

**SUBSTITUTE OFFERED BY MR. GEORGE MILLER
OF CALIFORNIA**

**FOR THE AMENDMENT IN THE NATURE OF A
SUBSTITUTE OFFERED BY MR. KLINE**

[HR 3990]

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

2 (a) SHORT TITLE.—This Act may be cited as the
3 “Encouraging Innovation and Effective Teachers Act”.

4 (b) TABLE OF CONTENTS.—The table of contents for
5 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. References.

TITLE I—TEACHERS AND LEADERS

Sec. 101. Great teachers and leaders.

Sec. 102. HEA conforming amendments.

TITLE II—SUCCESSFUL, SAFE, AND HEALTHY STUDENTS

Sec. 201. 21st Century schools.

Sec. 202. Fund for the Improvement of Education.

6 SEC. 2. REFERENCES.

7 Except as otherwise expressly provided, whenever in
8 this Act an amendment or repeal is expressed in terms
9 of an amendment to, or repeal of, a section or other provi-
10 sion, the reference shall be considered to be made to a

1 section or other provision of the Elementary and Sec-
2 ondary Education Act of 1965 (20 U.S.C. 6301 et seq.).

3 **TITLE I—TEACHERS AND**
4 **LEADERS**

5 **SEC. 101. GREAT TEACHERS AND LEADERS.**

6 Title II (20 U.S.C. 6601 et seq.) is amended to read
7 as follows:

8 “TITLE II—GREAT TEACHERS AND LEADERS
9 “**SEC. 2001. PURPOSE.**

10 “The purpose of this title is to help States and local
11 educational agencies support teachers and school leaders
12 to improve student achievement for all students, including
13 English learners and students with disabilities, by—

14 “(1) promoting and enhancing the teaching pro-
15 fession;

16 “(2) supporting the development of effective of
17 teachers and school leaders;

18 “(3) recruiting, rewarding, and retaining effec-
19 tive teachers and other school leaders and fostering
20 excellent instructional teams, especially in high-need
21 local educational agencies, schools, fields, and sub-
22 jects;

23 “(4) providing teachers with the knowledge,
24 skills, data, support, and collaborative opportunities

1 needed to be effective in the classroom and to the
2 meet the diverse learning needs of their students;

3 “(5) providing all students with access to effec-
4 tive teachers and school leaders; and

5 “(6) improving the management of the edu-
6 cation workforce in States and local educational
7 agencies.

8 **“SEC. 2002. DEFINITIONS.**

9 “In this title:

10 “(1) CAREER LADDERS.—The term ‘career lad-
11 ders’ means promotion and professional growth op-
12 portunities, beyond moving into administration, for
13 teachers who have been rated as at least effective by
14 a teacher evaluation system that meets the require-
15 ments of section 2112(b)(1), including teacher lead-
16 ers, instructional or curriculum specialists, and
17 teacher mentors, who help improve teaching and
18 learning in a school or local educational agency.

19 “(2) HIGH-NEED FIELD.—The term ‘high-need
20 field’ refers to the fields of special education, bilin-
21 gual education, and English language acquisition.

22 “(3) HIGH-NEED SUBJECT.—The term ‘high-
23 need subject’ means mathematics, science, and any
24 other content area—

1 “(A) that is designated by a State edu-
2 cational agency or the Secretary as a teacher
3 shortage area; or

4 “(B) with respect to which a local edu-
5 cational agency determines, based on the needs
6 assessment required under section 2122(a)(2),
7 that, in the schools or a subset of schools of the
8 agency, there is a shortage of teachers who
9 have been rated by a State-approved teacher
10 and principal evaluation that meets the require-
11 ments of section 2112(b)(1) as at least effec-
12 tive.

13 “(4) HIGH-NEED LOCAL EDUCATIONAL AGEN-
14 CY.—The term ‘high-need local educational agency’
15 means a local educational agency—

16 “(A)(i) that serves not fewer than 10,000
17 children from families with incomes below the
18 poverty line; or

19 “(ii) for which not less than 20 percent of
20 the children served by the agency are from fam-
21 ilies with incomes below the poverty line; and

22 “(B)(i) for which there is a high percent-
23 age of teachers not teaching in the academic
24 subjects or grade levels that the teachers were
25 trained to teach; or

1 “(ii) for which there is a high percentage
2 of teachers with emergency, provisional, or tem-
3 porary certification or licensing.

4 “(5) QUALIFIED TEACHER.—The term ‘quali-
5 fied teacher’ means a teacher who meets the min-
6 imum qualifications to teach in a State and—

7 “(A) when used with respect to a middle
8 school or high school teacher who is entering
9 the profession in a State for the first time,
10 means that the teacher—

11 “(i) holds at least a bachelor’s degree;

12 “(ii) has demonstrated to the State,
13 content knowledge in the content area that
14 the teacher will teach as determined—

15 “(I) by passing a rigorous State
16 assessment; or

17 “(II) by successful completion of
18 an academic major, a graduate de-
19 gree, or coursework equivalent to an
20 undergraduate academic major in the
21 content area that the teacher will
22 teach;

23 “(iii) if required by the State to dem-
24 onstrate teaching skills by passing a State

1 teacher performance assessment, has
2 passed such assessment;

3 “(iv) has successfully completed a tra-
4 ditional or alternative teacher preparation
5 program; and

6 “(v) at the State’s discretion, may be
7 enrolled in an alternative teacher prepara-
8 tion program, and—

9 “(I) be on track to successful
10 completion of such program; and

11 “(II) be supervised by a mentor
12 teacher who has been consistently
13 rated in the highest rating categories
14 by a teacher evaluation system that
15 meets the requirements of section
16 2112(b)(1);

17 “(B) when used with respect to an elemen-
18 tary school teacher who is entering the profes-
19 sion in a State for the first time, means that
20 the teacher—

21 “(i) holds at least a bachelor’s degree;

22 “(ii) has demonstrated to the State,
23 content knowledge and teaching skills in
24 reading, writing, mathematics, science, and

1 other areas of the elementary school cur-
2 rriculum—

3 “(I) by passing a rigorous pass-
4 ing a rigorous State assessment or
5 State-required test in reading, writ-
6 ing, mathematics, science, and other
7 areas of the basic elementary school
8 curriculum; or

9 “(II) by successful completion of
10 an academic major, a graduate de-
11 gree, or coursework equivalent to an
12 undergraduate academic major in the
13 content areas that the teacher will
14 teach;

15 “(iii) if required by the State to dem-
16 onstrate teaching skills by passing a State
17 teacher performance assessment, has
18 passed such assessment;

19 “(iv) has successfully completed a tra-
20 ditional or alternative teacher preparation
21 program;

22 “(v) at the State’s discretion, may be
23 enrolled in an alternative teacher prepara-
24 tion program; and

1 “(I) be on track to successful
2 completion of such program; and

3 “(II) be supervised by a mentor
4 teacher who has been consistently
5 rated in the highest rating categories
6 by a teacher evaluation system that
7 meets the requirements of section
8 2112(b)(1); and

9 “(C) means any teacher who is highly
10 qualified as defined in section 9101(23) or sec-
11 tion 602(10) of the Individuals with Disabilities
12 Education Act, as such section was in effect on
13 the day before the date of enactment of the En-
14 couraging Innovation and Effective Teachers
15 Act.

16 “(6) INDUCTION.—The term ‘induction’ means
17 a program for new teachers, during at least their
18 first 2 years of teaching, that is designed to increase
19 effectiveness and retention of new teachers, and that
20 includes—

21 “(A) high-quality teacher mentoring;

22 “(B) development of skills and knowledge
23 in areas needed for new teachers, including,
24 content knowledge and pedagogy, instructional
25 strategies for teaching students with diverse

1 learning needs, classroom management (includ-
2 ing strategies that improve the school-wide cli-
3 mate for learning, which may include positive
4 behavioral interventions and supports), forma-
5 tive assessment of student learning, and the
6 analysis and use of student assessment data to
7 improve instruction;

8 “(C) frequent, structured time for collabo-
9 ration and professional development with teach-
10 ers in the same field, grade, or subject area,
11 and opportunities to draw directly on the exper-
12 tise of other school and local educational agency
13 staff, staff of high-performing teacher path-
14 ways, and other organizations that provide
15 high-quality induction supports;

16 “(D) regular and structured observation
17 and feedback by mentors, school leaders, or
18 teachers who have been consistently rated in
19 the highest rating categories by a teacher eval-
20 uation system that meets the requirements of
21 section 2112(b)(1); and

22 “(E) where feasible, team teaching, re-
23 duced teaching load and activities designed to
24 ensure that teachers have appropriate teaching

1 tools and instructional materials for their class-
2 room.

3 “(7) MENTORING.—The term ‘mentoring’
4 means the mentoring of new teachers so as to in-
5 crease the effectiveness and retention of those teach-
6 ers through a program that—

7 “(A) includes clear criteria for the selec-
8 tion of teacher mentors that take into account
9 a candidate’s effectiveness as a teacher and the
10 teacher’s ability to facilitate adult learning;

11 “(B) provides high-quality training for the
12 mentors on how to support new teachers effec-
13 tively;

14 “(C) provides regularly scheduled time for
15 collaboration and for examination of student
16 work and achievement data, and on-going op-
17 portunities for mentors and mentees to observe
18 each other’s teaching; and

19 “(D) matches, when possible, each mentee
20 with a mentor who is in the same field, grade,
21 or subject area as the mentee.

22 “(8) PROFESSIONAL DEVELOPMENT.—The
23 term ‘professional development’ means coordinated
24 and aligned activities to increase the effectiveness of
25 educators, which may include teachers, principals,

1 other school leaders, specialized instructional sup-
2 port personnel, paraprofessionals, early childhood
3 educators, and other school staff that—

4 “(A) fosters collective responsibility for im-
5 proved student performance;

6 “(B) is comprised of professional learning
7 that—

8 “(i) aligns with State academic con-
9 tent and achievement standards and early
10 learning standards, as appropriate, with
11 local educational agency and school im-
12 provement goals and plans, including those
13 identified under section 1116, and with
14 school instructional materials;

15 “(ii) is aligned to a State-approved
16 teacher and principal evaluation system the
17 meets the requirements of section
18 2112(b)(1) ;

19 “(iii) is conducted among educators at
20 the school and facilitated by trained school
21 principals and school-based professional
22 development coaches, mentors, master
23 teachers, or other teacher leaders;

24 “(iv) supports family engagement in
25 their children’s education;

1 “(v) primarily occurs frequently and
2 during significant blocks of time among es-
3 tablished teams of teachers, principals, and
4 other instructional staff members where
5 the teams of educators engage in a contin-
6 uous cycle of improvement that—

7 “(I) defines a clear set of educa-
8 tor learning goals based on the rig-
9 orous analysis of data and individual
10 evaluations under section 2112(b)(1)
11 and improves content knowledge, ped-
12 agogical skills, and the ability to ana-
13 lyze and use data;

14 “(II) achieves the educator learn-
15 ing goals based identified under sub-
16 clause (I) by implementing coherent,
17 sustained, and evidence-based learning
18 strategies, such as lesson study and
19 the development of formative assess-
20 ments, that improve instructional ef-
21 fectiveness and student achievement;

22 “(III) provides job-embedded
23 coaching or other forms of assistance
24 to support the transfer of new knowl-
25 edge and skills to the classroom;

1 “(IV) regularly assesses the ef-
2 fectiveness of the professional develop-
3 ment in achieving identified learning
4 goals, improving teaching, and assist-
5 ing all students in meeting chal-
6 lenging State academic achievement
7 standards;

8 “(V) informs ongoing improve-
9 ments in teaching and student learn-
10 ing;

11 “(VI) may support joint profes-
12 sional development activities for
13 school staff and early childhood edu-
14 cators that address the transition to
15 elementary school, including issues re-
16 lated to school readiness across all
17 major domains of early learning; and

18 “(VII) may be supported by ex-
19 ternal assistance with relevant exper-
20 tise, including content expertise; and

21 “(C) may be supplemented by activities
22 such as courses, workshops, institutes, net-
23 works, and conferences that—

1 “(i) address the learning goals and
2 objectives established for professional de-
3 velopment by educators at the school level;

4 “(ii) advance the ongoing school-based
5 professional development; and

6 “(iii) are provided for by for-profit
7 and non-profit entities outside the school
8 such as universities, education service
9 agencies, technical assistance providers,
10 networks of content-area specialists, and
11 other education organizations and associa-
12 tions.

13 “(9) SCHOOL LEADER.—The term ‘school lead-
14 er’ means a principal, an assistant principal, an aca-
15 demic or instructional coach, a teaching team leader
16 or master teacher, a department chair, a coordinator
17 of bilingual education or an English language acqui-
18 sition coordinator, a special education coordinator,
19 an operations manager, or another individual who
20 has the responsibility to lead members of a school’s
21 faculty.

22 “(10) SCHOOL LEADERSHIP TEAM.—The term
23 ‘school leadership team’ means a group that includes
24 the principal, other school leaders, and teachers at

1 a school who work together to develop school plans
2 or goals for the school.

3 “(11) STATE TEACHER PERFORMANCE ASSESS-
4 MENT.—The term ‘State-teacher performance as-
5 sessment’ means a rigorous assessment used to
6 measure teacher performance that is developed, ap-
7 proved, and administered by the State and—

8 “(A) is based on professional teaching
9 standards;

10 “(B) are aligned to State academic content
11 and achievement and early learning standards;

12 “(C) is used to document the effectiveness
13 of a teacher’s—

14 “(i) curriculum planning;

15 “(ii) instruction of students, including
16 appropriate supports for students who are
17 English learners and students who are
18 children with disabilities; and

19 “(iii) assessment of students, includ-
20 ing analysis of evidence of student learn-
21 ing;

22 “(D) is validated based on professional as-
23 sessment standards;

24 “(E) is regularly monitored to ensure the
25 quality, reliability, validity, fairness, consist-

1 ency, and objectivity of the evaluators' deter-
2 minations;

3 “(F) is reliably scored by trained eval-
4 uators with appropriate oversight of the process
5 to ensure consistency; and

6 “(G) the results of which are used to sup-
7 port continuous improvement of educator prac-
8 tice.

9 “(12) TEACHING RESIDENCY PROGRAM.—The
10 term ‘teaching residency program’ means a school-
11 based teacher preparation program in which a pro-
12 spective teacher—

13 “(A) teaches alongside a mentor teacher,
14 who is the teacher of record;

15 “(B) receives concurrent instruction in the
16 teaching of the content area in which the teach-
17 er will become certified or licensed;

18 “(C) receives concurrent instruction in ef-
19 fective teaching skills; and

20 “(D) attains full State teacher certification
21 or licensure, and becomes qualified prior to, or
22 upon, completion of the program.

23 “(13) EVIDENCE OF CLASSROOM PRACTICE.—
24 The term ‘evidence of classroom practice’ means evi-
25 dence gathered through multiple formats and from

1 multiple sources that demonstrate effective teaching
2 skills and—

3 “(A) shall include—

4 “(i) multiple classroom observations
5 based on rigorous teacher performance
6 standards or rubrics and conducted by
7 trained personnel consistent with section
8 2112(b)(1);

9 “(ii) information on the teacher’s suc-
10 cessful use of data to improve instruction
11 and raise student achievement;

12 “(iii) student work, lesson plans, feed-
13 back provided to students and teacher de-
14 veloped classroom assessments;

15 “(iv) demonstration of professional re-
16 sponsibility; and

17 “(B) may include, but which shall have a
18 weight that is less than the weight assigned to
19 the requirements described in subparagraph
20 (A)—

21 “(i) videos of teacher practice;

22 “(ii) teacher portfolios; and

23 “(iii) parent, student, and peer feed-
24 back.

1 “(14) EVIDENCE OF SCHOOL LEADERSHIP.—

2 The term ‘evidence of school leadership’ means evi-
3 dence gathered through multiple formats and from
4 multiple sources that shall include an evaluation
5 of—

6 “(A) data on student learning gains, in-
7 cluding evidence of student learning;

8 “(B) gains in student achievement, includ-
9 ing passage of required exams for course pro-
10 gression, credit accumulation, completion of
11 promotion standards, and graduation rates;

12 “(C) increases in student attendance rates;

13 “(D) percentage of effective teachers on
14 staff;

15 “(E) retention rates of effective teachers
16 rated by a teacher evaluation that meets the re-
17 quirements of section 2112(b)(1) to those
18 teachers rated below effective by such an eval-
19 uation;

20 “(F) evidence of successful use of teacher
21 evaluation and alignment to effective profes-
22 sional development, including support for teach-
23 ers to improve effectiveness status;

1 “(G) demonstration of instructional leader-
2 ship, including use of data and assessment to
3 inform decision-making;

4 “(H) improvement of teacher effectiveness
5 of teachers in the school;

6 “(I) demonstration of effective fiscal man-
7 agement, where applicable;

8 “(J) evidence of effective community and
9 parent engagement; and

10 “(K) improved teacher attendance rates.

11 “(15) EVIDENCE OF STUDENT LEARNING.—The
12 term ‘evidence of student learning’ means data that
13 shall be based on multiple, valid and reliable indica-
14 tors of student academic growth towards State con-
15 tent and achievement standards, which shall be
16 based primarily on—

17 “(A) student learning gains on the State
18 student academic assessments under section
19 1111(c) and, for grades and subjects not cov-
20 ered by the State’s student academic assess-
21 ments, another valid and reliable assessment of
22 student academic achievement, as long as the
23 assessment is used consistently by the local
24 educational agency for the grade or class for
25 which the assessment is administered; and

1 the basis of their relative need, as determined by the
2 Secretary, for activities consistent with the purposes
3 of this title;

4 “(2) one-half of one percent for the Secretary
5 of the Interior, for activities, consistent with the
6 purposes of this title described in section 2001, in
7 schools operated by or funded by the Bureau of In-
8 dian Education; and

9 “(3) one-half of one percent for a competitive
10 grant program to encourage consortia of States to
11 develop instructional supports aligned to new
12 college- and career-ready standards that are made
13 widely available to all States and local educational
14 agencies.

15 “(b) ALLOTMENTS TO STATES, REDUCTIONS.—

16 “(1) IN GENERAL.—From the amounts made
17 available under section 2101 for this subpart for
18 each fiscal year that remain after the Secretary re-
19 serves funds under subsection (a) of this section, the
20 Secretary shall allot to each State with an approved
21 application under section 2112 the sum of—

22 “(A) an amount that bears the same rela-
23 tionship to 35 percent of the remaining amount
24 as the number of individuals age five through
25 17 in the State, as determined by the Secretary

1 on the basis of the most recent satisfactory
2 data, bears to the number of those individuals
3 in all such States, as so determined; and

4 “(B) an amount that bears the same rela-
5 tionship to 65 percent of the remaining amount
6 as the number of individuals age five through
7 17 from families with incomes below the pov-
8 erty line, in the State, as determined by the
9 Secretary on the basis of the most recent satis-
10 factory data, bears to the number of those indi-
11 viduals in all such States, as so determined.

12 “(2) FISCAL YEAR 2013.—Notwithstanding
13 paragraph (1), for fiscal year 2013, no State shall
14 receive less than 90 percent of the State’s allocation
15 under this part for fiscal year 2012, as such part
16 was in effect on the day before the date of enact-
17 ment of the Encouraging Innovation and Effective
18 Teachers Act.

19 “(3) SUCCEEDING FISCAL YEARS.—Notwith-
20 standing paragraph (1), for fiscal year 2014 and
21 each succeeding fiscal year, no State shall receive an
22 allotment under paragraph (1) that is less than 90
23 percent of the State’s allotment under such para-
24 graph for the preceding fiscal year.

1 “(c) **RATABLE REDUCTIONS.**—If the funds made
2 available to carry out paragraph (1) of subsection (b) are
3 insufficient to pay the full amounts that all States are eli-
4 gible to receive under subparagraph (2) or (3) of such sub-
5 section for any fiscal year, the Secretary shall ratably re-
6 duce each such amount for such fiscal year.

7 “(d) **REALLOTMENTS.**—If any State does not apply
8 for an allotment under this section, or has its application
9 disapproved by the Secretary, the Secretary shall reallocate
10 the amount of that State’s allotment to the remaining
11 States that have approved applications in accordance with
12 this subpart.

13 **“SEC. 2112. STATE APPLICATIONS.**

14 “(a) **IN GENERAL.**—For a State to be eligible to re-
15 ceive a grant under this part, the State educational agency
16 shall submit an application to the Secretary at such time,
17 in such manner, and containing such information as the
18 Secretary may reasonably require. The Secretary shall
19 provide the State educational agency with the opportunity
20 to apply for funds under this part and part B through
21 a consolidated application.

22 “(b) **CONTENTS.**—Each application submitted under
23 this section shall include the following—

24 “(1) a description of how, within 3 years of the
25 date of enactment of the Encouraging Innovation

1 and Effective Teachers Act, each local educational
2 agency in the State that receives a subgrant under
3 subpart 2 shall implement either a State model
4 teacher and principal evaluation system or a State-
5 approved teacher and principal evaluation system
6 that, at a minimum—

7 “(A) is designed primarily to—

8 “(i) increase student learning and im-
9 prove instruction for students;

10 “(ii) inform professional development
11 for teachers and principals and support
12 interventions for students; and

13 “(iii) using the results of a teacher’s
14 or principal’s evaluation, provide on-going
15 and timely, individual and meaningful
16 feedback, and substantive support to the
17 teacher or principal;

18 “(B) is developed, implemented, and
19 adopted in collaboration with teachers, prin-
20 cipals, and other education stakeholders and
21 through the State or local process for deter-
22 mining terms and conditions of employment in
23 the State or local educational agency;

24 “(C) includes—

1 “(i) multiple measures of teacher and
2 principal performance, including—
3 “(I) in the case of teachers, evi-
4 dence of classroom practice; and
5 “(II) in the case of principals,
6 evidence of school leadership;
7 “(ii) meaningful weight on evidence of
8 student learning;
9 “(iii) contributions to student growth
10 including higher order thinking skills, citi-
11 zenship, and social and emotional develop-
12 ment; and
13 “(iv) differentiated levels of teacher
14 and principal performance that are clearly
15 articulated using not less than 3 rating
16 categories, which are aligned with the
17 State’s standards and criteria for defining
18 each of the rating categories required;
19 “(D) provides results that are comparable
20 and consistent across all teachers and principals
21 within a local educational agency consistent
22 with section 2301, including using standards
23 and rubrics for conducting evaluations (includ-
24 ing for the information in described in subpara-
25 graph (C)) that reflect the ages and grades

1 being taught and consistent within individual
2 grade levels and subject areas in each local edu-
3 cational agency;

4 “(E) evaluates, annually, each teacher and
5 principal in the local educational agency and
6 takes into consideration the experience and per-
7 formance level of the teacher or principal;

8 “(F) uses evaluation results to inform—

9 “(i) professional improvement plans
10 for teachers and principals that are appro-
11 priate to the level of the individual being
12 evaluated, including support and timelines
13 to carry out each plan;

14 “(ii) comprehensive support, men-
15 toring, interventions and timelines to carry
16 out each plan; and

17 “(iii) personnel decisions;

18 “(G) establishes appropriate training for
19 evaluators and staff being evaluated includ-
20 ing—

21 “(i) a clear articulation of the evalua-
22 tion system and the process, systems, rat-
23 ings, and the implications of the results
24 provided to teachers and principals;

1 “(ii) how the system provides teachers
2 and principals the opportunity and assist-
3 ance to improve consistent with subpara-
4 graph (F)(i); and

5 “(iii) how to identify working condi-
6 tions that affect teaching and learning,
7 such as facilities and resources, and school
8 climate and safety, and isolating educator
9 impact on student outcomes from these
10 factors.

11 “(2) a description of how the State educational
12 agency will ensure that within 4 years of the date
13 of enactment of the Encouraging Innovation and Ef-
14 fective Teachers Act, each local educational agency
15 in the State that receives a subgrant under subpart
16 2 makes public the results of the evaluation system
17 described in paragraph (1), in accordance with the
18 accountability requirements of subpart 4;

19 “(3) a description of how, within 2 years of the
20 date of enactment of the Encouraging Innovation
21 and Effective Teachers Act, each local educational
22 agency in the State that receives a subgrant under
23 subpart 2 shall conduct an annual assessment of ed-
24 ucator support and working conditions that—

1 “(A) evaluates supports for teachers, lead-
2 ers, and other school personnel, such as—

3 “(i) teacher and principal perceptions
4 of availability of high-quality professional
5 development and instructional materials;

6 “(ii) timely availability of data on stu-
7 dent academic achievement and growth;

8 “(iii) the presence of high-quality in-
9 structional leadership; and

10 “(iv) opportunities for professional
11 growth such as career ladders and men-
12 toring and induction programs;

13 “(B) evaluates working conditions for
14 teachers, leaders and other school personnel,
15 such as—

16 “(i) school climate;

17 “(ii) school safety;

18 “(iii) class size;

19 “(iv) availability and use of common
20 planning time and opportunities to collabo-
21 rate; and

22 “(v) community engagement;

23 “(C) is developed with for teachers, leaders
24 and other school personnel, parents, students,
25 and the community;

1 “(D) develops and implements an plan
2 with the groups described in subparagraph (C)
3 and with, at a minimum, annual benchmarks to
4 address the results of the assessment carried
5 described in this paragraph; and

6 “(E) publicly reports on the results of the
7 evaluations described in subparagraph (A) and
8 (B) and the plan described in subparagraph
9 (C);

10 “(4) a description of the educator supports the
11 State has developed to assist in the implementation
12 of new college- and career-ready standards, including
13 the State’s plan for making those supports available
14 to its local educational agencies and for prioritizing
15 the introduction of those supports, in conjunction
16 with the appropriate local educational agency, into
17 the State’s lowest performing schools;

18 “(5) a description of how a State will develop
19 and implement a plan for the equitable distribution
20 of teachers and principals that—

21 “(A) ensures teachers and principals who
22 have been rated in the lowest rating categories,
23 as such categories are defined by the State
24 under the State-approved teacher and principal
25 evaluation system under paragraph (1)(C)(iii) ,

1 within each local educational agency and among
2 the local educational agencies within the State,
3 so that low-income and minority students are
4 not taught at higher rates than are other stu-
5 dents by teachers not deemed qualified and who
6 are rated in the lowest evaluation rating cat-
7 egories or assigned to schools administered by
8 principals who have been rated in the lowest
9 evaluation rating categories at higher rates
10 than other students;

11 “(B) includes—

12 “(i) percentage of teachers by evalua-
13 tion rating category for schools in the top
14 quartile of poverty against the schools in
15 the bottom quartile of poverty;

16 “(ii) percentage of teachers by evalua-
17 tion rating category for schools in the top
18 quartile in percentage of minority students
19 against the bottom quartile of percentage
20 of minority students;

21 “(iii) specific and measurable goals
22 and strategies to close gaps identified in
23 the plan; and

24 “(C) before the teacher and principal eval-
25 uation system is established under this part,

1 uses a combined measure of indicators such as
2 a composite to carry out the plan described in
3 this paragraph—

4 “(i) shall include—

5 “(I) the percentage of first year
6 teachers; and

7 “(II) the percentage of qualified
8 teachers; and

9 “(ii) may include—

10 “(I) with respect middle schools
11 and high schools, the percentage of
12 core academic courses taught by
13 teachers who have met State licensure
14 requirements for such courses;

15 “(II) the percentage of teachers
16 whose licensure exam scores fall one
17 standard deviation above passing
18 score of teachers within the State;

19 “(III) the percent of teachers
20 with more than 10 absences over the
21 course of the school year; and

22 “(IV) the percentage of teachers
23 hired after the first day of school; and

24 “(6) the State definition of teacher-of-record,
25 how local educational agencies report to the State on

1 the teacher-of-record, and how the definition is used,
2 including for evaluation, compensation, teacher prep-
3 aration evaluation, and to ensure equitable distribu-
4 tion of effective and highly effective teachers;

5 “(7) a description of how the State will estab-
6 lish and maintain a data system that within 3 years
7 after the date of enactment of the Encouraging In-
8 novation and Effective Teachers Act—

9 “(A) supports data sharing among local
10 educational agencies and a teacher and leader
11 preparation program described in section
12 200(6)(A)(IV) of the Higher Education Act of
13 1965, as amended by section 102 of the En-
14 couraging Innovation and Effective Teachers
15 Act, on the program’s graduates’ students’
16 achievement and growth, including on the infor-
17 mation provided in the evidence of student
18 learning definition; and

19 “(B) publically reports the percentage of
20 teachers and leaders in each rating category, as
21 defined by the State in paragraph (1)(C)(iii), by
22 preparation program;

23 “(8) a description of the State’s plan to—

1 “(A) implement the plan within the re-
2 quired timelines, including annual benchmarks
3 for implementation; and

4 “(B) report annually to the Secretary on
5 its progress implementing the plan and meeting
6 annual benchmarks outlined under subpara-
7 graph (A);

8 “(9) the State’s definition of, or standards and
9 criteria for—

10 “(A) a qualified teacher;

11 “(B) each rating category under paragraph
12 (1)(C)(iii); and

13 “(C) additional definitions related to the
14 requirements under the teacher and principal
15 evaluation system under paragraph (1);

16 “(10) a description of how the State will, on a
17 regular basis, evaluate how well the results of local
18 educational agency’s teacher and principal evalua-
19 tion systems align with the results produced by the
20 state’s statewide measure of evidence of student
21 learning;

22 “(11) a description of any performance meas-
23 ures in addition to those described in subpart 4 that
24 the State will use to measure the performance of the

1 State and of each local educational agency that re-
2 ceives a subgrant under subpart 2; and

3 “(12) a description of how the State will carry
4 out the activities outlined in section 2113.

5 “(c) COMPLIANCE AND DISAPPROVAL.—If the Sec-
6 retary finds that a State’s application does not comply in
7 whole or in part with the requirements of this subpart,
8 the Secretary shall—

9 “(1) notify the State regarding the specific pro-
10 visions in the application that do not comply with
11 the requirements of this subpart;

12 “(2) request any additional information needed
13 to determine whether the application will comply
14 with the requirements of this subpart; and

15 “(3) before disapproving the application, give
16 the State notice and an opportunity for a hearing.

