-based assessments, instructionally embedded assessments, interim assessments, cumulative year-end assessments, or performance-based assessments that combine into an annual summative determination for a student, which may be administered through computer adaptive assessments; and

“(2) assessments that validate when students are ready to demonstrate mastery or proficiency and
allow for differentiated student support based on individual learning needs.

“(b) Demonstration Authority.—

“(1) In general.—The Secretary may provide a State educational agency, in accordance with paragraph (3), with the authority to establish an innovative assessment system.

“(2) Demonstration period.—Each authorization of demonstration authority under this section shall be for a period of 3 years.

“(3) Initial demonstration authority; expansion.—

“(A) Initial period.—During the initial 3-year period of demonstration authority under this section, the Secretary shall provide 5 State educational agencies, subject to meeting the application requirements in subsection (c), 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 State educational agencies with demonstration authority described in paragraph (1), if the Sec-
retary determines that overall the innovative assessment systems have—

“(i) demonstrated progress for all students, including at-risk students, through such measures as—

“(I) increasing student achievement and improving academic outcomes;

“(II) increasing graduation rates for high schools;

“(III) increasing retention rates of students in school; or

“(IV) decreasing rates of remediation for students;

“(ii) been developed in accordance with the requirements of subsection (c), including substantial evidence that such system meets such requirements; and

“(iii) demonstrated that the same system of assessments was used to measure the achievement of all students that participated in the demonstration authority, and at least 95 percent of such students overall and in each of the categories of students, as defined in section 1111(b)(3)(A),
were assessed under the innovative assessment system.

“(c) APPLICATION.—A State educational agency that desires to participate in the program of demonstration authority 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. Such application shall include a description of the innovative assessment system. In addition, the application shall include the following:

“(1) A demonstration that the innovative assessment system will—

“(A) meet all the requirements of section 1111(b)(2)(B), except the requirements of clauses (i) and (v) of such section;

“(B) be aligned to the standards under section 1111(b)(1) and address the depth and breadth of the challenging State academic standards under such section;

“(C) express student results or student competencies in terms consistent with the State aligned academic achievement standards;

“(D) be able to generate comparable, valid, and reliable results for all students and for each category of students described in section
1111(b)(2)(B)(xi), compared to the results for
such students on the State assessments under
section 1111(b)(2);

“(E) be developed in collaboration with
stakeholders representing the interests of chil-
dren with disabilities, English learners, and
other vulnerable children, educators, including
teachers, principals, and other school leaders,
local educational agencies, and civil rights orga-
nizations in the State;

“(F) be accessible to all students, such as
by incorporating the principles of universal de-
sign for learning;

“(G) provide educators, students, and par-ents with timely data, disaggregated by each
category of students described in section
1111(b)(2)(B)(xi), to inform and improve in-
structional practice and student supports;

“(H) be able to identify which students are
not making progress toward the State’s aca-
demic achievement standards so that educators
can provide instructional support and targeted
intervention to all students to ensure every stu-
dent is making progress;
“(I) measure the annual progress of not less than 95 percent of all students and students in each of the categories of students, as defined in section 1111(b)(3)(A), who are enrolled in each school that is participating in the innovative assessment system and are required to take assessments;

“(J) generate an annual, summative achievement determination based on annual data for each individual student based on the challenging State academic standards under section 1111(b)(1) and be able to validly and reliably aggregate data from the innovative assessment system for purposes of accountability, consistent with the requirements of section 1111(b)(3), and reporting, consistent with the requirements of section 1111(d); and

“(K) continue use of the high-quality statewide academic assessments required under section 1111(b)(2) if such assessments will be used for accountability purposes for the duration of the demonstration.

“(2) A description of how the State educational agency will—
“(A) identify the distinct purposes for each assessment that is part of the innovative assessment system;

“(B) provide support and training to local educational agency and school staff to implement the innovative assessment system described in this subsection;

“(C) inform parents of students in participating local educational agencies about the innovative assessment system at the beginning of each school year during which the innovative assessment system will be implemented;

“(D) engage and support teachers in developing and scoring assessments that are part of the innovative assessment system, including through the use of high-quality professional development, standardized and calibrated scoring rubrics, and other strategies, consistent with relevant nationally recognized professional and technical standards, to ensure inter-rater reliability and comparability;

“(E) acclimate students to the innovative assessment system;

“(F) ensure that students with the most significant cognitive disabilities may be assessed
with alternate assessments consistent with section 1111(b)(2)(D);

“(G) if the State is proposing to administer the innovative assessment system initially in a subset of local educational agencies, scale up the innovative assessment system to administer such system statewide or with additional local educational agencies in the initial demonstration and 2-year renewal period, if applicable, including the timeline that explains the process for scaling to statewide implementation by either the end of the initial demonstration authority or the 2-year renewal period;

“(H) gather data, solicit regular feedback from educators and parents, and assess the results of each year of the program of demonstration authority under this section, and respond by making needed changes to the innovative assessment system; and

“(I) report data from the innovative assessment system annually to the Secretary, including—

“(i) demographics of participating local educational agencies, if such system is not statewide, and additional local edu-
cational agencies if added to the system during the course of the initial demonstration or 2-year renewal period;

“(ii) performance of all participating students and for each category of students, as defined in section 1111(b)(3)(A), on the innovative assessment, consistent with the requirements in section 1111(d); and

“(iii) feedback from teachers, principals, other school leaders, and parents about their satisfaction with the innovative assessment system.

“(3) A description of the State educational agency’s plan to—

“(A) ensure that all students and each of the categories of students, as defined in section 1111(b)(3)(A)—

“(i) are held to the same high standard as other students in the State; and

“(ii) receive the instructional support needed to meet challenging State academic standards;

“(B) ensure that each local educational agency has the technological infrastructure to
implement the innovative assessment system;

and

“(C) hold all participating schools in the local educational agencies participating in the program of demonstration authority accountable for meeting the State’s expectations for student achievement.

“(4) If the innovative assessment system will initially be administered in a subset of local educational agencies—

“(A) a description of the local educational agencies within the State educational agency that will participate, including what criteria the State has for approving any additional local educational agencies to participate during the demonstration period;

“(B) assurances from such local educational agencies that such agencies will comply with the requirements of this subsection; and

“(C) a demonstration that the participating local educational agencies, as a group, will be demographically similar to the State as a whole.

“(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 the assessment innovation being proposed for all students, including English learners and children with disabilities, to inform—

“(A) the awarding, renewal, and expansion of the demonstration authority under this section; and

“(B) determinations about whether the innovative assessment system—

“(i) is comparable, valid, reliable, of high technical quality, and consistent with relevant, nationally recognized professional and technical standards; and

“(ii) provides an unbiased, rational, and consistent determination of progress toward annual goals for all students and schools; and

“(2) make publicly available the applications submitted under subsection (c) and the peer review comments and recommendations regarding such applications.

“(e) RENEWAL.—The Secretary may renew an authorization of demonstration authority under this sub-
section for an additional 2 years if the State educational agency demonstrates with evidence that the State educational agency’s innovative assessment system is continuing to meet the requirements of subsection (c).

“(f) Use of Innovative Assessment System.—A State may, during the initial 3-year demonstration period or 2-year renewal period, include results from the innovative assessment systems developed under this authority in accountability determinations for each student in the participating local educational agencies instead of, or in addition to, those from the assessment system under section 1111(b)(2), provided the State demonstrates that the State has met the requirements in subsection (c). The State shall continue to meet all other requirements of section 1111(b)(3).

“(g) Authority Withdrawn.—The Secretary shall withdraw the authorization for demonstration authority provided to a State educational agency under this section and any participating local educational agency or the State as a whole shall return to the statewide assessment system under section 1111(b)(2) if, at any point after the 3-year demonstration period described in subsection (b)(2) or 2-year renewal period described in subsection (e), the State educational agency cannot present to the Secretary
a body of substantial evidence that the innovative assessment system developed under this section—

“(1) meets requirements of subsection (c);

“(2) includes all students attending schools participating in the demonstration authority, including each of the categories of students, as defined in section 1111(b)(3)(A), in the innovative assessment system demonstration;

“(3) provides an unbiased, rational, and consistent determination of progress toward annual goals for schools, which are comparable to determinations under section 1111(b)(3)(B)(iii) across the State in which the local educational agencies are located;

“(4) presents a high-quality plan to transition to full statewide use of the innovative assessment system by the end of the initial demonstration period and 2-year renewal, if the innovative assessment system will initially be administered in a subset of local educational agencies; and

“(5) is equivalent to the statewide assessments under section 1111(b)(2) in content coverage, difficulty, and quality.

“(h) TRANSITION.—
“(1) IN GENERAL.—If, after the initial demonstration and renewal period, the State educational agency has met all the requirements of this section, such entity shall be permitted to operate the innovative assessment system approved under the program of demonstration authority under this section for the purposes of paragraphs (2) and (3) of section 1111(b).

“(2) WAIVER AUTHORITY.—If, after the initial demonstration and renewal period, the State has met all of the requirements of this section, except transition to full statewide use for States that will initially administer an innovative assessment system in a subset of local educational agencies, and continues to comply with the other requirements of this section, and demonstrates a high-quality plan for transition to statewide use in a reasonable period of time, the State may request, and the Secretary shall review such request, a delay of the withdrawal of authority under subsection (g) for the purpose of providing the State time necessary to implement the innovative assessment system statewide.

“(i) AVAILABLE FUNDS.—A State may use funds available under section 1201 to carry out this section.
“(j) Rule of Construction.—A consortium of States may apply to participate in the program of demonstration authority under this section and the Secretary may provide each State member of such consortium with such authority if each such State member meets all of the requirements of this section.”.

SEC. 1013. EDUCATION OF MIGRATORY CHILDREN.

Part C of title I (20 U.S.C. 6391 et seq.) is amended—

(1) in section 1301—

(A) in paragraph (2), by striking “State academic content and student academic achievement standards” and inserting “challenging State academic standards”;

(B) in paragraph (4), by striking “State academic content and student academic achievement standards” and inserting “State academic standards”; and

(C) in paragraph (5), by inserting “without the need for postsecondary remediation” after “employment”;

(2) in section 1303—

(A) by striking subsection (a) and inserting the following:

“(a) State Allocations.—
“(1) Base amount.—

“(A) In general.—Except as provided in
subsection (b) and subparagraph (B), each
State (other than the Commonwealth of Puerto
Rico) is entitled to receive under this part, for
fiscal year 2003 and succeeding fiscal years, an
amount equal to—

“(i) the amount that such State re-
ceived under this part for fiscal year 2002;
plus

“(ii) the amount allocated to the State
under paragraph (2).

“(B) Nonparticipating states.—In the
case of a State (other than the Commonwealth
of Puerto Rico) that did not receive any funds
for fiscal year 2002 under this part, the State
shall receive, for fiscal year 2003 and suc-
ceeding fiscal years, an amount equal to—

“(i) the amount that such State would
have received under this part for fiscal
year 2002 if its application under section
1304 for the year had been approved; plus

“(ii) the amount allocated to the State
under paragraph (2).
“(2) Allocation of additional amount.—

For fiscal year 2003 and succeeding fiscal years, the amount (if any) by which the funds appropriated to carry out this part for the year exceed such funds for fiscal year 2002 shall be allocated to a State (other than the Commonwealth of Puerto Rico) so that the State receives an amount equal to—

“(A) the sum of—

“(i) the number of identified eligible migratory children, aged 3 through 21, residing in the State during the previous year; and

“(ii) the number of identified eligible migratory children, aged 3 through 21, who received services under this part in summer or intercession programs provided by the State during such year; multiplied by

“(B) 40 percent of the average per-pupil expenditure in the State, except that the amount determined under this subparagraph may not be less than 32 percent, or more than 48 percent, of the average per-pupil expenditure in the United States.”;

(B) in subsection (e)—
(i) in paragraph (1)—

(I) by striking “(A) If, after”

and inserting the following:

“(A) IN GENERAL.—If, after”; and

(II) in subparagraph (B)—

(aa) by striking “If additional” and inserting “REALLOCATION.—If additional”; and

(bb) by moving the margins of such subparagraph 2 ems to the right; and

(ii) in paragraph (2)—

(I) by striking “(A) The Secretary” and inserting the following:

“(A) FURTHER REDUCTIONS.—The Secretary”; and

(II) in subparagraph (B)—

(aa) by striking “The Secretary” and inserting “REALLOCATION.—The Secretary”; and

(bb) by moving the margins of such subparagraph 2 ems to the right; and
(C) in subsection (d)(3)(B), by striking “welfare or educational attainment” and inserting “academic achievement”; and

(D) in subsection (e)—

(i) in the matter preceding paragraph (1), by striking “estimated” and inserting “identified”; and

(ii) by striking “the Secretary shall” and all that follows through the period at the end and inserting “the Secretary shall use such information as the Secretary finds most accurately reflects the actual number of migratory children.”;

(3) in section 1304—

(A) in subsection (b)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A)—

(aa) by striking “special educational needs” and inserting “unique educational needs”; and

(bb) by inserting “and out of school migratory children” after “including preschool migratory children”;
(II) in subparagraph (B), by striking “part A or B of title III” and inserting “part A of title III”; and

(III) by striking subparagraph (D) and inserting the following:

“(D) measurable program objectives and outcomes;”;

(ii) in paragraph (2), by striking “challenging State academic content standards and challenging State student academic achievement standards” and inserting “challenging State academic standards”;  

(iii) in paragraph (3), by striking “, consistent with procedures the Secretary may require,”;

(iv) in paragraph (5), by inserting “and” after the semicolon;  

(v) by striking paragraph (6); and  

(vi) by redesignating paragraph (7) as paragraph (6);  

(B) in subsection (c)—  

(i) in the matter preceding paragraph (1), by striking “, satisfactory to the Secretary,”;  

(ii) in paragraph (2), by striking “in a manner consistent with the objectives of section 1114, subsections (b) and (d) of section 1115, subsections (b) and (c) of section 1120A, and part I” and inserting “in a manner consistent with the objectives of section 1113(c), paragraphs (3) and (4) of section 1113(d), subsections (b) and (c) of section 1117, and part E”;

(iii) in paragraph (3)—

(I) in the matter before subparagraph (A), by striking “parent advisory councils” and inserting “parents of migratory children, including parent advisory councils”; and

(II) by striking “section 1118” and inserting “section 1115”;  

(iv) in paragraph (4), by inserting “and out of school migratory children” after “addressing the unmet educational needs of preschool migratory children”;  

(v) in paragraph (6)—

(I) by striking “to the extent feasible,”;
(II) by striking subparagraph (C) and inserting the following:

“(C) evidence-based family literacy programs;”; and

(III) in subparagraph (E), by inserting “, without the need for post-secondary remediation” after “employment”; and

(vi) in paragraph (7), by striking “paragraphs (1)(A) and (2)(B)(i) of section 1303(a), through such procedures as the Secretary may require” and inserting “section 1303(a)(2)(A)”;

(C) by striking subsection (d) and inserting the following:

“(d) PRIORITY FOR SERVICES.—In providing services with funds received under this part, each recipient of such funds shall give priority to migratory children who have made a qualifying move within the previous 1-year period and who—

“(1) are failing, or most at risk of failing, to meet the challenging State academic standards; or

“(2) have dropped out of school.”; and
(D) in subsection (e)(3), by striking “secondary school students” and inserting “students”;

(4) in section 1305(a), by inserting “, to the extent practicable,” after “shall”;

(5) in section 1306—

(A) in subsection (a)(1)—

(i) by striking “special” both places the term appears and inserting “unique”;

(ii) in subparagraph (C), by striking “challenging State academic content standards and challenging State student academic achievement standards” and inserting “challenging State academic standards”; and

(iii) in subparagraph (F), by striking “or B”; and

(B) in subsection (b)(4)—

(i) by striking “special” and inserting “unique”; and

(ii) by striking “section 1114” each place the term appears and inserting “section 1113(c)”;

(6) in section 1307—
(A) in the matter preceding paragraph (1), by striking “nonprofit”; and

(B) in paragraph (3), by striking “welfare or educational attainment” and inserting “educational achievement”;

(7) in section 1308—

(A) in subsection (a)(1), by inserting “through” after “including”; and

(B) in subsection (b)—

(i) in paragraph (1), by striking “developing effective methods for”;  

(ii) in paragraph (2)—

(I) in subparagraph (A)—

(aa) in the matter preceding clause (i), in the first sentence—

(AA) by striking “ensure the linkage of migrant student” and inserting “maintain a migratory”;  

(BB) by striking “systems” and inserting “system”;  

(CC) by inserting “within and” before “among the States”; and
(DD) by striking “all migratory students” and inserting “all migratory children eligible under this part”;

(bb) in the matter preceding clause (i), by striking “The Secretary shall ensure” and all that follows through “maintain.”; and

(ec) in clause (ii), by striking “required”;

(II) by redesignating subparagraph (B) as subparagraph (C);

(III) by inserting after subparagraph (A) 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 described in subparagraph (A); and

“(ii) the ongoing improvement of such system.”; and

(IV) in subparagraph (C), as redesignated by subclause (II)—
(aa) by striking “the proposed data elements” and inserting “any new proposed data elements”; and

(bb) by striking “Such publication shall occur not later than 120 days after the date of enactment of the No Child Left Behind Act of 2001.”; and

(iii) by striking paragraph (4);

(8) in section 1309—

(A) in paragraph (1)(B), by striking “non-profit”; and

(B) by striking paragraph (2) and inserting the following:

“(2) MIGRATORY AGRICULTURAL WORKER.—

The term ‘migratory agricultural worker’ means an individual who made a qualifying move in the preceding 36 months and, after doing so, engaged in new temporary or seasonal employment or personal subsistence in agriculture, which may be dairy work or the initial processing of raw agricultural products. If an individual did not engage in such new employment soon after a qualifying move, such individual may be considered a migratory agricultural worker if
the individual actively sought new employment and
has a recent history of moves for agricultural em-
ployment.

“(3) MIGRATORY CHILD.—The term ‘migratory
child’ means a child or youth who made a qualifying
move in the preceding 36 months—

“(A) as a migratory agricultural worker or
a migratory fisher; or

“(B) with, or to join, a parent or spouse
who is a migratory agricultural worker or a mi-
gratory fisher.

“(4) MIGRATORY FISHER.—The term ‘migra-
tory fisher’ means an individual who made a quali-
fying move in the preceding 36 months and, after
doing so, engaged in new temporary or seasonal em-
ployment or personal subsistence in fishing. If the
individual did not engage in such new employment
soon after the move, the individual may be consid-
ered a migratory fisher if the individual actively
sought new employment and has a recent history of
moves for fishing work.

“(5) QUALIFYING MOVE.—The term ‘qualifying
move’ means a move due to economic necessity—

“(A) from one residence to another resi-
dence; and
“(B) from one school district to another school district, except—

“(i) in the case of a State that is comprised of a single school district, wherein a qualifying move is from one administrative area to another within such district;

“(ii) in the case of a school district of more than 15,000 square miles, wherein a qualifying move is a distance of 20 miles or more to a temporary residence to engage in a fishing activity; or

“(iii) in a case in which another exception applies, as defined by the Secretary.”.

SEC. 1014. PREVENTION AND INTERVENTION PROGRAMS FOR CHILDREN AND YOUTH WHO ARE NEGLECTED, DELINQUENT, OR AT-RISK.

Part D of title I (20 U.S.C. 6421 et seq.) is amended—

(1) in section 1401(a)—

(A) in paragraph (1)—

(i) by inserting “, tribal,” after “youth in local”; and

(ii) by striking “challenging State academic content standards and challenging
State student academic achievement standards” and inserting “challenging State academic standards”; and

(B) in paragraph (3), by inserting “and the involvement of their families and communities” after “to ensure their continued education”;

(2) in section 1412(b), by striking paragraph (2) and inserting the following:

“(2) Minimum percentage.—The percentage in paragraph (1)(A) shall not be less than 85 percent.”;

(3) in section 1414—

(A) in subsection (a)—

(i) in paragraph (1)(B), by striking “from correctional facilities to locally operated programs” and inserting “between correctional facilities and locally operated programs”; and

(ii) in paragraph (2)—

(I) in subparagraph (A)—

(aa) by striking “the program goals, objectives, and performance measures established by the State” and inserting “the
program objectives and outcomes established by the State”; and

(bb) by striking “vocational” and inserting “career”;

(II) in subparagraph (B), by striking “and” after the semicolon; and

(III) in subparagraph (C)—

(aa) in clause (i), by inserting “and” after the semicolon;

(bb) by striking clause (ii) and redesignating clause (iii) as clause (ii);

(ee) by striking clause (iv);

and

(dd) by adding at the end the following:

“(D) provide assurances that the State educational agency has established—

“(i) procedures to ensure the prompt re-enrollment of each student who has been placed in the juvenile justice system in secondary school or in a re-entry program that best meets the needs of the student,
including the transfer of credits that such
students earn during placement; and

“(ii) opportunities for such students
to participate in higher education or career
pathways.”; and

(B) in subsection (e)—

(i) in paragraph (1)—

(I) by inserting “and respond to”
after “to assess”; and

(II) by inserting “and to the ex-
tent practicable, provide for an assess-
ment upon entry into a correctional
facility” after “to be served under this
subpart”;-

(ii) in paragraph (6)—

(I) by striking “carry out the
evaluation requirements of section
9601 and how” and inserting “use”;-

(II) by inserting “under section
9601” after “recent evaluation”; and

(III) by striking “will be used”;

(iii) in paragraph (8), by striking “vo-
cational” and inserting “career”;-

(iv) in paragraph (9)—
(I) by inserting “and following” after “youth prior to”; and

(II) by inserting “and, to the extent practicable, to ensure that transition plans are in place” after “the local educational agency or alternative education program”;

(v) in paragraph (11), by striking “transition of children and youth from such facility or institution to” and inserting “transition of such children and youth between such facility or institution and”;

(vi) in paragraph (16), by inserting “and obtain a high school diploma” after “to encourage the children and youth to reenter school”; and

(vii) in paragraph (17), by inserting “certified or licensed” after “provides an assurance that”;

(4) in section 1415—

(A) in subsection (a)—

(i) in paragraph (1)(B)—

(I) by inserting “, without the need for remediation,” after “transition to”; and
(II) by striking “vocational or technical training” and inserting “career and technical education”; and

(ii) in paragraph (2)—

(I) by striking subparagraph (A), and inserting:

“(A) may include—

“(i) the acquisition of equipment; and

“(ii) pay for success initiatives that produce a measurable, clearly defined outcome that results in social benefit and direct cost savings to the local, State, or Federal Government;”;

(II) in subparagraph (B)—

(aa) in clause (i), by striking “content standards and student academic achievement”; and

(bb) in clause (iii)—

(AA) by striking “challenging State academic achievement standards” and inserting “challenging State academic standards”; and

(BB) by inserting “and” after the semicolon;
(III) in subparagraph (C)—

(aa) by striking “section 1120A” and inserting “section 1117”; and

(bb) by striking “; and” and inserting a period; and

(IV) by striking subparagraph (D); and

(B) in subsection (b), by striking “section 1120A” and inserting “section 1117”;

(5) in section 1416—

(A) in paragraph (3)—

(i) by striking “challenging State academic content standards and student academic achievement standards” and inserting “challenging State academic standards”; and

(ii) by striking “complete secondary school, attain a secondary diploma” and inserting “attain a high school diploma”; 

(B) in paragraph (4)—

(i) by striking “pupil” and inserting “specialized instructional support”; and

(ii) by inserting “and, to the extent practicable, the development and imple-
mentation of transition plans” after “chil-

(1)”; and

(C) in paragraph (6), by striking “student

progress” and inserting “and improve student

achievement”; 

(6) in section 1418(a)—

(A) by striking paragraph (1) and insert-
ing the following:

“(1) projects that facilitate the transition of

children and youth between State-operated institu-
tions, or institutions in the State operated by the
Secretary of the Interior, and schools served by local
educational agencies or schools operated or funded
by the Bureau of Indian Education; or”; and

(B) in paragraph (2)—

(i) by striking “vocational” each place

the term appears and inserting “career”; and

(ii) in the matter preceding subpara-

graph (A)—

(I) by striking “secondary” and

inserting “high”; and
(II) by inserting ‘‘, without the need for remediation,’’ after ‘‘re-entry’’;

(7) in section 1419, by striking ‘‘for a fiscal year’’ and all that follows through ‘‘to provide’’ and inserting ‘‘for a fiscal year to provide’’;

(8) in section 1421—

(A) in paragraph (1), by inserting ‘‘, without the need for remediation,’’ after ‘‘youth’’; and

(B) in paragraph (3), by inserting ‘‘, including schools operated or funded by the Bureau of Indian Education,’’ after ‘‘local schools’’;

(9) in section 1422(d)—

(A) by inserting ‘‘, and may include the nonacademic needs,’’ after ‘‘to meet the transitional and academic needs’’; and

(B) by striking ‘‘impact on meeting the transitional’’ and inserting ‘‘impact on meeting such transitional’’;

(10) in section 1423—

(A) in paragraph (2)(B), by inserting ‘‘, including such facilities operated by the Sec-
retary of the Interior and Indian tribes” after “the juvenile justice system”;

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

“(4) a description of the activities that the local educational agency will carry out to facilitate the successful transition of children and youth in locally operated institutions for neglected and delinquent children and other correctional institutions into schools served by the local educational agency, or as appropriate, into career and technical education and postsecondary education programs;”;

(C) in paragraph (8), by inserting “and family members” after “will involve parents”;

(D) in paragraph (9), by striking “vocational” and inserting “career”;

(E) by striking paragraph (11) and inserting the following:

“(11) as appropriate, a description of how the local educational agency and schools will address the educational needs of children and youth who return from institutions for neglected and delinquent children and youth or from correctional institutions and attend regular or alternative schools;”;

and
(F) in paragraph (12), by striking “participating schools” and inserting “the local educational agency”;

(11) in section 1424—

(A) in paragraph (2), by striking “, including” and all that follows through “gang members”;

(B) in paragraph (4)—

(i) by striking “vocational” and inserting “career”; and

(ii) by striking “and” after the semicolon; and

(C) in paragraph (5), by striking the period at the end and inserting a semicolon; and

(D) by inserting the following after paragraph (5):

“(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; and

“(7) pay for success initiatives that produce a measurable, clearly defined outcome that results in social benefit and direct cost savings to the local, State, or Federal government.”;
(12) in section 1425—

(A) in paragraph (4)—

(i) by inserting “and obtain a high school diploma” after “reenter school”;

and

(ii) by striking “or seek a secondary school diploma or its recognized equivalent”;

(B) in paragraph (6), by striking “high academic achievement standards” and inserting “the challenging State academic standards”;

(C) in paragraph (9), by striking “vocational” and inserting “career”;

(D) in paragraph (10), by striking “and” after the semicolon;

(E) in paragraph (11), by striking the period at the end and inserting a semicolon; and

(F) by adding at the end the following:

“(12) to the extent practicable, 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’s 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.”;

(13) in section 1426(2), by striking “secondary” and inserting “high”;

(14) in section 1431(a)—

(A) by striking “secondary” each place the term appears and inserting “high”;

(B) in paragraph (1), by inserting “and to graduate high school in the standard number of years” after “educational achievement”; and

(C) in paragraph (3), by inserting “or school operated or funded by the Bureau of Indian Education” after “local educational agency”; and

(15) in section 1432(2)—

(A) by striking “has limited English proficiency” and inserting “is an English learner”; and
(B) by striking “or has a high absenteeism rate at school.” and inserting “has a high absenteeism rate at school, or has other life conditions that make the individual at high risk for dependency or delinquency adjudication.”

SEC. 1015. GENERAL PROVISIONS.

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

(1) by striking parts E, F, G, and H;

(2) by redesignating part I as part E;

(3) by striking sections 1907 and 1908;

(4) by redesignating sections 1901, 1902, 1903, 1905, and 1906 as sections 1501, 1502, 1503, 1504, and 1505, respectively;

(5) in section 1501, as redesignated by paragraph (4)—

(A) in subsection (a), by inserting “, in accordance with subsections (b) through (d),” after “may issue”;

(B) in subsection (b)—

(i) in paragraph (1), by inserting “principals, other school leaders,” after “teachers,”;

(ii) in paragraph (2), by adding at the end the following: “All information from such regional meetings and electronic ex-
changes shall be made public in an easily
accessible manner to interested parties.”;

(iii) in paragraph (3)(A), by striking
“standards and assessments” and inserting
“standards, assessments, the State ac-
countability system under section
1111(b)(3), school intervention and sup-
port under section 1114, and the require-
ment that funds be supplemented and not
supplanted under section 1117;”;

(iv) by striking paragraph (4) and in-
serting the following:

“(4) PROCESS.—Such process shall not be sub-
ject to the Federal Advisory Committee Act, but
shall, unless otherwise provided as described in sub-
section (c), follow the provisions of the Negotiated
Rulemaking Act of 1990 (5 U.S.C. 561 et seq.).”;

and

(v) by striking paragraph (5) and in-
serting the following:

“(5) EMERGENCY SITUATION.—In an emer-
gency situation in which regulations to carry out this
title must be issued within a very limited time to as-
sist State educational agencies and local educational
agencies with the operation of a program under this
title, the Secretary may issue a proposed regulation
without following such process but shall—

“(A) designate the proposed regulation as
an emergency with an explanation of the emer-
gency in a notice provided to Congress;

“(B) publish the duration of the comment
and review period in such notice and in the
Federal Register; and

“(C) conduct regional meetings to review
such proposed regulation before issuing any
final regulation.”;

(C) by redesignating subsection (c) as sub-
section (d);

(D) by inserting after subsection (b) the
following:

“(c) ALTERNATIVE PROCESS IF FAILURE TO REACH
CONSSENSUS.—If consensus, as defined in section 562 of
title 5, United States Code, on any proposed regulation
is not reached by the individuals selected under paragraph
(3)(B) for the negotiated rulemaking process, or if the
Secretary determines that a negotiated rulemaking proc-
 ess is unnecessary, the Secretary may propose a regulation
in the following manner:

“(1) NOTICE TO CONGRESS.—Not less than 30
days prior to issuing a notice of proposed rule-
making in the Federal Register, the Secretary shall provide to the Committee on Health, Education, Labor, and Pensions of the Senate, the Committee on Education and the Workforce of the House of Representatives, and other relevant congressional committees, notice of the Secretary’s intent to issue a notice of proposed rulemaking that shall include—

“(A) a copy of the regulation to be proposed;

“(B) a justification of the need to issue a regulation;

“(C) the anticipated burden, including the time, cost, and paperwork burden, the regulations will have on State educational agencies, local educational agencies, schools, and other entities that may be impacted by the regulation;

“(D) the anticipated benefits to State educational agencies, local educational agencies, schools, and other entities that may be impacted by the regulation;

“(E) any regulations that will be repealed when the new regulations are issued; and

“(F) an opportunity to comment on the information in subparagraphs (A) through (E).
“(2) Comment period for congress.—The Secretary shall provide Congress with a 15-day period, beginning after the date on which the Secretary provided the notice of any proposed rulemaking to Congress under paragraph (1), to make comments on the proposed rule. After addressing all comments received from Congress during such period, the Secretary may proceed with the rulemaking process under section 553 of title 5, United States Code, as modified by this section.

“(3) Public comment and review period.—The public comment and review period for any proposed regulation shall be not less than 90 days unless an emergency requires a shorter period, in which case the Secretary shall comply with the process outlined in subsection (b)(5).

“(4) Assessment.—No regulation shall be made final after the comment and review period described in paragraph (3) until the Secretary has published in the Federal Register—

“(A) an assessment of the proposed regulation that—

“(i) includes a representative sampling of local educational agencies based on enrollment, geographic diversity (including
suburban, urban, and rural local educational agencies), and other factors impacted by the proposed regulation;

“(ii) addresses the burden, including
the time, cost, and paperwork burden, that
the regulation will impose on State educational agencies, local educational agencies, schools, and other entities that may
be impacted by the regulation;

“(iii) addresses the benefits to State educational agencies, local educational agencies, schools, and other entities that
may be impacted by the regulation; and

“(iv) thoroughly addresses, based on
the comments received during the comment
and review period under paragraph (3),
whether the rule is financially and operationally viable at the local level; and

“(B) an explanation of how the entities de-
scribed in subparagraph (A)(ii) may cover the
cost of the burden assessed under such sub-
paragraph.”; and

(E) by inserting after subsection (d), as re-
designated by subparagraph (C), the following:
“(e) RULE OF CONSTRUCTION.—Nothing in this section affects the applicability of subchapter II of chapter 5, and chapter 7, of title 5, United States Code (commonly known as the ‘Administrative Procedure Act’) or chapter 8 of title 5, United States Code (commonly known as the ‘Congressional Review Act’).”;

(6) in section 1502(a), as redesignated by paragraph (4),

(A) by striking “section 1901” and inserting “section 1501”; and

(B) by striking “or provides a written” and all that follows through the period at the end and inserting “or where negotiated rulemaking is not pursued, shall conform to section 1501(c).”; and

(7) in section 1503, as redesignated by paragraph (4)—

(A) in subsection (a)(2), by striking “student academic achievement” and inserting “academic”; and

(B) in subsection (b)(2)—

(i) in subparagraph (C), by striking “, including vocational educators”;

(ii) in subparagraph (F), by striking “and” after the semicolon; and
(iii) by striking subparagraph (G) and inserting the following:

“(G) specialized instructional support personnel;

“(H) representatives of charter schools, as appropriate; and

“(I) paraprofessionals.”.

SEC. 1016. REPORT ON EDUCATIONAL STABILITY OF CHILDREN IN FOSTER CARE.

(a) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Secretary of Education and the Secretary of Health and Human Services shall submit to the appropriate committees of Congress a report that—

(1) describes any barriers to coordination between local educational agencies and child welfare agencies, including in Federal law or regulation, such as the Fostering Connections to Success and Increasing Adoptions Act of 2008 (Public Law 110–351; 122 Stat. 3949);

(2) describes the benefits and challenges of keeping a foster care child in the school of origin when such child moves to a new school attendance area as a result of being placed in foster care,
changing foster care placements, or leaving foster care, including—

(A) the academic impact of increased stability as a result of such child remaining in the school of origin;

(B) challenges for local educational agencies and child welfare agencies as a result of such child remaining in the school of origin, including challenges associated with transportation;

(C) estimates of transportation costs if such child stays in the school of origin; and

(D) an analysis of the most appropriate entity to pay transportation costs for a foster care child who is changing or leaving placements and remaining in the school of origin;

(3) examines barriers to credit transfer, including awarding partial credit for coursework, for a child in foster care who is changing schools;

(4) examines the impact on local educational agencies of a local educational agency designating an individual as a point of contact for a child welfare agency, including—

(A) the entity most suited to having the responsibility for outreach on behalf of the edu-
cation of a child in foster care enrolled in a school; and

(B) the benefits and limitations of designating the local educational agency liaison under section 722(g)(1)(J)(ii) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11432(g)(1)(J)(ii)) as the same point of contact at the local educational agency for children in foster care;

(5) describes the impact of removing children who are awaiting foster care placement from coverage under subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.); and

(6) examines the extent to which the child welfare system takes into account a child’s educational stability when determining such child’s foster care placement.

(b) DEFINITIONS.—For the purposes of this section:

(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 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.

SEC. 1017. REPORT ON SUBGROUP SAMPLE SIZE.

(a) Report.—Not later than 90 days after the date of enactment of this Act, the Director of the Institute of Education Sciences shall publish a report on best practices for determining valid, reliable, and statistically significant minimum numbers of students for each of the categories of students, as defined in section 1111(b)(3)(A) of the El-
lementary and Secondary Education Act of 1965 (20
U.S.C. 6311(b)(3)(A)) (as amended by this Act), for the
purposes of inclusion as categories of students in an ac-
countability system described in section 1111(b)(3) of the
Elementary and Secondary Education Act of 1965 (20
U.S.C. 6311(b)(3)) (as amended by this Act) and how
such minimum number that is determined will not reveal
personally identifiable information about students.

(b) Public Dissemination.—The Director of the
Institute of Education Sciences shall work with the De-
partment of Education’s existing technical assistance pro-
viders and dissemination networks to ensure that the re-
port described under subsection (a) is widely dissemi-
nated—

(1) to the public, State educational agencies,
local educational agencies, and schools; and
(2) through electronic transfer and other
means, such as posting the report on the website of
the Institute of Education Sciences or in another
relevant place.

TITLE II—HIGH-QUALITY TEACHERS,
PRINCIPALS, AND
OTHER SCHOOL LEADERS

SEC. 2001. TRANSFER OF CERTAIN PROVISIONS.

The Act (20 U.S.C. 6301 et seq.) is amended—
(1) by redesignating subpart 5 of part C of title II (20 U.S.C. 6731 et seq.) as subpart 3 of part F of title IX, as redesignated by section 9106(1), and moving that subpart to the end of part F of title IX;

(2) by redesignating sections 2361 through 2368 as sections 9541 through 9548, respectively;

(3) in section 9546(b), as redesignated by paragraph (2), 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.”;

(4) by redesignating subpart 4 of part D of title II as subpart 4 of part F of title IX, as redesignated by section 9105(1), and moving that subpart to follow subpart 3 of part F of title IX, as redesignated and moved by paragraph (1);

(5) by redesignating section 2441 as section 9551; and

(6) by striking the subpart heading of subpart 4 of part F of title IX, as redesignated by paragraph (5), and inserting the following:
“Subpart 4—Internet Safety”.

SEC. 2002. FUND FOR THE IMPROVEMENT OF TEACHING AND LEARNING.

The Act (20 U.S.C. 6301 et seq.) is amended by striking title II (as amended by section 2001) and inserting the following:

“TITLE II—PREPARING, TRAINING, AND RECRUITING HIGH-QUALITY TEACHERS, PRINCIPALS, AND OTHER SCHOOL LEADERS

“SEC. 2001. PURPOSE.

“The purpose of this title is to improve student academic achievement by—

“(1) increasing the ability of local educational agencies, schools, teachers, principals, and other school leaders to provide a well-rounded and complete education for all students;

“(2) improving the quality and effectiveness of teachers, principals, and other school leaders;

“(3) increasing the number of teachers, principals, and other school leaders who are effective in improving student academic achievement in schools; and

“(4) ensuring that low-income and minority students are served by effective teachers, principals,
and other school leaders and have access to a high-
quality instructional program.

“SEC. 2002. DEFINITIONS.

“In this title:

“(1) SCHOOL LEADER RESIDENCY PROGRAM.—
The term ‘school leader residency program’ means a
school-based principal, school leader, or principal
and school leader preparation program in which a
prospective principal or school leader—

“(A) for 1 academic year, engages in sus-
tained and rigorous clinical learning with sub-
stantial leadership responsibilities and an op-
portunity to practice and be evaluated in an au-
thentic school setting; and

“(B) during that academic year—

“(i) participates in research-based
coursework that is integrated with the clin-
ical residency experience; and

“(ii) receives ongoing support from a
mentor principal or school leader who is ef-
fective.

“(2) STATE.—The term ‘State’ means each of
the 50 States, the District of Columbia, and the
Commonwealth of Puerto Rico.
“(3) Teacher residency program.—The term ‘teacher residency program’ means a school-based teacher preparation program in which a prospective teacher—

“(A) for not less than 1 academic year, teaches alongside an effective teacher, as determined by a teacher evaluation system implemented under part A (if applicable), who is the teacher of record for the classroom;

“(B) receives concurrent instruction during the year described in subparagraph (A)—

“(i) through courses that may be taught by local educational agency personnel or by faculty of the teacher preparation program; and

“(ii) in the teaching of the content area in which the teacher will become certified or licensed; and

“(C) acquires effective teaching skills, as demonstrated through completion of a residency program, or other measure determined by the State, which may include a teacher performance assessment.
“SEC. 2003. AUTHORIZATION OF APPROPRIATIONS.

“(a) GRANTS TO STATES AND LOCAL EDUCATIONAL AGENCIES.—For the purposes of carrying out part A (other than section 2105), there are authorized to be appropriated such sums as may be necessary for each of fiscal years 2016 through 2021.

“(b) NATIONAL ACTIVITIES.—For the purposes of carrying out activities authorized under section 2105, there are authorized to be appropriated such sums as may be necessary for each of fiscal years 2016 through 2021.

“(c) TEACHER AND SCHOOL LEADER INCENTIVE FUND.—For the purposes of carrying out part B, there are authorized to be appropriated such sums as may be necessary for each of fiscal years 2016 through 2021.

“(d) AMERICAN HISTORY AND CIVICS EDUCATION.—For the purposes of carrying out part C, there are authorized to be appropriated such sums as may be necessary for each of fiscal years 2016 through 2021.

“(e) LITERACY EDUCATION FOR ALL, RESULTS FOR THE NATION.—For the purposes of carrying out part D, there are authorized to be appropriated such sums as may be necessary for each of fiscal years 2016 through 2021.

“(f) STEM INSTRUCTION AND STUDENT ACHIEVEMENT.—For the purposes of carrying out part E, there are authorized to be appropriated such sums as may be necessary for each of fiscal years 2016 through 2021.
“PART A—FUND FOR THE IMPROVEMENT OF
TEACHING AND LEARNING

“SEC. 2101. FORMULA GRANTS TO STATES.

“(a) Reservation of Funds.—From the total
amount appropriated under section 2003(a) for a fiscal
year, the Secretary shall reserve—

“(1) 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 out-
lying areas on the basis of their relative need, as de-
termined by the Secretary, in accordance with the
purpose of this title; and

“(2) 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 Edu-
cation.

“(b) State Allotments.—

“(1) Hold harmless.—

“(A) Fiscal years 2016 through 2021.—
For each of fiscal years 2016 through 2021, subject to paragraph (2) and subparagraph (C), from the funds appropriated under section 2003(a) for a fiscal year that remain after the Secretary makes the reservations under sub-
section (a), the Secretary shall allot to each
State an amount equal to the total amount that such State received for fiscal year 2001 under—

“(i) section 2202(b) of this Act (as in effect on the day before the date of enactment of the No Child Left Behind Act of 2001); and

“(ii) section 306 of the Department of Education Appropriations Act, 2001 (as enacted into law by section 1(a)(1) of Public Law 106-554).

“(B) Ratable Reduction.—If the funds described in subparagraph (A) are insufficient to pay the full amounts that all States are eligible to receive under subparagraph (A) for any fiscal year, the Secretary shall ratably reduce those amounts for the fiscal year.

“(C) Percentage Reduction.—For each of fiscal years 2016 through 2021, the amount in subparagraph (A) shall be reduced by a percentage equal to the product of 14.29 percent and the number of years between the fiscal year for which the determination is being made and fiscal year 2015.

“(2) Allotment of Additional Funds.—
“(A) IN GENERAL.—Subject to subparagraph (B), for any fiscal year for which the funds appropriated under section 2003(a) and not reserved under subsection (a) exceed the total amount required to make allotments under paragraph (1), the Secretary shall allot to each State the sum of—

“(i) an amount that bears the same relationship to 20 percent of the excess amount as the number of individuals age 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 80 percent of the excess amount as the number of individuals age 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 excess amount allotted under such subparagraph for a fiscal year.

“(3) Fiscal Year 2022 and Succeeding Fiscal Years.—For fiscal year 2022 and each of the succeeding fiscal years, the Secretary shall allot funds appropriated under section 2003(a) and not reserved under subsection (a) to each State in accordance with paragraph (2).

“(4) Reallotment.—If any State does not apply for an allotment under this subsection for any fiscal year, the Secretary shall reallocate the amount of the allotment to the remaining States in accordance with this subsection.

“(c) State Use of Funds.—

“(1) In General.—Except as provided for under paragraph (3), each State that receives an allotment under subsection (b) for a fiscal year shall reserve not less than 95 percent of such allotment to make subgrants to local educational agencies for such fiscal year, as described in section 2102.

“(2) State Administration.—A State educational agency may use not more than 1 percent of
the amount allotted to such State under subsection (b) for the administrative costs of carrying out such State educational agency’s responsibilities under this part.

“(3) PRINCIPALS AND OTHER SCHOOL LEADERS.—Notwithstanding paragraph (1) and in addition to funds otherwise available for activities under paragraph (4), a State educational agency may reserve not more than 3 percent of the amount reserved for subgrants to local educational agencies under paragraph (1) for activities for principals and other school leaders described in paragraph (4), if such reservation would not result in a lower allocation to local educational agencies under section 2102, as compared to such allocation for the preceding fiscal year.

“(4) STATE ACTIVITIES.—

“(A) IN GENERAL.—The State educational agency for a State that receives an allotment under subsection (b) may use funds not reserved under paragraph (1) to carry out 1 or more of the activities described in subparagraph (B), which may be implemented in conjunction with a State agency of higher education (if such agencies are separate) and carried out through
a grant or contract with a for-profit or non-profit entity, including an institution of higher education.

“(B) Types of state activities.—The activities described in this subparagraph are the following:

“(i) Reforming teacher, principal, and other school leader certification, recertification, licensing, or tenure systems or preparation program standards and approval processes to ensure that—

“(I) teachers have the necessary subject matter knowledge and teaching skills, as demonstrated through measures determined by the State, which may include teacher performance assessments, in the academic subjects that the teachers teach to help students meet challenging State academic standards described in section 1111(b)(1);

“(II) principals and other school leaders have the instructional leadership skills to help teachers teach and
to help students meet such chal-

lenging State academic standards; and

“(III) teacher certification or li-
censing requirements are aligned with
such challenging State academic

standards.

“(ii) Developing, improving, or pro-

viding assistance to local educational agen-
cies to support the design and implementa-
tion of teacher, principal, and other school
leader evaluation and support systems that
are based in part on evidence of student
academic achievement, which may include
student growth, and shall include multiple
measures of educator performance and
provide clear, timely, and useful feedback
to teachers, principals, and other schools
leaders, such as by—

“(I) developing and dissemi-
nating high-quality evaluation tools,
such as classroom observation rubrics,
and methods, including training and
auditing, for ensuring inter-rater reli-
ability of evaluation results;
“(II) developing and providing training to principals, other school leaders, coaches, mentors, and evaluators on how to accurately differentiate performance, provide useful and timely feedback, and use evaluation results to inform decisionmaking about professional development, improvement strategies, and personnel decisions; and

“(III) developing a system for auditing the quality of evaluation and support systems.

“(iii) Improving equitable access to effective teachers, principals, and other school leaders.

“(iv) Carrying out programs that establish, expand, or improve alternative routes for State certification of teachers (especially for teachers of children with disabilities, English learners, science, technology, engineering, mathematics, or other areas where the State demonstrates a shortage of educators), principals, and other school leaders, for—
“(I) individuals with a baccalaureate or master’s degree, or other advanced degree;
“(II) mid-career professionals from other occupations;
“(III) paraprofessionals;
“(IV) former military personnel; and
“(V) recent graduates of institutions of higher education with records of academic distinction who demonstrate the potential to become highly effective teachers, principals, or other school leaders.
“(v) Developing, improving, and implementing mechanisms to assist local educational agencies and schools in effectively recruiting and retaining teachers, principals, and other school leaders who are effective in improving student academic achievement, including highly effective teachers from underrepresented minority groups and teachers with disabilities, such as through—
“(I) opportunities for a cadre of effective teachers to lead evidence-based professional development for their peers;

“(II) career opportunities for teachers to grow as leaders, including hybrid roles that allow teachers to voluntarily serve as mentors or academic coaches while remaining in the classroom; and

“(III) providing training and support for teacher leaders and school leaders who are recruited as part of instructional leadership teams.

“(vi) Fulfilling the State educational agency’s responsibilities concerning proper and efficient administration and monitoring of the programs carried out under this part, including provision of technical assistance to local educational agencies.

“(vii) Developing, or assisting local educational agencies in developing—

“(I) teacher advancement initiatives that promote professional growth and emphasize multiple career paths,
such as school leadership, mentoring, involvement with school improvement, and instructional coaching;

“(II) strategies that provide differential pay, or other incentives, to recruit and retain teachers in high-need academic subjects and teachers, principals, or other school leaders, in low-income schools and school districts, which may include performance-based pay systems; and

“(III) new teacher, principal, and other school leader induction and mentoring programs that are evidence-based and designed to—

“(aa) improve classroom instruction and student learning and achievement;

“(bb) increase the retention of effective teachers, principals, and other school leaders;

“(cc) improve school leadership to improve classroom instruction and student learning and achievement; and
“(dd) provide opportunities for teachers, principals, and other school leaders who are experienced, effective, and have demonstrated an ability to work with adult learners to be mentors.

“(viii) Providing assistance to local educational agencies for—

“(I) the development and implementation of high-quality professional development programs for principals that enable the principals to be effective and prepare all students to meet the challenging State academic standards described in section 1111(b)(1); and

“(II) the development and support of other school leadership programs to develop educational leaders.

“(ix) Supporting efforts to train teachers, principals, and other school leaders to effectively integrate technology into curricula and instruction, which may include blended learning projects that in-
clude an element of online learning, combined with supervised learning time and student-led learning, in which the elements are connected to provide an integrated learning experience.

“(x) Providing training, technical assistance, and capacity-building to local educational agencies that receive a subgrant under this part.

“(xi) Supporting teacher, principal, and other school leader residency programs.

“(xii) Reforming or improving teacher, principal, and other school leader preparation programs.

“(xiii) Supporting the instructional services provided by school librarians.

“(xiv) Supporting other activities identified by the State that are evidence-based and that meet the purpose of this title.

“(d) STATE PLAN.—

“(1) IN GENERAL.—In order to receive an allotment under this section for any fiscal year, a State shall submit a plan to the Secretary, at such time,
in such manner, and containing such information as
the Secretary may reasonably require.

“(2) CONTENTS.—Each plan described under
paragraph (1) shall include the following:

“(A) A description of how the State edu-
cational agency will use funds received under
this title for State-level activities described in
subsection (c).

“(B) A description of the State’s system of
certification, licensing, and professional growth
and improvement, such as clinical experience
for prospective educators, support for new edu-
cators, professional development, professional
growth and leadership opportunities, and comp-
ensation systems for teachers, principals, and
other educators.

“(C) A description of how activities under
this part are aligned with challenging State aca-
demic standards and State assessments under
section 1111, which may include, as appro-
priate, relevant State early learning and devel-
opmental guidelines, as required under section
658E(c)(2)(T) of the Child Care and Develop-
ment Block Grant Act of 1990 (42 U.S.C.
9858c(e)(2)(T)).
“(D) A description of how the activities using funds under this part are expected to improve student achievement.

“(E) If a State educational agency plans to use funds under this part to improve equitable access to effective teachers, principals, and other school leaders, a description of how such funds will be used to meet the State’s commitment described in section 1111(c)(1)(F) to ensure equitable access to effective teachers, principals, and school leaders.

“(F) An assurance that the State educational agency will monitor the implementation of activities under this part and provide technical assistance to local educational agencies in carrying out such activities.

“(G) An assurance that the State educational agency will work in consultation with the entity responsible for teacher and principal professional standards, certification, and licensing for the State, and encourage collaboration between educator preparation programs, the State, and local educational agencies to promote the readiness of new educators entering the profession.
“(H) A description of how the State educational agency will improve the skills of teachers, principals, and other school leaders in order to enable them to identify students with specific learning needs, particularly students with disabilities, English learners, students who are gifted and talented, and students with low literacy levels, and provide instruction based on the needs of such students.

“(I) A description of how the State will use data and ongoing consultation with and input from teachers and teacher organizations, principals, other school leaders, specialized instructional support personnel, parents, community partners, and (where applicable) institutions of higher education, to continually update and improve the activities supported under this part.

“(3) CONSULTATION.—In developing the State plan under this subsection, a State shall—

“(A) involve teachers, teacher organizations, principals, other school leaders, specialized instructional support personnel, parents, community partners, and other organizations or partners with relevant and demonstrated exper-
tise in programs and activities designed to meet
the purpose of this title; and

“(B) seek advice from the individuals, or-
ganizations, or partners described in subpara-
graph (A) regarding how best to improve the
State’s activities to meet the purpose of this
title; and

“(C) coordinate the State’s activities under
this part with other related strategies, pro-
grams, and activities being conducted in the
State.

“(e) PROHIBITION.—Nothing in this section shall be
construed to authorize the Secretary or any other officer
or employee of the Federal Government to mandate, di-
rect, or control any of the following:

“(1) The development, improvement, or imple-
mentation of elements of any teacher, principal, or
school leader evaluation systems.

