

110TH CONGRESS
2D SESSION

S. 3431

To establish expanded learning time initiatives, and for other purposes.

IN THE SENATE OF THE UNITED STATES

AUGUST 1, 2008

Mr. REID (for Mr. KENNEDY (for himself, Mr. BINGAMAN, and Mr. SANDERS)) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To establish expanded learning time initiatives, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Time for Innovation
5 Matters in Education Act of 2008”.

6 **SEC. 2. PURPOSES.**

7 The purposes of this Act are—

8 (1) to increase opportunities for students to
9 participate in expanded learning time initiatives with
10 expanded school days, expanded school weeks, or ex-

1 panded school years, in order to increase student
2 academic achievement and student engagement and
3 success in schools by providing—

4 (A) students with more in-depth and rig-
5 orous learning opportunities in reading or lan-
6 guage arts, mathematics, science, and other
7 core academic subjects;

8 (B) students with more time for additional
9 subjects and enrichment activities that con-
10 tribute to a well-rounded education, which may
11 include music and the arts, physical education,
12 drama, service-learning, and experiential and
13 work-based learning opportunities (such as
14 community service, learning apprenticeships, in-
15 ternships, and job shadowing); and

16 (C) teachers with increased opportunities
17 to work collaboratively and to participate in
18 professional planning to improve instruction;

19 (2) to improve teaching and learning by—

20 (A) creating a seamless program or cur-
21 riculum with regular and expanded teaching
22 and learning opportunities within a school pro-
23 gram that is comprehensively redesigned for
24 students and teachers; and

1 (B) improving access to instructional sup-
2 ports for struggling students;

3 (3) to encourage States, local educational agen-
4 cies, and schools to develop high-quality, innovative,
5 replicable, and sustainable initiatives to expand
6 learning time; and

7 (4) to create partnerships between schools and
8 local educational agencies, and external organiza-
9 tions such as community-based organizations, insti-
10 tutions of higher education, community learning cen-
11 ters, cultural organizations, and health and mental
12 health agencies to provide expanded learning and de-
13 velopment opportunities for students.

14 **SEC. 3. DEFINITIONS AND REFERENCES.**

15 (a) DEFINITIONS.—In this Act:

16 (1) COMMUNITY LEARNING CENTER.—The term
17 “community learning center” means a community
18 learning center, as defined in section 4201(b) of the
19 Elementary and Secondary Education Act of 1965
20 (20 U.S.C. 7171(b)), that receives assistance under
21 part B of title IV of that Act.

22 (2) ELEMENTARY AND SECONDARY EDUCATION
23 TERMS.—The terms “community-based organiza-
24 tion”, “core academic subjects”, “elementary
25 school”, “highly qualified”, “institution of higher

1 education”, “local educational agency”, “other
2 staff”, “parent”, “professional development”, “sec-
3 ondary school”, “Secretary”, “State”, and “State
4 educational agency” have the meanings given the
5 terms in section 9101 of the Elementary and Sec-
6 ondary Education Act of 1965 (20 U.S.C. 7801).

7 (3) ELIGIBLE ENTITY.—The term “eligible enti-
8 ty” means—

9 (A) a local educational agency; or

10 (B) a partnership that includes a local
11 educational agency and 1 or more of the fol-
12 lowing:

13 (i) An additional local educational
14 agency.

15 (ii) A nonprofit community-based or-
16 ganization, such as an organization focused
17 on after-school learning, alternative learn-
18 ing, or dropout prevention, or an organiza-
19 tion with demonstrated experience in ex-
20 panding learning opportunities and helping
21 schools redesign their educational pro-
22 grams to better meet student needs.

23 (iii) An institution of higher edu-
24 cation.

25 (iv) A community learning center.

1 (v) Any other public or nonprofit pri-
2 vate entity.

3 (4) EXPANDED LEARNING TIME INITIATIVE.—

4 The term “expanded learning time initiative” means
5 a program at a school that—

6 (A) has an expanded school day, expanded
7 school week, or expanded school year schedule,
8 that increases the total number of school hours
9 for the school year by not less than 30 percent,
10 compared to the school year that is standard in
11 the school district in which the school is lo-
12 cated, for schools of the comparable level (ele-
13 mentary school, middle school, or high school,
14 as defined under applicable State law);

15 (B) uses the expanded learning time sched-
16 ule to redesign the school’s academic program
17 in a manner that includes additional time—

18 (i) for academic work to improve par-
19 ticipating students’ proficiency in reading
20 or language arts, mathematics, science,
21 and other core academic subjects;

22 (ii) to advance student learning for
23 students who already meet or exceed stu-
24 dent academic achievement standards, as
25 measured by State academic assessments

1 required under section 1111(b)(3) of the
2 Elementary and Secondary Education Act
3 of 1965 (20 U.S.C. 6311(b)(3));