17 **“SEC. 2113. STATE USES OF FUNDS.**

18 “(a) IN GENERAL.—A State that receives a grant
19 under this subpart shall use—

20 “(1) 90 percent of the grant funds to award
21 subgrants under subpart 2 to local educational agen-
22 cies with approved applications under section 2122;

23 “(2) not more than 5 percent of the grant
24 funds, to plan and administer the activities of the
25 State under this subpart, including the awarding of

1 the subgrants under subpart 2 and the monitoring
2 and enforcement of the requirements for the sub-
3 grants, including—

4 “(A) developing model teacher and prin-
5 cipal evaluation systems that local educational
6 agencies could adopt at their discretion;

7 “(B) implementing the plan for equitable
8 distribution described in section 2112(b)(5);

9 “(C) reviewing the teacher and principal
10 evaluation system that meets the requirements
11 of section 2112(b)(1) used by each local edu-
12 cational agency in the State, including—

13 “(i) providing technical assistance to
14 local educational agencies on the develop-
15 ment and implementation of such system;

16 “(ii) the role of teachers, school lead-
17 ers, and other school personnel in the de-
18 velopment and implementation of such sys-
19 tem;

20 “(iii) opportunities for teachers and
21 principals to provide feedback on the qual-
22 ity and usefulness of such system; and

23 “(iv) evaluating the reliability of such
24 systems; and

1 “(D) reviewing the assessment of educator
2 support and working conditions described in
3 section 2112(b)(3), including—

4 “(i) how the assessment was con-
5 ducted;

6 “(ii) how the plan was developed; and

7 “(iii) implementation of the associated
8 improvement plan described in subpara-
9 graph (D) of section 2112(b)(3);

10 “(3) developing, based on the assessment de-
11 scribed in section 2112(b)(3), educator supports to
12 assist with the implementation of new college- and
13 career-ready standards, particularly in the State’s
14 lowest performing schools;

15 “(4) at least 2 percent of the grant funds to—

16 “(A) develop, with appropriate stake-
17 holders, a State plan, based on an analysis of
18 relevant data (including data on projected
19 workforce needs), to—

20 “(i) improve the effectiveness prin-
21 cipals and, at the State’s discretion, other
22 school leaders; and

23 “(ii) ensure the equitable distribution
24 of principals consistent with section
25 2112(b)(5);

1 “(B) implement activities to carry out the
2 State plan, which may include such activities
3 as—

4 “(i) developing, periodically reviewing,
5 and revising State policies and standards
6 related to principals and, at the State’s
7 discretion, other school leaders so that
8 those policies and standards—

9 “(I) reflect the best practices
10 identified in schools with effective
11 principals;

12 “(II) focus on raising student
13 achievement in subjects that con-
14 tribute to a well-rounded education,
15 especially in high-need and low-per-
16 forming schools and among the low-
17 est-performing subgroups in the
18 State, and on improving teacher effec-
19 tiveness; and

20 “(III) are designed to improve
21 preparation, certification or licensure,
22 and evaluation for all principals, in-
23 cluding those in high-need and low-
24 performing schools; and

1 “(C) activities designed to recruit, support,
2 and retain effective and highly effective prin-
3 cipals for high-need and low-performing schools,
4 such as—

5 “(i) strengthening principal prepara-
6 tion programs to ensure that they are
7 highly selective include in-depth residency
8 or field-based experience in a high-need or
9 low-performing school, and provide induc-
10 tion or other support for at least the first
11 year of a principal’s service;

12 “(ii) provide training in school and
13 personnel management, including manage-
14 ment of the organization, staff and re-
15 sources, developing a school climate and
16 instructional program, developing effective
17 relationships with community and parents,
18 and using student-level and school level-
19 data to inform decision-making;

20 “(iii) training on improving instruc-
21 tion and closing achievement gaps;

22 “(iv) providing compensation incen-
23 tives to attract, retain, and reward effec-
24 tive principals and other school leaders for
25 high-need and low-performing schools;

1 “(v) developing teacher career ladders
2 with a performance-based selection process
3 that distribute school leadership respon-
4 sibilities and develop a pipeline of individ-
5 uals who gain the experience necessary to
6 become an effective principal; and

7 “(vi) activities to improve the effec-
8 tiveness of school superintendents, prin-
9 cipal supervisors, human resources direc-
10 tors, and other local educational agency
11 managers; and

12 “(5) use any remaining funds reserved at the
13 State level to—

14 “(A) carry out any other activities de-
15 signed to help the State make progress toward
16 carrying out the purposes of this title and
17 showing improvement on the performance meas-
18 ures described in subpart 4 and any additional
19 measures described in the State’s application,
20 including activities designed to—

21 “(i) align the State’s professional
22 teaching standards, teacher and principal
23 certification or licensure requirements,
24 teacher-preparation programs, and profes-
25 sional-development requirements with kin-

1 dergarten-through-grade-12 academic con-
2 tent and achievement standards that build
3 toward college-and-career-readiness;

4 “ (ii) reform teacher and school leader
5 compensation, including by modifying poli-
6 cies and practices and providing technical
7 assistance to local educational agencies, in
8 order to enable those agencies to recruit,
9 reward, and retain effective teachers and
10 school leaders in high-need schools, fields,
11 subjects, and areas; and

12 “ (iii) support the training of teachers,
13 principals, and other school leaders in
14 meeting the diverse learning needs of their
15 students, including through universal de-
16 sign for learning and multi-tiered system
17 of supports and language acquisition in-
18 struction;

19 “ (iv) support the training of teachers,
20 principals, and other school leaders in ef-
21 fectively integrating technology (including
22 technology for students with disabilities)
23 into curricula and instruction and in how
24 to use technology for on-line communica-

1 tion and for collaboration and data anal-
2 ysis;

3 “(v) strengthen human resource sys-
4 tems in local educational agencies to sig-
5 nificantly improve recruitment, screening,
6 hiring, retention, and development of
7 teachers, principals, and other school lead-
8 ers;

9 “(vi) develop and provide professional
10 development for early-childhood educators,
11 teachers, principals, specialized instruc-
12 tional support personnel, and other school
13 leaders;

14 “(vii) develop and implement policies
15 and practices that position the State to be
16 a competitive applicant for grants under
17 part B of this title; and

18 “(viii) support the training of teach-
19 ers, principals, and other school leaders on
20 how to accelerate the learning of students
21 who are performing below grade level;

22 “(B) provide technical assistance, as nec-
23 essary, to each local educational agency that re-
24 ceives a subgrant under subpart 2, in order to
25 help the local educational agency improve per-

1 formance on the measures described in subpart
2 4;

3 “(C) establish policies and practices to en-
4 sure the quality of the data reported under this
5 part and the effectiveness of the methods used
6 to analyze those data; and

7 “(D) develop and disseminate the State re-
8 port card required under subpart 4, and use the
9 information in the report card to guide efforts
10 under this title.

11 “(b) SUPPLEMENT, NOT SUPPLANT.—Funds re-
12 ceived under this subpart shall be used to supplement, and
13 not supplant, non-Federal funds that would otherwise be
14 used for activities authorized under this subpart.

15 “SUBPART 2—SUBGRANTS TO LOCAL EDUCATIONAL
16 AGENCIES

17 “**SEC. 2121. SUBGRANTS TO LOCAL EDUCATIONAL AGEN-**
18 **CIES.**

19 “(a) IN GENERAL.—Each State educational agency
20 that receives an allocation under subpart 1 shall allocate
21 to each local educational agency in the State that has an
22 application approved by the State under section 2122 the
23 sum of—

24 “(1) the amount that bears the same relation-
25 ship to 20 percent of the amount allocated to the

1 State educational agency as the number of individ-
2 uals age 5 through 17 in the geographic area served
3 by the agency, as determined by the Secretary on
4 the basis of the most recent satisfactory data, bears
5 to the number of those individuals in the geographic
6 areas served by all such local educational agencies in
7 the State, as so determined; and

8 “(2) the amount that bears the same relation-
9 ship to 80 percent of the amount allocated to the
10 State educational agency as the number of individ-
11 uals age 5 through 17 from families with incomes
12 below the poverty line in the geographic area served
13 by the agency, as determined by the Secretary on
14 the basis of the most recent satisfactory data, bears
15 to the number of those individuals in the geographic
16 areas served by all such local educational agencies in
17 the State, as so determined.

18 “(b) MINIMUM ALLOTMENTS.—

19 “(1) FISCAL YEAR 2013.—For fiscal year 2013,
20 no local educational agency shall receive an alloca-
21 tion under subsection (a) that is less than 90 per-
22 cent of the allocation the local educational agency
23 received under this part for fiscal year 2012, as this
24 part was in effect on the day before the date of en-

1 actment of the Encouraging Innovation and Effective
2 Teachers Act.

3 “(2) SUBSEQUENT FISCAL YEARS.—For fiscal
4 year 2014 and each succeeding fiscal year, no local
5 educational agency receiving an allotment under sub-
6 section (a) shall receive less than 90 percent of the
7 allotment the local educational agency received
8 under this subpart for the preceding fiscal year.

9 “(c) RATABLE REDUCTION.—If the funds described
10 in subsection (a) are insufficient to pay the full amounts
11 that all local educational agencies are eligible to receive
12 under subsection (b) for any fiscal year, the State shall
13 ratably reduce such amounts for such fiscal year.

14 **“SEC. 2122. LOCAL EDUCATIONAL AGENCY NEEDS ASSESS-**
15 **MENT AND APPLICATIONS.**

16 “(a) IN GENERAL.—To receive a subgrant under this
17 subpart a local educational agency shall—

18 “(1) submit an application to the State edu-
19 cational agency involved at such time, in such man-
20 ner, and containing such information and assurances
21 as the State educational agency may reasonably re-
22 quire; and

23 “(2) conduct, in developing its application, and
24 with the involvement of teachers, principals, and
25 other stakeholders, as applicable, an assessment of

1 educator support and working conditions consistent
2 with section 2112(b)(3), in the areas set forth under
3 the performance measures described in subpart
4 4, identified under the school improvement plans
5 under section 11116, as applicable, and the needs of
6 schools receiving funds under title I.

7 “(b) CONTENTS.—Each application submitted under
8 this section shall include—

9 “(1) a description of—

10 “(A) the results of the needs assessment
11 conducted under subsection (a)(2);

12 “(B) the performance measures and activi-
13 ties the local education agency will use to ad-
14 dress the needs identified under the assessment;

15 “(C) the local educational agency’s current
16 system for evaluating teachers and principals,
17 and whether that system is consistent with the
18 definitions the State has developed in the
19 State’s application under section 2112(b)(1);

20 “(D) the local educational agency’s plan
21 for using the subgrant under this subpart, and
22 other local, State, and Federal funds, to ensure
23 the equitable distribution of teachers and prin-
24 cipals, within the local educational agency so
25 that low-income and minority students are not

1 taught at higher rates than are other students
2 by teachers not deemed qualified and who are
3 rated in the lowest teacher evaluation rating
4 categories or assigned to schools administered
5 by principals who have been rated in the lowest
6 principal evaluation rating categories at higher
7 rates than other students within the local edu-
8 cational agency;

9 “(E) the local educational agency’s plan
10 for using the subgrant under this subpart to
11 support teachers in meeting the diverse learning
12 needs of all their students, including through
13 universal design for learning and multi-tiered
14 system of supports and language acquisition;
15 and

16 “(F) a description of the educator supports
17 the local educational agency will provide to as-
18 sist with the implementation of new college- and
19 career-ready standards, including the local edu-
20 cational agency’s plan for prioritizing the intro-
21 duction of those supports in its lowest per-
22 forming schools; and

23 “(2) an assurance that, within 5 years of re-
24 ceiving a subgrant under this subpart, the local edu-
25 cational agency will—

1 “(A) conduct a second needs assessment,
2 with the involvement of teachers, principals,
3 and other stakeholders, as applicable, in the
4 areas set forth in subpart 4 and identified in
5 plans under section 1116, as applicable, par-
6 ticularly the needs of schools receiving funds
7 under title I; and

8 “(B) submit a revised application to the
9 State, consistent with the requirements of this
10 section.

11 **“SEC. 2123. LOCAL EDUCATIONAL AGENCY USES OF FUNDS.**

12 “(a) USE OF FUNDS.—Subject to the requirements
13 of the State consistent with section 2112(a), a local edu-
14 cational agency that receives a subgrant under this sub-
15 part shall, directly, or with other local educational agen-
16 cies or the State educational agency, use the subgrant
17 funds for activities designed to increase academic achieve-
18 ment for all students, including English learners and stu-
19 dents with disabilities, by increasing the number and per-
20 centage of its teachers and principals who have been rated
21 by the local educational agency’s teacher and principal
22 evaluation system as at least effective, and to ensure the
23 equitable distribution of those teachers and principals who
24 have been rated at least effective, through activities that—

1 “(1) develop and implement, or improve, a
2 teacher and principal evaluation system that, at a
3 minimum, meets the requirements described in sec-
4 tion 2112(b)(1);

5 “(2) provide meaningful feedback to teachers
6 and principals on evaluation results, and use those
7 results in making decisions about professional devel-
8 opment and retention;

9 “(3) recruit teachers who are qualified and
10 teachers and principals who have been rated, or are
11 likely to be rated, by the evaluation system as at
12 least effective, especially teachers and principals who
13 are needed for high-need and low-performing schools
14 and high-need fields and subjects, including teachers
15 and principals who come from underrepresented
16 backgrounds;

17 “(4) implement the assessment of educator sup-
18 port and working conditions in accordance with sec-
19 tion 2112(b)(3);

20 “(5) implement the local educational agency’s
21 plan for ensuring the equitable distribution of teach-
22 ers and principals who have been rated by the teach-
23 er and principal evaluation system as at least effec-
24 tive;

1 “(6) develop and implement an induction pro-
2 gram that is designed to increase the effectiveness of
3 new teachers and retain effective teachers, especially
4 in high-need and low-performing schools, such as a
5 program that provides reduced teaching assignments
6 for new teachers, training for instructional coaches
7 or mentors who will participate in induction activi-
8 ties, access to on-line support systems, and frequent
9 feedback to promote continuous learning and in-
10 structional improvement;

11 “(7) reduce class size for kindergarten through
12 third grade by an amount and to a level consistent
13 with what research has found to improve student
14 academic achievement at a minimum in the schools
15 in the lowest quartile of poverty in the local edu-
16 cational agency;

17 “(8) improve within-school equity in the dis-
18 tribution of teachers who have been rated at least ef-
19 fective so that low-income and minority students are
20 not taught at higher rates than are other students
21 by teachers rated in one of the two lowest evaluation
22 rating categories;

23 “(9) plan and administer activities carried out
24 under this subpart, including other activities to im-
25 prove effectiveness and the equity of distribution as

1 required in accordance with the local educational
2 agency's needs assessments under subsection (a)(2);

3 “(10) develop a plan of action for providing ad-
4 ditional academic supports, opportunities, or re-
5 sources that ensure an appropriate opportunity to
6 learn to any student assigned in any subject, for two
7 consecutive years, to teachers rated in the lowest
8 category under the local educational agency's teach-
9 er evaluation system; and

10 “(11) develop a plan of action to ensure that no
11 student in a school in either the bottom quartile of
12 poverty in the local educational agency or a low-per-
13 forming school is assigned in any subject, for two
14 consecutive years, to a teacher rated in the lowest
15 category under the local educational agency's teach-
16 er evaluation system.

17 “(b) SUPPLEMENT, NOT SUPPLANT.—Funds re-
18 ceived under this subpart shall be used to supplement, and
19 not supplant, non-Federal funds that would otherwise be
20 used for activities authorized under this subpart.

21 “(c) RULE OF CONSTRUCTION.—Nothing in this sub-
22 part shall be construed to require a local educational agen-
23 cy to transfer school personnel in order to comply with
24 the requirements of this part.

1 “SUBPART 3—NATIONAL LEADERSHIP ACTIVITIES

2 **“SEC. 2131. NATIONAL LEADERSHIP ACTIVITIES.**

3 “From the funds made available under section 2101
4 for this subpart for any fiscal year, the Secretary may to
5 reserve up to 1.5 percent for research, development, tech-
6 nical assistance, outreach, and dissemination activities,
7 carried out either directly or through grants, contracts,
8 or cooperative agreements. Such activities may include—

9 “(1) activities to strengthen teacher and prin-
10 ciple evaluation, including establishing a national
11 center to gather, provide benchmarks on, and dis-
12 seminate best practices and provide technical assist-
13 ance on teacher and principal evaluation so as to
14 support States and local educational agencies in de-
15 veloping robust and reliable evaluation systems that
16 take student growth into account;

17 “(2) development and dissemination of model
18 surveys on the quality of educator support and work-
19 ing conditions consistent with section 2112(b)(3);

20 “(3) direct assistance to nonprofit organizations
21 to enhance their support for local educational agen-
22 cies and schools, including to community-based orga-
23 nizations that can support multiple local educational
24 agencies in strengthening their teacher and principal
25 pipelines and human-resource practices;

1 “(4) activities to support development of a lead-
2 ership academy to train school leaders in effective
3 school management, with a primary focus on turning
4 around low-performing schools, including—

5 “(A) effective management of the organiza-
6 tion, staff, and resources;

7 “(B) developing a school climate and in-
8 structional program and related professional de-
9 velopment aligned to the needs of the students
10 and school;

11 “(C) effective relationships with commu-
12 nity and parents; and

13 “(D) using student-level and school level-
14 data to inform decision-making; and

15 “(5) activities to strengthen evaluation of su-
16 perintendents including developing model evalua-
17 tions.

18 “SUBPART 4—ACCOUNTABILITY

19 **“SEC. 2141. EQUITY ACCOUNTABILITY.**

20 “(a) STATE REQUIREMENTS.—

21 “(1) IN GENERAL.—Each State that receives a
22 grant under subpart 1 shall—

23 “(A) in a case in which the comparisons
24 conducted under section 2112(b)(5) of the
25 State plan indicate the inequalities described in

1 paragraph (2) with respect to high-poverty and
2 high-minority local educational agencies—

3 “(i) in consultation with the local edu-
4 cational agencies in the State, established
5 2, 4 and 5 year improvement goals that
6 will substantially reduce or eliminate the
7 inequities in the schools of such high-pov-
8 erty and high-minority local educational
9 agencies; and

10 “(ii) establish a support plan to assist
11 such high-poverty and high-minority local
12 educational agencies meet such improve-
13 ment goals; and

14 “(B) in a case in which a high-poverty and
15 high-minority local educational agency has not
16 achieved the 2-year improvement goals estab-
17 lished under subparagraph (A)(i), use 2.5 per-
18 cent of the grant funds received under subpart
19 2 to carry out the activities described in sub-
20 paragraph (A).

21 “(2) INEQUALITIES.—The inequalities described
22 in this paragraph are as follows:

23 “(A) Before the teacher and principal eval-
24 uation systems that meets the requirements of
25 section 2112(b)(1) is established under this

1 part by the local educational agencies in the
2 State, students in high poverty and high minor-
3 ity local educational agencies in the State were
4 being taught at higher rates by teachers rated
5 in the lowest two quartiles based on the com-
6 bined measure established under section
7 2112(b)(5)(C) compared to students in low pov-
8 erty and low minority local educational agencies
9 in the State.

10 “(B) Once the evaluation systems are es-
11 tablished, students in high poverty and high mi-
12 nority local educational agencies are being
13 taught at higher rates by teachers rated in one
14 of the two lowest rating categories under such
15 evaluation systems, as compared to students in
16 low poverty and low minority local educational
17 agencies.

18 “(b) LOCAL EDUCATIONAL AGENCY REQUIRE-
19 MENTS.—

20 “(1) IN GENERAL.—Subject to paragraph (3), a
21 high-poverty or high-minority local educational agen-
22 cy described in paragraph (2) and with respect to
23 which a State established improvement goals under
24 subsection (a)(1)(A)(i), shall—

1 “(A) in a case in which the local edu-
2 cational agency fails to meet its 2 year improve-
3 ment goals established under such subsection,
4 use all funds made available through the
5 subgrant to carry out the activities described in
6 section 2112(b)(5);

7 “(B) in a case in which the local edu-
8 cational agency fails to meet its 4 year improve-
9 ment goals established under such subsection—

10 “(i) receive a subgrant from the State
11 under subpart 2 equal to not more than 50
12 percent of the subgrant received by the
13 local educational agency in the preceding
14 year under such subpart; and

15 “(ii) make non-Federal contributions
16 in an amount equal to not less than the
17 Federal funds provided under the
18 subgrant.

19 “(C) in a case in which the local edu-
20 cational agency fails to meet its 5 year improve-
21 ment goals established under such subsection,
22 the local educational agency shall be prohibited
23 from receiving a subgrant subpart 2.

1 “(2) DESCRIPTION OF LOCAL EDUCATIONAL
2 AGENCIES.—A local educational agency described in
3 this paragraph is a local educational agency that—

4 “(A) before the evaluation system is estab-
5 lished under this part, students in high poverty
6 and high minority schools are being taught at
7 higher rates by teachers rated in the lowest two
8 quartiles based on the combined measure estab-
9 lished under section 2112(b)(5)(C) compared to
10 students in low poverty and low minority
11 schools; and

12 “(B) once the evaluation system is estab-
13 lished, that students in high poverty and high
14 minority schools are being taught at higher
15 rates by teachers rated in one of the two lowest
16 rating categories under the local educational
17 agency’s evaluation system comparable to stu-
18 dents in low poverty and low minority schools.

19 “(3) EXCEPTION.—Paragraph (1) shall not
20 apply to high poverty and high minority schools
21 where students are being taught at higher rates by
22 teachers rated in one of the two lowest rating cat-
23 egories under the local educational agency’s evalua-
24 tions system compared to students in low poverty
25 and low minority schools in the local educational

1 agency if the performance of the high poverty or
2 high minority school's students, including each
3 group of students described in section
4 1111(b)(2)(C)(v)(II), on the State's annual student
5 academic assessments has exceeded the statewide av-
6 erage performance for students overall in that sub-
7 ject for at least the previous 2 years.

8 "SUBPART 5—PUBLIC REPORTING

9 **"SEC. 2151. PUBLIC REPORTING.**

10 "(a) IN GENERAL.—

11 "(1) STATE REPORT CARD.—Each State that
12 receives a grant under subpart 1 shall annually sub-
13 mit to the Secretary, and make public, a State re-
14 port card on program performance and results under
15 the grant, in a manner prescribed by the Secretary
16 and containing, analyzing, and updating the infor-
17 mation required under subsection (b).

18 "(2) LOCAL EDUCATIONAL AGENCY REPORT.—

19 Each local educational agency that receives a
20 subgrant under subpart 2 shall annually submit to
21 the State, and make public—

22 "(A) a report on the local educational
23 agency's program performance and results
24 under the subgrant, in a manner prescribed by
25 the State or the Secretary, containing, ana-

1 lyzing, and updating the information required
2 under subsection (c); and

3 “(B) the notifications to parents described
4 in subsection (d).

5 “(3) PRIVACY.—Information required under
6 this subpart shall be collected, reported, and dis-
7 seminated in a manner that protects the privacy of
8 individuals.

9 “(b) STATE REPORT CARD REQUIREMENTS.—Each
10 State described in subsection (a)(1) shall report the fol-
11 lowing information in accordance with such subsection:

12 “(1) With respect to the State overall and for
13 each local educational agency State, disaggregated
14 by poverty quartile and minority quartile—

15 “(A) the number and percentage of teach-
16 ers and principals, for each grant year, who—

17 “(i) are classified as qualified;

18 “(ii) are rated at each level under a
19 local educational agency’s evaluation sys-
20 tem consistent with the requirements of
21 section 2112(b)(1);

22 “(iii) have taught for less than one
23 full school year; and

1 “(iv) have demonstrated content
2 knowledge in the subject or subjects the
3 teachers are assigned to teach;

4 “(B) with respect to middle and high
5 schools, the percentage of core academic
6 courses taught by teachers who have met State
7 licensure requirements for that course;

8 “(C) information required under equitable
9 distribution plans for the State and each local
10 educational agency under sections 2112(b)(5)
11 and 2123(a), respectively;

12 “(D) staff retention rates differentiated by
13 performance levels as rated under the local edu-
14 cational agency’s evaluation system; and

15 “(E) any other performance measures the
16 State is using to measure the performance of
17 local educational agencies that receive a
18 subgrant under subpart 2.

19 “(2) Results of the data collection reporting
20 under section 2112(b)(7).

21 “(3) Progress towards meeting the equitable
22 distribution requirements under section 2112(b)(5).

23 “(4) Results of the assessment of educator sup-
24 port and working conditions described in section
25 2112(b)(3).

1 “(5) Results of the needs assessment required
2 under subpart 2 by each school in the State and
3 compared to the rubric which was used to conduct
4 the needs assessment.

5 “(c) LOCAL EDUCATIONAL AGENCY REPORT CARD
6 REQUIREMENTS.—Each local educational described in
7 subsection (a)(2) shall report the following information,
8 for each grant year, in accordance with such subsection:

9 “(1) With respect to the local educational agen-
10 cy overall and for schools in the agency by poverty
11 quartile and minority quartile—

12 “(A) the number and percentage of teach-
13 ers and principals, for each grant year, who—

14 “(i) are classified as qualified;

15 “(ii) are rated at each level under a
16 local educational agency’s evaluation sys-
17 tem consistent with the requirements of
18 section 2112(b)(1);

19 “(iii) have taught for less than one
20 full school year; and

21 “(iv) have demonstrated content
22 knowledge in the subject or subjects the
23 teachers are assigned to teach; and

24 “(B) with respect to middle school and
25 high school, the percentage of core academic

1 courses taught by teachers who have met State
2 licensure requirements for that course.

3 “(d) PARENTS’ RIGHT TO KNOW.—Each local edu-
4 cational agency that receives a subgrant under subpart 2
5 shall ensure that each school served by the local edu-
6 cational agency provides, on an annual basis and at the
7 beginning of the school year—

8 “(1) written notification to the parent of each
9 student who has, for 2 consecutive years, been as-
10 signed a teacher rated in the lowest rating category
11 on the local educational agency’s evaluation system,
12 that such student has been so assigned; and

13 “(2) a description of—

14 “(A) the supports the school and local edu-
15 cational agency will offer the student to com-
16 pensate for the teacher assignment;

17 “(B) the local educational agency’s plan
18 for ensuring this assignment pattern does not
19 continue; and

20 “(C) the teacher’s qualified status based
21 on the definition under section 2002(5), includ-
22 ing whether the teacher meets the status based
23 on the requirement in subparagraph (A)(v) of
24 such section.

1 “PART B—TEACHER AND LEADER INNOVATION FUND

2 **“SEC. 2201. TEACHER AND LEADER INNOVATION FUND.**

3 “The purpose of this part is to support States and
4 local educational agencies in improving the effectiveness
5 of their teachers and school leaders, especially those teach-
6 ers and school leaders working in high-need schools, by
7 creating the conditions needed to identify, recruit, pre-
8 pare, retain, reward, and advance effective teachers, prin-
9 cipals, and school leadership teams in such schools.

10 **“SEC. 2202. AUTHORIZATION OF APPROPRIATIONS.**

11 “(a) IN GENERAL.—There are authorized to be ap-
12 propriated \$950,000,000 for fiscal year 2013 and such
13 sums as may be necessary for each of the 5 succeeding
14 fiscal years to carry out this part.

15 “(b) CONTINUATION.—From the funds made avail-
16 able under subsection (a), the Secretary may reserve funds
17 to continue funding the Teacher Incentive Fund author-
18 ized under the fourth, fifth, and sixth provisos of the ‘In-
19 novation and Improvement Account’ under title III of
20 Public Law 109–149, in accordance with the terms and
21 conditions of such Fund that were in effect on the day
22 before the enactment of the Encouraging Innovation and
23 Effective Teachers Act.

1 **“SEC. 2203. GRANTS.**

2 “(a) IN GENERAL.—From the funds made available
3 under section 2202 and not reserved under subsection (b)
4 of such section, for each fiscal year, the Secretary shall
5 award grants, on a competitive basis, to eligible entities
6 to carry out the purpose of this part.

7 “(b) ELIGIBLE ENTITY.—In this part, the term ‘eli-
8 gible entity’ means—

9 “(1) a State educational agency or a consor-
10 tium of such agencies;

11 “(2) a high-need local educational agency or a
12 consortium of such agencies;

13 “(3) one or more of the entities described in
14 paragraphs (1) and (2) in partnership with one or
15 more institutions of higher education, nonprofit or-
16 ganization,; or educational service agencies; or

17 “(4) an entity described in paragraph (1) in
18 partnership with 1or more local educational agencies
19 at least one of which is a high-need local educational
20 agency.

21 “(c) DURATION.—The Secretary shall award a grant
22 under this part to an eligible entity for an initial period
23 of not more than 3 years, and may renew the grant for
24 up to an additional 2 years if the Secretary finds that the
25 eligible entity is achieving the objectives of the grant and

1 has shown improvement against baseline measures on per-
2 formance indicators.

3 **“SEC. 2204. APPLICATIONS.**

4 “(a) IN GENERAL.—Each eligible entity that desires
5 a grant under this part shall submit an application to the
6 Secretary at such time, in such manner, and containing
7 such information and assurances as the Secretary may
8 reasonably require.

9 “(b) CONTENTS.—Each application submitted under
10 this section shall contain—

11 “(1) a description of—

12 “(A) how the eligible entity will differen-
13 tiate levels of teacher and principal performance
14 by effectiveness, and the criteria it will use to
15 determine that differentiation, which shall in-
16 clude the use of evidence of student learning as
17 a significant factor, as well as other measures;

18 “(B) how that differentiation will be—

19 “(i) consistent with the teacher and
20 principal evaluation system that meets the
21 requirements of section 2112(b)(1); and

22 “(ii) used by the local educational
23 agency served by the eligible entity to
24 make decisions about professional develop-
25 ment and retention;

1 “(2) a description of the rigorous performance
2 standards that the eligible entity has established, or
3 will establish, within 2 years of the date of enact-
4 ment of Encouraging Innovation and Effective
5 Teachers Act, that will be used to evaluate perform-
6 ance;

7 “(3) a plan, developed with appropriate stake-
8 holders, setting forth the activities to be imple-
9 mented under the grant and how those activities will
10 be aligned with the results of—

11 “(A) an analysis of workforce data (includ-
12 ing teacher and principal surveys) that identi-
13 fies strengths and weaknesses in the working
14 conditions provided to teachers, school leaders,
15 and other school personnel and the current and
16 future staffing needs within the State or local
17 educational agency;

18 “(B) a public review of any State or local
19 educational agency statutes, policies, and prac-
20 tices, including employment policies and prac-
21 tices that pose a barrier to staffing schools,
22 particularly high-need schools, with teachers
23 and principals who have been rated in the high-
24 est rating categories;

1 “(C) an analysis of the effectiveness and
2 the cost-effectiveness of applicable State or local
3 educational agency policies and practices re-
4 lated to increasing teacher and principal effec-
5 tiveness;

6 “(D) an analysis of the alignment of the
7 policies and practices reviewed and analyzed
8 under subparagraphs (B) and (C) with the goal
9 of ensuring that educators are prepared to help
10 all students achieve to college-and-career-ready
11 standards; and

12 “(E) as applicable, an analysis of the ex-
13 tent to which the local educational agency’s
14 human capital strategies, including career ad-
15 vancement opportunities, salary schedules (in-
16 cluding incentives for graduate credit and ad-
17 vanced degrees), and incentives, reward actions,
18 and strategies that improve instruction and stu-
19 dent learning; and

20 “(4) evidence of involvement and support for
21 the proposed grant activities from—

22 “(A) in the case of an application from an
23 eligible entity that includes a local educational
24 agency or a consortium of such agencies, a local
25 school board, teachers union (where there is a

1 designated exclusive representative for the pur-
2 pose of collective bargaining), teachers, prin-
3 cipals, and other stakeholders; and

4 “(B) in the case of an application from a
5 State educational agency or consortium of such
6 agencies, the State board of education, State
7 agency for higher education, any participating
8 local educational agency, and other stake-
9 holders.

10 “(c) **SELECTION CRITERION.**—In making grants
11 under this part, the Secretary shall consider the extent
12 to which the eligible entity’s activities that are carried out
13 through a grant under part A or through State and local
14 funds are aligned with the entity’s plan under subsection
15 (b)(3) and the purpose of this part.

16 “(d) **PRIORITY.**—The Secretary shall give priority to
17 applications that address particular needs in improving
18 the effectiveness of the education workforce in high-need
19 schools or the needs of local educational agencies to fill
20 positions in high-need fields and subjects.

21 **“SEC. 2205. USE OF FUNDS.**

22 “(a) **IN GENERAL.**—A eligible entity under this
23 part—

24 “(1) shall use its grant funds for activities to—

1 “(A) improve the use of teacher and prin-
2 cipal effectiveness information, which shall in-
3 clude, once a local educational agency has
4 adopted an evaluation system as described in
5 section 2112(b)(1), using such evaluation re-
6 sults in consequential decision-making, includ-
7 ing in—

8 “(i) personnel decisions;

9 “(ii) decisions on interventions to im-
10 prove the performance of teachers and
11 school leaders who have persistently been
12 rated as less than effective;

13 “(iii) recognizing and rewarding
14 teachers and principals by rating category;
15 and

16 “(iv) decisions on equitable access to
17 effective teachers by students in high pov-
18 erty schools; and

19 “(B) improve teacher and school-leader
20 compensation and career-development systems,
21 which may include instituting performance pay,
22 career advancement systems (such as career
23 ladders or incentives for assuming additional
24 roles and responsibilities intended to improve

1 student academic achievement), or market-
2 based compensation for a high-need school; and
3 “(2) may use its grant funds for activities to—
4 “(A) help ensure that high-need and low-
5 performing schools are staffed more effectively
6 and efficiently, such as through—
7 “(i) the implementation or use of ear-
8 lier hiring timelines;
9 “(ii) more effective recruitment strate-
10 gies (including strategies for recruiting
11 candidates from underrepresented groups);
12 “(iii) more selective screening; and
13 “(iv) data systems for tracking at-
14 tendance, teacher and principal evaluation
15 results, tenure decisions, participation in
16 professional development, and the results
17 of that participation;
18 “(B) recruit, prepare, support, and evalu-
19 ate principals who serve in high-need or low-
20 performing schools;
21 “(C) recruit and retain teachers and lead-
22 ers in rural and remote areas; and
23 “(b) STATE GRANTEES.—A State educational agency
24 that is a grantee under this part shall use its grant funds
25 for activities to—

1 “(1) modify State policies and practices, as
2 needed, to enable local educational agencies to carry
3 out their activities under subsection (a); and

4 “(2) develop and implement improvements to
5 the State’s certification or licensure requirements,
6 which shall include using teacher and principal eval-
7 uation results in certification or licensure decisions
8 (such as by making them a significant factor in the
9 granting of a full certification or license).

10 “PART C—GENERAL PROVISIONS

11 **“SEC. 2301. PROHIBITION AGAINST INTERFERENCE WITH**
12 **STATE AND LOCAL LAWS AND AGREEMENTS.**

13 “Nothing in this title shall be construed to alter or
14 otherwise affect the rights, remedies, and procedures af-
15 forded to school or local educational agency employees
16 under Federal, State, or local laws (including applicable
17 regulations or court orders as well as requirements that
18 local educational agencies negotiate and or meet and con-
19 fer in good faith) or under the terms of collective bar-
20 gaining agreements, memoranda of understanding, or
21 other agreements between such employers and their em-
22 ployees.

1 **“SEC. 2302. PROTECTING THE INTEGRITY OF EVALUATION**
2 **SYSTEMS.**

3 “No State or local educational agency receiving fund-
4 ing under this title shall publicly report personally identifi-
5 able information included in an individual teacher or prin-
6 cipal evaluation, including information that can be used
7 to distinguish an individual’s identity when combined with
8 other personal or identifying information.”.