“(2) Any State or local educational agency’s
definition of teacher, principal, or other school lead-
er effectiveness.

“(3) Any teacher, principal, or other school
leader professional standards, certification, or licens-
ing.
“SEC. 2102. SUBGRANTS TO LOCAL EDUCATIONAL AGENCIES.

“(a) Allocation of Funds to Local Educational Agencies.—

“(1) In general.—From funds reserved by a State under section 2101(c)(1) for a fiscal year, the State, acting through the State educational agency, shall award subgrants to eligible local educational agencies from allocations described in paragraph (2).

“(2) Allocation formula.—From the funds described in paragraph (1), the State educational agency shall allocate to each of the eligible local educational agencies in the State for a fiscal year the sum of—

“(A) an amount that bears the same relationship to 20 percent of such funds for such fiscal year as the number of individuals aged 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 eligible local educational agencies in the State, as so determined; and

“(B) an amount that bears the same relationship to 80 percent of the funds for such fis-
cal year as the number of individuals aged 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 eligible local educational agencies in the State, as so determined.

“(3) Administrative costs.—Of the amounts allocated to a local educational agency under paragraph (2), the local educational agency may use not more than 2 percent for the direct administrative costs of carrying out its responsibilities under this part.

“(4) Rule of construction.—Nothing in this section shall be construed to prohibit a consortium of local educational agencies that are designated with a school locale code of 41, 42, or 43, or such local educational agencies designated with a school locale code of 41, 42, or 43 that work in cooperation with an educational service agency, from voluntarily combining allocations received under this part for the collective use of funding by the consortium for activities under this section.
“(b) LOCAL APPLICATIONS.—

“(1) IN GENERAL.—To be eligible to receive a subgrant under this section, a local educational agency shall conduct a needs assessment described in paragraph (2) and 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.

“(2) NEEDS ASSESSMENT.—

“(A) IN GENERAL.—To be eligible to receive a subgrant under this section, a local educational agency shall periodically conduct a comprehensive needs assessment of the local educational agency and of all schools served by the local educational agency.

“(B) REQUIREMENTS.—The needs assessment under subparagraph (A) shall be designed to determine the schools with the most acute staffing needs related to—

“(i) increasing the number of teachers, principals, and other school leaders who are effective in improving student academic achievement;

“(ii) ensuring that low-income and minority students are not disproportionately
served by ineffective teachers, principals, and other school leaders;

“(iii) ensuring that low-income and minority students have access to a high-quality instructional program and appropriate class sizes that are evidence-based;

“(iv) hiring, retention, and advancement and leadership opportunities for effective teachers, principals, and other school leaders;

“(v) supporting and developing all educators, including preschool, kindergarten, elementary, middle, or high school teachers (including special education teachers), principals, other school leaders, early childhood directors, specialized instructional support personnel, paraprofessionals, or other staff members who provide or directly support instruction;

“(vi) understanding and using data and assessments to improve student learning and classroom practice;

“(vii) improving student behavior, including the response of teachers, principals, and other school leaders to student
behavior, in the classroom and school, including the identification of early and appropriate interventions, which may include positive behavioral interventions and supports;

“(viii) teaching students who are English learners, children who are in early childhood education programs, children with disabilities, American Indian children, Alaskan Native children, and gifted and talented students;

“(ix) ensuring funds are used to support schools served by the local educational agency that are identified under section 1114(a)(1)(A) and schools with high percentages or numbers of children counted under section 1124(c);

“(x) improving the academic and non-academic skills of all students essential for learning readiness and academic success; and

“(xi) any other evidence-based factors that the local educational agency determines are appropriate to meet the needs of schools within the jurisdiction of the local...
educational agency and meet the purpose of this title.

“(3) CONSULTATION.—

“(A) IN GENERAL.—In conducting a needs assessment described in paragraph (2), a local educational agency shall—

“(i) involve teachers, teacher organizations, principals, and other school leaders, specialized instructional support personnel, parents, community partners, and others with relevant and demonstrated expertise in programs and activities designed to meet the purpose of this title; and

“(ii) take into account the activities that need to be conducted in order to give teachers, principals, and other school leaders the skills to provide students with the opportunity to meet challenging State academic standards described in section 1111(b)(1).

“(B) CONTINUED CONSULTATION.—A local educational agency receiving a subgrant under this section shall consult with such individuals and organizations described in subparagraph (A) on an ongoing basis in order to—
“(i) seek advice regarding how best to improve the local educational agency’s activities to meet the purpose of this title; and

“(ii) coordinate the local educational agency’s activities under this part with other related strategies, programs, and activities being conducted in the community.

“(4) CONTENTS OF APPLICATION.—Each application submitted under paragraph (1) shall be based on the results of the needs assessment required under paragraph (2) and shall include the following:

“(A) A description of the results of the comprehensive needs assessment carried out under paragraph (2).

“(B) A description of the activities to be carried out by the local educational agency under this section and how these activities will be aligned with the challenging State academic standards described in section 1111(b)(1).

“(C) A description of how such activities will comply with the principles of effectiveness described in section 2103(e).

“(D) A description of the activities, including professional development, that will be made
available to meet needs identified by the needs
assessment described in paragraph (2).

“(E) A description of the local educational
agency’s systems of hiring and professional
growth and improvement, such as induction for
teachers, principals, and other school leaders.

“(F) A description of how the local edu-
cational agency will support efforts to train
teachers, principals, and other school leaders to
effectively integrate technology into curricula
and instruction.

“(G) A description of how the local edu-
cational agency will prioritize funds to schools
served by the agency that are identified under
section 1114(a)(1)(A) and have the highest per-
centage or number of children counted under
section 1124(c).

“(H) Where a local educational agency has
a significant number of schools identified under
section 1114(a)(1)(A), as determined by the
State, a description of how the local educational
agency will seek the input of the State edu-
cational agency in planning and implementing
activities under this part.
“(I) An assurance that the local educational agency will comply with section 9501 (regarding participation by private school children and teachers).

“(J) An assurance that the local educational agency will coordinate professional development activities authorized under this part with professional development activities provided through other Federal, State, and local programs.

“SEC. 2103. LOCAL USE OF FUNDS.

“(a) IN GENERAL.—A local educational agency that receives a subgrant under section 2102 shall use the funds made available through the subgrant to develop, implement, and evaluate comprehensive, evidence-based programs and activities described in subsection (b), which may be carried out through a grant or contract with a for-profit or nonprofit entity, in partnership with an institution of higher education, or in partnership with an Indian tribe or tribal organization (as defined under section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)).

“(b) TYPES OF ACTIVITIES.—The activities described in this subsection—
“(1) shall meet the needs identified in the needs assessment described in section 2102(b)(2);

“(2) shall be in accordance with the purpose of this title, evidence-based, and consistent with the principles of effectiveness described in subsection (c);

“(3) shall address the learning needs of all students, including children with disabilities, English learners, and gifted and talented students; and

“(4) may include, among other programs and activities—

“(A) developing or improving a rigorous, transparent, and fair evaluation and support system for teachers, principals, and other school leaders that is based in part on evidence of student achievement, which may include student growth, and shall include multiple measures of educator performance and provide clear, timely, and useful feedback to teachers, principals, and other schools leaders;

“(B) developing and implementing initiatives to assist in recruiting, hiring, and retaining highly effective teachers, principals, and other school leaders, particularly in low-income schools with high percentages of ineffective
teachers and high percentages of students who
do not meet the challenging State academic
standards described in section 1111(b)(1), to
improve within-district equity in the distribu-
tion of teachers, principals, and school leaders
consistent with the requirements of section
1111(c)(1)(F), such as initiatives that pro-
vide—

“(i) expert help in screening can-
didates and enabling early hiring;

“(ii) differential and incentive pay for
teachers, principals, and other school lead-
ers in high-need academic subject areas
and specialty areas, which may include
performance-based pay systems;

“(iii) teacher, paraprofessional, prin-
cipal, and other school leader advancement
and professional growth, and an emphasis
on leadership opportunities, multiple career
paths and pay differentiation;

“(iv) new teacher, principal, and other
school leader induction and mentoring pro-
grams that are designed to—
“(I) improve classroom instruction and student learning and achievement;

“(II) increase the retention of effective teachers, principals, and other school leaders;

“(III) improve school leadership to improve classroom instruction and student learning and achievement; and

“(IV) provide opportunities for mentor teachers, principals, and other educators who are experienced, effective, and have demonstrated an ability to work with adult learners;

“(v) the development and provision of training for school leaders, coaches, mentors and evaluators on how to accurately differentiate performance, provide useful feedback, and use evaluation results to inform decisionmaking about professional development, improvement strategies, and personnel decisions; and

“(vi) a system for auditing the quality of evaluation and support systems;
“(C) recruiting qualified individuals from other fields to become teachers, principals, or other school leaders including mid-career professionals from other occupations, former military personnel, and recent graduates of institutions of higher education with a record of academic distinction who demonstrate potential to become effective teachers, principals, or other school leaders;

“(D) reducing class size to an evidence-based level to improve student achievement through the recruiting and hiring of additional effective teachers;

“(E) providing high-quality, personalized professional development for teachers, instructional leadership teams, principals, and other school leaders, focused on improving teaching and student learning and achievement, including supporting efforts to train teachers, principals, and other school leaders to—

“(i) effectively integrate technology into curricula and instruction;

“(ii) use data from such technology to improve student achievement;
“(iii) effectively engage parents, families and community partners, and coordinate services between school and community; and

“(iv) help all students develop the academic and nonacademic skills essential for learning readiness and academic success;

“(F) developing programs and activities that increase the ability of teachers to effectively teach children with disabilities, including children with significant cognitive disabilities, which may include the use of multi-tier systems of support and positive behavioral intervention and supports, and students who are English learners, so that such children with disabilities and students who are English learners can meet the challenging State academic standards described in section 1111(b)(1);

“(G) providing programs and activities to increase the knowledge base of teachers and principals on instruction in the early grades, and strategies to measure whether young children are progressing, which may include providing joint professional learning activities for
school staff and educators in preschool programs that address the transition to elementary school;

“(H) providing training, technical assistance, and capacity-building in local educational agencies to assist teachers and school leaders with selecting and implementing formative assessments, designing classroom-based assessments, and in using data from such assessments to improve instruction and student academic achievement, which may include providing additional time for teachers to review student data and respond, as appropriate;

“(I) supporting teacher, principal, and school leader residency programs;

“(J) reforming or improving teacher, principal, and other school leader preparation programs;

“(K) carrying out in-service training for school personnel in—

“(i) the techniques and supports needed for early identification of children with trauma histories, and children with, or at risk of, mental illness;
“(ii) 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

“(iii) forming partnerships between school-based mental health programs and public or private mental health organizations;

“(L) providing training to support the identification of students who are gifted and talented, including high-ability students who have not been formally identified for gifted education services, and implementing instructional practices that support the education of such students, such as early entrance to kindergarten, enrichment, acceleration, and curriculum compacting activities, and dual enrollment in secondary school and postsecondary education;

“(M) supporting the instructional services provided by school librarians;

“(N) providing general liability insurance coverage for teachers related to actions performed in the scope of their duties; and
“(O) carrying out other evidence-based activities identified by the local educational agencies that meet the purpose of this title.

“(c) PRINCIPLES OF EFFECTIVENESS.—

“(1) IN GENERAL.—For a program or activity supported with funds provided under this part to meet the principles of effectiveness, such program or activity shall—

“(A) be based upon an assessment of objective data regarding the need for programs and activities in the schools to be served to—

“(i) increase the number of teachers, principals, and other school leaders who are effective in improving student academic achievement;

“(ii) ensure that low-income and minority students are served by effective teachers, principals, and other school leaders; and

“(iii) ensure that low-income and minority students have access to a high-quality instructional program;

“(B) be based upon established and evidence-based criteria—
“(i) aimed at ensuring that all students receive a high-quality education taught by effective teachers and attend schools led by effective principals and other school leaders; and

“(ii) that result in improved student academic achievement in the school served by the program or activity; and

“(C) include meaningful and ongoing consultation with and input from teachers, teacher organizations, principals, other school leaders, specialized instructional support personnel, parents, community partners, and (where applicable) institutions of higher education, in the development of the application and administration of the program or activity.

“(2) Periodic Evaluation.—

“(A) In general.—A program or activity carried out under this section shall undergo a periodic evaluation to assess its progress toward achieving the goal of providing students with a high-quality education, taught by effective teachers, in schools led by effective principals and school leaders that results in improved student academic achievement.
“(B) USE OF RESULTS.—The results of an evaluation described in subparagraph (A) shall be—

“(i) used to refine, improve, and strengthen the program or activity, and to refine the criteria described in paragraph (1)(B); and

“(ii) made available to the public upon request, with public notice of such availability provided.

“(3) PROHIBITION.—Nothing in this subsection shall be construed to authorize the Secretary or any other officer or employee of the Federal Government to mandate, direct, or control the principles of effectiveness developed by local educational agencies under paragraph (1) or the specific programs or activities that will be implemented by a local educational agency.

“SEC. 2104. REPORTING.

“(a) STATE REPORT.—Each State educational agency receiving funds under this part shall annually submit to the Secretary a report that provides—

“(1) the number and percent of teachers, principals, and other school leaders in the State and each local educational agency in the State who are
licensed or certified, provided such information does not reveal personally identifiable information;

“(2) the first-time passage rate of teachers and principals in the State and each local educational agency in the State on teacher and principal licensure examinations, provided such information does not reveal personally identifiable information;

“(3) a description of how chosen professional development activities improved teacher and principal performance; and

“(4) if funds are used under this part to improve equitable access to teachers, principals, and other school leaders for low-income and minority students, a description of how funds have been used to improve such access.

“(b) LOCAL EDUCATIONAL AGENCY REPORT.—Each local educational agency receiving funds under this part shall submit to the State educational agency such information that the State requires, which shall include the information described in subsection (a) for the local educational agency.

“(c) AVAILABILITY.—The reports and information provided under subsections (a) and (b) shall be made readily available to the public.
“(d) LIMITATION.—The reports and information provided under subsections (a) and (b) shall not reveal personally identifiable information about any individual.

“SEC. 2105. NATIONAL ACTIVITIES OF DEMONSTRATED EFFECTIVENESS.

“(a) IN GENERAL.—From the funds appropriated under section 2003(b) to carry out this section, the Secretary—

“(1) may reserve not more than 20 percent to carry out activities under subsection (b);

“(2) shall reserve not less than 40 percent to carry out activities under subsection (c); and

“(3) shall reserve not less than 40 percent to carry out activities under subsection (d).

“(b) TECHNICAL ASSISTANCE AND NATIONAL EVALUATION.—From the funds reserved by the Secretary under subsection (a)(1), the Secretary may carry out—

“(1) technical assistance to States and local educational agencies carrying out activities under this part, which may be carried out directly or through grants and contracts; and

“(2) evaluations of activities carried out by States and local educational agencies under this part, which shall be conducted by a third party or by the Institute of Education Sciences.
“(c) Programs of National Significance.—

“(1) In general.—From the funds reserved by the Secretary under subsection (a)(2), the Secretary shall award grants, on a competitive basis, to eligible entities for the purposes of—

“(A) providing teachers, principals, and other school leaders from nontraditional preparation and certification routes or pathways to serve in traditionally underserved local educational agencies;

“(B) providing evidence-based professional development activities that addresses literacy, numeracy, remedial, or other needs of local educational agencies and the students the agencies serve;

“(C) making freely available services and learning opportunities to local educational agencies, through partnerships and cooperative agreements or by making the services or opportunities publicly accessible through electronic means; or

“(D) providing teachers, principals, and other school leaders with evidence-based professional enhancement activities, which may in-
include activities that lead to an advanced credential.

“(2) Program periods and diversity of projects.—

“(A) In general.—A grant awarded by the Secretary to an eligible entity under this subsection shall be for a period of not more than 3 years.

“(B) Renewal.—The Secretary may renew a grant awarded under this subsection for 1 additional 2-year period.

“(C) Diversity of projects.—In awarding grants under this subsection, the Secretary shall ensure that, to the extent practicable, grants are distributed among eligible entities that will serve geographically diverse areas, including urban, suburban, and rural areas.

“(D) Limitation.—The Secretary shall not award more than 1 grant under this subsection to an eligible entity during a grant competition.

“(3) Cost-sharing.—

“(A) In general.—An eligible entity that receives a grant under this subsection shall provide, from non-Federal sources, not less than
25 percent of the funds for the total cost for each year of activities carried out under this subsection.

“(B) ACCEPTABLE CONTRIBUTIONS.—An eligible entity that receives a grant under this subsection may meet the requirement of subparagraph (A) by providing contributions in cash or in-kind, fairly evaluated, including plant, equipment, and services.

“(C) WAIVERS.—The Secretary may waive or modify the requirement of subparagraph (A) in cases of demonstrated financial hardship.

“(4) APPLICATIONS.—In order to receive a grant under this subsection, an eligible entity shall submit an application to the Secretary at such time, in such manner, and containing such information that the Secretary may reasonably require. Such application shall include, at a minimum, a certification that the services provided by an eligible entity under the grant to a local educational agency or to a school served by the local educational agency will not result in direct fees for participating students or parents.

“(5) DEFINITION OF ELIGIBLE ENTITY.—In this subsection, the term ‘eligible entity’ means—
“(A) an institution of higher education that provides course materials or resources that are evidence-based in increasing academic achievement, graduation rates, or rates of post-secondary education matriculation;

“(B) a national nonprofit entity with a demonstrated track record of raising student academic achievement, graduation rates, and rates of higher education attendance, matriculation, or completion, or of effectiveness in providing preparation and professional development activities and programs for teachers, principals, and other school leaders; or

“(C) a partnership consisting of—

“(i) 1 or more entities described in subparagraph (A) or (B); and

“(ii) a for-profit entity.

“(d) SCHOOL LEADER RECRUITMENT AND SUPPORT PROGRAMS.—

“(1) IN GENERAL.—From the funds reserved by the Secretary under subsection (a)(3), the Secretary shall award grants, on a competitive basis to eligible entities to enable such entities to improve the recruitment, preparation, placement, support,
and retention of effective principals and other school
leaders in high-need schools, which may include—

“(A) developing or implementing leadership training programs designed to prepare and
support principals and other school leaders in high-need schools, including through new or al-
ternative pathways and school leader residency programs;

“(B) developing or implementing programs or activities for recruiting, selecting, and devel-
oping aspiring or current principals and other school leaders to serve in high-need schools;

“(C) developing or implementing programs for recruiting, developing, and placing school
leaders to improve schools identified for intervention and support under section
1114(a)(1)(A), including through cohort-based activities that build effective instructional and
school leadership teams and develop a school
culture, design, instructional program, and pro-
fessional development program focused on im-
proving student learning;

“(D) providing continuous professional de-
velopment for principals and other school lead-
ers in high-need schools;
“(E) developing and disseminating information on best practices and strategies for effective school leadership in high-need schools;

and

“(F) other evidence-based programs or activities described in section 2101(c)(3) or section 2103(b)(4) focused on principals and other school leaders in high-need schools.

“(2) Program periods and diversity of projects.—

“(A) In general.—A grant awarded by the Secretary to an eligible entity under this subsection shall be for a period of not more than 5 years.

“(B) Renewal.—The Secretary may renew a grant awarded under this subsection for 1 additional 2-year period.

“(C) Diversity of projects.—In awarding grants under this subsection, the Secretary shall ensure that, to the extent practicable, grants are distributed among eligible entities that will serve geographically diverse areas, including urban, suburban, and rural areas.

“(D) Limitation.—The Secretary shall not award more than 1 grant under this sub-
section to an eligible entity during a grant competition.

“(3) Cost-sharing.—

“(A) In general.—An eligible entity that receives a grant under this subsection shall provide, from non-Federal sources, not less than 25 percent of the funds for the total cost for each year of activities carried out under this subsection.

“(B) Acceptable contributions.—An eligible entity that receives a grant under this subsection may meet the requirement of subparagraph (A) by providing contributions in cash or in-kind, fairly evaluated, including plant, equipment, and services.

“(C) Waivers.—The Secretary may waive or modify the requirement of subparagraph (A) in cases of demonstrated financial hardship.

“(4) Applications.—An eligible entity that desires a grant under this subsection shall submit to the Secretary an application at such time, in such manner, and accompanied by such information as the Secretary may require.

“(5) Priority.—In awarding grants under this subsection, the Secretary shall give priority to an eli-
gible entity with a record of preparing or developing
principals who—

“(A) have improved school-level student
outcomes;

“(B) have become principals in high-need
schools; and

“(C) remain principals in high-need schools
for multiple years.

“(6) DEFINITIONS.—In this subsection—

“(A) the term ‘eligible entity’ means—

“(i) a local educational agency, includ-
ing an educational service agency, that
serves a high-need school or a consortium
of such agencies;

“(ii) a State educational agency or a
consortium of such agencies;

“(iii) a State educational agency in
partnership with 1 or more local edu-
cational agencies or educational service
agencies that serve a high-need school; or

“(iv) an entity described in clause (i),
(ii), or (iii) in partnership with 1 or more
nonprofit organizations or institutions of
higher education; and

“(B) the term ‘high-need school’ means—
“(i) an elementary school in which not less than 50 percent of the enrolled students are from families with incomes below the poverty line; or

“(ii) a high school in which not less than 40 percent of the enrolled students are from families with incomes below the poverty line.

“SEC. 2106. SUPPLEMENT, NOT SUPPLANT.

“Funds made available under this part shall be used to supplement, and not supplant, non-Federal funds that would otherwise be used for activities authorized under this part.

“PART B—TEACHER AND SCHOOL LEADER INCENTIVE PROGRAM

“SEC. 2201. PURPOSES; DEFINITIONS.

“(a) PURPOSES.—The purposes of this part are—

“(1) to assist States, local educational agencies, and nonprofit organizations to develop, implement, improve, or expand comprehensive performance-based compensation systems or human capital management systems for teachers, principals, and other school leaders (especially for teachers, principals, and other school leaders in high-need schools) who raise student academic achievement and close the
achievement gap between high- and low-performing students; and

“(2) to study and review performance-based compensation systems or human capital management systems for teachers, principals, and other school leaders to evaluate the effectiveness, fairness, quality, consistency, and reliability of the systems.

“(b) DEFINITIONS.—In this part:

“(1) ELIGIBLE ENTITY.—The term ‘eligible entity’ means—

“(A) a local educational agency, including a charter school that is a local educational agency, or a consortium of local educational agencies;

“(B) a State educational agency or other State agency designated by the chief executive of a State to participate under this part; or

“(C) a partnership consisting of—

“(i) 1 or more agencies described in subparagraph (A) or (B); and

“(ii) at least 1 nonprofit or for-profit entity.

“(2) HIGH-NEED LOCAL EDUCATIONAL AGENCY.—The term ‘high-need local educational agency’
means a local educational agency, public charter school, or charter management organization—

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

“(B) for which not less than 20 percent of the children served by the agency, school, or organization are from families with incomes below the poverty line.

“(3) HIGH-NEED SCHOOL.—The term ‘high-need school’ means a public elementary school or secondary school that is located in an area in which the percentage of students from families with incomes below the poverty line is 30 percent or more.

“(4) HUMAN CAPITAL MANAGEMENT SYSTEM.—The term ‘human capital management system’ means a system—

“(A) by which a local educational agency makes and implements human capital decisions, such as decisions on preparation, recruitment, hiring, placement, retention, dismissal, compensation, professional development, tenure, and promotion; and

“(B) that includes a performance-based compensation system.
“(5) PERFORMANCE-BASED COMPENSATION SYSTEM.—The term ‘performance-based compensation system’ means a system of compensation for teachers, principals, and other school leaders that—

“(A) differentiates levels of compensation based in part on measurable increases in student academic achievement; and

“(B) may include—

“(i) differentiated levels of compensation, which may include bonus pay, on the basis of the employment responsibilities and success of effective teachers, principals, and other school leaders in hard-to-staff schools or high-need subject areas; and

“(ii) recognition of the skills and knowledge of teachers, principals, and other school leaders as demonstrated through—

“(I) successful fulfillment of additional responsibilities or job functions, such as teacher leadership roles; and

“(II) evidence of professional achievement and mastery of content
knowledge and superior teaching and leadership skills.

“SEC. 2202. TEACHER AND SCHOOL LEADER INCENTIVE FUND GRANTS.

“(a) GRANTS AUTHORIZED.—From the amounts appropriated to carry out this part, the Secretary shall award grants, on a competitive basis, to eligible entities to enable the eligible entities to develop, implement, improve, or expand performance-based compensation systems or human capital management systems, in schools served by the eligible entity.

“(b) DURATION OF GRANTS.—

“(1) IN GENERAL.—A grant awarded under this part shall be for a period of not more than 3 years.

“(2) RENEWAL.—The Secretary may renew a grant awarded under this part for a period of up to 2 years if the grantee demonstrates to the Secretary that the grantee is effectively utilizing funds. Such renewal may include allowing the grantee to scale up or replicate the successful program.

“(3) LIMITATION.—A local educational agency may receive (whether individually or as part of a consortium or partnership) a grant under this part
only twice, as of the date of enactment of the Every

“(c) APPLICATIONS.—An eligible entity desiring 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.
The application shall include—

“(1) a description of the performance-based
compensation system or human capital management
system that the eligible entity proposes to develop,
implement, improve, or expand through the grant;

“(2) a description of the most pressing gaps or
insufficiencies in student access to effective teachers
and school leaders in high-need schools, including
gaps or inequities in how effective teachers and
school leaders are distributed across the local edu-
cational agency, as identified using factors such as
data on school resources, staffing patterns, school
environment, educator support systems and other
school level factors;

“(3) a description and evidence of the support
and commitment from teachers, principals, and
other school leaders, which may include charter
school leaders, in the school (including organizations
representing teachers, principals, and other school
leaders), the community, and the local educational
agency to the activities proposed under the grant;

“(4) a description of how the eligible entity will
develop and implement a fair, rigorous, valid, reli-
able, and objective process to evaluate teacher, prin-
cipal, school leader, and student performance under
the system that is based in part on measures of stu-
dent academic achievement, including the baseline
performance against which evaluations of improved
performance will be made;

“(5) a description of the local educational agen-
cies or schools to be served under the grant, includ-
ing such student academic achievement, demo-
graphic, and socioeconomic information as the Sec-
retary may request;

“(6) a description of the quality of teachers,
principals, and other school leaders in the local edu-
cational agency and the schools to be served under
the grant and the extent to which the system will in-
terface the quality of teachers, principals, and other
school leaders in a high-need school;

“(7) a description of how the eligible entity will
use grant funds under this part in each year of the
grant, including a timeline for implementation of
such activities;
“(8) a description of how the eligible entity will continue the activities assisted under the grant after the grant period ends;

“(9) a description of the State, local, or other public or private funds that will be used to supplement the grant, including funds under part A, and sustain the activities assisted under the grant at the end of the grant period;

“(10) a description of how the proposed activities are rational and evidence-based and, if applicable, the prior experience of the eligible entity in developing and implementing such activities; and

“(11) a description of how activities funded under this part will be evaluated, monitored, and publically reported.

“(d) AWARD BASIS.—

“(1) PRIORITY.—In awarding a grant under this part, the Secretary shall give priority to an eligible entity that concentrates the activities proposed to be assisted under the grant on teachers, principals, and other school leaders serving in high-need schools.

“(2) EQUITABLE DISTRIBUTION.—To the extent practicable, the Secretary shall ensure an equitable geographic distribution of grants under this
part, including the distribution of such grants between rural and urban areas.

“(e) Use of Funds.—

“(1) In general.—An eligible entity that receives a grant under this part shall use the grant funds to develop, implement, improve, or expand, in collaboration with teachers, principals, other school leaders, and members of the public, a performance-based compensation system or human capital management system consistent with this part.

“(2) Authorized activities.—Grant funds under this part may be used for the following:

“(A) Developing or improving an evaluation and support system, including as part of a human capital management system as applicable, that—

“(i) reflects clear and fair measures of teacher, principal, and other school leader performance, based in part on demonstrated improvement in student academic achievement; and

“(ii) provides teachers, principals, and other school leaders with ongoing, differentiated, targeted and personalized support and feedback for improvement, including
professional development opportunities designed to increase effectiveness.

“(B) Conducting outreach within a local educational agency or a State to gain input on how to construct an evaluation system described in subparagraph (A) and to develop support for the evaluation system, including by training appropriate personnel in how to observe and evaluate teachers, principals, and other school leaders.

“(C) Providing principals and other school leaders with—

“(i) balanced autonomy to make budgeting, scheduling, and other school-level decisions in a manner that meets the needs of the school without compromising the intent or essential components of the policies of the local educational agency or State;

“(ii) authority to make staffing decisions that meet the needs of the school, such as building an instructional leadership team that includes teacher leaders or offering opportunities for teams or pairs of effective teachers or candidates to teach or
start teaching in high-need schools to-
together.

“(D) Paying, as part of a comprehensive
performance-based compensation system, a dif-
ferentiated salary structure, which may include
bonuses and stipends, to—

“(i) teachers who—

“(I)(aa) teach in high-need
schools; or

“(bb) teach in high-need subjects;

“(II) raise student academic
achievement; or

“(III) take on additional leader-
ship responsibilities; or

“(ii) principals and other school lead-
ers who serve in high-need schools and
raise student academic achievement in the
schools.

“(E) Improving the local educational agen-
cy’s system and process for the recruitment, se-
lection, placement, and retention of effective
teachers and school leaders in high-need
schools, such as by improving local educational
agency policies and procedures to ensure that
high-need schools are competitive and timely in—

“(i) attracting, hiring, and retaining effective educators;

“(ii) offering bonuses or higher salaries to effective teachers; or

“(iii) establishing or strengthening residency programs.

“(F) Instituting career advancement opportunities characterized by increased responsibility and pay that reward and recognize effective teachers and school leaders in high-need schools and enable them to expand their leadership and results, such as through teacher-led professional development, mentoring, coaching, hybrid roles, administrative duties, and career ladders.

“(f) MATCHING REQUIREMENT.—Each eligible entity that receives a grant under this part shall provide, from non-Federal sources, an amount equal to 50 percent of the amount of the grant (which may be provided in cash or in-kind) to carry out the activities supported by the grant.

“(g) SUPPLEMENT, NOT SUPPLANT.—Grant funds provided under this part shall be used to supplement, not
supplant, other Federal or State funds available to carry
out activities described in this part.

"SEC. 2203. REPORTS.

"(a) ACTIVITIES SUMMARY.—Each eligible entity re-
ceiving a grant under this part shall provide to the Sec-
retary a summary of the activities assisted under the
grant.

"(b) REPORT.—The Secretary shall provide to Con-
gress an annual report on the implementation of the pro-
gram carried out under this part, including—

"(1) information on eligible entities that re-
ceived grant funds under this part, including—

"(A) information provided by eligible enti-
ties to the Secretary in the applications sub-
mited under section 2202(c);

"(B) the summaries received under sub-
section (a); and

"(C) grant award amounts; and

"(2) student academic achievement, and as ap-
plicable, growth data from the schools participating
in the programs supported under the grant.

"(c) EVALUATION AND TECHNICAL ASSISTANCE.—

"(1) RESERVATION OF FUNDS.—Of the total
amount reserved under section 2003(c) for this part
for a fiscal year, the Secretary may reserve for such
fiscal year not more than 1 percent for the cost of
the evaluation under paragraph (2) and for technical
assistance in carrying out this part.

“(2) EVALUATION.—From amounts reserved
under paragraph (1), the Secretary, acting through
the Director of the Institute of Education Sciences,
shall carry out an independent evaluation to meas-
ure the effectiveness of the program assisted under
this part.

“(3) CONTENTS.—The evaluation under para-
graph (2) shall measure—

“(A) the effectiveness of the program in
improving student academic achievement;

“(B) the satisfaction of the participating
teachers, principals, and other school leaders;

and

“(C) the extent to which the program as-
sisted the eligible entities in recruiting and re-
taining high-quality teachers, principals, and
other school leaders, especially in high-need
subject areas.”.

SEC. 2003. AMERICAN HISTORY AND CIVICS EDUCATION.

Title II (20 U.S.C. 6601 et seq.), as amended by sec-
tion 2002, is further amended by adding at the end the
following:
“PART C—AMERICAN HISTORY AND CIVICS

EDUCATION.

“SEC. 2301. PROGRAM AUTHORIZED.

“(a) IN GENERAL.—From amounts appropriated to carry out this part, the Secretary is authorized to carry out an American history and civics education program to improve—

“(1) the quality of American history, civics, and government education by educating students about the history and principles of the Constitution of the United States, including the Bill of Rights; and

“(2) the quality of teaching American history, civics, and government in elementary schools and secondary schools, including the teaching of traditional American history.

“(b) FUNDING ALLOTMENT.—From amounts made available under section 2305 for a fiscal year, the Secretary shall—

“(1) reserve not more than 85 percent for activities under section 2302;

“(2) reserve not more than 10 percent for activities under section 2303; and

“(3) reserve not more than 5 percent for activities under section 2304.
“SEC. 2302. TEACHING OF TRADITIONAL AMERICAN HISTORY.

“(a) IN GENERAL.—From the amounts reserved by the Secretary under section 2301(b)(1), the Secretary shall award grants, on a competitive basis, to local educational agencies—

“(1) to carry out activities to promote the teaching of traditional American history in elementary schools and secondary schools as a separate academic subject (not as a component of social studies); and

“(2) for the development, implementation, and strengthening of programs to teach traditional American history as a separate academic subject (not as a component of social studies) within elementary school and secondary school curricula, including the implementation of activities—

“(A) to improve the quality of instruction; and

“(B) to provide professional development and teacher education activities with respect to American history.

“(b) REQUIRED PARTNERSHIP.—A local educational agency that receives a grant under subsection (a) shall carry out activities under the grant in partnership with 1 or more of the following:
“(1) An institution of higher education.
“(2) A nonprofit history or humanities organization.
“(3) A library or museum.
“(c) APPLICATION.—To be eligible to receive a grant under this section, a local 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.
“(d) GRANT TERMS.—Grants awarded under subsection (a) shall be for a term of not more than 5 years.

“SEC. 2303. PRESIDENTIAL AND CONGRESSIONAL ACADEMIES FOR AMERICAN HISTORY AND CIVICS.
“(a) IN GENERAL.—From the amounts reserved under section 2301(b)(2), the Secretary shall award not more than 12 grants on a competitive basis to—
“(1) eligible entities to establish Presidential Academies for the Teaching of American History and Civics (in this section referred to as the ‘Presidential Academies’) in accordance with subsection (e); and
“(2) eligible entities to establish Congressional Academies for Students of American History and Civics (in this section referred to as the ‘Congressional Academies’) in accordance with subsection (f).
“(b) APPLICATION.—An eligible entity that desires to
receive a grant under subsection (a) shall submit an appli-
cation to the Secretary at such time, in such manner, and
containing such information as the Secretary may reason-
ably require.

“(c) ELIGIBLE ENTITY.—The term ‘eligible entity’
under this section means—

“(1) an institution of higher education or non-
profit educational organization, museum, library, or
research center with demonstrated expertise in his-
torical methodology or the teaching of American his-
tory and civics; or

“(2) a consortium of entities described in para-
graph (1).

“(d) GRANT TERMS.—Grants awarded to eligible en-
tities under subsection (a) shall be for a term of not more
than 5 years.

“(e) PRESIDENTIAL ACADEMIES.—

“(1) USE OF FUNDS.—Each eligible entity that
receives a grant under subsection (a)(1) shall use
the grant funds to establish a Presidential Academy
that offers a seminar or institute for teachers of
American history and civics, which—

“(A) provides intensive professional devel-
lopment opportunities for teachers of American
history and civics to strengthen such teachers’ knowledge of the subjects of American history and civics;

“(B) is led by a team of primary scholars and core teachers who are accomplished in the field of American history and civics;

“(C) is conducted during the summer or other appropriate time; and

“(D) is of not less than 2 weeks and not more than 6 weeks in duration.

“(2) SELECTION OF TEACHERS.—Each year, each Presidential Academy shall select between 50 and 300 teachers of American history and civics from public or private elementary schools and secondary schools to attend the seminar or institute under paragraph (1).

“(3) TEACHER STIPENDS.—Each teacher selected to participate in a seminar or institute under this subsection shall be awarded a fixed stipend based on the length of the seminar or institute to ensure that such teacher does not incur personal costs associated with the teacher’s participation in the seminar or institute.

“(4) PRIORITY.—In awarding grants under this subsection, the Secretary shall give priority to eligi-
ble entities that coordinate or align their activities with the National Park Service National Centennial Parks initiative to develop innovative and comprehensive programs using the resources of the National Parks.

“(f) CONGRESSIONAL ACADEMIES.—

“(1) USE OF FUNDS.—Each eligible entity that receives a grant under subsection (a)(2) shall use the grant funds to establish a Congressional Academy that offers a seminar or institute for outstanding students of American history and civics, which—

“(A) broadens and deepens such students’ understanding of American history and civics;

“(B) is led by a team of primary scholars and core teachers who are accomplished in the field of American history and civics;

“(C) is conducted during the summer or other appropriate time; and

“(D) is of not less than 2 weeks and not more than 6 weeks in duration.

“(2) SELECTION OF STUDENTS.—

“(A) IN GENERAL.—Each year, each Congressional Academy shall select between 100
and 300 eligible students to attend the seminar
or institute under paragraph (1).

“(B) ELIGIBLE STUDENTS.—A student
shall be eligible to attend a seminar or institute
offered by a Congressional Academy under this
subsection if the student—

“(i) is recommended by the student’s
secondary school principal or other school
leader to attend the seminar or institute;
and

“(ii) will be a junior or senior in the
academic year following attendance at the
seminar or institute.

“(3) STUDENT STIPENDS.—Each student se-
lected to participate in a seminar or institute under
this subsection shall be awarded a fixed stipend
based on the length of the seminar or institute to
ensure that such student does not incur personal
costs associated with the student’s participation in
the seminar or institute.

“(g) MATCHING FUNDS.—

“(1) IN GENERAL.—An eligible entity that re-
ceives funds under subsection (a) shall provide, to-
ward 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.

“(2) WAIVER.—The Secretary may waive all or part of the matching requirement described in paragraph (1) for any fiscal year for an eligible entity if the Secretary determines that applying the matching requirement would result in serious hardship or an inability to carry out the activities described in subsection (e) or (f).

“SEC. 2304. NATIONAL ACTIVITIES.

“(a) PURPOSE.—The purpose of this section is to promote innovative strategies to promote innovative history, civic, and geography instruction, learning strategies, and professional development activities and programs for teachers, principals, and other school leaders, particularly for low-income students in underserved areas.

“(b) IN GENERAL.—From the funds reserved by the Secretary under section 2301(b)(3), the Secretary shall award grants, on a competitive basis, to eligible entities for the purposes of—

“(1) developing, implementing, evaluating and disseminating for voluntary use, innovative, evidence-based approaches to civic learning, geography, and American history, which may include hands-on civic engagement activities for teachers
and low-income students, that demonstrate innovation, scalability, accountability, and a focus on underserved populations; or

“(2) other innovative evidence-based approaches to improving the quality of student achievement and teaching of American history, civics, geography, and government in elementary schools and secondary schools.

“(c) Program Periods and Diversity of Projects.—

“(1) In General.—A grant awarded by the Secretary to an eligible entity under this section shall be for a period of not more than 3 years.

“(2) Renewal.—The Secretary may renew a grant awarded under this section for 1 additional 2-year period.

“(3) Diversity of Projects.—In awarding grants under this section, the Secretary shall ensure that, to the extent practicable, grants are distributed among eligible entities that will serve geographically diverse areas, including urban, suburban, and rural areas.

“(d) Applications.—In order to receive a grant under this section, an eligible entity shall submit an application to the Secretary at such time, and in such manner,
and containing such information that the Secretary may reasonably require.

“(e) ELIGIBLE ENTITY.—In this section, the term ‘eligible entity’ means an institution of higher education or other nonprofit or for-profit organization with demonstrated expertise in the development of evidence-based approaches for improving the quality of American history, geography, and civics learning and teaching.

“SEC. 2305. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to carry out this part such sums as may be necessary for fiscal years 2016 through 2021.”.

SEC. 2004. LITERACY EDUCATION.

Title II (20 U.S.C. 6601 et seq.), as amended by sections 2001 through 2003, is further amended by adding at the end the following:

“PART D—LITERACY EDUCATION FOR ALL, RESULTS FOR THE NATION.

“SEC. 2401. PURPOSES; DEFINITIONS.

“(a) PURPOSES.—The purpose of this part is—

“(1) to improve student academic achievement in reading and writing by providing Federal support to States to develop, revise, or update comprehensive literacy instruction plans that when implemented ensure high-quality instruction and effective strategies
in reading and writing from early education through grade 12; and

“(2) for States to provide targeted subgrants to State-designated early childhood education programs and local educational agencies and their public or private partners to implement evidenced-based programs that ensure high-quality comprehensive literacy instruction for students most in need.

“(b) DEFINITIONS.—In this part:

“(1) COMPREHENSIVE LITERACY INSTRUCTION.—The term ‘comprehensive literacy instruction’ means instruction that—

“(A) includes developmentally appropriate, contextually explicit, and systematic instruction, and frequent practice, in reading and writing across content areas;

“(B) includes age-appropriate, explicit, systematic, and intentional instruction in phonological awareness, phonic decoding, vocabulary, language structure, reading fluency, and reading comprehension;

“(C) includes age-appropriate, explicit instruction in writing, including opportunities for children to write with clear purposes, with critical reasoning appropriate to the topic and pur-
pose, and with specific instruction and feedback from instructional staff;

“(D) makes available and uses diverse, high-quality print materials that reflect the reading and development levels, and interests, of children;

“(E) uses differentiated instructional approaches, including individual and small group instruction and discussion;

“(F) provides opportunities for children to use language with peers and adults in order to develop language skills, including developing vocabulary;

“(G) includes frequent practice of reading and writing strategies;

“(H) uses age-appropriate, valid, and reliable screening assessments, diagnostic assessments, formative assessment processes, 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;

“(I) uses strategies to enhance children’s motivation to read and write and children’s engagement in self-directed learning;
“(J) incorporates the principles of universal design for learning;

“(K) depends on teachers’ collaboration in planning, instruction, and assessing a child’s progress and on continuous professional learning; and

“(L) links literacy instruction to the challenging State academic standards under section 1111(b)(1), including the ability to navigate, understand, and write about, complex print and digital subject matter.

“(2) ELIGIBLE ENTITY.—The term ‘eligible entity’ means an entity that serves a high share or percentage of high-need schools and consists of—

“(A) one or more local educational agencies that—

“(i) have the highest number or proportion of children who are counted under section 1124(c), in comparison to other local educational agencies in the State;

“(ii) are among the local educational agencies in the State with the highest number or percentages of children reading or writing below grade level, based on the
most currently available State academic assessment data under section 1111(b)(2); or

“(iii) serve a significant number or percentage of schools that are identified under section 1114(a)(1)(A);

“(B) one or more State-designated early childhood education programs, which may include home-based literacy programs for preschool aged children, that have a demonstrated record of providing comprehensive literacy instruction for the age group such program proposes to serve; or

“(C) a local educational agency, described in subparagraph (A), or consortium of such local educational agencies, or a State-designated early childhood education program, which may include home-based literacy programs for preschool aged children, acting in partnership with 1 or more public or private nonprofit organizations or agencies (which may include State-designated early childhood education programs) that have a demonstrated record of effectiveness in—

“(i) improving literacy achievement of children, consistent with the purposes of
their participation, from birth through grade 12; and

“(ii) providing professional development in comprehensive literacy instruction.

“(3) 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 the schools that feed into the high school.

“(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 the program of block grants to States for temporary assistance for needy families established 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 under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.).

“SEC. 2402. COMPREHENSIVE LITERACY STATE DEVELOPMENT GRANTS.

“(a) GRANTS AUTHORIZED.—From the amounts appropriated to carry out this part and not reserved under subsection (b), the Secretary shall award grants, on a competitive basis, to States to enable the States to—

“(1) provide subgrants to eligible entities serving a diversity of geographic areas, giving priority to entities serving greater numbers or percentages of disadvantaged children; and

“(2) develop or enhance comprehensive literacy instruction plans that ensure high-quality instruction and effective strategies in reading and writing for children from early childhood education through
grade 12, including English learners and children with disabilities.

“(b) RESERVATION.—From the amounts appropriated to carry out this part for a fiscal year, the Secretary shall reserve—

“(1) not more than a total of 5 percent for national activities including a national evaluation, technical assistance and training, data collection, and reporting;

“(2) one-half of 1 percent for the Secretary of the Interior to carry out a program described in this part at schools operated or funded by the Bureau of Indian Education; and

“(3) one-half of 1 percent for the outlying areas to carry out a program under this part.

“(c) DURATION OF GRANTS.—A grant awarded under this part shall be awarded for a period of not more than 5 years. Such grant may be renewed for an additional 2-year period upon the termination of the initial period of the grant if the grant recipient demonstrates to the satisfaction of the Secretary that—

“(1) the State has made adequate progress; and

“(2) renewing the grant for an additional 2-year period is necessary to carry out the objectives of the grant described in subsection (d).
“(d) State Applications.—

“(1) In General.—A State educational agency desiring a grant under this part shall submit an application to the Secretary, at such time and in such manner as the Secretary may require. The State educational agency shall collaborate with the State agency responsible for administering early childhood education programs and the State agency responsible for administering child care programs in the State in writing and implementing the early childhood education portion of the grant application under this subsection.

“(2) Contents.—An application described in paragraph (1) shall include, at a minimum, the following:

“(A) A needs assessment that analyzes literacy needs across the State and in high-need schools and local educational agencies that serve high-need schools, including identifying the most pressing gaps in literacy proficiency and inequities in student access to effective teachers of literacy, considering each of the categories of students, as defined in section 1111(b)(3)(A).
“(B) A description of how the State educational agency, in collaboration with the State literacy team, if applicable, will develop a State comprehensive literacy instruction plan or will revise and update an already existing State comprehensive literacy instruction plan.

“(C) An implementation plan that includes a description of how the State educational agency will carry out the State activities described in subsection (e).

“(D) An assurance that the State educational agency will use implementation grant funds described in subsection (e)(1) for comprehensive literacy instruction programs as follows:

“(i) Not less than 15 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 40 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 40 percent of such grant funds shall be used for State and local programs and activities, allocated equitably among grades 6 through 12.

“(E) An assurance that the State educational agency shall give priority in awarding a subgrant under section 2403 to an eligible entity that—

“(i) serves children from birth through age 5 who are from families with income levels at or below 200 percent of the Federal poverty line; or

“(ii) consists of a local educational agency serving a high number or percentage of high-need schools.

“(e) STATE ACTIVITIES.—

“(1) IN GENERAL.—A State educational agency receiving a grant under this section shall use not less than 95 percent of such grant funds to award subgrants to eligible entities, based on their needs assessment and a competitive application process.

“(2) RESERVATION.—A State educational agency receiving a grant under this section may reserve not more than 5 percent for activities identified through the needs assessment and comprehensive lit-
eracy plan described in subparagraphs (A) and (B) of subsection (d)(2), including the following activities:

“(A) 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.

“(B) Coordinating with institutions of higher education in the State to provide recommendations to strengthen and enhance preservice courses for students preparing to teach children from birth through grade 12 in explicit, systematic, and intensive instruction in evidence-based literacy methods.

“(C) 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.

“(D) Making publicly available, including on the State educational agency’s website, in-
formation on promising instructional practices
to improve child literacy achievement.

“(E) Administering and monitoring the
implementation of subgrants by eligible entities.

“(3) ADDITIONAL USES.—After carrying out
the activities described in paragraphs (1) and (2), a
State educational agency may use any remaining
amount to carry out 1 or more of the following ac-
tivities:

“(A) Developing literacy coach training
programs and training literacy coaches.

“(B) Administration and evaluation of ac-
tivities carried out under this part.

“SEC. 2403. SUBGRANTS TO ELIGIBLE ENTITIES IN SUP-
PORT LITERACY FOR CHILDREN FROM BIRTH
THROUGH KINDERGARTEN ENTRY.

“(a) SUBGRANTS.—

“(1) IN GENERAL.—A State educational agency
receiving a grant under this part shall, in consulta-
tion with the State agencies responsible for admin-
istering early childhood education programs and
services, including the State agency responsible for
administering child care programs, and, if applica-
ble, the State Advisory Council on Early Childhood
Education and Care designated or established pursu-
ant to section 642B(b)(1)(A)(i) of the Head Start Act (42 U.S.C. 9837b(b)(1)(A)(i)), use a portion of the grant funds, in accordance with section 2402(d)(2)(D)(i), 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 and shall in no case exceed 5 years.

“(3) 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.

“(b) 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 childhood education programs, which shall include an analysis of data that support the proposed use of subgrant funds;

“(2) how the subgrant funds will be used to prepare and provide ongoing assistance to staff in the programs, through high-quality professional development;

“(3) how the activities assisted under the subgrant will be coordinated with comprehensive literacy instruction at the kindergarten through grade 12 levels;

“(4) how the subgrant funds will be used 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

“(5) such other information as the State educational agency may require.

“(c) LOCAL USES OF FUNDS.—An eligible entity that receives a subgrant under this section shall use the subgrant funds, consistent with the entity’s approved application under subsection (b), to—

“(1) carry out high-quality professional development opportunities for early childhood educators,
teachers, principals, other school leaders, paraprofessionals, specialized instructional support personnel, and instructional leaders;

“(2) train providers and personnel to develop and administer high-quality early childhood education literacy initiatives; and

“(3) coordinate the involvement of families, early childhood education program staff, principals, other school leaders, and teachers in literacy development of children served under the subgrant.

“SEC. 2404. SUBGRANTS TO ELIGIBLE ENTITIES IN SUPPORT OF KINDERGARTEN THROUGH GRADE 12 LITERACY.

“(a) Subgrants to Eligible Entities.—

“(1) Subgrants.—A State educational agency receiving a grant under this part shall use a portion of the grant funds, in accordance with clauses (ii) and (iii) of section 2402(d)(2)(D), 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) Duration.—The term of a subgrant under this section shall be determined by the State educational agency awarding the subgrant and shall in no case exceed 5 years.
“(3) 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 comprehensive literacy instruction in each grade level for which the subgrant funds are provided.

“(4) 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 participating in a subgrant program under this section, the following information:

“(A) A description of the eligible entity’s needs assessment conducted to identify how subgrant funds will be used to inform and improve comprehensive literacy instruction at the school.

“(B) How the school, the local educational agency, or a provider of high-quality professional development will provide ongoing high-quality professional development to all teachers,
principals, other school leaders, and other instructional leaders served by the school.

“(C) How the school will identify children in need of literacy interventions or other support services.

“(D) An explanation of how the school will integrate comprehensive literacy instruction into core academic subjects.

“(E) A description of how the school will coordinate comprehensive literacy instruction with early childhood education and after-school programs and activities in the area served by the local educational agency.

“(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 comprehensive literacy instruction plan across content areas for such children 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) Providing high-quality professional development opportunities for teachers, literacy coaches, literacy specialists, English as a second language specialists (as appropriate), principals, other school leaders, specialized instructional support personnel, paraprofessionals, and other program staff.

“(3) 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.

“(4) Coordinating the involvement of early childhood education 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 subsection.

“(5) Engaging families and encouraging family literacy experiences and practices to support literacy development.

“(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 comprehensive literacy instruction plan described in subsection (b)(1) for children in grades 6 through 12.

“(2) Training principals, specialized instruction support personnel, and other school district personnel to support, develop, administer, and evaluate high-quality comprehensive literacy instruction initiatives for grades 6 through 12.

“(3) Assessing 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.

“(4) Providing time for teachers to meet to plan research-based adolescent comprehensive lit-
eracy 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.

“(5) Coordinating the involvement of principals, other instructional leaders, teachers, teacher literacy teams, English as a second language specialists (as appropriate), paraprofessionals, special educators, and school librarians in the literacy development of children served under this subsection.

“(d) ALLOWABLE USES.—An eligible entity that receives a subgrant under this section may, in addition to carrying out the activities described in subsection (b) or (c), use subgrant funds to carry out the following activities pertaining to children in kindergarten through grade 12:

“(1) Recruiting, placing, training, and compensating literacy coaches.