4 (iii) for additional subjects and en-
5 richment activities that contribute to a
6 well-rounded education, which may include
7 music and the arts, physical education,
8 drama, service-learning, and experiential
9 and work-based learning opportunities
10 (such as community service, learning ap-
11 prenticeships, internships, and job shad-
12 owing); and

13 (iv) for teachers for collaboration
14 within and across grades and subjects and
15 professional planning; and

16 (C)(i) in the case of a school that is not a
17 high school, will expand learning time for all
18 students in all grade levels in the school; or

19 (ii) in the case of a high school, will ex-
20 pand learning time for not less than 1 entire
21 grade level of students in the school, and if the
22 school expands learning time for additional stu-
23 dents under this Act, will expand learning time
24 for additional entire grade levels.

1 (5) EXPANDED LEARNING TIME SCHOOL.—The
2 term “expanded learning time school” means a
3 school that has implemented an expanded learning
4 time initiative using funds received under this Act.

5 (6) HIGH-NEED SCHOOL.—

6 (A) IN GENERAL.—The term “high-need
7 school” means—

8 (i) a public elementary school or sec-
9 ondary school at which 50 percent or more
10 of the students are eligible to be counted
11 under 1 of the measures of poverty de-
12 scribed in section 1113(a)(5) of the Ele-
13 mentary and Secondary Education Act of
14 1965 (20 U.S.C. 6313(a)(5)); or

15 (ii) a school for which an eligible enti-
16 ty has obtained approval under subpara-
17 graph (B).

18 (B) SPECIAL RULE FOR SECONDARY
19 SCHOOLS.—An eligible entity seeking a grant
20 from the Secretary or a subgrant from a State
21 educational agency under this Act may apply to
22 the Secretary or State educational agency, re-
23 spectively, for approval to treat a public sec-
24 ondary school as a high-need school under this
25 Act. The application shall include information,

1 supplied by the secondary school, explaining
2 why the school should be treated as a high-need
3 school. Such information shall include informa-
4 tion on the number and percentage of students
5 attending such school who are low-income stu-
6 dents, the graduation rate for such school (as
7 defined in section 1111(b)(2)(C)(vi) of the Ele-
8 mentary and Secondary Education Act of 1965
9 (20 U.S.C. 6311(b)(2)(C)(vi)), and information
10 about the student academic achievement of stu-
11 dents at such school.

12 (7) HIGH SCHOOL.—The term “high school”
13 means a public high school, as defined under appli-
14 cable State law.

15 (8) LOW-INCOME STUDENT.—The term “low-in-
16 come student” means a student who is eligible to be
17 counted under 1 of the measures of poverty de-
18 scribed in section 1113(a)(5) of the Elementary and
19 Secondary Education Act of 1965 (20 U.S.C.
20 6313(a)(5)).

21 (b) REFERENCES.—In this Act—

22 (1) a reference to a school day, school week, or
23 school year includes a reference to a combination
24 thereof; and

1 (2) a reference to a school day, school week, or
2 school year program (or schedule) includes a ref-
3 erence to a combination thereof.

4 **SEC. 4. PROGRAM AUTHORIZED.**

5 (a) GRANTS TO STATE EDUCATIONAL AGENCIES.—
6 From the amount appropriated under section 11, the Sec-
7 retary is authorized to award grants on a competitive basis
8 under section 5 to State educational agencies having appli-
9 cations approved pursuant to section 5(c) to enable such
10 agencies to award subgrants on a competitive basis to eli-
11 gible entities as described in sections 6 and 7.

12 (b) RESERVATION.—From the amount made avail-
13 able under this Act for each fiscal year, the Secretary may
14 reserve—

15 (1) 5 percent of the amount to carry out the ac-
16 tivities described in section 9; and

17 (2) from the remainder—

18 (A) not more than 10 percent of the re-
19 mainder to award grants under section 8; and

20 (B) not more than \$1,000,000 to carry out
21 the review of applications for, selection of re-
22 cipients of, and distribution of, grants to State
23 educational agencies and eligible entities under
24 sections 5 and 8.

1 **SEC. 5. GRANTS TO STATE EDUCATIONAL AGENCIES.**

2 (a) GRANTS.—

3 (1) IN GENERAL.—The Secretary is authorized
4 to award grants to State educational agencies on a
5 competitive basis to assist the agencies in developing
6 State expanded learning time and school redesign
7 grant programs in accordance with this Act, which
8 shall involve awarding subgrants on a competitive
9 basis to eligible entities in accordance with this Act,
10 to plan and implement expanded learning time ini-
11 tiatives.

12 (2) DISTRIBUTION.—The Secretary shall ensure
13 that grants awarded under this section and section
14 8 are distributed to State educational agencies and
15 eligible entities from diverse geographical regions
16 and from a diverse group of States with a range of
17 sizes and populations.