9 **SEC. 102. HEA CONFORMING AMENDMENTS.**

10 (a) **QUALIFIED TEACHER.**—The Higher Education
11 Act of 1965 (20 U.S.C. 1001 et seq.) is amended—

12 (1) in section 200 (20 U.S.C. 1021)—

13 (A) by amending paragraph (13) to read
14 as follows:

15 “(13) **QUALIFIED.**—The term ‘qualified’ has
16 the meaning given the term in section 2002(5) of
17 the Elementary and Secondary Education Act of
18 1965, as amended by section 101 of the Encour-
19 aging Innovation and Effective Teachers Act.”;

20 (B) in paragraph (17)(B)(ii), by striking
21 “highly qualified” and inserting “qualified”;
22 and

23 (C) in paragraph (22)(D)(i), by striking
24 “highly qualified” and inserting “qualified”;

1 (2) in section 201(3) (20 U.S.C. 1022(3)), by
2 striking “highly qualified teachers” and inserting
3 “qualified teachers”;

4 (3) in section 202 (20 U.S.C. 1022)—

5 (A) in subsection (b)(6)(H), by striking
6 “highly qualified teachers” and inserting
7 “qualified teachers”;

8 (B) in subsection (d)—

9 (i) in paragraph (1)—

10 (I) in subparagraph (A)(i)(I), by
11 striking “highly qualified” and insert-
12 ing “qualified”; and

13 (II) in subparagraph (B)(iii), by
14 striking “highly qualified” and insert-
15 ing “qualified”; and

16 (ii) in paragraph (5), by striking
17 “highly qualified teachers” and inserting
18 “qualified teachers”; and

19 (C) in subsection (e)(2)(C)(iii)(IV), by
20 striking “highly qualified teacher, as defined in
21 section 9101 of the Elementary and Secondary
22 Education Act of 1965,” and inserting “quali-
23 fied teacher, as defined in section 2002(5) of
24 the Elementary and Secondary Education Act
25 of 1965, as amended by section 101 of the En-

1 courageing Innovation and Effective Teachers
2 Act”

3 (4) in section 204(a)(4) (20 U.S.C. 1022c) by
4 striking “highly qualified teachers” each place it ap-
5 pears and inserting “qualified teachers”;

6 (5) in section 205(b)(1)(I) (20 U.S.C.
7 1022d(b)(1)(I)), by striking “highly qualified teach-
8 ers” and inserting “qualified teachers”;

9 (6) in section 207(a)(1) (20 U.S.C.
10 1022f(a)(1)), by striking “highly qualified teachers”
11 and inserting “qualified teachers”;

12 (7) in section 208(b) (20 U.S.C. 1022g(b)), by
13 striking “highly qualified” each place it appears and
14 inserting “qualified”;

15 (8) in section 242(b) (20 U.S.C. 1033a), by
16 striking “highly qualified” each place it appears and
17 inserting “qualified”;

18 (9) in section 251(b) (20 U.S.C. 1034(b)), by
19 striking “highly qualified” each place it appears and
20 inserting “qualified”; and

21 (10) in section 258(d)(1) (20 U.S.C.
22 1036(d)(1)), by striking “highly qualified” and in-
23 serting “qualified”.such partner institution.

24 (c) DEFINITIONS.—Section 200 of the Higher Edu-
25 cation Act of 1965 (20 U.S.C. 1021) is amended—

1 (1) by amending paragraph (6) to read as fol-
2 lows:

3 “(6) ELIGIBLE PARTNERSHIP.—Except as oth-
4 erwise provided in section 251, the term ‘eligible
5 partnership’ means an entity that—

6 “(A) shall include—

7 “(i) a high-need local educational
8 agency;

9 “(ii)(I) a high-need school or a con-
10 sortium of high-need schools served by the
11 high-need local educational agency; or

12 “(II) as applicable, a high-need early
13 childhood education program; or

14 “(iii)(I) the following entities—

15 “(aa) a partner institution.

16 “(bb) a school, department, or
17 program of education within such
18 partner institution, which may include
19 an existing teacher professional devel-
20 opment program with proven out-
21 comes within a 4-year institution of
22 higher education that provides inten-
23 sive and sustained collaboration be-
24 tween faculty and local educational

1 agencies consistent with the require-
2 ments of this title; and

3 “(cc) a school or department of
4 arts and sciences within such partner
5 institution; or

6 “(II) an entity operating a program
7 that provides alternative routes to State
8 certification of teachers that has a teacher
9 preparation program—

10 “(aa) whose graduates exhibit
11 strong performance on State-deter-
12 mined qualifying assessments for new
13 teachers through demonstrating that
14 80 percent or more of the graduates
15 of the program who intend to enter
16 the field of teaching have passed all of
17 the applicable State qualification as-
18 sessments for new teachers, which
19 shall include an assessment of each
20 prospective teacher’s subject matter
21 knowledge in the content area in
22 which the teacher intends to teach;
23 and

24 “(bb) that requires each student
25 in the program to meet high academic

1 standards or demonstrate a record of
2 success, as determined by the institu-
3 tion (including prior to entering and
4 being accepted into a program), and
5 participate in intensive clinical experi-
6 ence, and each student in the program
7 is preparing to become a qualified
8 teacher; and

9 “(B) may include any of the following:

10 “(i) The Governor of the State.

11 “(ii) The State educational agency.

12 “(iii) The State board of education.

13 “(iv) The State agency for higher edu-
14 cation.

15 “(v) A business.

16 “(vi) A public or private nonprofit
17 educational organization.

18 “(vii) An educational service agency.

19 “(viii) A teacher organization.

20 “(ix) A high-performing local edu-
21 cational agency, or a consortium of such
22 local educational agencies, that can serve
23 as a resource to the partnership.

24 “(x) A charter school (as defined in
25 section 5210).

1 “(xi) A school or department within a
2 partner institution that focuses on psy-
3 chology and human development.

4 “(xii) A school or department within a
5 partner institution with comparable exper-
6 tise in the disciplines of teaching, learning,
7 and child and adolescent development.

8 “(xiii) An entity operating a program
9 that provides alternative routes to State
10 certification of teachers.

11 “(xiv) A school, department, or pro-
12 gram of education within a partner institu-
13 tion.

14 “(xv) A school or department of arts
15 and sciences within a partner institution.”.

16 (2) by amending paragraph (10) to read as fol-
17 lows:

18 “(10) HIGH-NEED LOCAL EDUCATIONAL AGEN-
19 CY.—The term ‘high-need local educational agency
20 has the meaning given such term in section 2002(4)
21 of the Elementary and Secondary Education Act of
22 1965, as amended by section 101 of the Encour-
23 aging Innovation and Effective Teachers Act.’”.

24 (3) by amending paragraph (14) to read as fol-
25 lows:

1 “(14) INDUCTION PROGRAM.—The term ‘induc-
2 tion program’ has the meaning given the term ‘in-
3 duction’ in section 2002(6) of the Elementary and
4 Secondary Education Act of 1965, as amended by
5 section 101 of the Encouraging Innovation and Ef-
6 fective Teachers Act.”; and

7 (4) by amending paragraph (21) to read as fol-
8 lows:

9 “(21) TEACHER MENTORING.—The term
10 ‘teacher mentoring’ has the meaning given the term
11 ‘mentoring’ in section 2002(7) of the Elementary
12 and Secondary Education Act of 1965, as amended
13 by section 101 of the Encouraging Innovation and
14 Effective Teachers Act.”.

15 (d) PURPOSE.—Section 201 of the Higher Education
16 Act of 1965 (20 U.S.C. 1022) is amended—

17 (1) by striking “and” at the end of paragraph
18 (3);

19 (2) by striking the period and inserting “; and”
20 at the end of paragraph (4); and

21 (3) by inserting at the end the following:

22 “(5) improve teacher effectiveness.”.

23 (e) PARTNERSHIP GRANTS.—Section 202 of the
24 Higher Education Act of 1965 (20 U.S.C. 1022a) is
25 amended—

1 (1) in subsection (b)(6)—

2 (A) in subparagraph (E)(ii), by striking
3 “student academic” and inserting “college-and-
4 career ready student academic”;

5 (B) in subparagraph (H)—

6 (i) in the matter preceding clause (i),
7 by inserting “or alternative route entity”
8 after “partner institution”; and

9 (ii) in clause (i), by striking “that in-
10 corporate” and all that follows through
11 “instruction” and inserting “consistent
12 with part A of title IV of the Elementary
13 and Secondary Education Act of 1965”;

14 (C) by redesignating subparagraphs (I)
15 through (K) as subparagraphs (J) through (L),
16 respectively; and

17 (D) by inserting after subparagraph (H),
18 the following:

19 “(I) how the partnership will prepare
20 teachers to use data to analyze student per-
21 formance and adjust teaching practices to im-
22 prove student achievement;” and

23 (2) in subsection (d)(6)(A), by striking “that
24 incorporate the essential components of literacy in-
25 struction” and inserting “aligned with part A of title

1 IV of the Elementary and Secondary Education Act
2 of 1965”.

3 (f) ADMINISTRATIVE PROVISIONS.—Section
4 203(b)(2)(A) of the Higher Education Act of 1965 (20
5 U.S.C. 1022b(b)(2)(A)) is amended by inserting “or alter-
6 native route entity” after “institution of higher edu-
7 cation”.

8 (g) ACCOUNTABILITY AND EVALUATION.—Section
9 204(a) of the Higher Education Act of 1965 (20 U.S.C.
10 1022c) is amended—

11 (1) by redesignating paragraphs (3) and (4) as
12 paragraphs (4) and (5), respectively; and

13 (2) by inserting after paragraph (2), the fol-
14 lowing:

15 “(3) teachers rated as at least effective by a
16 teacher evaluation system that meets the require-
17 ments of section 2112(b)(1) of the Elementary and
18 Secondary Education Act of 1965, as amended by
19 section 101 of the Encouraging Innovation and Ef-
20 fective Teachers Act;”.

21 (h) INFORMATION ON PREPARATION PROGRAMS.—
22 Section 205(b)(1) of the Higher Education Act of 1965
23 (20 U.S.C. 1022d(b)) is amended—

24 (1) in the matter preceding subparagraph (A),
25 by striking “teacher preparation program” and in-

1 serting “teacher and school leader preparation pro-
2 gram”; and

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

4 “(M) Within 3 years of the date of enact-
5 ment of the Encouraging Innovation and Effec-
6 tive Teachers Act, information on the impact of
7 each program’s graduates on the student
8 achievement of the students that such grad-
9 uates teach, if that information is available.

10 “(N) The percentage of each program’s
11 graduates who teach in a high-need school.

12 “(O) The percentage of each program’s
13 graduates who are prepared to teach a high-
14 need subject.

15 “(P) The percentage of each program’s
16 graduates who become effective and highly ef-
17 fective teachers or principals according to such
18 graduates’ ratings by the local educational
19 agency’s teacher evaluation system that meets
20 the requirements of section 2112(b)(1) of the
21 Elementary and Secondary Education Act of
22 1965, as amended by section 101 of the En-
23 couraging Innovation and Effective Teachers
24 Act. .

1 “(Q) The 3-year retention rate of each
2 program’s graduates who become effective and
3 highly effective teachers or principals according
4 to such graduates’ ratings by such system.

5 “(R) Any other information required by
6 the State.”.

7 **TITLE II—SUCCESSFUL, SAFE,**
8 **AND HEALTHY STUDENTS**

9 **SEC. 201. 21ST CENTURY SCHOOLS.**

10 Title IV (20 U.S.C. 7101 et seq.) is amended to read
11 as follows:

12 “TITLE IV—21ST CENTURY SCHOOLS

13 “PART A—21ST CENTURY LEARNING PARTNERSHIPS

14 “**SEC. 4001. PURPOSE.**

15 “The purpose of this part is to provide opportunities
16 for communities to establish or expand activities through
17 learning partnerships that—

18 “(1) provide opportunities for academic enrich-
19 ment, increased academic achievement, and student
20 success in schools by providing students with addi-
21 tional learning time for more expansive, relevant and
22 rigorous learning opportunities, including opportuni-
23 ties to catch students up in their coursework, and
24 help students accelerate their learning;

1 “(2) provide a broad array of additional serv-
2 ices, programs and activities for a well-rounded edu-
3 cation, including youth development activities, art,
4 music, recreation programs, technology education
5 programs, and character education programs that
6 are designed to reinforce and compliment the regular
7 academic program for participating students;

8 “(3) provide teachers and learning partnerships
9 with increased opportunities to work collaboratively,
10 and to participate in professional planning and pro-
11 fessional development, within and across grades and
12 subjects to improve teaching and learning;

13 “(4) provide students with safe learning envi-
14 ronments and additional resources to increase stu-
15 dent engagement in school; and

16 “(5) offer families of students served by part-
17 nerships opportunities for literacy development and
18 related educational development.

19 **“SEC. 4002. ALLOTMENT TO STATES.**

20 “(a) RESERVATION.—From the funds appropriated
21 under section 4009 for any fiscal year, the Secretary shall
22 reserve not more than 1 percent for payments to the out-
23 lying areas and the Bureau of Indian Affairs, to be allot-
24 ted in accordance with their respective needs for assistance
25 under this part, as determined by the Secretary, to enable

1 the outlying areas and the Bureau to carry out the pur-
2 pose of this part.

3 “(b) STATE ALLOTMENTS.—

4 “(1) DETERMINATION.—From the funds appro-
5 priated under section 4009 for any fiscal year and
6 remaining after the Secretary makes reservations
7 under subsection (a), the Secretary shall allot to
8 each State for the fiscal year an amount that bears
9 the same relationship to the remainder as the
10 amount the State received under subpart 2 of part
11 A of title I for the preceding fiscal year bears to the
12 amount all States received under that subpart for
13 the preceding fiscal year, except that no State shall
14 receive less than an amount equal to one-half of 1
15 percent of the total amount made available to all
16 States under this subsection.

17 “(2) REALLOTMENT OF UNUSED FUNDS.—If a
18 State does not receive an allotment under this part
19 for a fiscal year, the Secretary shall reallocate the
20 amount of the State’s allotment to the remaining
21 States in accordance with this subsection.

22 **“SEC. 4003. STATE ACTIVITIES.**

23 “(a) IN GENERAL.—A State educational agency may
24 use not more than 5 percent of the amount made available
25 to the State under section 4002(b) for—

1 “(1) the administrative costs of carrying out its
2 responsibilities under this part; and

3 “(2) providing technical assistance as described
4 in subsection (b) to learning partnerships;

5 “(b) TECHNICAL ASSISTANCE.—

6 “(1) IN GENERAL.—The technical assistance
7 described in this paragraph includes the following:

8 “(A) Assisting learning partnerships who
9 are prioritized in section 4005(g) including
10 rural and urban schools by—

11 “(i) informing those learning partner-
12 ships that are prioritized in section
13 4005(g) that they have a priority for com-
14 peting for grants under section 4005;

15 “(ii) providing technical assistance to
16 the learning partnership for the develop-
17 ment of the applications described in sec-
18 tion 4005(b), including assisting the learn-
19 ing partnership in identifying which ele-
20 mentary schools and secondary schools to
21 serve;

22 “(iii) providing technical assistance to
23 the learning partnership if they do not re-
24 ceive a grant under section 4005 so that

1 they may re-compete in following competi-
2 tions;

3 “(B) Assisting each learning partnership
4 that receives an award under section 4005 to
5 plan and implement additional learning time
6 with such funds, including assisting the learn-
7 ing partnership in—

8 “(i) determining how to implement
9 additional learning time in the schools the
10 learning partnership intends to serve based
11 on the results of the needs assessment de-
12 scribed in section 4005(b)(2)(C)(i);

13 “(ii) identifying additional community
14 partners and resources that may be uti-
15 lized to implement the additional learning
16 time;

17 “(iii) strengthening the existing part-
18 nerships of the learning partnership, iden-
19 tifying appropriate roles for each of the
20 partners in the implementation of addi-
21 tional learning time in schools served by
22 the learning partnership, and ensuring
23 that the partnership is effective in main-
24 taining strong communication, information

1 sharing, and joint planning and implemen-
2 tation;

3 “(C) Identifying best practices for profes-
4 sional development for staff in schools that are
5 served by learning partnerships receiving fund-
6 ing under this part to implement the authorized
7 activities described in section 4006.

8 “(D) Identifying best practices for using
9 additional learning time to improve academic
10 enrichment, and student academic achievement
11 in schools, and providing technical assistance to
12 the learning partnership in using such best
13 practices to implement and improve additional
14 learning time initiatives.

15 “(E) Providing guidance on how to provide
16 programs that are age appropriate and address
17 the varying needs of students in elementary (in-
18 cluding preschool), middle, and diploma grant-
19 ing schools.

20 “(2) SUBGRANTS FOR TECHNICAL ASSIST-
21 ANCE.—A State educational agency may use a por-
22 tion of the funds described in paragraph (1) to
23 award subgrants to educational service agencies or
24 other public entities with demonstrated expertise in
25 additional learning time strategies, programs, or ac-

1 activities to carry out the technical assistance de-
2 scribed in subparagraph (A).

3 **“SEC. 4004. STATE APPLICATION.**

4 “(a) IN GENERAL.—In order to receive an allotment
5 under section 4002(b) for any fiscal year, a State edu-
6 cational agency shall submit to the Secretary, at such time
7 and in such manner as the Secretary may require, an ap-
8 plication that—

9 “(1) designates the State educational agency as
10 the agency responsible for the administration and
11 supervision of programs assisted under this part;

12 “(2) describes how the State educational agency
13 will use funds received under this part, including
14 funds reserved for State-level activities;

15 “(3) contains an assurance that the State edu-
16 cational agency, in making awards under section
17 4005, will give priority to learning partnerships that
18 propose to serve—

19 “(A) students attending schools in need of
20 improvement and persistently low-achieving
21 schools;

22 “(B) schools with a high number or per-
23 centage of students that are eligible for free or
24 reduced price lunch under the Richard B. Rus-
25 sell School Lunch Act (42 U.S.C. 1751 et seq.);

1 “(4) describes the peer review process as de-
2 scribed in section 4005(e) and the selection criteria
3 the State educational agency will use to evaluate ap-
4 plications from, and select, learning partnerships to
5 receive awards under section 4005;

6 “(5) describes the steps the State educational
7 agency will take to ensure that activities and pro-
8 grams carried out by learning partnerships using
9 such awards—

10 “(A) implement evidence-based strategies;

11 and

12 “(B) ensure learning partnerships have the
13 capacity to implement high-quality additional
14 learning time activities that are different from
15 methods which have been proven ineffective
16 during the regular school day;

17 “(6) describes how the State educational agency
18 will use the indicators under section 4007(a)(3) to
19 measure the performance, on an annual basis, of
20 learning partnerships, and

21 “(A) use outcomes from multiple indicators
22 and not rely on one indicator in isolation; and

23 “(B) provide ongoing technical assistance
24 and training and dissemination of promising
25 practices;

1 “(7) provides an assurance that the State edu-
2 cational agency will set up a process to allow learn-
3 ing partnerships who receive an award under section
4 4005 and who operate a proven and effective pro-
5 gram based on the measures of performance de-
6 scribed in paragraph (6) to recompete in their last
7 year of funding for an additional 5-year cycle;

8 “(8) describes how the State educational agency
9 will, to the extent practicable, distribute funds under
10 this part equitably among geographic areas within
11 the State, including urban and rural areas;

12 “(9) includes information identifying the per-
13 pupil funding amount range the State educational
14 agency will use to ensure that awards made under
15 section 4005 are of sufficient size and scope to carry
16 out the purposes of the award,

17 “(10) includes an assurance that in determining
18 award amounts in accordance with paragraph (9),
19 the State educational agency shall take into consid-
20 eration—

21 “(A) diverse geographical areas; and

22 “(B) the quality of activities and programs
23 proposed by learning partnerships applying for
24 such awards;

1 “(11) provides an assurance that the applica-
2 tion will be developed in consultation and coordina-
3 tion with appropriate State officials, including the
4 chief State school officer, and other State agencies
5 administering additional learning time, the heads of
6 the State health and mental health agencies or their
7 designees, teachers, parents, students, the business
8 community, and community-based organizations;

9 “(12) describes how activities and programs
10 carried out by the learning partnerships under this
11 part will be coordinated with programs under this
12 Act, and other programs as appropriate;

13 “(13) describes how the State educational agen-
14 cy will provide a fair and transparent competition
15 for learning partnerships that apply for grant funds
16 under section 4005(b);

17 “(14) provides an assurance that the State edu-
18 cational agency in determining grant awards to
19 learning partnerships will award grants based solely
20 on the quality of the application in relationship to
21 the needs identified by the learning partnership
22 through the needs assessment described in section
23 4005(b)(2)(C)(i); and

24 “(15) provides for timely public notice of intent
25 to file an application and an assurance that the ap-

1 plication will be available for public review after sub-
2 mission.

3 “(b) DEEMED APPROVAL.—An application submitted
4 by a State educational agency pursuant to subsection (a)
5 shall be deemed to be approved by the Secretary unless
6 the Secretary makes a written determination, prior to the
7 expiration of the 120-day period beginning on the date on
8 which the Secretary received the application, that the ap-
9 plication is not in compliance with this part.

10 “(c) DISAPPROVAL.—The Secretary shall not finally
11 disapprove the application, except after giving the State
12 educational agency notice and opportunity for a hearing.

13 “(d) NOTIFICATION.—If the Secretary finds that the
14 application is not in compliance, in whole or in part, with
15 this part, the Secretary shall—

16 “(1) give the State educational agency notice
17 and an opportunity for a hearing; and

18 “(2) notify the State educational agency of the
19 finding of noncompliance, and, in such notification,
20 shall—

21 “(A) cite the specific provisions in the ap-
22 plication that are not in compliance; and

23 “(B) request additional information, only
24 as to the noncompliant provisions, needed to
25 make the application compliant.

1 “(e) RESPONSE.—If the State educational agency re-
2 sponds to the Secretary’s notification described in sub-
3 section (d)(2) during the 45-day period beginning on the
4 date on which the agency received the notification, and
5 resubmits the application with the requested information
6 described in subsection (d)(2)(B), the Secretary shall ap-
7 prove or disapprove such application prior to the later of—

8 “(1) the expiration of the 45-day period begin-
9 ning on the date on which the application is resub-
10 mitted; or

11 “(2) the expiration of the 120-day period de-
12 scribed in subsection (b).

13 “(f) FAILURE TO RESPOND.—If the State edu-
14 cational agency does not respond to the Secretary’s notifi-
15 cation described in subsection (d)(2) during the 45-day pe-
16 riod beginning on the date on which the agency received
17 the notification, such application shall be deemed to be
18 disapproved.

19 **“SEC. 4005. LOCAL COMPETITIVE GRANT PROGRAM.**

20 “(a) IN GENERAL.—Each State that receives an al-
21 lotment under this part shall reserve not less than 95 per-
22 cent of the amount allotted to such State under section
23 4002(b), for each fiscal year for awards to learning part-
24 nerships under this section.

25 “(b) APPLICATION.—

1 “(1) IN GENERAL.—To be eligible to receive an
2 award under this part, a learning partnership shall
3 submit an application to the State educational agen-
4 cy at such time, in such manner, and including such
5 information as the State educational agency may
6 reasonably require.

7 “(2) CONTENTS.—Each application submitted
8 under paragraph (1) shall include the following:

9 “(A) IMPLEMENTATION PLAN.—A descrip-
10 tion of the planning activities that will be con-
11 ducted during the planning phase, if applicable,
12 that shall include a budget for the planning ac-
13 tivities;

14 “(B) ROLES AND RESPONSIBILITIES.—A
15 description of the learning partnership and the
16 roles and responsibilities of each of the partners
17 of the learning partnership.

18 “(C) ADDITIONAL LEARNING TIME ACTIVI-
19 TIES.—A description of—

20 “(i) the activities that will be carried
21 out by the learning partnership during the
22 additional learning time based solely on the
23 learning partnership’s determination of the
24 results of a needs assessment that con-
25 siders—

1 “(I) School-wide needs, including
2 teacher planning time and instruc-
3 tional time;

4 “(II) Individual student learning
5 needs;

6 “(III) School and student safety;
7 and

8 “(IV) The number of additional
9 hours (during the regular school day
10 or outside of the regular school day,
11 as applicable) needed for supervised
12 student enrichment, determined
13 through school, family, and commu-
14 nity input.

15 “(ii) a description of how the learning
16 partnership will align the activities de-
17 scribed in this subparagraph with—

18 “(I) school improvement plans
19 developed and implemented pursuant
20 to section 1116, if applicable;

21 “(II) academic instruction that
22 occurs during the regular school day
23 at the school proposed to be served by
24 the learning partnership; and

1 “(iii) the anticipated number of hours
2 of additional learning time the average stu-
3 dent will receive and how the number of
4 hours are appropriate based on the needs
5 assessment described in clause (i) and the
6 requirements of (ii);

7 “(iv) the grade or grade spans (in-
8 cluding preschool) to be served by the
9 learning partnerships using award funds;

10 “(v) how students participating in the
11 activities will travel safely to and from the
12 additional learning time center and home,
13 as applicable;

14 “(vi) a description of how the learning
15 partnership will ensure that staff employed
16 by the learning partnership will coordinate
17 to develop and implement activities de-
18 scribed in this subparagraph using, in
19 part, the data described in subparagraph
20 (F).

21 “(D) SELECTION OF SCHOOLS.—A descrip-
22 tion of the process, considerations, and criteria
23 the learning partnership will use to select
24 schools to implement additional learning time
25 programs and activities that shall take into ac-

1 count the priorities described in section
2 4005(g);

3 “(E) FACILITY ASSURANCE.—An assur-
4 ance that the activities described in subpara-
5 graph (C) will take place in a safe and easily
6 accessible facility and a description of how the
7 learning partnership will disseminate informa-
8 tion about the facility to the parents and com-
9 munity in a manner that is understandable and
10 accessible;

11 “(F) DATA SHARING.—An assurance that
12 relevant student level data will be shared within
13 the learning partnership consistent with the re-
14 quirements of section 444 of the General Edu-
15 cation Provisions Act so that the activities de-
16 scribed in subparagraph (C)(i) are aligned ac-
17 cording to subparagraph (C)(ii).

18 “(G) PROFESSIONAL DEVELOPMENT AC-
19 TIVITIES.—A description of how the learning
20 partnership will provide professional develop-
21 ment to the staff employed by the learning
22 partnership.

23 “(H) PUBLIC RESOURCES.—An identifica-
24 tion of Federal, State, and local programs that
25 will be combined or coordinated with the addi-

1 tional learning time program to make the most
2 effective use of public resources.

3 “(I) SUPPLEMENT, NOT SUPPLANT.—An
4 assurance that funds under this section will be
5 used to increase the level of State, local, and
6 other non-Federal funds that would, in the ab-
7 sence of funds under this part, be made avail-
8 able for programs and activities authorized
9 under this part, and in no case supplant Fed-
10 eral, State, local, or non-Federal funds;

11 “(J) EXPERIENCE.—A description of past
12 performance and record of effectiveness of the
13 community based organization within the part-
14 nership in providing the activities described in
15 subparagraph (C).

16 “(K) CONTINUATION AFTER FEDERAL
17 FUNDING.—A description of a preliminary plan
18 for how the additional learning time will con-
19 tinue when funding under this part ends.

20 “(L) CAPACITY.—An assurance that the
21 learning partnership has the capacity to collect
22 the data relevant to the indicators described
23 under section 4007(a)(3).

24 “(M) NOTICE OF INTENT.—An assurance
25 that the community of the learning partnership

1 will be given notice of an intent to submit an
2 application and that the application and any
3 waiver request will be available for public review
4 after submission of the application.

5 “(N) OTHER INFORMATION AND ASSUR-
6 ANCES.—Such other information and assur-
7 ances as the State educational agency may rea-
8 sonably require.

9 “(c) APPROVAL OF CERTAIN APPLICATIONS.—The
10 State educational agency may approve an application
11 under this section for a program to be located in a facility
12 other than an elementary school or secondary school only
13 if the program will be at least as available and accessible
14 to the students to be served as if the program were located
15 in an elementary school or secondary school.

16 “(d) NON-FEDERAL MATCH.—

17 “(1) IN GENERAL.—A State educational agency
18 shall require a learning partnership to match funds
19 awarded under this part, except that such match
20 may not exceed the amount of the grant award and
21 may not be derived from other Federal funds.

22 “(2) SLIDING SCALE.—The amount of a match
23 under paragraph (1) shall be established based on a
24 sliding fee scale that takes into account—

1 “(A) the relative poverty of the population
2 to be targeted by the learning partnership; and

3 “(B) the ability of the learning partnership
4 to obtain such matching funds.

5 “(3) IN-KIND CONTRIBUTIONS.—Each State
6 educational agency shall permit the community-
7 learning partnership to provide all or any portion of
8 such match in the form of in-kind contributions.

9 “(e) PEER REVIEW.—In reviewing local applications
10 under this section, a State educational agency shall use
11 a peer review process or other methods of assuring the
12 quality of such applications.

13 “(f) DURATION OF AWARDS.—Grants under this sec-
14 tion may be awarded for a period of 5 years. Learning
15 partnerships that receive funding under this section and
16 who operate a proven and effective program based on the
17 measures of performance established in section 4004(a)(6)
18 shall be allowed to recompete in their last year of funding
19 for an additional 5 year grant.

20 “(g) PRIORITY.—In awarding grants under this part,
21 a State educational agency shall give priority to applica-
22 tions proposing to target services to—

23 “(1) students (including preschool students)
24 who attend schools in need of improvement and per-
25 sistently low-achieving schools; and

1 “(2) learning partnerships that propose to serve
2 schools with a high percentage or number of stu-
3 dents that are eligible for free and reduced price
4 lunch under the Richard B. Russell National School
5 Lunch Act (42 U.S.C. 1751 et seq.);

6 **“SEC. 4006. LOCAL ACTIVITIES.**

7 “(a) AUTHORIZED ACTIVITIES.—

8 “(1) IN GENERAL.—Each learning partnership
9 that receives an award under section 4005 shall use
10 the award funds to implement additional learning
11 time activities that are consistent with section
12 4005(b)(2).

13 “(2) PLANNING PERIOD.—Each learning part-
14 nership may use funds under this section for a plan-
15 ning period of not longer than 6 months to develop
16 an implementation plan described in section
17 4005(b)(2)(A) to carry out the additional learning
18 time activities.

19 **“SEC. 4007. REPORTING.**

20 “(a) REPORT BY LEARNING PARTNERSHIPS.—Each
21 learning partnership shall, not later than 1 year after the
22 first day of the first school year in which the additional
23 learning time is implemented, prepare and submit to the
24 State educational agency a report—

1 “(1) containing a detailed description of the ad-
2 ditional learning time activities that were carried out
3 under this part;

4 “(2) with respect to each school served by the
5 partnership—

6 “(A) on the actual expenses associated
7 with, carrying out the additional learning time
8 programs and activities in the first school year;
9 and

10 “(B) a description of how the additional
11 learning time programs and activities were im-
12 plemented and whether such programs and ac-
13 tivities were carried out during non-school
14 hours or periods when school is not in session
15 or added to expand the school day, school week,
16 or school year schedule; and

17 “(3) containing measures of performance, ag-
18 gregated and disaggregated, on the following indica-
19 tors—

20 “(A) student academic achievement as
21 measured by—

22 “(i) high-quality State academic as-
23 sessments; and

24 “(ii) student growth in accordance
25 with student growth standards;

1 “(B) for diploma granting schools served
2 by the learning partnerships, graduation rates;

3 “(C) student attendance;

4 “(D) performance on a set of comprehen-
5 sive school performance indicators that may in-
6 clude—

7 “(i) as appropriate, rate of earned on-
8 time promotion from grade-to-grade;

9 “(ii) for high schools served by the
10 learning partnerships, the percentage of
11 students taking a college preparatory cur-
12 riculum, or student rates of enrollment,
13 persistence, and attainment of an associate
14 or baccalaureate degree;

15 “(iii) the percentage of student sus-
16 pensions and expulsions;

17 “(iv) indicators of school readiness for
18 entering kindergartners;

19 “(v) evidence of increased parent and
20 family engagement and support for chil-
21 dren’s learning;

22 “(vi) evidence of increased student en-
23 gagement in school, which may include
24 completing of assignments and coming to
25 class prepared;

1 “(vii) evidence of mastery of non-aca-
2 demic skills which may include problem
3 solving, learning to work in teams, and so-
4 cial and civic responsibility;

5 “(viii) improved personal attitude,
6 which may include initiative, self-con-
7 fidence, self-esteem and sense of self-effi-
8 cacy; and

9 “(ix) development of social skills,
10 which may include behavior, communica-
11 tion, relationships with peers and adults.

12 “(b) REPORT BY STATE EDUCATIONAL AGENCY.—
13 A State Educational Agency that receives funds under this
14 part shall annually prepare and submit to the Secretary
15 a report that contains all reports submitted by learning
16 partnerships under the jurisdiction of the agency, aggre-
17 gated and disaggregated, provided under subsection (a).

18 “(c) PUBLICATION AND AVAILABILITY OF THE RE-
19 PORT.—The Secretary shall publish and make widely
20 available to the public, including through a website or
21 other means, a summary of the reports received under
22 subsection (b).

23 **“SEC. 4008. DEFINITIONS.**

24 “In this part:

1 “(1) LEARNING PARTNERSHIP.—The term
2 ‘learning partnership’ means—

3 “(A) a local educational agency, a consor-
4 tium of local educational agencies, or an edu-
5 cational service agency and one or more local
6 educational agencies, in a partnership with 1 or
7 more community-based organizations or other
8 public or private entities; or

9 “(B) a community-based organization, or
10 other public or private entity, in a partnership
11 with a local educational agency, a consortium of
12 local educational agencies, or an educational
13 service agency and one or more local edu-
14 cational agencies.