“(2) Connecting out-of-school learning opportunities to in-school learning in order to improve the literacy achievement of the children.

“(3) Training families and caregivers to support the improvement of adolescent literacy.

“(4) Providing for a multitier system of support.
“(5) 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.

“(6) Providing time for teachers (and other literacy staff, as appropriate, such as school librarians) to meet to plan comprehensive literacy instruction.

“SEC. 2405. NATIONAL EVALUATION AND INFORMATION DISSEMINATION.

“(a) National Evaluation.—From funds reserved under section 2402(b)(1), the Director of the Institute of Education Sciences shall conduct a national evaluation of the grant and subgrant programs assisted under this part. Such evaluation shall include evidence-based research that applies rigorous and systematic procedures to obtain valid knowledge relevant to the implementation and effect of the programs and shall directly coordinate with individual State evaluations of the programs’ implementation and impact.

“(b) Program Improvement.—The Secretary shall—

“(1) provide the findings of the evaluation conducted under this section to State educational agencies and subgrant recipients for use in program improvement;
“(2) make such findings publicly available, including on the websites of the Department and the Institute of Education Sciences; and

“(3) submit such findings to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives.

“SEC. 2406. SUPPLEMENT, NOT SUPPLANT.

“Grant funds provided under this part shall be used to supplement, and not supplant, other Federal or State funds available to carry out activities described in this part.”.

SEC. 2005. IMPROVING SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS INSTRUCTION AND STUDENT ACHIEVEMENT.

Title II (20 U.S.C. 6601 et seq.), as amended by sections 2001 through 2004, is further amended by adding at the end the following:

“PART E—IMPROVING SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS INSTRUCTION AND STUDENT ACHIEVEMENT

“SEC. 2501. PURPOSE.

“The purpose of this part 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. 2502. DEFINITIONS.
“In this part:
“(1) 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 (2) 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 part in partnership with such entity.

“(2) 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 2504(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.

“(3) STEM MASTER TEACHER CORPS.—The term ‘STEM master teacher corps’ means a State-led effort to elevate the status of the science, technology, engineering, and mathematics teaching profession by recognizing, rewarding, attracting, and retaining outstanding science, technology, engineering, and mathematic teachers, particularly in high-need and rural schools, by offering such teachers additional compensation, instructional resources, and instructional leadership roles.
“SEC. 2503. GRANTS; ALLOTMENTS.

“(a) IN GENERAL.—From amounts made available to carry out this part for a fiscal year, the Secretary shall award grants to State educational agencies, through allotments described in subsection (b), to enable State educational agencies to carry out the activities described in section 2505.

“(b) DISTRIBUTION OF FUNDS.—

“(1) IN GENERAL.—Subject to paragraph (2), for each fiscal year, the Secretary shall allot to each State—

“(A) an amount that bears the same relationship to 35 percent of the amount available to carry out this part for such year, 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 amount available to carry out this part for such year 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.

“(2) 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.

“(c) Reallocation of Unused Funds.—If a State does not successfully apply for an allotment under this part, the Secretary shall reallocate the amount of the State’s allotment to the remaining States in accordance with this section.

“Sec. 2504. Applications.

“(a) In General.—Each State desiring an allotment under section 2503(b) 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 educational agency based on a State analysis, which shall include—

“(A) an analysis of science, technology, engineering, and mathematics education quality and outcomes in the State, which may include results from a pre-existing analysis;
“(B) labor market information regarding the industry and business workforce needs within the State; and

“(C) an analysis of the quality of pre-service preparation at all public institutions of higher education (including alternative pathways to teacher licensure or certification) for individuals preparing to teach science, technology, engineering, and mathematics subjects in the State.

“(2) An identification of the specific subjects that the State educational agency will address through the activities described in section 2505, consistent with the needs identified under paragraph (1) (referred to in this part 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 educational agency to improve instruction in the identified subjects;

“(B) the process that the State educational agency will use for awarding subgrants, including how relevant stakeholders will be involved;

“(C) how the State’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

“(D) how the State educational agency will continue to involve stakeholders in education reform efforts related to science, technology, engineering, and mathematics instruction.

“SEC. 2505. AUTHORIZED ACTIVITIES.

“(a) REQUIRED ACTIVITIES.—Each State educational agency that receives an allotment under this part shall use the grant funds reserved under subsection (d)(2) 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.
“(b) PERMISSIBLE ACTIVITIES.—Each State educational agency that receives an allotment under this part may use the grant funds reserved under subsection (d)(2) 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 careers in the science, technology, engineering, and mathematics fields.

“(2) Providing induction and mentoring services to new teachers in identified subjects.

“(3) Developing instructional supports for identified subjects, such as curricula and assessments, which shall be evidence-based and aligned with challenging State academic standards under section 1111(b)(1).

“(4) Supporting the development of a State-wide STEM master teacher corps.

“(c) SUBGRANTS.—

“(1) IN GENERAL.—Each State educational agency that receives a grant under this part shall use the amounts not reserved under subsection (d) to award subgrants, on a competitive basis, to eligible subgrantees to enable the eligible subgrantees to carry out the activities described in paragraph (4).
“(2) Minimum Subgrant.—A State educational agency 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 part.

“(3) Subgrantee Application.—

“(A) In General.—Each eligible subgrantee desiring a subgrant under this subsection shall submit an application to the State educational agency at such time, in such manner, and accompanied by such information as the State educational agency 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 State’s 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 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.

“(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 State’s 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, as described in the subgrantee’s application, which shall include—

“(i) high-quality teacher and instructional leader recruitment, support, and evaluation in the State’s 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;

“(iii) activities to—

“(I) improve the content knowledge of teachers in the State’s identified subjects;

“(II) facilitate professional collaboration, which may include providing time for such collaborations; and

“(III) improve the integration of informal and after school programs that target the identified subjects, with classroom instruction; and

“(iv) the development, adoption, and improvement of high-quality curricula and instructional supports that—

“(I) are aligned with the challenging State academic standards under section 1111(b)(1); and
“(II) the eligible subgrantee will use to improve student academic achievement in the identified 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);

“(ii) broaden secondary school students’ access to, and interest in, careers that require academic preparation in 1 or more identified subjects; and

“(iii) broaden secondary school students’ access to early college high schools, dual enrollment, or concurrent enrollment courses in science, technology, engineering, and mathematics subjects, including pro-
viding professional development to teachers
and leaders related to this work.

“(C) MATCHING FUNDS.—A State may re-
quire an eligible subgrantee receiving a
subgrant under this subsection to demon- 
strate that such subgrantee has obtained a commit-
ment from 1 or more outside partners to match, 
using non-Federal funds, a portion of the
amount of subgrant funds, in an amount deter-
mined by the State.

“(d) STATE ACTIVITIES.—

“(1) IN GENERAL.—Each State educational
agency that receives an allotment under this part
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 eligi-
ble subgrantees; and

“(D) evaluating subgrants in coordination
with the evaluation described in section
2506(c).

“(2) RESERVATION.—Each State educational
agency that receives an allotment under this part
shall reserve not less than 15 and not more than 20
percent of grant funds, inclusive of the amount de-
scribed in paragraph (1), for additional State activi-
ties, consistent with subsections (a) and (b).

"SEC. 2506. PERFORMANCE METRICS; REPORT; EVALUA-
TION.

“(a) Establishment of Performance
Metrics.—The Secretary, acting through the Director of
the Institute of Education Sciences, shall establish per-
formance metrics to evaluate the effectiveness of the ac-
tivities carried out under this part.

“(b) Annual Report.—Each State educational
agency that receives an allotment under this part shall
prepare and submit an annual report to the Secretary,
which shall include information relevant to the perform-
ance metrics described in subsection (a).

“(c) Evaluation.—The Secretary shall—

“(1) acting through the Director of the Instit-
ute of Education Sciences, and in consultation with
the Director of the National Science Foundation—

“(A) evaluate the implementation and im-
pact of the activities supported under this part,
including progress measured by the metrics es-
tablished under subsection (a);
“(B) identify best practices to improve instruction in science, technology, engineering, and mathematics subjects; and

“(C) ensure that the Department is taking appropriate action to avoid unnecessary duplication of efforts between the activities being supported under this part and other programmatic activities supported by the Department or by other Federal agencies; 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. 2507. SUPPLEMENT NOT SUPPLANT.

“Funds received under this part shall be used to supplement, and not supplant, funds that would otherwise be used for activities authorized under this part.”

SEC. 2006. GENERAL PROVISIONS.

Title II (20 U.S.C. 6601 et seq.), as amended by sections 2001 through 2005, is further amended by adding at the end the following:

“PART F—GENERAL PROVISIONS

SEC. 2601. RULES OF CONSTRUCTION.

“(a) Prohibition Against Federal Mandates, Direction, or Control.—Nothing in this title shall be
construed to authorize the Secretary or any other officer or employee of the Federal Government to mandate, direct, or control a State, local educational agency, or school’s—

“(1) instructional content or materials, curriculum, program of instruction, academic standards, or academic assessments;

“(2) teacher, principal, or other school leader evaluation system;

“(3) specific definition of teacher, principal, or other school leader effectiveness; or

“(4) teacher, principal, or other school leader professional standards, certification, or licensing.

“(b) SCHOOL OR DISTRICT EMPLOYEES.—Nothing in this title 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.”.
TITLE III—LANGUAGE INSTRUCTION FOR ENGLISH LEARNERS AND IMMIGRANT STUDENTS

SEC. 3001. GENERAL PROVISIONS.

Title III (20 U.S.C. 6801 et seq.) is amended—

(1) in the title heading, by striking "LIMITED ENGLISH PROFICIENT" and inserting "ENGLISH LEARNERS";

(2) in part A—

(A) by striking section 3122; and

(B) redesignating sections 3123, 3124, 3125, 3126, 3127, 3128, and 3129 as sections 3122, 3123, 3124, 3125, 3126, 3127, and 3128, respectively;

(3) by striking part B;

(4) by redesignating part C as part B; and

(5) in part B, as redesignated by paragraph (4)—

(A) by redesignating section 3301 as section 3201;

(B) by striking section 3302; and

(C) by redesignating sections 3303 and 3304 as sections 3202 and 3203, respectively.
SEC. 3002. AUTHORIZATION OF APPROPRIATIONS.

Section 3001 (20 U.S.C. 6801) is amended to read as follows:

“SEC. 3001. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to carry out this title such sums as may be necessary for each of fiscal years 2016 through 2021.”.

SEC. 3003. ENGLISH LANGUAGE ACQUISITION, LANGUAGE ENHANCEMENT, AND ACADEMIC ACHIEVEMENT.

Part A of title III (20 U.S.C. 6811 et seq.) is amended—

(1) in section 3102, by striking paragraphs (1) through (9) and inserting the following:

“(1) to help ensure that English learners, including immigrant children and youth, attain English proficiency, and develop high levels of academic achievement in English;

“(2) to assist all English learners, including immigrant children and youth, to achieve at high levels in academic subjects so that children who are English learners can meet the same challenging State academic standards that all children are expected to meet, consistent with section 1111(b)(1);

“(3) to assist early childhood educators, teachers, principals and other school leaders, State edu-
cational agencies, and local educational agencies in
establishing, implementing, and sustaining effective
language instruction educational programs designed
to assist in teaching English learners, including im-
migrant children and youth;

“(4) to assist early childhood educators, teach-
ers, principals and other school leaders, State edu-
cational agencies, and local educational agencies to
develop and enhance their capacity to provide effec-
tive instruction programs designed to prepare
English learners, including immigrant children and
youth, to enter all English instruction settings;

“(5) to promote parental, family, and commu-
nity participation in language instruction edu-
cational programs for the parents, families, and
communities of English learners; and

“(6) to provide incentives to grantees to imple-
ment policies and practices that will lead to signifi-
cant improvements in the instruction and achieve-
ment of English learners.”;

(2) in section 3111—

(A) in subsection (b)—

(i) in paragraph (2), by striking sub-
paragraphs (A) through (D) and inserting
the following:
“(A) Establishing and implementing, with timely and meaningful consultation with local educational agencies representing the geographic diversity of the State, standardized statewide entrance 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.

“(B) Providing effective teacher and principal preparation, professional development activities, and other evidence-based activities related to the education of English learners, which may include assisting teachers, principals, and other educators in—

“(i) meeting State and local certification and licensing requirements for teaching English learners; and

“(ii) improving teaching skills in meeting the diverse needs of English learners, including how to implement effective programs and curricula on teaching English learners.
“(C) Planning, evaluation, administration, and interagency coordination related to the sub-grants referred to in paragraph (1).

“(D) Providing technical assistance and other forms of assistance to eligible entities that are receiving subgrants from a State educational agency under this subpart, including assistance in—

“(i) identifying and implementing effective language instruction educational programs and curricula for teaching English learners, including those in early childhood settings;

“(ii) helping English learners meet the same State academic standards that all children are expected to meet;

“(iii) identifying or developing, and implementing, measures of English proficiency; and

“(iv) strengthening and increasing parent, family, and community engagement in programs that serve English learners.

“(E) Providing recognition, which may include providing financial awards, to recipients of subgrants under section 3115 that have sig-
nificantly improved the achievement and
progress of English learners in meeting—

“(i) annual timelines and goals for
progress established under section 1111(c)(1)(K) based on the State’s
English language proficiency assessment
under section 1111(b)(2)(G); and

“(ii) the challenging State academic
standards described in section
1111(b)(1).”; and

(ii) in paragraph (3)—

(I) in the heading, by inserting
“DIRECT” before “ADMINISTRATIVE”; and

(II) by inserting “direct” before
“administrative costs”; and

(B) in subsection (c)—

(i) in paragraph (1)—

(I) in the matter preceding sub-
paragraph (A), by striking “section
3001(a)” and inserting “section
3001”;

(II) in subparagraph (B), by in-
serting “and” after the semicolon;

(III) in subparagraph (C)—
(aa) by striking “3303” both places it appears and inserting “3202”;

(bb) by striking “not more than 0.5 percent of such amount shall be reserved for evaluation activities conducted by the Secretary and”; and

(cc) by striking “; and” and inserting a period; and

(IV) by striking subparagraph (D);

(ii) by striking paragraphs (2) and (4);

(iii) by redesignating paragraph (3) as paragraph (2);

(iv) in paragraph (2)(A), as redesignated by clause (iii)—

(I) in the matter preceding clause (i), by striking “section 3001(a)” and inserting “section 3001”; and

(II) in clause (i), by striking “limited English proficient” and all that follows through “States;” and inserting “English learners in the State
bears to the number of English learners in all States, as determined by the Secretary under paragraph (3);”; and

(v) by adding at the end the following:

“(3) USE OF DATA FOR DETERMINATIONS.—In making State allotments under paragraph (2)(A) for each fiscal year, the Secretary shall—

“(A) determine the number of English learners in a State and in all States, using the most accurate, up-to-date data, which shall be—

“(i) data available from the American Community Survey conducted by the Department of Commerce, which may be multiyear estimates;

“(ii) the number of students being assessed for English language proficiency, based on the State’s English language proficiency assessment under section 1111(b)(2)(G), which may be multiyear estimates; or

“(iii) a combination of data available under clauses (i) and (ii); and

“(B) determine the number of immigrant children and youth in the State and in all
States based only on data available from the American Community Survey conducted by the Department of Commerce, which may be multiyear estimates.”;

(3) in section 3113—

(A) in subsection (a), by inserting “reasonably” before “require”;

(B) in subsection (b)—

(i) in paragraph (1), by striking “making” and inserting “awarding”; and

(ii) by striking paragraphs (2) through (6) and inserting the following:

“(2) describe how the agency will establish and implement, with timely and meaningful consultation with local educational agencies representing the geographic diversity of the State, standardized, statewide entrance and exit procedures, including an assurance that all students who may be English learners are assessed for such status within 30 days of enrollment in a school in the State;

“(3) provide an assurance that—

“(A) the agency will ensure that eligible entities receiving a subgrant under this subpart comply with the requirement in section 1111(b)(2)(B)(ix) to annually assess in English
all English learners who have been in the United States for 3 or more years;

“(B) the agency will ensure that eligible entities receiving a subgrant under this subpart annually assess the English proficiency of all English learners participating in a program funded under this subpart, consistent with section 1111(b)(2)(G);

“(C) in awarding subgrants under section 3114, the agency will address the needs of school systems of all sizes and in all geographic areas, including school systems with rural and urban schools;

“(D) subgrants to eligible entities under section 3114(d)(1) will be of sufficient size and scope to allow such entities to carry out effective language instruction educational programs for English learners;

“(E) the agency will require an eligible entity receiving a subgrant under this subpart to use the subgrant in ways that will build such recipient’s capacity to continue to offer effective language instruction educational programs that assist English learners in meeting challenging
State academic standards described in section 1111(b)(1);

“(F) the agency will monitor each eligible entity receiving a subgrant under this subpart for compliance with applicable Federal fiscal requirements; and

“(G) the plan has been developed in consultation with local educational agencies, teachers, administrators of programs implemented under this subpart, parents of English learners, and other relevant stakeholders;

“(4) describe how the agency will coordinate its programs and activities under this subpart with other programs and activities under this Act and other Acts, as appropriate;

“(5) describe how each eligible entity will be given the flexibility to teach English learners—

“(A) using a high quality, effective language instruction curriculum for teaching English learners; and

“(B) in the manner the eligible entities determine to be the most effective;

“(6) describe how the agency will assist eligible entities in meeting—
“(A) annual timelines and goals for progress established under section 1111(c)(1)(K) based on the State’s English language proficiency assessment under section 1111(b)(2)(G); and

“(B) the challenging State academic standards described in section 1111(b)(1);

“(7) describe how the agency will assist eligible entities in decreasing the number of English learners who have not yet acquired English proficiency within 5 years of their initial classification as an English learner;

“(8) describe how the agency will ensure that the unique needs of the State’s population of English learners and immigrant children and youth are being addressed; and

“(9) describe how the agency will monitor and evaluate the progress of each eligible entity receiving funds under this part toward meeting the timelines and goals for English proficiency required under section 1111(c)(1)(K) and the steps the State will take to further assist eligible entities if such strategies funded under this part are not effective in making such progress and meeting academic goals established under section 1111(b)(3)(B)(i) for English
learners, such as providing technical assistance and modifying such strategies.”;

(C) in subsection (d)(2)(B), by striking “part” and inserting “subpart”; and

(D) in subsection (f), by striking “, objectives,”;

(4) in section 3114—

(A) in subsection (a)—

(i) by striking “section 3111(c)(3)” and inserting “section 3111(c)(2)”;

(ii) by striking “limited English proficient children” both places the term appears and inserting “English learners”;

and

(B) in subsection (d)(1)—

(i) by striking “section 3111(c)(3)” and inserting “section 3111(c)(2)”;

(ii) by striking “preceding the fiscal year”;}

(5) by striking section 3115 and inserting the following:

“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 improve the education of English learners by assisting the children to learn English and meet the challenging State academic standards described in section 1111(b)(1). In carrying out activities with such funds, the eligible entity shall use effective approaches and methodologies 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 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, schoolwide 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, agency-wide 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) DIRECT 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) REQUIRED SUBGRANTEE ACTIVITIES.—An eligible entity receiving funds under section 3114(a) shall use the funds—

“(1) to increase the English language proficiency of English learners by providing effective language instruction educational programs that meet the needs of English learners and are based on high-quality research demonstrating success in increasing—

“(A) English language proficiency; and

“(B) student academic achievement;
“(2) to provide effective professional development to classroom teachers (including teachers in classroom settings that are not the settings of language instruction educational programs), principals, other school leaders, administrators, and other school or community-based organizational personnel, that is—

“(A) designed to improve the instruction and assessment of English learners;

“(B) designed to enhance the ability of such teachers, principals, and other school leaders to understand and implement appropriate curricula, assessment practices, and instruction strategies for English learners;

“(C) effective in increasing children’s English language proficiency or substantially increasing the subject matter knowledge, teaching knowledge, and teaching skills of such teachers; and

“(D) of sufficient intensity and duration (which shall not include activities such as 1-day or short-term workshops and conferences) to have a positive and lasting impact on the teachers’ performance in the classroom, except that this subparagraph shall not apply to an activity
that is one component of a long-term, comprehensive professional development plan established by a teacher and the teacher’s supervisor based on an assessment of the needs of the teacher, the supervisor, the students of the teacher, and any local educational agency employing the teacher, as appropriate; and

“(3) to provide and implement effective parent, family, and community engagement activities in order to enhance or supplement language instruction educational programs for English Learners.

“(d) AUTHORIZED SUBGRANTEE ACTIVITIES.—Subject to subsection (c), an eligible entity receiving funds under section 3114(a) may use the funds to achieve 1 of the purposes described in subsection (a) by undertaking 1 or more of the following activities:

“(1) Upgrading program objectives and effective instruction strategies.

“(2) Improving the instruction program for English learners by identifying, acquiring, and upgrading curricula, instruction materials, educational software, and assessment procedures.

“(3) Providing to English learners—

“(A) tutorials and academic or career and technical education; and
“(B) intensified instruction.

“(4) Developing and implementing effective pre-
school, elementary school, or secondary school lan-
guage instruction educational programs that are co-
ordinated with other relevant programs and services.

“(5) Improving the English language pro-
ficiency and academic achievement of English learn-
ers.

“(6) Providing community participation pro-
gams, family literacy services, and parent and fam-
ily outreach and training activities to English learn-
ers and their families—

“(A) to improve the English language
skills of English learners; and

“(B) to assist parents and families in help-
ing their children to improve their academic
achievement and becoming active participants
in the education of their children.

“(7) Improving the instruction of English learn-
ers, including English learners with a disability, by
providing for—

“(A) the acquisition or development of
educational technology or instructional mate-
rials;
“(B) access to, and participation in, electronic networks for materials, training, and communication; and

“(C) incorporation of the resources described in subparagraphs (A) and (B) into curricula and programs, such as those funded under this subpart.

“(8) Carrying out other activities that are consistent with the purposes of this section.

“(e) 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, which may include—

“(A) family literacy, parent and family outreach, and training activities designed to assist parents and families to become active participants in the education of their children;

“(B) recruitment of, and support for personnel, including early childhood educators, teachers, paraprofessionals who have been spe-
cifically trained, or are being trained, to provide
services to immigrant children and youth;

“(C) provision of tutorials, mentoring, and
academic or career counseling for immigrant
children and youth;

“(D) identification and acquisition of cur-
ricular materials, educational software, and
technologies to be used in the program carried
out with funds;

“(E) basic instruction services that are di-
rectly attributable to the presence of immigrant
children and youth in the local educational
agency involved, including the payment of costs
of providing additional classroom supplies, costs
of transportation, or such other costs as are di-
rectly attributable to such additional basic in-
struction services;

“(F) other instruction services that are de-
signed 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 commu-
nity-based organizations, institutions of higher
education, private sector entities, or other entities with expertise in working with immigrants, to assist parents and families 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 its discretion.

“(f) Selection of Method of Instruction.—

“(1) In General.—To receive a subgrant from a State educational agency under this subpart, an eligible entity shall select one or more methods or forms of effective instruction to be used in the programs and activities undertaken by the entity to assist English learners to attain English language proficiency and meet challenging State academic standards described in section 1111(b)(1).

“(2) Consistency.—Such selection shall be consistent with sections 3124 through 3126.

“(g) 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 im-
migrant children and youth and in no case to supplant such Federal, State, and local public funds.”;

(6) in section 3116—

(A) in subsection (b), by striking paragraphs (1) through (6) and inserting the following:

“(1) describe the high-quality programs and activities proposed to be developed, implemented, and administered under the subgrant and how these activities will help English learners increase their English language proficiency and meet the challenging State academic standards described in section 1111(b)(1);

“(2) describe how the eligible entity will ensure elementary schools and secondary schools receiving funds under this subpart assist English learners in meeting—

“(A) annual timelines and goals for progress established under 1111(e)(1)(K) based on the State’s English language proficiency assessment under section 1111(b)(2)(G); and

“(B) the challenging State academic standards described in section 1111(b)(1);
“(3) describe how the eligible entity will promote parent, family, and community engagement in the education of English learners;

“(4) describe how language instruction educational programs carried out under the subgrant will ensure that English learners being served by the programs develop English proficiency and demonstrate such proficiency through academic content mastery;

“(5) contain assurances that—

“(A) each local educational agency that is included in the eligible entity is complying with section 1112(d)(2) prior to, and throughout, each school year as of the date of application, and will continue to comply with such section throughout each school year for which the grant is received;

“(B) the eligible entity complies with any State law, including State constitutional law, regarding the education of English learners, consistent with sections 3125 and 3126;

“(C) the eligible entity has based its proposed plan on high-quality research on teaching English learners;
“(D) the eligible entity consulted with teachers, researchers, school administrators, parents and family members, community members, public or private entities, and institutions of higher education, in developing and implementing such plan; and

“(E) the eligible entity will, if applicable, coordinate activities and share relevant data 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.”;

(B) in subsection (c), by striking “limited English proficient children” and inserting “English learners”; and

(C) by striking subsection (d);

(7) by striking section 3121 and inserting the following:

“SEC. 3121. REPORTING.

“(a) 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 a report, in a form prescribed by the agency, on the activi-
ties conducted and children served under such subpart that includes—

“(1) a description of the programs and activities conducted by the entity with funds received under subpart 1 during the 2 immediately preceding fiscal years;

“(2) the number and percentage of English learners in the programs and activities who meet the annual State-determined goals for progress established under section 1111(c)(1)(K), including disaggregated, at a minimum, by—

“(A) long-term English learners; and

“(B) English learners with a disability;

“(3) the number and percentage of English learners in the programs and activities attaining English language proficiency based on State English language proficiency standards established under section 1111(b)(1)(F) by the end of each school year, as determined by the State’s English language proficiency assessment under section 1111(b)(2)(G);

“(4) the number and percentage of English learners who exit the language instruction educational programs based on their attainment of English language proficiency;
“(5) the number and percentage of English learners meeting challenging State academic standards described in section 1111(b)(1) for each of the 2 years after such children are no longer receiving services under this part, including disaggregated, at a minimum, by—

“(A) long-term English learners; and

“(B) English learners with a disability;

“(6) the number and percentage of English learners who have not attained English language proficiency within 5 years of initial classification as an English learner; and

“(7) any other information as the State educational agency may require.

“(b) REPORT.—A report provided by an eligible entity under subsection (a) shall be used by the entity and the State educational agency for improvement or programs and activities under this part.

“(c) SPECIAL RULE FOR SPECIALLY QUALIFIED AGENCIES.—Each specially qualified agency receiving a grant under this part shall provide the reports described in subsection (a) to the Secretary subject to the same requirements as apply to eligible entities providing such evaluations to State educational agencies under such subsection.”;
(8) in section 3122, as redesignated by section 3001(2)—

(A) in subsection (a)—

(i) by striking “evaluations” and inserting “reports”; and

(ii) by striking “children who are limited English proficient” and inserting “English learners”; and

(B) in subsection (b)—

(i) in paragraph (1)—

(I) by striking “limited English proficient children” and inserting “English learners”; and

(II) by striking “children who are limited English proficient” and inserting “English learners”;

(ii) in paragraph (4), by striking “section 3111(b)(2)(C)” and inserting “section 3111(b)(2)(D)”;

(iii) in paragraph (6), by striking “major findings of scientifically based research carried out under this part” and inserting “findings of the evaluation related to English learners carried out under section 9601”;
(iv) in paragraph (8)—

(I) by striking “of limited English proficient children” and inserting “of English learners”; and

(II) by striking “into classrooms where instruction is not tailored for limited English proficient children”;

and

(v) in paragraph (9), by striking “title” and inserting “part”;

(9) in section 3123, as redesignated by section 3001(2)—

(A) by striking “children of limited English proficiency” and inserting “English learners”; and

(B) by striking “limited English proficient children” and inserting “English learners”;

(10) in section 3124, as redesignated by section 3001(2)—

(A) in paragraph (1), by striking “limited English proficient children” and inserting “English learners”; and

(B) in paragraph (2), by striking “limited English proficient children” and inserting “English learners”;
(11) in section 3128, as redesignated by section 3001(2), by striking “limited English proficient children” and inserting “English learners”;  

(12) by striking section 3131 and inserting the following:  

“SEC. 3131. NATIONAL PROFESSIONAL DEVELOPMENT PROJECT.  

“The Secretary shall use funds made available under section 3111(c)(1)(C) to award grants on a competitive basis, for a period of not more than 5 years, to institutions of higher education or public or private entities with relevant experience and capacity (in consortia with State educational agencies or local educational agencies) to provide for professional development, capacity building, or evidence-based activities that will improve classroom instruction for English learners and assist educational personnel working with such children to meet high professional standards, including standards for certification and licensure as teachers who work in language instruction educational programs or serve English learners. Grants awarded under this section may be used—  

“(1) for preservice or inservice effective professional development programs that will assist local schools and may assist institutions of higher education to upgrade the qualifications and skills of
educational personnel who are not certified or licensed, especially educational paraprofessionals, and for other activities to increase teacher and school leader effectiveness;

“(2) for the development of curricula or other instructional strategies appropriate to the needs of the consortia participants involved;

“(3) to support strategies that strengthen and increase parent, family, and community member engagement in the education of English learners;

“(4) to develop, share, and disseminate effective practices in the instruction of English learners and in increasing the student academic achievement of English learners, such as through the use of technology-based programs;

“(5) in conjunction with other Federal need-based student financial assistance programs, for financial assistance, and costs related to tuition, fees, and books for enrolling in courses required to complete the degree involved, to meet certification or licensing requirements for teachers who work in language instruction educational programs or serve English learners; and

“(6) as appropriate, to support strategies that promote school readiness of English learners and
their transition from early childhood education pro-
grams, such as Head Start or State-run preschool
programs to elementary school programs.”; and
(13) by striking section 3141 and inserting the
following:

“SEC. 3141. DEFINITIONS.

“In this part—

“(1) the term ‘eligible entity’ means—

“(A) one or more local educational agen-
cies; or

“(B) one or more local educational agen-
cies, in collaboration with an institution of high-
er education, educational service agency, com-
munity-based organization, or a State edu-
cational agency;

“(2) the term ‘English Learner with a dis-
ability’ means an English learner who is also a ‘child
with a disability,’ as that term is defined in section
602 of the Individuals with Disabilities Education
Act; and

“(3) the term ‘long-term English learner’
means an English learner who has attended schools
in the United States for not less than 5 years and
who has not yet been exited from English learner
status by the culmination of the fifth year of services.”.

SEC. 3004. OTHER PROVISIONS.

Part B of title III, as redesignated by section 3001(4), is amended—

(1) in section 3201, as redesignated by section 3001(5)—

(A) in paragraph (5)—

(i) in subparagraph (A)—

(I) in clause (i), by striking “limited English proficient” and inserting “English learner”; and

(II) in clause (ii), by inserting “and” after the semicolon;

(ii) by striking subparagraph (B); and

(iii) by redesignating subparagraph (C) as subparagraph (B); and

(B) in paragraph (8)(A), by striking “a limited English proficient child” and inserting “an English learner”; 

(2) in section 3202, as redesignated by section 3001(5)—

(A) in the matter preceding paragraph (1), by striking “limited English proficient children” and inserting “English learners”; and
(B) in paragraph (4)—

(i) in subparagraph (A), by striking “limited English proficient children” and inserting “English learners, including English learners with a disability, that includes information on best practices on instructing and serving English learners”; and

(ii) in subparagraph (B), by striking “limited English proficient children” and inserting “English learners”; and

(3) in section 3203, as redesignated by section 3001(5)—

(A) by striking “limited English proficient individuals” and inserting “English learners”; and

(B) by striking “limited English proficient children” and inserting “English learners”.

**TITLE IV—SAFE AND HEALTHY STUDENTS**

**SEC. 4001. GENERAL PROVISIONS.**

Title IV (20 U.S.C. 7101 et seq.) is amended—

(1) by redesignating subpart 3 of part A as subpart 5 of part F of title IX, as redesignated by section 9106(1), and moving that subpart to follow
subpart 4 of part F of title IX, as redesignated by sections 2001 and 9106(1);

(2) by redesignating section 4141 as section 9561;

(3) by redesignating section 4155 as section 9537 and moving that section so as to follow section 9536;

(4) by redesignating part C as subpart 6 of part F of title IX, as redesignated by section 9106(1), and moving that subpart to follow subpart 5 of part F of title IX, as redesignated by section 9106(1) and paragraph (1);

(5) by redesignating sections 4301, 4302, 4303, and 4304, as sections 9571, 9572, 9573, and 9574, respectively; and

(6) by striking the title heading and inserting the following:

“TITLE IV—SAFE AND HEALTHY STUDENTS”.

SEC. 4002. GRANTS TO STATES AND LOCAL EDUCATIONAL AGENCIES.

Part A of title IV (20 U.S.C. 7101 et seq.) is amended to read as follows:
“PART A—GRANTS TO STATES AND LOCAL EDUCATIONAL AGENCIES

“SEC. 4101. PURPOSE.

“The purpose of this part is to improve students’ safety, health, well-being, and academic achievement during and after the school day by—

“(1) increasing the capacity of local educational agencies, schools, and local communities to improve conditions for learning through the creation of safe, healthy, supportive, and drug-free environments;

“(2) carrying out programs designed to improve school safety and promote students’ physical and mental health and well-being;

“(3) preventing and reducing substance use and abuse, school violence, harassment, and bullying; and

“(4) strengthening parent and community engagement to ensure a healthy, safe, and supportive school environment.

“SEC. 4102. DEFINITIONS.

“In this part:

“(1) CONTROLLED SUBSTANCE.—The term ‘controlled substance’ means a drug or other substance identified under Schedule I, II, III, IV, or V in section 202(e) of the Controlled Substances Act (21 U.S.C. 812(e)).
“(2) Drug.—The term ‘drug’ includes controlled substances, the illegal use of alcohol or tobacco, and the harmful, abusive, or addictive use of substances, including inhalants and anabolic steroids.

“(3) 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 illegal use of drugs; and

“(B) with respect to violence, the promotion of school safety, such that students and school personnel are free from violent and disruptive acts, including sexual harassment and abuse, and victimization associated with prejudice and intolerance, on school premises, going to and from school, and at school-sponsored activities, through the creation and maintenance of a school environment that is free of weapons and fosters individual responsibility and respect for the rights of others.

“(4) School-based mental health services provider.—The term ‘school-based mental health services provider’ includes a State licensed or
State certified school counselor, school psychologist, school social worker, or other State licensed or certified mental health professional qualified under State law to provide such mental health services to children and adolescents, including children in early childhood education programs.

“(5) State.—The term ‘State’ means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

“SEC. 4103. FORMULA GRANTS TO STATES.

“(a) Reservations.—From the total amount appropriated under section 4108 for a fiscal year, the Secretary shall reserve—

“(1) not more than 5 percent for national activities, which the Secretary may carry out directly or through grants, contracts, or agreements with public or private entities or individuals, or other Federal agencies, such as providing technical assistance to States and local educational agencies carrying out activities under this part or conducting a national evaluation;

“(2) 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 out-
lying areas on the basis of their relative need, as determined by the Secretary, in accordance with the purpose of this part;

“(3) 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; and

“(4) such funds as may be necessary for the Project School Emergency Response to Violence program (referred to as ‘Project SERV’), which is authorized to provide education-related services to local educational agencies and institutions of higher education in which the learning environment has been disrupted due to a violent or traumatic crisis, and which funds shall remain available for obligation until expended.

“(b) STATE ALLOTMENTS.—

“(1) ALLOTMENT.—

“(A) IN GENERAL.—In accordance with subparagraph (B), the Secretary shall allot among each of the States the total amount made available to carry out this part for any fiscal year and not reserved under subsection (a).
“(B) Determination of State Allotment Amounts.—Subject to paragraph (2), the Secretary shall allot the amount made available under subparagraph (A) for a fiscal year among the States in proportion to the number of individuals, aged 5 to 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 individuals who reside in all such States for that fiscal year.

“(2) Small State Minimum.—No State receiving an allotment under paragraph (1) shall receive less than one-half of 1 percent of the total amount allotted under such paragraph.

“(3) 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.

“(4) Reallocation.—If a State does not receive an allotment under this part for a fiscal year, the Secretary shall reallocate the amount of the State’s
allotment to the remaining States in accordance with this section.

“(c) STATE USE OF FUNDS.—

“(1) IN GENERAL.—Each State that receives an allotment under this section shall reserve not less than 95 percent of the amount allotted to such State under subsection (b), for each fiscal year, for sub-
grants to local educational agencies, which may in-
clude consortia of such agencies, under section 4104.

“(2) STATE ADMINISTRATION.—A State edu-
cational agency shall use not more than 1 percent of the amount made available to the State under sub-
section (b) for the administrative costs of carrying out its responsibilities under this part.

“(3) STATE ACTIVITIES.—A State educational agency shall use the amount made available to the State under subsection (b) and not reserved under paragraph (1) for activities and programs designed to meet the purposes of this part, which—

“(A) shall include—

“(i) providing training, technical as-
sistance, and capacity building to local educational agencies that are recipients of a subgrant under section 4104, which may include identifying and disseminating best
practices for professional development and
capacity building for teachers, administra-
tors, and specialized instructional support
personnel in schools that are served by
local educational agencies under this part;
and

“(ii) publicly reporting on how funds
made available under this part are being
expended by local educational agencies
under section 4104; and

“(B) may include—

“(i) identifying and eliminating State
barriers to the coordination and integra-
tion of programs, initiatives, and funding
streams that meet the purposes of this
part, so that local educational agencies can
better coordinate with other agencies,
schools and community-based services and
programs;

“(ii) assisting local educational agen-
cies to expand access to or coordination of
resources for school-based counseling and
mental health programs, such as through
school-based mental health services part-
nership programs described in section 4105(a)(4);

“(iii) supporting programs and activities that offer a variety of well-rounded educational experiences to students;

“(iv) supporting activities that promote physical and mental health and well-being for students and staff;

“(v) designing and implementing a grant process for local entities that wish to use funds to reduce exclusionary discipline practices in elementary schools and secondary schools, in a manner consistent with State or federally identified best practices on the subject; and

“(vi) other activities identified by the State that meet the purposes of this part.

“(d) STATE PLAN.—

“(1) IN GENERAL.—In order to receive an allotment under this section for any fiscal year, a State shall submit a plan to the Secretary, at such time and in such manner as the Secretary may reasonably require.

“(2) CONTENTS.—Each plan submitted by a State under this section shall include the following:
“(A) A description of how the State educational agency will use funds received under this part for State-level activities.

“(B) A description of program objectives and outcomes for activities under this part.

“(C) An assurance that the State educational agency will review existing resources and programs across the State and will coordinate any new plans and resources under this part with such existing programs and resources.

“(D) An assurance that the State educational agency will monitor the implementation of activities under this part and provide technical assistance to local educational agencies in carrying out such activities.

“(3) Annual Report.—Each State receiving a grant under this part shall annually prepare and submit a report to the Secretary, which shall include—

“(A) how the State and local educational agencies used funds provided under this part; and

“(B) the degree to which the State and local educational agencies have made progress toward meeting the objectives and outcomes de-
scribed in the plan submitted by the State
under paragraph (2)(B).

"SEC. 4104. SUBGRANTS TO LOCAL EDUCATIONAL AGEN-
CIES.

"(a) Allocations to Local Educational Agen-
cies.—

“(1) In General.—A State that receives an al-
lotment under this part for a fiscal year shall pro-
vide the amount made available under section
4103(c)(1) for subgrants to local educational agen-
cies, which may include consortia of such agencies,
in accordance with this section.

“(2) Funds to Local Educational Agen-
cies.—From the funds reserved by a State under
section 4103(c)(1), the State shall allocate to each
local educational agency or consortium of such agen-
cies in the State an amount that bears the same re-
lationship to such funds as the number of individ-
uals aged 5 to 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 such individuals in the geographic areas
served by all the local educational agencies in the
State, as so determined.
“(3) Administrative costs.—Of the amount received under paragraph (2), a local educational agency or consortium of such agencies may use not more than 2 percent for the direct administrative costs of carrying out its responsibilities under this part.

“(b) Local Applications.—

“(1) In general.—To be eligible to receive a subgrant under this section, a local educational agency or consortium of such agencies 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 reasonably require.

“(2) Consultation.—

“(A) In general.—A local educational agency or consortium of such agencies shall conduct a needs assessment described in paragraph (3), and develop its application, through consultation with parents, teachers, principals, school leaders, specialized instructional support personnel, early childhood educators, students, community-based organizations, local government representatives, Indian tribes or tribal organizations (if applicable) that may be located
in the region served by the local educational
agency, and others with relevant and dem-
onstrated expertise in programs and activities
designed to meet the purpose of this part.

“(B) CONTINUED CONSULTATION.—On an
ongoing basis, the local educational agency or
consortium of such agencies shall consult with
the individuals and organizations described in
subparagraph (A) in order to seek advice re-
garding how best—

“(i) to improve the local activities in
order to meet the purpose of this part; and
“(ii) to coordinate such activities
under this part with other related strate-
gies, programs, and activities being con-
ducted in the community.

“(3) NEEDS ASSESSMENT.—

“(A) IN GENERAL.—To be eligible to re-
ceive a subgrant under this section, a local edu-
cational agency or consortium of such agencies
shall conduct a comprehensive needs assessment
of the local educational agency or agencies pro-
posed to be served and of all schools within the
jurisdiction of the local educational agency or
agencies proposed to be served.
“(B) REQUIREMENTS.—In conducting the needs assessment required under subparagraph (A), the local educational agency or consortium of such agencies shall take into account—

“(i) applicable and available school-level data on indicators or measures of school quality, climate and safety, and discipline, including those described in section 1111(d)(1)(C)(v); and

“(ii) risk factors in the community, school, family, or peer-individual domains that are known, through prospective, longitudinal research efforts, to be predictive of drug use, violent behavior, harassment, disciplinary issues, and having an effect on the physical and mental health and well-being of youth in the school and community.

“(4) CONTENTS.—Each application submitted under this subsection shall be based on the needs assessment described in paragraph (3) and shall include the following:

“(A) The results of the needs assessment described in paragraph (3) and an identification
of each school that will be served by a subgrant under this section.

“(B) A description of the activities that the local educational agency or consortium of such agencies will carry out under this part and how these activities are aligned with the results of the needs assessment conducted under paragraph (3).

“(C) A description of the performance indicators that the local educational agency or consortium of such agencies will use to evaluate the effectiveness of the activities carried out under this section.

“(D) An assurance that such activities will comply with the principles of effectiveness described in section 4105(b), and foster a healthy, safe, and supportive school environment that improves students’ safety, health, and well-being during and after the school day.

“(E) An assurance that the local educational agency or consortium of such agencies will prioritize the distribution of funds to schools served by the local educational agency or consortium of such agencies that—
“(i) are among the schools with the greatest needs as identified through the needs assessment conducted under paragraph (3);

“(ii) have the highest percentages or numbers of children counted under section 1124(e);

“(iii) are identified under section 1114(a)(1)(A); or

“(iv) are identified as a persistently dangerous public elementary school or secondary school under section 9532.

“(F) An assurance that the local educational agency or consortium of such agencies will comply with section 9501 (regarding equitable participation by private school children and teachers).

“SEC. 4105. LOCAL EDUCATIONAL AGENCY AUTHORIZED ACTIVITIES.

“(a) Local Educational Agency Activities.—A local educational agency or consortium of such agencies that receives a subgrant under section 4104 shall use the subgrant funds to develop, implement, and evaluate comprehensive programs and activities, which are coordinated with other schools and community-based services and pro-
grams and may be conducted in partnership with non-
profit organizations with a demonstrated track-record of
success in implementing activities, that are in accordance
with the purpose of this part and—
“(1) foster safe, healthy, supportive, and drug-
free environments that support student academic
achievement;
“(2) are consistent with the principles of effec-
tiveness described in subsection (b);
“(3) promote the involvement of parents in the
activity or program, as appropriate; and
“(4) may include, among other programs and
activities—
“(A) drug and violence prevention activi-
ties and programs, including professional devel-
opment and training for school and specialized
instructional support personnel and interested
community members in prevention, education,
early identification, and intervention mentoring,
and, where appropriate, rehabilitation referral,
as related to drug and violence prevention;
“(B) programs that support extended
learning opportunities, including before and
after school programs and activities, programs
during summer recess periods, and expanded learning time;

“(C) in accordance with subsections (c) and (d), school-based mental health services, including early identification of mental-health symptoms, drug use and violence, and appropriate referrals to direct individual or group counseling services provided by qualified school or community-based mental health services providers;

“(D) in accordance with subsections (c) and (d), school-based mental health services partnership programs that—

“(i) are conducted in partnership with a public or private mental-health entity or health care entity, which may also include a child welfare agency, family-based mental health entity, trauma network, or other community-based entity; and

“(ii) provide comprehensive school-based mental health services and supports and staff development for school and community personnel working in the school that are based on trauma-informed and evidence practices, are coordinated (where
appropriate) with early intervening services carried out under the Individuals with Disabilities Education Act, are provided by qualified mental and behavioral health professionals who are certified or licensed by the State involved and practicing within their area of expertise, and may include—

“(I) the early identification of social, emotional, or behavioral problems, or substance use disorders, and the provision of early intervening services;

“(II) notwithstanding section 4107, the treatment or referral for treatment of students with social, emotional, or behavioral health problems, or substance use disorders;

“(III) the development and implementation of programs to assist children in dealing with trauma and violence; and

“(IV) 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;

“(E) emergency planning and intervention services following traumatic crisis events;

“(F) programs that train school personnel to identify warning signs of youth drug abuse and suicide;

“(G) mentoring programs and activities for children who are at risk of academic failure, dropping out of school, or involvement in criminal or delinquent activities, drug use and abuse, or who lack strong positive role models;

“(H) early childhood, elementary school, and secondary school counseling programs, including college and career guidance programs, such as financial literacy and Federal financial aid awareness efforts;

“(I) programs or activities that support a healthy, active lifestyle, including nutritional education and regular, structured physical education programs for early childhood, elementary school, and secondary school students;

“(J) implementation of schoolwide positive behavioral interventions and supports, including through coordination with similar activities car-
ried 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;

“(K) programs and activities that offer a variety of well-rounded educational experience for students, such as those that—

“(i) use music and the arts as tools to promote constructive student engagement, problem solving, and conflict resolution; or

“(ii) further students’ understanding of and knowledge in computer science from elementary school through secondary school;

“(L) systems of high-capacity, integrated student supports;

“(M) strategies that establish learning environments to further students’ academic and nonacademic skills essential for school readiness and academic success, such as by providing integrated systems of student and family supports and building teacher, principal, and other school leader capacity;
“(N) bullying and harassment prevention programs or activities, including professional development and training for school and specialized instructional support personnel in the prevention, early identification, and early intervention, as related to bullying and harassment;

“(O) programs or activities designed to increase school safety and climate, including conflict resolution practices, crisis management techniques, and other school-based violence prevention strategies;

“(P) pay for success initiatives that produce a measurable, clearly defined outcome that results in social benefit and direct cost savings to the local, State, or Federal Government; and

“(Q) other activities and programs identified as necessary by the local educational agency through the needs assessment conducted under section 4104(b)(3) that will increase student achievement and otherwise meet the purpose of this part.

“(b) Principles of Effectiveness.—

“(1) In general.—For a program or activity developed or carried out under this part to meet the
principles of effectiveness, such program or activity shall—

“(A) be based upon an assessment of objective data regarding the need for programs and activities in the early childhood, elementary school, secondary school, or community to be served to—

“(i) improve school safety and promote students’ physical and mental health and well-being, healthy eating and nutrition, and physical fitness; and

“(ii) strengthen parent and community engagement to ensure a healthy, safe, and supportive school environment;

“(B) be based upon established State requirements and evidence-based criteria aimed at ensuring a healthy, safe, and supportive school environment for students in the early childhood, elementary school, secondary school, or community that will be served by the program; and

“(C) include meaningful and ongoing consultation with and input from teachers, principals, school leaders, and parents in the development of the application and administration of the program or activity.
“(2) PERIODIC EVALUATION.—

“(A) IN GENERAL.—The program or activity shall undergo a periodic independent, third party evaluation to assess the extent to which the program or activity has helped the local educational agency or school provide students with a healthy, safe, and supportive school environment that promotes school safety and students’ physical and mental health and well-being.

“(B) USE OF RESULTS.—The local educational agency or consortium of such agencies shall ensure that the results of the periodic evaluations described under subparagraph (A) are—

“(i) used to refine, improve, and strengthen the program or activity, and to refine locally determined criteria described under paragraph (1)(B); and

“(ii) made available to the public and the State.

“(3) PROHIBITION.—Nothing in this subsection shall be construed to authorize the Secretary or any other officer or employee of the Federal Government to mandate, direct, or control, the principles of effec-
tiveness developed or utilized by a local educational agency under this subsection.

“(c) PARENTAL CONSENT.—

“(1) IN GENERAL.—Each local educational agency receiving a subgrant under this part shall obtain prior written, informed consent from the parent of each child who is under 18 years of age to participate in any mental-health assessment service or treatment that is funded under this part and conducted in connection with an elementary school or secondary school under this part.

“(2) EXCEPTION.—Notwithstanding paragraph (1), the written, informed consent described in such paragraph shall not be required in—

“(A) an emergency, where it is necessary to protect the immediate health and safety of the student, other students, or school personnel; or

“(B) other instances where parental consent cannot be reasonably obtained, as defined by the Secretary.

“(d) PRIVACY.—Each local educational agency receiving a subgrant under this part shall ensure that student mental health records are accorded the privacy protections provided under section 444 of the General Education Pro-

“SEC. 4106. SUPPLEMENT, NOT SUPPLANT.

“Funds made available under this part shall be used to supplement, and not supplant, non-Federal funds that would otherwise be used for activities authorized under this part.

“SEC. 4107. PROHIBITIONS.

“(a) PROHIBITED USE OF FUNDS.—No funds under this part may be used for—

“(1) construction; or

“(2) medical services or drug treatment or rehabilitation, except for integrated student supports or referral to treatment for impacted students, which may include students who are victims of, or witnesses to, crime or who illegally use drugs.

“(b) PROHIBITION ON MANDATORY MEDICATION.—No child shall be required to obtain a prescription for a substance covered by the Controlled Substances Act (21 U.S.C. 801 et seq.) as a condition of receiving an evaluation, services, or attending a school receiving assistance under this part.
“SEC. 4108. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to carry out this part such sums as may be necessary for each of fiscal years 2016 through 2021.”.

“SEC. 4003. 21ST CENTURY COMMUNITY LEARNING CENTERS.

(a) Program Authorized.—Part B of title IV (20 U.S.C. 7171 et seq.) is amended to read as follows:

“PART B—21ST CENTURY COMMUNITY LEARNING CENTERS

“SEC. 4201. PURPOSE; DEFINITIONS.

“(a) Purpose.—The purpose of this part is to provide opportunities for communities to establish or expand activities in community learning centers that—

“(1) provide opportunities for academic enrichment, including providing tutorial services to help students, particularly students who attend low-performing schools, to meet challenging State academic standards described in section 1111(b)(1);

“(2) offer students a broad array of additional services, programs, and activities, such as youth development activities, service learning, nutrition and health education, drug and violence prevention programs, counseling programs, art, music, physical fitness and wellness programs, technology education programs, financial literacy programs, math, science,
career and technical programs, internship or apprenticeship programs, and other ties to an in-demand industry sector or occupation for high school students that are designed to reinforce and complement the regular academic program of participating students; and

“(3) offer families of students served by community learning centers opportunities for active and meaningful engagement in their children’s education, including opportunities for literacy and related educational development.

“(b) DEFINITIONS.—In this part:

“(1) COMMUNITY LEARNING CENTER.—The term ‘community learning center’ means an entity that—

“(A) assists students to meet challenging State academic standards described in section 1111(b)(1) by providing the students with academic enrichment activities and a broad array of other activities (such as programs and activities described in subsection (a)(2)) during non-school hours or periods when school is not in session (such as before and after school or during summer recess) that—
“(i) reinforce and complement the regular academic programs of the schools attended by the students served; and

“(ii) are targeted to the students’ academic needs and aligned with the instruction students receive during the school day; and

“(B) offers families of students served by such center opportunities for literacy, and related educational development and opportunities for active and meaningful engagement in their children’s education.