18 (b) DURATION.—The Secretary shall award each
19 grant described in subsection (a) for a period of 6 years,
20 and may renew each grant for additional periods of not
21 more than 6 years.

22 (c) APPLICATIONS.—A State educational agency that
23 desires to receive a grant under this section shall submit
24 an application to the Secretary at such time and in such
25 manner as the Secretary may require, containing—

1 (1) a description of how the State educational
2 agency will use grant funds under this section;

3 (2) a description of the peer review process and
4 selection criteria the State educational agency will
5 use to evaluate applications from, and select, eligible
6 entities to receive expanded learning time and school
7 redesign planning and implementation subgrants,
8 which shall include a description of how the State
9 educational agency will assess the capacity of eligible
10 entities to plan and implement, and the effectiveness
11 of eligible entities in planning and implementing, ex-
12 panded learning time initiatives;

13 (3) a description of the process the State edu-
14 cational agency will use to encourage local edu-
15 cational agencies and schools to implement expanded
16 learning time initiatives;

17 (4) a description of how the State educational
18 agency will provide technical assistance and support
19 to eligible entities, local educational agencies, and
20 schools receiving funds through the State edu-
21 cational agency under this Act, in implementing ex-
22 panded learning time initiatives, including—

23 (A) assisting the local educational agencies
24 in identifying potential partners that are exter-
25 nal organizations with demonstrated experience

1 in expanding learning opportunities and helping
2 schools redesign their educational programs to
3 better meet student needs; and

4 (B) assisting the eligible entities, local edu-
5 cational agencies, and schools in collecting, re-
6 viewing, and analyzing data on student aca-
7 demic achievement;

8 (5) an assurance that each school receiving
9 funds through the State educational agency under
10 this Act—

11 (A) will implement an expanded learning
12 time initiative that meets the requirements in
13 the definition in section 3(a)(4); and

14 (B)(i) in the case of a school that is not
15 a high school, will expand learning time for all
16 students in all grade levels in the school; or

17 (ii) in the case of a high school, will ex-
18 pand learning time for not less than 1 entire
19 grade level of students in the school, and if the
20 school expands learning time for additional stu-
21 dents under this Act, will expand learning time
22 for additional entire grade levels;

23 (6) a description of how the State educational
24 agency will use the expanded learning time and
25 school redesign grant program involved, and lessons

1 learned from such program, to improve student aca-
2 demic achievement in schools that have not made
3 adequate yearly progress under section 1111(b)(2)
4 of the Elementary and Secondary Education Act of
5 1965 (20 U.S.C. 6311(b)(2)) for 2 or more years;

6 (7) a description of how the State educational
7 agency will evaluate, on a regular basis, activities
8 carried out by eligible entities receiving funds
9 through the State educational agency under this Act,
10 including a description of any measures, in addition
11 to those described in section 9(b)(3)—

12 (A) on which the State educational agency
13 will require eligible entities to report results;
14 and

15 (B) that the State educational agency will
16 use for its evaluation;

17 (8) a description of how the State educational
18 agency will collect, analyze, and disseminate, to local
19 educational agencies and other schools within the
20 State, information on best practices learned from
21 schools receiving funding under this Act;

22 (9) an assurance that the State educational
23 agency, and any eligible entity receiving funds
24 through the State educational agency under this Act

1 will, if requested, participate in the evaluation under
2 section 9(b)(4); and

3 (10) any other information that the Secretary
4 may reasonably require.

5 (d) AUTHORIZED ACTIVITIES.—

6 (1) DISTRIBUTION.—A State educational agen-
7 cy that receives a grant under this section—

8 (A) may reserve not more than 15 percent
9 of the grant funds to carry out the activities de-
10 scribed in paragraphs (2) through (4); and

11 (B) shall use an amount consisting of not
12 less than 85 percent of the grant funds to
13 award subgrants, on a competitive basis, to eli-
14 gible entities under section 6 or 7 to enable the
15 eligible entities to carry out the authorized ac-
16 tivities described in section 6(e) or 7(f), except
17 that not more than 10 percent of that amount
18 shall be used for subgrants under section 6.

19 (2) STATE-LEVEL PLANNING AND ADMINISTRA-
20 TION.—A State educational agency that receives a
21 grant under this section may use grant funds re-
22 served under paragraph (1)(A) for planning and ad-
23 ministration, including—

24 (A) evaluating applications from eligible
25 entities;

1 (B) administering the distribution of sub-
2 grants to eligible entities; and

3 (C) assessing and evaluating, on a regular
4 basis, activities carried out by eligible entities
5 receiving funds through the State educational
6 agency under this Act.