15 “(2) ADDITIONAL LEARNING TIME.—The term
16 ‘additional learning time’ means—

17 “(A) time added during non-school hours
18 or periods when school is not in session, such
19 as before or after school or during summer re-
20 cess for activities that—

21 “(i) provide opportunities for student
22 academic enrichment, including hands-on,
23 experiential and project-based learning op-
24 portunities for subjects including English,
25 reading or language arts, mathematics,

1 science, foreign languages, civics and gov-
2 ernment, economics, arts, history, geog-
3 raphy, physical education and activities
4 such as tutoring and service learning
5 that—

6 “(I) assist students in meeting
7 State and local academic achievement
8 standards in core academic subjects,

9 “(II) use evidence-based skill
10 training approaches and active forms
11 of learning to promote healthy devel-
12 opment, and engage students in learn-
13 ing;

14 “(III) align and coordinate with
15 the regular school day curriculum;

16 “(IV) align to school improve-
17 ment plans developed pursuant to sec-
18 tion 1116, as applicable; and

19 “(V) align to the learning needs
20 of individual students at the school
21 served by the learning partnership;

22 “(ii) provide students with opportuni-
23 ties for personal and social development;

24 “(iii) serve the learning needs and in-
25 terests of all students, including those who

1 already meet or exceed student academic
2 achievement standards as measured by
3 high-quality State academic assessments,
4 and especially those who may not be
5 achieving at grade level in the traditional
6 classroom setting;

7 “(iv) are developmentally and age ap-
8 propriate; and

9 “(v) involve a broad group of stake-
10 holders (including educators, parents, stu-
11 dents, and community partners) in car-
12 rying out additional learning time pro-
13 grams and activities described in this sub-
14 paragraph; or

15 “(B) time added to expand the school day,
16 school week, or school year schedule, that—

17 “(i) increases the total number of
18 school hours for the school year at a school
19 based on evidence supporting the amount
20 of additional learning time needed to
21 achieve the objectives described in clause
22 (ii);

23 “(ii) is used to redesign the school’s
24 program and schedule—

1 “(I) to support innovation in
2 teaching, in order to improve the aca-
3 demic achievement of students aligned
4 to the school improvement plan, if ap-
5 plicable, especially those students who
6 may not be achieving at grade level, in
7 reading or language arts, mathe-
8 matics, science, history and civics, and
9 other core academic subjects;

10 “(II) to improve the performance
11 of all students, including those stu-
12 dents who are struggling to meet col-
13 lege and career ready standards or
14 State early learning standards, as ap-
15 propriate, and those students who al-
16 ready meet or exceed college and ca-
17 reer ready standards as measured by
18 high-quality State academic assess-
19 ments;

20 “(III) for additional subjects and
21 enrichment activities that reflect stu-
22 dent interest, connect to effective
23 community partners, and contribute
24 to a well-rounded education, which
25 may include music and the arts, phys-

1 ical education, service learning, and
2 experiential and work-based learning
3 opportunities (such as community
4 service, learning apprenticeships, in-
5 ternships, and job shadowing);

6 “(IV) to advance student learn-
7 ing by providing a learning environ-
8 ment and supporting learning activi-
9 ties that engage students, develop so-
10 cial skills, and cultivate positive per-
11 sonal attitude; and

12 “(V) for teachers and learning
13 partnerships to collaborate, and plan,
14 within and across grades and subjects;

15 “(iii) provides school-wide services
16 that are—

17 “(I) aligned to school improve-
18 ment plans developed pursuant to sec-
19 tion 1116, as applicable; and

20 “(II) aligned to individual stu-
21 dent achievement needs as identified
22 by the school-site staff at the school
23 served by the community-learning
24 partnership; and

1 students, including students from low income fami-
2 lies, students with disabilities, English learners, and
3 youth who are involved in or who are identified by
4 evidence-based risk assessment methods as being at
5 high risk of becoming involved in juvenile delin-
6 quency or criminal street gangs;

7 “(4) to support programs and activities that
8 prevent violence in and around schools (including
9 bullying and harassment), that prevent the illegal
10 use of alcohol, tobacco, and drugs by students, and
11 provide resources to foster a safe and drug-free
12 learning environment to support student academic
13 achievement; and

14 “(5) to enhance partnerships between schools,
15 parents, and communities, and better support family
16 and community engagement in education.

17 **“SEC. 4202. RESERVATIONS AND ALLOTMENTS.**

18 “(a) IN GENERAL.—From the amount made avail-
19 able under section 4210 to carry out this part for each
20 fiscal year, the Secretary—

21 “(1) shall reserve 1 percent of such amount for
22 grants to Guam, American Samoa, the United
23 States Virgin Islands, to be allotted in accordance
24 with the Secretary’s determination of their respec-

1 tive needs and to carry out programs described in
2 this part; and

3 “(2) shall reserve 1 percent of such amount for
4 the Secretary of the Interior to carry out programs
5 described in this part for Indian youth.

6 “(b) STATE ALLOTMENTS.—Except as provided in
7 subsection (a), the Secretary shall, for each fiscal year,
8 allot among the States—

9 “(1) one-half of the remainder not reserved
10 under subsection (a) according to the ratio between
11 the school-aged population of each State and the
12 school-aged population of all the States; and

13 “(2) one-half of such remainder according to
14 the ratio between the amount each State received
15 under section 1124A for the preceding year and the
16 sum of such amounts received by all the States.

17 “(c) MINIMUM.—For any fiscal year, no State shall
18 be allotted under this subsection an amount that is less
19 than one-half of 1 percent of the total amount allotted
20 to all the States under this subsection.

21 “(d) REALLOTMENT OF UNUSED FUNDS.—

22 “(1) REALLOTMENT FOR FAILURE TO APPLY.—
23 If any State does not apply for an allotment under
24 this part for a fiscal year, the Secretary shall reallot

1 the amount of the State's allotment to the remaining
2 States in accordance with this section.

3 “(2) REALLOTMENT OF UNUSED FUNDS.—The
4 Secretary may reallocate any amount of any allotment
5 to a State if the Secretary determines that the State
6 will be unable to use such amount within 2 years of
7 such allotment. Such reallocations shall be made on
8 the same basis as allotments are made under sub-
9 section (b).

10 **“SEC. 4203. STATE APPLICATIONS.**

11 “(a) APPLICATION.—To receive a grant under this
12 part, a State educational agency shall submit to the Sec-
13 retary an application at such time and in such manner
14 as the Secretary may require, and containing the informa-
15 tion described in subsection (b).

16 “(b) CONTENTS.—Each application submitted under
17 subsection (a) shall include the following:

18 “(1) An assurance that the State educational
19 agency will review existing resources and programs
20 across the State and coordinate any new plans and
21 resources under this part with such existing pro-
22 grams and resources.

23 “(2) A description of how the State educational
24 agency will identify and eliminate State barriers to
25 the coordination and integration of programs, initia-

1 tives, and funding streams so that local educational
2 agencies can provide comprehensive continuums of
3 learning supports.

4 “(3) A description of the State educational
5 agency’s comprehensive school safety plan, which
6 shall address bullying and harassment, provide for
7 evidence-based and promising practices related to ju-
8 venile delinquency and criminal street gang activity
9 prevention and intervention, address school-spon-
10 sored, off-premises, overnight field trips, disaster
11 preparedness, and crisis and emergency manage-
12 ment; and any other issues determined necessary by
13 the State educational agency (existing plans may be
14 used to satisfy the requirements of this section if
15 such existing plans include the information required
16 by this section, or can be modified to do so, and are
17 submitted to the Secretary with such modifications)
18 which—

19 “(A) shall be submitted to the Secretary
20 not later than 1 year after the enactment of the
21 Encouraging Innovation and Effective Teachers
22 Act;

23 “(B) shall be made available to the public
24 in a manner that is understandable and acces-
25 sible; and

1 “(C) the State educational agency shall re-
2 quire all local educational agencies to adopt the
3 plan within 5 years (existing plans may be used
4 to satisfy the requirements of this section if
5 such existing plans are approved by the State
6 educational agency and include the information
7 required by this section, or can be modified to
8 do so).

9 “(4) A description of how grant funds will be
10 used to identify best practices for professional devel-
11 opment for sustainable comprehensive program de-
12 velopment.

13 “(5) A description of how the State educational
14 agency will monitor the implementation of activities
15 under this part, and provide technical assistance to
16 local eligible entities.

17 “(6) A description of how the State educational
18 agency will ensure subgrants to eligible entities will
19 facilitate school-community planning and effective
20 service coordination, integration, and provision at
21 the local level to achieve high performance standards
22 based on the system developed in paragraph (7).

23 “(7) A description of how the State educational
24 agency will develop a system for reporting and meas-
25 uring eligible entity performance, and assist eligible

1 entities in developing and implementing systems for
2 measuring performance based on the indicators in
3 section 4208(a)(3).

4 “(8) An assurance that the State educational
5 agency will set up a process to allow local eligible en-
6 tities who receive an award under section 4206 and
7 who operate a proven and effective program based
8 on the measures of performance described in para-
9 graph (7) to recompete in their last year of funding
10 for an additional 5-year cycle.

11 “(9) A description of the steps the State edu-
12 cational agency will take to ensure that activities
13 and programs carried out by local eligible entities
14 will implement evidence based strategies.

15 “(c) APPROVAL PROCESS.—

16 “(1) DEEMED APPROVAL.—An application sub-
17 mitted by a State pursuant to this section shall un-
18 dergo peer review by the Secretary and shall be
19 deemed to be approved by the Secretary unless the
20 Secretary makes a written determination, prior to
21 the expiration of the 120-day period beginning on
22 the date on which the Secretary received the applica-
23 tion, that the application is not in compliance with
24 this subpart.

1 “(2) DISAPPROVAL.—The Secretary shall not
2 finally disapprove the application, except after giving
3 the State educational agency and the chief executive
4 officer of the State notice and an opportunity for a
5 hearing.

6 “(3) NOTIFICATION.—If the Secretary finds
7 that the application is not in compliance, in whole or
8 in part, with this subpart, the Secretary shall—

9 “(A) give the State educational agency and
10 the chief executive officer of the State notice
11 and an opportunity for a hearing; and

12 “(B) notify the State educational agency
13 and the chief executive officer of the State of
14 the finding of noncompliance, and in such noti-
15 fication, shall—

16 “(i) cite the specific provisions in the
17 application that are not in compliance; and

18 “(ii) request additional information,
19 only as to the noncompliant provisions,
20 needed to make the application compliant.

21 “(4) RESPONSE.—If the State educational
22 agency and the chief executive officer of the State
23 respond to the Secretary’s notification described in
24 paragraph (3)(B) during the 45-day period begin-
25 ning on the date on which the agency received the

1 notification, and resubmit the application with the
2 requested information described in paragraph
3 (3)(B)(ii), the Secretary shall approve or disapprove
4 such application prior to the later of—

5 “(A) the expiration of the 45-day period
6 beginning on the date on which the application
7 is resubmitted; or

8 “(B) the expiration of the 120-day period
9 described in paragraph (1).

10 “(5) FAILURE TO RESPOND.—If the State edu-
11 cational agency and the chief executive officer of the
12 State do not respond to the Secretary’s notification
13 described in paragraph (3)(B) during the 45-day pe-
14 riod beginning on the date on which the agency re-
15 ceived the notification, such application shall be
16 deemed to be disapproved.

17 **“SEC. 4204. STATE USE OF FUNDS.**

18 “(a) 95 PERCENT OF FUNDS.—Each State edu-
19 cational agency that receives a grant under this part shall
20 reserve not less than 95 percent of the grant amount, for
21 each fiscal year to award subgrants to local eligible entities
22 in accordance with section 4206.

23 “(b) 5 PERCENT OF FUNDS.—A State educational
24 agency shall use not more than 5 percent, of which not
25 more than 1 percent may be used for administration of

1 a grant received under this subpart or may subgrant a
2 portion of such funds to educational service agencies, or
3 other public entities with demonstrated expertise to carry
4 out the following activities:

5 “(1) Identify and eliminate State barriers to
6 the coordination and integration of programs, initia-
7 tives, and funding streams so that local educational
8 agencies can provide comprehensive continuums of
9 learning supports.

10 “(2) Assist local eligible entities who are
11 prioritized in section 4205(b) including those eligible
12 entities that plan to serve rural and urban schools
13 by—

14 “(A) informing those local eligible entities
15 that they have a priority for competing for
16 grants;

17 “(B) providing technical assistance to the
18 local eligible entities for the development of the
19 applications described in section 4206;

20 “(C) providing technical assistance to the
21 local eligible entities if they do not receive a
22 grant under section 4206 so that they may re-
23 compete in following competitions;

24 “(3) Identify best practices for professional de-
25 velopment and capacity building for local educational

1 agencies for the delivery of a comprehensive system
2 of learning supports for teachers, administrators,
3 and specialized instructional support personnel in
4 schools that are served by the eligible entity receiv-
5 ing funding under this part to implement the au-
6 thorized activities described in section 4207.

7 “(4) Reporting and evaluation activities.

8 **“SEC. 4205. GENERAL SUBGRANT REQUIREMENTS.**

9 “(a) IN GENERAL.—A State educational agency shall
10 use grant funds received under this part to award sub-
11 grants to eligible entities.

12 “(b) ABSOLUTE PRIORITY.—In awarding subgrants
13 to local eligible entities, the State educational agency shall
14 give priority to—

15 “(1) local eligible entities that propose to serve
16 a high percentage or number of students that are el-
17 igible for free or reduced price lunch under the Rich-
18 ard B. Russell National School Lunch Act (42
19 U.S.C. 1751 et seq.); and

20 “(2) local eligible entities proposing to serve
21 students who attend schools in need of improvement
22 and persistently low-achieving schools;

23 “(c) COMPETITIVE PRIORITY.—In awarding sub-
24 grants to local eligible entities, the State educational agen-
25 cy shall give competitive priority to—

1 “(1) in the case of local eligible entities that in-
2 tend to implement programs described in section
3 4207(2)(A), local eligible entities that serve schools
4 that implement, or have plans to implement discipli-
5 nary policies that are research based and focus on
6 multi-tiered systems of support; and

7 “(2) in the case of eligible entities that intend
8 to implement programs described in section
9 4207(2)((C), eligible entities proposing to serve geo-
10 graphic areas most in need of these services and
11 that commit to working with local Promise Coordi-
12 nating Councils.

13 “(d) DURATION OF SUBGRANT.—A State educational
14 agency shall award under this part subgrants to eligible
15 local entities for 5 years.

16 “(e) RENEWAL.—

17 “(1) IN GENERAL.—A State educational agency
18 may renew a subgrant awarded under this part for
19 a period of 5 years.

20 “(2) RENEWAL APPLICATION.—To renew a
21 subgrant, an eligible entity shall submit an applica-
22 tion to the Secretary every 5 years as long as the
23 eligible entity can demonstrate that they operate a
24 proven and effective program based on performance
25 on the indicators in section 4208(a)(3).

1 **“SEC. 4206. LOCAL ELIGIBLE ENTITY APPLICATION.**

2 “(a) IN GENERAL.—A local eligible entity that seeks
3 a grant under this part shall submit an application to the
4 State at such time, in such manner, and containing such
5 information as the State may require, including the infor-
6 mation described in subsection (b).

7 “(b) CONTENTS.—An application submitted under
8 subsection (a) shall include the following:

9 “(1) The results of a comprehensive needs as-
10 sessment (which shall include incident data, and
11 teacher, parent, or community surveys) and assets
12 assessment which shall include a comprehensive
13 analysis of the following—

14 “(A) the safety of the schools served by the
15 local eligible entity (which shall include a com-
16 prehensive analysis of incidents and prevalence
17 of bullying and harassment at schools served by
18 the local eligible entity);

19 “(B) the incidence and prevalence of drug,
20 alcohol and substance abuse at schools served
21 by the local eligible entity;

22 “(C) the needs of youth in the community
23 with respect to evidence-based and promising
24 practices related to juvenile delinquency and
25 criminal street gang activity prevention and
26 intervention, including an assessment of the

1 number of youth who are involved or at-risk of
2 involvement in juvenile delinquency and crimi-
3 nal street gang activity and the number of
4 chronically truant youth;

5 “(D) the number of specialized instruc-
6 tional support personnel employed by schools
7 served by the local eligible entity and the serv-
8 ices provided by those personnel;

9 “(E) the prevalence of student health (in-
10 cluding mental health, physical fitness, and nu-
11 trition) needs at schools served by the local eli-
12 gible entity;

13 “(F) existing programs and services in-
14 tended to provide a comprehensive system of
15 support within schools served by local eligible
16 entities, including the support of school govern-
17 ance and leadership for the programs and serv-
18 ices;

19 “(G) resources available in the community,
20 including public agencies and nonprofit organi-
21 zations, that could be leveraged by schools
22 served by the local eligible entity to create com-
23 prehensive systems of support within the
24 schools; and

1 “(H) additional needs identified by the
2 local eligible entity.

3 “(2) A description of the methodology used in
4 conducting the needs assessment described in (1);

5 “(3) A description of the plan to implement
6 grant funds (taking into account the cultural and
7 linguistic needs of the community) which shall in-
8 clude the following components:

9 “(A) A description of the services (taking
10 into account the cultural and linguistic needs of
11 the community) that will be provided by the
12 local eligible entity which shall include preven-
13 tion, intervention, and systematic efforts to ad-
14 dress student learning needs as identified and
15 prioritized by the needs assessment in para-
16 graph (1).

17 “(B) A description of how existing re-
18 sources, services, and programs will be coordi-
19 nated and integrated with new resources, serv-
20 ices, and programs to create a comprehensive
21 system of learning supports that is aligned with
22 school improvement plans required under sec-
23 tion 1116, as applicable.

24 “(C) A description of the partners within
25 the eligible entity and their roles as they relate

1 to the implementation of the comprehensive sys-
2 tem of learning supports that will be imple-
3 mented to address the needs outlined in the
4 needs and assets assessment described in sub-
5 section (b)(1).

6 “(D) A description of how the grant will be
7 used to enhance administrator’s, teacher’s, and
8 specialized instructional support personnel’s
9 identification and response to student learning
10 needs for providing learning supports through
11 professional development, and how school ca-
12 pacity will be enhanced to handle problems fac-
13 ing students such as those identified in the
14 needs assessment.

15 “(E) A description of how the eligible enti-
16 ty will identify the financial savings from de-
17 ferred or eliminated costs, or other benefits as
18 a result of the programs or activities imple-
19 mented by the eligible entities (in the case of an
20 eligible entity who implements programs de-
21 scribed in section 4207(2)(C), a comparative
22 analysis of potential savings from criminal jus-
23 tice costs, public assistance costs, and other
24 costs avoided by such programs).

1 “(F) A description of how the local eligible
2 entity will measure performance based on the
3 indicators described in section 4208(a)(3).

4 “(G) A description of the process for peri-
5 odically reviewing the needs of students and as-
6 sets within the school and community, and in-
7 volving more community partners as applicable,
8 and how data on performance on the indicators
9 described in section 4208(a)(3) will be used to
10 provide feedback on progress, and institu-
11 tionalize support mechanisms to maintain and
12 continually improve activities including when
13 grant funds end.

14 “(c) SPECIAL RULE.—A local eligible entity may
15 use—

16 “(1) an existing needs assessment to satisfy the
17 requirements of subsection (b)(1), if the assessment
18 includes the information required by such sub-
19 section, or can be modified to do so; and

20 “(2) an existing plan to satisfy the require-
21 ments of subsection (b)(3), if the plan meets the re-
22 quirements of such subsection and is approved by
23 the State educational agency.

1 **“SEC. 4207. LOCAL ELIGIBLE ENTITY USE OF FUNDS.**

2 “A local eligible entity that receives a subgrant under
3 this part shall use such funds to carry out the following
4 activities:

5 “(1) Implement a comprehensive plan as de-
6 scribed in section 4206(b)(3).

7 “(2) Programs and activities that address the
8 needs of the schools served by the eligible entity as
9 identified by the needs and assets assessment in sec-
10 tion 4206(b)(1), which may include—

11 “(A) violence prevention programs, includ-
12 ing—

13 “(i) programs to provide safe passage
14 to and from school;

15 “(ii) programs to prevent and appro-
16 priately respond to incidents of bullying
17 and harassment (including professional de-
18 velopment for teachers and other school
19 personnel);

20 “(iii) programs that promote positive
21 school environments for learning;

22 “(iv) conflict resolution and mediation
23 programs;

24 “(v) activities that involve families,
25 community sectors (which may include ap-
26 propriately trained seniors) and a variety

1 of providers in setting clear expectations
2 against violence and appropriate con-
3 sequences of violence;

4 “(vi) professional development and
5 training for, and involvement of, school
6 personnel, specialized instructional per-
7 sonnel, parents, and interested community
8 members in prevention, education, early
9 identification and intervention, mentoring,
10 or rehabilitation referral, as related to vio-
11 lence prevention;

12 “(vii) reporting criminal offenses com-
13 mitted on school property;

14 “(viii) emergency intervention services
15 following traumatic crisis events, such as
16 shooting, or a major accident that has dis-
17 rupted the learning environment;

18 “(ix) establishing and maintaining a
19 school safety hotline;

20 “(x) programs to train school per-
21 sonnel to identify warning signs of youth
22 suicide and to create an action plan to help
23 youth at risk of suicide; or

1 “(xi) programs that respond to the
2 needs of students who are faced with do-
3 mestic violence or child abuse;

4 “(B) drug and alcohol abuse prevention
5 programs, including—

6 “(i) age appropriate and develop-
7 mentally based activities that—

8 “(I) address the consequences of
9 violence and illegal use of drugs, as
10 appropriate;

11 “(II) promote a sense of indi-
12 vidual responsibility and teach stu-
13 dents that most people do not illegally
14 use drugs;

15 “(III) teach students to recognize
16 social and peer pressure to use drugs
17 illegally and the skills for resisting il-
18 legal drug use; and

19 “(IV) teach students about the
20 dangers of emerging drugs;

21 “(ii) activities that involve families,
22 community sectors (which may include ap-
23 propriately trained seniors) and a variety
24 of providers in setting clear expectations
25 against illegal use of drugs and appro-

1 appropriate consequences for illegal use of
2 drugs;

3 “(iii) dissemination of drug prevention
4 information to schools and communities;

5 “(iv) professional development and
6 training for, and involvement of, school
7 personnel, specialized instructional support
8 personnel, parents, and interested commu-
9 nity members in prevention, education,
10 early identification and intervention, men-
11 toring, or rehabilitation referral, as related
12 to drug prevention; or

13 “(v) community wide planning and or-
14 ganizing to reduce illegal drug use;

15 “(C) evidence-based and promising prac-
16 tices related to juvenile delinquency and crimi-
17 nal street gang activity prevention and interven-
18 tion for youth who are involved in, or at risk of
19 involvement in, juvenile delinquency or street
20 gang activity (that shall involve multiple com-
21 munity partners within the local eligible entity
22 through coordination with a local Promise Co-
23 ordinating Council);

24 “(D) recruiting, hiring, and maintaining
25 specialized instructional support personnel or

1 providing additional specialized instructional
2 support services;

3 “(E) implementing multi-tiered systems of
4 support including positive behavior supports;

5 “(F) support services to address the behav-
6 ioral, emotional, physical health, mental health
7 and social needs of students, including—

8 “(i) social and emotional learning pro-
9 grams;

10 “(ii) mentoring programs;

11 “(iii) physical fitness and nutrition
12 education programs; and

13 “(iv) programs to purchase automated
14 external defibrillators and providing train-
15 ing in the use of these defibrillators;

16 “(G) services and programs to support
17 education of pregnant and parenting teens;

18 “(H) programs that enable schools to pre-
19 pare for, respond to, and recover from disas-
20 ters, crises and emergencies that threaten safe-
21 ty or disrupt teaching and learning; or

22 “(I) other services consistent with this sec-
23 tion.

1 **“SEC. 4208. ACCOUNTABILITY AND TRANSPARENCY.**

2 “(a) LOCAL ACCOUNTABILITY AND TRANS-
3 PARENCY.—On an annual basis, each local eligible entity
4 shall report to the public and the State such information
5 as the State may reasonably require, including—

6 “(1) the number of students, aggregated and
7 disaggregated by subgroup as described in section
8 1111(h) who were served by the programs and ac-
9 tivities in this part;

10 “(2) the programs and services provided under
11 this Act;

12 “(3) outcomes resulting from activities and
13 services funded under this part, aggregated and
14 disaggregated by subgroup as described in section
15 1111(h) on the following indicators—

16 “(A) student academic achievement as
17 measured by State academic assessments and
18 student growth over time;

19 “(B) for diploma granting schools, gradua-
20 tion rates;

21 “(C) student attendance;

22 “(D) suspensions and expulsions;

23 “(E) performance on a set of other indica-
24 tors that shall be based on the activities and
25 services implemented based on the results of the

1 needs assessment described in section
2 4206(b)(1) and may include—

3 “(i) the frequency, seriousness, and
4 incidence of violence, including bullying
5 and harassment, and drug related offenses
6 resulting in suspensions and expulsions;

7 “(ii) the incidence and prevalence, age
8 of onset, perception of health risk, and per-
9 ception of social disapproval of drug use
10 and violence by youth in schools and com-
11 munities;

12 “(iii) the safety of passage to and
13 from school;

14 “(iv) as appropriate, rate of earned
15 on-time promotion from grade to grade;

16 “(v) for diploma granting schools, the
17 percentage of students taking a college
18 preparatory curriculum, or student rates of
19 enrollment, persistence, and attainment of
20 an associate or baccalaureate degree;

21 “(vi) academic and developmental
22 transitions, including from elementary to
23 middle school and middle school to high
24 school;

1 “(vii) referrals to school resource per-
2 sonnel;

3 “(viii) evidence of increased parent
4 and family engagement and support for
5 children’s learning;

6 “(ix) evidence of increased student en-
7 gagement in school, which may include
8 completing of assignments and coming to
9 class prepared and on-time;

10 “(x) student health, including mental
11 health and the amelioration of risk factors;
12 and

13 “(F) other outcome areas as determined by
14 the State educational agency.

15 “(b) STATE ACCOUNTABILITY AND TRANS-
16 PARENCY.—On an annual basis, each State educational
17 agency that receives funds under this part shall annually
18 prepare and submit to the Secretary a report that contains
19 all reports submitted by local eligible entities under the
20 jurisdiction of the agency provided under (a).

21 “(c) SUPPLEMENT, NOT SUPPLANT.—Grant funds
22 provided under this part shall be used to supplement, and
23 not supplant, other Federal, State, or local funds that
24 would, in the absence of such grant funds, be made avail-

1 able for comprehensive systems of learning supports and
2 students participating in programs under this part.

3 “(d) PUBLICATION AND AVAILABILITY OF RE-
4 PORT.—The Secretary shall publish and make widely
5 available to the public, including through a website or
6 other means, a summary of the reports received under (b).

7 **“SEC. 4209. DEFINITIONS.**

8 “(a) For purposes of this part—

9 “(1) INCIDENT DATA.—The term ‘incident
10 data’ means data from incident reports by school of-
11 ficials including, but not limited to, truancy rates;
12 the frequency, seriousness, and incidence of violence
13 and drug-related offenses resulting in suspensions
14 and expulsions; the incidence of bullying and harass-
15 ment, and the incidence and prevalence of drug use
16 and violence by students in schools.

17 “(2) COMPREHENSIVE SYSTEM OF LEARNING
18 SUPPORTS.—The term ‘comprehensive system of
19 learning supports’ means the multifaceted, and cohe-
20 sive resources, strategies, and practices that provide
21 class-room based or school-wide interventions to ad-
22 dress the academic, behavioral, emotional, physical
23 health, mental health, and social needs of students
24 and families to improve student learning, teacher in-
25 struction and school management.

1 “(3) LOCAL ELIGIBLE ENTITY.—The term
2 ‘local eligible entity’ means a consortium consisting
3 of community representatives that—

4 “(A) shall include—

5 “(i) a local educational agency;

6 “(ii) not less than 1 other community
7 partner organization; and

8 “(B) may include a broad array of commu-
9 nity partners, including a community based or-
10 ganization, a child and youth serving organiza-
11 tion, an institution of higher education, a foun-
12 dation, a business, a local government, includ-
13 ing a local governmental agency serving chil-
14 dren and youth such as a child welfare and ju-
15 venile justice agency; students, and parents;
16 and may include representatives from multiple
17 jurisdictions.

18 “(4) MULTI-TIERED SYSTEM OF SUPPORT.—

19 For purposes of this Act, the term ‘multi-tiered sys-
20 tem of support’ means a comprehensive system of
21 differentiated supports that includes evidence-based
22 instruction, universal screening, progress monitoring,
23 formative assessments, research-based interventions
24 matched to student needs and educational decision-
25 making using student outcome data.

- 1 “(5) BULLYING.—The term ‘bullying’—
- 2 “(A) means conduct, including electronic
- 3 communication, that adversely affects the abil-
- 4 ity of 1 or more students to participate in and
- 5 benefit from the school’s educational programs
- 6 or activities by placing the student (or stu-
- 7 dents) in reasonable fear of physical harm; and
- 8 “(B) includes conduct that is based on—
- 9 “(i) a student’s actual or perceived—
- 10 “(I) race;
- 11 “(II) color;
- 12 “(III) national origin;
- 13 “(IV) sex;
- 14 “(V) disability
- 15 “(VI) sexual orientation;
- 16 “(VII) gender identity; or
- 17 “(VIII) religion;
- 18 “(ii) any other distinguishing charac-
- 19 teristics that may be defined by a State or
- 20 local educational agency; or
- 21 “(iii) association with a person or
- 22 group with 1 or more of the actual or per-
- 23 ceived characteristics listed in clause (i) or
- 24 (ii).
- 25 “(6) HARASSMENT.—The term ‘harassment’—

1 “(A) means conduct, including electronic
2 communication, that adversely affects the abil-
3 ity of 1 or more students to participate in and
4 benefit from the school’s educational programs
5 or activities because the conduct, as reasonably
6 perceived, is so severe, persistent, or persuasive;
7 and

8 “(B) includes conduct that is based on—

9 “(i) a student’s actual or perceived—

10 “(I) race;

11 “(II) color;

12 “(III) national origin;

13 “(IV) sex;

14 “(V) disability

15 “(VI) sexual orientation;

16 “(VII) gender identity; or

17 “(VIII) religion;

18 “(ii) any other distinguishing charac-
19 teristics that may be defined by a State or
20 local educational agency; or

21 “(iii) association with a person or
22 group with 1 or more of the actual or per-
23 ceived characteristics listed in clause (i) or
24 (ii).

1 “(7) JUVENILE DELINQUENCY AND CRIMINAL
2 STREET GANG ACTIVITY PREVENTION AND INTER-
3 VENTION.—The term ‘juvenile delinquency and
4 criminal street gang activity prevention and inter-
5 vention’ means the provision of programs and re-
6 sources to children and families who have not yet
7 had substantial contact with criminal justice or juve-
8 nile justice systems or to youth who are involved in,
9 or who are identified by evidence-based risk assess-
10 ment methods as being at high risk of continued in-
11 volvement in, juvenile delinquency or criminal street
12 gangs, that—

13 “(A) are designed to reduce potential juve-
14 nile delinquency and criminal street gang activ-
15 ity risks; and

16 “(B) are evidence-based or promising edu-
17 cational, health, mental health, school-based,
18 community-based, faith-based, parenting, job
19 training, social opportunities and experiences,
20 or other programs, for youth and their families,
21 that have been demonstrated to be effective in
22 reducing juvenile delinquency and criminal
23 street gang activity risks.

24 “(8) PROMISE COORDINATING COUNCILS.—
25 The members of a PROMISE Coordinating Council

1 shall be representatives of public and private sector
2 entities and individuals that—

3 “(A) shall include, to the extent possible,
4 at least one representative from each of the fol-
5 lowing:

6 “(i) the local chief executive’s office;

7 “(ii) a local educational agency;

8 “(iii) a local health agency or pro-
9 vider;

10 “(iv) a local mental health agency or
11 provider, unless the representative under
12 clause (iii) also meets the requirements of
13 this subparagraph;

14 “(v) a local public housing agency;

15 “(vi) a local law enforcement agency;

16 “(vii) a local child welfare agency;

17 “(viii) a local juvenile court;

18 “(ix) a local juvenile prosecutor’s of-
19 fice;

20 “(x) a private juvenile residential care
21 entity;

22 “(xi) a local juvenile public defender’s
23 office;

24 “(xii) a State juvenile correctional en-
25 tity;

1 “(xiii) a local business community
2 representative; and

3 “(xiv) a local faith-based community
4 representative;

5 “(B) shall include two representatives from
6 each of the following:

7 “(i) parents who have minor children,
8 and who have an interest in the local juve-
9 nile or criminal justice systems;

10 “(ii) youth between the ages of 15
11 and 24 who reside in the jurisdiction of the
12 unit or Tribe; and

13 “(iii) members from nonprofit commu-
14 nity-based organizations that provide effec-
15 tive delinquency prevention and interven-
16 tion to youth in the jurisdiction of the eli-
17 gible entity; and

18 “(C) may include other members, as ap-
19 propriate.

20 **“SEC. 4210. AUTHORIZATION OF APPROPRIATIONS.**

21 “There are authorized to be appropriated to carry out
22 this part \$200,000,000 for fiscal year 2013 and such sums
23 as may be necessary for subsequent fiscal years.

1 “(4) To coordinate activities funded under this
2 subpart with parent involvement initiatives funded
3 under section 1118 and other provisions of this Act.

4 “(5) To assist the Secretary, State educational
5 agencies, and local educational agencies in the co-
6 ordination and integration of Federal, State, and
7 local services and programs to engage families in
8 education.