“(2) COVERED PROGRAM.—The term ‘covered program’ means a program for which —

“(A) the Secretary made a grant under part B of title IV (as such part was in effect on the day before the date of enactment of the Every Child Achieves Act of 2015); and

“(B) the grant period had not ended on that date of enactment.

“(3) ELIGIBLE ENTITY.—The term ‘eligible entity’ means a local educational agency, community-based organization, Indian tribe or tribal organization (as such terms are defined in section 4 of the Indian Self-Determination and Education Act (25
U.S.C. 450b)), another public or private entity, or a consortium of 2 or more such agencies, organizations, or entities.

“(4) EXTERNAL ORGANIZATION.—The term ‘external organization’ means—

“(A) a nonprofit organization with a record of success in running or working with after school programs; or

“(B) in the case of a community where there is no such organization, a nonprofit organization in the community that enters into a formal agreement or partnership with an organization described in subparagraph (A) to receive mentoring and guidance.

“(5) RIGOROUS PEER-REVIEW PROCESS.—The term ‘rigorous peer-review process’ means a process by which—

“(A) employees of a State educational agency who are familiar with the 21st century community learning center program under this part review all applications that the State receives for awards under this part for completeness and applicant eligibility;
“(B) the State educational agency selects peer reviewers for such applications, who shall—

“(i) be selected for their expertise in providing effective academic, enrichment, youth development, and related services to children; and

“(ii) not include any applicant, or representative of an applicant, that has submitted an application under this part for the current application period; and

“(C) the peer reviewers described in subparagraph (B) review and rate the applications to determine the extent to which the applications meet the requirements under sections 4204(b) and 4205.

“(6) State.—The term ‘State’ means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

“SEC. 4202. ALLOTMENTS TO STATES.

“(a) Reservation.—From the funds appropriated under section 4206 for any fiscal year, the Secretary shall reserve—
“(1) such amounts as may be necessary to make continuation awards to grant recipients under covered programs (under the terms of those grants);

“(2) not more than 1 percent for national activities, which the Secretary may carry out directly or through grants and contracts, such as providing technical assistance to eligible entities carrying out programs under this part or conducting a national evaluation; and

“(3) not more than 1 percent for payments to the outlying areas and the Bureau of Indian Affairs, to be allotted in accordance with their respective needs for assistance under this part, as determined by the Secretary, to enable the outlying areas and the Bureau to carry out the purpose of this part.

“(b) STATE ALLOTMENTS.—

“(1) DETERMINATION.—From the funds appropriated under section 4206 for any fiscal year and remaining after the Secretary makes reservations under subsection (a), the Secretary shall allot to each State for the fiscal year an amount that bears the same relationship to the remainder as the amount the State received under subpart 2 of part A of title I for the preceding fiscal year bears to the amount all States received under that subpart for
the preceding fiscal year, except that no State shall receive less than an amount equal to one-half of 1 percent of the total amount made available to all States under this subsection.

“(2) REALLOTMENT OF UNUSED FUNDS.—If a State does not receive an allotment under this part for a fiscal year, the Secretary shall reallocate the amount of the State’s allotment to the remaining States in accordance with this part.

“(c) STATE USE OF FUNDS.—

“(1) IN GENERAL.—Each State that receives an allotment under this part shall reserve not less than 93 percent of the amount allotted to such State under subsection (b), for each fiscal year for awards to eligible entities under section 4204.

“(2) STATE ADMINISTRATION.—A State educational agency may use not more than 2 percent of the amount made available to the State under subsection (b) for—

“(A) the administrative costs of carrying out its responsibilities under this part;

“(B) establishing and implementing a rigorous peer-review process for grant applications described in section 4204(b) (including consultation with the Governor and other State
agencies responsible for administering youth development programs and adult learning activities); and

“(C) 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).

“(3) STATE ACTIVITIES.—A State educational agency may use not more than 5 percent of the amount made available to the State under subsection (b) for the following activities:

“(A) Monitoring and evaluation of programs and activities assisted under this part.

“(B) Providing capacity building, training, and technical assistance under this part.

“(C) Comprehensive evaluation (directly, or through a grant or contract) of the effectiveness of programs and activities assisted under this part.

“(D) Providing training and technical assistance to eligible entities who are applicants for or recipients of awards under this part.

“(E) Ensuring that any eligible entity that receives an award under this part from the
State aligns the activities provided by the program with State academic standards.

“(F) Ensuring that any such eligible entity identifies and partners with external organizations, if available, in the community.

“(G) Working with teachers, principals, parents, the local workforce, the local community, and other stakeholders to review and improve State policies and practices to support the implementation of effective programs under this part.

“(H) Coordinating funds received under this part with other Federal and State funds to implement high-quality programs.

“(I) Providing a list of prescreened external organizations, as described in section 4203(a)(11).

“SEC. 4203. STATE APPLICATION.

“(a) IN GENERAL.—In order to receive an allotment under section 4202 for any fiscal year, a State shall submit to the Secretary, at such time as the Secretary may require, an application that—

“(1) designates the State educational agency as the agency responsible for the administration and supervision of programs assisted under this part;
“(2) describes how the State educational agency will use funds received under this part, including funds reserved for State-level activities;

“(3) contains an assurance that the State educational agency—

“(A) will make awards under this part to eligible entities that serve students who primarily attend schools that have been identified under section 1114(a)(1)(A) and other schools determined by the local educational agency to be in need of intervention and support and the families of such students; and

“(B) will further give priority to eligible entities that propose in the application to serve students described in subclauses (I) and (II) of section 4204(i)(1)(A)(i);

“(4) describes the procedures and criteria the State educational agency will use for reviewing applications and awarding funds to eligible entities on a competitive basis, which shall include procedures and criteria that take into consideration the likelihood that a proposed community learning center will help participating students meet State and local content and student academic achievement standards;
“(5) describes how the State educational agency
will ensure that awards made under this part are—
“(A) of sufficient size and scope to support
high-quality, effective programs that are con-
sistent with the purpose of this part; and
“(B) in amounts that are consistent with
section 4204(h);
“(6) describes the steps the State educational
agency will take to ensure that programs implement
effective strategies, including providing ongoing
technical assistance and training, evaluation, dis-
semination of promising practices, and coordination
of professional development for staff in specific con-
tent areas as well as youth development;
“(7) describes how programs under this part
will be coordinated with programs under this Act,
and other programs as appropriate;
“(8) contains an assurance that the State edu-
cational agency—
“(A) will make awards for programs for a
period of not less than 3 years and not more
than 5 years; and
“(B) will require each eligible entity seek-
ing such an award to submit a plan describing
how the activities to be funded through the
award will continue after funding under this part ends;

“(9) contains an assurance that funds appropriated to carry out this part will be used to supplement, and not supplant, other Federal, State, and local public funds expended to provide programs and activities authorized under this part and other similar programs;

“(10) contains an assurance that the State educational agency will require eligible entities to describe in their applications under section 4204(b) how the transportation needs of participating students will be addressed;

“(11) describes how the State will prescreen external organizations that could provide assistance in carrying out the activities under this part, and develop and make available to eligible entities a list of external organizations that successfully completed the prescreening process;

“(12) provides—

“(A) an assurance that the application was developed in consultation and coordination with appropriate State officials, including the chief State school officer, and other State agencies administering before and after school (or sum-
mer school) programs, the heads of the State health and mental health agencies or their designees, statewide after school networks (where applicable) and representatives of teachers, local educational agencies, and community-based organizations; and

“(B) a description of any other representatives of teachers, parents, students, or the business community that the State has selected to assist in the development of the application, if applicable;

“(13) describes the results of the State’s needs and resources assessment for before and after school activities, which shall be based on the results of ongoing State evaluation activities;

“(14) describes how the State educational agency will evaluate the effectiveness of programs and activities carried out under this part, which shall include, at a minimum—

“(A) a description of the performance indicators and performance measures that will be used to evaluate programs and activities with emphasis on alignment with the regular academic program of the school and the academic
needs of participating students, including performance indicators and measures that—

“(i) are able to track student success and improvement over time;

“(ii) include State assessment results and other indicators of student success and improvement, such as improved attendance during the school day, better classroom grades, regular (or consistent) program attendance, and on-time advancement to the next grade level; and

“(iii) for high school students, may include indicators such as career competencies, successful completion of internships or apprenticeships, or work-based learning opportunities;

“(B) a description of how data collected for the purposes of subparagraph (A) will be collected; and

“(C) public dissemination of the evaluations of programs and activities carried out under this part; and

“(15) provides for timely public notice of intent to file an application and an assurance that the ap-
application will be available for public review after submission.

“(b) **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 part.

“(c) **DISAPPROVAL.**—The Secretary shall not finally disapprove the application, except after giving the State educational agency notice and opportunity for a hearing.

“(d) **NOTIFICATION.**—If the Secretary finds that the application is not in compliance, in whole or in part, with this part, 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.
“(e) RESPONSE.—If the State educational agency responds to the Secretary’s notification described in subsection (d)(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 (d)(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 (b).

“(f) FAILURE TO RESPOND.—If the State educational agency does not respond to the Secretary’s notification described in subsection (d)(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.

“(g) LIMITATION.—The Secretary may not impose a priority or preference for States or eligible entities that seek to use funds made available under this part to extend the regular school day.

“SEC. 4204. LOCAL COMPETITIVE GRANT PROGRAM.

“(a) IN GENERAL.—
“(1) Community Learning Centers.—A State that receives funds under this part for a fiscal year shall provide the amount made available under section 4202(c)(1) to eligible entities for community learning centers in accordance with this part.

“(2) Expanded Learning Program Activities.—A State that receives funds under this part for a fiscal year may also use funds under section 4202(c)(1) to support those enrichment and engaging academic activities described in section 4205(a) that—

“(A) are included as part of an expanded learning program that provide students at least 300 additional program hours before, during, or after the traditional school day;

“(B) supplement but do not supplant school day requirements; and

“(C) are awarded to entities that meet the requirements of subsection (i).

“(b) Application.—

“(1) In General.—To be eligible to receive an award under this part, an eligible entity shall submit an application to the State educational agency at such time, in such manner, and including such infor-
mation as the State educational agency may reason-
ably require.

“(2) CONTENTS.—Each application submitted
under paragraph (1) shall include—

“(A) a description of the activities to be
funded, including—

“(i) an assurance that the program
will take place in a safe and easily acces-
sible facility;

“(ii) a description of how students
participating in the program carried out by
the community learning center will travel
safely to and from the center and home, if
applicable; and

“(iii) a description of how the eligible
entity will disseminate information about
the community learning center (including
its location) to the community in a manner
that is understandable and accessible;

“(B) a description of how such activities
are expected to improve student academic
achievement as well as overall student success;

“(C) a demonstration of how the proposed
program will coordinate Federal, State, and
local programs and make the most effective use of public resources;

“(D) an assurance that the proposed program was developed, and will be carried out—

“(i) in active collaboration with the schools the students attend (including through the sharing of relevant student data among the schools), all participants in the eligible entity, and any partnership entities described in subparagraph (H), while complying with applicable laws relating to privacy and confidentiality; and

“(ii) in alignment with State and local content and student academic achievement standards;

“(E) a description of how the activities will meet the principles of effectiveness described in section 4205(b);

“(F) an assurance that the program will target students who primarily attend schools eligible for schoolwide programs under section 1114 and the families of such students;

“(G) an assurance that funds under this part will be used to increase the level of State, local, and other non-Federal funds that would,
in the absence of funds under this part, be
made available for programs and activities au-
thorized under this part, and in no case sup-
plant Federal, State, local, or non-Federal
funds;

“(H) a description of the partnership be-
tween a local educational agency, a community-
based organization, and another public entity or
private entity, if appropriate;

“(I) an evaluation of the community needs
and available resources for the community
learning center and a description of how the
program proposed to be carried out in the cen-
ter will address those needs (including the
needs of working families);

“(J) a demonstration that the eligible enti-
ty will use best practices, including research or
evidence-based practices, to provide educational
and related activities that will complement and
enhance academic performance, achievement,
postsecondary and workforce preparation, and
positive youth development of the students;

“(K) a description of a preliminary plan
for how the community learning center will con-
tinue after funding under this part ends;
“(L) an assurance that the community will be given notice of an intent to submit an application and that the application and any waiver request will be available for public review after submission of the application;

“(M) if the eligible entity plans to use volunteers in activities carried out through the community learning center, a description of how the eligible entity will encourage and use appropriately qualified persons to serve as the volunteers; and

“(N) such other information and assurances as the State educational agency may reasonably require.

“(c) Approval of Certain Applications.—The State educational agency may approve an application under this part for a program to be located in a facility other than an elementary school or secondary school only if the program will be at least as available and accessible to the students to be served as if the program were located in an elementary school or secondary school.

“(d) Permissive Local Match.—

“(1) In general.—A State educational agency may require an eligible entity to match funds awarded under this part, except that such match may not
exceed the amount of the grant award and may not be derived from other Federal or State funds.

“(2) SLIDING SCALE.—The amount of a match under paragraph (1) shall be established based on a sliding fee scale that takes into account—

“(A) the relative poverty of the population to be targeted by the eligible entity; and

“(B) the ability of the eligible entity to obtain such matching funds.

“(3) IN-KIND CONTRIBUTIONS.—Each State educational agency that requires an eligible entity to match funds under this subsection shall permit the eligible entity to provide all or any portion of such match in the form of in-kind contributions.

“(4) CONSIDERATION.—Notwithstanding this subsection, a State educational agency shall not consider an eligible entity’s ability to match funds when determining which eligible entities will receive awards under this part.

“(e) PEER REVIEW.—In reviewing local applications under this part, a State educational agency shall use a rigorous peer-review process or other methods of assuring the quality of such applications.

“(f) GEOGRAPHIC DIVERSITY.—To the extent practicable, a State educational agency shall distribute funds
under this part equitably among geographic areas within
the State, including urban and rural communities.

“(g) **Duration of Awards.**—Grants under this
part shall be awarded for a period of not less than 3 years
and not more than 5 years.

“(h) **Amount of Awards.**—A grant awarded under
this part may not be made in an amount that is less than
$50,000.

“(i) **Priority.**—

“(1) **In general.**—In awarding grants under
this part, a State educational agency shall give pri-
ority to applications—

“(A) proposing to target services to—

“(i) students who primarily attend
schools that—

“(I) have been identified under
section 1114(a) and other schools de-
termined by the local educational
agency to be in need of intervention
and support to improve student aca-
demic achievement and other out-
comes; and

“(II) enroll students who may be
at risk for academic failure, dropping
out of school, involvement in criminal
or delinquent activities, or who lack strong positive role models; and “(ii) the families of students described in clause (i);
“(B) submitted jointly by eligible entities consisting of not less than 1—
“(i) local educational agency receiving funds under part A of title I; and
“(ii) another eligible entity; and
“(C) demonstrating that the activities proposed in the application—
“(i) are, as of the date of the submission of the application, not accessible to students who would be served; or
“(ii) would expand accessibility to high-quality services that may be available in the community.
“(2) **Special rule.**—The State educational agency shall provide the same priority under paragraph (1) to an application submitted by a local educational agency if the local educational agency demonstrates that it is unable to partner with a community-based organization in reasonable geographic proximity and of sufficient quality to meet the requirements of this part.
“(3) LIMITATION.—A State educational agency may not impose a priority or preference for eligible entities that seek to use funds made available under this part to extend the regular school day.

“(j) RENEWABILITY OF AWARDS.—A State educational agency may renew a grant provided under this part to an eligible entity, based on the eligible entity’s performance during the original grant period.

“SEC. 4205. LOCAL ACTIVITIES.

“(a) AUTHORIZED ACTIVITIES.—Each eligible entity that receives an award under section 4204 may use the award funds to carry out a broad array of activities that advance student academic achievement and support student success, including—

“(1) academic enrichment learning programs, mentoring programs, remedial education activities, and tutoring services, that are aligned with—

“(A) State and local content and student academic achievement standards; and

“(B) local curricula that are designed to improve student academic achievement;

“(2) core academic subject education activities, including such activities that enable students to be eligible for credit recovery or attainment;
“(3) literacy education programs, including financial literacy programs;

“(4) programs that support a healthy, active lifestyle, including nutritional education and regular, structured physical activity programs;

“(5) services for individuals with disabilities;

“(6) programs that provide after school activities for students who are English learners that emphasize language skills and academic achievement;

“(7) cultural programs;

“(8) telecommunications and technology education programs;

“(9) expanded library service hours;

“(10) parenting skills programs that promote parental involvement and family literacy;

“(11) programs that provide assistance to students who have been truant, suspended, or expelled to allow the students to improve their academic achievement;

“(12) drug and violence prevention programs and counseling programs;

“(13) programs that build skills in science, technology, engineering and mathematics (referred to in this paragraph as ‘STEM’) and that foster in-
novation in learning by supporting nontraditional
STEM education teaching methods; and

“(14) programs that partner with in-demand
fields of the local workforce or build career competencies and career readiness and ensure that local
workforce and career readiness skills are aligned
with the Carl D. Perkins Career and Technical Education Act of 2006 and the Workforce Innovation
and Opportunity Act.

“(b) MEASURES OF EFFECTIVENESS.—

“(1) IN GENERAL.—For a program or activity
developed pursuant to this part to meet the measures of effectiveness, monitored by the State educational agency as described in section 4203(a)(14),
such program or activity shall—

“(A) be based upon an assessment of objective data regarding the need for before and
after school programs (including during summer recess periods) and activities in the schools
and communities;

“(B) be based upon an established set of
performance measures aimed at ensuring the availability of high quality academic enrichment
opportunities;
“(C) if appropriate, be based upon evidence-based research that provides evidence that the program or activity will help students meet the State and local student academic achievement standards;

“(D) ensure that measures of student success align with the regular academic program of the school and the academic needs of participating students and include performance indicators and measures described in section 4203(a)(14)(A); and

“(E) collect the data necessary for the measures of student success described in subparagraph (D).

“(2) PERIODIC EVALUATION.—

“(A) IN GENERAL.—The program or activity shall undergo a periodic evaluation in conjunction with the State educational agency’s overall evaluation plan as described in section 4203(a)(14), to assess the program’s progress toward achieving the goal of providing high quality opportunities for academic enrichment and overall student success.

“(B) USE OF RESULTS.—The results of evaluations under subparagraph (A) shall be—
“(i) used to refine, improve, and strengthen the program or activity, and to refine the performance measures;
“(ii) made available to the public upon request, with public notice of such availability provided; and
“(iii) used by the State to determine whether a grant is eligible to be renewed under section 4204(j).

“SEC. 4206. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to carry out this part such sums as may be necessary for each of fiscal years 2016 through 2021.”.

(b) TRANSITION.—The recipient of a multiyear grant award under part B of title IV of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7171 et seq.), as such Act was in effect on the day before the date of enactment of this Act, shall continue to receive funds in accordance with the terms and conditions of such award.

SEC. 4004. ELEMENTARY SCHOOL AND SECONDARY SCHOOL COUNSELING PROGRAMS.

Title IV (20 U.S.C. 7101 et seq.), as amended by section 4001, is further amended by inserting after part B the following:
“PART C—ELEMENTARY SCHOOL AND SECONDARY SCHOOL COUNSELING PROGRAMS

“SEC. 4301. ELEMENTARY SCHOOL AND SECONDARY SCHOOL COUNSELING PROGRAMS.

“(a) Grants Authorized.—

“(1) In general.—The Secretary is authorized to award grants to eligible entities to enable such agencies to establish or expand elementary school and secondary school counseling programs that comply with the requirements of subsection (c).

“(2) Special consideration.—In awarding grants under this section, the Secretary shall—

“(A) give special consideration to applications describing programs that—

“(i) demonstrate the greatest need for new or additional counseling services among children in the schools served by the eligible entity, in part by providing information on current ratios, as of the date of application for a grant under this section, of students to school counselors, students to school social workers, and students to school psychologists;

“(ii) propose promising and innovative approaches for initiating or expanding school counseling; and
“(iii) show strong potential for replication and dissemination; and

“(B) give priority to—

“(i) schools that serve students in rural and remote areas;

“(ii) schools in need of improvement and schools that are the persistently lowest achieving schools; or

“(iii) schools with a high percentage of students aged 5 through 17 who—

“(I) are in poverty, as counted in the most recent census data approved by the Secretary;

“(II) are eligible for a free or reduced priced lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.);

“(III) are in families receiving assistance under the State program funded under part A of title IV of the Social Security Act; or

“(IV) are eligible to receive medical assistance under the Medicaid program.
“(3) **Equitable Distribution.**—In awarding grants under this section, the Secretary shall ensure an equitable geographic distribution among the regions of the United States and among eligible entities located in urban, rural, and suburban areas.

“(4) **Duration.**—A grant under this section shall be awarded for a period not to exceed 3 years.

“(5) **Maximum Grant.**—A grant awarded under this section shall not exceed $400,000 for any fiscal year.

“(b) **Applications.**—

“(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 reasonably require.

“(2) **Contents.**—Each application for a grant under this section shall—

“(A) describe the school population to be targeted by the program, the particular counseling needs of such population, and the current school counseling resources available for meeting such needs;

“(B) include the information described in subparagraphs (B) through (D) of section
4104(b)(4), with respect to the grant under this part;

“(C) document that the eligible entity has personnel qualified to develop, implement, and administer the program; and

“(D) document how the eligible entity will engage in meaningful consultation with parents and families in the development of such program.

“(c) Use of Funds.—Each eligible entity receiving a grant under this part shall use grant funds to develop, implement, and evaluate comprehensive, evidence-based, school counseling programs through activities which incorporate evidence-based practices, such as—

“(1) the implementation of a comprehensive school counseling program to meet the counseling and educational needs of all students;

“(2) increasing the range, availability, quantity, and quality of counseling services, provided by qualified school counselors, school psychologists, school social workers, and other qualified school-based mental health service providers, in the elementary schools and secondary schools of the eligible entity;

“(3) the implementation of innovative approaches to increase children’s understanding of
peer and family relationships, peer and family interaction, work and self, decisionmaking, or academic and career planning;

“(4) the implementation of academic, postsecondary education and career planning programs;

“(5) the initiation of partnerships with community groups, social service agencies, or other public or private non-profit entities in collaborative efforts to enhance the program and promote school-linked integration of services, as long as the eligible entity documents how such partnership supplements, not supplants, existing school-employed school-based mental health service providers and services, in accordance with subsection (f);

“(6) the implementation of a team approach to school counseling in the schools served by the eligible entity by working toward ratios of school counselors, school social workers, and school psychologists to students recommended to enable such personnel to effectively address the needs of students; and

“(7) any other activity determined necessary by the eligible entity that meets the purpose of this part

“(d) LIMITATION ON ADMINISTRATIVE COSTS.—Not more than 4 percent of the amounts made available under
this section for any fiscal year may be used for administra-
tive costs to carry out this section.

“(e) REPORT.—Not later than 2 years after assist-
ance is made available to eligible entities under subsection
(a), the Secretary shall make publicly available a report—

“(1) evaluating the programs assisted pursuant
to each grant under this section; and

“(2) outlining the information from eligible en-
tities regarding the ratios of students to—

“(A) school counselors;

“(B) school social workers; and

“(C) school psychologists.

“(f) SUPPLEMENT, NOT SUPPLANT.—Funds made
available under this section shall be used to supplement,
and not supplant, other Federal, State, or local funds used
for providing school-based counseling and mental health
services to students.

“(g) DEFINITIONS.—In this section:

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

“(A) a local educational agency;

“(B) an educational service agency serving
more than 1 local educational agency; or

“(C) a consortium of local educational
agencies.
“(2) School-based mental health service provider.—The term ‘school-based mental health service provider’ has the meaning given the term in section 4102.

“(3) School counselor.—The term ‘school counselor’ means an individual who meets the criteria for licensure or certification as a school counselor in the State where the individual is employed.

“(4) School psychologist.—The term ‘school psychologist’ means an individual who is licensed or certified in school psychology by the State in which the individual is employed.

“(5) School social worker.—The term ‘school social worker’ means an individual who is licensed or certified as a school social worker for the State in which the individual is employed.

“(h) Authorization of Appropriations.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 2016 through 2021.”.

SEC. 4005. PHYSICAL EDUCATION PROGRAM.

Title IV (20 U.S.C. 7101 et seq.), as amended by sections 4001 and 4004, is further amended by adding at the end the following:
"PART D—PHYSICAL EDUCATION PROGRAM"

"SEC. 4401. PURPOSE.

"The purpose of this part is to award grants and contracts to initiate, expand, and improve physical education programs for all students in kindergarten through grade 12.

"SEC. 4402. PROGRAM AUTHORIZED.

"(a) Authorization.—From amounts made available to carry out this part, the Secretary is authorized to award grants or contracts to local educational agencies and community-based organizations to pay the Federal share of the costs of initiating, expanding, and improving physical education programs (including after-school programs) for students in kindergarten through grade 12, by—

"(1) providing materials and support to enable students to participate actively in physical education activities; and

"(2) providing funds for staff and teacher training and education relating to physical education.

"(b) Program Elements.—A physical education program that receives assistance under this part may provide for 1 or more of the following:
“(1) Fitness education and assessment to help students understand, improve, or maintain their physical well-being.

“(2) Instruction in a variety of motor skills and physical activities designed to enhance the physical, mental, and social or emotional development of every student.

“(3) Development of, and instruction in, cognitive concepts about motor skill and physical fitness that support a lifelong healthy lifestyle.

“(4) Opportunities to develop positive social and cooperative skills through physical activity participation.

“(5) Instruction in healthy eating habits and good nutrition.

“(6) 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.

“(c) SPECIAL RULE.—For purposes of this part, extracurricular activities, such as team sports and Reserve Officers’ Training Corps program activities, shall not be considered as part of the curriculum of a physical education program assisted under this part.
“SEC. 4403. APPLICATIONS.

“(a) Submission.—Each local educational agency or community-based organization desiring a grant or contract under this part shall submit to the Secretary an application that contains a plan to initiate, expand, or improve physical education programs in order to make progress toward meeting State standards for physical education.

“(b) Private School and Home-schooled Students.—An application for a grant or contract under this part may provide for the participation, in the activities funded under this part, of—

“(1) students enrolled in private nonprofit elementary schools or secondary schools, and their parents and teachers; or

“(2) home-schooled students, and their parents and teachers.

“SEC. 4404. REQUIREMENTS.

“(a) Annual Report to the Secretary.—In order to continue receiving funding after the first year of a multiyear grant or contract under this part, the administrator of the grant or contract for the local educational agency or community-based organization shall submit to the Secretary an annual report that—

“(1) describes the activities conducted during the preceding year; and
“(2) demonstrates that progress has been made toward meeting State standards for physical education.

“(b) ADMINISTRATIVE EXPENSES.—Not more than 5 percent of the funds made available under this part to a local educational agency or community-based organization for any fiscal year may be used for administrative expenses.

“SEC. 4405. ADMINISTRATIVE PROVISIONS.

“(a) FEDERAL SHARE.—The Federal share under this part may not exceed—

“(1) 90 percent of the total cost of a program for the first year for which the program receives assistance under this part; and

“(2) 75 percent of such cost for the second and each subsequent such year.

“(b) PROPORTIONALITY.—To the extent practicable, the Secretary shall ensure that grants awarded under this part shall be equitably distributed among local educational agencies, and community-based organizations, serving urban and rural areas.

“(c) REPORT TO CONGRESS.—Not later than June 1, 2017, the Secretary shall submit a report to Congress that—
“(1) describes the programs assisted under this part;

“(2) documents the success of such programs in improving physical fitness; and

“(3) makes such recommendations as the Secretary determines appropriate for the continuation and improvement of the programs assisted under this part.

“(d) Availability of Funds.—Amounts made available to the Secretary to carry out this part shall remain available until expended.

“SEC. 4406. SUPPLEMENT, NOT SUPPLANT.

“Funds made available under this part shall be used to supplement, and not supplant, any other Federal, State, or local funds available for physical education activities.

“SEC. 4407. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to carry out this part such sums as may be necessary for each of fiscal years 2016 through 2021.”.

TITLE V—EMPOWERING PARENTS AND EXPANDING OPPORTUNITY THROUGH INNOVATION

SEC. 5001. GENERAL PROVISIONS.

Title V (20 U.S.C. 7201 et seq.) is amended—
(1) by striking the title heading and inserting 

“EMPOWERING PARENTS AND EXPANDING OPPORTUNITY THROUGH INNOVATION”;

(2) by striking part A;

(3) by striking subparts 2 and 3 of part B;

(4) by striking part D;

(5) by redesignating parts B and C as parts A and B, respectively;

(6) in part A, as redesignated by paragraph (5), by striking “Subpart 1—Charter School Programs”;

(7) by redesignating sections 5201 through 5211 as sections 5101 through 5111, respectively;

(8) by redesignating sections 5301 through 5307 as sections 5201 through 5207, respectively;

(9) by striking sections 5308 and 5310; and

(10) by redesignating sections 5309 and 5311 as sections 5208 and 5209, respectively.

SEC. 5002. PUBLIC CHARTER SCHOOLS.

Part A of title V (20 U.S.C. 7221 et seq.), as redesignated by section 5001(5), is amended—

(1) by striking sections 5101 through 5105, as redesignated by section 5001(7), and inserting the following:
“SEC. 5101. PURPOSE.

“It is the purpose of this part to—

“(1) provide financial assistance for the planning, program design, and initial implementation of charter schools;

“(2) increase the number of high-quality charter schools available to students across the United States;

“(3) evaluate the impact of such schools on student achievement, families, and communities, and share best practices among charter schools and other public schools;

“(4) encourage States to provide support to charter schools for facilities financing in an amount more nearly commensurate to the amount the States have typically provided for traditional public schools;

“(5) expand opportunities for children with disabilities, students who are English learners, and other traditionally underserved students to attend charter schools and meet the challenging State academic standards under section 1111(b)(1); and

“(6) support efforts to strengthen the charter school authorizing process to improve performance management, including transparency, monitoring, including financial audits, and evaluation of such schools.
SEC. 5102. PROGRAM AUTHORIZED.

(a) In general.—The Secretary is authorized to carry out a charter school program that supports charter schools that serve early childhood, elementary school, and secondary school students by—

“(1) supporting the startup of charter schools, the replication of high-quality charter schools, and the expansion of high-quality charter schools;

“(2) assisting charter schools in accessing credit to acquire and renovate facilities for school use; and

“(3) carrying out national activities to support—

“(A) the startup of charter schools, the replication of high-quality charter schools, and the expansion of high-quality charter schools;

“(B) the dissemination of best practices of charter schools for all schools;

“(C) the evaluation of the impact of the charter school program under this part on schools participating in such program; and

“(D) stronger charter school authorizing.

(b) Funding allotment.—From the amount made available under section 5111 for a fiscal year, the Secretary shall—
“(1) reserve 12.5 percent to support charter school facilities assistance under section 5104;

“(2) reserve not less than 25 percent to carry out national activities under section 5105; and

“(3) use the remaining amount after the reservations under paragraphs (1) and (2) to carry out section 5103.

“(c) PRIOR GRANTS AND SUBGRANTS.—The recipient of a grant or subgrant under this part (as such part was in effect on the day before the date of enactment of the Every Child Achieves Act of 2015) shall continue to receive funds in accordance with the terms and conditions of such grant or subgrant.

“SEC. 5103. GRANTS TO SUPPORT HIGH-QUALITY CHARTER SCHOOLS.

“(a) STATE ENTITY DEFINED.—For purposes of this section, the term ‘State entity’ means—

“(1) a State educational agency;

“(2) a State charter school board;

“(3) a Governor of a State; or

“(4) a charter school support organization.

“(b) PROGRAM AUTHORIZED.—From the amount available under section 5102(b)(3), the Secretary shall award, on a competitive basis, grants to State entities hav-
ing applications approved under subsection (f) to enable such entities to—

“(1) award subgrants to eligible applicants to enable such eligible applicants to—

“(A) open new charter schools;

“(B) replicate high-quality charter school models; or

“(C) expand high-quality charter schools;

and

“(2) provide technical assistance to eligible applicants and authorized public chartering agencies in carrying out the activities described in paragraph (1), and work with authorized public chartering agencies in the State to improve authorizing quality, including developing capacity for and conducting fiscal oversight and auditing of charter schools.

“(c) STATE ENTITY USES OF FUNDS.—

“(1) IN GENERAL.—A State entity receiving a grant under this section shall—

“(A) use not less than 90 percent of the grant funds to award subgrants to eligible applicants, in accordance with the quality charter school program described in the State entity’s application pursuant to subsection (f), for the
purposes described in subparagraphs (A) through (C) of subsection (b)(1);

“(B) reserve not less than 7 percent of such funds to carry out the activities described in subsection (b)(2); and

“(C) reserve not more than 3 percent of such funds for administrative costs, which may include the administrative costs of providing technical assistance.

“(2) CONTRACTS AND GRANTS.—A State entity may use a grant received under this section to carry out the activities described in paragraph (1)(A) directly or through grants, contracts, or cooperative agreements.

“(3) RULES OF CONSTRUCTION.—

“(A) USE OF LOTTERY MECHANISMS.—Nothing in this Act shall prohibit the Secretary from awarding grants to State entities, or State entities from awarding subgrants to eligible applicants, that use a weighted lottery, or an equivalent lottery mechanism, to give better chances for school admission to all or a subset of educationally disadvantaged students if—

“(i) the use of a weighted lottery in favor of such students is not prohibited by
State law, and such State law is consistent with the laws described in section 5110(2)(G); and

“(ii) such weighted lottery is not used for the purpose of creating schools exclusively to serve a particular subset of students.

“(B) STUDENTS WITH SPECIAL NEEDS.— Nothing in this paragraph shall be construed to prohibit schools from specializing in providing specific services for students with a demonstrated need for such services, such as students who need specialized instruction in reading, spelling, or writing.

“(d) PROGRAM PERIODS; PEER REVIEW; DISTRIBUTION OF SUBGRANTS; WAIVERS.—

“(1) PROGRAM PERIODS.—

“(A) GRANTS.—A grant awarded by the Secretary to a State entity under this section shall be for a period of not more than 3 years, and may be renewed by the Secretary for one additional 2-year period.

“(B) SUBGRANTS.—A subgrant awarded by a State entity under this section—
“(i) shall be for a period of not more than 3 years, of which an eligible applicant may use not more than 18 months for planning and program design; and

“(ii) may be renewed by the State entity for one additional 2-year period.

“(2) Peer review.—The Secretary, and each State entity awarding subgrants under this section, shall use a peer-review process to review applications for assistance under this section.

“(3) Distribution of subgrants.—Each State entity awarding subgrants under this section shall award subgrants in a manner that, to the extent practicable and applicable, ensures that such subgrants—

“(A) prioritize eligible applicants that plan to serve a significant number of students from low-income families;

“(B) are distributed throughout different areas, including urban, suburban, and rural areas; and

“(C) will assist charter schools representing a variety of educational approaches.

“(4) Waivers.—The Secretary may waive any statutory or regulatory requirement over which the
Secretary exercises administrative authority under this Act with respect to charter schools supported under this part, except any such requirement relating to the elements of a charter school described in section 5110(2), if—

“(A) the waiver is requested in an approved application under this section; and

“(B) the Secretary determines that granting such waiver will promote the purposes of this part.

“(e) LIMITATIONS.—

“(1) GRANTS.—A State entity may not receive more than 1 grant under this section at a time.

“(2) SUBGRANTS.—An eligible applicant may not receive more than 1 subgrant under this section for each individual charter school for each grant period or renewal period, unless the eligible applicant demonstrates to the State entity that such individual charter school has demonstrated a strong track record of positive results over the course of the grant period regarding the elements described in subparagraphs (A) and (D) of section 5110(8).

“(f) APPLICATIONS.—A State entity desiring to receive a grant under this section shall submit an application to the Secretary at such time and in such manner as the
Secretary may require. The application shall include the following:

“(1) Description of Program.—A description of the State entity’s objectives in running a quality charter school program under this section and how the objectives of the program will be carried out, including—

“(A) a description of how the State entity will—

“(i) support the opening of new charter schools and, if applicable, the replication of high-quality charter schools and the expansion of high-quality charter schools, including the proposed number of charter schools to be opened, replicated, or expanded under the State entity’s program;

“(ii) inform eligible charter schools, developers, and authorized public chartering agencies of the availability of funds under the program;

“(iii) work with eligible applicants to ensure that the eligible applicants access all Federal funds that such applicants are eligible to receive, and help the charter schools supported by the applicants and
the students attending those charter schools—

“(I) participate in the Federal programs in which the schools and students are eligible to participate; and

“(II) receive the commensurate share of Federal funds the schools and students are eligible to receive under such programs;

“(iv) in the case of a State entity that is not a State educational agency—

“(I) work with the State educational agency and the charter schools in the State to maximize charter school participation in Federal and State programs for charter schools; and

“(II) work with the State educational agency to operate the State entity’s program under this section, if applicable;

“(v) ensure each eligible applicant that receives a subgrant under the State entity’s program—
“(I) is opening or expanding schools that meet the definition of a charter school under section 5110; and

“(II) is prepared to continue to operate such charter schools once the subgrant funds under this section are no longer available;

“(vi) support charter schools in local educational agencies with schools that have been identified by the State under section 1114(a)(1)(A);

“(vii) work with charter schools to promote inclusion of all students and support all students upon enrollment in order to promote retention of students in the school;

“(viii) work with charter schools on recruitment practices, including efforts to engage groups that may otherwise have limited opportunities to attend charter schools;

“(ix) share best and promising practices among charter schools and other public schools;
“(x) ensure that charter schools receiving funds under the State entity’s program meet the educational needs of their students, including children with disabilities and students who are English learners; and

“(xi) support efforts to increase charter school quality initiatives, including meeting the quality authorizing elements described in paragraph (2)(D);

“(B) a description of how the State will actively monitor and hold authorized public chartering agencies accountable to ensure high-quality authorizing activity, including by establishing authorizing standards and by approving, reapproving, and revoking the authority of an authorized public chartering agency based on the performance of the charter schools authorized by such agency in the areas of student achievement, student safety, financial and operational management, and compliance with all applicable statutes;

“(C) a description of the extent to which the State entity—
“(i) is able to meet and carry out the 
priorities described in subsection (g)(2); 

“(ii) is working to develop or 
strengthen a cohesive statewide system to 
support the opening of new charter schools 
and, if applicable, the replication of high-
quality charter schools, and the expansion 
of high-quality charter schools; and 

“(iii) will solicit and consider input 
from parents and other members of the 
community on the implementation and op-
eration of each charter school receiving 
funds under the State entity’s charter 
school program under this section; 

“(D) a description of how the State entity 
will award subgrants, on a competitive basis, in-
cluding—

“(i) a description of the application 
each eligible applicant desiring to receive a 
subgrant will be required to submit, which 
application shall include—

“(I) a description of the roles 
and responsibilities of eligible appli-
cants, and of any charter management 
organizations or other organizations
with which the eligible applicant will partner to open charter schools, including the administrative and contractual roles and responsibilities of such partners;

“(II) a description of the quality controls agreed to between the eligible applicant and the authorized public chartering agency involved, such as a contract or performance agreement, financial audits to ensure adequate fiscal oversight, and how a school’s performance on the State’s accountability system and impact on student achievement (which may include student academic growth) will be one of the most important factors for renewal or revocation of the school’s charter;

“(III) a description of how the autonomy and flexibility granted to a charter school is consistent with the definition of a charter school in section 5110; and
“(IV) a description of the eligible applicant’s planned activities and expenditures of subgrant funds for purposes of opening a new charter school, replicating a high-quality charter school, or expanding a high-quality charter school, and how the eligible applicant will maintain fiscal sustainability after the end of the subgrant period; and

“(ii) a description of how the State entity will review applications from eligible applicants;

“(E) in the case of a State entity that partners with an outside organization to carry out the entity’s quality charter school program, in whole or in part, a description of the roles and responsibilities of the partner; and

“(F) a description of how the State entity will help the charter schools receiving funds under the State entity’s program address the transportation needs of the schools’ students.

“(2) ASSURANCES.—Assurances that—

“(A) each charter school receiving funds through the State entity’s program will have a
high degree of autonomy over budget and operations, including autonomy over personnel decisions;

“(B) the State entity will support charter schools in meeting the educational needs of their students, as described in paragraph (1)(A)(x);

“(C) the State entity will ensure that the authorized public chartering agency of any charter school that receives funds under the entity’s program—

“(i) ensures that the charter school under the authority of such agency is meeting the requirements of this Act, part B of the Individuals with Disabilities Education Act, title VI of the Civil Rights Act of 1964, and section 504 of the Rehabilitation Act of 1973; and

“(ii) adequately monitors and provides adequate technical assistance to each charter school under the authority of such agency in recruiting, enrolling, retaining, and meeting the needs of all students, including children with disabilities and students who are English learners;
“(D) the State entity will promote quality authorizing, such as through providing technical assistance to support each authorized public chartering agency in the State to improve such agency’s ability to monitor the charter schools authorized by the agency, including by—

“(i) using annual performance data, which may include graduation rates and student academic growth data, as appropriate, to measure a school’s progress toward becoming a high-quality charter school;

“(ii) reviewing the schools’ independent, annual audits of financial statements conducted in accordance with generally accepted accounting principles, and ensuring any such audits are publically reported; and

“(iii) holding charter schools accountable to the academic, financial, and operational quality controls agreed to between the charter school and the authorized public chartering agency involved, such as through renewal, non-renewal, or revocation of the school’s charter; and
“(E) the State entity will ensure that each charter school in the State makes publicly available, consistent with the dissemination requirements of the annual State report card, including on the website of the school, information to help parents make informed decisions about the education options available to their children, including information on the educational program, student support services, parent contract requirements (as applicable), including any financial obligations or fees, enrollment criteria (as applicable), and annual performance and enrollment data for each of the categories of students, as defined in section 1111(b)(3)(A).

“(3) REQUESTS FOR WAIVERS.—

“(A) FEDERAL STATUTE AND REGULATION.—A request and justification for waivers of any Federal statutory or regulatory provisions that the State entity believes are necessary for the successful operation of the charter schools that will receive funds under the entity’s program under this section.

“(B) STATE AND LOCAL RULES.—A description of any State or local rules, generally applicable to public schools, that will be waived,
or otherwise not apply, to such schools or, in the case of a State entity defined in subsection (a)(4), a description of how the State entity will work with the State to request necessary waivers, if applicable.

“(g) SELECTION CRITERIA; PRIORITY.—

“(1) SELECTION CRITERIA.—The Secretary shall award grants to State entities under this section on the basis of the quality of the applications submitted under subsection (f), after taking into consideration—

“(A) the degree of flexibility afforded by the State’s public charter school law and how the State entity will work to maximize the flexibility provided to charter schools under such law;

“(B) the proposed number of new charter schools to be opened, and, if applicable, the number of high-quality charter schools to be replicated or expanded under the program, and the number of new students to be served by such schools;

“(C) the likelihood that the schools opened, replicated, or expanded by eligible applicants receiving subgrant funds will increase the aca-
demeric achievement of the school’s students and
progress toward becoming high-quality charter
schools; and
“(D) the quality of the State entity’s plan
to—
“(i) monitor the eligible applicants re-
ceiving subgrants under the State entity’s
program;
“(ii) provide technical assistance and
support for—
“(I) the eligible applicants receiv-
ing subgrants under the State entity’s
program; and
“(II) quality authorizing efforts
in the State.
“(2) PRIORITY.—In awarding grants under this
section, the Secretary shall give priority to a State
entity to the extent that the entity meets the fol-
lowing criteria:
“(A) The State entity is located in a State
that—
“(i) allows at least one entity that is
not the local educational agency to be an
authorized public chartering agency for
each developer seeking to open a charter school in the State; or

“(ii) in the case of a State in which local educational agencies are the only authorized public chartering agencies, the State has an appeals process for the denial of an application for a charter school.

“(B) The State entity is located in a State that ensures that charter schools receive equitable financing, as compared to traditional public schools, in a prompt manner.

“(C) The State entity is located in a State that provides charter schools one or more of the following:

“(i) Funding for facilities.

“(ii) Assistance with facilities acquisition.

“(iii) Access to public facilities.

“(iv) The ability to share in bonds or mill levies.

“(v) The right of first refusal to purchase public school buildings.

“(vi) Low- or no-cost leasing privileges.
“(D) The State entity is located in a State that uses best practices from charter schools to help improve struggling schools and local educational agencies.

“(E) The State entity supports charter schools that support at-risk students through activities such as dropout prevention or dropout recovery.

“(F) The State entity ensures that each charter school has a high degree of autonomy over the charter school’s budget and operations, including autonomy over personnel decisions.

“(G) The State entity has taken steps to ensure that all authorizing public chartering agencies implement best practices for charter school authorizing.

“(h) LOCAL USES OF FUNDS.—An eligible applicant receiving a subgrant under this section shall use such funds to carry out activities related to opening a new charter school, replicating a high-quality charter school, or expanding a high-quality charter school, which may include—

“(1) supporting the acquisition, expansion, or preparation of a charter school building to meet increasing enrollment needs, including financing the
development of a new building and ensuring that a school building complies with applicable statutes and regulations;

“(2) paying costs associated with hiring additional teachers to serve additional students;

“(3) providing transportation to students to and from the charter school;

“(4) providing instructional materials, implementing teacher and principal or other school leader professional development programs, and hiring additional nonteaching staff;

“(5) supporting any necessary activities that assist the charter school in carrying out this section, such as preparing individuals to serve as members of the charter school’s board; and

“(6) providing early childhood education programs for children, including direct support to, and coordination with school- or community-based early childhood education programs.

“(i) Reporting Requirements.—Each State entity receiving a grant under this section shall submit to the Secretary, at the end of the third year of the grant period and at the end of any renewal period, a report that includes the following:
“(1) The number of students served by each subgrant awarded under this section and, if applicable, the number of new students served during each year of the grant period.

“(2) The number and amount of subgrants awarded under this section to carry out each of the following:

“(A) The opening of new charter schools.

“(B) The replication of high-quality charter schools.

“(C) The expansion of high-quality charter schools.

“(3) The progress the State entity made toward meeting the priorities described in subparagraphs (E) through (G) of subsection (g)(2).

“(4) A description of—

“(A) how the State entity complied with, and ensured that eligible applicants complied with, the assurances described in the State entity’s application;

“(B) how the State entity worked with authorized public chartering agencies, and how the agencies worked with the management company or leadership of the schools that receive subgrant funds, if applicable; and
“(C) how each recipient of a subgrant under this section uses the subgrant funds on early childhood education programs described in subsection (h)(6), if such recipient chooses to use such funds on such programs.

“SEC. 5104. FACILITIES FINANCING ASSISTANCE.

“(a) GRANTS TO ELIGIBLE ENTITIES.—

“(1) IN GENERAL.—From the amount reserved under section 5102(b)(1), the Secretary shall use not less than 50 percent to award not less than 3 grants, on a competitive basis, to eligible entities that have the highest-quality applications approved under subsection (d) to demonstrate innovative methods of helping charter schools to address the cost of acquiring, constructing, and renovating facilities by enhancing the availability of loans or bond financing.

“(2) ELIGIBLE ENTITY DEFINED.—For the purposes of this section, the term ‘eligible entity’ means—

“(A) a public entity, such as a State or local governmental entity;

“(B) a private nonprofit entity; or

“(C) a consortium of entities described in subparagraphs (A) and (B).
“(b) GRANTEE SELECTION.—The Secretary shall evaluate each application submitted under subsection (d), and shall determine whether the application is sufficient to merit approval.

“(c) GRANT CHARACTERISTICS.—Grants under subsection (a) shall be of a sufficient size, scope, and quality so as to ensure an effective demonstration of an innovative means of enhancing credit for the financing of charter school acquisition, construction, or renovation.

“(d) APPLICATIONS.—

“(1) IN GENERAL.—An eligible entity desiring to receive a grant under this section shall submit an application to the Secretary in such form as the Secretary may reasonably require.

“(2) CONTENTS.—An application submitted under paragraph (1) shall contain—

“(A) a statement identifying the activities that the eligible entity proposes to carry out with funds received under subsection (a), including how the eligible entity will determine which charter schools will receive assistance, and how much and what types of assistance charter schools will receive;
“(B) a description of the involvement of charter schools in the application’s development and the design of the proposed activities;

“(C) a description of the eligible entity’s expertise in capital market financing;

“(D) a description of how the proposed activities will leverage the maximum amount of private-sector financing capital relative to the amount of government funding used and otherwise enhance credit available to charter schools, including how the entity will offer a combination of rates and terms more favorable than the rates and terms that a charter school could receive without assistance from the entity under this section;

“(E) a description of how the eligible entity possesses sufficient expertise in education to evaluate the likelihood of success of a charter school program for which facilities financing is sought; and

“(F) in the case of an application submitted by a State governmental entity, a description of the actions that the entity has taken, or will take, to ensure that charter schools within the State receive the funding
that charter schools need to have adequate fa-
cilities.

“(e) CHARTER SCHOOL OBJECTIVES.—An eligible
entity receiving a grant under this section shall use the
funds deposited in the reserve account established under
subsection (f) to assist one or more charter schools to ac-
cess private sector capital to accomplish one or more of
the following objectives:

“(1) The acquisition (by purchase, lease, dona-
tion, or otherwise) of an interest (including an inter-
est 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 oper-
ation of a charter school.

“(2) The construction of new facilities, includ-
ing predevelopment costs, or the renovation, repair,
or alteration of existing facilities, necessary to com-
merce or continue the operation of a charter school.

“(3) The predevelopment costs required to as-
ss sites for purposes of paragraph (1) or (2) and
which are necessary to commence or continue the
operation of a charter school.

“(f) RESERVE ACCOUNT.—

“(1) USE OF FUNDS.—To assist charter schools
in accomplishing the objectives described in sub-
section (e), an eligible entity receiving a grant under subsection (a) shall, in accordance with State and local law, directly or indirectly, alone or in collaboration with others, deposit the funds received under subsection (a) (other than funds used for administrative costs in accordance with subsection (g)) in a reserve account established and maintained by the eligible entity for this purpose. Amounts deposited in such account shall be used by the eligible entity for one or more of the following purposes:

“(A) Guaranteeing, insuring, and reinsuring bonds, notes, evidences of debt, loans, and interests therein, the proceeds of which are used for an objective described in subsection (e).

“(B) Guaranteeing and insuring leases of personal and real property for an objective described in such subsection.

“(C) Facilitating financing by identifying potential lending sources, encouraging private lending, and other similar activities that directly promote lending to, or for the benefit of, charter schools.

“(D) Facilitating the issuance of bonds by charter schools, or by other public entities for
the benefit of charter schools, by providing technical, administrative, and other appropriate assistance (including the recruitment of bond counsel, underwriters, and potential investors and the consolidation of multiple charter school projects within a single bond issue).

“(2) INVESTMENT.—Funds received under this section and deposited in the reserve account established under paragraph (1) shall be invested in obligations issued or guaranteed by the United States or a State, or in other similarly low-risk securities.

“(3) REINVESTMENT OF EARNINGS.—Any earnings on funds received under subsection (a) shall be deposited in the reserve account established under paragraph (1) and used in accordance with this subsection.

“(g) LIMITATION ON ADMINISTRATIVE COSTS.—An eligible entity may use not more than 2.5 percent of the funds received under subsection (a) for the administrative costs of carrying out its responsibilities under this section (excluding subsection (k)).

“(h) AUDITS AND REPORTS.—

“(1) FINANCIAL RECORD MAINTENANCE AND AUDIT.—The financial records of each eligible entity receiving a grant under subsection (a) shall be main-
tained in accordance with generally accepted ac-
counting principles and shall be subject to an annual
audit by an independent public accountant.

“(2) Reports.—

“(A) Grantee Annual Reports.—Each
eligible entity receiving a grant under sub-
section (a) annually shall submit to the Sec-
retary a report of the entity’s operations and
activities under this section.

“(B) Contents.—Each annual report
submitted under subparagraph (A) shall in-
clude—

“(i) a copy of the most recent finan-
cial statements, and any accompanying
opinion on such statements, prepared by
the independent public accountant review-
ing the financial records of the eligible en-
tity;

“(ii) a copy of any report made on an
audit of the financial records of the eligible
entity that was conducted under paragraph
(1) during the reporting period;

“(iii) an evaluation by the eligible en-
tity of the effectiveness of its use of the
Federal funds provided under subsection (a) in leveraging private funds;

“(iv) a listing and description of the charter schools served during the reporting period, including the amount of funds used by each school, the type of project facilitated by the grant, and the type of assistance provided to the charter schools;

“(v) a description of the activities carried out by the eligible entity to assist charter schools in meeting the objectives set forth in subsection (e); and

“(vi) a description of the characteristics of lenders and other financial institutions participating in the activities carried out by the eligible entity under this section (excluding subsection (k)) during the reporting period.