7 (3) TECHNICAL ASSISTANCE FOR ELIGIBLE EN-
8 TITIES.—A State educational agency that receives a
9 grant under this section may use grant funds re-
10 served under paragraph (1)(A) for technical assist-
11 ance, including—

12 (A) assisting eligible entities in planning
13 and implementing expanded learning time ini-
14 tiatives, including assisting local educational
15 agencies in identifying potential partners that
16 are external organizations with demonstrated
17 experience in expanding learning opportunities
18 and helping schools redesign their educational
19 programs to better meet student needs; and

20 (B) implementing a program of profes-
21 sional development for teachers and administra-
22 tors, in schools that receive funding under this
23 Act, that prepares teachers and administrators
24 to implement the authorized activities described
25 in section 7(f).

1 (4) REPORTING.—A State educational agency
2 that receives a grant under this section shall annu-
3 ally prepare and submit to the Secretary a report on
4 the implementation of expanded learning time initia-
5 tives under this Act, which shall include reports sub-
6 mitted under section 7(h).

7 (e) MATCH.—

8 (1) IN GENERAL.—Each State educational
9 agency that receives a grant under this section shall
10 provide matching funds to carry out the activities
11 supported by the grant in an amount not less
12 than—

13 (A) for the first year of an initial grant
14 under this section, 10 percent of the cost of the
15 activities;

16 (B) for the second year of such a grant, 20
17 percent of the cost of the activities;

18 (C) for the third or fourth year of such a
19 grant, 25 percent of the cost of the activities;
20 and

21 (D) for the fifth year of such a grant or
22 any year of a subsequent grant under this sec-
23 tion, 30 percent of the cost of the activities.

24 (2) MATCHING FUNDS.—The State educational
25 agency may provide the matching funds in cash or

1 in kind, fairly evaluated, including plant, equipment,
2 or services, but may not provide more than 50 per-
3 cent of the matching funds in kind. The State edu-
4 cational agency may provide the matching funds
5 from State, local, or private sources.

6 (f) SUPPLEMENT NOT SUPPLANT.—Funds used to
7 make grants under this Act shall be used to supplement
8 and not supplant other Federal, State, and local public
9 funds expended to plan or implement expanded learning
10 time initiatives.

11 **SEC. 6. EXPANDED LEARNING TIME AND SCHOOL REDE-**
12 **SIGN PLANNING SUBGRANTS.**

13 (a) SUBGRANTS AUTHORIZED.—A State educational
14 agency receiving a grant under section 5 is authorized to
15 award expanded learning time and school redesign plan-
16 ning subgrants, on a competitive basis, to eligible entities.

17 (b) DURATION.—The State educational agency shall
18 award each subgrant described in subsection (a) for a pe-
19 riod of not more than 1 year. Such grants shall be non-
20 renewable.

21 (c) SUBGRANT AMOUNT.—The State educational
22 agency shall award each subgrant described in subsection
23 (a) in an amount that is not less than \$15,000 and not
24 more than \$60,000.

1 (d) APPLICATIONS.—An eligible entity that desires to
2 receive an expanded learning time and school redesign
3 planning subgrant pursuant to this section shall submit
4 an application to the State educational agency at such
5 time and in such manner as the agency may require, con-
6 taining—

7 (1) a description of the eligible entity’s proposal
8 to establish expanded learning time initiatives at
9 high-need schools served by the eligible entity;

10 (2) information identifying the number of high-
11 need schools the eligible entity proposes to serve
12 using funds made available under this Act, and a de-
13 scription of the process, considerations, and criteria
14 the eligible entity will use to select schools to imple-
15 ment the expanded learning time initiatives—

16 (A) which considerations shall include the
17 percentage of low-income students attending
18 each school; and

19 (B) which criteria shall include the local
20 educational agency’s determination of the ca-
21 pacity of each school to implement successfully
22 a proposed expanded learning time initiative;

23 (3) if the eligible entity receives a subgrant
24 under section 7, an assurance that each school re-
25 ceiving funding through the subgrant will implement

1 an expanded school day, expanded school week, or
2 expanded school year schedule;

3 (4) if the eligible entity receives a subgrant
4 under section 7, an assurance that each school re-
5 ceiving funding through the subgrant—

6 (A) in the case of a school that is not a
7 high school, will expand learning time for all
8 students in all grade levels in the school; or

9 (B) in the case of a high school, will ex-
10 pand learning time for not less than 1 entire
11 grade level of students in the school, and if the
12 school expands learning time for additional stu-
13 dents under this Act, will expand learning time
14 for additional entire grade levels;

15 (5) a description of the process by which the el-
16 igible entity will ensure the meaningful involvement
17 of teachers, teacher organizations, parents, and com-
18 munity-based organizations in the development of
19 the expanded learning time initiatives;

20 (6) a description of how the local educational
21 agency involved and participating high-need schools
22 will work with external organizations that comprise
23 the eligible entity involved, and any other external
24 organizations as applicable, such as a community-
25 based organization, an institution of higher edu-