9 **“SEC. 4302. GRANTS AUTHORIZED.**

10 “(a) STATEWIDE FAMILY ENGAGEMENT CENTERS.—
11 From the amount appropriated under section 4306, the
12 Secretary is authorized to award grants for each fiscal
13 year to statewide organizations (and consortia of such or-
14 ganizations and State educational agencies), to establish
15 Statewide Family Engagement Centers that provide com-
16 prehensive training and technical assistance to State edu-
17 cational agencies, local educational agencies, schools iden-
18 tified by State educational agencies and local educational
19 agencies, organizations that support family-school part-
20 nerships, and other organizations that carry out parent
21 education and family engagement in education programs.

22 “(b) MINIMUM AWARD.—In awarding grants under
23 this section, the Secretary shall, to the extent practicable,
24 ensure that a grant is awarded for a Statewide Family
25 Engagement Center in an amount not less than \$500,000.

1 **“SEC. 4303. APPLICATIONS.**

2 “(a) SUBMISSIONS.—Each statewide organization, or
3 a consortium of such an organization and a State edu-
4 cational agency, that desires a grant under this subpart
5 shall submit an application to the Secretary at such time,
6 in such manner, and including the information described
7 in subsection (b).

8 “(b) CONTENTS.—Each application submitted under
9 subsection (a) shall include, at a minimum, the following:

10 “(1) A description of the applicant’s approach
11 to family engagement in education.

12 “(2) A description of the support that the
13 Statewide Family Engagement Center that will be
14 operated by the applicant will have from the appli-
15 cant, including a letter from the applicant outlining
16 the commitment to work with the center.

17 “(3) A description of the applicant’s plan for
18 building a statewide infrastructure for family en-
19 gagement in education, that includes—

20 “(A) management and governance;

21 “(B) statewide leadership; and

22 “(C) systemic services for family engage-
23 ment in education.

24 “(4) A description of the applicant’s dem-
25 onstrated experience in providing training, informa-
26 tion, and support to State educational agencies, local

1 educational agencies, schools, educators, parents,
2 and organizations on family engagement in edu-
3 cation policies and practices that are effective for
4 parents (including low-income parents) and families,
5 English learners, minorities, parents of students
6 with disabilities, parents of homeless students, foster
7 parents and students, and parents of migratory stu-
8 dents, including evaluation results, reporting, or
9 other data exhibiting such demonstrated experience.

10 “(5) An assurance that the applicant will—

11 “(A) establish a special advisory com-
12 mittee, the membership of which includes—

13 “(i) parents, who shall constitute a
14 majority of the members of the special ad-
15 visory committee;

16 “(ii) representatives of education pro-
17 fessionals with expertise in improving serv-
18 ices for disadvantaged children;

19 “(iii) representatives of local elemen-
20 tary schools and secondary schools, includ-
21 ing students;

22 “(iv) representatives of the business
23 community; and

1 “(v) representatives of State edu-
2 cational agencies and local educational
3 agencies;

4 “(B) use not less than 65 percent of the
5 funds received under this subpart in each fiscal
6 year to serve local educational agencies, schools,
7 and community-based organizations that serve
8 high concentrations of disadvantaged students,
9 including English learners, minorities, parents
10 of students with disabilities, parents of home-
11 less students, foster parents and students, and
12 parents of migratory students;

13 “(C) operate a Statewide Family Engage-
14 ment Center of sufficient size, scope, and qual-
15 ity to ensure that the Center is adequate to
16 serve the State educational agency, local edu-
17 cational agencies, and community-based organi-
18 zations;

19 “(D) ensure that the Center will retain
20 staff with the requisite training and experience
21 to serve parents in the State;

22 “(E) serve urban, suburban, and rural
23 local educational agencies and schools;

24 “(F) work with—

1 “(i) other Statewide Family Engage-
2 ment Centers assisted under this subpart;
3 and

4 “(ii) parent training and information
5 centers and community parent resource
6 centers assisted under sections 671 and
7 672 of the Individuals with Disabilities
8 Education Act;

9 “(G) use not less than 30 percent of the
10 funds received under this subpart for each fiscal
11 year to establish or expand technical assistance
12 for evidence-based parent education programs;

13 “(H) provide assistance to State edu-
14 cational agencies and local educational agencies
15 and community-based organizations that sup-
16 port family members in supporting student aca-
17 demic achievement;

18 “(I) work with State educational agencies,
19 local educational agencies, schools, educators,
20 and parents to determine parental needs and
21 the best means for delivery of services to ad-
22 dress such needs; and

23 “(J) conduct sufficient outreach to assist
24 parents, including parents who the applicant

1 may have a difficult time engaging with a
2 school or local educational agency.

3 **“SEC. 4304. USES OF FUNDS.**

4 “(a) IN GENERAL.—Grantees shall use grant funds
5 received under this subpart, based on the needs deter-
6 mined under section 4303(b)(5)(I), to provide training
7 and technical assistance to State educational agencies,
8 local educational agencies, and organizations that support
9 family-school partnerships, and activities, services, and
10 training for local educational agencies, school leaders, edu-
11 cators, and parents—

12 “(1) to assist parents in participating effectively
13 in their children’s education and to help their chil-
14 dren meet college and career ready standards, such
15 as assisting parents—

16 “(A) to engage in activities that will im-
17 prove student academic achievement, including
18 understanding how they can support learning in
19 the classroom with activities at home and in
20 afterschool and extracurricular programs;

21 “(B) to communicate effectively with their
22 children, teachers, school leaders, counselors,
23 administrators, and other school personnel;

24 “(C) to become active participants in the
25 development, implementation, and review of

1 school-parent compacts, family engagement in
2 education policies, and school planning and im-
3 provement;

4 “(D) to participate in the design and pro-
5 vision of assistance to students who are not
6 making academic progress;

7 “(E) to participate in State and local deci-
8 sionmaking;

9 “(F) to train other parents; and

10 “(G) to help the parents learn and use
11 technology applied in their children’s education;

12 “(2) to develop and implement, in partnership
13 with the State educational agency, statewide family
14 engagement in education policy and systemic initia-
15 tives that will provide for a continuum of services to
16 remove barriers for family engagement in education
17 and support school reform efforts; and

18 “(3) to develop, implement, and assess parental
19 involvement policies under sections 1112 and 1118.

20 “(b) MATCHING FUNDS FOR GRANT RENEWAL.—

21 For each fiscal year after the first fiscal year for which
22 an organization or consortium receives assistance under
23 this section, the organization or consortium shall dem-
24 onstrate in the application that a portion of the services
25 provided by the organization or consortium is supported

1 through non-Federal contributions, which may be in cash
2 or in-kind.

3 “(c) TECHNICAL ASSISTANCE.—The Secretary shall
4 reserve not more than 2 percent of the funds appropriated
5 under section 4306 to carry out this subpart to provide
6 technical assistance, by grant or contract, for the estab-
7 lishment, development, and coordination of Statewide
8 Family Engagement Centers.

9 “(d) RULE OF CONSTRUCTION.—Nothing in this sec-
10 tion shall be construed to prohibit a Statewide Family En-
11 gagement Center from—

12 “(1) having its employees or agents meet with
13 a parent at a site that is not on school grounds; or

14 “(2) working with another agency that serves
15 children.

16 “(e) PARENTAL RIGHTS.—Notwithstanding any
17 other provision of this section—

18 “(1) no person (including a parent who edu-
19 cates a child at home, a public school parent, or a
20 private school parent) shall be required to partici-
21 pate in any program of parent education or develop-
22 mental screening under this section; and

23 “(2) no program or center assisted under this
24 section shall take any action that infringes in any

1 manner on the right of a parent to direct the edu-
2 cation of their children.

3 **“SEC. 4305. FAMILY ENGAGEMENT IN INDIAN SCHOOLS.**

4 “The Secretary of the Interior, in consultation with
5 the Secretary of Education, shall establish, or enter into
6 contracts and cooperative agreements with local Indian or
7 Indian-serving nonprofit parent organizations to establish
8 and operate Family Engagement Centers.

9 **“SEC. 4306. AUTHORIZATION OF APPROPRIATIONS.**

10 “There are authorized to be appropriated to carry out
11 this part \$30,000,000 for fiscal year 2013 and such sums
12 as may be necessary for subsequent fiscal years.”.

13 **SEC. 202. FUND FOR THE IMPROVEMENT OF EDUCATION.**

14 (a) IN GENERAL.—Part D of title V (20 U.S.C. 7241
15 et seq.) is amended to read as follows:

16 “PART D—A WELL-ROUNDED EDUCATION

17 “SUBPART 1—GRANTS TO SUPPORT STEM EDUCATION

18 **“SEC. 5401. PURPOSE.**

19 “The purpose of this subpart is to improve student
20 academic achievement in STEM subjects by—

21 “(1) improving instruction in such subjects
22 from preschool through grade 12;

23 “(2) improving student engagement in, and in-
24 creasing student access to, courses in such subjects;

1 “(3) improving the quality and effectiveness of
2 classroom instruction by recruiting, training, and
3 supporting effective teachers and providing robust
4 tools and supports for students and teachers in such
5 subjects;

6 “(4) closing student achievement gaps, and pre-
7 paring more students for postsecondary education
8 and careers, in such subjects; and

9 “(5) Recognizing that STEM subjects are di-
10 verse and that STEM education programs must ex-
11 pose students to content and skills in a host of con-
12 stantly changing and evolving content areas.

13 **“SEC. 5402. GRANTS; ALLOTMENTS.**

14 “(a) RESERVATIONS.—

15 “(1) IN GENERAL.—From the amounts appro-
16 priated under section 5410 for a fiscal year, the Sec-
17 retary shall reserve—

18 “(A) 5 percent for STEM Master Teachers
19 Corps under section 5405;

20 “(B) 2 percent to carry out technical as-
21 sistance to States, including technical assist-
22 ance with implementation of programs con-
23 sistent with the purpose of this part; and

24 “(C) if funds are not awarded by formula,
25 as described in subsection (c)(1), 5 percent for

1 State capacity-building grants in accordance
2 with paragraph (2).

3 “(2) CAPACITY-BUILDING GRANTS.—

4 “(A) IN GENERAL.—In any year for which
5 funding is distributed competitively, as de-
6 scribed in subsection (b)(1), the Secretary may
7 award 1 capacity-building grant to each eligible
8 entity that does not receive a grant under sub-
9 section (b), on a competitive basis, to enable
10 such States to become more competitive in fu-
11 ture years.

12 “(B) DURATION.—Grants awarded under
13 subparagraph (A) shall be for a period of 1
14 year.

15 “(b) COMPETITIVE GRANTS.—

16 “(1) IN GENERAL.—For each fiscal year for
17 which the amount appropriated to carry out this Act
18 is less than \$250,000,000, the Secretary shall award
19 grants, on a competitive basis, to eligible entities to
20 enable such eligible entities to carry out the activi-
21 ties described in this Act.

22 “(2) DURATION.—Grants awarded under this
23 subsection shall be for a period of not more than 3
24 years.

25 “(3) RENEWAL.—

1 “(A) IN GENERAL.—If an eligible entity
2 demonstrates progress, as measured by the
3 metrics reported in section 5406(a)(5), the Sec-
4 retary may renew a grant for an additional 2-
5 year period.

6 “(B) REDUCED FUNDING.—Grant funds
7 awarded under subparagraph (A) shall be
8 awarded at a reduced amount.

9 “(c) FORMULA GRANTS.—

10 “(1) IN GENERAL.—For each fiscal year for
11 which the amount appropriated to carry out this Act
12 is equal to or more than \$250,000,000, the Sec-
13 retary shall award grants to States, based on the
14 formula described in paragraph (2).

15 “(2) DISTRIBUTION OF FUNDS.—The Secretary
16 shall allot to each State—

17 “(A) an amount that bears the same rela-
18 tionship to 35 percent of the excess amount as
19 the number of individuals ages 5 through 17 in
20 the State, as determined by the Secretary on
21 the basis of the most recent satisfactory data,
22 bears to the number of those individuals in all
23 such States, as so determined; and

24 “(B) an amount that bears the same rela-
25 tionship to 65 percent of the excess amount as

1 the number of individuals ages 5 through 17
2 from families with incomes below the poverty
3 line, in the State, as determined by the Sec-
4 retary on the basis of the most recent satisfac-
5 tory data, bears to the number of those individ-
6 uals in all such States, as so determined.

7 “(3) FUNDING MINIMUM.—No State receiving
8 an allotment under this subsection may receive less
9 than one-half of 1 percent of the total amount allot-
10 ted under paragraph (1) for a fiscal year.

11 “(4) REALLOTMENT OF UNUSED FUNDS.—If a
12 State does not successfully apply for or receive an
13 allotment under this subsection for a fiscal year, the
14 Secretary shall reallocate the amount of the State’s al-
15 lotment to the remaining States in accordance with
16 this subsection.

17 **“SEC. 5403. APPLICATIONS.**

18 “(a) IN GENERAL.—Each eligible entity desiring a
19 grant under this Act, whether through a competitive grant
20 under section 5402(b) or through an allotment under sec-
21 tion 5402(c), shall submit an application to the Secretary
22 at such time, in such manner, and accompanied by such
23 information as the Secretary may require.

24 “(b) CONTENTS.—At a minimum, an application sub-
25 mitted under subsection (a) shall include the following:

1 “(1) A description of how grant funds will be
2 used by the eligible entity.

3 “(2) A description of how the eligible entity has
4 involved a variety of stakeholders in the development
5 of the application and a description of how the State
6 or eligible entity will continue to involve stakeholders
7 in any education reform efforts related to STEM
8 subject instruction.

9 “(3) A description of the steps the eligible enti-
10 ty will take to ensure that programs implemented by
11 the subgrantees use evidence-based strategies, en-
12 sure high-quality curricula, and provide high-quality
13 professional development.

14 “(4) An assurance that the eligible entity, in
15 making awards under section 5404(c), will give pri-
16 ority to subgrantees that—

17 “(A) propose to serve students in schools
18 in need of improvement and persistently low
19 achieving schools; or

20 “(B) propose to serve schools with a high
21 percentage or number of students that are eligi-
22 ble for free or reduced price lunch under the
23 Richard B. Russell National School Lunch Act
24 (42 U.S.C. 1751 et seq.).

1 “(5) A description of how the eligible entity’s
2 activities and subgrants will be coordinated with
3 other Federal, State, and local programs and activi-
4 ties, including career and technical education pro-
5 grams authorized under the Carl D. Perkins Career
6 and Technical Education Act of 2006 (20 U.S.C.
7 2301 et seq.).

8 “(6) A description of how the eligible entity will
9 allocate funds in a manner that will provide services
10 to both elementary schools and secondary schools.

11 “(7) A description of the technical assistance
12 that the eligible entity will provide to subgrantees to
13 support the activities undertaken by the sub-
14 grantees, including—

15 “(A) activities to employ multi-tiered sys-
16 tems of support to provide early intervening
17 services and to increase student achievement in
18 STEM subjects;

19 “(B) activities to ensure increased access
20 for students who are traditionally underrep-
21 resented in STEM subject fields (including fe-
22 male students, minority students, students who
23 are limited English proficient, students who are
24 children with disabilities, and students from

1 low-income families) to high-quality courses and
2 other learning experiences;

3 “(C) implementing evidence-based pro-
4 grams of instruction based on high-quality
5 standards and assessments in the identified
6 subjects; and

7 “(D) developing curricula consistent with
8 the principles of universal design for learning as
9 defined in section 103 of the Higher Education
10 Act of 1965.

11 “(8) A description of the key data metrics that
12 will be used and reported annually under section
13 5406(a)(5), that shall include—

14 “(A) student academic achievement on
15 mathematics and science State academic assess-
16 ments and student growth; and

17 “(B) for diploma granting schools, gradua-
18 tion rates.

19 “(9) Assurances that eligible entity will monitor
20 implementation of approved subgrantee plans.

21 **“SEC. 5404. AUTHORIZED ACTIVITIES.**

22 “(a) **REQUIRED ACTIVITIES.**—Each eligible entity
23 that receives a grant under this Act shall use not more
24 than 5 percent of the grant funds to carry out each of
25 the following activities:

1 “(1) Providing technical assistance to sub-
2 grantees as described in section 5403(b)(7) and
3 technical assistance to subgrantees that are
4 prioritized in section 5404(d), including subgrantees
5 that serve low-capacity rural and urban areas by—

6 “(A) informing those subgrantees that they
7 have a priority for competing for grants under
8 section 5404(b); and

9 “(B) providing subgrantees who do not re-
10 ceive a grant under section 5404(c) technical
11 assistance so that they may re-compete in fol-
12 lowing competitions.

13 “(2) Identifying and supporting high-quality
14 professional development and other comprehensive
15 systems of support for teachers and school leaders to
16 promote high-quality instruction and instructional
17 leadership in the identified subjects.

18 “(3) Disseminating information, including mak-
19 ing publicly available on the websites of the State
20 educational agency, on promising practices to im-
21 prove student achievement in STEM subject areas.

22 “(b) PERMISSIBLE ACTIVITIES.—Each eligible entity
23 that receives a grant under this Act may use the grant
24 funds to carry out 1 or more of the following activities:

1 “(1) Recruiting qualified teachers and instruc-
2 tional leaders who are trained in identified subjects,
3 including teachers who have transitioned into the
4 teaching profession from a career in a STEM field.

5 “(2) Providing induction and mentoring serv-
6 ices to new teachers in identified subjects.

7 “(3) Developing instructional supports, such as
8 curricula and assessments, which shall be evidence-
9 based and aligned with State academic standards
10 and may include online education.

11 “(4) Training personnel of subgrantees to use
12 data systems to continuously improve student
13 achievement in STEM subjects and use the data to
14 better target curriculum and instruction to meet the
15 needs of each student.

16 “(c) SUBGRANTS.—

17 “(1) IN GENERAL.—Each eligible entity that re-
18 ceives a grant under this Act shall award subgrants,
19 on a competitive basis, to eligible subgrantees.

20 “(2) MINIMUM SUBGRANT.—An eligible entity
21 shall award subgrants under this subsection that are
22 of sufficient size and scope to support high-quality,
23 evidence-based, effective programs that are con-
24 sistent with the purpose of this Act.

1 “(3) SUBGRANTEE APPLICATION.—Each sub-
2 grantee desiring a subgrant under this subsection
3 shall submit an application to the eligible entity at
4 such time, in such manner, and accompanied by
5 such information as the eligible entity may require,
6 including, at a minimum:

7 “(A) A description of the needs identified
8 by the subgrantee, based on a needs assessment
9 which shall include—

10 “(i) data for elementary school and
11 secondary school grades, as applicable and
12 to the extent that such data are available,
13 on—

14 “(I) student achievement in
15 science and mathematics, including
16 such data collected in accordance with
17 the State academic assessments;

18 “(II) science and mathematics
19 teacher evaluation results or ratings;

20 “(III) student access to mathe-
21 matics and science courses needed to
22 enroll in credit-bearing coursework at
23 institutions of higher education in the
24 State;

1 “(IV) access to science and
2 mathematics courses for student pre-
3 kindergarten through grade 12 at-
4 tending schools prioritized under sec-
5 tion 5404(d);

6 “(V) the percentage of students
7 successfully—

8 “(aa) completing Advanced
9 Placement (AP) or International
10 Baccalaureate (IB) courses in
11 science and mathematics sub-
12 jects; or

13 “(bb) completing rigorous
14 postsecondary education courses
15 in science and mathematics sub-
16 jects;

17 “(VI) rates of college remediation
18 in mathematics; and

19 “(VII) teacher shortages and
20 teacher distribution among the local
21 educational agencies and schools
22 served by the subgrantee in science
23 and mathematics subjects;

24 “(ii) a review of the industry and
25 business workforce needs in the State or

1 area surrounding the subgrantee in jobs
2 that require knowledge or training in
3 STEM subject areas; and

4 “(iii) an analysis of the implementa-
5 tion of any multi-tiered systems of support
6 that have been employed by the local edu-
7 cational agency served by the subgrantee
8 to address the learning needs of students
9 in any STEM subjects.

10 “(B) A description of the activities that
11 the subgrantee will carry out based on the find-
12 ings of the needs assessment described in sub-
13 paragraph (A), and how such activities will im-
14 prove teaching and student academic achieve-
15 ment in the identified subjects, in a manner
16 consistent with evidence-based research.

17 “(C) A description of how the subgrantee
18 will use funds provided under this subsection to
19 serve students and teachers in schools
20 prioritized under section 5404(d).

21 “(D) A description of how funds provided
22 under this subsection will be coordinated with
23 other Federal, State, and local programs and
24 activities, including career and technical edu-
25 cation programs authorized under the Carl D.

1 Perkins Career and Technical Education Act of
2 2006 (20 U.S.C. 2301 et seq.).

3 “(E) If the subgrantee is working with
4 outside partners, a description of how such out-
5 side partners will be involved in improving in-
6 struction and increasing access to high-quality
7 learning experiences in the identified subjects.

8 “(4) SUBGRANTEE USE OF FUNDS.—

9 “(A) REQUIRED USE OF FUNDS.—Each
10 subgrantee that receives a subgrant under this
11 subsection shall use the subgrant funds to carry
12 out activities for students from preschool
13 through grade 12, consistent with the analysis
14 and the activities described in the subgrantee’s
15 application, which shall include—

16 “(i) high-quality teacher and instruc-
17 tional leader recruitment, support, evalua-
18 tion, and professional development in the
19 identified subjects;

20 “(ii) professional development, which
21 may include development and support for
22 instructional coaches, to enable teachers
23 and instructional leaders to increase stu-
24 dent achievement in identified subjects,
25 through—

1 “(I) implementation of classroom
2 assessments; and

3 “(II) differentiation of instruc-
4 tion in identified subjects for all stu-
5 dents, including for students with dis-
6 abilities and students who are English
7 learners;

8 “(iii) activities to—

9 “(I) improve the content knowl-
10 edge of teachers; and

11 “(II) facilitate professional col-
12 laboration, which may include pro-
13 viding time for such collaborations;

14 “(iv) training to principals and teach-
15 ers in implementing STEM subject initia-
16 tives, particularly in the areas of—

17 “(I) utilizing data;

18 “(II) assessing the quality of
19 STEM subject instruction; and

20 “(III) providing time and support
21 for teachers to plan STEM subject in-
22 struction;

23 “(v) the development, adoption, and
24 improvement of high-quality curricula and
25 instructional supports that—

1 “(I) are aligned with State aca-
2 demic standards; and

3 “(II) the subgrantee will use to
4 improve student academic achieve-
5 ment in identified subjects; and

6 “(vi) the development or improvement,
7 and implementation, of multi-tiered sys-
8 tems of support to provide early inter-
9 vening services and to increase student
10 achievement in 1 or more of the identified
11 subjects.

12 “(B) PERMISSIBLE USE OF FUNDS.—In
13 addition to the required activities described in
14 subparagraph (A), each subgrantee that re-
15 ceives a subgrant under this subsection, may
16 also use the subgrant funds to—

17 “(i) support the participation of low-
18 income students in nonprofit competitions
19 and out-of-school activities related to
20 STEM (such as robotics, science research,
21 invention, mathematics, and technology
22 competitions), including—

23 “(I) the purchase of parts and
24 supplies needed to participate in such
25 competitions;

1 “(II) incentives and stipends for
2 teachers and instructional leaders who
3 are involved in assisting students and
4 preparing students for such competi-
5 tions, if such activities fall outside the
6 regular duties and responsibilities of
7 such teachers and instructional lead-
8 ers; and

9 “(III) paying expenses associated
10 with the participation of low-income
11 students in such local, regional, or na-
12 tional competitions;

13 “(ii) improve the laboratories of
14 schools served by the subgrantee and pro-
15 vide instrumentation as part of a com-
16 prehensive program to enhance the quality
17 of STEM instruction, including—

18 “(I) purchase, rental, or leasing
19 of equipment, instrumentation, and
20 other scientific educational materials;

21 “(II) maintenance, renovation,
22 and improvement of laboratory facili-
23 ties;

24 “(III) professional development
25 and training for teachers;

1 “(IV) development of instruc-
2 tional programs designed to integrate
3 the laboratory experience with class-
4 room instruction and to be consistent
5 with State mathematics and science
6 academic achievement standards;

7 “(V) training in laboratory safety
8 for school personnel;

9 “(VI) design and implementation
10 of hands-on laboratory experiences to
11 encourage the interest of students, es-
12 pecially students who are traditionally
13 underrepresented in STEM subject
14 fields (including female students, mi-
15 nority students, students who are lim-
16 ited English proficient, students who
17 are children with disabilities, and stu-
18 dents from low-income families) in
19 STEM subjects and help prepare such
20 students to pursue postsecondary
21 studies in these fields; and

22 “(VII) assessment of the activi-
23 ties funded under this subparagraph;

24 “(iii) broaden secondary school stu-
25 dents’ access to, and interest in, careers

1 that require academic preparation in 1 or
2 more identified subjects;

3 “(iv) integrate instruction in the iden-
4 tified subjects with instruction in reading,
5 English language arts, or other core and
6 noncore academic subjects; or

7 “(v) establish or access online or dis-
8 tance learning programs for STEM subject
9 teachers using evidence-based curricula.

10 “(C) LIMITATION.—Each subgrantee that
11 receives a subgrant under this subsection shall
12 not expend more than 15 percent of the
13 subgrant funds on the activities described in
14 subparagraph (B).

15 “(D) MATCHING FUNDS.—

16 “(i) IN GENERAL.—A State or eligible
17 entity may require an eligible subgrantee
18 receiving a subgrant under this subsection
19 to demonstrate that such subgrantee has
20 obtained a commitment from 1 or more
21 outside partners to match, using non-Fed-
22 eral funds, a portion of the amount of
23 subgrant funds, in an amount determined
24 by the State or eligible entity.

1 “(b) STEM MASTER TEACHER CORPS.—The term
2 ‘STEM master teacher corps’ (referred to in this section
3 as the ‘corps’) means a program—

4 “(1) operated by 1 or more State educational
5 agencies, or a consortium of local educational agen-
6 cies, acting in partnership with 1 or more outside
7 partners that have a demonstrated record of success
8 in improving the effectiveness of STEM teachers or
9 increasing the retention of such teachers;

10 “(2) that selects a group of highly rated teach-
11 ers (through a process, and for a duration, deter-
12 mined by the entity described in paragraph (1)), as
13 members of the corps, that constitutes not less than
14 5 percent and not more than 10 percent of elemen-
15 tary school, middle school, and high school teachers
16 who teach STEM subjects and who—

17 “(A) teach in a participating high-need
18 school in the region served by the entity de-
19 scribed in paragraph (1); or

20 “(B) agree to teach in a participating
21 high-need school in the region served by the en-
22 tity described in paragraph (1) if accepted as a
23 member of the corps; and

1 “(3) that aims to attract, improve, and retain
2 teachers who teach STEM subjects and to increase
3 student achievement in such subjects, including by—

4 “(A) providing instructional leadership re-
5 sponsibilities for corps members in their
6 schools, local educational agencies, or States,
7 such as mentoring beginning STEM teachers
8 and leading professional development activities
9 for teachers not participating in the corps;

10 “(B) providing corps members with re-
11 search-based professional development on in-
12 structional leadership and effective teaching
13 methods for STEM subjects;

14 “(C) providing each teacher who is a corps
15 member with a salary supplement of not less
16 than \$10,000 per year, in recognition of such
17 teacher’s teaching accomplishments, leadership,
18 and increased responsibilities, for each year
19 such teacher serves as a member of the corps;
20 and

21 “(D) building a community of practice
22 among corps members to enable such members
23 to network, collaborate, and to share best prac-
24 tices and resources with each other.

1 “(c) DURATION.—Grants awarded under this section
2 shall be for a period of not more than 3 years.

3 “(d) APPLICATION.—

4 “(1) IN GENERAL.—Each entity described in
5 subsection (b)(1) desiring a grant under this section
6 shall submit an application to the Secretary at such
7 time, in such manner, and accompanied by such in-
8 formation as the Secretary may require.

9 “(2) CONTENTS.—At a minimum, an applica-
10 tion submitted under paragraph (1) shall include the
11 following:

12 “(A) A plan to implement a corps program
13 that is of sufficient size and scope to have a
14 substantial, measurable effect on—

15 “(i) student academic achievement in
16 STEM subjects in the schools where corps
17 members teach; and

18 “(ii) the effectiveness and retention
19 of—

20 “(I) corps members; and

21 “(II) other teachers of STEM
22 subjects who work with, or are
23 mentored by, corps members.

24 “(B) A description of how the entity de-
25 scribed in subsection (b)(1) plans to sustain the

1 program after the expiration of the grant under
2 this section.

3 “(e) **MATCHING FUNDS.**—The Secretary may require
4 a grantee under this section to provide non-Federal
5 matching funds in an amount equal to the amount of
6 grant funds awarded under this section.

7 **“SEC. 5406. REPORTING REQUIREMENTS.**

8 “(a) **ELIGIBLE ENTITY REPORTS.**—Each State edu-
9 cational agency receiving an award under section 5403
10 shall report annually to the Secretary regarding the State
11 educational agency’s progress in addressing the purposes
12 of this Act. Such report shall include, at a minimum, a
13 description of—

14 “(1) the professional development activities pro-
15 vided under the award, including types of activities
16 and entities involved in providing professional devel-
17 opment to classroom teachers and other program
18 staff;

19 “(2) the instruction, strategies, activities, cur-
20 ricula, materials, and assessments used in the pro-
21 grams funded under the award;

22 “(3) the types of programs and, for children
23 from preschool to kindergarten entry, program set-
24 tings, funded under the award;

1 “(4) the ages and demographic information that
2 is not individually identifiable of children served by
3 the programs funded under the award;

4 “(5) student performance on data metrics iden-
5 tified under section 5403(b)(8) used for STEM ini-
6 tiatives; and

7 “(6) the outcomes of programs and activities
8 provided under the award.

9 “(b) **ELIGIBLE SUBGRANTEE REPORTS.**—Each eligi-
10 ble entity receiving a subgrant under section 5404(c) shall
11 report annually to the State educational agency regarding
12 the eligible entity’s progress in addressing the purposes
13 of this Act. Such report shall include, at a minimum, a
14 description of—

15 “(1) how the subgrant funds were used; and

16 “(2) student performance on relevant program
17 metrics, as identified in the State education agency’s
18 implementation plan under section 5403(b)(8).

19 **“SEC. 5407. SUPPLEMENT NOT SUPPLANT.**

20 “Funds received under this Act shall be used to sup-
21 plement, and not supplant, funds that would otherwise be
22 used for activities authorized under this Act.

23 **“SEC. 5408. MAINTENANCE OF EFFORT.**

24 “A State that receives funds under this Act for a fis-
25 cal year shall maintain the fiscal effort provided by the

1 State for the subjects supported by the funds under this
2 Act at a level equal to or greater than the level of such
3 fiscal effort for the preceding fiscal year.

4 **“SEC. 5409. DEFINITIONS.**

5 “In this Act:

6 “(1) ELIGIBLE ENTITY.—The term ‘eligible en-
7 tity’ means a State educational agency in partner-
8 ship with—

9 “(A) another State educational agency;

10 “(B) a consortium of State educational
11 agencies; or

12 “(C) the State agencies that oversee
13 childcare programs, state-funded prekindergarten,
14 and part C of IDEA.

15 “(2) ELIGIBLE SUBGRANTEE.—The term ‘eligible
16 subgrantee’ means—

17 “(A) a local educational agency;

18 “(B) 1 or more local educational agencies
19 providing early learning programs, or 1 or more
20 public or private early learning programs, serving
21 children from preschool through kindergarten
22 entry, such as a Head Start agency, a
23 child care program, or a State-funded pre-kindergarten
24 program, as appropriate;

1 “(C) an educational service agency serving
2 more than 1 local educational agency; or

3 “(D) a consortium of local educational
4 agencies.

5 “(3) MULTI-TIERED SYSTEM OF SUPPORT.—

6 For purposes of this Act, the term ‘multi-tiered sys-
7 tem of support’ means a comprehensive system of
8 differentiated supports that includes evidence-based
9 instruction, universal screening, progress monitoring,
10 formative assessments, research-based interventions
11 matched to student needs and educational decision-
12 making using student outcome data.

13 “(4) OUTSIDE PARTNER.—The term ‘outside
14 partner’ means an entity that has expertise and a
15 demonstrated record of success in improving student
16 learning and engagement in the STEM subjects, in-
17 cluding any of the following:

18 “(A) A nonprofit or community-based or-
19 ganization.

20 “(B) A business.

21 “(C) A nonprofit cultural organization,
22 such as a museum or learning center.

23 “(D) An institution of higher education.

24 “(E) An educational service agency.

25 “(F) Another appropriate entity.

1 “(3) to support State educational agencies and
2 local educational agencies in improving reading,
3 writing, and literacy-based academic achievement for
4 children and students, especially children and stu-
5 dents who are low-income, are English learners, are
6 migratory, are children with disabilities, are Indian
7 or Alaskan Native, are neglected or delinquent, are
8 homeless, are in the custody of the child welfare sys-
9 tem, or have dropped out of school;

10 “(4) to provide assistance to local educational
11 agencies in order to provide educators with ongoing,
12 job-embedded professional development and other
13 support focusing on imparting and employing—

14 “(A) the characteristics of effective lan-
15 guage and literacy instruction;

16 “(B) the special knowledge and skills nec-
17 essary to teach and support literacy develop-
18 ment effectively across the developmental span
19 and age span;

20 “(C) the essential components of reading
21 instruction; and

22 “(D) the essential components of writing
23 instruction;

24 “(5) to evaluate whether the professional devel-
25 opment activities and approaches are effective in

1 building knowledge and skills of educators and their
2 use of appropriate and effective practices.