“(C) SECRETARIAL REPORT.—The Secretary shall review the reports submitted under subparagraph (A) and shall provide a comprehensive annual report to Congress on the activities conducted under this section (excluding subsection (k)).
“(i) No Full Faith and Credit for Grantee Obligation.—No financial obligation of an eligible entity entered into pursuant to this section (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 section.

“(j) Recovery of Funds.—

“(1) In General.—The Secretary, in accordance with chapter 37 of title 31, United States Code, shall collect—

“(A) all of the funds in a reserve account established by an eligible entity under subsection (f)(1) if the Secretary determines, not earlier than 2 years after the date on which the eligible entity first received funds under this section (excluding subsection (k)), that the eligible entity has failed to make substantial progress in carrying out the purposes described in subsection (f)(1); or

“(B) all or a portion of the funds in a reserve account established by an eligible entity
under subsection (f)(1) if the Secretary deter-
mines that the eligible entity has permanently
ceased to use all or a portion of the funds in
such account to accomplish any purpose de-
scribed in such subsection.

“(2) Exercise of Authority.—The Secretary
shall not exercise the authority provided in para-
graph (1) to collect from any eligible entity any
funds that are being properly used to achieve one or
more of the purposes described in subsection (f)(1).

“(3) Procedures.—The provisions of sections
451, 452, and 458 of the General Education Provi-
sions Act shall apply to the recovery of funds under
paragraph (1).

“(4) Construction.—This subsection shall
not be construed to impair or affect the authority of
the Secretary to recover funds under part D of the

“(k) Per-pupil Facilities Aid Program.—

“(1) Definition of per-pupil facilities aid
program.—In this subsection, the term ‘per-pupil
facilities aid program’ means a program in which a
State makes payments, on a per-pupil basis, to char-
ter schools to provide the schools with financing—
“(A) that is dedicated solely for funding charter school facilities; or

“(B) a portion of which is dedicated for funding charter school facilities.

“(2) GRANTS.—

“(A) IN GENERAL.—From the amount reserved under section 5102(b)(1) and remaining after the Secretary makes grants under subsection (a), the Secretary shall make grants, on a competitive basis, to States to pay for the Federal share of the cost of establishing or enhancing, and administering, per-pupil facilities aid programs.

“(B) PERIOD.—The Secretary shall award grants under this subsection for periods of not more than 5 years.

“(C) FEDERAL SHARE.—The Federal share of the cost described in subparagraph (A) for a per-pupil facilities aid program shall be not more than—

“(i) 90 percent of the cost, for the first fiscal year for which the program receives assistance under this subsection;

“(ii) 80 percent for the second such year;
“(iii) 60 percent for the third such year;

“(iv) 40 percent for the fourth such year; and

“(v) 20 percent for the fifth such year.

“(D) State share.—A State receiving a grant under this subsection may partner with 1 or more organizations, and such organizations may provide not more than 50 percent of the State share of the cost of establishing or enhancing, and administering, the per-pupil facilities aid program.

“(E) Multiple grants.—A State may receive more than 1 grant under this subsection, so long as the amount of such grant funds provided to charter schools increases with each successive grant.

“(3) Use of funds.—

“(A) In general.—A State that receives a grant under this subsection shall use the funds made available through the grant to establish or enhance, and administer, a per-pupil facilities aid program for charter schools in the State of the applicant.
“(B) Evaluations; technical assistance; dissemination.—From the amount made available to a State through a grant under this subsection for a fiscal year, the State may reserve not more than 5 percent to carry out evaluations, to provide technical assistance, and to disseminate information.

“(C) Supplement, not supplant.—In accordance with the method of determination described in section 1117, funds made available under this subsection shall be used to supplement, and not supplant, State and local public funds expended to provide per-pupil facilities aid programs, operations financing programs, or other programs, for charter schools.

“(4) Requirements.—

“(A) Voluntary participation.—No State may be required to participate in a program carried out under this subsection.

“(B) State law.—

“(i) In general.—To be eligible to receive a grant under this subsection, a State shall establish or enhance, and administer, a per-pupil facilities aid program for charter schools in the State, that—
“(I) is specified in State law; and
“(II) provides annual financing,
on a per-pupil basis, for charter
school facilities.
“(ii) SPECIAL RULE.—A State that is
required under State law to provide its
charter schools with access to adequate fa-
cility space may be eligible to receive a
grant under this subsection if the State
agrees to use the funds to develop a per-
pupil facilities aid program consistent with
the requirements of this subsection.
“(5) APPLICATIONS.—To be eligible to receive a
grant under this subsection, a State shall submit an
application to the Secretary at such time, in such
manner, and containing such information as the Sec-
retary may require.

“SEC. 5105. NATIONAL ACTIVITIES.
“(a) IN GENERAL.—From the amount reserved
under section 5102(b)(2), the Secretary shall—
“(1) use not less than 80 percent of such funds
to award grants in accordance with subsection (b);
and
“(2) use the remainder of such funds to—
“(A) disseminate technical assistance to State entities in awarding subgrants under section 5103(b)(1)(A);

“(B) disseminate best practices regarding public charter schools;

“(C) evaluate the impact of the charter school program carried out under this part, including the impact on student achievement; and

“(D) award grants, on a competitive basis, for the purpose of carrying out the activities described in section 5103(h), to eligible applicants that desire to open a charter school, replicate a high-quality charter school, or expand a high-quality charter school in—

“(i) a State that did not apply for a grant under section 5103; or

“(ii) a State that did not receive a grant under section 5103.

“(b) Grants for the Replication and Expansion of High-Quality Charter Schools.—The Secretary shall make grants, on a competitive basis, to eligible entities having applications approved under paragraph (2) to enable such entities to replicate a high-quality charter school or expand a high-quality charter school.
“(1) Definition of eligible entity.—For purposes of this subsection, the term ‘eligible entity’ means—

“(A) a charter management organization that, at the time of the application, operates or manages one or more high-quality charter schools; or

“(B) a nonprofit organization that oversees and coordinates the activities of a group of such charter management organizations.

“(2) Application requirements.—An eligible entity desiring to receive a grant under this subsection shall submit an application to the Secretary at such time and in such manner as the Secretary may require. The application shall include the following:

“(A) A description of the eligible entity’s objectives for implementing a high-quality charter school program with funding under this subsection, including a description of the proposed number of high-quality charter schools to be replicated or expanded with funding under this subsection.

“(B) A description of the educational program that the eligible entity will implement in
the charter schools that the eligible entity proposes to replicate or expand, including information on how the program will enable all students to meet the challenging State academic standards under section 1111(b)(1), the grade levels or ages of students that will be served, and the instructional practices that will be used.

“(C) A multi-year financial and operating model for the eligible entity, including a description of how the operation of the charter schools to be replicated or expanded will be sustained after the grant under this subsection has ended.

“(D) A description of how the eligible entity will inform all students in the community, including children with disabilities, students who are English learners, and other educationally disadvantaged students, about the charter schools to be replicated or expanded with funding under this subsection.

“(E) For each charter school currently operated or managed by the eligible entity—
“(i) student assessment results for all students and for each category of students described in section 1111(b)(2)(B)(xi); and
“(ii) attendance and student retention rates for the most recently completed school year and, if applicable, the most recent available 4-year adjusted cohort and extended-year adjusted cohort secondary school graduation rates (as such rates were calculated on the day before enactment of the Every Child Achieves Act of 2015).
“(F) Information on any significant compliance issues encountered, within the last 3 years, by any school operated or managed by the eligible entity, including in the areas of student safety and financial management.
“(G) A request and justification for any waivers of Federal statutory or regulatory requirements that the eligible entity believes are necessary for the successful operation of the charter schools to be replicated or expanded with funding under this subsection.
“(3) SELECTION CRITERIA.—The Secretary shall select eligible entities to receive grants under this subsection, on the basis of the quality of the ap-
applications submitted under paragraph (2), after taking into consideration such factors as—

“(A) the degree to which the eligible entity has demonstrated success in increasing academic achievement and attainment for all students attending the charter schools the eligible entity operates or manages;

“(B) the degree to which the eligible entity has demonstrated success in increasing academic achievement and attainment for each of the categories of students, as defined in section 1111(b)(3)(A);

“(C) the quality of the eligible entity’s financial and operating model as described under paragraph (2)(C), including the quality of the eligible entity’s plan for sustaining the operation of the charter schools to be replicated or expanded after the grant under this subsection has ended;

“(D) a determination that the eligible entity has not operated or managed a significant proportion of charter schools that—

“(i) have been closed;
“(ii) have had a school charter revoked due to problems with statutory or regulatory compliance; or

“(iii) have had the school’s affiliation with the eligible entity revoked; and

“(E) a determination that the eligible entity has not experienced significant problems with statutory or regulatory compliance that could lead to the revocation of a school’s charter.

“(4) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to eligible entities that operate or manage charter schools that, in the aggregate, serve students at least 60 percent of whom are eligible for a free or reduced price lunch under the Richard B. Russell National School Lunch Act.

“(5) TERMS AND CONDITIONS.—Except as otherwise provided in this subsection, grants awarded under subsection (a)(2)(D) and this subsection shall have the same terms and conditions as grants awarded to State entities under section 5103.”;

(2) in section 5106 (20 U.S.C. 7221e), as redesignated by section 5001(7), by adding at the end the following:
“(c) New or Significantly Expanding Charter Schools.—For purposes of implementing the hold harmless protections in sections 1122(c) and 1125A(g)(3) for a newly opened or significantly expanded charter school under subsection (a), a State educational agency shall calculate a hold-harmless base for the prior year that, as applicable, reflects the new or significantly expanded enrollment of the charter school.”;

(3) in section 5108 (20 U.S.C. 7221g), as redesignated by section 5001(7), by inserting “as quickly as possible and” before “to the extent practicable”;

(4) in section 5110 (20 U.S.C. 7221i), as redesignated by section 5001(7)—

(A) by redesignating paragraphs (1), (2), and (3) as paragraphs (2), (5), and (6), respectively;

(B) by redesignating paragraph (4) as paragraph (1), and moving such paragraph so as to precede paragraph (2), as redesignated by subparagraph (A);

(C) in paragraph (2), as redesignated by subparagraph (A)—

(i) in subparagraph (G), by striking “, and part B” and inserting “, the Ameri-

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

“(H) is a school to which parents choose to send their children, and which—

“(i) admits students on the basis of a lottery, if more students apply for admission than can be accommodated; or

“(ii) in the case of a school that has an affiliated charter school (such as a school that is part of the same network of schools), automatically enrolls students who are enrolled in the immediate prior grade level of the affiliated charter school and, for any additional student openings or student openings created through regular attrition in student enrollment in the affiliated charter school and the enrolling school, admits students on the basis of a lottery as described in clause (i);”;}
(iii) by striking subparagraph (I) and inserting the following:

“(I) agrees to comply with the same Federal and State audit requirements as do other elementary schools and secondary schools in the State, unless such State audit requirements are waived by the State;”;

(iv) in subparagraph (K), by striking “and” at the end;

(v) in subparagraph (L), by striking the period at the end and inserting “; and”;

(vi) by adding at the end, the following:

“(M) may serve students in early childhood education programs or post-secondary students.”;

(D) by inserting after paragraph (2), as redesignated by subparagraph (A), the following:

“(3) CHARTER MANAGEMENT ORGANIZATION.—
The term ‘charter management organization’ means a nonprofit organization that operates or manages multiple charter schools by centralizing or sharing certain functions or resources.
“(4) Charter school support organization.—The term ‘charter school support organization’ means a nonprofit, nongovernmental entity that is not an authorized public chartering agency and provides, on a statewide basis—

“(A) assistance to developers during the planning, program design, and initial implementation of a charter school; and

“(B) technical assistance to operating charter schools.”;

(E) in paragraph (6)(B), as redesignated by subparagraph (A), by striking “under section 5203(d)(3)”;

(F) by adding at the end the following:

“(7) Expansion of a high-quality charter school.—The term ‘expansion of a high-quality charter school’ means increasing the enrollment at a high-quality charter school by not less than 50 percent or adding 2 or more grades to a high-quality charter school.

“(8) High-quality charter school.—The term ‘high-quality charter school’ means a charter school that—
“(A) shows evidence of strong academic results, which may include strong student academic growth, as determined by a State;

“(B) has no significant issues in the areas of student safety, financial management, or statutory or regulatory compliance;

“(C) has demonstrated success in significantly increasing student academic achievement, including graduation rates where applicable, for all students served by the charter school; and

“(D) has demonstrated success in increasing student academic achievement, including graduation rates where applicable, for each of the categories of students, as defined in section 1111(b)(3)(A), except that such demonstration is not required in a case in which the number of students in a group is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student.

“(9) Replication of a High-Quality Charter School.—The term ‘replication of a high-quality charter school’ means the opening of a charter school—
“(A) under an existing charter or an additional charter, if permitted by State law;
“(B) based on the model of a high-quality charter school; and
“(C) that will be operated or managed by the same nonprofit organization that operates or manages such high-quality charter school under an existing charter.”; and
(5) by striking section 5111 (20 U.S.C. 7221j), as redesignated by section 5001(7), and inserting the following:

“SEC. 5111. AUTHORIZATION OF APPROPRIATIONS. “There are authorized to be appropriated to carry out this part such sums as may be necessary for each of fiscal years 2016 through 2021.”.

SEC. 5003. MAGNET SCHOOLS ASSISTANCE. Part B of title V (20 U.S.C. 7231 et seq.), as redesignated by section 5001(5), is amended—
(1) in section 5201(b), as redesignated by section 5001(8)—
(A) in paragraph (1)—
(i) by inserting “and the increase of socioeconomic integration” before “in elementary schools and secondary schools”; and
(ii) by inserting “low-income and” before “minority students”;

(B) in paragraph (2)—

(i) by striking “and implementation” and inserting “, implementation, and expansion”; and

(ii) by striking “content standards and student academic achievement standards” and inserting “standards under section 1111(b)(1)”;

(C) in paragraph (3), by striking “and design” and inserting “, design, and expansion”; 

(D) in paragraph (4), by striking “vocational” and inserting “career”; and

(E) in paragraph (6), by striking “productive employment” and inserting “to enter into the workforce without the need for postsecondary education”;

(2) in section 5202, as redesignated by section 5001(8), by striking “backgrounds” and inserting “, ethnic, and socioeconomic backgrounds”;

(3) in section 5205(b), as redesignated by section 5001(8)—

(A) in paragraph (1)—
(i) in subparagraph (A), by inserting “any available evidence on” before “how the proposed magnet school programs”;

(ii) in subparagraph (B), by inserting “, including any evidence available to support such description” before the semicolon;

(iii) by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively;

(iv) by inserting after subparagraph (C) the following:

“(D) how the applicant will assess, monitor, and evaluate the impact of the activities funded under this part on student achievement and integration;”; and

(B) in paragraph (2)—

(i) in the manner preceding subparagraph (A), by striking “will”;

(ii) in subparagraph (A)—

(I) by inserting “will” before “use grant funds”; and

(II) by striking “section 5301(b)” and inserting “section 5201(b)”;
(iii) in subparagraph (B), by striking “employ highly qualified” and inserting “will employ effective”; 

(iv) in subparagraph (C), by striking “not engage in” and inserting “is not currently engaging in and will not engage in”; 

(v) in subparagraph (D), by inserting “will” before carry out; and 

(vi) in subparagraph (E), by inserting “will” before “give students”; 

(4) in section 5206, as redesignated by section 5001(8), by striking paragraph (2) and inserting the following:

“(2) propose to—

“(A) carry out a new, evidence-based magnet school program;

“(B) significantly revise an existing magnet school program, using evidence-based methods and practices, as available; or 

“(C) expand an existing magnet school program that has a demonstrated record of success in increasing student academic achievement, reducing isolation of minority groups, and increasing socioeconomic integration; and’’;
(5) in section 5207, as redesignated by section 5001(8)—

(A) in subsection (a)—

(i) in paragraph (3), by striking “who are highly qualified”;

(ii) in paragraph (6), by striking “and” at the end;

(iii) in paragraph (7), by striking the period and inserting “; and”; and

(iv) by adding at the end the following:

“(8) to enable the local educational agency, or consortium of such agencies, or other organizations partnered with such agency or consortium, to establish, expand, or strengthen inter-district and regional magnet programs.”; and

(B) in subsection (b), by striking “the State’s challenging academic content” and all that follows through the period and inserting “the challenging State academic standards under section 1111(b)(1) or are directly related to improving student academic, career, or technological skills and professional skills.”;

(6) in section 5208, as redesignated by section 5001(10)—
(A) in subsection (a), by striking “for a period” and all that follows through the period and inserting “for 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 recipient of a grant under this part is achieving the intended outcomes of the grant and shows improvement in increasing student academic achievement, reducing minority group isolation, and increasing socio-economic integration, or other indicators of success established by the Secretary.”; and

(B) in subsection (d), by striking “July” and inserting “June”; and

(7) in section 5209, as redesignated by section 5001(10)—

(A) in subsection (a), by striking “$125,000,000” and all that follows through the period and inserting “such sums as may be necessary for each of fiscal years 2016 through 2021.”;

(B) by redesignating subsection (b) as subsection (c); and

(C) by inserting after subsection (a) the following:
“(b) Reservation for Technical Assistance.—

The Secretary may reserve not more than 1 percent of the funds appropriated under subsection (a) for any fiscal year to provide technical assistance and carry out dissemination projects with respect to magnet school programs assisted under this part.”.

SEC. 5004. SUPPORTING HIGH-ABILITY LEARNERS AND LEARNING.

Title V (20 U.S.C. 7201 et seq.), as amended by section 5001, is further amended by inserting after part B the following:

“PART C—SUPPORTING HIGH-ABILITY LEARNERS AND LEARNING

SEC. 5301. SHORT TITLE.

“‘This part may be cited as the ‘Jacob K. Javits Gifted and Talented Students Education Act of 2015’.

SEC. 5302. PURPOSE.

“The purpose of this part is to initiate a coordinated program of evidence-based research, demonstration projects, innovative strategies, and similar activities designed to build and enhance the ability of elementary schools and secondary schools nationwide to meet the special educational needs of gifted and talented students.
“SEC. 5303. RULE OF CONSTRUCTION.

“Nothing in this part shall be construed to prohibit a recipient of funds under this part from serving gifted and talented students simultaneously with students with similar educational needs, in the same educational settings, where appropriate.

“SEC. 5304. AUTHORIZED PROGRAMS.

“(a) Establishment of Program.—

“(1) In general.—The Secretary (after consultation with experts in the field of the education of gifted and talented students) is authorized to make grants to, or enter into contracts with, State educational agencies, local educational agencies, institutions of higher education, other public agencies, and other private agencies and organizations to assist such agencies, institutions, and organizations in carrying out programs or projects authorized by this part that are designed to meet the educational needs of gifted and talented students, including the training of personnel in the education of gifted and talented students and in the use, where appropriate, of gifted and talented services, materials, and methods for all students.

“(2) Application.—Each entity seeking assistance 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. Each such application shall de-
scribe how—

“(A) the proposed gifted and talented serv-
ices, materials, and methods can be adapted, if appropriate, for use by all students; and

“(B) the proposed programs can be evalu-
ated.

“(b) USE OF FUNDS.—Programs and projects as-
sisted under this section may include each of the following:

“(1) Conducting evidence-based research on methods and techniques for identifying and teaching gifted and talented students and for using gifted and talented programs and methods to serve all students.

“(2) Establishing and operating model projects and exemplary programs for serving gifted and tal-
ented students, including innovative methods for identifying and educating students who may not be served by traditional gifted and talented programs (such as summer programs, mentoring programs, service learning programs, and cooperative programs involving business, industry, and education).

“(3) Implementing innovative strategies, such as cooperative learning, peer tutoring, and service learning.
“(4) Carrying out programs of technical assistance and information dissemination, including assistance and information with respect to how gifted and talented programs and methods, where appropriate, may be adapted for use by all students.

“(c) SPECIAL RULE.—To the extent that funds appropriated to carry out this part for a fiscal year beginning with fiscal year 2016 exceed such funds appropriated for the program under subpart 6 of part D of title V, as in effect for fiscal year 2010, the Secretary shall use such excess funds to award grants, on a competitive basis, to State educational agencies, local educational agencies, or both, to implement activities described in subsection (b).

“(d) CENTER FOR RESEARCH AND DEVELOPMENT.—

“(1) IN GENERAL.—The Secretary (after consultation with experts in the field of the education of gifted and talented students) shall establish a National Research Center for the Education of Gifted and Talented Children and Youth through grants to, or contracts with, one or more institutions of higher education or State educational agencies, or a combination or consortium of such institutions and agencies and other public or private agencies and organizations, for the purpose of carrying out activities described in subsection (b).
“(2) DIRECTOR.—The National Center shall be headed by a Director. The Secretary may authorize the Director to carry out such functions of the National Center as may be agreed upon through arrangements with institutions of higher education, State educational agencies, local educational agencies, or other public or private agencies and organizations.

“(3) FUNDING.—The Secretary may use not more than 30 percent of the funds made available for fiscal year 2010 under subpart 6 of part D of title V, as in effect for such fiscal year, to carry out this subsection.

“(e) COORDINATION.—Evidence-based research activities supported under this part—

“(1) shall be carried out in consultation with the Institute of Education Sciences to ensure that such activities are coordinated with and enhance the research and development activities supported by the Institute; and

“(2) may include collaborative evidence-based research activities which are jointly funded and carried out with such Institute.
“SEC. 5305. PROGRAM PRIORITIES.

“(a) GENERAL PRIORITY.—In carrying out this part, the Secretary shall give highest priority to programs and projects designed to develop new information that—

“(1) improves the capability of schools to plan, conduct, and improve programs to identify and serve gifted and talented students; and

“(2) assists schools in the identification of, and provision of services to, gifted and talented students (including economically disadvantaged individuals, individuals who are English learners, and children with disabilities) who may not be identified and served through traditional assessment methods.

“(b) SERVICE PRIORITY.—The Secretary shall ensure that not less than 50 percent of the applications approved under section 5304(a)(2) in a fiscal year address the priority described in subsection (a)(2).

“SEC. 5306. GENERAL PROVISIONS.

“(a) PARTICIPATION OF PRIVATE SCHOOL CHILDREN AND TEACHERS.—In making grants and entering into contracts under this part, the Secretary shall ensure, where appropriate, that provision is made for the equitable participation of students and teachers in private nonprofit elementary schools and secondary schools, including the participation of teachers and other personnel in professional development programs serving such students.
“(b) REVIEW, DISSEMINATION, AND EVALUATION.—

The Secretary shall—

“(1) use a peer-review process in reviewing applications under this part;

“(2) ensure that information on the activities and results of programs and projects funded under this part is disseminated to appropriate State educational agencies, local educational agencies, and other appropriate organizations, including nonprofit private organizations; and

“(3) evaluate the effectiveness of programs under this part in accordance with section 9601, in terms of the impact on students traditionally served in separate gifted and talented programs and on other students, and submit the results of such evaluation to Congress not later than 2 years after the date of enactment of the Every Child Achieves Act of 2015.

“(c) PROGRAM OPERATIONS.—The Secretary shall ensure that the programs under this part are administered within the Department by a person who has recognized professional qualifications and experience in the field of the education of gifted and talented students and who shall—
“(1) administer and coordinate the programs authorized under this part;

“(2) serve as a focal point of national leadership and information on the educational needs of gifted and talented students and the availability of educational services and programs designed to meet such needs;

“(3) assist the Director of the Institute of Education Sciences in identifying research priorities that reflect the needs of gifted and talented students; and

“(4) disseminate, and consult on, the information developed under this part with other offices within the Department.

“SEC. 5307. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to carry out this part such sums as may be necessary for each of fiscal years 2016 through 2021.”.

SEC. 5005. EDUCATION INNOVATION AND RESEARCH.

Title V (20 U.S.C. 7201 et seq.), as amended by section 5001, is further amended by inserting after part C, as added by section 5004, the following:
“PART D—EDUCATION INNOVATION AND RESEARCH

“SEC. 5401. GRANTS FOR EDUCATION INNOVATION AND RESEARCH.

“(a) PROGRAM AUTHORIZED.—From funds appropriated under subsection (e), the Secretary shall make grants to eligible entities for the development, implementation, replication, or scaling and rigorous testing of entrepreneurial, evidence-based, field-initiated innovations to improve student achievement and attainment for high-need students, including—

“(1) early-phase grants to fund the development, implementation, and feasibility testing of a program that prior research suggests has promise, for the purpose of determining whether the program can successfully improve student achievement or attainment for high-needs students;

“(2) mid-phase grants to fund implementation and a rigorous evaluation of a program that has been successfully implemented under an early-phase grant or other effort meeting similar criteria, for the purpose of measuring the program’s impact and cost effectiveness, if possible using existing administrative data; or

“(3) expansion grants to fund implementation and a rigorous replication evaluation of a program
that has been found to produce sizable, important impacts under a mid-phase grant or other effort meeting similar criteria, for the purpose of determining whether such impacts can be successfully reproduced and sustained over time, and identifying the conditions in which the program is most effective.

“(b) Eligible Entity.—In this section, the term ‘eligible entity’ means any of the following:

“(1) A local educational agency.

“(2) A State educational agency.

“(3) A consortium of States educational agencies or local educational agencies.

“(4) A State educational agency or a local educational agency, in partnership with—

“(A) a nonprofit organization;

“(B) a small business;

“(C) a charter management organization;

“(D) an educational service agency; or

“(E) an institution of higher education.

“(c) Rural Areas.—In awarding grants under subsection (a), the Secretary shall ensure that not less than 25 percent of the funds for any fiscal year are awarded for projects that meet both of the following requirements:

“(1) The grantee is—
“(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) an educational service agency or a nonprofit organization in partnership with such a local educational agency.

“(2) A majority of the schools to be served by the project are designated with a school locale code of 32, 33, 41, 42, or 43, or a combination of such codes, as determined by the Secretary.

“(d) MATCHING FUNDS.—In order to receive a grant under subsection (a), an eligible entity shall demonstrate that the eligible entity will provide matching funds in an amount equal to 10 percent of the funds provided under a grant under this part, except that the Secretary may waive the matching funds requirement, on a case-by-case basis, upon a showing of exceptional circumstances, such as—

“(1) the difficulty of raising matching funds for a project to serve a rural area;

“(2) the difficulty of raising matching funds in areas with a concentration of local educational agen-
cies or schools with a high percentage of students aged 5 through 17—

“(A) who are in poverty, as counted in the most recent census data approved by the Secretary;

“(B) who are eligible for a free or reduced priced lunch under the Richard B. Russell National School Lunch Act;

“(C) whose families receive assistance under the State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.); or

“(D) who are eligible to receive medical assistance under the Medicaid program; and

“(3) the difficulty of raising funds in designated tribal areas.

“(e) Authorization of Appropriations.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 2016 through 2021.”.

SEC. 5006. ACCELERATED LEARNING.

Title V (20 U.S.C. 7201 et seq.), as amended by section 5001, is further amended by inserting after part D, as added by section 5005, the following:
PART E—ACCELERATED LEARNING

SEC. 5501. SHORT TITLE.

This part may be cited as the ‘Accelerated Learning Act of 2015’.

SEC. 5502. PURPOSES.

The purposes of this part are—

(1) to raise student academic achievement through accelerated learning programs, including Advanced Placement and International Baccalaureate programs, dual enrollment programs, and early college high schools that provide postsecondary-level instruction, examinations, or sequences of courses that are widely accepted for credit at institutions of higher education;

(2) to increase the number of students attending high-need schools who enroll and succeed in accelerated learning courses, accelerated learning examinations, dual enrollment programs, and early college high school courses;

(3) to support efforts by States and local educational agencies to increase the availability of, and enrollment in, accelerated learning courses, pre-accelerated learning courses, dual enrollment programs, and early college high school courses in high-need schools; and
“(4) to provide high-quality professional development for teachers of accelerated learning courses, pre-accelerated learning courses, dual enrollment programs, and early college high school courses in high-need schools.

“SEC. 5503. FUNDING DISTRIBUTION RULE.

“From amounts appropriated under section 5508 for a fiscal year, the Secretary shall give priority to funding activities under section 5504 and shall distribute any remaining funds under section 5505.

“SEC. 5504. ACCELERATED LEARNING EXAMINATION FEE PROGRAM.

“(a) GRANTS AUTHORIZED.—From amounts made available under section 5503 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 reimburse low-income students to cover part or all of the costs of accelerated learning examination fees, if the low-income students—

“(1) are enrolled in accelerated learning courses; and

“(2) plan to take accelerated learning examinations.

“(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 edu-
cational agency that is awarded a grant under this section
shall make publicly available information regarding the
availability of accelerated learning examination fee pay-
ments under this section, and shall disseminate such infor-
mation to eligible high school students and parents, in-
cluding through high 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 man-
ner, and accompanied by such information as the Sec-
retary may require. At a minimum, each State educational
agency application shall—

“(1) describe the accelerated learning examina-
tion 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 accelerated learning 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 accelerated learning 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 accelerated learning course in such subject.

“(B) The number of accelerated learning examinations taken by students in the State who have taken an accelerated learning course in such subject.

“(C) The number of students in the State scoring at each level on accelerated learning examinations in such subject, disaggregated by
race, ethnicity, sex, English proficiency status, and socioeconomic status.

“(D) Demographic information regarding students in the State taking accelerated learning courses and accelerated learning examinations in such 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 of Congress regarding the information.

“(g) BUREAU OF INDIAN EDUCATION AS STATE EDUCATIONAL AGENCY.—For purposes of this section, the Bureau of Indian Education shall be treated as a State educational agency.

“SEC. 5505. ACCELERATED LEARNING INCENTIVE PROGRAM GRANTS.

“(a) GRANTS AUTHORIZED.—

“(1) IN GENERAL.—From amounts made available under section 5503 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 local educational agency; or

“(3) a partnership consisting of—

“(A) a national, regional, or statewide nonprofit organization, with expertise and experience in providing accelerated learning course
services, dual enrollment programs, and early college high school courses; and

“(B) a State educational agency or 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 accelerated learning courses, dual enrollment programs, and early college high school courses;

“(ii) increasing the number of accelerated learning courses, dual enrollment programs, and early college high school 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 enroll and succeed in—

“(I) accelerated learning courses;

“(II) if offered by the school, pre-accelerated learning courses;

“(III) dual enrollment programs;

and

“(IV) early college high school courses;

“(B) how the eligible entity will ensure that students have access to courses that will prepare students to enroll and succeed in accelerated learning courses, pre-accelerated learning courses, dual enrollment programs, and early college high school 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 accelerated learning courses,
dual enrollment programs, and early college
high school courses;

“(E) how the eligible entity will provide for
the involvement of business and community or-
ganizations and other entities, including institu-
tions 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 success of the grant project.

“(d) PRIORITY.—In awarding grants under this sec-
tion, the Secretary shall give priority to applications from
eligible entities that propose to carry out activities in a
local educational agency that is eligible under the small
rural school achievement program or the rural and low-
income school program authorized under subpart 1 or 2
of part B of title VI.

“(e) AUTHORIZED ACTIVITIES.—Each eligible entity
that receives a grant under this section may use grant
funds for—

“(1) high-quality teacher professional develop-
ment, in order to expand the pool of teachers in the
participating State, local educational agency, or
high-need school who are qualified to teach acceler-
ated learning courses, dual enrollment programs, and early college high school courses, including through innovative models such as online academies and training institutes;

“(2) teacher and counselor high-quality professional development in high school to prepare students for success in accelerated learning courses, dual enrollment programs, and early college high school courses;

“(3) coordination and articulation between grade levels to prepare students to enroll and succeed in accelerated learning courses, dual enrollment programs, and early college high school courses;

“(4) the purchase of instructional materials for accelerated learning courses, dual enrollment programs, and early college high school courses;

“(5) activities to increase the availability of, and participation in, online accelerated learning courses, dual enrollment programs, and early college high school courses;

“(6) carrying out the requirements of subsection (g); or

“(7) in the case of an eligible entity described in subsection (b)(1), awarding subgrants to local educational agencies to enable the local educational
agencies to carry out authorized activities described in paragraphs (1) through (6).

“(f) CONTRACTS.—An eligible entity that is awarded a grant to provide online courses under this section may enter into a contract with an organization to provide accelerated learning courses, dual enrollment programs, and early college high school 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 accelerated learning courses, pre-accelerated learning courses, dual enrollment programs, and early college high school 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 accelerated learning 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 accelerated learning courses, dual enrollment programs, and early college high school courses, and will teach such courses in the next school year;

“(D) the number of teachers becoming qualified to teach accelerated learning courses, dual enrollment programs, and early college high school courses; and

“(E) the number of qualified teachers who are teaching accelerated learning courses, dual enrollment programs, and early college high school 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 information is disaggregated under section 1111(b)(2)(B)(xi); and
“(C) in a manner that allows for an assessment of the effectiveness of the grant program.

“(h) EVALUATION.—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, including progress as measured by the performance measures established under subparagraphs (A) through (E) of subsection (g)(1).

“(i) MATCHING REQUIREMENT.—

“(1) IN GENERAL.—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, as determined by the Secretary, 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 match-
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 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. 5506. SUPPLEMENT, NOT SUPPLANT.

“Grant funds provided under this part shall supplement, and not supplant, other non-Federal funds that are available to assist low-income students to pay for the cost of accelerated learning fees or to expand access to accelerated learning and pre-accelerated learning courses.

“SEC. 5507. DEFINITIONS.

“In this part:

“(1) ACCELERATED LEARNING COURSE.—The term ‘accelerated learning course’ means—

“(A) a course of postsecondary-level instruction provided to middle or high 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 sequence of courses that are widely accepted for credit at institutions of higher education; or

“(ii) another examination or sequence of courses approved by the Secretary.

“(2) ACCELERATED LEARNING EXAMINATION.—The term ‘accelerated learning examination’ means an Advanced Placement examination administered by the College Board, an International Baccalaureate examination administered by the International Baccalaureate, an examination that is widely accepted for college credit, or another such examination approved by the Secretary.

“(3) DUAL ENROLLMENT PROGRAM.—The term ‘dual enrollment’ means a program through which a high school student—

“(A) takes courses offered through an institution of higher education while the student is enrolled in high school; and

“(B) earns both secondary school and post-secondary credit for the courses described in subparagraph (A).
“(4) EARLY COLLEGE HIGH SCHOOL.—The term ‘early college high school’ means a high school that provides a course of study that enables a student to earn a high school diploma and either an associate’s degree or 1 to 2 years of postsecondary credit toward a postsecondary degree or credential.

“(5) HIGH-NEED SCHOOL.—The term ‘high-need school’ means a high school—

“(A) with a demonstrated need for Advanced Placement or International Baccalaureate courses, dual enrollment programs, or early college high school courses; and

“(B) that—

“(i) has a high concentration of low-income students; or

“(ii) is a local educational agency that is eligible, as determined by the Secretary, under the small, rural school achievement program, or the rural and low-income school program, authorized under subpart 1 or 2 of part B of title VI.

“(6) LOW-INCOME STUDENT.—The term ‘low-income student’ means a student who is eligible for a free or reduced-price lunch under the school lunch program established under the Richard B. Russell
National School Lunch Act (42 U.S.C. 1751 et seq.).

“SEC. 5508. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to carry out this part such sums as may be necessary for each of fiscal years 2016 through 2021.”.

SEC. 5007. READY-TO-LEARN TELEVISION.

Title V (20 U.S.C. 7201 et seq.), as amended by section 5001, is further amended by inserting after part E, as added by section 5006, the following:

“PART F—READY-TO-LEARN TELEVISION

SEC. 5601. READY-TO-LEARN.

“(a) Program Authorized; Ready-To-Learn.—

“(1) In general.—The Secretary is authorized to award grants to, or enter into contracts or cooperative agreements with, eligible entities described in paragraph (3) to enable such entities—

“(A) to develop, produce, and distribute educational and instructional video programming for preschool and elementary school children and their parents in order to facilitate student academic achievement;

“(B) to facilitate the development, directly or through contracts with producers of children and family educational television programming,
of educational programming for preschool and
elementary school children, and the accom-
panying support materials and services that
promote the effective use of such programming;

“(C) to facilitate the development of pro-
gramming and digital content containing
Ready-to-Learn-based children’s programming
and resources for parents and caregivers that is
specially designed for nationwide distribution
over public television stations’ digital broad-
casting channels and the Internet;

“(D) to contract with entities (such as
public telecommunications entities) so that pro-
grams developed under this section are dissemi-
nated and distributed to the widest possible au-
dience appropriate to be served by the program-
ming, and through the use of the most appro-
priate distribution technologies; and

“(E) to develop and disseminate education
and training materials, including interactive
programs and programs adaptable to distance
learning technologies, that are designed—

“(i) to promote school readiness; and

“(ii) to promote the effective use of
materials developed under subparagraphs
(B) and (C) among parents, teachers, Head Start providers, providers of family literacy services, child care providers, early childhood development personnel, elementary school teachers, public libraries, and after-school program personnel caring for preschool and elementary school children.

“(2) AVAILABILITY.—In awarding or entering into grants, contracts, or cooperative agreements under this section, the Secretary shall ensure that eligible entities make programming widely available, with support materials as appropriate, to young children, parents, child care workers, Head Start providers, and providers of family literacy services to increase the effective use of such programming.

“(3) ELIGIBLE ENTITIES.—To be eligible to receive a grant, contract, or cooperative agreement under this section, an entity shall be a public telecommunications entity that is able to demonstrate each of the following:

“(A) A capacity for the development and national distribution of educational and instructional television programming of high quality that is accessible by a large majority of dis-
advantaged preschool and elementary school children.

“(B) A capacity to contract with the producers of children’s television programming for the purpose of developing educational television programming of high quality.

“(C) A capacity, consistent with the entity’s mission and nonprofit nature, to negotiate such contracts in a manner that returns to the entity an appropriate share of any ancillary income from sales of any program-related products.

“(D) A capacity to localize programming and materials to meet specific State and local needs and to provide educational outreach at the local level.

“(4) COORDINATION OF ACTIVITIES.—An entity receiving a grant, contract, or cooperative agreement under this section shall consult with the Secretary and the Secretary of Health and Human Services—

“(A) to maximize the utilization of quality educational programming by preschool and elementary school children, and make such programming widely available to federally funded programs serving such populations; and
“(B) to coordinate activities with Federal programs that have major training components for early childhood development, including programs under the Head Start Act (42 U.S.C. 9831 et seq.) and State training activities funded under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.), regarding the availability and utilization of materials developed under paragraph (1)(E) to enhance parent and child care provider skills in early childhood development and education.

“(b) Applications.—To be eligible to receive a grant, contract, or cooperative agreement under subsection (a), an entity shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may reasonably require.

“(c) Reports and Evaluations.—

“(1) Annual report to the secretary.—An entity receiving a grant, contract, or cooperative agreement under this section shall prepare and submit to the Secretary an annual report that contains such information as the Secretary may require. At a minimum, the report shall describe the program activities undertaken with funds received under the
grant, contract, or cooperative agreement, including each of the following:

“(A) The programming that has been developed, directly or indirectly, by the eligible entity, and the target population of the programs developed.

“(B) The support and training materials that have been developed to accompany the programming, and the method by which the materials are distributed to consumers and users of the programming.

“(C) The means by which programming developed under this section has been distributed, including the distance learning technologies that have been utilized to make programming available, and the geographic distribution achieved through such technologies.

“(D) The initiatives undertaken by the entity to develop public-private partnerships to secure non-Federal support for the development, distribution, and broadcast of educational and instructional programming.

“(2) REPORT TO CONGRESS.—The Secretary shall prepare and submit to the Committee on Health, Education, Labor, and Pensions of the Sen-
ate and the Committee on Education and the Work-
force of the House of Representatives a biannual re-
port that includes the following:

“(A) A summary of the activities assisted
under subsection (a).

“(B) A description of the education and
training materials made available under sub-
section (a)(1)(E), the manner in which outreach
has been conducted to inform parents and child
care providers of the availability of such mate-
rials, and the manner in which such materials
have been distributed in accordance with such
subsection.

“(d) ADMINISTRATIVE COSTS.—An entity that re-
ceives a grant, contract, or cooperative agreement under
this section may use up to 5 percent of the amount re-
ceived under the grant, contract, or agreement for the nor-
mal and customary expenses of administering the grant,
contract, or agreement.

“(e) FUNDING RULE.—Not less than 60 percent of
the amount appropriated under subsection (f) for each fis-
cal year shall be used to carry out activities under sub-
paragraphs (B) through (D) of subsection (a)(1).

“(f) AUTHORIZATION OF APPROPRIATIONS.—There
are authorized to be appropriated to carry out this part
such sums as may be necessary for each of fiscal years
2016 through 2021.”.

SEC. 5008. INNOVATIVE TECHNOLOGY EXPANDS CHILDREN’S HORIZONS (I-TECH).

Title V (20 U.S.C. 7201 et seq.), as amended by section 5001, is further amended by inserting after part F, as added by section 5007, the following:

“PART G—INNOVATIVE TECHNOLOGY EXPANDS CHILDREN’S HORIZONS (I-TECH)

“SEC. 5701. PURPOSES.

“The purposes of this part are—

“(1) to improve the achievement, academic growth, and college and career readiness of all students;

“(2) to ensure all students have access to personalized, rigorous learning experiences that are supported through technology;

“(3) to ensure that educators have the knowledge and skills to use technology, including computer-based assessments and blended learning strategies, to personalize learning;

“(4) to ensure district and school leaders have the skills required to implement, and support school- and district-wide approaches for using technology to
inform instruction, support teacher collaboration,
and personalize learning;

“(5) to ensure that students in rural, remote,
and underserved areas have the resources to take
advantage of high-quality digital learning experi-
ences, digital resources, and access to online courses
taught by effective educators;

“(6) to ensure that students have increased ac-
access to online dual and concurrent enrollment oppor-
tunities, career and technical courses, and programs
leading to a recognized postsecondary credential (as
defined in section 3 of the Workforce Innovation and
Opportunity Act (29 U.S.C. 3102)), and courses
taught by educators, including advanced coursework;
and

“(7) to ensure that State educational agencies,
local educational agencies, elementary schools, and
secondary schools have the technological capacity,
infrastructure, and technical support necessary to
meet purposes described in paragraphs (1) through
(6).

“SEC. 5702. DEFINITIONS.

“In this part:

“(1) DIGITAL LEARNING.—The term ‘digital
learning’ means any instructional practice that effec-
tively 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, data analytics, and information to personalize learning and provide targeted supplementary instruction;

“(D) student collaboration with content experts and peers;

“(E) online and computer-based assessments;

“(F) digital learning content, software, or simulations;

“(G) access to online courses;

“(H) mobile devices for learning in school and at home;

“(I) learning environments that allow for rich collaboration and communication;

“(J) hybrid or blended learning, which occurs under direct instructor supervision at a school or other location away from home and, at least in part, through online delivery of in-
struction with some element of student control
over time, place, path, or pace;

“(K) access to online course opportunities
for students in rural or remote areas; and

“(L) discovery, modification, and sharing
of openly licensed digital learning materials.

“(2) ELIGIBLE TECHNOLOGY.—The term ‘eligi-
ble technology’ means modern computer, and com-
munication technology software, services, or tools,
including computer or mobile devices, software appli-
cations, systems and platforms, and digital learning
content, and related services and supports.

“(3) TECHNOLOGY READINESS SURVEY.—The
term ‘technology readiness survey’ means a survey
completed by a local educational agency that pro-
vides standardized information on the quantity and
types of technology infrastructure and access avail-
able to the students and in the community served by
the local educational agency, including computer de-
dvices, access to school libraries, Internet
connectivity, operating systems, related network in-
rastructure, data systems, educator professional
learning needs and priorities, and data security.

“(4) UNIVERSAL DESIGN FOR LEARNING.—The
term ‘universal design for learning’ has the meaning

“SEC. 5703. TECHNOLOGY GRANTS PROGRAM AUTHORIZED.

“(a) IN GENERAL.—From the amounts appropriated under section 5708, the Secretary may reserve not more than 1.5 percent for national activities to support grantees and shall award the remainder to State educational agencies to strengthen State and local technological infrastructure and professional learning that supports digital learning through State activities under section 5705(c) and local activities under section 5706(c).

“(b) GRANTS TO STATE EDUCATIONAL AGENCIES.—

“(1) RESERVATIONS.—From the amounts appropriated under section 5708 for any fiscal year, the Secretary shall reserve—

“(A) three-fourths of 1 percent for the Secretary of the Interior to provide assistance under this part for schools operated or funded by the Bureau of Indian Education; and

“(B) 1 percent to provide assistance under this part to the outlying areas.

“(2) GRANT ALLOTMENTS.—From the amounts appropriated under section 5708 for any fiscal year and remaining after the Secretary makes reservations under paragraph (1), the Secretary shall make
a grant for the fiscal year to each State educational
agency with an approved application under section
5704 in an amount that bears the same relationship
to such remainder as the amount the State edu-
cational agency received under part A of title I for
such year bears to the amount all State educational
agencies with an approved application under section
5704 received under such part for such year.

“(e) Minimum.—The amount of a grant to a State
educational agency under subsection (b)(2) for a fiscal
year shall not be less than one-half of 1 percent of the
total amount made available for grants to all State edu-
cational agencies under such subsection for such year.

“(d) Reallotment of Unused Funds.—If any
State educational agency does not apply for a grant under
section 5704 for a fiscal year, or does not use the State
educational agency’s entire grant allotment under sub-
section (b)(2) for such year, the Secretary shall reallocate the
amount of the State educational agency’s grant, or the un-
used portion of the grant allotment, to the remaining
State educational agencies that use their entire grant
amounts under subsection (b)(2) for such year.

“(e) Matching Funds.—

“(1) In general.—A State educational agency
that receives a grant under subsection (b)(2) shall
provide matching funds, from non-Federal sources, in an amount equal to 10 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 5705(c).

“(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. 5704. STATE APPLICATIONS.

“(a) APPLICATION.—To receive a grant under section 5703(b)(2), a State educational agency shall submit to the Secretary an application at such time and in such manner as the Secretary may require and containing the information described in subsection (b).

“(b) CONTENTS.—Each application submitted under subsection (a) shall include the following:

“(1) A description of how the State educational agency will meet the following goals:
“(A) Use technology to ensure all students achieve college and career readiness and digital literacy, including by providing high-quality education opportunities to economically or geographically isolated student populations.

“(B) Provide educators, school leaders, and administrators with the professional learning tools, devices, content, and resources to—

“(i) personalize learning to improve student academic achievement; and

“(ii) discover, adapt, and share relevant high-quality open educational resources.

“(C) Enable local educational agencies to build the technological capacity and infrastructure.

“(2) An assurance that each local educational agency awarded a subgrant under this part has conducted a technology readiness survey and will take steps to address the readiness gaps identified not later than 3 years after the completion of the survey by the local educational agency.

“(3) An assurance that the State educational agency will ensure that the State educational agen-
cy's technology systems and school-based technology systems are interoperable.

“(4) An assurance that the State educational agency will consider making content widely available through open educational resources when making purchasing decisions with funds received under this part.

“(5) A description of how the State educational agency will award subgrants to local educational agencies under section 5706.

“(6) A description of the process, activities, and performance measures that the State educational agency will use to evaluate the impact and effectiveness of the grant and subgrant funds awarded under this part across the State and in each local educational agency.

“(7) An assurance that the State educational agency consulted with local educational agencies in the development of the State educational agency’s application under this subsection.

“(8) An assurance that the State educational agency will provide matching funds as required under section 5703(e).

“(9) An assurance that the State educational agency will protect the privacy and safety of stu-

“(10) An assurance that funds made available under this part shall be used to supplement, and not supplant, any other Federal, State, or local funds that would otherwise be available to carry out the activities assisted under this part.

“SEC. 5705. STATE USE OF GRANT FUNDS.

“(a) Reservation for Subgrants To Support Technology Infrastructure.—Each State educational agency that receives a grant under section 5703(b)(2) shall expend not less than 90 percent of the grant amount for each fiscal year to award subgrants to local educational agencies in accordance with section 5706.

“(b) Reservation for State Activities.—

“(1) In general.—A State educational agency shall reserve not more than 10 percent of the grant received under section 5703(b)(2) for the State activities described in subsection (c).

“(2) Grant administration.—
“(A) IN GENERAL.—Subject to subparagraph (B), of the amount reserved by a State educational agency under paragraph (1), the State educational agency may reserve for the administration of the grant under this part not more than—

“(i) 1 percent in the case of a State educational agency awarding subgrants under section 5706(a)(1); or

“(ii) 3 percent in the case of a State educational agency awarding subgrants under section 5706(a)(2).

“(B) SPECIAL RULE.—Notwithstanding subparagraph (A), a State educational agency that forms a State purchasing consortium under subsection (d)—

“(i) may reserve an additional 1 percent to carry out the activities described in subsection (d)(1); and

“(ii) may reserve amounts in addition to the percentage described in clause (i) if the State purchasing consortium receives direct approval from the local educational agencies receiving subgrants under section 5706(a) from the State educational agency
prior to reserving more than the additional percentage authorized under clause (i).

“(c) STATE ACTIVITIES.—A State educational agency may use funds described in subsection (b) to carry out each of the following:

“(1) Except for the awarding of subgrants in accordance with section 5706, activities described in the State educational agency’s application under section 5704(b).

“(2) Providing technical assistance to local educational agencies to—

“(A) identify and address technology readiness needs, as determined by the technology readiness surveys;

“(B) use technology, consistent with the principles of universal design for learning, to support the learning needs of all students, including children with disabilities and English learners;

“(C) build capacity for principals and local educational agency administrators to support teachers in using data and technology to improve teaching and personalize learning;

“(D) ensure that contractual requirements for third parties that have access to student
data, its storage, or provide analytics on student data provide privacy protections 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’); and

“(E) provide tools and processes to support the creation, modification, and distribution of open educational resources.

“(3) 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.

“(4) Integrating and coordinating activities under this part with other educational resources and programs across the State.

“(5) Disseminating information, including making publicly available on the website of the State educational agency, promising practices to improve technology instruction, best practices for data security, and acquiring and implementing technology tools and applications.

“(6) Ensuring that teachers, paraprofessionals, library and media personnel, specialized instructional
support personnel, and administrators possess the knowledge and skills to use technology to meet the goals described in section 5704(b)(1).

“(7) Coordinating with teacher, principal, and other school leader preparation programs to ensure that preservice teachers, principals, and other school leaders have the skills to implement digital learning programs effectively.

“(8) Supporting schools in rural and remote areas to expand access to high-quality digital learning opportunities.

“(d) PURCHASING CONSORTIA.—

“(1) IN GENERAL.—A State educational agency receiving a grant under section 5703(b)(2) 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 subsection (c), including purchasing eligible technology;

“(B) encourage local educational agencies to form local purchasing consortia under section 5706(c)(4); 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 5703(b)(2) 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 (b) to carry out the activities described in paragraph (1), unless the State educational agency receives approval in accordance with subsection (b)(2)(B).

“SEC. 5706. LOCAL SUBGRANTS.

“(a) Subgrants.—
“(1) Grants to local educational agencies.—From the grant funds provided under section 5703(b)(2) to a State educational agency that are remaining after the State educational agency makes reservations under section 5705(b) for any fiscal year and subject to paragraph (2), the State educational agency shall award subgrants for the fiscal year to local educational agencies served by the State educational agency and with an approved application under subsection (b) by allotting to each such local educational agency an amount that bears the same relationship to the remainder as the amount received by the local educational agency under part A of title I for such year bears to the amount received by all such local educational agencies under such part for such year, except that no local educational agency may receive less than $20,000 for a year.