1 cation, a community learning center, an entity car-
2 rying out an after-school program, or an organiza-
3 tion that will provide students with internships and
4 work-based learning opportunities, to develop and
5 implement expanded learning time initiatives;

6 (7) an assurance that the eligible entity has the
7 infrastructure in place to collect the data necessary
8 for an evaluation of the impact of the expanded
9 learning time initiatives on measures of student aca-
10 demic achievement and student engagement and suc-
11 cess, and other measures described in section
12 9(b)(3), to be submitted in the report described in
13 section 7(h); and

14 (8) an assurance that each participating local
15 educational agency will use the subgrant period to
16 negotiate and reach an agreement with the exclusive
17 recognized representatives of the employees of each
18 participating high-need school served by the agency
19 or, where there is no such representative, with the
20 employees of each participating high-need school
21 served by the agency.

22 (e) AUTHORIZED ACTIVITIES.—An eligible entity re-
23 ceiving a subgrant under this section shall use the
24 subgrant funds to develop a detailed plan to implement

1 expanded learning time initiatives at high-need schools
 2 served by the eligible entities as specified in this section.

3 (f) PRIORITY.—In awarding subgrants under this
 4 section, a State educational agency shall give priority to
 5 an application from an eligible entity if—

6 (1) for each local educational agency in the eli-
 7 gible entity, a high percentage of the students served
 8 by the local educational agency are eligible to be
 9 counted under section 1124(c)(1)(A) of the Elemen-
 10 tary and Secondary Education Act of 1965 (20
 11 U.S.C. 6333(c)(1)(A)); and

12 (2) the eligible entity includes a community-
 13 based organization, an institution of higher edu-
 14 cation, a community learning center, or an entity
 15 carrying out an after-school program.

16 **SEC. 7. EXPANDED LEARNING TIME AND SCHOOL REDE-**
 17 **SIGN IMPLEMENTATION SUBGRANTS.**

18 (a) SUBGRANTS AUTHORIZED.—A State educational
 19 agency receiving a grant under section 5 is authorized to
 20 award expanded learning time and school redesign imple-
 21 mentation subgrants, on a competitive basis, to eligible en-
 22 tities that have received subgrants pursuant to section 6.

23 (b) DURATION.—The State educational agency shall
 24 award each subgrant described in subsection (a) for a pe-

1 riod of not less than 5 years, and may renew each
2 subgrant for additional periods of not more than 5 years.

3 (c) SUBGRANT AMOUNT.—In awarding a subgrant
4 described in subsection (a) to an eligible entity, a State
5 educational agency shall determine the amount of the
6 subgrant by taking into account the number of students
7 expected to participate in the expanded learning time ini-
8 tiatives involved, as specified in the application submitted
9 by the eligible entity under subsection (d), and the approx-
10 imate per student cost of implementing a high-quality ex-
11 panded learning time initiative.

12 (d) APPLICATIONS.—An eligible entity that desires to
13 receive an expanded learning time and school redesign im-
14 plementation subgrant pursuant to this section shall sub-
15 mit an application to the State educational agency at such
16 time and in such manner as the agency may require, con-
17 taining—

18 (1) an identification and description of each
19 high-need school (selected in accordance with the
20 process, considerations, and criteria described in sec-
21 tion 6(d)(2)) that will receive funding from the eligi-
22 ble entity to participate in an expanded learning
23 time initiative, including information identifying the
24 grade levels at the school for which the expanded
25 learning time initiative will be implemented (which

1 shall be the grade levels described in paragraph (1)
2 or (2), as appropriate, of subsection (g)), the num-
3 ber of students that will be served through the ini-
4 tiative at the school, and student academic achieve-
5 ment, demographic, and socioeconomic data for stu-
6 dents at the school;

7 (2) a description of how the eligible entity will
8 implement at each such school an expanded learning
9 time initiative that involves an expanded school day,
10 expanded school week, or expanded school year
11 schedule, and that involves comprehensive rede-
12 signing of the school day, school week, or school
13 year, as applicable, consistent with section 3(a)(4),
14 which description shall include—

15 (A) a description of how the expanded
16 learning time schedule will expand learning
17 time by not less than 30 percent, consistent
18 with section 3(a)(4); and

19 (B) a description of how the eligible entity
20 will meet each of the other requirements of the
21 definition in section 3(a)(4);

22 (3) a description of the plan the eligible entity
23 will use to evaluate, on an annual basis, the impact
24 of each expanded learning time initiative on meas-
25 ures of student academic achievement and student

1 engagement and success, and other appropriate
2 measures;

3 (4) a description of the additional subjects and
4 enrichment activities that will be offered at each
5 such school that contribute to a well-rounded edu-
6 cation, which may include music and the arts, phys-
7 ical education, drama, service-learning, and experien-
8 tial and work-based learning opportunities (such as
9 community service, learning apprenticeships, intern-
10 ships, and job shadowing);