3 “(6) to support State educational agencies and
4 local educational agencies in using age appropriate
5 and developmentally appropriate instructional mate-
6 rials and strategies that assist teachers as the teach-
7 ers work with students to develop reading and writ-
8 ing competencies appropriate to the students’ grade
9 and skill levels;

10 “(7) to support efforts to link and align college
11 and career-ready standards and research-based
12 teaching practices and instruction in early childhood
13 education programs serving children from preschool
14 through kindergarten entry;

15 “(8) strengthening coordination among schools,
16 early literacy programs, family literacy programs, ju-
17 venile justice programs, public libraries, and outside-
18 of-school programs that provide children and youth
19 with strategies, curricula, interventions, and assess-
20 ments designed to advance early and continuing lan-
21 guage and literacy development in ways appropriate
22 for each context; and

23 “(9) to engage the participation of parents in
24 supporting their child’s communication and literacy
25 development.

1 **“SEC. 5422. PROGRAM AUTHORIZED.**

2 “(a) IN GENERAL.—The Secretary is authorized—

3 “(1) to award State planning grants in accord-
4 ance with section 5423; and

5 “(2) to award State implementation grants in
6 accordance with section 5424 to enable the State
7 educational agency to—

8 “(A) carry out the State activities de-
9 scribed in section 5425;

10 “(B) award subgrants to eligible entities in
11 accordance with section 5426; and

12 “(C) award subgrants to eligible entities in
13 accordance with section 5427.

14 “(b) AWARDS TO STATE EDUCATIONAL AGENCIES.—

15 “(1) AMOUNTS LESS THAN \$250,000,000.—If the
16 amount appropriated under section 5430 for a fiscal
17 year is less than \$250,000,000, then the Secretary
18 shall—

19 “(A) reserve not more than 5 percent to
20 award planning grants, on a competitive basis,
21 to State educational agencies, in accordance
22 with section 5423; and

23 “(B) use the amount not reserved under
24 subparagraphs (A) to make awards, on a com-
25 petitive basis, to State educational agencies
26 serving States that have applications approved

1 under section 5424(b) to enable the State edu-
2 cational agencies to carry out sections 5424 and
3 5425.

4 “(2) AMOUNTS EQUAL TO OR EXCEEDING
5 \$250,000,000.—

6 “(A) IN GENERAL.—If the amount appro-
7 priated under section 5430 for a fiscal year
8 equals or exceeds \$250,000,000, then the Sec-
9 retary shall—

10 “(i) reserve a total of 1 percent of
11 such amount for—

12 “(I) allotments for the United
13 States Virgin Islands, Guam, Amer-
14 ican Samoa, and the Commonwealth
15 of the Northern Mariana Islands, to
16 be distributed among such outlying
17 areas on the basis of their relative
18 need, as determined by the Secretary
19 in accordance with the purposes of
20 this Act; and

21 “(II) the Secretary of the Inte-
22 rior for programs under sections
23 5423, 5424, 5425, 5426, and 5427 in
24 schools operated or funded by the Bu-
25 reau of Indian Education;

1 “(ii) reserve not more than 5 percent
2 to award planning grants, to State edu-
3 cational agencies serving States, in accord-
4 ance with section 5423;

5 “(iii) reserve not more than 1 percent
6 for national activities, such as evaluations,
7 training, and technical assistance, to the
8 Department of Education to support com-
9 prehensive literacy reform at the State
10 level; and

11 “(iv) use the amount not reserved
12 under clauses (i), and (ii) to make awards,
13 from allotments under subparagraph (C),
14 to State educational agencies serving
15 States that have applications approved
16 under section 5424 and that are not re-
17 ceiving an allotment under clause (i)(I), to
18 enable the State educational agencies to
19 carry out sections 5424 and 5425.

20 “(B) SPECIAL RULES.—

21 “(i) PROPORTIONAL DIVISION.—In
22 each fiscal year, the amount reserved
23 under subparagraph (A)(i) shall be divided
24 between the uses described in subclauses
25 (I) and (II) of subparagraph (A)(i) in the

1 same proportion as the amount reserved
2 under section 1121(a) of the Elementary
3 and Secondary Education Act of 1965 (20
4 U.S.C. 6331(a)) is divided between the
5 uses described in paragraphs (1) and (2)
6 of such section 1121(a) for such fiscal
7 year.

8 “(ii) CONSULTATION.—A State edu-
9 cational agency that receives an allotment
10 under this paragraph shall engage in time-
11 ly and meaningful consultation with rep-
12 resentatives of Indian tribes located in the
13 State in order to improve the coordination
14 and quality of activities designed to de-
15 velop effective approaches to achieve the
16 purposes of this Act consistent with the
17 cultural, language, and educational needs
18 of Indian students.

19 “(C) STATE ALLOTMENT FORMULA.—The
20 Secretary shall allot the amount made available
21 under subparagraph (A)(iv) for a fiscal year
22 among the States not receiving an allotment
23 from the reservation under subparagraph
24 (A)(i)(I) in proportion to the number of chil-
25 dren, from preschool through age 17, who re-

1 side within the State and are from families with
2 incomes below the poverty line for the most re-
3 cent fiscal year for which satisfactory data are
4 available, compared to the number of such chil-
5 dren who reside in all such States for that fiscal
6 year.

7 “(3) MINIMUM AWARD AMOUNT.—Notwith-
8 standing paragraphs (1) and (2), no State edu-
9 cational agency receiving an award under this sec-
10 tion for a fiscal year may receive less than one-
11 fourth of 1 percent of the total amount appropriated
12 under section 5430 for the fiscal year, except as pro-
13 vided under paragraph (2)(A)(i).

14 “(c) PEER REVIEW.—The Secretary shall convene a
15 peer review panel to evaluate the application for each
16 grant awarded to a State educational agency under sec-
17 tions 5423 and 5424.

18 “(d) SUPPLEMENT NOT SUPPLANT.—Award funds
19 provided under this Act shall supplement, and not sup-
20 plant, non-Federal funds that would, in the absence of
21 such award funds, be made available for literacy instruc-
22 tion and support of children and students participating in
23 programs assisted under this Act.

24 “(e) MAINTENANCE OF EFFORT.—Each State edu-
25 cational agency that receives an award under sections

1 5423 and 5424, and each eligible entity that receives a
2 subgrant under section 5426 or 5427, shall maintain for
3 the fiscal year for which the grant or subgrant is received
4 and for each subsequent fiscal year the expenditures of
5 the State educational agency or eligible entity, respec-
6 tively, for literacy instruction at a level not less than the
7 level of such expenditures maintained by the State edu-
8 cational agency or eligible entity, respectively, for the fis-
9 cal year preceding such fiscal year for which the grant
10 or subgrant is received.

11 **“SEC. 5423. STATE PLANNING GRANTS.**

12 “(a) PLANNING GRANTS AUTHORIZED.—

13 “(1) IN GENERAL.—From any amounts made
14 available under paragraph (1)(A) or (2)(A)(ii) of
15 section 5422(b), the Secretary may award planning
16 grants to State educational agencies to enable the
17 State educational agencies to complete comprehen-
18 sive planning to carry out activities that improve lit-
19 eracy for children and students from preschool
20 through grade 12.

21 “(2) GRANT PERIOD.—A planning grant award-
22 ed under this section shall be for a period of not
23 more than 1 year.

1 “(3) NONRENEWABILITY.—The Secretary shall
2 not award a State educational agency more than 1
3 planning grant under this section.

4 “(b) APPLICATION.—

5 “(1) IN GENERAL.—Each State educational
6 agency desiring a planning grant under this section
7 shall submit an application to the Secretary at such
8 time, in such manner, and accompanied by such in-
9 formation as the Secretary may require.

10 “(2) CONTENTS.—Each application submitted
11 under this subsection shall, at a minimum, include
12 a description of how the State educational agency
13 proposes to use the planning grant funds awarded
14 under this section to develop a plan for improving
15 State efforts to develop, coordinate, and implement
16 comprehensive literacy activities that ensure high-
17 quality language development and effective strategies
18 and instruction in reading and writing for all stu-
19 dents in early childhood education programs serving
20 children from preschool through kindergarten entry
21 through grade 12 programs, with a particular focus
22 on students who are reading or writing below grade
23 level and children whose early literacy skills are
24 below the appropriate age or developmental level.
25 Such plan for improvement shall—

1 “(A) describe the activities for which as-
2 sistance under this section is sought;

3 “(B) provide a budget for the use of the
4 planning grant funds to complete the required
5 activities described in subsection (c);

6 “(C) include an assessment of child and
7 student language and literacy data to identify
8 baseline and benchmark levels to monitor
9 progress and improvement; and

10 “(D) provide an assurance that all State
11 agencies responsible for administering early
12 childhood education programs and services (in-
13 cluding the State Head Start Collaboration Of-
14 fice), including the State agency responsible for
15 administering child care and the State Advisory
16 Council on Early Childhood Education and
17 Care established under section 642B(b) of the
18 Head Start Act (42 U.S.C. 9837b(b)), collabo-
19 rated with the State educational agency to write
20 the early learning portion of the grant applica-
21 tion submitted under this subsection.

22 “(3) APPROVAL OF APPLICATIONS.—

23 “(A) IN GENERAL.—The Secretary, in con-
24 sultation with the peer review panel described
25 in subparagraph (B), shall evaluate State edu-

1 cational agency applications under this sub-
2 section based on the responsiveness of the ap-
3 plications to the application requirements under
4 this subsection.

5 “(B) PEER REVIEW.—The Secretary shall
6 convene a peer review panel in accordance with
7 section 5422(c) to evaluate planning grant ap-
8 plications under this section.

9 “(c) REQUIRED ACTIVITIES.—A State educational
10 agency receiving planning grant funds under this section
11 shall carry out each of the following activities:

12 “(1) Reviewing reading, writing, or other lit-
13 eracy resources and programs, such as school library
14 programs, high-quality distance learning programs,
15 and data across the State to identify any literacy
16 needs and gaps in the State.

17 “(2) Forming or designating a State literacy
18 leadership team which shall execute the following
19 functions:

20 “(A) Creating a comprehensive State lit-
21 eracy plan that—

22 “(i) is designed to improve language,
23 reading, writing, and academic achieve-
24 ment for children and students, especially
25 those reading below grade level;

1 “(ii) includes a needs assessment and
2 an implementation plan, including an anal-
3 ysis of child and student literacy data to
4 identify baseline and benchmark levels of
5 literacy and early literacy skills in order to
6 monitor progress and improvement, and a
7 plan to improve literacy levels among all
8 children and students;

9 “(iii) ensures high quality strategies
10 and instruction in early literacy develop-
11 ment (which includes communication, read-
12 ing, and writing) in early childhood edu-
13 cation programs serving children from pre-
14 school through kindergarten entry and in
15 kindergarten through grade 12 programs;

16 “(iv) provides for activities designed
17 to improve literacy achievement for stu-
18 dents who—

19 “(I) read or write below grade
20 level;

21 “(II) attend schools in need of
22 improvement and persistently low-
23 achieving schools; and

24 “(III) attend schools with a high
25 percentage or number of students that

1 are eligible for free or reduced price
2 lunch under the Richard B. Russell
3 National School Lunch Act (42
4 U.S.C. 1751 et seq.); and
5 “(v) is submitted to the Secretary.

6 “(B) Providing recommendations to guide
7 the State educational agency in the State edu-
8 cational agency’s process of strengthening State
9 literacy standards and embedding State literacy
10 standards with the State’s college and career
11 ready standards, academic achievement stand-
12 ards, and early learning standards.

13 “(C) Providing recommendations to guide
14 the State educational agency in the State edu-
15 cational agency’s process of measuring, assess-
16 ing, and monitoring progress in literacy at the
17 school, local educational agency, and State lev-
18 els.

19 “(D) Identifying criteria for high quality
20 professional development providers, which pro-
21 viders may include qualified teachers within the
22 State, for the State educational agency and
23 local educational agencies.

24 “(E) Advising the State educational agen-
25 cy on how to help ensure that local educational

1 agencies and schools provide timely and appro-
2 priate data to teachers to inform and improve
3 instruction.

4 “(F) Providing recommendations to guide
5 the State educational agency in the State edu-
6 cational agency’s planning process of building
7 educators’ capacity to provide high-quality lit-
8 eracy instruction.

9 “(3) REPORTING REQUIREMENT.—Not later
10 than 1 year after a State educational agency receives
11 a planning grant under this section, the State edu-
12 cational agency shall submit a report to the Sec-
13 retary on the State educational agency’s perform-
14 ance of the activities described in this subsection.

15 **“SEC. 5424. STATE IMPLEMENTATION GRANTS.**

16 “(a) IMPLEMENTATION GRANTS AUTHORIZED.—

17 “(1) IN GENERAL.—From awards made avail-
18 able under paragraph (1)(B) or (2)(A)(iv) of section
19 5422(b), the Secretary shall, on a competitive basis
20 or through allotments, respectively, award implemen-
21 tation grants to State educational agencies to enable
22 the State educational agencies—

23 “(A) to implement a comprehensive lit-
24 eracy plan that meets the criteria in section
25 5423(c)(2)(A) for programs serving children

1 from preschool through kindergarten entry
2 through grade 12 programs;

3 “(B) to carry out State activities under
4 section 5425; and

5 “(C) to award subgrants under sections
6 5426 and 5427.

7 “(2) LIMITATION.—The Secretary shall not
8 award a implementation grant under this section to
9 a State for any year for which the State has received
10 a planning grant under section 5423.

11 “(3) DURATION OF GRANTS.—An implementa-
12 tion grant under this section shall be awarded for a
13 period of not more than 5 years.

14 “(4) RENEWALS.—

15 “(A) IN GENERAL.—Implementation
16 grants under this section may be renewed.

17 “(B) CONDITIONS.—In order to be eligible
18 to have an implementation grant renewed under
19 this paragraph, the State educational agency
20 shall demonstrate to the satisfaction of the Sec-
21 retary that—

22 “(i) the State educational agency has
23 complied with the terms of the grant, in-
24 cluding using the funds to—

1 “(I) increase access to high-quality
2 professional development;

3 “(II) use developmentally appropriate curricula and teaching materials; and

4 “(III) use developmentally appropriate classroom-based instructional
5 assessments and developmentally appropriate screening and diagnostic assessments; and

6 “(ii) with respect to students in kindergarten through grade 12, during the period of the grant there has been significant
7 progress in student achievement, as measured by the metrics described in section
8 5424(b)(2)(C).

9 “(b) STATE APPLICATIONS.—

10 “(1) IN GENERAL.—A State educational agency
11 that desires to receive an implementation grant
12 under this section shall submit an application to the
13 Secretary at such time, in such manner, and containing such information as the Secretary may require. The State educational agency shall collaborate
14 with all State agencies responsible for administering
15 early childhood education programs, and the State

1 agency responsible for administering child care pro-
2 grams, in the State in writing and implementing the
3 early learning portion of the grant application under
4 this subsection.

5 “(2) CONTENTS.—An application described in
6 paragraph (1) shall include the following:

7 “(A) A description of the members of the
8 State literacy leadership team and a description
9 of how the State educational agency has devel-
10 oped a comprehensive State literacy plan, as de-
11 scribed in section 5423(c)(2)(A).

12 “(B) An implementation plan that includes
13 a description of how the State educational agen-
14 cy will—

15 “(i) carry out the State activities de-
16 scribed in section 5425;

17 “(ii) assist eligible entities with—

18 “(I) providing strategic and in-
19 tensive literacy instruction based on
20 scientifically valid research for stu-
21 dents who are reading and writing
22 below grade level, including through
23 the use of multi-tiered systems of sup-
24 port, including addressing the literacy
25 needs of children and youth with dis-

1 abilities or developmental delays and
2 English learners in early childhood
3 education programs serving children
4 from preschool through kindergarten
5 entry and programs serving students
6 from preschool through grade 12;

7 “(II) providing training to par-
8 ents, as appropriate, so that the par-
9 ents can participate in the literacy re-
10 lated activities described in sections
11 5426 and 5427 to assist in the lan-
12 guage and literacy development of
13 their children;

14 “(III) selecting and using read-
15 ing and writing assessments;

16 “(IV) providing classroom-based
17 instruction that is supported by one-
18 to-one and small group work;

19 “(V) using curricular materials
20 and instructional tools, which may in-
21 clude technology, to improve instruc-
22 tion and literacy achievement;

23 “(VI) providing for high-quality
24 professional development; and

1 “(VII) using the principles of
2 universal design for learning;

3 “(iii) ensure that local educational
4 agencies in the State have leveraged and
5 are effectively leveraging the resources
6 needed to implement effective literacy in-
7 struction, and have the capacity to imple-
8 ment literacy initiatives effectively;

9 “(iv) continually coordinate and align
10 the activities assisted under this section
11 and sections 5426 and 5427 with reading,
12 writing, and other literacy resources and
13 programs across the State and locally that
14 serve children and students and their fami-
15 lies and promote literacy instruction and
16 learning, including strengthening partner-
17 ships among schools, libraries, local youth-
18 serving agencies, and programs, in order to
19 improve literacy for all children and youth;
20 and

21 “(v) ensure that funds provided under
22 this section are awarded in a manner that
23 will provide services to all grade levels, in-
24 cluding proportionally to middle schools
25 and high schools.

1 “(C) A description of the key data metrics
2 that will be used and reported annually under
3 section 5428(b)(1)(E), that shall include—

4 “(i) student academic achievement on
5 the English language arts state academic
6 assessments and student growth over time;

7 “(ii) for diploma granting schools,
8 graduation rates;

9 “(D) An assurance that the State edu-
10 cational agency will use implementation grant
11 funds under this section for literacy programs
12 as follows:

13 “(i) Not less than 10 percent of such
14 grant funds shall be used for State and
15 local programs and activities pertaining to
16 learners from preschool through kinder-
17 garten entry.

18 “(ii) Not less than 40 percent of such
19 implementation grant funds shall be used
20 for State and local programs and activities
21 allocated equitably among the grades of
22 kindergarten through grade 5.

23 “(iii) Not less than 40 percent of such
24 implementation grant funds shall be used
25 for State and local programs and activities,

1 allocated equitably among grades 6
2 through 12.

3 “(iv) Not more than 10 percent of
4 such implementation grant funds shall be
5 used for the State activities described in
6 section 5425.

7 “(E) An assurance that the State edu-
8 cational agency shall give priority to awarding
9 a subgrant to an eligible entity—

10 “(i) under section 5426 based on the
11 number or percentage of children younger
12 than the age of kindergarten entry and the
13 number of students from kindergarten
14 through 17 who are—

15 “(I) served by the eligible entity;
16 and

17 “(II) from families with income
18 below the poverty line, based on the
19 most recent satisfactory data provided
20 to the Secretary by the Bureau of the
21 Census for determining eligibility
22 under section 1124(c)(1)(A) of the El-
23 elementary and Secondary Education
24 Act of 1965 (20 U.S.C.
25 6333(c)(1)(A)); and

1 “(ii) under section 5427, that pro-
2 poses to serve—

3 “(I) a high number or percentage
4 of students served by the eligible enti-
5 ty that are reading and writing below
6 grade level according to State assess-
7 ments;

8 “(II) students that attend schools
9 in need of improvement and persist-
10 ently low-achieving schools; and

11 “(III) students that attend
12 schools with a high percentage or
13 number of students that are eligible
14 for free or reduced price lunch under
15 the Richard B. Russell National
16 School Lunch Act (42 U.S.C. 1751 et
17 seq.).

18 “(c) APPROVAL OF APPLICATIONS.—

19 “(1) IN GENERAL.—The Secretary, in consulta-
20 tion with the peer review panel established under
21 paragraph (2), shall evaluate State educational
22 agency applications under subsection (b) based on
23 the responsiveness of the applications to the applica-
24 tion requirements under such subsection.

1 “(2) PEER REVIEW.—The Secretary shall con-
2 vene a peer review panel in accordance with section
3 5422(c) to evaluate applications for each implemen-
4 tation grant awarded to a State educational agency
5 under this section.

6 “(3) EARLY LEARNING.—In order for a State
7 educational agency’s application under this section
8 to be approved by the Secretary, the application
9 shall contain an assurance that the State agencies
10 responsible for administering early childhood edu-
11 cation programs and services, including the State
12 agency responsible for administering child care pro-
13 grams and the State Advisory Council on Early
14 Childhood Education and Care established under
15 section 642B(b) of the Head Start Act (42 U.S.C.
16 9837b(b)), approves of, and will be extensively con-
17 sulted in the implementation of related activities and
18 services consistent with section 5426 with respect to,
19 the early learning portion of the application.

20 **“SEC. 5425. STATE ACTIVITIES.**

21 “(a) REQUIRED ACTIVITIES.—A State educational
22 agency shall use funds made available under section
23 5422(a)(2)(A) and described in section 5424(b)(2)(D)(iv)
24 to carry out the activities proposed in a State’s plan con-

1 sistent with section 5424(b)(2), including the following ac-
2 tivities:

3 “(1) Carrying out the assurances and activities
4 provided in the State application under section
5 5424(b)(2).

6 “(2) In consultation with the State literacy
7 leadership team, providing technical assistance or
8 engaging qualified providers to provide technical as-
9 sistance to eligible entities to enable the eligible enti-
10 ties to design and implement a literacy program
11 under sections 5426 and 5427.

12 “(3) Providing technical assistance to eligible
13 entities that are prioritized in section 5424(b)(2)(E),
14 including eligible entities that serve low-capacity
15 rural and urban areas by—

16 “(A) informing those eligible entities that
17 they have a priority for competing for grants
18 under section 5426 and 5427; and

19 “(B) providing eligible entities who do not
20 receive a grant under section 5426 and 5427
21 technical assistance so that they may re-com-
22 pete in following competitions.

23 “(4) Continuing to consult with the State lit-
24 eracy leadership team and continuing to coordinate
25 with institutions of higher education in the State—

1 “(A) in order to provide recommendations
2 to strengthen and enhance preservice courses
3 for students preparing, at institutions of higher
4 education in the State, to teach children from
5 preschool through grade 12 in explicit, system-
6 atic, and intensive instruction in evidence-based
7 literacy methods; and

8 “(B) by following up reviews completed by
9 the State literacy leadership team with rec-
10 ommendations to ensure that such institutions
11 offer courses that meet the highest standards.

12 “(5) Reviewing and updating, in collaboration
13 with teachers, statewide educational and professional
14 organizations representing teachers, and statewide
15 educational and professional organizations rep-
16 resenting institutions of higher education, State li-
17 censure and certification standards in the area of lit-
18 eracy instruction in early childhood education
19 through grade 12.

20 “(6) Making publicly available, including on the
21 State educational agency’s website, information on
22 promising instructional practices to improve student
23 literacy achievement.

24 “(b) PERMISSIVE ACTIVITIES.—After carrying out
25 activities described in subsection (a), a State educational

1 agency may use remaining funds made available under
2 section 5422(a)(2)(A) and described in section
3 5424(b)(2)(D)(iv) to carry out 1 or more of the following
4 activities:

5 “(1) Training the personnel of eligible entities
6 to use data systems that track student literacy
7 achievement.

8 “(2) Developing literacy coach training pro-
9 grams and training literacy coaches.

10 “(3) Building public support among local edu-
11 cational agency personnel, early childhood education
12 programs, and the community for comprehensive lit-
13 eracy instruction for children and students from pre-
14 school through grade 12.

15 **“SEC. 5426. SUBGRANTS TO ELIGIBLE ENTITIES IN SUP-**
16 **PORT OF PRESCHOOL THROUGH KINDER-**
17 **GARTEN ENTRY LITERACY.**

18 “(a) SUBGRANTS.—

19 “(1) IN GENERAL.—A State educational agen-
20 cy, in consultation with the State agencies respon-
21 sible for administering early childhood education
22 programs and services, including the State agency
23 responsible for administering child care programs
24 and the State Advisory Council on Early Childhood
25 Education and Care established under section

1 642B(b) of the Head Start Act (42 U.S.C.
2 9837b(b)), shall use implementation grant funds
3 provided under section 5422(a)(2)(B) to award sub-
4 grants, on a competitive basis, to eligible entities to
5 enable the eligible entities to support high-quality
6 early literacy initiatives for children from preschool
7 through kindergarten entry.

8 “(2) DURATION.—The term of subgrant under
9 this section shall be for 5 years.

10 “(b) SUFFICIENT SIZE AND SCOPE.—Each subgrant
11 awarded under this section shall be of sufficient size and
12 scope to allow the eligible entity to carry out high-quality
13 early literacy initiatives for children from preschool
14 through kindergarten entry.

15 “(c) LOCAL APPLICATIONS.—An eligible entity desir-
16 ing to receive a subgrant under this section shall submit
17 an application to the State educational agency, at such
18 time, in such manner, and containing such information as
19 the State educational agency may require. Such applica-
20 tion shall include a description of—

21 “(1) how the subgrant funds will be used to en-
22 hance the language and literacy aspects of school
23 readiness of children, from preschool through kin-
24 dergarten entry, in early childhood education pro-
25 grams, including an analysis of the data used to

1 identify how funds will be used to improve language
2 and literacy;

3 “(2) the programs assisted under the subgrant,
4 including demographic and socioeconomic informa-
5 tion on the children enrolled in the programs;

6 “(3) a budget for the eligible entity that
7 projects the cost of developing and implementing lit-
8 eracy initiatives to carry out the activities described
9 in subsection (e);

10 “(4) how, if the eligible entity is requesting a
11 planning period, the eligible entity will use that plan-
12 ning period to prepare for successful implementation
13 of a plan to support the development of learning and
14 literacy consistent with the purposes of this Act;

15 “(5) the literacy initiatives, if any, in place and
16 how these initiatives will be coordinated and inte-
17 grated with activities supported under this section;

18 “(6) how the subgrant funds will be used to
19 prepare and provide ongoing assistance to staff in
20 the programs, through high-quality professional de-
21 velopment;

22 “(7) how the subgrant funds will be used to
23 provide services, incorporate activities, and select
24 and use literacy instructional materials that meet
25 the diverse developmental and linguistic needs of

1 children, including English learners and children
2 with disabilities and developmental delays, and that
3 are based on scientifically valid research on child de-
4 velopment and learning for children from preschool
5 through kindergarten entry;

6 “(8) how the subgrant funds will be used to
7 provide screening assessments, diagnostic assess-
8 ments, classroom-based instructional assessments,
9 and assessments of developmental progress;

10 “(9) how families and caregivers will be in-
11 volved, as appropriate, in supporting their children’s
12 literacy development, instruction, and assessment;

13 “(10) how the subgrant funds will be used to
14 help children, particularly children experiencing dif-
15 ficulty with oral and written language, to make the
16 transition from early childhood education to formal
17 classroom instruction;

18 “(11) how the activities assisted under the
19 subgrant will be coordinated with literacy instruction
20 at the kindergarten through grade 5 level;

21 “(12) how the subgrant funds will be used—

22 “(A) to evaluate the success of the activi-
23 ties assisted under the subgrant in enhancing
24 the early language and literacy development of

1 children from preschool through kindergarten
2 entry; and

3 “(B) to evaluate data for program im-
4 provement; and

5 “(13) such other information as the State edu-
6 cational agency may require.

7 “(d) APPROVAL OF LOCAL APPLICATIONS.—The
8 State educational agency, in consultation with the State
9 agencies responsible for administering early childhood
10 education programs, including the State agency respon-
11 sible for administering child care programs and the State
12 Advisory Council on Early Childhood Education and Care
13 established under section 642B(b) of the Head Start Act
14 (42 U.S.C. 9837b(b)), shall—

15 “(1) select applications for funding under this
16 section based on the quality of the applications sub-
17 mitted, including the relationship between literacy
18 activities proposed and the research base or data
19 supporting such activities, as appropriate, and the
20 recommendations of—

21 “(A) the State literacy leadership team;
22 and

23 “(B) other experts in the area of early lit-
24 eracy; and

1 “(2) place priority for funding programs based
2 on the criteria in section 5424(b)(2)(E)(i).

3 “(e) LOCAL USES OF FUNDS.—

4 “(1) IN GENERAL.—An eligible entity that re-
5 ceives a subgrant under this section shall use the
6 subgrant funds consistent with the application pro-
7 posed in subsection (c) to carry out the following ac-
8 tivities:

9 “(A) Enhancing and improving early child-
10 hood education programs to ensure that chil-
11 dren in such programs are provided with high-
12 quality oral language and literature- and print-
13 rich environments in which to develop early lit-
14 eracy skills.

15 “(B) Providing high-quality professional
16 development.

17 “(C) Acquiring, providing training for, and
18 implementing screening assessments, diagnostic
19 assessments, and classroom-based instructional
20 assessments.

21 “(D) Selecting, developing, and imple-
22 menting a multi-tiered system of support.

23 “(E) Integrating research-based instruc-
24 tional materials, activities, tools, and measures
25 into the programs offered by the eligible entity

1 to improve development of early learning lan-
2 guage and literacy skills.

3 “(F) Training providers and personnel to
4 support, develop, and administer high-quality
5 early learning literacy initiatives that—

6 “(i) utilize data—

7 “(I) to inform instructional de-
8 sign; and

9 “(II) to assess literacy needs;
10 and

11 “(ii) provide time and support for per-
12 sonnel to meet to plan literacy instruction.

13 “(G) Providing for family literacy services,
14 as appropriate, and partnering with families to
15 support their child’s learning.

16 “(H) Annually collecting, summarizing,
17 and reporting to the State educational agency
18 data—

19 “(i) to document and monitor, for the
20 purpose of improving or increasing early
21 literacy and language skills development
22 pursuant to activities carried out under
23 this section;

24 “(ii) to stimulate and accelerate im-
25 provement by identifying the programs

1 served by the eligible entity that produce
2 significant gains in skills development; and

3 “(iii) for all subgroups of students
4 and categories of students that—

5 “(I) utilizes a variety of data;
6 and

7 “(II) is consistent across the
8 State.

9 “(2) LIMITATION.—An eligible entity that re-
10 ceives a subgrant under this section shall not use
11 more than 10 percent of the subgrant funds to pur-
12 chase curricula and assessment materials.

13 “(f) PROHIBITION.—The use of assessment items
14 and data on any assessment authorized under this section
15 to provide rewards or sanctions for individual children,
16 early childhood educators, teachers, program directors, or
17 principals is prohibited.

18 **“SEC. 5427. SUBGRANTS TO LOCAL EDUCATIONAL AGEN-**
19 **CIES IN SUPPORT OF KINDERGARTEN**
20 **THROUGH GRADE 12 LITERACY.**

21 “(a) SUBGRANTS TO LOCAL EDUCATIONAL AGEN-
22 CIES.—

23 “(1) SUBGRANTS.—A State educational agency
24 shall use the implementation grant funds provided
25 under section 5422(a)(2)(C) to award subgrants, on

1 a competitive basis, to eligible entities to enable the
2 eligible entities to carry out the authorized activities
3 described in subsections (b) and (c).

4 “(2) SUFFICIENT SIZE AND SCOPE.—A State
5 educational agency shall award subgrants under this
6 section of sufficient size and scope to allow the eligi-
7 ble entities to carry out high-quality literacy initia-
8 tives in each grade level for which the subgrant
9 funds are provided.

10 “(3) LOCAL APPLICATIONS.—An eligible entity
11 desiring to receive a subgrant under this section
12 shall submit an application to the State educational
13 agency at such time, in such manner, and containing
14 such information as the State educational agency
15 may require. Such application shall include, for each
16 school that the eligible entity identifies as partici-
17 pating in a subgrant program under this section, the
18 following information:

19 “(A) A description of the eligible entity’s
20 capacity survey conducted to identify how
21 subgrant funds will be used to inform and im-
22 prove literacy instruction at the school.

23 “(B) How the school, local educational
24 agency, or a provider of high-quality profes-
25 sional development will provide ongoing high-

1 quality professional development to all teachers
2 (including early childhood educators), prin-
3 cipals, and other school leaders served by the
4 school (including early childhood program ad-
5 ministrators).

6 “(C) How the school will identify students
7 in need of literacy interventions or other sup-
8 port services and provide appropriate scientif-
9 ically valid instructional interventions or other
10 support services which may include extended
11 learning time for struggling students.

12 “(D) A budget for the school that projects
13 the cost of developing and implementing literacy
14 initiatives to carry out the activities described
15 in subsections (b) and (c), as applicable.

16 “(E) An explanation of how the school will
17 integrate literacy instruction into core academic
18 subjects.

19 “(F) A description of how the school will
20 coordinate literacy instruction with early child-
21 hood education and after-school programs and
22 activities in the area served by the local edu-
23 cational agency, such as library programs.

24 “(G) A description of the assessments that
25 will be used in an assessment system to improve

1 literacy instruction and track student literacy
2 progress.

3 “(H) A description of how families and
4 caregivers will be involved in supporting their
5 children’s literacy instruction and assessment.

6 “(I) A description of how, if an eligible en-
7 tity is requesting a planning period, the eligible
8 entity will use that planning period to prepare
9 for successful implementation of a plan to sup-
10 port the development of learning and literacy
11 consistent with the purposes of this Act.