“(2) Competitive grants to local educational agencies.—If the amount of funds appropriated under section 5708 is less than $300,000,000 for any fiscal year, a State educational agency—

“(A) shall not award subgrants under paragraph (1); and
“(B) shall—

“(i) award subgrants, on a competitive basis, to local educational agencies based on the quality of applications submitted under subsection (b), including—

“(I) the level of technology readiness, as determined by the technology readiness surveys completed by local educational agencies submitting such applications; and

“(II) the technology plans described in subsection (b)(4) and how the local educational agencies with such plans will carry out the alignment and coordination described in such subsection;

“(ii) give priority to local educational agencies that have demonstrated substantial need for assistance in acquiring and using technology, based on the agency’s technology readiness survey; and

“(iii) give priority to schools that serve students in rural and remote areas, schools identified under section 1114 as in need of intervention and support and the
persistently lowest achieving schools, or
schools with a high percentage of students
aged 5 through 17 who are in poverty, as
counted in the most recent census data ap-
proved by the Secretary, who are eligible
for a free or reduced priced lunch under
the Richard B. Russell National School
Lunch Act, in families receiving assistance
under the State program funded under
part A of title IV of the Social Security
Act, or eligible to receive medical assist-
ance under the Medicaid program.

“(3) Definition of local educational
agency for certain fiscal years.—For pur-
poses of awarding subgrants under paragraph (2),
the term ‘local educational agency’ means—
“(A) a local educational agency;
“(B) an educational service agency; or
“(C) a local educational agency and an
educational service agency.

“(b) Application.—A local educational agency that
desires to receive a subgrant under subsection (a) shall
submit an application to the State at such time, in such
manner, and accompanied by such information as the
State educational agency may require, such as—
“(1) a description of how the local educational agency will carry out the goals described in subparagraphs (A) through (C) of section 5704(b)(1);

“(2) a description of the results of the technology readiness survey completed by the local educational agency and a description of the plan for the local educational agency to meet the goals described in paragraph (1) within 3 years of completing the survey;

“(3) a description of the local educational agency’s technology plan to carry out paragraphs (1) and (3) and how the agency will align and coordinate the activities under this section with other activities across the local educational agency;

“(4) a description of the team of educators who will coordinate and carry out the activities under this section, including individuals with responsibility and expertise in instructional technology, teachers that specialize in supporting students who are children with disabilities and English learners, other school leaders, library and media personnel, technology officers, and staff responsible for assessments and data;

“(5) a description of how the local educational agency will build capacity for principals, other school
leaders, and local educational agency administrators to support teachers in developing data literacy skills and in implementing digital tools to support teaching and learning;

“(6) a description of how the local educational agency will procure content and ensure content quality; and

“(7) 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’).

“(c) USE OF FUNDS.—

“(1) Professional development in digital learning.—Subject to paragraph (3), a local educational agency receiving a subgrant under subsection (a) shall use not less than 50 percent of such funds to carry out professional development in digital learning for teachers, principals, other school leaders, paraprofessionals, library and media personnel, specialized instructional support personnel, technology coordinators, and administrators in the use of technology to support student learning.
“(2) TECHNOLOGY INFRASTRUCTURE.—Subject to paragraph (3), a local educational agency receiving a subgrant under subsection (a) shall use not less than 25 percent of such funds to support activities for the acquisition of eligible technology needed to—

“(A) except for the activities described in paragraph (1), carry out activities described in the application submitted under subsection (b), including purchasing devices, equipment, and software applications; and

“(B) address readiness shortfalls identified under the technology readiness survey completed by the local educational agency.

“(3) 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 paragraph (1) or (2) if the local educational agency demonstrates that such modification will assist the local educational agency in more effectively carrying out such activities.
“(4) PURCHASING CONSORTIA.—Local educational agencies receiving subgrants under subsection (a) may—

“(A) form a local purchasing consortia with other such local educational agencies to carry out the activities described in this subsection, including purchasing eligible technology; and

“(B) use such funds for purchasing eligible technology through a State purchasing consortia under section 5706(d).

“(5) BLENDED LEARNING PROJECTS.—

“(A) IN GENERAL.—A local educational agency receiving a subgrant under subsection (a) may use such funds to carry out a blended learning project, which shall include at least 1 of the following activities:

“(i) Planning activities, which may include development of new instructional models (including blended learning technology software and platforms), the purchase of digital instructional resources, initial professional development activities, and one-time information technology purchases, except that such expenditures may not in-
clude expenditures related to significant
construction or renovation of facilities.

“(ii) Ongoing professional develop-
ment for teachers, principals, other school
leaders, or other personnel involved in the
project that is designed to support the im-
plementation and academic success of the
project.

“(B) NON-FEDERAL MATCH.—A local edu-
cational agency that carries out a blended
learning project under this paragraph shall pro-
vide non-Federal matching funds equal to not
less than 10 percent of the amount of funds
used to carry out such project that shall be
used to carry out such project.

“(C) DEFINITION OF BLENDED LEARN-
ing.—In this paragraph, the term ‘blended
learning’ means a formal education program
that leverages both technology-based and face-
to-face instructional approaches that—

“(i) include an element of online or
digital learning, combined with supervised
learning time, and student-led learning, in
which the elements are connected to pro-
vide an integrated learning experience; and
“(ii) where students are provided some control over time, path, or pace.

“SEC. 5707. REPORTING.

“(a) LOCAL EDUCATIONAL AGENCIES.—Each local educational agency receiving a subgrant under section 5706 shall submit to the State educational agency that awarded such subgrant an annual report the meets the requirements of subsection (c).

“(b) STATE EDUCATIONAL AGENCIES.—Each State educational agency receiving a grant under section 5703(b)(2) 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 5704(b) or the local education agency’s technology plan under section 5706(b)(3), as applicable;

“(2) the categories of eligible technology acquired with funds under this part and how such technology is being used;

“(3) the professional learning activities funded under this part, including types of activities and entities involved in providing such professional learning
to classroom teachers and other staff, such as school librarians; and

“(4) the types of programs funded under this part.

“SEC. 5708. AUTHORIZATION.

“There are authorized to be appropriated such sums as may be necessary to carry out this part.”.

SEC. 5009. LITERACY AND ARTS EDUCATION.

Title V (20 U.S.C. 7201 et seq.), as amended by section 5001, is further amended by inserting after part G, as added by section 5008, the following:

“PART H—LITERACY AND ARTS EDUCATION

“SEC. 5801. LITERACY AND ARTS EDUCATION.

“(a) In General.—From funds made available under subsection (c), the Secretary may award grants, contracts, or cooperative agreements, on a competitive basis, to eligible entities for the purposes of—

“(1) promoting arts education for disadvantaged students and students who are children with disabilities, through activities such as—

“(A) professional development for arts educators, teachers, and principals;

“(B) development and dissemination of instructional materials and arts-based educational
programming, including online resources, in multiple arts disciplines; and

“(C) community and national outreach activities that strengthen and expand partnerships among schools, local educational agencies, communities, or national centers for the arts; and

“(2) promoting literacy programs that support the development of literacy skills in low-income communities, including—

“(A) developing and enhancing effective school library programs, which may include providing professional development for school librarians, books, and up-to-date materials to low-income schools;

“(B) early literacy services, including pediatric literacy programs through which, during well-child visits, medical providers trained in research-based methods of early language and literacy promotion provide developmentally appropriate books and recommendations to parents to encourage them to read aloud to their children starting in infancy; and

“(C) programs that provide high-quality books on a regular basis to children and adolescents from disadvantaged communities to in-
crease reading motivation, performance, and
frequency.

“(b) DEFINITIONS.—In this section:

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

“(A) a local educational agency in which
20 percent or more of the students served by
the local educational agency are from families
with an income below the poverty line;

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

“(C) an eligible national nonprofit organi-

“(2) ELIGIBLE NATIONAL NONPROFIT ORGANI-
ZATION.—The term ‘eligible national nonprofit orga-
nization’ means an organization of national scope
that—

“(A) is supported by staff, which may in-
clude volunteers, or affiliates at the State and
local levels; and

“(B) demonstrates effectiveness or high-
quality plans for addressing childhood literacy
activities for the population targeted by the
grant.
“(c) Authorization of Appropriations.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 2016 through 2021.”.

SEC. 5010. EARLY LEARNING ALIGNMENT AND IMPROVEMENT GRANTS.

Title V (20 U.S.C. 7201 et seq.), as amended by section 5001, is further amended by inserting after part H, as added by section 5009, the following:

“PART I—EARLY LEARNING ALIGNMENT AND IMPROVEMENT GRANTS

“SEC. 5901. PURPOSES; DEFINITIONS.

“(a) PURPOSES.—The purposes of this part are to assist States with—

“(1) more efficiently using existing Federal resources to improve, strengthen, and expand existing high-quality early childhood education, as determined by the State;

“(2) coordinating existing funding streams and delivery models to promote—

“(A) program quality, while maintaining services;

“(B) parental choice among high-quality early childhood education program providers; and
“(C) early care and learning access for
children from birth to kindergarten entry; and
“(3) improving access for children from low-in-
come families to high-quality early childhood edu-
cation programs in order to enhance school readi-
ness.
“(b) DEFINITIONS.—In this part:
“(1) CENTER OF EXCELLENCE.—The term
‘Center of Excellence’ means a local public or private
nonprofit agency, including a community-based or
faith-based organization, or a for-profit agency,
within a community, that provides early learning
and care services in the State, including the use of
best practices for—
“(A) achieving school readiness, including
the development of early literacy and mathem-
tatics skills;
“(B) acquisition of English language skills;
and
“(C) providing high-quality comprehensive
services for eligible children and their families.
“(2) ELIGIBLE CHILD.—The term ‘eligible
child’ means an individual—
“(A) who is less than 6 years of age; and
“(B) whose family income does not exceed—

“(i) 200 percent of the poverty line;

“(ii) 85 percent of the State median income for a family of the same size, and whose family assets do not exceed $1,000,000 (as certified by a member of such family); or

“(iii) a State-determined threshold for eligibility that does not exceed the thresholds in clauses (i) and (ii).

“(3) ELIGIBLE PARTNERSHIP.—The term ‘eligible partnership’ means a partnership that, at a minimum, includes, as applicable and appropriate, the State Advisory Council on Early Childhood Education and Care established under section 642B(b) of the Head Start Act, and all of the following partners, which may be represented on the Council:

“(A) One or more public and private (including nonprofit or for-profit) providers of early childhood education that serve eligible children residing in the State and meet applicable standards of licensing and quality as determined by the State.
“(B) One or more Head Start agencies, which may include Early Head Start, migrant and seasonal Head Start, and Indian Head Start agencies that serve eligible children residing in the State.

“(C) The State educational agency.

“(D) Other relevant State agencies with oversight of preschool, early education, and child care in the State.

“(E) One or more local educational agencies in the State.

“(F) One or more institutions of higher education in the State.

“(G) One or more representatives of business in the State.

“(4) INSTITUTION OF HIGHER EDUCATION.— The term ‘institution of higher education’ has the meanings given the term in section 101 and subparagraphs (A) and (B) of section 102(a)(1) of the Higher Education Act of 1965.

“(5) STATE.—The term ‘State’ means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.
SEC. 5902. EARLY LEARNING ALIGNMENT AND IMPROVEMENT GRANTS.

“(a) Grants Authorized.—

“(1) In general.—From amounts made available under section 5903, the Secretary, in consultation with the Secretary of Health and Human Services, shall award grants, on a competitive basis, to States to enable the States to carry out the activities described in subsection (d).

“(2) Reservation for States serving rural areas.—From the amounts appropriated under section 5903 for a fiscal year, the Secretary shall reserve not less than 30 percent for grants to States that propose to carry out the activities described in subsection (d) for eligible children living in rural areas. The Secretary shall reduce the amount described in the preceding sentence if the Secretary does not receive a sufficient number of applications that are deserving of a grant under this part for such purpose.

“(3) Priority.—In awarding grants under this section, the Secretary shall give priority to a State that will use funds under this grant to focus on eligible children—

“(A) who are 3 and 4 years of age; and
“(B) whose family income does not exceed 130 percent of the poverty line.

“(4) Duration of grants.—A grant awarded under this section shall be for a period of not more than 3 years and may not be renewed by the Secretary.

“(5) Limitation.—

“(A) In general.—Except as provided in subparagraph (B), a State may receive a grant under this section only once.

“(B) Exception.—Notwithstanding subparagraph (A), a State may receive more than 1 grant under this section only—

“(i) if the State is proposing, for such additional grants, to carry out activities for eligible children living in rural areas; or

“(ii) after all States, which meet the requirements and have submitted an application under this section, have received a grant, to the extent that funds for a grant are still available.

“(6) Equitable distribution.—To the extent practicable, the Secretary shall ensure an equitable geographic distribution of grants under this section.
“(b) State Requirements.—

“(1) Lead Agency.—

“(A) Designation.—A State desiring a grant under this section shall designate an agency (which may be an appropriate collaborative agency) or establish a joint interagency office, that complies with the requirements of subparagraph (B), to serve as a lead agency for the State under this section.

“(B) Duties.—The lead agency designated under subparagraph (A) shall—

“(i) administer, directly or through other governmental or nongovernmental agencies, the Federal assistance received under this section by the State;

“(ii) develop the application submitted to the Secretary under subsection (c); and

“(iii) coordinate the provision of activities under this section with existing Federal, State, and local early childhood education programs.

“(2) Partners.—In order to be eligible for a grant under this section, a State shall partner with an eligible partnership.
“(3) Matching Requirement.—Each State that receives a grant under this part shall provide from Federal or non-Federal sources (which may be provided in cash or in-kind) to carry out the activities supported by the grant, an amount equal to—

“(A) 30 percent of the amount of the grant in the first year of such grant; and

“(B) not less than 30 percent of the amount of the grant in the second and third year of such grant, respectively.

“(c) Applications.—A State desiring a grant under this section shall submit an application at such time, in such manner, and containing such information as the Secretary may reasonably require. The application shall include—

“(1) an identification of the lead agency that the Governor of the State has appointed to be responsible for the grant under this section;

“(2) a description of the eligible partnership required under subsection (b)(2), which will assist the State in developing the plan and implementing the activities under this part;

“(3) to the extent practicable, the unduplicated counts of the number of eligible children served using existing Federal, State, and local resources.
and programs that the State will coordinate to meet
the purposes of this part, including—

“(A) programs carried out under the Head
Start Act, including the Early Head Start pro-
grams carried out under such Act;

“(B) programs carried out under section
619 and parts B and C of the Individuals with
Disabilities Education Act;

“(C) child care programs carried out under
the Child Care and Development Block Grant
Act of 1990 (42 U.S.C. 9858 et seq.) or section
418 of the Social Security Act (42 U.S.C. 618);

“(D) other Federal, State, local, and In-
dian tribe or tribal organization programs of
early learning, childhood education, child care,
and development in the State; and

“(E) as applicable—

“(i) programs carried out under other
provisions of this Act;

“(ii) programs carried out under sub-
title A of title XX of the Social Security
Act (42 U.S.C. 1397 et seq.);

“(iii) programs carried out under the
Community Services Block Grant Act (42
U.S.C. 9901 et seq.);
“(iv) programs serving homeless children and services of local educational agency liaisons for homeless children and youths designated under section 722(g)(1)(J)(ii) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11432(g)(1)(J)(ii));

“(v) State agencies and programs serving children in foster care and the foster families of such children; and

“(vi) child care programs funded through State veterans affairs offices;

“(4) a description of how the State proposes to coordinate such resources and programs identified under paragraph (3) in order to meet the purposes of this part;

“(5) a description of how the State will identify early childhood education program providers that demonstrate a high level of quality;

“(6) a description of how the State will define eligible children, in accordance with section 5901(b)(2);

“(7) a description of how the State will expand access to existing high-quality early learning and care for eligible children in the State, or if no high-
quality early learning and care is accessible for eligible children, expand access to high-quality early learning and care for such children;

“(8) in the case of a State that has elected to use funds under this section to designate Centers of Excellence—

“(A) assurances that the State will designate an entity, such as an agency, an institution of higher education, a consortium of local educational agencies or Head Start centers, or another entity, to designate early childhood education programs as Centers of Excellence;

“(B) assurances that the designee will meet the definition of a Center of Excellence;

“(C) descriptions of the process by which an entity that carries out an early childhood education program would be designated as a Center of Excellence, including evidence that the early childhood education program involved has demonstrated excellence in program delivery in a manner designed to improve the school readiness of children who have participated in the program; and
“(D) descriptions of how the State will assist Centers of Excellence in the dissemination of best practices;

“(9) an assurance that the State will provide technical assistance to partners on methods by which Federal and State early learning and care funding can be coordinated and lead to cost-saving and efficiencies strategies, and other methods that will enhance the quality of the early childhood education programs in the State;

“(10) a description of how the State will sustain early learning and care activities coordinated under this section, including for rural areas in the State, if applicable, once grant funding is no longer available under this section;

“(11) a description of the process that the State proposes to use to collect and disseminate, to parents and the general public, consumer information that will promote informed early learning and care choices in the State;

“(12) a description of how the State will serve eligible children residing in rural areas, if applicable; and

“(13) an assurance that funds made available under this part shall be used to supplement, and not
supplant, any other Federal, State, or local funds
that would otherwise be available to carry out the
activities assisted under this part.

“(d) USE OF FUNDS.—

“(1) IN GENERAL.—A State that receives a
grant under this part shall use the grant funds to
develop, implement, or improve a coordinated state-
wide or locally implemented system of voluntary
eyearly care and learning, which includes a plan—

“(A) for coordinating funding available
through existing Federal, State, and local
sources; and

“(B) which is designed in collaboration
with an eligible partnership.

“(2) AUTHORIZED ACTIVITIES.—Grant funds
under this section may be used for the following:

“(A) Aligning existing Federal, State, and
local funding and resources with a statewide or
locally designed system for delivering high-qual-
ity early learning and care for eligible children
in the State, including developing evidence-
based practices to improve staff quality, in-
structional programming, and time in program.

“(B) Analyzing needs for expanded access
to existing high-quality early childhood edu-
cation programs in the State, including child
care, preschool, and Early Head Start, Head
Start, and special education for all children,
particularly low-income children.

“(C) Developing or expanding eligible part-
nerships to—

“(i) expand access for eligible children
to existing high-quality providers or pro-
grams or, if no high-quality early learning
and care is accessible for eligible children,
expand access to high-quality early learn-
ing and care for eligible children;

“(ii) share best practices; and

“(iii) ensure that parents have max-
imum choices in selecting the providers
that meet their individual needs, consistent
with State and local laws.

“(D) Developing or expanding Centers of
Excellence for the purposes of—

“(i) disseminating best practices for
achieving early academic success in the
State, including best practices for—

“(I) achieving school readiness,
including developing early literacy and
mathematics skills;
“(II) the acquisition of the English language for English learners;

or

“(III) providing high-quality comprehensive services to low-income and at-risk children and their families;

“(ii) coordinating early education, child care, and other social services available in the State and local communities for low-income and at-risk children and families; or

“(iii) providing effective transitions between preschool programs and elementary schools, including by facilitating ongoing communication between early education and elementary school teachers and by improving the ability of teachers to work effectively with low-income and at-risk children and their families.

“(E) Expanding existing high-quality early education and care for infants and toddlers, or if no high-quality early education and care is accessible for infants and toddlers, expand access to high quality education and care.
“(F) Carrying out other strategies determined by the State to improve access to and expand the overall quality of a coordinated State or locally designed system of voluntary early learning and care services in the State.

“(3) PRIORITY.—The activities implemented by a State under this subsection shall prioritize parental choice of providers and evidence-based practices for improving early learning program quality and access to the extent permitted under State and local law.

“(e) REPORTING.—A State that receives a grant under this part shall submit to the Secretary, at such time and in such manner as the Secretary may reasonably require, an annual report that includes—

“(1) the number and percentage of children who are served in high-quality early childhood education programs, as identified by the State, during each year of the grant duration using funds from—

“(A) only this part, as applicable; 

“(B) the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.) or section 418 of the Social Security Act (42 U.S.C. 618); 

“(C) the Head Start Act; and
“(D) other public and private providers, as applicable;

“(2) the quality improvements undertaken at the State level;

“(3) the extent to which funds are being blended with other public and private funding; and

“(4) any other ways in which funds are used to meet the purposes of this part.

“(f) REPORT TO CONGRESS.—The Secretary, in consultation with the Secretary of Health and Human Services, shall prepare and submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives a biennial report containing the information described in subsection (e) for all States receiving funds under this part.

“(g) LIMITATIONS ON FEDERAL INTERFERENCE.—Nothing in this part shall be construed to authorize the Secretary to establish any criterion that specifies, defines, or prescribes—

“(1) early learning and development guidelines, standards, or specific assessments, including the standards or measures that States use to develop, implement, or improve such guidelines, standards, or assessments;
“(2) specific measures or indicators of quality early learning and care, including—

“(A) the systems that States use to assess the quality of early childhood education programs and providers, school readiness, and achievement; and

“(B) the term ‘high-quality’ early learning or care;

“(3) early learning or preschool curriculum, program of instruction, or instructional content;

“(4) teacher and staff qualifications and salaries;

“(5) class sizes and child-to-instructional staff ratios; and

“(6) any aspect or parameter of a teacher, principal, other school leader, or staff evaluation system within a State or local educational agency.

“SEC. 5903. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to carry out this part such sums as may be necessary for each of fiscal years 2016 through 2021.”.
TITLE VI—INNOVATION AND FLEXIBILITY

SEC. 6001. PURPOSES.

Title VI (20 U.S.C. 7301 et seq.) is amended by inserting before part A of title VI, the following:

"SEC. 6001. PURPOSES.

"The purposes of this title are—

"(1) to support State and local innovation in preparing all students to meet challenging State academic standards under section 1111(b);

"(2) to provide States and local educational agencies with maximum flexibility in using Federal funds provided under this Act; and

"(3) to support education in rural areas."

SEC. 6002. IMPROVING ACADEMIC ACHIEVEMENT.

Part A of title VI (20 U.S.C. 7301 et seq.) is amended—

(1) by striking subparts 1 and 4;

(2) by redesignating subpart 2 as subpart 1;

(3) by redesignating sections 6121 through 6123 as sections 6111 through 6113, respectively;

(4) in section 6113, as redesignated by paragraph (3)—

(A) in subsection (a)—

(i) in paragraph (1)—
(I) in the matter preceding subparagraph (A), by striking “not more than 50 percent of the nonadministrative State funds” and inserting “all, or any lesser amount, of State funds”; and

(II) by striking subparagraphs (A) through (D) and inserting the following:

“(A) Part A of title II.
“(B) Part A of title IV.
“(C) Part G of title V.”; and

(ii) in paragraph (2), by striking “and subject to the 50 percent limitation described in paragraph (1)”; and

(B) in subsection (b)—

(i) in paragraph (1)—

(I) in subparagraph (A), by striking “(except” and all that follows through “subparagraph (C))” and inserting “may transfer all, or any lesser amount, of the funds allocated to it”; 

(II) by striking subparagraph (B);
(III) by redesignating subparagraph (C) as subparagraph (B); and

(IV) in subparagraph (B), as redesignated by subclause (III), by striking “and subject to the percentage limitation described in subparagraph (A) or (B), as applicable”; and

(ii) in paragraph (2)—

(I) by striking “subparagraph (A), (B), or (C)” and inserting “subparagraph (A) or (B)”; and

(II) by striking subparagraphs (A) through (D) and inserting the following:

“(A) Part A of title II.

“(B) Part A of title IV.

“(C) Part G of title V.”; and

(5) by striking subpart 3 and inserting the following:

“Subpart 2—Weighted Student Funding Flexibility

Pilot Program

“SEC. 6121. WEIGHTED STUDENT FUNDING FLEXIBILITY PILOT PROGRAM.

“(a) PURPOSE.—The purpose of the pilot program under this section is to provide local educational agencies
with flexibility to consolidate Federal, State, and local funding in order to create a single school funding system based on weighted per pupil allocations for low-income and otherwise disadvantaged students.

“(b) AUTHORITY.—The Secretary may, on a competitive basis, enter into local flexibility demonstration agreements—

“(1) for not more than 2 years with local educational agencies that are selected under subsection (c) and submit proposed agreements that meet the requirements of subsection (d); and

“(2) under which such agencies may consolidate and use funds in accordance with subsection (d) in order to develop and implement a school funding system based on weighted per pupil allocations for low-income and otherwise disadvantaged students.

“(c) SELECTION OF LOCAL EDUCATIONAL AGENCIES.—

“(1) IN GENERAL.—The Secretary may enter into local flexibility demonstration agreements with not more than 25 local educational agencies, reflecting the size and geographic diversity of all such agencies nationwide to the maximum extent feasible.
“(2) SELECTION.—Each local educational agency shall be selected on a competitive basis from among those local educational agencies that—

“(A) submit a proposed local flexibility demonstration agreement under subsection (d) to the Secretary;

“(B) demonstrate to the satisfaction of the Secretary that the agreement meets the requirements of subsection (d); and

“(C) agree to meet the continued demonstration requirements under subsection (e).

“(d) REQUIRED TERMS OF LOCAL FLEXIBILITY DEMONSTRATION AGREEMENT.—

“(1) APPLICATION.—Each local educational agency that desires to participate in the pilot program under this section shall submit, at such time, in such form, and including such information as the Secretary may prescribe, an application to enter into a local flexibility demonstration agreement with the Secretary in order to develop and implement a school funding system based on weighted per pupil allocations that meets the requirements of this section, including—

“(A) a description of the school funding system based on weighted per pupil allocations,
including how the system will meet the requirements under paragraph (2);

“(B) a list of funding sources, including eligible Federal funds the local educational agency will include in such system;

“(C) a description of the amount and percentage of total local educational agency funding, including State, local, and eligible Federal funds, that will be allocated through such system;

“(D) the per-pupil expenditures (including actual personnel expenditures, including staff salary differentials for years of employment, and actual nonpersonnel expenditures) of State and local funds for each school served by the agency for the preceding fiscal year;

“(E) the per-pupil amount of eligible Federal funds each school served by the agency, disaggregated by program, received in the preceding fiscal year;

“(F) a description of how the system will continue to ensure that any eligible Federal funds allocated through the system will continue to meet the purposes of each Federal funding stream, including serving students from
low-income families, English learners, migratory
children, and children who are neglected, delin-
quent, or at risk, as applicable;

“(G) a description of how the local edu-
cational agency will develop and employ a
weighted student funding system to support
public elementary schools and secondary schools
in order to improve the academic achievement
of students, including low-income students, the
lowest achieving students, English learners, and
students with disabilities;

“(H) an assurance that the local edu-
cational agency developed and will implement
the local flexibility demonstration agreement in
consultation with teachers, principals, other
school leaders, administrators of Federal pro-
grams impacted by the agreement, parents, civil
rights leaders, and other relevant stakeholders;

“(I) an assurance that the local edu-
cational agency will use fiscal control and sound
accountability procedures that ensure proper
disbursement of, and accounting for, eligible
Federal funds consolidated and used under such
system;
“(J) an assurance that the local educational agency will continue to meet the fiscal provisions in section 1117; and

“(K) an assurance that the local educational agency will meet the requirements of all applicable Federal civil rights laws in carrying out the agreement and in consolidating and using funds under the agreement.

“(2) REQUIREMENTS OF SYSTEM.—A local educational agency’s school funding system based on weighted per pupil allocations shall meet each of the following requirements:

“(A) The system shall—

“(i) allocate a significant portion of funds, including State, local, and eligible Federal funds, to the school level through a formula that determines per-pupil weighted amounts based on individual student characteristics;

“(ii) use weights or allocation amounts that allocate substantially more funding to students from low-income families and English learners than to other students; and
“(iii) demonstrate to the Secretary, that each high-poverty school received at least as much total per-pupil funding, including from Federal, State, and local sources, for low-income students and at least as much total per-pupil funding, including from Federal, State, and local sources, for English learners as the school received in the year prior to carrying out the pilot program.

“(B) The system shall be used to allocate a significant portion, including all school level personnel expenditures for instructional staff and nonpersonnel expenditures, but not less than 65 percent, of all the local educational agency’s local and State funds to schools.

“(C) After allocating funds through the school funding system, the local educational agency shall charge schools for the per-pupil expenditures of Federal, State, and local funds, including actual personnel expenditures for instructional staff and actual nonpersonnel expenditures.
“(D) The system may include weights or allocation amounts according to other characteristics.

“(e) CONTINUED DEMONSTRATION.—Each local educational agency that is selected to participate in the pilot program under this section shall annually—

“(1) demonstrate to the Secretary, that no high-poverty school served by the agency received less total per-pupil funding, including from Federal, State, and local sources, for low-income students or less total per-pupil funding, including from Federal, State, and local sources, for English learners than the school received in the previous year;

“(2) make public and report to the Secretary the per-pupil expenditures (including actual personnel expenditures that include staff salary differentials for years of employment, and actual non-personnel expenditures) of State, local, and Federal funds for each school served by the agency, and disaggregated by student poverty quartile and by minority student quartile for the preceding fiscal year; and

“(3) make public the total number of students enrolled in each school served by the agency and the number of students enrolled in each such school.
disaggregated by each of the categories of students, as defined in section 1111(b)(3)(A).

“(f) Eligible Federal Funds.—In this section, the term ‘eligible Federal funds’ means funds received by a local educational agency under titles I, II, III, and IV of this Act.

“(g) Limitations on Administrative Expenditures.—Each local educational agency that has entered into a local flexibility demonstration agreement with the Secretary under this section may use, for administrative purposes, from eligible Federal funds not more than the percentage of funds allowed for such purpose under any of titles I, II, III, or IV.

“(h) Peer Review.—The Secretary may establish a peer-review process to assist in the review of a proposed local flexibility demonstration agreement.

“(i) Noncompliance.—The Secretary may, after providing notice and an opportunity for a hearing (including the opportunity to provide information as provided for in subsection (j)), terminate a local flexibility demonstration agreement under this section if there is evidence that the local educational agency has failed to comply with the terms of the agreement and the requirements under subsections (d) and (e).
“(j) Evidence.—If a local educational agency believes that the Secretary’s determination under subsection (i) is in error for statistical or other substantive reasons, the local educational agency may provide supporting evidence to the Secretary, and the Secretary shall consider that evidence before making a final termination determination.

“(k) Program Evaluation.—From the amount reserved for evaluation activities in section 9601, 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 local flexibility demonstration agreements under this section, consistent with section 9601 and specifically on improving the equitable distribution of State and local funding and increasing student achievement.

“(l) Renewal of Local Flexibility Demonstration Agreement.—The Secretary may renew for additional 3-year terms a local flexibility demonstration agreement under this section if—

“(1) the local educational agency has met the requirements under subsections (d)(2) and (e) and agrees to and has a high likelihood of continuing to meet such requirements; and
“(2) the Secretary determines that renewing the local flexibility demonstration agreement is in the interest of students served under titles I and III, including students from low-income families, English learners, migratory children, and children who are neglected, delinquent, or at risk.

“(m) DEFINITION OF HIGH-POVERTY SCHOOL.—In this section, the term ‘high-poverty school’ means a school that is in the highest 2 quartiles of schools served by a local educational agency, based on the percentage of enrolled students from low-income families.”.

SEC. 6003. RURAL EDUCATION INITIATIVE.

Part B of title VI (20 U.S.C. 7341 et seq.) is amended—

(1) in section 6211—

(A) in subsection (a)(1), by striking subparagraphs (A) through (E) and inserting the following:

“(A) Part A of title I.
“(B) Part A of title II.
“(C) Title III.
“(D) Part A or B of title IV.
“(E) Part G of title V.”;

(B) in subsection (b)(1)—
(i) in subparagraph (A)(ii), by striking “7 or 8, as determined by the Secretary; or” and inserting “41, 42, or 43, as determined by the Secretary;”;

(ii) in subparagraph (B), by striking the period at the end and inserting “; or”;

and

(iii) by adding at the end the following:

“(C) the local educational agency is a member of an educational service agency that does not receive funds under this subpart and the local educational agency meets the requirements of this part.”; and

(C) in subsection (c), by striking paragraphs (1) through (3) and inserting the following:

“(1) Part A of title II.
“(2) Part A of title IV.”;

(2) in section 6212—

(A) in subsection (a), by striking paragraphs (1) through (5) and inserting the following:

“(1) Part A of title I.
“(2) Part A of title II.
“(3) Title III.

“(4) Part A or B of title IV.

“(5) Part G of title V.”;

(B) in subsection (b)—

(i) by striking paragraph (1) and inserting the following:

“(1) ALLOCATION.—

“(A) IN GENERAL.—Except as provided in paragraph (3), the Secretary shall award a grant under subsection (a) to a local educational agency eligible under section 6211(b) for a fiscal year in an amount equal to the initial amount determined under paragraph (2) for the fiscal year minus the total amount received by the agency under the provisions of law described in section 6211(c) for the preceding fiscal year.

“(B) SPECIAL DETERMINATION.—For a local educational agency that is eligible under section 6211 and is a member of an educational service agency, the Secretary may determine the award amount by subtracting from the initial amount determined under paragraph (2), an amount that is equal to that local educational agency’s per-pupil share of the total amount re-
ceived by the educational service agency under
titles II and IV, as long as a determination
under this subparagraph would not dispropor-
tionately affect any State.”;

(ii) by striking paragraph (2) and in-
serting the following:

“(2) Determination of Initial Amount.—

“(A) In general.—The initial amount re-
ferr ed to in paragraph (1) is equal to $100
multiplied by the total number of students in
excess of 50 students, in average daily attend-
ance at the schools served by the local edu-
cational agency, plus $20,000, except that the
initial amount may not exceed $60,000.

“(B) Special rule.—For any fiscal year
in which the amount made available to carry
out this part is $252,000,000 or more, subpara-
graph (A) shall be applied—

“(i) by substituting ‘$25,000’ for
‘$20,000’; and

“(ii) by substituting ‘$80,000’ for
‘$60,000’.”; and

(iii) by adding at the end the fol-
lowing:
“(4) HOLD HARMLESS.—For a local educational agency that is not eligible under this subpart but met the eligibility requirements under section 6211(b) as such section was in effect on the day before the date of enactment of the Every Child Achieves Act of 2015, the agency shall receive—

“(A) for fiscal year 2016, 75 percent of the amount such agency received for fiscal year 2015;

“(B) for fiscal year 2017, 50 percent of the amount such agency received for fiscal year 2015; and

“(C) for fiscal year 2018, 25 percent of the amount such agency received for fiscal year 2015.”; and

(C) by striking subsection (d);

(3) by striking section 6213 and inserting the following:

“SEC. 6213. ACADEMIC ACHIEVEMENT ASSESSMENTS.

“Each local educational agency that uses or receives funds under this subpart for a fiscal year shall administer an assessment that is consistent with section 1111(b)(2).”;

(4) in section 6221—
(A) in subsection (b)(1)(B), by striking “6, 7, or 8” and inserting “32, 33, 41, 42, or 43”; and

(B) in subsection (e)(1), by striking “Bureau of Indian Affairs” and inserting “Bureau of Indian Education”;

(5) in section 6222(a), by striking paragraphs (1) through (7) and inserting the following:

“(1) Activities authorized under part A of title I.

“(2) Activities authorized under part A of title II.

“(3) Activities authorized under title III.

“(4) Activities authorized under part A of title IV.

“(5) Parental involvement activities.

“(6) Activities authorized under part G of title V.”;

(6) in section 6223—

(A) in subsection (a), by striking “at such time, in such manner, and accompanied by such information” and inserting “at such time and in such manner”; and

(B) by striking subsection (b) and inserting the following:
“(b) CONTENTS.—Each application submitted under subsection (a) shall include information on—

“(1) program objectives and outcomes for activities under this subpart, including how the State educational agency or specially qualified agency will use funds to help all students meet the challenging State academic standards under section 1111(b);

“(2) if the State educational agency or specially qualified agency will competitively award grants to eligible local educational agencies, as described in section 6221(b)(2)(A), the application under the section shall include—

“(A) the methods and criteria the State educational agency or specially qualified agency will use for reviewing applications and awarding funds to local educational agencies on a competitive basis; and

“(B) how the State educational agency or specially qualified agency will notify eligible local educational agencies of the grant competition; and

“(3) a description of how the State educational agency or specially qualified agency will provide technical assistance to eligible local educational
agencies to help such agencies implement the activities described in section 6222.”;

(7) in section 6224—

(A) in subsection (a)—

(i) in the matter preceding paragraph (1), by inserting “or specially qualified agency” after “Each State educational agency”;

(ii) by striking paragraph (1) and inserting the following:

“(1) if the report is submitted by a State educational agency, the method the State educational agency used to award grants to eligible local educational agencies, and to provide assistance to schools, under this subpart;”; and

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

“(3) the degree to which progress has been made toward meeting the objectives and outcomes described in the application submitted under section 6223, including having all students in the State or the area served by the specially qualified agency, as applicable, meet the challenging State academic standards under section 1111(b).”;}
(B) by striking subsection (b) and (c) and inserting the following:

“(b) Report to Congress.—The Secretary shall prepare a summary of the reports under subsection (a) and submit a biennial report to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives.”;

(C) by redesignating subsection (d) as subsection (e);

(D) in subsection (e), as redesignated by subparagraph (C), by striking “assessment that is consistent with section 1111(b)(3)” and inserting “assessment that is consistent with section 1111(b)(2)”;

(E) by striking subsection (e);

(8) by inserting after section 6224 the following:

“SEC. 6225. CHOICE OF PARTICIPATION.

“(a) In General.—If a local educational agency is eligible for funding under both subparts 1 and 2 of this part, such local educational agency may receive funds under either subpart 1 or subpart 2 for a fiscal year, but may not receive funds under both subparts for such fiscal year.
“(b) Notification.—A local educational agency eligible for funding under both subparts 1 and 2 of this part shall notify the Secretary and the State educational agency under which of such subparts the local educational agency intends to receive funds for a fiscal year by a date that is established by the Secretary for the notification.”;

and

(9) in section 6234, by striking “$300,000,000 for fiscal year 2002 and such sums as may be necessary for each of the 5 succeeding fiscal years,” and inserting “such sums as may be necessary for each of the fiscal years 2016 through 2021,”.

SEC. 6004. GENERAL PROVISIONS.

Part C of title VI (20 U.S.C. 7371) is amended to read as follows:

“PART C—GENERAL PROVISIONS

“SEC. 6301. PROHIBITION AGAINST FEDERAL MANDATES, DIRECTION, OR CONTROL.

“Nothing in this title shall be construed to authorize an officer or employee of the Federal Government to mandate, direct, or control a State, local educational agency, or school’s specific instructional content, academic standards and assessments, curriculum, or program of instruction, as a condition of eligibility to receive funds under this Act.
“SEC. 6302. RULE OF CONSTRUCTION ON EQUALIZED SPENDING.

“Nothing in this title shall be construed to mandate equalized spending per pupil for a State, local educational agency, or school.”.

TITLE VII—INDIAN, NATIVE HAWAIIAN, AND ALASKA NATIVE EDUCATION

SEC. 7001. INDIAN EDUCATION.

Part A of title VII (20 U.S.C. 7401 et seq.) is amended—

(1) by striking sections 7132, 7133, 7134, and 7136;

(2) by redesignating section 7135 as section 7132;

(3) by striking section 7102 and inserting the following:

“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 culture, language, and educational needs, consistent with section 1111;
“(2) to ensure that American Indian and Alaskan Native students gain knowledge and understanding of Native communities, languages, tribal histories, traditions, and cultures; and

“(3) to ensure that teachers, principals, other school leaders, and other staff who serve American Indian and Alaska Native students have the ability to provide effective instruction and supports to such students.”;

(4) by striking section 7111 and inserting the following:

“SEC. 7111. PURPOSE.

“It is the purpose of this subpart to support local educational agencies in developing elementary school and secondary school programs for American Indian and Alaska Native students that are designed to—

“(1) meet the unique cultural, language, and educational needs of such students; and

“(2) ensure that all students meet the challenging State academic standards adopted under section 1111(b).”;

(5) in section 7112—

(A) by striking subsection (a) and inserting the following:
“(a) IN GENERAL.—The Secretary may make grants, from allocations made under section 7113, and in accordance with this section and section 7113, to—

“(1) local educational agencies;

“(2) Indian tribes; and

“(3) consortia of 2 or more local educational agencies, Indian tribes, Indian organizations, or Indian community-based organizations, provided that each local educational agency participating in such a consortium—

“(A) provides an assurance that the eligible Indian children served by such local educational agency receive the services of the programs funded under this subpart; and

“(B) is subject to all the requirements, assurances, and obligations applicable to local educational agencies under this subpart.”;

(B) in subsection (b)—

(i) in paragraph (1), by striking “A local educational agency shall” and inserting “Subject to paragraph (2), a local educational agency shall”;

(ii) by redesignating paragraph (2) as paragraph (3); and
(iii) by inserting after paragraph (1) the following:

“(2) COOPERATIVE AGREEMENTS.—A local educational agency may enter into a cooperative agreement with an Indian tribe under this subpart if such Indian tribe—

“(A) represents not less than 25 percent of the eligible Indian children who are served by such local educational agency; and

“(B) requests that the local educational agency enters into a cooperative agreement under this subpart.”; and

(C) by striking subsection (e) and inserting the following:

“(e) 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)(4) 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 public school and such
tribe is not affiliated with either a 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)(4) 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 an Indian 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 ‘Indian community-based organization’ means any organization that—

“(A) is composed primarily of Indian parents and community members, tribal government education officials, and tribal members from a specific community;

“(B) assists in the social, cultural, and educational development of Indians in such community;
“(C) meets the unique cultural, language, and academic needs of Indian students; and

“(D) demonstrates organizational capacity to manage the grant.

“(e) CONSORTIA.—

“(1) IN GENERAL.—A local educational agency, Indian tribe, or Indian organization that meets the eligibility requirements under this section may form a consortium with other eligible local educational agencies, Indian tribes, or Indian organizations for the purpose of obtaining grants and operating programs under this subpart.

“(2) REQUIREMENTS.—In any case where 2 or more local educational agencies, Indian tribes, or Indian organizations that are eligible under subsection (b) form or participate in a consortium to obtain a grant, or operate a program, under this subpart, each local educational agency, Indian tribe, and Indian organization 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, Indian tribe, and Indian orga-
nization will receive the services of the pro-
grams funded under this subpart; and

“(B) agree to be subject to all require-
ments, assurances, and obligations applicable to
a local educational agency, Indian tribe, and In-
dian organization receiving a grant under this
subpart.”;

(6) in section 7113—

(A) in subsection (b)(1), by striking “Bu-
reau of Indian Affairs” and inserting “Bureau
of Indian Education”; and

(B) in subsection (d)—

(i) in the subsection heading, by strik-
ing “INDIAN AFFAIRS” and inserting “IN-
DIAN EDUCATION”; and

(ii) in paragraph (1)(A)(i), by striking
“Bureau of Indian Affairs” and inserting
“Bureau of Indian Education”;

(7) in section 7114—

(A) in subsection (a), by inserting “Indian
tribe, or consortia as described in section
7113(b)(2)” after “Each local educational
agency,”;

(B) in subsection (b)—

(i) in paragraph (2)—
(I) in subparagraph (A), by striking “is consistent with the State and local plans” and inserting “supports the State, tribal, and local plans”; and

(II) by striking subparagraph (B)

and inserting the following:

“(B) includes program objectives and outcomes for activities under this subpart that are based on the same challenging State academic standards developed by the State under title I for all students;”;

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

“(3) explains how the local educational agency, tribe, or consortium will use funds made available under this subpart to supplement other Federal, State, and local programs that meet the needs of such students;”;

(iii) in paragraph (5)(B), by striking “and” after the semicolon;

(iv) in paragraph (6)—

(I) in subparagraph (B)—

(aa) in clause (i), by striking “and” after the semicolon;
(bb) by adding at the end the following:

“(iii) the Indian tribes whose children are served by the local educational agency, consistent with section 444 of the General Education Provisions Act (20 U.S.C. 1232g) (commonly referred to as the ‘Family Educational Rights and Privacy Act of 1974’); and”;

(II) in subparagraph (C), by striking the period at the end and inserting “; and”;

(v) by adding at the end the following:

“(7) describes the process the local educational agency used to collaborate with Indian tribes located in the community in the development of the comprehensive programs and the actions taken as a result of such collaboration.”;

(C) in subsection (c)—

(i) in paragraph (1), by striking “the education of Indian children,” and inserting “services and activities consistent with those described in this subpart,”;

(ii) in paragraph (2)—
(I) in subparagraph (A), by striking “and” after the semicolon;

(II) in subparagraph (B), by striking “served by such agency;” and inserting “served by such agency, and meet program objectives and outcomes for activities under this subpart; 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;”;

(iii) in paragraph (3)(C)—

(I) by inserting “representatives of Indian tribes on Indian lands located within 50 miles of any school that the agency will serve if such tribe has any children in such school,” after “parents of Indian children and teachers,”; and

(II) by striking “and” after the semicolon;

(iv) in paragraph (4)—

(I) in subparagraph (A)—
(aa) in clause (i), by inserting “and family members” after “parents”;

(bb) by redesignating clauses (ii) and (iii) as clauses (iii) and (iv), respectively; and

(cc) by inserting after clause (i) the following:

“(ii) representatives of Indian tribes on Indian lands located within 50 miles of any school that the agency will serve if such tribe has any children in such school;”;

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

“(B) a majority of whose members are parents and family members of Indian children and representatives of Indian tribes described in subparagraph (A)(ii), as applicable;”;

(III) in subparagraph (C), by inserting “and family members” after “,” parents”;

(IV) in subparagraph (D)(ii), by striking “and” after the semicolon;
(V) in subparagraph (E), by striking the period at the end and inserting “; and”; and

(VI) by adding at the end the following:

“(F) that will determine the extent to which the activities of the local educational agency will address the unique cultural, linguistic, and educational needs of Indian students;”; and

(v) by adding at the end the following:

“(5) the local educational agency will coordinate activities under this title with other Federal programs supporting educational and related services administered by such agency;

“(6) the local educational agency conducted outreach to parents and family members to meet the requirements under this paragraph; and

“(7) the local educational agency will use funds received under this subpart only for activities described and authorized in this subpart.”; and

(D) 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 or Bureau of Indian Education school 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.”;

(8) in section 7115—

(A) in subsection (a)—

(i) in paragraph (1), by inserting “solely for the services and activities de-
scribed in such application” after “under section 7114(a)”; and

(ii) in paragraph (2), by inserting “to be responsive to the unique learning styles of Indian and Alaska Native children” after “Indian students”;

(B) by striking subsection (b) and inserting the following:

“(b) PARTICULAR ACTIVITIES.—The services and activities referred to in subsection (a) may include—

“(1) activities that support Native American language programs and Native American language restoration programs, which may be taught by traditional leaders;

“(2) culturally related activities that support the program described in the application submitted by the local educational agency;

“(3) high-quality early childhood and family programs that emphasize school readiness;

“(4) enrichment programs that focus on problem solving and cognitive skills development and directly support the attainment of challenging State academic standards described in 1111(b);

“(5) integrated educational services in combination with other programs that meet the needs of In-
dian children and their families, including programs that promote parental involvement in school activities and increase student achievement;

“(6) career preparation activities to enable Indian students to participate in programs such as the programs supported by the Carl D. Perkins Career and Technical Education Act of 2006, including programs for tech-prep education, mentoring, and apprenticeship;

“(7) activities to educate individuals so as to prevent violence, suicide, and substance abuse;

“(8) the acquisition of equipment, but only if the acquisition of the equipment is essential to achieve the purpose described in section 7111;

“(9) activities that promote the incorporation of culturally responsive teaching and learning strategies into the educational program of the local educational agency;

“(10) family literacy services;

“(11) activities that recognize and support the unique cultural and educational needs of Indian children, and incorporate appropriately qualified tribal elders and seniors; and

“(12) dropout prevention strategies and strategies to—
“(A) meet the educational needs of at-risk Indian students in correctional facilities; and

“(B) support Indian students who are transitioning from such facilities to schools served by local educational agencies.”;

(C) in subsection (c)—

(i) in paragraph (1), by striking “and” after the semicolon;

(ii) in paragraph (2), by striking the period and inserting “; and”; and

(iii) 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 provide benefits to Indian students.”; and

(D) 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.”;

(9) in section 7116—

(A) in subsection (g)—
(i) by striking “No Child Left Behind Act of 2001” and inserting “Every Child Achieves Act of 2015”;

(ii) by inserting “the Secretary of Health and Human Services,” after “the Secretary of the Interior,”; and

(iii) by inserting “and coordination” after “providing for the implementation”;

and

(B) in subsection (o)—

(i) in paragraph (1), by striking “Not later than 2 years after the date of enactment of the No Child Left Behind Act of 2001,” and inserting “Not later than 2 years after date of enactment of the Every Child Achieves Act of 2015, and every 5 years thereafter,”; and

(ii) by striking paragraph (2) and inserting the following:

“(2) CONTENTS.—The report required under paragraph (1) shall identify—

“(A) any statutory barriers to the ability of participants to more effectively integrate their education and related services to Indian
students in a manner consistent with the objectives of this section; and

“(B) the effective practices for program integration that result in increased student achievement, graduation rates, and other relevant outcomes for Indian students.”;

(10) in section 7117—

(A) in subsection (b)(1)—

(i) in subparagraph (A)(ii), by inserting “or membership” after “the enrollment”; and

(ii) in subparagraph (B), by inserting “or membership” after “the enrollment”;

(B) by striking subsection (e) and inserting the following:

“(e) DOCUMENTATION.—

“(1) IN GENERAL.—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 enrollment 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 Every Child Achieves Act of 2015 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.”;

(C) in subsection (g), by striking “Bureau of Indian Affairs” and inserting “Bureau of Indian Education”; and

(D) by adding at the end the following:

“(i) Technical Assistance.—The Secretary shall, directly or through contract, provide technical assistance to a local educational agency or Bureau of Indian Edu-
cation school upon request, in addition to any technical assistance available under section 1114 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 and sharing of best practices.”;

(11) in section 7118, by striking subsection (c) and inserting the following:

“(c) REDUCTION OF PAYMENT FOR FAILURE TO MAINTAIN FISCAL EFFORT.—Each local educational agency shall maintain fiscal effort in accordance with section 9521 or be subject to reduced payments under this subpart in accordance with such section 9521.”;

(12) in section 7121—

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(A) by striking the section header and inserting the following:

“SEC. 7121. IMPROVEMENT OF EDUCATIONAL OPPORTUNITIES FOR INDIAN CHILDREN AND YOUTH.”;

(B) in subsection (a)—

(i) in paragraph (1), by inserting “and youth” after “Indian children”; and

(ii) in paragraph (2)(B), by inserting “and youth” after “Alaska Native children”;

(C) in subsection (b), by striking “Indian institution (including an Indian institution of higher education)” and inserting “a Tribal College or University (as defined in section 316(b) of the Higher Education Act of 1965)”;

(D) in subsection (c)—

(i) in paragraph (1)—

(I) in subparagraph (A), by inserting “and youth” after “disadvantaged children”;

(II) in subparagraph (B), by inserting “and youth” after “such children”;
(III) in subparagraph (D), by inserting “and youth” after “Indian children”; 

(IV) in subparagraph (E), by inserting “and youth” after “Indian children” both places the term appears; 

(V) 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 progress by the end of grade 3, including kindergarten and prekindergarten programs, family-based preschool programs that emphasize school readiness, and the provision of services to Indian children with disabilities;”; and

(VI) in subparagraph (L)—

(aa) by striking “appropriately qualified tribal elders and seniors” and inserting “traditional leaders”; and

(bb) by inserting “and youth” after “Indian children”;
(ii) in paragraph (2), by striking “Professional development” and inserting “High-quality professional development”; (E) in subsection (d)— (i) 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 multiyear 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 (ii) in paragraph (3)(B)— (I) in clause (i), by striking “parents of Indian children” and inserting “parents and family of Indian children”; and (II) in clause (iii), by striking “information demonstrating that the proposed program for the activities is a scientifically based research program” and inserting “evidence dem-
onstrating that the proposed program
is an evidence-based program”; and
(F) 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 Every Child Achieves
Act of 2015 may continue to carry out such activities after
such date of enactment under such grant in accordance
with the terms of such grant award.”;

(13) in section 7122—
(A) in subsection (a)—
(i) in paragraph (1), by striking “indi-
viduals in teaching or other education pro-
fessions that serve Indian people” and in-
serting “teachers and administrators serv-
ing Indian students”; and
(ii) in paragraph (2)—
(I) by inserting “and support”
after “to provide training”; and
(II) by striking “ancillary edu-
cational personnel” and inserting
“specialized instructional support per-
onnel”; and

(B) in subsection (b)—
(i) in paragraph (1), by striking “including an Indian institution of higher education” and inserting “including a Tribal College or University, as defined in section 316(b) of the Higher Education Act of 1965”; and

(ii) in paragraph (4), by inserting “in a consortium with at least one Tribal College or University, as defined in section 316(b) of the Higher Education Act of 1965, where feasible” before the period at the end;

(C) in subsection (d)(2), by adding at the end the following:

“(C) 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 Every Child Achieves Act of 2015 may continue to carry out such activities under such grant in accordance with the terms of that award.”;

(D) 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, or school leaders;

“(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).”;

(E) in subsection (f)—

(i) by redesignating paragraphs (1)

and (2) as paragraphs (2) and (3), respectively;

(ii) by inserting before paragraph (2), as redesignated by clause (i), the following:
“(1) may give priority in making grants to tribally-chartered and federal-chartered institutions of higher education;”; and

(iii) in paragraph (3), as redesignated by clause (i), by striking “basis of” and all that follows through the period at the end and inserting “basis of the length of any period for which the eligible entity has received a grant.”;

(F) 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 an additional period of not more than 2 years if the Secretary finds that the grantee is achieving the objectives of the grant.”; and

(G) in subsection (h)(1)(A)(ii), by striking “people” and inserting “students in a local educational agency that serves a high proportion of Indian students”;)

(14) by striking section 7132, as redesignated by section 7001(2), and inserting the following:
"SEC. 7132. GRANTS TO TRIBES FOR EDUCATION ADMINISTRATIVE PLANNING, DEVELOPMENT, AND COORDINATION.