11 (5) a comprehensive plan, developed in collabo-
12 ration with teachers and, as appropriate, other staff,
13 for professional development at each such school
14 that includes a description of intended changes in
15 teaching practices and curriculum delivery that will
16 result in improved student academic achievement
17 and student engagement and success;

18 (6) a description of how the eligible entity will
19 use the expanded learning time initiatives, and les-
20 sons learned from such initiatives, to improve stu-
21 dent academic achievement in schools that have not
22 made adequate yearly progress under section
23 1111(b)(2) of the Elementary and Secondary Edu-
24 cation Act of 1965 (20 U.S.C. 6311(b)(2)) for 2 or
25 more consecutive years;

1 (7) a description of school staffing for each
2 such school, including an assurance that the local
3 educational agency is implementing a plan sufficient
4 to meet the goal of ensuring all teachers of core aca-
5 demic subjects are highly qualified;

6 (8) evidence of an agreement reached between
7 each participating local educational agency and the
8 exclusive recognized representatives of the employees
9 of each participating high-need school served by the
10 agency, for employees to work the expanded learning
11 time schedules involved or, where there is no such
12 representative, evidence of an agreement supported
13 by at least two-thirds of the employees of each par-
14 ticipating high-need school served by the agency, to
15 work the expanded learning time schedules involved;

16 (9) a description of how the local educational
17 agency involved and participating high-need schools
18 will work with external organizations that comprise
19 the eligible entity involved, and any other external
20 organizations as applicable, such as a community-
21 based organization, an institution of higher edu-
22 cation, a community learning center, an entity car-
23 rying out an after-school program, or an organiza-
24 tion that will provide students with internships and
25 work-based learning opportunities, to implement ex-

1 panded learning time initiatives, including a descrip-
2 tion of the specific roles and responsibilities of such
3 external organizations;

4 (10) a description of the process by which the
5 eligible entity ensured the meaningful involvement of
6 teachers, teacher organizations where applicable, ad-
7 ministrators, parents, and community-based organi-
8 zations in the development (including the design) of
9 the expanded learning time initiatives;

10 (11) an assurance that the eligible entity will
11 work with a community learning center, or an entity
12 carrying out an after-school program, where appro-
13 priate, to provide after-school programs for students
14 participating in the expanded learning time initia-
15 tives after the conclusion of the school day; and

16 (12) an assurance that the eligible entity will
17 report to the State educational agency all data nec-
18 essary for the State educational agency's report,
19 under section 5(d)(4).

20 (e) **PRIORITY.**—In awarding subgrants under this
21 section, a State educational agency shall give priority to
22 an application from an eligible entity that meets the cri-
23 teria described in section 6(f).

24 (f) **AUTHORIZED ACTIVITIES.**—An eligible entity re-
25 ceiving a subgrant under this section shall use the

1 subgrant funds to implement high-quality expanded learn-
2 ing time initiatives, at high-need schools served by such
3 eligible entity, that are consistent with section 3(a)(4).

4 (g) STUDENT PARTICIPATION IN THE INITIATIVES.—
5 For each school receiving funding under this Act—

6 (1) in the case of a school that is not a high
7 school, all students in all grade levels in the school
8 shall be required to attend the school on the ex-
9 panded learning time schedule; and

10 (2) in the case of a high school, all students in
11 the grade levels in which the school expands learning
12 time shall be required to attend the school on the ex-
13 panded learning time schedule.

14 (h) REPORTS BY ELIGIBLE ENTITIES.—Each eligible
15 entity receiving a subgrant under this section for expanded
16 learning time initiatives shall, not later than 1 year after
17 the first day of the first school year in which the expanded
18 learning time initiatives were implemented, prepare and
19 submit to the State educational agency a report regard-
20 ing—

21 (1) the extent to which the proposal for the ex-
22 panded learning time initiatives was carried out;

23 (2) the technical assistance the eligible entity
24 provided to expanded learning time schools;

25 (3) for each expanded learning time school—

1 (A) the budget for, and actual expenses as-
2 sociated with carrying out, the expanded learn-
3 ing time initiatives in the first school year; and

4 (B) the amount of time by which the
5 school day, school week, or school year, was ex-
6 panded in the school; and

7 (4) information on the impact of the expanded
8 learning time initiatives, including data on the meas-
9 ures described in section 9(b)(3) and (for secondary
10 schools) graduation rates (and any additional meas-
11 ures developed by the eligible entity or associated
12 State educational agency under section 5(c)(7) or
13 this subsection, with respect to the eligible entity),
14 for students participating in the expanded learning
15 time initiatives and for similar students in schools,
16 sewed by the local educational agencies involved,
17 that did not implement expanded learning time ini-
18 tiatives.