12 “(J) A description of the literacy initia-
13 tives, if any, in place and how these initiatives
14 will be coordinated and integrated with activi-
15 ties supported under this section.

16 “(b) LOCAL USES OF FUNDS FOR KINDERGARTEN
17 THROUGH GRADE 5.—An eligible entity that receives a
18 subgrant under this section shall use the subgrant funds
19 to carry out the following activities pertaining to students
20 in kindergarten through grade 5:

21 “(1) Developing and implementing a literacy
22 plan across content areas that—

23 “(A) serves the needs of all students, in-
24 cluding students with disabilities and English

1 learners, especially the students who are read-
2 ing or writing below grade level;

3 “(B) provides intensive, supplemental, ac-
4 celerated, and explicit intervention and support
5 in reading and writing for students whose lit-
6 eracy skills are below grade level; and

7 “(C) supports activities that are provided
8 primarily during the regular school day but
9 which may be augmented by additional learning
10 time as defined in section 4008(4).

11 “(2) Acquiring, providing training for, selecting,
12 and administering assessments, and managing, mon-
13 itoring, and planning instruction based on the as-
14 sessment data.

15 “(3) Providing high quality professional devel-
16 opment.

17 “(4) Training principals, specialized instruc-
18 tional support personnel, and other school district
19 personnel to support, develop, administer, and evalu-
20 ate high-quality kindergarten through grade 5 lit-
21 eracy initiatives that—

22 “(A) utilize data—

23 “(i) to inform instructional decisions;

24 and

1 “(ii) to assess professional develop-
2 ment needs; and

3 “(B) provide time and support for teachers
4 to meet to plan literacy instruction.

5 “(5) Coordinating the involvement of early
6 learning program staff, principals, other instruc-
7 tional leaders, teachers, teacher literacy teams,
8 English as a second language specialists (as appro-
9 priate), special educators, and school librarians in
10 the literacy development of children served under
11 this part.

12 “(6) Engaging families and encouraging family
13 literacy experiences and practices to support literacy
14 development;

15 “(7) Annually collecting, summarizing, and re-
16 porting to the State educational agency, data as de-
17 scribed in section 5424(b)(2)(C)—

18 “(A) to document and monitor, for the
19 purpose of improving practice, the improve-
20 ments or increases in student reading and writ-
21 ing pursuant to activities carried out under this
22 section;

23 “(B) to stimulate and accelerate improve-
24 ment by identifying the schools that produce
25 significant gains in literacy achievement; and

1 “(C) for all children and categories of chil-
2 dren, including the subgroups of children de-
3 scribed in section 1111(h).

4 “(c) LOCAL USES OF FUNDS FOR GRADES 6
5 THROUGH 12.—

6 “(1) REQUIRED USES.—An eligible entity that
7 receives a subgrant under this section shall use
8 subgrant funds to carry out the following activities
9 pertaining to students in grades 6 through 12:

10 “(A) Developing and implementing a lit-
11 eracy plan across content areas that—

12 “(i) serves the needs of all students,
13 including students with disabilities and
14 English learners, especially students who
15 are reading or writing below grade level;

16 “(ii) provides intensive, supplemental,
17 accelerated, and explicit intervention and
18 support in reading and writing for stu-
19 dents whose literacy skills are below grade
20 level; and

21 “(iii) supports activities that are pro-
22 vided primarily during the regular school
23 day but which may be augmented by after-
24 school and out-of-school time instruction.

1 “(B) Training principals, pupil services
2 personnel, and other school district personnel to
3 support, develop, administer, and evaluate high-
4 quality grade 5 through grade 12 literacy initia-
5 tives that—

6 “(i) utilize data—

7 “(I) to inform instructional deci-
8 sions; and

9 “(II) to assess professional devel-
10 opment needs;

11 “(ii) assess the quality of adolescent
12 comprehensive literacy instruction in core
13 academic subjects, and career and tech-
14 nical education subjects where such career
15 and technical education subjects provide
16 for integration of core academic subjects;
17 and

18 “(iii) provide time and support for
19 teachers to meet to plan literacy instruc-
20 tion.

21 “(C) Coordinating the involvement of prin-
22 cipals, other instructional leaders, teachers,
23 teacher literacy teams, English as a second lan-
24 guage specialists (as appropriate), special edu-

1 cators, and school librarians in the literacy de-
2 velopment of children served under this part.

3 “(D) Annually collecting, summarizing,
4 and reporting to the State educational agency,
5 data as described in section 5424(b)(2)(C)—

6 “(i) to document and monitor, for the
7 purpose of improving practice, the im-
8 provements or increases in student reading
9 and writing pursuant to activities carried
10 out under this section;

11 “(ii) to stimulate and accelerate im-
12 provement by identifying the schools that
13 produce significant gains in literacy
14 achievement; and

15 “(iii) for all students and categories of
16 children, including the subgroups of stu-
17 dents described in section 1111(h).

18 “(d) ALLOWABLE USES.—An eligible entity that re-
19 ceives a subgrant under this section may use remaining
20 subgrant funds to carry out the following activities per-
21 taining to learners in kindergarten through grade 12:

22 “(1) Providing a planning period of not more
23 than 1 year for the eligible entity to establish the
24 elements necessary for successful implementation of

1 a literacy program for kindergarten through grade
2 12.

3 “(2) Recruiting, placing, training, and compen-
4 sating literacy coaches.

5 “(3) Connecting out-of-school learning opportu-
6 nities to in-school learning in order to improve the
7 literacy achievement of the students.

8 “(4) Training families and caregivers to sup-
9 port the improvement of adolescent literacy.

10 “(5) Providing for a multi-tiered system of sup-
11 port.

12 “(6) Forming a school literacy leadership team
13 to help implement, assess, and identify necessary
14 changes to the literacy initiatives in 1 or more
15 schools to ensure success.

16 “(7) Providing high-quality, literacy-rich envi-
17 ronments that engage students with materials and
18 experiences at the students’ reading and writing lev-
19 els.

20 “(8) Providing time for teachers (and other lit-
21 eracy staff, as appropriate, such as school librarians)
22 to meet to plan literacy instruction.

1 **“SEC. 5428. CONSEQUENCES OF INSUFFICIENT PROGRESS,**
2 **REPORTING REQUIREMENTS, AND CON-**
3 **FLICTS OF INTEREST.**

4 “(a) CONSEQUENCES OF INSUFFICIENT
5 PROGRESS.—

6 “(1) CONSEQUENCES FOR GRANT RECIPI-
7 ENTS.—If the Secretary determines that a State
8 educational agency receiving an award under section
9 5422(b) or an eligible entity receiving a subgrant
10 under section 5426 or 5427 is not making signifi-
11 cant progress in meeting the purposes of this Act
12 and the key metrics identified by the State edu-
13 cational agency under section 5424(b)(2)(C) after
14 the submission of a report described in subsection
15 (b), then the Secretary may withhold, in whole or in
16 part, further payments under this Act in accordance
17 with section 455 of the General Education Provi-
18 sions Act (20 U.S.C. 1234d) or take such other ac-
19 tion authorized by law as the Secretary determines
20 necessary, including providing technical assistance
21 upon request of the State educational agency or eli-
22 gible entity, respectively.

23 “(2) CONSEQUENCES FOR SUBGRANT RECIPI-
24 ENTS.—

25 “(A) IN GENERAL.—A State educational
26 agency receiving an award under section

1 5422(b) may refuse to award subgrant funds to
2 an eligible entity under section 5426 or 5427 if
3 the State educational agency finds that the eli-
4 gible entity is not making significant progress
5 in meeting the purposes of this Act, after—

6 “(i) affording the eligible entity no-
7 tice, a period for correction, and an oppor-
8 tunity for a hearing; and

9 “(ii) providing technical assistance to
10 the eligible entity.

11 “(B) FUNDS AVAILABLE.—Subgrant funds
12 not awarded under subparagraph (A) shall be
13 redirected to an eligible entity serving similar
14 children and students in the same area or re-
15 gion as the eligible entity not awarded the
16 subgrant funds, to the greatest extent prac-
17 ticable.

18 “(b) REPORTING REQUIREMENTS.—

19 “(1) STATE EDUCATIONAL AGENCY REPORTS.—
20 Each State educational agency receiving an award
21 under section 5422(b) shall report annually to the
22 Secretary regarding the State educational agency’s
23 progress in addressing the purposes of this Act.
24 Such report shall include, at a minimum, a descrip-
25 tion of—

1 “(A) the professional development activi-
2 ties provided under the award, including types
3 of activities and entities involved in providing
4 professional development to classroom teachers
5 and other program staff, such as school librar-
6 ians;

7 “(B) the instruction, strategies, activities,
8 curricula, materials, and assessments used in
9 the programs funded under the award;

10 “(C)(i) the types of programs and, for chil-
11 dren from preschool to kindergarten entry, pro-
12 gram settings, funded under the award; and

13 “(ii) the ages and demographic information
14 that is not individually identifiable of children
15 served by the programs funded under the
16 award;

17 “(D) the experience and qualifications of
18 the program staff who provide literacy instruc-
19 tion under the programs funded under the
20 award, including the experience and qualifica-
21 tions of those staff working with children with
22 disabilities or developmental delays and with
23 English learners and children from preschool to
24 kindergarten entry;

1 “(E) key data metrics identified under sec-
2 tion 5424(b)(2)(C) used for literacy initiatives;

3 “(F) student performance on relevant pro-
4 gram metrics, as identified in the State edu-
5 cation agency’s implementation plan under sec-
6 tion 5424(b)(2)(C).

7 “(G) the outcomes of programs and activi-
8 ties provided under the award.

9 “(2) ELIGIBLE ENTITY REPORTS.—Each eligi-
10 ble entity receiving a subgrant under section 5426 or
11 5427 shall report annually to the State educational
12 agency regarding the eligible entity’s progress in ad-
13 dressing the purposes of this Act. Such report shall
14 include, at a minimum, a description of—

15 “(A) how the subgrant funds were used;

16 “(B) student performance on relevant pro-
17 gram metrics, as identified in the State edu-
18 cation agency’s implementation plan under sec-
19 tion 5424(b)(2)(C).

20 “(c) CONFLICTS OF INTEREST.—The Secretary shall
21 ensure that each member of the peer review panel de-
22 scribed in section 5422(c) and each member of a State
23 literacy leadership team participating in a program or ac-
24 tivity assisted under this Act does not stand to benefit

1 financially from a grant or subgrant awarded under this
2 Act.

3 **“SEC. 5429. DEFINITIONS.**

4 “(a) IN GENERAL.—Unless otherwise specified, the
5 terms used in this Act have the meanings given the terms
6 in section 9101 of the Elementary and Secondary Edu-
7 cation Act of 1965 (20 U.S.C. 7801).

8 “(b) OTHER TERMS.—In this Act:

9 “(1) CHARACTERISTICS OF EFFECTIVE LIT-
10 ERACY STRATEGIES AND INSTRUCTION.—The term
11 ‘characteristics of effective literacy strategies and in-
12 struction’ means—

13 “(A) for children from preschool through
14 kindergarten entry—

15 “(i) providing high quality profes-
16 sional development opportunities for early
17 childhood educators, teachers, and school
18 leaders in—

19 “(I) literacy development;

20 “(II) language development;

21 “(III) English language acquisi-
22 tion (as appropriate); and

23 “(IV) effective language and lit-
24 eracy instruction and teaching strate-
25 gies aligned to State standards;

1 “(ii) reading aloud to children, engag-
2 ing children in shared reading experiences,
3 discussing reading with children, and mod-
4 eling age and developmentally appropriate
5 reading strategies;

6 “(iii) encouraging children’s early at-
7 tempts at communication, reading, writing,
8 and drawing, and talking about the mean-
9 ing of the reading, writing, and drawing
10 with others;

11 “(iv) creating conversation rich class-
12 rooms and using oral modeling techniques
13 to build oral language skills;

14 “(v) multiplying opportunities for chil-
15 dren to use language with peers and
16 adults;

17 “(vi) providing strategic and explicit
18 instruction in the identification of speech
19 sounds, letters, and letter-sound cor-
20 respondence;

21 “(vii) integrating oral and written lan-
22 guage;

23 “(viii) stimulating vocabulary develop-
24 ment;

1 “(ix) using differentiated instructional
2 approaches or teaching strategies, includ-
3 ing—

4 “(I) individual and small group
5 instruction or interactions; and

6 “(II) professional development,
7 curriculum development, and class-
8 room instruction;

9 “(x) applying the principles of uni-
10 versal design for learning;

11 “(xi) using age-appropriate screening
12 assessments, diagnostic assessments, form-
13 ative assessments, and summative assess-
14 ments to identify individual learning needs,
15 to inform instruction, and to monitor—

16 “(I) student progress and the ef-
17 fects of instruction over time; and

18 “(II) for children between the
19 ages of preschool and kindergarten
20 entry, progress and development with-
21 in established norms;

22 “(xii) coordinating the involvement of
23 families, early childhood education pro-
24 gram staff, principals, other school leaders,
25 and teachers in the reading and writing

1 achievement of children served under this
2 Act;

3 “(xiii) using a variety of age and de-
4 velopmentally appropriate, high quality
5 materials for language development, read-
6 ing, and writing;

7 “(xiv) encouraging family literacy ex-
8 periences and practices, and educating
9 teachers, public librarians, and parents
10 and other caregivers about literacy develop-
11 ment and child literacy development; and

12 “(xv) using strategies to enhance chil-
13 dren’s—

14 “(I) motivation to communicate,
15 read, and write; and

16 “(II) engagement in self-directed
17 learning;

18 “(B) for students in kindergarten through
19 grade 3—

20 “(i) providing high quality profes-
21 sional development opportunities, for
22 teachers, literacy coaches, literacy special-
23 ists, English as a second language special-
24 ists (as appropriate), school librarians, and
25 principals, on literacy development, lan-

1 guage development, English language ac-
2 quisition, and effective literacy instruction
3 that—

4 “(I) aligns to State standards as
5 well as local curricula and instruc-
6 tional assessments; and

7 “(II) addresses literacy develop-
8 ment opportunities across the cur-
9 ricula;

10 “(ii) providing age appropriate direct
11 and explicit instruction;

12 “(iii) providing strategic, systematic,
13 and explicit instruction in phonological
14 awareness, phonic decoding, vocabulary,
15 reading fluency, and reading comprehen-
16 sion;

17 “(iv) making available and using di-
18 verse texts at the reading, development,
19 and interest level of students;

20 “(v) providing multiple opportunities
21 for students to write individually and col-
22 laboratively with instruction and feedback;

23 “(vi) using differentiated instructional
24 approaches, including individual, small

1 group, and classroom-based instruction
2 and discussion;

3 “(vii) using oral modeling techniques
4 and opportunities for students to use lan-
5 guage with the students’ peers and adults
6 to build student language skills;

7 “(viii) providing time and opportuni-
8 ties for systematic and intensive instruc-
9 tion, intervention, and practice to supple-
10 ment regular instruction, which can be
11 provided inside and outside the classroom
12 as well as during and outside regular
13 school hours;

14 “(ix) providing instruction in uses of
15 print materials and technological resources
16 for research and for generating and pre-
17 senting content and ideas;

18 “(x) using screening assessments, di-
19 agnostic assessments, formative assess-
20 ments, and summative assessments to
21 identify student learning needs, to inform
22 instruction, and to monitor student
23 progress and the effects of instruction over
24 time;

1 “(xi) coordinating the involvement of
2 families, caregivers, teachers, principals,
3 other school leaders, and teacher literacy
4 teams in the reading and writing achieve-
5 ment of children served under this Act;

6 “(xii) encouraging family literacy ex-
7 periences and practices; and

8 “(xiii) using strategies to enhance stu-
9 dents’—

10 “(I) motivation to read and
11 write; and

12 “(II) engagement in self-directed
13 learning; and

14 “(C) for students in grades 4 through
15 12—

16 “(i) providing high quality profes-
17 sional development opportunities for teach-
18 ers, literacy coaches, literacy specialists,
19 English as a second language specialists
20 (as appropriate), school librarians, and
21 principals, including professional develop-
22 ment on literacy development, language de-
23 velopment, and effective literacy instruc-
24 tion embedded in schools and aligned to
25 State standards;

1 “(ii) providing direct and explicit com-
2 prehension instruction;

3 “(iii) providing direct and explicit in-
4 struction that builds academic vocabulary
5 and strategies and knowledge of text struc-
6 ture for reading different kinds of texts
7 within and across core academic subjects;

8 “(iv) making available and using di-
9 verse texts at the reading, development,
10 and interest level of the students;

11 “(v) providing multiple opportunities
12 for students to write with clear purposes
13 and critical reasoning appropriate to the
14 topic and purpose and with specific in-
15 struction and feedback from teachers and
16 peers;

17 “(vi) using differentiated instructional
18 approaches;

19 “(vii) using strategies to enhance stu-
20 dents’—

21 “(I) motivation to read and
22 write; and

23 “(II) engagement in self-directed
24 learning;

1 “(viii) providing for text-based learn-
2 ing across content areas;

3 “(ix) providing systematic, strategic,
4 and individual and small group instruction,
5 including intensive supplemental interven-
6 tion for students reading significantly
7 below grade level, which may be provided
8 inside and outside the classroom as well as
9 during and outside regular school hours;

10 “(x) providing instruction in the uses
11 of technology and multimedia resources for
12 classroom research and for generating and
13 presenting content and ideas;

14 “(xi) using screening assessments, di-
15 agnostic assessments, formative assess-
16 ments, and summative assessments to
17 identify learning needs, inform instruction,
18 and monitor student progress and the ef-
19 fects of instruction;

20 “(xii) coordinating the involvement of
21 families and caregivers, to the extent fea-
22 sible and appropriate as determined by the
23 Secretary, to improve reading, writing, and
24 academic achievement; and

1 “(xiii) coordinating the involvement of
2 school librarians, teachers, principals,
3 other school leaders, teacher literacy
4 teams, and English as a second language
5 specialists (as appropriate), that analyze
6 student work and plan or deliver instruc-
7 tion over time.

8 “(2) CLASSROOM-BASED INSTRUCTIONAL AS-
9 SESSMENT.—The term ‘classroom-based instruc-
10 tional assessment’ means an assessment, for children
11 between preschool through grade 3, that—

12 “(A) is valid and reliable for the age and
13 population of children being assessed;

14 “(B) is used to evaluate children’s develop-
15 mental progress and learning, including system-
16 atic observations by teachers of children per-
17 forming tasks, including academic and literacy
18 tasks, that are part of their daily classroom ex-
19 perience; and

20 “(C) is used to improve classroom instruc-
21 tion.

22 “(3) COMPREHENSIVE LITERACY INSTRUCC-
23 TION.—The term ‘comprehensive literacy instruc-
24 tion’ means instruction that—

1 “(A) involves the characteristics of effective literacy instruction; and

2
3 “(B) is designed to support the essential components of reading instruction and the essential components of writing instruction.

4
5
6 “(4) DEVELOPMENTAL DELAY.—The term ‘developmental delay’ has the meaning given the term in section 632 of the Individuals with Disabilities Education Act (20 U.S.C. 1432).

7
8
9
10 “(5) DIAGNOSTIC ASSESSMENT.—The term ‘diagnostic assessment’ means an assessment that—

11
12 “(A) is valid, reliable, and based on scientifically valid research on language, literacy, and English language acquisition;

13
14
15 “(B) is used for the purposes of—

16 “(i) identifying a student’s specific areas of strengths and weaknesses in oral language and literacy;

17
18
19 “(ii) determining any difficulties that the student may have in oral language and literacy and the potential cause of such difficulties; and

20
21
22 “(iii) helping to determine possible literacy intervention strategies and related special needs of the student; and

1 “(C) in the case of young children, is con-
2 ducted after a screening assessment that identi-
3 fies potential risks or a lack of school prepared-
4 ness, including oral language and literacy devel-
5 opment, or delayed development.

6 “(6) ELIGIBLE ENTITY.—The term ‘eligible en-
7 tity’ means—

8 “(A) when used with respect to children
9 from preschool through kindergarten entry—

10 “(i) 1 or more local educational agen-
11 cies providing early childhood education
12 programs, or 1 or more public or private
13 early childhood education programs, serv-
14 ing children from preschool through kin-
15 dergarten entry (such as a Head Start pro-
16 gram, a child care program, a State-funded
17 prekindergarten program, a public library
18 program, or a family literacy program),
19 that has a demonstrated record of pro-
20 viding effective literacy instruction for the
21 age group such agency or program pro-
22 poses to serve under section 5426; or

23 “(ii) 1 or more entities described in
24 clause (i) acting in partnership with 1 or
25 more public agencies or private nonprofit

1 organizations that have a demonstrated
2 record of effectiveness—

3 “(I) in improving the early lit-
4 eracy development of children from
5 preschool through kindergarten entry;
6 and

7 “(II) in providing professional
8 development aligned with the activities
9 described in section 5426(e)(1); or

10 “(B) when used with respect to students in
11 kindergarten through grade 12—

12 “(i) that is—

13 “(I) a local educational agency;

14 “(II) a consortium of local edu-
15 cational agencies; or

16 “(III) or a local educational
17 agency or consortium of local edu-
18 cational agencies that may act in
19 partnership with 1 or more public
20 agencies or private nonprofit organi-
21 zations, which agencies or organiza-
22 tions shall have a demonstrated record
23 of effectiveness, consistent with the
24 purposes of their participation, in im-
25 proving literacy achievement of stu-

1 dents from kindergarten through
2 grade 12 and in providing professional
3 development described in section
4 5427(a)(3)(B).

5 “(ii) that—

6 “(I) is among, or consists of, the
7 local educational agencies in the State
8 with the highest numbers or percent-
9 ages of students reading or writing
10 below grade level, based on the most
11 currently available State academic as-
12 sessment data;

13 “(II) has jurisdiction over a sig-
14 nificant number or percentage of
15 schools that are identified for school
16 improvement under section 1116; or

17 “(iii) has the highest numbers or per-
18 centages of children who are counted under
19 section 1124(c) of the Elementary and
20 Secondary Education Act (20 U.S.C.
21 6333(c)), in comparison to other local edu-
22 cational agencies in the State;

23 “(7) ENGLISH LANGUAGE ACQUISITION.—

24 “(A) IN GENERAL.—The term ‘English
25 language acquisition’ means the process by

1 which a non-native English speaker acquires
2 proficiency in speaking, listening, reading, and
3 writing the English language.

4 “(B) INCLUSIONS FOR ENGLISH LEARNERS
5 IN SCHOOL.—For an English language learner
6 in school, such term includes not only the social
7 language proficiency needed to participate in
8 the school environment, but also the academic
9 language proficiency needed to acquire literacy
10 and academic content and demonstrate the stu-
11 dent’s learning.

12 “(8) ESSENTIAL COMPONENTS OF READING IN-
13 STRUCTION.—The term ‘essential components of
14 reading instruction’ means developmentally appro-
15 priate, contextually explicit, systematic instruction,
16 and frequent practice, in reading across content
17 areas.

18 “(9) ESSENTIAL COMPONENTS OF WRITING IN-
19 STRUCTION.—The term ‘essential components of
20 writing instruction’ means developmentally appro-
21 priate and contextually explicit instruction, and fre-
22 quent practice, in writing across content areas.

23 “(10) FAMILY LITERACY SERVICES.—The term
24 ‘family literacy services’ means literacy services pro-
25 vided on a voluntary basis that are of sufficient in-

1 tensity in terms of hours and duration and that inte-
2 grate all of the following activities:

3 “(A) Interactive literacy activities between
4 or among parents and their children, including
5 parent literacy training.

6 “(B) Training for parents regarding how
7 to be the primary teacher for their children and
8 full partners in the education of their children.

9 “(11) FORMATIVE ASSESSMENT.—The term
10 ‘formative assessment’ means a process that—

11 “(A) is teacher-generated or selected by
12 teachers and students during instructional
13 learning;

14 “(B) is embedded within the learning ac-
15 tivity and linked directly to the current unit of
16 instruction; and

17 “(C) provides feedback to adjust ongoing
18 teaching and learning to improve students’
19 achievement of intended instructional outcomes.

20 “(12) HIGH-QUALITY PROFESSIONAL DEVELOP-
21 MENT.—The term ‘high-quality professional develop-
22 ment’ means professional development that—

23 “(A) is job-embedded, ongoing, and based
24 on scientifically valid research;

1 “(B) is sustained, intensive, and class-
2 room-focused, and is not limited in scope to a
3 1-day or short-term workshop or conference;

4 “(C) is designed to increase the knowledge
5 and expertise of teachers, early childhood edu-
6 cators and administrators, principals, other
7 school leaders, and other program staff in ap-
8 plying—

9 “(i) the characteristics of effective lit-
10 eracy instruction;

11 “(ii) the essential components of read-
12 ing instruction;

13 “(iii) the essential components of writ-
14 ing instruction; and

15 “(iv) instructional strategies and prac-
16 tices that are appropriate to the age, devel-
17 opment, and needs of children and improve
18 student learning, including strategies and
19 practices consistent with the principles of
20 universal design for learning;

21 “(D) includes and supports teachers in ef-
22 fectively administering age appropriate and de-
23 velopmentally appropriate assessments, and
24 analyzing the results of such assessments for
25 the purposes of planning, monitoring, adapting,

1 and improving effective classroom instruction or
2 teaching strategies to improve student literacy;

3 “(E) for educators working with students
4 in kindergarten through grade 12—

5 “(i) supports the characteristics of ef-
6 fective literacy instruction through core
7 academic subjects, and through career and
8 technical education subjects where such ca-
9 reer and technical education subjects pro-
10 vide for the integration of core academic
11 subjects; and

12 “(ii) includes explicit instruction in
13 discipline-specific thinking and how to read
14 and interpret discipline-specific text struc-
15 tures and features;

16 “(F) includes instructional strategies uti-
17 lizing one-to-one, small group, and classroom-
18 based instructional materials and approaches
19 based on scientifically valid research on literacy;

20 “(G) provides ongoing instructional lit-
21 eracy coaching—

22 “(i) to ensure high-quality implemen-
23 tation of effective practices of literacy in-
24 struction that are content-centered, inte-
25 grated across the curricula, collaborative,

1 and embedded in the school, classroom, or
2 other setting; and

3 “(ii) that uses student data to im-
4 prove instruction;

5 “(H) includes and supports teachers in set-
6 ting high reading and writing achievement goals
7 for all students and provides the teachers with
8 the instructional tools and skills to help stu-
9 dents reach such goals; and

10 “(I) is differentiated for educators working
11 with children from preschool through kinder-
12 garten entry, students in kindergarten through
13 grade 5, and students in grades 6 through 12,
14 and, as appropriate, by student grade or stu-
15 dent need.

16 “(13) LITERACY COACH.—The term ‘literacy
17 coach’ means a professional—

18 “(A) who—

19 “(i) has previous teaching experience
20 and—

21 “(I) a master’s degree with a
22 concentration in reading and writing
23 education;

24 “(II) demonstrated proficiency in
25 teaching reading or writing in a core

1 academic subject consistent with the
2 characteristics of effective literacy in-
3 struction; or

4 “(III) in the case of a literacy
5 coach for children from preschool
6 through kindergarten entry, a con-
7 centration, credential, or significant
8 experience in child development and
9 early literacy development; and

10 “(ii) is able to demonstrate the ability
11 to help teachers—

12 “(I) apply research on how stu-
13 dents become successful readers, writ-
14 ers, and communicators;

15 “(II) apply multiple forms of as-
16 sessment to guide instructional deci-
17 sionmaking and use data to improve
18 literacy instruction;

19 “(III) improve student writing
20 and reading in and across content
21 areas such as mathematics, science,
22 social studies, and language arts;

23 “(IV) develop and implement dif-
24 ferentiated instruction and teaching
25 approaches to serve the needs of the

1 full range of learners, including
2 English learners and children with
3 disabilities;

4 “(V) apply principles of universal
5 design for learning;

6 “(VI) employ best practices in
7 engaging principals, early childhood
8 educators and administrators, teach-
9 ers, and other professionals sup-
10 porting literacy instruction to change
11 school cultures to better encourage
12 and support literacy development and
13 achievement; and

14 “(VII)(aa) for children from pre-
15 school through kindergarten entry, set
16 developmentally appropriate expecta-
17 tions for language; and

18 “(bb) for all children, set literacy
19 development and high reading and
20 writing achievement goals and select,
21 acquire, and use instructional tools
22 and skills to help the children reach
23 such goals; and

24 “(B) whose role with teachers and profes-
25 sionals supporting literacy instruction is—

1 “(i) to provide high-quality profes-
2 sional development;

3 “(ii) to work cooperatively and col-
4 laboratively with principals, teachers, and
5 other professionals in employing strategies
6 to help teachers identify and support stu-
7 dent language and literacy needs and teach
8 literacy across content areas and develop-
9 mental domains; and

10 “(iii) to work cooperatively and col-
11 laboratively with other professionals in em-
12 ploying strategies to help teachers teach
13 literacy across content areas so that the
14 teachers can meet the needs of all stu-
15 dents, including children with disabilities,
16 English learners, and students who are
17 reading at or above grade level.

18 “(14) MULTI-TIERED SYSTEM OF SUPPORT.—
19 The term ‘multi-tiered system of support’ means a
20 comprehensive system of differentiated supports that
21 includes evidence-based instruction, universal screen-
22 ing, progress monitoring, formative assessments, re-
23 search-based interventions matched to student needs
24 and educational decisionmaking using student out-
25 come data.

1 “(15) READING.—The term ‘reading’ means a
2 complex system of deriving meaning from print that
3 requires, in ways that are developmentally, content,
4 and contextually appropriate, all of the following:

5 “(A) PHONEMES.—The skills and knowl-
6 edge to understand how phonemes, or speech
7 sounds, are connected to print.

8 “(B) ACCURACY, FLUENCY, AND UNDER-
9 STANDING.—The ability to read accurately, flu-
10 ently, and with understanding.

11 “(C) READING COMPREHENSION.—The use
12 of background knowledge and vocabulary to
13 make meaning from a text.

14 “(D) ACTIVE STRATEGIES.—The develop-
15 ment and use of appropriate active strategies to
16 interpret and construct meaning from print.

17 “(16) SCIENTIFICALLY VALID RESEARCH.—The
18 term ‘scientifically valid research’ has the meaning
19 given the term in section 200 of the Higher Edu-
20 cation Act of 1965 (20 U.S.C. 1021).

21 “(17) SCREENING ASSESSMENT.—The term
22 ‘screening assessment’ means an assessment that—

23 “(A) is valid, reliable, and based on sci-
24 entifically valid research on literacy and English
25 language acquisition; and

1 “(B) is a procedure designed as a first
2 step in identifying children who may be at high
3 risk for delayed development or academic fail-
4 ure and in need of further diagnosis of the chil-
5 dren’s need for special services or additional lit-
6 eracy instruction.

7 “(18) STATE.—The term ‘State’ has the mean-
8 ing given the term in section 103 of the Higher
9 Education Act of 1965 (20 U.S.C. 1003).

10 “(19) STATE LITERACY LEADERSHIP TEAM.—

11 “(A) IN GENERAL.—The term ‘State lit-
12 eracy leadership team’ means a team that—

13 “(i) is appointed and coordinated by
14 the State educational agency;

15 “(ii) assumes the responsibility to
16 guide the development and implementation
17 of a statewide, comprehensive literacy plan;

18 “(iii) is composed of not less than 11
19 individuals;

20 “(iv) shall include—

21 “(I) not less than 3 individuals
22 who have literacy expertise in one of
23 each of the areas of—

24 “(aa) preschool through
25 school entry, such as the State

1 Head Start collaboration direc-
2 tor;

3 “(bb) kindergarten entry
4 through grade 5; and

5 “(cc) grades 6 through 12;

6 “(II) a school principal;

7 “(III) a teacher with literacy ex-
8 pertise or an administrator with spe-
9 cial education and literacy expertise;

10 “(IV) a teacher or administrator
11 with expertise in teaching the English
12 language to English learners;

13 “(V) a representative from the
14 State educational agency who oversees
15 literacy initiatives; and

16 “(VI) a representative from high-
17 er education who is actively involved
18 in research, development, or teacher
19 preparation in literacy instruction and
20 intervention based on scientifically
21 valid research; and

22 “(v) may include—

23 “(I) a literacy specialist serving
24 in a school district within the State;

25 “(II) a literacy coach;

- 1 “(III) a library media specialist;
- 2 “(IV) a representative from the
- 3 family literacy community;
- 4 “(V) a representative from a
- 5 State agency serving children, with
- 6 expertise in literacy instruction;
- 7 “(VI) a school counselor;
- 8 “(VII) a teacher of a core aca-
- 9 demic subject;
- 10 “(VIII) a special education ad-
- 11 ministrator;
- 12 “(IX) a professor of a 4-year in-
- 13 stitution of higher education;
- 14 “(X) a parent;
- 15 “(XI) a business leader;
- 16 “(XII) a representative from the
- 17 Governor’s office;
- 18 “(XIII) a representative from the
- 19 State board of education;
- 20 “(XIV) a representative from the
- 21 State legislature;
- 22 “(XV) a nonprofit and commu-
- 23 nity-based organization providing lit-
- 24 eracy instruction and support; and

1 “(XVI) a representative from a
2 school district superintendent’s office.