(a) In General.—The Secretary may award grants under this section to eligible applicants to enable the eligible applicants to—

1. promote tribal self-determination in education;
2. improve the academic achievement of Indian children and youth; and
3. promote the coordination and collaboration of tribal educational agencies with State and local educational agencies to meet the unique educational and culturally related academic needs of Indian students.

(b) Definitions.—In this section:

1. Eligible Applicant.—In this section, the term ‘eligible applicant’ means—
   1A. an Indian tribe or tribal organization approved by an Indian tribe; or
   1B. a tribal educational agency.

2. Indian Tribe.—The term ‘Indian tribe’ means a federally recognized tribe or a State-recognized tribe.

3. Tribal Educational Agency.—The term ‘tribal educational agency’ means the agency,
department, or instrumentality of an Indian tribe
that is primarily responsible for supporting tribal
students’ elementary and secondary education.
“(c) GRANT PROGRAM.—The Secretary may award
grants to—
“(1) eligible applicants described under sub-
section (b)(1)(A) to plan and develop a tribal edu-
cational agency, if the tribe or organization has no
current tribal educational agency, for a period of not
more than 1 year; and
“(2) eligible applicants described under sub-
section (b)(1)(B), for a period of not more than 3
years, in order to—
“(A) directly administer education pro-
grams, including formula grant programs under
this Act, consistent with State law and under a
written agreement between the parties;
“(B) build capacity to administer and co-
ordinate such education programs, and to im-
prove the relationship and coordination between
such applicants and the State educational agen-
cies and local educational agencies that educate
students from the tribe;
“(C) receive training and support from the
State educational agency and local educational
agency, in areas such as data collection and analysis, grants management and monitoring, fiscal accountability, and other areas as needed;

“(D) train and support the State educational agency and local educational agency in areas related to tribal history, language, or culture;

“(E) build on existing activities or resources rather than replacing other funds; and

“(F) carry out other activities, subject to the approval of the Secretary.

“(d) GRANT APPLICATION.—

“(1) In general.—Each eligible applicant desiring a grant under this section shall submit an application to the Secretary at such time, in such manner, containing such information, and consistent with such criteria, as the Secretary may reasonably prescribe.

“(2) Contents.—Each application described in paragraph (1) shall contain—

“(A) a statement describing the activities to be conducted, and the objectives to be achieved, under the grant;

“(B) a description of the method to be used for evaluating the effectiveness of the ac-
tivities for which assistance is sought and for
determining whether such objectives are
achieved; and
“(C) for applications for activities under
subsection (c)(2), evidence of—
“(i) a preliminary agreement with the
appropriate State educational agency, 1 or
more local educational agencies, or both
the State educational agency and a local
educational agency; and
“(ii) existing capacity as a tribal edu-
cational agency.
“(3) APPROVAL.—The Secretary may approve
an application submitted by an eligible applicant
under this subsection only if the Secretary is satis-
fied that such application, including any documenta-
tion submitted with the application—
“(A) demonstrates that the eligible appli-
cant has consulted with other education enti-
ties, if any, within the territorial jurisdiction of
the applicant that will be affected by the activi-
ties to be conducted under the grant;
“(B) provides for consultation with such
other education entities in the operation and
evaluation of the activities conducted under the grant; and

“(C) demonstrates that there will be adequate resources provided under this section or from other sources to complete the activities for which assistance is sought.

“(e) Restrictions.—

“(1) In general.—A tribe may not receive funds under this section if such tribe receives funds under section 1144 of the Education Amendments of 1978.

“(2) Direct services.—No funds under this section may be used to provide direct services.

“(f) Supplement, Not Supplant.—Funds under this section shall be used to supplement, and not supplant, other Federal, State, and local programs that meet the needs of tribal students.”;

(15) in section 7141(b)(1), by inserting “and the Secretary of the Interior” after “advise the Secretary”; 

(16) in section 7151, by adding at the end the following:

“(4) Traditional leaders.—The term ‘traditional leaders’ has the meaning given the term in
section 103 of the Native American Languages Act
(25 U.S.C. 2902).”; and
(17) in section 7152—
(A) in subsection (a), by striking
“$96,400,000 for fiscal year 2002 and such
sums as may be necessary for each of the 5
succeeding fiscal years” and inserting “such
sums as may be necessary for each of fiscal
years 2016 through 2021”; and
(B) in subsection (b) by striking
“$24,000,000 for fiscal year 2002 and such
sums as may be necessary for each of the 5
succeeding fiscal years” and inserting “such
sums as may be necessary for each of fiscal
years 2016 through 2021”.

SEC. 7002. NATIVE HAWAIIAN EDUCATION.
Part B of title VII (20 U.S.C. 7511 et seq.) is amend-
ed—
(1) in section 7202, by striking paragraphs (14)
through (21);
(2) by striking section 7204 and inserting the
following:
“SEC. 7204. NATIVE HAWAIIAN EDUCATION COUNCIL.
“(a) GRANT AUTHORIZED.—In order to better effec-
tuate the purposes of this part through the coordination
of educational and related services and programs available
to Native Hawaiians, including those programs that re-
ceive funding under this part, the Secretary shall award
a grant to the education council described under sub-
section (b).

“(b) EDUCATION COUNCIL.—

“(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) COMPOSITION.—The Education Council
shall consist of 15 members, of whom—

“(A) 1 shall be the President of the Uni-
versity 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 Of-
fee of Hawaiian Affairs (or a designee);

“(E) 1 shall be the executive director of
Hawaii’s Charter School Network (or a des-
ignee);
“(F) 1 shall be the chief executive officer of the Kamehameha Schools (or a designee);

“(G) 1 shall be the Chief Executive Officer 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;

“(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 Molokai or the Island of 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 Education Council shall demonstrate, as deter-
mined 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 (including a designee), while serving on the Education Council, shall not be a direct recipient or administrator of grant funds that are awarded under this part.

“(5) TERM OF MEMBERS.—A member who is a designee shall serve for a term of not more than 4 years.

“(6) CHAIR, VICE CHAIR.—

“(A) SELECTION.—The Education Council shall select a Chairperson and a Vice-Chairperson from among the members of the Education Council.

“(B) TERM LIMITS.—The Chairperson and Vice-Chairperson shall each serve for a 2-year term.

“(7) ADMINISTRATIVE PROVISIONS RELATING TO EDUCATION COUNCIL.—The Education Council shall meet at the call of the Chairperson of the Council, or upon request by a majority of the mem-
bers of the Education Council, but in any event not
less often than every 120 days.

“(8) No Compensation.—None of the funds
made available through the grant may be used to
provide compensation to any member of the Edu-
cation Council or member of a working group estab-
lished by the Education Council, for functions de-
scribed in this section.

“(c) Use of Funds for Coordination Activities.—The Education Council shall use funds made avail-
able through a grant under subsection (a) to carry out
each of the following activities:

“(1) Providing advice about the coordination of,
and serving as a clearinghouse for, the educational
and related services and programs available to Na-
tive Hawaiians, including the programs assisted
under this part.

“(2) Assessing the extent to which such services
and programs meet the needs of Native Hawaiians,
and collecting data on the status of Native Hawaiian
education.

“(3) Providing direction and guidance, through
the issuance of reports and recommendations, to ap-
propriate Federal, State, and local agencies in order
to focus and improve the use of resources, including
resources made available under this part, relating to
Native Hawaiian education, and serving, where ap-
propriate, in an advisory capacity.

“(4) Awarding grants, if such grants enable the
Education Council to carry out the activities de-
scribed in paragraphs (1) through (3).

“(5) Hiring an executive director who shall as-
sist in executing the duties and powers of the Edu-
cation Council, as described in subsection (d).

“(d) USE OF FUNDS FOR TECHNICAL ASSIST-
ANCE.—The Education Council shall use funds made
available through a grant under subsection (a) to—

“(1) provide technical assistance to Native Ha-
awaiian organizations that are grantees or potential
grantees under this part;

“(2) obtain from such grantees information and
data regarding grants awarded under this part, in-
cluding information and data about—

“(A) the effectiveness of such grantees in
meeting the educational priorities established by
the Education Council, as described in para-
graph (6)(D), using metrics related to these
priorities; and

“(B) the effectiveness of such grantees in
carrying out any of the activities described in
paragraphs (2) and (3) of section 7205(a) that
are related to the specific goals and purposes of
each grantee’s grant project, using metrics re-
related to these priorities;
“(3) assess and define the educational needs of
Native Hawaiians;
“(4) assess the programs and services available
to address the educational needs of Native Hawai-
i ans;
“(5) assess and evaluate the individual and ag-
gregate impact achieved by grantees under this part
in improving Native Hawaiian educational perform-
ance and meeting the goals of this part, using
metrics related to these goals; and
“(6) prepare and submit to the Secretary, at
the end of each calendar year, an annual report that
contains—
“(A) a description of the activities of the
Education Council during the calendar year;
“(B) a description of significant barriers to
achieving the goals of this part;
“(C) a summary of each community con-
sultation session described in subsection (e);
and
“(D) recommendations to establish priorities for funding under this part, based on an assessment of—

“(i) the educational needs of Native Hawaiians;

“(ii) programs and services available to address such needs;

“(iii) the effectiveness of programs in improving the educational performance of Native Hawaiian students to help such students meet challenging State academic standards under section 1111(b)(1); and

“(iv) priorities for funding in specific geographic communities.

“(e) USE OF FUNDS FOR COMMUNITY CONSULTATIONS.—The Education Council shall use funds made available through the grant under subsection (a) 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) current grantees under this part, as of the date of the consultation;

“(B) priorities and needs of Native Hawaiians; and

“(C) other Native Hawaiian education issues; and

“(3) the Education Council shall report to the community on the outcomes of the activities supported by grants awarded under this part.

“(f) FUNDING.—For each fiscal year, the Secretary shall use the amount described in section 7205(c)(2), to make a payment under the grant. Funds made available through the grant shall remain available until expended.”;

(3) in section 7205—

(A) in subsection (a)(1)—

(i) in subparagraph (C), by striking “and” after the semicolon;

(ii) by redesignating subparagraph (D) as subparagraph (E); and

(iii) by inserting after subparagraph (C) the following:

“(D) charter schools; and”; and

(B) in subsection (c)—

(i) in paragraph (1), by striking “for fiscal year 2002 and each of the 5 suc-
ceeding 5 fiscal years” and inserting “for each of fiscal years 2016 through 2021”; and

(ii) in paragraph (2), by striking “for fiscal year 2002 and each of the 5 succeeding fiscal years” and inserting “for each of fiscal years 2016 through 2021”; and

(4) in section 7207—

(A) by redesignating paragraphs (1) through (6) as paragraphs (2) through (7), respectively; and

(B) by inserting before paragraph (2), as redesignated by subparagraph (A), 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.”.

SEC. 7003. ALASKA NATIVE EDUCATION.

Part C of title VII (20 U.S.C. 7541 et seq.) is amended—
(1) in section 7302 by striking paragraphs (1) through (7) and inserting the following:

“(1) It is the policy of the Federal Government to maximize the leadership of and participation by Alaska Native peoples 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.

“(2) Many Alaska Native children enter and exit school with serious educational disadvantages.

“(3) Overcoming the magnitude of the geographic challenges, historical inequities, and other barriers to successfully improving educational outcomes for Alaska Native students in rural, village, and urban settings is challenging. Significant disparities between academic achievement of Alaska Native students and non-Native students continues, including lower graduation rates, increased school dropout rates, and lower achievement scores on standardized tests.

“(4) The preservation of Alaska Native cultures and languages and the integration of Alaska Native cultures and languages into education, positive identity development for Alaska Native students, and
local, place-based, and culture-based programming
are critical to the attainment of educational success
and the long-term well-being of Alaska Native stu-
dents.

“(5) Improving educational outcomes for Alaska
Native students increases access to employment op-
portunities.

“(6) The programs and activities authorized
under this subpart give priority to Alaska Native or-
organizations as a means of increasing Alaska Native
parents’ and community involvement in the pro-
motion of academic success of Alaska Native stu-
dents.

“(7) The Federal Government should lend sup-
port to efforts developed by and undertaken within
the Alaska Native community to improve educational
opportunity for Alaska Native students. In 1983,
pursuant to Public Law 98–63, Alaska ceased to re-
ceive educational funding from the Bureau of Indian
Affairs. The Bureau of Indian Education does not
operate any schools in Alaska, nor operate or fund
Alaska Native education programs. The program
under this subpart supports the Federal trust re-
ponsibility of the United States to Alaska Na-
tives.”;
(2) in section 7303—

(A) in paragraph (1), by inserting “and address” after “To recognize”;

(B) by striking paragraph (3);

(C) by redesignating paragraph (2) as paragraph (4) and paragraph (4) as paragraph (5);

(D) by inserting after paragraph (1) the following:

“(2) To recognize the role of Alaska Native languages and cultures in the educational success and long term well-being of Alaska Native students.

“(3) To integrate Alaska Native cultures and languages into education, develop Alaska Native students’ positive identity, and support local place-based and culture-based curriculum and programming.”;

(E) in paragraph (4), as redesignated by subparagraph (C), by striking “of supplemental educational programs to benefit Alaska Natives.” and inserting “of supplemental educational programs to benefit Alaska Native peoples.”; and

(F) by adding at the end the following:
“(6) To ensure the maximum participation by Alaska Native educators and leaders in the planning, development, implementation, management, and evaluation of programs designed to serve Alaska Native students, and to ensure Alaska Native tribes and tribal organizations play a meaningful role in providing supplemental educational services to Alaska Native students.”;

(3) by striking section 7304 and inserting the following:

“SEC. 7304. PROGRAM AUTHORIZED.

“(a) GENERAL AUTHORITY.—

“(1) GRANTS AND CONTRACTS.—The Secretary is authorized to make grants to, or enter into contracts with, Indian tribes or tribal organizations that are in partnership with a State educational agency or a local educational agency to carry out programs that meet the purposes of this subpart, or with Indian tribes or tribal organizations that operate programs that fulfill the purposes under this subpart.

“(2) MANDATORY ACTIVITIES.—Activities provided through the programs carried out under this part shall include the following:

“(A) The development and implementation of plans, methods, strategies and activities to
improve the educational outcomes of Alaska Native peoples.

“(B) The collection of data to assist in the evaluation of the programs carried out under this subpart.

“(3) **Permissible activities.**—Activities provided through programs carried out under this subpart may include the following:

“(A) The development of curricula and programs that address the educational needs of Alaska Native students, including the following:

“(i) Curriculum materials that reflect the cultural diversity, languages, history, or the contributions of Alaska Native people.

“(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.
“(iv) Methods to evaluate teachers’ inclusion of diverse Alaska Native cultures in their lesson plans.

“(B) 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 history, cultures, values, and ways of knowing and learning in order to effectively address the cultural diversity and unique needs of Alaska Native students and incorporate them into lesson plans and teaching methods.

“(ii) Recruitment and preparation of teachers who are Alaska Native.

“(iii) Programs that will lead to the certification and licensing of Alaska Native teachers, principals, other school leaders, and superintendents.

“(C) Early childhood and parenting education activities designed to improve the school readiness of Alaska Native children, including—
“(i) the development and operation of home visiting programs for Alaska Native preschool children, to ensure the active involvement of parents in their children’s education from the earliest ages;

“(ii) training, education, and support, including in-home visitation, for parents and caregivers of Alaska Native children to improve parenting and caregiving skills (including skills relating to discipline and cognitive development, reading readiness, observation, storytelling, and critical thinking);

“(iii) family literacy services;

“(iv) activities carried out under the Head Start Act;

“(v) programs for parents and their infants, from the prenatal period of the infant through age 3;

“(vi) early childhood education programs; and

“(vii) Native language immersion within early childhood, Head Start, or preschool programs.
“(D) The development and operation of student enrichment programs, including those 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 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.

“(E) Research and data collection activities to determine the educational status and needs of Alaska Native children and adults and other such research and evaluation activities related to programs funded under this subpart.

“(F) Activities designed to increase Alaska Native students’ graduation rates and assist Alaska Native students to be prepared for post-secondary education or the workforce without
the need for postsecondary remediation, such as—

“(i) remedial and enrichment programs;

“(ii) culturally based education programs such as—

“(I) programs of study and other instruction in Alaska Native history and ways of living to share the rich and diverse cultures of Alaska Native peoples among Alaska Native youth and elders, non-Native students and teachers, and the larger community;

“(II) instructing Alaska Native youth in leadership, communication, Native culture, arts, and languages;

“(III) inter-generational learning and internship opportunities to Alaska Native youth and young adults;

“(IV) cultural immersion activities;

“(V) culturally informed curriculum intended to preserve and promote Alaska Native culture;
“(VI) Native language instruction and immersion activities;

“(VII) school-within-a-school model programs; and

“(VIII) college preparation and career planning; and

“(iii) holistic school or community-based support services to enable such students to benefit from the supplemental programs offered, including those that address family instability, school climate, trauma, safety, and nonacademic learning.

“(G) The establishment or operation of Native language immersion nests or schools.

“(H) Student and teacher exchange programs, cross-cultural immersion programs, and culture camps designed to build mutual respect and understanding among participants.

“(I) Education programs for at-risk urban Alaska Native students that are designed to improve academic proficiency and graduation rates, utilize strategies otherwise permissible under this subpart, and incorporate a strong data collection and continuous evaluation component.
“(J) Strategies designed to increase parents’ involvement in their children’s education.

“(K) Programs and strategies that provide technical assistance and support to schools and communities to engage adults in promoting the academic progress and overall well-being of Alaska Native people such as through—

“(i) strength-based approaches to child and youth development;

“(ii) positive youth-adult relationships; and

“(iii) improved conditions for learning (school climate, student connection to school and community), and increased connections between schools and families.

“(L) Career preparation activities to enable Alaska Native children and adults to prepare for meaningful employment, including programs providing tech-prep, mentoring, training, and apprenticeship activities.

“(M) Provision of operational support and purchasing of equipment, to develop regional vocational schools in rural areas of Alaska, including boarding schools, for Alaska Native students in grades 9 through 12, or at higher lev-
els of education, to provide the students with
necessary resources to prepare for skilled em-
ployment opportunities.

“(N) Regional leadership academies that
demonstrate effectiveness in building respect
and understanding, and fostering a sense of
Alaska Native identity to promote their pursuit
of and success in completing higher education
or career training.

“(O) Other activities, consistent with the
purposes of this subpart, to meet the edu-
cational needs of Alaska Native children and
adults.

“(b) Authorization of Appropriations.—There
are authorized to be appropriated to carry out this section
such sums as may be necessary for each of fiscal years
2016 through 2021.”;

(4) by striking section 7305 and inserting the
following:

“SEC. 7305. FUNDS FOR ADMINISTRATIVE PURPOSES.

“Not more than 5 percent of funds provided to an
award recipient under this part for any fiscal year may
be used for administrative purposes.”; and

(5) in section 7306—
(A) in paragraph (1), by inserting "(43 U.S.C. 1602(b)) and includes the descendants of individuals so defined" after "Settlement Act"; and

(B) by inserting after paragraph (2), the following:

"(3) INDIAN TRIBE.—The term ‘Indian tribe’ has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act.

“(4) TRIBAL ORGANIZATION.—The term ‘tribal organization’ has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act.”.

SEC. 7004. NATIVE AMERICAN LANGUAGE IMMERSION SCHOOLS AND PROGRAMS.

Title VII (20 U.S.C. 7401) is further amended by adding at the end the following:

“PART D—NATIVE AMERICAN AND ALASKA NATIVE LANGUAGE IMMERSION SCHOOLS AND PROGRAMS

“SEC. 7401. NATIVE AMERICAN AND ALASKA NATIVE LANGUAGE IMMERSION SCHOOLS.

“(a) PURPOSES.—The purposes of this section are—
“(1) to establish a grant program to support schools that use Native American and Alaska Native languages as the primary language of instruction;

“(2) to maintain, protect, and promote the rights and freedom of Native Americans and Alaska Natives to use, practice, maintain, and revitalize their languages, as envisioned in the Native American Languages Act (25 U.S.C. 2901 et seq.); and

“(3) to support the Nation’s First Peoples’ efforts to maintain and revitalize their languages and cultures, and to improve student outcomes within Native American and Alaska Native communities.

“(b) DEFINITION.—In this part, the term ‘Native American’ has the meaning given the term in section 103 of the Native American Languages Act (25 U.S.C. 2902).

“(c) PROGRAM AUTHORIZED.—

“(1) IN GENERAL.—From the amounts made available to carry out this part, the Secretary may award grants to eligible entities to develop and maintain, or to improve and expand, programs that support schools, including prekindergarten through postsecondary education sites and streams, using Native American and Alaska Native languages as the primary language of instruction.
“(2) ELIGIBLE ENTITIES.—In this section, the term ‘eligible entity’ means any of the following entities that has a plan to develop and maintain, or to improve and expand, programs that support the entity’s use of Native American or Alaska Native languages as the primary language of instruction:

“(A) An Indian tribe.

“(B) A Tribal College or University (as defined in section 316 of the Higher Education Act of 1965).

“(C) A tribal education agency.

“(D) A public elementary school or secondary school (including a public charter school).

“(E) A school operated by the Bureau of Indian Education.

“(F) An Alaska Native Regional Corporation (as defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602)).

“(G) A private, tribal, or Alaska Native nonprofit organization.

“(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 containing such information as
the Secretary may require, including the following:

“(A) The name of the Native American or
Alaska Native language to be used for instruc-
tion at the school supported by the eligible enti-
ty.

“(B) The number of students attending
such school.

“(C) The number of present hours of in-
struction in or through 1 or more Native Amer-
ican or Alaska Native languages being provided
to targeted students at such school, if any.

“(D) A description of how the applicant
will—

“(i) use the funds provided to meet
the purposes of this part;

“(ii) implement the activities de-
scribed in subsection (f);

“(iii) ensure the implementation of
rigorous academic content; and

“(iv) ensure that students progress to-
wards high-level fluency goals.

“(E) Information regarding the school’s
organizational governance or affiliations, includ-
ing information about—
'“(i) the school governing entity (such as a local educational agency, tribal education agency or department, charter organization, private organization, or other governing entity);

“(ii) the school’s accreditation status;

“(iii) any partnerships with institutions of higher education; and

“(iv) any indigenous language schooling and research cooperatives.

“(F) An assurance that—

“(i) the school is engaged in meeting State or tribally designated proficiency levels for students, as may be required by applicable Federal, State, or tribal law;

“(ii) the school provides assessments of students using the Native American or Alaska Native language of instruction, where possible;

“(iii) the qualifications of all instructional and leadership personnel at such school is sufficient to deliver high quality education through the Native American or Alaska Native language used in the school; and
“(iv) the school will collect and report to the public data relative to student achievement and, if appropriate, rates of high school graduation, career readiness, and enrollment in postsecondary education or job training programs, of students who are enrolled in the school’s programs.

“(2) LIMITATION.—The Secretary shall not give a priority in awarding grants under this part based on the information described in paragraph (1)(E).

“(3) SUBMISSION OF CERTIFICATION.—

“(A) IN GENERAL.—An eligible entity that is a public elementary school or secondary school (including a public charter school) or a non-tribal for-profit or nonprofit organization shall submit, along with the application requirements described in paragraph (1), a certification described in subparagraph (B) indicating that the school has the capacity to provide education primarily through a Native American or Alaska Native language and that there are sufficient speakers of the target language at the school or available to be hired by the school.

“(B) CERTIFICATION.—The certification described in subparagraph (A) shall be from
one of the following entities, on whose land the school is located, that is an entity served by such school, or that is an entity whose members (as defined by that entity) are served by the school:

“(i) A Tribal College or University.
“(ii) A federally recognized Indian tribe or tribal organization.
“(iii) An Alaska Native Regional Corporation or an Alaska Native nonprofit organization.
“(iv) A Native Hawaiian organization.

“(e) AWARDING OF GRANTS.—In awarding grants under this section, the Secretary shall—

“(1) determine the amount of each grant and the duration of each grant, which shall not exceed 3 years; and
“(2) ensure, to the maximum extent feasible, that diversity in languages is represented.

“(f) ACTIVITIES AUTHORIZED.—

“(1) REQUIRED ACTIVITIES.—An eligible entity that receives a grant under this section shall use such funds to carry out the following activities:
“(A) Supporting Native American or Alaska Native language education and development.
“(B) Providing professional development for teachers and, as appropriate, staff and administrators to strengthen the overall language and academic goals of the school that will be served by the grant program.

“(C) Carrying out other activities that promote the maintenance and revitalization of the Native American or Alaska Native language relevant to the grant program.

“(2) ALLOWABLE ACTIVITIES.—An eligible entity that receives a grant under this section may use such funds to carry out the following activities:

“(A) Developing or refining curriculum, including teaching materials and activities, as appropriate.

“(B) Creating or refining assessments written in the Native American or Alaska Native language of instruction that measure student proficiency and that are aligned with State or tribal academic standards.

“(g) REPORT TO SECRETARY.—Each eligible entity that receives a grant under this part shall provide an annual report to the Secretary in such form and manner as the Secretary may require.
“(h) Authorization of Appropriations.—There are authorized to be appropriated to carry out this section such sums as may be necessary for fiscal years 2016 through 2021.”.

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 “the same challenging State academic standards”.

SEC. 8002. AMENDMENT TO IMPACT AID IMPROVEMENT ACT OF 2012.

Section 563(c) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1748; 20 U.S.C. 6301 note) is amended—

(1) by striking paragraphs (1) and (4); and

(2) by redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively.

SEC. 8003. PAYMENTS RELATING TO FEDERAL ACQUISITION OF REAL PROPERTY.

Section 8002 (20 U.S.C. 7702) is amended—

(1) in subsection (b)(3), by striking subparagraph (B) and inserting the following:

“(B) SPECIAL RULE.—In the case of Federal property eligible under this section that is
within the boundaries of 2 or more local educational agencies that are eligible under this section, any of such agencies may ask the Secretary to calculate (and the Secretary shall calculate) the taxable value of the eligible Federal property that is within its boundaries by—

“(i) first calculating the per-acre value of the eligible Federal property separately for each eligible local educational agency that shared the Federal property, as provided in subparagraph (A)(ii);

“(ii) then averaging the resulting per-acre values of the eligible Federal property from each eligible local educational agency that shares the Federal property; and

“(iii) then applying the average per-acre value to determine the total taxable value of the eligible Federal property under subparagraph (A)(iii) for the requesting local educational agency.”;

(2) in subsection (e)(2), by adding at the end the following: “For each fiscal year beginning with fiscal year 2015, the Secretary shall treat local educational agencies chartered in 1871 having more than 70 percent of the county in Federal ownership
as meeting the eligibility requirements of subparagraphs (A) and (C) of subsection (a)(1). For each fiscal year beginning with fiscal year 2015, the Secretary shall treat local educational agencies that serve a county chartered or formed in 1734 having more than 24 percent of the county in Federal ownership as meeting the eligibility requirements of subparagraphs (A) and (C) of subsection (a)(1).”;

(3) by striking subsection (f) and inserting the following:

“(f) SPECIAL RULE.—Beginning with fiscal year 2015, a local educational agency shall be deemed to meet the requirements of subsection (a)(1)(C) if the agency was eligible under paragraph (1) or (3) of this subsection, as such subsection was in effect on the day before the date of enactment of the Every Child Achieves Act of 2015.”;

(4) in subsection (h)(4), by striking “For each local educational agency that received a payment under this section for fiscal year 2010 through the fiscal year in which the Impact Aid Improvement Act of 2012 is enacted” and inserting “For each local educational agency that received a payment under this section for fiscal year 2010 or any succeeding fiscal year”;

(5) by striking subsection (k); and
(6) by redesignating subsections (l), (m), and (n), as subsections (j), (k), and (l), respectively.

SEC. 8004. PAYMENTS FOR ELIGIBLE FEDERALLY CONNECTED CHILDREN.

Section 8003 (20 U.S.C. 7703) is amended—

(1) in subsection (a)(5)(A), by striking “to be children” and all that follows through the period at the end and inserting “or under lease of off-base property under subchapter IV of chapter 169 of title 10, United States Code, to be children described under paragraph (1)(B) if the property described is within the fenced security perimeter of the military facility or attached to and under any type of force protection agreement with the military installation upon which such housing is situated.”;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking subparagraph (E); and

(ii) by redesignating subparagraphs (F) and (G) as subparagraphs (E) and (F), respectively;

(B) in paragraph (2), by striking subparagraphs (B) through (H) and inserting the following:
“(B) Eligibility for heavily impacted local educational agencies.—

“(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—

“(aa) whose boundaries are the same as a Federal military installation or an island property designated by the Secretary of the Interior to be property that is held in trust by the Federal Government; and

“(bb) 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 any agency that has a total student enrollment less than 500, 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 2013 and is located in a State that by State law has eliminated ad valorem tax as a revenue for local educational agencies;

“(III) 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 enrollment of the agency that is not less than 20 percent;

“(bb) for the 3 fiscal years preceding the fiscal year for
which the determination is made, the average enrollment of children who are not described in subsection (a)(1) and who are eligible for a free or reduced price lunch under the Richard B. Russell National School Lunch Act constitutes a percentage of the total student enrollment of the agency that is not less than 65 percent; and

“(cc) 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;

“(IV) is a local educational agency that has a total student enrollment of not less than 25,000 students, of which—

“(aa) not less than 50 percent are children described in subsection (a)(1); and
“(bb) not less than 5,000 of such children are children described in subparagraphs (A) and (B) of subsection (a)(1); or

“(V) is a local educational agency that—

“(aa) 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 is not less than 35 percent of the total student enrollment of the agency;

“(bb) has a per-pupil expenditure that is less than the average per-pupil expenditure of the State in which the agency is located or the average per-pupil expenditure of all States (whichever average per-pupil expenditure is greater), except that a local educational agency with a total student enrollment of less
than 350 students shall be deemed to have satisfied such per-pupil expenditure requirement, and has a tax rate for general fund purposes which is not less than 95 percent of the average tax rate for general fund purposes of local educational agencies in the State; and

“(cc) was eligible to receive assistance under subparagraph (A) for fiscal year 2001.

“(ii) LOSS OF ELIGIBILITY.—

“(I) IN GENERAL.—Subject to subclause (II), 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 clause (i) for a 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) Loss of eligibility due to falling below 95 percent of the average tax rate for general fund purposes.—In a case of a heavily impacted local educational agency that is eligible to receive a basic support payment under subparagraph (A), but that has had, for 2 consecutive fiscal years, a tax rate for general fund purposes that falls below 95 percent of the average tax rate for general fund purposes of comparable local educational agencies in the State, such agency shall be determined to be ineligible under clause (i) and ineligible to receive a basic support payment under subparagraph (A) for each fiscal year succeeding such 2 consecutive fiscal years for which the agency has such a tax rate for general fund purposes, and until the fiscal year for which the agency resumes
such eligibility in accordance with clause (iii).

“(III) TAKEN OVER BY STATE BOARD OF EDUCATION.—In the case of a heavily impacted local educational agency that is eligible to receive a basic support payment under subparagraph (A), but that has been taken over by a State board of education in 2 previous years, such agency shall be deemed to maintain heavily impacted status for 2 fiscal years from after the date of enactment of the Every Child Achieves Act of 2015.

“(iii) RESUMPTION OF ELIGIBILITY.—A heavily impacted local educational agency described in clause (i) that becomes ineligible under such clause for 1 or more fiscal years may resume eligibility for a basic support payment under this paragraph for a subsequent fiscal year only if the agency meets the requirements of clause (i) for that subsequent fiscal year, except that such agency shall not receive a basic support payment under this para-
graph until the fiscal year succeeding the
fiscal year for which the eligibility deter-
mination is made.

“(C) MAXIMUM AMOUNT FOR HEAVILY IM-
PACTED LOCAL EDUCATIONAL AGENCIES.—

“(i) IN GENERAL.—Except as pro-
vided in subparagraph (D), the maximum
amount that a heavily impacted local edu-
cational 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 sub-
ject 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 pre-
ceding 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 pre-
ceding the fiscal year for which the
determination is made.
“(ii) Calculation of weighted student units.—

“(I) In general.—

“(aa) In general.—For 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) (or a combination thereof) 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 those 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 item (aa), a local
educational agency that received a payment under this paragraph for fiscal year 2013 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.

"(II) ENROLLMENT OF 100 OR FEWER 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) ENROLLMENT OF MORE THAN 100 CHILDREN BUT LESS THAN 1000.—For a local educational agency that is not described under subparagraph (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) In general.—

“(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) Heavily impacted local educational agency.—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 5,000 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.

“(E) DATA.—For purposes of providing assistance under this paragraph the Secretary shall use student, revenue, expenditure, and tax data from the third fiscal year preceding the fiscal year for which the local educational agency is applying for assistance under this paragraph.

“(F) DETERMINATION OF AVERAGE TAX RATES FOR GENERAL FUND PURPOSES.—

“(i) IN GENERAL.—Except as provided in clause (ii), for the purpose of determining the average tax rates for general fund purposes for local educational agen-
cies in a State under this paragraph, the Secretary shall use either—

“(I) the average tax rate for general fund purposes for comparable local educational agencies, as determined by the Secretary in regulations; or

“(II) the average tax rate of all the local educational agencies in the State.

“(ii) Fiscal Years 2010-2015.—

“(I) In general.—For fiscal years 2010 through 2015, any local educational agency that was found ineligible to receive a payment under subparagraph (A) because the Secretary determined that it failed to meet the average tax rate requirement for general fund purposes in subparagraph (B)(i)(II)(bb), shall be considered to have met that requirement, if its State determined, through an alternate calculation of average tax rates for general fund purposes, that
such local educational agency met that requirement.

“(II) Subsequent Fiscal Years after 2015.—For any succeeding fiscal year after 2015, any local educational agency identified in subclause (I) may continue to have its State use that alternate methodology to calculate whether the average tax rate requirement for general fund purposes under subparagraph (B)(i)(II)(bb) is met.

“(III) 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 2012, the Secretary shall reserve an amount equal to a total of $14,000,000 from funds that remain unobligated under this section from fiscal years 2013 or 2014 in order to make payments under this clause for fiscal years 2011 through 2014.
“(G) Eligibility for Heavily Impacted Local Educational Agencies Affected by Privatization of Military Housing.—

“(i) Eligibility.—For any fiscal year, a heavily impacted local educational agency that received a basic support payment under this paragraph for the prior fiscal year, but is ineligible for such payment for the current fiscal year under subparagraph (B), (C), (D), or (E), as the case may be, due to of the conversion of military housing units to private housing described in clause (iii), or as the direct result of base realignment and closure or modularization as determined by the Secretary of Defense and force structure change or force relocation, shall be deemed to meet the eligibility requirements under subparagraph (B) or (C), as the case may be, for the period during which the housing units are undergoing such conversion or during such time as activities associated with base closure and realignment, modularization, force structure change, or force relocation are ongoing.
“(ii) Amount of Payment.—The amount of a payment to a heavily impacted local educational agency for a fiscal year by reason of the application of clause (i), and calculated in accordance with subparagraph (C) or (D), as the case may be, shall be based on the number of children in average daily attendance in the schools of such agency for the fiscal year and under the same provisions of subparagraph (C) or (D) under which the agency was paid during the prior fiscal year.

“(iii) Conversion of Military Housing Units to Private Housing Described.—For purposes of clause (i), ‘conversion of military housing units to private housing’ means the conversion of military housing units to private housing units pursuant to subchapter IV of chapter 169 of title 10, United States Code, or pursuant to any other related provision of law.”; and

(C) in paragraph (3)—

(i) in subparagraph (B), by striking clause (iii) and inserting the following:
“(iii) In the case of a local educational agency providing a free public education to students enrolled in kindergarten through grade 12, that enrolls students described in subparagraphs (A), (B), and (D) of subsection (a)(1) only in grades 9 through 12, and that received a final payment in fiscal year 2009 calculated under this paragraph (as this paragraph was in effect on the day before the date of enactment of the Every Child Achieves Act of 2015) for students in grades 9 through 12, the Secretary shall, in calculating the agency’s payment, consider only that portion of such agency’s total enrollment of students in grades 9 through 12 when calculating the percentage under clause (i)(I) and only that portion of the total current expenditures attributed to the operation of grades 9 through 12 in such agency when calculating the percentage under clause (i)(II).”;

(ii) in subparagraph (C), by striking “subparagraph (D) or (E) of paragraph (2),” and inserting “paragraph (2)(D)”;

and

(iii) by striking subparagraph (D) and inserting the following:
“(D) **Ratable distribution.**—For fiscal years described in subparagraph (A), for which the sums available exceed the amount required to pay each local educational agency 100 percent of its threshold payment, the Secretary shall distribute the excess sums to each eligible local educational agency that has not received its full amount computed under paragraphs (1) or (2) (as the case may be) by multiplying—

“(i) a percentage, the denominator of which is the difference between the full 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 of the excess sums, by

“(ii) the difference between the full 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) of the agency.
“(E) **INSUFFICIENT PAYMENTS.**—For each fiscal year described in subparagraph (A) for which the sums appropriated are insufficient to pay each local educational agency all of the local educational agency’s threshold payment described in subparagraph (D), the Secretary shall ratably reduce the payment to each local educational agency under this paragraph.

“(F) **INCREASES.**—If the sums appropriated are sufficient to increase the threshold payment above the 100 percent threshold payment described in subparagraph (D), 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.

“(G) **PROVISION OF TAX RATE AND RESULTING PERCENTAGE.**—The Secretary shall provide the local educational agency’s tax rate and the resulting percentage to each eligible local educational agency immediately following the payments of funds under paragraph (2).”;

(3) in subsection (c), by striking paragraph (2) and inserting the following:
“(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) subparagraphs (F) and (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 Interior; and

“(ii) that is the direct result of closure or realignment of military installations
under the base closure process or the relo-
cation of members of the Armed Forces
and civilian employees of the Department
of Defense as part of the force structure
changes or movements of units or per-
sonnel between military installations or be-
cause of actions initiated by the Secretary
of the Interior or the head of another Fed-
eral agency; or
“(C) was eligible to receive a payment
under this section for the previous fiscal year
and has had an increase in enrollment (as de-
termined 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 subsection (b)(1)
or (b)(2) in the previous fiscal year.”;
(4) in subsection (d)—
(A) in the subsection heading, by striking
“CHILDREN” and inserting “STUDENTS”;

(B) in paragraph (1), by striking “children” both places the term appears and inserting “students”; and

(C) in paragraph (2), by striking “children” and inserting “students”;

(5) in subsection (e), by striking paragraph (1) and inserting the following:

“(1) IN GENERAL.—

“(A) IN GENERAL.—In the case of any local educational agency whose payment under subsection (b) for a fiscal year is determined to be reduced by an amount greater than $5,000,000 or by 20 percent, as compared to the amount received in the previous fiscal year, the Secretary shall, subject to subparagraph (B), pay a local educational agency, for each of the 3 years following the reduction under subsection (b), the amount determined under subparagraph (B).

“(B) AMOUNT OF REDUCTION.—Subject to subparagraph (C), a local educational agency described in subparagraph (A) shall receive—

“(i) for the first year for which the reduced payment is determined, an amount that is not less than 90 percent of the total
amount that the local educational agency received under paragraph (1) or (2) of subsection (b) in the fiscal year prior to the reduction (referred to in this paragraph as the 'base year');

“(ii) for the second year following such reduction, an amount that is not less than 85 percent of the total amount that the local educational agency received under paragraph (1) or (2) of subsection (b) in the base year; and

“(iii) for the third year following such reduction, an amount that is not less than 80 percent of the total amount that the local educational agency received under paragraph (1) or (2) of subsection (b) in the base year.

“(C) SPECIAL RULE.—For any fiscal year for which a local educational agency would be subject to a reduced payment under clause (ii) or (iii) of subparagraph (B), but the total amount of the payment for which the local educational agency is eligible under subsection (b) for that fiscal year is greater than the amount that initially subjected the local educational
agency to the requirements of this subsection, the Secretary shall pay the greater amount to the local educational agency for such year.”;

and

(6) by striking subsection (g).

SEC. 8005. POLICIES AND PROCEDURES RELATING TO CHILDREN RESIDING ON INDIAN LANDS.

Section 8004(e)(9) (20 U.S.C. 7704(e)(9)) is amend-
ed by striking “Affairs” both places the term appears and inserting “Education”.

SEC. 8006. APPLICATION FOR PAYMENTS UNDER SECTIONS 8002 AND 8003.

Section 8005 (20 U.S.C. 7705) is amended—

(1) in subsection (b), in the matter preceding paragraph (1), by striking “, and shall contain such information,”;

(2) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(3) by inserting after subsection (b) the fol-

lowing:

“(c) STUDENT COUNT.—In collecting information to determine the eligibility of a local educational agency and the number of federally connected children for the local educational agency, the Secretary shall, in addition to any options provided under section 222.35 of title 34, Code
of Federal Regulations, or a successor regulation, allow
a local educational agency to count the number of such
children served by the agency as of the date by which the
agency requires all students to register for the school year
of the fiscal year for which the application is filed.”.

SEC. 8007. CONSTRUCTION.

Section 8007(b) (20 U.S.C. 7707(b)) is amended—
(1) in paragraph (3)(C)(i)(I), by adding at the
end the following:

“(cc) Not less than 10 percent of
the property in the agency is exempt
from State and local taxation under
Federal law.”; and

(2) in paragraph (6), by striking subparagraph
(F).

SEC. 8008. STATE CONSIDERATION OF PAYMENTS IN PROVIDING STATE AID.

Section 8009(c)(1)(B) (20 U.S.C. 7709(c)(1)(B)) is amended by striking “and contain the information”.

SEC. 8009. DEFINITIONS.

Section 8013(5)(A) (20 U.S.C. 7713(5)(A)) is amended—
(1) in clause (ii), by striking subclause (III)
and inserting the following:
“(III) conveyed at any time under the Alaska Native Claims Settlement Act to a Native individual, Native group, or village or regional corporation (including single family occupancy properties that may have been subsequently sold or leased to a third party), except that property that is conveyed under such Act—

“(aa) that is not taxed is, for the purposes of this paragraph, considered tax-exempt due to Federal law; or

“(bb) is considered Federal property for the purpose of this paragraph, only if the property is located within a Regional Educational Attendance Area that has no taxing power;”;

and

(2) in clause (iii)—

(A) in subclause (II), by striking “Stewart B. McKinney Homeless Assistance Act” and inserting “McKinney-Vento Homeless Assistance Act (42 U.S.C. 11411)”; and

(B) by striking subclause (III) and inserting the following:
“(III) used for affordable housing assisted under the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.); or”.

SEC. 8010. AUTHORIZATION OF APPROPRIATIONS.

Section 8014 (20 U.S.C. 7714) is amended—

(1) in subsection (a), by striking “$32,000,000 for fiscal year 2000 and such sums as may be necessary for each of the seven succeeding fiscal years” and inserting “such sums as may be necessary for each of fiscal years 2016 through 2021”;

(2) in subsection (b), by striking “$809,400,000 for fiscal year 2000 and such sums as may be necessary for each of the seven succeeding fiscal years” and inserting “such sums as may be necessary for each of fiscal years 2016 through 2021”; 

(3) in subsection (c), by striking “$50,000,000 for fiscal year 2000 and such sums as may be necessary for each of the seven succeeding fiscal years” and inserting “such sums as may be necessary for each of fiscal years 2016 through 2021”;

(4) by redesignating subsections (e) and (f) as subsections (d) and (e), respectively;
(5) in subsection (d), as redesignated by paragraph (4), by striking "$10,052,000 for fiscal year 2000 and such sums as may be necessary for fiscal year 2001, $150,000,000 for fiscal year 2002, and such sums as may be necessary for each of the five succeeding fiscal years” and inserting “such sums as may be necessary for each of fiscal years 2016 through 2021”; and

(6) in subsection (e), as redesignated by paragraph (4), by striking "$5,000,000 for fiscal year 2000 and such sums as may be necessary for each of the seven succeeding fiscal years” and inserting “such sums as may be necessary for each of fiscal years 2016 through 2021”.

TITLE IX—GENERAL PROVISIONS

SEC. 9101. DEFINITIONS.

Section 9101 (20 U.S.C. 7801) is amended—

(1) by striking paragraphs (3), (19), (35), (36), (37), and (42);

(2) by redesignating paragraphs (1), (2), (17), (18), (20), (21), (22), (23), (24), (25), (26), (27), (28), (29), (30), (31), (32), (33), (34), (38), (39), (41), and (43) as paragraphs (2), (3), (18), (19), (24), (25), (26), (27), (28), (29), (30), (32),
(33), (34), (35), (36), (37), (38), (40), (41), (44), and (45), respectively, and by transferring such paragraph (20), as so redesignated, so as to follow such paragraph (19), as so redesignated;

(3) by inserting before paragraph (2), as redesignated by paragraph (2), the following:

“(1) 4-YEAR ADJUSTED COHORT GRADUATION RATE.—The term ‘4-year adjusted cohort graduation rate’ has the meaning given the term ‘four-year adjusted cohort graduation rate’ in section 200.19(b)(1) of title 34, Code of Federal Regulations, as such section was in effect on November 28, 2008.”;

(4) by striking paragraph (11) and inserting the following:

“(11) CORE ACADEMIC SUBJECTS.—The term ‘core academic subjects’ means English, reading or language arts, writing, science, technology, engineering, mathematics, foreign languages, civics and government, economics, arts, history, geography, computer science, music, and physical education, and any other subject as determined by the State or local educational agency.”;

(5) in paragraph (13)—
(A) by striking subparagraphs (B), (E), (G), and (K);
(B) by redesignating subparagraphs (C), (D), (F), (H), (I), (J), and (L), as subpara-
gegraphs (B), (C), (D), (E), (F), (G), and (I), re-
spectively; and
(C) by inserting after subparagraph (G), as redesignated by subparagraph (B), the fol-
lowing:
"(H) part G of title V; and’’;
(6) by inserting after paragraph (16) the fol-
lowing:
“(17) EARLY CHILDHOOD EDUCATION PRO-
gram.—The term ‘early childhood education pro-
gram’ has the meaning given the term in section 103
of the Higher Education Act of 1965.”;
(7) in paragraph (20), as redesignated and
moved by paragraph (2)—
(A) in the paragraph heading, by striking
“LIMITED ENGLISH PROFICIENT” and inserting
“ENGLISH LEARNER”; 
(B) in the matter preceding subparagraph
(A), by striking “limited English proficient”
and inserting “English learner”; and
(C) in subparagraph (D)(i), by striking “State’s proficient level of achievement on State assessments described in section 1111(b)(3)” and inserting “challenging State academic standards described in section 1111(b)(1)”;
(8) by inserting after paragraph (20), as transferred and redesignated by paragraph (2), the following:
“(21) EVIDENCE-BASED.—
“(A) IN GENERAL.—Except as provided in subparagraph (B), the term ‘evidence-based’, when used with respect to an activity, means an activity that—
“(i) demonstrates a statistically significant effect on improving student outcomes or other relevant outcomes based on—
“(I) strong evidence from at least 1 well-designed and well-implemented experimental study;
“(II) moderate evidence from at least 1 well-designed and well-implemented quasi-experimental study; or
“(III) promising evidence from at least 1 well-designed and well-imple-
mented correlational study with statistical controls for selection bias; or

“(ii)(I) demonstrates a rationale that is based on high-quality research findings that such activity is likely to improve student outcomes or other relevant outcomes; and

“(II) includes ongoing efforts to examine the effects of such activity.

“(B) Definition for Part A of Title I.—For purposes of part A of title I, the term ‘evidence-based’, when used with respect to an activity, means an activity that meets the requirements of subclause (I) or (II) of subparagraph (A)(i).

“(22) 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 and enrichment in core academic subjects, other academic subjects, and other activities that contribute to a well-rounded education; and
“(B) instructional and support staff to collaborate, plan, and engage in professional development (including professional development on family and community engagement) within and across grades and subjects.