19 (i) PUBLICATION AND AVAILABILITY OF REPORT
20 SUMMARIES.—The Secretary shall publish and make wide-
21 ly available to the public, including through a website or
22 other means, a summary of the eligible entity reports re-
23 ceived under section 5(d)(4) and subsection (h).

1 **SEC. 8. GRANTS TO ELIGIBLE ENTITIES.**

2 (a) IN GENERAL.—The Secretary may award a grant
3 under this section to an eligible entity that serves 1 or
4 more areas within 1 or more States.

5 (b) PLANNING AND IMPLEMENTATION GRANTS.—
6 The Secretary may award a planning grant under sub-
7 section (a), to the eligible entity, to carry out the activities
8 described in section 6(e). In the case of an eligible entity
9 that has received a planning grant under subsection (a),
10 the Secretary may award an implementation grant under
11 subsection (a) to the eligible entity, to carry out the activi-
12 ties described in section 7(f).

13 (c) APPLICATIONS.—To be qualified to receive a
14 grant under subsection (a), an eligible entity shall submit
15 to the Secretary an application that contains (for a plan-
16 ning grant) information describing how the entity will un-
17 dertake the activities described in section 5(c)(8) and the
18 information described in section 6(d) and (for an imple-
19 mentation grant) the information described in section
20 7(d), other than paragraph (12) of that section. In deter-
21 mining whether to award a grant under subsection (a) to
22 an eligible entity, the Secretary shall give priority to an
23 eligible entity that meets the criteria described in section
24 6(f).

1 (d) PERIOD; AMOUNT.—The subgrant period and
2 amount described in subsections (b) and (c) of section 6
3 or 7, as appropriate, shall apply to the grant.

4 (e) AUTHORITIES; RESPONSIBILITIES.—The eligible
5 entity shall have the same authorities and responsibilities
6 under this Act as an eligible entity that receives a
7 subgrant under section 6 or 7, as appropriate. In carrying
8 out the report responsibilities described in section 7(h),
9 the eligible entity shall submit the reports to the Sec-
10 retary.

11 (f) MATCH.—

12 (1) IN GENERAL.—Each eligible entity that re-
13 ceives an implementation grant under this section
14 shall comply with the matching requirements de-
15 scribed in section 5(e)(1), except that references in
16 that section to a grant under section 5 shall be con-
17 sidered to be references to an implementation grant
18 under this section.

19 (2) MATCHING FUNDS.—The eligible entity may
20 provide the matching funds in cash or in kind, fairly
21 evaluated, including plant, equipment, or services,
22 but may not provide more than 50 percent of the
23 matching funds in kind. The eligible entity may pro-
24 vide the matching funds from State, local, or private
25 sources, or Federal sources under the Elementary

1 and Secondary Education Act of 1965 (20 U.S.C.
2 6301 et seq.).

3 **SEC. 9. NATIONAL ACTIVITIES.**

4 (a) **TECHNICAL ASSISTANCE AND SUPPORT.—**

5 (1) **IN GENERAL.—**The Secretary is authorized
6 to provide, directly or by entering into a contract
7 with an independent organization, technical assist-
8 ance to State educational agencies, eligible entities,
9 including eligible entities receiving grants under sec-
10 tion 8, local educational agencies, and schools in de-
11 veloping and implementing expanded learning time
12 initiatives under this Act.

13 (2) **PROVISION OF ASSISTANCE.—**The Secretary
14 or such organization shall provide technical assist-
15 ance that shall include—

16 (A) assisting State educational agencies
17 (and eligible entities receiving grants under sec-
18 tion 8, at the election of the Secretary) with de-
19 veloping expanded learning time initiatives, in-
20 cluding disseminating information and research
21 on existing State and local expanded learning
22 time efforts;

23 (B) annually convening participating State
24 educational agencies, eligible entities, and orga-
25 nizations providing support to State educational

1 agencies and eligible entities to provide tech-
2 nical assistance to the agencies, entities, and
3 organizations on best practices, for expanding
4 learning time, that relate to finance, edu-
5 cational programming, partnerships with com-
6 munity-based organizations, and measures of
7 student academic achievement and student en-
8 gagement and success and other appropriate
9 measures;

10 (C) identifying and disseminating informa-
11 tion about eligible entities, local educational
12 agencies, and schools that have effectively
13 planned and implemented expanded learning
14 time initiatives; and

15 (D) supporting the continued identification
16 and dissemination of information on expanded
17 learning time initiatives that can lead to im-
18 proved teaching and learning outcomes for chil-
19 dren, youth, and adults.

20 (b) EVALUATION AND DISSEMINATION.—

21 (1) IN GENERAL.—The Secretary shall enter
22 into a contract with an independent organization
23 with expertise in school improvement, program eval-
24 uation, and measurement (such as an institution of
25 higher education or other research organization) to

1 assist with the provision of the technical assistance,
2 and conduct the evaluation and analyses, described
3 in this subsection.