3 “(B) INCLUSION OF A PREEXISTING PART-
4 NERSHIP.—If, before the date of enactment of
5 this Act, a State educational agency established
6 a consortium, partnership, or any other similar
7 body that was considered a literacy partnership
8 for purposes of subpart 1 or 2 of part B of title
9 I of the Elementary and Secondary Education
10 Act of 1965 (20 U.S.C. 6361 et seq., 6371 et
11 seq.) and that includes the individuals required
12 under subparagraph (A)(iv), such consortium,
13 partnership, or body may be considered a State
14 literacy leadership team for purposes of sub-
15 paragraph (A).

16 “(20) SUMMATIVE ASSESSMENT.—The term
17 ‘summative assessment’ means an assessment that—

18 “(A) is valid, reliable, and based on sci-
19 entifically valid research on literacy and English
20 language acquisition; and

21 “(B) measures—

22 “(i) for children from preschool
23 through kindergarten entry, how the chil-
24 dren have progressed over time relative to
25 developmental norms; and

1 “(ii) for students in kindergarten
2 through grade 12, what the students have
3 learned over time, relative to academic con-
4 tent standards.

5 “(21) UNIVERSAL DESIGN FOR LEARNING.—
6 The term ‘universal design for learning’ has the
7 meaning given the term in section 103 of the Higher
8 Education Act of 1965 (20 U.S.C. 1003).

9 “(22) WRITING.—The term ‘writing’ means—
10 “(A) composing meaning in print or
11 through other media, including technologies, to
12 communicate and to create new knowledge in
13 ways appropriate to the context of the writing
14 and the literacy development stage of the writ-
15 er;

16 “(B) composing ideas individually and col-
17 laboratively in ways that are appropriate for a
18 variety of purposes, audiences, and occasions;

19 “(C) choosing vocabulary, tone, genre, and
20 conventions, such as spelling and punctuation,
21 suitable to the purpose, audience, and occasion;
22 and

23 “(D) revising compositions for clarity of
24 ideas, coherence, logical development, and preci-
25 sion of language use.

1 **“SEC. 5430. AUTHORIZATION OF APPROPRIATIONS.**

2 “There are authorized to be appropriated to carry out
3 this subpart \$500,000,000 for fiscal year 2013 and such
4 sums as may be necessary for subsequent fiscal years.

5 “SUBPART 3—A WELL-ROUNDED EDUCATION

6 **“SEC. 5431. PROGRAM AUTHORIZED.**

7 “From the amount appropriated each fiscal year to
8 carry out this subpart, the Secretary—

9 “(1) shall—

10 “(A) reserve not less than 5 percent for
11 national activities under section 5438; and

12 “(B) of the funds remaining after the Sec-
13 retary reserves funds under subparagraph
14 (A)—

15 “(i) use at least 45 percent to award
16 grants to eligible entities under this sub-
17 part to carry out proven practices, strate-
18 gies, or programs in American history,
19 civic education, and geography;

20 “(ii) use at least 10 percent to award
21 grants to eligible entities under this sub-
22 part to carry out proven practices, strate-
23 gies, or programs in economic and finan-
24 cial literacy education and entrepreneur-
25 ship education;

1 “(iii) use at least 15 percent to award
2 grants to eligible entities under this sub-
3 part to carry out proven practices, strate-
4 gies, or programs in foreign language edu-
5 cation;

6 “(iv) use at least 15 percent to award
7 grants to eligible entities under this sub-
8 part to carry out proven practices, strate-
9 gies, or programs in arts education; and

10 “(v) use at least 10 percent to award
11 grants to eligible entities under this sub-
12 part to carry out proven practices, strate-
13 gies, or programs in Javits gifted and tal-
14 ented education; and

15 “(2) may use the funds remaining after the
16 Secretary reserves and uses funds under paragraph
17 (1) to award grants to eligible entities under this
18 subpart to carry out any of the proven practices,
19 strategies, or programs described in clauses (i)
20 through (v) of paragraph (1)(B).

21 **“SEC. 5432. ELIGIBLE ENTITY DEFINED.**

22 “‘In this subpart, an eligible entity means a State
23 educational agency, local educational agency, or an edu-
24 cational service agency with a local educational agency
25 that is in partnership with one or more of the following:

1 “(1) An institution of higher education.

2 “(2) A nonprofit organization with dem-
3 onstrated expertise in the content areas described in
4 section 5431(1)(B).

5 “(3) A library or museum.

6 **“SEC. 5433. GRANT PRIORITY, DURATION, AND SIZE AND**
7 **SCOPE REQUIREMENTS.**

8 “(a) PRIORITY.—In awarding grants under this sub-
9 part, the Secretary shall give priority to—

10 “(1) eligible entities proposing to serve schools
11 in need of improvement or persistently low achieving
12 schools; and

13 “(2) eligible entities proposing to serve a high
14 percentage and number of children from families
15 with incomes below the poverty line according to the
16 most recent census data approved by the Secretary.

17 “(b) DURATION.—The Secretary shall award grants
18 under this subpart for a period of 5 years.

19 “(c) SUFFICIENT SIZE AND SCOPE.—In awarding
20 grants under this subpart, the Secretary shall ensure that
21 grants are of sufficient size and scope.

22 **“SEC. 5434. SUPPLEMENT, NOT SUPPLANT.**

23 “Funds received under this subpart shall be used to
24 supplement, not supplant, Federal and non-Federal funds
25 available to support child and youth services.

1 **“SEC. 5435. APPLICATION REQUIREMENTS.**

2 “(a) IN GENERAL.—To receive a grant under one or
3 more of the grant programs described in clauses (i)
4 through (v) of section 5431(1)(B), an eligible entity shall
5 submit an application to the Secretary at such time, in
6 such manner, and containing the information that the Sec-
7 retary may require, including the information described in
8 subsection (c).

9 “(b) MULTIPLE APPLICATIONS.—An eligible entity
10 may apply for one or more grant programs under this sub-
11 part, and may use a consolidated application to apply for
12 more than one grant program under this subpart .

13 “(c) APPLICATION REQUIREMENTS.— An application
14 submitted under subsection (a) shall contain the following:

15 “(1) A description of the promising or proven
16 practice, strategy, or program that the applicant
17 proposes to implement in a content area listed in
18 clauses (i) through (v) of section 5431(1)(B).

19 “(2) A description of how the proposed practice,
20 strategy, or program is evidence-based and will im-
21 prove teaching practices as well as student achieve-
22 ment or student academic growth especially with
23 high-need student populations.

24 “(3) A description of how the proposed practice,
25 strategy, or program fits into the State or local edu-

1 cational agency’s overall strategy that students have
2 access to a well-rounded education.

3 “(4) A description of how the proposed practice,
4 strategy, or program will be aligned with school im-
5 provement plans.

6 “(5) A description of how the activities will ade-
7 quately address the needs of students with disabil-
8 ities and English learners.

9 “(6) A description of the applicant’s plan for
10 data collection, analysis, and dissemination of results
11 and outcomes, including an assurance that the appli-
12 cant will make this information publicly available
13 and accessible to educators, researchers, and other
14 experts.

15 “(7) A description of how the applicant will
16 provide for the completion of an independent evalua-
17 tion of the project (including through the use of
18 formative and summative evaluation methodologies)
19 during the grant period to assess its impact on stu-
20 dent achievement, student academic growth, student
21 engagement, and other program goals, including its
22 potential for replication and expansion.

23 “(8) If the applicant proposes to expand an ex-
24 isting practice, strategy, or program with at least
25 moderate evidence, a description of how the appli-

1 cant proposes to reach additional participants in
2 such practice, strategy, or program.

3 “(d) PEER REVIEW.—The Secretary shall establish
4 a peer-review process to assist in review of applications
5 submitted under this section.

6 **“SEC. 5436. USES OF FUNDS.**

7 “(a) IN GENERAL.—Each eligible entity that receives
8 a grant under this subpart shall carry out one or more
9 of the following:

10 “(1) Plan, develop, expand, or improve prac-
11 tices, strategies, and programs in the applicable con-
12 tent area.

13 “(2) Develop and implement instructional mate-
14 rials, assessments (including performance-based as-
15 sessments), and curriculum, aligned with State
16 standards in a content area listed in clauses (i)
17 through (v) of section 5431(1)(B), which embed
18 principles of universal design for learning to support
19 students with diverse learning needs including
20 English learners and students with disabilities.

21 “(3) Develop and implement professional devel-
22 opment for teachers in the applicable content area in
23 order to improve classroom practices.

24 “(4) Align practices, strategies, and programs
25 with postsecondary programs for the continuation of

1 instruction in the academic subject for which the
2 program strategy or practice proposes to increase
3 student achievement or student growth.

4 “(5) Supporting the use of open educational re-
5 sources or other innovative uses of technology that
6 are designed to serve students at all levels of
7 achievement.

8 “(6) Support efforts to expand access to ad-
9 vanced coursework, especially for high-need students.

10 “(7) In the case of an eligible entity that is a
11 State educational agency, the eligible entity may also
12 provide technical assistance to local programs within
13 the State.

14 “(b) PROGRAM SPECIFIC REQUIREMENTS FOR GEOG-
15 RAPHY GRANTS.—In addition to meeting the requirements
16 of subsection (a), an eligible entity receiving a grant de-
17 scribed in section 5431(1)(B)(i) may use the grant to—

18 “(1) carry out local, field-based activities for
19 teachers and students to improve their knowledge of
20 the concepts and tools of geography while enhancing
21 understanding of their home region; and

22 “(2) apply geographic information systems and
23 technology to the teaching of geography; and

24 “(3) using internet or distance-learning tech-
25 nology.

1 “(c) PROGRAM SPECIFIC REQUIREMENTS FOR ECO-
2 NOMIC, FINANCIAL LITERACY, AND ENTREPRENEURSHIP
3 EDUCATION GRANTS.—In addition to meeting the require-
4 ments of subsection (a), an eligible entity receiving a grant
5 described in section 5431(1)(B)(ii)—

6 “(1) may use the grant to—

7 “(A) carry out programs to teach personal
8 financial management skills;

9 “(B) carry out programs to teach the basic
10 principles involved with earning, spending, sav-
11 ing, investing, credit, and insurance; and

12 “(C) implement financial and economic lit-
13 eracy activities and sequences of study within,
14 or coordinated with, core academic subjects;
15 and

16 “(2) is strongly encouraged to—

17 “(A) include interactions with the local
18 business community to the fullest extent pos-
19 sible to reinforce the connection between eco-
20 nomic and financial literacy; and

21 “(B) work with private businesses to ob-
22 tain matching contributions for Federal funds
23 and assist recipients in working toward self-suf-
24 ficiency.

1 “(d) PROGRAM SPECIFIC REQUIREMENTS FOR FOR-
2 EIGN LANGUAGE GRANTS.—In addition to meeting the re-
3 quirements of subsection (a), an eligible entity receiving
4 a grant described in section 5431(1)(B)(iii) may use the
5 grant to carry out the following activities:

6 “(1) Developing and implementing intensive
7 summer foreign language programs for professional
8 development.

9 “(2) Linking nonnative English speakers in the
10 community with the schools in order to promote two-
11 way language learning.

12 “(3) Promoting the sequential study of a for-
13 eign language for students, beginning in elementary
14 schools.

15 “(4) Making effective use of technology, such as
16 computer-assisted instruction, language laboratories,
17 or distance learning, to promote foreign language
18 study.

19 “(5) Developing and implementing, high quality
20 dual language programs.

21 “(6) Promoting innovative activities, such as
22 foreign language immersion, partial foreign language
23 immersion, or content-based instruction.

24 “(7) Providing opportunities for maximum for-
25 eign language exposure for students domestically,

1 such as the creation of immersion environments in
2 the classroom and school, on weekend or summer ex-
3 periences, and special tutoring and academic sup-
4 port.

5 “(8) providing for the possibility for multiple
6 entry points for studying the foreign language.

7 “(9) Creating partnerships with elementary and
8 secondary schools in other countries to facilitate lan-
9 guage and cultural learning and exchange.

10 “(10) Providing support for a language super-
11 visor to oversee and coordinate the progress of the
12 articulated foreign language program across grade
13 levels in the local education agency funded under
14 this subpart.

15 “(e) PROGRAM SPECIFIC REQUIREMENTS FOR JAV-
16 ITS GIFTED AND TALENTED GRANTS.—In addition to
17 meeting the requirements of subsection (a), an eligible en-
18 tity receiving a grant described in section 5431(1)(B)(v)
19 may use the grant to carry out the following activities:

20 “(1) Providing funds for challenging, high-level
21 course work, disseminated through technologies (in-
22 cluding distance learning), for individual students or
23 groups of students in schools and local educational
24 agencies that would not otherwise have the resources
25 to provide such course work.

1 “(2) Ensuring that assessments provide diag-
2 nostic information that informs instruction for high-
3 achieving students.

4 “(3) Carrying out training and professional de-
5 velopment for school personnel involved in the teach-
6 ing of high-achieving, educationally disadvantaged
7 students, such as instructional staff, principals,
8 counselors, and psychologists.

9 “(4) Conducting education and training for par-
10 ents of high-achieving, educationally disadvantaged
11 students to support educational excellence for such
12 students.

13 **“SEC. 5437. EVALUATION.**

14 “Each eligible entity receiving a grant under this sub-
15 part shall conduct an independent program-level evalua-
16 tion and submit preliminary results to the Secretary at
17 such a time and in such manner as the Secretary may
18 require in order to determine the eligible entity’s eligibility
19 to continue to receive funding under this subpart.

20 **“SEC. 5438. NATIONAL ACTIVITIES.**

21 “(a) IN GENERAL.—From the amounts reserved
22 under section 5431(1)(A), the Secretary shall carry out
23 the national activities described in subsection (b) directly
24 or by entering into contracts with an eligible educational
25 entity.

1 “(b) NATIONAL ACTIVITIES.—The national activities
2 that shall be carried out under this section are as follows:

3 “(1) Technical assistance.

4 “(2) Development of curricula.

5 “(3) Production, development, and dissemina-
6 tion of high-quality educational content (including
7 digital content) in academic content areas under this
8 subpart.

9 “(4) Research and collecting information on,
10 and identifying, effective programs and best prac-
11 tices and disseminating that information to States,
12 local educational agencies, institutions of higher edu-
13 cation, and other stakeholders.

14 **“SEC. 5439. PROFESSIONAL DEVELOPMENT ACTIVITIES.**

15 “(a) ELIGIBLE EDUCATIONAL ENTITY DEFINED.—
16 In this section, the term ‘eligible educational entity’ means
17 a national nonprofit educational entity with a proven track
18 record and demonstrated expertise in one or more of the
19 following areas as related to the activities described in sub-
20 section (b):

21 “(1) High-quality professional development pro-
22 grams, including writing programs for teachers
23 across disciplines and at all grade levels.

24 “(2) History education programs.

1 “(3) Civics and government education pro-
2 grams.

3 “(4) Economic and financial literacy education
4 programs.

5 “(5) Geography education programs.

6 “(6) Foreign Language education programs.

7 “(7) Arts education programs.

8 “(8) Gifted and talented programs.

9 “(9) Reading and book distribution programs
10 (including pediatric early literacy programs).

11 “(10) Educational and instructional video pro-
12 gramming (including early literacy programming)
13 for a public telecommunications entity.

14 “(b) PRIORITY.—In awarding a contract to an eligi-
15 ble educational entity under this section, the Secretary
16 shall give priority to an entity that provides support to
17 the eligible entities receiving a grant under this subpart
18 or eligible entities receiving a grant under the subpart 1
19 or 2 to develop instructional systems that provide—

20 “(1) a systematic and coherent combination of
21 instructional materials;

22 “(2) embedded formative and interim assess-
23 ments;

24 “(3) professional development;

25 “(4) information on student learning; and

1 “(5) academic interventions based on cognitive
2 science and content-area knowledge and are aligned
3 with college- and career-ready standards.

4 **“SEC. 5440. AUTHORIZATION OF APPROPRIATIONS.**

5 “There are authorized to be appropriated to carry out
6 this subpart \$100,000,000 for fiscal year 2013 and such
7 sums as may be necessary for subsequent fiscal years.

8 “SUBPART 4—TECHNOLOGY GRANTS

9 **“SEC. 5441. PROGRAMS AUTHORIZED.**

10 “(a) IN GENERAL.—The Secretary is authorized to
11 award State Technology Grants to enable the State edu-
12 cational agency to—

13 “(1) carry out the State activities described in
14 section 5443; and

15 “(2) award subgrants to eligible entities as de-
16 scribed in section 5445.

17 “(b) AWARDS TO STATE EDUCATIONAL AGENCIES.—

18 “(1) From the amount made available under
19 section 5447 to carry out subsection (a)(2) for each
20 fiscal year, the Secretary shall reserve—

21 “(A) three-fourths of 1 percent for the
22 Secretary of Interior for programs under this
23 subpart for schools operated or funded by the
24 Bureau of Indian Education; and

1 “(B) 1 percent to provide assistance under
2 this subpart to the outlying areas;

3 “(2) From the remainder of the amount made
4 available under section 5447 for the purposes of sec-
5 tion 5441(a)(2), the Secretary shall make grants by
6 allotting to each eligible State educational agency an
7 amount that bears the same relationship to such re-
8 mainder for such year as the amount received under
9 subpart A of title I for such year by such State edu-
10 cational agency bears to the amount received under
11 such part for such year by all State educational
12 agencies.

13 “(c) MINIMUM.—The amount of any State edu-
14 cational agencies allotment under (b)(2) for any fiscal year
15 may not be less than one-half of 1 percent of the amount
16 made available for allotments to States under section
17 5441(a)(2) for such year.

18 “(d) REALLOTMENT OF UNUSED FUNDS.—If any
19 State educational agency does not apply for an allotment
20 under this subpart for a fiscal year, or does not use its
21 entire allotment under this subpart for that fiscal year,
22 the Secretary shall reallocate the amount of the State edu-
23 cational agency’s allotment, or the unused portion of the
24 allotment, to the remaining State educational agencies
25 that use their entire allotments under subsection (b)(2).

1 **“SEC. 5442. STATE APPLICATIONS.**

2 “(a) APPLICATION.—To receive a grant under section
3 5441(a)(2), a State educational agency shall submit to the
4 Secretary an application at such time and in such manner
5 as the Secretary may require and containing the informa-
6 tion described in subsection (b).

7 “(b) CONTENTS.—Each application submitted under
8 subsection (a) shall include the following:

9 “(1) A description of how the State educational
10 agency will support eligible entities that receive sub-
11 grants under this subpart in meeting the purposes
12 and goals of this part and the requirements of this
13 subpart, including through technical assistance in
14 using technology to redesign curriculum and instruc-
15 tion, improve educational productivity and deliver
16 computer-based and online assessment.

17 “(2) A description of the State educational
18 agency’s long-term goals and strategies for improv-
19 ing student academic achievement, including student
20 technology literacy, through the effective use of tech-
21 nology.

22 “(4) A description of how the State educational
23 agency will support local educational agencies to im-
24 plement, professional development programs.

25 “(5) A description of how the State educational
26 agency will ensure that teachers, paraprofessionals,

1 library and media personnel, specialized instructional
2 support personnel, and administrators possess the
3 knowledge and skills to use technology—

4 “(A) for curriculum redesign to change
5 teaching and learning and improve student
6 achievement;

7 “(B) for assessment, data analysis, and to
8 personalize learning;

9 “(C) to improve student technology lit-
10 eracy; and

11 “(D) for their own ongoing professional de-
12 velopment and for access to teaching resources
13 and tools.

14 “(6) An assurance that the State educational
15 agency, in making awards under section 5445, will
16 give priority to eligible entities that—

17 “(A) propose to serve students in schools
18 in need of improvement and persistently low-
19 achieving schools; or

20 “(B) propose to serve schools with a high
21 percentage or number of students that are eligi-
22 ble for free or reduced price lunch under the
23 Richard B. Russell National School Lunch Act
24 (42 U.S.C. 1751 et seq.).

1 “(7) A description of the process, activities, and
2 performance measures that the State educational
3 agency will use to evaluate the impact and effective-
4 ness.

5 “(8) A description of how the State educational
6 agency will, in providing technical and other assist-
7 ance to local educational agencies, give priority to
8 the eligible entities described in section 5443(d).

9 “(9) A description of how the State educational
10 agency consulted with local educational agencies in
11 the development of the State application.

12 **“SEC. 5443. STATE ACTIVITIES.**

13 “(a) RESERVATION FOR SUBGRANTS.—Each State
14 educational agency that receives a grant under section
15 5441(a) shall reserve not less than 95 percent of the grant
16 amount, for each fiscal year to award subgrants to eligible
17 entities in accordance with section 5445.

18 “(b) RESERVATION FOR STATE ACTIVITIES.—A
19 State educational agency shall use not more than 5 per-
20 cent, of which not more than 1 percent may be used for
21 administration of a grant received under section 5441(a),
22 for the State activities described in subsection (c).

23 “(c) STATE ACTIVITIES.—A State educational agency
24 shall use funds made available under section 5441(a)(1)

1 and described in subsection (b) to carry out each of the
2 following activities:

3 “(1) Providing technical assistance in using
4 technology to improve teaching and redesign cur-
5 riculum and instruction, improve educational pro-
6 ductivity, and deliver computer-based and online as-
7 sessment.

8 “(2) Providing technical assistance to eligible
9 entities that are prioritized in section 5444(d), in-
10 cluding eligible entities that serve low-capacity rural
11 and urban areas by—

12 “(A) informing those eligible entities that
13 they have a priority for competing for grants
14 under section 5444(d);

15 “(B) providing eligible entities who do not
16 receive a grant under section 5445 technical as-
17 sistance so that they may recompile in fol-
18 lowing competitions.

19 “(3) Identifying and supporting high-quality
20 professional development in the effective use of mod-
21 ern information and communication technology tools
22 and digital resources to deliver instruction.

23 “(4) Developing or utilizing research-based or
24 innovative strategies for the delivery of specialized or
25 rigorous academic courses and curricula through the

1 use of technology, including distance learning tech-
2 nologies.

3 “(5) Integrating activities under this Act with
4 other educational resources and programs across the
5 State.

6 “(6) Disseminating information, including mak-
7 ing publicly available on the websites of the State
8 educational agency on promising practices to im-
9 prove technology instruction, and the acquiring and
10 implementing of technology tools and applications.

11 “(7) Administration and reporting.

12 **“SEC. 5444. GENERAL SUBGRANT REQUIREMENTS.**

13 “(a) IN GENERAL.—A State Educational Agency
14 that receives a grant under section 5441(a) shall award
15 subgrants, on a competitive basis, to an eligible entity to
16 enable such entity to support achievement through tech-
17 nology and innovation.

18 “(b) SUFFICIENT SIZE AND SCOPE.—In awarding
19 such grants, the State educational agency shall ensure the
20 subgrants are of sufficient size and scope to be effective,
21 consistent with the purposes of this part;

22 “(c) PEER REVIEW.—In reviewing local applications
23 under this part, a State educational agency shall use a
24 peer review process.

1 “(d) PRIORITY.—In awarding grants under this part,
2 the State educational agency shall give priority to eligible
3 entities proposing to target services to—

4 “(1) students in schools in need of improvement
5 and persistently low-achieving schools; and

6 “(2) schools with a high percentage of students
7 that are eligible for free or reduced price lunch
8 under the Richard B. Russell National School Lunch
9 Act (42 U.S.C. 1751 et seq.)

10 “(e) DURATION.—Grants awarded under section
11 5441(a)(2) shall be for a period of not more than 5 years.

12 **“SEC. 5445. ELIGIBLE ENTITY APPLICATION.**

13 “(a) APPLICATION.—An eligible entity that desires to
14 receive a subgrant under section 5441(a)(2) shall submit
15 an application to the State at such time, in such manner,
16 and accompanied by such information as the State may
17 require, including—

18 “(1) A description of the schools to be served
19 by the local educational agency through the funds
20 provided under this section.

21 “(2) A description of how the local educational
22 agency will align and coordinate the local edu-
23 cational agency’s use of funds under this subpart
24 with—

1 “(A) the local educational agency tech-
2 nology plan; and

3 “(B) the local educational agency plans
4 and activities for improving student achieve-
5 ment.

6 “(3) A description of the core academic sub-
7 jects, grade levels, and student subgroup populations
8 that will be addressed or served.

9 “(4) A description of how the local educational
10 agency will use funds to increase student learning
11 opportunity and engagement, and student achieve-
12 ment through a comprehensive set of programs,
13 practices, and technologies that incorporate the fol-
14 lowing elements:

15 “(A) Integration and redesign of cur-
16 riculum, instruction, assessment, and use of
17 data through the use of technology in order to
18 increase student learning opportunity, student
19 technology literacy, student access to tech-
20 nology, and student engagement in learning.

21 “(B) Improvement of educator quality,
22 knowledge and skills through ongoing, sustain-
23 able, timely, and contextual professional devel-
24 opment.

1 “(C) Development of student technology
2 literacy and other skills necessary for 21st cen-
3 tury learning and success.

4 “(D) Engagement of local educational
5 agency leaders, school leaders, and classroom
6 educators in the use of technology.

7 “(E) Programs, practices, and technologies
8 that are research-based.

9 “(5) A description of how these funds are co-
10 ordinated with and supported by other Federal,
11 State and local funds and with the local educational
12 agency technology plan.

13 “(6) A description of how these funds will be
14 used to be consistent with the principles of universal
15 design for learning.

16 “(b) LOCAL USE OF FUNDS.—An eligible entity shall
17 carry out the following activities:

18 “(1) A comprehensive set of proven programs
19 and practices consistent with those described in sec-
20 tion 5445(a)(4).

21 “(2) Professional development of teachers,
22 paraprofessionals, library and media personnel, spe-
23 cialized instructional support personnel, and admin-
24 istrators in the effective use of modern information
25 and communication technology tools and digital re-

1 sources to deliver instruction, curriculum and school/
2 classroom management, including for classroom
3 teachers to assess, support and address student
4 learning needs, including—

5 “(A) training that is ongoing, sustainable,
6 timely, that includes communication and follow-
7 up with instructors, facilitators, and peers and
8 is directly related to up-to-date teaching in con-
9 tent areas;

10 “(B) training in strategies and pedagogy
11 in the core academic subjects that involve the
12 use of technology and curriculum redesign as
13 key components of changing teaching and learn-
14 ing and improving student achievement;

15 “(C) training in the use of technology to
16 ensure every educator is technologically literate,
17 including possessing the knowledge and skills to
18 use technology across the curriculum, to use
19 technology for real-time data analysis to enable
20 individualized instruction, and to use technology
21 to improve student technology literacy;

22 “(D) training of school leaders that en-
23 ables them to provide leadership in and man-
24 agement of the use of technology to ensure a
25 digital-age learning environment, including the

1 capacity to lead the reform or redesign of cur-
2 riculum, instruction, assessment, and use of
3 data through the use of technology in order to
4 increase student learning opportunity, student
5 technology literacy, student access to tech-
6 nology, and student engagement in learning;
7 and

8 “(E) may include the use of technology
9 coaches to work directly with teachers, includ-
10 ing through the preparation of 1 or more teach-
11 ers as technology leaders or master teachers
12 who are provided with the means to serve as ex-
13 perts and train other teachers in the effective
14 use of technology, and the use of technology,
15 such as distance learning and online virtual ed-
16 ucator-to-educator peer communities, as a
17 means for delivering professional development.

18 “(3) Acquiring and effectively implementing
19 technology tools, and applications consistent with the
20 principles of universal design for learning and other
21 resources to—

22 “(A) conduct ongoing formative assess-
23 ments and use other real-time data sources and
24 data systems to more effectively identify indi-
25 vidual student learning needs and guide person-

1 alized instruction, learning, and appropriate
2 interventions that address those individualized
3 student learning needs;

4 “(B) support individualized student learn-
5 ing, including through instructional software
6 and digital content that supports the learning
7 needs of each student, providing access to high-
8 quality courses and instructors which are often
9 not available except through technology and on-
10 line learning, especially in rural and high-pov-
11 erty schools; and

12 “(C) conduct such other activities as ap-
13 propriate consistent with the goals and pur-
14 poses of research-based and innovative systemic
15 school redesign.

16 **“SEC. 5446. REPORTING.**

17 “(a) Each State educational agency receiving a grant
18 under section 5441(a) shall report annually to the Sec-
19 retary regarding the State educational agency’s progress
20 in addressing the purposes of this part. Such report shall
21 include, at a minimum, a description of—

22 “(1) the professional development activities pro-
23 vided under the award, including types of activities
24 and entities involved in providing professional devel-

1 opment to classroom teachers and other program
2 staff, such as school librarians;

3 “(2) the instruction, strategies, activities, cur-
4 ricula, and materials used in the programs funded
5 under the award;

6 “(3) the types of programs funded under the
7 award; and

8 “(4) the ages and demographic information that
9 is not individually identifiable of children served by
10 the programs funded under the award;

11 “(5) student performance on relevant program
12 metrics, as identified in section 5442(b)(7).

13 “(b) Each eligible entity receiving a subgrant under
14 section 5441(a)(2) shall report annually to the State edu-
15 cational agency regarding the eligible entity’s progress in
16 addressing the purposes of this subpart. Such report shall
17 include, at a minimum, a description of—

18 “(1) how the subgrant funds were used; and

19 “(2) student performance on relevant program
20 metrics, as identified in under section 5442(b)(7).

21 **“SEC. 5447. AUTHORIZATION.**

22 ““There are authorized to be appropriated to carry out
23 this subpart \$100,000,000 for fiscal year 2013 and such
24 sums as may be necessary for subsequent fiscal years.

1 **“SEC. 5448. DEFINITIONS.**

2 “In this subpart:

3 “(1) ELIGIBLE ENTITY.—The term ‘eligible en-
4 tity’ means a local educational agency or a consor-
5 tium of local educational agencies.

6 “(2) STUDENT TECHNOLOGY LITERACY.—The
7 term ‘student technology literacy’ means student
8 knowledge and skills in using contemporary informa-
9 tion, communication, and learning technologies in a
10 manner necessary for successful employment, life-
11 long learning, and citizenship in the knowledge-
12 based, digital, and global 21st century, as further
13 defined by the State educational agency, which in-
14 cludes, at a minimum, the ability—

15 “(A) to effectively communicate and col-
16 laborate;

17 “(B) to analyze and solve problems;

18 “(C) to access, evaluate, manage, and cre-
19 ate information and otherwise gain information
20 literacy;

21 “(D) to demonstrate creative thinking,
22 construct knowledge, and develop innovative
23 products and processes; and

24 “(E) to do so in a safe and ethical manner.

1 **“SEC. 5449. NATIONAL ONLINE EDUCATION QUALITY**
2 **BOARD.**

3 “(a) ESTABLISHMENT.—There is established the Na-
4 tional Online Education Quality Board (in this section re-
5 ferred to as the ‘Board’) which shall, with respect to ele-
6 mentary and secondary education—

7 “(1) develop and disseminate standards of qual-
8 ity and best practices for online education; and

9 “(2) support the dissemination of best practices
10 and provide teacher training and professional devel-
11 opment in online education.

12 “(b) MEMBERSHIP.—

13 “(1) APPOINTMENT AND COMPOSITION.—The
14 Committee on Education and the Workforce of the
15 House of Representatives and the Committee on
16 Health, Education, Labor, and Pensions of the Sen-
17 ate shall nominate, and the Secretary make the final
18 selections regarding, individuals to serve as members
19 of the Board. The Board shall be composed as fol-
20 lows:

21 “(A) At least one professor (or professor
22 emeritus) of mathematics who has some involve-
23 ment with education issues.

24 “(B) At least one professor (or professor
25 emeritus) of science who has some involvement
26 with education issues.

1 “(C) At least one professor (or professor
2 emeritus) of English who has some involvement
3 with education issues.

4 “(D) At least one individual who has suc-
5 cessfully set up a distance education program.

6 “(E) At least one business executive, who
7 is familiar with current technology and has an
8 idea of how the technology in the area of online
9 education is likely to evolve.

10 “(2) BALANCE AND DIVERSITY.—The Secretary
11 and the Board shall ensure at all times that the
12 membership of the Board reflects regional, racial,
13 gender, and cultural balance and diversity and that
14 the Board exercises its independent judgment, free
15 from inappropriate influences and special interests.

16 “(c) DUTIES.—

17 “(1) IN GENERAL.—In carrying out its func-
18 tions under this section, the Board shall—

19 “(A) develop a process for review of re-
20 search on online education which shall include
21 the active participation of teachers, curriculum
22 specialists, local school administrators, parents,
23 and concerned members of the public;

24 “(B) design the methodology of the assess-
25 ing the validity and reliability of research on

1 online education, in consultation with appro-
2 priate technical experts in measurement and as-
3 sessment, content and subject matter, sampling,
4 and other technical experts who engage in large
5 scale surveys;

6 “(C) develop guidelines for reporting and
7 disseminating results; and

8 “(D) carry out the activities under sub-
9 sections (a)(1) and (a)(2) consistent with the
10 requirements of subsection (c).

11 “(2) DELEGATION.—The Assessment Board
12 may delegate any of the Board’s procedural and ad-
13 ministrative functions to its staff.

14 “(d) REPORTING.—The Board shall report annually
15 to the Secretary of Education, the House of Representa-
16 tives Committee on Education and the Workforce and the
17 Senate Health, Education, Labor and Pensions Committee
18 on its activities and findings under subsection (c).”.

19 (b) REPEAL.—Part B of title I (20 U.S.C. 6361 et
20 seq.) is repealed.