“(23) **Extended-year adjusted cohort graduation rate.**—The term ‘extended-year adjusted cohort graduation rate’ has the meaning given the term in section 200.19(b)(1)(v) of title 34, Code of Federal Regulations, as such section was in effect on November 28, 2008.”;

(9) by striking paragraph (27), as redesignated by paragraph (2), and inserting the following:

“(27) **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.”;

(10) in paragraph (29), as redesignated by paragraph (2), in subparagraph (C)—

(A) in the subparagraph heading, by striking “BIA” and inserting “BIE”; and

(B) by striking “Affairs” both places the term appears and inserting “Education”;
(11) by inserting after paragraph (30), as redesignated by paragraph (2), the following:

“(31) MULTI-TIER SYSTEM OF SUPPORTS.—The term ‘multi-tier system of supports’ means a comprehensive continuum of evidence-based, system-wide practices to support a rapid response to academic and behavioral needs, with frequent data-based monitoring for instructional decisionmaking.”;

(12) in paragraph (33), as redesignated by paragraph (2), by striking “pupil services” and inserting “specialized instructional support”;

(13) in paragraph (34), as redesignated by paragraph (2), by striking “includes the freely associated states” and all that follows through the period at the end and inserting “includes the Republic of Palau except during any period for which the Secretary determines that a Compact of Free Association is in effect that contains provisions for education assistance prohibiting the assistance provided under this Act.”;

(14) in paragraph (36), as redesignated by paragraph (2)—

(A) in subparagraph (C), by inserting “and” after the semicolon; and
(B) in subparagraph (D), by striking “section 1118” and inserting “section 1115”;

(15) by striking paragraph (38), as redesignated by paragraph (2), and inserting the following:

“(38) PROFESSIONAL DEVELOPMENT.—The term ‘professional development’ means activities that—

“(A) are coordinated and aligned to support educators (including teachers, principals, other school leaders, specialized instructional support personnel, paraprofessionals, and, as applicable, early childhood educators); and

“(B) are designed and implemented to improve student achievement and classroom practice, which may include activities that—

“(i) improve and increase teachers’—

“(I) knowledge of the academic subjects the teachers teach;

“(II) understanding of how students learn; and

“(III) ability to analyze student work and achievement from multiple sources, including how to adjust instructional strategies, assessments, and materials based on such analysis;
“(ii) are an integral part of broad schoolwide and districtwide educational improvement plans;

“(iii) allow personalized plans for each educator to address the educator’s specific needs identified in observation or other feedback;

“(iv) give teachers, principals, other school leaders, and administrators the knowledge and skills to provide students with the opportunity to meet challenging State academic standards;

“(v) improve classroom management skills;

“(vi)(I) are high-quality, sustained, intensive, collaborative, job-embedded, data-driven, and classroom-focused in order to have a positive and lasting impact on classroom instruction and the teacher’s performance in the classroom; and

“(II) are not 1-day or short-term workshops or conferences;

“(vii) support the recruiting, hiring, and training of effective teachers, including teachers who became certified through
State and local alternative routes to certification;

“(viii) advance teacher understanding of—

“(I) effective instructional strategies that are evidence-based; and

“(II) strategies for improving student academic achievement or substantially increasing the knowledge and teaching skills of teachers;

“(ix) are aligned with and directly related to—

“(I) challenging State academic standards and assessments under section 1111(b);

“(II) the curricula and programs tied to the standards described in subclause (I); and

“(III) related academic goals of the school or local educational agency;

“(x) are developed with extensive participation of teachers, principals, other school leaders, parents, and administrators of schools to be served under this Act;
“(xi) are designed to give teachers of children who are English learners, and other teachers and instructional staff, the knowledge and skills to provide instruction and appropriate language and academic support services to those children, including the appropriate use of curricula and assessments;

“(xii) to the extent appropriate, provide training for teachers, principals, and other school leaders in the use of technology so that technology and technology applications are effectively used in the classroom to improve teaching and learning in the curricula and academic subjects in which the teachers teach;

“(xiii) as a whole, are regularly evaluated for their impact on increased teacher effectiveness and improved student academic achievement, with the findings of the evaluations used to improve the quality of professional development;

“(xiv) are designed to give teachers of children with disabilities or children with developmental delays, and other teachers
and instructional staff, the knowledge and skills to provide instruction and academic support services, to those children, including positive behavioral interventions and supports, multi-tiered systems of supports, and use of accommodations;

“(xv) include instruction in the use of data and assessments to inform and instruct classroom practice;

“(xvi) include instruction in ways that teachers, principals, other school leaders, specialized instructional support personnel, and school administrators may work more effectively with parents and families;

“(xvii) involve the forming of partnerships with institutions of higher education to establish school-based teacher, principal, and other school leader training programs that provide prospective teachers, novice teachers, principals, and other school leaders with an opportunity to work under the guidance of experienced teachers, principals, other school leaders, and faculty of such institutions;
“(xviii) create programs to enable paraprofessionals (assisting teachers employed by a local educational agency receiving assistance under part A of title I) to obtain the education necessary for those paraprofessionals to become certified and licensed teachers;

“(xix) provide follow-up training to teachers who have participated in activities described in this paragraph that are designed to ensure that the knowledge and skills learned by the teachers are implemented in the classroom; and

“(xx) where applicable and practical, provide jointly for school staff and other early childhood education program providers, to address the transition to elementary school, including issues related to school readiness.”;

(16) by inserting after paragraph (38), as redesignated by paragraph (2), the following:

“(39) SCHOOL LEADER.—The term ‘school leader’ means a principal, assistant principal, or other individual who is—
“(A) an employee or officer of an elementary school or secondary school, local educational agency, or other entity operating an elementary school or secondary school; and

“(B) responsible for the daily instructional leadership and managerial operations in the elementary school or secondary school building.”;

(17) by inserting after paragraph (41), as redesignated by paragraph (2), the following:

“(42) SPECIALIZED INSTRUCTIONAL SUPPORT PERSONNEL; SPECIALIZED INSTRUCTIONAL SUPPORT SERVICES.—

“(A) SPECIALIZED INSTRUCTIONAL SUPPORT PERSONNEL.—The term ‘specialized instructional support personnel’ means —

“(i) school counselors, school social workers, and school psychologists; and

“(ii) other qualified professional personnel, such as school nurses and speech language pathologists, 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.”;

(18) by inserting after paragraph (45), as redesignated by paragraph (2), the following:

“(46) 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.”; and

(19) by striking the undesignated paragraph between paragraphs (41) and (44), as redesignated by paragraph (2), and inserting the following:

“(43) 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.”.

SEC. 9102. APPLICABILITY TO BUREAU OF INDIAN EDUCATION OPERATED SCHOOLS.

Section 9103 (20 U.S.C. 7803) is amended—
(1) in the section heading, by striking “BUREAU OF INDIAN AFFAIRS” and inserting “BUREAU OF INDIAN EDUCATION”; and

(2) by striking “Bureau of Indian Affairs” each place the term appears and inserting “Bureau of Indian Education”.

SEC. 9103. CONSOLIDATION OF FUNDS FOR LOCAL ADMINISTRATION.

Section 9203(b) (20 U.S.C. 7823(b)) is amended by striking “Within 1 year after the date of enactment of the No Child Left Behind Act of 2001, a State” and inserting “A State”.

SEC. 9104. RURAL CONSOLIDATED PLAN.

Section 9305 (20 U.S.C. 7845) is amended by adding at the end the following:

“(e) RURAL CONSOLIDATED PLAN.—

“(1) IN GENERAL.—Two or more eligible local educational agencies, a consortium of eligible local education service agencies, or an educational service agency on behalf of eligible local educational agencies may submit plans or applications for 1 or more covered programs to the State educational agency on a consolidated basis, if each eligible local educational agency impacted elects to participate in the joint ap-
plication or elects to allow the educational service
tagency to apply on its behalf.

“(2) Eligible local educational agency.—For the purposes of this subsection, the term
‘eligible local educational agency’ means a local edu-
cational agency that is an eligible local educational
agency under part B of title VI.”.

SEC. 9105. WAIVERS OF STATUTORY AND REGULATORY RE-
QUIREMENTS.

Section 9401 (20 U.S.C. 7861) is amended—

(1) by striking subsection (a) and inserting the
following:

“(a) In General.—

“(1) Request for waiver by State or In-
dian tribe.—A State educational agency or Indian
tribe that receives funds under a program authorized
under this Act may submit a request to the Sec-
retary to waive any statutory or regulatory require-
ment of this Act.

“(2) Local educational agency and
school requests submitted through the
state.—

“(A) Request for waiver by local
educational agency.—A local educational
agency that receives funds under a program au-
authorized under this Act and desires a waiver of any statutory or regulatory requirement of this Act shall submit a request containing the information described in subsection (b)(1) to the appropriate State educational agency. The State educational agency may then submit the request to the Secretary if the State educational agency determines the waiver appropriate.

“(B) REQUEST FOR WAIVER BY SCHOOL.—
An elementary school or secondary school that desires a waiver of any statutory or regulatory requirement of this Act shall submit a request containing the information described in subsection (b)(1) to the local educational agency serving the school. The local educational agency may then submit the request to the State educational agency in accordance with subparagraph (A) if the local educational agency determines the waiver appropriate.

“(3) RECEIPT OF WAIVER.—Except as provided in subsection (b)(4) or (c), the Secretary may waive any statutory or regulatory requirement of this Act for which a waiver request is submitted to the Secretary pursuant to this subsection.”;

(2) in subsection (b)—
(A) in paragraph (1)—

(i) in the matter preceding subpara-

graph (A)—

(I) by striking “, local edu-
cational agency,” and inserting “, act-
ing on its own behalf or on behalf of
a local educational agency in accord-
ance with subsection (a)(2),”; and

(II) by inserting “, which shall
include a plan” after “to the Sec-
retary”; and

(ii) by striking subparagraphs (C) and

(D) and inserting the following:

“(C) describes the methods the State edu-
cational agency, local educational agency, or In-
dian tribe will use to monitor and regularly
evaluate the effectiveness of the implementation
of the plan;

“(D) includes only information directly re-
lated to the waiver request on how the State
educational agency, local educational agency, or
Indian tribe will maintain and improve trans-
parency in reporting to parents and the public
on student achievement and school perform-
ance, including the achievement of students ac-
cording to each category of students described
in section 1111(b)(2)(B)(xi); and”;

(B) in paragraph (2)(B)(i)(II), by striking
“(on behalf of, and based on the requests of,
local educational agencies)” and inserting “(on
behalf of those agencies or on behalf of, and
based on the requests of, local educational
agencies in the State)”;

(C) in paragraph (3)—

(i) in subparagraph (A)—

(I) in the matter preceding clause
(i), by inserting “or on behalf of local
educational agencies in the State
under subsection (a)(2),” after “act-
ing on its own behalf,”; and

(II) in clause (i)—

(aa) by striking “all inter-
ested local educational agencies”
and inserting “any interested
local educational agency”; and

(bb) by inserting “, to the
extent that the request impacts
the local educational agency” be-
fore the semicolon at the end;
and
(ii) in subparagraph (B)(i), by strik-
ing “reviewed by the State educational agency” and inserting “reviewed and ap-
proved by the State educational agency in accordance with subsection (a)(2) before being submitted to the Secretary”; and

(D) by adding at the end the following:

“(4) Waiver determination, demonstration, and revision.—

“(A) In general.—The Secretary shall issue a written determination regarding the ap-
proval or disapproval of a waiver request not more than 90 days after the date on which such request is submitted, unless the Secretary de-
termines and demonstrates that—

“(i) the waiver request does not meet the requirements of this section; or

“(ii) the waiver is not permitted under subsection (c).

“(B) Waiver determination and revision.—If the Secretary determines and demon-
strates that the waiver request does not meet the requirements of this section, the Secretary shall—

“(i) immediately—
“(I) notify the State educational agency, local educational agency and State educational agency, or Indian tribe, as applicable, of such determination; and

“(II) provide detailed reasons for such determination in writing and in a public manner, such as posting to the Department’s website in a clear and easily accessible manner;

“(ii) offer the State educational agency, local educational agency (through the State educational agency), or Indian tribe an opportunity to revise and resubmit the waiver request by a date that is not more than 60 days after the date of such determination; and

“(iii) if the Secretary determines that the resubmission does not meet the requirements of this section, at the request of the State educational agency, local educational agency, or Indian tribe, conduct a public hearing not more than 30 days after the date of such resubmission.
“(C) WAIVER DISAPPROVAL.—The Secretary may disapprove a waiver request if—

“(i) the State educational agency, local educational agency, or Indian tribe has been notified and offered an opportunity to revise and resubmit the waiver request, as described under clauses (i) and (ii) of subparagraph (B); and

“(ii) the State educational agency, local educational agency (through the State educational agency), or Indian tribe—

“(I) does not revise and resubmit the waiver request; or

“(II) revises and resubmits the waiver request, and the Secretary determines that such waiver request does not meet the requirements of this section after a hearing conducted under subparagraph (B)(iii).

“(D) EXTERNAL CONDITIONS.—The Secretary shall not disapprove a waiver request under this section based on conditions outside the scope of the waiver request.”;

(3) in subsection (c)—
(A) in paragraph (8), by striking “subpart 1 of part B of title V” and inserting “part A of title V”; and

(B) in paragraph (10), by striking “subsections (a) and (b) of section 1113” and insert “section 1113(a)” both places the term appears;

(4) in subsection (d)—

(A) in the subsection heading, by adding “; LIMITATIONS” after “WAIVER”; and

(B) by adding at the end the following:

“(3) SPECIFIC LIMITATIONS.—The Secretary shall not place any requirements on a State educational agency, local educational agency, or Indian tribe as a condition, criterion, or priority for the approval of a waiver request, unless such requirements are—

“(A) otherwise requirements under this Act; and

“(B) directly related to the waiver request.”;

(5) by striking subsection (e) and inserting the following:

“(e) REPORTS.—A State educational agency, local educational agency, or Indian tribe receiving a waiver
under this section shall describe, as part of, and pursuant
to, the required annual reporting under section 1111(d)—
“(1) the progress of schools covered under the
provisions of such waiver toward improving the qual-
ity of instruction to students and increasing student
academic achievement; and
“(2) how the use of the waiver has contributed
to such progress.”; and
(6) in subsection (f), by striking “if the Sec-
retary determines” and all that follows through the
period at the end and inserting the following: “if, af-
after notice and an opportunity for a hearing, the
Secretary—
“(A) presents substantial evidence that
clearly demonstrates that the waiver is not con-
tributing to the progress of schools described in
subsection (e)(1); or
“(B) determines that the waiver is no
longer necessary to achieve its original pur-
poses.”.

SEC. 9106. PLAN APPROVAL PROCESS.
Title IX (20 U.S.C. 7801 et seq.) is amended—
(1) by redesignating parts E and F as parts F
and G, respectively;
(2) in section 9573—
(A) in subsection (b)(1), by striking “early childhood development (Head Start) services” and inserting “early childhood education programs”; 

(B) in subsection (c)(2)—

(i) in the paragraph heading by striking “DEVELOPMENT SERVICES” and inserting “EDUCATION PROGRAMS”; and 

(ii) by striking “development (Head Start) services” and inserting “education programs”; and 

(C) in subsection (e), as redesignated by section 4001(5), in paragraph (3), by striking subparagraph (C) and inserting the following:

“(C) such other matters as justice may require.”; and 

(3) by inserting after section 9401 the following:

“PART E—APPROVAL AND DISAPPROVAL OF STATE PLANS AND LOCAL APPLICATIONS

“SEC. 9451. APPROVAL AND DISAPPROVAL OF STATE PLANS.

“(a) DEEMED APPROVAL.—A plan submitted by a State pursuant to section 2101(d), 4103(d), or 9302 shall be deemed to be approved by the Secretary unless—
“(1) the Secretary makes a written determination, prior to the expiration of the 90-day period beginning on the date on which the Secretary received the plan, that the plan is not in compliance with section 2101(d) or 4103(d) or part C, respectively; and

“(2) the Secretary presents substantial evidence that clearly demonstrates that such State plan does not meet the requirements of section 2101(d) or 4103(d) or part C, respectively.

“(b) DISAPPROVAL PROCESS.—

“(1) IN GENERAL.—The Secretary shall not finally disapprove a plan submitted under section 2101(d), 4103(d), or 9302, except after giving the State educational agency notice and an opportunity for a hearing.

“(2) NOTIFICATIONS.—If the Secretary finds that the plan is not in compliance, in whole or in part, with section 2101(d) or 4103(d) or part C, as applicable, the Secretary shall—

“(A) immediately notify the State of such determination;

“(B) provide a detailed description of the specific provisions of the plan that the Secretary determines fail to meet the requirements,
in whole or in part, of such section or part, as applicable;

“(C) offer the State an opportunity to revise and resubmit its plan within 45 days of such determination, including the chance for the State to present substantial evidence to clearly demonstrate that the State plan meets the requirements of such section or part, as applicable;

“(D) provide technical assistance, upon request of the State, in order to assist the State to meet the requirements of such section or part, as applicable;

“(E) conduct a public hearing within 30 days of the plan’s resubmission under subparagraph (C), with public notice provided not less than 15 days before such hearing, unless a State declines the opportunity for such public hearing; and

“(F) request additional information, only as to the noncompliant provisions, needed to make the plan compliant.

“(3) RESPONSE.—If the State educational agency responds to the Secretary’s notification described in paragraph (2)(A) during the 45-day pe-
period beginning on the date on which the State edu-
cational agency received the notification, and resub-
mits the plan with the requested information de-
scribed in paragraph (2)(B), the Secretary shall ap-
prove or disapprove such plan prior to the later of—

“(A) the expiration of the 45-day period
beginning on the date on which the plan is re-
submitted; or

“(B) the expiration of the 90-day period
described in subsection (a).

“(4) FAILURE TO RESPOND.—If the State edu-
cational agency does not respond to the Secretary’s
notification described in paragraph (2)(A) during
the 45-day period beginning on the date on which
the State educational agency received the notifica-
tion, such plan shall be deemed to be disapproved.

“(c) PEER-REVIEW REQUIREMENTS.—Notwith-
standing any other requirements of this part, the Sec-
retary shall ensure that any portion of a consolidated
State plan that is related to part A of title I is subject
to the peer-review process described in section 1111(a)(3).

“SEC. 9452. APPROVAL AND DISAPPROVAL OF LOCAL EDU-
CATIONAL AGENCY APPLICATIONS.

“(a) DEEMED APPROVAL.—An application submitted
by a local educational agency pursuant to section 2102(b),
4104(b), or 9305 shall be deemed to be approved by the
State educational agency unless—

“(1) the State educational agency makes a writ-
ten determination, prior to the expiration of the 90-
day period beginning on the date on which the State
educational agency received the application, that the
application is not in compliance with section 2102(b)
or 4104(b), or part C, respectively; and

“(2) the State presents substantial evidence
that clearly demonstrates that such application does
not meet the requirements of section 2102(b) or
4104(b), or part C, respectively.

“(b) DISAPPROVAL PROCESS.—

“(1) IN GENERAL.—The State educational
agency shall not finally disapprove an application
submitted under section 2102(b), 4104(b), or 9305
except after giving the local educational agency no-
tice and opportunity for a hearing.

“(2) NOTIFICATIONS.—If the State educational
agency finds that the application submitted under
section 2102(b), 4104(b), or 9305 is not in compli-
ance, in whole or in part, with section 2102(b) or
4104(b), or part C, respectively, the State edu-
cational agency shall—
“(A) immediately notify the local educational agency of such determination;

“(B) provide a detailed description of the specific provisions of the application that the State determines fail to meet the requirements, in whole or in part, of such section or part, as applicable;

“(C) offer the local educational agency an opportunity to revise and resubmit its application within 45 days of such determination, including the chance for the local educational agency to present substantial evidence to clearly demonstrate that the application meets the requirements of such section or part;

“(D) provide technical assistance, upon request of the local educational agency, in order to assist the local educational agency to meet the requirements of such section or part, as applicable;

“(E) conduct a public hearing within 30 days of the application’s resubmission under subparagraph (C), with public notice provided not less than 15 days before such hearing, unless a local educational agency declines the opportunity for such public hearing; and
“(F) request additional information, only as to the noncompliant provisions, needed to make the application compliant.

“(3) RESPONSE.—If the local educational agency responds to the State educational agency’s notification described in paragraph (2)(B) during the 45-day period beginning on the date on which the local educational agency received the notification, and resubmits the application with the requested information described in paragraph (2)(C), the State educational agency shall approve or disapprove such application prior to the later of—

“(A) the expiration of the 45-day period beginning on the date on which the application is resubmitted; or

“(B) the expiration of the 90-day period described in subsection (a).

“(4) FAILURE TO RESPOND.—If the local educational agency does not respond to the State educational agency’s notification described in paragraph (2)(B) during the 45-day period beginning on the date on which the local educational agency received the notification, such application shall be deemed to be disapproved.”.
SEC. 9107. PARTICIPATION BY PRIVATE SCHOOL CHILDREN AND TEACHERS.

Section 9501 (20 U.S.C. 7881) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking subparas-

graphs (A) through (H) and inserting the fol-

lowing:

“(A) part C of title I;

“(B) part A of title II;

“(C) part A of title III; and

“(D) title IV.”; and

(B) by striking paragraph (3); and

(2) in subsection (c)(1)—

(A) in subparagraph (E)—

(i) by striking “and the amount” and

inserting “, the amount”; and

(ii) by striking “services; and” and in-

serting “services, and how that amount is
determined;”;

(B) in subparagraph (F), by striking the

period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(G) whether the agency, consortium, or

entity shall provide services directly or assign

responsibility for the provision of services to a
separate government agency, consortium, or ent-
ity, or to a third-party contractor.”.

SEC. 9108. MAINTENANCE OF EFFORT.

Section 9521 (20 U.S.C. 7901) is amended—

(1) in subsection (a), by inserting “, subject to
the requirements of subsection (b)” after “for the
second preceding fiscal year”;

(2) in subsection (b)(1), by inserting before the
period at the end the following: “, if such local edu-
cational agency has also failed to meet such require-
ment (as determined using the measure most favor-
able to the local agency) for 1 or more of the 5 im-
ediately preceding fiscal years”; and

(3) in subsection (c)(1), by inserting “or a
change in the organizational structure of the local
educational agency” after “, such as a natural dis-
aster”.

SEC. 9109. SCHOOL PRAYER.

Section 9524(a) (20 U.S.C. 7904(a)) is amended by
striking “on the Internet” and inserting “by electronic
means, including by posting the guidance on the Depart-
ment’s website in a clear and easily accessible manner”.

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SEC. 9110. PROHIBITIONS ON FEDERAL GOVERNMENT AND
USE OF FEDERAL FUNDS.

Section 9527 (20 U.S.C. 7907) is amended to read as follows:

“SEC. 9527. PROHIBITIONS ON FEDERAL GOVERNMENT AND
USE OF FEDERAL FUNDS.

“(a) General Prohibition.—

“(1) In general.—Nothing in this Act shall be construed to authorize an officer or employee of the Federal Government, through grants, contracts, or other cooperative agreements (including as a condition of any waiver provided under section 9401) to—

“(A) mandate, direct, or control a State, local educational agency, or school’s curriculum, program of instruction, instructional content, specific academic standards or assessments, or allocation of State or local resources, or mandate a State or any subdivision thereof to spend any funds or incur any costs not paid for under this Act;

“(B) incentivize a State, local educational agency, or school to adopt any specific instructional content, academic standards, academic assessments, curriculum, or program of instruction, including by providing any priority, pref-
erence, or special consideration during the application process for any grant, contract, or cooperative agreement that is based on the adoption of any specific instructional content, academic standards, academic assessments, curriculum, or program of instruction; or

“(C) make financial support available in a manner that is conditioned upon a State, local educational agency, or school’s adoption of any specific instructional content, academic standards, academic assessments, curriculum, or program of instruction (such as the Common Core State Standards developed under the Common Core State Standards Initiative, any other standards common to a significant number of States, or any specific assessment, instructional content, or curriculum aligned to such standards).

“(b) PROHIBITION ON ENDORSEMENT OF CURRICULUM.—Notwithstanding any other prohibition of Federal law, no funds provided to the Department under this Act may be used by the Department directly or indirectly, including through any grant, contract, cooperative agreement, or waiver provided by the Secretary under section 9401, to endorse, approve, or sanction any curriculum (in-
including the alignment of such curriculum to any specific academic standard) designed to be used in an early childhood education program, elementary school, secondary school, or institution of higher education.

“(c) Prohibition on Requiring Federal Approval or Certification of Standards.—

“(1) In general.—Notwithstanding any other provision of Federal law, no State shall be required to have academic content or academic achievement standards approved or certified by the Federal Government, in order to receive assistance under this Act.

“(2) Rules of construction.—

“(A) Applicability.—Nothing in this subsection shall be construed to affect requirements under title I.

“(B) State or local authority.—Nothing in this section shall be construed to prohibit a State, local educational agency, or school from using funds provided under this Act for the development or implementation of any instructional content, academic standards, academic assessments, curriculum, or program of instruction that a State, local educational agency, or school chooses, as permitted under State
and local law, as long as the use of such funds is consistent with the terms of the grant, contract, or cooperative agreement providing such funds.

“(3) BUILDING STANDARDS.—Nothing in this Act shall be construed to mandate national school building standards for a State, local educational agency, or school.”.

SEC. 9111. ARMED FORCES RECRUITER ACCESS TO STUDENTS AND STUDENT RECRUITING INFORMATION.

Section 9528 (20 U.S.C. 7908) is amended by striking subsection (d).

SEC. 9112. PROHIBITION ON FEDERALLY SPONSORED TESTING.

Section 9529 (20 U.S.C. 7909) is amended to read as follows:

“SEC. 9529. PROHIBITION ON FEDERALLY SPONSORED TESTING.

“(a) GENERAL PROHIBITION.—Notwithstanding any other provision of Federal law and except as provided in subsection (b), no funds provided under this Act to the Secretary or to the recipient of any award may be used to develop, incentivize, pilot test, field test, implement, administer, or distribute any federally sponsored national
test in reading, mathematics, or any other subject, unless specifically and explicitly authorized by law, including any assessment or testing materials aligned to the Common Core State Standards developed under the Common Core State Standards Initiative or any other academic standards common to a significant number of States.

“(b) EXCEPTIONS.—Subsection (a) shall not apply to international comparative assessments developed under the authority of section 153(a)(5) of the Education Sciences Reform Act of 2002 and administered to only a representative sample of pupils in the United States and in foreign nations.

“(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to prohibit a State, local educational agency, or school from using funds provided under this Act for the development or implementation of any instructional content, academic standards, academic assessments, curriculum, or program of instruction that a State or local educational agency or school chooses, as permitted under State and local law, as long as the use of such funds is consistent with the terms of the grant, contract, or cooperative agreement providing such funds.”.

SEC. 9113. LIMITATIONS ON NATIONAL TESTING OR CERTIFICATION FOR TEACHERS.

Section 9530(a) (20 U.S.C. 7910(a)) is amended—
(1) by inserting “, principals,” after “teachers”;

and

(2) by inserting “, or incentive regarding,”

after “administration of”.

SEC. 9114. CONSULTATION WITH INDIAN TRIBES AND TRIBAL ORGANIZATIONS.

Subpart 2 of part F of title IX (20 U.S.C. 7901 et seq.), as amended by section 4001(3), and redesignated by section 9106(1), is further amended by adding at the end the following:

“SEC. 9538. CONSULTATION WITH INDIAN TRIBES AND TRIBAL ORGANIZATIONS.

“(a) IN GENERAL.—To ensure timely and meaningful consultation on issues affecting American Indian and Alaska Native students, an affected local educational agency shall consult with appropriate officials from Indian tribes or tribal organizations approved by the tribes located in the area served by the local educational agency during the design and development of the affected local educational agency’s programs under this Act, with the overarching goal of meeting the unique cultural, language, and educational needs of American Indian and Alaska Native students.

“(b) TIMING.—The consultation described in subsection (a) shall include meetings of officials from the af-
ected local educational agency and the tribes or tribal org-
izations approved by the tribes and shall occur before
the affected local educational agency makes any decision
regarding how the needs of American Indian and Alaska
Native children will be met in covered programs or in serv-
ices or activities provided under title VII.

“(c) DOCUMENTATION.—Each affected local edu-
cational agency shall maintain in the agency’s records and
provide to the State educational agency a written affirm-
ation signed by officials of the participating tribes or tribal
organizations approved by the tribes that the consultation
required by this section has occurred. If such officials do
not provide such affirmation within a reasonable period
of time, the affected local educational agency shall forward
documentation that such consultation has taken place to
the State educational agency.

“(d) AFFECTED LOCAL EDUCATIONAL AGENCY.—In
this section, the term ‘affected local educational agency’
means a local educational agency—

“(1) with an enrollment of American Indian or
Alaska Native students that is not less than 50 per-
cent of the total enrollment of the local educational
agency; or

“(2) with an enrollment of not less than 50
American Indian or Alaska Native students.”.
SEC. 9115. OUTREACH AND TECHNICAL ASSISTANCE FOR
RURAL LOCAL EDUCATIONAL AGENCIES.

Subpart 2 of part F of title IX (20 U.S.C. 7901 et seq.), as amended by sections 4001(3) and 9114, and re-designated by section 9106(1), is further amended by adding at the end the following:

"SEC. 9539. OUTREACH AND TECHNICAL ASSISTANCE FOR RURAL LOCAL EDUCATIONAL AGENCIES.

(a) Outreach.—The Secretary shall engage in outreach to rural local educational agencies regarding opportunities to apply for competitive grant programs under this Act.

(b) Technical Assistance.—If requested to do so, the Secretary shall provide technical assistance to rural local educational agencies with locale codes 32, 33, 41, 42, or 43, or an educational service agency representing rural local educational agencies with locale codes 32, 33, 41, 42, or 43 on applications or pre-applications for any competitive grant program under this Act. No rural local educational agency or educational service agency shall be required to request technical assistance or include any technical assistance provided by the Secretary in any application.”.

SEC. 9116. EVALUATIONS.

Section 9601 (20 U.S.C. 7941) is amended to read as follows:

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“SEC. 9601. EVALUATIONS.

“(a) RESERVATION OF FUNDS.—Except as provided in subsection (b) and (e), the Secretary, in consultation with the Director of the Institute of Education Sciences, may reserve not more than 0.5 percent of the amount appropriated for each program authorized under this Act to carry out activities under this section. If the Secretary elects to make a reservation under this subsection, the reserved amounts—

“(1) shall first be used by the Secretary, acting through the Director of the Institute of Education Sciences, to—

“(A) conduct comprehensive, high-quality evaluations of the programs that—

“(i) are consistent with the evaluation plan under subsection (d); and

“(ii) primarily include impact evaluations that use experimental or quasi-experimental designs, where practicable and appropriate, and other rigorous methodologies that permit the strongest possible causal inferences;

“(B) conduct studies of the effectiveness of the programs and the administrative impact of the programs on schools and local educational agencies; and
“(C) widely disseminate evaluation findings under this section related to programs authorized under this Act—

“(i) in a timely fashion;

“(ii) in forms that are understandable, easily accessible, and usable, or adaptable for use in, the improvement of educational practice;

“(iii) through electronic transfer and other means, such as posting, as available, to the websites of State educational agencies, local educational agencies, the Institute of Education Sciences, or the Department, or in another relevant place; and

“(iv) in a manner that promotes the utilization of such findings; and

“(2) may be used by the Secretary, acting through the Director of the Institute of Education Sciences—

“(A) to evaluate the aggregate short- and long-term effects and cost efficiencies across—

“(i) Federal programs assisted or authorized under this Act; and

“(ii) related Federal early childhood education programs, preschool programs,
elementary school programs, and secondary
school programs, under any other Federal
law;
“(B) to increase the usefulness of the eval-
uations conducted under this section by improv-
ing the quality, timeliness, efficiency, and use of
information relating to performance to promote
continuous improvement of programs assisted
or authorized under this Act; and
“(C) to assist recipients of grants under
such programs in collecting and analyzing data
and other activities related to conducting high-
quality evaluations under paragraph (1).
“(b) TITLE I.—The Secretary, acting through the Di-
rector of the Institute of Education Sciences, shall use
funds authorized under section 1002(e) to carry out eval-
uation activities under this section related to title I, and
shall not reserve any other money from such title for eval-
uation.
“(c) CONSOLIDATION.—Notwithstanding any other
provision of this section or section 1002(e), the Secretary,
in consultation with the Director of the Institute of Edu-
cation Sciences—
“(1) may consolidate the funds reserved under subsections (a) and (b) for purposes of carrying out the activities under subsection (a)(1); and

“(2) shall not be required to evaluate under subsection (a)(1) each program authorized under this Act each year.

“(d) EVALUATION PLAN.—The Director of the Institute of Education Sciences, shall, on a biennial basis, develop, submit to Congress, and make publicly available an evaluation plan, that—

“(1) describes the specific activities that will be carried out under subsection (a) for the 2-year period applicable to the plan, and the timelines of such activities;

“(2) contains the results of the activities carried out under subsection (a) for the most recent 2-year period; and

“(3) describes how programs authorized under this Act will be regularly evaluated.

“(e) EVALUATION ACTIVITIES AUTHORIZED ELSEWHERE.—If, under any other provision of this Act, funds are authorized to be reserved or used for evaluation activities with respect to a program, the Secretary may not reserve additional funds under this section for the evaluation of that program.”.
TITLE X—EDUCATION FOR
HOMELESS CHILDREN AND
YOUTHS; OTHER LAWS; MIS-
CELLANEOUS

PART A—EDUCATION FOR HOMELESS CHILDREN
AND YOUTH

SEC. 10101. STATEMENT OF POLICY.

Section 721 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431) is amended—

(1) in paragraph (2), by striking “In any State” and all that follows through “will review” and inserting “In any State where compulsory residency requirements or other requirements, in laws, regulations, practices, or policies, may act as a barrier to the identification of or enrollment, attendance, or success in school of homeless children and youths, the State educational agency and local educational agencies in the State will review”;

(2) in paragraph (3), by striking “alone”; and

(3) in paragraph (4), by striking “challenging State student academic achievement standards” and inserting “challenging State academic standards”.

SEC. 10102. GRANTS FOR STATE AND LOCAL ACTIVITIES.

Section 722 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11432) is amended—
(1) by striking subsection (b) and inserting the following:

“(b) RESERVATIONS.—

“(1) STUDENTS IN TERRITORIES.—The Secretary is authorized to reserve 0.1 percent of the amount appropriated for each fiscal year under section 726, 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 needs for assistance under this subtitle, as determined by the Secretary.

“(2) INDIAN STUDENTS.—

“(A) TRANSFER.—The Secretary shall transfer 1 percent of the amount appropriated for each fiscal year under section 726 to the Department of the Interior. The transferred funds shall be used for programs 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.), that are consistent with the purposes of the programs described in this subtitle.
“(B) AGREEMENT.—The Secretary of Education and the Secretary of the Interior shall enter into an agreement, consistent with the requirements of this subtitle, for the distribution and use of the transferred funds 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 amounts transferred, including appropriate goals, objectives, and milestones.”;

(2) in subsection (c)—

(A) by redesignating paragraph (3) as paragraph (4); and

(B) by striking the subsection heading and all that follows through paragraph (2) and inserting the following:

“(c) ALLOTMENTS.—

“(1) IN GENERAL.—The Secretary is authorized to allot to each State for a fiscal year an amount that bears the same ratio to the amount appropriated for such year under section 726 that remains after the Secretary reserves funds under subsection (b) and uses funds to carry out subsections (d) and
(h) of section 724, 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 paragraph (2).

“(2) MINIMUM ALLOTMENTS.—Subject to paragraph (3), no State shall receive less under this subsection for a fiscal year than the greater of—

“(A) $150,000;

“(B) one-fourth of 1 percent of the amount appropriated under section 726 for that year; or

“(C) the amount such State received under this section for fiscal year 2001.

“(3) REDUCTION FOR INSUFFICIENT FUNDS.—If there are insufficient funds in a fiscal year to allot to each State the minimum amount under paragraph (2), 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.”;

(3) in subsection (d)—

(A) in paragraph (2)—
(i) by striking “To provide” and all that follows through “that enable” and inserting “To provide services and activities to improve the identification of homeless children and youths (including preschool-aged homeless children) and enable”; and

(ii) by striking “or, if” and inserting “including, if”; and

(B) in paragraph (3), by striking “designate” and all that follows and inserting “designate in the State educational agency an Office of the Coordinator for Education of Homeless Children and Youths that can sufficiently carry out the duties described for the Office in this subtitle.”;

(4) in subsection (e)—

(A) in paragraph (1), by striking “subsection (c)(1)” and inserting “subsection (c)(2)”; and

(B) in paragraph (3)—

(i) in subparagraph (E)(ii)(II), by striking “subsection (g)(6)(A)(v)” and inserting “subsection (g)(6)(A)(vi)”; and

(ii) in subparagraph (F)(iii), by striking “Not later” and all that follows
through “the Secretary” and inserting “The Secretary”; (5) by striking subsection (f) and inserting the following:

“(f) Functions of the Office of the Coordinator.—The Coordinator for Education of Homeless Children and Youths established in each State shall—

“(1) gather and make publicly available reliable, valid, and comprehensive information on—

“(A) the number of homeless children and youths identified in the State, which shall be posted annually on the State educational agency’s website;

“(B) the nature and extent of the problems homeless children and youths have in gaining access to public preschool programs and to public elementary schools and secondary schools;

“(C) the difficulties in identifying the special needs and barriers to the participation and achievement of such children and youths;

“(D) any progress made by the State educational agency and local educational agencies in the State in addressing such problems and difficulties; and
“(E) the success of the programs under this subtitle in identifying homeless children and youths and allowing such children and youths to enroll in, attend, and succeed in, school;

“(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 reasonably require, a report containing information necessary to assess the educational needs of homeless children and youths within the State, including data necessary for the Secretary to fulfill the responsibilities under section 724(h);

“(4) in order to improve the provision of comprehensive education and related services to homeless children and youths and their families, coordinate activities and collaborate with—

“(A) educators, including teachers, special education personnel, administrators, and child development and preschool program personnel;

“(B) providers of services to homeless children and youths and their families, including services of public and private child welfare and social services agencies, law enforcement agen-
cies, 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 youths, and their families, including public housing agencies, shelter operators, operators of transitional housing facilities, and providers of transitional living programs for homeless youths;

“(D) local educational agency liaisons designated under subsection (g)(1)(J)(ii) for homeless children and youths; and

“(E) community organizations and groups representing homeless children and youths and their families;

“(5) provide 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 subsection (e)(3) and paragraphs (3) through (7) of subsection (g);

“(6) provide professional development opportunities for local educational agency personnel and the local educational agency liaison designated under subsection (g)(1)(J)(ii) to assist such personnel and liaison in identifying and meeting the needs of homeless children and youths; and

“(7) respond to inquiries from parents and guardians of homeless children and youths, including (in the case of unaccompanied youths) such youths, to ensure that each child or youth who is the subject of such an inquiry receives the full protections and services provided by this subtitle.”;

(6) in subsection (g)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking “achievement”;

(ii) in subparagraph (B), by striking “special”;

(iii) in subparagraph (D)—

(I) by striking “(including” and all that follows through “personnel)” and inserting “(including liaisons designated under subparagraph (J)(ii),
principals and school leaders, attendance officers, teachers, enrollment personnel, and specialized instructional support personnel’’; and

(II) by striking ‘‘of runaway and homeless youths’’ and inserting ‘‘of homeless children and youths, including such children and youths who are runaway and homeless youths’’;

(iv) in subparagraph (E), by striking ‘‘food’’ and inserting ‘‘nutrition’’;

(v) in subparagraph (F)—

(I) in clause (i), by striking ‘‘equal’’ and all that follows and inserting ‘‘access to the same public preschool programs, administered by the State educational agency or local educational agency, as are provided to other children in the State, including ensuring that access by having the administering agency carry out the policies and practices required under paragraph (3);’’;

(II) in clause (ii), by striking ‘‘services; and’’ and inserting ‘‘serv-
ices, including through the implementation of policies and practices to ensure that youths described in this clause are able to receive appropriate credit for full or partial coursework satisfactorily completed while attending a prior school, in accordance with State, local, and school policies;’’; and

(III) by striking clause (iii) and inserting the following:

“(iii) homeless children and youths who meet the relevant eligibility criteria have access to magnet school, summer school, career and technical education, advanced placement, online learning, and charter school programs, if such programs are available at the State or local levels; and

“(iv) the State educational agency and local educational agencies will adopt policies and practices to promote school success for homeless children and youth, including providing access to full participation in the academic and extracurricular activities that are made available to stu-
students who are not homeless children and
youth.”;

(vi) in subparagraph (H)(i), by strik-
ing “medical” and inserting “other
health”;

(vii) in subparagraph (I)—

(I) by striking “enrollment” and
inserting “identification of homeless
children and youths, and the enroll-
ment,”; and

(II) by striking “State.” and in-
serting “State, including barriers re-
lated to fees, fines, absences, and
credit accrual policies.”; and

(viii) in subparagraph (J)—

(I) in clause (ii), by striking “to
carry out” and inserting “and assur-
ances that the liaison will have suffi-
cient training and time to carry out”; and

(II) in clause (iii), in the matter
preceding subclause (I), by striking
“origin, as determined in paragraph
(3)(A),” and inserting “origin (within
the meaning of paragraph (3)(A)),
which may include a preschool,”; and
(III) in subclauses (I) and (II) of
clause (iii), by striking “homeless”
each place it appears;
(B) in paragraph (3)—
(i) in subparagraph (A)(i)(I), by strik-
ing “or” at the end and inserting “and”;
(ii) in subparagraph (B)—
(I) by striking “BEST INTEREST”
and inserting “SCHOOL STABILITY”;
(II) by redesignating clause (iii)
as clause (iv);
(III) by striking clauses (i) and
(ii) and inserting the following:
“(i) presume that keeping the 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 request of
the child’s or youth’s parent or guardian,
or (in the case of an unaccompanied
youth) the youth;
“(ii) consider factors related to the
child’s or youth’s best interest, including
factors related to the impact of mobility on
achievement, health, and safety of homeless children and youth, giving priority to the request of the child’s or youth’s parent or guardian or (in the case of an unaccompanied youth) the youth;

“(iii) if after carrying out clauses (i) and (ii) the local educational agency sends the child or youth to a school other than the school of origin or a school requested as described in clause (ii), provide a written explanation, including a statement regarding the right to appeal under subparagraph (E), to the child’s or youth’s parent or guardian, or (in the case of an unaccompanied youth) the youth; and”;

(IV) in that clause (iv), by inserting “and takes into account” after “considers”; (iii) by striking subparagraph (C) and inserting the following:

“(C) IMMEDIATE ENROLLMENT.—

“(i) IN GENERAL.—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 normally required for enrollment, such as previous academic records, records of immunization and other required health records, proof of residency, or other documentation; or

“(II) has missed application or enrollment deadlines during any period of homelessness.

“(ii) Relevant academic records.—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 health records, the enrolling school shall immediately refer the parent or guardian of the child or youth or (in the case of an unaccompanied youth) the youth, to the local educational agency liaison designated under paragraph (1)(J)(ii), who shall assist in obtaining necessary immunizations or screenings, or health
records, in accordance with subparagraph (D).”;

(iv) in subparagraph (D)—

(I) in the matter preceding clause (i), by striking “medical records” and inserting “health records”; and

(II) in clause (i), by inserting “involved” after “records”;

(v) in subparagraph (E)—

(I) in the matter preceding clause (i), by striking “If” and all that follows through “school—” and inserting “If a dispute arises over eligibility for enrollment, school selection, or enrollment in a public school, including a public preschool—”;

(II) in clause (i), by inserting before the semicolon the following: “, including all available appeals”; and

(III) by striking clause (ii) and inserting the following:

“(ii) the parent or guardian of the child or youth or (in the case of an unaccompanied youth) the youth shall be provided with a written explanation of any de-
visions related to school selection or enrollment made by the school, the local educational agency, or the State educational agency involved, including the rights of the parent, guardian, or unaccompanied youth to appeal such decisions;”;

(vi) by striking subparagraph (G) and inserting the following:

“(G) PRIVACY.—Information about a homeless child’s or youth’s living situation shall be treated as a student education record, and not as directory information, under section 444 of the General Education Provisions Act (20 U.S.C. 1232g).”; and

(vii) by adding at the end the following:

“(I) SCHOOL OF ORIGIN DEFINED.—In this paragraph:

“(i) IN GENERAL.—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.—In the case of a child or youth who completed 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.”;

(C) in paragraph (4)—

(i) in subparagraph (A), by inserting before the period the following “, which may include transportation to a preschool”;

(ii) in subparagraph (B), by striking “and educational” and all that follows and inserting “educational programs for English learners, charter school programs, and magnet school programs.”; and

(iii) in subparagraph (C), by striking “vocational” and inserting “career”;

(D) in paragraph (5)—

(i) in subparagraph (A)—

(I) in clause (i), by striking “programs providing” and inserting “entities providing”; and

(II) in clause (ii), by striking “such as transportation or” and in-
serting “including transportation and”;

(ii) in subparagraph (C)—

(I) by redesignating clauses (i) and (ii) as clauses (ii) and (iii), respectively;

(II) by inserting before clause (ii), as redesignated by subclause (I), the following:

“(i) ensure that all homeless children and youths are promptly identified;”;

(III) in clause (ii), as redesignated by subclause (I), by striking “have access and” and inserting “have access to and are in”;

(iii) by adding at the end the following:

“(D) HOMELESS CHILDREN AND YOUTHS WITH DISABILITIES.—For children and youths who are to be assisted both under this subtitle, and under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), each local educational agency shall coordinate the provision of services under this subtitle with the provision of programs for children with disabil-
ities served by that local educational agency and
other involved local educational agencies.”;

(E) in paragraph (6)—

(i) in subparagraph (A)—

(I) by redesignating clauses (iv)
through (vii) as clauses (v) through
(viii), respectively;

(II) by striking clause (iii) and
inserting the following:

“(iii) homeless families and homeless
children and youths have access to and re-
ceive educational services for which such
families, children, and youths are eligible,
including services through Head Start pro-
grams (including Early Head Start pro-
grams) under the Head Start Act (42
U.S.C. 9831 et seq.), early intervention
services under part C of the Individuals
with Disabilities Education Act (20 U.S.C.
1431 et seq.), and other preschool pro-
grams administered by the local edu-
cational agency;

“(iv) homeless families and homeless
children and youths receive referrals to
health care services, dental services, mental
health and substance abuse services, housing services, and other appropriate services;’’;

(III) by striking clause (vi), as redesignated by subclause (I), and inserting the following:

“(vi) public notice of the educational rights of homeless children and youths is disseminated in locations frequented by parents and guardians of such children and youths, and unaccompanied youths, including schools, shelters, public libraries, and soup kitchens, in a manner and form understandable to the parents and guardians of homeless children and youths, and unaccompanied youths;’’;

(IV) in clause (vii), as redesignated by subclause (I), by striking “and” at the end;

(V) in clause (viii), as redesignated by subclause (I), by striking the period and inserting a semicolon; and

(VI) by adding at the end the following:
“(ix) school personnel providing services under this subtitle receive professional
development and other support; and

“(x) unaccompanied youths—

“(I) are enrolled in school;

“(II) have opportunities to meet the same challenging State academic
standards as the State establishes for other children and youth, including
through implementation of the procedures under paragraph (1)(F)(ii); 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) and may obtain assistance to receive verification of such status for pur-
poses of the Free Application for Federal Student Aid described in section 483 of such Act (20 U.S.C. 1090).”;

(ii) in subparagraph (B), by striking “and advocates” and all that follows and inserting “advocates working with home-
less families, parents and guardians of homeless children and youths, and home-
less children and youths who are in secondary school, of the duties of the local educational agency liaisons, and publish an annually updated list of the liaisons on the State educational agency’s website.”;

(iii) in subparagraph (C), by adding at the end the following: “Such coordination shall include collecting and providing to the State coordinator the reliable, valid, and comprehensive information and data needed to meet the requirements of paragraphs (1) and (3) of subsection (f).”; and

(iv) by adding at the end the following:

“(D) PROFESSIONAL DEVELOPMENT.—As determined appropriate by the State coordinator, the local educational agency liaisons shall participate in the professional development activities provided, and other technical assistance activities provided pursuant to paragraphs (5) and (6) of subsection (f), by the State coordinator.”; and

(F) in paragraph (7)—

(i) in subparagraph (A), by striking “that receives” and all that follows
through “enrollment” and inserting “shall review and revise any policies that may act as barriers to the identification of homeless children and youths or enrollment”; and

(ii) in subparagraph (C), by striking “enrollment” and inserting “identification, enrollment,”; and

(7) by striking subsection (h).

SEC. 10103. LOCAL EDUCATIONAL AGENCY SUBGRANTS.

Section 723 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11433) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting “identification of homeless children and youths and” before “enrollment,”; and

(B) in paragraph (2)(B), in the matter preceding clause (i), by inserting “the related” before “schools”;

(2) in subsection (b), by adding at the end the following:

“(6) An assurance that the local educational agency will collect and promptly provide the information and data requested by the State coordinator pursuant to paragraphs (1) and (3) of section 722(f).
“(7) An assurance that the applicant will meet the requirements of section 722(g)(3).”;

(3) in subsection (e)—

(A) in paragraph (2)—

(i) in the matter preceding subpara-
graph (A), by striking “preschool, elemen-
tary, and secondary schools” and inserting “early childhood education and other pre-
school programs, elementary schools, and secondary schools,”;

(ii) in subparagraph (A), by inserting “identification,” before “enrollment,”;

(iii) in subparagraph (B), by striking “application—” and all that follows and inserting “application reflects coordination with other local and State agencies that serve homeless children and youths.”; and

(iv) in subparagraph (C), by inserting “(as of the date of submission of the appli-
cation)” after “practice”;

(B) in paragraph (3)—

(i) in subparagraph (C), by inserting “extent to which the applicant will promote meaningful” after “The”;

...
(ii) in subparagraph (D), by striking “within” and inserting “into”;

(iii) by redesignating subparagraph (G) as subparagraph (I);

(iv) by inserting after subparagraph (F) the following:

“(G) The extent to which the local educational agency will use the subgrant to leverage resources.

“(H) How the local educational agency uses funds to serve homeless children and youths under section 1113(a)(4) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6313(a)(4)).”; and

(v) in subparagraph (I), as redesignated by clause (iii), by striking “Such” and inserting “The extent to which the applicant’s program meets such”; and

(4) in subsection (d)—

(A) in paragraph (1), by striking “the same challenging State academic content standards and challenging State student academic achievement standards” and inserting “the same challenging State academic standards as”;

(B) in paragraph (2)—
(i) by striking “students with limited English proficiency” and inserting “English learners”; and

(ii) by striking “vocational” and inserting “career”;

(C) in paragraph (3), by striking “pupil services” and inserting “specialized instructional support services”;

(D) in paragraph (7), by striking “and unaccompanied youths,” and inserting “particularly homeless children and youths who are not enrolled in school,”;

(E) in paragraph (9), by striking “medical” and inserting “other health”;

(F) by striking paragraph (10) and inserting the following:

“(10) The provision of education and training to the parents and guardians of homeless children and youths about the rights of, and resources available to, such children and youths, and the provision of other activities designed to increase the meaningful involvement of parents and guardians of homeless children or youths in the education of the children or youths.”;
(G) in paragraph (12), by striking “pupil services” and inserting “specialized instructional support services”;

(H) in paragraph (13), by inserting before the period the following: “or parental mental health or substance abuse problems”; and

(I) in paragraph (16), by striking “to attend school” and inserting “to enroll, attend, and succeed in school (including a preschool program)”.

SEC. 10104. SECRETARIAL RESPONSIBILITIES.

Section 724 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434) is amended—

(1) by striking subsection (c) and inserting the following:

“(c) NOTICE.—

“(1) IN GENERAL.—The Secretary shall, before the next school year that begins after the date of enactment of the Every Child Achieves Act of 2015, update and disseminate nationwide the public notice described in this subsection (as in effect prior to such date) of the educational rights of homeless children and youths.

“(2) DISSEMINATION.—The Secretary shall disseminate the notice nationally to all Federal agen-
cies, and grant recipients, serving homeless families
or homeless children and youth.”;

(2) by striking subsection (d) and inserting the
following:

“(d) EVALUATION, DISSEMINATION, AND TECHNICAL
ASSISTANCE.—The Secretary shall conduct evaluation,
dissemination, and technical assistance activities for pro-
grams designed to meet the educational needs of homeless
elementary and secondary school students, and may use
funds appropriated under section 726 to conduct such ac-
tivities.”;

(3) in subsection (f), by adding at the end the
following: “The Secretary shall provide support and
technical assistance to State educational agencies,
concerning areas in which documented barriers to a
free appropriate public education persist.”;

(4) by striking subsection (g) and inserting the
following:

“(g) GUIDELINES.—The Secretary shall develop,
issue, and publish in the Federal Register, not later than
60 days after the date of enactment of the Every Child
Achieves Act of 2015, guidelines concerning ways in which
a State—
“(1) may assist local educational agencies to implement the provisions related to homeless children and youth amended by that Act; and

“(2) may review and revise State policies and procedures that may present barriers to the identification of homeless children and youth, and the enrollment, attendance, and success of homeless children and youths in school.”;

(5) in subsection (h)—

(A) in the matter preceding subparagraph (A), by striking “periodically” and inserting “periodically but not less frequently than once every 2 years,”;

(B) in subparagraph (A), by striking “location” and all that follows and inserting “location (in cases in which location can be identified) of homeless children and youth, in all areas served by local educational agencies under this subtitle;”;

(C) in subparagraph (C), by striking “and” at the end;

(D) by redesignating subparagraph (D) as subparagraph (E); and

(E) by inserting after subparagraph (C) the following:
“(D) the academic progress being made by homeless children and youth, including the percentage or number of homeless children and youth participating in State assessments under section 1111(b)(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)); and

(6) in subsection (i), by striking “McKinney-Vento Homeless Education Assistance Improvements Act of 2001” and inserting “Every Child Achieves Act of 2015”.

SEC. 10105. DEFINITIONS.

Section 725(6) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(6)) is amended by striking “youth” and inserting “homeless child or youth”.

SEC. 10106. AUTHORIZATION OF APPROPRIATIONS.

Section 726 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11435) is amended to read as follows:

“SEC. 726. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to carry out this subtitle such sums as may be necessary for each of fiscal years 2016 through 2021.”.
PART B—OTHER LAWS; MISCELLANEOUS

SEC. 10201. USE OF TERM HIGHLY QUALIFIED IN OTHER LAWS.

Beginning on the date of the enactment of this Act, any reference in law to the term “highly qualified”, as defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801), shall be treated as a reference to such term under section 9101 of the Elementary and Secondary Education Act of 1965 as in effect on the day before the date of the enactment of this Act.
A BILL

S. 1177

114TH CONGRESS

To reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

APRIL 30, 2015

Read twice and placed on the calendar.

VERDATE Sep 11 2014 22:29 May 01, 2015 Jkt 049200 PO 00000 Frm 00792 Fmt 6651 Sfmt 6651 E:\BILLS\S1177.PCS S1177asabaliauskas on DSK5VPTVN1PROD with BILLS