4 (2) TECHNICAL ASSISTANCE ON DATA COLLEC-
5 TION AND MEASURES.—The independent organiza-
6 tion shall provide technical assistance to State edu-
7 cational agencies and eligible entities receiving funds
8 under this Act with data collection and analysis of
9 the measures described in paragraph (3), including
10 data collection and analysis to enable State edu-
11 cational agencies to prepare reports pursuant to sec-
12 tion 5(d)(4) and eligible entities to prepare reports
13 pursuant to sections 7(h) (including reports de-
14 scribed in section 8(e)).

15 (3) TYPES OF MEASURES.—

16 (A) IN GENERAL.—A State educational
17 agency shall establish measures to assess the
18 success of eligible entities and schools receiving
19 funds through such State educational agency
20 under this Act, which shall include—

21 (i) measures of student academic
22 achievement and student engagement and
23 success;

24 (ii) measures of teacher collaboration
25 and professional planning; and

1 (iii) detailed measures of the amount
2 of time devoted to core academic subjects
3 and additional subjects and enrichment ac-
4 tivities.

5 (B) SPECIAL RULE FOR ELIGIBLE ENTI-
6 TIES RECEIVING GRANTS UNDER SECTION 8.—
7 If an eligible entity receives a grant under sec-
8 tion 8, the eligible entity shall establish meas-
9 ures in lieu of a State educational agency under
10 subparagraph (A) to assess the success of the
11 eligible entity and schools receiving funds
12 through the eligible entity under this Act.

13 (4) REPORT.—

14 (A) IN GENERAL.—The independent orga-
15 nization shall prepare a report that shall in-
16 clude the evaluation described in subparagraph
17 (B), including the analyses described in sub-
18 paragraph (C), and the analyses described in
19 subparagraph (D).

20 (B) EVALUATION.—The independent orga-
21 nization shall conduct an evaluation of the im-
22 pact and implementation of the program funded
23 under this Act, which evaluation shall rely in
24 part on the reports prepared by States under
25 section 5(d)(4) and eligible entities pursuant to

1 sections 7(h) (including reports described in
2 section 8(e)).

3 (C) CONTENTS.—In conducting the evalua-
4 tion, the independent organization shall conduct
5 an analysis of the impact of the expanded learn-
6 ing time initiatives funded under this Act, by
7 analyzing data on the measures described in
8 paragraph (3) and other appropriate measures
9 for students participating in expanded learning
10 time initiatives in all expanded learning time
11 schools, with results from that analysis
12 disaggregated by expanded school day, ex-
13 panded school week, or expanded school year
14 program, as appropriate.

15 (D) ANALYSES.—The independent organi-
16 zation shall conduct—

17 (i) an analysis of how variation in
18 school design, instructional practices, and
19 other conditions influence the success of
20 the implementation of the expanded learn-
21 ing time initiatives;

22 (ii) an analysis of the conditions and
23 activities that impact the planning and im-
24 plementation of the expanded learning time
25 initiatives, including teaching and leader-

1 ship practices at a school, student and
2 teacher schedules, the additional costs of
3 operating an expanded learning time
4 school, how the additional school hours re-
5 quired for the initiative involved are used
6 to enhance teaching and learning, and how
7 external organizations are utilized for the
8 initiative;

9 (iii) an analysis of the similarities and
10 differences in the ways in which schools
11 implemented an expanded school day, ex-
12 panded school week, or expanded school
13 year schedule; and

14 (iv) any other analysis requested by
15 the Secretary.

16 (5) DISSEMINATION.—The independent organi-
17 zation shall submit the report described in para-
18 graph (4) to Congress and the Secretary, and dis-
19 seminate the report to the general public. The Sec-
20 retary shall ensure that the report described in para-
21 graph (4) is provided to eligible entities and local
22 educational agencies on a periodic basis for use in
23 improving initiatives.

1 SEC. 10. CONSTRUCTION.

2 Nothing in this Act shall be construed to alter or oth-
3 erwise affect the rights, remedies, and procedures afforded
4 to the employees of local educational agencies under Fed-
5 eral, State, or local law (including applicable regulations
6 or court orders) or under the terms of collective bar-
7 gaining agreements, memoranda of understanding, or
8 other agreements between such employees and their em-
9 ployers.

10 SEC. 11. AUTHORIZATION OF APPROPRIATIONS.

11 There are authorized to be appropriated to carry out
12 this Act \$350,000,000 for fiscal year 2009, \$380,000,000
13 for fiscal year 2010, \$420,000,000 for fiscal year 2011,
14 \$460,000,000 for fiscal year 2012, and \$500,000,000 for
15 fiscal year 2013.

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